

DEVELOPMENT CONTROL COMMITTEE

27th September 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 : The following Members were absent from the meeting during consideration of the matters referred to in the Minutes indicated : Councillor Butler, Minutes 365 to 371; Councillors Bower and Mrs Olliver, Minute 372 (from Planning Application BR/252/06) to Minute 376; and Councillor Hill, Minute 372 (from Planning Application R/194/06 (part)) to Minute 376.]

365. MINUTES

The Minutes of the meeting held on 30th August 2006 were approved by the Committee as a correct record and signed by the Chairman.

366. DECLARATIONS OF INTEREST

Councillor Mrs Hall gave notice of a personal interest in Agenda Item 10, Planning Application BR/129/06.

Councillor Biss gave notice of a prejudicial interest in Agenda Item 10, Planning Applications BE/92/06/TEL and FP/209/06/TEL.

Councillor Mrs Stainton gave notice of a prejudicial interest in Agenda Item 10, Planning Application FP/209/06/TEL.

367. ADDITIONAL ITEMS RELATING TO CHANGES TO FOOTPATHS 31/li GLOUCESTER ROAD, LITTLEHAMPTON AND 3065/1 ARUNDEL BROOKS, ARUNDEL FOOTBALL CLUB, ARUNDEL

The Chairman agreed that the above matters could be dealt with as a matter of urgency at the end of the Agenda due to a commitment having been given in writing to the applicants that they would be presented to this meeting.

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368. REPORT OF THE MEETING OF THE DEVELOPMENT CONTROL POST COMMITTEE SITE INSPECTION PANEL – BE/79/06 – SUB-DIVISION OF EXISTING HOUSE INTO 2 NO. THREE BEDROOM SEMI DETACHED HOUSES, ORCHARD HOUSE, CHARNWOOD ROAD, BOGNOR REGIS

The Committee received a report on a meeting of the Post Site Inspection Panel held on 5th September 2006, together with the officer's written report update detailing additional objections received and, following consideration,

RESOLVED

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

369. REPORT OF THE MEETING OF THE DEVELOPMENT CONTROL POST COMMITTEE SITE INSPECTION PANEL – BR/224/06 – CHANGE OF USE FROM RESIDENTIAL DWELLING TO B1 (OFFICES), GREYFRIARS, 36 VICTORIA DRIVE, BOGNOR REGIS

The Committee received a report on a meeting of the Post Site Inspection Panel held on 5th September 2006, and

RESOLVED

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

370. PLANNING APPEALS

The Committee noted 10 new appeals that had been lodged and 9 appeals that had been heard.

371. TREE APPLICATIONS

AW/182/06/T – Fell 1 No. Beech (Fagus Sylvatica) tree, Community land in Garden Court, Aldwick Grange, Bognor Regis Having received a report on the matter,

RESOLVED

That the application be approved as detailed in the report.

AW/194/06/T – Surgery to one Oak, one Sycamore, one Beech and one Ash Tree, Malmayne Court, Aldwick Fields, Aldwick 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.

372. PLANNING APPLICATIONS

AW/105/06 – Erection of 1 No.4 bedroom detached house, land adjacent to 95 Hewarts Lane, Aldwick Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

A/55/06 – Opening window to bathroom, 2a Carina Drive, Angmering Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

A/98/06/L – Application for Listed Building Consent to partially demolish existing single storey rear extension and rebuild with new glazed rooflight over and new internal bathroom, White House Cottage, High Street, Angmering Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

A/102/06 – Conversion of existing garage and store to accommodation with new porch, Vine Cottage, High Street, Angmering Having received a report on the matter, together with the officer's written report update detailing additional representations received, a request was made that the Conservation Officer should be satisfied with the materials used and it was agreed that Condition 2 would be amended accordingly. It was also agreed that an additional condition should be placed on any approval to restrict the use of the conversion to the occupiers of Vine Cottage only. The Committee then

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RESOLVED

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

Condition 2 to be amended to read “The materials and finishes of the external walls and roof of the conversion/porch hereby permitted shall be submitted to and approved in writing by the Local Planning Authority”

Additional Condition 4 : The accommodation hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of Vine Cottage, High Street, Angmering, as a dwelling and shall not be used as a separate unit of accommodation.

Reason : To accord with Policies GEN7 and DEV19 of the Arun District Local Plan and to prevent the establishment of an additional independent unit of accommodation which would give rise to an over-intensive use of the site and lead to an unsatisfactory relationship between independent dwellings.”

A/110/06 – Outline application for erection of 2 No. detached dwellings and detached double garages (Departure from the Development Plan), Land at West Drive, Ham Manor, Angmering 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.

AB/94/06 – Demolition of existing bungalow and development of two four bedroom houses (Resubmission following AB/47/06), Three Oaks, Pearson Road, Arunde! Having received a report on the matter, concerns were raised regarding the impact of the proposal on the character of the area. The Committee therefore

RESOLVED

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

BN/22/06 – Detailed planning application for replacement of former agricultural buildings to form 4 No. holiday cottages and associated office (Departure from Development Plan), Highground Orchards, Highground Lane, Barnham Having received a report on the matter, together with the officer's written report update detailing additional objections received, it was felt that more information was required to enable Members to reach a decision. Officers were requested to (1) undertake consultation with the Environment Agency as the locality had a history of flooding; (2) the County Council's Agricultural Adviser be contacted again to give a view as to whether there were grants available which would make this site a viable agricultural unit; and (3) the County Council's Highways Department be requested to reconsider its comments as the site had not been used for agricultural purposes for at least twenty years and therefore the response given could be considered unreasonable and unsubstantiated. The Committee then

RESOLVED

That the application be deferred to enable officers to obtain the further information requested.

(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.)

BE/92/06/TEL – Prior notification for the installation of a 12.5m replica telegraph pole, mast and an equipment cabinet, Land opposite The Hollies, Chalcraft Lane, Bersted Having received a report on the matter, together with the officer's written report update detailing an additional objection received, concerns were raised regarding the siting of the proposal on the residential and visual amenities of the area. The Committee therefore did not accept the officer recommendation to raise no objection and

RESOLVED

That an objection be raised for the following reason :

“The design and siting of the proposed mast will adversely affect the visual and residential amenities of this rural setting. The proposal is therefore contrary to Policies DEV1 and NE23 of the West Sussex Structure Plan and GEN7 and DEV41 of the Arun District Local Plan.”

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

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(Prior to consideration of the following application, Councillor Mrs Hall declared a personal interest as the Pagham Parish Council representative on the Joint Western Arun Area Committee – she had attended a meeting where this matter had been discussed but she took no part in the debate and did not vote.)

BR/129/06 – Improvement of the Tesco access junction with Shripney Road by the provision of traffic signals and associated pedestrian facilities, Tesco Store, Shripney Road, Bognor Regis The Chairman welcomed to the meeting Mr Keith Comins and Mr Roger Hobbs from County Highways, who were in attendance to provide Members with more detailed information regarding highway issues on this proposal.

Having received a report on the matter, together with the officer's written report update detailing a response from the Environment Agency and resultant additional conditions, Members participated in a detailed question and answer session with the County Highways officers which covered various aspects of the proposal, namely traffic signals; congestion and tail backs; left hand filter lane from the site; pedestrian movements; parking of delivery lorries within the store compound; and the Highway Authority's right to build in certain clauses to the Section 278 Agreement, which would be legally binding between the Authority and the developer.

Following consideration, the Committee

RESOLVED

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

The Chairman thanked Mr Comins and Mr Hobbs for their attendance and input at the meeting.

BR/252/06 – Demolition of house, flat and garage and erection of three x three storey four bedroom houses and three parking spaces (Resubmission following BR/3/06), 9 Victoria Road South Bognor Regis Having received a report on the matter, together with the officer's written report update detailing a consultation response from County Highways and amended and additional conditions, concerns were raised regarding the effect of the proposal on the character of the area. The Committee therefore

RESOLVED

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

FP/181/06 – Erection of detached dwelling, Land adjoining 1 Third Avenue, Felpham Having received a report on the matter, together with the officer's written report update detailing a late consideration received, the Committee agreed to a condition relating to obscure glazing and

RESOLVED

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

“Details of an obscure glazed screen to the balcony side shall be submitted to and approved in writing by the Local Planning Authority before development is commenced.

Reason : In the interests of the amenities of the next door neighbours in accordance with Policy GEN7 of the Arun District Local Plan.”

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

FP/209/06/TEL – Application for prior approval to install a radio base station comprising of a 12.5m high telecommunications ‘telegraph pole’, 3 No. flat panel antennae, 1 No. 300mm transmission dish, radio equipment housing and development ancillary thereto Having received a report on the matter, together with the officer's written report update detailing a consultation response from County Highways, amendments to the report and additional representations received, verbal advice on a further objection received and written representation from the Ward Member read out at the meeting by the Chairman, Members were concerned that the proposal would adversely affect the visual amenities of the area. The Committee therefore did not accept the officer recommendation to raise no objection and

RESOLVED

That an objection be raised for the following reason :

“The design and siting of the proposed mast would adversely affect the visual amenities of the area. The proposal is therefore contrary to Policies DEV1 and NE23 of the West Sussex Structure Plan and GEN7 and DEV41 of the Arun District Local Plan”.

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Note : The letter cannot be issued until after the statutory publicity period has expired on 5th October 2006.

LU/230/06 – Application to vary Condition No. 4 imposed on LU/147/05 (approval granted for extension to existing Care Home) referring to 'joinery to match existing works', The Ormsby Centre, East Street, Littlehampton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

LU/231/06/I – Application for Listed Building Consent to vary Condition 5 imposed on LU/148/05/L (approval granted for extension to existing Care Home) referring to 'joinery to match existing works', The Ormsby Centre, East Street, Littlehampton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

M/94/06 – Extension to existing Surgery, Avisford Medical Group Surgery, Middleton on Sea 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.

P/90/06 – Replacement dwelling (Resubmission following P/57/05), 57 Harbour Road, Pagham Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

(In the course of the debate on the following item, Councillor Lury declared a prejudicial interest as he knew someone who lived close by and left the meeting and did not vote.)

P/108/06 – Extension at ground floor to kitchen to provide utility and breakfast areas. New conservatory extension to master bedroom at first floor to provide ensuite shower and dressing room, 17 Drift Road, Nyetimber, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

P/113/06 – Outline application for one bungalow, 18 Lion Road, Pagham Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

R/194/06 – Erection of 19 dwellings comprising of 8 No. 2 bedroom apartments, 7 No. 3 bedroom houses, 3 No. 2 bedroom houses and 1 No. 2 bedroom bungalow (Resubmission following R/123/06), 5-9 Mill Lane, Rustington Having received a report on the matter, together with the officer's written report update detailing additional objections received and an amendment to the report and a verbal correction under Conclusions that "the units... would **not** cause demonstrable harm...", Members raised concerns about the flooding of the roads adjacent to the site at times of heavy rainfall. As this was a highways matter the Planning Team Leader undertook to write to draw this to the attention of County Highways. The Committee then

RESOLVED

That the application be approved as detailed in the report and the officer report update and subject to a Section 106 Unilateral Undertaking being received by 2nd October 2006.

(Councillor Brookman declared a personal interest in the following item as he had occasionally frequented the public house in the past.)

SL/31/06 – Change of use of ground floor from Public House to flat and internal and external alterations, The Newburgh Arms, School Hill, Slindon Having received a report on the matter, together with the officer's written report update detailing additional objections and consultation response

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received and representation from the Ward Member which was read out by the Chairman at the meeting, the Committee

RESOLVED

That the application be approved as detailed in the report.

SL/32/06/L – Application for Listed Building Consent for the change of use of ground floor from Public House to flat and internal and external alterations, The Newburgh Arms, School Hill, Slindon Having received a report on the matter, together with the officer's written report update detailing additional objections received and an amendment to the report, the Committee

RESOLVED

That the application be approved as detailed in the report.

373. ENFORCEMENT MATTERS

CON/BE/8/03 – Unauthorised storage/residential use of caravans, Richmond Lodge, Shripney Road, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the required authority be provided under Section 178, 179 and 187B of the Town and Country Planning Act 1990 to institute legal proceedings separately or in combination for the failure to comply with the Enforcement Notice.

CON/LU/49/04 – Riverside West, Rope Walk, Littlehampton Having received a report on the matter, together with the officer's written report update detailing an amendment to the recommendation to include Section 179 of the Town and Country Planning Act 1990, the Committee

RESOLVED

That the required authority be provided under Section 178, 179 and 187B of the Town and Country Planning Act 1990 to institute legal proceedings either separately or in combination for the failure to comply with the Enforcement Notice.

374. DECISION OF COURT OF APPEAL JUDGEMENT HANDED DOWN ON 10TH AUGUST 2006, 8 CERES PLACE, FELPHAM, BOGNOR REGIS

The Committee received and noted a report from the Planning Solicitor which set out the results of the Secretary of State's decision to appeal this case to the Court of Appeal and the resultant costs of £18,370 awarded against the Council.

375. EXTINGUISHMENT OF PARTS OF FOOTPATH NO. 31/LI BETWEEN 64 & 65 GLOUCESTER ROAD, LITTLEHAMPTON UNDER SECTION 257 OF THE TOWN & COUNTRY PLANNING ACT 1990

The Committee received a report from the Planning Solicitor which requested Committee approval for the extinguishment of Footpath No. 31/Li between 64 and 65 Gloucester Road, Littlehampton. The public consultation had now been undertaken and no outstanding objections had been received to the Order, subject to the County Council's requirement for certain specifications for works to be agreed.

Following consideration, the Committee

RECOMMEND TO FULL COUNCIL

That the Order extinguishing Footpath No. 31/Li be confirmed, but to not take final effect until the County Council signifies its satisfaction with the works carried out.

376. DIVERSION OF FOOTPATH 3065/1 UNDER SECTION 257 OF THE TOWN & COUNTRY PLANNING ACT 1990, ARUNDEL BROOKS, ARUNDEL FOOTBALL CLUB, MILL ROAD, ARUNDEL FOR THE PURPOSES OF IMPROVEMENT TO FOOTBALL CLUB FACILITIES

The Committee received a report from the Planning Solicitor which requested confirmation of this Footpath Diversion Order as no outstanding objections had been received following the consultation. Following consideration, the Committee

RECOMMEND TO FULL COUNCIL

That Footpath 3065/1 in the Parish of Arundel be diverted along the route outlined in the report.

(The meeting concluded at 7.20 p.m.)