

DEVELOPMENT CONTROL COMMITTEE

9 May 2018 at 2.30 p.m.

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

[Councillor Brooks was absent from the meeting during consideration of the matters considered at Minutes 565 (part - from Planning Application FG/183/17/PL) to 567.

Councillor Ambler was also in attendance at the meeting.

561. WITHDRAWN APPLICATION

The Chairman advised that Planning Application AL/8/18/PL had been withdrawn from the agenda and would not be considered at this meeting.

562. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Gammon and Wells.

563. DECLARATIONS OF INTEREST

Declarations of interest were made by:-

Planning Application LU/408/17/PL – Councillor Bower declared a personal interest as a member of the North Littlehampton Steering Group, where the matters had been discussed and he had reserved his position.

564. MINUTES

The Minutes of the meeting held on 14 March 2018 were approved by the Committee and signed by the Chairman as a correct record.

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565. PLANNING APPLICATIONS

AL/8/18/PL – Erection of 2 No. 2 bedroom dwellings with associated parking & landscaping, Land between 8 & 10 Barnett Close, Eastergate Having received a report on the matter, the meeting had been advised that this application had been withdrawn from the agenda.

A/8/18/PL – Variation of condition 2 imposed under A/173/16/PL to read “the development to be carried out in accordance with the following approved plans ADC962/04 REVA, ADC962/13 & ADC962/14 relating to revised position of rooflights on east, north & south elevations. This application affects the character & appearance of the Angmering Conservation Area, Land Rear of 1 to 6 The Cottrells, Angmering Having received a report on the matter, together with the officer’s written report update detailing additional information relating to the use of the proposed housing, the Committee

RESOLVED

That the application be approved as detailed in the report.

A/11/17/OUT – Hybrid application to include full planning permission for a retail unit (Class A1) comprising 1,487sqm with associated access, car parking, servicing, landscaping & associated works & outline planning permission with some matters reserved (scale & appearance) for Public House (Class A4) comprising 581sqm (resubmission following A/23/15/OUT). This application is a Departure from the Development Plan, Land south of New Road (A259) & East of Brook Lane, Angmering Having received a report on the matter, the Strategic Development Team Leader presented the detail of the application and advised that the proposal consisted of two parts – the first for full planning permission for a Class A1 retail unit, including access, and the second for outline planning permission for a Class A4 public house with scale and appearance reserved.

With regard to the full application, Members heard that this was a complex and detailed application with a number of issues for consideration and, whilst the NPPF placed significant weight on the need to support economic growth through the planning system, these benefits and other material considerations were not considered to outweigh the dis-benefits associated with allowing an out of centre retail development to proceed in a countryside location when a suitable and available town centre site was available. The access being proposed was problematic in that it was east of Brook Lane and would require Brook Lane to be stopped up. The neighbouring landowner had raised concerns about the revised access location prejudicing the access to the site to the west of Brook Lane, which had recently been granted outline planning permission. As there was no agreement between the parties, the applicant had therefore not demonstrated that a safe and

suitable access to the site could be provided. The application was therefore being recommended for refusal by officers.

It was accepted that the Public House element of the proposal would provide a community facility and additional employment opportunities in the area and that the layout was acceptable. However, it was part of the overall development “package” and, particularly due to its reliance on the access from the main full element of the scheme being delivered, which was considered to be unacceptable, and that no separate demonstration of a lack of suitable town centre locations had been provided, the outline element was also recommended for refusal by officers.

The Business Development Manager spoke in favour of the proposal and highlighted the considerable benefits it would bring to the area in social and economic terms.

Mr Steven Shaw, County Highways, was also in attendance to clarify the issues around access and answer questions from Members and Mr Jeremy Cook was present to offer legal advice on the matter.

In debating the item, Members considered the Waitrose site, expressed views that the scheme should be approved and referred to the socio-economic benefits of the proposal and that all parties concerned should get together to work on resolving the access issues to satisfy both this application and the application for the development to the west of Brook Lane.

Following comment and advice from the County Highways representative, the Committee did not accept the officer recommendation to refuse the application.

Further detailed debate then took place as to a way forward in relation to the access issue, and consideration was given to approving the application but deferring the access issue. The Group Head of Planning advised that the proposal had to be determined as a whole and could not be split. The Committee then

RESOLVED

That the application be deferred to enable the access issues to be resolved.

A/23/15/OUT – Hybrid application – full planning permission for a retail unit (Class A1) comprising 1,487sqm(1022sqm ground floor and 465sqm mezzanine) with associated access, car parking, servicing, landscaping & associated works. Outline planning permission for a public house (Class A4) comprising 581sqm at ground floor level. This is a Departure from the Development Plan, Land south of New Road (A259) & East of Brook Lane, Angmering Having received a report on the matter, the Strategic Development Team Leader advised that this application

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was being redetermined following the Judicial Review claim that had quashed, through a Consent Order, the original decision to grant planning permission due to an inconsistency in the approach to the sequential test. The report had been updated and it was highlighted that the difference between this proposal and A/11/17/OUT was the access. Although this access could be amended more easily than that shown under A/11/17/OUT to accommodate the access to the adjacent site to the west (A/169/17/OUT), it had still not been demonstrated that a safe and suitable access could be provided without prejudicing that site.

With regard to the retail issues, it was still considered that the proposal was contrary to retail policy as it failed to meet the sequential test requirements and the material considerations, as detailed in the report, could not be considered to outweigh that and the resultant unacceptability of this type of development in a countryside location.

Both the full and outline applications were therefore being recommended for refusal, as detailed in the report.

Mr Shaw from County Highways advised Members as to why the proposal was unacceptable at the present time due to the access issues.

In discussing the matter, comments were made around the need for a Grampian condition to ensure a suitable access would be provided to satisfy the Highway Authority. However, it was concluded that would not be appropriate. A view was expressed that, should the proposal be approved, then the matter of the railway crossing needed to be addressed in that a contribution should be sought to make it safer.

The Committee did not accept the officer recommendation to refuse the application and were asked by the Group Head of Planning to provide explicit reasons for its decision. Member comment was made that the socio-economic benefits to the District were considerable and, as there was substantial retail development to the east of the application site, it made sense to develop this last parcel of land between the railway line and the A259. The comments made by the Business Development Officer on Planning Application A/11/17/OUT were pertinent relating to economic/social development issues and were fully supported by the Committee.

The Strategic Planning Team Leader read out a list of headings for potential conditions that could be applied to any permission, as attached to the original permission, and stated that wording would need to be included relating to the access to the site.

The Committee then

RESOLVED

That the application be approved and the decision be delegated to the Group Head of Planning, in consultation with the Chairman and the Cabinet Member for Planning, to attach appropriate conditions to the permission to include a S106 Agreement for contributions towards safety measures for the railway crossing and for Rustington and Littlehampton Town Centres.

A/84/17/PL – New retail unit with mezzanine together with associated car parking and service road. This is a Departure from the Development Plan, Rustington Golf Centre, Golfers Lane, Angmering Having received a report on the matter, the Principal Planning Officer presented the detail of the application, which was replacing the previously approved 9 five-a-side football pitches and associated football building. The proposed retail unit would be developed alongside the remaining approved leisure facilities at the front of the Golf Centre comprising a 63 bed hotel, a pub/restaurant, an indoor trampoline and laser tag centre, a forest adventurer kiosk and a nursery with associated infrastructure and landscaping (A/77/16PL).

Opening comments in the debate expressed concern that this enormous retail structure in the countryside would have a detrimental visual impact, particularly as everything else on the site centred around health, leisure and sports activities. Other concerns were expressed relating to access to the site via the roundabout at the entrance and that the retail use would create a substantial increase in traffic to the site, which was already difficult to exit from. A request was made that service vehicles should be segregated away from car parking within the internal layout.

Officer advice was given that there was a consented scheme already and there was no evidence to say that the impact of the retail unit instead of 9 football pitches would cause severe harm.

Following advice from the Group Head of Planning, the Committee

RESOLVED

That the application be approved as detailed in the report.

EP/7/18/PL – Demolition of existing buildings and erection of 2 No. dwellings with associated car ports/parking, alterations to existing access and relocation of staircase to flats. Amendment to EP/138/17/PL, Land rear of Beechlands Cottages, Beechlands Close, East Preston Having received a report on the matter, together with the officer's written report update detailing an additional representation

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received, Members expressed concerns with respect to relationship of the development to the surrounding area and

RESOLVED

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

FG/174/17/PL – Demolition of existing dwelling (No. 32) & erection of 4 No. 4 bed dwellings, alterations to existing dwelling (No. 34A) with alterations to two existing accesses to form a single point of access. This application may affect the Character & Appearance of the Ferring Conservation Area, 32 & 34A Sea Lane, Ferring Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

Councillor Elkins spoke to the following application in his role as Ward Member and stated that he was also a member of West Sussex County Council.

Prior to consideration of the following application, Councillor Mrs Hall declared a personal interest as a member of West Sussex County Council. She remained in the meeting and took part in the debate and vote.

FG/183/17/PL – Change of use of land from permitted B8 storage use & erection of new detached office building (Use Class B1) with access via Hangleton Lane & associated car parking, cycle storage & refuse storage. This is a Departure from the Development Plan, Land adjacent to The Barn, Hangleton Lane, Ferring Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

Councillor Elkins spoke to the following application in his role as Ward Member.

FG/206/17/PL – Installation of a Six Pump (12 Filling Position) Petrol Filling Station, Drive-to-Pay Kiosk & associated works including Jet Wash, Air/Water Services & Vacuum Equipment, Land at Asda Superstore, Littlehampton Road, Ferring Having received a report on the matter, together with the officer's written report update detailing additional representations received and consultation responses from the Drainage Engineer and Environmental Health and resultant

additional and amended conditions, a number of Members expressed concerns with this proposal.

The proximity of neighbouring properties to the jet wash was considered to be unacceptable due to the potential for noise disturbance and the impact of the spray travelling over to the gardens. Whilst some Members felt that the distance between the position of the jet wash unit was sufficient to mitigate the effect of the noise and spray, the Committee did not accept the officer recommendation to approve and

RESOLVED

That the application be refused for the following reason:-

Due to their close proximity to residential properties, the proposed use of the two jet washes will result in levels of noise and disturbance which will have an unacceptable detrimental impact on the enjoyment of the rear gardens of properties in Bennett Gardens contrary to policies GEN7, GEN32, GEN33 of the Arun District Local Plan, D DM1, QE DM1, QE DM2 of the emerging Arun Local Plan and the National Planning Policy Framework.

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

LU/408/17/PL – Variation of condition No. 4 & 24 imposed under LU/355/10 relating to amended drawings & rewording condition to state “Details of the proposed bus route within the development, including footway and cycleway links, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the 550th house at Kingley Gate. The bus route, cycle and footway links shall be carried out in accordance with the approved plan prior to the occupation of the 600th residential unit at Kingley Gate, Land north of and south of Railway, Courtwick Lane, Littlehampton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

WA/88/17/PL – External alterations including replacement windows & doors to create new entrance, cladding of external walls & creation of seating area to facilitate new operator (KFC) together with provision of drive-thru lane (Use Class A3/A5) with opening hours 7 am to 10 pm and single storey extension to Burger King to South, Little Chef Restaurant, Arundel Road, Walberton Having received a report on the matter, Members expressed concerns with regard to the existing litter

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problem at the site and the potential for this to be made worse and asked for a condition to be placed on any approval to mitigate that. The Committee

RESOLVED

That the application be approved as detailed in the report subject to the addition of the following condition:-

“The use hereby permitted shall not commence until provision has been made within and in the vicinity of the site for the disposal of litter resulting from the use, and such provision shall be in accordance with details agreed in writing with the Local Planning Authority.

Reason: In the interests of the amenity of occupiers of nearby properties in accordance with Arun District Local Plan Policy GEN7.”

566. PLANNING APPEAL PERFORMANCE AND COST 1 JANUARY 2017 TO 31 DECEMBER 2017

The Planning Team Leader presented this report which set out the detail of how the Council had performed in the calendar year 2017 in respect of planning appeals. An update to the report was circulated at the meeting which provided additional financial information on appeals that had been determined by either call-in or recovered appeals by the Secretary of State.

The Committee noted the report.

567. PLANNING APPEALS

The Committee noted the planning appeals that had been received.

(The meeting concluded at 6.45 p.m.)