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Subject to approval at the next Planning Committee meeting

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## PLANNING COMMITTEE

11 January 2023 at 2.00 pm

Present: Councillors Chapman (Chair), Edwards (Vice-Chair), Blanchard-Cooper, Bower, Chace, Hamilton, Haywood, Kelly, Lury, Thurston and Warr

The following Members were absent from the meeting during consideration of the matters referred to in the Minutes indicated:- Councillor Thurston Minute 550, Minute 560 (Part); Councillor Warr Minute 550 – Minute 552; Councillor Hamilton – Minute 560 (Part).

### 550. DECLARATIONS OF INTEREST

No declarations of interest were made.

### 551. MINUTES

*[Councillor Thurston arrived at the beginning of this item.]*

The Minutes of the previous meetings held on 30 November and 9 December 2022 were approved by the Committee and signed by the Chair. A correction to the Minutes of the meeting on 24 August 2022 was noted. Councillor Daniells had been omitted from the list of Members present when she had in fact attended as a substitute for Councillor Goodheart.

### 552. 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 items to consider at this meeting.

### 553. AL/72/22/PL - ROCK HOUSE, WESTERGATE STREET

*[Councillor Warr arrived at the beginning of this item.]*

This application was deferred by Committee on 28 September 2022 [Minute 306] to allow for further consideration of information yet to come forward from the applicant. The Planning Area Team Leader presented the report which provided further information to Members on information supplied by the applicant, including use of the buildings and some revised fenestration drawings. A verbal update was given that a heritage statement had been received from the applicant. As this was a deferred item, the applicant was unable to speak again on the item and wished for it to be noted that they had not had the opportunity to speak to the Council's Conservation Officer. As there had been no substantive changes to the proposed scheme, the Officer recommendation to refuse the application had not changed. After one Member sought clarification over the amendments to the designs, the recommendation was proposed by Councillor Bower and seconded by Councillor Lury.

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The Committee

RESOLVED

That the application be REFUSED.

554. Y/124/22/PL - BARNES SOUTH OF STAKERS FARM, NORTH END ROAD, YAPTON

1 Public Speaker

Peter Cleveland – Agent

Erection of 9 No. dwellings with associated access, car ports, parking and landscaping. This application may affect the setting of a listed building, may affect the character and appearance of the Main Road/Church Road Conservation Area, is a Departure from the Development Plan and is in CIL Zone 3 and is CIL Liable as new dwellings.

The Planning Area Team Leader presented the report. This was followed by 1 Public Speaker. The recommendation was then proposed by Councillor Chace and seconded by Councillor Bower.

The Committee

RESOLVED

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

555. M/126/22/PL - 12 THE LAYNE, ELMER PO22 6JL

*[During the discussion, Councillor Haywood declared a Personal Interest as Chair of Middleton-on-Sea Parish Council.]*

1 Public Speaker

David Oldland – Applicant

Demolition of existing dwelling and new build 1 No. replacement dwelling. This application is in CIL Zone 4 and is CIL Liable as new dwelling.

The Planning Area Team Leader presented the report. This was followed by 1 Public Speaker. Members that spoke commented on what they considered was the overbearing nature of the design for the plot and the drainage problems in the local area. The recommendation was then proposed by Councillor Chace and seconded by Councillor Bower.

The Committee

RESOLVED

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

556. LU/348/22/PL - 51B BEACH ROAD, LITTLEHAMPTON BN17 5JG

1 Public Speaker

Leslie Cowell – Supporter

Replacement of 15 No. existing timber sliding sash windows with 14 No. PVCU windows and a PVCU door with a window above.

The Planning Area Team Leader presented the report and noted an update to the Officer conditions. This was followed by 1 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 the use of 'sash effect' windows being welcome, the designs of the door replacing the window, concerns for the continuing proliferation of plastic and the possible use of timber framed windows which were also double glazed and low in maintenance, and the materials used still having a detrimental effect on what was an imposing dominant building in the streetscape. The recommendation was then proposed by Councillor Chace and seconded by Councillor Blanchard-Cooper.

The Committee

RESOLVED

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

557. FP/197/22/PL - LAND ADJACENT TO 10 SECOND AVENUE, FELPHAM PO22 7LJ

2 Public Speakers

Leigh Knowlden – Objector

Colin Lankester - Applicant

1 No. two storey, 3 bed detached dwelling with new access and parking (Re-submission following FP/32/21/PL). This application is in CIL Zone 4 and is CIL Liable as new dwelling.

The Planning Area Team Leader presented the report with updates. This was followed by 2 Public Speakers. The Vice-Chair welcomed that the applicant had taken onboard comments from previous submissions in the designs of this proposal. The recommendation was then proposed by Councillor Edwards and seconded by Councillor Bower.

Planning Committee - 11.01.23

The Committee

RESOLVED

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

558. CM/46/22/PL - BAIRDS FARM SHOP, CROOKTHORN LANE, CLIMPING BN17 5SN

2 Public Speakers

Councillor Colin Humphris – Climping Parish Council

Tracey Villa - Objector

Erection of a substation, eight ultra-rapid electric vehicle chargers and associated electrical equipment within the car parking area of Maidenhead Aquatics Littlehampton. This application is in CIL Zone 5 and is Zero Rated as other development.

The Planning Area Team Leader presented the report with updates. This was followed by 2 Public Speakers. Members then took part in a debate on the application that principally revolved around concerns over the hours of operation and the illumination levels required for safe use and security reasons, and whether conditions were necessary to limit these and how practically enforceable these would be. The Planning Area Team Leader highlighted condition 4 which required external lighting to be agreed with the Local Planning Authority before installation. The Group Head of Planning noted that hours of operation were not consistent across the different businesses on the site but detailed the hours approved for the café on the site (Monday to Friday 0600–1800, Saturday 0700-1800 and Sunday 0800-1400). Members agreed that these hours of operation should be included as a condition. Other points raised included the close proximity of other charging points in the area and whether this operation should be scaled down, and the suitability of intensification for this location.

The Officer recommendation to approve conditionally was then proposed by Councillor Chapman and seconded by Councillor Edwards. After a vote, the recommendation was declared NOT CARRIED. Reasons for deferral or refusal were then discussed by Members. Members raised concerns around the hours of operation, the number of charging points on the site and the enforceability of any conditions imposed to limit the charging points' use. Following advice from the Legal Services Manager, a recommendation to defer on the grounds that Members did not have enough information to make a decision was proposed by Councillor Chace and seconded by Councillor Bower.

The Committee

RESOLVED

That the application be DEFERRED on the grounds that Members did not have enough information to make a decision.

559. BR/240/22/PL - LAND ADJACENT TO COMMUNITY CENTRE, WESTLOATS LANE, BOGNOR REGIS PO21 5JZ

Application under Regulation 3 of the Town and Country Planning (General Regulations) 1992 for the erection of 4 No. 2 bedroom dwellings with associated parking and landscape. This site is in CIL Zone 4 (Zero Rated) as flats.

The Planning Area Team Leader presented the report. One Member asked about the future uses of the building. Another Member questioned the lack of energy efficiency and biodiversity measures in a Council application. The recommendation was then proposed by Councillor Chace and seconded by Councillor Bower.

The Committee

RESOLVED

That authority be delegated to the Group Head of Planning in consultation with the Chair of Planning Committee to grant full planning permission subject to conditions set out in the Officer's report and completion of a Section 106 Agreement.

560. BN/144/22/OUT - NUTHATCH, WANDLEYS LANE, FONTWELL, EASTERGATE PO20 3SE

*[After some discussion, Councillor Thurston declared a Prejudicial Interest as she had previously visited the site and been consulted by the applicant and left the meeting and did not take part in the vote on the item. Councillor Hamilton was also absent for the vote on this item.]*

3 Public Speakers

Cllr Sue Wallsgrove – Barnham and Eastergate Parish Council

David Penson – Applicant

Tim Rodway – Agent

Outline application with all matters reserved (except access) for the erection of 4 No. residential units with associated car parking and landscaping with new access to be provided via Wandleys Lane. This application is a Departure from the Development Plan.

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The Strategic Development Team Leader presented the report with substantial updates on the use of agricultural land for non-agricultural purposes and the need for further assessment of the impact on bat tunnels. The Officer recommendation was updated to delegate authority to the Group Head of Planning in consultation the Chair of Planning Committee to grant outline planning permission subject to conditions set out in the Officer's report and subject to HRA Screening and Appropriate Assessment and consultation with Natural England if necessary. This was followed by 3 Public Speakers. The recommendation was then proposed by Councillor Chace and seconded by Councillor Edwards.

The Committee

RESOLVED

That authority be delegated to the Group Head of Planning in consultation with the Chair of Planning Committee to grant outline planning permission subject to conditions set out in the Officer's report and subject to HRA Screening and Appropriate Assessment and consultation with Natural England if necessary.

561. AL/31/22/PL - RYEFIELDS FARMHOUSE, OAK TREE LANE, WOODGATE PO20 3GU

*[Councillor Thurston returned to the meeting at the beginning of this item.]*

1 Public Speaker

Kerri Simmonds – Agent

Demolition of existing building and erection of 4 No. houses with associated access, landscaping, parking and associated works. This site falls within Strategic Site SD5, CIL Zone 1 (zero rated).

The Principal Planning Officer presented the report with updates to the Officer's recommendation and conditions. This was followed by 1 Public Speaker. Members who spoke raised concerns that there were issues with the site still to be resolved including access through Oak Tree Lane. The recommendation was then proposed by Councillor Chace and seconded by Councillor Edwards.

The Committee

RESOLVED

That authority be delegated to the Group Head of Planning in consultation with the Chair of Planning Committee to grant full planning permission subject to conditions set out in the Officer's report and a Section 106 Agreement, subject to minor amendments to confirm the level of Highway and Transport contributions, and Police contributions and projects

Should sufficient progress not have been made within 3 months then delegated authority be granted to the Group Head of Planning (in consultations with the Chair of Planning Committee) to refuse the application.

562. APPEALS

The Committee noted the Appeals list.

563. HMO ARTICLE DIRECTION REPORT

Upon the invitation of the Chair, the Group Head of Planning presented the report which updated the Committee on the completion of the Article 4 Direction 21-day representation and 6-week notification periods concerning the proposed removal of Permitted Development rights for smaller scale Houses in Multiple Occupation (i.e. C4 Use Class) in the three Wards of Marine, Hotham (Bognor Regis) and River (Littlehampton). The notification and representation period commenced on 2 November 2022 and closed on the 23 November and 14 December respectively. Two representations were received, one from Littlehampton Town Council and one from Bognor Regis Town Council, fully supporting Article 4 Directions for the wards affected in their areas. The recommendation was then proposed by Councillor Chace and seconded by Councillor Edwards.

The Committee

RECOMMEND TO FULL COUNCIL

That the Article 4 Directions (under Article 4(1) Schedule 3 (1) of the Town and Country Planning (General Permitted Development) (England) Order 2015) for the three Wards of Marine, Hotham and River, come into effect on 19 January 2023.

(The meeting concluded at 4.06 pm)

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