

DEVELOPMENT CONTROL COMMITTEE

10 July 2019 at 2.30 pm

Present: Councillors Bennett (Chairman), Ms Thurston (Vice-Chair), B Blanchard-Cooper, Bower, Charles, Coster, Huntley (substituting for Councillor Mrs Hamilton) Lury, Mrs Pendleton, Roberts, Mrs Yeates and Mrs Worne

78. APOLOGIES

Apologies had been received from Councillors Mrs Hamilton, Northeast, Oliver-Redgate and Mrs Stainton.

79. DECLARATIONS OF INTEREST

Planning Application -LU/136/19/PL – Councillor Blanchard-Cooper declared a prejudicial interest and stated that he would leave the room during its consideration and take no part in the debate and vote.

80. PLANNING APPLICATION BE/135/18/PL, SALT BOX FIELD, LAND OFF ROWAN WAY, BOGNOR REGIS

The Chairman advised the meeting that this application had been withdrawn.

81. PLANNING APPLICATION LU/330/18/PL, LAND SOUTH OF CORNFIELD CLOSE, LITTLEHAMPTON

LU/330/18/PL – Demolition of existing buildings & the erection of 77 residential homes with associated access, car parking, cycle parking, refuse/recycling storage, landscaping, earthworks & infrastructure, Land South of Cornfield Close, Littlehampton

With the agreement of the Chairman, this item was dealt with as a matter of urgency as the site was Council owned land where a financial receipt was urgently required. As the application had previously been considered by the Committee in February 2019 it was now required to be resolved urgently.

A report had been circulated to Members prior to the meeting and was also circulated at the meeting as an officer report update.

The Planning Team Leader introduced this application and advised the Committee that it had originally been approved, subject to a S106 Agreement relating to infrastructure contributions, at the meeting on 10 April 2019. However, it had now come to light that Affordable Housing had been excluded from the Heads of Terms and authority was therefore being sought to amend the Heads of Terms as delegated authority was not in place to do so. Furthermore, by advising that all contributions for

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facilities listed on the Heads of Terms e.g. braille facilities, science labs, etc were examples, that would enable Arun and WSCC more scope on what to spend the money on. If the facilities were left drafted without this inclusion then contributions would have to be spent on the list of facilities mentioned on the Head of Terms, which was restrictive. However, officers were aware that this was not compliant with regulations applicable to infrastructure requirements where it was expected that contributions had to be specific.

In addition, West Sussex County Council, as the Education Authority, had since April revised its financial requirement for secondary schools down from £33,538 per additional pupil to £27,000 per additional pupil, resulting in a reduced contribution figure of £268,677 for this particular development.

Members were advised that the trigger points set out in the Heads of Terms that had been agreed on 10 April 2019 had not defined whether they were prior to commencement or on commencement. Therefore it would be made clear that it was prior and which all parties were currently working towards.

Condition 3 in the original approval made reference to the tree protection plan. However Japanese Knotweed had since been identified on the site and Members were made aware of two particular areas where this would impact on the retention trees/screen. Condition 3 was therefore required to be amended to take account of the trees/shrubs that now needed to be felled/removed. new planting to replace those trees felled. Condition 2 would also need to be amended to take account of amended plans. Confirmation was given that the Council's Tree Officer had no objections to what was being proposed and that separate consent would be required from County Highways as the landowner. The Planning Team Leader also advised Members that Condition 5 of LU/330/18/PL on landscaping would allow officers to compensate for any required felling/removal.

In debating the issues, Members sought reassurance that the replanting to be undertaken would be equivalent or better to replace the felled trees and officer advice was given that details of the landscaping would have to be approved by officers prior to discharge of the condition.

Before turning to the vote, the Group Head of Planning provided clarification to Members as to what they were being asked to approve, as follows:-

- (i) Amendment to conditions 2 and 3
- (ii) The inclusion of Affordable Housing in the Heads of Terms
- (iii) Change to the secondary school contributions as advised by West Sussex County Council
- (iv) The original approval required the S106 to be completed by 9 August 2019 but agreement was now sought for delegated authority to extend the period to 9 October 2019
- (v) Authority be delegated to the Group Head of Planning to make any subsequent minor amendment to the S106 Agreement

The Committee then

RESOLVED – That

- (1) amendment to conditions 2 and 3 be agreed.
- (2) the inclusion of Affordable Housing in the Heads of Terms be agreed
- (3) the change to the secondary school contributions, as advised by West Sussex County Council, be noted;
- (4) authority be delegated to the Group Head of Planning to extend the completion period for the S106 Agreement to 9 October 2019; and
- (5) authority be delegated to the Group Head of Planning, in consultation with the Chairman and Vice-Chairman, to make any subsequent minor amendment to the S106 Agreement.

82. MINUTES

The Minutes of the meeting held on 5 June 2019 and the Special meeting on 27 June 2019 were approved by the Committee and signed by the Chairman as a correct record.

83. BE/135/18/PL SALT BOX FIELD, LAND OFF ROWAN WAY, BOGNOR REGIS, PO22 9NW

This application had been deferred from the meeting held on 5 June 2019 to enable further assessment of the surface water drainage plans. However, that information was still being worked on and the matter had therefore been withdrawn from the agenda.

84. WA/75/18/OUT LAND TO THE REAR OF 7 THE MEADOWS, WALBERTON BN18 0PB

WA/75/18/OUT – Outline application with some matters reserved for 1 No. dwelling. This application may affect the character & appearance of the Walberton Village Conservation Area, Land to the rear of 7 The Meadows, Walberton Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

85. P/37/19/PL 10 HARBOUR ROAD PAGHAM PO21 4TG

(Councillor Huntley advised that he had attended a Pagham Parish Council meeting and had stated there that he would be voting on the matter based on the information placed before him at Parish Council. If he considered the matter again at the District Council and further information became available then he might come to a different decision.

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He wished to make this meeting aware that he had attended a planning meeting at Parish level but was entering this meeting with an open mind.)

P/37/19/PL – Demolition of existing structures and the building of a new modern family home, 10 Harbour Road, Pagham Having received a report on the matter, a concern was raised with regard to overlooking of the neighbour's property by way of the roof garden. The Planning Team Leader advised that conditions would be placed on any approval, as detailed in the report, to prevent adverse overlooking with no direct views into neighbouring properties.

Following a brief discussion, the Committee

RESOLVED

That the application be approved as detailed in the report.

86. LU/136/19/PL LITTLEHAMPTON SKATE PARK, SEA ROAD, LITTLEHAMPTON BN16 2NA

(Councillor B. Blanchard-Cooper had declared a prejudicial interest and left the meeting for this item following public speaking and took no part in the debate or vote.)

LU/136/19/PL – Application under Regulation 3 of the Town & Country Planning (General Regulations) 1992 for new concrete skate park with 4 No. floodlighting & new parkour training facility. This application is a Departure from the Development Plan, Littlehampton Skate Park, Sea Road, Littlehampton The Committee had received a report on the matter, together with the officer's written report update detailing:-

- Additional drainage details, which the Drainage Engineer was satisfied with, and resultant amended Condition 4 to refer to implementation in accordance with the approved details.
- The Environment Agency had provided a consultation response of no objection for the reasons detailed in the update.
- Substitute and additional lighting details had been submitted and Conditions 2 and 3 had been amended accordingly.

A verbal update was also provided by the Planning Team Leader which advised that the actual lighting column was to be relocated from east to west of the site to prevent any spillage having an adverse impact on nearby properties.

In consideration of the application, Members were concerned that it did not address work to the perimeter fencing, which was required to assist in reducing anti-social behaviour being experienced at the site. It was recognised that the problem was not a planning matter but, as the Council was the landowner, an informative could be placed on any approval to ensure the matter was highlighted and could be addressed. It was agreed that the wording of the informative would be left to officers.

The Committee

RESOLVED

That the application be approved as detailed in the report and the officer report update and subject to addition of the following informative:-

INFORMATIVE: The applicant is advised that the Council considers that the erection of a 2m high fence on the western boundary to be highly desirable for the purpose of containing activity within the application site and preventing access to the railway line. Further, the Council's Wellbeing team should be contacted to discuss how potential anti-social behaviour might be managed.

87. BR/14/19/PL COOPERS YARD, SHRIPNEY ROAD, BOGNOR REGIS PO22 9LN

BR/14/19/PL – Retention of Storage Container. This application may affect the setting of listed buildings, Coopers Yard, Shripney Road, Bognor Regis Having received a report on the matter, together with the officer's written report update detailing an additional report with regard to the provision of screening to conceal the unit and further advice in respect of heritage assets, the Committee participated in some discussion.

Member comment was made that an additional condition should be attached to any approval to require removal of the unit if the applicant vacated the site, i.e to make any approval personal to the applicant. The Planning Team Leader advised that that could be accommodated by amending the wording of Condition 1 and, having been formally proposed and seconded, the Committee agreed.

Members also indicated that they would prefer to see the screening be at least the height of the container and perhaps of wickerwork to blend in more with the setting of the neighbouring listed cottage.

Following further discussion, the Committee

RESOLVED

That the application be approved as detailed in the report and the officer report update and subject to amendment of condition 1 to read:-

“ The building hereby permitted shall be removed and the land restored to its former condition on or before the expiration of the period ending 2 years from the date of this permission or the date the current user vacates the premises, whichever is the sooner.”

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88. BR/35/19/HH CULVER COTTAGE, 37 ALDWICK ROAD, BOGNOR REGIS PO21 2LN

BR/35/19/HH – Two storey side extension including demolition of existing garden room. This application affects the character and appearance of the Aldwick Road Conservation Area, Culver Cottage, 37 Aldwick Road, Bognor Regis Having received a report on the matter, Members participated in some discussion on the merits of the design. The Committee then

RESOLVED

That the application be approved as detailed in the report.

89. BR/36/19/L CULVER COTTAGE, 37 ALDWICK ROAD, BOGNOR REGIS PO21 2LN

BR/36/19/L – Listed building consent for a two storey side extension including demolition of existing garden room, Culver Cottage, 37 Aldwick Road, Bognor Regis Having received a report on the matter, the Committee

RESOLVED

That the application be approved as detailed in the report.

90. BR/87/19/PL VARIOUS SITES ALONG BOGNOR REGIS PROMENADE, BOGNOR REGIS

BR/87/19/PL – Change of use of parts of seafront for temporary food & drink outlets & other seaside uses together with associated temporary/portable structures & equipment for use by businesses associated with those outlets, Various sites along Bognor Regis Promenade, Bognor Regis Having received a report on the matter, together with the Planning Team Leader's advice that the sites would be on Council owned land, the Committee, following a brief discussion,

RESOLVED

That the application be approved as detailed in the report.

91. BE/30/19/PL BABSHAM BUSINESS CENTRE, BABSHAM LANE, BERSTED PO21 5EL

BE/30/19/PL – Retention of secure containers, welfare facilities & secure fencing together with associated landscaping works, Babsham Business Centre, Babsham Lane, Bersted Having received a report on the matter, the Committee was advised by the Planning Team Leader that the applicant was not seeking to vary the use of the site and that the source of complaints from nearby residents emanated from the use of a generator to repair the skips. That generator had now been placed inside a temporary building.

In the course of discussion, sympathy was expressed for the nuisance being caused to neighbours and Member comment was made that it was hoped that the applicant would provide suitable boundary treatment to alleviate the problem.

The Committee

RESOLVED

That the application be approved as detailed in the report.

92. PLANNING APPEALS

The Committee noted the appeals received.

93. TO CONSULT ON THE RENEWAL OF THE BUTLIN'S LOCAL DEVELOPMENT ORDER

The Committee received a report from the Group Head of Planning which set out the detail of Butlins' Local Development Order (LDO) which had been in place since 1 September 2014 and was valid for a period of 5 years. Butlins had requested that the LDO be renewed as they regarded it as a useful tool for saving time and money for all parties when making small changes to their buildings without requiring a planning application to be submitted each time.

The Group Head of Planning was of the view that it was reasonable to renew the LDO and in order to progress that, a consultation would be required to take place and would involve consulting on the draft LDO, draft Statement of Reasons and a plan identifying the land.

Members' approval was sought to commence the process and, following consideration, the Committee

RECOMMEND TO FULL COUNCIL – That

- (1) The principle of a Local Development Order for Butlins be agreed for a further 5 year period;
- (2) Delegated authority be granted to the Group Head of Planning to:-
 - a. Carry out formal public consultation on the draft renewal of the Local Development Order;
 - b. Consider the representations to the draft Butlins Local Development Order and make amendments, if necessary;
 - c. Submit the Local Development Order to the Secretary of State for Communities and Local Government; and
 - d. Subject to the Secretary of State for Communities and Local Government not intervening through making a direction under Section 61B(1) of the Town and Country Planning Act, the

Subject to approval at the next Development Control Committee meeting

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Butlins Local Development Order be adopted as soon as reasonably practicable after 1 September 2019

(The meeting concluded at 4.15 pm)