

DEVELOPMENT CONTROL COMMITTEE

20<sup>th</sup> May 2009 at 2.30 p.m.

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

Note: Councillor Dingemans was also in attendance for part of the meeting.

28. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Bower, Gammon, Mrs Goad and Mrs Hazlehurst.

29. WITHDRAWN APPLICATIONS

The Chairman advised the meeting that Planning Applications AL/83/08, FN 21/09 and R/49/09 had been withdrawn from the Agenda.

30. DECLARATIONS OF INTEREST

Councillor Butler gave notice of a personal interest in Agenda Item 10, Planning Application WA/16/09, as he occasionally carried out unpaid commentary work on school race days.

Councillor Haymes gave notice of a personal interest in Agenda Item 10, Planning Application Y/10/09, as the applicant was known to him as they were both members of the Parish Council.

Councillor Wiltshire gave notice of personal interests in Agenda Item 10, Planning Application LU/73/09 as a member of the Littlehampton Town Council Planning Committee and Planning Application LU/517/04 as the Council's representative on the Conservation Area Advisory Committee.

31. MINUTES

The Minutes of the meeting held on 29<sup>th</sup> April 2009 were approved as a correct record and signed by the Chairman.

Development Control  
Committee – 20.05.09.

32. REPORT TO SEEK AUTHORISATION TO START INJUNCTION PROCEEDINGS UNDER S187B TOWN & COUNTRY PLANNING ACT 1990 (Exempt – Paragraph 5 – Legal Proceedings)

The Chairman agreed that this report could be dealt with as an urgent item at the end of the meeting as authorisation to commence legal proceedings was required of the Committee.

33. START TIMES 2009/10

The Committee

RESOLVED

That the start times of meetings for the remainder of 2009/10 be 2.30 p.m.

34. REPORT OF THE MEETING OF THE POST COMMITTEE SITE INSPECTION PANEL – AW/29/09 – GARAGE AND PORCH EXTENSION, 25 KINGSWAY, CRAIGWEIL, ALDWICK

The Committee had received a report from the meeting of the Site Inspection Panel and as that meeting was not quorate and could not put forward a recommendation, the Committee had been requested to accept the officer recommendation to approve the application. However, since publication of the report, comments had been received from the Conservation and Design Manager and the officer recommendation was to now refuse the proposal, as detailed in the officer report update circulated at the meeting, which also advised that substitute plans had been received but it was not considered that the revised plans sufficiently addressed the concerns of the Conservation and Design Manager.

The Ward Member for Aldwick East stated that the spaciousness of the estate must be protected, particularly as it had recently been designated as a Conservation Area.

In considering the item, the Chairman of the Site Inspection Panel wished to have it recorded that Councillor Mrs Harrison had given her apologies for the site inspection but these had not been passed on.

Following consideration, the Committee

RESOLVED

That the application be refused as detailed in the officer report update for the following reason:-

“By reason of its size and form the proposed garage extension would appear incongruous and detract from the symmetrical design of the front elevation of the property. The proposal fails to preserve or enhance the character or appearance of the Conservation Area in conflict with Policy GEN7 of the Arun District Local Plan and PPG15 Planning and Historic Environment.”

35. PLANNING APPEALS

The Committee received and noted a report detailing appeals that had been lodged and 11 appeals that had been heard.

36. PLANNING APPLICATIONS

AL/83/08 – Proposed Eco House – resubmission following AL/19/08 (This application is a departure from the Development Plan), Former Council Depot, Blackmill Lane, Aldingbourne Having received a report on the matter, the meeting had been advised that this application had been withdrawn.

AW/45/09 – Erection of 1 No. attached 3 bed dwelling, 14 Tangmere Gardens, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing the Appeal Decision on the previous application, the Committee

RESOLVED

That the application be approved as detailed in the report.

A/29/09 – Approval of reserved matters following outline consent A/44/06 for car showrooms, Land south of A259, Littlehampton Having received a report on the matter, together with the officer's written report update detailing an additional condition relating to the workshops on each of the buildings, the Committee

RESOLVED

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

Development Control  
Committee – 20.05.09.

AB/27/09 – A new house in the garden & partial demolition of a single storey building (resubmission of planning approval permit AB/28/06), 55-57 High Street, Arundel Having received a report on the matter, together with the officer's written report update detailing a new indicative location plan, the Committee

RESOLVED

That the application be approved as detailed in the report.

AB/28/09/L – Application for listed building consent for partial demolition of a single storey building and garden wall, works to facilitate construction of a new house in the garden (resubmission of planning approval permit AB/29/06/L), 55-57 High Street, Arundel Having received a report on the matter, together with the officer's written report update detailing a new indicative location plan, the Committee

RESOLVED

That the application be approved as detailed in the report.

BR/30/09 – Detached prefab garage to front of property, 17 Roman Fields, Bognor Regis Having received a report on the matter, concerns were raised that this was a retrospective application that was totally out of keeping and had a detrimental impact on the rest of the Close. Further concerns were raised about the materials of the garage not matching the houses in Roman Fields and that vegetation and trees could be removed exposing the garage to further unsightly view. Permission could also set a precedent for other garages in the area. Members agreed with the views expressed and therefore did not accept the officer recommendation to approve and the Committee then

RESOLVED

That the application be refused for the following reason:-

“The garage would represent an unacceptable visual intrusion by reason of its construction, design and materials, be out of keeping with the character and appearance of the area. The proposal would be contrary to Policy GEN7 of the Arun District Local Plan.”

Advice was then sought from the Planning Solicitor as to what course of action should be followed in respect of enforcement action, following which the Committee

RESOLVED

That the Assistant Director of Planning and Housing Strategy be authorised to commence enforcement action against the garage for the reasons set out in the Reason for Refusal. The extent of enforcement action to be at the discretion of the Assistant Director of Planning and Housing Strategy.

EG/12/09 – Single detached chalet bungalow. Resubmission following EG/52/08, Land to the south of Crantock, Fontwell Avenue, Eastergate  
Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

EG/13/09 – The construction of extension at first floor level to the side of the property & single storey extension to the rear. (Resubmission following application EG/64/08), Crofton Cottage, Barnham Road, Eastergate Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

FG/26/09 – Foaling unit, livery stables and 1 No. mobile home (Resubmission following FG/68/08), Hangleton Farm Equestrian Centre, Hangleton Lane, Ferring Having received a report on the matter, the Committee

RESOLVED

That the application be refused for the reasons detailed in the report.

FG/31/09 – Change of use from training establishment to motor vehicle repair shop, including MOTs on behalf of VOSA, 61 Ferringham Lane, Ferring  
Having received a report on the matter, together with the officer's written report update detailing an additional representation received, the Committee agreed that a site visit should be arranged to assess the impact of the proposal on the residential area, particularly in view of the fact that it was a Conservation Area. It was also requested that comments from the Conservation and Design Manager should be sought for inclusion in any further report. The Committee then

Subject to approval at the next Committee meeting

16

Development Control  
Committee – 20.05.09.

RESOLVED

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

FG/37/09 – 1 No. chalet bungalow with detached garage (resubmission of FG/23/08), 5/6 Langbury Close, Ferring Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

FN/21/09 – Application under Regulation 3 of the Town and Country Planning General Regulations 1992 for construction of new training tower (This application will be determined by West Sussex County Council), Findon Fire Station, Horsham Road, Findon Having received a report on the matter, the meeting had been advised that this application had been withdrawn from the Agenda as it had been dealt with by way of delegated powers.

LU/73/09 – Change of use of small area of Public Open Space land to temporary sales car park area to serve plot 393, Eden Park/Elysian Fields, Worthing Road, Toddington, Littlehampton Having received a report on the matter, together with the officer's written report update detailing a correction to the report and amended Informative, strong views were expressed that there was very little public open space available on the site and yet there were many families and children already living there. It was felt that the public open space must be protected, even though this proposal was only seeking a temporary permission. The Planning Team Leader reiterated that the proposal was to utilise this particular area for parking in front of the show home as it was the only area that could practically be used. However, the Committee did not accept the officer recommendation to approve and

RESOLVED

That the application be refused for the following reason:-

“The provision of the car parking would result in an unacceptable loss of Public Open space to the detriment of the character of the area and would also be detrimental to the existing residential amenity of the locality. It is therefore in conflict with Policies GEN7 and GEN20 of the Arun District Local Plan.”

LU/517/04 – Mixed use development with part retail use to ground floor and 24 No. one bedroom flats, 18 No. two bedroom flats, 6 No. three bedroom flats to part of the ground/upper floors and 3 No. two bed houses and 1 No. three bedroom house with public and private hard and soft landscaped areas, Former Littlehampton Indoor market, 26-30 Surrey Street, Littlehampton  
Having received a report on the matter, together with the officer's written report update detailing additional representations received; additional and revised conditions relating to comments from the Environment Agency; an update from the Planning Officer relating to the sequential test; and a consultation response from the Council's Parks and Greenspace Section, the Committee participated in a lengthy debate involving the merits of the scheme.

The Committee received a detailed presentation from the Conservation and Design Manager wherein it was acknowledged that this was an extremely difficult site to develop and it was felt that the expensive cost of remedial flood drainage works justified the high density of the scheme. In the opinion of the Conservation and Design Manager, this proposal was of a high quality architectural and contemporary design that fitted in well with the Littlehampton Vision.

However, Members did not agree with this view and expressed serious concerns about the lack of parking both on site and nearby; the fact that a contribution for off site play provision would be provided rather than for on site; and the design itself was unacceptable. It was felt that the proposal as it stood would be the foundation for social problems in the future which would be further exacerbated by lack of parking and a view was expressed that it was reminiscent of the bad planning practices that took place 30 years ago. The Committee did not accept the officer recommendation to approve the application and

#### RESOLVED

That the application be refused for the following reasons:-

(1) The design of the development in terms of its external appearance and provision of play space is below the standard required for this important town centre location and the proposal conflicts with PPS 1 (Delivering Sustainable Development), PPS 3 (Housing), Policy CC6 of The South East Plan and Policy GEN7 of the Arun District Local Plan.

(2) The proposed development does not provide sufficient on - site car parking which would be detrimental to the amenities of the occupiers of the development and the amenities of the

Development Control  
Committee – 20.05.09.

locality and would be in conflict with Policies GEN7 and GEN12 of the Arun District Local Plan.

(3) The development proposed generates a need for public infrastructure in the form of Primary Education, Library, Fire and Rescue and off-site play contributions which cannot currently be met in the locality. No contributions have been secured as part of the application and the proposal therefore conflicts with Policy CC7 of The South East Plan and Policy GEN8 of the Arun District Local Plan.

R/49/09 – House and detached garage (Amendment to previously approved R/271/08), 8 Bushby Avenue, Rustington Having received a report on the matter, the meeting had been advised that this application had been withdrawn as it had been dealt with under delegated powers.

*(Prior to consideration of the following item, Councillor Haymes declared a personal interest as a member of Yapton Parish Council, which had undertaken a visit to the site last year. He remained in the meeting and took part in the debate and vote.)*

WA/11/09 – Horticultural finishing centre – single storey double pitch building with profiled metal sheet walls and roof. Single storey staff rest/WC portable cabin – this application also falls within the Parish of Yapton, Farplants Finishing Centre, Lake lane, Barnham Having received a report on the matter, together with the officer's written report update on the receipt of substitute plans and comments received from Walberton Parish Council, the Committee

RESOLVED

That the application be approved as detailed in the report.

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

WA/16/09 – Proposed new low energy sustainable office building and educational facility for greenpower – resubmission following application WA/59/08, Land adjacent to Car Park, Fordingbridge Plc, Arundel Road, Fontwell 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 Haymes had declared a personal interest. Following advice from the Planning Solicitor, he left the meeting and took no part in the debate or vote.)*

Y/10/09 – Resubmission following application Y/14/08 for 1 No. 4 bed detached dwelling and 2 No. 3 bed semi detached dwellings, Land rear of Wayside, Burndell Road, Yapton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

37. ENFORCEMENT MATTERS

CIC/Y/4/07 – Alleged unauthorised floodlights, Little Meadow, Bilsham Road, Yapton 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 local amenity. The development does not have the benefit of planning permission and this fact will be revealed on CON/29/A when a Local Land Charges Search is undertaken.

38. 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 item of business on the grounds that it involves 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 item.

Subject to approval at the next Committee meeting

20

Development Control  
Committee – 20.05.09.

39. REPORT TO SEEK AUTHORISATION TO START INJUNCTION PROCEEDINGS UNDER S187B TOWN & COUNTRY PLANNING ACT 1990 (Exempt – Paragraph 5 – Legal Proceedings)

The Committee received a report from the Team Leader Compliance which was seeking authorisation to commence injunction proceedings to remedy a breach of planning control at land where other remedies had failed. Following consideration, the Committee

RESOLVED

That authorisation to commence injunction proceedings to remedy the breach of planning control at the land be agreed.

(The meeting concluded at 6.10 p.m.)