

DEVELOPMENT CONTROL COMMITTEE

4<sup>th</sup> November 2009 at 2.30 p.m.

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

474. WITHDRAWN ITEM

The Chairman advised the meeting that Planning Application AL/85/09 had been withdrawn from the Agenda.

475. APOLOGY FOR ABSENCE

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

476. DECLARATIONS OF INTEREST

Councillor Bower gave notice of a personal interest in Agenda Item 9, Planning Application EP/128/09 as the site fell within the estate of which he was a member. He stated that he would reserve his right to speak on the matter.

477. 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.

478. ENFORCEMENT MATTER – ENF/298/08 – LAND AT MARSH LANE, NYTON ROAD, ALDINGBOURNE (Exempt – Paragraph 5 – Legal Proceedings)

The Chairman agreed that this matter could be dealt with as a matter of urgency at the end of the Agenda as a decision was required of the Committee in respect of legal proceedings.

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479. REPORT OF THE MEETING OF THE POST COMMITTEE SITE INSPECTION PANEL – A/78/09 – TERRACE OF 4 NO. 2 BED HOUSES – RESUBMISSION FOLLOWING A/75/08, 101 LLOYD GORING CLOSE & LAND TO REAR OF 7-15 LANSDOWNE WAY, ANGMERING

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.

480. PLANNING APPEALS

The Committee received and noted a report detailing appeals that had been lodged and 5 appeals that had been heard.

481. PLANNING APPLICATIONS

AL/85/09 – Erection of agricultural barn – resubmission of AL/90/08 – Aldingbourne Farm Shop, Nyton Road, Aldingbourne Having received a report on the matter, together with the officer's written report update detailing a landscape plan that had been submitted, the Committee had been advised that this application had been withdrawn from the Agenda.

AW/92/09 – Single storey side extension. Existing garage conversion with proposed detached garage to front, Hightrees, 3 The Drive, Aldwick Having received a report on the matter, together with the officer's detailed written report update advising that the proposed garage had now been removed from the application and a revised recommendation of approval with conditions was now on the table for Members to consider. The original recommendation to refuse had been based solely on the fact that the proposed garage would cause the loss of a tree protected under a Tree Preservation Order. However, as that element had now been removed from the application, it was the view of officers that the small scale nature of the side extension was in keeping with the area and could be approved.

An Informative had been placed on the condition sheet detailed in the written officer report update but the Committee was given verbal advice that, having received further comment from the Council's Arboricultural Officer, this was proposed to be deleted and replaced with two additional conditions to ensure the safety of the trees within close proximity of the site.

In the course of discussing the matter, a request was made that a Site Inspection should be undertaken but, on being put to the vote, this was declared lost on the Chairman exercising her right to have a casting vote.

Following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report update and subject to deletion of the Informative relating to trees and the addition of the following conditions:-

“Condition 4: Before development commences, details of the construction of the single storey extension, including service connections, drains and foundations, shall be submitted and approved in writing by the Local Planning Authority. Such details shall specify hand digging of the foundations and be in accordance with BS5837 (2005) Trees in relation to construction – Recommendations and Sections 9.3.1, 9.3.2, 9.3.3 and 9.4.2 (a)(b)(c) and (d). The development shall be carried out in accordance with the approved details.

Reason: To protect tree roots from damage likely to lead to the loss of TPOd trees in the interests of the visual amenities of the locality in accordance with GEN7 of the Arun District Local Plan.

Condition 5: No development, including site works of any description, shall take place on the site unless and until all the existing TPOd to the front of the dwelling on the verge have been protected by a fence to be approved by the Local Planning Authority. Within the areas so fenced off the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without the prior written approval of the Local Planning Authority.

Reason: To ensure the retention and maintenance of trees and vegetation, which is an important feature of the area, in accordance with Policy GEN7 of the Arun District Local Plan.

AW/140/09 – 2m panel fence to secure rear garden, set 450mm from edge of pavement boundary, 27A Oxford Drive, Bognor Regis Having received a report on the matter, the Committee did not accept the officer recommendation to refuse the application and participated in a brief debate

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regarding conditions it would wish to place on any approval. It was agreed that conditions should cover (i) time limit; (ii) colour of fence; (iii) height of fence; and (iv) protection of hedging. Following consideration, the Committee

#### RESOLVED

That the application be approved as agreed at the meeting, subject to the following conditions:-

Condition 1: The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990(as amended)

Condition 2: No development shall be carried out unless and until the colour specification of the fence has been submitted and approved in writing by the Local Planning Authority and the fence shall be coloured in accordance with the approved details.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with Policy GEN7 of the Arun District Local Plan.

Condition 3: The height of the fence shall be no higher than 1.85 metres as detailed in the approved plans, location plan, block plan, block plan detailing fence, elevation plan part superseded and detailed photographic plan showing typical elevation received 20<sup>th</sup> August 2009.

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

Condition 4: The existing hedge in front of the fence shall be retained and protected for the duration of the development and shall not be damaged, destroyed, uprooted, felled, lopped or topped during that period without the previous written consent of the Local Planning Authority. The hedge shall be retained thereafter in perpetuity and any trees removed without consent or dying or being seriously damaged or becoming seriously diseased shall be replaced in the following planting season

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with trees of such size and species as may be agreed with the Local Planning Authority.

Reason: To ensure the retention of vegetation important to the visual amenity in accordance with Policy GEN7 of the Arun District Local Plan.

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, together with the officer's written report update detailing consultation responses and additional objections received, the Committee was of the view that a site inspection should be undertaken as there were concerns expressed about the siting of the proposal within the Conservation Area. The Committee therefore

RESOLVED

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

BR/187/09 – Proposed conversion of upper floor maisonettes to form 6 No. two bedroom and 2 No. one bedroom self contained flats including alterations and replacement of doors and windows to rear elevation, 48A-55A Aldwick Parade, Aldwick Road, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

BR/200/09 – Conversion of first floor offices to 2 No. flats and rear extension, 58 High Street, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

BR/208/09 – Amendment to BR/238/07 – Repositioning rear extension, alterations and conversion to create 7 additional flats (total of 11 flats), 36 Sudley Road, Bognor Regis Having received a report on the matter, the Committee

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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 spoke and voted on it.)*

EP/128/09 – Detached two storey house in the land north of Seaside Cottage (Resubmission of EP/17/09), Land north of Seaside Cottage, South Strand, East Preston Having received a report on the matter, together with the officer's written report update detailing additional representations received, the Committee

RESOLVED

That the application be approved as detailed in the report and, owing to the statutory publicity period not expiring until 19<sup>th</sup> November 2009, the decision be delegated to the Assistant Director of Planning and Housing Strategy, in consultation with the Chairman.

FN/48/09 – Demolition of existing dwelling and erection of three detached houses with access drive, garaging and landscaping, Paddock House, Soldiers Field Lane, Findon Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

LU/240/09 – Conversion, refurbishment and extension to a former Public House to create 5 residential units comprising two self contained two bedroom flats and two self contained one bedroom flats with courtyard amenity space and a four bedroom detached dwelling with garden. Demolition of rear extensions, The Marine, Selborne Road, Littlehampton Having received a report on the matter, it was highlighted that this particular building was of major historical significance to Littlehampton in that, during the Second World War, it was the base for the 30AU Royal Marine Commando Group whose Commanding Officer was Ian Fleming, of James Bond fame. Members felt strongly that this fact should not be lost to the town and perhaps recognition in the form of a blue plaque could be attached to the building. The Committee then

RESOLVED

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

“In view of the history relating to the building and as a means of marking this history, the applicant is requested to provide a commemorative plaque on the building.”

LU/247/09 – Removal of existing benches and shelters on seafront promenade. Replacement with single bench structure from East Beach Café to rear of concessions adjacent to Harbour Park (sited along southern boundary with existing dwarf wall). Erection of two new public shelter structures, Littlehampton Promenade, Littlehampton Having received a report on the matter, Members welcomed this proposal as being a positive contribution to the attractions of Littlehampton. In the course of discussion, a request was made that efforts be made to recycle the old benches that would be replaced and advice was given that this was already in hand. A concern was also raised that the immediate vicinity of the bench should be maintained to a suitable standard and the case officer was requested to inform the applicant of this. The Committee then

RESOLVED

That the application be approved as detailed in the report.

R/165/09 – Residential development consisting of new end of terrace house, 7 Paddock Green, Rustington Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

Y/44/09 – The installation consists of a two 11kw Gaia turbines, mounted on free standing 18m lattice masts on 5m<sup>2</sup> concrete bases. The turbines are of twinbladed design and are manufactured as a single composite unit 13m in diameter, Little Rookery Farm, Hoe Lane, Flansham Having received a report on the matter, the Committee was of the view that the proposal would cause a detrimental visual impact on the landscape, particularly in light of some ambiguity as to exactly what was being proposed in the application. Following a detailed debate and advice from officers regarding issues of noise, carbon saving and carbon creation, the Committee did not accept the officer recommendation to approve and

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RESOLVED

That the application be refused for the following reason:-

“The proposed two 11kw Gaia turbine masts whether tubular or lattice (which is unclear from the submitted plans) would constitute an alien and overbearing intrusion into the landscape of the countryside which would be out of keeping and detrimental to visual amenities in conflict with Policies GEN3, GEN7 and GEN21 of the Arun District Local Plan and NRM15 of the South East Plan.

482. ENFORCEMENT MATTERS

CON/157/09 – Alleged unauthorised damage to tree, Allangate House, Rustington The Committee received and noted an information report detailing the successful outcome of this prosecution case.

483. 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.

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

CIC/Y/11/06 - Alleged unauthorised breach of Section 215 Notice, Two Hoots, Bilsham Road, Yapton Having received a report on the matter, the Committee

RESOLVED

That authority be granted under Section 171 D of the Town and Country Planning Act 1990 to institute legal proceedings for the failure to comply with a Planning Contravention Notice.

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ENF/38/09 – Alleged unauthorised caravan, Eastmere Stables, Eastergate Lane, Eastergate Having received a report on the matter, the Committee

RESOLVED

That authority be granted under Section 171 D of the Town and Country Planning Act 1990 to institute legal proceedings for the failure to comply with a Planning Contravention Notice.

ENF/298/08 – Alleged unauthorised hardstanding, Land at Marsh Lane, Nyton Road, Aldingbourne Having received a report on the matter, the Committee

RESOLVED

That authority be granted under Section 179 of the Town and Country Planning Act 1990 to institute legal proceedings for the non-compliance with the enforcement notice.

(The meeting concluded at 5.26 p.m.)