

HUNSTON PARISH COUNCIL

Minutes of a Planning Meeting held on Wednesday 7 September 2016 in the Annexe at Hunston Village Hall.

Present: Mr S Baker (Chairman), Mrs S Gregory, Mr S Solliss

In attendance: Mrs C Smith (Clerk), 12 members of public

The meeting commenced at 7.00pm

41/16P Questions/Comments from members of the public.

Members of the public raised a number of issues and questions.

- Why were trees cut down before the reserve matters application was submitted and the demolition had started. Two apple trees are shown on the reserve matters application as being retained.
- There was concern that the hedgerow inside the boundary had already been cut down and nothing had been done to stop this happening.
- A question was raised on how to protect the Hazel trees on the northern boundary of the site as these bordered neighbouring gardens where the fencing was currently only 5 ft high.
- Why was no Bat survey requested?
- Residents were advised that the hedgerow adjacent to the towpath would be trimmed but it was felt that much more had been cut away than was necessary.
- A resident who had previously removed an old Apple tree had seen stag beetles in the base of the tree. The assumption being that there was a high likelihood of stag beetles being present in the two trees that were removed.
- The plans show a tree at the rear of 7 St Leodegars Way being retained which has not been there for several years.
- A neighbour objected to the bin store and bike shed being situated at the end of their garden for health and safety reasons.
- The green strip shown on the plans had almost entirely been removed. Planting fresh trees and shrubs would take some years to establish.
- The District Council has a statutory duty to consider the wildlife aspects in relation to this application. Why has this not been done?
- There continue to be concerns about the visibility at the entrance to the site.
- There was concern that no site entrance signs had been erected warning traffic that construction was taking place.
- The current Method Statement includes plans for a lorry wheel wash. Where is this to be sited? What mitigation is in place to protect the nearby water course from pollution?
- There was concern that no-one had considered the environmental issues.
- A resident reported that natural England had advised that there should have been some species studies carried out on the site.
- The application for No1 St Leodegars Way had been refused for the very reasons residents were objecting to this application.

42/16P Apologies for absence.

Apologies for absence were received and accepted from Cllr Furlong.

43/16P Declarations of Interest.

None.

44/16P Minutes of the Planning Committee meeting held on 10 August 2016.

The Chairman called for the approval of the Minutes of the Planning Meeting held on 10 August 2016. These were **APPROVED** and the Chairman duly signed the Minutes as being a true record of that meeting.

45/16P Planning applications.

45.1 HN/16/02672/REM – Brook Lea, Selsey Road, Hunston
Landscaping and appearance

Councillors were in broad agreement with the comments that had been made by residents. In addition, it was suggested that the site should have a Bat survey, Water Vole survey and Stag beetle survey before any further work took place.

It was suggested there should be provision for a 2m wildlife buffer around the edge of the site to include both north and south boundaries.

There was concern that the applicant had contravened planning consent by starting work on the site before reserve matters had been approved. It was thought that the failure to serve the correct notices on neighbours before starting demolition may have constituted a criminal offence.

AGREED RESONSE: Hunston Parish Council objects to this application on the following grounds.

- The decision notice states that permission is granted subject to compliance with the conditions specified hereunder:
 - 1) Details of the appearance and landscaping (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.
Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

This has not been the case and the applicant has clearly contravened this condition of the planning permission.

Under Section 55 (1A) of the Town and Country Planning Act 1990 development includes the demolition of a building.

- The Landscape specification refers to specialist ecology reports which have not been submitted.
- Under the Buildings Act 1984, Section 80 no person may start demolition of a building unless they have served the statutory notice to do so and the relevant period has expired. Given that demolition started 10 days after outline permission was granted it is difficult to see how this can be achieved. They are also required to serve notice to owners of any building adjacent to the building being demolished. Adjacent neighbours confirm that this did not happen. Failure to comply with this legislation renders the person liable on summary conviction to a fine. Will Chichester District Council pursue this?
- Under Section 40 of the Natural Environment and Rural Communities Act 2006 - "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity." The Parish Council is of the opinion that this aspect has not been taken into consideration with due diligence.

Given that there have been already several breaches of planning consent the Parish Council urges the District Council to ensure that all work on this site is stopped immediately to allow the appropriate surveys to be undertaken.

46/16P Planning decisions as advised by Chichester District Council

None.

47/16P Enforcement action.

Barn north of Hunston Dairy Farm have been served with an Enforcement Notice to improve the visibility splays.

48/16P To note the date of the next meeting.

The next meeting will take place when there are applications to consider.

Signed _____ Date _____
Chairman