

Subject to approval at the next Committee meeting

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DEVELOPMENT CONTROL COMMITTEE

16<sup>th</sup> January 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, 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:- Councillors Gammon and Mrs Stainton, Minutes 663 (part – from Application BR/324/07) to 664.)

Note : Councillors Buckland and Maconachie were also present for part of the meeting.

657. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors McDougall and Steward.

658. DECLARATIONS OF INTEREST

Councillor Gammon gave notice of a prejudicial interest in Agenda Item 9, Planning Application LU/417/07, and stated that he would withdraw from the meeting when it was considered.

Councillor Mrs Hall gave notice of a personal interest in Agenda Item 9, Planning Application P/131/07 as a member of Pagham Parish Council.

659. MINUTES

The Minutes of the meeting held on 12<sup>th</sup> December 2007 were approved by the Committee as a correct record and signed by the Chairman.

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660. REPORT OF THE MEETING OF THE DEVELOPMENT CONTROL POST COMMITTEE SITE INSPECTION PANEL – AW/261/07 – OUTLINE APPLICATION FOR THE ERECTION OF A DETACHED TWO STOREY DWELLING WITH INTEGRAL GARAGE, A SINGLE GARAGE AND NEW ACCESS POINTS ONTO CHERRY CLOSE, 9 GOSSAMER LANE, ALDWICK

The Committee received a report on a meeting of the Post Site Inspection Panel held on 18<sup>th</sup> December 2007, together with the officer's written report update detailing an amendment to the report and a further representation received, and following consideration

RESOLVED

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

661. PLANNING APPEALS

The Committee received and noted a report which detailed 7 new appeals that had been lodged and 5 appeals that had been heard.

662. 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 County Highways Officer was in attendance.

663. PLANNING APPLICATIONS

LU/344/06 – Extension to existing Class A1 retail store and customer car park, Tesco Store and adjacent land, Broadpiece, Littlehampton The Committee had deferred this application from the meeting held on 28<sup>th</sup> November 2007 to enable officers to obtain details in plan form of the proposed changes to the access to the main roundabout. Members were now advised that, following discussions between the Highway Authority and Tesco's highway consultants, the scheme had been amended to widen all four arms of the junction to allow an additional length of 2 lane approach to each arm of the roundabout, providing sufficient additional capacity to fully mitigate the impact of the development. In addition, the scheme had been amended to allow the provision of widening without compromising the proposed cycle route. The report before Members had an officer recommendation to approve.

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Mr Spencer Bryan from County Highways was welcomed to the meeting by the Chairman and he responded to a number of questions put forward by Members. Following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report.

AL/114/07 – Demolition of sub standard dwelling and erection of detached dwelling, Fernlea, Hook Lane, Aldingbourne Having received a report on the matter, together with the officer's written report update detailing an amendment to the report and additional representations received, the Committee

RESOLVED

That the application be approved as detailed in the report.

AL/134/07 - Amendments to previously permitted proposal AL/28/07 – dormer window in lieu of 2 velux windows – provision of additional ensuite in loft space, 8 Dukes Road, Fontwell Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

AW/287/07 – Proposed bungalow, parking and driveway, 10 Gossamer Lane, Aldwick Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

AW/290/07 – Construct a chalet style dwelling and detached garage with end crossover and access onto Balmoral Close, 7 Barrack Lane, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing substitute plans and additional representations received and an amended condition, an issue was raised with regard to the drainage in the immediate vicinity of the proposal. It was agreed that an Informative should be added to any approval advising the applicant to contact Southern Water Services to clarify the position. The Committee then

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RESOLVED

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

“It is noted that there is a drainage ditch area to the south of the proposed site and the applicants are therefore advised to contact Southern Water, Southern House, Capstone Road, Chatham, ME5 7QA, [www.southernwater.co.uk](http://www.southernwater.co.uk), telephone 01-634-824103, prior to any development taking place.

AW/302/07/T – Hard prune to height and width of previous pruning points to Tamarisk hedge, Marine Drive West, Opposite Marine Park Gardens, Aldwick Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

AW/303/07 – Single storey dining room and garage extension, with new vehicular access, 23 Gossamer Lane, Aldwick Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

AW/314/07 – New house with attached garage, replacement garage for 20 Aldbourne Drive, Land adjacent to 10 Aldbourne Drive, Aldwick Having received a report on the matter, together with the officer's written report update detailing an additional representation received and corrected location/site plan and a verbal correction that the title description should read "Land adjacent to **20** Aldbourne Drive", views were expressed that the proposal would be cramped, unneighbourly, an over development and out of character with the area. The Committee therefore did not accept the officer recommendation to approve and

RESOLVED

That the application be refused for the following reason :-

“It is considered that the proposal is an overdevelopment of the site resulting in a cramped and unneighbourly form of development. It is therefore contrary to Policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.”

A/184/07 – Conversion of redundant piggery/stable into garage & demolition of existing garage. Removal of unstable redundant building wall forming boundary & reinstatement with new boundary wall to same height. Installation of new boundary fence to private drive. Associated works to approval A/120/07, Littlefield Manor, Golfers Lane, Angmering Having received a report on the matter, together with the officer’s written report update detailing a consultation response from the Parish Council, the Committee

RESOLVED

That the application be approved as detailed in the report.

AB/170/07/A – 1 illuminated sign board with flags. Hoarding with signage on Queen Street and Fitzalan Road, Land at Castle Service Station, Queen Street, Arundel Having received a report on the matter, together with the officer’s verbal advice that the wording of Condition 7 needed to be amended, the Committee,

RESOLVED

That the application be approved as detailed in the report and subject to amendment of the wording of Condition 7 as follows:- .

“Condition 7. The advertisement hoardings and illuminated sign hereby permitted shall be removed 14 days after the completion of the last sale or grant of a tenancy of the units in the block.

Reason : In the interests of the visual amenities of the locality in accordance with Policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.”

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BN/10/07 – Conversion of Mill to form four separate dwellings, together with revised entrance layout, garaging, associated parking and garaging for existing dwelling on site (resubmission following Planning Application BN/43/06), Barnham Windmill & Barnham Windmill House, Yapton Road, Barnham Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

BN/11/07/L – Application for Listed Building Consent for conversion of Mill to form four separate dwellings together with revised entrance layout, garaging, associated parking and garage for existing dwelling on site (resubmission following Application BN/44/07/L), Barnham Windmill, Yapton Road, Barnham Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

BN/34/07 – Change of use of land to allow the siting of 2 additional static/touring caravans together with the reorganisation of the existing static/touring caravan layout and extension of the permitted season from 8 to 12 months of the year, The Lilies, Yapton Road, Barnham Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

BE/135/07 – Erection of 1 No. 4 bedroom dwelling (Resubmission of BE/101/07), Land to rear of 81 & 83 North Bersted Street, Bognor Regis Having received a report on the matter, concerns were raised about the size of the proposal, its access, impact on nearby properties and the Conservation Area and drainage in the immediate vicinity. Following officer advice, it was suggested and agreed that an additional Informative should be placed on any approval advising the applicant to contact Southern Water Services regarding the drain and the Committee then

RESOLVED

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

“It is noted that there is a drainage ditch area onto/close to the site and the applicants are therefore advised to contact Southern Water, Southern House, Capstone Road, Chatham, ME5 7QA, [www.southernwater.co.uk](http://www.southernwater.co.uk), telephone 01-634-824103, prior to any development taking place.

BE/146/07 – New attached 2 storey dwelling, 1 Bronze Close, Bognor Regis Having received a report on the matter, views were expressed that this proposal would disrupt the symmetry of the estate and would thus be out of character with the area, was a cramped form of development and would be disadvantageous to the amenities of the neighbours. The Committee therefore did not accept the officer recommendation to approve and

RESOLVED

That the application be refused for the following reason :-

“It is considered that the proposal adversely affects the symmetry of the existing development and would be a cramped and unneighbourly form of development out of character with its surroundings and prejudicial to the amenities of the local residents in Bronze Close. It is therefore contrary to the Policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.”

BR/155/07 – Demolition of existing 3 properties and the erection of sheltered accommodation for the elderly comprising 24 apartments, communal facilities, access, parking and landscaped amenity space, Site of Beaumaris, Stapleford and Holyrood, Sylvan Way, Bognor Regis Having received a report on the matter, together with advice that the Agent had appealed to the Planning Inspectorate against the non-determination of the application by the Local Planning Authority and that the Committee was being requested to confirm the decision they would have come to had they been in a position to determine the application, the Committee participated in a detailed debate.

The Head of Planning and Housing Strategy informed the Committee that this was a complex application because of particular points of law with regard to affordable housing provision and the status of the appeal and that agreement had not yet been reached with regard to the actual viability of the scheme.

Following discussion, the Committee was of the view that the proposal was satisfactory in principle but that it was not prepared to set aside the requirement for infrastructure and affordable housing contributions. At the

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suggestion of the Head of Planning and Housing Strategy, it was agreed that an amended reason for refusal should be forwarded to the Planning Inspectorate and that the wording for this should be delegated to the Head of Planning and Housing Strategy, in consultation with the Chairman and the Planning Solicitor. The Committee then

**RESOLVED**

That the application be refused for the following reason :-

“The development proposed generates a need for public infrastructure contributions, including affordable housing. There is no agreement that all these contributions can be met from the financial returns from this development, in particular the provision of affordable housing, and the development does not therefore comply with Policies DEV3 of the West Sussex Structure Plan, GEN8 of the Arun District Local Plan and PPS3 – Housing.”

**The Chairman then called a 15 minute adjournment.**

At the request of the Chairman, the Committee agreed to a change to the order of the Agenda as a member of the public had to catch a train for an important meeting.

*(Prior to discussing this item, Councillor Buckland requested permission to address the Committee and this was agreed.)*

LU/400/07 – Change of fencing style from 1.8m high timber fence with concrete posts to 2.4m high galvanised steel palisade fence on galvanised steel posts, Site boundary adjacent 42-43 Dorset Close, Littlehampton Having received a report on the matter, together with the officer’s written report update detailing additional representations received, Members expressed serious reservations regarding the fence as they felt it was too high and was an unneighbourly form of development. The Planning Team Leader reiterated that access through to the open space was not a consideration in this instance but suggested that perhaps the matter could be deferred to enable further negotiations to take place with the applicant to ascertain whether an opening of some sort could be set in the fence to allow such pedestrian access to be obtained. However, this was not proposed or seconded and the Committee

**RESOLVED**

That the application be refused for the following reason :-

“The fence by reason of its height and appearance would be unsightly and therefore an unneighbourly form of development detrimental to the amenities of the locality and is therefore in conflict with Policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.”

The question was then asked of the Committee whether enforcement action should be pursued as this was a retrospective application. Following legal advice given by the Planning Solicitor regarding the issue of expediency, the Committee

RESOLVED

That enforcement action be taken to seek removal of the fence but that this be deferred for three months whilst negotiations are undertaken with the applicant to seek a solution and to also give time to consider safety aspects of the matter.

BR/324/07 – Ground floor utility & WC extension & second floor bedroom, bathroom extension, 19a Scott Street, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing amended plans and resultant amended condition, the Committee

RESOLVED

That the application be approved as detailed in the report.

BR/363/07 – Convert existing house to 2 No. flats, 15a Dorset Road, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

BR/373/07 – Conversion of ground floor to 2 No. 1 bed flats, 35 Lyon Street, 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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*(Prior to discussing this item, Councillor Maconachie requested permission to address the Committee and this was agreed.)*

EG/73/07 – Outline application for 3 No. 3 bed houses, Land to rear of 60, 61 and 62 Downview Road, Eastergate Having received a report on the matter, together with the officer's written report update detailing additional objections received, concerns were expressed that the street scene would be detrimentally affected by this proposal and that it would be out of character with the area. It was also felt that the officer's report had not given due weight to the Inspector's comments on a previous dismissed appeal on this site. The Committee therefore did not accept the officer recommendation to approve the application and

#### RESOLVED

That the application be refused for the following reasons :-

1. The proposal will constitute an unsatisfactory form of backland development which, together with the incidental use of a proposed means of access, would be unneighbourly and adversely affect the privacy and quiet enjoyment of neighbouring properties in conflict with Policies DEV1, NE2 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.
2. The proposal would constitute a cramped form of development which by virtue of their siting, plot size and garden size would be out of character in the area and detrimental to the visual amenities of the area. The development would therefore be contrary to Policies DEV1, NE2, LOC1, CH1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.
3. If this proposal were permitted the Local Planning Authority would find it difficult to resist similar proposals in the vicinity, the cumulative effect of which would be to alter the character of the locality to the serious detriment of the amenities of the area in conflict with Policies LOC1, DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

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*(Prior to discussing this item, Councillor Maconachie requested permission to address the Committee and this was agreed.)*

EG/74/07 – Demolition of No. 12 Downview Road and erection of 11 No. dwellings, vehicular access, parking and garaging, public open space and landscaping, 12 Downview Road and land rear of 12-22 Downview Road, Barnham Having received a report on the matter, the Committee

RESOLVED

That the application be refused as detailed in the report.

FP/276/07 – Loft conversion & extensions to provide study, cloakroom, utility & enlarged kitchen, bedroom with dressing room & en-suite bathroom & bedroom, 3 Halliwick Gardens, Felpham Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

LU/333/07 – Extensions and solar panels to bungalow, 14 Lundy Close, Littlehampton Having received a report on the matter and confirmation that the wind turbine had been removed from the application, the Committee

RESOLVED

That the application be approved as detailed in the report.

LU/344/06 – Extension to existing Class A1 retail store and customer car park, Tesco Store and adjacent land, Broadpiece, Littlehampton This item had been dealt with earlier in the Agenda.

LU/388/07 – Two storey side extension & conservatory to rear, 5 Bailey Close, Beaumont Park, Littlehampton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

LU/400/07 – Change of fencing style from 1.8m high timber fence with concrete posts to 2.4m high galvanised steel palisade fence on galvanised steel posts, Site boundary adjacent 42-43 Dorset Close, Littlehampton This item had been dealt with earlier in the Agenda.

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LU/406/07 – Change of use from B1/B8 to b1/B2 MOT testing centre, Unit 1 Minster Court, Littlehampton Having received a report on the matter, concerns were raised that an adequate ventilation system should be put in place and that steps must be taken to prevent the seepage of fumes, noise, etc into the adjoining unit. Following consideration, the Committee

RESOLVED

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

“The applicant’s attention is drawn to the advice of Environmental Health (enclosed). Before the use comes into place, appropriate venting and sound proofing shall be put in place in accordance with Environmental Health requirements, which may need a further submission of a planning application on its own behalf.”

LU/417/07 – Extension and alteration to convert to 7 self-contained flats, 34 Norfolk Road, Littlehampton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

LU/431/07 – Proposed rear conservatory, 3 Paterson Wilson Road, Littlehampton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

LY/23/07 – Replacement front boundary wall, Calcetto Cottage, Crossbush Lane, Lyminster Having received a report on the matter, together with verbal advice that this was a staff application, the Committee

RESOLVED

That the application be approved as detailed in the report.

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LY/24/07/L – Application for Listed Building Consent for replacement boundary wall, replacement windows, front door and various alterations, Calcetto Cottage, Crossbush lane, Lyminster Having received a report on the matter, together with verbal advice that this was a staff application, the Committee

RESOLVED

That the application be approved as detailed in the report.

M/130/07 – First floor side extension and side facing bathroom dormer, 6 Norfolk Way, Middleton 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 Hall had declared a personal interest in the meeting as a member of Pagham Parish Council and remained in the meeting and took part in the debate and vote.)*

P/131/07 – Change of use from agricultural to amenity land one acre play area/events paddock adjoining existing Village Hall site (Departure from the Development Plan), Pagham Village Hall, Pagham Road, Pagham Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

R/283/07 – 1 No. pair of semi detached houses, 126 Sea Lane, Rustington Having received a report on the matter, together with the officer's written report update detailing a late consideration, concerns were raised regarding the proposed vehicular access onto Fontwell Close. The Committee therefore

RESOLVED

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

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R/316/07 – Extensions and alterations, 14 Hawley Road, Rustington  
Having received a report on the matter, the Committee indicated that it wished to assess the impact of the visual design of the rear extension on the street scene and so

RESOLVED

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

WA/90/07 - Demolition of existing buildings & the erection of a detached garage/storage building, Lake Copse, Binsted Lane, Binsted  
Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

664. ENFORCEMENT MATTERS

CIC/BE/1/07 – Unauthorised Ornamental Lamp Post, 97 North Bersted Street, Bersted Having received a report on the matter, together with the officer's written report update detailing a letter from the complainant, 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 lamp post 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/BE/3/07 - Unauthorised CCTV Camera, 97 North Bersted Street, Bersted 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 CCTV camera 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.

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CIC/FP/12/07 – Alleged unauthorised wall, 125 Felpham Way, Felpham 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.

(The meeting concluded at 8.00 p.m.)