

PLANNING COMMITTEE

18 October 2023 at 2.00 pm

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

304. APOLOGIES

There were no apologies received for the meeting.

305. DECLARATIONS OF INTEREST

Councillor Woodman declared a Personal Interest in Item 7 [LU/182/23/PL Wellesley Court, Fitzalan Road, Littlehampton, BN17 5JW] as a member of Littlehampton Town Council.

306. MINUTES

The minutes from the previous meeting held on 6 September 2023 were approved and signed by the Chair.

307. 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 presented at the meeting.

308. AL/70/23/OUT LAND WEST OF LIDSEY ROAD (A29) LIDSEY (DEFERRED ITEM)

No Public Speakers

Outline planning application with all matters reserved except access for residential development of the site with up to 155 dwellings (Use Class C3), informal and formal public open space, landscaping, drainage, and other associated works. This application is a Departure from the Development Plan. This is Not CIL liable as Outline.

The Principal Planning Officer presented the report with updates.

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

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The Committee

RESOLVED

That the application be approved conditionally subject to a section 106 agreement.

309. LU/182/23/PL WELLESLEY COURT, FITZALAN ROAD, LITTLEHAMPTON, BN17 5JW

*(Councillor Woodman redeclared a Personal Interest in this item as a member of Littlehampton Town Council.)*

1 Public Speaker

Kai Penny – Agent

Subdivision of three existing flats into six flats, with the associated installation of two windows. The application is in CIL Zone 4 (zero rated) as flats and may affect the character and appearance of the Littlehampton Sea Front Conservation area. (Resubmission of LU/77/23/PL).

The Planning Area Team Leader presented the report. Members raised the following points during their debate was there anyway to apply a condition within the application to ensure that the occupation of each flat was kept to 1 person and concerns were raised regarding the amount of parking provision for the site.

The Planning Area Team Leader explained that there were 15 parking spaces on the site along with on-street parking which was in accordance with the relevant policies. Regarding the comment made in relation to a condition for single occupancy, he advised that it was not recommended this was done. The request for the room size to be of the appropriate size to meet the requirement of occupants had been made and outlined in the report where it confirmed that the six proposed unites were all compliant.

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

The Committee

RESOLVED

That the application be approved conditionally.

310. K/37/23/PL CLOUDY BAY, GORSE AVENUE, EAST PRESTON, BN16 1SF

5 Public Speaker

Kingston Parish Council  
Sophie Mason – Objector  
Mark Holdsworth – Objector  
Simon Rogan – Applicant  
George Frost – Agent

Replacement of an existing 2.5-storey detached dwelling with a new 3-storey plus basement detached dwelling including a front driveway, front and rear boundary walls, indoor and outdoor swimming pools, and a car lift.

The Planning Area Team Leader presented the report with updates. After the public speakers were heard the Planning Officer TL responded to the following points raised in terms of flood risk assessment this was detailed in the report clearly as flood zone one which meant there was no requirement for a flood risk assessment, additionally there was no consultation completed with the Environment agency as Flood Zone one did not meet their consultation requirements. A pre application submission was received from the applicant and the council did consult with its engineers on this a result of which an informative condition 11 which addressed how the basement may need to be dealt with from that point of view. Regarding comments made in relation to the SUDs scheme, the act does not come into effect until 2024. Resharing the presentation the officer addressed the comments made relating to the 45- and 70-degree rule, he confirmed that whilst these are guidelines in the Arun Design Guide, they were not Planning Policy and after consideration although there was some conflict it was deemed not enough to create significant harm that would warrant refusal. It was also confirmed that this minor conflict was at ground floor level only. In addressing comments made regarding the dwellings projection he confirmed that this was a single storey projection and would be 5.3 meters as detailed.

Members raised the following points during their debate, concerns over the size of the dwelling, in particular the basement was felt to be too big for the plot. Concerns in relation to surface water due to the impermeable surface increasing to 80%. A suggestion for a site inspection was made in order to assess the potential damage to other properties in the area, it was felt the intensity of the build would create significant damage to neighbouring properties. Further concerns raised regarding the flood risk were raised, clarification was sought regarding the impermeable surface size percentage and advice was requested on what Planning objection reason would stand up against an inspector on appeal. The Planning Area Team Leader advised there was no clear description of the permeable percentage, however, should members agree to arrange a site visit this information could be requested to be provided at this visit. The Chair then asked if the Committee were minded to approve the application where would the liability sit in terms of the large scale dig that would be needed if it impacted either neighbour on each side of the property. It was confirmed that the liability would sit with the applicant.

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The Group Head of Planning advised members that the contravention of the degree lines in the design guide could be a reason for refusal, if it was felt that this was a significant breach, however officers have deemed that that it was not. Furthermore, permitted development rights for the existing property where the applicant could put a large, two storey extension onto the property should they wish too. He then addressed the committees' comments about the desire for a site visit to the dwelling, the reasons discussed had not yet been clear for officers as to what member would be assessing. In particular the comments regarding members flood risk concerns would provide little benefit to members as they and officers were not flood risk experts.

It was then asked regarding the permitted development rights if the application were to be approved would these rights still be in place and available to use? If yes, could a condition be added to address this. It was confirmed that a condition could be added under schedule 2, part 1, prevention of extensions and this could be tailored to single story extensions. Discussion returned to reasons for a site visit, and it was formally proposed by Councillor Bower and seconded by councillor Lury that the application be deferred to allow for a site visit in order to assess the potential damage to other properties in the area. Upon the vote being taken, the vote was tied, and the Chair used her casting vote which resulted in the deferral proposal being LOST.

The Chair then advised members that they would move to taking the vote on the officer's recommendation, the Group Head of Planning confirmed that the condition requested by Councillor Blanchard-Cooper regarding permitted development rights would be added as a condition as requested. A further request was made should the application be approved a condition be added to state that considerate building rules be applied, to ensure that the traffic going to and from Kingston could be managed. This was agreed to be included by officers.

The recommendation was proposed by Councillor Hamilton and was seconded by Councillor Blanchard-Cooper.

The Committee

RESOLVED

That the application be approved conditionally.

311. BR/268/22/PL RAVENNA, RICHMOND AVENUE WEST, BOGNOR REGIS, PO21 2YG

No Public Speakers

2 storey extension and conversion of existing property to provide 8 self-contained flats with associated car parking.

The Planning Area Team Leader presented the report and provided a verbal update advising that the S106 has been received and signed so the recommendation for members to consider was to approve, subject to conditions.

The Chair invited debate where one member raised concerns regarding the parking provisions, it was confirmed that these met the parking standards and were therefore compliant.

The recommendation was proposed by Councillor Blanchard-Cooper and seconded by Councillor Northeast.

The Committee

RESOLVED

That the application be approved with Section 106 agreement.

312. BR/168/23/PL ROSE COTTAGE, SHRIPNEY ROAD, BOGNOR REGIS, PO22 9LN

1 Public Speaker

Joseph Pearson – Agent

Change of use of the existing dwelling and annexe to HMO.

The Planning Area Team Leader presented the report. After the public speaker was heard the Planning Area Team Leader referred members to page 92, condition 3 of the report outlined the maximum capacity of the HMO to be 10 persons and this would be monitored via Environmental Health and Licensing.

Members raised the following points during the debate, confirmation regarding if the dwelling fell within the Article 4 direction, it was confirmed that it fell outside of this parameter. Concerns surrounding the parking provisions were raised where it was explained that there were 4 spaces, 1 to the front of the property and 3 to rear. There was also a cycle parking facility for 4 bicycles. The proposal would provide sufficient on-site parking for an HMO of its size. A query regarding the space standards for HMO's in particular was the communal space compliant with these standards. It was confirmed that this was still being investigated, however it would not stop planning permission being granted, should there be non-compliance the application for the HMO license would highlight this. Should there then be a need to make any changes within the scheme then this would be brought back to planning committee for review.

The recommendation was proposed by Councillor Wallsgrove and seconded by Councillor McDougall. Upon the vote being taken it was LOST.

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Members then agreed that the reason for refusal was due to the issues of over concentration of these types of units and the impact on the character of the area and the further additional use of this kind has a further detrimental impact on the area.

The Committee

RESOLVED

That the application be REFUSED as the HMO would result in a proliferation and over concentration of such uses in an area with an Article 4 direction which removed permitted development rights from for C3 to C4 changes. The additional HMO would result in harm to the character of the area due to the number of such uses contrary to policy HSP 4 (a) of the Arun Local Plan.

The provision of only 4 car parking spaces would contribute to the generation of excessive parking demands causing harm to the amenity of the area contrary to policy HSP4 (b) of the Arun Local Plan.

313. BR/186/23/PL 1 SOMERSET GARDENS, BOGNOR REGIS, PO21 2AA

1 Public Speaker

Martin Jones – Objector

Retention of 7 bed HMO. This application is in CIL Zone 4 and is CIL Liable as new dwellings.

The Planning Area Team Leader presented the report. After the public speaker the officer then responded to points made advising that the application could not be refused on the grounds of inhabitation, or the lack of toilets as these were not planning reasons.

Members raised the following points during the debate, it was clarified if the application was a retrospective one and comments were made regarding a number of building control requirements. It was confirmed that it was a retrospective application and the building control requirement concerns that had been highlighted were not for this committee to consider. Further concerns regarding the parking provisions were raised and it was confirmed that that there were 4 parking spaces provided plus cycle parking provision for 7 bicycles alongside the on-street-parking. Further comments of concern were raised regarding building control requirements and the comments from West Sussex County Council were stated to be unhelpful for the council.

The recommendations were proposed by Councillor Wallsgrove and seconded by Councillor Woodman. Upon the vote being taken it was declared LOST.

Members discussed and with suggested wording from the Planning Area Team Leader agreed that their reason to refuse the application was the HMO by reason of the number of occupiers would have a detrimental impact on the residential amenity of other residential dwellings in the area.

The Committee

RESOLVED

That the application be REFUSED as the House in Multiple Occupation by reason of the number of occupiers would have a detrimental impact on the residential amenity of the other dwellings in the area contrary to D DM1 and QE SP1 of the Arun Local Plan.

314. AL/139/22/PL - LAND WEST OF FONTWELL AVENUE, FONTWELL AVENUE, EASTERGATE, PO20 3RU

1 Public Speaker

Susan Smith – Objector

Pair of semi-detached dwelling houses with two storeys under a pitched roof. This application is in CIL Zone 2 and is CIL liable as new dwellings.

The Strategic Development Team Leader presented the report with updates. One member commented that they had concerns regarding the length of time that was being taken on the site, concern for the condition of the private road as it had been eroded and could the applicant be told to address this.

The recommendations were proposed by Councillor Wallsgrove and seconded by Councillor Northeast.

The Committee

RESOLVED

That the application be approved conditionally.

315. APPEALS LIST

Members noted the appeals list provided.

(The meeting concluded at 4.16 pm)