

DEVELOPMENT CONTROL COMMITTEE

10 August 2016 at 2.30 p.m.

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

[Note: Councillor Oliver-Redgate was absent from the meeting during consideration of the matters referred to in Minutes 171 to 173 (up to Planning Application BR/100/16/PL).]

171. 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 Dillon declared a personal interest in Agenda Item 7, Planning Application BR/100/16/PL as a member of Bognor Regis Town Council's Planning & Licensing Committee.

172. MINUTES

The Minutes of the meeting held on 13 July 2016 were approved by the Committee and signed by the Chairman as a correct record.

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173. PLANNING OBLIGATION ASSOCIATED WITH FORTHCOMING INQUIRY FOR PLANNING APPLICATION WA/22/15/OUT

With the agreement of the Chairman, this item was dealt with as a matter of urgency as a decision was required in order to complete a legal agreement prior to the forthcoming Inquiry, which had been scheduled for November 2016 following the call-in of the application by the Secretary of State.

The Head of Planning Policy & Strategic Development reminded the Committee that in December 2016 it had determined that the application be approved subject to the Heads of Terms setting aside leisure related contributions to be spent locally and that the relevant Parish Councils of Walberton and Eastergate be requested to put forward their views as to how the money should be spent. The Parish Councils had been duly contacted and had submitted their proposals. However, following legal advice, it was considered that the facilities being requested failed to meet the strict tests set down by the CIL (Community Infrastructure Levy) Regulations. The view of the applicant was the same and they had stated they would not be willing to accept the request for unlawful contributions and would make that case, if necessary, at the forthcoming Inquiry.

Eastergate and Walberton Parish Councils had been informed accordingly and the Head of Planning Policy & Strategic Development now sought the Committee's agreement to give the two Parish Councils a further time limit of 26 August 2016 to submit proposals that would comply with the CIL Regulations. Should that not be forthcoming, then the Director of Planning & Economic Regeneration to be given delegated authority, in consultation with the Chairman, to approve the S106 Heads of Terms for Leisure Payments to be spent at Arun Leisure Centre and to not pursue Leisure Payments to the Parish Councils.

Following a brief debate, the Committee

RESOLVED – That

(1) Eastergate and Walberton Parish Councils be given until 26 August 2016 to submit their proposals that adhered to the CIL Regulations as to how contributions should be spent under the Heads of Terms; and

(2) should those proposals not adhere to the CIL Regulations, delegated authority be given to the Director of Planning & Economic Regeneration, in consultation with the Chairman, to approve the S106 Heads of Terms for Leisure Payments to be spent at Arun Leisure Centre and to not pursue Leisure Payments to the Parish Councils.

174. PLANNING APPLICATIONS

AL/34/16/PL – Retention of pond & associated groundworks, Crunchy Cottage, Park lane, Aldingbourne 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 Dillon had declared a personal interest and remained in the meeting and took part in the debate and vote.)

BR/100/16/PL – Change of use of Ashley House from a care home (Class C2 use) to a House in Multiple Occupation (HMO) to provide team member accommodation on behalf of Butlin's, Bognor Regis, together with external alterations to the building, two car parking spaces (one disabled space), a minibus parking space, a designated cycle store for in excess of 40 spaces, a designated bin store & associated landscaping, 120 Aldwick Road, Bognor Regis Having received a report on the matter, the Committee received a presentation on the detail of the application from the Planning Team Leader, who advised that it was considered that the change of use would be less intensive than the previous C3 history and particularly highlighted conditions 3 and 8 relating to cease of use by Bourne Leisure and noise mitigation measures respectively. A written officer report update was also circulated at the meeting which summarised additional representations received and additional information provided by the applicant.

In discussing the matter, Members expressed views that the proposal did not sit well with the character of the area and was an unacceptable increase in residency. A view was expressed that Policy GEN7 would not be met as it was felt that the character of the area would be adversely affected and would contribute to an over-provision of HMOs. Further comments related to foul drainage; internal space standards; unneighbourliness; management of the premises; noise; and car parking, all of which were responded to at the meeting by the Planning Team Leader.

It was acknowledged that the premises had been empty for a long period of time and something had to be done to get it back into use. Comment was made that there appeared to be a lot of misinformation and speculation going on, which were not planning reasons for refusal.

Following consideration, the Committee

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RESOLVED

That the application be approved as detailed in the report.

CM/13/16/PL – New agricultural building, Hobbs New Barn, Gravetts Lane, Climping Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

FG/12/16PL – Rationalisation of existing buildings to provide amended B1 (office & light industrial uses), B8 (Storage & Distribution) A1 retail & Café. Insertion of mezzanine level of office accommodation within rear building for Kingsley Roofing, together with revised opening hours and installation of parking barrier, 50 Ferring Street, Ferring Having received a report on the matter, concerns were raised relating to the proposal being out of character with the area; unneighbourly; and with the potential for noise nuisance. However, those concerns were addressed by the Planning Team Leader and, following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report.

FG/95/16/PL – Polytunnels, outdoor growing beds, tree nursery, storage & welfare facilities for a horticultural enterprise, Land between Lansdowne Nursery & Highdown Vineyard, Littlehampton Road, Ferring Having received a report on the matter, together with the officer's written report update detailing an additional representation received, the Committee

RESOLVED

That the application be approved as detailed in the report.

K/11/16/PL – Demolition of existing dwelling & erection of new dwelling house, Spring Tide, Gorse Avenue, Kingston Having received a report on the matter, the Planning Team Leader advised Members that this proposal was a reduction to the original application and, due to the variety of designs in the street scene, was considered to be acceptable.

In discussing the matter, a concern was raised that the proposal constituted an overdevelopment and would be out of character with the area. The modern design was not liked. However, on being put to the vote, the Committee

RESOLVED

That the application be approved as detailed in the report.

LU/131/16/PL – 3 No. terraced chalet bungalows with car parking. This application is a Departure from the Development Plan, Land adjoining Knightscroft, Toddington Lane, Littlehampton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

WA/25/16/PL – Conversion of 2 No. flats into 1 No. dwelling with two storey front & rear extensions, 1 & 2 Stafford Cottages, Yapton Lane, Walberton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

175. PLANNING APPEALS

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

176. DIVERSION OF FOOTPATH NO. 139 AT NORTH BERSTED

The Committee received a report from the Planning Solicitor which sought approval to the making of an Order to divert Footpath No. 139 at North Bersted.

Following consideration, the Committee

RESOLVED – That

(1) an Order be made and advertised for diversion of the Footpath in the essence of the terms of the Draft Order attached to the report, but allowing for delegated powers for the Director Planning and Economic Regeneration, and those whom he authorises, to make drafting and plan drafting amendments;

(2) if no objections are received to the Order, or if objections are withdrawn, the Director of Planning and Economic Regeneration will have delegated powers to adopt and confirm the making of the Order

Subject to approval at the next Committee meeting

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and may take all steps to advertise that, with any modifications to the Order; and

(3) if any objections are made and not withdrawn then the Order and objections be referred back to Committee for consideration.

(The meeting concluded at 4.30 p.m.)