

DEVELOPMENT CONTROL COMMITTEE

18 October 2017 at 2.30 p.m.

Present: Councillors Bower (Chairman), Mrs Hall (Acting Vice-Chairman), Mrs Bence, Mrs Bower, Brooks, Charles (substituting for Councillor Hitchins), Dillon, Gammon, Haymes, Maconachie, Mrs Oakley, Miss Rhodes, Mrs Stainton and Wells.

Councillors Mrs Pendleton and Mrs Rapnik were also in attendance at the meeting.

236. WITHDRAWN APPLICATION

The Chairman advised that Planning Application EP/69/17/PL had been deferred and would not be considered at this meeting.

237. APOLOGY FOR ABSENCE

An apology for absence had been received from Councillor Hitchins.

238. 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.

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Councillor Bower declared a personal interest in Planning Application LU/234/16/RES as Chairman of the North Littlehampton Steering Group, where the matter had been discussed on several occasions. He reserved his position.

Councillor Mrs Bower declared a personal interest in Planning Application LU/231/17/PL as she knew the resident of The Bungalow.

239. MINUTES

The Minutes of the meeting held on 20 September 2017 were approved by the Committee and signed by the Chairman as a correct record.

240. PLANNING APPLICATIONS

WA/57/17/PL - Conversion of 2 No. flats into 1 No. dwelling with two storey front & rear extension (resubmission following WA/25/16/PL), 1 & 2 Stafford Cottages, Yapton Lane, Walberton Having received a report on the matter, and following some discussion, the Committee

RESOLVED

That the application be approved as detailed in the report.

LU/197/17/PL – Change of use of existing leisure use of upper ground floor to form 3 No. flats, extension of first floor to form 2 No. flats & creation of 1 No. flat in roof space (resubmission following LU/395/14/PL & LU/84/16/PL), 90 & 91 South Terrace, Littlehampton Having received a report on the matter, together with the officer's written report update detailing an additional representation received regarding bin storage and parking, the Committee

RESOLVED

That the application be approved as detailed in the report.

*(Prior to consideration of this application, Councillor Mrs Bower had declared a personal interest and remained in the meeting and took part in the debate and vote.)*

LU/231/17/PL – Change of use of land to the storage of caravans/motor homes; creation of associated hardstanding by the importation of material; siting of 4 No. self-storage containers & use of part of site for storage of scaffolding materials, Castleview Nursery, Old Mead Road, Littlehampton Having received a report on the matter, together with the officer's written report update detailing receipt of new layout and landscaping plan; addition of location plan to condition 2;

and corrections to the report relating to number of units and the west boundary plan, the Committee

RESOLVED

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

*(Prior to consideration of this application, Councillor Bower had declared a personal interest and remained in the meeting and took part in the debate and vote.)*

LU/234/16/RES – Application for reserved matters relating to access, appearance, landscaping, layout and scale of the previously approved LU/63/11. This application affects a Public Right of Way, Fitzalan Link Road, Littlehampton Having received a report on the matter, the Committee supported the proposal and, following comment that this was long overdue,

RESOLVED

That the application be approved as detailed in the report.

EP/69/17/PL – Construction of 1 No. dwelling (C3) to rear of existing property, 60 Vermont Drive, East Preston Having received a report on the matter, the Committee had been advised that this application had been deferred.

A/114/17/PL – To widen a section of Hangleton Lane adjacent to the vehicle storage compound to ease access onto the site for transporter vehicles. This application is also within the parish of Ferring, Highway outside Hangleton Nursery, Hangleton Lane, Ferring Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

AW/138/17/PL – Demolition of existing dwelling & outbuildings & erection of 5 No. dwellings. This application affects the setting of listed buildings, 90 Rose Green Road, Aldwick Having received a report on the matter, together with the officer's written report update detailing representation from the Council's Tree Officer and resultant additional new conditions 4 and 5, deletion of conditions 8 and 22 and subject to a Section 106 Agreement, the Committee

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RESOLVED

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

241. PLANNING APPEALS

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

242. REVIEW OF THE TERMS OF REFERENCE FOR DEVELOPMENT CONTROL COMMITTEE

As the Council's Constitution was undergoing a major review, led by the Constitution Working Party, Members received a report from the Group Head of Planning which detailed re-drafted Terms of Reference for the Committee as the section currently under review was Part 3, Responsibility for Functions, which set out the Terms of Reference for Committees, Subcommittees and Panels. He advised that the functions of the Committee would not be affected and that the exercise was aimed at simplifying the existing arrangements based on best practice used elsewhere.

Following consideration, the Committee

RECOMMEND TO FULL COUNCIL – That

(1) the revised Terms of Reference for the Development Control Committee, as set out in Appendix 1 to the report, be approved and updated in Part 3, Responsibility for Functions in the Constitution; and

(2) the Group Head of Council Advice & Monitoring Officer be authorised to make any further consequential changes to the Constitution.

243. DEVELOPMENT CONTROL COMMITTEE – SCHEME OF DELEGATION

*(With the agreement of the Committee, Councillor Mrs Pendleton participated in the debate on this item.)*

The current Scheme of Delegation for the determination of planning applications was agreed by this Committee in June 2016 in order to significantly reduce the number of applications it had to consider whereby only minor and major applications, where there was an objection from the Town/Parish Council, would be

presented to the Development Control Committee, with 100% of householder and other applications being delegated to officers.

Following a review, the Group Head of Planning presented this report which primarily addressed concerns that had been raised by a small number of Members and some Parish Councils with regard to householder applications being determined under delegated powers. He was proposing that a Ward Member 'referral' process could be introduced that would pick up those householder applications that generated a disproportionate number of representations relative to the scale of the proposals. For clarity, he suggested that, under the recommendation, the wording of iv be amended to read:-

“Any Householder application where the Ward Member has submitted a written request to the Chairman and/or Vice-Chairman for a 'referral', and that has been agreed by the Chairman and/or Vice-Chairman. Any written request must be submitted prior to the expiration of the statutory consultation period and must set out the reason for the 'referral' against the criteria that there are sound planning reasons why an officer level decision is insufficient.”

An officer report update was circulated at the meeting which detailed additional comments received from Parish Councils since the agenda had been published.

The Head of Group Planning also proposed that under recommendation ii the wording be amended to include reference to the discharge of conditions or non-material amendments as those could potentially be very time consuming, especially on large schemes such as Littlehampton Leisure Centre.

Members then participated in a full discussion on the matter. Concerns were raised with regard to the Chairman and Vice-Chairman having the responsibility to agree the 'referral' from a Ward Member, together with concerns that Ward Members needed to be issued with guidance to inform them sufficiently when making such a referral. Some views were expressed that that responsibility would be too onerous, particularly for those Ward Members who had no experience of planning. However, comment was also made that, providing a planning guide was issued to all Members to inform on planning reasons for refusal of applications and a reminder given to refer to the Planning Code of Conduct, which gave clear guidance as to their role when working on an application, this was a good way forward and the proposal should be supported.

In considering the amended wording for (iv) it was suggested and agreed that it should be the Chairman **and** Vice-Chairman. It was also suggested that, In the event of the absence of the Chairman or Vice-Chairman, the Cabinet Member for Planning could be called upon to substitute.

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The Chairman pointed out that, under (iii) reference had been omitted to the A280 and that should also be included.

The Committee then

RECOMMEND TO FULL COUNCIL

That Part 4 of the Constitution be amended as follows:-

3.1.2 Where the following exceptions apply, the application or matter will be determined by the Development Control Committee:

- i. Any Major or Minor application for planning permission which prior to its determination is subject to a written representation from a Parish Council, Town Council or formal Parish Meeting, which has been received within the consultation period and which is in conflict with the recommendation of officers
- ii Any planning application for Full or Outline planning permission by or on behalf of the Council
- iii. Any Major or Minor application as defined by the Department of Communities and Local Government which would create a new access or egress via the A27, A29, A284, A259 and A280
- iv. Any Householder application where the Ward Member has submitted a written request to the Chairman and Vice-Chairman for a 'referral', and that has been agreed by the Chairman and Vice-Chairman. Any written request must be submitted prior to the expiration of the statutory consultation period and must set out the reason for the 'referral' against the criteria that there are sound planning reasons why an officer level decision is insufficient.

(The meeting concluded at 4.00 p.m.)