

PLANNING COMMITTEE

2 February 2022 at 2.00 pm

Present: Councillors Chapman (Chair), Blanchard-Cooper, Bower, Chace (Substitute for Charles), Coster, Edwards, Goodheart, Thurston and Tilbrook

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

Apologies: Councillors Charles, Kelly and Lury

629. WELCOME

The Chair warmly welcomed Councillor Chace who was substituting for Councillor Charles at the meeting, and confirmed that following Full Council on 26 January 2022 Councillor Chace would replace Councillor Charles as a substantive Member of the Committee from the next Planning Committee meeting on 27 April 2022. The Chair and Committee thanked Councillor Charles for his contribution over a considerable period of time to this Committee and its predecessor, the Development Control Committee.

630. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

631. MINUTES

The Minutes of the meeting held on 5 January 2022 were approved by the Committee and signed by the Chair.

632. 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 there was one urgent item for the Committee to consider which was to review the protocol in place for Committee Site Visits. The Chair confirmed that this item would be considered after the last item on the published agenda.

633. AL/20/21/PL - LAND AT WINGS NURSERY, LIDSEY ROAD, WOODGATE PO20 3SU

Demolition of Wings House & erection of 71 No. replacement dwellings (70 net new dwellings), access arrangements, sustainable drainage measures, public open space, landscaping & all other associated works (resubmission following AL/46/20/PL). This application is a Departure from the Development Plan.

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The Principal Planning Officer presented the report with updates.

Members then took part in a full debate on the application where a number of points were raised and responded to by Officers, including:

- the bat assessment and whether there was any impact to the conditions of the previously agreed planning permission
- the need for more specific detail on and the implications of the 'Arun Local Plan A27 Mitigation Project' and whether the funds would be spent within the District or not

The Committee

RESOLVED – That

1. The contribution of National Highways be included in the Section 106 Agreement.
2. Authority be delegated to the Group Head of Planning to make minor amendments to the Section 106 Agreement.

634. P/165/21/PL - LAND AT SPINNAKER VIEW, PAGHAM PO21 3FL

5 Public Speakers

Michael Mariner – Objector

James Andrews – Objector

Jonathan Puplett – Agent

Cllr June Hamilton – Arun District Council Ward Member

Cllr David Huntley – Arun District Council Ward Member

New vehicular access entrance, relocated parking bays, and pedestrian access associated with the redevelopment of the rear of Inglenook Hotel as 9 No. dwellings. This application is in CIL Zone 4 (zero rated) as other development. This application may affect the setting of a Grade II Listed Building.

The Principal Planning Officer presented the 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 and responded to by Officers, including:

- the proposed access on this application resembling the access Committee previously wanted for the original planning application; the original planning application's access having been deemed dangerous due to its width by Committee and therefore refused planning permission but subsequently overturned by the Planning Inspector at appeal
- pedestrian access via Spinnaker View to counter safety concerns

- the time wasted by Officers and Members as residents of Spinnaker View, a private road with no right of access through it, had stated that they would not allow this to happen if approved
- the Committee were of the opinion they had reached the correct conclusions with the original planning application with regards the access and that the application should never have gone to appeal
- the need for the appeals process and planning process more generally to listen to and be informed by the knowledge of local people and their local Councillors rather than others without first-hand knowledge of the sites and their settings

The Committee

RESOLVED

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

635. P/159/21/PL - 253-255 INGLENOK HOTEL, PAGHAM ROAD, PAGHAM PO21 3QB

5 Public Speakers

Cllr Peter Atkins – Pagham Parish Council

Michael Mariner – Objector

Terence Hicks – Objector

Jonathan Puplett – Agent

Cllr June Hamilton – Arun District Council Ward Member

Variation and removal of conditions imposed under P/58/19/PL for the variation of condition 2-plans condition & 16-external lighting of roads & footpaths & removal of conditions 11-footpath access through Hotel site & 13-signage of vehicular access previously proposed.

The Principal Planning Officer presented the 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 and responded to by Officers, including:

- the issue of access, as further discussed in the previous item
- 3 storeys being overdevelopment and out of character in an area of predominantly 2 storey properties
- why a stop notice was not issued for work carried out not in accordance with the original approved plan
- the increasing frequency of having to retrospectively grant planning permission, this going against the whole planning process and demonstrating a lack of respect for the Planning Authority

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- developers 'gaming' the system by acting in this way - getting planning permission for something and then building something else and seeking to get that approved retrospectively
- concerns of planning 'creep'
- the significance of the change to conditions already under construction
- the need to take action against developers when unapproved works were undertaken

The Committee

RESOLVED

That the application be DEFERRED to allow further consultation on the uncertainty caused by non-adherence to the original planning application and closer consideration of what has been proposed.

636. LU/340/21/PL - THE OLD PRINTWORKS, 7 ARUNDEL ROAD, LITTLEHAMPTON BN17 7BY

1 Public Speaker

Conan Sturdy - Applicant

Application for works to existing building including; insertion of new windows and rooflights, infilling of windows, replacement of windows, addition of French doors and Juliette balcony, and replacement of roofs and new coping to flint wall. This application is in CIL Zone 4 and is zero rated as other development.

The Planning Area Team Leader presented the 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 and responded to by Officers, including:

- the use of the property and whether it had permission to be used for light industrial purposes
- the flat roof being accessible via patio doors and the restrictive condition to prevent use as a balcony or amenity space
- the building's relationship to the Georgian house and whether the styling of the replacement windows should mirror or at least be in keeping with the Georgian house or period
- the retention of the flint wall
- access to the property
- the quality of light within the property
- the operating hours of the business using the property and whether these were restricted by conditions
- the application being partially retrospective as it resulted from enforcement following a complaint due to works begun without planning permission

The Committee

RESOLVED

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

637. AL/113/21/OUT - LAND AT BAYARDS, LEVEL MARE LANE, EASTERGATE PO20 3RZ

6 Public Speakers

Cllr Martin Beaton – Aldingbourne Parish Council

Cllr Sue Wallsgrove – Barnham & Eastergate Parish Council

Michael Lowe – Objector

Mike Palmer – Objector

Andrew Munton – Applicant

Lorna O'Carroll - Agent

Outline application with all matters reserved, apart from access, for up to 69 No. dwellings with access, parking, landscaping & associated works. This application is a Departure from the Development Plan.

The Principal Planning Officer presented the report with updates. This was followed by 6 Public Speakers.

Before opening the debate, the Chair quoted from the Local Government Association's 2019 version of 'Probity in Planning [page 20]:

'All applications that are clearly contrary to the development plan must be advertised as such, and are known as 'departures' from the development plan. If it is intended to approve such an application, the material considerations leading to this conclusion must be clearly identified, and how these considerations justify overriding the development plan must be clearly demonstrated.

The application may then have to be referred to the relevant secretary of state, and/or the Mayor [not applicable to Arun], depending upon the type and scale of the development proposed (Section 77 of the Town and Country Planning Act 1990). If the officers' report recommends approval of such a departure, the justification for this should be included, in full, in that report.'

Members then took part in a full debate on the application where a number of points were raised and responded to by Officers, including:

- endorsement for the points made by the representatives of the Parish Councils and residents
- concerns over the location and its relationship with the adjoining development to the east, and whether taken together they now amounted to too much development in the location

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- the traffic implications from the development and the accumulative effect with the developments being built in the surrounding area
- the A27 at Fontwell becoming a local rat run
- the need for proper visualisation of the traffic impacts
- the slightly higher energy savings were positively noted
- the lack of bus services and connectivity to Barnham train station and the cost of bus travel that would not be significantly mitigated by the proposed inclusion of travel plan vouchers for some residents
- the NPPF at paragraph 112a - approved developments having 'high quality public transport'
- endorsement for the comments about the wildlife surveys and the needs of the community in planning
- sustainability being the only grounds upon which the application could be refused
- disagreement that the site and location were sustainable and that car use would be necessary
- the economic, social and environmental considerations of sustainability – few local benefits, no real economic benefit, little contribution to local housing needs, environmental vandalism due to the benefits of grassland to be removed

The Committee

#### RESOLVED

That the application be APPROVED CONDITIONALLY as detailed in the report and report update subject to the conditions and conditions update as detailed and a Section 106 Agreement.

As the Section 106 Agreement has not yet taken place, the final decision be delegated to the Group Head of Planning with authority to make minor amendments to the Section 106 Agreement. Should the Section 106 Agreement not be completed in 4 months of the date of the Planning Committee's resolution to grant planning permission, then the application shall be refused for the following reasons:

1. In the absence of a signed Section 106 Agreement, the development fails to make any affordable housing provision and is thereby contrary to the aims and objectives of the NPPF and policy AH SP2 of the Arun Local Plan.
2. In the absence of a signed Section 106 Agreement, the development will not provide the highway improvements necessary to deliver the development & mitigate any residual harm to the local and strategic road network and is thereby contrary to ALP policies T SP1, T DM1 and the NPPF.

638. APPEALS

The Committee noted the Appeals list

639. APPEALS PERFORMANCE & COSTS 2021 AND APPEALS SUMMARY 2021

Upon the invitation of the Chair, the Group Head of Planning presented the report which outlined the Council's performance at appeal during 2021 and the associated costs. It was summarised that performance had improved over the last year and year-on-year over the past few years there had been a steady increase in the quality of decisions made in accordance with Officers' recommendations.

Following discussion on the role played by Members of Planning Committee in balancing the needs to represent the local community and abide by government policy and guidance, the recommendation was proposed by Councillor Bower and seconded by Councillor Edwards.

The Committee

RESOLVED

To note the Appeals Performance & Costs for 2021.

640. PERFORMANCE IN PLANNING

Upon the invitation of the Chair, the Group Head of Planning presented the report which outlined the Planning Department's performance against Corporate Targets. Following discussion on the use of extensions of time and the Group Head of Planning's transitional hands-on involvement with Officer reports, the Committee noted the report.

641. SITE VISITS PROTOCOL FOR PLANNING APPLICATIONS

Upon the invitation of the Chair, the Group Head of Planning presented the report which invited the Committee to comment on an amendment to the existing protocol for Planning Committee Site Visits at Part 8, Section 3 – Planning Protocol – Paragraph 13.0 to 13.8 of the Constitution in advance of it being considered by the Constitution Working Party on 7 February 2022 which, if accepted, would make recommendations to Full Council on 9 March 2022 for an updated Site Visit Protocol to be inserted into the Constitution.

Following comment from a Member [and the Chair of Constitution Working Party] regarding the practice of Parish Council representatives making representations at site visits then withdrawing for Member discussion and after noting that the amendments broadly followed the LGA's guidance in 'Probity in Planning', the recommendations were proposed by Councillor Chace and seconded by Councillor Coster.

Subject to approval at the next Planning Committee meeting

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The Committee

RESOLVED

To note the proposed changes to the Site Visit Protocol and provide comments for the Working Party to take into account.

(The meeting concluded at 4.48 pm)