

DEVELOPMENT CONTROL COMMITTEE

5 February 2020 at 2.30 pm

Present: Councillors Bennett (Chairman), Ms Thurston (Vice-Chair), Bower, Brooks (Substitute for Coster), Clayden (Substitute for Edwards), Charles, Mrs Hamilton, Lury, Mrs Pendleton, Roberts, Tilbrook (Substitute for B Blanchard-Cooper), Mrs Yeates and Mrs Worne

Councillors Mrs Haywood were also in attendance for all or part of the meeting.

416. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors B Blanchard-Cooper, Coster, Edwards, Northeast and Mrs Stainton.

417. DECLARATIONS OF INTEREST

Councillor Brooks – Planning Application M/80/19/PL – Personal Interest as my niece lives in a property in Yapton Road but it is sufficiently away from the development.

Councillor Mrs Hamilton – Planning Application M/80/19/PL – I wish to make the meeting aware that I recently sent an incomplete 5 word email in error that may have been misconstrued by some regarding possible opposition to item M/80/19/PL, in short that I agreed with Councillor Dixon that more information was needed regarding this application, that is all. However, I have an open mind regarding it and will listen and consider very carefully all relevant issues and interest presented to the Committee today and confirm that I will reach my decision based entirely on merit.

Councillor Charles challenged the statement made by Councillor Mrs Hamilton and advice was given by the Planning Lawyer.

418. MINUTES

The Minutes of the meeting held on 8 January 2020 were approved by the Committee and signed by the Chairman as a correct record.

419. M/80/19/PL FORMER POULTRY FARM, LAND WEST OF YAPTON ROAD, MIDDLETON ON SEA PO22 6DY

(Prior to consideration of this item, Councillors Brooks and Mrs Hamilton had declared a Personal Interest and remained in the meeting and took part in the debate and vote.

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In taking part in the public speaking process, Councillor Coster declared a prejudicial/pecuniary interest as a member of his family had part ownership in a property nearby. He stated that he would leave the room during the debate and vote.)

Demolition of the existing structures & redevelopment to provide a new 66 bedroom care home (Use Class C2) arranged over two storeys together with associated access, car and cycle parking, structural landscaping and amenity space provision, Former Poultry Farm, Land West of Yapton Road, Middleton on Sea

Having received a report on the matter, the officer's written report update was circulated at the meeting which detailed:-

- Additional objections received since publication of the agenda and relevant new points addressed
- Additional representation of support not raising any new points
- Further comment from the agent
- Recent appeal decision relating to a site 2.5 miles away in Climping
- Need for Extra Care development
- Additional ecology response
- Change to Conclusion section of the report to note that the S106 Agreement was required to be completed by 31 March 2020 due to the adoption of the Community Infrastructure Levy on 1 April 2020
- Amendment to Plans Condition and amendment to pre-commencement conditions
- Further comment from County Highways regarding access width
- Tree Preservation Order

The Planning Team Leader presented the detail of the report and advised that this application followed on from Planning Application M/45/16/PL which had been granted approval for 13 dwellings. This new application was for a 66 bedroom care home and, whilst it was recognised that the building would be higher and cover substantially more of the site, officers considered that it was acceptable. He informed the meeting that the Council's Engineering Services Manager was in attendance to provide responses to queries Members might have in relation to drainage/surface water issues.

In participating in a lengthy debate, Members expressed serious concerns around the proposal which centred on:-

- The potential for an increase in traffic, together with the nature of Yapton Road which had a blind bend
- Proposal not sympathetic or complementary to the locality and was considered to be out of character with the surrounding area. It was also felt that it was overdevelopment and, due to its height, it was out of scale with nearby existing properties. It would therefore have an adverse impact.

- Danger to the TPO trees – Members were assured that the Tree Officer was satisfied that the trees could be retained if the details the applicant had submitted were adhered to.
- Parking provision was considered to be inadequate and any overflow would then have a consequential detrimental impact on nearby roads. Officer advice was given that the car parking provision was in accordance with the Council's Parking Standards SPG (Supplementary Planning Guidance).
- Ditch structure would be compromised and clearance of the ditches would disturb the root balls of the trees, which would cause damage
- Detrimental to the environment due to loss of hedgerows and would have a negative impact on biodiversity, particularly the high level lighting would have an adverse impact on bats
- Built on flood risk land. The Engineering Services Manager advised that there was a ditch alongside the southern boundary which would need remediation and that the site was not within Flood Zone 2 or 3 but yet to establish how it would drain. Over wintering monitoring would have to take place and, as and when that became available, a full drainage proposal would be put forward and form part of the conditions.
- Non-compliance with Local Plan policies
- No need in the area – the Group Head of Planning highlighted that the Council had commissioned a housing needs study as part of its preparation of the Local Plan and that included specific needs for specialist accommodation for older persons.

On being put to the vote, the Committee did not accept the officer recommendation to approve and it was then proposed and seconded that the application be refused. Prior to going to the vote on this, the Committee discussed the reasons for refusal that should be put forward and, having taken advice from the Group Head of Planning, then

#### RESOLVED

That the application be refused for the following reasons:-

1. The proposals are considered to be an over development and adversely affect the visual amenities of the locality by virtue of them being out of character in scale and density in conflict with policies D DM1 and D SP1 of the Arun Local Plan and policies in the NPPF.
2. The use of the proposed access will result in damage to the protected Ash Trees by virtue of the proximity of vehicle movements to them leading to their loss contrary to policy ENV DM4 of the Arun Local Plan.

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420. EP/148/19/PL SCORTON, 9 LIME TREE CLOSE, EAST PRESTON, BN16 1JA

EP/148/19/PL – Application for variation of condition No. 2 imposed on planning permission EP/52/18/PL relating to amended internal layout & external appearance of plots 4, 5, 6 & 7 and alterations to external layout and landscaping, Scorton, 9 Lime Tree Close, East Preston

Having received a report on the matter, together with the officer's written report update detailing an additional objection received, the Planning Team Leader explained that this application sought to vary a condition to convert the roof space to additional living space, with additional windows which were considered to be acceptable. No additional car parking provision was being proposed within the site and a street survey had been undertaken by the applicant which indicated that that would be acceptable.

In discussing the proposal, Member comment was made that the Council had recently adopted its own Parking Standards SPD, which would not be complied with in this instance. Concerns were raised that the overflow parking would spill onto the road, which was felt to be unacceptable due to its layout and that it could be described as a country lane; there were a number of pinch points; and it was a busy bus route.

The Group Head of Planning advised that it had been established that additional parking provision could not be accommodated within the site and the applicant had therefore provided evidence about the car parking in the area. There was sufficient on street parking in the area which would allow a degree of flexibility. When the development was completed under its current approval, what was being proposed could be implemented anyway under Permitted Development.

Members expressed the view that the new policy relating to parking should be supported.

The Group Head of Planning provided advice that the Committee was required to make reasonable decisions and had to take account of what the applicant might do in the future. The proposals could be implemented under Permitted Development once the dwellings were occupied.

On being put to the vote, Members did not accept the officer recommendation to approve and, having been duly proposed and seconded, considered that the application should be refused as it did not adhere to the Council's Parking Standards SPD and was clearly in breach of it.

The Committee then

RESOLVED

That the application be refused for the following reason:-

The lack of additional car parking provision will result in increasing road congestion adversely affecting highway safety in the area in conflict with policy TSP1 of the Arun Local Plan and the Council's Parking Standards Supplementary Planning Document (January 2020).

421. BR/227/19/PL 3 SOUTHDOWN ROAD, BOGNOR REGIS PO21 2JS

BR/227/19/PL – Removal of condition 5 imposed under BR/84/16/OUT (APP/C3810/W/16/3153767) relating to – details of all trees/bushes/hedges to be retained along with measures to protect them during demolition & construction works, 3 Southdown Road, Bognor Regis

Having received a report on the matter, the Planning Team Leder advised that the condition no longer had merit as the development had been completed.

Following a brief discussion and having received an assurance that no trees had been damaged, the Committee

RESOLVED

That the application be approved as detailed in the report.

422. LIST OF APPEALS

In receiving and noting the appeals received, the Group Head of Planning advised that the following appeals had been allowed by the Planning Inspector :-

CM/16/18/PL - Land to rear of Bairds Farm Shop, Crookthorne Lane, Climping, Development of a 64 bed Specialist Dementia Care Home, etc

EP/82/19/HH – Erection of a fence, 31 Cheviot Close, East Preston

K/19/19/HH – Two storey rear extension with a small canopy projecting the footprint to the front. Demolition of existing living room and additional first floor for habitable use with alterations to fenestration, Little Tangley, Middle Way, Kingston Gorse, East Preston

423. APPEALS PERFORMANCE AND COSTS 1 JANUARY 2019 - 31 DECEMBER 2019

The Committee received and noted a comprehensive report from the Planning Team Leader which detailed the Council's performance in the calendar year 2019 in respect of appeals.

(The meeting concluded at 4.32 pm)