

# Chichester District Council

## Planning Committee

Wednesday 14 September 2016

### Report of the Head of Planning Services

#### Schedule of Planning Appeals, Court and Policy Matters

This report updates Planning Committee members on current appeals and other matters. It would be of assistance if specific questions on individual cases could be directed to officers in advance of the meeting.

**Note for public viewing via Chichester District Council web site** To read each file in detail, including the full appeal decision when it is issued, click on the reference number (NB certain enforcement cases are not open for public inspection, but you will be able to see the key papers via the automatic link to the Planning Inspectorate).

- WR – Written Representation Appeal
- H – Hearing
- I – Inquiry
- FT – Fast Track (Householder/Commercial Appeals)
- ( ) – Case Officer Initials
- \* – Committee level decision

#### 1. NEW APPEALS

Reference/Procedure	Proposal
SY/15/00371/CONCOU I (R Hawks) In Progress	East Beach Evangelical Church, 6 Marisfield Place, Selsey, Chichester, West Sussex PO20 0PD - Stationing of a portacabin.

#### 2. DECISIONS RECEIVED

Reference/Decision	
E/14/00348/CONCOU WR (S Pattie) Part allow part dismiss	107 First Avenue, Almodington, Batchmere, Chichester West Sussex, PO20 7LQ. Change of use of land to storage of caravans, motorhomes, boats and containers. <b>Linked to <a href="#">E/15/01644/FUL</a></b>
"Decisions Appeals B & C: APP/L3815/C/16/3142870 & 3143576 The appeal is dismissed insofar as it relates to the change of use of the land to the south of the glasshouse to the storage of caravans, boats and storage containers. The appeal is allowed insofar as it relates to extended hardstanding to north of the glasshouse and planning permission is granted for extended hardstanding to north of the glasshouse at 107 First Avenue, Almodington, Earnley PO20 7LQ in accordance with the terms of application Ref E/15/01644/FUL, dated 22 May 2015. The enforcement notice is varied...paragraphs 5(iv) & 5(v)...replacement with...iv) Break up the hard surface to the south of the glasshouse and remove from the land and v) On completion of step (iv) level and reseed the land to the south of the glasshouse...The main issues...character and appearance of the countryside and...promotion of the use of private motor vehicles...First Avenue...horticultural units...outside any settlement in the countryside, and is designated as a Horticultural Development Area....Starting first with the area to	

## Reference/Decision

the north...given the size of the extended area relative to what was there before...this increase is not sufficient to cause any visual harm to the surroundings...the hard surfacing now present is not unreasonably extensive on a horticultural enterprise... the containers and portacabins are of a functional and industrial appearance and, when grouped together in this way, they relate poorly to this rural landscape and little respect the horticultural character of the surroundings...Moreover, the area to the south might well be small relative to the plot at No 107 but that in itself does not mean it is not sufficiently large to create an unacceptable adverse impact....the caravans and boats...are striking and discordant features within the rural landscape...while the screening of the site is noted it is not sufficient to allay these concerns. Policy 31 in the Chichester Local Plan says that on existing caravan sites winter caravan storage would be permissible, but the storage now before me would be throughout the year and would also be for boats...Moving on to the increased vehicle movements...storage...would attract relatively little daily traffic...However...an additional flow to a use that need not be in this rural location...could be found in or adjacent to a settlement...the development causes an increase in vehicle movements that would be contrary to the aims of sustainability...the National Planning Policy Framework (the Framework) is read as a whole, the promotion of the rural economy has to be balanced against the need to recognise the intrinsic character and beauty of the countryside and the promotion of sustainable modes of transport...I conclude that the extension to the hard surfacing in the northern area and the portacabin on that area do not detract acceptably from the character or appearance of this rural location, and so do not conflict with Policies 1, 2 and 45 in the Local Plan. Moreover, I am aware of no conditions that need be imposed on these elements...I also conclude that the storage of caravans, boats and containers on the area of hardstanding to the south cause unacceptable harm to the character and appearance of the countryside and are contrary to the aims of promoting sustainable modes of transport. In the absence of any material considerations to outweigh this harm I therefore conclude these aspects of the appeals are contrary to Policies 1, 2 and 45 in the Local Plan and the Framework. To my mind what is before me in the northern area is distinct and severable from the remainder of the works I am considering. Therefore, with appropriate variations to the requirements, split decisions can be issued"

<b>Reference/Decision</b>	
<a href="#">E/15/01644/FUL</a> WR (M Tomlinson) Part allow part dismiss	107 First Avenue, Almodington, Batchmere, Chichester West Sussex, PO20 7LQ. Retrospective application for extended hard standing to the north of the glasshouse and change of use of land to south of glasshouse for the storage of caravans, boats and storage containers. <b>Linked to E/14/00348/CONCOU</b>
<p>"Decision Appeal A: APP/L3815/W/15/3139635 The appeal is dismissed insofar as it relates to the change of use of the land to the south of the glasshouse to the storage of caravans, boats and storage containers. The appeal is allowed insofar as it relates to extended hardstanding to north of the glasshouse and planning permission is granted for extended hardstanding to north of the glasshouse at 107 First Avenue, Almodington, Earnley PO20 7LQ in accordance with the terms of application Ref E/15/01644/FUL, dated 22 May 2015....The main issues...character and appearance of the countryside and...promotion of the use of private motor vehicles...First Avenue...horticultural units...outside any settlement in the countryside, and is designated as a Horticultural Development Area....Starting first with the area to the north...given the size of the extended area relative to what was there before...this increase is not sufficient to cause any visual harm to the surroundings...the hard surfacing now present is not unreasonably extensive on a horticultural enterprise... the containers and portacabins are of a functional and industrial appearance and, when grouped together in this way, they relate poorly to this rural landscape and little respect the horticultural character of the surroundings...Moreover, the area to the south might well be small relative to the plot at No 107 but that in itself does not mean it is not sufficiently large to create an unacceptable adverse impact....the caravans and boats...are striking and discordant features within the rural landscape...while the screening of the site is noted it is not sufficient to allay these concerns. Policy 31 in the Chichester Local Plan says that on existing caravan sites winter caravan storage would be permissible, but the storage now before me would be throughout the year and would also be for boats...Moving on to the increased vehicle movements...storage...would attractrelatively little daily traffic...However...an additional flow to a use that need not be in this rural location...could be found in or adjacent to a settlement...the development causes an increase in vehicle movements that would be contrary to the aims of sustainability...the National Planning Policy Framework (the Framework) is read as a whole, the promotion of the rural economy has to be balanced against the need to recognise the intrinsic character and beauty of the countryside and the promotion of sustainable modes of transport...I conclude that the extension to the hard surfacing in the northern area and the portacabin on that area do not detract nacceptably from the character or appearance of this rural location, and so do not conflict with Policies 1, 2 and 45 in the Local Plan. Moreover, I am aware of no conditions that need be imposed on these elements...I also conclude that the storage of caravans, boats and containers on the area of hardstanding to the south cause unacceptable harm to the character and appearance of the countryside and are contrary to the aims of promoting sustainable modes of transport. In the absence of any material considerations to outweigh this harm I therefore conclude these aspects of the appeals are contrary to Policies 1, 2 and 45 in the Local Plan and the Framework. To my mind what is before me in the northern area is distinct and severable from the remainder of the works I am considering. Therefore, with appropriate variations to the requirements, split decisions can be issued"</p>	

<b>Reference/Decision</b>	
<a href="#">SDNP/15/02792/HOUS</a> <b>HARTING</b> FT (R G Macpherson) In Progress	3 Loppers Ash, Elsted Road, South Harting, Petersfield West Sussex, GU31 5LR - Replacement shed.
<p>"...3 Loppers Ash, Elsted Road, South Harting...Whilst the building is single storey in nature, nonetheless, it would take up a significant amount of the rear garden and it is questionable whether a shed of the size proposed could be truly subordinate to the host dwelling....The proposed slate cladding also renders it as incongruous against the red brick dwelling that it would serve....I find that the replacement shed, by reason of its siting, scale, bulk and design would result in a substantial and unsympathetic addition to the property...dominating the plot by virtue of its floor area and appearing as an incongruous development within the rural scene....contrary to General Policy 1...South Downs National Park Partnership Management Plan 2014 - 2019...dismissed..."</p>	
<a href="#">SDNP/16/00360/HOUS</a> <b>PETWORTH</b> FT (B Stubbington) Dismissed	Trevornick, 65 Sheepdown Drive, Petworth, West Sussex GU28 0BX - Double storey rear extension
<p>"...extend the house at No 65 with a two storey portion projecting 3m rearwards from the present building, which itself is set behind the neighbouring dwelling at No 63....However, it is also the case that any impact on the exterior of No 63 would be exaggerated by the levels differences across both plots, with this property being lower than the appeal site and, in particular, its garden falling away fairly steeply. The extension would be elevated in relation to the sitting area adjacent to the neighbour's house, to create a more overbearing impression....orientation...due south...increase the level of overshadowing...neighbour's outside amenity space would be adversely affected...there are adequate grounds to consider that the overbearing and overshadowing of the outside amenity areas of No 63, and the resulting harm to the residents' living conditions, would be of sufficient extent to render the scheme an unsustainable form of development...."</p>	
SI/14/00397/CONMHC WR (R Hawks) Dismissed	Land at Church Farm Lane, Sidlesham, West Sussex - Stationing of caravans. Appeal against enforcement notice.
<p>"....Decision...the enforcement notice is upheld...Turning first to the residential use...while Mr Horstead undertakes some work on the farm this is not on a permanent or full-time basis and I have nothing before me to show the nature of the work means he has to live on site....Therefore, on the evidence before me Mr Horstead living here is not essential for the operation of the business...the mobile home's location...has a restricted outlook and very limited amenity space...For these reasons I find that the residential use is unacceptable. Turning...to the impact of the mobile home...I find it detracts unacceptably from the character and appearance of the countryside....fails to preserve the character and appearance of the Sidlesham Church Conservation Area...Therefore the appeal under ground (a) is dismissed...Ground (f) appeal...I have found above that the mobile home is in fact harmful...Accordingly the appeal under ground (f) fails. Ground (g) appeal...In order to allow its subsequent removal without impinging on this period of occupation the overall time for compliance should be lengthened to 7 months."</p>	

<b>Reference/Decision</b>	
WE/15/00135/CONWST WR (R Hawks) Dismissed	Land South East Of Hopedene Common Road Hambrook Westbourne West Sussex – hardsurfaced access track without planning permission. Appeal against enforcement notice.
<p>The appeal is dismissed and the notice is upheld with corrections and variations as set out in the Formal Decision at paragraph 23...</p> <p>In these circumstances I agree that matters would be clarified by correcting the allegation to refer to a hared-surfaced track ... It will also be necessary as a consequence of that change to vary the requirements to include the removal of the road scalplings/aggregate as the track comprises more than just the rubble and hard-core.</p> <p>Ground (d)</p> <p>The Notice issues is for operational development, not a material change of use. ... I conclude on the basis of what is set out in the representations that the operational development occurred less than four years before the issue of the Notice and the appeal on this ground accordingly fails.</p> <p>Ground (a)</p> <p>the main issue is whether the development materially harms the rural character and appearance of the area. ... A large amount of material has been added...has taken on a very urban appearance. It detracts considerably form the rural character and appearance of the rural, woodland area and is contrary to Policy 48 in the Development Plan. ...</p> <p>Accordingly I dismiss the appear on ground (a) and will uphold the Notice (as corrected and varied)</p> <p>Ground (f)</p> <p>...I agree that a Notice cannot require more than returning something to the condition it was in before the breach of planning control took place. In those circumstances requiring the appellatnt to reseed it with grass is excessive. If what has been deposited is removed and then the area is levelled it would not look untidy as claimed by the Council and in my view that is as much as can be required.</p> <p>Ground (g)</p> <p>... Three months would enable the appellatnt to carry out the work... the appeal on this ground fails and the Notice will be upheld with corrections and variations. ...</p>	
<a href="#">WW/15/01408/FUL</a> WR (F Stevens) Dismissed	Ullswater, Malden Way, Selsey, Chichester, West Sussex, PO20 0RW. Construction of chalet bungalow on land east of Ullswater.
<p>"The appeal is dismissed...The main issues are the effect of the proposed development on: the character and appearance of the area; the living conditions of the occupiers of 4a Malden Way, with particular regard to privacy; and, the living conditions of the occupiers of Croft Corner, with particular regard to outlook....The effect of the development on the character and appearance of the area...the front wall of the proposal would project significantly forward of the front wall of Ullswater. Its position so close to the street boundary would disrupt the line established by Ullswater. Given the diminutive scale of the street in front of the appeal site, this forward projection would result in the building having an overbearing presence in the street scene, and appearing cramped within the depth of its site. Thus, the proposal would be in conflict with Policy 33 of the Chichester Local Plan: Key Policies 2014-2029 (LP)...It would be at odds too with the advice in paragraphs 56, 58 and 61 of the National Planning Policy Framework 2012 (the Framework) which sets out the importance the Government attaches to design...The effect on the living conditions of the occupiers of 4a Malden Way...In these circumstances, because of the proximity of the dormer windows in the proposal to No 4a, I consider that the proposed development would result in a materially harmful degree</p>	

<b>Reference/Decision</b>	
<p>of overlooking into the back garden of No 4a. It would have a harmful effect on the living conditions of the occupiers of 4a Malden Way with particular regard to privacy, and would be contrary to LP Policy 33....The effect on the living conditions of the occupiers of Croft Corner Croft Corner has a relatively small back garden area, the outlook from which and from the room on the ground floor opposite the proposed development, would change. However, given the separation of the proposed house of almost 6m from its side boundary which has a fence around 1.5m high, together with its relatively low eaves height and partially hipped roof, it would not have a materially harmful effect on the outlook from within Croft Corner or from its garden. The proposal would not harm the living conditions of the occupiers of Croft Corner, with particular regard to outlook, and in this respect, would not conflict with LP Policy 33...Conclusion Whilst the development would provide a modest benefit of one additional house to local housing supply, this is outweighed by the unacceptable harm it would cause to the character and appearance of the area and the living conditions of the occupiers of No 4a Malden Way, which is in clear conflict with the policies of the development plan as a whole. For the reasons given above, and taking account of all matters raised, I conclude that the appeal should be dismissed."</p>	
<p><a href="#">CC/15/02449/FUL</a> H (N Langford) <b>WITHDRAWN 22.8.16</b></p>	<p>WKB Toyota, 117 The Hornet, Chichester, West Sussex PO19 7JW - Redevelopment of car garage site to form a development comprising 35 one and two bed sheltered apartments for the elderly including communal facilities (Category II type accommodation), access, car parking and landscaping.</p>

### 3. OUTSTANDING APPEALS

<b>Reference/Status</b>	<b>Proposal</b>
<p><a href="#">AP/15/00465/ELD</a> WR (C Boddy) Awaiting Decision</p>	<p>Crouchers Farm, 163 Birdham Road, Appledram, Chichester, West Sussex, PO20 7EQ - Certificate of lawful use in respect of the constituent parts of the above property.</p>
<p>BI/15/00139/CONSH PI (S Archer) In Progress 7<sup>th</sup> – 9<sup>th</sup> February 2017</p>	<p>Land North West Of Premier Business Park, Birdham Road Birdham, West Sussex – Access track, hardstanding and fencing. Appeal against enforcement notice. <b>Linked to <a href="#">BI/15/01288/FUL</a> and <a href="#">BI/15/00194/CONTRV</a></b></p>
<p>BI/15/00194/CONTRV PI (S Archer) In Progress 7<sup>th</sup> – 9<sup>th</sup> February 2017</p>	<p>Land North West of Premier Business Park Birdham Road Birdham, West Sussex - Use of land as a Traveller Site. Appeal against enforcement notice <b>Linked to <a href="#">BI/15/01288/FUL</a> and <a href="#">BI/15/00139/CONSH</a></b></p>
<p><a href="#">BI/15/01288/FUL</a> PI (S Archer) In Progress 7<sup>th</sup> - 9<sup>th</sup> February 2017</p>	<p>Land north west of Premier Business Park, Birdham Road Birdham, West Sussex PO20 7BU - Proposed single pitch site including the provision of a utility building for settled gypsy accommodation together with existing stables. <b>Linked to <a href="#">BI/15/00194/CONTRV</a> and <a href="#">BI/15/00139/CONSH</a></b></p>
<p><a href="#">BO/14/03677/PLD</a> H (F Stevens/D Price) Awaiting Decision</p>	<p>Land west of Sweet Meadow Bosham Hoe Bosham Chichester PO18 8ET - Use of site for 1no. dwelling.</p>

Reference/Status	Proposal
<a href="#">SDNP/14/04865/FUL</a> BURY I (D Price) In Progress 13 <sup>th</sup> -16 <sup>th</sup> September at Bury Village Hall	Land North of Junction with B2138 Bury Road Bury West Sussex - Change of use from agricultural land to a Gypsy and Traveller's site. <b>Linked to SDNP/15/00336/COU.</b>
<a href="#">SDNP/15/00336/COU</a> BURY I (R Hawks) In Progress 13 <sup>th</sup> -16 <sup>th</sup> September at Bury Village Hall	Land North of Junction with B2138 Bury Road Bury West Sussex - Stationing of two caravans for human habitation. Appeal against enforcement notice <b>Linked to <a href="#">SDNP/14/04865/FUL</a></b>
<a href="#">CC/15/04197/DOM</a> FT (H Chowdhury) Awaiting Decision	39 Ormonde Avenue, Chichester PO19 7UX – Proposed Conservatory
FU/15/00237/CONTRV WR (S Archer) Dismissed	Land South of The Stables, Newells Lane/Scant Road East,, West Ashling West Sussex – Creation of a hardstanding – appeal against enforcement notice. <b>Text to be added</b>
<a href="#">FU/15/02504/FUL</a> H (K Rawlins) In Progress 12 <sup>th</sup> October at Edes House, WSCC	Land South Of The Stables, Scant Road East, Hambrook, West Sussex, PO18 8UB - Change of use of land from equestrian use to half equestrian and residential gypsy and traveller site with the erection of barn and 2 no. stable building
<a href="#">SDNP/15/03829/CND</a> HARTING WR (J Shore) In Progress	Copper Beeches Torberry Farm, B2146 Ditcham Lane to Hurst Mill Lane, Hurst, South Harting, Petersfield, West Sussex, GU31 5RG - Variation of condition 1 of permission HT/02/69. To remove agricultural occupancy from Copper Beeches, Torberry Farm.
<a href="#">SDNP/16/00382/HOUS</a> LAVANT FT (J Shore) In Progress	29 Northside, Mid Lavant, Chichester West Sussex, PO18 0BX - Retention of arctic cabin.
<a href="#">LX/15/00498/ELD</a> I (C Boddy) In Progress	Beech Farm, Roundstreet Common, Loxwood, Wisborough Green, West Sussex, RH14 0AN. The siting of a mobile home for the purposes of human habitation independently to Beech Farm House
<a href="#">LX/15/03623/PA3Q</a> WR (F Stevens) In Progress	Mallards Farm Buildings, Guildford Road, Loxwood, West Sussex, RH14 0QW - Part 3 Class Q application for prior approval. Change of use from agricultural building to dwelling (C3 Use class).
<a href="#">SDNP/15/03433/FUL</a> LYNCHMERE WR (C Cranmer) In Progress	Danley Hill, Danley Lane, Linchmere, West Sussex GU27 3NF - Demolish fire damage cottage and re-build as existing before fire damage. (Renewal of permission reference LM/09/03061/FUL).

Reference/Status	Proposal
<a href="#">NM/15/02119/FUL</a> WR (M Tomlinson) In Progress	The Chalet, Southgate Farm, Fisher Lane, North Mundham, Chichester, West Sussex PO20 1YU - Erection of replacement dwelling.
O/15/00277/CONHH WR (R Hawks) Awaiting Decision	Tapners Barn Marsh Lane Merston Oving Chichester West Sussex PO20 1DZ - Erection of side extension without planning permission. Appeal against enforcement notice.
<a href="#">O/15/02834/DOM</a> WR (C Boddy) Awaiting Decision	Tapners Barn, Marsh Lane, Merston, Oving, West Sussex, PO20 1DZ – Retrospective orangery extension to side of existing barn. <b>Linked with O/15/00277/CONHH</b>
<a href="#">SDNP/14/06285/MPO</a> PETWORTH H (J Saunders) 17 <sup>th</sup> August at City Council	Land At Laundry Cottage Woodlea and Grass Mere Horsham Road Petworth West Sussex - Removal of affordable housing obligation attached to planning permission <a href="#">SDNP/12/02721/FUL</a> .
PS/13/00015/CONCOU I (R Hawks) In Progress 25 <sup>th</sup> -28 <sup>th</sup> April & 3 <sup>rd</sup> -4 <sup>th</sup> May 2017 <a href="#">WSSC CLU Appeal : Appeal Dismissed 22.6.16</a>	Crouchlands Farm, Rickmans Lane, Plaistow, Billingshurst West Sussex, RH14 0LE. Use of anaerobic digestion tanks and equipment for importation of waste and export of biomethane. Construction of a digestate lagoon without planning permission. Appeal against enforcement notices. Linked to s78 appeal against refusal of planning permission by WSSC.
<a href="#">PS/15/03095/FUL</a> WR (A Miller) In Progress	Hardnips Barn, Crouchlands Farm, Rickmans Lane Plaistow, Billingshurst, West Sussex RH14 0LE - Retention of wood store and general garden store on land adjacent to Hardnip's Barn
<a href="#">PS/15/03745/FUL</a> WR (F Stevens) In Progress	Dale Farm, The Lane, Ifold, Loxwood, RH14 0UL - Change of use from stable to dwelling and associated works.
<a href="#">SY/15/02518/DOM</a> WR (P Hunt) Awaiting Decision	47 Wellington Gardens Selsey West Sussex PO20 0RF - Self-contained annexe. <b>Linked with SY/15/00074/CONHH</b>  <b>Add details of SY/15/00074/CONHH</b>
<a href="#">SB/16/00092/FUL</a> WR (M Tomlinson) In Progress	Land West of Fieldside, Prinsted Lane, Prinsted, Emsworth, Hampshire - Proposed two bedroom gatehouse dwelling with car parking.
<a href="#">WH/15/04038/FUL</a> H (F Stevens) In Progress 25 <sup>th</sup> October 2016 at EPH	Land North Of March Primary School, Claypit Lane, Westhampnett, West Sussex - Erection of two storey detached dwelling house and detached single storey double car port with attached storage.

Reference/Status	Proposal
<a href="#">WR/15/03504/DOM</a> WR (R Ballam) Awaiting Decision	Park Cottage, Kirdford Road, Wisborough Green, West Sussex, RH14 0DF - Demolition of existing incongruous rear dormer. New rear dormer, rear extension and connecting walkway to existing bothy. Linked to <a href="#">WR/15/03505/LBC</a>
<a href="#">WR/15/03505/LBC</a> WR (R Ballam) Awaiting Decision	Park Cottage, Kirdford Road, Wisborough Green, West Sussex, RH14 0DF - Demolition of existing incongruous rear dormer. New rear dormer, rear extension and connecting walkway to existing bothy. Linked to <a href="#">WR/15/03504/DOM</a>

#### 4. VARIATIONS TO SECTION 106 AGREEMENTS

##### Section 4. Variations to S.106 Agreements

Land adjacent to Wellington Grange Care Home, Broyle Road, Chichester.

Planning permission was granted for the erection of a 72 bed care home on the east side of Broyle Road at its junction with Wellington Road on the remaining parcel of land at the former Roussillon Barracks site on 21.01.2013 under CC/12/01551/FUL. The S.106 accompanying the permission requires the developer within one year of the Care Home being first occupied to agree with the County Council the provision of a cycle path running along the boundary frontage of Wellington Grange parallel with Broyle Road but set back from it. The cycle path has to be delivered within 1 year of the first occupation of the Care Home. The plans approved with the planning permission showed provision for such a path. The developer then applied to the Council to not provide the cycle path citing difficulties with avoiding street service infrastructure and the Smugglers Stone monument which is to be retained in its current location on the site frontage. The developer was advised in writing that non-provision of the cycle path was not acceptable to the County or District Councils. After further negotiations and the submission of a revised drawing the developer has agreed to provide the cycle path which will now need to have a slight deviation to avoid the Smugglers Stone.

Officers have now written (15<sup>th</sup> August) to the developer approving the amended drawing as a variation to the S.106 and the originally approved cycle path drawing. Before the cycle path can be delivered the developer is required to enter into a S.278 agreement with WSCC to ensure that the path accords with technical and safety standards. The developer has been asked to confirm that this process will commence within 4 weeks of the 15<sup>th</sup> August or a timetable to be agreed. The Committee will have noted the recent improvements along the west side of Oaklands Park to provide what is now a well-used cycle path. This has highlighted the need to ensure that adjoining connectivity to the north for cycle users adjacent to Broyle Road is also delivered in a timely fashion.

Members are asked to note both the completion of this agreed written variation and that the timetable for delivery of the cycle path is now dependant on the outcome of a S.278 agreement to be reached between the developer and WSCC.

## 5. CALLED-IN APPLICATIONS

Reference	Proposal	Stage
NONE		

## 6. COURT AND OTHER MATTERS

Injunctions		
Site	Breach	Stage

Prosecutions		
Site	Breach	Stage

Prosecutions		
Site	Breach	Stage

Prosecutions		
Site	Breach	Stage

## 7. POLICY MATTERS

NONE