

PLANNING COMMITTEE

8 March 2023 at 2.00 pm

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

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

Apologies: Councillors Edwards and Warr

759. ELECTION OF THE VICE-CHAIR

The Chair opened the meeting and explained that the Vice-Chair had given his apologies for the meeting. He then proposed Councillor Lury as Acting Vice-Chair for this meeting. This was seconded by Councillor Kelly.

The Committee

RESOLVED

That Councillor Lury be Vice-Chair of this meeting.

760. DECLARATIONS OF INTEREST

No declarations of interest were made.

761. MINUTES

The Minutes of the previous meeting held on 8 February 2023 were approved by the Committee and signed by the Chair.

762. 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.

763. P/141/22/RES, LAND NORTH OF HOOK LANE PAGHAM

Reserved matters application following P/30/19/OUT (providing details of layout, scale, appearance and landscaping) in relation to the provision of an 80-bed care home.

This application was deferred by Committee on 8 February 2023 [Minute 666] for further discussion on an even re-distribution of the 80 beds on the plot resulting in a building comparable in height to the existing buildings in this part of Pagham. The Principal Planning Officer presented the report with updates which outlined revisions to

the scheme following discussion with the applicants. The main changes included a reduction in height of the ridgeline and eaves, a hipped roof form instead of a double gable ended roof, the introduction of larger sections of continuous ridgeline, the removal of several dormer windows, the removal of chimneys, an increased footprint to the western wing, the building repositioned slightly to the north, minor landscaping changes, and the removal of an outside terraced seating area.

Members that spoke believed that the revised plans had gone a long way to addressing their concerns and that the new design was more in keeping with neighbouring properties and therefore more acceptable. The recommendation was then proposed by Councillor Chace and seconded by Councillor Bower.

The Committee

RESOLVED

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

764. WA/126/22/RES, LAND WEST OF TYE LANE AND NORTH OF FIELD CLOSE & NORTH ROAD WALBERTON

2 Public Speakers

James Cross – Applicant

Peter Cleveland – Agent

Approval of reserved matters following WA/68/20/OUT for construction of 131 No homes (30% affordable homes) and associated works. This application is a Departure from the Development Plan, may affect the setting of listed buildings, may affect the character and appearance of the Walberton Village Conservation Area and is in CIL Zone 3 and is CIL Liable as new dwellings.

The Planning Area Team Leader presented the report with updates. He explained that a previous reserved matters application [WA/86/22/RES] had been refused at Committee in November 2022 [Minute 484] due to the lack of bungalows on the southern boundary and the material finishes of several of the proposed dwellings, and confirmed that this new application had did include single storey bungalows to the southern boundary and provided an updated schedule of materials. This was followed by 2 Public Speakers.

One Member repeated their concern about the appropriateness of the LAP (Local Area for Play) being in front of the bungalows and out of sight of the affordable housing. Another Member sought clarification on the wording of condition 8 (in the Conditions Update on page 11 of the Supplement Pack) to prevent additions to the roofs of the bungalows on the southern boundary. The recommendation was then proposed by Councillor Chapman and seconded by Councillor Lury.

The Committee

RESOLVED

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

765. LU/403/22/PL, RESIDENTIAL ACCOMMODATION, 34 NEW ROAD, LITTLEHAMPTON, BN17 5AT

Change of use from C3 Dwelling house to E(c) Commercial. This site is in CIL Zone 4 (Zero Rated) as other development.

The Planning Area Team Leader presented the report with updates. 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 subject and report update to the conditions as detailed.

766. LU/409/22/PL, 34 NEW ROAD, LITTLEHAMPTON, BN17 5AT

Change of use from C3 Residential to part E(c) Business and part 2 bed C4 Residential, alteration to attic window to act as escape. This site is in CIL Zone 4 and is CIL Liable.

The Chair confirmed that this item had been withdrawn ahead of the meeting.

767. LU/404/22/PL, THE PROMENADE, SOUTH OF THE PUTTING GREEN, LITTLEHAMPTON

2 Public Speakers

David Warne – Objector

Shuna Le Moine – Objector

Application under Regulation 3 for 13no. proposed new beach huts and associated access arrangements. This application is in CIL Zone 5 (zero rated) as other development.

The Planning Area Team Leader presented the report with updates. He explained that a previous application [LU/50/21/PL] had been refused at Committee in April 2021 [Minute 544] due to the number and position of the proposed beach huts and the lack of accessibility detail, and confirmed that this new application aimed to

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overcome these reasons by decreasing the overall number of huts from 20 to 13 and including three wheelchair accessible ones. This was followed by 2 Public Speakers.

Members spoke in support of the increased accessibility but questioned whether there was an overall increase in space being allocated despite the reduction in the number of huts due to the width measurements given in the report. The Group Head of Planning clarified that the right to a view was not a material planning consideration but consideration of the impact of the proposals on the character of the area was. Members did have some concerns about the impact of the new beach huts both on the view from Norfolk Road and on the character of the area and several Members questioned whether they could be moved elsewhere to mitigate these concerns.

Councillor Blanchard-Cooper proposed a deferral on the grounds of the impact on the character of the area, in particular those at the Norfolk Road end and whether, given the overall increase in quantity, a reduction in the number of huts should be sought. The Legal Services Manager, by reference to the Constitution at Part 8 – Codes and Protocols, Section 3 – Planning Protocol, 15 - Deferral, explained the circumstances when it was procedural to defer. This motion to defer was not seconded and therefore not moved. Returning to the substantive Officer recommendation to approve conditionally, this was proposed by Councillor Chapman and seconded by Councillor Chace.

The Committee

RESOLVED

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

768. FG/170/22/PL, 158 LITTLEHAMPTON ROAD, FERRING, BN12 6PH

4 Public Speakers

Councillor Stephen Abbott – Ferring Parish Council

Ed Miller – Objector

Tim Rodway – Agent

Councillor Roger Elkins – Arun District Council Ward Member

Erection of a new single storey building to the front of existing dwelling to be used as guest/visitor accommodation, with car parking and front boundary changes to include acoustic fencing and entrance gates. This site is in CIL Zone (Zero Rated) as other development.

The Planning Area Team Leader presented the report with updates. Members' attention was drawn to the revised recommendation (in the Report Update on page 17 of the Supplement Pack) that had changed due to an ongoing new round of consultation from granting conditional approval to delegating to the Group Head of Planning in consultation with the Chair the authority to grant approval subject to

conditions once the consultation period had expired. This was followed by 4 Public Speakers.

Several Members felt very strongly that this was overdevelopment and had concerns about setting a precedent. Specific points noted were that the proposed building was beyond anything in neighbouring properties and that a commercial building could not be compared to a garage, that it was forward of the building line, that it was inappropriate in its setting and that a 3-metre high fence would blight the street scene.

The Legal Services Manager advised that, now the Council was in a Committee system of governance, what should be a Committee decision could not be delegated to the Chair and, as the consultation process was still ongoing, it would not be proper for the Committee to make a decision without seeing the results of the consultation. Following this advice, a motion to defer was moved but this was not considered an appropriate action and instead the application was holdover to a future meeting of the Committee once the consultation had been completed and the responses evaluated.

769. BN/176/22/RES, LAND WEST OF FONTWELL AVENUE, EASTERGATE

1 Public Speaker

Sarah Hockin – Agent

Approval of reserved matters following outline consent BN/147/21/OUT for 7 No dwellings with associated landscaping and infrastructure. This application also lies within the parish of Aldingbourne 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 1 Public Speaker. One Member sought clarification on the retention of any of the hedging along Fontwell Avenue. The Planning Area Team Leader confirmed that the removal of any areas of hedge would be compensated via the provision of new trees and native shrubs. The recommendation was then proposed by Councillor Chace and seconded by Councillor Bower.

The Committee

RESOLVED

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

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770. BE/152/22/PL, 40-54 MAPLE GARDENS AND 1-9 SYCAMORE ROAD, BERSTED, PO22 9LB

Application under Regulation 3 of the Town and Country Planning (General Regulations) 1992 for the removal of existing timber cladding and installation of new Hardie Plank cement board product to match existing in appearance, windows currently set into the clad areas will also be replaced with new windows on a like for like basis and existing rainwater goods will also be replaced on a like for like basis. This site is in CIL Zone 4 (Zero Rated) as other development.

The Planning Area Team Leader presented the report. One Member raised sustainability issues with the use of cement-based cladding in light of the Council's own zero carbon-based procurement intentions. Another Member spoke in support of the cladding and believed that it would enhance the area. The recommendation was then proposed by Councillor Chace 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.

771. A/257/22/RES, LAND JUNCTION WITH HEATHFIELD/DOWNS WAY, EAST PRESTON, BN16 1AB

1 Public Speaker

Councillor Nikki Hamilton-Street – Angmering Parish Council

Approval of reserved matters following outline consent A/46/21/OUT for 2 No dwellings including details of the access, appearance, landscaping, layout, and scale. This application is in CIL Zone 4 and is CIL Liable as new dwellings.

The Planning Area Team Leader presented the report. This was followed by 1 Public Speaker. One Member spoke of the regrettable loss of green space and whether the design could have been more sympathetic given the level of local opposition to it. The Officer recommendation to approve conditionally was then proposed by Councillor Chapman and seconded by Councillor Chace. After the vote, this was declared NOT CARRIED. Following advice from the Legal Services Manager, reasons for refusal were then discussed. Members were of the view that the design of the scheme had an adverse impact on the character of the area. A recommendation to defer refusal pending a site visit was proposed by Councillor Bower and seconded by Chace.

The Committee

RESOLVED

That the application be DEFERRED for a site visit.

After the vote, the Group Head of Planning clarified that Committee had already voted against the Officer recommendation to approve conditionally and so when this application came back it would be for the Committee to decide whether and on what grounds to refuse or defer the application.

772. APPEALS LIST

The Committee noted the Appeals list.

773. APPEALS PERFORMANCE & COST 2022

Upon the invitation of the Chair, the Group Head of Planning presented the report which outlined the Council's performance at appeal during 2022 and the costs associated with those appeals. It was highlighted that, compared against the previous year, there was a decrease in the number of appeals determined (41 down from 50) but a 15% increase in the success rate of appeals dismissed (with 27 appeals or 63% dismissed), and of all planning appeal decisions 76% were made in accordance with the recommendation of Officers. The Chair thanked the Planning department for their efforts and the Committee noted the Appeals list.

774. LAND AT SANDFIELD NURSERY - POSSIBLE SERVICE OF A SECTION 215 NOTICE (IMPACT UPON LOCAL AMENITY)

Upon the invitation of the Chair, the Director of Growth presented the report which sought the Committee to determine whether the Council wished to serve a section 215 notice of the Town & Country Planning Act 1990 (as amended) in respect of the condition of land at the former Sandfield Nursery, Littlehampton and, if so, consider any consequential actions. Two short videos were played to the Committee to show the state of the land in both winter and summer.

Members spoke in support of taking this action but raised concerns about what the rubble consisted of and how it got there, and liability and cost recovery if the landowner did not remove the material themselves. The Director of Growth explained that should the Council need to take clean-up action, a charge could be placed on the land which could force the land's sale and make any action taken cost neutral.

With Members beginning to ask questions around potential commercial aspects of the businesses on the site, the Legal Services Manager advised that if Members wanted to continue such lines of discussion then the meeting would have to move into exempt business. The Committee agreed that this was not necessary for what the report was asking them to decide. The recommendation was then proposed by Councillor Chace and seconded by Councillor Bower.

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The Committee

RESOLVED

That the Director of Growth be authorised to arrange the service of a section 215 notice of the Town & Country Planning Act 1990 in respect of land at Sandfield Nursery, Littlehampton and to take any consequential actions under sections 216 to 219 of the same Act and other legislation as appropriate to secure compliance and the recovery of any funds so used in securing compliance.

(The meeting concluded at 4.13 pm)