

DEVELOPMENT CONTROL COMMITTEE

3 October 2018 at 2.30 p.m.

Present: Councillors Bower (Chairman), Mrs Bence (Vice-Chairman), Mrs Bower, Cates, Dillon, Mrs Hall, Haymes, Northeast, Mrs Oakley, Oliver-Redgate, Miss Rhodes and Mrs Stainton.

Councillors Ambler was also in attendance at the meeting.

196. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Brooks and Mrs Pendleton.

197. DECLARATIONS OF INTEREST

Declarations of interest were made as follows:-

Planning Application LU/131/18/PL – Councillor Mrs Bower declared a personal interest as she knew the neighbour.

Planning Applications LU/182/15/PL, LU/278/17/RES and LU/284/17/DOC – Councillor Northeast declared a personal interest as a member of the North Littlehampton Steering Group where the matters had been discussed. He stated that he would reserve his position and would not vote on the applications.

198. MINUTES

The Minutes of the meeting held on 5 September 2018 were approved by the Committee and signed by the Chairman as a correct record.

199. REPORT OF THE MEETING OF THE POST COMMITTEE SITE INSPECTION PANEL HELD ON 11 SEPTEMBER 2018

AL/136/17/PL – Erection of pair of semi detached houses & new access onto A29 – This is a Departure from the Development Plan, Land west of Fontwell Avenue, 1 Fontwell Avenue, Eastergate This application had been deferred from the meeting held on 5 September to enable the Site Inspection Panel to visit the site and assess the views of the Parish Council. The Committee was advised that those members present at the site visit had voted to accept the officer recommendation to approve.

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An officer report update was circulated at the meeting which detailed representations put forward at the meeting on 5 September 2018 and, in addition, a further representation for consideration at this meeting, together with the officer's response.

Following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report.

200. PLANNING APPLICATIONS

AL/92/18/PL – Studio apartment with roof extensions & bin store & cycle store, Flat 1, 126 Arundel Road, Littlehampton 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 item, Councillor Mrs Bower had declared a personal interest and remained in the meeting for the debate and vote.)

LU/131/18/PL – Erection of 2 No. new buildings for caravan/motorhome storage & self-storage in place of existing glasshouse & building approved under application LU/47/16/PL. This application is a Departure from the Development Plan – Castlevew Nursery, Old Mead Road, Littlehampton Having received a report on the matter, together with the officer's written report update detailing a condition relating to possible contamination of the site, and following brief consideration, 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, Councillor Northeast had declared a personal interest and remained in the meeting but took no part in the vote.)

LU/182/15/PL – Variation of conditions 4,6, 7, 8, 39 & 42 imposed under planning reference LU/47/11 relating to list of plans, illustrative masterplan, CHP plant building, Design Statement, bus stops & traffic improvements, Land North of Toddington Lane, Littlehampton Having received the original report on the matter,

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together with an update at the front of that report which also detailed additional information to be taken account of and changes to the relevant conditions as a consequence of the recently adopted Arun Local Plan and the revision of the National Planning Policy Framework, the Committee

RESOLVED

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

(Prior to consideration of the following application, Councillor Northeast had declared a personal interest and remained in the meeting but took no part in the vote.)

LU/278/17/RES – Approval of Reserved Matters following Outline Permission LU/47/11 for construction of the southern section of the Lyminster Bypass, including northern and southern roundabouts, surface water drainage and landscaping. Departure from the Development Plan & affects a Public Right of Way, North Littlehampton Strategic Development Site, Land West of Toddington Park, Toddington Lane, Littlehampton Having received the original report on the matter, together with an update at the front of that report which also detailed additional information to be taken account of and changes to the relevant conditions as a consequence of the recently adopted Arun Local Plan and the revision of the National Planning Policy Framework, 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, Councillor Northeast had declared a personal interest and remained in the meeting but took no part in the vote.)

LU/284/17/DOC – Application for approval of details reserved by conditions imposed under LU/47/11 relating to conditions: 10 - Surface Water Drainage Strategy, 15 - Trees, 19 & 20 - Ecology, 21 - Ecological Management, 36 - Noise Assessment and 37 - Noise Mitigation, North Littlehampton Strategic Site West of Toddington Park, Toddington Lane, Littlehampton Having received the original report on the matter, together with an update at the front of that report which also detailed additional information to be taken account of and changes to the relevant conditions as a consequence of the recently adopted Arun Local Plan and the revision of the National Planning Policy Framework, the Committee

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RESOLVED

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

FG/33/18/PL – Demolition of polytunnels, use of land for Class B8 container self-storage & the siting of 42 No. single-stacked storage containers, an office/toilet portable building, new fencing, gates, CCTV, lighting & alterations to the entrance. This application is a Departure from the Development Plan, Land at former McIntyre Nursery, Littlehampton Road, Ferring Having received a report on the matter, Members expressed concerns that the screen of trees to the north of the site must be protected to ensure it could not be cut down and not replaced. However, officer advice was given that the trees were outside of the red line of the application site and so could not be conditioned. In addition, given the history of the site and that the proposed containers were lower in height than existing and that the intensification of use was not so severe as to cause harm, it was the officer view that the application should be approved. The Group Head of Planning advised that an investigation could be undertaken as to whether a Tree Preservation Order (TPO) could be placed on the trees but that could not be a prerequisite to the granting of planning permission.

The Committee

RESOLVED

That the application be approved as detailed in the report.

AB/39/18/PL – Erection of 3 No. 2 bedroom dwellings with associated parking & landscape, Land adjacent to 30 Ellis Close, Arundel The Committee received a report on the matter, together with the officer's verbal update that this was a Council application and that it had been incorrectly detailed that the Parking Demand and Capacity Report submitted by the applicant had stated that a maximum of 19 cars had been recorded as being parked on the site during the survey period – the number should read as 7.

Following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report.

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 This application had been approved at the meeting held on 11 April 2018, with the decision 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.

The Strategic Development Team Leader presented the original report with an attached update which set out amendments to the access and to consider the new planning policy context following the adoption of the Local Plan and the revision of the National Planning Policy Framework. A further report update was circulated at the meeting which detailed additional representations received; consultation responses; that the Unilateral Undertaking had been completed on the basis set out in the report; and comment that revised plan REDW-3167-138 had been confirmed as acceptable.

The Committee was advised that any decision would be required to be delegated to the Group Head of Planning, in consultation with the Chairman and the Vice-Chairman, as the expiry of the notification period for the Parish Council to respond on the amended plan was 14 October 2018.

In commencing the debate, comments were made in support of approving the application. It was felt that the access issues had now been resolved to the satisfaction of County Highways and, owing to approval of the planning application to the west of the site, that negated the countryside issues. The economic benefits were still pertinent and so the previous decision to approve could be supported.

In support of the officer recommendation to refuse the application, Member comment was made that the sequential test was flawed as there would be a detrimental effect on Littlehampton Town Centre. There was a retail store that had been vacated by Waitrose that was suitable and it was felt that another outlet on this stretch of the A259 was unsustainable

The Group Head of Planning reminded Members that, in discussing the matter, it had to be determined based on the use for A1 retail floor space as required under the Council's Retail Policy and not based on who would be using that space.

The Locum Barrister for the Council who was in attendance for this item, also advised that this application was for land usage and not for Marks & Spencer - the

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end user was not a material planning consideration. Furthermore, the Council had now adopted its Local Plan and therefore the countryside and built up area boundary policies were required to be taken account of. Members had to decide whether to follow the adopted Local Plan or whether they considered there were other material considerations to which they gave sufficient weight to allow a departure from the Local Plan. The economic benefit of the development and the character of the area were material considerations and it was for Members to determine how much weight should be attached to those.

In being put to the vote, the officer recommendation to refuse was not accepted. Members confirmed that the reason to approve the application was that, although it was a departure from the Local Plan, they gave greater weight to

- The socio-economic benefits of the proposals relative to the scheme's conflict with the sequential test; and
- The impact on the character of the area which, although outside the built up area boundary, would have a more limited impact on the character of the countryside due to the commitments on adjoining sites and the character of the area surrounding the site.

The Strategic Development Team Leader outlined the raft of conditions that would be required to be attached to the full element of the approval, e.g. time limit; approved plans; archaeological surveys; surface water drainage; discharge to and access to watercourse; foul drainage scheme; contamination; flood risk assessment; construction management plan; access; Travel Plan; tree protection; hard and soft landscaping; lighting scheme; materials to be approved; limit of construction hours; renewable energy; ecology, etc. There would be similar conditions on the outline element of the scheme, including the requirement for submission of reserved matters. A S106 Unilateral Undertaking had been completed.

The Committee was reminded that the permission could not be issued immediately as the notification period with the Parish Council due to amended plans did not expire until 14 October 2018. There was also a requirement to seek agreement with the applicant for pre-commencement conditions so the decision would therefore need to be delegated to the Group Head of Planning, in consultation with the Chairman and Vice-Chairman, following a period of time when pre-commencement could take place.

The Committee then

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RESOLVED

That the application be approved subject to conditions, a S106 Unilateral Undertaking and pre-commencement conditions and that authority be delegated to the Group Head of Planning, in consultation with the Chairman and Vice-Chairman, to action the decision.

A/31/18/OUT – Outline application with all matters reserved for the erection of 2 No. 3 bedroom semi-detached properties & associated landscaping works. This application is a Departure from the Development Plan – Land to the north of 68 Arundel Road, Angmering Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

A/83/18/RES – Approval of reserved matters following outline approval A/44/17/OUT for access only for the demolition of existing buildings on site & the erection of a mixed use development comprising up to 90 residential units & care home (Use Class C2 & C3) & ancillary facilities, including railway crossing, together with associated access, car parking & landscaping. This application also lies within the parishes of Littlehampton & Rustington, Land west of Brook Lane and south of A259, Rustington Having received a report on the matter, together with the officer's written report update including proposed conditions which had been omitted from the report in error and a verbal update that the applicant had agreed to the imposition of a pre-commencement condition, the Committee

RESOLVED

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

AW/90/18/HH – Two storey rear extension & first floor extensions to front & side, 8 Merton Close, Aldwick Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

201. PLANNING APPEALS

The Committee noted the planning appeals that had been received.

(The meeting concluded at 4.13 p.m.)