

DEVELOPMENT CONTROL COMMITTEE

12 March 2014 at 2.30 p.m.

Present: Councillors Mrs Maconachie (Chairman), Mrs Hall (Vice-Chairman), Mrs Bower, Bower, Mrs Bowyer, Evans, Haymes, Maconachie, McDougall, Northeast, Mrs Oakley (substituting for Councillor Mrs Goad), Oliver-Redgate (substituting for Councillor Charles), Mrs Pendleton, Mrs Stainton and Steward.

[Note: Councillors McDougall, Northeast and Steward were absent from the meeting during consideration of the matters referred to in Minute 637.]

Councillors Mrs Brown and Cooper were also present for part of the meeting.

633. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Charles and Mrs Goad.

634. DECLARATIONS OF INTEREST

The Monitoring Officer has advised Members of interim arrangements to follow when making declarations of interest. They have been advised that for the reasons explained below, they should make their declarations on the same basis as the former Code of Conduct using the descriptions of Personal and Prejudicial Interests.

Reasons

- The Council has adopted the government's example for a new local code of conduct, but new policies and procedures relating to the new local code are yet to be considered and adopted.
- Members have not yet been trained on the provisions of the new local code of conduct.
- The definition of Pecuniary Interests is narrower than the definition of Prejudicial Interests, so by declaring a matter as a Prejudicial Interest, that will cover the requirement to declare a Pecuniary Interest in the same matter.

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Where a Member declares a “Prejudicial Interest” this will, in the interests of clarity for the public, be recorded in the Minutes as a Prejudicial and Pecuniary Interest.

Councillor Haymes declared a personal interest in Agenda Item 7, Planning Application Y/99/13, as he was Chairman of Yapton Parish Council. He stated that when the application had been considered he had taken no part in the discussion or vote.

635. MINUTES

The Minutes of the Special and ordinary meetings held on 12 February 2014 were agreed by the Committee as a correct record and signed by the Chairman.

636. PLANNING APPLICATIONS

*(Prior to consideration of the following application, Councillor Haymes redeclared his personal interest and remained in the meeting and took part in the debate and vote.)*

Y/99/13 – Outline application for 10.5 hectares of residential development (comprising up to 250 dwellings(30% to be affordable) together with ancillary open space and landscaping), 14.9 hectares of public open space development to be laid out as public parkland and landscaped green corridors, vehicular access from Ford Lane (The means of access) – This is a Departure from the Development Plan, Land to the North & East of St Marys Church, Yapton Having received a comprehensive report on the matter, together with advice from the Senior Planner that, in addition to inadequate and insufficient information having been submitted with this application, no Section 106 for infrastructure and affordable homes had been offered, the Committee fully supported the officer recommendation to refuse and

RESOLVED

That the application be refused as detailed in the report.

At the request of the Chairman, the Committee agreed to a change to the running order of applications due to a high level of public interest in Applications AW/336/143 and AW/340/14.

*Councillor Mrs Brown, as Ward Member, made representation in respect of the following application.*

AW/336/13 – Change of use from a hotel (C1 Hotel) to a residential care home (C2 Residential Institution) incorporating a new internal lift with a small external lift overrun, The Russell Hotel, Kings Parade, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing additional representations made and verbal advice that a petition of over 700 signatures had been delivered by Nick Gibb MP on behalf of local residents to Action for the Blind but had not been passed to the Council and so did not form part of the report, the Senior Planner reiterated that the hotel was no longer considered to be financially viable.

In the course of a full debate on the matter, Members raised concerns that the hotel had not been properly marketed and queried the confidential financial information that had been provided. It was suggested that the Committee should defer the application and at a future meeting consider that information prior to coming to a decision. However, the Chairman called a short adjournment to the meeting to seek legal advice on such a course of action. On the meeting being reconvened the Chairman advised that the advice received indicated that what was being proposed was not open, transparent or appropriate and the proposal was therefore withdrawn.

Some Members were extremely concerned at the prospect of losing a hotel from Bognor Regis and the detrimental impact that would have on the regeneration of the town and the tourism industry. However, opposing views were put that the hotel was no longer viable and the proposal to change the use to residential care would benefit the residents of Ashley House and provide better accommodation and facilities.

The Committee

RESOLVED

That the application be approved as detailed in the report.

*Councillor Mrs Brown, as Ward Member, made representation in respect of the following application.*

AW/340/13 – Application for the variation of condition 2 following a grant of planning permission AW/295/10 to increase the number of bedrooms within each unit by 1, Former St Michaels and All Angels Church, Queensfield East, West Meads, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing additional letters of representation received,

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the Committee also heard that the applicant had offered to provide 6 extra parking spaces on site.

In debating the matter, Members expressed views that the proposal was an overdevelopment and did not adhere to the Council's recently adopted design standards - the proposed internal layout was therefore not acceptable. In addition, the provision of extra bedrooms would put further pressure on the need for car parking, which was already considered to be inadequate.

The Head of Development Control gave advice that the development the Appeal Inspector had approved still maintained the density, size and scale of the units to be provided. Caution should be exercised as to how the recently agreed design standards were applied as there were other applications coming through which also did not adhere to these standards and the Council must be seen to be consistent in its approach. However, a response was given that any applications now and in the future must adhere to the design standards and, if not, should not be approved.

With respect to the lack of car parking, it was felt that the visual amenity of cars parking on side roads would be harmful to the character of the estate.

The Committee therefore did not accept the officer recommendation to approve and

#### RESOLVED

That the application be refused for the following reasons:-

1. The proposed development does not include sufficient parking provision to meet the needs of future occupiers in accordance with the standards required by the Local Planning Authority causing pressure for on-street parking harmful to the visual amenity and presently open character of the estate. It is therefore contrary to Policies GEN7 and GEN12 of the Arun District Local Plan.
2. Having regard to the size of the living accommodation, the act of increasing the number of bedrooms would give rise to an unsatisfactory living environment and unacceptably small habitable rooms for future occupiers in conflict with the good design principles in the National Planning Policy Framework, Policy GEN7 of the Arun District Local Plan and the internal solace standards set out in Policy D DM2 of the Publication Version of the Emerging Arun District Local Plan.(February 2014).

*(As the Ward Member, Councillor English, was unable to attend the meeting, the Committee agreed to the Chairman reading out a statement from him in respect of the following application.)*

FP/228/13 – Application for variation of condition 1(i) & (ii) following grant of planning permission FP/94/05 to allow opening of premises between 9.15 am and 2.45pm Monday to Friday inclusive and to allow 24 children to be accommodated on the premises at any one time, 54 South Drive, Felpham Having received a report on the matter, together with the officer's written report update detailing two additional letters of representation received, Members expressed views that this residential locality was not a suitable location for a children's nursery. Comment was made that the increase in operating hours and numbers was unacceptable and the Committee, therefore, did not agree with the officer's recommendation to approve.

The Committee

RESOLVED

That the application be refused for the following reason:-

The extension of the hours of the use and the increase in the number of children is unneighbourly and would be harmful to the residential amenity of neighbouring occupiers. It is therefore contrary to Policy GEN7 of the Arun district Local plan and D DM1 of the Publication Version of the Emerging Arun District Local Plan (February 2014).

FP/237/13 – Removal of condition 3 imposed under planning consents FP/193/90 and FP/101/91 restricting the use for purposes within use class B1 & B8, 20 Flansham Lane, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

BN/29/13 – Application for approval of reserved matters following Outline approval BN/27/09 for demolition of all existing structures and redevelopment with 86 dwellings together with associated open space, landscaping and access improvements, Angel's Nursery, Yapton Road, Barnham Having received a report on the matter, together with the officer's written report update detailing an amendment to the report; consultation responses; further representation received; revised plans and resultant amended condition, the Committee was advised by the Housing Strategy & Enabling Manager that the applicant would be providing 26 affordable homes. 10 would be shared ownership and 16 social rent and he was

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pleased to inform the Committee that the Section 106 Agreement had been produced to provide the Council with an option to acquire the 16 social rent properties from the developer.

Following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report.

AB/128/13 – Erection of studio and removal of existing shed. This application affects the character and appearance of the Arundel Conservation Area, Garden plot, Rear of No. 6 Bakers Arms Hill, Arundel Having received a report on the matter, together with the officer's written report update detailing an objection from the Town Council, Members raised concerns with regard to the listed status of the land and it was agreed that an informative would added to any approval to advise the applicant to check whether any relevant consents were required.

The Committee

RESOLVED

That the application be approved as detailed in the report, subject to the addition of the following informative:-

INFORMATIVE: This permission does not purport to grant Listed Building Consent. Prior to commencement of development the applicant is advised to contact the Council's Listed Buildings advisor Ian Wightman on Tel. no.01243 785 166 e-mail [iwightman@chichester.gov.uk](mailto:iwightman@chichester.gov.uk) to establish whether Listed Building consent is required for the works hereby granted planning permission.

A/125/13 - Hybrid planning application for the development of the site to provide in outline with all matters reserved apart from access and landscaping up to 3365 sqm A1 retail use (including parking) and full planning for 3947 sqm and Sui Generis vehicular floorspace (including ancillary facilities, landscaping and parking) including workshops, MOT facility, car valeting & car storage. New access from A259 – Departure from the Development Plan. Also within the parish of Rustington, Land South of A259 and West of Mill Lane, New Road, Rustington Having received a report on the matter, together with the officer's written report update detailing a further consultation response from West Sussex County Council and to identify some minor errors, updates and amendments to the report and conditions, the Committee welcomed this application as being sustainable and good for local employment opportunities.

Following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report.

A/140/13 – Two storey rear extension to existing building with dormer to side of existing roof and new vehicular access and crossover to existing stables, Brackenside, Dappers Lane, Angmering Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

AW/332/13 – Alterations to the exterior, alter elevations of the main house and construct lantern roof light, Tradewinds, 7 Arun Way, Aldwick Bay Estate, Aldwick Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

637. PLANNING APPEALS

The Committee received and noted a report detailing planning appeals that had been lodged and 1 appeal that had been heard.

638. PLANNING APPEALS PERFORMANCE & COST – 1 JANUARY 2013 – 31 DECEMBER 2013

The Committee received and noted a report from the Strategic Planner which outlined how the Council had performed in the calendar year 2013 in respect of planning appeals.

(The meeting concluded at 5.55 p.m.)