

DEVELOPMENT CONTROL COMMITTEE

26th May 2011 at 2.30 p.m.

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

[The following Councillors were absent from the meeting during consideration of the matters referred to in the Minutes indicated:- Councillor Mrs Stainton, Minutes 24 (from Planning Application K/9/11) to 25; Councillor Northeast, Minutes 24 (from Planning Application R/36/11) to 25; and Councillor Evans, Minute 25.]

18. APOLOGY FOR ABSENCE

An apology for absence had been received from Councillor Mrs Bower.

19. DECLARATIONS OF INTEREST

Councillor Haymes declared a personal interest in Agenda Item 10, Planning Application Y/81/10, as Chairman of Yapton Parish Council. He stated he had attended public meetings where this application had been considered but he had not participated in the debate or vote.

Councillor Steward declared a prejudicial interest in Agenda Item 10, Planning Application FG/29/11 as he had business dealings with the applicant. He stated that he would not speak on the matter and would leave the meeting during its consideration.

Councillor Mrs Hazlehurst declared a prejudicial interest in Agenda Item 10, Planning Application FG/29/11 as she had attended an event at the venue. She stated that she would speak to the item and then leave the meeting during its consideration.

Councillors Bower and Mrs Stainton declared a personal interest in Planning Application FP/205/10 as Chairman and member respectively of the Policy Site 6 Advisory Group, which had considered the matter but had taken no decision.

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20. CHANGE TO THE ORDER OF THE AGENDA

The Chairman advised that she was bringing forward Planning Application Y/81/10 to the front of Agenda Item 10, as there were so many members of the public in attendance to listen to the debate on this matter.

21. MINUTES

The Minutes of the meeting held on 27th April 2011 were approved as a correct record and signed by the Chairman, subject to amendment of Minute 844, South Downs National Park and Representations Relating to Development at Courtwick, final paragraph, to read:-

“Secondly, Members were requested to forward any letters of representation they might receive in respect of the development at Courtwick, Littlehampton, to the relevant case officer and, **in order to comply with the local Code of Conduct**, to not enter into direct communication with the correspondents.”

22. START TIMES

The Committee

RESOLVED

That the start times for meetings for the remainder of 2011/12 be 2.30 p.m.

23. PLANNING APPEALS

The Committee received and noted a report detailing appeals that had been lodged and 3 appeals that had been heard.

24. PLANNING APPLICATIONS

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

Y/81/10 – Proposed development comprising of the construction of 173 new dwellings and associated car parking, public open space, including children’s play areas, vehicular access and highway works – This application is a departure from the development plan and also falls within the Parish of Ford, Land North of Burndell Road, Yapton Having received a report on the matter, together with the officer’s written report update detailing late

considerations, the Committee participated in a full debate. The Strategic Development Planner made it clear that it was recognised that the proposal was contrary to Policies GEN 2 and 3 of the Arun District Local Plan and was outside the built up area but that account needed to be taken of policies in the South East Plan and PPS3, particularly in light of the deficit in the Council's 5 year housing land supply figure. It was felt that this site was acceptable for housing as it was surrounded on three sides by existing development. The Planners also accepted that there were limited services in the locality but there **were** services and so the site was considered to be sustainable.

During the course of an extensive debate, Members expressed their concerns that the roads within the site could not adequately accommodate large vehicles such as dust carts; vehicles movements in the locality would substantially increase; car parking provision was insufficient; the proposed housing was in a rural area; the development would have a devastating effect on the village of Yapton; it was outside the built up area boundary; was against planning policies; was badly designed and of too high a density; would cause overlooking of existing development; foul sewage and flooding issues were not adequately addressed; and it was unsustainable. It was also stated that this site had not been included in the Council's Options for Growth consultation and there was therefore a case for prematurity in the light of the emerging Local Development Framework.

The Assistant Director of Planning and Housing Strategy gave advice on a number of the points that had been raised but the Committee rejected the officer recommendation to approve. The Chairman then called a short adjournment to proceedings to enable reasons for refusal to be drawn up, based on the foregoing debate.

The Committee

RESOLVED

That the application be refused for the following reasons:-

1. The application site is located outside of the defined built up area where the countryside is protected and new development is strictly controlled. The proposal represents a significant encroachment into the countryside on a site not well related to the existing settlement and will result in a significant adverse impact on the character of the area. The proposals are contrary to policies GEN2, GEN3 and GEN7 of the Arun District Local Plan, Policy CC6 of the South East Plan and Policy Statements PPS1, PPS3 and PPS7.

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2. The proposed development would give rise to unacceptable highway safety conditions having regard to the width, curvature and junctions at the existing road network contrary to PPG13 Transport.

3. The proposed development at plots 1 to 3 and 59 to 66 would give rise to an unacceptable impact upon the residential amenity of existing residents in Downview Road and Fordwater Gardens, respectively, by reason of the close proximity, high density and overall relationship with the existing properties in the aforementioned locations contrary to Policy GEN7 of the Arun District Local Plan.

4. The proposed surface and foul water drainage proposals are unsatisfactory in that they will give rise to additional problems with the existing systems which are considered to be deficient contrary to Policy GEN9 of the Arun District Local Plan.

5. The development proposed generates a need for public infrastructure in the form of financial contributions towards health, open space, highways, education, library infrastructure, fire service and public transport services. No Section 106 unilateral undertaking has been completed in order to secure these requirements and the development therefore conflicts with Policy GEN8 of the Arun District Local Plan.

6. The applicant indicates that a number of the proposed dwellings would be affordable housing but no Section 106 unilateral undertaking has been completed to secure the provision of affordable housing for the long term, including socially rented housing. The proposed development therefore conflicts with Policy DEV17 of the Arun District Local Plan.

AW/62/11 – Erection of 2 storey side extension, 21 Raleigh Road, Aldwick Having received a report on the matter, the Committee

RESOLVED

That the application be refused as detailed in the report.

AB/21/11 – Change of use to incorporate shop (A1) into existing residential dwelling (C3), Lilac Tree House, 57 Tarrant Street, Arundel Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

BR/74/11 – First floor extension over existing ground floor kitchen extension, 15 Scott Street, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be refused as detailed in the report.

BR/75/11/L – Application for listed building consent for a first floor extension over existing ground floor kitchen extension, 15 Scott Street, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be refused as detailed in the report.

BR/103/11/DEM – Prior notification for demolition of public shelter, Public Shelter, The Promenade, Adjacent to Gloucester Road, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing an additional letter of representation received, the Committee

RESOLVED

That no objection be raised to the application.

BR/341/10 – Outline application with some matters reserved for the demolition of derelict 2 storey office building and erection of 8 No. 2 bed flats and 6 No. 1 bed flats with ground floor parking, bin and cycle storage and children's play area, Formerly Westside Supplies, 17/18 Durban Road, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing an amendment to the recommendation sheet by way of an additional informative relating to the requirement for more detailed plans in respect of scale and appearance, the Committee participated in a full debate on this item.

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Members were advised by the Planning Team Leader that the Council did not have a policy regarding loss of employment on this site and that, as a previous appeal related to flooding and the applicant had submitted a satisfactory Flood Risk Assessment, this application was now considered to be acceptable.

Serious concerns were raised at the potential loss of employment land and that a children's play area on the edge of an industrial site and underneath the proposal was totally unsuitable. Further concerns were voiced regarding the density of the proposal; actual design of the site and its amenity space; and noise pollution. A further view was expressed that this application was premature as the Council was considering the area as part of an enterprise zone for Bognor Regis and as such, the loss of employment land would be detrimental to this aim.

The Committee did not accept the officer recommendation to approve and

RESOLVED

That the application be refused for the following reasons:-

1. The proposal, if permitted, would result in the loss of a significant employment site on a serviced industrial estate and the proposal and its potential impact on adjacent industrial users would be premature pending a conclusion to the Council's proposal for this area to be part of an Enterprise Zone.
2. The proposal would result in a high density and cramped form of development resulting in limited amenity space which would be detrimental to the living conditions of the occupiers of the flats, being 8 No. 2 bed flats and 6 No. 1 bed flats. The proposal would be detrimental to Policy GEN7 of the Arun District Local Plan and PPS3 (as revised 2010), Ministerial Statement of 9th June 2010 and PPS1.

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

FP/205/10 – Phases 4 and 5. Additional 70 dwellings and amendments to a further 192 dwellings, affecting 262 dwellings in total, following reserved matters approvals in accordance with outline permission (Ref FP/92/04). Phase 4 Ref: FP/43/09. 115 approved. 56 new dwellings and 115 amended now proposed. Phase 5 Ref: FP/128/09. 121 approved. 14 new dwellings and 77 amended now proposed. – This application affects a Public Right of Way. This application is subject to an Environmental Impact Assessment, Site 6, Land North of Felpham, Bognor Regis Having received a comprehensive report on the matter, and following clarification by the Strategic Development Planner of two issues raised by Members relating to disposal of foul sewage and commuted sums for doctors' surgeries and schools, it was highlighted to the Committee that there were still outstanding matters to be discussed and resolved with the applicant regarding the Section 106 Agreement, including the contributions towards education, healthcare and affordable housing. The Committee therefore

RESOLVED

That the application be approved as detailed in the report, but that the decision be delegated to the Assistant Director of Planning and Housing Strategy, in consultation with the Chairman, to enable discussions with the applicant regarding the Section 106 Agreement, including the contributions towards education, healthcare and affordable housing, to reach a satisfactory conclusion.

(Prior to consideration of the following application, Councillor Steward had declared a prejudicial interest and left the meeting and took no part in the debate or vote.

Councillor Mrs Hazlehurst had also declared a prejudicial interest and exercised her right to speak, following which she left the meeting and took no part in the debate or vote.)

FG/29/11 – Application for variation of condition 5 of planning permission FG/72/09 – Highdown Vineyard, Littlehampton Road, Ferring Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

Subject to approval at the next Committee meeting

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K/9/11 – Application for variation of condition 3 imposed under planning permission K/7/10, 53 Coastal Road, East Preston Having received a report on the matter, the Committee

RESOLVED

That the application be refused as detailed in the report.

LU/55/11 – Internal alterations and change of use of existing first floor flat to form 2 No. two bedroom flats, 9 Arundel Road, Littlehampton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

LU/76/11/A – 1 No. externally illuminated pole-mounted free-standing sign, Vardar Restaurant, 3 Selborne Place, Littlehampton Having received a report on the matter, together with the officer's written report update detailing an amended recommendation sheet relating to an informative in respect of any approval referring to the externally illuminated pole mounted sign only, comment was made that the officer's amendment to improve the proposal did in fact make it look worse. The Planning Team Leader gave an undertaking that further discussion would be had with the applicant to ensure the sign was visually acceptable and the Committee then

RESOLVED

That the application be approved as detailed in the report and subject to further negotiation with officers.

LU/86/11 – Revised application for alterations, garden store and new drive following refusal LU/3/11, Berry House, Berry Lane, Littlehampton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

Subject to approval at the next Committee meeting

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R/36/11 – Single storey extension to provide hygienist surgery and wc for disabled persons, staff room and lobby. New disabled access arrangements, The Croft Dental Practice, 30 Park Drive, Rustington Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

W/3/11 – Two storey side extension. (This application falls within the South Downs National Park Authority), 2 Lodge Cottages, Warningcamp Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

25. DIVERSION OF FOOTPATH NO. 152 IN THE PARISH OF BERSTED AT FORMER LEC SITE, BOGNOR REGIS

The Committee received a report requesting approval to make for an order to divert Footpath No. 152. A draft of the Order and Order Plan was attached to the report, which also detailed descriptions and dimensions of the existing and proposed routes as well as details of the improvements proposed for the Footpath.

Following consideration, the Committee

RESOLVED

That, subject to the County Council being consulted upon and approving the Diversion, the Diversion Order be made and advertised for Diversion of the Footpath in the terms of the draft Order attached to the report.

(The meeting concluded at 5.35 p.m.)