

Subject to approval at the next Committee meeting

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DEVELOPMENT CONTROL COMMITTEE

25<sup>th</sup> February 2009 at 2.30 p.m.

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

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

869. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs Hazlehurst and Mrs Smee.

870. DECLARATIONS OF INTEREST

There were no declarations of interest made.

871. MINUTES

The Minutes of the meeting held on 4<sup>th</sup> February 2009 were approved as a correct record and signed by the Chairman.

872. REPORT OF THE MEETING OF THE POST COMMITTEE SITE INSPECTION PANEL – M/98/09 – FRONT TWO STOREY EXTENSION, 4 SEA WAY, MIDDLETON ON SEA

Having received a report on the matter, the Committee agreed with the Panel's view to not accept the officer recommendation to approve due to the proposal being considered to be overbearing on the neighbouring property. The Committee therefore

RESOLVED

That the application be refused for the following reason:-

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“The extension would result in overbearing and loss of light to the side windows of the neighbouring property No. 2 Sea Way, Middleton. It therefore conflicts with Policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.”

873. PLANNING APPEALS

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

874. PLANNING APPLICATIONS

AW/264/08 – Erection of 1 No. 3 bedroom house, 35 Willowhale Avenue, Bognor Regis Having received a report on the matter, together with the officer’s written report update detailing additional representations received, the Committee accepted the officer’s recommendation to refuse due to the adverse effect on the trees covered by a Tree Preservation Order. However, it was also felt that the proposal would be out of keeping with neighbouring properties and the Committee therefore

RESOLVED

That the application be refused for the reason as detailed in the report and for the following additional reason:-

“The proposed dwelling on the site, by reason of its size and siting, would be out of keeping with the prevailing character of the street scene and therefore contrary to Policy DEV1 of the West Sussex Structure Plan and Policy GEN7 of the Arun District Local Plan.”

FP/133/08 – Redevelopment of site to provide A1 retail use with associated car parking, 126 Felpham Way, Felpham Having received a report on the matter, the Chairman welcomed to the meeting Nicola Gladwin and Paul Jackson-Cole from County Highways who were present to answer Members’ questions on highway issues.

In presenting his report, the Strategic Development Planner emphasised to the Committee that the operator was not a material planning consideration and that the view of the Council’s consultant was that there was capacity for another store in this location and there would not be any adverse impact on those stores trading nearby.

Members participated in a lengthy discussion which centred on serious concerns relating to accessibility of the site; deliveries; parking issues; backing up of traffic; and the potential for accidents to occur. There was general disquiet in respect of the information provided by County Highways and it was felt that their presence at the meeting and response to questions put did not adequately address those concerns. It was therefore proposed and duly seconded that the application should be deferred to enable the Council to obtain an independent highways consultant's assessment of the highways matter relating to this site, to take account of with and without the Bognor Regis Relief Road being in place. A view was expressed that the independent assessment must not be based solely on desk top information, as the reality on the ground was that this was a traffic hazard area, being on a mini roundabout; near a pelican crossing; on a bus route; fairly narrow roads with restricted on street parking; and with the potential for traffic backups when cars and lorries tried to get into the site.

Concerns were also raised that the economic retail survey was a year old and, with the present serious economic downturn, could be considered to be out of date and not truly reflecting the present situation.

The Committee

RESOLVED

That the application be deferred to enable an independent highways consultant to assess the issues brought up by Members.

**The Chairman then called a short adjournment to the meeting.**

FG/165/08 – Roof alterations together with rear extensions and detached garage to front of property, 39 Ferringham Lane, Ferring Having received a report on the matter, together with the officer's written report update detailing substitute plans received and subsequent amended conditions, the Committee

RESOLVED

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

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LU/345/08 – Change of use of first floor maisonette to 3 self contained flats, 8 Norfolk Road, Littlehampton Having received a report on the matter, concerns were raised that there was nowhere for residents of the flats to put out their rubbish. Advice was given by the Planning Team Leader that this could not be dealt with by way of condition but that an informative could be placed on any approval requesting that the occupants of the flats should only put out their rubbish on the day of collection. The Committee therefore

RESOLVED

That the application be approved as detailed in the report and subject to an additional informative to read:

“Occupants of the flats shall only put out their rubbish on the day of collection.”

LU/347/08 – Change of use of ground floor retail space into additional residential space to 1<sup>st</sup> floor flat and alterations to ground floor shop front, fit new windows and front door Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

LU/355/08 – Change of use for one ground floor room (marked ‘Meeting Room’ on existing plans) from current classification 17B to B1, Harbour Office, Pier Road, Littlehampton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

M/6/09 – Demolition of existing detached house and garage and erection of new residential dwelling and garage. Resubmission following M/71/08, Amen, 64 Sea Way, Middleton on Sea Having received a report on the matter, together with the officer’s written report update detailing additional representations and consultation responses received and amended conditions and a verbal update on a late representation received, the Committee considered the merits of the proposal. The Interim Head of Development Control advised that a condition restricting the use of the two storey garage/annexe for purposes ancillary to the enjoyment of the main dwelling had been added to allay any concern that this proposal could be used as more than a single dwelling and a further condition had been included removing Permitted Development rights for extensions. The Committee

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RESOLVED

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

R/273/08 – Erection of a single detached house with integral garage, Land to west of 2 Cross Road, Rustington Having received a report on the matter, together with the officer's written report update detailing additional plans and a further representation received, the Committee

RESOLVED

That the application be approved as detailed in the report.

R/278/08 – Minor amendments to new house, 29 Sea Avenue, Rustington Having received a report on the matter, together with the officer's written report update detailing substitute design and access statement and an additional representation received, the Committee was reminded that planning permission had already been granted for a dwelling on the site and that this application was for resiting of the dwelling together with the addition of a detached garage to the front of the plot. Views were expressed that the description was extremely misleading as this could not be considered to be "minor amendments" but was rather a new application and should therefore be treated as a resubmission. The officer explained that this was a new application.

Members were concerned that the proposal would be sited closer to its neighbour at 31 Sea Avenue and would therefore be an unneighbourly form of development and that the garage was now to be at the front of the plot rather than being underground. Following advice from the Interim Head of Development Control relating to overdevelopment and infilling, the Committee did not accept the officer recommendation to approve and therefore

RESOLVED

That the application be refused for the following reasons:-

1. The resiting of the dwelling closer to No. 31 Sea Avenue would result in detriment to the amenities of that property and is thereby in conflict with Policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

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2. The provision of a detached garage forward of the proposed dwelling would be out of character with the locality and is thereby in conflict with Policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

875. ENFORCEMENT MATTERS

CIC/FN/16/07 – Alleged unauthorised works to Listed Building, Averys, 56 High Street, Findon The Committee received a report on the matter, and, following consideration,

RESOLVED

That no prosecution action is taken with regard to the works undertaken in October 2007.

. CON/LU/49/04 – Without planning permission carrying out operational development, viz erecting thereon a timber pontoon. Without planning permission changing the use of the land from moorings, boat berths etc to use for storage of caravans and mobile homes, use as car park by general public or caravan occupiers, use of storage of lifting crane, Land at Riverside West, Rope Walk, Littlehampton Having received a report on the matter, the Committee

RESOLVED

That no action be taken in respect of the partial non compliance with the Enforcement Notice, 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. Further, the Enforcement Notice remains in place in perpetuity, so if further breaches occur (such as the reintroduction of mobile homes/caravans) the Council would be in a position to go directly for a prosecution.

(The meeting concluded at 6.10 p.m.)