

PLANNING COMMITTEE

25 May 2022 at 2.00 pm

Present: Councillors Chapman (Chair), Edwards (Vice-Chair), Blanchard-Cooper, Bower, Chace, Haywood, Kelly, Lury and Thurston

Apologies: Councillor Tilbrook

26. WELCOME

The Chair opened the meeting by welcoming Councillor Edwards to his role as the new Vice-Chair of Planning Committee. The Chair extended thanks to Councillor Lury for his work as Vice-Chair for the previous civic year. The Chair also welcomed Councillor Haywood as a new Committee Member.

27. DECLARATIONS OF INTEREST

Councillor Haywood declared a Personal Interest in Agenda Items 15 [M/5/22/PL], 16 [M/6/22/PL] and 17 [Y/3/22/OUT] as a Ward Member for Middleton-on-Sea, and as Chair of Middleton-on-Sea Parish Council which had raised objections to each of these items.

28. MINUTES

The Chair announced that due to severe resource issues in Committee Services, the Minutes from the meetings of the Committee held on 27 and 28 April 2022 were not ready to present to this meeting for approval and would be presented to the next meeting of the Committee on 22 June 2022.

29. 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 were no urgent items to consider at this meeting.

30. START TIMES

It was proposed and seconded that a new start time for the remaining meetings of the Planning Committee for 2022/23 be 14:00pm.

The Committee

RESOLVED

That the start time of all remaining meetings of the Committee for 2022/23 would be 14:00pm.

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31. CHANGE TO THE ORDER OF THE AGENDA

The Chair confirmed a change to the order of the agenda to bring forward and consider Agenda Item 17 [Y/3/22/OUT – LAND WEST OF BILSHAM ROAD, YAPTON] as the next item.

32. Y/3/22/OUT - LAND WEST OF BILSHAM ROAD, YAPTON

Hybrid Application comprising of Full application for Phase 1 for 30 No residential dwellings, new access from Bilsham Road, public open space, landscaping, sustainable urban drainage and associated works; and Outline planning application for further phases of up to 110 No dwellings and associated infrastructure (with all matters reserved). This application is a Departure from the Development Plan and is in CIL Zone 3 and is CIL Liable as new dwellings.

The Planning Area Team Leader informed the Committee that on 23 May 2022 National Highways had submitted a new 3 month holding objection to the application with a request for additional information on top of what had already been requested and provided. On this basis it was recommended that this application be deferred to a later meeting in order for these matters to be looked into.

The Committee

RESOLVED

That the application be DEFERRED to a later date.

33. AL/87/21/PL - OLDLANDS FARM, NEWLANDS ROAD, BOGNOR REGIS PO22 9FJ

[Councillor Blanchard-Cooper declared that, due to his absence from the previous Committee meeting at which Agenda Items 7 and 8 were first heard, he would withdraw from the debate and note vote on these items.]

Erection of a warehouse (Use Class B8) with ancillary office, associated vehicle parking, van storage, plant, ancillary structures, lighting landscaping and infrastructure works including earthworks to facilitate flood compensation areas. This site may affect listed buildings, may affect the character and appearance of the Shripney Conservation Area, is a Departure from the Development Plan, affects a Rights of Way and is in CIL Zone SP3 (Zero Rated) as other development.

The Principal Planning Officer presented the update report which dealt specifically with the reason given for deferral at the Planning Committee on 27 April 2022 – in order to seek further clarification in respect of the development's impact on the capacity of the access roundabout and to secure confirmation of how the financial contributions will be spent to mitigate the impact of development on the operation of the access roundabout. A verbal update was also given on drainage and flooding.

Members then took part in a full debate on the application where a number of points were raised and responded to by Officers from Arun District Council and guest Officers from West Sussex County Council, including:

- the lack of a relief road built for the new A29 and all additional traffic (particularly at night, which the studies have identified is when these are likely to happen) using the existing A29 through a residential area
- how, when and how frequently West Sussex County Council would look to determine whether the roundabout was above capacity in future and whether Arun would need to keep asking for reviews of this or if work would be undertaken proactively
- the development exacerbating already high levels of traffic on surrounding roads at certain times of day and the potential conflict of a junction being 'over capacity' but still acceptable in terms of Highways approval
- future capacity capability and the accumulative effect of future planning applications on the site, and the need for roundabout design to build-in potential capacity

The Committee

RESOLVED

That delegated authority be granted to the Group Head of Planning (in consultation with the Chair and Vice-Chair of Planning Committee) to:

- a) approve planning permission subject to conditions
- b) subject to a Section 106 Agreement, the terms of which were substantially in accordance with those set out in the report with any minor amendments being authorised by the Group Head of Planning

Following either:

- a) receipt of drainage plans/documents, deemed to be acceptable by ADC Engineers, which will be included in the list of approved plans and ion conditions requiring compliance with the plans/documents, within three months from 27 April 2022, OR
- b) receipt of written confirmation by the applicant to the imposition of the standard pre-commencement drainage conditions (as set out in the report or any alternative wording agreed by both the applicant and Local Planning Authority).

34. P/155/21/RES - LAND WEST OF PAGHAM ROAD

Approval of reserved matters (layout, scale, appearance and landscaping) following outline consent P/140/16/OUT for the 'local centre' parcel which comprises of retails, community and commercial uses, 20 No residential apartments and a 70 bed care home.

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The Principal Planning Officer presented the update report which dealt specifically with the reason given for deferral at the Planning Committee on 28 April 2022 – the height of the buildings with regards the mass and bulk of the roofs.

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

- pleasure in the reduction in the height of the buildings but concern remaining for the impact on the semi-rural/ecclesiastical setting and listed buildings

The Committee

RESOLVED

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

35. AL/18/22/PL - LIDSEY LODGE FARM, SACK LANE, LIDSEY PO22 9PE

2 Public Speakers

Claudia Kelly – Objector

Elizabeth Lawrence – Agent

Demolition of large agricultural buildings, removal of concrete yards and access, erection of 4 No 2 bed houses, 2 No 3 bed houses, 2 No 4 bed houses, gardens, access, parking, soft landscape and ecology areas (resubmission following AL/75/21/PL). This application is a Departure from the Development Plan and is in CIL Zone 3 and is CIL Liable as new dwellings.

The Planning Area Team Leader presented the report. This was followed by 2 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:

- whether there was any possibility of keeping the bund, and if it had to be replaced whether it could be replaced as a bund
- the condition against building if barn owls were found to be present during the breeding session
- the width of Sack Lane, the lack of verges or footpaths and concerns over pedestrian safety following an increase in housing and residential vehicles

The Committee

RESOLVED

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

36. BN/8/22/PL - LAND TO SOUTH AND WEST (REAR) OF BIRCHWOOD HOUSE, CHURCH LANE, BARNHAM PO22 0DB

[Councillor Thurston declared a Personal Interest as a Ward Member for Barnham.]

1 Public Speaker

Glynn Curtis – Supporter

Retention of existing site entrance (resubmission following BN/97/21/PL). This site is in CIL Zone 3 (Zero Rated) as other development.

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

- contradictions between the Officer's report and the recently updated and adopted Neighbourhood Plan with Church Lane having been made a site of special character
- the flint walls, the role they play in preserving the tradition and character of the area and their restoration

The Committee

RESOLVED

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

37. BN/16/22/PL - LAND TO THE REAR OF CLARE COURT, 67 BARNHAM ROAD, EASTERGATE PO22 0EP

[Councillor Thurston declared a Personal Interest as a Ward Member for Barnham.]

3 Public Speakers

Christopher Smith – Objector

Lisa Pridie – Objector

Clare Bartlett – Supporter

Erection of 4 No dwellings with associated car parking. This application is in CIL Zone 2 and is CIL Liable as new dwellings.

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

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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 planning history of the site
- not an allocated site in Barnham Parish Council's Neighbourhood Plan and application would seem to go against it
- the need for both hedges and fencing on certain boundaries to protect existing residents from increased noise disturbance
- support for the design and what could be achieved when using a small private architect

An amendment to the Officer's recommendations was proposed by Councillor Thurston and seconded by Councillor Haywood that the means of enclosure should be retained at its current height in perpetuity. The amendment was CARRIED and now formed part of the application being decided.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY as detailed in the report and report update subject to the conditions as detailed and any further conditions to be agreed with the Group Head of Planning and Chair of Planning Committee.

38. BR/29/22/PL - SELWOOD LODGE, 93 VICTORIA DRIVE, BOGNOR REGIS PO21 2DZ

Change of use from C1 Guest House to a 16 bed House in Multiple Occupation (Sui Generis) including first floor extension, demolition of existing detached garage and external alterations.

The Planning Area Team Leader 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 number of HMOs in the area and the character of the area
- concerns over the design of the driveway and vehicular accessibility
- proximity to the roundabout and the issue of on-road parking

The Committee

RESOLVED

That delegated authority be granted to the Group Head of Planning (in consultation with the Chair of Planning Committee) to approve planning permission subject to conditions as detailed in the report and report update and a Section 106 Agreement.

39. LU/53/22/PL - 215 AND 215A TIMBERLEYS, LITTLEHAMPTON BN17 6QD

[Councillor Blanchard-Cooper declared a Personal Interest as a Ward Member for Brookfield. Councillor Chace also declared a Personal Interest as a Ward Member for Brookfield.]

1 Public Speaker

Joseph Pearson – Agent

Single storey rear extension to 215 Timberleys and single storey rear extension to proposed new dwelling at 215A Timberleys (approved under application reference LU/350/20/PL). This site is in CIL Zone 4 (Zero Rated) as other development.

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

The Committee

RESOLVED

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

40. LU/54/22/PL - THE FLINTSTONE CENTRE, EAST STREET, LITTLEHAMPTON BN17 6AW

1 Public Speaker

Ian Kuehnel – Objector

Installation of 3000mm high welded mesh fencing and associated single leaf gate along a section of the northern boundary line and along the rear elevation, ornamental fencing and associated gates to be installed, located adjacent to the existing southern side entrance to the building, as well as the installation of 3000mm high welded mesh fence encapsulating the existing boiler room to the rear of the building. Demolition of existing side secondary entrance including existing ramped access and associated fittings. Repairs to the section of wall affected by the removal of the entrance. This application affects the character and appearance of the East Street Conservation Area and is in CIL Zone 4 (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 height of the mesh fence
- the security of the site

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The Committee

RESOLVED

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

41. M/5/22/PL - 3 THE HARD, ELMER, MIDDLETON-ON-SEA PO22 6JS

[Councillor Haywood re-declared her Personal Interest made at the beginning of the meeting as a Ward Member for Middleton-on-Sea.]

Replacement residential dwelling. This application may affect a Public Right of Way.

The Planning Area Team Leader presented the 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:

- the Officer conditions regarding drainage and the risk of flooding being welcomed
- the diversity of the housing stock in the area

The Committee

RESOLVED

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

42. M/6/22/PL - 88 ANCTON WAY, ELMER, MIDDLETON-ON-SEA PO22 6JP

[Councillor Haywood re-declared her Personal Interest made at the beginning of the meeting as a Ward Member for Middleton-on-Sea.]

1 Public Speaker

Andrew Riley – Applicant

Demolition of existing bungalow and erection of 1 No 2-storey, 4-bedroom detached house with 3 No off road car parking spaces. This site is in CIL Zone 4 and is CIL Liable as new dwelling.

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

- support for the improvement of the area's housing stock

- the public's concern for the loss of bungalows in the area
- the changes to the character of the area
- the condition of the local sewage system and the need to ensure other properties did not flood as a consequence of this development

The Committee

RESOLVED

That delegated authority be granted to the Group Head of Planning (in consultation with the Chair and Vice-Chair of Planning Committee) to approve planning permission subject to conditions as detailed in the report and any further conditions recommended by the Environment Agency.

43. APPEALS LIST

The Committee noted the Appeals list.

44. FITZALAN LINK ROAD, LITTLEHAMPTON

Upon the invitation of the Chair, the Group Head of Planning presented his report which built on the report brought before Committee on 15 December 2021 [Minute 530]. One of the recommendations was to undertake a focused consultation of properties on Amberley Close and the eastern side of Highdown Drive to gauge public opinion. This was undertaken in January and February 2022. The results were contained in the report [pages 236 to 241 of the Agenda Pack] but he highlighted that the majority supported a reduction in the height of the barrier regardless of whether there was a greater noise disturbance.

The recommendations were then proposed and seconded.

The Committee

RESOLVED - That

1. The principle of reducing the height of the acoustic barrier to 2.5m was supported subject to further work being undertaken regarding the quantification of the costs that the Council would be liable for the physical works, potential scale of any future compensation claims, and the likely costs associated with pursuing a formal modification of the planning permission through Section 102 & 103 was supported;
2. Discussions continue with West Sussex County Council and Persimmon Homes to seek an agreed solution seeking to negate the need for any formal legal process;
3. A further report was required to be provided to the Committee on the progress of these matters.

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45. PERFORMANCE IN PLANNING

Upon the invitation of the Chair, the Group Head of Planning presented his report which outlined the performance in Planning against the Corporate Targets for Quarter 4 and for the year 21/22. It was confirmed that the data would also be reported to Policy and Finance Committee.

The Committee noted the report.

46. UPDATED PLANNING COMPLIANCE STRATEGY

Upon the invitation of the Chair, the Planning Area Team Leader presented his report which sought to update the Compliance Strategy which was last amended in 2019. He explained that, although the update was not a complete overhaul, some of the changes were far reaching and gave the example of not all enforcement cases being investigated going forward as often no action was taken for a variety of reasons and so was deemed not the best use of Officers' time. Officers' time would instead be put to better use tackling cases that were problematic and caused harm to the amenity in Arun.

After the Chair had outlined the four recommendations of the report, Members took part in a full debate on the item where a number of points were raised and responded to by Officers, including:

- clarification of case priority and in particular caravans and development related to travellers
- the Officer allocation for this work and staffing levels within Planning more generally, and whether the proposed reduction in work was due to a reduction in staff
- support for the principle that the public have to be clearer in the information they give to add the triage of problems
- whether online only forms would exclude residents who were uncertain of what they were reporting and sought advice and assistance of the process

The Group Head of Planning confirmed that the Compliance Strategy was based on a team that was fully resourced and, although there were issues in resourcing the team, it was not a reaction to these issues. The Planning Area Team Leader confirmed that Parish Councils would be consulted on the Strategy before it was formally implemented.

Following comments from the Acting Monitoring Officer and Planning Solicitor on the Officer recommendations around the date of adoption for the Strategy and the consultation with Town and Parish Councils from an enforcement and prosecution point of view, deferral was proposed and seconded pending the outcome of the informal consultation with Town and Parish Councils.

Subject to approval at the next Planning Committee meeting

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The Committee

RESOLVED

That the item be DEFERRED pending the outcome of the informal consultation with Town and Parish Councils.

(The meeting concluded at 4.38 pm)