

DEVELOPMENT CONTROL COMMITTEE

3<sup>rd</sup> September 2008 at 2.30 p.m.

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

[Note: The following Councillors were absent from the meeting during consideration of the matters referred to in the Minutes indicated:- Councillor Mrs Stainton, Minutes 399 to 409 (up to Planning Application BR/234/08); and Councillor Wiltshire, Minutes 409 (from Planning Application R/150/08) to 410.]

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

399. WITHDRAWN APPLICATIONS

The Chairman advised that Applications AW/172/08 and M/45/08 had been withdrawn from the Agenda for the reasons given at the meeting.

400. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Bower, Gammon, McDougall and Oliver-Redgate.

401. DECLARATIONS OF INTEREST

Councillors Butler and Wiltshire gave notice of a personal interest in Agenda Item 9, Planning Application LU/191/08/L, as Members of Littlehampton Town Council.

Councillor Butler gave notice of a personal interest in Agenda Item 9, Planning Application LU/181/08, as the applicant was known to him and he would leave the meeting during its consideration.

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Councillor Mrs Goad gave notice of a personal interest in Agenda Item 9, Planning Application EG/44/08, as Ward Member with some knowledge of the background to the application.

Councillor Mrs Hall gave notice of a personal interest in Agenda Item 9, Planning Application P/35/08, as a Member of Pagham Parish Council.

Councillor Mrs Hazlehurst gave notice of a personal interest in Agenda Item 8, Tree Application A/74/08/T, as she had spoken with the applicant and in Agenda Item 9, Planning Application LU/150/08, as the applicant was a work colleague. She reserved her right to speak to the applications but would then withdraw from the meeting during their consideration.

Councillor Steward gave notice of a prejudicial interest in Agenda Item 9, Planning Application EP/97/08, as he had business dealings with the applicant and he would withdraw from the meeting during its consideration.

Councillor Wiltshire gave notice of a prejudicial interest in Agenda Item 9, Planning Application EG/44/08, as part owner of a neighbouring property, and Planning Application LU/150/08, as he had spoken with the applicant. He reserved his right to speak to the applications but would then withdraw from the meeting during their consideration.

#### 402. MINUTES

The Minutes of the meeting held on 13<sup>th</sup> August 2008 were approved as a correct record and signed by the Chairman.

#### 403. AL/142/07 – SITING OF MOBILE HOME FOR EXTENDED SETTLED GYPSY ACCOMMODATION (DEPARTURE FROM THE DEVELOPMENT PLAN), 2 WYNDHAM ACRES, NORTHFIELD LANE, ALDINGBOURNE

The Committee received a report on a meeting of the Post Site Inspection Panel held on 19<sup>th</sup> August 2008, together with the officer's written report update detailing a correction to the attendance list, a comment was made that the proposal was acceptable at this time as it was a temporary permission but, should it become long term then issues must be resolved with regard to the access via the lane as it was also a public footpath. Following consideration, Members agreed with the Panel's recommendation to approve subject to an additional condition and therefore

RESOLVED

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

“The mobile home hereby permitted shall be occupied by Mr Edward Smith and his dependants only.

Reason: In order to ensure the occupation of the site by a single family group and to comply with Circular 01/2006.

404. REPORT OF THE MEETING OF THE POST COMMITTEE SITE INSPECTION PANEL – AL/49/08 – ACCESS ROAD (TO SERVE DEVELOPMENT TO THE NORTH PREVIOUSLY APPROVED UNDER APPLICATION AL/23/06)(THIS APPLICATION AFFECTS A PUBLIC RIGHT OF WAY)

The Committee received a report on a meeting of the Post Site Inspection Panel held on 19<sup>th</sup> August 2008, together with the officer's written report update detailing a correction to the attendance list, and agreed with the Panel's concerns regarding the poor access visibility and closeness of the access point to the junction of Westergate Street and Meadow Way and the bend in the road to the south of this. Members were reminded that the County Highways representative who attended the Site Visit had raised no objection to the proposal, subject to implementation of the highway improvements which had been put forward. However, the Committee did not accept the officer recommendation to approve and

RESOLVED

That the application be refused for the following reason:-

“The proposed access is unsatisfactory to serve the proposed development by reason of inadequate visibility and proximity to the junction of Westergate Street and Meadow Way and the bend in the road to south of this. This would be detrimental to highway safety in conflict with Policies NE17 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.”

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405. REPORT OF THE MEETING OF THE POST COMMITTEE SITE INSPECTION PANEL – CAR PARKING LAYOUT, GARAGE AND BIN STORE (AMENDMENTS TO DEVELOPMENT PREVIOUSLY APPROVED UNDER APPLICATION AL/23/06), LAND AT THE HOMESTEAD, WESTERGATE STREET, WESTERGATE

Having received a report on a meeting of the Post Site Inspection Panel held on 19<sup>th</sup> August 2008, together with the officer's written report update detailing a correction to the attendance list, the Committee

RESOLVED

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

*(Prior to consideration of the following application, Councillor Mrs Hall had declared a personal interest as a Member of Pagham Parish Council and remained in the meeting and took part in the debate and vote.)*

406. REPORT OF THE MEETING OF THE POST COMMITTEE SITE INSPECTION PANEL – P/77/08 – CONSTRUCTION OF TWO STOREY EXTENSION. RESUBMISSION FOLLOWING P/33/08, 8 CHANNEL VIEW, PAGHAM

Having received a report on the matter, together with the officer's written report update detailing a correction to the attendance list, Members accepted the Panel's view that the application should be approved, subject to the inclusion of an additional condition relating to screening on the east elevation of the balcony to prevent overlooking. The Interim Head of Development Control suggested that the height of the screen should also be specified as 1.8 metres. The Committee therefore

RESOLVED

That the application be approved subject to an additional condition to read:-

“Before development commences, details of the 1.8 metres screen on the east elevation of the balcony shall be submitted and approved in writing by the Local Planning Authority. The approved screen shall be fully implemented in accordance with the approved details before any of the first floor is first brought into use and shall remain in perpetuity.

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Reason: To safeguard the privacy and amenity of adjoining occupier in accordance with Policy DEV1 of the West Sussex Structure Plan and GEN7, DEV19 of the Arun District Local Plan.”

407. APPLICATION P/35/08 – ONE BUNGALOW – AMENDMENT TO PREVIOUSLY APPROVED APPLICATION P/51/07, 31 WEST FRONT ROAD, PAGHAM

This application had been deferred from the meeting held on 23<sup>rd</sup> July 2008 to enable officers to clarify the situation with regard to land ownership issues. Confirmation had now been received that the land, the subject of the application, was within the ownership of the applicant and the Committee therefore

RESOLVED

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

408. TREE APPLICATION

*(Prior to consideration of the following application, Councillor Mrs Hazlehurst had declared a prejudicial interest and exercised her right to speak to the item before withdrawing from the meeting and took no part in the debate or the vote.)*

A/74/08/T – Application to fell 1 No. Sycamore tree, 30/31 St Margarets Court, Arundel Road, Angmering Having received a report on the matter, the Committee

RESOLVED

That the application be refused as detailed in the report.

409. PLANNING APPLICATIONS

AW/149/08 – Single storey garage extension to front and rear two storey extension, 4 Cedar Close, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

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AW/172/08 – Extension to existing front porch with mono pitch roof and associated work to form new drive and fence to frontage Having received a report on the matter, the Committee had been advised that this application was being dealt with under delegated powers following withdrawal of the Parish Council's objection.

BR/234/08 – Outline application for redevelopment of premises to provide 14 No. apartments (Resubmission following BR/110/08), 18 Lennox Street, Bognor Regis Having received a report on the matter, a query was raised with regard to how officers would ensure that the roller shutter garage doors would be of a high quality. The Interim Head of Development Control advised that would be dealt with at the reserved matters stage under Appearance but suggested that an additional informative could be placed on any approval to highlight this issue to the applicant. As the statutory publicity period did not expire until 4th September 2008 a request was made that the decision be delegated to the Head of Planning Services in consultation with the Chairman. The Committee then

RESOLVED

That the application be approved as detailed in the report and that the decision be delegated to the Head of Planning Services in consultation with the Chairman, subject to the addition of the following Informative:-

"Informative: The applicant is advised that, at the reserved matter submission stage, a high quality of design is required for the roller shutter garage doors given the site's location abutting a conservation area."

EP/95/08 – Demolition of existing buildings and erection of 21 No. dwellings, access, parking & provision of public open space, at former redundant nursery site, Land north of Manor Road, Adjoining Nursery Close, East Preston Having received a report on the matter, together with the officer's written report update detailing an additional highways condition (subsequently amended to an informative) and the detail of the signed Unilateral Undertaking which had been received and verbal notification of further representations received from East Preston Parish Council, the Committee

RESOLVED

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

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

EP/97/08 – Change of use of private swimming pool to be used for swimming lessons (D2), 1.5 hours am and 2 hours pm (no weekends or holidays), 68 Sea Lane, East Preston Having received a report on the matter, together with the officer's written report update detailing additional representations received and a verbal update on a representation from the applicant, the Committee participated in a detailed debate and then

RESOLVED

That the application be refused as detailed in the report.

EG/43/08 – Outline application for erection of single detached bungalow and alterations to existing dwelling, 4 Elm Grove South, Eastergate 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 Wiltshire had declared a prejudicial interest and exercised his right to speak to the item before withdrawing from the meeting and he took no part in the debate or vote.)*

*Prior to consideration of the following application, Councillor Mrs Goad had declared a personal interest and participated in the debate and vote.)*

EG/44/08 – Conversion & alterations to existing detached garage, games room, to provide ancillary accommodation to the main dwelling, together with the erection of a garage attached to the existing west side of the house, Russets, 88 Barnham Road, Barnham Having received a report on the matter, together with the officer's written report update detailing amended plans and consequential additional condition and a verbal report detailing comments from County Highways, the Committee

RESOLVED

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

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*(In the course of consideration of the following application, Councillor Wiltshire declared a personal interest as he knew someone who lived in a property in The Crescent. He remained in the meeting and took part in the debate and vote.)*

FP/122/08 – Outline application for the erection of 1 No. 3 bedroom house on the land adjacent to 7 The Crescent, 7 The Crescent, Felpham  
Having received a report on the matter, together with the officer's written report update detailing an additional representation received and noting that Condition 1 had no matters being considered as all matters were reserved, concerns were raised in respect of the proposed parking on the site. Following advice from the Interim Head of Development Control, it was agreed to attach an additional informative to any permission and the Committee

RESOLVED

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

"Informative: The applicant is advised that at the reserved matters stage, the submitted details must show an improved number and siting of car parking spaces for 7 The Crescent and the new dwelling. On the indicative plans only one car parking space is shown for No. 7 which is considered inadequate. Furthermore, access to this space is blocked by the provision of the two spaces in front of the proposed new dwelling."

FP/144/08 – Proposed lounge front extension, 51 Roundle Avenue, Felpham  
Having received a report on the matter, together with the officer's written report update detailing amended drawings received and consequential amended conditions, the Committee

RESOLVED

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

FG/107/08 – Erection of side extension, new gables to front elevation & extension at rear including new dormer windows  
Having received a report on the matter, together with a verbal update advising on a letter of support that had been received, views were expressed that this proposal was overbearing and unneighbourly, particularly as the nearby properties were bungalows with



relatively small gardens. The Committee therefore did not accept the officer recommendation to approve and

RESOLVED

That the application be refused for the following reason:-

"By reason of its height and position it is considered that the two storey extension would result in unacceptable overbearing onto neighbouring residential properties in Ancren Close and, in consequence would be an unneighbourly form of development. It is thereby contrary to Policies DEV1 of the West Sussex Structure Plan and GEN7 and DEV19 of the Arun District Local Plan.

FN/38/08 – Erection of 2.4 metre high closeboard timber fencing on boundary between rear garden & rear gardens of 1-4 Horseshoe Close off Elm Rise. Erection of trellis on remaining existing fence adjacent to Sunny Bank to give total height of 2.4 metres, decreasing to 2.15 metres adjacent to conservatory, Meadow Cottage, Stable Lane, Findon Having received a report on the matter, together with the officer's written report update detailing additional representations received and a verbal update in respect of an email that had been received from an objector, Members were also requested to agree that, as the consultation/notification period did not expire until 4th September 2008, any decision should be delegated to the Head of Planning, in consultation with the Chairman. Following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report and that the decision be delegated to the Head of Planning, in consultation with the Chairman.

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

LU/129/08/L – Application for Listed Building Consent to replace existing white painted wooden windows & patio doors with white PVCu double glazed windows, 32 Winterton Lodge, Goda Road, 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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*(Prior to consideration of the following application, Councillors Mrs Hazlehurst and Wiltshire had declared a prejudicial interest and exercised their right to speak before withdrawing from the meeting and they took no part in the debate or vote.)*

LU/150/08 – Erect a 2 metre high fence, 2 Fastnet Way, Littlehampton  
Having received a report on the matter, together with the officer's written report update detailing a petition of support for the proposal that had been received and a copy of the previous appeal decision for Application LU/153/07, Members participated in a detailed debate. Views were split between supporting the officer recommendation to refuse in order to adhere to the planning requirement that the estate should be open plan and to grant permission for crime prevention and anti social behaviour reasons. It was suggested that, should permission be granted, the fence should be painted green to blend in with the existing conifer hedge. Following discussion, the Committee did not accept the officer recommendation to refuse the proposal on the grounds that the considerations of security and safety outweighed visual harm through the erection of the fence and

#### RESOLVED

That the application be approved as follows:-

"Condition 1: The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

Condition 2: No development shall take place until details of the design, materials and green colour of the fence hereby permitted have been submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interest of visual amenity in accordance with Policies DEV1 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.

This planning permission is granted because it complies with the policies listed below in that considerations of security and safety outweigh visual harm through the erection of a fence and that there are no material considerations to indicate otherwise.

Relevant Policies:  
Structure Plan: DEV1  
Local Plan: GEN7  
National Policies: PPS1

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

LU/180/08 – Existing amusements & snack bar converted to 4 No. studio flats & 1 No. 1 bed flat, 3 Terminus Road, Littlehampton Having received a report on the matter, the Planning Team Leader highlighted that, as this part of the town was mainly residential and the Council had no policy in place to protect the loss of the business, there were no defensible grounds for refusal. Members participated in a detailed debate, with views split between supporting the conversion and others feeling that studio flats did not positively contribute to what was actually required in the District by way of housing need. Following further advice from the Planning Team Leader and the Interim Head of Development Control, the Committee

RESOLVED

That the application be approved as detailed in the report.

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

LU/181/08 – Conversion & change of use of existing shop & storage facilities to form 2 No. 1 bedroom flats, incorporating 2 No. small extensions. Conversion & change of use of existing garage to form new shop & alterations to existing boundary wall, 2 Queen Street, 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/190/08 – Extend existing end of terrace house to accommodate 2 No. 2 bed flats and parking, 32 Gosden Road, Littlehampton 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, Councillors Butler and Wiltshire had declared a personal interest and remained in the meeting and took part in the vote.)*

LU/191/08/L – Application for Listed Building Consent for the conversion of a storeroom into a DDA Compliant disabled toilet, Manor House, Church Street, Littlehampton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

M/45/08 – Extension and detached garage, The Gardens, 95a Yapton Road, Middleton on Sea Having received a report on the matter, the Committee had been advised that the application had been withdrawn from the Agenda to enable a full arboricultural report to be considered.

M/53/08 – Replace existing bungalow with new chalet type bungalow, 20 Alleyne Way, Elmer Sands, Middleton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

R/148/08 – Demolition of existing dwelling and erection of 5 No. two bedroom and 1 No. one bedroom flats, 70 Woodlands Avenue, Rustington Having received a report on the matter, Members expressed concerns that this proposal would constitute overdevelopment and cause harm to the character and appearance of the area and the living conditions of the adjoining occupiers. They felt the decision of the Inspector on the previous application should be maintained and the application be refused. The Planning Team Leader advised that the Inspector had considered the outline application only and that the proposal now before Members had addressed those reasons for refusal, hence the officer's recommendation to approve.

In discussing the matter further, the Committee agreed that its reason for refusal on the previous application was still relevant and therefore did not accept the officer recommendation to approve and

RESOLVED

That the application be refused for the following reason :-

"Given the scale, bulk and massing of the proposed development the site is considered unsuitable to accommodate six flats satisfactorily without damaging the character of the established residential area. The proposal would, therefore, result in an unduly prominent and obtrusive form of development which would be detrimental to the character and amenities of the surrounding residential area contrary to Policies DEV1 and CH1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan."

R/150/08 – Erection of 6 new build apartments, 69 Broadmark Lane, Rustington Having received a report on the matter, together with the officer's written report update detailing an objection from Rustington Parish Council, the Committee agreed that a Site Inspection should take place to assess the impact of the proposal on neighbouring properties and the street scene and

RESOLVED

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

R/158/08 – Demolition of existing bungalow and erection of 2 No. dwellings (Resubmission of R/46/08), 22 Mill Lane, Rustington 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

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Y/40/08 – Outline application for one dwelling with all matters reserved, Rear of 2& 4 Gladstone Road, Yapton Having received a report on the matter, together with the officer's written report update detailing an additional informative advising of a requirement for high quality design at the reserved matter stage, the Committee

RESOLVED

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

410. ENFORCEMENT MATTERS

CIC/AW/1/07 – Alleged unauthorised non-compliance with approved plans AW/122/06, 72 The Drive, Aldwick Having received a report on the matter, the Committee

RESOLVED - That

(1) no enforcement action be taken in respect of this breach of planning control as it is not expedient to take such action given the absence of previous ground levels and the small section that has been admitted as raised in the Planning Contravention Notice; and

(2) no further action be taken in respect of the raised section of land close to the south-western corner of the property, which does not have the benefit of planning approval.

(The meeting concluded at 7.15 p.m.)