



Public Document Pack

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28 July 2021

PLANNING COMMITTEE

A meeting of the Planning Committee will be held in **Council Chamber at the Arun Civic Centre, Maltravers Road, Littlehampton BN17 5LF** on **Wednesday 28 July 2021 at 2.00 pm** and you are requested to attend.

Members: Councillors Chapman (Chair), Lury (Vice-Chair), Blanchard-Cooper, Bower, Charles, Coster, Edwards, Goodheart, Kelly, Thurston and Tilbrook

PLEASE NOTE: Subject to Covid-19 Risk Assessments members of the public are advised of the following:

Where public meetings are being held at the Arun Civic Centre in order to best manage the limited space available, members of the public are in the first instance asked to watch the meeting online via the Council's Committee pages – the meeting will be available to watch live via the internet at this address: [Agenda for Planning Committee on Wednesday 28 July 2021, 2.00 pm - Arun District Council](#)

- a) Where a member of the public has registered a request to speak, they will be invited to submit the question or statement in advance of the meeting to be read out by an Officer. In response to the continuing health restrictions, there will be very limited public access to this meeting. Admission for public speakers will be by ticket only, bookable when submitting statements. Attendees will be asked to sit in an allocated seat in the public gallery on a first come first served basis. Only one ticket will be available for per person.
- b) It is recommended that all those attending take a lateral flow test prior to the meeting.
- c) All those attending the meeting will be required to wear face coverings and maintain social distancing when in the building/meeting room.
- d) Members of the public must **not** attend any face to face meeting if they or a member of their household have Covid-19 symptoms and/or are required to self-isolate.

For further information on the items to be discussed, please contact: committees@arun.gov.uk

PLEASE NOTE THAT THE ORDER OF THE AGENDA MAY BE ALTERED AT THE DISCRETION OF THE CHAIRMAN AND SUBJECT TO THE AGREEMENT OF THE MEMBERS OF THE COMMITTEE

PLEASE ALSO NOTE THAT PLANS OF THE APPLICATIONS DETAILED IN THE AGENDA ARE AVAILABLE FOR INSPECTION ON LINE AT www.arun.gov.uk/planning<<http://www.arun.gov.uk/planning>>

AGENDA

2. **MINUTES** (Pages 1 - 10)
To approve as a correct record the Minutes of the meeting held on 21 July 2021.
5. **ITEMS NOT ON THE AGENDA WHICH THE CHAIRMAN OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES** (Pages 11 - 12)

An Urgent Motion for Members to consider.
7. **AL/40/21/PL LAND ADJACENT TO BYFIELDS, NYTON ROAD, WESTERGATE PO20 3US** (Pages 13 - 14)

Report Update
8. **AL/50/21/PL L'APACHE, WESTERGATE STREET, WOODGATE PO20 3SQ** (Pages 15 - 16)

Report Update
10. **BN/150/20/PL LAND AT CHANTRY MEAD & REAR OF 14-18 DOWNVIEW ROAD, BARNHAM PO22 0EG** (Pages 17 - 30)

Report Update
11. **BR/129/21/OUT 26 BURNHAM AVENUE, BOGNOR REGIS PO21 2JU** (Pages 31 - 32)

Report Update

Note : Reports are attached for all Members of the Committee only and the press (excluding exempt items). Copies of reports can be obtained on request from the Committee Manager.

Note : Members are reminded that if they have any detailed questions would they please inform the Chairman and/or relevant Director in advance of the meeting.

Note : Filming, Photography and Recording at Council Meetings - The District Council supports the principles of openness and transparency in its decision making and permits filming, recording and the taking of photographs at its meetings that are open to the public. This meeting may therefore be recorded, filmed or broadcast by video or audio, by third parties. Arrangements for these activities should operate in accordance with guidelines agreed by the Council and as available via the following link – [Filming Policy](#)

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Public Document Pack Agenda Item 2

Subject to approval at the next Planning Committee meeting

99

PLANNING COMMITTEE

21 July 2021 at 2.00 pm

Present: Councillors Chapman (Chair), Lury (Vice-Chair), Blanchard-Cooper, Bower, Charles, Coster, Kelly, Thurston, Tilbrook and Mrs Cooper (Substitute for Edwards)

131. WELCOME

The Chair opened the meeting and welcomed Members of the Committee, the Public and Press, other Members and Officers participating in this meeting of the Planning Committee, noting that it was the first in person since the easing of restrictions.

132. APOLOGIES FOR ABSENCE

An Apology for Absence had been received from Councillor Edwards.

133. DECLARATIONS OF INTEREST

Councillor Bower declared a Personal Interest in Agenda Item 6 as a resident on the same estate as the application and as a Member of the Residents' Association. The Interest was Personal due to the distance from his residence to the application site but confirmed that he would abstain during the vote.

134. MINUTES

The Minutes of the meeting held on 26 May 2021 were approved by the Committee.

135. ITEMS NOT ON THE AGENDA WHICH THE CHAIRMAN OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES

The Chair confirmed that under the new Constitution adopted in May 2021, the Planning Protocol at Part 8, Section 3, Paragraph 11 detailed the procedure for Public Speaking at Planning Committees, in particular paragraphs 11.4 and 11.5 which make it clear that there is a time limit of 3 minutes for each group of speakers (namely Ward Councillors, Parish Councils, objectors, applicants/agents or supporters) and not as previously where the time limit was 3 minutes for each speaker. He explained that unfortunately this had not been relayed to the Public Speakers who have registered to speak at this meeting and their expectation was that they would each have 3 minutes to speak. He confirmed he was using his discretion as Chair to allow those who had registered to speak at this meeting to each have 3 minutes.

Planning Committee - 21.07.21

The Chair also confirmed that the running order of the meeting would vary from that of the published agenda due to the Covid-19/Health and Safety restrictions in place at this meeting, and the new running order would be as follows [published agenda item numbers in brackets]:

6. AB/135/20/OUT [Item 8]
7. AL/28/21/PL [Item 9]
8. CM/16/21/PL [Item 11]
9. CM/18/21/PL [Item 12]
10. M/47/21/HH [Item 13]
11. P/38/21/PL [Item 14]
12. BR/85/21/HH [Item 10]
13. EP/16/21/PL [Item 6]
14. Appeals [Item 17]
15. FG/19/21/PL [Item 7]
16. Planning Review - Update Report and Future [Item 18]

P/50/21/PL [Item 15] and P/57/21/PL [Item 16] had been withdrawn ahead of the meeting.

The Group Head of Planning confirmed that an updated version of the National Planning Policy Framework (NPPF) had been published since many of the application reports had been written and would, under delegated authority, amend as necessary any paragraph numbering in decisions to applicants.

136. AB/135/20/OUT - LAND AT FORD ROAD, ARUNDEL

5 Public Speakers

Cllr James Stuart – Arundel Town Council
Alison Wilkinson – Objector
Andrew Scrimgeour – Objector
Guy Dixon – Agent
Darrell Gale – Supporter

Outline application with some matters reserved (except for access) for the development of 90 dwellings & associated amenity land, including land allocated for a community building & for a community allotment. This application affects the setting of listed buildings & affects the character & appearance of the Arundel Conservation Area.

The Strategic Development Team Leader presented her report with updates. This was followed by 5 Public Speakers.

Members then took part in a full debate on the application where a number of points were raised including the need for housing and affordable housing in particular, the use of a green field site, the lack of mitigation for traffic in an area already experiencing traffic issues, the conflict applications can create between parishes if traffic is increased in surrounding settlements, the need for a linked up planning transport strategy, the speed limit of surrounding roads, the difficulties of approving

outline planning before knowing more of the detail provided at the Reserved Matters stage of the planning process, part of the application site being outside of both the Neighbourhood Plan and Local Plan, the need for improved public transport, concerns over parts of the site being in flooding zones and being mindful of heritage issues as mentioned in the NPPF.

The Strategic Development Team Leader provided Members with answers to all points raised during the debate.

The Committee

RESOLVED

That the Planning Committee delegate to the Group Head of Planning (in consultation with the Chair and the Vice Chair) authority to authorise the execution and completion of the Section 106 Agreement and grant planning permission subject to conditions and the Section 106 Agreement.

137. AL/28/21/PL - THE GRANGE, WESTERGATE STREET, WESTERGATE PO20 3SQ

1 Public Speaker

Kerry Simmons - Agent

Demolition of 2 No. outbuilding & erection of 2 No 1.5 storey dwellings, detached garage block & associated scheme of hard & soft landscaping. This site falls within Strategic Site SP2, CIL Zone 1 (Zero Rated).

The Planning Team Leader presented his report with updates. This was followed by 1 Public Speaker.

Members then took part in a full debate on the application where a number of points were raised including the impact on a bat foraging area and whether complacency with development could lead to their disappearance from the area, the design being boring but an improvement on the current site and the removal of trees with Tree Preservation Orders.

The Planning Team Leader provided Members with answers to all points raised during the debate.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY as detailed in the report and report update subject to the conditions outlined.

Planning Committee - 21.07.21

138. CM/16/21/PL - BAIRDS FARM SHOP GARDEN CENTRE, CROOKTHORN LANE, CLIMPING BN17 5SN

5 Public Speakers

Cllr Colin Humphris – Climping Parish Council

Tracy Villa – Objector

Wendy Robinson – Objector

Cllr Amanda Worne – ADC Ward Member, but speaking in capacity as Climping Parish Council Councillor

Brad Hanson – Applicant

Convert existing on site storage to picnic area with fast food Café. This application may affect the setting of a Listed Building. This application is in CIL Zone 5 (Zero Rated) as other development.

The Group Head of Planning presented his report. This was followed by 5 Public Speakers.

Members then took part in a full debate on the application where a number of points were raised including the aesthetics of shipping containers in a rural setting, the increase in traffic on the A259 and into the site, whether a traffic flow management plan was required, improvements to the A259 discussed at Planning Policy Committee and issues of compatibility with this application, the extent that this business would remain 'small scale' and how that was defined, impacts to the heritage of the area and nearby property, lack of disabled parking, concerns over setting a precedent for drive-thru's, repurposed shipping containers being new to this area but used in other parts of the country, the containers as an example of a contemporary way of recycling, the popularity of the business and whether a larger site elsewhere would be more suitable and questions over signage.

The Group Head of Planning provided members with answers to all points raised during the debate.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY as detailed in the report and report update subject to the conditions outlined.

139. CM/18/21/PL - LAND ADJACENT TO MISTLETOE FARM, HORSEMERE GREEN LANE, CLIMPING BN17 5QZ

1 Public Speaker

Cllr Colin Humphris – Climping Parish Council

Erection of 1 No. 3 bed dwelling. This application is within CIL Zone 3 and is CIL liable as new dwelling.

The Group Head of Planning presented his report. This was followed by 1 Public Speaker.

Members then took part in a full debate on the application where a number of points were raised including Horsemere Green Lane being inadequate for the increase in traffic levels, the lack of a footpath contribution in the application and whether there would be a new access required.

The Group Head of Planning provided Members with answers to all points raised during the debate.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY as detailed in the report and report update subject to the conditions outlined.

140. M/47/21/HH - 22 TUDOR CLOSE, MIDDLETON-ON-SEA PO22 6DN

3 Public Speakers

Andrea Coleman – Objector

Francesca Lester – Applicant

Chris Moore – Agent

Removal of existing roof structure, new first floor accommodation and pitched roof above and replacement rear two storey extension and new front porch extension.

The Planning Team Leader presented his report with updates. This was followed by 3 Public Speakers.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY as detailed in the report and report update subject to the conditions outlined.

141. P/38/21/PL - LITTLE SEFTER FARM, PAGHAM ROAD, PAGHAM

2 Public Speakers

Cllr Peter Atkins – Pagham Parish Council

Julian Marks – Applicant

Extension to existing agricultural barn. This site may affect the setting of a listed building and is in CIL Zone 5 (Zero Rated) as other development.

Planning Committee - 21.07.21

The Planning Team Leader presented his report. This was followed by 2 Public Speakers.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY as detailed in the report and report update subject to the conditions outlined.

142. BR/85/21/HH - 12 CAVENDISH ROAD, BOGNOR REGIS PO21 2JW

1 Public Speaker

Paul Smith – Applicant

Proposed flat roof balcony and open framed and top glazed veranda unit.

The Planning Team Leader presented his report. This was followed by 1 Public Speaker.

Members then took part in a full debate on the application where a number of points were raised including issues with privacy and whether conditions could be included to limit this, the materials used in the sound barrier and its aesthetics, and issues of noise and whether action can be taken retrospectively if issues did arise.

The Planning Team Leader provided Members with answers to all points raised during the debate.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY as detailed in the report and report update subject to the conditions outlined.

143. FG/19/21/PL - FIRST FLOOR FLAT, 60 FERRING STREET, FERRING BN12 5JP

1 Public Speaker

Mrs Myall - Agent

Change of use of flat above restaurant to a bar. This site is in CIL Zone 4 (Zero Rated) as other development

The Planning Team Leader presented his report. This was followed by a Public Speaker.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY as detailed in the report and report update subject to the conditions outlined.

144. APPEALS

The Group Head of Planning introduced the list of Appeals, noting an appeal against P/1/21/PL had been dismissed and an award of costs was made in favour of the Council as the Inspector concluded the proposal had no prospect of success, and that an appeal against FG/123/20/PL had been allowed.

The committee noted the Appeals list.

145. EP/16/21/PL - LAND EAST OF 1 THE WAY, EAST PRESTON BN16 1QJ

[Councillor Thurston left the meeting at the beginning of this item.]

[Councillor Bower redeclared at the beginning of this item his Personal Interest made at the start of the meeting.]

4 Public Speakers

Cllr Christine Bowman – East Preston Parish Council

David Sawers – Objector

David Smith – Objector

Dominic Lynch - Applicant

Replacement garage. This site is in CIL Zone 4 (Zero Rated) as other development.

The Planning Team Leader presented his report with updates. This was followed by 4 Public Speakers.

Members then took part in a full debate on the application where a number of points were raised including the proximity to the road and the drainage ditch, the proposed materials which were not replacing like with like and whether they were out of keeping with the existing street scene, whether this was a replacement garage or a new building on the site of a garage, issues of height and increased size, the width of the road, vehicular access to the garage and the need for a site visit.

It was proposed and seconded that a site visit was necessary to answer questions over vehicular access.

Planning Committee - 21.07.21

The Committee

RESOLVED

That the application be deferred depending a site visit by Committee Members to consider vehicular access.

146. PLANNING REVIEW - UPDATE REPORT AND FUTURE ACTIONS

[Councillors Blanchard-Cooper and Goodheart left the meeting at the beginning of this item.]

Upon the invitation of the Chair, the Chief Executive presented his report to the Committee. He explained that this planning review was commissioned in late 2019 following a series of difficult Development Control Committee meetings. The review started in March 2020 just as the Covid-19 pandemic began and the report was therefore delayed but completed in November 2020. In December 2020 a Members Working Party met and Member recommendations were signed off by Cabinet. He commented that progress had been made on all items and was ongoing. He also corrected a couple of typographical errors in the report – 1.4 it should read '14 December 2020' or '14 December 2021' and in recommendation v) it should read 'Planning Committee' rather than 'Planning Policy Committee'.

The Chair welcomed the report and stressed that the cycle of Member review to work through the report's recommendations needed to start sooner rather than later and would take place at 6-monthly single item Special Planning Committee meetings. He asked that the first meeting be held in early October in order that a second meeting in the cycle could be held before the end of the municipal year.

Opening up the debate, Members raised points regarding where responsibility for actioning these recommendations lay (Planning Committee or Planning Policy Committee) and how that was to be determined, the need for Member training and input from Members of what training they felt they needed (more focussed and less general training was suggested with material considerations and its weighting in decision making specifically mentioned), bridging workshops with consultees to improve communication in a less formal setting, the possibility of going further than the recommendations and considering other aspects of the report, and whether the report was 'live' and that issues previously deemed as requiring no further action could be brought back for discussion if the situation changed.

The recommendations were then proposed and seconded.

The Committee

RESOLVED to

- (i) Note the Member Recommendations/Action Plan (Appendix C)
- (ii) Note the Officer Recommendations/Action Plan (Appendix B)
- (iii) Approve a virement of £130k (from the Covid-19 catch up reserve) to enable the Officer recommendations from the report to be implemented.
- (iv) Support the need for continued Member training on planning matters, as outlined within the Planning Review (Appendix D)
- (v) Agree that the Planning Review recommendations should be reviewed, by the Planning Committee, initially six monthly (if the Recommendations are agreed by Full Council), to satisfy themselves that the actions are being followed through.

The Committee

RECOMMEND THAT FULL COUNCIL

- (vi) Agree the Review's recommendations for the Council (as a whole).

(The meeting concluded at 6.10 pm)

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Motion

Proposer – Councillor Chapman

Seconder – Councillor Lury

Public Speaking at Planning Committees – Part 8, Section 3 – Planning Protocol, Paragraph 11.5

Following the revision of the Council's Constitution with regard to Planning matters it has become clear that the restricted time of three minutes allowed for each group, rather than individuals, on applications before the Committee is unduly restrictive. In particular for applications on which there is a high level of public and professional interest the time restriction would effectively disenfranchise parties with particular and personal interests.

Therefore, the Committee is asked to consider, in debate, the following motion,

- 1) That this Committee agrees that for this meeting (28th July 2021) the Chairman will exceptionally use his discretion as Chairman to allow each registered public speaker to speak for up to 3 minutes on each application for which they have registered their interest.
- 2) That Committee agrees that the Constitution Working Party is asked to urgently review the provisions on public speaking on Planning matters, so that the reputation of the Council as an open and transparent Authority be safeguarded.

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REPORT UPDATE

Application no: AL/40/21/PL
Page no: 39
Location: Land adjacent to Byfields, Nyton Road
Description: Construction of 1 No. 3 bed dwelling

UPDATES DETAILS

Reason for Update/Changes:

The Council has received further comments and responses:

Response from Southern Water received on 15/07/2021:

- It is possible that a sewer now deemed to be public could be crossing the development site. Should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site. The extract from Southern Water records showing the approximate position of a public foul sewers within the site attached.

The applicant was asked to provide required 'Drainage Impact Assessment' to satisfy requirement of ALP policy W DM1 due to Committee.

The applicant has responded on the Ecology Officer's request for the further bat emergence surveys:

- AEWC Ltd (commissioned by applicant) have responded that a bat emergence survey is not required on the application site, being an adjacent plot with no existing building and no trees with bat features due to be removed.

No response from the Tree Officer.

There are no changes to recommendation or conditions.

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REPORT UPDATE

Application no: AL/50/21/PL
Page no: 1
Location: L'Apache Westergate Street Woodgate
Description: Variation following grant of AL/103/18/PL to amend Condition No 2 approved plans - to change the design & layout of approved 2 No. dwellings.

UPDATE DETAILS

ALDINGBOURNE NEIGHBOURHOOD PLAN (2019-31)

The Aldingbourne NP Review (2019-31) was adopted (i.e. 'made') at Full Council on 14th July 2021.

Officer's Comment
Noted.

APPROPRIATE ASSESSMENT

As the site is within 12km of Singleton and Cocking Tunnels Special Area of Conservation (SAC) the LPA has carried out an Appropriate Assessment which concludes that there will be no likely significant adverse effects upon the Singleton and Cocking Tunnels SAC or the bat species associated with the site and functionally linked habitats. Natural England (NE) has been consulted on the Appropriate Assessment.

Officer's Comment

The LPA has contacted Natural England and been informed that due to workloads NE has not had chance to review the Appropriate Assessment, even though the Assessment was sent to them over 4 weeks ago.

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BN/150/20/PL

Land at Chantry Mead &
Rear of 14 -18 Downview Road

3 No dwellings including access, landscaping
& associated works (resubmission following
BN/51/20/PL).





LOCATION PLAN
SCALE 1:1250 @ A3





BLOCK PLAN
SCALE 1:500 @ A3



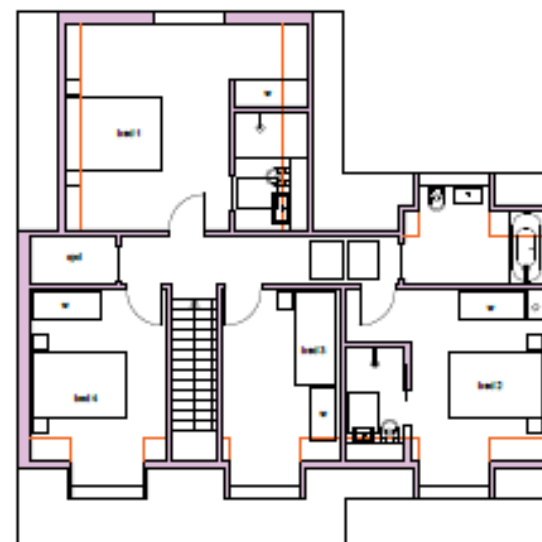
2 No 3 Bedroom Link-Detached Houses
1 No 4 Bedroom Chalet Bungalow







GROUND FLOOR

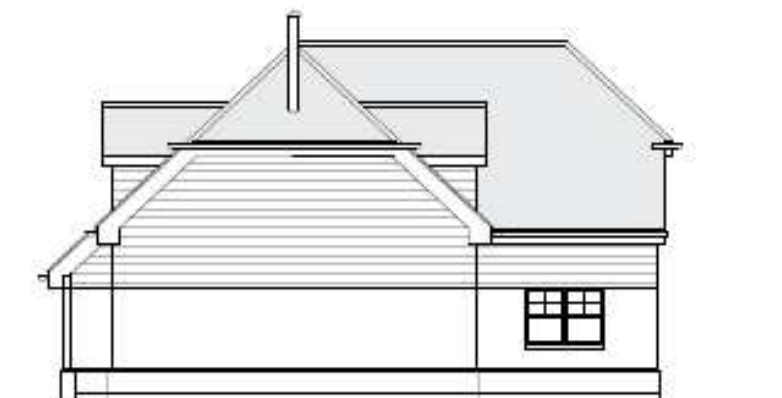


FIRST FLOOR

PLOT 3 FLOOR PLANS



REAR ELEVATION (NORTH)



SIDE ELEVATION (EAST)

Roof - Slate Tile



Upper Walls - Weatherboarding



Lower Walls - Render



ALL VELUX ROOF WINDOWS MIN 1.7M
ABOVE FLOOR LEVEL

PLOT 3 ELEVATIONS



FRONT ELEVATION (SOUTH)



SIDE ELEVATION (WEST)

Roof - Slate Tile



Upper Walls - Weatherboarding



Lower Walls - Render

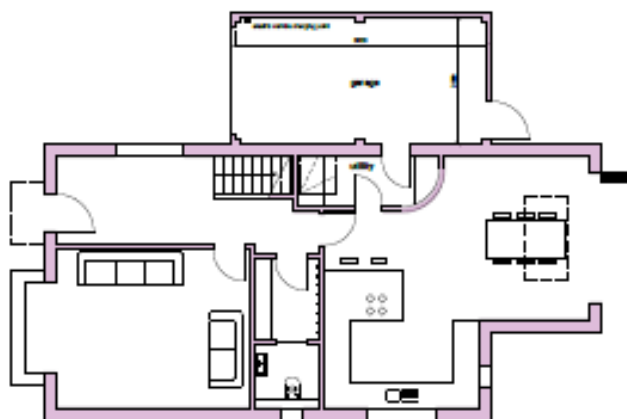


ALL VELUX ROOF WINDOWS MIN 1.7M
ABOVE FLOOR LEVEL

PLOT 3 ELEVATIONS



FIRST FLOOR



GROUND FLOOR

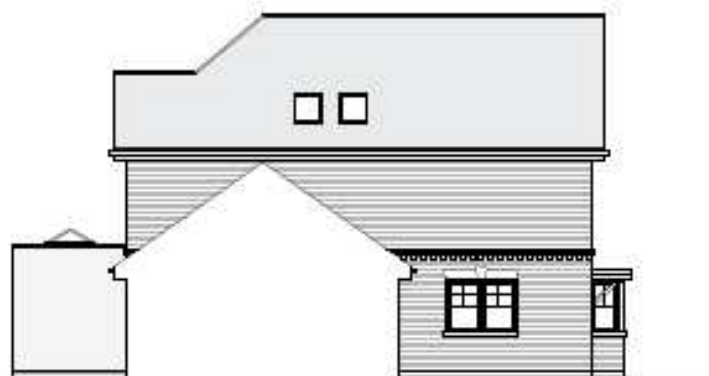
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PLOT 1 (PLOT 2 SIMILAR/HANDED) FLOOR PLANS
SCALE 1:100 @ A3



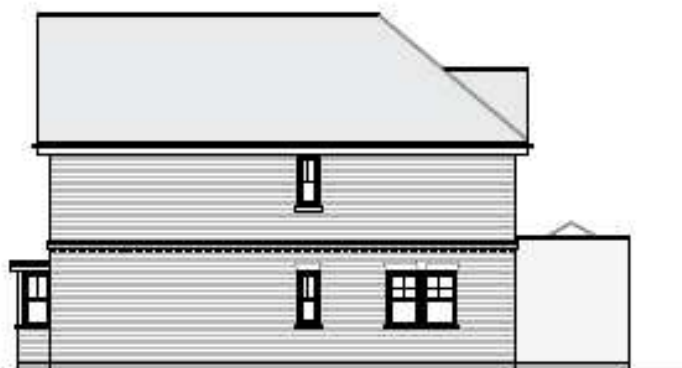
FRONT ELEVATION (WEST)



SIDE ELEVATION (NORTH)



REAR ELEVATION (EAST)



SIDE ELEVATION (SOUTH)

Roof - Clay Tile



Upper Walls/Lower Walls - Brick



Sun Room Walls - Render



PLOT 1 (PLOT 2 SIMILAR/HANDED) ELEVATIONS







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REPORT UPDATE

Application no: BR/129/21/OUT
Page no: 93
Location: 26 Burnham Avenue Bognor Regis
Description: Outline application with all matters reserved for up to 10 No. new dwellings with associated services, landscaping, car parking & amenity (resubmission following BR/190/20/OUT).

UPDATE DETAILS

Reason for Update/Changes:

The s106 is still being prepared so there is no change to the recommendation in respect of this.

The Councils Landscape Officer responded on 12/07/21 but provides the same response as for the previous application (this is already set out in the report).

The Councils Ecologist responded on 11/07/21 and stated that:

- Bat surveys are required for the on-site buildings;
- The lighting scheme will need to be bat friendly;
- A bat brick will need to be installed on the site facing south/south west and positioned 3-5m above ground;
- A bird box will be required on either the building or a tree in the garden;
- No works to trees or clearance of vegetation during the bird breeding season;
- Conditions required in respect of hedgehogs, biodiversity net gain and sustainability.

At the time of writing (22/07/21), the bat surveys have not been received but the applicant is aware of the need to provide these before the Committee Meeting so this will be subject to a verbal report update. Conditions have already been imposed in the recommendation regarding birds nests in the building (but not the trees as this is covered by separate legislation), biodiversity enhancements (including hedgehogs & bat/bird boxes) and lighting.

An additional objection has been received on the basis of overdevelopment/character and road safety/congestion. The objector suggests a development of four retirement flats would be more appropriate.

The National Planning Policy Framework was revised on 20/07/21. There are references to 5 specific NPPF paragraphs in the report and the following is an analysis of the changes to these:

- Para 117 becomes para 119 but no change to the text;
- Para 118 becomes para 120 but no change to the text;
- Para 175 becomes para 180 with some changes to the wording of criteria (c) concerning the support of schemes to improve or integrate biodiversity. However, this is not relevant to this application;
- Para 189 becomes para 194 but no change to the text; and

update(ODB 57)

- Para 197 becomes para 203 but no change to the text.

Officers Comment:

There are no changes to the recommendation or conditions.