

Subject to approval at the next Committee meeting

237

DEVELOPMENT CONTROL COMMITTEE

13th August 2008 at 2.30 p.m.

Present : Councillors Mrs Hall (Chairman), Mrs Goad (Vice-Chairman), Biss, Bower, Brooks, Evans, Mrs Harrison, Haymes, Mrs Hazlehurst, Oliver-Redgate, Mrs Olliver, Mrs Smee, Mrs Stainton and Steward.

(Note: Councillor Mrs Stainton was absent from the meeting during consideration of the matters referred to in Minute 337 (from Planning Application FN/33/08) to Minute 338.)

Councillor Mrs Briggs was also in attendance for part of the meeting.

330. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Butler, Gammon, Mrs Maconachie and McDougall.

331. DECLARATIONS OF INTEREST

Councillor Haymes gave notice of a personal interest in Agenda Item 9, Planning Application Y/33/08, as Chairman of Yapton Parish Council, which would be making representation at the meeting.

Councillor Steward gave notice of a prejudicial interest in Agenda Item 9, Planning Application PA/10/08 as he had business dealings with the applicant.

332. MINUTES

The Minutes of the meeting held on 23rd July 2008 were approved as a correct record and signed by the Chairman.

Development Control
Committee – 13.08.08.

333. AL/30/08 – USE OF LAND FOR THE SITING OF A CRAVAN FOR AGRICULTURAL WORKER FOR TEMPORARY PERIOD OF THREE YEARS, LAND AT ALDINGBOURNE FARM SHOP, NYTON ROAD, ALDINGBOURNE

The Interim Head of Development Control advised the Committee that this application was the subject of an appeal against non-determination because the Local Planning Authority had not determined the application within the statutory 8 week period. The Chairman agreed that this item should be dealt with as a matter of urgency as the Council was required under the terms of the Appeal Rule 6 Statement to indicate by 28th August 2008 what its decision would have been if it had been able to determine the application.

The Interim Head of Development Control gave a detailed presentation which outlined the major issues that had to be taken into consideration and the Chairman then called a short adjournment to the meeting to enable Members to read the written officer report update which had been circulated.

It was stressed to the Committee that, whilst there had been alleged breaches of planning control which were being investigated under a separate process, this application must stand or fail on its own merits. Members were of the view that they had received an extremely full and extensive report which covered all aspects of the relevant issues to be considered and that the officer recommendation should be supported. The Committee therefore

RESOLVED

That, had it been able to determine the application, the Committee would have refused the application for the reason set out in the report.

334. REPORT OF THE MEETING OF THE POST COMMITTEE SITE INSPECTION PANEL – M/35/08 – EXTENSION AND ALTERATIONS TO PROVIDE 3 BEDROOMS, BATHROOM, ENSUITE AND STAIRHALL (RESUBMISSION FOLLOWING M/154/07, 26 SEA WAY, ELMER SANDS, MIDDLETON ON SEA.

The Committee received a report on a meeting of the Post Site Inspection Panel held on 29th July 2008

RESOLVED

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

335. PLANNING APPEALS

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

336. TREE APPLICATION

AL/55/08/T – Fell two Holm Oak trees, Westergate Mews, Nyton Road, Westergate Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

337. PLANNING APPLICATIONS

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

Y/33/08 – Change of use of existing workshop buildings and land to B1/B8 use. External alternations to existing buildings, Workshop premises to east of Little Meadow, Bilsham Road, Yapton Having received a report on the matter, together with the officer's written report update detailing minor amendments to Conditions 3 and 8 and a consultation response from the Environment Agency stating "No objection", views were expressed that permitting unfettered B1/B8 use of the site would lead to an over intensified development with a resultant detrimental impact on the locality of the area, particularly with large vehicles using the long, narrow lane where there were a number of houses. The Committee therefore did not accept the officer recommendation to approve and

RESOLVED

That the application be refused for the following reason:-

"The introduction of unfettered B1/B8 uses would result in over intensification of use of this site within the rural area detrimental to neighbour amenities by reason of increased vehicular activity along a narrow access road close to residential properties. This would be contrary to Policies GEN7 of Arun District Local Plan and DEV1 of West Sussex Structure Plan."

Development Control
Committee – 13.08.08.

WA/25/08 – Change of use of existing conference accommodation to 2 No. residential properties, Spindlewood & Rosewood, Riverwood Conference Centre, Yapton Lane, Walberton 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 Steward had declared a prejudicial interest and left the meeting and took no part in the debate or vote.)

PA/10/08 – To erect a marquee in the garden from April to October (this application also falls within the Parish of Angmering), The Fox Inn, Arundel Road, Patching Having received a report on the matter, together with the officer's written report update correcting an error which stated that the proposed development complied with the relevant Development Plan rather than conflicted with, as was the case; a verbal update that Condition 3 had been amended and that permissions and conditions must be complied with; and verbal advice that an amended condition should be placed on any permission stating that "Within one month of the date of this permission, a scheme shall be submitted to this Planning Authority relating to the noise from the site and such scheme as approved shall thereafter be implemented and retained", serious concerns were raised about the potential for noise nuisance in the countryside in this AONB (Area of Outstanding Natural Beauty) and, particularly, as the proposed development was a marquee. It was felt that this would have a detrimental impact on the amenities of the locality. The Area Team Leader reminded Members that the issue of noise and frequency of functions would be dealt with by Environmental Health under the Licensing Act 2003 legislation. However, the Committee did not accept the officer recommendation to approve and

RESOLVED

That the application be refused for the following reason:-

"By reason of the likely noise emanating from the marquee without adequate sound insulation, in conjunction with the proposed hours of operation, it is considered that the use would result in an unacceptable impact on the surrounding residential properties together with the countryside and AONB in general. The proposal is therefore contrary to Policies CH2, LOC2, DEV1 of the West Sussex Structure Plan and GEN3, GEN7, GEN32, AREA9 of the Arun District Local Plan.

In addition, as this was a retrospective application, the Area Team Leader asked Members that if they intended to seek the removal of the marquee, could they vote to give authority for the issue of an enforcement notice. The Committee therefore

RESOLVED

That an enforcement notice be served to seek action be taken to seek removal of the marquee.

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

P/77/08 – Construction of two storey extension. Resubmission following P/33/08, 8 Channel View, Pagham Having received a report on the matter, the Committee agreed that it would be appropriate for the Site Inspection Panel to visit the site to assess the impact of the proposal on neighbouring properties and

RESOLVED

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

LU/146/08 – Demolition of existing toilet block and site reception office and replacement with new. Provision of additional garaging, wardens bathroom and an electrical switchgear room. Refurbishment of external facilities and ancillary works, White Rose Touring & Leisure Park, Mill Lane, Wick, Littlehampton Having received a report on the matter, together with the officer's written report update detailing an additional condition to ensure the replacement mobile home unit remained ancillary to the White Rose Touring & Leisure Park, the Committee

RESOLVED

That the application be approved as detailed in the report.

Development Control
Committee – 13.08.08.

LU/153/08 – Application for the redevelopment of the site to form 60 "extra care" frail elderly apartments for the elderly plus ancillary communal facilities, associated car parking & landscaping, 32,33,34 Fitzalan Road & 14, 16 Church Street & part garden of 18 Church Street, Littlehampton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

FN/33/08 – Erection of chalet style detached dwelling on existing residential garden, plus a replacement single garage for existing dwelling – resubmission following FN/12/08, Downside, Stable Lane, Findon Having received a report on the matter, together with the officer's written report update detailing a consultation response from County Highways, a view was expressed agreeing with the concerns of the Parish Council that yellow coloured bricks would be out of character with the surrounding area. The Area Team Leader was requested to note this fact when a schedule of materials and finishes and samples of such materials was submitted to the Local Planning Authority under Condition 4. The Committee then

RESOLVED

That the application be approved as detailed in the report.

FG/83/08 – Proposed conversion of detached dwelling into two cottages, Ty Gwyn, Church Lane, Ferring Having received a report on the matter, together with the officer's written report update detailing corrections to the report, the Committee

RESOLVED

That the application be approved as detailed in the report.

The Chairman then called a short adjournment to the meeting.

FG/87/08 – Single storey extension & detached garage, 5a West Drive, Ferring 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

243

Development Control
Committee – 13.08.08.

B/7/08 – New detached garage and guest room, Herries Cottage, 87 Burpham, Arundel Having received a report on the matter, together with the officer's written report update detailing amended plans and an additional representation received, the Committee

RESOLVED

That the application be approved as detailed in the report.

AB/83/08/L – Application for Listed Building Consent to alter the ground floor to provide an open plan retail area by removing an internal wall, chimney breast, 2 No. timber studwork partitions. Installation of internal steps, wall nibs and structural support beam, 41 High Street, Arundel Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

AW/128/08 – Demolition of 2 No. two storey detached houses & erection of 3 storey block of 14 flats containing 12x2 bed, 2x1 bed flats & car parking spaces & bin store to the rear of the site, 113-115 Aldwick Road, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report and subject to receipt of infrastructure requirements as required by the Section 106 Agreement and confirmation from West Sussex County Highways that the stage 1 Safety Audit is satisfactory.

AW/143/08 – Proposed extension to music room and lift shaft to first floor – resubmission following refused application AW/83/08, 15 Waters Edge, Aldwick Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

Development Control
Committee – 13.08.08.

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), Land adjoining Sunny Side, Westergate Street, Westergate Having received a report on the matter, together with the officer's written report update detailing clarification/correction with regard to trees on the site and a consultation response from County Highways, serious concerns was raised in respect of road safety issues. It was therefore agreed that a Site Inspection should take place and that a representative from County Highways should be invited to attend. The Committee therefore

RESOLVED

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

AL/50/08 – 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 the matter and in the light of the decision on the preceding application AL/49/08, the Committee

RESOLVED

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

AL/142/07 – Siting of mobile home for extended settled gypsy accommodation (Departure from the Development Plan), 2 Wyndham Acres, Northfield Lane, Aldingbourne Having received a report on the matter, together with the officer's verbal correction that the area of the site should read 0.16 hectares rather than 1950 sq m, concerns were raised that West Sussex County Council had raised an objection to the proposal on road safety issues. It was therefore agreed that a site inspection should take place and that a representative from County Highways would be invited to attend. The Committee

RESOLVED

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

338. ENFORCEMENT MATTERS

CON/A/29/07 – Alleged unauthorised tree house, 18 Lansdowne Way, Angmering Having received a report on the matter, the Committee

RESOLVED

That no prosecution action be taken in respect of the debris from the tree house still being on site. This is because it is not considered expedient to take such action in the absence of harm to the amenity in the locality of the site.

ENF/107/08 – Alleged unauthorised access, 219 Chichester Road, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That no enforcement action be taken in respect of this 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 front access 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.

(The meeting concluded at 6.25 p.m.)