

DEVELOPMENT CONTROL COMMITTEE

22 April 2015 at 2.30 p.m.

Present: Councillors Mrs Maconachie (Chairman), Mrs Hall (Vice-Chairman), Bower, Charles, Haymes, Mrs Oakley (substituting for Councillor Mrs Goad), Mrs Pendleton and Mrs Stainton.

Councillors Brooks and Mrs Brown were also in attendance for part of the meeting

667. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs Bower, Mrs Bowyer, Evans, Mrs Goad, Northeast, Mrs Smee and Steward.

668. DECLARATIONS OF INTEREST

The Monitoring Officer has advised Members of interim arrangements to follow when making declarations of interest. They have been advised that for the reasons explained below, they should make their declarations on the same basis as the former Code of Conduct using the descriptions of Personal and Prejudicial Interests.

Reasons

- The Council has adopted the government's example for a new local code of conduct, but new policies and procedures relating to the new local code are yet to be considered and adopted.
- Members have not yet been trained on the provisions of the new local code of conduct.
- The definition of Pecuniary Interests is narrower than the definition of Prejudicial Interests, so by declaring a matter as a Prejudicial Interest, that will cover the requirement to declare a Pecuniary Interest in the same matter.

Where a Member declares a "Prejudicial Interest" this will, in the interests of clarity for the public, be recorded in the Minutes as a Prejudicial and Pecuniary Interest.

Councillor Bower declared a personal interest in Planning Application EP/173/14/HH as the site was on the estate where he lived and he was also a member of the Residents' Association.

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Councillor Haymes declared a personal interest in Planning Application Y/93/14/OUT as he was Chairman of Yapton Parish Council and the Ward Member. He had also attended a number of meetings relating to the application but he had not voiced a view or voted.

669. MINUTES

The Minutes of the meeting held on 25 March 2015 were agreed by the Committee as a correct record and signed by the Chairman.

670. PLANNING APPLICATIONS

AL/3/15/PL – Replacement dwelling. Resubmission of AL/49/14/PL, Wyndham Acres, 2 Northfields Lane, Aldingbourne Having received a report on the matter, together with the officer's written report update detailing minor amendments to the wording of Conditions 5 and 6 due to the replacement of the Town and Country Planning (General Permitted Development)(England) Order 1995 (as amended) with the Town and Country Planning (General Permitted Development)(England) Order 2015, the Committee

RESOLVED

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

*(Prior to consideration of the following application, Councillor Mrs Brown, spoke as Ward Member.)*

AW/25/15/A – 3 No. externally illuminated fascia signs, 2 No. non-illuminated fascia signs & 2 No. non-illuminated panel signs to various elevations (resubmission following AW/215/14/A), The Ship Inn, Aldwick Street, Aldwick Having received a report on the matter, together with the officer's written report update detailing a late objection from the Friends of the Ship Inn, the Committee was advised by the Planning Team Leader that the officer view was that the applicant had made modifications to the previous application which were considered to be acceptable and would not cause harm to highway safety or to the amenity of the area.

In discussing the matter, conflicting views were expressed. On the one hand, it was felt that illumination from the signs was spilling onto neighbouring properties and causing nuisance and, also, by removing The Ship Public House sign, the applicant had disregarded the heritage of the building which should be taken account of. Conversely, comment was made that no objection had been received from the Parish Council and that when other public houses in the District had been the subject of similar applications there had not been an insistence that the pub name be retained by way of signage.

The Head of Development Control advised the Committee that the applicant had modified their requirements with regard to using a colour more conducive to being in a Conservation Area and had reduced the illumination and size of the signs so officers were not in a strong position to support a refusal.

On the vote being put, it was declared tied and the Chairman used her casting vote. The Committee therefore

RESOLVED

That the application be approved as detailed in the report.

AW/323/14/HH – Retention of the extension of existing fencing incorporating parking bay at the back of garden & enclosing parking bay up to garage, 35 Blondell Drive, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

AW/344/14/HH – Increase existing single storey side extension, clad external elevations with insulation & render, remove existing clay tiled roof & recover with Welsh slates, 3 No. velux windows within the north facing front roof elevation, 32 No. new windows, 7 No. new doors, reconstruction of first floor balcony, new external steps at rear of side extension. Gable roof extension to existing first floor living room & external garden swimming pool. This application affects the character and appearance of the Craigweil House Conservation Area, 68 The Drive, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing a change to the description following negotiation between the applicant and officers and an additional condition relating to protection of the SSSI (Site of Special Scientific Interest), the Committee

RESOLVED

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

BR/5/15/PL – Change of use from storage/distribution (Class B8) to tyre sales & fitting centre (sui generis), 54-56 Longford Road, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

Subject to approval at the next Committee meeting

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*(Prior to consideration of the following application, Councillor Brooks spoke as a member of the Town Council Planning Committee.)*

BR/17/15/PL – Subdivision of existing shop to form rear 2 bed apartment & retain smaller shop fronting Richmond Road. This application affects the setting of a Listed Building & the character and appearance of Bognor Regis (Railway Station) Conservation Area, 3 Richmond Road, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

BR/36/15/HH – Roof conversion with rear dormer, 79 Chichester Road, Bognor Regis 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 Bower had declared a personal interest and remained in the meeting and took part in the debate and vote*

EP/173/14/HH – Construction of landscape garden comprising of new swimming pool, shed, fence, driveway & planting, Angmering Lodge, South Strand, East Preston Having received a report on the matter, together with the officer's verbal update that there was a requirement for a screen to be put up and the submitted plan needed to be added to the plans condition, the Committee

RESOLVED

That the application be approved as detailed in the report and subject to plan entitled fence elevation revision 4 added to condition number 2.

EG/14/15/HH – Two storey side extension, 33 Elm Gove, Barnham Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

FG/29/15/PL – Erection of 1 No. 3 bed dwelling, car port and access drive (with access extended from approved application FG/145/14), 26 Ferring Lane, Ferring Having received a report on the matter, together with the officer's written report update detailing deletion of the garage from the plans and subsequent amendment to the relevant condition, the Committee

RESOLVED

That the application be approved as detailed in the report and subject to amendment of Condition 2 to take account that the garage had been deleted from the proposal.

LU/13/15/PL – Demolition of original dairy distribution depot and construction of eight dwellings and ancillary works. This application affects the character and appearance of the Littlehampton (East Street) Conservation Area, The Old Dairy, Behind 3 & 5 Church Street, Littlehampton Having received a report on the matter, together with the officer's written report update detailing consultation responses from the Emergency Planning Officer and Greenspace regarding the Section 106 contribution for play space, the Committee

RESOLVED

That the application be approved as detailed in the report.

LU/21/15/PL – Application for the variation of condition 11 imposed under planning reference LU/159/89 relating to the use of garage as habitable room, 17 Trinity Way, Littlehampton 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 Bower declared a personal interest as the Chairman of the North Littlehampton Steering Group, which had discussed the matter. He remained in the meeting and took part in the debate and vote.*

*Councillor Mrs Pendleton also declared a personal interest as a member of the North Littlehampton Steering Group. She remained in the meeting and took part in the debate and vote.)*

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LU/347/14/RES – Approval of Reserved Matters following Outline Application LU/47/11 for construction of 116 dwellings together with associated internal road network, car parking and landscaping on Parcel A1, following demolition of existing glasshouses and buildings. Departure from the Development Plan, Land North of Toddington Lane, Littlehampton Having received a report on the matter, together with the officer's written report update detailing further comments from County Highways and a request that, as further information was still required before planning permission could be granted, authority be delegated to the Assistant Director of Planning and Economic Regeneration to approve the application (subject to the recommended planning conditions).

The Strategic Development Planner advised that the scheme had changed from that originally submitted as it now incorporated a large focal space within the development. He provided a comprehensive update which outlined how concerns had been addressed with regard to the original layout and sought Members' approval to grant delegated authority to the Assistant Director of Planning & Economic Regeneration to approve the application once outstanding matter had been satisfied. Should additional conditions be required, any decision would be taken in consultation with the Chairman and Vice-Chairman of the Committee.

The Housing Strategy and Delivery Manager informed the Committee that the affordable housing provision would be delivered in accordance with the S106 Agreement. 20% affordable housing would be coming forward, although at the moment there was not an agreed Registered Housing Partner but that would be progressed in due course.

Members welcomed the scheme as an important step towards the delivery of the Lyminster By Pass and particularly welcomed the higher standards for car parking provision and road widths. The Committee then

#### RESOLVED

That approval of the application be delegated to the Assistant Director of Planning & Economic Regeneration and should any additional conditions be required, these be attached in consultation with the Chairman and Vice-Chairman.

LU/385/14/PL, Construction of a solar energy park to include the installation of solar panels, security fencing, transformer housing, access and other associated works, Land at Brook Barn Farm, Courtwick Lane, Littlehampton Having received a report on the matter, together with a detailed officer's written report update outlining amendment to Condition 4; a consultation response from Network Rail; and resultant additional Condition 21, Members participated in a brief discussion.

Concerns were raised with regard to the private road and the impact on the homeowners of lorries transporting the panels on that road. Advice was given that there had been a very careful assessment of the site and officers felt that there were sufficient conditions to safeguard the road, particularly as the disturbance would be for a short period of time.

A further concern was raised regarding the impact of the proposal on the Council's policy of supporting the introduction of the Arundel Chord to improve rail travel. However, advice was given that this application had to be considered at the present time and any decision could not be based on what might happen in the future.

Following consideration, the Committee

RESOLVED

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

*(Prior to consideration of the following application, Councillor Haymes had declared a personal interest and he remained in the meeting and took part in the debate and vote.)*

Y/93/14/OUT – Outline application for the erection of 38 dwellings to comprise 6 No. 4 bed houses, 20 No. 3 bed houses, 10 No. 2 bed houses and 2 No. 1 bed houses, each with a garage and parking space, together with the means of access off North end Road, Land North of Yapton C of E Primary School, North End Road, Yapton Having received a report on the matter, together with the officer's written report update detailing report amendments; additional consultation responses; additional representations; and legal agreement issues, the Committee was further advised that, should Members decide to vote in favour of approving the application, then delegated authority would be required for the Assistant Director of Planning & Economic Regeneration to negotiate the final content of the legal agreement in order to ensure that the financial contributions were fully compliant with the CIL (Community Infrastructure Levy) regulations. In the event that agreement on the content of the legal agreement was not reached after 6 months (verbally updated from the 3 months detailed in the written report update) then the application would be refused on the grounds of failure to provide the required contributions to local infrastructure.

The Housing Strategy & Enabling Manager informed the Committee that 11 affordable homes would be provided within the development, being made up of 7 social rented units and 4 intermediate housing units, which complied with the Council's Affordable Housing Policy.

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A query had been raised by the Agent with regard to Condition 5 and whether that could legally be imposed on any approval of the scheme as, in his view, it failed the tests of reasonableness and necessity and did not relate to the development itself. The Planning Team Leader advised that the Highways Agency had requested that condition and had not responded to officers attempts to speak to them about it – it was suggested that the Assistant Director of Planning & Economic Regeneration be given delegated authority to appropriately amend any conditions should any further comments be received.

A representative from County Highways was present at the meeting and he was able to advise that there had been a very careful assessment of the access to the site and a safety audit had been undertaken which recommended works to be done that would reduce the impact on the nearby school.

The Committee

#### RESOLVED

That delegated authority be granted to the Assistant Director of Planning & Economic Regeneration to agree the legal agreement and approve the application following negotiation with the applicant with regard to Condition 5. In the event that agreement on the content of the legal agreement is not reached after 6 months, then the application would be refused on the grounds of failure to provide the required contributions to local infrastructure.

#### 671. PLANNING APPEALS

The Committee received and noted planning appeals that had been received and 2 appeals that had been heard.

#### 672. THANKS

As this was the last meeting of this administration, the Chairman thanked officers for their hard work and diligence and thanked Members for their valued support and contribution to the working of the Committee. She wished Members good luck in the forthcoming elections.

(The meeting concluded at 5.20 p.m.)