

DEVELOPMENT CONTROL COMMITTEE

14th October 2010 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, Oliver-Redgate (substituting for Councillor Steward), Mrs Olliver, Mrs Stainton and Wiltshire.

[Note: The following Councillors were absent from the meeting during consideration of the matters referred to in the Minutes referred to:- Councillor Olliver Redgate, Minutes 366 to 370; Councillor Butler, Minutes 371 (from Planning Application P/80/10) to 373; Councillor Mrs Bower, Minutes 371 (from Planning Application LU/277/10 [part]) to 373; Councillor Biss, Minutes 371 (from Planning Application LU/244/10) to 373; Councillor Mrs Maconachie, Minutes 371 (from Planning Application LU/280/10) to 373; Councillor Evans, Minutes 373 (from Planning application LU/280/10) to 373.]

366. APOLOGY FOR ABSENCE

An apology for absence had been received from Councillor Steward.

367. DECLARATIONS OF INTEREST

Councillor Mrs Maconachie gave notice of a personal interest in Agenda Item 9, Planning Application AW/175/10, as the application was in her ward and she knew some of those involved.

Councillor Mrs Stainton gave notice of a personal interest in Agenda item 9, Planning Application Y/54/10, as the applicant was an acquaintance of hers. She stated that she would speak to the item and then leave the meeting during its consideration.

Councillor Haymes gave notice of a personal interest in Agenda Item 9, Planning Application Y/52/10, as Chairman of Yapton Parish Council, as he understood a member of the Parish Council would be speaking to the item. He stated that he would reserve his right to speak.

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Councillor Butler gave notice of a personal interest in Agenda Item 9, Planning Application LU/277/10, as his wife worked at one of the schools and he was a resident local to the application site.

Councillor Wiltshire gave notice of a personal interest in Agenda Item 9, Planning Application LU/277/10, as Littlehampton Town Council's representative and observer on Homelink.

368. MINUTES

The Minutes of the meeting held on 15th September 2010 were approved as a correct record and signed by the Chairman.

369. BR/174/10 – REAR EXTENSION TO FIRST FLOOR AND NEW SECOND FLOOR UNDER NEW TILED ROOF TO PROVIDE 10 NO. BEDROOMS AND LOUNGE AREA, WIDENED ACCESS, EXTENDED BIN STORAGE AREA AND HARDSTANDING (RESUBMISSION FOLLOWING BR/7/10)

As a result of Members' concerns expressed at the meeting held on 19th August 2010, this application had been deferred for further negotiations to be undertaken to enable the applicant to widen the access to Sylvan Way to allow easier access for emergency vehicles and to reorganise the on site car parking. Following these negotiations with County Highways and Planning Officers, substitute amended plans had been received and the report before the Committee requested approval of the proposal.

The officer's written report update detailed additional comments received from County Highways on the substitute amended plans and highlighted their concern to the proposal to mark white lines on the highway to seek to prevent car parking adjacent and within the access to the site. Additional objections received were also detailed in the update report, together with an amended condition relating to the correct substitute plans and an informative regarding white line marking (which was omitted in error from the update sheet) as officers were of the view that the applicant should be strongly advised to reach agreement with the County Council over this matter.

Safety concerns were raised regarding the provision of 10 additional bedrooms and a response given that these would be addressed under separate controls.

Some discussion took place with regard to the possibility that white line marking would not be permitted at the entrance to the site, with a request being made that the application should be deferred to ensure that this would

be done. However, following advice from the Head of Development Control and the Planning Team Leader, this course of action was not supported.

The Committee

RESOLVED

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

“The applicant is strongly advised to contact West Sussex County Council Highways Department with a view to arrange white line marking. This would seek to prevent blocking of the access and the immediate areas either side of it. Please contact the Western Area Highway Office on 01243 642 105 to obtain agreement.”

370. PLANNING APPEALS

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

371. PLANNING APPLICATIONS

AL/75/10 – New replacement wardens office/living accommodation. Resubmission following AL/55/09 (Departure from the Development Plan), Lidsey Caravan Site, Lidsey Road, Lidsey Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

AW/153/10 – Erection of panel fence, 1 Blenheim Court, 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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(Prior to consideration of the following application, Councillor Mrs Maconachie had declared a personal interest and remained in the meeting and took part in the debate and vote.)

AW/175/10 – Rear single storey extension and rear extension to detached garage, 80 The Fairway, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing a consultation response from the District Arboriculturist, the Committee

RESOLVED

That the application be approved as detailed in the report.

A/98/10 – Change of use from the storage of domestic caravans to a mixed use comprising the storage of domestic caravans and self storage containers, Land at Coopers Yard, Rear of Downsvie, Littlehampton Road, Angmering Having received a report on the matter, together with the officer's written report update detailing an additional representation received from the Ferring Conservation Group, the Committee

RESOLVED

That the application be approved as detailed in the report.

A/99/10 – Change of use of land from amenity to garden use, 23 Garden Close, Angmering Having received a report on the matter, comment was made that the principle of changing the use of land was acceptable but, because of the previous history at the site, there was a concern regarding what could happen in the future. A request was made that a condition refusing Permitted Development Rights should be placed on any permission and, following consideration, the Committee

RESOLVED

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

“Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, the land shall not benefit from Class E development unless permission is granted by the Local Planning Authority on an application in that behalf.

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Reason: To enable the Local Planning Authority to control the development in detail in the interests of the amenities of adjoining residential occupiers and the locality in general in accordance with Policy GEN7 of the Arun District Local Plan.

(During the course of discussion on the following item, Councillor Wiltshire declared a personal interest as he had an interest in a property in Barnham. He remained in the meeting and took part in the debate and vote.)

BN/17/10 – Development of a glasshouse, water storage reservoir and boiler room, Eric Wall Ltd, Lake Lane, Barnham Having received a report on the matter, together with the officer's written report update detailing a response from County Highways and the applicant's agreement to a restrictive condition regarding loading and unloading times, the Committee

RESOLVED

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

“The unloading and loading of vehicles associated with the horticultural operation should be restricted solely between the hours of 7.30 a.m. and 6.30 p.m. daily.

Reason: In the interests of the amenities of residents in the vicinity to prevent noise and disturbance from HGVs outside of these hours in accordance with Policy GEN7 of the Arun District Local Plan.”

BE/80/10 – Proposed farm access track, Salt Box (A Field), Manor Farm, Shripney Having received a report on the matter, together with the officer's written report update detailing receipt of late considerations from County Highways and a suggested informative regarding site access works, the Committee

RESOLVED

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

“The applicant is advised to contact the Area Engineer, West Sussex County Council, Drayton Lane, Drayton, Chichester, PO20 6BW (Tel No. 01243 836900) to obtain formal approval from the highway authority to carry out any site access works on the public highway.”

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(Prior to consideration of the following application, Councillor Wiltshire declared a prejudicial interest as his brother-in-law was the estate agent selling this property. He left the meeting and took no part in the debate or vote.)

BR/199/10/PO – Application to discharge a planning obligation dated 1st November 1983 under planning application BR/349/82 relating to age occupancy restriction, Flat 6, Simon Court, 8/12 Crescent Road, Bognor Regis Having received a report on the matter, together with the Planning Team Leader's verbal advice that any approval would be by way of Deed of Discharge, the Committee

RESOLVED

That the application be approved as detailed in the report.

BR/244/10 – Proposed single storey extension, 36-38 Sudley Road, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing late considerations from County Highways and further letters of objection, the Committee

RESOLVED

That the application be approved as detailed in the report.

B/25/10 – Replacement extension to form garden room, addition of 3 No. dormers to create 2 No. bedrooms in roof space, The Stables, The Street, Burpham Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

(During the course of discussion on the following item, Councillor Wiltshire declared a personal interest as he had an interest in a property in Barnham.)

EG/50/10 – Single detached bungalow, 4 Elm Grove South, Barnham Having received a report on the matter, the Committee participated in a debate which centred on the design merits of the proposal in an Area of Special Character and the change in legislation following a change of Government. Advice was given by the Planning Team Leader and the Head of Development Control reiterating that a similar scheme had been approved at the beginning of the year and that officers would find it difficult to defend an

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appeal should the application be refused. Following further discussion, the Committee

RESOLVED

That the application be approved as detailed in the report.

The Chairman then called a short adjournment to the meeting.

FP/155/10 – Removal of part of front boundary wall and creation of new driveway (resubmission of FP/32/10), 91 Felpham Road, Felpham Having received a report on the matter, together with the officer's written report update detailing a revised plan and letter from the Agent, the Committee

RESOLVED

That the application be refused as detailed in the report.

FP/163/10 – 1st floor bedroom extension, 38 Crossbush Road, Bognor Regis Having received a report on the matter, the Committee considered that this proposal would be out of keeping with the existing dwelling and the character of the area and therefore

RESOLVED

That the application be refused as detailed in the report.

FG/80/10 – amendment to previously approved FG/147/08 for a 3 bedroom dwelling with double car port to rear, Land between 3/3a and 11 Ferring Street, Ferring Having received a report on the matter, together with advice from the Head of Development Control that Condition 3 should refer to the Applicant rather than the Developer, the Committee

RESOLVED

That the application be approved as detailed in the report, subject to Condition 3 being amended to read:-

“The **Applicant** shall afford access at all times to.....”

FG/92/10 – 1 No. detached 3 bed dwelling, Land between Flats 1-4 and 5-8 Ferringham Court, Ferringham Lane, Ferring Having received a report on the matter, together with the officer's written report update detailing a representation received from the Ferring Conservation Group, a request

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was made that the Site Inspection Panel visit the site to assess the impact of the proposal on car parking facilities within the site. 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 Elkins spoke as an interested party and then left the meeting.)

FG/102/10 – Side extension and alterations and garage (resubmission of FG/41/10), Downlands, 156 Littlehampton Road, Ferring Having received a report on the matter, together with the officer's written report update detailing an amendment to Condition 2 to take account of substituted drawing numbers, the Committee

RESOLVED

That the application be approved as detailed in the report.

FG/104/10 – Siting of a temporary security guard caravan and storage container to enable building work to be carried out, Hangleton Farm, Hangleton Lane, Ferring Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

At the request of the Chairman, the Committee agreed to a change to the order of the Agenda as it had been compiled incorrectly.

FN/53/10 – Proposed outbuilding to replace existing dilapidated structure and removal of section of potting shed/store, Averys House, 56 High Street, Findon Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

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FN/51/10/L – Application for Listed Building Consent for proposed outbuilding to replace existing dilapidated structure and removal of section of potting shed/store, Averys House, 56 High Street, Findon Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

FN/52/10 – Change of use from detached private double garage to dentist surgery (Class D1), Wingate, Stable Lane, Findon Having received a report on the matter, together with the officer's written report update detailing the hours of operation for the proposed use, the Committee

RESOLVED

That the application be approved as detailed in the report and report update, subject to the following condition:-

“The premises shall not be open for trade of business except between the hours of 08.30 – 13.30 on Mondays, Thursdays, Fridays and Saturdays and 13.00 – 18.00 on Tuesdays and Wednesdays.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy GEN7 of the Arun District Local Plan.”

LU/177/10 – Change of use from agricultural office to (D1) non-residential education and training centre with additional parking area and access gate, Mead View Nursery, Lyminster Road, Littlehampton Having received a report on the matter, together with the officer's verbal update regarding a representation from Littlehampton Town Council objecting to the proposal and for the hours of operation to be set at 0800 to 1800 hours, serious concerns were raised in respect of the access to the site. It was considered that the access road was too narrow to service the 21 car parking spaces that were being requested and Members therefore felt the matter should be deferred to enable the applicant to provide further information on the access arrangements to the site. The Committee

RESOLVED

That the application be deferred for further information to be provided regarding access to the site.

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LU/244/10 – Erection of 1 No. 2 bedroom semi-detached dwelling, 14 Highdown Drive, Littlehampton 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 written report update detailing additional representations made, the Committee

RESOLVED

That the application be approved as detailed in the report.

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

Councillor Buckland spoke to the item as Ward Member.)

LU/277/10 – Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for development of new classroom facilities, main hall and studio, administration and community facilities and the demolition of the existing gym/hall to achieve the amalgamation of Connaught Junior School, Arun Vale Infant School and Elm Grove School to form River Beach Primary School – This application will be determined by WSCC – Connaught Junior School, Connaught Road, Littlehampton Having received a report on the matter, together with the officer's written report update detailing additional representations received, the Committee participated in a full debate.

Whilst recognising that this application would be determined by West Sussex County Council, serious concerns were voiced with regard to parking for local residents; signage in the area; road markings; construction traffic; and general chaos in the locality during school drop off and collection times. A request was made that officers from West Sussex County Council should be invited to meet with District Council officers at the site at a time when drop offs/pick ups were taking place so that the true situation could be seen and realistic options to resolve the issues could then be put forward and considered.

It was felt that there had to be a more imaginative look at the egress and access to the school and that the movement of 40 tonne lorries through the Victorian streets around the site was totally unacceptable. In fact it was suggested that a barrier at Queen Street/York Road could provide a solution to the problem. A view was expressed that the use of County land by the ambulance station would be the most appropriate route to gain access to the school in the long term and that this would substantially reduce the congestion on the roads in the immediate vicinity of the school. Comment was made that this could be included as part of the Fitzalan Road Link.

The view was put forward that no construction work should take place until such time as the Fitzalan Link road was under construction so that the HGV movements could access the site via the school playing fields of the Littlehampton Academy and via the County land at the ambulance station so that an holistic approach could be taken so that all construction traffic in the area would use one defined route which might ease matters in the town.

The Strategic Development Planner advised that he would put together the comments from Members and these would be conveyed to West Sussex County Council as soon as possible. He further stated that he would certainly invite County officers for a meeting on site but that this could only be a request, it could not be a requirement.

Suggestions were made that the matter should also be considered by the Joint Eastern Arun Area Committee and the North Littlehampton Steering Group prior to determination by the County Council.

The Committee strongly objected to the application and therefore did not accept the officer recommendation to raise no objection, subject to conditions and

RESOLVED

That an objection be raised to the application for the following reasons:-

- There is concern about the amendments to the catchment areas as a result of the proposals and pupils having to travel further to school.
- A residents parking scheme in the surrounding streets should be a pre-requisite of any planning permission.

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- The implementation of a scheme of road markings, imposition of a 20mph speed limit in surrounding streets, box line painting at junctions and areas of drop off and pick up and school signage, should be carried out prior to September 2011.
- The proposed construction routes are inappropriate and are in a critical location for drop off/pick up.
- There should be an aspiration for the longer term access to the school to be from the new Fitzalan Road Link.
- No construction work should commence until the Fitzalan Road Link is under construction.
- There should be a barrier erected at the entrance onto Queens Street/York Road.
- The proposals should be discussed at the Joint Eastern Arun Area Committee and the North Littlehampton Steering Group prior to determination.

LU/280/10 – Application under Regulation 3 of the Town & Country Regulations 1992 for development of two new classrooms, learning support areas and WC facilities and the construction of a new school hall with associated storage areas and the refurbishment of the existing hall to create two further classrooms as part of the expansion of Lyminster Infant Primary School to become Lyminster Primary School – This application will be determined by WSCC – Lyminster County Infant School, Wick Street, Wick
Having received a report on the matter, the Committee

RESOLVED

That no objection be raised to the application.

LU/281/10 – Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for development of new classroom, administration and community facilities, refurbishment of existing school facades, internal and external areas and relocation of existing pupil referral unit to achieve the amalgamation of Flora McDonald Junior and Wickbourne Infant School to form White Meadows Primary School – This application will be determined by WSCC – Flora McDonald Junior School & Wickbourne Infant School, Whitelea Road, Wick, Littlehampton
Having received a report on the matter, the Committee

RESOLVED

That no objection be raised to the application.

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P/80/10 – Application for outline planning permission with all matters reserved for a proposed additional dwelling, 1 Church Way, Bognor Regis
Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

R/185/10/L – Application for listed building consent for removal of existing chimney stack above the roof line and roofing over with slates to match existing, Cudlow House, Cudlow Garden, Sea Lane, 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 Haymes had declared a personal interest and remained in the meeting and took part in the debate and vote.)

Y/52/10 – Off-road parking for two vehicles, 1 Canal Cottages, Main Road, Yapton Having received a report on the matter, comment was made that the proposal had a detrimental impact on the Conservation Area and, as such was unacceptable. The Committee therefore did not accept the officer recommendation to approve and

RESOLVED

That the application be refused for the following reason:-

“The proposed off road car parking incorporates a gravelled area and earth embankment with concrete sleepers and posts which is considered crude and ugly with inappropriate materials and colour. This, together with the parking of vehicles at right angles, is considered out of keeping with the character and appearance of the Conservation Area, being at the prominent location at the western entrance to the Conservation Area and close to Bonhams Farm, a listed building, and is detrimental to the visual amenity of the area. The proposal is considered contrary to Policies GEN7 and AREA2 of the Arun District Local Plan and the Supplementary Guidance on Conservation Areas.

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Y/54/10 – Internal alterations and subdivision of existing barn to convert from D1 use to two self-contained residential units, Old Barn House, Hoe Lane, Flansham, Bognor Regis Having received a report on the matter, views were expressed that the site of the application could not support the parking required for a business but that it was sufficient for residential use. In the course of discussion it appeared that the Committee would not accept the officer recommendation to refuse the application; however, no plans were on file to show amenity areas and car parking which would enable Members to consider the merits of approving the application. The Committee therefore

RESOLVED

That the application be deferred for submission of detailed plans.

372. 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.

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

CIC/AB/19/07 – Alleged unauthorised change of use, 63 High Street, Arundel 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 or listed building consent and this fact will be revealed on CON/29/R when a Local Land Charges search is undertaken.

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ENF/100/10 – Alleged unauthorised use of land for keeping of horses,
Land adjacent to Thornlea Caravan Park, Lyminster 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/74/10 – Alleged unauthorised extension, 7 Gloucester Place,
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 7.52 p.m.)