

PLANNING COMMITTEE

19 April 2023 at 1.00 pm

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

782. ELECTION OF THE VICE-CHAIR

The Chair opened the meeting and explained that the Vice-Chair had given his apologies for the first part of the meeting. He then proposed Councillor Lury as Acting Vice-Chair for this meeting. This was seconded by Councillor Blanchard-Cooper.

The Committee

RESOLVED

That Councillor Lury be Vice-Chair of this meeting.

783. DECLARATIONS OF INTEREST

No declarations of interest were made.

784. MINUTES

The Minutes of the previous meeting held on 8 March 2023 were approved by the Committee and signed by the Chair.

785. 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.

786. DEFERRED ITEM: A/257/22/RES - LAND JUNCTION WITH HEATHFIELD/DOWNS WAY, EAST PRESTON, BN16 1AB

Approval of reserved matters following outline consent A/46/21/OUT for 2 No dwellings including details of the access, appearance, landscaping, layout, and scale. This application is in CIL Zone 4 and is CIL Liable as new dwellings.

The Planning Area Team Leader presented the report and explained that the application had been deferred by Committee on 8 March 2023 [Minute 771] for a site visit in order for Members to acquaint themselves with the site's characteristics before further considering the application.

One Member raised the consistency of recent Planning Inspectorate decisions, but the Chair deemed this not relevant to the item under discussion. Another Member

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noted further regretful loss of green space in the District. The recommendation was then proposed by Councillor Chace and seconded by Councillor Lury.

The Committee

RESOLVED

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

787. CHANGE TO THE ORDER OF THE AGENDA

With the Committee's approval, the Chair amended the order of the agenda to hear Agenda Item 8 [A/14/23/RES LAND SOUTH OF DOWNS WAY, ANGMERING, BN16 1AA] ahead of Agenda Item 7 [A/282/22/RES LAND OFF ARUNDEL ROAD, ANGMERING, BN16 4ET] due to the availability of Planning Officers in the Council Chamber.

788. A/14/23/RES: LAND SOUTH OF DOWNS WAY, ANGMERING, BN16 1AA

Approval of reserved matters (access, appearance, landscaping, layout and scale) following APP/C3810/W/21/3268934 (A/151/20/OUT) for the erection of 1 No. dwelling and associated works (resubmission following A/218/22/RES). This application is in CIL Zone 4 and is CIL Liable as a new dwelling.

The Planning Area Team Leader presented the report. He explained that this was a resubmission of a reserved matters application previously refused on the grounds of harm to visual and residential amenity, following an outline application approved on appeal. Members that spoke raised concerns over the loss of green space and the impact to the open aspect enjoyed by neighbouring properties, and the previous and ongoing ownership of the land and whether any of the green space would remain for public use or would all come under the ownership of the new dwelling. Planning Area Team Leader confirmed that some of the green space would remain outside of the new dwelling's boundaries. One Member noted the lack of options available to the Committee after the Planning Inspectorate overturned their decision on the outline application. The recommendation was then proposed by Councillor Chapman and seconded by Councillor Chace.

The Committee

RESOLVED

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

789. A/282/22/RES: LAND OFF ARUNDEL ROAD, ANGMERING, BN16 4ET

1 Public Speaker

Tim Burden – Agent

Approval of reserved matters following A/122/19/OUT and varied by A/207/21/PL pertaining to the layout, scale, appearance and landscaping for 160 No dwellings with associated public open space, landscaping, parking, ecological mitigation and earthworks. This application 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 with both verbal and written updates. He noted that 94 letters of objection had been received yesterday and on the morning of the meeting (both of which were outside the consultation period) and due to the late representation it had not been possible for Officers to fully review them all though the vast majority of issues appeared to concern matters which were subject to consideration at the outline application stage such as design and lack of response to local character. 2 representations were received during the consultation period and are referred to in the report update. This was followed by 1 Public Speaker.

One Member, though pleased to hear about the proposed energy arrangements, raised concerns about the number of trees being felled and the absence of a Tree Officer's report. The Group Head of Planning explained that the Tree Officer had been consulted at the outline stage but that this was a reserved matters application looking at the landscaping scheme and so landscaping Officers had been consulted. Another Member noted that there were some benefits to the application including the planting of more trees to mitigate the parking provision and that trees would no longer be within front gardens of properties and therefore less likely to be felled at a future date, though he did raised concerns about the height of the proposed 2.5 storeys. The recommendation was then proposed by Councillor Bower 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.

790. A/20/23/PL: LAND TO THE REAR OF 36-40 MEADOWSIDE, ANGMERING

2 Public Speakers

Rebecca Witchell – Objector

Huw James – Agent

Erection of 8 no. Garages for non-commercial, domestic use (Use Class B8) to the rear of 36-40 Meadowside. This application is in CIL Zone 2 (zero rated) as other development.

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The Planning Area Team Leader presented the report with updates. He noted that the application had originally proposed 9 garages but that Officers had reduced the number to 8 in order to improve accessibility on the site. This was followed by 2 Public Speakers. Members raised concerns about how these garages might be used and what might be stored in them, especially by residents working in the construction industry or similar, and whether a restriction on the materials to be stored in these garages should be added to ensure they were reserved for residential use only. The Planning Area Team Leader noted condition 4 restricting the garages' use to domestic rather than commercial use. Other Members questioned how this condition would be enforced. It was explained that the explicit wording of the condition provided the Council with sufficient powers should a breach be identified following a complaint from neighbouring residents and a subsequent investigation. Clarification was also sought on the planning history of the site. The recommendation was then proposed by Councillor Chapman and seconded by Councillor Bower.

The Committee

RESOLVED

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

791. BE/8/23/PL: COLWORTH MANOR FARM, COLWORTH LANE, COLWORTH, PO20 2DU

[Councillor Edwards arrived during this item.]

4 Public Speakers

Mike Walsh – Objector

David Campion – Objector

Richard Wilkinson – Agent

Councillor Gill Yeates – Arun District Council Ward Member

Polytunnels for soft fruit production (resubmission following BE/106/22/PL). This site is in CIL Zone 3 (Zero Rated) as other development.

The Planning Area Team Leader presented the report. This was followed by 4 Public Speakers. A number of Members who spoke raised concerns with this application. There was concern that the polytunnels would industrialise an agricultural area and detrimentally impact the landscape and the views to the South Downs from the A259 towards Chichester. Clarification was sought on the nature of the proposed buffer zone, whether it would be completely clear of materials and how this would be maintained. The need to support those making a living from the land was noted but whether the cost was too great in this application due in part of the size of the area being proposed, its location within a strategic gap and the ongoing water demands of the site in a water stressed area. The need to protect the countryside, even from agricultural development was also discussed.

One Member, speaking broadly in support of the application, stressed the need for consistency in terms of policies applied by Chichester District Council due to the site's location in the strategic gap between Bersted and Chichester, whilst providing protection to Arun's countryside. It was noted that Chichester District Council had approved polytunnels. It was considered that the application was seeking to enhance agricultural activity in the area and the agricultural economy of the District more generally, an argument often used by those against largescale housing developments, and that the use of polytunnels was an inevitable part of this activity. Another Member noted that as polytunnels were not permanent, he would rather see these than more housing in the area.

Following the discussion, the Group Head of Planning noted that justification for use was not a material planning application and that the strategic gap policy was not a landscape designation and rather an anti-coalescence designation, that the two were not the same thing and so issues of landscape had to be separated from matters of the strategic gap. The recommendation was then proposed by Councillor Bower and seconded by Councillor Kelly.

The Committee

RESOLVED

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

792. BR/12/23/PL: CORDELL HOUSE REST HOME, 120 VICTORIA DRIVE, BOGNOR REGIS, PO21 2EJ

[At the beginning of this item, Councillor Warr declared a prejudicial interest as a Member of Bognor Regis Town Council where she had already discussed and voted on this item. After making her declaration, she left the Chamber and did not take part in the discussion on the item or the vote.]

1 Public Speaker

Harry Brann – Agent

Change of use of a C2 Residential care home into an 8 No bed C4 House in Multiple Occupation (resubmission following BR/37/22/PL). This application is in CIL Zone 4 (Zero Rated) as other development.

The Planning Area Team Leader presented the report. This was followed by 1 Public Speaker. One Member raised concerns about a maximum number of people that could reside in an 8 bedroom property. The Planning Area Team Leader confirmed that the number of residents would depend on the number of beds fitted into the property and that a condition could be added to limit the number of residents to 16 (i.e. 2 beds per room). Councillor Haywood proposed that an additional condition that the number of residents be limited to 16 be added. This was seconded by Councillor Thurston.

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Following a vote, the motion was declared CARRIED and the additional condition then formed part of the substantive conditions of the Officer recommendation.

After another Member sought further information on the proposed removal of chimney breasts and the improvements this development would bring to the property, the recommendation was then proposed by Councillor Bower and seconded by Councillor Edwards.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY as detailed in the report subject to the conditions as detailed and a Section 106 agreement.

793. EP/7/23/PL: LAND NORTH OF 9 LASHMAR ROAD, EAST PRESTON, BN16 1ES

[Councillor Warr returned to the Council Chamber at the beginning of this item.]

1 Public Speaker

Huw James – Agent

Erection of 1 No. two storey dwelling house. This application is in CIL Zone 4 and is CIL Liable as a new dwelling.

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

The Committee

RESOLVED

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

794. LU/263/22/RES: LAND WEST OF HOLLY DRIVE, LITTLEHAMPTON

[At the beginning of this item, Councillor Blanchard-Cooper declared a prejudicial interest due to previous comments and decisions made as a Member of Littlehampton Town Council and as Chair of the Community Resources Committee with regards allotment provision. He confirmed that he had sought advice from the Monitoring Officer, who had advised that he did not need to leave the Chamber, but was uncomfortable remaining for the item. After making his declaration, he left the Chamber and did not take part in the discussion on the item or the vote.]

2 Public Speakers

Dr Carol Howell – Objector

Edward Nabbs – Applicant

Approval of reserved matters following LU/47/11 for the Southern allotments and access.

The Director of Growth presented the report with updates. He noted that since the publication of the Report Update, a response had been received from West Sussex County Council which confirmed they were ok with the proposed easement area and did not need to undertake a road safety audit having reviewed their policy, but that they did seek an additional plan in relation to visibility splays. A request had been made to the applicant to provide this. Arun's landscaping Officers had also confirmed they were ok with the species for hedge planting but had asked for further details on the ongoing management arrangements for these. This had been addressed by the inclusion of a condition. Two additional conditions from the consultant Ecologist had been missed from the report that related to mitigation to be carried out in accordance with the submitted appraisal and the submission of a biodiversity enhancement strategy and needed to be included within the list of conditions. The applicant had also been asked to provide an updated plan reference as per condition 1. To reflect these updates, the Director of Growth verbally amended the Officer recommendation (which was repeated by the Group Head of Planning at the end of the item) to the following:

'To defer with delegated approval to the Group Head of Planning to grant planning permission following the satisfactory resolution of the outstanding matters regarding consultee responses and plans showing visibility splays. This will include the addition of two conditions recommended by the Ecologist as set out in the Report Update.'

He explained that the wording 'in consultation with the Chair' was being recommended to be removed from the recommendation due to the Chair's role ceasing on 9 May and Officers being unable to exercise the delegation before a new Chair had been appointed after the election. This was followed by 1 Public Speaker.

One Member welcomed more allotments in the District but wondered whether any restrictions had been put on the size of sheds that might be used for storage on-site. The Director of Growth explained that no such recommendation had been proposed by Officers but that Members could add one if they felt it appropriate bearing in mind the challenges this level of control might bring for the Council. The Chair questioned whether this would ultimately be a matter for Littlehampton Town Council. The Director of Growth explained that Littlehampton Town Council would be the Managing Authority with their own set of controls, but the Committee could add a condition as the Planning Authority if there was a planning reason to do so. The Chair asked the Committee for their preference on whether a condition be added to the planning approval or left as a matter to be dealt with by Littlehampton Town Council. After a vote by the show of hands, the Committee's feeling was that it was a matter to be dealt with by Littlehampton Town Council.

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A Member asked about pedestrian access and why allotments had not instead been designed as part of the strategic site housing developments. Following answers from the Director of Growth, another Member noted that Nightingale Way took up some of the previously allocated allotment space and so this was a land swap of sorts to replace land lost to development. After the Group Head of Planning repeated the amended recommendation, it was proposed by Councillor Chace and seconded by Councillor Kelly.

The Committee

RESOLVED

To defer with delegated approval to the Group Head of Planning to grant planning permission following the satisfactory resolution of the outstanding matters regarding consultee responses and plans showing visibility splays. This will include the addition of two conditions recommended by the Ecologist as set out in the Report Update.

795. LU/3/23/PL: 37 GRIFFIN CRESCENT, LITTLEHAMPTON, BN17 7LH

[Councillor Blanchard-Cooper returned to the Council Chamber at the beginning of this item.]

Single storey rear extension with balcony, rear dormer and change of use from a single dwelling to two flats (resubmission following LU/242/22/PL). This site is in CIL Zone 2 and is CIL Liable as new flat.

The Planning Area Team Leader presented the report. He noted that areas of concern with similar previously refused applications on the site had been removed. The recommendation was then proposed by Councillor Bower and seconded by Councillor Chapman.

The Committee

RESOLVED

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

796. WA/125/22/PL: SPINDLEWOOD, YAPTON LANE, WALBERTON, BN18 0AS

Change from 2 pairs of semi-detached units approved under WA/79/20/PL on western side of site to 4 No detached properties. This application 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 with updates. He clarified that rather than a variation to the plans of a previous approval (won on appeal) as described in the Officer report, this was a full planning application to amend a section of

that previous approval. He also provided an update on materials and that condition 4 had been amended to reflect this. After more information was provided on the reconfiguration from semi-detached to detached, the recommendation was then proposed by Councillor Lury and seconded by Councillor Bower.

The Committee

RESOLVED

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

797. WA/6/23/PL: LAND WEST OF TYE LANE, WALBERTON

Variation of condition following APP/C3810/W/3278130 (WA/68/20/OUT) relating to Condition Nos 8 - foul drainage and 14 - surface water drainage scheme/system.

The Planning Area Team Leader presented the report. He explained that this application dealt only with the drainage and foul water condition and that the applicant was seeking that these conditions be phased rather than discharged prior to commencement of the development. Negotiations had taken place between the applicants and Planning Officers on the wording of the condition and Officers were recommended approval of the variation. After one Member highlighted Walberton Parish Council's concerns about the management of this and Southern Water's involvement, the recommendation was then proposed by Councillor Bower and seconded by Councillor Chapman.

The Committee

RESOLVED

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

798. APPEALS LIST

The Committee noted the Appeals list and the Chair congratulated Officers for their work on the significant number of Appeals dismissed.

799. CONSULTATION ON PROPOSED INCREASE IN PLANNING FEES

Upon the invitation of the Chair, the Interim Head of Development Management presented the report which sought the Committee to consider the Officer response to the consultation on proposals to increase planning application fees and the potential implications of this. It was noted that in England planning fees were set by central Government and were last updated in January 2018 when a 20% increase was applied to all planning fees. The Interim Head of Development Management also clarified that

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the recommendation was for the Committee to note and endorse the consultation response attached in the report.

One Member welcomed that suggestion that retrospective planning applications should be double the cost of a new application and further suggested that a differentiation in charges along similar lines between applications within the Local Plan and those seeking a departure from it also be considered. The Group Head of Planning noted that what was or was not a departure from the Local Plan was subjective and that the Planning Inspectorate might disagree making the process impossible to manage in reality.

Another Member, whilst also in support of the doubling of fees for retrospective applications, was less comfortable with the Officer-proposed disagreement with a 25% increase for householder planning applications. She also noted the difference between Listed Building consent and Listed Building planning applications and asked whether the difference in work involved for Officers merited a differentiation in fees. The Interim Head of Development Management confirmed that currently there were no fees charged on any Listed Building consent but did note that due to the complexities of some applications specialist advice was needed which could be expensive, and the suggestion of introducing fees for Listed Building consent was in response to the consultation question asking whether there were any other application types or planning services which could be chargeable. Councillor Thurston proposed an amendment to the draft consultation response that the response to question 4 not include suggesting a charge on Listed Building consent applications. This was seconded by Councillor Hamilton. Following a vote, the motion was declared NOT CARRIED.

The substantive recommendation was then proposed by Councillor Lury and seconded by Councillor Blanchard-Cooper.

The Committee

RESOLVED

That they note and endorse the consultation response attached in the report.

800. CLOSING REMARKS

This was the Chair's final Planning Committee meeting of the municipal year and of his 16-year career as a Councillor as he was not standing for re-election at the Local Election in May. He sincerely thanked Committee Members and Officers for their hard work and support of the planning process. Members thanked the Chair for his service to the Committee and wished him well for the future.

(The meeting concluded at 3.36 pm)