

PLANNING COMMITTEE

26 October 2022 at 2.00 pm

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

Apologies: Councillor Blanchard-Cooper

377. WELCOME

The Chair welcomed Councillor Hamilton as a new Member to Planning Committee and extended thanks to departing Committee Member Councillor Goodheart for his years of service to the Committee.

378. DECLARATIONS OF INTEREST

Councillor Haywood declared a Personal Interest in Agenda Item 7 [M/92/22/PL] as Chair of Middleton-on-Sea Parish Council.

379. MINUTES

The Minutes of the previous meeting held on 28 September 2022 were approved by the Committee and signed by the Chair.

380. 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.

381. Y/93/22/PL THE STEDDLES, NORTH END ROAD, YAPTON BN18 0DT

1 Public Speaker

Natalie McKellar – Agent

Variation of condition following Y/158/21/PL relating to Condition No 2 - approved plans, to include a substation.

The Principal Planning Officer presented the report. This was followed by 1 Public Speaker. Members then took part in a debate on the application where a number of points were raised and responded to by Officers. These principally revolved around the proposed wall and hedging (its appearance, who was responsible for any future maintenance if not owned by the adjacent housing, the issues unadopted infrastructure can cause for Parish Councils), and the long-term ownership of the substation and ongoing responsibilities of the statutory undertaker. The recommendation was then proposed by Councillor Chace and seconded by Councillor Bower.

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The Committee

RESOLVED

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

382. M/92/22/PL 13 ELM DRIVE, ELMER, MIDDLETON ON SEA PO22 6JE

[At the start of the item, Councillor Haywood redeclared her Personal Interest as Chair of Middleton-on-Sea Parish Council made at the beginning of the meeting.]

1 No. replacement dwelling. This application is in CIL Zone 4 and is CIL liable as new dwelling.

The Planning Area Team Leader presented the report. Members then took part in a debate on the application where a number of points were raised and responded to by Officers, including Middleton-on-Sea Parish Council's concerns (with the appearance of the house, its impact on the street scene, an older looking property being replaced by a modern looking one, and the loss of a bungalow to the area), and support for the design and disagreement that it was out of character with the street scene as there was a two storey house next door. The recommendation was then proposed by Councillor Bower and seconded by Councillor Lury.

The Committee

RESOLVED

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

383. CM/34/22/PL LAND TO THE REAR OF VINCENT COTTAGE, RUDFORD INDUSTRIAL ESTATE, FORD ROAD BN18 0BF

2 Public Speakers

Cllr Tim Hibbert – Climping Parish Council

Brian West – Objector

Retrospective laying of hard surfacing and change of use of land for the parking of vehicles and siting of a storage container with erection of floodlighting. This application is in CIL Zone 2 (zero rated) as other development. This application is a dual parish application with Ford Parish Council.

The Planning Area Team Leader presented the report with updates. He explained the change to the Officer recommendation due to the submission of a Transport Statement by the applicant from conditional approval to delegated authority to approve following the expiry of the publicity period. This was followed by 2 Public Speakers.

Members then took part in a debate on the application where a number of points were raised and responded to by Officers, principally revolving around the harm the lights to be installed on the site might cause and the hours of operation and how these might be policed. Clarification was sought over the exact operational hours, that there was no control under the conditions should people be onsite earlier than those hours and any disruption this might cause to residents. The Interim Head of Development Management explained to Members that outside of operational hours, an element of lighting for security purposes would most likely remain.

Clarity was also sought over condition 1 and whether the permission was only for a year or if the landowner could just apply again annually on a rolling basis. It was explained that this condition intended to give a level of protection to residents and should the change of use be shown to cause unacceptable levels of harm then that would provide possible grounds for refusal of any future application. Concerns over how the levels of harm and disturbance would be determined were raised by Members, to which the Chair made clear that residents had access to an enforcement service which could investigate complaints about noise and disturbance at the site. A lack of biodiversity loss offsetting measures was also flagged, but Officers explained that the financial burden of including such conditions was unreasonable at this stage. The recommendation was then proposed by Councillor Edwards and seconded by Councillor Chace.

The Committee

RESOLVED

To delegate to the Group Head of Planning in consultation with the Chair authority to grant planning permission as detailed in the report and report update subject to conditions as detailed, and following the expiry of the publicity period generated by the receipt of a Transport Statement by the applicant after the publication of the agenda.

384. BR/63/22/PL SALISBURY HOUSE, THE STEYNE, BOGNOR REGIS PO21 1TX

Change of use of 5 No self-contained flats for adults with learning difficulties to 5 No self-contained flats and formation of 5 No further flats from HMO rooms, garage and office, repairs and decoration of external surfaces, minor alterations to elevation facing Sadler Street, change one window facing rear courtyard to French doors & apply obscure film to 2 windows in courtyard area. This application affects the setting of listed buildings, affects the character & appearance of The Steyne Conservation Area and is in CIL Zone 4 (Zero Rated) as flats.

The Principal Planning Officer presented the report and verbally advised that the Section 106 Agreement was currently out for signing. Members then took part in a debate on the application where a number of points were raised and responded to by Officers, including strongly objecting to the harm being done to the exterior and interior of a character building, that buildings of this sort must be better protected, and the extent of the fenestration works to the front of the property. It was noted that harm may

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have already been caused to the interior of the building by previous owners. The recommendation was then proposed by Councillor Bower and seconded by Councillor Kelly.

The Committee

RESOLVED

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

385. BN/21/22/PL THE HOLLIES, 84 BARNHAM ROAD, EASTERGATE PO22 0ES

1 Public Speaker

Susan Leeson - Agent

Demolition of existing care home and construction of 5 no. dwellings and garaging, with landscaping and associated works. This application affects the setting of a listed building and is in CIL Zone 2 and is CIL Liable as new dwellings.

The Principal Planning Officer presented the report with updates. This was followed by 1 Public Speaker. Members then took part in a debate on the application where a number of points were raised and responded to by Officers, including the impacts to nearby listed buildings and trees on third party land, and the boring unimaginative design of the proposals and the need to demand better design from developers more in keeping with the Arun Design Guide. The recommendation was then proposed by Councillor Bower and seconded by Councillor Chace.

The Committee

RESOLVED

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

386. APPEALS LIST

The Committee noted the Appeals list.

387. HOUSES IN MULTIPLE OCCUPATION (HMO) IN ARUN

Upon the invitation of the Chair, the Planning Policy Team Leader presented the report which sought the Committee's agreement that Article 4 Directions removing Permitted Development rights for smaller scale Houses in Multiple Occupation (i.e. C4 Use Class) be established covering the three specific wards of Marine and Hotham (Bognor Regis) and River (Littlehampton). The report further sought that the harm to the specific wards that was identified in the Building Research Establishment Ltd's

evidence study be used as a material consideration for decision making. A typographical error was noted in the Officer report for the date of commencement in the first recommendation, and that it should have read 2 November 2022 rather than 2 November 2021. The Group Head of Planning did explain to Members that these proposals were no guarantee of fewer HMOs in future and would be tested at the Appeals stage, and that in making their decision Members needed to balance the need for additional control which would generate more work for the Planning Department with no additional fee income as these would not attract a planning application fee. He also proposed that the word 'refusing' be replaced with 'determining' in the third recommendation so as not to predetermine any future planning application. This change was agreed by Members.

Members who spoke welcomed the proposals being made and thanked Officers for the work involved in bringing this report to Committee. Guaranteeing the health and safety of Arun's residents was stressed as was the detrimental impact too high a concentration of HMOs could have on an area. It was widely agreed that the recommendations of this report would be of benefit to the wider community of Arun and it was welcomed that it was going out to consultation. The recommendation was then proposed by Councillor Bower and seconded by Councillor Lury.

The Committee

RESOLVED - That

1. Notice be given of the authority's intention to designate Article 4 Directions under Article 4 (1) Schedule 3 (1) separately, for the three Wards of Marine, Hotham and River, following a notice period of six weeks (including to the Secretary of State) commencing on 2 November 2022 (which specifies a twenty one day representation period).
2. Any representations and amendments be reported back to Planning Committee on 11 January 2023, prior to recommending the Article 4 Directions be confirmed by Full Council on 18 January 2023 to commence on 19 January 2023.
3. The collective evidence studies demonstrably showed harm to the wards of River, Marine and Hotham, arising from the concentration of HMO developments and that this be used as a material consideration in determining further HMO proposals in those areas.

(The meeting concluded at 3.10 pm)