

DEVELOPMENT CONTROL COMMITTEE

17 January 2018 at 2.30 p.m.

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

Councillors Ambler and Edwards were also in attendance at the meeting.

379. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Dillon and Miss Rhodes.

380. DECLARATIONS OF INTEREST

Declarations of interest were made by:-

- Planning Application BR/194/17/PL – Councillors Bower, Charles, Hitchins and Wells declared a personal interest as members of the Bognor Regis Regeneration Subcommittee which had discussed the matter but they had reserved their position.
- Planning Applications BR/194/17/PL, FP/246/17/PL and LU/318/17/PL – Councillor Haymes declared a personal interest as these were Council applications and he was the Cabinet Member dealing with Property & Estates.
- Planning Application Y/44/17/OUT – Councillor Haymes declared a personal interest as Chairman of Yapton Parish Council. He stated that he had taken no part in any discussion on the matter.

381. MINUTES

The Minutes of the meeting held on 13 December 2017 were approved by the Committee and signed by the Chairman as a correct record.

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382. PREVIOUSLY DEFERRED APPLICATIONS

BE/63/17/OUT – Outline planning application with some matters reserved (Access only) for 20 No. houses and flats, 1 No. replacement dwelling (21 No. units in total) with car parking, landscaping & associated infrastructure & access off Shripney Road (A29), following the demolition of the existing dwelling & outbuildings. This application is a Departure from the Development Plan, The Cottage, Shripney Road, Bognor Regis

This application had been deferred from the meeting on 13 December 2017 to enable a site visit to be undertaken to enable Members to discuss their concerns with officers from West Sussex County Council Highways Department. A written officer report update was circulated at the meeting which detailed the site visit, together with an amended recommendation sheet to take account of a change to Condition 3 in respect of Revision A version of the footway arrangements plan.

The Committee participated in some discussion on the matter. Disappointment was expressed that County Highways did not support the concerns put forward and some Members were not persuaded that the safety issues had been adequately addressed, particularly with regard to the proposed pedestrian crossing and footpath. However, the Chairman advised that County Highways had to adhere to strict national regulations and these had been met.

The Group Head of Planning advised the Committee that the standards and guidelines that WSCC Highways used in providing written advice were those that an Inspector would use if there was to be an appeal and there was no evidence to suggest that a different conclusion would be reached. Further, it was required to demonstrate that any adverse highways impacts were 'severe' in order for a reason for refusal to be robust.

The Committee

RESOLVED

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

(Prior to consideration of the following application, Councillors Bower, Charles, Haymes, Hitchins and Wells had declared a personal interest and they remained in the meeting and took part in the debate and vote.)

BR/194/17/PL – Demolition of the existing Foreshore office & decommissioning of existing underground toilets. New purpose built unisex toilet block including urinals, baby changing facilities & accessible WC, plus a separate beach office with public information point & first aid facilities. All located on the

existing seafront promenade, Promenade Opposite Walton Avenue, The Esplanade, Bognor Regis

This application had been deferred from the meeting in September 2017 and, although no clear or specific reasons for a deferral had been provided, officers had sought to address some of the individual comments made by Members in order to resubmit the application for consideration. This amended application now detailed:-

- The toilet doors facing south (towards the beach)
- A screen in front of the urinal entrance
- The building had been moved further north
- Two guard rails had been sited to the south elevation either side of the entrance

The application was therefore being resubmitted as it was felt that the changes to the plan were sufficient to overcome the concerns previously identified by the Committee. A recommendation for approval had been put forward as originally tabled, subject to amendment of Condition 2 to take account of the amended plans.

Whilst there was support for the proposal, concerns were expressed along the following lines:-

- (i) where and when had a policy change been decided to move from single sex public toilets to unisex?
- (ii) potential for criminal activity between men and women using the cubicles
- (iii) baby changing facilities inadequate
- (iv) facility not environmentally friendly as no grey water treatment or solar panels
- (v) design out of keeping with the seafront

However, comment was made that the revised application addressed the concerns raised previously and should now be supported. A request was made for the vote to be recorded.

Those Councillors voting for the recommendation to approve were Councillors Mrs Bence, Mrs Bower, Bower, Cates, Charles, Gammon, Mrs Hall, Haymes, and Hitchins (9). Those voting against were Councillors Brooks, Mrs Stainton and Wells (3). Councillor Mrs Oakley abstained from voting (1).

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The Committee therefore

RESOLVED

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

383. PLANNING APPLICATIONS

AL/102/17/RES – Application for approval of Reserved Matters for the demolition of existing glasshouses, bungalow, stables & outbuildings & residential development of 268 dwellings including 30% affordable housing (incorporating 60 senior living units) with associated access, public open space & landscaping, Nyton Nursery, Nyton Road, Westergate, Aldingbourne Having received a report on the matter, the Committee was also circulated with the officer's written report update which detailed the following:-

- Clarification that the application was to deal only with outstanding details of the outline permission relating to appearance, landscaping, layout and scale
- A discharge of conditions application (AL/119/17/DOC) had been submitted for conditions 5 (Arboricultural Method Statement), 8 (Archaeology), 14 (Japanese Knotweed), 15 (Construction Management Plan, 17 (Ecological Enhancement Scheme) and 18 (Construction Method Statement). A further discharge of conditions application would be required for the drainage related conditions once the winter groundwater monitoring was complete.
- Additional representations received from a resident and the Tree Officer and resultant revised layout for the central open space to safeguard the root protection zones of the two retained oak trees.
- Amended layout to address concerns in relation to access to Luakela House and subsequent removal of the pedestrian/cycle access adjacent to the property.
- Amendment of Condition 1 to take account of revised plans, as detailed in the update report.
- Authority be delegated to the Group Head of Planning, in consultation with the Chairman and Vice-Chairman, to approve the application following submission of the amended plans.

The Committee received a presentation from the Strategic Development Team Leader on the detail of the application, which was followed by comment from the Housing Strategy & Delivery Manager, who was pleased to confirm that this was a policy compliant scheme delivering 30% affordable housing of 80 units for rent and shared ownership. He was also pleased to advise that extra care housing had been incorporated in the scheme for the over 55 age range as the District had a high level of need. In addition, the Council would have nomination rights to the rented homes to ensure local people would have priority. It was felt that this much

needed affordable housing and extra care dwellings would make a valuable contribution to the housing needs of the District. An application had been made to Homes England for funding towards the actual build costs.

In opening up of the debate, the Chairman referred to the appeal decision and stated that the overall benefit of the scheme could now be considered to outweigh other concerns that Members had expressed on the original outline application.

A Member request was made that the following condition of the outline permission (AL/61/13) should be included in these Minutes to highlight its importance in the scheme going forward:-

Condition 23: Before the development hereby permitted is commenced, details of a proposed foul drainage system (including details of its siting, design and subsequent management plan/maintenance, if appropriate) shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until works for the disposal of sewage have been fully implemented in accordance with the approved details.

Some discussion took place with regard to the layout for parking within the site; the possibility of a barrier to protect the two central oak trees; provision of semi-mature trees to the rear of The Haven; and foul and surface water drainage. The Group Head of Planning reminded Members that sewerage and drainage matters were not within the scope of this reserved matters application. As there would be a discharge of conditions application coming forward on this, it was agreed that the matter would be considered by the Committee in due course.

The Committee

RESOLVED

That authority be delegated to the Group Head of Planning, in consultation with the Chairman and Vice-Chairman, to approve the application as detailed in the report and officer report update following submission of the amended plans.

A/178/17/OUT – Outline application with some matters reserved for the demolition of existing outbuildings, retention of 1 No. dwelling & the erection of 6 No. dwellings. This application is a Departure from the Development Plan, Crete Nursery, Dappers Lane, Angmering Having received a report on the matter, the Committee

Subject to approval at the next Committee meeting

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RESOLVED

That the application be approved as detailed in the report.

(Prior to consideration of the following application, Councillor Haymes redeclared his personal interest and remained in the meeting and took part in the debate and vote.)

FP/246/17/PL – Alterations to layout of existing public conveniences & new shutter door on south elevation, Public Conveniences adjacent to Felpham Yacht Club, Blakes Road, Felpham 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 Haymes redeclared his personal interest and remained in the meeting and took part in the debate and vote.)

LU/318/17/PL – Changes to internal layout and access doors, Public Conveniences, St Martins Car Park, St Martins Lane, Littlehampton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

WA/54/17/PL – Single storey side extension to form new entrance lobby & disabled WC facilities. This application affects the character & appearance of the Walberton Village Conservation Area, Walberton Baptist Church, The Street, Walberton 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 Haymes redeclared his personal interest and remained in the meeting and took part in the debate and vote.)

Y/44/17/OUT – Outline Planning Application for 70 No. residential dwellings including 30% affordable, public open space & associated landscaping. All matters to be reserved apart from access (access to be achieved via permitted road (reference Y/93/14/OUT). This application is a Departure from the Development Plan. This application affects the character & appearance of Main Road/Church Road Yapton Conservation Area & the setting of Listed Buildings, Land at Stakers Farm, North End Road, Yapton Having received a report on the matter, the Committee also considered the officer's written report update detailing :-

- Highways England consultation response
- NHS consultation response
- Confirmation that the gift of land would be able to proceed
- Additional comments from West Sussex County Council relating to the possible expansion of Yapton Primary School and a request that the application be deferred to allow that Council to assess the merits of such a proposal.
- Additional comments from Yapton Parish Council relating to the possible expansion of Yapton Primary School and a request that the application be deferred in order to allow necessary time to ensure that the right solution for the whole Parish was found for the school and future residents.
- Additional representation received and response from applicant, together with officer's comment.
- Proposed change to condition 11 to make it clear that both West Sussex Highways and Highways England would be consulted in respect of the discharge of the Construction Management Plan condition,
- It was recommended that the application be delegated to the Director of Place, in consultation with the Chairman and Vice-Chairman, in order that the Section 106 Heads of Terms can be finalised (i.e. so that the level of the Highways England contribution could be agreed).

The Principal Planning Officer presented the detail of the application and the Group Head of Planning gave advice that, whilst he had sympathy with the comments of the Parish Council, it would be unreasonable to defer the application in order to allow WSCC to carry out work that should have commenced a long time ago (when asked to do so by Arun District Council). This would be for an unspecified period and would preserve a position for the promoters of the strategic allocation – a different application site. He reminded the Committee that it was the responsibility of the promoters of the strategic land allocation (as set out in the emerging Local Plan) – not this applicant – to find the most appropriate solution to provide for primary education provision for the needs arising from their site and that determining this application in no way prevented those private discussions between

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third parties from continuing. Regardless of any planning decision on this site, if land was required for a school expansion, formal agreements needed to be reached. This applicant was more than making appropriate provision for primary education through this application.

At the commencement of the debate, Member comment was made that, in the last month, 208 additional houses had been approved for Yapton by appeal. It was felt that it was imperative that the problem of the primary school be sorted out prior to this application being approved and it was proposed and duly seconded that it be deferred.

The Group Head of Planning stated that he wished to be clear about (1) what Members felt that granting this outline would preclude and (2) what would be the specific reasons for any deferral because the applicant was not being asked to do any further work. He was of the view that there was no guarantee that additional land would be able to be secured as agreement would be required from that landowner, which would have to be secured by the promoter of the strategic allocation.

Whilst serious concerns were expressed that the matter of the future of the primary school needed to be addressed, concerns were also expressed with regard to the response from Southern Water that it objected to the proposal. Although officers had gone back to Southern Water with comment that a consistent approach to development needed to be taken in light of other proposed developments in the area where they had raised no objection, Southern Water had not responded. Officers were therefore of the view that it would not be reasonable to maintain the Southern Water objection.

However, Members felt that clarification should be sought from both Southern Water and the County Council as to their positions on this matter. It was therefore suggested that the application be deferred for three months for resolution of the issues raised.

The Group Head of Planning accepted that clarification could be sought from Southern Water but felt that the issue around primary education was much more problematic and that the County Council was very unlikely to be able to provide a solution within three months. The matter had been broached by officers 18 months ago as they could foresee what was going to happen. There was an urgent need for the promoters of the strategic allocation to obtain the agreement of the landowner to deliver their primary education provision.

Members were adamant that adequate educational provision had to be provided and it was suggested that, with the potential for 1,000 houses in Yapton, the County Council should be able to provide information as to the amount of land that would be required to expand the current school and meet the future need.

However, Member comment was made that it was difficult for the County Council due to the call-ins that there had been in the Yapton area, which had had an effect on housing numbers as it had been unclear what the results of the call-ins would be. Consequently, WSCC were unable to undertake any calculations until the call-ins had been dealt with.

The Committee was advised that the gift of land being proposed by the developer for the expansion of the school was over and above what could be reasonably expected from this application. In addition, it was felt that it would be unreasonable to expect this development to deliver land for the school on behalf of all the other proposed developments. A suggestion was then made that perhaps the open space could be reduced to secure additional land.

The Committee

RESOLVED

That the application be deferred for further negotiation and clarification with (i) Southern Water; (ii) West Sussex County Council Education Department; and (iii) the applicant (with reference to land issues for the potential expansion of the primary school).

(The meeting concluded at 5.15 p.m.)