

DEVELOPMENT CONTROL COMMITTEE

29 July 2020 at 1.00 pm

Present: Councillors Bennett (Chairman), Ms Thurston (Vice-Chair), B Blanchard-Cooper, Bower, Chapman (Substitute for Charles), Coster, Edwards, Mrs Hamilton, Kelly, Lury, Mrs Pendleton, Roberts, Tilbrook, Mrs Warr and Mrs Yeates

The following Councillors were absent from the meeting during consideration of the matters referred to as indicated:- Councillor Blanchard-Cooper, Minute (Planning Application Y/105/19/PL); and Councillor Mrs Pendleton, Minute (Planning Application P/46/20/PL)

Councillors Huntey and Mr Worne were also in attendance for all or part of the meeting.

133. APOLOGY FOR ABSENCE

An apology had been received from Councillor Charles.

134. DECLARATIONS OF INTEREST

There were no declarations of interest made.

135. MINUTES

The Minutes of the meeting held on 24 June 2020 were approved by the Committee as a correct record and would be signed by the Chairman as soon as possible following the Council's resumption of normal working.

136. DEFERRED ITEM - BN/18/20/PL FORMER BROOKS NURSERY, EASTERGATE

BN/18/20/PL – Variation of condition 15 imposed under EG/29/13 relating to condition 15 – to change the foul drainage scheme from Sewage Treatment Plant to Pumping Station with associated drainage works, Former Brooks Nursery, Eastergate

This matter had been deferred from the meeting on 24 June 2020 for further information from Southern Water as to whether the scheme could be connected to the Barnham Main Road sewer once the repairs being undertaken there were completed. Members were advised of the response from Southern Water by the Planning Team Leader. A further response from Southern Water had been received earlier in the day which stated that their preferred connection point would be in Elm Grove South. Additional information had been provided by the developer to clarify issues of concern expressed by the Committee and comment from the Elm Grove South Residents Association and a further letter of objection were also detailed in the report.

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In discussing the matter, some Members expressed their disappointment that, whilst further information had been provided, it was not sufficient to address the concerns that had been expressed at the previous meeting. Barnham had been subject to flooding and sewage problems for a number of years and it was felt that this proposal would only exacerbate the situation. However, in the course of a full debate, legal and professional advice was given to the Committee that the applicant had adhered to the requirements of Southern Water and it would therefore not be appropriate to penalise them for that. Southern Water was the statutory authority and had raised no objection.

The Committee therefore

RESOLVED

That the application be approved as detailed in the report dated 24 June 2020.

137. DEFERRED ITEM - FP/258/19/PL 107 FELPHAM WAY, FELPHAM PO22 8QB

FP/258/19/PL – Conversion, alteration & extension to provide 1 No. Class A1 Shop Unit, 1 No. Flexible Use Commercial Unit Use Classes A1, A2 & B1, a health centre or clinic (and no other uses within Class D1) or Beauty Therapist/Nail Bar only (Sui Generis) & 3 No. flats together with secure cycle & refuse storage facilities (resubmission following FP/32/19/PL), 107 Felpham Way, Felpham

Due to the concerns of Members around the lack of parking within the site, this application had been deferred from the meeting held on 24 June 2020 as the Committee wished the applicant to be requested to bring the land within their ownership and control at the back of the site within the red edge of the application and to demonstrate how parking/turning could be achieved. However, the applicant had declined to amend the site boundary and wished the current application to remain unaltered and be determined at it stood.

In consideration of the matter, comment was made that the County Council ownership of the land to the front of the site and the fact it could not be parked on was an issue that needed to be resolved as it did not make sense. Whilst still having concerns with regard to parking provision for the proposal, the Committee

RESOLVED

That the application be approved as detailed in the report dated 24 June 2020.

138. AL/34/20/PL NORTON FARM HOUSE, NORTON LANE, ALDINGBOURNE PO20 3NH

AL/34/20/PL – Sub-division of existing building to create 1 No. 1 bed dwelling & construction of 4 bay oak framed outbuilding as a garage. This application affects the

character & appearance of the Norton Lane, Norton Conservation Area & affects the setting of a Listed Building, Norton Farm House, Norton Lane, Aldingbourne

Having received a report on this application and, following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report.

139. BR/55/20/PL ABBOTS LAWN, SYLVAN WAY, BOGNOR REGIS PO21 2RS

*(Prior to consideration of this application, Councillor Mrs Warr declared a prejudicial/personal interest as she had considered and voted on the matter at a meeting of the Bognor Regis Town Council. She stated she would leave the meeting during its consideration and would be placed in the waiting room.*

*Under the Public Speaking Rules, a statement was read out on behalf of Councillor Stanley as Ward Member.))*

BR/55/20/PL – Proposed first and second floor extensions, Abbots Lawn, Sylvan Way, Bognor Regis

In presenting this report, the Planning Team Leader provided a verbal update on comments that had been received from the Tree Officer, who was of the view that there were two options in relation to addressing the parking issues in relation to trees, (i) to take car parking away; or (ii) add appropriate conditions to any permission to ensure there was adequate control to mitigate any harm. Members were directed to the agenda where conditions relating to the trees had been recommended to ensure details were received as to how the trees would be protected during the building works.

Members participated in a lengthy discussion which centred around concern for the possible loss of trees; the impact of the proposal on residential amenity of nearby properties; and a request for the provision of a cycle rack. The Planning Team Leader addressed all the issues raised and the Committee then

RESOLVED

That the application be approved as detailed in the report.

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140. CM/16/20/PL LANGFORD, HORSEMERE GREEN LANE, CLIMPING BN17 5QZ

Public Speakers: Mr C. Humphris, Climping Parish Council  
Cllr Mr Worne, Ward Member

CM/16/20/PL – Variation of Condition 2 imposed under CM/64/19/PL to substitute House Type F floorplans & House Type F elevations, Langford, Horsemere Green Lane, Climping

The Planning Team Leader presented this report, together with a written officer report update which advised that comparative plans had been submitted to aid identification of the differences between the approved scheme and what was now being proposed; additional objections received; and officer comment. Members were advised that Condition 2 should be amended to note that the Comparative House Type F1 Floor Plans and Elevations should refer to Revision B rather than Revision A.

The Committee was advised that, following approval of Planning Application CM/64/19/PL for 9 dwellings in March 2020, the only change that was being sought was the siting of one dwelling, changes to the roof and the addition of a bedroom to a 3 bed unit. The footprint would be reduced and, whilst the bulk of the roof would increase, the dwelling would be taken back from the boundary and so would not be overbearing. Velux windows had been introduced to the roof to prevent overlooking. The proposal was recommended for approval.

Members considered the application and concerns were raised that the application had previously been approved and the amendments now being put forward were an attempt to change that. Comment was made that the quality, design and increase in height would have a detrimental impact on the residents in Apple Tree Walk. The Planning Team Leader advised that the increase in height was not significant and the dwelling would be set back further into the plot and so would not be overbearing.

As a suggestion was put forward that the matter should be deferred as it was felt it should be re-advertised, officer advice was given that this application had been subject to full consultation. When subsequent amendments came in on any application, officers had to take a view whether to reconsult and, in this instance, a clarification plan only had been received to illustrate the difference in roof height and there was therefore no obligation to reconsult with the Parish Council. The usual process had been adhered to absolutely so there was no reason to re-advertise.

The Group Head of Planning urged Members to concentrate on the changes between what had previously been approved and what was being proposed. The roof ridge had been moved away and was less deep; the windows were to non-habitable rooms and would not be seen and so the impact of the proposal would actually be less than what had previously been approved.

However, the Committee did not accept the officer recommendation to approve and

RESOLVED

That the application be refused for the following reason:-

“The changes to plot 8 will, by virtue of the increase roof height, result in an overbearing and unneighbourly to the property to the rear in Apple Tree Walk, in conflict with Policy DM1 of the Arun Local Plan.”

The Chairman then called a short adjournment to the meeting.

141. P/46/20/PL LAND TO NORTH AND SOUTH OF SUMMER LANE, PAGHAM PO21 4NG

Public Speakers: Mr P. Atkins, Pagham Parish Council  
Mr P. Collins, Objector  
Mr P. Drury, Applicant  
Cllr Huntley, Ward Member

P/46/20/PL – Variation of condition 13 imposed under P/70/19/RES relating to temporary relaxation of planning hours from approved Monday to Friday 8 am – 6 pm & Saturday 8 am to 1 pm to Monday to Thursday 8 am to 9 pm, Friday 8 am to 6 pm (no change) & Saturday 8 am to 4 pm until 13 May 2021, Land to north and south of Summer Lane, Pagham

The Committee received this report, together with the officer's written report update reaffirming reference to the Business & Planning Bill detailed in the report and a verbal update that two further letters of representation received raised similar issues to those set out in the agenda. The Planning Team Leader advised that there must be compelling reasons to refuse the requirement set out in the Ministerial Statement and the applicant had submitted an Extended Hours Management Plan which illustrated that there would not be significant impacts during those extended periods. Whilst Environmental Health had assessed the proposal and found it to be acceptable, they would retain their powers to investigate any pollution based complaints and take their own action if necessary.

In considering the matter, Members expressed reservations that the developer would adhere strictly to the extended hours and that it would be difficult to police and take the necessary action when breaches occurred. The Planning Team Leader stated that should any complaints be received and breaches of the conditions had occurred then enforcement action would be taken. Environmental Health also had powers to act under its own legislation.

It was suggested and duly voted on and agreed that the expiry date for the extension of hours be amended from 13 May 2021 to 13 November 2020 due to the serious concerns aired that the residential amenity of neighbouring properties would be adversely affected. Members were reminded that the Business & Planning Bill had

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come into effect and that there was a fixed end date for that of no later than 1 April, which would allow the developer to apply under that piece of legislation.

The Committee

RESOLVED

That the application be approved, subject to the end date being amended to 13 November 2020.

142. P/116/19/OUT LAND ADJACENT TO SEFTER SCHOOL HOUSE, SEFTER ROAD, BOGNOR REGIS PO21 3EE

P/116/19/OUT – Outline application with all matters reserved, except for access, for the erection of 4 No. semi-detached 3 bedroom houses & 2 No. detached 4 bedroom houses with associated access, parking and gardens. This application is a Departure from the Development Plan, Land adjacent to Sefter School House, Sefter Road, Bognor Regis

Having received a report on the matter, the Committee had been advised that this application had been withdrawn from the Agenda.

143. R/91/20/PL 6 MANOR ROAD, RUSTINGTON BN16 3QT

Public Speakers: Mr Morris, Objector  
Mr Rodway, Agent

*(Councillor Bennet declared a personal interest as a member of Rustington Parish Council. He stated he was not present when the matter was discussed at a meeting of the Parish Council.)*

R/91/20/PL – Demolition of existing garage & store on existing dwelling & erection of 1 No. detached bungalow to rear, 6 Manor Road, Rustington

In presenting this application, the Planning Team Leader reminded Members that a previous application had been refused in March 2020 and what was now before Members had been modified to take account of the comments made at that time. An officer report update had also been provided which set out the detail of an additional objection received.

The Committee welcomed the amended proposal and felt that it was more in keeping with the character of the area but wished to add a further condition to prevent changes to the roof to allow loft conversions, the addition of dormers, and the building of a garage within the site. The Planning Team Leader advised that that would be reasonable and would prevent overlooking; however, he asked that authority be delegated to the Group Head of Planning, in consultation with the Chairman and Vice-Chairman, to provide the necessary wording as he did not have it to hand. The Committee agreed and

RESOLVED

That the application be approved as detailed in the report and subject to the addition of a condition removing permitted development rights relating to changes to the roof, dormers and a garage, the wording to be delegated to the Group Head of Planning, in consultation with the Chairman and Vice-Chairman.

144. R/92/20/PL 6 MANOR ROAD, RUSTINGTON BN16 3QT

Public Speakers: Mr Morris, Objector  
Mr Rodway, Agent

*(Councillor Bennet declared a personal interest as a member of Rustington Parish Council. He stated that he was not present when the matter was discussed at a meeting of the Parish Council.)*

R/92/20/PL – Demolition of existing garage & store on existing dwelling & erection of 2 No. detached bungalows to rear, 6 Manor Road, Rustington

Having received a report on the matter and following consideration, the Committee

RESOLVED

That the application be refused as detailed in the report.

145. Y/42/20/PL THE CRICKETS, HOE LANE, FLANSHAM, YAPTON PO22 8NT

Y/42/20/PL – Extension & alterations to main dwelling & conversion & extension of existing annexe to 2 No. holiday letting units (resubmission following Y/117/19/PL), The Crickets, Hoe Lane, Flansham, Yapton

The Planning Team Leader presented this report, together with the officer's written report update detailing a representation received from a nearby occupier and, following brief comment, the Committee

RESOLVED

That the application be approved as detailed in the report.

146. Y/105/19/PL STAKERS FARM, NORTH END ROAD, YAPTON BN DU

Public Speaker: Mr Daines, Agent

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Y/105/19/PL – Conversion of & alterations to existing barns to create 3 No. dwellings, erection of car barns & stores, a replacement ump house, demolition of barn & associated landscaping & parking. This application may affect the character and appearance of Main Road/Church Road Conservation Area – Stakers Farm, North End Road, Yapton

The Committee received a presentation from the Planning Team Leader on the detail of this application, together with a written officer report update advising on receipt of a Statutory Declaration in respect of the barns and outbuildings.

Following consideration of the proposal, the Committee

RESOLVED

That the application be approved as detailed in the report.

147. Y/121/19/PL THE STEDDLES, NORTH END ROAD, YAPTON BN18 0DT

Public Speakers: Ms Simmons, Agent  
Cllr Mrs Worne, Ward Member

Y/121/19/PL – Demolition of existing dwelling & outbuildings & erection of 11 No. dwellings (net increase 10 units), access, landscaping & associated works, The Steddles, North End Road, Yapton

The Planning Tea Leader presented this report, together with the officer's written report update detailing:-

- Results of the bat survey and resultant additional pre-commencement condition and informative

The Committee was advised that the existing dwelling was a non designated heritage asset. However, its historical significance had been lost due to the addition of extensions granted over the years and external changes to its setting and, as such, there was no conflict with policy or the guidance in the NPPF (National Planning Policy Framework). In addition, the application site was now surrounded by development.

In considering the matter, a view was expressed that the location was not sustainable and the loss of a non designated heritage asset was unacceptable. The Group Head of Planning reminded Members that they had granted planning permission for a site immediately adjacent to this site so it would be extremely difficult to make an argument that that site was sustainable but this site was not.

Following further comments from Members relating to pathways; highways issues; and CIL contributions, the Committee



RESOLVED

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

148. LIST OF APPEALS

The Committee received and noted the appeals that had been received.

(The meeting concluded at 5.58 pm)