

DEVELOPMENT CONTROL COMMITTEE

3rd July 2008 at 2.30 p.m.

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

(Note: The following Councillors were absent from the meeting during consideration of the matters referred to in the Minutes indicated:- Councillors Butler and Gammon, Minutes 217 (from Application BR/110/08) to 218.)

Councillors Mrs Briggs and Buckland were also in attendance for part of the meeting.

208. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs Smee, Mrs Stainton and Steward.

209. DECLARATIONS OF INTEREST

Councillor Biss gave notice of a prejudicial interest in Agenda Item 9, Planning Application A/45/08, as the applicant was known to him, but he would exercise his right to speak before leaving the meeting when the item was considered.

Councillor Mrs Goad gave notice of a personal interest in Agenda Item 9, Planning Application EG/18/08, as the site was in the vicinity of her property and she had met the applicant, and she would remain in the meeting during consideration of the proposal.

Councillor Mrs Hall gave notice of a personal interest in Agenda Item 6, Planning Application P/44/08, as she was a member of Pagham Parish Council but she had had no input into any decision the Parish Council had come to in respect of the matter.

Councillor Mrs Hazlehurst gave notice of a prejudicial interest in Agenda Item 9, Planning Application A/52/08, as she was treasurer of the

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Angmering Community Centre Association and would become a Trustee of the Community Centre. She indicated that she would reserve her right to speak before leaving the meeting when the item was considered.

The Interim Head of Development Control, Mr Ellwood, gave notice of a personal interest in Agenda Item 9, Planning application LU/85/08, as his temporary residence was virtually opposite the site.

210. MINUTES

The Minutes of the meeting held on 11th June 2008 were approved as a correct record and signed by the Chairman, subject to amendment of Minute 156 relating to Planning Application M/21/08, to read "Before development commences, details of the boundary, both existing and proposed, between the flank of the proposed two storey extension and 19 The Byway shall be submitted and approved....."

211. REPORT OF THE MEETING OF THE DEVELOPMENT CONTROL POST COMMITTEE SITE INSPECTION PANEL – BR/126/08 – CONVERT EXISTING SHOP (A1) INTO 2 NO. 1 BED FLATS (C3) RESUBMISSION FOLLOWING BR/79/08, 6 MADERIA PARADE, MADEIRA AVENUE, BOGNOR REGIS

The Committee received a report on a meeting of the Post Site Inspection Panel held on 17th June 2008, together with the officer's written report update detailing a consultation response from County Highways, and

RESOLVED

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

212. REPORT OF THE MEETING OF THE DEVELOPMENT CONTROL POST COMMITTEE SITE INSPECTION PANEL – BR/340/07 – RESIDENTIAL DEVELOPMENT COMPRISING 2 NO. 3 BED DETACHED HOUSES, 6 NO. 3 BED TERRACED HOUSES AND 4 NO. 1 BED FLATS, BOOKERS YARD, BERSTED STREET, BOGNOR REGIS

The Committee received a report on the meeting of the Post Site Inspection Panel held on 17th June 2008 and agreed with the Panel's views that the application should be approved and therefore

RESOLVED

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

213. REPORT OF THE MEETING OF THE DEVELOPMENT CONTROL POST COMMITTEE SITE INSPECTION PANEL – FG/53/08 – SIDE EXTENSION (RESUBMISSION FOLLOWING FG/177/07), DOWNLANDS, 156 LITTLEHAMPTON ROAD, FERRING

The Committee received a report on the meeting of the Post Site Inspection Panel held on 17th June 2008 and agreed with its view that the application should be refused as it was considered to be unneighbourly and overbearing. Members therefore did not accept the officer recommendation to approve and

RESOLVED

That the application be refused for the following reason :-

The proposal would detract from the amenities and quiet enjoyment of nearby residential properties at 154 Littlehampton Road by reason of overbearing impact. The proposal would therefore be contrary to Policies DEV1 of the West Sussex Structure plan and GEN7 and DEV19 of the Arun District Local Plan.

214. REPORT OF THE MEETING OF THE DEVELOPMENT CONTROL POST COMMITTEE SITE INSPECTION PANEL – R/66/08 – ALTERATIONS TO 29 SEA AVENUE, CONSTRUCTION OF NEW HOUSE ON PLOT TO SIDE OF EXISTING DWELLING, 29 SEA AVENUE, RUSTINGTON

The Committee received a report on the meeting of the Post Site Inspection Panel held on 17th June 2008, together with the officer's written report update detailing an additional letter of objection and a correction that Councillor Tyler had attended as Ward Member and not Councillor Northeast as indicated. As the Panel had been unable to reach a decision on the matter, and following a short discussion, Members accepted the officer recommendation and

RESOLVED

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

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215. P/44/08 – PROPOSED NEW DWELLING INCLUDING DEMOLITION OF EXISTING DWELLING, 4 LAGOON ROAD, PAGHAM

The Committee was reminded that this application had been presented to the meeting on 11th June 2008 but had been deferred to enable officers to negotiate with the applicant with regard to the removal of roof lights. As the applicant had agreed to this and new plans had been received, the Committee was recommended to approve the application as detailed in the appendix to the report and subject to addition of a condition relating to substitute plans. The Committee therefore

RESOLVED

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

216. PLANNING APPEALS

The Committee received and noted a report which detailed appeals awaiting a decision and 1 appeal that had been heard.

217. PLANNING APPLICATIONS

W/3/08 – Erect garden wall, 1 Watermeadow Cottages, Warningcamp
Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

R/129/08 – Erection of new house to provide supportive care for disabled elderly person, 7 Paddock Green, Rustington Having received a report on the matter, together with the officer's written report update detailing a consultation response from the District Arboriculturist and subsequent additional condition relating to the Silver Birch tree, the Committee

RESOLVED

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

M37/08 – Proposed rear extension, loft conversion and raised roof ridge height, 4 Norfolk Way, Bognor Regis Having received a report on the matter, together with a reminder from the officer that the statutory advertisement period did not expire until 11th July 2008 and that any decision

should be delegated to the Head of Planning in consultation with the Chairman, the Committee

RESOLVED

That the application be approved as detailed in the report and that, owing to the statutory advertisement period not expiring until 11th July 2008, the decision to be delegated to the Head of Planning, in consultation with the Chairman.

LU/85/08 – Outline application for the erection of 24 dwellings with new access off Hearnfield Road and demolition of No. 7 Hearnfield Road (Departure from the Development Plan), Land to the south of Hearnfield Road, Wick, Littlehampton Having received a report on the matter, together with the officer's written report update detailing additional representations received; late negotiations/discussions; and an additional condition relating to open space on the site, Members were advised that the outline application had now changed and related solely to access and layout.

In discussing the proposal, serious concerns were raised when it was learnt that the immediate neighbour to No. 7 had objected to the demolition of the other half of the semi-detached property but advice was given that the Appeal Inspector had already considered the issue of the party wall and had been of the view that other legislation would protect the interests of the neighbour.

Concerns were also raised in respect of the proximity of the proposal to the railway line and advice was given with regard to the acoustic barrier.

A view was expressed that the proposal was prejudicial to the LDF (Local Development Framework) process and that the Inspector's dismissal of a previous appeal on the grounds of loss of the strategic gap was still relevant. The Committee therefore did not accept the officer recommendation to approve the application and

RESOLVED

That the application be refused for the following reason :-

"The proposal, involving erection of 14 dwellings and 10 flats, would represent a visual intrusion into the designated Strategic Gap between Littlehampton and Arundel which is intended to prevent coalescence between settlements. The proposal is thereby contrary to Policies LOC2, CH1, CH3 and DEV1 of the West Sussex Structure Plan and to Policies GEN3, GEN7 and AREA10 of the Arun District Local Plan."

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LU/100/08 – Prefabricated free standing kiosk for the retail sale of fish and shellfish, Arun Parade, Opposite Nelson Public House and Oyster Pond, Littlehampton Having received a report on the matter, together with the officer's written report update detailing a consultation response from the Environment Agency, the Committee

RESOLVED

That the application be approved as detailed in the report.

LU/121/08 – Conversion from house to 3 No. 1 bed flats and 1 No. 2 bed flat (resubmission of LU/61/07) Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

LU/127/08 – Additional two bedroom end of terrace house to the side of 5 Bailey Close, including rear conservatory Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

LU/156/08 – Change of use from public walkway to restaurant, additional outside seating area and modification to existing outside seating terrace Having received a report on the matter, together with the officer's written report update detailing consultation responses and additional objections received; an additional condition relating to relocation of the bench; and an informative regarding the requirement for the landowner's consent; and a verbal update with reference to a further letter of objection received, the Committee

RESOLVED

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

FN/29/08 – Continuance of use without compliance with condition number 5 imposed under planning permission FN/30/07 relating to independent occupancy, Fig Tree Cottage, Cross Lane, Findon Village
Having received a report on the matter, the Committee was advised that officers were concerned with regard to any adverse effect this proposal might have and the potential for over intensive use which could harm the amenities of Crossway. In addition, it was felt that the two properties should remain within the one ownership, hence the officer recommendation to refuse.

In discussing the matter, some Members were of the view that the restrictions placed on the original permission were sufficient to negate the concern of the dwelling being independent from Tweenways and then becoming a permanent dwelling rather than a holiday let. The Committee therefore did not accept the officer recommendation to refuse the application and it was accepted that following the meeting, the Head of Planning Services, in consultation with the Chairman, would agree the specific reasons for granting permission contrary to the officer recommendation. The Committee then

RESOLVED

That the application be approved and the reasons for the decision, conditions and any informatives to be delegated to the Head of Planning Services in consultation with the Chairman.

The Chairman then called a 15 minute adjournment to the meeting.

FG/57/08 – Loft conversion and rear extension, 60 Elm Park, Ferring
Having received a report on the matter, it was suggested and agreed that a site inspection should be undertaken to assess the impact of the development on the amenities of the occupiers of neighbouring properties. A request was also made that officers should endeavour to arrange for the proposal to be viewed from the adjoining property, i.e. 62 Elm Park. The Committee therefore

RESOLVED

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

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

EG/17/08 – Extension to existing care home to provide eleven additional bedrooms with related recreational areas, 150 Barnham Road, Barnham Having received a report on the matter, together with the officer's written report update detailing additional letters of support received, the Committee

RESOLVED

That the application be refused as detailed in the report.

BR/110/08 – Outline application for the redevelopment of premises to provide 14 No. apartments, 18 Lennox Street, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing substitute plans and additional condition and a consultation response from County Highways, the Committee

RESOLVED

That the application be approved as detailed in the report.

BR/116/07 – Demolition of existing houses (2 No.) and outbuildings and garage, residential development of 10 houses, new garage block, 17 No. parking spaces and new access drive, 41-45 Pevensey Road, Bognor Regis Having received a report on the matter, and following discussion, it was agreed that a site inspection should be undertaken to assess the impact of the development on the character and appearance of the area and on the amenities of the occupiers of neighbouring properties. As the site plan detailed in the agenda was unclear, a request was made that the Site Inspection Panel should also be provided with an aerial photograph of the existing site. The Committee then

RESOLVED

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

BR/119/08 – Demolition of an existing outbuilding and the construction of a replacement building to provide a detached 2 storey dwelling, Coach House, Rear of 108 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/120/08 – Outline application for redevelopment of existing premises with 14 No. apartments, Workshop Premises, South of Belmont Street, Bognor Regis Having received a report on the matter,

RESOLVED

That the application be approved as detailed in the report.

BR/127/08 – Construction of extensions, minor alterations to existing structure, new vehicular access and associated works to create 5 No. flats, 24 Aldwick Road, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing substitute plans received, the Committee

RESOLVED

That the application be approved as detailed in the report.

BR/140/08 – New entrance to serve first floor to be converted into two flats, 1 The Steyne, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

BR/143/08 – First floor extension and change of use of highway verge to private garden to include provision of 1.8m close boarded fence (Resubmission of BR/21/07), 1 Brook Close, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing a consultation response from Bognor Regis Town Council and an additional letter of objection, the Committee

RESOLVED

That the application be approved as detailed in the report.

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(Prior to consideration of the following application, Councillor Biss had declared a prejudicial interest. He exercised his right to speak and then left the meeting and took no part in the debate or the vote.)

A/45/08 – Variation of conditions 1 and 2 imposed upon planning permission A/122/94, Oval Race Club, Water Lane, Angmering 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 application, Councillor Mrs Hazlehurst had declared a prejudicial interest. She exercised her right to speak and then left the meeting and took no part in the debate or the vote.)

A/52/08 – To build a Community Centre and car park as allocated in outline planning permission A/124/95 – Foxwood Avenue, Angmering Having received a report on the matter, together with the officer's written report update detailing a consultation response from Environmental Health and subsequent additional condition relating to the control of noise, the Committee also received additional verbal information from the Interim Head of Development Control detailing West Sussex County Council's requirements relating to the proposed parking provision.

The Committee participated in a detailed discussion which covered the issues of car parking provision; the requirements of the Section 106 Agreement; the developer contributions; and the role of the Parish Council and during which it was suggested that an additional condition should be placed on any approval restricting the hours of operation of the community centre to alleviate the potential for anti social behaviour. Advice was given by the Interim Head of Development Control on the matters raised.

Following consideration, the Committee

RESOLVED

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

"The Community Centre hereby permitted shall not be open to visiting members of the public outside the hours of 0800 to 2300 daily on Mondays to Saturdays and 0800 to 2200 on Sundays, Bank Holidays or Public Holidays.

Subject to approval at the next Committee meeting

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Reason: To safeguard the amenities of the neighbouring properties and their occupiers in accordance with policies DEV1 of the West Sussex Structure Plan and GEN7, GEN32 of the Arun District Local Plan.”

AW/94/08 – Erection of a new boathouse in rear garden, 131 Barrack Lane, Aldwick Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

AW/95/08 – Erection of new garage with ancillary accommodation above, 131 Barrack Lane, Aldwick Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

AL/42/08 – Application under Regulation 3 of the Town & Country Planning General Regulations 1992 to provide single storey extension as a bedroom for a dependant relative, 9 Orchard Cottages, Westergate Street, Aldingbourne Having received a report on the matter, together with verbal advice that this application had come forward from the Council's Planned Maintenance Department, the Committee

RESOLVED

That the application be approved as detailed in the report.

218. ENFORCEMENT MATTERS

CON/WA/3/05 – Alleged unauthorised structure (childsplay equipment on stilts) and raising of ground level, Ashurst, Binstead Lane, Walberton Having received a report on the matter, the Committee

RESOLVED

That authority be granted under Section 210 of the Town and Country Planning Act 1990 to institute legal proceedings relating to non-compliance with the Enforcement Notice.

(The meeting concluded at 7.07 p.m.)