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Subject to approval at the next Planning Committee meeting

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PLANNING COMMITTEE

2 March 2022 at 2.00 pm

Present: Councillors Chapman (Chair), Lury (Vice-Chair), Blanchard-Cooper, Bower, Chace, Mrs Cooper (Substitute for Kelly), Coster, Edwards, Thurston and Warr (Substitute for Tilbrook)

Councillors Pendleton and Worne were also in attendance for all or part of the meeting.

694. APOLOGIES FOR ABSENCE

Apologies for Absence had been received from Councillors Goodheart, Kelly and Tilbrook.

695. DECLARATIONS OF INTEREST

There were no declarations of interest made.

696. MINUTES

The minutes of the meeting held on 2 February 2022 were approved by the Committee as a correct record and were signed by the Chair.

697. 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

The Chair confirmed that there were no urgent matters for this meeting.

698. CM/69/21/PL LAND AT NORTHWOOD FARM, YAPTON ROAD, CLIMPING BN18 0HR

5 public speakers

Councillor Colin Humphris – Climping Parish Council

Jonathan Cooper- Applicant

Samantha Hodson – Objector

Councillor Worne - Ward Member

Councillor Pendleton – Ward Member

FLEXIBLE GENERATOR PLANT AND ASSOCIATED INFRASTRUCTURE. THIS APPLICATION IS IN CIL ZONE 3 (ZERO RATED) AS OTHER DEVELOPMENT AND IS A DEPARTURE FROM THE DEVELOPMENT PLAN

The Planning Team Leader presented the report with updates. This was followed by five public speakers.

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The Planning Team Leader was invited by the Chair to respond to any points raised by the public speakers. He advised members that the concerns raised regarding levels of methane from the generators had been addressed within the report update that had been issued to members and it had been confirmed that methane emissions would be sufficiently managed.

Members then took part in a full debate on the application where a number of points were raised and responded to by Officers, including:

- Endorsements for the points made by Parish Councillor, Ward Members and resident
- It was felt that the application was somewhat incongruous given the Climate Emergency
- Support for a site visit was discussed
- Production of methane and hydrogen, concerns raised such as methane and hydrogen not being renewable energy and the management of the maintenance for the generators
- Consideration of an independent of a similar site for reference

The Chair referred members to the update report that had been circulated and quoted that it stated methane emissions “*not significant*” he advised members to keep this point in mind as that was the advice before the Committee today. The Chair referred to the point raised about maintenance of the generators and stated that of course this would be needed.

One member stated that he believed that further government guidance was needed on this application, the council should be striving toward renewable energy sources and proposals such as this application did not form part of that plan. The Chair asked for clarity on what this would actually look like, the member stated he wanted to see guidance from the Department of Energy.

It was then proposed by Councillor Bower and seconded by Councillor Blanchard-Cooper that the Committee should defer this application. The Committee then took a vote on the deferral of this application which was confirmed as CARRIED. The Chair then requested a 15-minute adjournment so the Committee could discuss with Officers the wording for the deferral.

Returning from the adjournment Councillor Bower proposed that the deferral reason be so that a site visit could take place and for further technical information to be provided from the relevant government department. This was seconded by Councillor Lury.

The Committee

RESOLVED

That the application be DEFERRED for a site inspection to be completed and for further technical information to be provided from the relevant government department.

699. CM/68/21/PL THE BALD KITCHEN, SITE OF FORMER BAIRDS FARM SHOP, CROOKTHORN LANE, CLIMPING BN17 5SN

3 public speakers

Councillor Colin Humphris – Climping Parish Council

Tracey Villa - Objector

Racheal Grimwood – Objector, statement read out by committee manager

VARIATION OF CONDITION FOLLOWING GRANT OF CM/16/21/PL RELATING TO CONDITION NO 5 - OPENING HOURS. THIS APPLICATION MAY AFFECT THE SETTING OF A LISTED BUILDING

The Planning Team Leader presented the report with updates. This was followed by three public speakers.

Members then took part in a full debate on the application where a number of points were raised and responded to by Officers, including:

- What had changed since the original decision was made in July 2021
- Noise concerns for those on the neighbouring boundary

The Chair asked the Planning Team Leader to make comment on the opening hours of the other businesses in the vicinity. He confirmed that Maidenhead Aquatics and the Garden Centre had no restrictions in place specifically in relation to their opening hours. If they wished to open 24 hours a day, 7 days a week, they could. The only business with opening hour restrictions was the Bald Kitchen. He went on to confirm that the 'change' was that the council now had an application requesting to extend the opening hours. They had been in operation for 3 months and there had been no complaints received in relation to noise levels and his recommendation to members was that it would be reasonable for them to approve this application.

- One member stated that he did not believe that the additional 2 hours requested would have a dramatic detrimental impact, however engines idling when going through the Drive-thru was a concern for him. A significant number of members agreed with the same concern for idling engines. It was commented that idling engines would be unpleasant for neighbouring properties and environmentally unpleasant
- There was support expressed for the resident of the cottage where it was stated that the council failed the resident, failed to ensure that there was a proper barrier between the site and the cottage and that the conditions originally imposed were imposed for a reason

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- It was commented that no formal complaints had been received in relation to noise levels and it was felt that this could be because the business had only been operating for 3 months

The Interim Legal Services Manager provided advice to members regarding voting against the recommendation.

It was then proposed by Councillor Bower that the extension of hours would increase the intensification of the site, to the detriment of neighbouring residents. There was no seconder for this proposal.

The Planning Team Leader then reminded members that they needed to be sure and clear when considering a refusal of this application as there had to be evidence to support this should this refusal be taken to appeal. Members needed to ensure that their refusal reasoning would be significant enough to withstand an appeal.

Further refusal suggestions were made by members of which none were seconded, but these included:

- insignificant timeframe has been able to be monitored to see what the effects would be since the original conditions have been imposed
- to safeguard the amenities QE SP1
- by refusing the application the council was showing consistency with its original decision making in July 2021

The Committee then voted to REFUSE the application but did not take a vote on the reason for refusal.

700. CM/70/21/PL LAND AT WREN COTTAGE, HORSEMERE GREEN LANE, CLIMPING BN17 5QZ

2 Public Speakers

Councillor Colin Humphris – Climping Parish Council

Matthew Holmes - Agent

SUBDIVISION OF THE PLOT, CONSTRUCTION OF 3 DETACHED BUNGALOWS WITH ASSOCIATED PARKING, ACCESS AND LANDSCAPING

The Planning Team Leader presented the report and provided members with a verbal update. This was followed by two public speakers.

Members then took part in a full debate on the application where a number of points were raised and responded to by Officers, including:

- Concern raised regarding the process for ensuring that the footway be obtained and could this be remedied through contributions
- The Tree Officer had not responded and what was the reason for this

- It was felt that this application was encouraging car use as it did not provide access to high quality public transport, it was also commented that it also did not support the environmental aspects surrounding its location

The Planning Team Leader and the Group Head of Planning both provided answers to all of points raised and the Chair reminded members that even if there was a bus stop along the road, most would be more likely to get into their car to travel and that this issue was not central to this application.

The recommendation was then duly proposed and seconded.

The Committee

RESOLVED

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

701. BN/147/21/OUT LAND WEST OF FONTWELL AVENUE, FONTWELL, EASTERGATE PO20 3RX

1 Public Speaker

Andrew Munton - Applicant

OUTLINE APPLICATION WITH ALL MATTERS RESERVED (EXCEPT ACCESS) FOR THE ERECTION OF UP TO 8 NO. DWELLINGS. THIS APPLICATION ALSO LIES WITHIN THE PARISH OF ALDINGBOURNE. THIS APPLICATION IS A DEPARTURE FROM THE DEVELOPMENT PLAN

The Planning Team Leader presented the report and updates. This was followed by one public speaker.

Members then took part in a full debate on the application where a number of points were raised and responded to by Officers, including:

- Could there be consideration given to pedestrian walkway access
- It was commented that from a sustainability consideration this application would be car reliant which was contrary to the NPPF and Local Plan. Additional comments were also made referencing the Housing Land Supply as this application contained 8 social houses

The recommendation was then duly proposed and seconded.

The Committee

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RESOLVED

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

702. Y/158/21/PL THE STEDDLES, NORTH END ROAD, YAPTON BN18 0DT

1 public speaker

Kerry Simmons – Agent – statement read out by Committee Manager

DEMOLITION OF EXISTING DWELLING AND OUTBUILDINGS AND CONSTRUCTION OF 11 NO DWELLINGS (NET INCREASE 10 UNITS) WITH ACCESS, LANDSCAPING AND ASSOCIATED WORKS (ALTERNATIVE TO APPROVED Y/121/19/PL). THIS SITE IS IN CIL ZONE 3 AND IS CIL LIABLE AS NEW DWELLINGS & IS A DEPARTURE FROM THE DEVELOPMENT PLAN

The Planning Team Leader presented the report. This was followed by one public speaker.

Members then took part in a debate on the application where a number of points were raised and responded to by Officers, including:

- Would cause an increase in 1478 vehicle movements through Yapton
- Objection to the developers use of the description 'townscape' as Yapton was not a town

The recommendation was then duly proposed and seconded.

The Committee

RESOLVED

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

703. BR/273/21/PL 198 ALDWICK ROAD, BOGNOR REGIS PO21 2YQ

(Councillor Warr declared a personal and prejudicial interest as a Member of Bognor Regis Town Council who had already voted on this application and therefore she would not comment or take part in any vote on this application.)

2 Public Speakers

Nigel Neville – Objector – statement read out by Committee Manager

Carley Jenkins – Applicant – statement read out by Committee Manager

CONSTRUCTION OF DOG GROOMING AND FERTILITY CLINIC INCLUDING PART CHANGE OF USE FROM C3A TO SUI GENERIS. THIS APPLICATION IS IN CIL ZONE 4 (ZERO RATED) AS OTHER DEVELOPMENT

The Planning Team Leader presented the report. This was followed by two public speakers.

The Planning Team Leader was invited by the Chair to make any comments after hearing the public speakers. He stated that the applicant had made comments regarding noise prevention however this was subject to an additional application that was yet to be considered.

Members then took part in a full debate on the application where a number of points were raised and responded to by Officers, including:

- Councillor Lury requested that his concerns raised regarding the location's close proximity to a roundabout and the dangers this would present to those attending the location be recorded in the minutes. It was stated that it was an accident waiting to happen.
- However other members felt that the driveway for the location was the biggest benefit to the property as there was a clear entry and exit layout
- Some comments were raised regarding the licensing of this business, members were reminded that licensing issues fell outside of this Committee's remit

The recommendation was then duly proposed and seconded.

The Committee

RESOLVED

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

704. AB/150/21/PL LAND ADJACENT TO 30 ELLIS CLOSE, ARUNDEL BN18 9GL

ERECTION OF 3 NO. 2 BEDROOM DWELLINGS WITH ASSOCIATED PARKING AND LANDSCAPE. THIS APPLICATION IS IN CIL ZONE 2 AND IS CIL LIABLE AS NEW DWELLINGS.

The Planning Team Leader presented the report.

Members then took part in a full debate on the application where a number of points were raised and responded to by Officers, including:

- Query raised regarding the energy statement
- Concern raised regarding the location of the associated parking as this covered a number of roads

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- Query over the lack of response from the Tree Officer

The Planning Team Leader confirmed that at condition 3 it detailed energy conservation/energy sources it was also confirmed that as the council was the landowner it could impose whatever conditions it wanted. In reference to the comments made about the sufficient parking, it was confirmed that a survey completed in 2021 allowed for 200-meter walking distance from the location. It was also confirmed that condition 5 covered the response from the Tree Officer for this application.

There was a 30 minute adjournment due to technical issues discovered with the live stream to allow for Officers to investigate and resolve.

On returning from the adjournment the recommendation was duly proposed and seconded.

The Committee

RESOLVED

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

705. LU/383/21/PL 9 NORTH STREET, LITTLEHAMPTON BN17 6JJ

WORKSHOP EXTENSION (RESUBMISSION FOLLOWING LU/216/21/PL). THIS SITE IS IN CIL ZONE 5 (ZERO RATED) AS OTHER DEVELOPMENT.

The Planning Team Leader presented the report and provided members with a presentation of the site location.

The recommendation was duly proposed and seconded.

The Committee

RESOLVED

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

706. P/159/21/PL 253-255 INGLENOOK HOTEL, PAGHAM ROAD, PAGHAM PO21 3QD

VARIATION AND REMOVAL OF CONDITIONS IMPOSED UNDER P/58/19/PL FOR THE VARIATION OF CONDITION 2-PLANS CONDITION & 16-EXTERNAL LIGHTING OF ROADS & FOOTPATHS & REMOVAL OF CONDITIONS 11-FOOTPATH ACCESS THROUGH HOTEL SITE & 13-SIGNAGE OF VEHICULAR ACCESS PREVIOUSLY PROPOSED

The Planning Team Leader presented the report with updates and confirmed that the application had previously deferred by the Committee to allow for additional consultation to take place.

Members then took part in a full debate on the application where a number of points were raised and responded to by Officers these included concerns regarding the council failing to tell the developers to stop building when it was noticed that it was no in line with the plans submitted. There were also a number of comments made by members that they were not supportive of this developer as it was felt they had manipulated the council.

The Chair reminded members for the reason for deferral which was for additional information and the Interim Legal Services Manager reminded members that each application had to be determined on its own merits. The Planning Team Leader confirmed that planning law allowed for retrospective applications and the NPPF supported this also, therefore there was no justification for members to refuse the application. Should members be minded to refuse it would be likely to be lost at the appeal stage.

The recommendation was duly proposed and seconded.

The Committee

RESOLVED

That the application be delegated to the Head of Planning to approve subject to the completion of a Deed of Variation.

707. AL/4/22/PL MILD MAY, HOOK LANE, ALDINGBOURNE PO20 3TE

DEMOLITION OF EXISTING PROPERTY AND ERECTION OF NEW 4 BED DWELLING HOUSE WITH ANCILLARY PARKING

The Planning Team Leader presented the report and provided members with presentation of the site location.

The recommendation was duly proposed and seconded.

The Committee

RESOLVED

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

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708. BR/4/22/PL 83 ALDWICK ROAD, BOGNOR REGIS PO21 2NW

ENLARGEMENT OF EXISTING HMO (SUI GENERIS). SINGLE STOREY REAR EXTENSION, REAR ROOF DORMER, FRONT AND REAR ROOFLIGHTS (RESUBMISSION FOLLOWING BR/79/21/PL)

The Planning Team Leader presented the report.

Members then took part in a full debate on the application where a number of points were raised and responded to by Officers, including:

- The Chair asked if the fire brigade had completed a fire safety assessment on the proposal where it was confirmed that environmental health had made specific recommendations detailed within the report and a revised condition could be reviewed at a later time.
- Concerns for parking arrangements, as the application proposed to increase to 11 people but there was no increase for parking arrangements
- Reference to a previous survey for HMO's that took place 2/3 years ago which resulted in concerns for the number of HMO within this specific area being expressed and the council was now still intensifying the HMO's in this area
- Clarification regarding the retail unit on the ground level was sought, was this being kept as a retail unit
- It was commented that it felt like overdevelopment and not a good use of the property

The recommendation to refuse the application was proposed by Councillor Bower and seconded by Councillor Coster and a recorded vote was requested.

The Committee

RESOLVED

The application be REFUSED as the development failed to provide adequate open space causing harm to the amenities of future occupiers of the site contrary to Policy H SP4 c) of the Arun Local Plan. Also, the applicant had failed to provide a completed Section 106 legal agreement relating to contribution of £1,742 towards the cost of delivering measures to avoid or mitigate to an acceptable level, the hard caused to Pagham Harbour by the development contrary to Policy ENV DM2 of the Arun Local Plan.

Those voting for the application to be refused were Councillors Bower, Chace, Coster, Edwards, Lury and Thurston. Those abstaining from the vote were Councillors Blanchard-Cooper, Chapman and Cooper. There were no votes cast against.

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709. APPEALS

The Committee noted the appeals list included in the agenda.

(The meeting concluded at 6.10 pm)

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