

DEVELOPMENT CONTROL COMMITTEE

17 December 2014 at 2.30 p.m.

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

Councillor Mrs Brown was also in attendance at the meeting.

425. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs Goad, McDougall and Mrs Smee

426. 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.

There were no declarations of interest made.

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427. MINUTES

The Minutes of the meeting held on 19 November 2014 were agreed by the Committee as a correct record and signed by the Chairman.

428. PLANNING APPLICATIONS

AL/70/14/A – Retention of 1 No. internally illuminated school coat of arms sign with illuminated lettering on school theatre wall, Ormiston Six Villages Academy, Lime Avenue, Westergate Having received a report on the matter, together with verbal advice that Condition 3 should be amended to read “The illuminated signage hereby approved shall not be illuminated after 2200 on any day. However, a concern was expressed that, during the winter months, the illuminated sign could cause light pollution on dark mornings and affect neighbouring dwellings. It was therefore suggested and agreed that Condition 3 should be amended to read “The sign shall not be illuminated before 15:00 and shall be switched off at 22:00 on each day”. The Committee then

RESOLVED

That the application be approved as detailed in the report, subject to amendment of Condition 3 to read:-

The sign shall not be illuminated before 15:00 and shall be switched off at 22:00 on each day.

Reason: In the interests of amenity in accordance with Policies GEN7 and GEN33 of the Arun District Local Plan.

AB/118/14/PL – Single storey portable cabin style building (resubmission following AB/100/14/PL). This application affects the character and appearance of the Arundel Conservation Area, Land to the rear of Norfolk Centre, Mill Road, Arundel Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

BR/208/14/PL – Construction of 1 No. 2 bedroom chalet bungalow, Land adjacent to 65B Gravits Lane, Bognor Regis Having received a report on the matter, together with the officer’s written report update detailing additional representations received; the requirement for a Section 106 agreement no longer being applicable due to the new rules set out in the Government’s planning practice guidance, with deletion of the corresponding informative from the recommendations; and the addition of three informatives relating to sewerage, the Committee

RESOLVED

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

BR/252/14/PL – Provision of French doors, balconies and terraces, Unit E and S Atlantic Village, Butlins, Upper Bognor Road, Bognor Regis Having received a report on the matter, together with verbal advice that the site was on Council owned land, the Committee

RESOLVED

That the application be approved as detailed in the report.

BR/260/14/PL – Refurbishment of clubhouse to include new veranda and refurbishment of existing toilet block into shower block, Aldwick Cricket Club, Brooks Lane, Bognor Regis Having received a report on the matter, together with verbal advice that the site was on Council owned land, the Committee

RESOLVED

That the application be approved as detailed in the report.

FG/149/14/PL – New storage facilities for existing scaffold yard and firewood yard (related to landscaping contractors). Replace structures to be demolished. Resubmission following FG/108/14/PL, Former McIntyre Nursery, Littlehampton Road, Ferring Having received a report on the matter, together with the officer's written report update detailing an amendment to the Description of Application relating to the garden/log store having a pitch roof height of 3m dropping to 2.8m, the Committee

RESOLVED

That the application be approved as detailed in the report.

LU/305/14/PL – Erection of 1 No. 3 bedroom detached house with detached garage and off-street parking to rear, Land adjacent to 120 Wick Street, Littlehampton Having received a report on the matter, together with the officer's written report update detailing an amended condition 2 to refer to plan numbers, the Committee

RESOLVED

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

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R/243/14/PL – Demolition of the existing buildings on the site and the erection of a new building containing 5 No. 2 bed flats and 1 No 3 bed flat, 69 Broadmark Lane, Rustington Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

429. PLANNING APPEALS

The Committee received and noted planning appeals that had been received and 1 appeal that had been heard.

430. PREVIOUSLY DEFERRED APPLICATIONS

Prior to consideration of the following applications, the Chairman reminded the meeting that they had been deferred from the meeting held on 22 October 2014 to enable a Road Safety Audit to be undertaken and for noise attenuation issues to be clarified. In being re-presented, she stressed that the only matters that could be discussed were those relating to road safety and noise and that a re-run of consideration of the applications would not be permitted.

*(With the agreement of the Committee, Councillor Mrs Brown spoke to the following application as Ward Member.)*

Planning Application AW/211/14/PL – Change of use from Public House (Class A4 Drinking Establishment) to a Food Shop (Class A1 Retail), including the erection of a 39sqm extension, an external freezer store, resurfacing and reconfiguration of the car park, installation of an ATM and all other associated works, Ship Inn, Aldwick Street, Bognor Regis

Following an introduction from the Planning Team Leader, the Chairman called a short adjournment to the proceedings to enable Members to read a detailed written report update that had been circulated (and which contained most of the information that had previously been circulated to the Committee via email prior to the meeting).

The report update summarised the findings of the road safety audit and the noise assessment and also provided details of the Petition that had been submitted with 2,417 signatures supporting retention of The Ship Inn as a public house. A paper submitted by The Friends of the Ship Inn relating to road safety was also summarised within the report update.

The Planning Team Leader advised that 4 problem areas had been identified by the Road Safety Audit, The first one of visibility had been accepted by Morrisons

but the remaining three relating to width of the access, the parking of delivery vehicles and build out on the opposite side of the road, were not agreed in their Designer's Response. West Sussex County Council, as Highways Authority, had closely considered the response to the Audit and had concluded that the Designer Response should be accepted, as summarised in the report, with the development of a Service Management Plan and the provision of a crossing to be secured by condition. As such, no objection had been raised by the Local Highways Authority.

A representative from County Highways was in attendance at the meeting and he advised that a Stage 2 and then a Stage 3 Safety Audit would be undertaken after completion of the works being carried out by Morrisons. He explained the rationale behind the LHA's view to agree the Designer's response and stated that they would be working with the applicant to minimise some of the issues that had been raised.

With regard to noise, the Council had commissioned its own study and, under the noise criteria it had specified, the noise calculations showed that the expected noise levels from the plant and equipment were expected to meet that criteria and would not give rise to complaints.

The Committee participated in a lengthy debate and views were expressed that the road safety and noise issues were problematic and had not been adequately addressed. As a result, some Members did not feel able to support the officer recommendation to approve.

Given the public interest in the application, the Head of Development Control invited the Council's Planning Solicitor to set out clearly the Council's position if the application were to be refused and the applicant continued with works whilst lodging an appeal. The Planning Solicitor gave detailed advice at the meeting relating to National Planning Guidance, the appeal process, enforcement notices, stop notices and the likelihood of a judicial review. Overall the Council's case/position would be weak due to the fact that the core of the works were deemed permitted development and the outcome of the professional reports could be dealt with by condition.

In concluding the debate, Member comment was made that there was no professional support in citing road safety and noise as reasons to refuse this application and the foregoing debate had not raised any valid or substantial planning reasons to go against the planning officers' recommendation. In turning to the recommendations, an assurance was sought and given that the conditions would be looked at prior to being published to ensure that they were grammatically correct as some minor errors had been picked up.

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The Committee then

RESOLVED

That the application be approved as detailed in the report and the officer report update, subject to minor amendments to the conditions to ensure they read correctly.

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

AW/215/14/A – 2 No. internally illuminated fascia signs to front and west side elevations, 1 No. externally illuminated fascia sign to east side elevation and 1 No. externally illuminated projecting sign to front elevation, Ship Inn, Aldwick Street, Bognor Regis

This application had been deferred at the meeting held on 22 October 2014, in line with the previous application on the agenda and was now re-presented to the Committee for determination.

The Planning Team Leader advised that approval for 4 signs was being requested and the two issues of highway safety and public amenity were not considered to be of sufficient weight to refuse the application.

In discussing the matter, Members were of the view that the signs would be a significant distraction and were out of keeping with the area and, as such, should be thinner in width and smaller in scale. Officer advice was given that the Committee could make a split decision on an advertisement application.

The Committee did not accept the officer recommendation to approve the four signs applied for. Following further discussion, it was agreed that Sign 2, the hanging pub sign, should be approved with signs 1, 4 and 5 being refused. The Committee therefore

RESOLVED

That Sign 2 be approved but Signs 1, 4 and 5 be refused for the following reason:-

Signs 1, 4 and 5 by reason of their size, design, position, degree and method of illumination cause harm to the public amenity in the Area of Special Character contrary to the Supplementary Planning Guidance and the NPPF.”

(The meeting concluded at 5.00 p.m.)