

Subject to approval at the next Committee meeting

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DEVELOPMENT CONTROL COMMITTEE

15TH September 2010 at 2.30 p.m.

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

[Note: Councillor Butler was absent from the meeting during consideration of the matters referred to in Minutes 296 to 298.

Councillor Oliver-Redgate was also present for part of the meeting.

286. APOLOGY FOR ABSENCE

An apology for absence had been received from Councillors Mrs Olliver.

287. DECLARATIONS OF INTEREST

Councillor Bower gave notice of a personal interest in Agenda Item 9, Planning Application BE/72/10/A, as Chairman of the Policy Site 6 Advisory Group; and Planning Application LU/255/10 as this had been discussed by the North Littlehampton Steering Group, of which he was a member.

Councillor Mrs Harrison gave notice of a personal interest in Agenda Item 10, Report to Consider the Endorsement of the Rustington Village Design Statement as a Material Planning Consideration, as a member of the Rustington Community Partnership.

288. MINUTES

The Minutes of the meeting held on 19th August 2010 were approved as a correct record and signed by the Chairman.

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289. UPDATE ON THE SECRETARY OF STATE'S DECISION TO CALL IN THE PLANNING APPLICATION RELATING TO THE SAINSBURY APPLICATION ON THE DISUSED LEC SITE, BOGNOR REGIS

The Chairman agreed that this matter should be dealt with as a matter of urgency to enable Members to be fully informed of the present situation.

The Strategic Development Planner was pleased to advise the Committee that the Secretary of State had granted planning permission, subject to conditions, and a full report would be presented to a future meeting for Members' information.

290. LU/255/10 – APPLICATION UNDER REGULATION 3 OF THE TOWN & COUNTRY PLANNING GENERAL REGULATIONS 1992 FOR PART DEMOLITION OF REDEVELOPMENT OF EXISTING LITTLEHAMPTON ACADEMY TO CREATE A NEW 1900 PUPIL ACADEMY INCLUDING ASSOCIATED SPORTING FACILITIES AND ACCESS, LITTLEHAMPTON ACADAMY, HILL ROAD, LITTLEHAMPTON

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

The Committee was reminded that this matter was for determination by the West Sussex County Council and that the District Council was being requested for comments as a consultee in the process. An officer report update was circulated at the meeting, which detailed additional representation/consultation responses received and a suggested amended response to WSCC.

In the course of a brief discussion which touched on improvements to the link roads in and around Littlehampton, comment was also made with regard to the planning conditions being recommended in the report that the use of the all weather pitch should cease at 2200 hours in the summer rather than 2100 hours as mentioned, as there were no properties in close proximity to the site that would be unduly disturbed by noise.

The Committee then

RESOLVED

That comment be forwarded to West Sussex County Council as detailed in the officer report update, with an additional comment that some Members would not be opposed to use of the all weather pitch up until 2200 hours during the summer.

291. REPORT OF THE MEETING OF THE POST COMMITTEE SITE INSPECTION PANEL – FG/59/10 – CHANGE OF USE FROM FORMER AGRICULTURAL NURSERY TO B8 STORAGE AND WHOLESALE SUPPLY OF FENCING AND ASSOCIATED MATERIALS (THIS APPLICATION IS A DEPARTURE FROM THE DEVELOPMENT PLAN), LAND NORTH OF MCINTYRES NURSERY, LITTLEHAMPTON ROAD, FERRING

Having received a report from the Site Inspection Panel, together with the officer's written report update detailing additional representations received, the Committee accepted the Panel's view that the application should be approved as it would not be unduly obtrusive or have a detrimental impact on the landscape. The Compliance Team Leader requested Members to also consider whether an additional two conditions should be applied to any approval relating to the storage of materials and the hours of operation. A view was put forward that the business should not be unduly fettered and it was suggested that discussion should be held with the applicant and any condition relating to the hours of operation would be delegated to the Assistant Director of Planning and Housing Strategy in consultation with the Chairman. It was considered sensible to put in place a condition relating to the storage of materials.

The Committee therefore did not agree with the officer recommendation to refuse the application and instead determined that the proposal should be approved as per the conditions detailed in the report and the additional two conditions detailed above, together with a further standard condition relating to the plans. The Committee then

RESOLVED

That the application be approved, subject to the conditions detailed in the appendix to the report and subject to:-

- (1) discussion with the applicant regarding hours of operation and any condition considered appropriate to be delegated to the Assistant Director of Planning and Housing Strategy, in consultation with the Chairman;

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(2) Condition: This permission relates to the following approved plans:-

Location Plan submitted on 24th May 2010
1:500 Site Layout plan submitted 27th August 2010

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

(3) The site shall be used for the storage and wholesale supply of fencing and associated materials only and for no other purpose (including any other purpose in Class B8 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any other Statutory Instrument revoking and re-enacting that Order).

Reason: To enable the Local Planning Authority to maintain control in the interests of the amenities of the locality in accordance with Policy GEN7 of the Arun District Local Plan.

292. REPORT OF THE MEETING OF THE POST COMMITTEE SITE INSPECTION PANEL – WA/41/10 – CHANGE OF USE OF A STORE TO A SINGLE DWELLING WITH A PORCH EXTENSION, WALBERTON HOUSE, THE STREET, WALBERTON

Having received a report from the Site Inspection Panel, concerns were raised that the surrounding area was so unique and charming that the impact of the parking proposed for the application would have a detrimental impact on the setting of the listed building. It was felt that the alterations to the store were acceptable but that the parking arrangements would strike a discordant note and should be amended. The Committee therefore did not accept the officer's recommendation to approve and

RESOLVED

That the application be refused for the following reason:-

“The proposed change of use of a store to a single dwelling would result in an unsightly area of car parking detrimental to the character and appearance of the Conservation Area and setting of the Listed Building at Walberton Park, contrary to PPS5 Planning for the Historic Environment and Policies GEN7 and AREA2 of the Arun District Local Plan.

293. PREVIOUSLY DEFERRED APPLICATION FOLLOWING A REQUEST FOR FURTHER INFORMATION – LU/49/10 – CHANGE OF USE FROM B1 OFFICE TO REVERT BACK TO FORMER USE AS A RESIDENTIAL PROPERTY, 34 NEW ROAD, LITTLEHAMPTON

This application had been deferred from the meeting on 26th May 2010 for negotiations to be undertaken between the applicant and the Environment Agency to see whether the EA would remove its objection to the proposal. This had now been achieved and, as the EA was no longer objecting to the application, the Committee was requested to consider an amended report and recommendation to approve, with relevant conditions. Following consideration, the Committee

RESOLVED

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

294. PLANNING APPEALS

The Committee received and noted a report detailing appeals that had been lodged and 7 appeals that had been heard.

295. PLANNING APPLICATIONS

R/169/10 – Single storey extensions to south, east and west elevations (Resubmission following R/113/10), 2 Chanctonbury Close, Rustington
Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

P/74/10 – Loft conversion with dormers, 17 Esher Close, Pagham
Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

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P/84/10/TEL – Application for prior notification of proposed development by telecommunications code system operators. Town and Country Planning General Permitted Development Order 1995 Schedule 2, Part 24, for the installation of a 12.5m replacement streetworks pole with 6 No. antennas, radio equipment housing and associated ancillary development (replacement and upgrade of existing installation), Land off Paghham Road, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing an additional representation received, the Committee

RESOLVED

That no objection be raised to the siting and design of the proposed equipment and that, owing to the statutory time period not expiring until 23rd September 2010, the decision be delegated to the Assistant Director of Planning and Housing Strategy in consultation with the Chairman.

M/62/10/TEL – Application for prior notification of proposed upgrade to existing Vodafone base station installation to accommodate use by O2 and to facilitate improved coverage, Grass verge at Elmer Road and Front of Lucking Lane, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing additional representations received, a request was made that the mobile telephone companies should be written to expressing the concerns of residents that the street scene in their localities were being changed by the clutter of telecommunication equipment. The Committee

RESOLVED

That no objection be raised to the siting or design of the equipment and that, owing to the statutory time period not expiring until 23rd September 2010, the decision be delegated to the Assistant Director of Planning and Housing Strategy in consultation with the Chairman.

LU/152/10 – Demolition of existing dwelling and garage, and redevelopment to provide 3 x 4 bedroom houses and 2 x 3 bedroom houses with a new access off Toddington Lane, New Cottage, Toddington Lane, Wick, Littlehampton Having received a report on the matter, together with the officer's verbal correction that the site area was 0.15 hectares and that reference should have been made to Holmes Way rather than Holmes Lane, the Committee

RESOLVED

That the application be approved as detailed in the report.

LU/173/10 – Conversion of shelter to kite surfing centre (D2), Seating Shelter, The Promenade, Sea Road, Littlehampton Having received a report on the matter, together with the officer's written report update detailing additional representations received; an extension to the consultation period to 30th September 2010; and for any decision to be delegated to the Assistant Director of Planning and Housing Strategy, in consultation with the Chairman; comment was made that efforts must be made to provide some form of shelter for people using the promenade in bad weather. It was also felt that the signage used on the plan was inappropriate and an assurance was given by the Compliance Team Leader that no signage would be used. The Committee

RESOLVED

That the application be approved as detailed in the report and, owing to the statutory time period not expiring until 30th September 2010, the decision be delegated to the Assistant Director of Planning and Housing Strategy, in consultation with the Chairman.

LU/185/10 – Alterations to bay windows. Remove flat roofs and construct new pitched roofs over, Mountbatten Court, Ensign Way, Littlehampton Having received a report on the matter, together with the officer's verbal advice that the proposal was on Council owned land, the Committee

RESOLVED

That the application be approved as detailed in the report.

LU/205/10 – Construction of detached garage (resubmission following LU/116/10), 25 Windward Close, Littlehampton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

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LU/208/10 – Change of use from amusements and snack bar to 3 No. 2 bed flats including elevational alterations, 3 Terminus Road, Littlehampton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

LU/216/10 – Change of use from shop (A1) with flat over to 2 No. 2 bedroom self-contained flats (C3)(resubmission following LU/28/10), 130 Wick Street, Littlehampton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

F/14/10 – Bespoke overlap apex shed to the rear garden, 32 Fordwater Gardens, Yapton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

(Councillor Oliver-Redgate spoke to the following item as Ward Member.)

FG/100/10 – Demolition of existing side extension and rear conservatory, new side and rear extension, new roof incorporating rooms and front and rear dormers (resubmission following FG/152/09), 30 Sea Lane Gardens, Ferring 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 approved as detailed in the report.

FG/107/10/TEL – Application for prior notification for installation of a 13.8m replacement streetworks pole with 6 No. antennas, radio equipment housing and associated ancillary development (replacement and upgrade of existing installation), Highway verge to front of Ferring Centre, Greystoke Road, Ferring Having received a report on the matter, together with the officer's written report update detailing two additional representations received, the Committee

RESOLVED

That no objection be raised to the siting and design of the proposed equipment.

FP/146/10 – Rear 2 storey extensions and dormer extensions to front elevation (resubmission following FP/55/10), 17 Bereweeke Road, Felpham
Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

The Chairman then called a short adjournment to the meeting.

FP/158/10/TEL – Application for prior notification of proposed development by telecommunications code system operators. Town and Country Planning General Permitted Development Order 1995 Schedule 2, Part 24 for the installation of a 15m replacement streetworks pole with 6 No. antennas, radio equipment housing and associated ancillary development (replacement and upgrade of existing installation), Existing Telecom Installation, Felpham Way Having received a report on the matter, together with the officer's written report update detailing a response from the Parish Council of no objection, the Committee

RESOLVED

That the application be approved as detailed in the report and that, as the statutory time period does not expire until 16th September 2010, the decision be delegated to the Assistant Director of Planning and Housing Strategy in consultation with the Chairman.

BR/133/10 – Change of use of former care home (Class C2) to 4 No. flats (Class C3) and a house in multiple occupation (7 rooms), 195-199 Chichester Road, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report and that, as the statutory time period will expire after the Committee date, the decision be delegated to the Assistant Director of Planning and Housing Strategy

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BE/65/10 – Boundary wall with fence infill 1.8m in height, 19 Fairlands, Bersted 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 item, Councillor Bower had declared a personal interest and he remained in the meeting and took part in the debate and vote.)

BE/72/10/A – Application for Advertisement Consent for 3 No. advertisement boards, 11 No. flag poles and 2 No. information/direction boards, Site 6, Chichester Road, North Bersted, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

AB/75/10 – Proposed new north facing dormer window and removal of redundant unstable chimney stack, Chantry Cottage, 36 King Street, Arundel Having received a report on the matter, together with the officer's written report update detailing an additional condition relating to materials to be used, the Committee

RESOLVED

That the application be approved as detailed in the report.

AB/76/10/L – Application for listed building consent for a proposed new north facing dormer window and removal of redundant unstable chimney stack, Chantry Cottage, 36 King Street, Arundel Having received a report on the matter, together with the officer's written report update detailing an additional condition relating to materials to be used, the Committee

RESOLVED

That the application be approved as detailed in the report.

A/102/10 – Renewal of unimplemented planning permission A/37/08 for proposed buildings to house in-vessel composting unit for green kitchen waste including maturation area, bio-filters, administration/canteen building and perimeter fence. This application also falls within the parish of Poling. This is a County matter to be determined by West Sussex County Council, The Vinery, Arundel Road, Poling, Arundel Having received a report on the matter, together with the officer's written report update detailing an amendment to the Development Plan and Legislative Background, the Committee was unanimous in its view to reject the officer recommendation to raise no objection subject to the same conditions being imposed as were placed on the previous application A/37/08. Strong views were expressed that this proposal was no different from the previous one when the Council had raised an objection then and therefore this application should also be objected to on the same grounds. The Committee therefore

RESOLVED

That an objection be raised on the same grounds as used for A/37/08 relating to:-

- The three reasons for refusal on the earlier application had not been completely satisfied
- The height and design of the building, together with its finishing are considered to be inappropriate for this locality
- Traffic movements, including size of vehicles entering and leaving the site would likely result in highway hazards and detrimental effects on residential amenities
- Type of waste using the facility should be carefully monitored
- Loss of trees and lack of a mitigation scheme
- Drainage
- The hours of use of the machinery within the site being outside the hours of operation
- Landscaping to be reinforced to hide the building which should include evergreens rather than deciduous trees
- Concerns relating to light pollution, in particular from the roof lights
- Concerns relating to escape of smells

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AW/140/10 – Extension and alterations to single dwelling (resubmission of AW/116/09), 33 Aldwick Avenue, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing further letter of representation received, the Committee

RESOLVED

That the application be approved as detailed in the report.

AW/163/10 – Rear two storey extension and first floor lean to extension over utility area, 43 Fernhurst Gardens, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

296. ENDORSEMENT OF THE RUSTINGTON VILLAGE DESIGN STATEMENT AS A MATERIAL PLANNING CONSIDERATION

(Prior to consideration of this item, Councillor Mrs Harrison had declared a personal interest and remained in the meeting and took part in the debate and vote.)

The Committee received and noted a report from the Conservation Officer which set out the background to the production of a Village Design Statement for Rustington, which it was anticipated Full Council would endorse as a Material Planning Consideration at its meeting on 13th October 2010.

The Committee welcomed the production of this document and was pleased to see that it was up to the same high standard set by other Village Design Statements produced by a number of Parish Councils already.

297. 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 items of business on the grounds that they involve 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 items.

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

CON/LU/30/07 – Alleged unauthorised caravans, Wastewater Treatment Works, Ferry Road, Littlehampton Having received a report on the matter, the Committee

RESOLVED

That, if removal of the items from the land has not been achieved by the end of September, authorisation be given to the Assistant Direct of Planning and Housing to:-

- (i) seek further injunctions against owner/occupier under S187B of the Town and Country Planning Act; and/or
- (ii) prosecute for failure to comply with the Enforcement Notice under S179 of the Town and Country Planning Act;
- (iii) if (i) and (ii) do not result in the breach being resolved, Direct Action will be instituted to secure compliance with the breach of planning control.

ENF/225/08 – Alleged unauthorised fence, France Lane, Wood Yard, Patching 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.

ENF/301/10 – Alleged unauthorised non-compliance with EP/52/09, 35/39 Manor Road, East Preston Having received a report on the matter, the Committee

RESOLVED

That no further action be taken as there was a lack of identified danger by the Highway Authority; movement to any other useful site would still represent a possible breach of condition

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and would merely become an inconvenience to somebody else, and it would not be in the public interest.

ENF/399/10 – Alleged unauthorised advertisements, Church Field, Station Road, East Preston Having received a report on the matter, the Committee

RESOLVED

That the Council's Solicitor be authorised to commence prosecution proceedings for this breach of the Advertising Regulations as provided for by Section 224 of the Town and Country Planning Act 1990.

(The meeting concluded at 5.53 p.m.)