

DEVELOPMENT CONTROL COMMITTEE

2<sup>nd</sup> August 2006 at 2.30 p.m.

Present : Councillors Mrs Goad (Chairman), Mrs Hall (Vice-Chairman), Biss, Bower, Brookman, Butler, Mrs Harrison, Mrs Hazlehurst, Hill, Lury, Mrs Maconachie, Mrs Olliver, Mrs Stainton and Steward.

(Note : Councillor Butler was absent from the meeting during consideration of the matters referred to in Minutes 236 to 240.)

236. APOLOGY FOR ABSENCE

An apology for absence had been received from Councillor Dyball.

237. WITHDRAWN APPLICATIONS

The Chairman advised the meeting that Applications BN/25/06, FG/72/06 and P/72/06 had been withdrawn from the Agenda.

238. MINUTES

The Minutes of the meeting held on 28<sup>th</sup> June were approved by the Committee as a correct record and signed by the Chairman.

The Minutes of the meeting held on 31<sup>st</sup> July 2006 (circulated at the meeting) were approved by the Committee at the end of the meeting to give Members time to read and digest the contents and signed by the Chairman, subject to amendment of the first page of the attachment to the Minutes as follows :-

FR11 – the reference in the comment currently reads “1 NEAP off site within 5 minutes walk...” and should be amended to “1 NEAP off site within **15 minutes** walk...”

239. DECLARATIONS OF INTEREST

Councillor Biss declared a prejudicial interest in Agenda Item 11, Planning Applications BE/63/06 and FN/45/06.

Councillor Mrs Hazlehurst declared an interest in Agenda Item 11, Planning Applications AB/68/06 and B/8/06 as a member of the Conservation Area Advisory Committee.

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Councillor Mrs Maconachie declared a personal interest in Agenda Item 11, Planning Applications BR/172/06 and BR/173/06/L as the Chairman of the Hotham Park Working Party.

Councillor Mrs Stainton declared a prejudicial interest in Agenda Item 11, Planning Application FP/105/06.

240. REPORT OF THE MEETING OF THE DEVELOPMENT CONTROL POST COMMITTEE SITE INSPECTION PANEL – BR/48/06 – DEMOLISH 252 HAWTHORN ROAD AND BUILD NEW ACCESS WAY; BUILD 5 NO. 3 BEDROOM BUNGALOWS WITHIN THE CURTILAGE OF 242, 244, 246, 248 AND 252 HAWTHORN ROAD, BOGNOR REGIS

The Committee received a report on a meeting of the Post Site Inspection Panel held on 4<sup>th</sup> July 2006, together with the officer's written report update detailing further representations received, and

RESOLVED

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

241. REPORT OF THE MEETING OF THE DEVELOPMENT CONTROL POST COMMITTEE SITE INSPECTION PANEL – R/115/06 – NEW DWELLING UNIT (2 BEDROOM HOUSE) PART OF LAND AT 1 WOODLANDS AVENUE, RUSTINGTON

The Committee received a report on a meeting of the Post Site Inspection Panel held on 4<sup>th</sup> July 2006, together with the officer's written report update detailing an additional representation received, and agreed with the Panel's view that the officer recommendation should not be accepted due to it being an overdevelopment and the unneighbourly affect of the proposal on the adjoining bungalow. The Committee therefore

RESOLVED

That the application be refused for the following reason :-

The proposal is considered to be an overdevelopment of the site and would be unneighbourly by virtue of being overbearing on the adjoining bungalow. Therefore it is contrary to West Sussex Structure Plan Policy DEV1 and Arun District Local Plan Policy GEN7.

242. REPORT OF THE MEETING OF THE DEVELOPMENT CONTROL  
POST COMMITTEE SITE INSPECTION PANEL – WA/42/06 – PLOT  
4, DEANS YARD, ORCHARD WAY, FONTWELL

The Committee received a report on a meeting of the Post Site Inspection Panel held on 4<sup>th</sup> July 2006, together with the officer's written report update detailing an additional representation received. The substitute plans detailed in the report were circulated at the meeting for Members consideration and, in the light of this and the changes that had been made, the Panel's recommendation to refuse the application was amended to one of approval, subject to additional conditions taking into account the substitute plans and the removal of permitted development rights. The Committee therefore

RESOLVED

That the application be approved as detailed at Appendix 1 to the report and subject to the following additional conditions :-

Notwithstanding the provisions of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking or re-enacting this Order) no extensions shall be added to the front (North East Elevation) or the side (South East elevation) of the dwelling house hereby approved, or to any part of the garage unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason : To safeguard the privacy and amenity of adjoining occupiers, maintain adequate amenity space and safeguard the cohesive appearance of the development in accordance with Policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

This permission shall relate only to the application as amended by drawings 242.00/15D (Elevations and Floor Plans) and 242.00/06F (Site Layout) and not to the Elevations and Floor Plans and Site Layout Plan originally submitted.

Reason : To avoid an inappropriate form of development and to safeguard the amenities of neighbouring occupiers.

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243. PLANNING APPEALS

The Committee noted 8 new appeals that had been lodged and 8 appeals that had been heard.

244. TREE APPLICATIONS

AW/136/06/T – Reduce crown height of 2 No. Holm Oak Trees by 30%, 31a The Drive, Craigweil, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

245. PLANNING APPLICATIONS

AW/137/06 – Detailed application for two new bungalows, land in front of 12 and 14 Gossamer Lane, Aldwick Having received a report on the matter, views were expressed that this form of garden development would be unneighbourly and out of character with the street scene. The Committee therefore did not accept the officer recommendation to approve and

RESOLVED

That the application be refused for the following reason :-

“The tandem form of development would substantially erode the spaciousness of the area and give rise to a built-up appearance which is out of character with the area and detrimental to the street scene, contrary to Policy DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.”

*(Prior to consideration of the following application, Councillor Mrs Hazlehurst declared a personal interest as a member of the Conservation Area Advisory Committee and stated that she left the room when the matter was discussed at that meeting.)*

A/83/06 – Change of use of ground floor from retail (A1) to a dental practice including a single storey extension, Blaber House, The Square, Angmering Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

A/86/06 – Approval of Reserved Matters following outline application A/177/04 for 1 No. house, Copper Beech, Ham Manor Close, Angmering Having received a report on the matter, together with the officer's written report update detailing additional representations received, it was agreed that a site inspection should take place to assess the impact of the proposal on neighbouring properties. The Committee therefore

RESOLVED

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

AB/65/06 – Conservatory to rear elevation, 62 Torton Hill Road, Arundel Having received a report on the matter, together with the officer's written report update detailing an additional condition, the Committee

RESOLVED

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

*(Prior to consideration of the following application, Councillor Mrs Hazlehurst had declared a prejudicial interest and left the meeting and did not vote.)*

AB/68/06 – Construction of 1 No. new two storey residential cottage, land adjacent to 1 Anne Howard Gardens, Arundel Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

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BN/25/06 – Proposed revision to Plot B and re-siting of Plot A by 1 metre to the north (resubmission of BN/14/05), Land adjacent to Sherwood House, Lake Lane, Barnham The Committee had been advised that this application had been withdrawn.

*(Prior to consideration of the following application, Councillor Biss had declared a prejudicial interest and left the meeting and did not vote.*

*Councillor Butler also declared a prejudicial interest and left the meeting and did not vote.)*

BE/63/06 – Proposed telecommunications installation consisting of 18m monopole, antennas, dishes and ancillary development to be shared by Hutchinson 3G UK Limited and T-Mobile UK Limited, Adjacent Orange PLS Monopole in field adjacent to Jubilee Field, Off Chalcraft Lane, Bersted 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 declared a prejudicial interest and left the meeting and did not vote.*

*Councillor Mrs Olliver, following legal advice given at the meeting, declared a personal interest as a member of the Conservation Area Advisory Committee and stated that, as she had made no comment at that meeting when the following application was considered she would be making comment at this meeting as the Ward Councillor.)*

BE/71/06 – 1 No. 3 bedroom detached house, land adjacent to 137 North Bersted Street, North Bersted, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing consultation responses from County Highways and the Environment Agency and resultant additional conditions, the Committee

RESOLVED

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

BR/139/06 – Installation of double glazing; rear window reduced in width from 1200mm to 800mm, 7 Seaview Court, Waterloo Square, Bognor Regis Having received a report on the matter,

RESOLVED

That the application be approved as detailed in the report.

BR/164/06 – Demolition of two existing dwellings and construction of 20 two bedroom flats split between two blocks together with car parking and associated works, 55,57 Victoria Drive, Bognor Regis Having received a report on the matter, the Planning Control Manager advised Members that an issue had arisen regarding refuse collection and the need to ensure that provisions would be made for access by the Council's refuse collection contractors, together with the access road being suitably constructed to take the weight of refuse collection vehicles. If approved, additional conditions and additions to the proposed S106 agreement would be required to be added to cover these points.

However, in considering this application, Members were of the view that this proposal was not significantly improved enough from the application that had been previously refused. There was still serious concern relating to the impact of the development on the residents of Marshall Avenue and the Committee therefore did not accept the officer recommendation to approve and

RESOLVED

That the application be refused for the following reason :-

“The proposed development by the erection of the 20 2 bed flats is an overdevelopment of the site that is out of character with the area. In addition, the rear car parking area represents an unneighbourly form of development. The proposals are therefore contrary to Policies LOC1, CH1, DEV1 of the West Sussex Structure Plan and Policy GEN7 of the Arun District Local Plan.”

BR/169/06 – Outline application for single dwelling on land adjacent to 8 Den Avenue, Bognor Regis The Committee received a report on the matter, together with the officer's written report update detailing additional objections received and advising on receipt of the written analysis and design statement from the Agent. Verbal advice was also given that any decision could only be issued on or after 7<sup>th</sup> August 2006 and it was agreed that this would be done

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under delegated powers by the Head of Planning Services, in consultation with the Chairman.

In discussing the proposal, concerns were raised that this would be a cramped form of development which would have a detrimental impact on the street scene. The Committee therefore did not accept the officer recommendation to approve and

**RESOLVED**

That the application be refused for the following reason :-

“The plot by reason of its size and shape is not considered capable of accommodating a dwelling without causing demonstrable harm to the character of the area and in particular No. 4 Den Avenue. The proposal is therefore contrary to Policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.”

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

*(Prior to consideration of the following two applications, Councillor Mrs Maconachie had declared a personal interest and remained in the meeting.)*

BR/172/06 – Application under Regulation 3 of the Town and Country Planning General Regulations 1992 for a change of use to public open space within the Carriage Yard area, change of use to office accommodation within the Lodge, Hotham Park, High Street, Bognor Regis Having received a report on the matter, the Committee

**RESOLVED**

That the application be approved as detailed in the report.

BR/173/06/L – Application under Regulation 13 of the Planning (Listed Buildings & Conservation Areas) Regulations 1990 for Listed Building Consent for the restoration works to the clock tower and to restore entrances in the western wall, Hotham Park, High Street, Bognor Regis Having received a report on the matter, together with the officer’s written report update detailing an additional consultation response from the Council’s Economic and Cultural Development Department (not Investment and Tourism as incorrectly detailed in the report), the Committee



## RESOLVED

That no objection be raised to the application.

*(Prior to consideration of the following application, Councillor Mrs Hazlehurst had declared a prejudicial interest and left the meeting and did not vote.)*

B/8/06 – Erect detached garage, The Leat, Burpham Having received a report on the matter, together with the officer's written report update detailing receipt of substitute plan, the Committee

## RESOLVED

That the application be approved as detailed in the report.

*(Prior to consideration of the following application, Councillor Biss declared a personal interest as a member of Climping Parish Council. He stated that he had been in attendance at a meeting when the application had been discussed but that he had left the room and had taken no part in its consideration.)*

CM/4/06 – Kitchen extension and car port, 8 Wooldridge Walk, Climping Having received a report on the matter, together with the officer's written report update detailing an additional objection received, it was proposed and agreed that a site visit should take place to enable an assessment to be made of the impact of the proposal on the neighbouring property. The Committee therefore

## RESOLVED

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

EP/82/06 – Extensions to residential care home increasing to 32 No. bedrooms (total 33 No. residents), Greenwillow Residential Care Home, 21-23 Vicarage Lane, East Preston Having received a report on the matter, together with the officer's verbal correction under Conclusions that the single storey extension was approximately 1.8m off the boundary and not 1m as stated in the report and that the first floor element in place of the existing balcony was approximately 5.5m from the boundary not 10m as stated in the report, the Committee

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RESOLVED

That the application be approved as detailed in the report.

EP/89/06 – 3 bedroom 2 storey cottage following previous approval EP/32/01 and recent refusal EP/35/06, Land to rear of 30/36 Sea Road, East Preston Having received a report on the matter, Members were advised that it was the view of officers that the reasons for refusal on the previous application had now been addressed. However, the Committee still felt that this proposal represented an over development; was unacceptable backland development; and out of character and detrimental to the locality. The officer recommendation to approve was therefore not accepted and the Committee

RESOLVED

That the application be refused for the following reasons :-

“Reason 1 : By reason of its height, scale and mass, the proposal represents an over development of the site which would represent an unneighbourly form of development and would cause serious harm to the character and appearance of the area together with the living conditions of existing and future residents. It therefore conflicts with Policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

Reason 2 : The proposal would constitute a cramped form of development which, by virtue of its design, siting, plot size and garden size would be out of character in the area and detrimental to the visual amenities of the area which is defined as an Area of Special Character. The development would therefore be contrary to Policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.”

FG/72/06 – Approval of reserved matters following outline consent FG/109/05 for 5 No. dwellings and access road, 44 Brook Lane, Ferring The Committee had been advised that this application had been withdrawn.

FG/78/06 – 1 No. chalet bungalow (Plot 1) and 1 No. bungalow (Plot 2), 2 Beehive Lane, Ferring Having received a report on the matter, together with the officer’s written report update detailing additional representations received, the Committee did not accept the officer recommendation to approve. It was felt that, although one of the three appeals on previous applications had been upheld, the Inspector’s decision had been based on single storey bungalows and so this proposal could still be considered to be

overbearing and unneighbourly. Following legal advice from the Planning Solicitor regarding options open to Members and from the Head of Planning Services that he did not recommend refusal, the Committee

#### RESOLVED

That the application be refused for the following reason :-

“The application is refused, notwithstanding the recent appeal decision granting outline planning approval, due to the design incorporating a two storey element on Plot 1. The overall appearance of the proposal would still appear to be too substantial in built terms for this restricted site. Therefore the proposal is contrary to Policy DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.”

FN/43/06 – Demolition of existing bungalow and erection of 9 No. 1, 2 and 3 bedroom units, together with the reduction in length of the gardens to Perry Rise, Sadlers Green and Sunny Bank off Stable Lane. Formation of new access to serve new dwellings, 4 Elm Rise and land to rear of Perry Rise, Sadlers Green and Sunny Bank, Stable Lane, Findon Having received a report on the matter, together with the officer’s written report update detailing additional representations received and amendment to the wording of Condition 7, Members were advised that it was the view of officers that this revised proposal addressed the reasons for refusal on the previous application.

However, whilst acknowledging that this was an improved application, concerns were raised regarding the proximity of this development to the rural area and to the sensitivity of the Area of Outstanding Natural Beauty. It was felt that Plot 8 would still be overbearing and that the development was not sufficiently “open”, which was especially important in a built up area verging on a rural area. The Committee therefore did not accept the officer recommendation to approve and

#### RESOLVED

That the application be refused for the following reasons :-

“Reason 1. Plot 8, by reason of its size, height and position would cause harm to the residential amenities, by reason of overbearing, to adjoining properties in Beech Road contrary to Policy GEN7 of the Arun District Local Plan and DEV1 of the West Sussex Structure Plan.

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Reason 2. The dwellings by reason of their design and layout would cause harm to the residential character of the area, which is generally low rise, in conflict with Policies GEN7 and AREA9 of the Arun District Local Plan.”

*(Prior to consideration of the following application, Councillor Biss had declared a prejudicial interest and left the meeting and did not vote.*

*Councillor Butler also declared a prejudicial interest and left the meeting and did not vote.)*

FN/45/06 – To erect one 8.5 metre high imitation telegraph pole complete with two antennas and 1 radio equipment cabinet, Tolmare Farm, Long Furlong, Findon 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 refused as detailed in the report.

LU/138/06 – Temporary change of use to D1 education (3 years) and minor alterations to front elevation, Enterprise Units, Harwood Road, Littlehampton Having received a report on the matter, together with verbal advice that this proposal was on Council land, the Committee

RESOLVED

That the application be approved as detailed in the report.

LU/175/06 – Two storey side extension to provide first floor bedroom extensions; conversion of garage to provide living room extension; conservatory at rear of property, 14 Harebell Close, Littlehampton Having received a report on the matter, together with the officer’s written report update detailing receipt of substitute plans and additional condition, the Committee

RESOLVED

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

M/44/06 – Retrospective permission for erection of garage and siting of storage container, 163 Middleton Road, Middleton on Sea Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

M/54/06 – Demolition of existing dwelling and replacement with 2 No. semi-detached chalet bungalows with integral garages, 8 Main Drive, Middleton on Sea Having received a report on the matter, together with the officer's written report update detailing a consultation response from County Highways and subsequent additional conditions and verbal correction to the description under The Site and its Surroundings section of the report that it should read "2 x semi detached one and half storey.....", concerns were expressed about the quality of the design and it was hoped that the applicant would take on board that pitched dormers might be more appropriate. Following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report and the officer report update and subject to the applicant being requested to make a minor amendment to the front dormer windows, to incorporate pitched roofs.

M/59/06 – Outline application for the demolition of existing buildings and erection of residential development comprising of 10 flats in 2 blocks with access from Elmer Road (resubmission following M/93/05), Jubilee Works, 135-139 Elmer Road, Middleton on Sea The Committee received a report on the matter, which highlighted that, should the application be approved, a Section 106 Unilateral Undertaking must be received by 4<sup>th</sup> September 2006 to secure the required infrastructure requirements for education and libraries.

A verbal report was given by the Planning Control Manager that an issue had arisen regarding refuse collection, namely that the access road would have to be suitably constructed to take the weight of refuse collection vehicles and that provisions would have to be made for access by the Council's refuse collection contractors. If approved, modification of the highway conditions and addition to the proposed S106 agreement would be required to be added to cover these points. The Committee was also advised that the Highway Authority had requested clarification as to the control over the site access and that any approval of the application should be subject to this clarification being obtained.

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Following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report, with amendment of the highways condition to ensure construction of an access to withstand the weight of refuse collection vehicles and subject to satisfactory clarification being obtained as to the control over the site access and, also, subject to the Section 106 Unilateral Undertaking being submitted and agreed by 4<sup>th</sup> September 2006.

P/72/06 – Erection of one detached bungalow with garage and parking, land adjacent 27 West Front Road, Pagham The Committee had been advised that this application had been withdrawn.

R/142/06 – Proposed two storey side extension and alterations, Sea Breezes, Harsfold Road, Rustington Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

R/143/06 – Outline application for erection of detached bungalow (resubmission following R/233/04), land at 30 Glenville Road, Rustington Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

R/171/06 – Pallisade fence to border lawn area at front of house, 900mm high, 15 Orchard Gardens, Rustington Having received a report on the matter, together with the officer's written report update detailing additional representation received, the Committee

RESOLVED

That the application be approved as detailed in the report.

WA/56/06 – Outline application for the demolition of Newlands and the erection of 11 detached houses and garages and one chalet bungalow and garage, Newlands and land rear of Kantara, Tree Tops and Oldfield, Arundel Road and land rear of 5 Orchard Crescent, Fontwell Having received a report on the matter, it was agreed that additional conditions should be added relating to the control of ground levels and trees and planting. Following consideration, the Committee

#### RESOLVED

That the application be approved, subject to the addition of the following conditions :-

Prior to the commencement of the development hereby approved, a detailed level survey of the site, including existing and resulting ground levels and the slab levels of the buildings the subject of this approval, shall be submitted to and approved by the Local Planning Authority. The development shall proceed only in accordance with the details thus approved and there shall be no subsequent raising of resulting ground levels or slab levels without prior written approval of the Local Planning Authority.

Reason : In order to safeguard the amenities of the area and neighbouring residents in accordance with Policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

No development shall take place until details of screen walls and/or fences and trees, shrubs and hedges which are to be retained, have been submitted to and approved by the Local Planning Authority. These details shall include measures for the protection of trees, shrubs and hedges which are to be retained, and these protection measures shall be adhered to throughout the development works. No dwelling/buildings shall be occupied until such screen walls and/or fences associated with them have been erected.

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

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246. ENFORCEMENT MATTERS

CIC/A/4/06 – Unauthorised posts, Hangleton Lane, Ferring Having received a report on the matter, together with advice from the Planning Solicitor, 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/A when a Local Land Charges Search is undertaken.

CIC/FP/27/05 – Alleged unauthorised felling of trees, 1 Third Avenue, Felpham Having received a report on the matter, the Committee

RESOLVED

That, in the absence of any compelling evidence, no further action be taken.

CIC/P/8/06 – Unauthorised works to a hedgerow in breach of S106 Agreement, Land north of Barton Close, Pagham 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 meeting concluded at 8.15 p.m.)