

Agenda Item 4

Subject to approval at the next Planning Committee meeting

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PLANNING COMMITTEE

9 August 2023 at 2.00 pm

Present: Councillors Hamilton (Chair), Wallsgrove (Vice-Chair), Blanchard-Cooper, Bower, Kelly, Lury, McDougall, Partridge, Patel, Tandy (Substitute for Northeast) and Woodman

Councillor Bicknell was also in attendance for all or part of the meeting.

Apologies: Councillor Northeast

193. DECLARATIONS OF INTEREST

Councillor Wallsgrove declared a Pecuniary Interest in agenda item 7 [WA/27/23/PL, Morelands, Arundel Road, Fontwell, Arundel, BN18 0SB] as she knew the applicants. She advised that she would leave the meeting at the start of this item and would not take part in any debate.

194. MINUTES

The minutes from the Meeting of the Planning Committee held on 12 July 2023 were approved by the committee and signed by the Chair.

195. 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

There were no urgent items to be considered at this meeting.

196. ADVICE FROM THE COUNCILS LEGAL SERVICES MANAGER

The Chair then invited the Council's Legal Services Manager to address the Committee where he provided advice to members regarding the process to be followed when proposing and seconding recommendations, that were put forward by Officers within the reports. He explained that members who propose and second any recommendation, were not at this stage of the meeting confirming their voting preference. It was merely a procedural move in order for members to enter into debate and would allow officers to understand member reasoning for the decision that was then made. Should members through the debate find they did not want to follow the officer recommendation, they can choose to do so but should be careful when doing so.

197. Y/31/23/PL, LAND ADJACENT TO LITTLE MEADOWS, BILSHAM ROAD

There were no public speakers on this item due to public speakers being heard at the meeting on 12 July 2023.

Construction of 6 No new dwelling with new access from Bilsham Road, sustainable drainage and landscaping. This application is a Departure from the Development Plan, may affect the setting of listed buildings and is in CIL Zone 3 and is CIL Liable as new dwellings.

The Vice-Chair explained to the Committee that a panel of members attended the site visit that took place on 25 July 2023 where they viewed the site and were able to carry out an external view of the site where members found several concerns including HGV movements from the industrial units that sit at the back of the site, residential relationships verses industrial noise and highway safety, character and sustainability, the proximity to a grade II listed building and the extra traffic at Comet Corner and the impact this would have on the local infrastructure. She then invited members who were present at the visit to make any additional comments.

Upon entering into debate, it was raised immediately that the application be refused on the basis that it was a departure of the development plan and that paragraph 11D of the NPPF did not outweigh the character of the area, this was proposed by Councillor McDougall and seconded by Councillor Lury. Additional comments raised were that the location was an inappropriate place for the application and the committee should support the previous inspector's decision and refuse the application.

The Interim Head of Development Management then advised members that the use of paragraph 11D of the NPPF would be correct and allow for a reason for a refusal to be found. However, he reminded members that the means testing that needed to be done, was, would it significantly outweigh and demonstrably outweigh the benefits. Members continued to raise additional concerns including the footway connections to other amenities within the area and whilst it was understood a footpath would be introduced it was the opinion of members that the footpath would remain dangerous to anyone travelling by foot or in a wheelchair.

Following further significant discussion regarding the reasons for refusal it was agreed that the application would cause less than substantial harm to the appearance of the area and secondly the development would lead to less than substantial harm to the designated heritage asset, but that harm would not be outweighed by public benefit. It was then suggested that the proposal would be detrimentally affected by what exists within and adjacent to the area of the site. Furthermore, it was also comment that there were additional policies the application was in conflict to these were TSP 1 parts A and B, TSP1 part F 2,3 and 5 and TDM1 parts A and D.

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The Interim Head of Development Management and the Planning Area Team Leader both provided advice to members regarding all comments made for the reasons for refusal, and suggested that members used the following wording as the reasons for refusal;

- 1) the dwellings by reason of their position outside of the built-up area boundary and in the countryside, which would cause harm to the character of the area and the benefits of the development do not significantly and demonstrably outweigh the harm to contrary policies C SP1, SD SP2, D DM1 and D SP1 of the Arun Local Plan and the NPPF.**
- 2) The sites proximity to the industrial/commercial development would create unacceptable living conditions to future occupier's contrary to policies D DM1 and QE SP1 of the Arun Local Plan and paragraph 130 (f) of the NPPF.**
- 3) The public benefits of the development do not outweigh the harm caused to the designated and non-designated heritage assets contrary to policies HER SP1, HER DM1 and HER DM2 of the Arun Local Plan and paragraphs 199-203 of the NPPF.**

The recommendation was proposed by Councillor McDougall and seconded by Councillor Lury.

The Committee

RESOLVED

To REFUSE the application as

- 1) the dwellings by reason of their position outside of the built-up area boundary and in the countryside, which would cause harm to the character of the area and the benefits of the development do not significantly and demonstrably outweigh the harm to contrary policies C SP1, SD SP2, D DM1 and D SP1 of the Arun Local Plan and the NPPF.
- 2) The sites proximity to the industrial/commercial development would create unacceptable living conditions to future occupier's contrary to policies D DM1 and QE SP1 of the Arun Local Plan and paragraph 130 (f) of the NPPF.
- 3) The public benefits of the development do not outweigh the harm caused to the designated and non-designated heritage assets contrary to policies HER SP1, HER DM1 and HER DM2 of the Arun Local Plan and paragraphs 199-203 of the NPPF.

198. WA/27/23/PL, MORELANDS, ARUNDEL ROAD, FONTWELL, ARUNDEL BN18 0SB

(Councillor Wallsgrove redeclared her Pecuniary Interest in this item as she knew the applicants and left the meeting.)

1 Public Speakers

Debbie Marriage, Agent

4 No. residential dwellings with associated car-parking and access. This application is in CIL Zone 2 and is CILL Liable as new dwellings. (Re-Submission of WA/107/22/PL).

The Principal Planning Officer presented the report with updates. Members raised the following concerns with the application including the width of the driveway, the space available for 3 dwellings, lack of comment from Natural England and the suggestion of a potential site visit.

It was suggested following member discussion that a condition could be added to the application to ensure that the access road was constructed to the specification on the plans prior to any occupation of the residence. Members were agreeable to this, and the suggestion of a site visit was withdrawn on this basis.

The recommendation was proposed by Councillor McDougall and seconded by Councillor Bower.

The Committee

RESOLVED

That delegated authority is granted to the Group Head of Planning in consultation with the Chair or Vice-Chair of the Planning Committee to approve the development subject to conditions as well as securing an amended design for plot 4 and confirmation from Natural England that they raise no objection to the conclusions of the Appropriate Assessment. And that the following condition be added, detail of the access road be submitted to an approved by the Local Planning Authority. The details shall show the access with a minimum width of 3.5m. Prior to first occupation of the units, the road shall be implemented in accordance with the approved details and retained as such thereafter. To ensure safe and appropriate site ingress and egress with T SP1 of the Arun Local Plan.

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199. P/80/23/PL, LAGNERSH HOUSE, LOWER BOGNOR ROAD, LAGNESS PO20
1LW

(Councillor Wallsgrove returned to the meeting at the beginning of this application.)

3 Public Speakers

Mr Salter, Objector
Mr Stoner, Applicant
Councillor Huntley, Ward Member

Use of land for the stationing of 4 No. mobile homes for occupation by people unable to afford rented housing. This application is a Departure from the Development Plan and may affect the setting of a Listed Building. (Re-Submission of P/150/22.PL).

The Planning Area Team Leader presented the report with updates. He also addressed the following points made by one of the public speakers regarding fire and flooding concerns. He advised that a condition had been included with the application for the applicant to install a water tank as requested by the Fire Service, the site was in flood zone one and was not considered a risk for flooding. The access point comments raised were not for this committee to resolve or consider as this was considered a private matter.

Members raised the following concerns with the application including, the site location being considered an intrusion into the countryside, outside the built-up boundary, the bend leading to the access road was considered 'difficult' alongside member opinion being that the access road would not be wide enough for a Fire Engine to use and flooding risks. A query was raised regarding the description of the application specifically referring to the 'people who cannot afford rented housing' and was this setting a precedent with no conditions attached to back it up. It was explained by the Interim Head of Development Management that the description was set by the applicant and not the authority and that Members should give no planning weighting to the claim that the application would be for people who could not afford rented housing, as this had not been backed up through a S106 agreement or any other provision, such as planning conditions. The application should, therefore, be treated the same as any other application for housing.

The recommendation was proposed by Councillor Wallsgrove and seconded by Councillor Blanchard-Cooper. Upon the vote being taken the recommendation fell.

It was then proposed by Councillor Wallsgrove and seconded by Councillor McDougall that the application be refused due to the location of the site being outside of the area built up boundary and it was intrusive on the countryside.

The Committee

RESOLVED

That the application be REFUSED due to the four mobile homes by reason of their location outside the built-up area and in the countryside would cause harm to the character of the area and the benefits of the development do not significantly and demonstrably outweigh the harm contrary to policies C SP1, SD SP2, D DM1 and D SP1 and the NPPF

200. FG/67/23/PL, 5 GRANGE PARK, FERRING BN12 5LS

2 Public Speakers

Nadine Phibbs, Ferring Parish Council
Jo Hunter, Applicant

Demolition of existing dwelling and erection of 1 No. new dwelling. This site is in CIL Zone 4 and is CIL Liable as new dwelling (Re-Submission of FG/94/22/PL).

The Planning Area Team Leader presented the report with updates. Members raised the following concerns with the application including, balcony overlooking the neighbouring properties, neighbouring properties had different style roofs so the style was out of keeping, sympathies were also expressed regarding the comments from the Parish Council.

The Interim Head of Development Management commented that the local area was one with a varied character as set out in the officer's report, whilst the modern design may not be members personal preference the site was not within a conservation area or area of special character.

The recommendation was proposed by Councillor Lury and seconded by Councillor Tandy.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY as detailed in the report.

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201. CM/24/23/PL, BRAMLEYS, HORSEMERE GREEN LANE, CLIMPING BN17 5QZ

2 Public Speakers

Colin Humphries, Climping Parish Council
Phillip Dudley, Agent

Removal of caravan site and 4 static holiday caravans and erection of 2 No. new detached dwellings with garages along with car parking and use of existing access. This application is in CIL Zone 3 and is CIL Liable as new dwellings and is a Departure from the Development Plan. (Re-Submission of CM/10/23/PL).

The Principal Planning Officer presented the report with updates. Members raised the following concerns with the application including, 5-year land supply, whether the occupiers of the property at the back of the site were aware they would have responsibility for the drainage? It was confirmed with the correct check with the land registry pre-sale this would be confirmed.

The recommendation was proposed by Councillor Wallsgrove and seconded by Councillor Tandy.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY as detailed in the report.

202. BE/1/23/RES, NURSERY FIELDS, LAND NORTH OF CHALCRAFT LANE, BERSTED

2 Public Speakers

Rachel Ballam, Agent
Councillor Huntley, Ward Member

Approval of reserved matters following BE/148.20/OUT for 225 No. dwellings. This site affects a Public Right of Way and falls within Strategic Site SD3 CIL Zone 1 (Zero Rated).

The Planning Consultant presented the report and addressed comments made by the public speakers. Members raised concerns; the development would have a significant impact upon Chalcraft Lane. In terms respect of the reserved matters Bersted Parish Council had requested a buffer zone which looks to have been accommodated. Members sought clarification as to if any comments had been received from Sussex NHS Commissioner. The Planning Consultant confirmed that not as part of the application which was solely for the reserved matters but that comments would have been secured on the Outline application.

Members also raised concerns that the application had a lack of 1 bed properties included with the application which was thought to be most needed in the district as well as queries in relation to the inclusion of design guidelines on what would be acceptable on the self-build plots to ensure they did not adversely impact upon character. It was confirmed there were guidelines. Finally, Members sought clarification as to how much public engagement was completed, it was confirmed that the developer had sought to engage with both Parish Councils as part of the process.

The recommendation was proposed by Councillor Wallsgrove and seconded by Councillor Tandy.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY as detailed in the update report.

Due to the meeting guillotine due to come into force at 5pm, its was proposed by Councillor Lury and seconded by Councillor Wallsgrove that the meeting be extended by a further 30 minutes.

The Committee

RESOLVED

That the meeting be extended by 30 minutes in order to complete the business on the agenda.

203. A/122/23/PL, LAND NORTH OF MAYFLOWER WAY, ANGMERING

2 Public Speakers

Sylvia Verrinder, Angmering Parish Council
Daun Appleton, Agent

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The Chair then invited Councillor Bicknell a non-committee member to read his statement he had requested to read.

Erection of 1 No. dwelling with associated access, parking, fencing and landscaping. This application is in CIL Zone 2 and is CIL Liable as new dwelling.

The Principal Planning Officer presented the report. The Interim Development Manager addressed the noise complaint points raised by a member of the public and confirmed that the previous application was not refused on this basis. Members raised the following concerns with the application including had the Japanese knotweed been removed, it was confirmed to Officers knowledge, yes.

The recommendation was proposed by Councillor Wallsgrove and seconded by Councillor Woodman.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY as detailed in the report.

204. A/121/23/PL, LAND EAST OF 22 SPEEDWELL CHASE, ANGMERING

(Councillor Partridge left the meeting at the start of this item.)

2 Public Speaker

Sylvia Verrinder, Angmering Parish Council
Daun Appleton, Agent

The Chair then invited Councillor Bicknell a non-committee member to read a statement he had requested to read.

Erection of 1 No. dwelling and car port with associated access, parking, fencing and landscaping. This application is in CIL Zone 2 and is CIL Liable as new dwelling.

The Principal Planning Officer presented the report.

The recommendation was proposed by Councillor Woodman and seconded by Councillor McDougall.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY as detailed in the report.

The Chair then announced that due to the time left to consider the remaining items these would be deferred until the next meeting of the Committee which was due to be held on 6 September 2023.

(The meeting concluded at 5.20 pm)