

DEVELOPMENT CONTROL COMMITTEE

7 August 2019 at 2.30 pm

Present: Councillors Bennett (Chairman), Bower, Brooks (substituting for Councillor Mrs Hamilton), Mrs Catterson (substituting for Coouncillor Ms Thurston), Chapman (substituting for Councillor Oliver-Redgate), Charles, Clayden (substituting for Councillor Roberts), Coster, Lury, Northeast, Mrs Pendleton, Mrs Stainton and Mrs Yeates.

Councillors Mrs Hamilton and Huntley were also in attendance for part of the meeting.

155. APPOINTMENT OF VICE-CHAIRMAN FOR THE MEETING

The Committee

RESOLVED

That Councillor Chapman be appointed as Vice-Chairman for the meeting.

156. WITHDRAWN APPLICATIONS

The Chairman advised that Previously Considered Planning Applications P/134/16/OUT and P/25/17/OUT and Planning Application A/9/19/PL had been withdrawn from the agenda and would not be considered at this meeting.

157. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors B. Blanchard-Cooper, Mrs Hamilton, Oliver-Redgate, Mrs Hamilton, Ms Thurston and Mrs Worne.

158. DECLARATIONS OF INTEREST

Planning Application P/30/19/OUT – Councillor Coster stated that he wished to make the meeting aware that he may have made public statements as part of his election campaign and that he had concerns about this particular item, although he had never specifically referred to it or the application. He advised that these could possibly have been the views he held at that time; however, he had an open mind regarding the matter and would listen and consider all the relevant issues presented to the Committee today and confirmed that he would reach his decision on merit.

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159. MINUTES

The Minutes of the meeting held on 10 July 2019 were approved by the Committee and signed by the Chairman as a correct record.

160. PREVIOUSLY CONSIDERED APPLICATION P/134/16/OUT, LAND NORTH OF SEFTER ROAD & 80 ROSE GREEN ROAD, PAGHAM

P/134/16/OUT – Outline application for the development of up to 280 dwellings (including affordable homes), land for a replacement scout hut, land for an Ambulance Community Response Post Facility and land for either a 1FE primary school or care home. Provision of a primary vehicular access from Sefter Road and demolition of No. 80 Rose Green Road and creation of a pedestrian and emergency only access. Provision of Public Open Spaces including associated children’s play areas, landscaping, drainage and earthworks. This application also falls within the parish of Aldwick, Land north of Sefter Road & 80 Rose Green Road, Pagham Having received legal advice on the matter, the Committee had been advised that this application had been withdrawn from the agenda and would not be considered at the meeting.

161. PREVIOUSLY CONSIDERED APPLICATION P/25/17/OUT CHURCH BARTON, HORNS LANE, PAGHAM PO21 4NZ

P/25/17/OUT – Outline application with all matters reserved. Erection of up to 65No. dwellings, access roads, landscaping, open space & associated works, Church Barton, Horns Lane, Pagham Having received legal advice on the matter, the Committee had been advised that this application had been withdrawn from the agenda and would not be considered at the meeting.

162. P/30/19/OUT LAND NORTH OF HOOK LANE PAGHAM

*(Councillor Mrs Hamilton and Huntley spoke on this item as Ward Councillors.)*

P/30/19/OUT – Outline application with some matters reserved for the construction of up to 300 No. new homes, a care home of up to 80 beds, D1 uses of up to 4,000sqm including a 2 form entry primary school, the formation of new means of access onto Hook Lane & Pagham Road, new pedestrian & cycle links, laying out of open space, new strategic landscaping, habitat creation, drainage features & associated ground works & infrastructure. This application may affect the setting of a listed building (resubmission following P/6/17/OUT), Land north of Hook Lane, Pagham

Having received a report on the matter, the Committee had also been circulated at the meeting with the officer’s written report update which appraised Members of the following:-

- A consultation response from Natural England advising they had no objection to the proposal subject to mitigation measures as detailed in the update.

- Four letters of representation which raised matters that had previously been considered.
- Two letters of representation from Pagham Parish Council raising matters detailed in the update.
- Advice that a Tree Preservation Order (TPO) had been made for a Pedunculate Oak situated on the eastern boundary of the site this had no impact on the development.
- Clarification that the recommendation should grant delegated authority to the Group Head of Planning to make minor amendments to the S106 Agreement that were substantially in accordance with the Heads of Terms and to grant planning permission, subject to the S106 Agreement, conditions and informatives.

The planning application sought outline permission, with all matters reserved save for access, and the Principal Strategic Planner presented the detail by way of a number of slides to illustrate the location of the site and how it sat within the built up area boundary as defined by policy SD SP2 of the Arun Local Plan.

The Committee was advised that the application site fell within strategic allocation SD2 under policy HSP2a of the Arun Local Plan, a site allocated to make a key contribution to housing supply in the District. The principle of the proposed development had been considered and was found to be acceptable and in accordance with relevant development plan policies. The site would provide 300 dwellings, which would result in 90 affordable housing units,

As the site was currently in agricultural use, Members were reminded that the development of the site and loss of the agricultural land had been the subject of consideration through the Examination in Public of the Arun Local Plan and that had been found acceptable by the Inspector.

Officers, in addition to the Habitats Regulation Assessment and appropriate assessment that had been undertaken in the preparation of the Local Plan, had commissioned independent consultants to undertake a further habitat regulation assessment and appropriate assessment of the development proposed. This work concluded that, subject to mitigation, the development would not result in there being a likely significant effect in combination with other developments. Natural England had been consulted on the Appropriate Assessment and had raised no objection to the conclusions. The necessary mitigation would be secured through the S106 Agreement and suitably worded conditions.

The Principle Strategic Planner highlighted the work undertaken around highways issues, particularly in light of the refusal of planning application P/6/17/OUT, which was currently the subject of an appeal. The proposed accesses from the site onto Pagham Road and Hook Lane had been the subject of a Road Safety Audit and a further assessment of the Road Safety Audit had previously been commissioned by the Council. West Sussex County Council had been consulted as the local Highways Authority and no objection had been raised in relation to the proposed accesses.

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Through the submission of the applications for the Pagham Strategic Allocations, the developers had worked together to prepare a cumulative assessment of the transport impacts. However, officers were of the view that a more stringent approach should be adopted and, consequently, Dougall Baillie Associates had been appointed to undertake a further sensitivity assessment of the junctions that would be impacted by the development. The work had been undertaken using much more stringent assumptions than that originally adopted by the developer and agreed with West Sussex County Council. Following this further assessment, a number of junctions had been identified as requiring enhancement and a cumulative mitigation package was prepared to address the needs of the entirety of the Pagham Strategic Allocation. This application would therefore make a financial contribution towards the improvement of the Lower Bognor Road/Pagham Road junction, as well as the Sefter Road/Pagham Road junction. In addition, the developer would be required to deliver enhancement works to the B2166 Vinnetrow Road Roundabout.

Highways contributions had been identified by officers, in consultation with Highways England and WSCC, to mitigate the impact of the development upon the highways network. These contributions were considered acceptable by officers as well as Highways England and WSCC. However, as planning application P/6/17/OUT had been refused on the basis of the development's highways impact, Members were advised that, should they feel that the highways mitigation package was insufficient to address the concerns previously raised, then an additional mitigation package had been proposed by the developer and could be taken into account in the decision. The additional package would be in the form of an agreement to undertake a monitoring scheme prior to the commencement of development, occupation of 150 dwellings and full occupation. If that monitoring identified a material worsening of highway safety, then a contribution of £100,000 would be made available to WSCC for the implementation of further enhancements along the Pagham Road corridor.

A financial contribution of £30,612 had also been secured towards the enhancement and upgrade of footpaths 101,104 and 106 to provide an alternative off road cycle link from Pagham to South Mundham, which would link into the existing Selsey to Chichester cycle route.

Members participated in a full debate and views were expressed on a number of issues, which included:-

- Concerns that the sewage discharge network was inadequate
- Concern that since the Local Plan had been adopted, a number of issues had come to prominence that impacted on the efficacy of the Plan, e.g. climate change; development growth; environmental matters, etc.
- This site had been included in the Local Plan and Members were therefore obliged to take account of that as it was a statutory document.
- Other strategic sites in Pagham had been approved based on the same transport assessments that P/6/17/OUT had been refused on, which was illogical.
- The highways mitigation being proposed did not override the potential for traffic chaos

- A member view was put forward that the policies contained in the Local Plan were contrary to approval of this application and a number of examples were cited. The Group Head of Planning advised that Members needed to look at the Local Plan as a whole and not pick out parts of it. He also confirmed that the allocation had been tested by the Inspector who had considered the matters raised.

A lengthy discussion between Members highlighted the opposing views held. Some expressed support that this application, as part of the strategic allocation for Pagham in the Local Plan, should be granted planning permission, particularly as mitigation measures had been put in place to address highways issues and a refusal could result in substantial costs being awarded against the Council at appeal. It was stressed that the Local Plan was a statutory document that had been adopted and therefore there was a process to be adhered to. In addition, there had been no evidence put forward to support a refusal.

Counter views were put forward that the highways mitigation was not sufficient to address Members serious concerns and that there were a number of policies in the Local Plan which were contrary to the impact that this application would have on the locality and the community.

The Group Head of Planning advised that the application had been accompanied by an extensive amount of documentation which had been duly and widely consulted on. The issues had been addressed by the consultees.

A motion was proposed “that the question be now put”. However, this was not seconded but, as there were no more speakers, the Chairman moved to the vote.

The Committee

RESOLVED – That

- (1) Delegated authority be granted to the Group Head of Planning to make minor amendments to the S106 Agreement that are substantially in accordance with the Heads of Terms; and
- (2) Planning permission be granted, subject to the S106 Agreement, conditions and informatives.

As a request had been made for a recorded vote to be taken, those voting FOR were Councillors Bower, Chapman, Charles, Clayden, Northeast, Mrs Pendleton and Mrs Stainton (7). Those voting AGAINST were Councillors Bennett, Brooks, Mrs Catterson, Coster, Lury, and Mrs Yeates (6). There were no abstentions.

The Chairman then called a short adjournment to the meeting.

163. Y/103/18/PL 10 ACRE FIELD, NORTH OF GREVATTS LANE, YAPTON

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Y/103/18/PL – Single Chapel Crematorium with car parking, landscape works, surface water drainage features & associated highway improvements. This application is a Departure from the Development Plan, 10 Acre Field, North of Grevatts Lane, Yapton

Having received a report on the matter, the Committee had also been circulated at the meeting with the officer's written report update which advised Members of the following:-

- Agricultural Land - the details of the applicant's submitted Soil Resource Survey and a Soil Resource (Management) Plan had now been received. Yapton Parish Council had been consulted on these additional documents and had until 13 August 2019 to provide a response. A new condition would be included in any approval, as set out in the officer report update.
- Access Arrangements – the applicant had been requested to consider amendments to the access in order to (1) guide visitors to the A259 rather than turning right towards Bilsham Road; and (2) amending the junction of Grevatts Lane West with the A259 in order to deter/prevent right turns onto the A259. The detail of the outcome of liaison with County Highways was provided in the update, together with amendment of Condition 17 to take account of changed Drawing 128.001.007 Revision D "Access Road Amendments to show the addition of both signage and road lining to discourage a right turn when exiting the site onto Grevatts Lane West.
- Traffic Regulation Order(TRO) – legal advice had been provided that, as the TRO would be subject to the Road Traffic Regulation Act 1984, it could not be achieved through a planning condition and therefore must be subject to a S106 Agreement.
- Additional objections were detailed and officer comment made that the majority of the objections referred to matters already discussed within the report or matters were outweighed by the lack of an objection from County Highways.
- Clarification was provided that the recommendation should delegate the approval of planning permission, subject to the S106 Agreement and the recommended conditions (as amended) to the Group Head of Planning, in consultation with the Chairman and Vice-Chairman.

The Principal Planner presented this report on the detail of an application for a single chapel crematorium and advised that, although there was a conflict with the Local Development Plan, there was a clear need for such a facility and it would provide long term benefits.

In debating the matter, Members expressed serious concerns with regard to access to and from the site; access onto the A259; and the safety of cyclists using the cycle route along the A259. It was acknowledged that there was a need for a crematorium but that did not override the fact that Members were of the view that the access arrangements were unsatisfactory and that an additional junction onto the A259 was totally unsuitable. A view was expressed that the potential for a slow moving

funeral cortege on the A259 could have a severe detrimental impact on the traffic flows in the area.

In light of the comments made, the Group Head of Planning cautioned the Committee that this application had been subject to a road safety audit undertaken by an independent consultant on behalf of the applicant, which had been assessed by County Highways and, as stated in the report, they did not consider there would be any severe harm to the safety or convenience of the local highway network.

Following this advice, it was formally proposed and duly seconded that the application should be deferred to enable a further road safety assessment of the access onto the A259 to be undertaken on the grounds that the original assessment had been carried out on Friday 28 December 2018 at 9.30 a.m. and again on 2 January 2019 when the traffic flows would have been exceptionally light. Member comment was also made that the road safety assessment should be subject to 4 separate site visits, two mid-morning and two mid-afternoon.

The Committee therefore

RESOLVED

That the application be deferred to enable a road safety audit to be undertaken.

164. CM/4/19/PL LAND SOUTH OF THE A259, GREVATTS LANE, CLIMPING BN17 5RE

CM/4/19/PL – Construction of a crematorium comprising of a crematorium building & associated structures, car parking, access & landscaped spaces. This application is a Departure from the Development Plan, Land south of the A259, Grevatts Lane, Climping

Having received a report on the matter, the Committee had also been circulated at the meeting with the officer's written report update which advised that, following submission of a Soil Survey and Plan and an Agricultural Policy Considerations Report, the proposed reason for refusal 1 was no longer appropriate and should therefore be deleted from the recommendation.

The Principal Planning Officer presented the detail of the report and confirmed that the recommendation for refusal was reliant on the fact that there was an alternative suitable site as demonstrated by the previous application on the agenda, which was still on the table. The two reasons for refusal were based on the fact that the site was located within the Littlehampton to Middleton Gap between Settlements and that, as this site had been identified as land liable to flood, an alternative site at lower risk of flooding had been identified for the use proposed.

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Members participated in some discussion and, whilst comment was made that the access and egress to the site onto the A259 was preferable to planning application Y/103/18/PL, general support was expressed for the officer recommendation to refuse.

The Committee therefore

RESOLVED

That the application be refused as detailed in the report and the officer report update.

165. AW/134/19/HH 33 BALLIOL CLOSE, ALDWICK CLOSE PO21 5QE

AW/134/19/HH – Single storey side and rear extension with habitable roofspace and conversion of existing roofspace to habitable use, together with porch removal and replacement windows, 33 Balliol Close, Aldwick Having received a report on the matter, together with the officer's written report update detailing an additional objection received from Ward Member Councillor Dixon and an additional comment from Aldwick Parish Council, a site visit was requested and seconded in order to assess the impact of the proposal on the neighbouring property.

The Committee

RESOLVED

That the application be deferred to enable the Site Inspection Panel to visit the site.

166. A/9/19/PL POUND PLACE, ROUNDSTONE LANE, ANGMERING BN16 4AL

A/9/19/PL – Demolition of existing dwelling & erection of a 62 bedroom care home (C2 Residential Institution) with car park, landscaped gardens & access from Roundstone Lane (resubmission following A/51/18/PL), Pound Place, Roundstone Lane, Angmering Having received a report on the matter, the Committee had been advised that this application had been withdrawn from the agenda and would not be considered at the meeting.

167. AB/23/19/PL 67/69 TARRANT STREET & 2A ARUN STREET, ARUNDEL BN18 9DN

AB/23/19/PL – Conversion & change of use of retail unit (A1 Shops) to 2 No. residential units (C3 Dwelling Houses). This application affects the character & appearance of the Arundel Conservation Area, 67/69 Tarrant Street & 2A Arun Street, Arundel Having received a report on the matter, together with the officer's written report update detailing an additional representation received, the Committee

RESOLVED



That the application be approved as detailed in the report.

168. CM/25/19/PL KENTS YARD, BROOKPIT LANE, CLIMPING BN17 5QT

CM/25/19/PL – Change of use of barns to 3 No. dwellings (resubmission following CM/24/18/PL). This application may affect the setting of a listed building, Kents Yard, Brookpit Lane, Climping Having received a report on the matter and a presentation on the detail of the proposal from the Planning Team Leader, the Committee participated in some discussion on this item.

Member concerns were expressed around the disparity of the garden sizes, particularly that the garden for the proposed three bedroom property was significantly smaller than for the remaining two properties. Officer advice was given that the central courtyard area would provide additional amenity space for all the dwellings and that, due to the character of the area and rural buildings, it would be anticipated that smaller amenity space would be provided.

The Committee

RESOLVED

That the officer recommendation to approve not be accepted.

Members then considered reasons to refuse the application in respect of lack of amenity space and a cramped overdevelopment of the site and were advised by the Group Head of Planning that :-

- (1) The Council's relevant policy HDM4 relating to the conversion of rural buildings stipulated that the proposals should minimise the amount of land used as residential curtilage; and
- (2) The amenity space provided for the proposal was in fact larger than that provided for the previously approved conversion two years ago.

However, Members maintained that the proposal was inappropriate and

RESOLVED

That the application be refused for the following reason:-

The proposals would result in a form of development that would be cramped and over intensive with inadequate amenity space, resulting in an adverse impact on the character of the area contrary to policy DDM1 of the Arun Local Plan.

169. CM/16/19/PL RUDFORD INDUSTRIAL ESTATE, UNIT J1, J2 & Z, FORD ROAD, FORD BN18 0BF

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CM/16/19/PL – Variation of conditions imposed under CM/1/19/PL relating to conditions 2 – plans condition relating to external appearance & 3 – amendment of wording to remove reference to acoustic metal cladding to south elevation, Rudford Industrial Estate, Unit J1, J2 & Z, Ford Road, Ford Having received a report on the matter, the Committee was advised by the Planning Team Leader that the changes being proposed to the external cladding on the south side of the building had been considered by Environmental Health and confirmation had been received that it would achieve the same aims as the original condition. It was proposed to change the wording of Condition 3 to reflect the changes within the application.

Following consideration, the Committee

RESOLVED

That the application be approved as detailed in the report.

170. PLANNING APPEALS

The Committee noted the appeals received.

(The meeting concluded at 6.45 pm)