

DEVELOPMENT CONTROL COMMITTEE

15th November 2006 at 2.30 p.m.

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

(Note : Councillor Lury was absent from the meeting during consideration of the matters referred to in Minutes 481 to 484.)

481. MINUTES

The Minutes of the meeting held on 25th October 2006 were approved by the Committee as a correct record and signed by the Chairman.

482. DECLARATIONS OF INTEREST

Councillors Biss and Butler gave notice of a prejudicial interest in Agenda Item 10, Planning Applications FP/235/06/TEL and R/266/06.

Councillor Butler also gave notice of a personal interest in Agenda Item 10, Planning Application LU/288/06.

483. WITHDRAWN APPLICATION

The Chairman advised the meeting that Planning Application P/121/06 had been withdrawn.

484. PLANNING APPLICATION LU/302/06 – GYPSY CARAVAN SITE, LYMINSTER

The Chairman agreed that this item should be dealt with as a matter of urgency as it had been the subject of much public interest.

The Head of Planning and Housing Strategy advised that Planning Application LU/302/06 relating to the site at Lyminster north of the railway line had been refused under delegated powers.

Development Control
Committee – 15.11.06.

485. REPORT OF THE MEETING OF THE DEVELOPMENT CONTROL
POST COMMITTEE SITE INSPECTION PANEL – LU/280/06 –
CONSERVATORY, 1 CORNWALL HOUSE, CORNWALL ROAD,
LITTLEHAMPTON

The Committee received a report on a meeting of the Post Site Inspection Panel held on 31st October 2006 and

RESOLVED

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

486. PLANNING APPEALS

The Committee noted 2 new appeals that had been lodged and 5 appeals that had been heard.

487. PLANNING APPLICATIONS

AB/118/06 – Demolition of filling station; erection of 18 units for “C2” use, category 1, sheltered housing for the over 55s, Castle Service Station, Queen Street, Arundel Having received a report on the matter, together with the officer’s written report update detailing amended plans and subsequent amended conditions, the Committee

RESOLVED

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

AB/119/06/CA – Application for Conservation Area Consent for the demolition of Filling Station (within the Arundel Conservation Area); erection of 18 units for “C2” use, Category 1, sheltered housing for the over 55s, Castle Service Station, Queen Street, Arundel Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

AB/120/06 – Erection of a detached chalet bungalow and garage, rear extension to existing bungalow (resubmission of AB/156/05), Part garden Corner Lodge, Torton Hill Road, Arundel Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

BN/22/06 – Detailed planning application for replacement of former agricultural buildings to form four holiday cottages and associated office, Highground Orchards, Highground Lane, Barnham Having received a report on the matter, together with the officer's written report update, the Chairman called a 5 minute adjournment to enable Members to fully appraise themselves of the content of the update sheet circulated at the meeting.

In presenting the item, the Head of Planning and Housing Strategy reminded the Committee that this application was now the subject of an appeal for non determination and Members were therefore being requested to indicate the decision they would have made had they been determining it and this would then form the basis of the representations put forward at the planning appeal.

The Committee was further reminded that this application had been deferred from the previous meeting for additional information to be obtained and which was contained in the report on the Agenda. Members were advised that the Environment Agency had now withdrawn its objection and that County Highways had responded, as set out in the report update.

In participating in a detailed debate, the Committee acknowledged that this was a difficult application to determine and that protection of the countryside had to be weighed against the Council's priority of encouraging tourism. Advice was sought and received from the Solicitor with regard to the response from the Environment Agency and the potential for flooding on the site and any liability on behalf of the Council. It was noted that a condition of any permission was that the proposed buildings should be used as holiday accommodation only and a view was expressed that the office should also have a similar condition attached to prevent any other use occurring in the future.

The Committee

Development Control
Committee – 15.11.06.

RESOLVED

That, had it been able to determine the application, it would have been approved as detailed at Appendix 1 to the report and subject to the following additional condition :-

“The office building shall be occupied and used only as an integral part and ancillary to the holiday cottages hereby permitted and at no time shall be occupied separately or independently therefrom.

Reason : To safeguard the rural amenities of the locality in accordance with Policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.”

FP/227/06 – After school education centre providing tuition in English and maths for age range 6-16, Suite 6, Church House, 94 Felpham Road, Felpham Having received a report on the matter, together with the officer’s written report update detailing an additional representation received, concerns were raised regarding the parking provision and traffic generation to and from the site and the Committee

RESOLVED

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

(Prior to consideration of the following application, Councillors Biss and Butler had declared a prejudicial interest for the avoidance of doubt and left the meeting and did not vote.)

FP/235/06/TEL – Prior notification for one additional equipment cabinet, together with moving the existing equipment cabinet approximately 7m to the north west for safety reasons and ancillary development thereto, Grass verge north side of Felpham Way, Felpham Having received a report on the matter, together with the officer’s written report update detailing a consultation response from County Highways, the Committee

RESOLVED

That no objection be raised, as detailed in the report.

FN/67/06 – Extension/alteration, Meadow Cottage, Stable Lane, Findon Having received a report on the matter, together with the officer's written report update detailing additional objections received, 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 personal interest as he knew the applicant and he left the meeting and did not vote.)

LU/288/06 – Change of use from restaurant to residential on ground floor with existing accommodation over to form 1 No. dwelling (resubmission following LU/359/05), River Breeze Restaurant, 56-57 Pier Road, Littlehampton Having received a report on the matter, concerns were raised regarding the loss of a commercial property/tourist facility in this sea frontage site and it was felt that a residential property would be out of character with the area. The Planning Team Leader gave advice that the Council did not have in place a policy in the Local Plan which would enable the premises to be retained as a commercial entity. However, the Committee was of the view that the proposal would be out of character with the locality and therefore did not accept the officer recommendation to approve and

RESOLVED

That the application be refused for the following reason :-

“The introduction of a residential unit at street level in a predominantly commercial frontage catering for the tourism industry would be out of character with the area and thereby contrary to Policies DEV1 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.”

LU/309/06 – Demolition of existing building and redevelopment to provide 4 town houses with car parking and landscaping (alternative proposals to approved LU/322/04), The Britannia Public House, Pier Road, Littlehampton 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.

Development Control
Committee – 15.11.06.

M/114/06 – Proposed two storey extension to side of property and single storey extension to front elevation to form covered porch area (resubmission following M/88/06), 24 South Walk, Middleton on Sea Having received a report on the matter, together with the officer's written report update detailing additional representations received and an amended condition, views were expressed that the proposal might be unneighbourly by reason of overshadowing and being overbearing. The Committee therefore

RESOLVED

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

P/120/06 – Retention of existing decking abutting rear elevation, 5 Well Road, Pagham Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

P/121/06 – 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.

PA/17/06 – Change of use of building from pine furniture workshop and stores to B1 use, Units 3 and 4, Myrtlegrove Farm, Patching Having received a report on the matter, together with the officer's written report update detailing additional representations received and an amended condition relating to operating hours on Saturdays and a verbal update on a representation from the Parish Council and an additional letter of objection, Members were concerned to learn of environmental health and enforcement issues that were currently being investigated at the site. A request was made that a report on these matters should be presented at the earliest opportunity to the next suitable meeting of the Committee for consideration.

Following consideration of the planning application, the Committee

RESOLVED - That

(1) the application be approved as detailed in the report and the officer report update; and

(2) a further report be presented to the Committee at the earliest opportunity relating to environmental health and enforcement matters at this site.

R/254/06 – Boundary wall to the front of the property, 22 The Bramblings, Rustington Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

R/266/04 – New patio door set to enclose existing covered patio to form porch area to living room of ground floor flat, 1 Marama Gardens, Rustington 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.

(Prior to consideration of the following application, Councillors Biss and Butler declared a prejudicial interest for the avoidance of bias and left the meeting and did not vote.)

R/271/06/TEL – Prior notification for erection of a new 10m lamp post type tower with shrouded antennas and 2 No. equipment cabinets at ground level and development thereto, Sea Lane, (Highway Verge Sea Lane/Sea Road), Rustington Having received a report on the matter, together with the officer's written report update detailing additional representations received and a verbal update outlining further letters of objection received and one querying the ownership of the land, the Committee

RESOLVED

That an objection be raised to the application as detailed in the report.

488. ENFORCEMENT MATTERS

CIC/BE/9/06 – Alleged unauthorised satellite dish, Green Farm, 95 North Bersted Street, Bersted Having received a report on the matter, the Committee

RESOLVED

Development Control
Committee – 15.11.06.

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 satellite dish does not have the benefit of Listed Building Consent and this fact will be revealed on CON/29/A when a Local Land Charges Search is undertaken.

CIC/LU/74/04 – Unauthorised advertisement, Londis Stores, 6-8 Norfolk Road, Littlehampton 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 development does not have the benefit of advertisement consent and this fact will be revealed on CON/29/A when a Local Land Charges Search is undertaken.

CIC/M/1/06 – Unauthorised changes to approved rear extension, Cedar Cottage, Yapton Road, Middleton Having received a report on the matter, the Committee was advised that this matter had been withdrawn.

(The meeting concluded at 6.00 p.m.)