



Chichester City Council

PLANNING ADVISER'S REPORT FOR THE PLANNING AND CONSERVATION COMMITTEE MEETING ON 12 SEPTEMBER 2024 AT 4PM

Week 32
No committee items.

Week 33

The following is an application by Chichester City Council, to note.

CC/24/01698/LBC - Case Officer: Miruna Turland

Mr Andrew Watson

21 West Street Chichester West Sussex PO19 1QW

Erection of an A3 sized (420mm x 297mm) information plaque on the outside of the east side wall of 21 West Street which forms the west side boundary within the memorial garden.

To view the application use the following link; <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SH2MUMEROZU00>

Key issues:

- The proposal is for the erection of an A3-sized information plaque on the side wall of the West Street Memorial Garden, to inform members of the public about its history and use.
- The proposal site is a grade II listed building in the city centre Conservation Area; Listed Building Consent is required for the plaque as it would be attached to the side elevation wall of the grade II listed building, 21 West Street, which forms the side wall of the memorial garden.
- The plaque would be of 3mm thick, powder coated aluminium, which accords with the Conservation Area advertisement design guidance.
- There would be no harm to the character and appearance of the listed building, or the Conservation Area, and the sign would encourage awareness and use of the garden and promote understanding of its history.

Recommendation: To note that the application has been submitted.



Welcome to the

Garden of Remembrance

This War Memorial was instituted by Canon Godfrey Wells of the former St Peter the Great Church after the Second World War. Canon Wells worked tirelessly throughout the war to support service men and women, and after the war he continued to support them as they returned home.

St Peter the Great Church was built in 1848-1852. The parish of St Peter was one of the largest in the old city of Chichester, initially worshipping in the cathedral and then in the fine church behind you. It was closed in 1979.

This garden haven still remains, offering tranquillity to all who come and remembrance for the men of the Royal Sussex Regiment.

Be refreshed in peace

*Remember all who served
and gave their lives for us*

This Garden of Remembrance
is cared for by the

**WEST WALLS
RESIDENTS ASSOCIATION**

**Winner of a 2023
Chichester Community Award**

generously supported by

The Chichester
City Council



The Royal Sussex
Regimental Association



CC/24/01783/FUL - Case Officer: Vicki Baker

Mr Declan Marshall

Southgate Pavilion Deanery Close Chichester West Sussex

Retrospective application for change of use from A5 (hot food takeaway) to Sui Generis (to sell alcohol for consumption on the premises and takeaway) and erection of 2 no. pergolas to north and south elevations of existing pavilion, with proposed green/living roof (**Variation of conditions 4 and 5 from planning permission CC/22/02731/FUL - Extend opening hours/day and substitute with updated Noise Management Plan**).

To view the application use the following link; <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SHJAMRERKBG00>

Key issues:

- The site is a micro-pub, 'The Crafty Bishop', located within the city centre Conservation Area, granted planning permission under reference CC/22/02731/FUL. The principle of the use of the pub, or the (retrospective) extensions to the building allowed under that permission, is not open for reconsideration. The proposal is to vary conditions 4 and 5 of that permission, CC/22/02731/FUL. The current conditions are set out below.

Condition 4) The premises hereby permitted shall not be used except between the hours of: 1200 hours and 2300 hours Mondays, Thursdays, Fridays and Saturdays 1200 hours and 1800 hours on Sundays and Bank Holidays. Reason: To safeguard the amenities of neighbouring properties.

- The proposal, in respect of the variation to condition 4, would allow for the pub to also open on Tuesdays and Wednesdays, between 12-23.00, which would correspond to normal city centre pub opening hours, and would reflect the existing opening hours of the pub on Mondays and Thursdays-Saturdays. The venue's Sunday closing time of 18:00 would remain. It would appear that the only reason to exclude Tuesdays and Wednesdays in this original condition was that the condition reflected the days and hours requested in the original application. This aspect of the proposal is therefore a reasonable variation, unlikely to harm the amenity of neighbouring residents, subject to appropriate controls over the use of the venue.

Condition 5) The development hereby permitted shall be carried out in strict accordance with the submitted Noise Management Plan at all times. Reason: To safeguard the amenities of neighbouring properties.

- The current Noise Management Plan states that: The provision of background music shall be permitted at any time the premises is open to the public. By definition, this music or other audio played whose main function is to create an atmosphere suitable to a specific occasion rather than to be listened to and is incidental to speech and conversation.
- The current Noise Management Plan also states that: If music is to be played within the premises the doors connecting to the outside dining area shall be kept closed, and that: No entertainment will take place on any day at any time.
- The proposed replacement Noise Management Plan would allow for live music including amplified music and DJ sets, as well as spoken word acts on the outside terrace.
- The proposed Noise Management Plan is supported by a Noise Assessment, assessing noise from the venue against background noise and setting out the likely effects on neighbouring residential properties. (Note: Lowest Observed Adverse Effect Level (LOAEL) - the level above which adverse effects on health and quality of life can be detected. Significant Observed Adverse Effect Level (SOAEL) - the level above which significant adverse effects on health and quality of life occur).

The Noise Assessment concludes that:

- Stand-up comedy and other spoken word is of a similar character and level to existing residual noise conditions - mitigation not required.
- For intimate live acoustic acts with unamplified vocals, assessment suggests moderate impact (between the LOAEL and SOAEL) - some mitigation required.
- For more lively small acoustic group performances featuring amplified vocals and instruments, or for DJ sets, (source levels no greater than LAeq 77 dB), assessment suggests a more significant impact, approaching the SOAEL.
- Pre-recorded background music played at normal levels for the establishment would have little or no impact on nearby receivers and could be permitted with restriction as long as source levels are reliably limited to their current typical level of LAeq 60 dB.

The proposed replacement Noise Management Plan therefore requests that the following be allowed:

- Live performances only to occur within the covered terrace area. This will consist only of small music groups, DJs or stand-up comedy / spoken word.
- Only the house PA system to be used for sound reinforcement. No 'backline' amplification, guitar amplifiers, live acoustic or electronic drum kits, or percussion instruments.
- Up to 30 performances per year for small acoustic groups performing with unamplified voices. No more than once per week.
- Up to 1 performance per month of either small acoustic groups performing with amplified voices, or DJs playing music through the house PA system.
- DJ source levels will be limited to LAeq,5min 77dB within the covered terrace area. This will be ensured through installation and calibration of an in-line limiter to the house PA system. This limiter will be kept in a locked, tamper-proof enclosure.
- Pre-recorded background music played via the small 3W, 5-inch diameter ceiling loudspeakers will be limited to LAeq,5min 60 dB within the premises or in the covered terrace area. This will be ensured through installation and calibration of an in-line limiter to the background music system. This limiter will be kept in a locked, tamper-proof enclosure.
- The level of 77dB for DJ set music was determined by the owner of the venue, because they considered that it would be 'unviable' to play music below this level. It would be more appropriate to first establish what level of music would not cause an observable effect to the neighbouring residents, and then, if this is not viable, seek to provide the outdoor music venue in a more suitable location, in terms of its impacts on surrounding residents.
- Although the proposal would contribute to the vitality and viability of the city centre and its evening and night-time economy, this must be balanced against the significant detrimental effect on the amenity of surrounding neighbours. The proposal would therefore not be acceptable, even if limited to once per month or 30 per year performances.

Recommendation: Objection to the variation of Condition 5. The site is not suitable as an outdoor music venue due to the proximity and noise impacts to the surrounding residential properties. The proposal would result in significant harm to the residential amenity of the surrounding neighbours, which would not be adequately mitigated by limiting the performances to once per month or 30 per year. No objection to the variation of Condition 4 to enable the venue to open on Tuesdays and Wednesdays, subject to appropriate controls over the noise.



Week 34

CC/24/01310/FUL and CC/24/01311/LBC - Case Officer: Joanne Prichard
Mrs Clare de Bathe

Marchwell Buildings Pinewood Way Graylingwell Chichester

Conversion, alterations and repair of the existing Marchwell Buildings into community use facilities and associated works to include a new training room building in courtyard. Proposed use Classed E(c)(ii) professional services, E(c)(iii) Other appropriate services in a commercial, business or service locality, E(g)(i) Offices to carry out any operational or administrative functions,, E(g)(ii) Research and development of products or processes, E(g)(iii) Industrial processes (which can be carried out in a residential area without detriment to its amenity) & F2(b) Halls or meeting places for the principal use of the local community.

Link to view the full planning application; <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SEnzCLERJ7Z00>

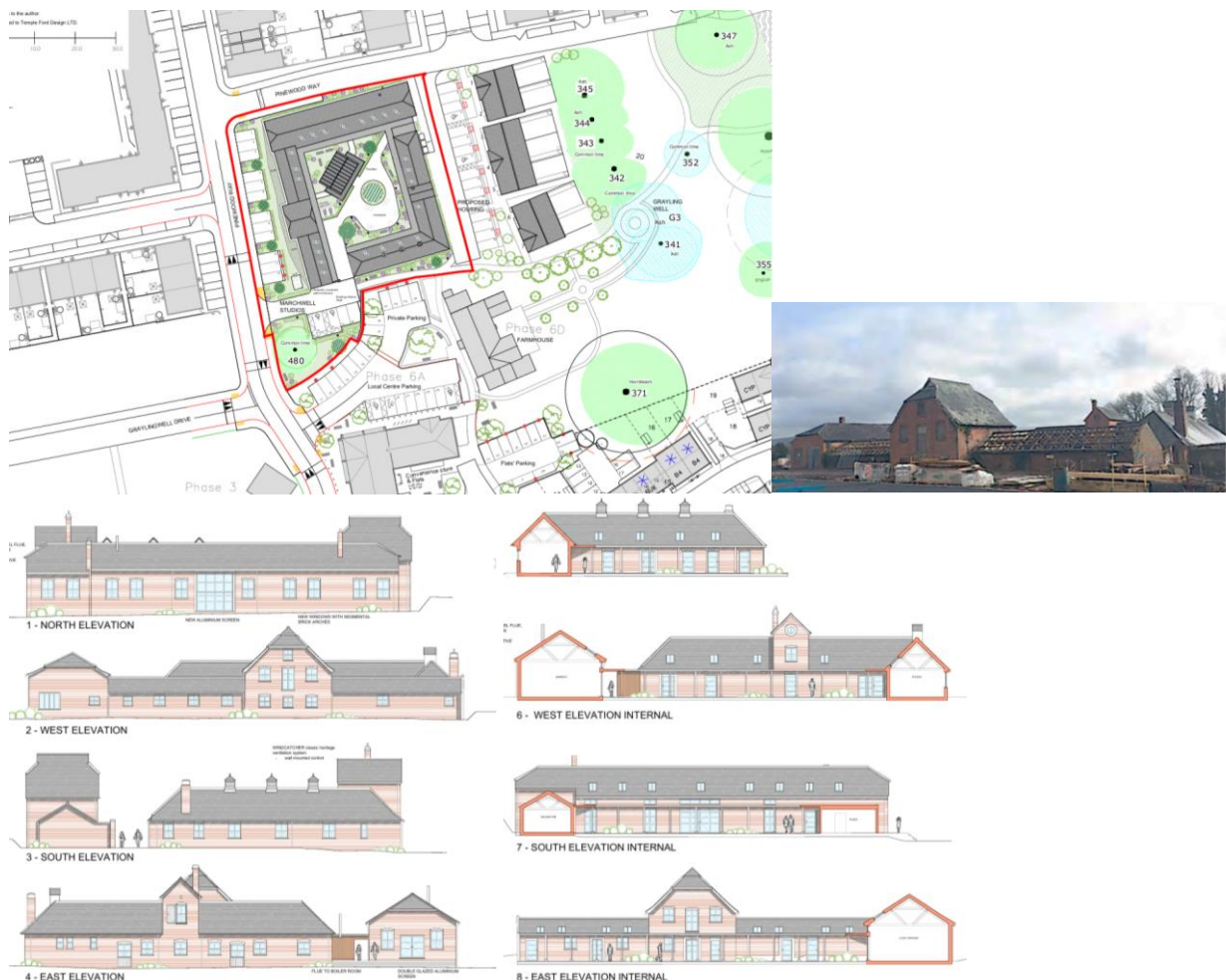
Link to view the LBC application; <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SEnzCNERJ8000>

Key issues:

- The proposal is the alteration and conversion of the existing Marchwell Buildings, which have been in a poor state of repair for some years, and the erection of a new 'training room' building within the courtyard which these buildings enclose. An internal covered walkway behind the buildings would provide sheltered access around and between the buildings, on the internal courtyard side, linking to all the studios.
- The proposed development would provide a flexible, lettable space for community use, including local artists and groups. The hours of use would be 7am to 10pm Monday to Sunday.

- The buildings are curtilage listed, having been within the curtilage of the grade II listed Farmhouse.
- The buildings would be repaired and re-roofed using as much of the existing as possible. Where new materials are required, they will match the existing. New doors and windows would be installed throughout, mostly within the original openings. There would be some new openings to facilitate the new internal layout.
- The covered walkway would be timber framed with a standing seam metal roof, adjoining that of the single storey training room building.
- The concrete surface of the internal courtyard would be landscaped to enhance biodiversity, and to provide shade and visual interest.
- The site is adjacent to the local centre with a retail store and parking area.
- The proposal would provide 16 parking spaces on site, including two accessible parking spaces.
- The proposal would restore the building to an appearance as close as practicably possible to its original design, as viewed from the public realm, with the main alterations and additions being to the interbal courtyard area. This minimises harm to the character and appearance of the building whilst optimising the useable space. The benefits of the proposal are the restoration of the buildings and their return to an active use, and the provision of the required community use for the surrounding residential development. These public benefits would outweigh the less than substantial harm to the heritage asset.
- The proposal is associated with application CC/24/01802/OBG – A deed of variation which seeks to amend the community facilities obligations under the original section 106 agreement dated 21 March 2018 for planning permission 14/01018/OUT, viewable online: <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SHQYH5ER0ZU00>

Recommendation: No objection.





CC/24/01677/FUL - Case Officer: Rebecca Perris

Miss Amy Boyce

69 South Street Chichester West Sussex PO19 1EE

Installation of external flue and extraction equipment to rear of premises and creation of rear garden terrace at first floor. (Variation of condition 8 of permission CC/20/02298/FUL - use the garden terrace from 7.00am - 21.30pm. No recorded music out there from the hours of 19.30 - 21.30).

To view the application use the following link; <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SGV569ERK2400>

Key issues:

- The site is a coffee shop, 'Trading Post Coffee Roasters', located in the city centre Conservation Area. A roof terrace, together with extraction equipment, was granted planning permission under reference CC/20/02298/FUL. The principle of the use, the terrace itself, or extraction equipment, is not open to reconsideration. The proposal is to vary condition 8 of the permission. The current condition is set out below.

8) Notwithstanding any indication on the approved plans or documents, the use/occupation of the first floor terrace area to the rear of the property shall only take place between the hours of 07:30-19:30 on any day, unless otherwise agreed in writing by the Local Planning Authority. Reason: To safeguard the amenities of neighbouring properties

- The proposal would allow for the use of the coffee shop and terrace for private hire, described as 'occasional', between 19:30-21:30.
- Condition 9 of the permission prevents any music being played on the terrace after 19:30, and this is not proposed to be varied. Condition 9 is set out below:

9) Notwithstanding any indication on the approved plans or documents, no live or recorded music shall be played at the premises after 19:30 unless otherwise agreed in writing by the LPA.

Reason: To Safeguard the amenity of neighbouring properties.

- The proposal is supported by a Noise Assessment which concludes that the noise from the proposed use would not be above the existing background noise, as experienced by the surrounding residential properties, and there would therefore be no harm to residential amenity as a result of the proposal.
- The proposal would contribute to the evening and night-time economy, and the viability and vitality of the city centre.
- There would be no harm to the character or appearance of the Conservation Area as a result of the proposal.

Recommendation: No objection.

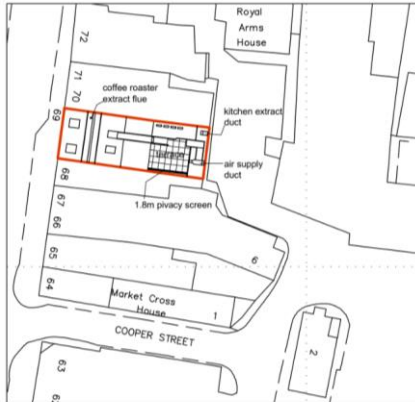


Figure 2. Site Location



Week 35
No committee items.