

ARUN DISTRICT COUNCIL

DEVELOPMENT CONTROL COMMITTEE

12th March 2003 at 6.00 p.m.

Present : Councillors Goad (Chairman), Parris (Vice-Chairman), Barnard, Brookman, Bower, Butler, Evans, Hodgson (substituting for Hill), Lury, Matthews, Mrs Morrish, O'Neill, Redman, Sands, 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 Butler, Minutes 922 - 925 (from Application R/268/02); and Councillor Sands, Minutes 922 - 925 (from Application P/153/02).

Councillors Stainton and Wilby were also present for part of the meeting.

916. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Hill and Mrs Hall.

917. MINUTES

The Minutes of the meeting held on 12th February 2003 were approved by the Committee as a correct record and signed by the Chairman, subject to the amendment of the resolution for Application AW/246/02 - Residential extension, 5 Margaret Close, Aldwick [Minute 837 (Planning Applications) page 447] to read :

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

918. DECLARATIONS OF INTEREST

Councillor Hodgson gave notice of his intended declaration of a prejudicial interest in Application EG/69/02.

Development Control Committee
- 12.03.03.

919. REPORT OF THE DEVELOPMENT CONTROL POST SITE INSPECTION PANEL - APPLICATION AW/246/02 - RESIDENTIAL EXTENSION, 5 MARGARET CLOSE, ALDWICK (See Minute 837 Development Control Committee)

As notice of an appeal against non-determination of this application had been received from the Planning Inspectorate, the visit by the Post Site Inspection Panel scheduled for 25th February 2003 had been cancelled. However, this was reinstated on 6th March 2003 as the Panel's view was required to enable the Committee to come to a view as to whether the application would have been approved or not.

Following consideration of the report and the recommendation of the Site Inspection Panel, together with the officer's written report update amending the last sentence of the reason for refusal, the Committee

RESOLVED

That, if the application had not been the subject of an appeal for non-determination, the officer's recommendation for approval would not have been accepted and it would have been refused for the following reason :-

"The proposed extension, by reason of its size, design and siting close to site boundaries, including the site frontage, would be out of character with the area and unneighbourly to surrounding properties. The proposal is, therefore, contrary to Policy EVT7 of the Arun District Local Plan and Policy GEN7 of the Arun district Local Plan Second Review Revised Deposit Draft."

920. REPORT OF THE DEVELOPMENT CONTROL POST SITE INSPECTION PANEL - APPLICATION EG/69/02 - DEMOLITION OF 12 APPLETREE DRIVE AND ERECTION OF 3 NO. 3 BED, 10 NO. 4 BED AND 3 NO. 5 BED DETACHED AND TERRACE HOUSES AND ASSOCIATED ACCESS ROAD, 98 BARNHAM ROAD AND 12 APPLETREE DRIVE AND LAND TO THE REAR OF 100 BARNHAM ROAD AND 10 APPLETREE DRIVE (See Minute 837 Development Control Committee)

(At the commencement of this application, Councillor Hodgson had declared a prejudicial interest and left the meeting during the debate and vote.)

The Committee received a report from the meeting of the Post Site Inspection Panel held on 25th February 2003, together with the officer's written report update detailing additional representations received. During the course of a full debate, concerns were raised about the enclosure of the proposed public footpath and its proximity to a private driveway; the requirement for a grounds level survey; and the

preservation of mature trees on the site. In addition, and in view of the previous flooding problems experienced in the area, the Committee requested that a letter be written to Southern Water and the Environment Agency asking them how they arrive at their conclusions on planning applications with regard to the drainage of sites.

The Committee

RESOLVED - That

(1) the application be approved, subject to the following :-

Condition 5 to be amended to include the words "Existing trees, shrubs and hedge at the boundaries shall be retained unless the Local Planning Authority gives prior written approval for any variation". This condition shall apply notwithstanding any information contained in the current application.

Condition 13 to have added : "Prior to the commencement of the development hereby approved, details of the footpath shall be submitted to, and approved in writing by, the Local Planning Authority. These details shall include a layout plan showing the footpath separated from the driveway to the approved house at Plot 5 and means of enclosure which shall be erected on the adjoining boundaries of Plot 5 and 98 Barnham Road. The development shall proceed only in accordance with the details thus approved."

Reason : In the interests of the amenities of the proposed residents and in the interests of visual amenity".

Additional Condition 16 to read "Details of the existing site levels and proposed levels, including slab levels, shall be submitted to, and approved by, the Local Planning Authority before development is commenced. There shall be no subsequent raising of ground or slab levels.

Reason : In the interests of residential amenity." and

(2) a letter be written to Southern Water and the Environment Agency asking them how they come to their conclusions on planning applications with regard to the drainage of the sites.

The Committee noted 9 appeals that had been heard. As an appeal regarding Fordingbridge plc, A27 Arundel Road, Fontwell, an enforcement report relating to that site was also taken at this point in the Agenda.

Development Control Committee
- 12.03.03.

CIC/WA/7/00 - Alleged change of use of factory building from light industrial use Class B1c of the Town and Country Planning (Use Classes) Order 1987 to General Industrial Use Class B2, Fordingbridge plc, Arundel Road, Fontwell

Prior to consideration of this item, the Chief Executive requested Members' views as to whether, in the light of the history of this application, there was an opportunity for lessons to be learnt and for using it as a case study as part of training for the new Development Control Committee. The Committee agreed that this was a good way forward and the Chief Executive stated that Members would be advised of possible dates for such a Member forum, possibly prior to a future meeting of the Committee.

The Committee then received a report, together with the officer's written report update detailing additional representations received, and

RESOLVED - That

- (1) investigations into a possible change of use of premises to general B2 industrial use be closed; and
- (2) the complainant be advised of this and advised that closure of the current complaint would not prevent investigation of this matter in the future, if a further complaint is received and further evidence available.

The Committee noted 13 new appeals that had been lodged. Members were also requested to come to a view on the following Planning Application as it was the subject of an appeal for non-determination.

WA/67/02 - Outline application to develop site for permanent traditionally built dwellings, replacing static caravans currently on site. Alteration of access to highway, Havenwood Caravan Park, Chichester Road, Arundel. Having received a report on the matter, the Committee

RESOLVED

That, if the application had not been the subject of an appeal for non-determination, it would have been refused as detailed in the report.

922. PLANNING APPLICATIONS

A/156/02 - Extension to existing cattery and replacement mobile home with single detached dwelling - resubmission following planning application A/87/02 (Departure from the Development Plan), Ally Cats (Formerly Spinney Cattery), The Acres, Dappers Lane, Angmering Having received a report on the matter, the Committee

RESOLVED

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

“Condition 7 : Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, the building shall not be extended or altered in any way, nor shall any outbuilding be constructed, unless permission is granted by the Local Planning Authority on an application in that behalf.

Reason : To enable the Local Planning Authority to control the development in detail in the interests of the amenities of adjoining residential occupiers and the locality in general in accordance with Policy G1 of the West Sussex Structure Plan, Policy DEV1 of the West Sussex Structure Plan Deposit Draft, Policy EVT7 of the Arun District Local Plan and Policy GEN7 of the Arun District Local Plan Second Review Revised Deposit Draft.”

AL/107/02 - Conversion of existing barns to 7 No. dwellings. formation of new vehicular access and closure of existing substandard access, Headhone Farm, Lidsey, Aldingbourne Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

AW/263/02 - Outline application for residential development comprising 11 No. Units and 11 No. Garages, Sun Dance & Sarn, Kings Parade/Silverston Avenue, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing that a representation had been received from the County Planning Officer stating that a contribution towards library facilities was required, the Committee

Development Control Committee
- 12.03.03.

RESOLVED

That the application be approved as detailed in the update report circulated at the meeting which now took account of the County Planning Officer's requirement for library facilities and was subject to a Section 106 Agreement.

AW/261/02 - Side utility extension, front garage extension, open porch extension and false pitch detail to side extension - 17 The Fairway, Aldwick, Bognor Regis
Having received a report on the matter that had been circulated separately to the Agenda, it was agreed that the applicant should be written to requesting that, in the view of the Conservation Area Advisory Committee and this Committee, the weatherboard cladding to the building should be retained. The Committee

RESOLVED

That the application be approved as detailed in the report but that the applicant be requested to retain the weatherboard cladding to the building.

BR/316/02 - Demolition of redundant buildings and erection of 5 storey building to provide hotel accommodation comprising a total of 160 bedrooms, restaurant, health spa, conference rooms and other associated facilities, together with access, car parking and landscaping, Butlins Holiday Park, Upper Bognor Road, Bognor Regis
Having received a report on the matter, together with the officer's written report update detailing additional representations received and an amendment to Condition 5 relating to the demolition of buildings indicated, the Committee participated in a full debate and

RESOLVED

That the application be approved as detailed in the report, subject to the prior receipt of an amended plan deleting the 'Oast House' roof details and subject to the following amendments :-

Condition 5 to be deleted as this is covered by Condition 14; and Condition 3 to be amended to read "... a scheme of landscaping/hard and soft, **including southern frontage alongside the promenade and details of fencing along that frontage** which shall include....."

(During the debate of this item, Councillor Barnard declared a personal interest as a relative was an employee of Butlins, but not at this site.)

FG/144/02 - Extensions to existing residential accommodation in existing roof spaces and alterations to elevations, Viceroy Court, Ferringham Lane, Ferring Having received a report on the matter, together with the officer's written report update detailing an additional representation received, the Committee

RESOLVED

That the application be approved as detailed in the report.

FP/247/02 - Extension to side of existing garage with alterations to roof to provide additional accommodations ancillary to main building Having received a report on the matter, the Committee

RESOLVED

That the application be refused as detailed in the report.

LU/371/02/OHL - Consultation under Circular 14/90 for erection of one additional wood pole within the existing 11kV overhead line, Courtwick Lane, Littlehampton Having received a report on the matter, the Committee

RESOLVED

That the no objection should be raised.

M/120/02 - Retention of beach hut, but with reduced ridge height, White Walls, 15 Sea Way, Middleton on Sea Having received a report on the matter, together with the officer's written report update detailing additional information and representation received, the Committee

RESOLVED

That the application be approved as detailed in the report.

P/153/02 - Small extension to existing bungalow, 27 West Front Road, Pagham Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

R/186/02 - Demolition of existing building and erection of 15 No. 2 bedroom flats with associated car parking and garaging, 53 Cove Road and 41 Harsfold Road, Rustington Having received a report on the matter, together with the officer's written

report update detailing receipt of further plans indicating landscaping proposals and the use of a proposed cycle store as a bin store, a view was

Development Control Committee
- 12.03.03.

expressed that conditions relating to the bin stores, landscaping and access should be included. The Committee therefore

RESOLVED

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

Condition : The refuse store shown on Drawing No. C1914/21/A shall be provided before the occupation of any of the flats hereby permitted and be retained in perpetuity.

Reason : In the interests of the amenities of local residents.

Condition : There shall be no vehicular or pedestrian access to the site other than shown on the submitted plan (Drawing No. C1914-20 Rev.D).

Reason : In the interests of the residential amenities of neighbouring properties.

Condition : The details of the landscaping scheme hereby permitted shall be submitted to, and approved in writing by, the Local Planning authority and include details of the number and height of trees/shrubs to be planted and include full details of all trees to be retained on the site.

Reason : In the interests of the visual amenities of the area."

R/268/02 - Two storey extension to rear elevation and relocated garage, 18 Preston Avenue, Rustington Having received a report on the matter, a view was expressed that a site visit should take place to ascertain whether the development was overbearing to neighbours and to assess any effect upon light, and the Committee therefore

RESOLVED

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

R/282/02 - Demolition of existing buildings and redevelopment of site with 31 sheltered retirement apartments together with car parking for 18 cars, land at 68 The Street, Rustington Having received a report on the matter, together with the officer's written report update detailing an additional consultation response received from the County Planning Officer, the Committee

RESOLVED

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

“Condition 10 : The first floor windows to the west elevation of Flat T14 shall at all times be glazed with obscure glass.

Reason : To protect the amenities and privacy of the adjoining properties.”

Prior Notification Application for erection of Radio Base Station, Littlehampton Police Station, Littlehampton - LU/365/02/TEL The Committee received and noted a report advising on a Prior Notification received in respect of telecommunications equipment at the above site, which had been determined under delegated authority.

923. ENFORCEMENT MATTERS

CIC/WA/7/00 - Alleged change of use of factory building from light industrial use Class B1c of the Town and Country Planning (Use Classes) Order 1987 to general industrial use Class B2, Fordingbridge Plc, Arundel Road, Fontwell Please note that this matter was dealt with under Minute 921.

CON/LY/3/02 - Erection of 1.8m high fence adjacent to the highway at April Cottage, Crossbush Lane, Lyminster Having received a report on the matter, officers requested that this item be deferred for further discussion with the Highway Authority. The Committee therefore

RESOLVED

That the matter be deferred for further discussion with the Highway Authority.

924. EXEMPT INFORMATION

The Committee

RESOLVED

That under Section 100A(4) of the Local Government Act 1972, the public and accredited representatives of newspapers be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraph specified against the item.

Development Control Committee
- 12.03.03.

925. REPORT ON COUNSEL'S OPINION ON ENFORCEMENT ACTION TAKEN REGARDING ALLEGED UNAUTHORISED ERECTION OF BUILDING TO PROVIDE 5 NO. FLATS, MANOR FARM HOTEL, ELMER ROAD, MIDDLETON ON SEA (Exempt - Paragraph 12 - Legal Advice)

The Committee received and noted a report from the Planning Solicitor which detailed the advice given by Counsel in respect of enforcement action taken regarding alleged unauthorised erection of building to provide 5 flats at Manor Farm Hotel, Elmer Road, Middleton on Sea.

(The meeting concluded at 10.09 p.m.)