

Subject to approval at the next Committee meeting

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DEVELOPMENT CONTROL COMMITTEE

18th December 2008 at 2.30 p.m.

Present : Councillors Mrs Goad (Vice-Chairman, in the Chair), Evans, Mrs Harrison, Mrs Hazlehurst, Mrs Maconachie, Oliver-Redgate and Steward.

690. ADJOURNMENT

The Chairman requested that, in accordance with Committee Procedure Rule 2.1 and Council Procedure Rule 1.12, the meeting be adjourned until 4.30 p.m. for the exceptional reason that a number of the Members of the Committee were attending the funeral of a senior Member of the Council, Councillor Alan Stainton.

The Committee

RESOLVED

That the meeting be adjourned to 4.30 p.m.

The meeting then reconvened at 4.30 p.m.

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

[Note: The following Councillors were absent from the meeting during consideration of the matters in the Minutes indicated:- Councillor Butler, Minute 698 (part) (from Applications PO/5/08 to EP/127/08); Councillor Mrs Maconachie, Minutes 698 (from Application EP/127/08) to Minute 699; Councillors Evans, Gammon, McDougall, Mrs Olliver and Mrs Smee, Minute 698 (from Application PO/5/08) to Minute 699.

Note: Councillors Mrs Brown and Wells were also in attendance for part of the meeting.

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691. APOLOGY FOR ABSENCE

An apology for absence had been received from Councillor Mrs Stainton.

692. DECLARATIONS OF INTEREST

Councillor Mrs Goad gave notice of a prejudicial interest in Agenda Item 10, Planning Application EG/65/08, as both parties were known to her. She stated that she would leave the meeting during its consideration.

Councillors McDougall and Mrs Smee gave notice of a personal interest in Agenda Item 3, Planning Application BE/1/08 as members of Bersted Parish Council.

693. MINUTES

The Minutes of the meeting held on 26th November 2008 were approved as a correct record and signed by the Chairman.

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

During the course of consideration of the following application, Councillor Mrs Olliver declared a personal interest as a member of Bersted Parish Council and remained in the meeting and took part in the debate and the vote.)

694. BE/1/08 – OUTLINE APPLICATION FOR MIXED USE EMPLOYMENT (CLASS B1 HIGH QUALITY BUSINESS PARK COMPRISING UP TO 19,500 SQM GROSS FLOORSPACE) AND RETAIL (CLASS A1 GROCERY STORE UP TO 4,459 SQM NET SALES AREA) TOGETHER WITH PARKING, NEW HIGHWAY AND ASSOCIATED SERVICING, INFRASTRUCTURE AND LANDSCAPING, LAND AT OLDLANDS FARM, SHRIPNEY ROAD, BOGNOR REGIS

The Strategic Development Planner presented a comprehensive report to the Committee which set out a proposal for development of land at Oldlands Farm, Shripney Road, Bognor Regis, together with the officer's written report update detailing additional representations and consultation response received. Mr Sharpe from the Council's consultant EDAW was also in attendance to answer any questions of a technical nature that might arise during the course of the debate.

Members were reminded that the operator was not a material planning consideration and that the application had to be considered in relation to the present Local Plan and the emerging Local Development Framework (LDF). The pertinent fact was that the site was allocated through the Local Plan for employment purposes, which precluded retail use.

Advice was given that the applicant had not shown a demonstrable need for the amount of space wanted and this, together with an independent consultant's retail study indicating that the vitality and viability of the town centre would be adversely affected by an additional out of town supermarket, provided strong reasons to refuse the application. In terms of need, the consultant was saying that there was no need for a further superstore for this area. Furthermore, the Environment Agency had objected to the proposal due to the fact that the applicant had failed to meet the terms of the sequential test set down by government guidance under Planning Policy Statement 25 (PPS25).

The Committee participated in a lengthy debate with opinion divided between those who supported the officer recommendation to refuse and those who wished to see the application proceed. Some Members felt that the Council's own policies relating to this site being allocated for employment use should be upheld as a dangerous precedent would otherwise be set which other applicants could be quick to take advantage of. The wage levels in the Arun area were considered to be extremely low and it was felt that every encouragement should be given to lifting these wage levels by maintaining the employment use at this site rather than changing it to retail.

However, strong views were also expressed which highlighted the present economic crisis and the need for investment in Bognor Regis. It was felt that this opportunity should not be lost to provide some 500 jobs, albeit retail and mainly part-time, and to bring people into the area to shop at an outlet that the local populace wanted as this could be the first stage in the proposed £30 million investment of the development of the business park by the applicant. This body of opinion also felt that the proposal would not adversely impact on the town centre, rather that the people coming into the District to visit the retail outlet would visit the centre as part of their trip.

Other issues brought out during the course of discussion included flooding; the fact that a departure from the Development Plan in relation to the Policy Site 6 development had already taken place; car parking; and the perception of over trading by Tesco. In addition it was felt that the first reason for refusal as detailed in the report should refer to the development and not redevelopment of the site. These matters were responded to at the meeting by the Strategic Development Planner and the Interim Head of Development Control.

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Following consideration, the Committee

RESOLVED

That the application be refused as detailed in the report and subject to amendment of Reason 1 for refusal as follows:-

“The proposed retail development, by reason of its siting on land not allocated or otherwise identified for retail purposes, would result in the loss of land allocated for employment use, and would prejudice the comprehensive development of the site as a whole, contrary to Policy Sites 5 and 6 of the Arun District Local Plan 2003 and Policy NE5(a) of the West Sussex Structure Plan 2005.”

(A request was received that the vote on the recommendation should be recorded. Those voting FOR the recommendation were Councillors Ayling, Bower, Gammon, Mrs Goad, Mrs Hall, Mrs Harrison, Haymes, Mrs Hazlehurst, Mrs Maconachie and Steward (11); those voting AGAINST the recommendation were Councillors Biss, Brooks, Evans, McDougall, Oliver-Redgate, Mrs Olliver and Mrs Smee (7). On putting the recommendation to the vote it was declared CARRIED.

695. REPORT OF THE MEETING OF THE POST COMMITTEE SITE INSPECTION PANEL – PO/5/08 – SINGLE STOREY REAR ADDITION – AMENDMENT TO PLANNING APPLICATION PO/4/05, 2 POTTERY COTTAGES, CROSSBUSH LANE, POLING

The Committee received a report on a meeting of the Post Site Inspection Panel held on 2nd December 2008 and, following consideration,

RESOLVED

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

696. PLANNING APPLICATION R/222/08 – RAISED PARKING AREA/RAMP WITH HAND RAIL FOR MOBILITY BUGGY, PARKING AREA REAR OF 51 RUSTON AVENUE, RUSTINGTON

As outlined in the report, this application was being reconsidered due to a procedural error and the Planning Team Leader highlighted that an additional condition was being suggested to address Members' concerns regarding the visibility of the handrail to other car users accessing the rear parking area. Members were also informed that the proposal was in fact

“Permitted Development” and therefore planning permission was not required. However, as of their right, the applicants wished the application to be determined by the Committee. Following consideration, the Committee then

RESOLVED

That the application be approved as detailed in the appendix to the report and subject to an additional condition as follows:-

“Details of a reflective surface for the handrail shall be submitted to and approved by the Local Planning Authority and the surface so approved shall be used on the handrail upon installation and thereafter be retained whilst the handrail is in situ.

Reason: In the interest of amenity and safety in accordance with Policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.”

697. PLANNING APPEALS

The Committee received and noted a report detailing appeals that had been lodged and 9 appeals that had been heard.

698. PLANNING APPLICATIONS

WA/67/08 – Proposed barn to house swimming pool, Bramble Barn, Binsted Lane, Binsted Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

LY/14/08 – Change of use of land from waste land to recreational open space in conjunction with adjoining holiday caravan park (Departure from Development Plan), Land to West of Brookside Caravan Park, Lyminster Road, Lyminster Having received a report on the matter, together with the officer report update detailing corrections to the report, views were expressed regarding the need for appropriate boundary treatment for the benefit of nearby neighbours and to enhance the environment. The Planning Team Leader advised that an informative to this effect had been included in the recommendation to approve. However, the Committee felt that this should be changed to a condition and therefore

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RESOLVED

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

“The use hereby permitted shall not take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the implementation of use. Any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with Policies DEV1 of the West Structure Plan and GEN7 of the Arun District Local Plan.”

(Prior to consideration of the following application, the Interim Head of Development Control declared a personal interest as he lived opposite the proposed access. He remained in the meeting.)

LU/283/08 – Outline application for the erection of 14 dwellings and 10 flats with new access off Hearnfield Road and demolition of 7 Hearnfield Road (Departure from Development Plan) (Resubmission following LU/85/08), 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 and an Inspector’s comments at appeal relating to the demolition of part of a semi-detached dwelling, some concern was again expressed that this proposal sought to knock down one half of a semi-detached property. The Interim Head of Development Control advised Members that the Party Wall Act covered this issue and he also stated that an additional condition was required to cover reserved matters relating to landscaping and appearance. Following consideration, Members were pleased to note that an allocation of 30% affordable housing was being proposed for the site and the Committee then

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RESOLVED

That the application be approved as detailed in the report, subject to an additional condition as follows:-

“The permission hereby granted is an outline permission under Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995 and an application for the approval of the Local Planning Authority to the following matters must be made not later than the expiration of 3 years beginning with the date of this permission:-

- (a) Appearance
- (b) Landscaping

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990 (as amended).”

FG/147/08 – The construction of a single storey dwelling with car parking at rear, Land between 3/3A and 11 Ferring Street, Ferring Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

FG/148/08 – Erection of new bungalow with access off Ferring Street, 4 Sea Lane, Ferring Having received a report on the matter, together with the officer’s written report update detailing a consultation response from the Landscape Officer, it was suggested that this application should be subject to a condition relating to permeable surfaces. However, having been proposed and seconded, this proposal was not supported by Members. Following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report.

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FG/155/08 – Change of roofing material from thatch to clay tiles, amendment to approved application FG/98/07, 14 Ferring Street, Ferring Having received a report on the matter, together with the officer's written report update detailing additional representations received and substitute plans, the Committee

RESOLVED

That the application be approved as detailed in the report.

FP/191/08 – Outline application for residential development of 29 dwellings comprising 19 No. 3 bed and 10 No. 2 bed houses. New access road and landscaping including open space provision, Ivy Cottage Nursery, 42 Flansham Lane, Felpham Having received a report on the matter, together with the officer's written report update detailing amended condition, the Section 106 Agreement, consultation responses, and tree and ecology/biodiversity issues, Members welcomed this development of small family houses rather than flats as being well thought out, with an area of public open space and parking screened from public view. The Committee

RESOLVED

That the application be approved as detailed in the report.

FP/214/08 – Construct 14 beach huts on concrete bases, Greensward Adjacent to ADC Culver Road Car Park, Felpham Having received a report on the matter, together with the officer's written report update detailing a consultation response from West Sussex County Council and further letters of objection, a view was expressed that the application should be deferred to obtain a consultation response from the Council's Parks and Landscape Department as there were concerns relating to the layout of the additional beach huts and the problems of car parking in the surrounding area needed to be addressed. The Committee therefore

RESOLVED

That the application be deferred to await comments from the Council's Parks and Landscape Department and to obtain information on options to address car parking problems in the surrounding area.

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

EG/65/08 – Erection of single detached single storey dwelling and new vehicular access, The Old Stables, Church Lane, Eastergate Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

EP/127/08 – Proposed front, rear and side extensions, rooms in roof with front and rear dormers, enlarge existing side dormer, attached swimming pool, detached garage, conversion of existing garage to accommodation for elderly relative and front porch, 44 Angmering Lane, East Preston Having received a report on the matter, together with the officer's written report update detailing additional representations received, the Committee

RESOLVED

That the application be approved as detailed in the report.

BR/310/08 – Proposed conversion of office use (B1) into 2 No. 1 bed flats (C3), 5 Madeira Parade, Madeira Avenue, Bognor Regis 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.

AW/216/08 – Alterations and extension of existing 2 No. flats to form 4 No. 1 bedroom and 1 No. 2 bedroom flat, 10 & 10a Princess Avenue, Aldwick Having received a report on the matter, a request was made for a site visit to take place to assess whether the proposal was an over intensification of use. The Committee

RESOLVED

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

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AW/239/08 – New garden room and boat house, 2 The Dunes, Aldwick Bay Estate, Aldwick Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

AL/92/08 – Re-use of redundant farm buildings for mixed use development – B1 offices, residential dwellings and tourist accommodation units, New House Farm, Norton Lane, Aldingbourne Having received a report on the matter, together with the officer's written report update detailing comments from the District Engineer, a request was made for a site visit to take place to assess the structural stability of the buildings. The Committee therefore

RESOLVED

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

AL/97/08 – Detached domestic garage/store building (revisions to AL/14/06), Land to the east of 27 Belle Meade Close, Woodgate Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

699. ENFORCEMENT MATTERS

CIC/Y/21/07 – Alleged unauthorised breach of conditions relating to Y/13/07 (2,3,4 & 7), Land adjacent to Little Meadow, Bilsham Road, Yapton Having received a report on the matter, together with the officer's verbal update regarding additional information that had been received in respect of the conditions in question, the Committee

RESOLVED

That authority be granted under Section 187A(8) and (9) of the Town and Country Planning Act 1990 to institute legal proceedings for the failure to comply with the Breach of Condition Notice.

(The meeting concluded at 9.10 p.m.)