

Chichester District Council

Planning Committee

Wednesday 07 February 2018

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).

* - Committee level decision.

1. NEW APPEALS

Reference/Procedure	Proposal
17/01790/FUL Bosham Parish Case Officer: Rachel Ballam Written Representation	Old Thatch Station Road Bosham PO18 8NG - Demolish garage and erect 1 no. two bedroom detached cottage with carport. Linked to 17/01791/LBC
17/01791/LBC Bosham Parish Case Officer: Rachel Ballam Written Representation	Old Thatch Station Road Bosham PO18 8NG - Demolish garage and erect 1 no. two bedroom detached cottage with carport. Linked to 17/01790/FUL
17/02423/FUL Hunston Parish Case Officer: Fjola Stevens Written Representation	Brook Lea Selsey Road Hunston PO20 1NR - Variation of condition 8 of permission HN/17/00314/FUL (Construction of 5 no. dwellings and associated works (minor amendment to outline planning permission 16/00856/OUT and associated reserved matters 16/02672/REM).) Omit the post and rail fence and amend plan.

Reference/Procedure	Proposal
<p data-bbox="86 271 443 338">17/01485/DOM Plaistow And Ifold Parish</p> <p data-bbox="86 405 424 439">Case Officer: Paul Hunt</p> <p data-bbox="86 495 440 528">Written Representation</p>	<p data-bbox="523 271 1378 450">Quennells Loxwood Road Plaistow Billingshurst West Sussex RH14 0NX - Partial demolition of link buildings with internal and external alterations. New building to form single and double storey extension with rebuilt link buildings to adjacent building.</p> <p data-bbox="523 495 868 528">Linked to 17/01786/LBC</p>
<p data-bbox="86 607 443 674">17/01486/LBC Plaistow And Ifold Parish</p> <p data-bbox="86 741 424 775">Case Officer: Paul Hunt</p> <p data-bbox="86 831 440 864">Written Representation</p>	<p data-bbox="523 607 1378 786">Quennells Loxwood Road Plaistow Billingshurst West Sussex RH14 0NX - Partial demolition of link buildings with internal and external alterations. New building to form single and double storey extension with rebuilt link buildings to adjacent building.</p> <p data-bbox="523 831 884 864">Linked to 17/01485/DOM</p>
<p data-bbox="65 954 424 1021">SDNP/15/00109/OPDEV Stedham Parish</p> <p data-bbox="65 1066 424 1099">Case Officer: Reg Hawks</p> <p data-bbox="65 1133 424 1167">Written Representation</p>	<p data-bbox="523 954 1378 1066">Field South of The Old Stables, Mill Lane, Stedham, Midhurst, West Sussex, GU29 0PR - Laying of hard surface access track. Appeal against Enforcement Notice</p>
<p data-bbox="86 1234 424 1301">SDNP/17/01624/HOUS Stedham Parish</p> <p data-bbox="86 1346 488 1413">Case Officer: Rafael Grosso Macpherson</p> <p data-bbox="86 1458 440 1491">Written Representation</p>	<p data-bbox="523 1234 1362 1346">3 Claypit Cottages Linch Road Redford Woolbeding GU29 0QF - Retrospective proposal to change existing UPVC casement windows to wooden sash with panes.</p>

2. DECISIONS MADE

Reference/Procedure	Proposal
<p data-bbox="84 315 300 387">16/03338/FUL Kirdford Parish</p> <p data-bbox="84 450 424 483">Case Officer: Paul Hunt</p> <p data-bbox="84 524 341 560">Informal Hearing</p>	<p data-bbox="523 315 1358 423">Idolsfold House Kirdford Billingshurst West Sussex RH14 0JJ - Removal of condition 4 from planning permission KD/4/82. Removal of the Agricultural Occupancy condition.</p>

Appeal Decision: APPEAL ALLOWED

“ ... Decision. The appeal is allowed and outline planning permission granted for a proposed agricultural worker’s dwelling at Idolsfold House, Balls Cross Road, Kirdford, Billingshurst RH14 0JJ in accordance with the application Ref KD/16/03338/FUL, dated 6 October 2016, without compliance with condition 4 previously imposed on outline planning permission Ref, KS/4/82, dated 8 June 1982. ... Main Issue - The main issue in this appeal is whether the disputed condition is reasonable and necessary, having regard to national and development plan policy, to meet the essential need for a rural worker to live permanently at or near their place of work. The appeal property consists of a 5 bedroom house set within a plot of land. Differing in areas for the land have been proved to me, varying between 11 to 16 acres. However I saw that the house is set within an extensive area of land which includes a residential garden, tennis court, sand school, outbuildings and pasture. It is located within the open countryside approximately 1.3km from the village of Kirdford. The dwelling was permitted in 1982 as part of a more extensive landholding associated with Parsonage Farm. Outline planning permission was granted on the basis that it was required for the landowner of the wider farm unit, although I note that the land was then subdivided and the appeal site was subsequently used as part of a smallholding. Permission was therefore granted on the basis that there was a need for an agricultural workers dwelling on the site. Although of a historical nature, this background is reflected in the current national Planning Policy Framework (the Framework) which permits isolated homes in the countryside in special circumstances, including where there is an essential need for a rural worker to live permanently at or near their place of work. The Council state that the proposal would be contrary to Policy 26 of the Chichester Local Plan: Key Policies 2014-2029 (LP). This Policy relates to “Existing Employment Sites” and the Council refer to this on the basis that the proposal relates to accommodation linked to the provision of employment and that it requires a marketing exercise to be carried out to demonstrate that the asset is no longer required. However, I note that Policy 37 of the LP specifically relates to “Accommodation of Agricultural and Other Rural Workers”. Whilst Policy 37 may relate to new accommodation, it is implicit in the final paragraph of that Policy that it requires a condition in relation to occupation by agricultural, forestry or other rural workers. Furthermore, I note that Appendix E of the LP also requires that a marketing exercise be undertaken in relation to proposals assessed against Policy 37. Read objectively in context, I therefore consider that the proposal is more appropriately assess against Policy 37 and that Policy 26 does not bear directly on the main issue in this appeal. The Council’s reason for refusal sloe refers to Policy H3 of the Kirdford Parish Neighbourhood Development Plan 2014 (NP). Policy H3 relates to agricultural occupancy conditions, including measures to be taken when removal of a condition is proposed. ... I note that the appellants purchase the property in 1999 and at that time was considered to meet the requirement of the occupancy condition due to his involvement in a bedding plant business and subsequent nursery/garden centre.

Appeal Decision: APPEAL ALLOWED - Continued

The appellant questions whether he would now be considered to meet the occupancy condition and contends that he has been resident at the property in breach of the condition in excess of 10 years, however this matter does not all within the remit of this appeal. ... On the basis of the evidence before me, I conclude that there remains a need for rural workers' dwellings in the locality of the appeal site. Both the LP and the NP specify that, in effect, a property should be marketed at no more than 70% of open market price to establish whether it would meet the needs of another local farm or rural business. To determine the open market price, the appellant obtained quotes from two Estate Agents who identified a guide price of £1.5 to £1.6 million if the property was marketed without the agricultural occupancy condition. The property was subsequently marketed at £1 million which I consider to be a fair market price reflecting the reduction required by development plan policy. The Council contest this figure and state that an open market price of £1.2 to £1.25 million would be more reasonable. However, this figure would appear to be based on a 30% uplift from a cash offer made in response to the marketing of the property. In my view, this approach does not reflect that recommended in the development plan which indicates that the starting figure should be the open market price rather than a valuation based on offers with restrictions in place. I therefore consider that the appellant has provided professional and independent valuations of the property to justify both the open market price and the subsequent market price of the property with the condition in place. Based on the evidence before me, and taking account of the site location and plot size, an asking price of £1 million does not seem unreasonable. ... Both Appendix E of the LP and Policy H3 of the NP require a marketing exercise to be undertaken in circumstances such as these. ... I consider that the scope of this marketing was sufficient, as indicated by the number of enquiries referred to by the appellant. I note that Appendix E of the LP requires photographic evidence of marketing boards placed on the site. However, in view of the increasing reliance on the internet for the marketing of property I consider that the wider marketing exercise was suitably robust. ... The Council refer to a further cash offer of £915,000 which was received from a third party which is also reflected in some of the comments raised. The appellant rejected this offer as he did not consider that the bidder met the requirements of the occupancy condition, although I note that there is some dispute between the parties as to whether this would have been the case. Notwithstanding this, I am mindful that this offer is significantly below the identified market price of the property with the condition in place. ... However, even allowing for such flexibility I do not consider the cash offer represents an appropriate valuation of the property. The Council also confirmed in the Hearing and in the statement of Common Ground that a 30% reduction is appropriate. The appellant has therefore not been unreasonable in rejecting this offer. ... Policy H3 of the NP requires that if the removal of an agricultural occupancy condition is deemed acceptable, then the unit should be made available as an affordable dwelling unless it can be demonstrated that this would be unviable, unsuitable or unnecessary in this location. Due to the market value of the property I do not consider that the proposal would be viable as an affordable dwelling, even with an appropriate discount. I am also mindful that the property is located within the open countryside and is remote from services, which would limit its suitability as an affordable dwelling. ... Drawing the above together, whilst I accept that there is a need for dwelling for rural workers in this locality, I have found that the appeal property is no longer one which could meet that need. Thus the disputed condition is no longer reasonable or necessary. On that basis, removal of the condition would not conflict with Policy 37 of the LP or Policy H3 of the NP. For the reasons given above, and taking account of all material planning considerations,

Appeal Decision: APPEAL ALLOWED - Continued

I conclude that the appeal should be allowed. I have granted a new outline planning permission without the disputed condition. No additional conditions were considered necessary by the Council and I agree that none are needed. As the dwelling has been constructed, there are no conditions on the original outline planning permission which need to be re-imposed.”

15/00202/CONAGR

Oving Parish

Ham Farm Church Lane Oving West Sussex PO20 2BT -
Appeal against new agricultural building, earth bund and
access track.

Case Officer: Reg Hawks

Written Representation

Appeal Decision: APPEAL DISMISSED - NOTICE UPHELD

3173331 - The enforcement notice, number O/25

3173333 - The enforcement notice, number O/26

Appeal A – Ground (g) - ... The time allowed for compliance is 3 months, which is sufficient time to arrange and submit an application for a change of use... given the need to remedy the harm that is being caused, that the period allowed for the remedy is reasonable and appeal on ground (g) fails.

Appeal B - Ground (a) and Deemed Planning Application - ...The current use of this building is the same as the main part of the site: commercial storage of caravans, leisure vehicles and boats... I consider that the mainly rural character and appearance remains and that to allow a further use that would erode the character of the area and would cause considerable harm... The use of the site results in a large number of stored vehicles in the countryside. While the appellant indicates there is a considerable need for this type of storage, which I accept, there is no sufficient reason provided why it should be in the countryside. It does not comply with policies restricting development other than that requiring a countryside location. While the rate of traffic movement to and from the site is not likely to be great for this type of storage use, it nevertheless means overall there will be more vehicles in the countryside than need to be there. The stored vehicles are seen as alien and incongruous in the countryside... The appeal on ground (a) fails and the deemed planning application will be refused.

<p>16/03906/FUL Sidlesham Parish</p> <p>Case Officer: Caitlin Boddy</p> <p>Written Representation</p>	<p>Land To The North Of Sunnybrook Highleigh Road Sidlesham West Sussex - New dwelling house, garden, greenhouse and ancillary landscaping.</p>
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Appeal Decision: APPEAL DISMISSED

" The appeal is dismissed. ... Spatial Strategy - LP Policy 2 identifies the locations where sustainable infrastructure and facilities will be accommodated and sets out a settlement hierarchy. ... The appeal site is in the Rest of the Plan Area. It lies in a rural setting separated by large open field from the main group of houses in the small hamlet of Highleigh. There is no evidence that the proposed development requires a countryside location or would meet essential local rural needs. Given the above the proposed development would not comply with the spatial strategy for the District. There would be conflict with LP Policies 2 and 45. The Framework Paragraph 55 fourth bullet point - the appellant says permission should be granted because the Framework at paragraph 55 allows, the design of the propose house in terms of its appearance. ... In architectural terms it would not be of an exceptional quality in terms of its outward design. Turning to the energy efficiency of the design it would use PASSIC HAUS construction methodology along with a system of sustainable devices. ... I do not find the concept to be so sufficiently innovative as to comply with paragraph 55 of the Framework. Moreover, given my findings on the second issue below the proposed development would not meet the test of significantly enhancing its immediate setting and be sensitive to the defining characteristics of the local area. The proposed development is not of such exceptional quality or innovative design as to be justified in this rural location under the fourth bullet point of paragraph 55 of the Framework.

Character and Appearance - ... In the vicinity of the appeal site, and further south, development is much more sporadic and loose knit, and in place notably well screened from the road. As such this area has a far more rural character and appearance. ... Additional built form in this area, even of the rural design proposed, would consolidate existing sporadic development to a degree that would detract from the rural character and appearance of the area. ... It is concluded that the proposed development would detract from the character and appearance of the surrounding area. ... Matters of nature conservation importance - The appeal site falls within the 5.6km zone of influence for the Chichester Harbour Special Protection Area (SPA) and the 3.5km zone of influence for the Pagham Harbour SPA. ... The matter could be dealt with by a condition requiring the payment. Planning Practice Guidance (PPG) says that a negatively worded condition limiting the development that can take place until a planning obligation or other agreement has been entered into is unlikely to be appropriate in the majority of cases. ... The proposed development is not, given its small-scale, one of the more complex and strategically important developments to which the above exception applies. The condition should not therefore be imposed and thus there would be no means of securing the contribution sought. Without the required measures in place to mitigate against harm to the 2 SPAs I conclude that I cannot be satisfied that there would be no harm to their special features. The proposed development would be contrary to LP Policies 50 and 51 on the protection of SPAs.

Appeal Decision: APPEAL DISMISSED - Continued

Other matters - The High Court judgement in Braintree District Council v Secretary of State for Communities and Local Government and others was concerned with the meaning of isolated homes in paragraph 55 of the Framework. The key determination was that this paragraph cannot be read as a Policy against development in settlements without facilities and services. Moreover the Inspector's decision in that case was made in the context of an absence of a 5-year housing land supply. The main issue in the case before me is the relationship between the propose development and the Council's settlement strategy. Moreover, that strategy is up to date being that is in a newly adopted plan and in a District with a 5-year housing land supply. Thus I consider the High Court judgement to be a little relevance to my decision. ... There would be some minor social and economic advantages in the proposal. However, they are outweighed by the substantial Policy and environmental harm identified. Thus this would not be sustainable development and would be contrary to the development plan read as a whole. For the reason given above it is concluded that the appeal should be dismissed. "

16/00176/CONCOU
Southbourne Parish

Case Officer: Emma Kierans

Written Representation

Land East Of Inlands Road Inlands Road Nutbourne West Sussex - Without planning permission, the erection of three metal shipping container buildings in the approximate positions shown on the plan.

Appeal Decision: APPEAL DISMISSED - NOTICE UPHeld

The enforcement notice (SB/114) was issued on 15 December 2016. The breach of planning control as alleged in the notice is the erection of three metal shipping container buildings. ... The requirements of the notice are to remove the three shipping container buildings from the land. Currently there are 3 shipping containers on the appeal site. The appeals are dismissed and the enforcement notice is upheld. The three containers, owned by the appellant, are of steel construction and each built as a solid single unit with a pair of opening doors. These are large, very robust and heavy units and are individually comparable in size to a small building. In my view, because of the bulk and weight of the containers, moving them would not be a minor or insignificant operation and they now have the appearance of permanency rather than movable features. I conclude as a matter of fact and degree that these containers are structures and operational development as defined by Section 55 of the Planning Act, and not a use of the land, and therefore the appeal on ground (b) fails. It is not permitted development and therefore requires planning permission. The appeal fails on ground (c). The main issue in each case is the effect on the character and appearance of the area. They are incongruous and alien features in the countryside and are unacceptable. They do not respect or enhance the rural character of the surrounding area, and represent a visually intrusive and unacceptable form of development. The Section 78 Appeal (C) is dismissed, the ground (a) appeal fails and the deemed planning application refused. The Council's requirements are reasonable and the appeal on ground (f) fails.

<p>16/02811/FUL Southbourne Parish</p> <p>Case Officer: Rachel Ballam</p> <p>Written Representation</p>	<p>Land East Of Inlands Road Inlands Road Nutbourne West Sussex - Siting of metal shipping container for storage of agricultural equipment and animal feeds.</p>
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Appeal Decision: APPEAL DISMISSED

The enforcement notice (SB/114) was issued on 15 December 2016. The breach of planning control as alleged in the notice is the erection of three metal shipping container buildings. The requirements of the notice are to remove the three shipping container buildings from the land. The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission. The application Ref SB/16/02811/FUL dated 19 August 2016, was refused by notice dated 5 October 2016. The development proposed is siting of metal shipping containers for storage of agricultural equipment and animal feeds. Currently there are 3 shipping containers on the appeal site and that is what the deemed planning application relates to. The planning application is for 5 shipping containers in a similar location to the current 3 containers. Appeals A and B - The appeals are dismissed and the enforcement notice is upheld. Appeal C - The appeal is dismissed. The three containers, owned by the appellant, are of steel construction and each built as a solid single unit with a pair of opening doors. These are large, very robust and heavy units and are individually comparable in size to a small building. In my view, because of the bulk and weight of the containers, moving them would not be a minor or insignificant operation and they now have the appearance of permanency rather than movable features. I conclude as a matter of fact and degree that these containers are structures and operational development as defined by Section 55 of the Planning Act, and not a use of the land, and therefore the appeal on ground (b) fails. ... It is not permitted development and therefore requires planning permission. The appeal fails on ground (c). ... The main issue in each case is the effect on the character and appearance of the area. They are incongruous and alien features in the countryside and are unacceptable. They do not respect or enhance the rural character of the surrounding area, and represent a visually intrusive and unacceptable form of development. ...Whilst additional landscaping could be added or the colour of the containers modified, I do not consider that this would be likely to be sufficient to adequately disguise and mitigate the harm of the industrial and utilitarian appearance of the containers and any benefit in terms of biodiversity of such planting would also not justify the harm to character and appearance. It would also be possible to design an appropriately sized building with associated landscaping that would achieve the requirements for the building and similarly enhance biodiversity, so I give this matter little weight.... The Section 78 Appeal (C) is dismissed, the ground (a) appeal fails and the deemed planning application refused. ... The Council's requirements are reasonable and the appeal on ground (f) fails.

<p>17/00410/DOM West Wittering Parish</p> <p>Case Officer: Rachel Ballam</p> <p>Householder Appeal</p>	<p>Little Orchard Summerfield Road West Wittering Chichester West Sussex PO20 8LY - Retrospective erection of replacement front boundary fencing.</p>
Appeal Decision: APPEAL ALLOWED	
<p>I acknowledge that the Council's Area of Outstanding Natural Beauty Design Guidelines for New Dwellings and Extensions (Revised 2010) discourages the use of timber fencing for boundary treatments; and I accept that there are no other examples of the exact type of fence design proposed. However it is of a high quality and being of timber construction is similar to other fences which enclose rear gardens within and adjacent to the road: these fences are of a similar length, height and solidity and can be found within close proximity of the appeal site. I therefore consider that the fence would not form an incongruous form of development within the street scene, the overall impact of which would be softened over time through the evergreen hedging that has been planted within the verge, between the fence and the public highway. ... I find that the proposal, by reason of its height, length, position and materials would ... be inkeeping with the visual amenity and character of the street scene and the wider area. As the proposal is located within an existing built-up area I consider that it would cause no substantive harm upon the character of the AONB either. ... For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should succeed. As the proposal is retrospective in nature, the development has begun and been completed, it is not necessary to impose any conditions.</p>	

3. CURRENT APPEALS

Reference/Procedure	Proposal
<p>16/00933/OUT Birdham Parish</p> <p>Case Officer: Jeremy Bushell</p> <p>Public Inquiry 20/03/2018 at 10:00am Chichester City Council North Street Chichester PO19 1LQ</p>	<p>Koolbergen, Kelly's Nurseries And Bellfield Nurseries Bell Lane Birdham Chichester West Sussex PO20 7HY - Erection of 77 houses B1 floorspace, retail and open space with retention of 1 dwelling.</p>
<p>17/01790/FUL Bosham Parish</p> <p>Case Officer: Rachel Ballam</p> <p>Written Representation</p>	<p>Old Thatch Station Road Bosham PO18 8NG - Demolish garage and erect 1 no. two bedroom detached cottage with carport.</p> <p>Linked to 17/01791/LBC</p>
<p>17/01791/LBC Bosham Parish</p> <p>Case Officer: Rachel Ballam</p> <p>Written Representation</p>	<p>Old Thatch Station Road Bosham PO18 8NG - Demolish garage and erect 1 no. two bedroom detached cottage with carport.</p> <p>Linked to 17/01790/FUL</p>
<p>* 16/00492/FUL East Wittering And Bracklesham Parish</p> <p>Case Officer: James Cross</p> <p>Written Representation</p>	<p>Ashbury Kimbridge Road East Wittering West Sussex PO20 8PE - Demolition of existing house and detached garage and construction of 5 no. flats and 1 no. single storey dwelling.</p>

Reference/Procedure	Proposal
<p data-bbox="86 264 288 297">17/02423/FUL</p> <p data-bbox="86 304 304 338">Hunston Parish</p> <p data-bbox="86 400 475 434">Case Officer: Fjola Stevens</p> <p data-bbox="86 495 437 528">Written Representation</p>	<p data-bbox="523 264 1369 483">Brook Lea Selsey Road Hunston PO20 1NR - Variation of condition 8 of permission HN/17/00314/FUL (Construction of 5 no. dwellings and associated works (minor amendment to outline planning permission 16/00856/OUT and associated reserved matters 16/02672/REM).) Omit the post and rail fence and amend plan.</p>
<p data-bbox="86 600 368 633">15/00375/CONCOU</p> <p data-bbox="86 640 416 674">North Mundham Parish</p> <p data-bbox="86 712 480 745">Case Officer: Shona Archer</p> <p data-bbox="86 786 300 909">Public Inquiry 22/05/2018 at 10:00am</p> <p data-bbox="86 920 421 1025">Chichester City Council North Street Chichester PO19 1LQ</p>	<p data-bbox="523 600 1358 786">Land North Of Fisher Common Nursery Fisher Lane North Mundham West Sussex - Without planning permission, the change of use of a building to use as a dwellinghouse. Without planning permission, the erection of a dwellinghouse.</p>
<p data-bbox="86 1086 368 1120">15/00375/CONCOU</p> <p data-bbox="86 1126 416 1160">North Mundham Parish</p> <p data-bbox="86 1198 448 1232">Case Officer: Reg Hawks</p> <p data-bbox="86 1272 300 1395">Public Inquiry 22/05/2018 at 10:00am</p> <p data-bbox="86 1406 421 1512">Chichester City Council North Street Chichester PO19 1LQ</p>	<p data-bbox="523 1086 1353 1191">Land North Of Fisher Common Nursery Fisher Lane North Mundham West Sussex - Change of use of barn to residential.</p>
<p data-bbox="86 1572 288 1606">16/00424/ELD</p> <p data-bbox="86 1612 416 1646">North Mundham Parish</p> <p data-bbox="86 1684 448 1718">Case Officer: Reg Hawks</p> <p data-bbox="86 1756 320 1962">Public Inquiry - Reconvenes 22/05/2018 to 27/05/2018 at 10:00am</p> <p data-bbox="86 1973 491 2045">Chichester City Council North Street Chichester PO19 1LQ</p>	<p data-bbox="523 1572 1374 1760">10 Acres Land North Of Fisher Common Nursery Fisher Lane North Mundham West Sussex PO20 1YU - Continuous occupation for in excess of 4 years of barn style building erected under planning permission 10/00517/FUL granted on 28 April 2010.</p>

Reference/Procedure	Proposal
<p>17/00838/ELD North Mundham Parish</p> <p>Case Officer: Caitlin Boddy</p> <p>Public Inquiry 20/03/2018 at 10:00am Chichester District Council East Pallant House PO19 1TY</p>	<p>Field House Vinnetrow Road Runcton PO20 1QB - Erection of building and its use as a dwellinghouse</p>
<p>15/00202/CONAGR Oving Parish</p> <p>Case Officer: Reg Hawks</p> <p>Written Representation</p>	<p>Ham Farm Church Lane Oving West Sussex PO20 2BT - Appeal against new agricultural building, earth bund and access track.</p>
<p>17/00074/CONENF Oving Parish</p> <p>Case Officer: Shona Archer</p> <p>Written Representation</p>	<p>Decoy Farm Decoy Lane Oving Chichester West Sussex PO20 3TR - Appeal against non-compliance with Enforcement Notice O/11 - O/12.</p>
<p>17/00074/CONENF Oving Parish</p> <p>Case Officer: Shona Archer</p> <p>Written Representation</p>	<p>Decoy Farm Decoy Lane Oving Chichester West Sussex PO20 3TR - Appeal against non-compliance with Enforcement Notice O/27 - O/28.</p>
<p>17/01485/DOM Plaistow And Ifold Parish</p> <p>Case Officer: Paul Hunt</p> <p>Written Representation</p>	<p>Quennells Loxwood Road Plaistow Billingshurst West Sussex RH14 0NX - Partial demolition of link buildings with internal and external alterations. New building to form single and double storey extension with rebuilt link buildings to adjacent building.</p> <p>Linked to 17/01786/LBC</p>

Reference/Procedure	Proposal
<p>17/01486/LBC Plaistow And Ifold Parish</p> <p>Case Officer: Paul Hunt</p> <p>Written Representation</p>	<p>Quennells Loxwood Road Plaistow Billingshurst West Sussex RH14 0NX - Partial demolition of link buildings with internal and external alterations. New building to form single and double storey extension with rebuilt link buildings to adjacent building.</p> <p>Linked to 17/01485/DOM</p>
<p>16/00359/CONTRV Sidlesham Parish</p> <p>Case Officer: Emma Kierans</p> <p>Informal Hearing</p>	<p>Land Adj To Ham Road Sidlesham West Sussex - Appeal against Enforcement Notice SI/69</p> <p>Linked to 16/03383/FUL</p>
<p>16/03383/FUL Sidlesham Parish</p> <p>Case Officer: James Cross</p> <p>Informal Hearing</p>	<p>Land Adjacent To Ham Road Sidlesham West Sussex - Use of land as a travellers caravan site consisting of 2 no. touring caravans, 1 no. amenity structure and associated development.</p> <p>Linked to 16/00359/CONTRV</p>
<p>* 16/03751/FUL Southbourne Parish</p> <p>Case Officer: James Cross</p> <p>Written Representation</p>	<p>Nutbourne Farm Barns Farm Lane Nutbourne PO18 8SA - Change of use of existing storage building to a 2 bed holiday let.</p>
<p>17/00858/FUL Southbourne Parish</p> <p>Case Officer: Paul Hunt</p> <p>Written Representation</p>	<p>Marsh Farm Farm Lane Nutbourne PO18 8SA - Alterations to approved garage (application SB/16/03112/FUL) to connect it to the new proposed pool cover.</p>

Reference/Procedure	Proposal
<p>SDNP/15/00109/OPDEV Stedham Parish</p> <p>Case Officer: Reg Hawks</p> <p>Written Representation</p>	<p>Field South of The Old Stables, Mill Lane, Stedham, Midhurst, West Sussex, GU29 0PR - Laying of hard surface access track. Appeal against Enforcement Notice</p>
<p>SDNP/17/00294/FUL Sutton Parish Bev Stubbington</p> <p>Written Representation</p>	<p>1 Sutton Hollow, The Street, Sutton, RH20 1PY - Retrospective application for partial reconstruction and change of use of existing outbuilding to form self contained annexe/holiday accommodation in connection with 1 Sutton Hollow (variation from SDNP/12/0149/HOUS and SDNP/12/12050/LIS).</p>
<p>SDNP/17/00295/LIS Sutton Parish</p> <p>Bev Stubbington</p> <p>Written Representation</p>	<p>1 Sutton Hollow, The Street, Sutton, RH20 1PY - Retrospective application for partial reconstruction and change of use of existing outbuilding to form self-contained annexe/holiday accommodation in connection with 1 Sutton Hollow (variation from SDNP/12/01049/HOUS and SDNP/12/01050/LIS).</p>
<p>SDNP/12/01049/HOUS Sutton Parish</p> <p>Bev Stubbington</p> <p>Written Representation</p>	<p>1 Sutton Hollow, The Street, Sutton, RH20 1PY - Retrospective application for partial reconstruction and change of use of existing outbuilding to form self-contained annexe/holiday accommodation in connection with 1 Sutton Hollow (variation from SDNP/12/01050/LIS) and SDNP/17/00295/LIS</p>
<p>SDNP/16/00069/COU Upwaltham Parish</p> <p>Case Officer Shona Archer</p> <p>Public Inquiry Awaiting Decision</p>	<p>The Mill, Eartham Lane, Eartham, Chichester, PO18 0NA – without planning permission, use of workshop as single dwelling. Appeal against an enforcement notice</p>

Reference/Procedure	Proposal
<p>17/00866/FUL West Itchenor Parish</p> <p>Case Officer: Claire Coles</p> <p>Written Representation</p>	<p>Owl Cottage And Pheasant Cottage Itchenor Road West Itchenor Chichester West Sussex PO20 7DA - Change of use and conversion of two self catering holiday units to form a single unrestricted Class C3 dwelling house including some minor internal changes and external alterations to the appearance of the building.</p>
<p>16/00094/CONMHC Westbourne Parish</p> <p>Case Officer: Reg Hawks</p> <p>Public Inquiry</p>	<p>Racton View Marlpit Lane Hambrook Westbourne Emsworth West Sussex PO10 8EQ - Appeal against stationing of a mobile home for human habitation</p> <p>Linked to 16/03010/FUL</p>
<p>16/00191/CONCOU Westbourne Parish</p> <p>Case Officer: Shona Archer</p> <p>Written Representation</p>	<p>The Old Army Camp Cemetery Lane Woodmancote Westbourne West Sussex - Appeal against change of use to tarmac contractor.</p> <p>Linked to 17/00378/FUL</p>
<p>16/03010/FUL Westbourne Parish</p> <p>Case Officer: Caitlin Boddy</p> <p>Public Inquiry</p>	<p>Racton View Marlpit Lane Hambrook Westbourne PO10 8EQ - Retention of mobile home for a temporary period of 3 years (revised application further to 16/01547/FUL).</p> <p>Linked to 16/00094/CONMHC</p>
<p>17/00378/FUL Westbourne Parish</p> <p>Case Officer: Caitlin Boddy</p> <p>Written Representation</p>	<p>The Old Army Camp Cemetery Lane Woodmancote Westbourne PO10 8RZ - Retrospective application for change of use of land as open storage for vehicles and use as HGV Operating Centre, with ancillary office and stores.</p> <p>Linked to 16/00191/CONCOU</p>

Reference/Procedure	Proposal
<p>* 17/00670/FUL Westbourne Parish</p> <p>Case Officer: Claire Coles</p> <p>Written Representation</p>	<p>Meadow View Stables Monks Hill Westbourne Emsworth West Sussex PO10 8SX - Change use of land for the retail use of selling Christmas trees for the period of 1 month each year start 24/11 to 24/12.</p>
<p>16/02717/OUT Wisborough Green Parish</p> <p>Case Officer: Rhiannon Jones</p> <p>Public Inquiry 30/01/2018 to 02/02/2018 and 07/02/2018 to 08/02/2018 at 10:00am</p> <p>Chichester District Council East Pallant House PO19 1TY</p>	<p>Stable Field Kirdford Road Wisborough Green West Sussex - Outline with some matters reserved - access. 1 no. village doctors surgery (use class D1); village community uses (use class D2) to include outdoor activity area, activity room, gym, community building, 30 extra-care units (use class C2) to include affordable accommodation, community allotments and landscaped recreational areas. With associated new vehicle, pedestrian access, ancillary uses and infrastructure.</p>
<p>17/00934/FUL Wisborough Green Parish</p> <p>Case Officer: Maria Tomlinson</p> <p>Written Representation</p>	<p>Old Helyers Farm Kirdford Road Wisborough Green RH14 0DD - Conversion of commercial equestrian indoor riding school barn to 3 no. dwellings.</p>

4. VARIATIONS TO SECTION 106 AGREEMENTS

Land to the North of Garmans, Newpound Lane, Wisborough Green

Garmans comprises a group of 6 housing association properties that are arranged as three pairs of semi-detached dwelling houses, with a shared open hardstanding to the front and private gardens to the rear. There is currently open agricultural land to the north and east of the site, known as Winterfold Fields.

An application was made by the landowner Hyde Group to vary the S.106 agreement attached to planning permission WR/03/01037/FUL, in relation to buffer land to the north of the site. The effect of the variation is to remove the requirements that this land be retained and maintained as a buffer between the development and the open agricultural land. This consists of low sporadic shrubs and uncut meadow grasses.

The land to the North of Garmans has been allocated as a development site under Wisborough Green Neighbourhood Plan Policy SS4, and outline approval has been granted

for 22 dwellings on the site under permission 15/03366/OUT. Indicative siting of the 22 dwellings would require development up to the northern boundary with Garmans and its buffer land. It is considered that this would remove the need for a visual buffer between Garmans and Winterfold Fields, and would also prevent access to the land for maintenance generating potential harm to the local amenity. Removing the clause restricting the use of the land as a buffer will allow applications for other uses of the land, including as small extensions to the gardens of the dwelling houses at Garmans. This would create a more coherent site layout between the existing development at Garmans and the new development at Winterfold Fields.

The Deed of Variation retains all other duties and requirements outlined in the section 106 agreement and solely removes reference to the buffer land. Members are asked to note that the Deed of Variation is now complete and the Housing Association, Hyde Martlett, are in discussion with the Planning Department about a potential application for the change of use of the buffer land.

5. CALLED-IN APPLICATIONS

Reference	Proposal	Stage

6. COURT AND OTHER MATTERS

Injunctions		
Site	Breach	Stage

Court Hearings		
Site	Matter	Stage

Prosecutions		
Site	Breach	Stage

7. POLICY MATTERS