

Subject to approval at the next Committee meeting

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DEVELOPMENT CONTROL COMMITTEE

2<sup>nd</sup> December 2009 at 2.30 p.m.

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

[Note: The following Councillors were absent from the meeting during consideration of the matters referred to in the Minutes indicated: Councillor Bower, Minutes 537 to 543; Councillor Butler, Minutes 533 to 536 (part) and Minute 543.

533. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Gammon and Wiltshire.

534. DECLARATIONS OF INTEREST

Councillor Biss gave notice of a prejudicial interest in Agenda Item 7, Telecommunications Annual Roll Out Plans, for the avoidance of bias as he had voiced opinions in relation to telephone masts. He stated that he would withdraw from the meeting during its consideration.

Councillors Bower, Mrs Olliver and Mrs Stainton gave notice of a personal interest in Agenda Item 6, Planning Policy Site 6, Variation to Trigger Points to Section 106 Agreements, as members of the Policy Site 6 Advisory Group which had also considered this matter.

Councillor Mrs Maconachie gave notice of a prejudicial interest in Agenda Item 11, Planning Application AW/213/09, as the applicant was known to her and she stated that she would leave the meeting during its consideration.

535. MINUTES

The Minutes of the meeting held on 7<sup>th</sup> October 2009 were approved as a correct record and signed by the Chairman.

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536. POLICY SITE 6 – VARIATION TO TRIGGER POINTS TO SECTION 106 AGREEMENTS

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

The Chairman welcomed to the meeting Mr Barry Smith, Senior Solicitor to the County Council, who was in attendance to answer any Member queries with regard to legal matters.

In presenting this item, the Strategic Development Planner reminded Members of the revised report that had been sent out separately to them in their last week's despatch and stated that this was the version he would be referring to.

The Committee was advised that the three developers for the Policy Site 6 development had put in a request that the existing trigger points for the starting, completing and payment of a number of items which had been agreed when the Section 106 agreements had been signed, should be amended otherwise the scheme would not be viable. The severe economic downturn had caused this problem. Members were also appraised of a letter that Felpham Parish Council had written to the authority expressing concerns about the numbers of houses, the timing of the provision of the community hall and reiterating the fact that the roundabout needed to commence in January 2010. A letter of objection had been received from a protest group called Clued Up and letters from Barratts, Berkeley Homes and Persimmon were referred to in the presentation.

In discussing the matter, Members were not surprised that, given the present serious economic situation, a start had not yet been made on the developments. It was felt vital to encourage the commencement of building work as it would make an important contribution to the Council's 5 year housing land supply.

Some discussion took place around the Bognor Regis Relief Road regarding the potential for it only being part built; flooding; and the loss of the window of opportunity to have the railway bridge built as per the original timetable. These matters were addressed at the meeting.

It was accepted that the trigger points must be changed to allow development to proceed and the Committee

RESOLVED

That the revised trigger points be agreed.

537. TELECOMMUNICATIONS ANNUAL ROLL OUT PLANS

*(Prior to consideration of this item, Councillor Biss had declared a prejudicial interest and left the meeting and took no part in the debate or vote.)*

The Committee received a report from the Head of Development Control which advised Members of the Annual Roll Out Plans received from telecommunications operators regarding mobile networks. Members were requested that should they wish to make comment on specific sites to let the relevant officer know and this could then be included in the response sent to Operators. It was proposed that the response sent to operators relating to their Roll Out Plans would be on a without prejudice basis and would state that, in principle, the Local Planning Authority had no objections to the installation of new equipment on existing installations or upgrades at existing sites, since this would be preferable to new installations on alternative sites.

538. REPORT OF THE MEETING OF THE POST COMMITTEE SITE INSPECTION PANEL – AB/99/09 – ERECTION OF 2 No. ATTACHED COTTAGES, LAND TO WEST OF CROWN YARD CAR PARK TO THE SOUTH OF BUTLERS RESTAURANT, 25 TARRANT STREET, ARUNDEL

Having received a report on the matter, the Committee accepted the Site Inspection Panel's recommendation to approve the application and therefore

RESOLVED

That the application be approved as detailed in the appendix to the report.

539. PLANNING APPEALS

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

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540. TREE APPLICATION

AW/160/09/T – Fell 1 Holm Oak, Sea Crest, The Close, Aldwick Bay Estate Having received a report on the matter, together with the officer's written report update detailing additional representation received, a request was made for a site visit to take place to assess the impact of the tree on visual amenity as there was conflicting advice from the experts. The Committee therefore

RESOLVED

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

541. PLANNING APPLICATIONS

LU/295/09 – Outline application for demolition of existing care home and redevelopment to provide 12 No. three bedroom two storey houses with accommodation within roof space, 3 No. three bedroom two storey houses and 5 No. two bedroom flats in one building with accommodation within the roof space and associated parking, Hampton House, West Way, Littlehampton Having received a report on the matter, together with the officer's written report update detailing additional financial information and additional Site History information, it was considered that this was an improvement to the application previously considered in that houses had now replaced some of the flats. The Committee

RESOLVED

That the application be approved as detailed in the report and, owing to the statutory publicity period not expiring until 9<sup>th</sup> December 2009, the decision be delegated to the Assistant Director of Planning and Housing Strategy, in consultation with the Chairman.

LU/300/09 – Change of use from general industrial use to sui generis waste transfer (This is a County Matter application and will be determined by the West Sussex County Council), Unit 15-16 Arndale Road, Littlehampton Having received a report on the matter, together with the officer's verbal correction that this was not an advertisement consent report as headed up in the Agenda, concerns were raised regarding the lack of detail provided in respect of traffic movements that might be generated and the parking of large vehicles, all within close proximity of a residential area. In addition, it was felt the operating hours should reflect the closeness of the residential development to the site as it was felt that local residents should not be

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subjected to unfair levels of traffic movements.

Advice was given that this was an application that would be determined by the County Council and this authority was being requested to consider the land use only; however, a letter could be sent to the County Council detailing the concerns that had been raised. The Committee therefore

RESOLVED

That no objection be raised to the application but West Sussex County Council be made aware of Members concerns in relation to traffic movements, parking and operating hours.

BR/218/09 – Erection of 1 No. 3 bed detached dwelling as an amendment to previously approved BR/2/09, 6 Nelson Road, Bognor Regis  
Having received a report on the matter, together with the officer's written report update detailing an objection from the Town Council, the Committee

RESOLVED

That the application be approved as detailed in the report.

BR/235/09/A – 10m fibre glass flag pole displaying Green Flag award winner 2009/10 flag, Hotham Park, Up[per Bognor Road, Bognor Regis  
Having received a report on the matter, a comment was made that the application was too prescriptive by mentioning a year and following advice on that point that this could be changed on the flag without further consent, the Committee

RESOLVED

That the application be approved as detailed in the report.

BE/81/09 – Erection of 2 No. 3 bedroom houses on the land adjacent to 341 Chichester Road – amendment to previous approval BE/111/08, 341 Chichester Road, Bognor Regis  
Having received a report on the matter, the Committee participated in a detailed debate regarding the access to the proposal via the rear of the site. Advice was given that the Inspector at an appeal on a previous application had considered the access to be acceptable and therefore Members should only be considering the resiting of the units within the site at this time. Following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report.

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AW/158/09 – First floor dormer extensions to south and north elevations, Cornerways, 17 Sefton Avenue, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing an additional representation received from the applicant, the Planning Team Leader reiterated that it was the view of officers that the proposal would be too dominant in the locality. The dormers would not be visually subservient and would therefore fail the Policy test. Following consideration, the Committee

RESOLVED

That the application be refused as detailed in the report.

AW/166/09 – Enlarging rear extension (resubmission of AW/173/07), 22 Pinehurst Park, Bognor Regis Having received a report on the matter, the Committee noted that there was a requirement for the applicant to submit plans showing the south western (side) elevation of the dwelling and

RESOLVED

That the application be approved as detailed in the report, subject to the submission of plans showing the south western (side) elevation of the dwelling.

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

AW/213/09 – Change of use of existing annexe to tourist accommodation (resubmission of application AW/109/09), 3 The Fairway, Aldwick Having received a report on the matter, together with the officer's written report update detailing additional representations received, Members agreed that an additional condition should be placed on any approval to ensure that the annexe was used for tourist use only between May and September. Following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report and, owing to the statutory publicity period not expiring until 10<sup>th</sup> December 2009, the decision be delegated to the Assistant Director of Planning and Housing Strategy, in consultation with the Chairman, subject to the addition of the following condition.:-

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“The tourist use hereby permitted shall be restricted to between 1<sup>st</sup> May and 30<sup>th</sup> September in any calendar year.

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

542. EXEMPT BUSINESS

The Committee

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.

543. ENFORCEMENT MATTERS (Exempt – Paragraph 5 – Legal Proceedings)

CIC/LU/28/07 – Alleged unauthorised non-compliance with plans, Land adjoining 8 Western road, 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 take such action in the absence of harm to the amenity in the locality of the site. The development does not have the benefit of planning permission and this fact will be revealed when a Local Land Charges Search is undertaken.

CIC/Y/21/07 – Alleged unauthorised breach of conditions relating to Y/13/07 (2,3,4 & 7), Land adjacent Little Meadow, Bilsham Road, Yapton Having received a report on the matter, the Committee

RESOLVED

That authority be granted under Section 187A (8) and (9) of the Town and Country Planning Act 1990 to institute legal

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proceedings for the failure to comply with the Breach of  
Condition Notice.

ENF/272/09 – Alleged unauthorised extension, 15 Gibson Way, Bognor  
Regis 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 take such action in  
the absence of harm to the amenity in the locality of the site.  
The development does not have the benefit of planning  
permission and this fact will be revealed when a Local Land  
Charges Search is undertaken.

ENF/403/09 – Alleged unauthorised outbuilding, 23 South Drive,  
Ferring 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 take such action in  
the absence of harm to the amenity in the locality of the site.  
The development does not have the benefit of planning  
permission and this fact will be revealed when a Local Land  
Charges Search is undertaken.

ENF/423/08 – Alleged unauthorised carport, The West Wing, (Firgrove  
House), Mill Road, Slindon 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 take such action in  
the absence of harm to the amenity in the locality of the site.  
The development does not have the benefit of planning  
permission and this fact will be revealed when a Local Land  
Charges Search is undertaken.

(The meeting concluded at 5.50 p.m.)