

DEVELOPMENT CONTROL COMMITTEE

27 August 2014 at 2.30 p.m.

Present: Councillors Mrs Maconachie (Chairman), Mrs Hall (Vice-Chairman), Mrs Bower, Bower, Mrs Bowyer, Evans, Haymes, McDougall, Northeast, Mrs Pendleton, Mrs Smee and Mrs Stainton.

[Note: Councillor Mrs Bowyer was absent from the meeting during consideration of the matters referred to in Minutes 200 (part – from Planning Application BN/26/14/HH) to 204.]

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

195. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Charles, Mrs Goad and Steward.

196. 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.

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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.

197. MINUTES

The Minutes of the meeting held on 30 July 2014 were agreed by the Committee as a correct record and signed by the Chairman.

198. MORRISONS ENTERPRISE HUB PLANNING APPLICATION AND THE ANGMERING SECTION 106 AGREEMENT

The Chairman advised the meeting that the Strategic Development Planner wished to update the Committee on these two items, which would be done at the end of the meeting for the convenience of a number of members of the public who were in attendance.

199. PREVIOUSLY DEFERRED APPLICATION

BE/57/14/PL – Demolition of attached double garage and erection of 2 No. 3 bedroom semi-detached houses, 346 Chichester Road, Bognor Regis This report was presented following deferral of the application from the meeting held on 30 July 2014 for a topography survey to be provided. This had now been received from the applicant, which revealed some very minor discrepancies and had resulted in a change to the top (north eastern) corner of the site. Location, block and site plans had been amended to take account of the slight change, which would impact on the garden space for the plots but which, in the view of officers would not be sufficient to raise an objection to Policy D DM3. Unfortunately, a representative from West Sussex County Highways team was not able to be present as requested by the Committee.

In discussing the matter, Members still expressed their considerable concerns about this proposal. Whilst having serious reservations with regard to highways issues around parking, the road layout on the A259 and pedestrian access to and from the site, the Committee received advice from the Head of Development Control that West Sussex County Highways had raised no objection and it was acknowledged that they could not pursue these matters further.

However, comment was made that this application was an over-intensive form of development and the Committee did not accept the officer recommendation to approve and

RESOLVED

That the application be refused for the following reason:-

The proposed development by reason of its siting and layout would represent an uncharacteristic form of overdevelopment detrimental to the character of the area contrary to GEN7 of the Arun District Local Plan, D DM1 of the Publication Version of the emerging Local Plan (Regulation 19) dated February 2014 and the NPPF.

Informative: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure) (England)(Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and clearly setting these out in the reason(s) for refusal. The Local planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

200. PLANNING APPLICATIONS

R/109/14/PL – PVCu glazed link between buildings, Fairlight Nursing Home, 121 Worthing road, Rustington Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

P/60/14/HH – Proposed loft conversion and repositioning of the front door. Resubmission of P/4/14, 3 Payne Close, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing a correction to the letters of representation received, the Committee

RESOLVED

That the application be refused as detailed in the report.

LU/162/14/PL – Replacement access for the Watch Tower, Watch Tower, Ferry Road, Littlehampton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

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LU/174/14/PL – Proposed change of use from one detached dwelling house to 2 No. single bedroom flats (one ground and one 1st floor). Resubmission following LU/71/14, Bakery Cottage, 28A Gloucester Place, Littlehampton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

FP/109/14/PL – Construction of an unmetalled maintenance access track, former Lec Airfield, South of Felpham Way, Bersted Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

(Councillor Brooks spoke to the following application as a member of Bognor Regis Town Council. He declared a personal interest as a member of Bognor Regis Town Council's Events Committee and a pecuniary interest as his company supplied large screens for events in the park.

During the course of discussion, Councillor Bower declared a personal interest as he had discussed the matter at Cabinet and the Bognor Regis Regeneration Subcommittee but not as part of the planning application. He remained in the meeting and took part in the debate and vote.)

BR/142/14/PL – Application under Regulation 3 of the Town and Country Planning General Regulations 1982 for a new café with external seating. This application affects the character and appearance of Upper Bognor Road and Mead Lane Conservation Area, Hotham Park, Upper Bognor Road, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing a request from a potential operator that the hours of opening be extended from 8.00 am to 9.00 pm Monday to Sunday and including Bank Holidays to 7.00 am to 10.00 pm Monday to Sunday and including Bank Holidays, the Committee participated in some debate on the matter which covered the history behind this application; siting of the café within the Park; the Heritage Lottery Bid funding; traffic movements for deliveries to the café; and the events area. Following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report, subject to a change to the wording of Condition 8 to:-

The premises shall not be open for trade or business except between the hours of 0700 and 2200 on Monday to Sunday and including Bank Holidays.

BR/143/14/A – 3 No. non-illuminated fascia signs, Hotham Park, Upper Bognor 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 Mrs Maconachie declared a personal interest as she knew one of the public speakers. She remained in the meeting and took part in the debate and vote.)

BE/73/14/PL – Erection of 2 No. detached industrial/distribution units (B1(c)/B2/B8) including access & servicing arrangements, car parking, landscaping & associated flood compensation area. This application is a departure from the development plan. This application also lies within the parish of Aldingbourne, Land at Oldlands Farm, Shripney Road, Bognor Regis The Committee received a report on the matter, together with the officer's written report update detailing

- additional representations received;
- a request to remove Condition 3 (also repeated in error at Condition 26) increase in floorspace;
- additional information provided by the applicants and resultant amended Condition 2 relating to plans;
- amended Condition 19 to incorporate a landscaping scheme; and,
- as no consultation responses had been received from the Environment Agency and the Council's Engineers due to late submission of landscape and flood information, the Committee was requested to delegate authority to the Assistant Director of Planning and Economic Regeneration to grant planning permission, subject to the conditions set out in the officer report (with conditions 3 and 26 being deleted and condition 19 amended) following receipt of responses to this additional consultation

A verbal update was given at the meeting by the Strategic Development Planner which asked Members to disregard the last bullet point above as the Environment Agency had not raised an objection to the proposal and the requirement for approval via delegated authority was therefore no longer required.

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In addition, Sime Darby had requested details of the quantum of investment to be made and the numbers of jobs that would be created during and after construction, together with a request that a substantial contribution be sought towards off-site infrastructure improvements that would facilitate the whole of the Enterprise Bognor Regis scheme.

The Strategic Development Planner then gave a comprehensive presentation regarding the detail of the proposal and concluded by stating that, “on balance, it was considered that the benefits associated with the development outweighed the harm caused by the development and the application was therefore recommended for approval”.

The Economic Development Manager was in attendance to speak in support of the application and answer any questions Members might have in respect of regeneration issues.

The Committee was delighted with this application as such a prestigious company as Rolls Royce would have a significant beneficial impact on the economy of the Arun District and on Bognor Regis in particular.

Whilst Members were firmly supportive of the proposal, a reservation was expressed with regard to the fact that the applicants had not agreed to submit an Employment and Training Plan and it was felt that this should be pursued as laid down in the Council’s emerging Local Plan. It was accepted that suitable wording would be agreed with the Assistant Director of Planning and Infrastructure, in consultation with the Cabinet Member for Planning and Infrastructure, to have discussions to approve a training programme relating to the occupation stage rather prior to any activity taking place on the site. The wording agreed would be inserted into the Minutes for completeness.

It was agreed that an Employment and Skills Plan was required to be put in place (with resultant additional condition).

The Committee

RESOLVED

That the application be approved as detailed in the report and the officer’s written report update, verbal update and subject to the addition of the following condition and amendment of Condition 19 relating to landscaping:-

Additional Skills Plan Condition:

Subject to approval at the next Committee meeting

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The applicant shall prepare and submit for approval an Employment and Skills plan for the occupation phase of development. Following approval of the Employment and Skills Plan, the occupier will implement and promote the objectives of the approved plan. The occupier shall provide the local planning authority with reports outlining the achievements against the Employment and Skills Plan targets and provide details of the employment and skills activities delivered in that time.

There shall be no occupation of the buildings hereby approved until such a Plan has been submitted to, and agreed in writing by, the Local Planning Authority.

Reason: In accordance with policies in the Emerging Local Plan.

Amended Landscape Condition:

There shall be no occupation of the development hereby approved until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme including details of hard and soft landscaping and details of existing trees and hedgerows to be retained, together with measures for their protection during the course of the development. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

BN/26/14/HH – A single and two storey rear extension, Domus, Lake Lane, Barnham Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

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AB/64/14/PL – Demolition of existing dwelling and erection of 1 No. 4 bed dwelling and garage and a pair of semi-detached dwellings comprising 1 No. 4 bed dwelling with detached garage and 1 No. 3 bed dwelling with integral garage and new access. Resubmission of AB/126/13, 44 Torton Hill Road, Arundel Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

AW/183/14/HH – First floor extensions, 17 Grosvenor Gardens, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

AW/185/14/HH – Single storey extension and loft conversion to extend living accommodation and an annexe for ancillary use, 84 Nyetimber Lane, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

201. PLANNING APPEALS

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

202. UPDATE ON MORRISONS ENTERPRISE HUB, LITTLEHAMPTON – PLANNING APPLICATION LU/118/14/pl

The Strategic Development Planner advised that the applicants had agreed to the Section 106 Agreement for two elements. The third and last element relating to highways matters was in the course of being resolved with County Highways. The formal legal documentation was in the process of being completed.

203. UPDATE ON ANGMERING S106 AGREEMENT RELATING TO PLANNING APPLICATIONS A/82/12, A/122/12 AND A/51/14/OUT

The Strategic Development Planner provided Members with a verbal update with regard to the negotiations that had been taking place around the Committee's resolution from its meeting on 8 May 2014 which stated that

“The contribution would be held by ADC to be spent (within a specified period of time) on the delivery of a new primary school in Angmering.

Contributions to be spent on the provision of a new school on the Bramley Green site in the first instance”.

The County Council had, however, not agreed to the above. They had a problem with the basic contribution but had agreed that it could be paid to them with the proviso that it could only be spent on the delivery of a new primary school and, if they proposed to spend it on anything else, that would have to be agreed by Arun District Council. The Strategic Development Planner stated that this Council would still retain control by way of an undertaking rather than a legal agreement.

Member comment was made that the County Council was supportive of a school at Bramley Green and a Working Group had been set up to discuss the matter.

The Committee agreed that this was the best way forward and noted that the Heads of Terms agreed at the meeting on 8 May 2014 would be amended so that the basic primary education contribution would go to WSCC to be spent on a new primary school in Angmering and could not be spent on anything else without the approval of Arun District Council.

204. SENIOR PLANNER, MR CIAN CRONIN

On behalf of the Committee, the Chairman extended thanks to Cian Cronin for his work during his time at Arun and wished him well for the future.

(The meeting concluded at 5.00 p.m.)