

DEVELOPMENT CONTROL COMMITTEE

30th June 2004 at 2.30 p.m.

Present : Councillors Mrs Goad (Chairman), Parris (Vice-Chairman), Biss, Bower (substituting for Councillor Mrs Brown), Brookman, Butler, Dyball, Mrs Hall, Haymes, Mrs Hazlehurst, Hill, Mrs Maconachie, Mrs Olliver, Scutt and Mrs Stainton.

(Note : The following Councillors were absent from the meeting during consideration of the matters referred to in the Minutes indicated :- Councillor Biss, Minutes 152 to 153; Councillor Brookman, Minutes 143 to 145; Councillor Butler, Minutes 143 to 147; and Councillor Mrs Stainton, Minutes 143 to 145 and Minutes 152 to 153.

Councillor Wingrove was also in attendance for part of the meeting.

143. APOLOGY FOR ABSENCE

An apology for absence had been received from Councillor Mrs Brown.

144. MINUTES

The Minutes of the meeting held on 2nd June 2004 were approved by the Committee as a correct record and signed by the Chairman.

145. DECLARATIONS OF INTEREST

Councillor Mrs Goad declared that, although she had no interest, to avoid any misunderstanding she would leave the meeting during consideration of Applications BN/23/04 and BN/24/04/L.

146. REPORT OF THE MEETING OF THE DEVELOPMENT CONTROL POST SITE INSPECTION PANEL – APPLICATION M/48/04 – DEMOLISH GARAGE AND REPLACE WITH DOUBLE GARAGE WITH PITCHED ROOF, 30 COOTES LANE, MIDDLETON ON SEA

The Committee received a report from the meeting of the Post Site Inspection Panel held on 8th June 2004 and

RESOLVED

That the application be approved as detailed in the Appendix to the report.

147. PLANNING APPEALS

The Committee noted the 9 new appeals that had been lodged and 6 appeals that had been heard.

148. PLANNING APPLICATIONS

AW/62/04 – To convert existing 3 bedroom maisonette into two separate one bedroom flats, Flat 1A The Precinct, West Meads, Aldwick Having received a report on the matter, together with the officer's verbal update that one letter of support had been received today, the Committee

RESOLVED

That the application be approved as detailed in the report.

AW/77/04/T – Works to 1 Oak – prune east side of crown, 1 Holm Oak – reduce crown 30% and 1 White Poplar – reduce crown 50%, 15 Craigweil Lane, Aldwick Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

A/109/03 – 24 houses and all associated works, land at Harley Bungalow, Rowan Way, Angmering Having received a report on the matter, together with the officer's written report update detailing additional plans/representations, the Committee

RESOLVED

That the application be approved as detailed in the report.

AB/68/04 – Conservatory to front, 24 Dalloway Road, Arundel 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 two applications, Councillor Mrs Goad left and meeting and did not vote. The Vice-Chairman took the Chair.)

BN/23/04 – Detached domestic garage and garden store, Barnham Court Lodge, Church Lane, Barnham Having received a report on the matter, together with the officer's written report update detailing an additional condition and advice that Barnham Parish Council had no objection to the proposal, the Committee

RESOLVED

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

BN/24/04/L – Application for Listed Building Consent for detached domestic garages and garden store, Barnham Court Lodge, Church Lane, Barnham Having received a report on the matter, together with the officer's written report update advising that Barnham Parish Council had no objection to the proposal, the Committee

RESOLVED

That the application be approved as detailed in the report.

BR/70/04 – Change of use from hotel (C1) to a mixed use of hotel and residential institution (C2), The Royal Norfolk Hotel, Aldwick Road, Bognor Regis Having received a report on the matter, it was agreed during the course of the debate that Condition 2 should be amended to reflect the useage of rooms as detailed under Description of Application at the beginning of the report. The Committee therefore

RESOLVED

That the application be approved as detailed in the report, subject to amendment of Condition 2 to read :-

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“There shall be no less than 23 bedrooms during the months of October to the following May and 38 bedrooms available during the months of June to September for the purpose of hotel visitors.”

BR/91/04 – Outline application for the erection of part 2 storey, part 3 storey block of 44 No. x 1 bed flats with associated parking, Unit 0, Durban Road, Bognor Regis Having received a report on the matter, together with the officer’s written report update detailing late considerations, it was proposed and agreed that a site inspection should be carried out to assess 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.

BR/108/04 – Change of use from small area planted with shrubs to additional customer car parking area within existing, Nyetimber Mazda, 33 Chichester Road, Bognor Regis Having received a report on the matter, together with the officer’s written report update detailing the inclusion of a page missing from the Agenda, the Committee

RESOLVED

That the application be approved as detailed in the report.

BR/118/04 – Concessions Kiosk, The Promenade, Adjacent to Marine Drive West, Bognor Regis Having received a report on the matter, the Committee was advised that this application had been withdrawn.

LU/163/04 – Outline application for demolition of single garage and construction of new two bedroom detached bungalow and garage, 1 Seaton Close, Wick Having received a report on the matter, together with the officer’s written report update detailing a correction; representation received; and an amendment to Condition 3, the suggestion was made and agreed that a site inspection should be carried out to assess the impact of the proposal on the neighbouring properties. The Committee therefore

RESOLVED

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

LY/44/03 – Approval of reserved matters following outline permission LY/35/01 for new house and garage, land north of Maynards Lodge, Crossbush Lane, Crossbush Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

M/55/04 – Kitchen extension, conservatory and replacement porch, 6 Arundel Way, Middleton on Sea Having received a report on the matter, together with the officer's verbal advice that this was a staff application, the Committee

RESOLVED

That the application be approved as detailed in the report.

P/9/04 – Erection of two detached bungalows each with garage and parking, land between 5 & 3a Well Road, Pagham Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

P/45/04 – 1 No. 3 bedroom bungalow, 21 Lagoon Road, Pagham Beach, Pagham Having received a report on the matter, together with the officer's written report update detailing additional representations received, a concern was raised relating to the boundary treatment for the proposal. It was therefore agreed that a letter be forwarded to the applicant requesting that details of the front garden landscaping and fencing be submitted to the Authority for agreement. The Committee then

RESOLVED

That the application be approved as detailed in the report.

PA/6/04 – Demolition of various buildings and conversion of remainder into two dwellings with ancillary accommodation and parking, Patching Farmyard, The Street, Patching Having received a report on the matter, together with the officer's written report update detailing additional representations received, the Chairman called a short adjournment to the meeting to enable Members to digest the contents of the update.

During the course of a detailed debate, views were expressed that as Patching was so unique, its character should be preserved and that this proposal would be detrimental to the area. The Committee therefore did not accept the officer recommendation to approve the application and, following advice from the officers,

RESOLVED

That the application be refused for the following reasons :-

“(1) Residential use in this sensitive rural environment would impact on the unique character of the area, which is a Conservation Area and lies within an Area of Outstanding Natural Beauty. To allow the development would accordingly be contrary to Policies G5, C2 & B3 of the West Sussex Structure Plan; LOC2, CH2, CH8 & DEV1 of the West Sussex Structure Plan Deposit Draft; and GEN7, AREA2 & AREA9 of the Arun District Local Plan.

(2) The proposal is unsustainable by reason of the traffic trip generation associated with the proposed residential development and is contrary to Policies G1 of the West Sussex Structure Plan; LOC2 of the West Sussex Structure Plan Deposit Draft and GEN1, GEN2, GEN4, AREA2 & AREA9 of the Arun District Local Plan.”

PA/7/04/CA – Application for conservation Area Consent for demolition and conversion of remaining units to 2 dwellings, Patching Farmyard, The Street, Patching Having received a report on the matter, together with the officer’s written report update detailing additional representations received, the Principal Planning Officer emphasised that this proposal was for demolition only of the prefabricated storage buildings and, if approved, the Committee’s decision on the previous application would not be compromised. The Planning Solicitor also reiterated this advice.

However, in considering this proposal Members were concerned that the description included in the report stated that this was for “...demolition and conversion of remaining units to 2 dwellings” and that, if approved, the conversion would also go ahead. The Committee therefore did not accept the officer recommendation to approve the application as it was felt that demolition might have an adverse effect on the character of the area and

RESOLVED

That the application be refused for the following reason :-

“The Local Planning Authority is concerned that the demolition of the existing buildings, although not of themselves of particular merit, contribute to the farmyard appearance of the site, and to allow their demolition prior to the future of the whole site being determined, may be prejudicial to the determination of the use of the site as a whole and would therefore be contrary to the advice given in PPG15: Planning & The Historic Environment”.

R/98/04 – To place two storage containers on roof of building at the rear of the building (shop), Rear flat roof space, 10-12 Ash Lane, Rustington
Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

WA/21/04 – Extension of garage by erection of 2.35m high fencing, Rear of S&G Motors, Arundel Road, Fontwell Having received a report on the matter, together with the officer’s written report update detailing an additional representation received, the Committee agreed that a site inspection should be carried out to assess the impact of the proposal on the neighbouring properties and the character of the rural area, and therefore

RESOLVED

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

Y/21/04 – Outline application for residential development of 5 houses and 6 flats, in land between Nos 6/7 and 17 West View Drive Having received a report on the matter, together with the officer’s written report update detailing a late consultee response from the County Planning Officer stating that he had no strategic planning objection, the Committee

RESOLVED

That the application be approved as detailed in the report.

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

149. ENFORCEMENT MATTERS

CIC/EG/1/04 – Alleged unauthorised refrigeration units, Barnham Trading Post, Barnham Road, Barnham Having received a report on the matter, the Committee

RESOLVED - That

(1) no further action be taken but the owner be advised that the refrigeration units do not enjoy planning permission and that a CON/29/A note will be placed in the Council's Search section highlighting this fact; and

(2) the Environmental Health Service be informed that it is not expedient to take planning enforcement action in this case.

CON/PA/6/03 – Change of use of land from timber yard to residential at The Woodyard, France Lane, Patching Having received a report on the matter, the Committee

RESOLVED

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

150. CLOSING DATE FOR SUBMISSIONS TO COMMITTEE

The Head of Planning Services presented a report to the Committee which set out the detail of why the present cut off point for the last submission of comments on applications was causing problems for both officers and Members alike. He was therefore suggesting that a trial period of six months be introduced whereby the cut off date for submissions would effectively be one week before the date of the Committee meeting.

Following consideration of the matter, the Committee

RESOLVED

That a six month trial period be approved whereby the cut off date for submissions for inclusion on the update reports to Committee be 5.00 p.m. on the Tuesday one week before the Committee meeting.

151. DELEGATION AGREEMENT

The Head of Planning Services presented a detailed report to the Committee which set out the pressures that the Planning Service was under in order to improve performance to achieve a higher level of grant from the Government for the next and subsequent years.

Members had considered this item at previous meetings and, at the meeting on 7th April 2004, had resolved that a review of the Scheme of Delegation be carried out in 6 months time. However, as this would not happen until October 2004 and measures needed to be taken as soon as possible, it was suggested and agreed that 5 Members would put together a motion to request Full Council on 14th July 2004 to rescind this resolution to enable the Committee to consider possible changes to the Scheme of Delegation at its next meeting in July.

The Head of Planning Services stated that various avenues were being explored to improve performance targets and the measures other local authorities were taking were also being considered. The view was put forward that the Committee should meet every three weeks instead of every 4 weeks and the Head of Planning Services undertook to bring a report to the next meeting which set out the implications of this course of action as this would have an impact on other departments and there would also be financial and resource issues to address.

Following a detailed debate, the Committee

RESOLVED – That

(1) a motion by 5 Members be put forward to Full Council on 14th July 2004 to rescind Minute 1019 Review of Scheme of Delegation, “(1) That the Scheme of Delegation not be amended at this time but that a review be carried out in six months time”;

(2) subject to approval of (1) above, a report be brought back to the next meeting to amend the Scheme of Delegation; and

(3) a detailed report be brought back to the next meeting on the relevant implications of the Committee holding three weekly meetings.

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152. DELEGATION AGREEMENT ADDITIONS

The Committee received a report from the Head of Planning Services which advised that, due to changes in legislation and significant court cases, the Council was required to make minor extensions to the delegated power of planning officers. Following consideration, the Committee

RESOLVED

That the Scheme of Delegation be amended to :-

(i) formally include the issuing of Screening Opinions and Scoping Opinions under the provisions of the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999 (S1 1999 No 293) under Section 2 of the delegation agreement; and

(ii) to include a paragraph specifically confirming that determinations under SS191 and 192 Town and Country Planning Act 1990 (Certificates of Lawfulness of Existing Use or Development ("CLUED") AND Certificates of Lawfulness of Proposed Use or Development ("CLOPUD") be delegated to the Head of Planning Services and the Planning Control Manager.

153. MONTHLY FIGURES

The Committee received and noted an information report from the Head of Planning Services which set out the current performance figures for Development Control and Enforcement.

(The meeting concluded at 7.30 pm)