

DEVELOPMENT CONTROL COMMITTEE

22 October 2014 at 2.30 p.m.

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

[Note: The following Councillors were absent from the meeting during consideration of the matters referred to in the Minutes indicated:- Councillors Bower, Mrs Bowyer, Charles and Mrs Smee - Minutes 302 (part – from Planning application P/70/14/PL) to 304; and Councillor Mrs Pendleton, from Minutes 297 to 301).]

Councillors Mrs Brown, Gammon, Northeast, Patel and Wells were also in attendance for part of the meeting.

297. APOLOGIES FOR ABSENCE

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

298. 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.

Development Control  
Committee 22.10.14.

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 prejudicial interest in Planning Application K/28/14/PL as a member of an organisation that had objected to the proposal. He stated that he would exercise his right to speak and would then leave the meeting during its consideration.

Councillor Mrs Bowyer declared a personal interest in the Littlehampton planning applications as a member of Littlehampton Town Council. She stated that she had taken no part in any discussions regarding these applications.

299. MINUTES

The Minutes of the meeting held on 24 September 2014 were agreed by the Committee as a correct record and signed by the Chairman.

300. PREVIOUSLY DEFERRED APPLICATIONS

Application FG/112/14/HH – Proposed single and second storey extensions (resubmission following FG/54/14/HH), 27 Singleton Crescent, Ferring The Committee received a report from the Post Site Inspection Panel, together with the officer's written report update detailing additional letters of objection received; and a consultation response from Southern Water with resultant additional informative. The Committee accepted the Panel's view that the impact of the proposal on the neighbouring property would not be so great and therefore

RESOLVED

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

Application BE/23/14/PL – Change of use from Class B8 (storage or Distribution) to Class A1 (Shops) including partial demolition, Adjacent Warehouse site to McDonalds, Oldlands Way, Bersted At the meeting on 24 September 2014, the Committee had not accepted the officer's recommendation to refuse and had approved the application, subject to conditions. The conditions drawn up by officers were now put forward for consideration, as detailed in the report, together with the officers written report update detailing amendment to Conditions 3 and 7 for the reasons outlined in the update sheet. However, the amended Condition 7 had been omitted in error and was read out by the Planning Team Leader at the meeting.

Following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report and officer report update, with amendment to Conditions (3) and (7) to read as follows:-

(3) The retail premises hereby permitted shall be used for the purposes of Class A1 Retail excluding the sale of food, fashion and footwear. Goods falling outside this range including seasonal goods may be sold only where they form a strictly minor and ancillary part of the proposed store's operation.

Reason: To protect town centre viability, in accordance with the NPPF and Policies DEV26 and DEV27 of the Arun District Local Plan 2003.

(7) The retail store shall not be occupied unless and until space has been laid out within the site in accordance with drawing Ref 593-PL(00)013 Rev B (01/10/14) for the parking of customer cars, staff cars, disabled vehicles & bicycles, for the loading & unloading of delivery vehicles and for passenger vehicles to turn so that they may enter and leave the site in forward gear. The approved parking and turning areas shall thereafter be retained for the approved use.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of the adjacent highway in accordance with policy GEN7 of the Arun District Local Plan 2003.

301. TREE APPLICATIONS

BR/203/14/T – Fell & grub out stumps of 8 No. London Planes & 2 No. Rowans & replace in alternative locations, Bognor Railway Station, Station Square, Station Road, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

302. PLANNING APPLICATIONS

*(With the agreement of the Chairman, Councillor Patel spoke to the following application as a member of the Council. He declared a prejudicial interest, spoke first under the public speaking process and then left the room and was not present for the remainder of public speaking or the debate and vote by the Committee.*

Development Control  
Committee – 22.10.14.

*Following legal advice given at the meeting, Councillor McDougall declared a prejudicial interest due to pre-determination. As a member of the Committee he exercised his right to speak and then left the meeting and took no part in the debate or vote.*

*Councillors Mrs Brown and Wells spoke as Ward Members.)*

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 39 sqm 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 Having received a report on the matter, together with the officer's written report update detailing additional objections; additional consultation responses and resultant additional condition; impact on the two adjacent listed buildings; and amendment to windows detail condition, the Committee participated in a lengthy debate on the matter.

In Councillor McDougall's representation he stated that he had previously put a question to the Cabinet Member for Planning & Infrastructure requesting that he lobby MPs to prevent Permitted Development Rights being used to convert public houses into convenience stores or such like. However, Councillor Bower had no recollection of such a request but he did respond by advising that he had made representations elsewhere and was seeking a change to the Government's position.

The Planning Team Leader advised that there were no planning reasons to refuse the application and works had already commenced on the internal alterations, which were not part of the formal application. Members, however, expressed their serious concerns around an intensification in traffic movements once the store was fully operational and, prior to making a decision, wished to have sight of the Road Safety Audit that had been requested by County Highways.

A representative from County Highways was present at the meeting and he stated that he accepted that there would be an increase in traffic movements but the Highways Department would have very little control over that. The Road Safety Audit had been requested due to the changes that would be made to the highway and to ensure that a sensible scheme would be provided to improve the pedestrian facilities prior to implementation.

The Cabinet Member for Planning & Infrastructure was of the view that it was incumbent on the Committee to ensure that the Road Safety Audit was discussed in public and he moved a deferral on that basis, which was duly seconded by Councillor Charles.

Prior to voting, a further point was raised by a Member which related to a communication that he had received from a representative of Morrisons which he felt

needed clarification on the points raised relating to noise and the siting of the refrigeration plant. Neither officers or all of the Members had received that letter and it was felt that clarification should be sought from the Agent regarding the refrigeration unit and noise attenuation.

The Committee therefore

RESOLVED

That the application be deferred to enable the Road Safety Audit and refrigeration and noise attenuation issues to be clarified and discussed at a future meeting.

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 Having received a report on the matter, together with the officer's written report update detailing consultation responses from Environmental Health and County Highways and an additional letter of objection, and in light of the decision made on the previous application AW/211/14/PL, the Committee

RESOLVED

That the application be deferred.

BR/179/14/PL – New 3/4 bed dwelling & minor alterations to No. 33 Shelley Road. Resubmission of BR/306/13, 33 Shelley Road, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing a response from the applicant's agent, and an amendment to the recommendation taking account that the legal agreement concerning the affordable housing contribution had already been signed and completed, the Committee

RESOLVED

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

BR/190/14/PL – Change of use from café (A3 Restaurants and Cafes) to shed (Sui Generis). This application affects the character and appearance of the Upper Bognor Road and Mead Lane Conservation Area, Hotham Park Store, High Street, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

Development Control  
Committee – 22.10.14.

BR/236/14/PL – New café with external seating. Resubmission of BR/142/14/PL. This application affects the character and appearance of Upper Bognor Road & 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 additional consultation responses; change to the roof profile of the café building; and a request for the decision to be deferred and determined by the Assistant Director of Planning & Economic Regeneration, in consultation with the Chairman and Vice-Chairman, as the statutory neighbour consultation period expired on 23 October 2014, the Committee

RESOLVED

That the application be deferred and determined under delegated powers by the Assistant Director of Planning & Economic Regeneration, in consultation with the Chairman and Vice-Chairman.

EG/45/14/PL – Hardstanding for proposed car park together with air conditioning unit/enclosure, handrail & external lighting, 17 Elm Grove South, Barnham Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report. ,

EG/62/14/HH - Single storey rear extension and detached double garage, 4 Abercorn Walk, Old Rectory Drive, Eastergate 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 prejudicial interest. He exercised his right to speak and then left the meeting and took no part in the debate and vote.*

*Councillor Mrs Bower declared a personal interest in the following application and remained in the meeting and took part in the debate and vote.)*

K/28/14/PL – Demolition of existing building and erection of dwelling, Panorama, Golden Acre, East Preston Having received a report on the matter, some concern was expressed around this proposal being an overdevelopment but advice was given by the Planning Team Leader that account had been taken of a previous appeal decision at this site and it was therefore considered to be acceptable. Further comment was made that to alleviate overlooking, Condition 6

should be amended to **all** the first and second floor windows of the dwelling to be permanently obscure glazed. The Committee therefore

RESOLVED

That the application be approved as detailed in the report, subject to Condition 6 being amended to read:

“All first and second floor windows in the east elevation of the dwelling hereby permitted shall be permanently fitted with obscure glazing and shall be non-opening below 1.7m and the second floor”.

LU/169/14/PL – Change of use from a private dwelling (Class C3 Dwelling House) to a Nursing Home for young adults with learning disability (Class C2 Residential Institution). Resubmission following LU/48/14, 47 East Ham Road, Littlehampton Having received a report on the matter, together with the officer’s written report update detailing correction to the Policy Commentary of the agenda report, the Committee

RESOLVED

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

Prior to consideration of the following 5 applications, the Chairman advised the meeting that public speaking and debate would encompass all the applications but they would then be voted on separately.

*(Councillor Mrs Bowyer had declared a personal interest in the following 5 applications and remained in the meeting and took part in the debate and vote.*

*During the course of debate, Councillor Bower stated that the principle of development had been considered at Cabinet but he had reserved his position so he could discuss the matter at Development Control.*

*Councillor Northeast had been substituted at this meeting but spoke in opposition to the 5 applications as Ward Member.)*

The Planning Team Leader advised the meeting that it was being proposed that Planning Applications LU/221/14/PL and LU/222/14/PL would provide housing on land north of Joyce Close . New car parking areas would be allocated to the front of the properties, which would provide greater security and surveillance and it was considered that they would not have an unneighbourly impact on neighbouring properties. Planning Applications LU/223/14/PL, LU/224/14/PL and LU/227/14/PL

Development Control  
Committee – 22.10.14.

would be sited at Greenfields on land that had not been designated as public open space.

The Housing Strategy & Enabling Manager voiced his support for the proposals as the new housing would provide much needed social rent dwellings for local residents, in line with the Council's priorities. The stock of houses at social rents had dwindled considerably and this was an opportunity to redress that. He was of the view that the new build represented an investment for the Council in bricks and mortar whilst reducing rent levels and benefitting local people.

In the course of debate, support was expressed for the proposals as they would provide much needed housing at much lower rents than Housing Associations, who based their calculations on market rents. It was felt that residents' concerns had been addressed and that the 22 dwellings spread over 5 sites would be sustainable and would not adversely impact on neighbouring amenity. It was felt that these applications would not constitute over development as density standards had changed and that there was a lot of open space going to waste. The Council owned the land and, if it was to take steps to accommodate those on the Housing Waiting List, this was an ideal opportunity to provide housing at lower rents – it would be unviable for the Council to purchase land at market values to then build on.

However, counter arguments were voiced that this estate had been established for years and there was already very little open space for residents to enjoy. On street parking would be a problem and the heart of the community would be destroyed by taking away all the green space. Council house building was to be supported but it must be in the right place.

Following further discussion, the Committee then turned to the individual applications.

LU/221/14/PL – Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for erection of 4 No. houses and associated parking, hard and soft landscaping, on an existing parking court., Land north of 31-40 Joyce Close, Littlehampton Having received a report on the matter, together with the officer's written report update detailing a change to the policy framework following a successful referendum regarding the Littlehampton Neighbourhood Plan; and that no future widening works were proposed on this section of the A259, the Committee

RESOLVED

That the application be approved as detailed in the report.

LU/222/14/PL – Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for erection of 3 No. houses, 2 No. flats and associated parking, hard and soft landscaping, on an existing parking court, Land North of 7-12 Joyce Close, Littlehampton Having received a report on the matter, together with the officer's written report update detailing a change to the policy framework following a successful referendum regarding the Littlehampton Neighbourhood Plan; and that no future widening works were proposed on this section of the A259, the Committee

RESOLVED

That the application be approved as detailed in the report.

LU/223/14/PL – Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for erection of 8 No. houses and associated parking, hard and soft landscaping, on an existing parking court, Land North of 52-67 Greenfields, Littlehampton Having received a report on the matter, together with the officer's written report update detailing a change to the policy framework following a successful referendum regarding the Littlehampton Neighbourhood Plan; and that no future widening works were proposed on this section of the A259, the Committee

RESOLVED

That the application be approved as detailed in the report.

LU/224/14/PL – Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for erection of 1 No. house, 2 No. flats and associated parking, hard and soft landscaping, on an existing parking court, Land North of 81-92 Greenfields, Littlehampton Having received a report on the matter, together with the officer's written report update detailing a change to the policy framework following a successful referendum regarding the Littlehampton Neighbourhood Plan; and that no future widening works were proposed on this section of the A259, the Committee

RESOLVED

That the application be approved as detailed in the report.

LU/227/14/PL – Application under Regulation 3 of the Town & Country Planning General Regulations 1992 for erection of 2 No. houses and associated parking, hard and soft landscaping, on an existing parking court, Land North of 99-100 Greenfields, Littlehampton Having received a report on the matter, together with the officer's written report update detailing a change to the policy framework following a successful referendum regarding the Littlehampton Neighbourhood Plan;

Subject to approval at the next Committee meeting

250

Development Control  
Committee – 22.10.14.

and that no future widening works were proposed on this section of the A259, the Committee

RESOLVED

That the application be approved as detailed in the report.

P/70/14/HH – Demolition of existing dwelling and the erection of 1 No. new dwelling, 64 Harbour Road, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

P/77/14/HH – Extension to existing driveway, 32 Oaktree Close, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

R/174/14/HH – Demolition of existing conservatory together with existing roof removal to construct a new chalet style loft conversion with new pitched roof with dormers, 32 Broadmark Lane, Rustington Having received a report on the matter, together with the officer's written report update detailing a correction to the Policy commentary in the agenda report, the Committee

RESOLVED

That the application be approved as detailed in the report.

WA/28/14/PL – Demolition of existing care home and redevelopment of new purpose built care home. This application affects the character and appearance of Walberton Conservation Area, Walberton Place Nursing Home, Yapton lane, Walberton Having received a report on the matter, together with the officer's written report update attaching a reason to Condition 11, the Committee

RESOLVED

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

303. PLANNING APPEALS

The Committee received and noted planning appeals that had been received and 4 appeals that had been heard.

304. CONTINUATION OF PILOT – LITTLEHAMPTON TOWN COUNCIL  
DETERMINING HOUSEHOLDER PLANNING APPLICATIONS UNDER A  
SECTION 101 LEGAL AGREEMENT

*(In the course of consideration of this item, Councillor Squires declared a personal interest and took no part in the debate or vote.)*

Members received a report from the Head of Development Control which requested, as a beacon of localism, that the pilot project be extended for a further year, with the addition of advertisement applications being added to the Town Council's remit of decision making. Following consideration, the Committee

RESOLVED - That

(1) the current position be acknowledged and delegation be agreed for a further one year;

(2) the scope of applications to be determined by Littlehampton Town Council be widened to include advertisement applications in addition to householder applications only; and

(3) agreement be given to officers, in consultation and agreement with Littlehampton Town Council, to make amendments as required to the s.101 agreement to ensure that it remains fit for purpose.

(The meeting concluded at 6.00 p.m.)