

PLANNING COMMITTEE

12 July 2023 at 2.00 pm

Present: Councillors Hamilton (Chair), Wallsgrove (Vice-Chair), Bower, Kelly, Long, Lury, McDougall, Northeast, Partridge, Patel and Woodman

138. APOLOGIES

There were no apologies received for the meeting.

139. DECLARATIONS OF INTEREST

Councillor Long declared personal interests in agenda item 8 [A/91/23/PL - Rustington Golf Centre, Golfers Lane, Angmering, BN16 4NB] as a member of the Lanes Health Club and item 12 [Y/31/23/PL - Land Adjacent to Little Meadow, Bilsham Road, Yapton, BN18 0JY] because she knew two of the public speakers, who spoke to the application.

Councillor Wallsgrove declared a personal interest and made an open minded declaration on agenda item 11 [BN/58/23/PL - Land Rear of Clare Court, 67 Barnham Road, Eastergate, PO22 0EP] as she was the Chair of Planning Committee for Barnham and Eastergate Parish Council.

140. MINUTES

The minutes from the Special Meeting of the Planning Committee held on 28 June 2023 were approved by the committee and signed by the Chair.

141. 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

There were no urgent items to be considered at this meeting.

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142. A/71/23/PL - LAND ADJACENT TO CRETE HOUSE, THE BEECHES

There were no public speakers on this item due to public speakers being heard at the meeting on 7 June 2023.

Erection of detached dwelling, together with access, car parking and landscaping. This application is in CIL Zone 2 and is CIL Liabie as new dwelling.

The Vice-Chair advised that a panel of members attended the site visit that took place on 20 June 2023 where they viewed the site and were able to consider the over impact that would be had on the site should the application be approved. She then invited members who were present at the visit to make any additional comments. The comments made confirmed that the site visit was a valuable insight for members and that any previous concerns, in relation to the site's footprint and the impact on the street scene had been addressed.

The recommendation was proposed by Councillor McDougall 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.

143. A/58/23/RES - LAND OFF ARUNDEL ROAD, BN16 4ET

The public speaker registered to speak was not in attendance at the meeting.

Approval of reserved matters following A/122/19/OUT and varied by A/207/21/PL pertaining to the layout, scale, appearance and landscaping for a commercial building of 15,000 sqft (1,393 sqm) that can be used for either Class E(g)(l) (formally Class B1) and or Class B2, with associated landscaping and parking.

The Principal Planning Officer presented the report with updates. Members raised a number of concerns with the application including had the applicant been aware of the need for them to show the future road connection to the adjacent Sports Hub land to ensure that the site integrates with the surrounding land and had this been clearly documented during the outline application. It was confirmed that the access requirements had been made clear by the council and unfortunately the applicant was not providing the certainty the council needed.

The recommendation was proposed by Councillor Patel and seconded by Councillor Bower.

The Committee

RESOLVED

That the application be REFUSED.

144. A/91/23/PL - RUSTINGTON GOLF CENTRE, GOLFERS LANE, ANGMERING, BN16 4NB

*(Councillor Long redeclared her personal interest in this item as a member of the Lanes Health Club)*

As only one of the two public speakers registered to speak was in attendance at the meeting only one public speaker was heard.

1 Public Speaker

Kirsty King, Agent

Temporary Sales Cabin and associated Landscaping.

The Planning Area Team Leader presented the report. This was followed by 1 public speaker. The Planning Team Leader was invited to address any of the points raised by the public speaker where he made a suggestion to amend condition 3 to state “the sales building **and fencing**”, rather than just the sales building.

The recommendation was then proposed by Councillor McDougall and seconded by Councillor Woodman

The Committee

RESOLVED

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

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145. AL/42/23/PL - LAND WEST OF WESTERGATE LODGE, WESTERGATE STREET, WESTERGATE

1 Public Speaker

Sarah Hockin, Agent

Development of 2 No. dwellings, with associated access from Westergate Street, parking, and landscaping. This application is a departure from the development plan, is in CIL Zone 3 and CIL Liable as new dwellings.

The Principal Planning Officer presented the report with updates. This was followed by 1 Public Speaker. Members raised a number of concerns with the application including, that the site came very close to the bat corridor that had been identified to the west of the site, had bat roosts been investigated and considered. There was additional concern highlighted as the site was situated close to the Cocking and Singleton Tunnels. The Principal Planning Officer confirmed that the ecology report had been included with the application and the Council's Ecologist had reported no objection to the conditions included to secure biodiversity mitigation/enhancement measures. The Principal Planning Officer also advised that the Cocking and Singleton Tunnels were approximately 11.5km away from the site and the Natural England consultation had come back with no comment.

As the debate continued it was clear that members were uncomfortable with the decision to be made on the application, it was stated that members felt that their hands were tied in terms of finding planning grounds to refuse the application due to the appeal process that would follow. It was then stated by Councillor Lury that given the sensitivity of the site and turning to page 46 of the report where it states that the biodiversity net gain would only be 4.63%, this was poor as it should be nearer 10%.

In turning to proposing and seconding the recommendations put forward by the officer, all members were reluctant to do this, legal advice was then sought from the Legal Services Manager who advised that should members want to propose and second an alternative motion they could. The Chair then returned to members for further discussion where it was advised by Councillor Bower that there were no planning grounds to refuse the application. Further discussion then saw two members reluctantly propose and second the officer recommendation.

The recommendation was proposed by Councillor Wallsgrove and seconded by Councillor McDougall.

The Committee

RESOLVED

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

146. BE/57/23/PL - HOLLY COURT, TAMARISK CLOSE, BERSTED, PO22 9JG

No Public Speakers

Application under Regulation 3 of the Town and Country Planning (General Regulations) 1992 for the removal of all existing timber cladding and installation of new Hardie Plank cement board production to closely match the existing in appearance. This application is in CIL Zone 4 (zero rated) as other development.

The Planning Area Team Leader presented the report. Members raised the following points with the application that the cladding would provide embellishment to the area and was the fire service happy with the cladding. The Planning Area Team Leader confirmed that there was no requirement to consult with the Fire Service, as the building was less than 18 years old, however, he had spoken with the Building Regulations Team who had advised that if the work involved a thermal element, it may require a submission under the Building Regulations.

The recommendation was proposed by Councillor Lury and seconded by Councillor Patel.

The Committee

RESOLVED

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

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147. BN/58/23/PL - LAND REAR OF CLARE COURT, 67 BARNHAM ROAD, EASTERGATE, PO22 0EP

(Councillor Wallsgrove redeclared her personal interest in this item as Chair of Barnham and Eastergate Parish, Planning Committee.)

1 Public Speaker

Matthew Utting, Agent

Erection of 4 No detached houses with covered and open resident and visitor parking, using existing access to Clare Court from Barnham Road including provision of new hard and soft landscaping, foul and surface water drainage systems and other works (resubmission following BN/16/22/PL). This application is in CIL Zone 2 and is CIL Liable as new dwellings.

The Planning Area Team Leader presented the report. This was followed by 1 Public Speaker. Members raised the following concerns with the application including clarification regarding the NPPF and building out into the garden of the site, the access road would remove 2 car parking spaces causing a reduction from 8 spaces to 6 was this considered by officers and where would those cars now park? This Planning Area Team Leader confirmed that there were no restrictions within the NPPF that states garden land could not be built on. He also confirmed that there was sufficient parking for the site as well as the additional available space for on-street parking.

The recommendation was proposed by Councillor Lury and seconded by Councillor Patel

The Committee

RESOLVED

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

148. Y/31/23/PL - LAND ADJACENT TO LITTLE MEADOW, BILSHAM ROAD, YAPTON, BN18 0JY

3 Public Speakers

Dilys Lownsborough, Objector  
Carol Inglis, Objector  
Jacob Goodenough, Agent

Construction of 6 No new dwelling with new access from Bilsham Road, sustainable drainage and landscaping. This application is a Departure from the Development Plan, may affect the setting of listed buildings and is in CIL Zone 3 and is CIL Liable as new dwellings.

The Principal Planning Officer presented the report with updates. This was followed by 3 Public Speakers. The Principal Planning Officer responded to a comment made regarding potential access to the crematorium by one of the public speakers, where he advised that when the crematorium application was approved there was a legal agreement implemented that stated bollards would need to be placed on Grevatts Lane west, to prevent vehicles moving in a north westerly direction, due to the safety concerns of the junction. With the new access in this application, whilst it could potentially be an alternative, the current state of Grevatts Lane west between the site and the crematorium was too rough and broken and not considered suitable for heavy traffic use, therefore currently he did not believe it could be used for access. Members raised a number of other concerns with the application including, expressing sympathy for the residents of Yapton for the level of development in the area, concern regarding the inspector's report where it mentioned substantial harm to the character and appearance of the area, the impact and significance on the Grade II listed Hobbs Farmhouse and the loss of agricultural land. Because of these concerns raised by Councillor Lury he proposed that a site visit be undertaken and asked for a seconder from the committee, where Councillor Woodman agreed to second this proposal.

Further debate was requested before any vote was taken on the proposal put forward. Throughout that debate it was commented that should the application be approved would this then prompt a further application later on for an additional 69 dwellings. It was then asked for the Group Head of Planning to give members some advice regarding the weighting the committee should give in their decision making to the emerging neighbourhood development plan for the area, that had been mentioned by one of the public speakers. The Group Head of Planning advised members that as set out in the report the emerging neighbourhood plan did have sufficient weight to outweigh the presumption in favour. However, when the plan is made the policies that would be most relevant in respect of this application would be considered as out of date, due to the housing land supply being less than 3 years, he then referred to paragraph 14 of NPPF.

Councillor Lury then readdressed the committee and reoutlined his reasoning for a site visit to be held before any decision was made. The Chair then moved to the vote to defer the decision on the application pending a site visit.

The Committee

RESOLVED

That the application be DEFFERED to allow for a site visit for members to assess the area.

Subject to approval at the next Planning Committee meeting

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149. APPEALS LIST

The Committee noted the Appeals list.

(The meeting concluded at 3.35 pm)