

Subject to approval at the next Committee meeting

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DEVELOPMENT CONTROL COMMITTEE

9th February 2011 at 2.30 p.m.

Present : Councillors Mrs Hall (Chairman), Mrs Goad (Vice-Chairman), Biss, Bower, Mrs Bower, Butler, Evans, Mrs Harrison, Haymes, Mrs Hazlehurst, Mrs Maconachie, Mrs Olliver, Mrs Stainton, Steward and Wiltshire.

[Note: Councillor Steward was absent from the meeting during consideration of the matters referred to in Minutes 563 (from Planning Application FP/187/10) to 565.

Councillor Chapman was also present for part of the meeting.

639. DECLARATIONS OF INTEREST

Councillors Bower and Mrs Bower gave notice of a personal interest in Agenda Item 9, Planning Application EP/124/10, as they lived on the same estate but not in close proximity to the application site.

Councillor Mrs Hazlehurst declared a personal interest in Agenda Item 9, Planning Application R/278/10, as a work colleague had spoken to her about it.

640. MINUTES

The Minutes of the meeting held on 12th January 2011 were approved as a correct record and signed by the Chairman.

641. PREVIOUSLY DEFERRED APPLICATION

LU/229/10 – Outline application for redevelopment of site: Demolition of 2 bungalows, workshop, glasshouses and incidental development with erection of 91 dwellings with improved means of access onto Worthing Road (including closure of existing 2 accesses) with all other matters reserved, Windroos Nursery, Worthing Road, Littlehampton

This application had been deferred from the meeting held on 10th November 2010 to enable officers to seek the views of an independent traffic consultant on the proposals. The Strategic Development Planner now

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presented a report which set out the Consultant's conclusions which were, in essence, that the development was acceptable in highway terms, subject to suggested additional conditions as detailed. A written report update was circulated at the meeting which reiterated that the South East Plan had been reinstated and detailed the relevant plan policies and advised that the Council was unable to demonstrate a 5 year housing land supply. A verbal update was also given correcting a statement previously made that there was a public right of way across the site – it was in fact a private right of way. The applicant had also requested that the permission, if granted, should expire after 5 years rather than the 3 years originally agreed and it was the officer's view that this was acceptable.

It was pointed out that the Consultant's suggestion for a residential travel plan was not necessary as this was covered by Condition 12.

Following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report, subject to the expiry period of the permission being extended to 5 years.

642. PLANNING APPEALS

The Committee received a report detailing appeals that had been lodged and 4 appeals that had been heard.

The Strategic Development Planner gave a verbal update to the Committee that, in respect of Application FG/23/10, Jenkins Yard, Glenbarrie Way, Ferring, the Council had been informed by the Solicitor at the DCLG (Department of Communities and Local Government) that the applicant's challenge in respect of the appeal decision had been upheld. The decision would now be quashed and there would be another appeal hearing or inquiry later in the year.

With regard to the report included in the Agenda relating to Application BN/27/09, Angels & Hyde Nurseries, Yapton Road, Barnham, the Strategic Development Planner advised the Committee that Counsel's advice had been sought regarding whether the Council could challenge the appeal decision allowing the development to proceed. The Planning Solicitor informed the meeting that the process had commenced to challenge the outcome of the appeal.

The Committee noted the remainder of the report.

643. ENFORCEMENT MATTERS

The Head of Development Control advised the meeting that enforcement items CON/74/09 and CON/88/10 were no longer considered to be exempt matters. They had both been dismissed at appeal, as detailed in the officer report updates, and the relevant structures would now be required to be dismantled and removed from the land – prosecution action would be taken at a later date if the enforcement notices were not complied with.

644. PLANNING APPLICATIONS

AB/111/10/CA – Application for conservation consent for demolition of existing brick wall, in dangerous condition, Land adjacent to 1 Anne Howard Gardens, Arundel Having received a report on the matter, together with the officer's written report update detailing the correct height of the wall as being 3m, the Committee

RESOLVED

That Conservation Area Consent be granted as detailed in the report.

BE/128/10 – Conversion and change of use of existing barns into 2 No. business units (B1) and a single dwelling (C3)(resubmission following BE/30/10, Parkside Farm, Shripney Lane, Bersted Having received a report on the matter, together with the officer's written report update detailing an amendment to the description to read "a single business unit" rather than two business units, the Committee

RESOLVED

That the application be approved as detailed in the report and the officer report update.

BE/143/10 – To attach to the gable wall a single storey extension with a pitched roof incorporating windows and doors, plus rear dormer, 17 Frandor Road, Bognor Regis Having received a report on the matter, some doubt was raised as to the correctness of the plans. A site visit was therefore requested and agreed to ascertain just what was being proposed and the Committee

RESOLVED

That the application be deferred to enable the Site Inspection Panel to visit the site.

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B/36/10 – Revisions to tree house refused under reference B/14/10, Thomas Cottage, 104 The Splash, Wepham Having received a report on the matter, together with the officer's written report update detailing a correction to the original report and a consultation response from the Conservation Area Advisory Committee, a request was made for a site visit to be undertaken to ascertain the impact of the structure on the rural setting. This was agreed and the Committee

RESOLVED

That the application be deferred to enable the Site Inspection Panel to visit the site.

(Prior to consideration of the following application, Councillor Mrs Bower and Councillor Bower had declared a personal interest and they remained in the meeting and took part in the debate and vote.

Councillor Chapman spoke to the application as Ward Member.)

EP/124/10 – Two storey rear extension with balconies, extension to loft space forming dormer to front and rear, two storey front extension, single garage with integral cycle and bin storage and raised patio to rear, Seaside Cottage, South Strand, East Preston Having received a report on the matter, together with the officer's verbal update regarding a further letter of representation; that an amended plan had been submitted in respect of the siting of the proposed garage; and an additional condition requiring obscured glazing on the east west elevation, the Committee participated in a detailed debate.

Comments were made that the existing building was ugly and that the alterations being proposed would be an improvement. However, concerns were raised that the proposal would result in overdevelopment of the site and that there would be inadequate parking facilities. A view was expressed that the garage greatly reduced amenity space and the turning area and, following discussion, Members agreed that this should be removed from the application.

The Committee then

RESOLVED

That the application be approved as detailed in the report, subject to removal of the garage by way of rewording Condition 4 as detailed below, and an additional condition regarding obscure glazing at the east and west elevation of the screen:-

“Condition 4: This permission does not approve the detached single storey garage structure which will also accommodate a cycle and bin store shown on the submitted plan 10066/02/C and subsequently deleted from it.

Reason: The introduction of this building would result in a cramped form of development reducing space available for the turning of vehicles.

Condition 6: The first floor balcony hereby permitted shall not be brought into use unless and until an obscure glazed screen to a height of 1.8m has been installed on both the east and west elevations of Seaside Cottage. Such screening shall be retained thereafter in perpetuity.

Reason: In order to protect the residential amenities of the neighbouring properties in accordance with Local Plan Policy GEN7.”

FP/187/10 – 1 No. 2 bed detached bungalow, Land adjacent to 1 Eastover Way, Felpham Having received a report on the matter, together with the officer’s written report update detailing an additional representation received, the Committee

RESOLVED

That the application be refused as detailed in the report.

FG/173/10 – Change of use from storage (B8) to tea and snack bar (A3), Ferring Country Centre, Rife Way, Ferring Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

LU/247/10 – Addition of solar panels, residential wind turbine, spiral staircase and bin and bike store to existing planning approval LU/453/07, Former Coastguard Tower, The Promenade, Coastguard Road, Littlehampton Having received a report on the matter, together with the officer’s verbal advice regarding a second consultation response from the Foreshore Officer, Members supported the application but did make comment that it would prefer to see the bucket and spade feature painted in primary colours. The Committee

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RESOLVED

That the application be approved as detailed in the report.

LU/340/10 – Single storey office unit, Littlehampton Marina, Ferry Road, Littlehampton Having received a report on the matter, together with the officer's written report update detailing comment from Southern Water requesting an informative be attached to any approval, the Committee

RESOLVED

That the application be approved as detailed in the report and the officer report update.

LU/389/10 – 1 No. new dwelling, Land adjacent to 25 Oakcroft Gardens, Littlehampton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

P/92/10 – Development of 12 dwellings, together with associated access, parking, open space, hard and soft landscaping, Kings Haven, 42 Kings Drive, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing further representations received and an additional Condition and verbal advice regarding a further additional condition relating to the removal of Permitted Development Rights for the future construction of roof dormers, Members generally welcomed the proposal. However, a concern was expressed that the site information provided was not up to date and that a particular plot would still have an adverse impact on a property in Apple Grove, despite revisions that had already been made. It was therefore suggested that the application be deferred to enable officers to renegotiate with the applicant on the redesigning of the plot in question and to also provide an up to date site plan. The Committee

RESOLVED

That the application be deferred for further negotiation with the applicant.

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P/107/10 – Part change of use of existing amusement arcade to manager's accommodation, Pagham Beach Amusements, 1 Beach Road and 129 East Front Road, Pagham Having received a report on the matter, together with the officer's written report update detailing a consultation response from the Parish Council, the Committee

RESOLVED

That the application be approved as detailed in the report.

R/256/10 – Re-erection of place of worship, 65 The Street, Rustington Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

R/257/10/CA – Conservation area consent to knock down existing place of worship, 65 The Street, Rustington Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

(Prior to consideration of the following application, Councillor Mrs Hazlehurst had declared an interest and remained in the meeting and took no part in the debate or vote.)

R/278/10 – Construction of a vehicular crossing, 40 Broadmark Lane, Rustington Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

Y/86/10 – Timber barn for secure storage of light goods vehicle, farm machinery and feed (resubmission following Y/43/09), Maggie's Meadow, Hoe Lane, Flansham, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

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Y/92/10 – Retention of car port, April Cottage, Main Road, Yapton
Having received a report on the matter, Members expressed reservations about the size, siting and materials used for the car port and were of the view that it was out of keeping with the street scene, being too close to the road and visually intrusive. The Committee therefore did not accept the officer recommendation to approve and

RESOLVED

That the application be refused for the following reason:-

“The carport, by reason of its prominent siting, size and use of poor quality materials, represents an incongruous and obtrusive addition to the street scene, is out of character with the area and detrimental to the visual amenities of the locality, thereby conflicting with Policy GEN7 of the Arun District Local Plan.”

As this was a retrospective application the Committee also

RESOLVED

That enforcement action be commenced for the removal of the car port.

645. EXEMPT INFORMATION

The Cabinet

RESOLVED

That under Section 100A(4) of the Local Government Act 1972, the public and accredited representatives of newspapers be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraph specified against the item.

646. ENFORCEMENT MATTERS (Exempt – Paragraph 5 – Information relating to Legal Proceedings)

CON/27/09 – Alleged unauthorised timber framed garage, 1 The Ridings, Aldwick Please see Minute 643.

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CON/88/10 – Alleged unauthorised fence, 2 Triton Place, Felpham
Please see Minute 643.

ENF/373/10 – Alleged unauthorised conservatory, 9 Redwing Close, Littlehampton Having received a report on the matter, the Committee

RESOLVED

That no enforcement action be taken in respect of the breach of planning control as it is not expedient to do so in the absence of harm to the local amenity. The development does not have the benefit of planning permission and this fact will be revealed on CON/29/R when a Local Land Charges search is undertaken.

(The meeting concluded at 5.15 p.m.)