

DEVELOPMENT CONTROL COMMITTEE

7th April 2004 at 4.00 p.m.

Present : Councillors Mrs Goad (Chairman), Parris (Vice-Chairman), Ayling, Biss, Brookman, Gammon, Mrs Hall, Haymes, Mrs Hazlehurst, Hill, Lury Mrs Olliver, Mrs Stainton and Steward (Substituting for Mrs Brown).

(Note : Councillor Gammon was absent from the meeting during consideration of the matters referred to in Minutes 1017 (from Application R/42/04) to 1019.)

Councillors Bower, Mrs Coleman, Mrs Kelly, Rankin, Mrs Warr, Wells, Wilby and Wilde were also in attendance at the meeting.

1009. DEFERRAL OF APPLICATIONS PA/21/03 AND PA/26/03

The Chairman advised that the above applications would not be considered at this meeting as they had been deferred on Counsel's advice.

1010. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs Brown and Butler.

1011. MINUTES

The Minutes of the meeting held on 10th March 2004 were approved by the Committee as a correct record and signed by the Chairman, subject to amendment of the page numbers and Minute numbers to 569 to 578 and 932 to 941 respectively.

1012. DECLARATIONS OF INTEREST

Councillor Biss declared a personal interest in Application CM/46/03 as he lived directly behind the property.

Councillor Mrs Goad declared that she did not have an interest in Applications BN/6/04 and BN/7/04/L but to avoid any misunderstanding she would leave the meeting during their consideration.

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Councillor Mrs Hall declared a personal interest in Applications CM/46/03 and P/18/04 as she knew the applicants.

Councillor Haymes declared a prejudicial interest in Application CM/46/03 and a personal interest in Application F/1/04 as the Chairman of the 1st Yapton Scout Group, which had put in a response to the proposal without any input from him.

Councillor Mrs Stainton declared an interest in Application CM/46/03.

1013. REPORT OF THE MEETING OF THE DEVELOPMENT CONTROL POST SITE INSPECTION PANEL – APPLICATION CM/46/03 – RESIDENTIAL DEVELOPMENT CONSISTING OF TWO SEMI-DETACHED HOUSES, SITE ADJACENT TO 17 APPLETREE WALK, CLIMPING

(Prior to consideration of this application, Councillors Biss, Mrs Hall, Haymes and Mrs Stainton had declared an interest and left the meeting and did not vote.)

The Committee received a report from the meeting of the Post Site Inspection Panel held on 16th March 2004 and accepted the Panel's view that the proposal would be harmful to the street scene due to the greater proportion of hard surfacing at the front of the site. The Committee therefore

RESOLVED

That the officer's recommendation included at Appendix 1 to the report not be accepted and the development be refused planning permission for the following reason :-

"The dwellings by reason of their character would cause harm to the street scene contrary to Policy GEN7 of the Arun District Local Plan."

1014. REPORT OF THE MEETING OF THE DEVELOPMENT CONTROL POST SITE INSPECTION PANEL – APPLICATION AB/208/03 – 2 STOREY SIDE EXTENSION, 47 PEARSON ROAD, ARUNDEL

The Committee received a report from the meeting of the Post Site Inspection Panel held on 16th March 2004 and

RESOLVED

That the officer's recommendation included at Appendix 1 to the report be accepted and that the development be granted planning permission.

1015. REPORT OF THE MEETING OF THE DEVELOPMENT CONTROL POST SITE INSPECTION PANEL – APPLICATION AW/13/04 – RENEWAL OF UNIMPLEMENTED PLANNING PERMISSION AW/57/99 FOR ONE FOUR BEDROOMED HOUSE WITH DOUBLE GARAGE, 78 THE DRIVE, ALDWICK

The Committee received a report from the meeting of the Post Site Inspection Panel held on 16th March 2004, together with verbal clarification from the Planning Control Manager on the issue of the lapsed permission granted in 1999 and an amendment to Condition 1 which should also include reference to Section 92.

During the course of the debate, a request was made that the application should be deferred for re-advertising but on being put to the vote this was declared LOST.

It was felt that, as this application now fell within the Craigweil Area of Special Character, as recently designated in the Arun District Local Plan, no positive contribution to the area could be demonstrated by the proposal and, without details, there was a risk that the spatial surroundings would be compromised. The Planning Control Manager advised that the site could accommodate the building in terms of size. However, Members did not accept the recommendation from either the Site Inspection Panel or the officers to approve the application and the Chairman called a short adjournment to allow officers to formulate reasons for refusal based on the debate. The Committee then

RESOLVED

That the officer's recommendation included at Appendix 1 to the report not be accepted and the development be refused planning permission for the following reason :-

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“The site lies within the Craigweil Area of Special Character which contains buildings of high quality design and appearance. The area is also acknowledged for the quality of the landscape detailing. The proposal, which is in outline form, does not contain sufficient detail to demonstrate that the development would make a positive contribution to the special character of the area and avoid a cramped appearance in relation to the existing house and its landscaping. The proposal is therefore contrary to Policy CH1 of the West Sussex Structure Plan Deposit Draft and Policies AREA1 & GEN7 of the Arun District Local Plan”.

1016. PLANNING APPEALS

The Committee noted 12 new appeals that had been lodged and 4 appeals that had been heard.

1017. PLANNING APPLICATIONS

SL/2/04 – Extension of first floor level to form bedroom, replacement and remodelling of garage/ground floor area, Cedar Gables, Sunnybox Lane, Slindon Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

R/28/04 – Redevelopment of existing petrol filling station comprising removal of underground tanks and other structures to provide new forecourt canopy and pumps, shop (Class A1), car wash, car care facilities, landscaping, parking spaces and new pedestrian access, Rustington Service Station, 102 Worthing Road, Rustington Having received a report on the matter, together with the officer’s written report update detailing a consultation response from the County Highways Surveyor; comment on Representations Received on Page 56 of the Agenda; and an amendment to Condition 8, concerns were raised in respect of a number of issues. These included the size of the café area; floodlighting at the site; the provision of litter bins and whether the car wash could be re-positioned. Following discussion, the Committee

RESOLVED

That the application be deferred to the next meeting to enable officers to negotiate with the applicant in respect of the issues highlighted above.

(At the request of the Chairman, the Committee agreed that the following application should be brought forward on the Agenda as there were a number of children in attendance.)

F/1/04 – Change of Use to local youth centre, Grain Barn at Ford Airfield, Ford Road, Ford Having received a report on the matter, together with the officer's written report update detailing Planning Policy Guidance and Development Plan Policies, the Committee was of the view that an assessment of the proposal on the site was required and it therefore

RESOLVED

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

R/42/04 – Side extension and replacement of garage, 4 Manor Road, Rustington Having received a report on the matter, the Committee was advised that this was a staff application. The Committee

RESOLVED

That the application be approved as detailed in the report.

PA/21/03 – Installation of 6m high wooden pole supporting 3 Omni antennae with ancillary ground based equipment within a compound of 5.71m x 5.34m , Patching Hill Reservoir, Long Furlong, Patching The Committee had been advised at the commencement of the meeting that this application had been deferred on Counsel's advice.

PA/26/03 – Installation of 6m high wooden pole supporting 3 Omni antenna with ancillary ground based equipment within a compound of 5.71m x 5.34m (duplicate with PA/21/03), Patching Hill Reservoir, Long Furlong, Patching The Committee had been advised at the commencement of the meeting that this application had been deferred on Counsel's advice.

P/3/04 – Erection of a single storey rear conservatory, 56 The Causeway, Pagham Having received a report on the matter, together with the officer's written report update detailing substitute plans, the Committee

RESOLVED

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

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P/13/04 – Bedroom, garage and kitchen extensions, 10 Sussex Drive, Pagham 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 an interest and left the meeting and did not vote.)

P/18/04 – Detached garage, 61 West Front Road, Pagham Having received a report on the matter, together with the officer's written report update detailing an additional representation received, the view was expressed that this proposal was not significantly improved from the one that had been previously refused. On being put to the vote, the Committee did not accept the officer recommendation to approve the application and requested that the same reasons for the previous refusal be used. The Committee therefore

RESOLVED

That the officer recommendation to approve not be accepted and the application be refused for the following reason :-

“The position, size, height and mass of the proposed garage would result in an unduly prominent and obtrusive form of development which would be detrimental to the character and amenities of the surrounding residential area, contrary to Policies G1, G5 & B1 of the West Sussex Structure Plan, DEV1 & LOC2 of the West Sussex Structure Plan Deposit Draft and Policies GEN7 & AREA1 of the Arun District Local Plan.

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 B1 of the West Sussex Structure Plan, LOC1 & DEV1 of the West Sussex Structure Plan Deposit Draft and AREA1 & GEN7 of the Arun District Local Plan.”

P/133/03 – Demolition of existing sub-standard dwelling and replacement with new and detached garage, Laguna, Lagoon Road, Pagham Having received a report on the matter, together with the officer's written report update detailing an additional consultation response; a subsequent additional condition; and an additional Development Plan Policy, the Committee was of the view that there was a need to assess how the proposal would fit into the character of the area. The Committee therefore

RESOLVED

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

F/29/03 – Erection of grain store with apron area; demolition of redundant buildings, Wicks Farm, Ford Lane, Ford Having received a report on the matter, together with the officer's written report update advising that a condition to control drying operating times would be unreasonable and unenforceable and a verbal update that the site detailed in the Agenda was incorrect, a request was made that the Informative relating to the Wildlife Act 1981 should also be included, not just on this application but on all relevant applications in the future. Following consideration of the proposal, the Committee

RESOLVED

That the application be approved as detailed in the report, subject to the addition of the standard Informative relating to the Wildlife Act 1981.

FP/16/04 – Outline application for one detached single storey dwelling, Site to rear of 10 & 12 North Way (fronting Eastover Way), Felpham Having received a report on the matter, together with the officer's written report update detailing an amendment to the Conditions as substitute plans had been received, the Committee did not accept the officer recommendation to approve the application as a concern had been raised that the proposal would be out of keeping with the character of the area and neighbouring amenities. The Committee therefore

RESOLVED

That the officer recommendation to approve not be accepted and the application be refused for the following reason :-

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“The size of the plot would not permit development of a standard compatible with the existing development in the area and, in consequence, the proposal would be detrimental to the present character and amenities of the locality in conflict with Policy GEN7 of the Arun District Local Plan.”

EG/7/04 – Erection of single detached dwelling and garage on land to rear of property, Land rear of 22 Downview Road, Barnham Having received a report on the matter, together with the officer’s written report update detailing an additional representation and amendment to the Conditions, the Committee felt that an assessment of the proposal on the street scene should be undertaken and therefore

RESOLVED

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

EP/148/03 – Demolition of four bungalows and erection of 21 x 2 bedroom apartments, Site of Nos 97-99 Sea Road and 1 & 3 Manor Road, East Preston Having received a report on the matter, together with the officer’s written report update detailing additional representations and late considerations, Members expressed their concern over several issues which included the density and overbearing nature of the proposal in a village location; the siting of the building; a poor public transport infrastructure; sustainability; and car parking in the lay-by at the front of the building. Following advice from the Planning Control Manager that the application would not be setting a precedent as certain characteristics already appeared in the vicinity and was not considered unsustainable by the County Highway Advisor, the Committee did not accept the officer recommendation to approve the proposal and

RESOLVED

That the officer recommendation to approve not be accepted and the application be refused for the following reason :-

“The proposals, by reason of their size, mass and height, would appear excessively large and bulky by comparison with existing development and represent an overdevelopment of the site that would be out of keeping with the locality. The development would also be unneighbourly to the surrounding properties by being of an overbearing nature. Also, the provision of the frontage parking, including the lay-by parking, would be out of keeping

and harmful to the area. The proposal would therefore be contrary to Policies G5 & B2 of the West Sussex Structure Plan, Policies DEV1 & CH1 of the West Sussex Structure Plan Deposit Draft and Policy GEN7 of the Arun District Local Plan.”

The Chairman then called a 10 minute adjournment to the meeting to allow those present a “comfort break”.

BR/25/04 – Change of use from private dwelling to hostel, 27 Glamis Street, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

BR/42/04/PO – Application to modify a Section 52 planning obligation dated 04.12.1981 (Planning Ref No BR/687/81) relating to age occupancy restriction, Flats 4,5 & 6 Aston Court, Lyon Street, Bognor Regis Having received a report on the matter, together with the officer’s verbal update that, if approved, this proposal would be subject to a new Section 106 Agreement being drawn up, the Committee

RESOLVED

That the application be approved as detailed in the report and subject to a new Section 106 Agreement.

(Prior to consideration of the following two applications, Councillor Mrs Goad left the meeting and did not vote. The Vice-Chairman took the Chair.)

BN/6/04 – Detached domestic garages and garden store (re-submission of BN/34/03), Barnham Court Lodge, Church Lane, Barnham Having received a report on the matter, together with the officer’s written report update detailing additional representations received, concerns were raised that the proposal would be too big and out of keeping with the area. Members were advised that English Heritage had raised no objection to the application and that the reason for the height of the garage was because the applicants wished to use clay tiles, which would increase the pitch of the roof. However, the Committee did not accept the officer recommendation to approve the application and

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RESOLVED

That the officer recommendation to approve not be accepted and the application be refused for the following reason :-

“By reason of its size, height, form and location, the proposed building would adversely affect the setting of the nearby Listed buildings, Barnham Court Lodge (Grade II) and Barnham Court (Grade I) and detract from the rural character and appearance of the Church Lane, Barnham, Conservation Area. The proposal therefore conflicts with Policy B3 of the Adopted West Sussex Structure Plan, Policy CH8 of the West Sussex Structure Plan Deposit Draft and Policies GEN7, AREA2 & DEV11 of the Arun District Local Plan.”

BN/7/04/L – Application for Listed Building Consent for detached domestic garage and garden store (re-submission of BN/35/03/L), Barnham Court Lodge, Church Lane, Barnham Having received a report on the matter, together with the officer’s written report update detailing additional representations received, and in light of the decision reached on Application BN/6/04, the Committee

RESOLVED

That the officer recommendation to approve not be accepted and the application be refused for the following reason :-

“By reason of its size, height, form and location, the proposed building would adversely affect the setting of the nearby Listed buildings, Barnham Court Lodge (Grade II) and Barnham Court (Grade I) and detract from the rural character and appearance of the Church Lane, Barnham, Conservation Area. The proposal therefore conflicts with Policy B3 of the Adopted West Sussex Structure Plan, Policy CH8 of the West Sussex Structure Plan Deposit Draft and Policies GEN7, AREA2 & DEV11 of the Arun District Local Plan.”

BN/8/04 – Outline application for building plot in part of garden of Toll Cottage for one two bedroom bungalow (re-submission of BN/49/03), Toll Cottage, Lake Lane, Barnham Having received a report on the matter, together with the officer’s written report update detailing an additional representation received from Barnham Parish Council, a request was made and agreed that a Site Inspection of the proposal should take place to assess its impact on the character of the area and the street scene. The Committee therefore

RESOLVED

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

A/21/04 – New detached double garage and new access, Flint Cottage, Roundstone Lane, Angmering Having received a report on the matter, together with the officer's written report update detailing a consultation response from the Council's Arboriculturist, a request was made that the Informative relating to the Wildlife Act 1981 should also be included were the proposal to be approved. Following consideration, the Committee

RESOLVED

That the application be approved, subject to the addition of the standard Informative relating to the Wildlife Act 1981.

AW/29/04 – Amendment to approved plan AW/148/03 to provide additional 1.7 sq m retail space and extensions to provide disabled toilet and storage space, 14 Rose Green Road, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing an amendment to the Description; substitute plans; and amended Conditions, the Committee

RESOLVED

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

AW/37/04/T – Removal of epicormic growth on 1 Oak tree at No. 53 Old Place. Raise crowns, minor lopping and removal of epicormic growth to Oak trees at No's. 52 and 54 Old Place, Aldwick Having received a report on the matter, together with the officer's written report update detailing the location of the 3 Oak trees, the Committee

RESOLVED

That the application be approved as detailed in the report.

AW/45/04/T – Application for the pollarding of an Evergreen Oak, 7 The Drive, Craigweil, Aldwick Having received a report on the matter, together with the officer's written report update detailing an additional representation received, the Committee requested that further information be obtained from the Council's Arboriculturist as to why the pollarding was

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required and exactly what effect it would have on the tree. The Committee therefore

RESOLVED

That this application be deferred to enable officers to consult further with the Council's Arboriculturist to assess whether the pollarding and reduction of the crown by 25% is necessary.

AW/47/04/T – Lop and trim 1 No. Oak tree, 1 Ripon Gardens, Aldwick
Having received a report on the matter, together with the officer's written report update detailing a new location map, the Committee

RESOLVED

That the application be approved as detailed in the report.

AL/7/04 – 2 No. detached bungalows, Casa Prima, Westergate Street, Westergate 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 Biss declared a prejudicial interest and left the meeting and did not vote.)

AL/81/03 – Telecommunication installation comprising of a 17.5m high monopole accommodating 3 antennae and one microwave dish with associated equipment cabinets at ground level within fenced compound, Denmans Gardens, Denmans Lane, Fontwell Having received a report on the matter, and in light of the fact that the application was now at appeal, the Committee

RESOLVED

That had it been able to determine the application, it would have been refused for the reasons detailed in the report.

1018. ENFORCEMENT MATTERS

CON/P/23/02 – Alleged unauthorised building works, 82 Harbour Road, Pagham, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the required authority be granted under Section 179 of the Town and Country Planning Act 1990, to institute legal proceedings for the failure to comply with the enforcement notice.

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

CON/A/34/03 – Non compliance with Breach of Condition Notice requiring that construction traffic cease to enter the site via Foxdale Drive, Hargreaves Site, Dell Gardens, Foxdale Drive, Angmering Having received a report on the matter, the Committee

RESOLVED

That authority be granted under Section 179 of the Town and Country Planning Act 1990 to institute legal proceedings for the failure to comply with the Breach of Condition Notice.

1019. REVIEW OF SCHEME OF DELEGATION

At its meeting in February 2004, the Committee had considered a report which suggested changes to the current Planning Scheme of Delegation. That report had been deferred and a request made that a further report be brought back which looked at the possibility of moving to a three weekly cycle of meetings, which might improve Planning performance figures by reducing the time between the officer's recommendation and the Committee decision. Following consultation with the Town/Parish Councils, further responses had been received and these were detailed in the written officer report update circulated at the meeting, together with verbal advice that Littlehampton Town Council also objected.

In participating in a full debate on the various issues raised within the report before them, Members were of the view that the Scheme of Delegation should not be amended to include single storey extensions to buildings and

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applications relating to trees as this would reduce the input of the Town/Parish Councils in the process. The Planning Control Manager reminded Members that the Government was advising a target of 90% of decisions being delegated.

The Committee focused on the length of time that meetings were now taking due to the amount of applications being brought before it. It was suggested by Members and agreed that the Public Speaking Procedures should be amended to allow only one supporter and one objector to speak, rather than two as at present, and only one Ward Member, all with a speaking time of up to three minutes. In addition it was felt that the start time for meetings in 2004/05 should be at the earlier time of 2.30 p.m.

Having received advice from the Planning Solicitor on the procedural issues, the Committee

RESOLVED – That

- (1) the Scheme of Delegation not be amended at this time but that a review be carried out in six months time;
- (2) the Public Speaking Procedures be amended to allow one objector and one supporter to speak for up to 3 minutes;
- (3) one Ward Member only to speak for up to 3 minutes on any one application; and
- (4) the start times for meetings in 2004/05 be 2.30 p.m.

(The meeting concluded at 9.21 pm)