

DEVELOPMENT CONTROL COMMITTEE

7 September 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 Wells.

[Note: Councillor Wells was absent from the meeting during consideration of the matters referred to in Minutes 189 (from Planning Application A/162/15/PL) to 192.]

Councillors Ambler and Mrs Rapnik were also present for part of the meeting.

186. 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 Mrs Pendleton declared a prejudicial interest in Agenda Item 7, Planning Application BE/93/16/PL, as she had spoken against the original application BE/142/15/OUT. She stated that she would leave the meeting during its consideration.

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187. MINUTES

The Minutes of the meeting held on 10 August 2016 were approved by the Committee and signed by the Chairman as a correct record.

188. TREE APPLICATIONS

BR/160/16/T – Repollard to previous points to 2 No. Holm Oak trees & crown lift to a clearance of 5.2m over vehicular entrance to 1 No. Common Ash tree & 1 No. Silver Birch tree, Chipley Court, Hawthorn Road, Bognor Regis Having received a report on the matter and advice that the application had been submitted by the Council, the Committee

RESOLVED

That the application be approved as detailed in the report.

189. PLANNING APPLICATIONS

M/59/16/PL – 1 NO. REPLACEMENT DWELLING, 1 Deepdene Close, Middleton on Sea Having received a report on the matter, together with the officer report update detailing an additional letter of representation received, the Committee heard concerns from some Members that the proposal appeared to be overbearing and would be out of keeping in the locality. As a result it was suggested and agreed that the site inspection should take place and the Committee therefore

RESOLVED

That the application be deferred to enable the Site Inspection Panel to visit the site.

EP/63/16/PL – Demolition of existing hotel & erection of 9 No. dwellings with associated parking, Bradbury Hotel, Station Road, East Preston Having received a report on the matter, together with the officer's verbal update detailing a correction to the report that at page 39 under Conclusion (1) relating to financial contributions for accessible natural open green spaces should be deleted and (2) relating to no contribution towards public open space or children's play equipment should become (1), the Committee was also advised that, following a representation from a neighbour regarding a Tree Preservation Order on a nearby tree, the car parking area to the north would mean that the roots of that tree would require protection. It was therefore suggested that an additional condition should be placed on any approval to read:-

No development shall take place until details have been submitted to and approved by the Local Planning Authority demonstrating that the Root Protection Area of the adjoining protected Beech tree on the southern boundary will not be adversely affected by the development. The development shall proceed in accordance with the details so approved.

Reason: To ensure retention of the neighbouring preserved tree in accordance with policy GEN7 of Arun District Local Plan.

Following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report.

*(During the course of consideration of the following application, Councillor Mrs Pendleton declared a personal interest due to its connection to Planning Application BE/93/16/PL, to be considered next on the agenda. She remained in the meeting and took part in the debate and vote.)*

BE/77/16/OUT – Outline application with all matters reserved for up to 50 residential units, landscaping, amenity space, car & cycle parking, roads, service & drainage infrastructure & other associated works. Departure from the Development Plan, Land West of New Barn Lane, Bersted Having received a comprehensive report on the matter, the Committee was advised by the Principal Planning Officer that it was considered that the proposal would not have a severe impact on the local highway network and that the Housing Strategy & Enabling Manager had agreed the affordable housing element of the scheme. An alternative access to the site would be considered under the next application on the agenda. He reminded the meeting that detailed design, road layout and landscaping were reserved matters and would be considered at another time. A written report update was circulated at the meeting which detailed amended site plans and a revised request for contributions from West Sussex County Council to take account of the tenure and housing mix.

In the course of discussion, a number of comments were made highlighting concerns as follows:-

- This site was not suitable for a strategic housing allocation as it eroded the strategic gap.
- Although the Environment Agency had no objection to the application, historically the area was prone to flooding.
- The road structure in the locality was already congested and it was difficult to get out onto the A259 – this development would exacerbate the situation.

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Further Member comment was made with regard to financial contributions relating to education and health; inadequate infrastructure. However, the Committee

RESOLVED

That the application be approved as detailed in the report.

*(Prior to consideration of the following application, Councillor Mrs Pendleton had declared a prejudicial interest and left the meeting and took no part in the debate or vote.)*

BE/93/16/PL – Construction of new vehicular/pedestrian/cycle route onto New Barn Lane for residential purposes, New Barn Lane, Bersted, Bognor Regis Having received a report on the matter, the Committee also considered the officer's written report update relating to:-

- An amended recommendation to Approve, subject to conclusion of an acceptable Unilateral Undertaking which is delegated to the Director of Planning & Economic Regeneration.
- The conditions set out in the report and an additional two conditions relating to the protection of trees.

The Principal Planning Officer advised the Committee that the Unilateral Undertaking (UU) was a vital requirement. In its current form it required amendment to take account of legal points from the Council and West Sussex County Council. As set out in the report at page 78 under Conclusions, "the Council requires the Unilateral Undertaking to allow for the deliverability of both developments as Committee had approved BE/77/16/OUT.

The Committee was also advised that the road safety audit had not identified any issues of concern and the cycling route would not increase the number of vehicles using the road.

A concern was expressed with regard to the junction and it was suggested that the application be deferred to look again at this particular aspect. However, officer advice was given that that could not be revisited as approval had already been given to the original planning application. This application was trying to bring together the accesses for the two different sites into one, which was considered to be a sensible solution.

Following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report and the officer report update, subject to conclusion of an acceptable Unilateral Undertaking, to be delegated to the Director of Planning & Economic Regeneration.

A/105/16/PL – Reconfiguration of existing car parking area for 1 No. flat with 5 No car barns below (resubmission following A/8/16/PL). This application affects the character & appearance of the Angmering Conservation area, Land at The Cottrells, Angmering Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

190 PLANNING APPEALS

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

191. PLANNING REFUSAL A/162/15/PL – PROPOSED CAR SHOWROOM AND WORKSHOP WITH ASSOCIATED ACCESS, CAR PARKING AND LANDSCAPING, LAND NORTH OF ROUNDSTONE BY PASS, ROUNDSTONE BYPASS, A259, ANGMERING FOR CAFFYNS LTD, AUDI

The Committee received a report from the Head of Development Control which required a decision in respect of an appeal that had been requested in relation to Planning Application A/162/15/PL. Advice had been received from Counsel to not defend the appeal and to accept the amended plans received as they represented an improvement over those originally submitted, upon which the refusal was based.

A written officer update was also circulated at the meeting which included the previous planning application committee report; advice from the Council's legal representative; and information that the appellant's agent had provided a written undertaking that, assuming recommendation 1a was accepted, they would be providing the proposed revised details to PINS requesting that the appeal be determined on the basis of this information.

The Planning Team Leader advised that the reasons for refusal could be overcome by condition, particularly as legislation was quite clear that approval could be granted. Counsel's view was that the appeal should be discontinued. Substantial costs would be incurred if the appeal went ahead, although the applicant had stated that no costs would be charged should the appeal be discontinued.

Following consideration, the Committee

RESOLVED – That

(1) the appeal not be defended; and

(2) the amended drawing be noted and the changes be endorsed as an improvement.

192. DEVELOPMENT CONTROL COMMITTEE – PROPOSED CHANGES TO PUBLIC SPEAKING FOR MAJOR APPLICATIONS

In the absence of the Head of Development Control, the Planning Team Leader presented this report which proposed an increase in the number of objectors/supporters able to speak on major applications from two to three persons under the Committee's Public Speaking rules. Major development was defined as the provision of 10 dwellings or 0.5 hectares or more; the provision of building/s where the floor space created by development was 1000 sqm or more or development carried out on a site of 1 hectare or more.

In discussing the matter, views were expressed that the change would not improve the process or improve performance. Also, if additional speakers were proposed for major applications that would create an inequality as other applications would not benefit by having an increased number of speakers objecting to or supporting those applications.

Following consideration, the Committee

RESOLVED

That the proposals not be accepted and the Public Speaking arrangements remain unchanged.

(The meeting concluded at 5.00 p.m.)