

Subject to approval at the next Committee meeting

565

DEVELOPMENT CONTROL COMMITTEE

21<sup>st</sup> January 2009 at 2.30 p.m.

Present : Councillors Mrs Hall (Chairman) Mrs Goad (Vice-Chairman), Ayling (substituting for Councillor Mrs Harrison), Biss, Bower, R. Brown (substituting for Councillor Steward), Butler, Evans, Gammon, Haymes, Mrs Hazlehurst, Mrs Maconachie, McDougall, Oliver-Redgate, Mrs Olliver and Mrs Smee.

[Note: The following Councillors were absent from the meeting during consideration of the matters in the Minutes indicated:- Councillor Butler, Minutes 770 to 777.]

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

770. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs Harrison, McDougall and Steward.

771. DECLARATIONS OF INTEREST

Councillor Biss gave notice of a prejudicial interest in Agenda Item 5, Matters of Urgency (enforcement matter ENF/442/08) as he knew the person concerned and he stated that he would leave the meeting during its consideration.

Councillor Mrs Maconachie gave notice of a personal interest in Agenda Item 9, Planning Application AW/180/08, as her husband was a patient at the medical practice in question.

Councillor Mrs Smee gave notice of a prejudicial interest in Agenda Item 9, Planning Application AW/180/08 as she was an employee of the Primary Care Trust and a friend and work colleague of the ex wife of a partner of the medical practice in question. She stated that she would leave the meeting during its consideration. She also gave notice of a personal interest in Planning Application BE/111/08 as a member of Bersted Parish Council.

Development Control  
Committee – 21.01.09.

772. MINUTES

The Minutes of the meeting held on 18<sup>th</sup> December 2008 were approved as a correct record and signed by the Chairman, subject to the addition of Councillor Butler as having voted FOR the officer recommendation to refuse under the recorded vote in respect of Minute 694, Planning Application BE/1/08, Land at Oldlands Farm, Shripney Road, Bognor Regis.

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

773. COMPLIANCE INVESTIGATION ENF/442/08, LAND REAR OF ANCTON WAY, MIDDLETON ON SEA

The Chairman agreed that an item relating to an enforcement issue could be considered as a matter of urgency as there was a 6 month time limit on taking prosecution action from the date of an offence being committed and, as 5 months had already passed, the Committee was required to give a steer to officers as to what action should be taken.

The Committee received a report (circulated at the meeting) from the Compliance Team Leader which set out the detail of a breach of planning control in respect of unauthorised works carried out on 66 trees protected under a group woodland order TPO/1/91/M. Whilst the work involved 66 trees, the recommended prosecution would only relate to several specimen cases.

Following consideration the Committee

RESOLVED

That authority be granted under Section 210 of the Town and Country Planning Act 1990 to institute legal proceedings for the wilful works to trees protected under Tree Preservation Order TPO/1/91/M/

774. WITHDRAWN APPLICATION

The Chairman advised the meeting that under Agenda Item 9, Planning Application AB/147/08 would not be considered as it had in fact been included in error and had already been dealt with under delegated powers.

775. REPORT OF THE MEETING OF THE POST COMMITTEE SITE INSPECTION PANEL – AL/92/08 – RE-USE OF REDUNDANT FARM BUILDINGS FOR MIXED USE DEVELOPMENT – B1 OFFICES, RESIDENTIAL DWELLINGS AND TOURIST ACCOMMODATION UNITS, NEW HOUSE FARM, NORTON LANE, ALDINGBOURNE

The Committee received a report on a meeting of the Post Site Inspection Panel held on 23<sup>rd</sup> December 2008, together with a verbal correction that Councillor Mrs Briggs had been in attendance as Ward Member, and, following consideration,

RESOLVED

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

776. REPORT OF THE MEETING OF THE POST COMMITTEE SITE INSPECTION PANEL – AW/216/08 – ALTERATIONS AND EXTENSION OF EXISTING 2 NO. FLATS TO FORM 4 NO. 1 BEDROOM AND 1 NO. 2 BEDROOM FLATS, 10 & 10a PRINCESS AVENUE, ALDWICK

The Committee received a report on a meeting of the Post Site Inspection Panel held on 23<sup>rd</sup> December 2008, together with verbal advice that Councillor R. Brown had been in attendance as the Ward Councillor. In considering the matter, concerns were raised with regard to the adverse impact of the external staircase on neighbouring properties and that the proposal would be out of character with the street scene and would set a precedent.

Members received advice from the Interim Head of Development Control that the reasons highlighted for possible refusal of the proposal would not be sustainable at appeal. However, the Committee did not accept the officer recommendation to approve the application and

RESOLVED

That the application be refused for the following reason:-

“The proposed staircase on the flank of the building adjacent to a neighbouring property represents an unneighbourly form of development detrimental to the amenities of residents of that property and street scene. The proposal is contrary to Policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.”

Development Control  
Committee – 21.01.09.

777. PLANNING APPEALS

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

778. PLANNING APPLICATIONS

*(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.*

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

AW/180/08 – Outline application for proposed extension of Nos 1 & 2 West Meads Precinct to create a mixed use development of 8 new flats, 1 retail unit and an extension to the existing doctors surgery, 1 & 2 The Precinct, West Meads, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing further information received from the applicant's arboriculturist, the Committee participated in a detailed debate following advice from the Strategic Development Planner that 'unneighbourliness' and 'out of character with the area' had been discounted as reasons for refusal. He was of the view that the effect on the trees was the only sustainable reason to refuse the application.

However, views were expressed by Members that the proposal would indeed be out of character with the existing building and detrimental and overbearing to the open aspect of the West Meads "garden estate". It was felt that the proposal went against the original design and concept of the area which was one of openness. In addition, in order to fully protect the trees affected by the proposal and those trees that fronted the car park areas to the West Meads precinct and whilst accepting that these trees were on West Sussex County Council highway maintainable land, it was suggested that a Tree Preservation Order should be placed on all the trees in question.

The Strategic Development Planner sought and received clarification from Members that they were looking to refuse the application on the additional grounds of visual amenity and residential amenity and requested that the wording of these reasons for refusal be delegated to him in consultation with the Chairman immediately following the meeting. This request was agreed and the Committee

RESOLVED - That

(1) the application be refused for the reason as detailed in the report, subject to the following two additional reasons for refusal having been agreed in consultation with the Chairman:-

2. The proposed extensions, by reason of their design and bulk, would be detrimental to the visual amenities of the area by being out of character. Also, it would result in the loss of the open nature of this part of West Meads Estate. The proposal would therefore be contrary to Policies DEV1 and CH1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

3. The proposed extensions, by reason of their size and siting, would be detrimental to the residential amenities of the area by creating overshadowing and unneighbourliness to existing properties. The proposal would therefore be contrary to Policy DEV1 of the West Sussex Structure Plan and Policy GEN7 of the Arun District Local Plan.

(2) a Tree Preservation Order be drawn up to cover those trees affected by the proposal and all the trees fronting the car park areas to the West Meads precinct.

AW/251/08 – Two storey side extension to existing house, 69 Hewarts Lane, Aldwick Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

AW/259/08 – Rebuild garage and conservatory to form new kitchen, 21 Churchill Avenue, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

Subject to approval at the next Committee meeting

570

Development Control  
Committee – 21.01.09.

AW/263/08 – Extension and conversion of detached garage to form guest annexe, 1 The Fairway, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

A/135/08 – Variation of condition No. 6 of Planning Permission A/156/02 to retain existing mobile home and lean to for ancillary purposes in connection with the cattery. Non domestic use only, Ally Cats, Dappers Lane, Angmering Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

A/137/08/A – Rustington Golf Centre, Golfers Lane, Angmering, Rustington Golf Centre, Golfers Lane, Angmering Having received a report on the matter, together with the officer's written report update detailing additional and substitute plans and resultant amended conditions, the Committee

RESOLVED

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

AB/147/08 – Change of use from shop (A1) to domestic garage (C3), 70A Tarrant Street, Arundel Having received a report on the matter, this item had been withdrawn from the Agenda as it had been included in error having been dealt with under delegated powers.

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

BE/111/08 – Erection of 2 No. 2 bedroom houses on the land adjacent to 341 Chichester Road, 341 Chichester Road, Bognor Regis Having received a report on the matter, together with the officer's verbal advice that substitute plans had been received detailing a chimney to break up the roof space and resultant amended condition, the Committee

Subject to approval at the next Committee meeting

571

Development Control  
Committee – 21.01.09.

RESOLVED

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

“This permission relates to substitute plans submitted on 21<sup>st</sup> January 2009 and not the plans originally submitted.

Reason: For the avoidance of doubt.”

BR/334/08 – Application for timber smoking shelter, The Lamb Inn, Steyne Street, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

FG/157/08 – Extension and alterations to form rooms in roof to include dormer and balcony (resubmission following FG/96/08), 15 Ferring Marine, Ferring Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

FG/164/08/A – Advertisement consent for 3 No. internally illuminated fascia signs of varying sizes (Resubmission following FG/139/08/A), Yeomans, Littlehampton road, Ferring Having received a report on the matter, a request was made that the illumination of the signs, if approved, should be time limited, and the Committee then

RESOLVED

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

“The lighting of the advertisement hereby granted consent should only be operated between 0700 hours and 1900 hours daily and at no other time whatsoever.

Reason: To safeguard the amenities of the area in accordance with Policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.”

Subject to approval at the next Committee meeting

572

Development Control  
Committee – 21.01.09.

R/239/08 – Change of use from Class C2 (residential institutional) use and alterations to West Preston Manor, to form 1 No. one bed flat, 1 No. two bed flat and 2 No. 3 bed cottages together with the erection of a pair of semi – detached 2 No. three bed dwellings, parking spaces, car barns, cycle storage, refuse bin storage and amenity open space, West Preston Manor, Pigeonhouse Lane, Rustington Having received a report on the matter, together with the officer's verbal update that additional information had been received from the applicant in respect of the loss of a tree on the site which was subject to a Tree Preservation Order but that this did not negate the relevant reason for refusal, the Committee did acknowledge that enabling development such as this in order to save and preserve the listed building was to be welcomed. However, it was felt that this particular proposal would be an overdevelopment and would damage the setting of the listed building and the Committee therefore

RESOLVED

That the application be refused as detailed in the report.

(The meeting concluded at 4.50 p.m.)