

DEVELOPMENT CONTROL COMMITTEE

13 July 2016 at 2.30 p.m.

Present: Councillors Mrs Maconachie (Chairman), Mrs Hall (Vice-Chairman), Bower, Brooks, Charles, Dillon, Gammon, Hitchins, Mrs Oakley, Oliver-Redgate, Miss Rhodes, Mrs Stainton and Wells.

[Note: The following Councillors were absent from the meeting during consideration of the matters referred to in the relevant minutes:- Councillor Wells, Minutes 91 (from Planning Application BR/54/16/PL to Minute 93; Councillors Gammon and Miss Rhodes, Minutes 91 (from Planning Application AL/41/16/PL) to Minute 93.]

Councillors Ambler, Bicknell and Mrs Daniells were in attendance for part of the meeting.

87. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Maconachie and Mrs Pendleton.

88. 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.

Development Control
Committee – 13.07.16.

Councillor Mrs Maconachie declared a personal interest in Agenda Item 8, Planning Application BR/54/16/PL, as both the speakers were known to her.

Councillor Wells declared a pecuniary interest in Agenda Item 8, Planning Application BR/54/16/PL as his company carried out work for the applicant. He stated that he would leave the meeting during its consideration.

Councillor Hitchins declared a personal interest in Agenda Item 8, Planning Application BR/54/16/PL as Chairman of the Bognor Regis Regeneration Subcommittee.

Councillor Brooks declared a personal interest in Agenda Item 8, Planning Application BR/54/16/PL, as a member of the Bognor Regis Regeneration Board as they had made representation in support of the application, and as a member of Bognor Regis Town Council.

Councillor Dillon declared a personal interest in Agenda Item 8, Planning Applications BR/54/16/PL and BR/107/16/PL as a member of Bognor Regis Town Council's Planning & Licensing Committee – he stated that he was not present at the meeting when they were discussed.

89. MINUTES

The Minutes of the meeting held on 15 June 2016 were approved by the Committee and signed by the Chairman as a correct record.

90. VISIT BY SITE INSPECTION PANEL – AW/78/16/HH – WIDENING OF EXISTING DRIVE INCLUDING ALTERATIONS TO CROSS-OVER, ETC, 68 THE DRIVE, ALDWICK

The Committee received a report on a visit of the Site Inspection Panel and was advised by the Chairman of the Panel that Members found no problem with the widening of the drive and gateway and were reassured with the condition protecting the tree roots.

Following consideration, the Committee

RESOLVED

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

91. PLANNING APPLICATIONS

Y/34/16/PL – Application for Variation of Condition No. 5 following a grant of Y/7/15/PL to enable the use of PVCu windows, Residential Accommodation, The Olive Tree, North End Road, Yapton Having received a report on the matter, the Committee was advised by the Planning Team Leader that the Council did not have a policy with regard to plastic windows in Conservation Areas – there were restrictions for putting them in listed buildings. In this instance, it was the view of officers that the plastic sliding sash windows were of sufficient quality so as not to adversely affect the Conservation Area. Following consideration, Members

RESOLVED

That the application be approved as detailed in the report.

LU/100/16/PL – New 2 bedroom semi-detached dwelling, 12 Wick Farm Road, Littlehampton Having received a report on the matter, the Committee was advised by the Planning Team Leader that, although no comments had been received from County Highways, officers were of the view the proposal could be approved. The Committee therefore

RESOLVED

That the application be approved as detailed in the report.

FG/69/16/OUT – Outline application with some matters reserved for 4 No. 3 bed bungalows (resubmission of FG/196/15/OUT), 44 Ferringham Lane, Ferring Having received a report on the matter, the Committee was reminded by the Planning Team Leader that this proposal was in outline form for access and layout only and they were the only matters for determination today. Extensive negotiations had been undertaken with the applicant and it was felt that the proposed layout was sympathetic to the site. With regard to the access, the drive leading to the site was 50m long by 3.3m wide and the applicants had suggested a traffic light system to aid vehicles entering and leaving. It was acknowledged that the width was substandard and before any approval could be implemented the applicant would have to provide a 4m wide vehicular access (any land ownership disputes with the neighbouring properties on either side of the drive were civil and not planning matters to be resolved by the relevant parties). A condition would be placed on any approval to that effect and must be complied with prior to any development taking place.

In considering the matter, Members expressed serious concerns with regard to the access and the lack of detail relating to the proposed traffic light system. The proposed layout within the site was deemed to be acceptable but the access was felt

Development Control
Committee – 13.07.16.

to be inadequate. Having been proposed and duly seconded, the Committee did not accept the officer recommendation to approve and therefore

RESOLVED

That the application be refused for the following reason:-

The proposal fails to adequately demonstrate that a 4m wide access drive is achievable or that satisfactory tracking for large vehicles has been proven or that land is available for the construction of a traffic light system and it has not been satisfactorily demonstrated that such a system can operate without harm to highway safety and traffic flows in the locality contrary to Policy GEN7(vii) of the Arun District Local Plan 2007 and the National Planning Policy Framework.

EG/42/16/OUT – Outline application with some matters reserved for the demolition of Hunters Chase & erection of 2 No. 4 bed link-detached dwellings (resubmission following EG/50/15/OUT). This application is a Departure from the Development Plan, Hunters Chase, Fontwell Avenue, Eastergate Having received a report on the matter, together with the officer's written report update detailing additional consultation responses and letters of objection received, the Committee

RESOLVED

That the application be approved as detailed in the report.

(Prior to consideration of the following application, Councillor Wells had declared a pecuniary interest and left the meeting and took no part in the debate or vote.

Councillors Mrs Maconachie, Hitchins, Brooks and Dillon had declared a personal interest and remained in the meeting and took part in the debate and vote.)

BR/54/16/PL – Development of land to east of The University of Chichester, Bognor Regis Campus, to construct an Engineering & Digital Technology Park, new access from Felpham Way, erection of first phase of student accommodation (171 bed spaces), car parking & associated landscaping. This application affects the setting of listed buildings & affects the character & appearance of the Upper Bognor Road & Mead Lane Conservation Area. This is a Departure from the Development Plan, University of Chichester, Upper Bognor Road, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing:-

- Additional consultation responses received from WSCC Highways, Environmental Health & Environment Officer
- Amendment to description to reduce number of student bed spaces from 171 to 136
- Amendment to the wording of condition 14 relating to lighting
- Additional conditions as requested by WSCC Highways, Environmental Health and Ecology
- Additional informative relating to the submission of a Listed Building application
- Revised condition 2 relating to revised plans

the Committee was advised by the Case Officer that this was an application for the major expansion of the University. It included a new teaching building, described as the Engineering & Digital Technology Park, and an amended first phase of student accommodation to allow the University to offer student accommodation to all first year students who required it. The student accommodation had been reduced from 171 bed spaces initially submitted to 136 bed spaces following amendments to the application.

With the use of slides, the Case Officer gave a presentation on the detail of the application. Members were informed that the link between the existing Campus and the proposal would require a separate Listed Building application as it involved the removal of part of the curtilage wall on either side of the allotment garden and rebuilding of the collapsed wall on the east side of the curtilage. The application had been submitted but still had to be validated.

The Committee welcomed the application and acknowledged that it would greatly benefit the town. Some reservations were expressed with regard to flooding issues; insufficient on site car parking provision; and traffic congestion on the A259 immediately adjacent to the site.

Following consideration, the Committee

RESOLVED

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

BR/107/16/PL – Retrospective application for the change of use from single dwelling (C3 Dwelling Houses) to HMO (Sui Generis), 15 Devonshire Road, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing four letters of objection received regarding anti-social behaviour, the Committee was advised by the Planning Team Leader that an HMO

Development Control
Committee – 13.07.16.

(House in Multiple Occupation) for less than 7 did not require planning permission – as this proposal was for more than 7 it did require planning permission.

In discussing the matter, Members expressed strong concerns that this HMO would have an adverse impact on the amenity of the street scene, together with the fact that it was felt there was insufficient parking available at the site for the number of occupants at the property. Having been proposed and duly seconded, the Committee did not accept the officer recommendation to approve and

RESOLVED

That the application be refused for the following reason:-

The HMO by reason of the number of occupants and the lack of parking would be out of keeping with the residential area and harmful to the character of the area contrary to Policies GEN7 and GEN12 of the Arun District Local Plan 2003 and HSP4 of the emerging Neighbourhood Plan (publication version 2011-2013).

AL/41/16/PL – Replacement of 1 No. dwelling, Church Farm, Oving Road, Aldingbourne Having received a report on the matter, the Committee supported the proposal but, as a concern had been raised as to the quality of the flint to be used, it was agreed that an additional condition be added to the approval to ensure that suitable flint materials were provided for the development. The Committee therefore

RESOLVED

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

No development above damp proof course (DPC) level shall be carried out until a sample panel of the flint (including the proposed texture, style, coursing and mortar ratio) have been constructed on the site, and approved by the Local Planning Authority and the materials and sample panels so approved shall be adhered to as the construction specification for the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with Policy GEN7 of the Arun District Local Plan.

92. PLANNING APPEALS

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

93. ARUN HORTICULTURE SECTOR: LOCAL DEVELOPMENT ORDER –
RESPONSES TO STATUTORY CONSULTATION

The Director of Planning & Economic Regeneration stated that the horticultural industry was important to the economy of the District and this LDO would provide some freedoms from planning control without harming the rural amenity.

Following a statutory consultation with regard to a draft Local Development Order (LDO) for horticultural development, the Committee received a report from the Director of Planning & Economic Regeneration which detailed the changes that had been made to that document in response to the feedback received. He advised that one response had been omitted from the table included with the report – it was from a Mr Perry and related to the digester at Pagham and his concerns around traffic, noise and landscaping impact. The comments had been forwarded to the consultants to form a view as to whether any further changes would be required and they had responded by confirming that no further changes were required.

Members were advised that the main issues raised were in respect of the proposals for draft LDO areas 1 (Barnham), 4 (Woodgate) and 8 (Binsted). Consequently draft LDO area 1 had been removed because of concerns over the potential cumulative increase in traffic volume, as detailed in the report. Draft LDO area 4 had been reduced in size and draft LDO area 8 had been removed having taken into account the County Council's observations regarding the sensitivity of existing accesses to the proposed sites. The proposed permitted development rights had been simplified by removing reference to different zones.

Following a brief discussion and comments which were responded to at the meeting by the Director of Planning & Economic Regeneration, the Committee

RECOMMEND TO FULL COUNCIL – That

- (1) the Director of Planning & Economic Regeneration be given delegated authority to make any minor changes to the final documents;
- (2) the Arun Horticulture Local Development Order, as amended, be adopted and published; and
- (3) copies of the required documents be sent to the Secretary of State for Communities and Local Government.

(The meeting concluded at 4.55 p.m.)