

Subject to approval at the next Committee meeting

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DEVELOPMENT CONTROL COMMITTEE

6<sup>th</sup> February 2008 at 2.30 p.m.

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

[Note : The following Councillors were absent from the meeting during consideration of the matters referred to in the Minutes indicated:- Councillor Oliver-Redgate , Minutes 697 (part – from Application EP/188/07 ) to 699) and Councillor Mrs Stainton, Minutes 697 (part – from Application BR/389/07) to 699.]

Note : Councillors Mrs Brown and Wilde were also present for part of the meeting.

689. CHANGE TO THE ORDER OF THE AGENDA

At the request of the Chairman the Committee agreed to a change to the order of the Agenda as the Planning Advisor had another meeting to attend.

690. WELCOME

The Chairman welcomed to the meeting Kate Entwistle from the Environment Agency and thanked her for her attendance to assist any debate on Agenda Item 10, Planning Application LU/407/07.

691. APOLOGY FOR ABSENCE

An apology for absence had been received from Councillor Steward.

692. DECLARATIONS OF INTEREST

Councillor Biss gave notice of a personal interest in Agenda Item 10, Planning Applications LU/407/07 and LU/408/07/CA, as the applicant was

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known to him through them both being members of the Climping Gap Partnership, and stated that he would speak and vote on the matter.

Councillor Bower gave notice of a personal interest in Agenda Item 10, Planning Application BE/157/07, as Chairman of the Policy Site 6 Advisory Group, and stated that he would reserve his right to speak on the matter.

Councillor Butler gave notice of a prejudicial interest in Agenda Item 10, Planning Application LU/407/07 and LU/408/07/CA, as he knew the applicant and stated that he would speak to the matter immediately prior to it being considered and then withdraw from the meeting.

Councillor McDougall gave notice of a personal interest in Agenda Item 10, Planning Application BE/157/07 as a member of the Policy Site 6 Advisory Group, and stated that he would reserve his right to speak on the matter.

Councillor Mrs Olliver gave notice of a personal interest in Agenda Item 10, Planning Application BE/157/07 as a member of the Policy Site 6 Advisory Group, and stated that she would reserve her right to speak on the matter.

Councillor Mrs Stainton gave notice of a personal interest in Agenda Item 10, Planning Application BE/157/07 as a member of the Policy Site 6 Advisory Group, and stated that she would reserve her right to speak on the matter.

693. MINUTES

The Minutes of the meeting held on 16<sup>th</sup> January 2008 were approved by the Committee as a correct record and signed by the Chairman.

694. REPORT OF THE MEETING OF THE DEVELOPMENT CONTROL POST COMMITTEE SITE INSPECTION PANEL – R/283/07 – 1 NO. PAIR SEMI DETACHED HOUSES, 126 SEA LANE, RUSTINGTON

The Committee received a report on a meeting of the Post Site Inspection Panel held on 22<sup>nd</sup> January 2008 and, as the Panel's view was tied with regard to the officer recommendation to approve, Members participated in further debate which centred on the problems with parking in Fontwell Close. Following additional advice from the Planning Team Leader and the Head of Planning and Housing Strategy, the Committee

RESOLVED

That the application be approved as detailed at Appendix 1 to the report.

695. REPORT OF THE MEETING OF THE DEVELOPMENT CONTROL  
POST COMMITTEE SITE INSPECTION PANEL – R/316/07 –  
EXTENSIONS AND ALTERATIONS, 14 HAWLEY ROAD,  
RUSTINGTON

The Committee received a report on a meeting of the Post Site Inspection Panel held on 22<sup>nd</sup> January 2008 and

RESOLVED

That the application be approved as detailed at Appendix 1 to the report.

696. PLANNING APPEALS

The Committee received and noted a report which detailed 4 new appeals that had been lodged and 11 appeals that had been heard.

697. PLANNING APPLICATIONS

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

LU/407/07 – Demolish existing building, retaining the existing facades on River road, the north-west boundary flank and party wall on the south-east boundary and construct three storey building containing 9 No. 2 bedroom and 3 No. 1 bedroom apartments, with open parking at ground floor (Resubmission following LU/91/07), 47 River Road, Littlehampton Having received a report on the matter, together with the officer's written report update detailing corrections to the report; substitute plan received; additional comments from the Environment Agency; and a further response from County Highways, the Committee participated in a detailed debate which also included advice from the representative of the Environment Agency who was in attendance to answer Member's questions.

The Head of Planning and Housing Strategy highlighted four main issues the Committee had to take into account in dealing with this proposal, namely design, contamination, flooding and highway issues. The majority of Members were of the view that the design was acceptable and that this was

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not required to be included in any reasons for refusal. However, the other issues were of serious concern and the Committee therefore

RESOLVED

That the application be refused as detailed in the report.

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

LU/408/07/CA – Application for Conservation Area Consent to demolish existing building retaining the existing facades on River Road, the north-west boundary flank and party wall on the south-east boundary, 47 River Road, Littlehampton Having received a report on the matter, and in light of the decision on Application LU/407/07/CA, the Committee

RESOLVED

That the application be refused as detailed in the report.

*(Prior to consideration of the following application, Councillors Bower, McDougall, Mrs Olliver and Mrs Stainton had declared a personal interest as members of the Policy Site 6 Advisory Group and remained in the meeting and took part in the debate and vote.)*

BE/157/07 – Construction of temporary site access and contractors compound, pursuant to Conditions 13, 15, 26 and 27 of outline planning permission BE/45/04, Land at Chichester Road, Bersted, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing additional information, responses received, correction to the report and amended conditions and additional condition and informative, the Committee received a detailed presentation from the Planning Advisor. He advised that a 'reasons for 'informative would need to be added to any notice of approval.

Members were advised that the developer had submitted a Construction Environmental Management Plan which would take steps to minimise any adverse impact of the development on neighbouring properties. It was suggested that the Policy Site 6 Advisory Group could play a role in monitoring the contractors' adherence to this Plan.

A point was raised relating to road signage and whether signs to the south of the junction could indicate there would be no right turn for HGVs. Advice was given that, although this could not be dealt with under planning legislation, the matter would be brought to the attention of County Highways.

A question was asked with regard to whether a planning restriction could be applied in the interests of the local residents to in some way restrict the hours of lorry movements to and from the site. The reply was given that the hours had been set by the Planning Inspector at appeal but that officers would investigate whether something could be incorporated in a Transport Management Plan to concentrate deliveries outside peak traffic times. Further discussion centred on concerns relating to the potential impact of the proposal on the town of Bognor Regis and the surrounding road network, particularly during busy periods, and it was hoped that the developers and their subcontractors would do as much as possible to alleviate many of the problems envisaged.

Members were requested to consider whether, as the final date for comments on this application was 7<sup>th</sup> February and if they were minded to approve the proposal, any further comments received by the end of 7<sup>th</sup> February could be dealt with under delegated authority and, if relevant, officers be authorised to attach any further necessary condition(s) so that the decision might be issued. Following consideration, the Committee

RESOLVED

That the application be approved, subject to

- (1) the conditions detailed in the report and the officer report update;
- (2) the expiry of the period for submission of written representations; and
- (3) the Head of Planning and Housing Strategy be granted delegated authority to determine any further conditions in light of any further representations.

LU/426/07 – Application under Regulation 3 of the Town and Country Planning General Regulations 1992 for replacement of existing timber windows to front elevation with PVCu & entrance door. Erection of ramp to provide access for wheelchair users, Sports Pavilion & Office, Maltravers Park, Maltravers Drive, Littlehampton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

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LU/442/07 – Conversion of former redundant public conveniences into IT Training Suite, Former Public Conveniences, Manor House Car Park, High Street, Littlehampton Having received a report on the matter, together with the officer report update detailing additional representations received and a verbal request that, owing to the statutory period not expiring until 7<sup>th</sup> February 2008, any decision should be delegated to the Head of Planning and Housing Strategy in consultation with the Chairman, the Committee

RESOLVED

That the application be approved as detailed in the report and the decision to be delegated to the Head of Planning and Housing Strategy in consultation with the Chairman as the statutory period does not expire until 7<sup>th</sup> February 2008.

FP/266/07 – Outline application for proposed two storey 4 bedroom detached house and new vehicular access, 2 Second Avenue, Felpham Having received a report on the matter, concerns were raised that this proposal could be an overdevelopment and out of keeping with the character of the area. To assess the merits of the application, the Committee therefore

RESOLVED

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

EG/9/07 – Outline application for redevelopment of existing office building & builders yard with 6 No. 2 bed apartments together with parking (Departure from the Development Plan), Commercial House, Fontwell Avenue, Eastergate Having received a report on the matter, together with the officer's written report update detailing a consultation response from County Highways and verbal advice regarding additional conditions and amended informatives required to be placed on the application, the Committee

RESOLVED

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

“Building work shall not commence until details of the space to be laid out for stationing vehicles clear of the highway have been approved by the Local Planning Authority and the building shall not be occupied until such space has been surfaced, drained and completed. The space so approved

shall not therefore be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason : In the interests of road safety in accordance with Policies DEV1, NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

No works shall be undertaken until such time as a plan and construction specification have been submitted to and approved in writing by the Local Planning Authority showing the provision of replacement car parking spaces at the junction of Level Mare Lane and Fontwell Avenue. The approved details shall be fully implemented before the first occupation of the flats hereby permitted.

Reason : To provide replacement public car parking following the closure of the existing lay-by on Fontwell Avenue in accordance with Policies DEV1, DEV5, NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

The development hereby permitted relates to provision of 6 apartments comprising 3 two bed flats and 3 one bed flats only.

Reason : To ensure that the capacity provided is adequate to serve the proposed development in accordance with Policies DEV1, DEV5, NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

#### INFORMATIVE

Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

#### Summary

This planning permission is granted because it complies with the policies listed below in that the development would not cause any materially adverse effect on visual or residential amenity on the surrounding area and its character or highway safety and there are no material considerations to indicate otherwise.

#### Relevant Policies

Structure Plan: LOC2, CH1, DEV1, DEV5, ERA1, NE17

Local Plan: GEN3, GEN7, GEN12

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National Policies: PPS1, PPS, PPG4, PPS7, PPG13

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the officer report.

Informative

The works to the highway involving the new access and the closure of the lay-by shall be carried out prior to the first occupation of the flats hereby permitted. These works shall be laid out and constructed to a specification to be agreed with the West Sussex County Council. The completion of an Agreement under the provision of S278 of the Highways Act 1980 is required between the Developer and the West Sussex County Council as the Highway Authority. Details of the specification may be obtained from the Area Highway Engineer, Southern Area Office, West Sussex County Council, Clapham Common, Clapham, Worthing, West Sussex, BN13 3UR. Telephone 01903 878500.

EP/1/08 – Proposed roof alterations including rear dormer and room in the roof (Resubmission of EP/144/07), 20 Warren Crescent, East Preston  
Having received a report on the matter, together with the officer's written report update detailing additional representations received and advice that, owing to the statutory period not expiring until 7<sup>th</sup> February 2008, any decision should be delegated to the Head of Planning and Housing Strategy in consultation with the Chairman, the Committee

RESOLVED

That the application be approved as detailed in the report and the decision to be delegated to the head of Planning and Housing Strategy in consultation with the Chairman as the statutory period does not expire until 7<sup>th</sup> February 2008.

EP/183/07 – 2 bedroom bungalow to the rear of 4 Norris Cottages, Land to rear of 4 Norris Cottages, East Preston  
Having received a report on the matter, together with the officer's written report update detailing an additional condition relating to parking, turning and garaging, the Committee

RESOLVED

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

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EP/188/07 – Loft conversion, conservatory, new roof and utility room, 4 Selhurst Close, East Preston Having received a report on the matter, together with the officer's written report update detailing an additional objection received, the Committee

RESOLVED

That the application be approved as detailed in the report.

BR/385/07 – Erection of 1 No. 2 bedroom house on the land adjacent to 4 Tennyson Road, Bognor Regis (Resubmission following BR/327/07), 4 Tennyson Road, Bognor Regis Having received a report on the matter, the Committee was concerned with regard to discrepancies in the information being presented and the potential for overlooking and therefore

RESOLVED

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

BR/389/07 – Minor amendments to layout and repositioning of units 1 & 2 and units 3 & 4 as previously approved under BR/217/07, 55 & 57 Victoria Drive, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

BE/141/07 – Outline application for one detached 3 bedroom house with 2 car spaces, Land adjacent to 92 Chalcraft Lane, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing an additional objection received, concerns were raised regarding the size of the plot and whether the proposal might be an overdevelopment and unneighbourly. The Committee therefore

RESOLVED

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

BE/157/07 – Construction of temporary site access and contractors compound, pursuant to Conditions 13, 15, 26 and 27 of outline planning permission BE/45/04, Land at Chichester Road, Bersted, Bognor Regis This matter had been dealt with earlier on the Agenda.

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AB/177/07 – Existing shop to be demolished with a proposed two-storey house to replace 70A Tarrant Street, Arundel Having received a report on the matter, together with the officer's verbal advice regarding comments from the County Council Design Team, the Committee

RESOLVED

That the application be approved as detailed in the report.

AB/178/07/CA – Existing shop to be demolished within the Arundel Conservation Area, 70A Tarrant Street, Arundel Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

A/153/07 – Replacement caravan park owner's accommodation (single detached dwelling) together with park reception area (Departure from Development Plan), Acorns Camping Site, Arundel Road, Angmering Having received a report on the matter, together with the officer's verbal advice that an additional condition was required to be placed on any approval regarding the removal of Permitted Development Rights as well as a standard informative giving the reason why permission should be granted consent, the Committee

RESOLVED

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

“Condition : Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking or re-enacting this Order) no extensions (including porches or dormer windows) to the dwelling house shall be constructed or buildings shall be erected within the curtilage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason: To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with Policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

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Informative

Summary of Reasons for Grant Article 22(1) General  
Development Procedure Order 1995

Summary

This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and the operational needs of the enterprise and there are no material considerations to indicate otherwise.

Relevant Policies

Structure Plan : DEV1, LOC2

Local Plan: GEN3, GEN7, DEV39

National Policies: PPS1,PPS3,PPS7,PPG21,Good Practice  
Guide on Tourism

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the officer report.

AW/245/07 – Demolition of existing factory, office building and Nos 120, 122, 130 and 132 Rose Green Road and redevelopment of site by the erection of 90 dwellings, comprising 32 flats and 58 houses, with amended access, parking and open space (This application is a departure from the Development Plan and also falls within the Parish of Pagham), 124 Rose Green Road, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing substitute/amended plans, a concern was raised regarding the number of traffic movements of lorries to and from the site, particularly in view of the large scale developments at Policy Site 6 (Bersted and Felpham) and it was agreed that an additional informative should be attached to any approval to highlight this to the developer. Following consideration, the Committee

RESOLVED

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

“The applicant is advised to produce a construction traffic routing plan for all traffic entering and leaving the site to the Local Planning Authority for comment. Such a plan shall detail the expected amount and type of traffic, the roads to be used and the timing of such traffic movements to minimise inconvenience and conflict with other road users and the

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amenities of residents in the vicinity of the site. The applicant is advised to contact the developers on housing development Site 6 at Bersted and Felpham so that the plan takes into account movements of construction traffic from this site. Following Local Planning authority comments, the applicant is expected to adhere to the construction traffic routing plan.”

AW/260/08 – Amendment to previously approved application AW/307/06 (conversion and extension of existing dwelling into 9 No. apartments and associated works) for additional one bedroom flat, Alison House, 56 Aldwick Avenue, Aldwick Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

AW/307/07 – Renovations and extension of existing detached dwelling – addition of two bedrooms within reconfigured roof structure, extension of the rear ground floor & extended bedroom above the existing garage (Resubmission following AW/109/07), 2 The Dunes, Aldwick Bay Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

AW/308/07 – New two bedroom bungalow to rear of 45 & 47 Carlton Avenue, 45 & 47 Carlton Avenue, Rose Green, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

AW/317/07 – Outline application for the erection of 1 No. 3 bedroom chalet cottage, Silverston House, 3 Fish Lane, Aldwick Having received a report on the matter, together with the officer’s written report update detailing additional information with regard to an arboricultural report received from the agent, a view was expressed that a site visit should take place to assess the impact of the proposal on the character of the area and the Committee therefore

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RESOLVED

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

AW/322/07 – Extend and convert existing house into three two bedroom, self-contained flats with associated amenity space, 16 Selsey Avenue, Aldwick Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

AW/329/07 – Proposed erection of detached garage with study above (Resubmission following AW/123/07), 10 The Fairway, Aldwick Having received a report on the matter, together with the officer's written report update detailing a revised description, the Committee

RESOLVED

That the application be approved as detailed in the report.

698. ENFORCEMENT MATTERS

CON/BR/5/05 – Unauthorised extensions, 107 Orchard Way, Bognor Regis Having received a report on the matter, the Committee

RESOLVED - That

(1) the action taken by officers to withdraw this Enforcement Notice due to evidence indicating that the structures or some of them had been on site for more than four years and lack of expediency in enforcing against the small link extension be noted; and

(2) the lack of Planning Permission/Certificate of Lawfulness will be revealed in a Local Land Charges Search and that this be noted.

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CIC/FG/19/06 – Unauthorised Office Unit, 36-38 Ferring Street, 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 office unit does not have the benefit of planning approval and this fact will be revealed on CON/29/R when a Local Land Charges Search is undertaken.

CIC/LU/56/06 – Unauthorised use of agricultural land for the keeping of horses. Unauthorised horse shelter, Land adjacent to Paddock End, Woodcote Lane, 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 use of the land and the field shelter does not have the benefit of planning permission and this fact will be revealed on CON/29/R when a Local Land Charges Search is undertaken.

CIC/LU/68/06 – Unauthorised fence to rear garden, 36 The Faroes, 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 fence does not have the benefit of planning permission and this fact will be revealed on CON/29/R when a Local Land Charges Search is undertaken.

CIC/M/15/07 – Alleged unauthorised smoking shelter - Elmer Hotel, 89 Elmer Road, Middleton 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 on CON/29/R when a Local Land Charges Search is undertaken.

CIC/SL/1/06 – Unauthorised Storage Container, Stoneyfield Farm, Shellbridge 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 storage container does not have the benefit of planning permission and this fact will be revealed on CON/29/R when a Local Land Charges Search is undertaken.

699. THE VALIDATION OF PLANNING APPLICATIONS

The Head of Planning and Housing Strategy presented a report which advised the Committee of the new guidance issued by the Department of Communities and Local Government (DCLG) which encouraged Local Planning Authorities to adopt their own local lists of requirements for different planning application types. The process and timetable for consultation of all relevant stakeholders was set out in the report and Members were requested to approve this. A further report would then be presented to the meeting on 19<sup>th</sup> March 2008 for approval and adoption of the final lists.

Following consideration, the Committee

RESOLVED

That consultation be undertaken with relevant stakeholders on the proposed local list for different application types.

(The meeting concluded at 7.20 p.m.)