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PLANNING COMMITTEE

7 June 2023 at 2.00 pm

Present: Councillors Hamilton (Chair), Lury (Acting Vice-Chair), Bower, Kelly, Lawrence (Substitute for Wallsgrove), Long, McDougall, Northeast, Partridge, Turner (Substitute for Patel) and Woodman

Apologies: Councillors Patel and Wallsgrove

19. ELECTION OF THE VICE-CHAIR

The Chair opened the meeting and welcomed all newly elected and re-elected Members of the Committee. She explained that the Vice-Chair had given her apologies for the meeting and proposed Councillor Lury as Acting Vice-Chair for this meeting. This was seconded by Councillor McDougall.

20. DECLARATIONS OF INTEREST

Councillor Long declared a Personal Interest in Agenda Item 7 [LU/49/23/PL - Flat Above 62 High Street, Littlehampton, BN17 5EA] as a Member of Littlehampton Town Council and its Planning Committee which objected to the application. She stated for the record that she came to this meeting with an open mind and would make her decision after listening to the debate and the advice of Officers.

Councillor Woodman declared a Personal Interest in Agenda Item 7 [LU/49/23/PL - Flat Above 62 High Street, Littlehampton, BN17 5EA] as a Member of Littlehampton Town Council and its Planning Committee which objected to the application. She stated for the record that she came to this meeting with an open mind and would make her decision after listening to the debate and the advice of Officers.

Councillor Turner declared a Personal Interest in Agenda Item 8 [FG/28/23/PL - 61 Sea Lane Gardens, Ferring, BN12 5EG] as a Member of Ferring Road Scheme Association.

21. MINUTES

The Minutes of the previous meeting held on 19 April 2023 were approved by the Committee and signed by the Chair. Only those Members present at the previous meeting voted. All other Members abstained from the vote.

22. 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.

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23. START TIMES

The Chair proposed and Councillor Bower seconded that the start time for the remaining meetings of Planning Committee for 2023/24 be 2pm.

The Committee

RESOLVED

That the start time of all remaining meetings of the Committee for 2023/24 would be 2pm.

24. LU/49/23/PL - FLAT ABOVE 62 HIGH STREET, LITTLEHAMPTON, BN17 5EA

1 Public Speaker

Tim Howarth – Agent

Alterations to existing shop and flat to create 2 No additional flats with new window at front elevation and 5 No new secure cycle spaces within alleyway next to the communal entrance to the flats. This application is in CIL Zone 4 (Zero Rated) as flats.

The Planning Area Team Leader presented the report. He clarified that this application involved no alterations to the ground floor shop despite the description of the item. This was followed by 1 Public Speaker. One Member, though recognising the aspiration and need for a car free zone, raised concerns about the lack of parking with this development and whether the Council should be more forceful in ensuring parking is included in such developments as its lack would push parking onto surrounding streets that were predominantly terrace housing and already experiencing parking issues. Another Member noted the sustainable nature of the town centre location. The size of the accommodation and whether the Council should aspire to more than just the minimum Nationally Described Space Standards for gross internal area was also raised. The recommendation was then proposed by Councillor Bower and seconded by Councillor Partridge.

The Committee

RESOLVED

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

25. FG/28/23/PL - 61 SEA LANE GARDENS, FERRING, BN12 5EG

[At the beginning of this item, Councillor Turner re-declared his Personal Interest as a Member of Ferring Road Scheme Association made earlier in the meeting].

1 Public Speaker

Marcus Stephanou – Applicant

1 No dwelling (resubmission following FG/37/22/PL). This application is in CIL Zone 4 and is CIL Liable as a new dwelling.

The Planning Area Team Leader presented the report with updates including the Tree Officer's comments and their addition to the proposed conditions. This was followed by 1 Public Speaker. One Member raised whether a condition should be added to ensure connection to mains sewage before occupation as he understood other Local Authorities were including similar conditions. The Group Head of Planning explained that connection to the sewer system was an automatic right and Arun would be unable to ensure compliance of such a condition as it would overlap with Southern Water's obligation to provide the infrastructure, and that the introduction of such conditions in future would need to be part of a wider strategic decision.

Another Member raised concerns with informative 11 and whether the owner of the private road had been consulted ahead of this application coming to Committee for approval. The Planning Area Team Leader clarified that informatives were included for the benefit of the applicant in order to provide guidance on other (non-planning) actions that needed to be taken. The Interim Head of Development Management confirmed that planning permission did not override other relevant rights such as those of the landowner and the applicant would need to seek these before proceeding. The recommendation was then proposed by Councillor Lury and seconded by Councillor Woodman. One Councillor abstained from the vote.

The Committee

RESOLVED

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

26. BR/64/23/PL - TOWN HALL, CLARENCE ROAD, BOGNOR REGIS, PO21 1LD

Application under Regulation 3 for a wall mounted defibrillator and associated housing. This application affects the setting of a Listed Building and is in CIL Zone 4 (zero rated) as other development.

The Planning Area Team Leader presented the report. He explained that the level of harm to the heritage asset identified was 'less than substantial harm' which was the lowest level of harm before no harm was caused and that in Officers' opinion the public benefit derived from having the defibrillator outweighed the harm identified. Some

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Members raised concerns about vandalism and previous attacks on defibrillators in Arun and sought clarity over CCTV in the area. Officers were unable to confirm if the location was covered by CCTV. Another Member reiterated that the level of harm would be outweighed by the benefits of having a potentially lifesaving defibrillator in that location. The recommendation was then proposed by Councillor Bower 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.

27. BE/21/23/RES - THE COTTAGE, SHRIPNEY ROAD, BOGNOR REGIS, PO22 9PA

2 Public Speaker

Cllr Jonathan Spencer – Bersted Parish Council

Rebecca Hoad – Agent

Approval of reserved matters following outline consent BE/69/19/OUT relating to the layout, scale, appearance and landscaping for the erection of 20 dwellings at The Cottage, Shripney Road, Bognor. This application is not CIL Liable.

The Planning Area Team Leader presented the report with updates. It was noted that the recommendation had been updated to give delegated authority to the Group Head of Planning, in consultation with the Chair or Vice Chair of Planning Committee, to issue a decision once the consultation period ended. This was to reflect the fact that the statutory consultation period for the amended plans ended on 12 June rather than 9 June as stated in the report due to the re-consultation notices being posted a day later than planned. This was followed by 2 Public Speakers. One Member noted that this was an example of a previous application not being built out and encouraged the applicant to proceed with the development should the application be approved. The recommendation was then proposed by Councillor Bower and seconded by Councillor Partridge.

The Committee

RESOLVED

That the Committee give the Group Head of Planning, in consultation with the Chair or Vice Chair of Planning Committee, delegated authority to issue a decision once the consultation period ends to approve subject to the conditions as detailed.

28. AB/24/23/PL - 23 TORTON HILL ROAD, ARUNDEL, BN18 9HF

The Planning Area Team Leader presented the report. The recommendation was then proposed by Councillor Bower and seconded by Councillor Partridge.

The Committee

RESOLVED

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

29. A/71/23/PL - LAND ADJACENT TO CRETE HOUSE, THE BEECHES, DAPPERS LANE, ANGMERING, BN16 4EN

4 Public Speaker

Cllr Sylvia Verrinder – Angmering Parish Council

Andy Dickens – Objector

Nicolas Cooper – Objector

Martin Helyer – Agent

Erection of detached dwelling, together with access, car parking and landscaping. This application is in CIL Zone 2 and is CIL Liable as new dwelling.

The Planning Area Team Leader presented the report with updates. This was followed by 4 Public Speakers. Members raised a number of concerns with this application including the footprint of the dwelling and how it compared with the one previously approved, its positioning on the plot, the trees both with and without TPOs on the site and the damage already done to a tree with a TPO, and whether the raising of the ground level to protect against flooding would move the flooding elsewhere.

Officers confirmed that a number of additional conditions were being proposed, some of which were prior to commencement of development and after consultation with the Tree Officer, including conditions 4 (an Arboricultural Method Statement and Tree Protection Plan to protect a TPO tree), 9 (a construction exclusion zone (CEZ)), 10 (digging with hand tools rather than powered machinery within the CEZ). Officers also clarified which Permitted Development rights were restricted in condition 13 attached to the Officer's recommendation and the difference between Class B (extensions to roof, dormer windows etc) and Class A (all other extensions such as ground floor or two storey extensions, conservatories etc).

Councillor Northeast proposed the Officer recommendation to approve conditionally but it was not seconded and therefore not moved. Members then discussed amending the conditions by restricting Class A Permitted Development rights. This amendment was proposed by Councillor Lury but was not seconded and therefore not moved. The Legal Services Manager then read from the 'Character and Design' section of the Officer's report [on page 75 of the Agenda Pack] and clarified that Members needed to decide whether they accepted the Officers' view that The Beeches

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development to the north had sufficiently changed the character of the area if this was Members' main issue. Refusal on the grounds that the development was out of character with the area was then discussed. The Group Head of Planning noted that the character of the area was mixed and had changed a lot in the last 5 to 10 years, and that to the east of The Beeches there was a large strategic site for 650 houses that would further change the character of the area in the future. Councillor Lury then proposed that the application be deferred for a site visit for Members to assess the character of the area and determine any detriment the development might bring to the area. This was seconded by Councillor Bower.

The Committee

RESOLVED

That the application be DEFERRED for a site visit for Members to assess the character of the area.

30. APPEALS LIST

The Committee noted the Appeals list.

31. COUNCIL VISION 2022-2023 ANNUAL REPORT

Upon the invitation of the Chair, the Group Head of Organisational Excellence presented the report which sought to update the Committee on the end of year performance of the Vision indicators for the period 1 April 2022 to 31 March 2023. It was explained for the benefit of new Councillors that the Council Vision for the period 2022-26 had been developed with Councillors at a series of workshops and then agreed by Full Council. The Vision was divided into 4 key themes - 'Improving the wellbeing of Arun', 'Delivering the right homes in the right places', 'Supporting our environment to support us', and 'Fulfilling Arun's economic potential'. There were overall aims for each of these themes and some specific objectives to be achieved over the four year period, and, though Policy and Finance Committee was responsible for overseeing performance across the Council, the full report was coming to the Committee so that Members had a comprehensive overview of performance across the Council. The Committee then noted the report.

32. KEY PERFORMANCE INDICATORS 2022-2026 QUARTER 4 END OF YEAR PERFORMANCE REPORT FOR THE PERIOD 1 APRIL 2022 TO 31 MARCH 2023

Upon the invitation of the Chair, the Group Head of Organisational Excellence presented the report which sought to update the Committee on the Quarter 4 and end of year Performance Outturn for the Key Performance Indicators (KPIs) which made up the Corporate Plan, for the period 1 April 2022 to 31 March 2023. It was explained that these indicators were measures of operational performance and the same indicators would be measured each year for the four year period to allow for comparison and trends to be measured both in-year and between years. One Member noted that some

KPIs were beyond the control of the Council such as housing delivery and how many applications came in and so were naturally reactive rather than proactive. In response to this, a Member queried whether, if unrealistic, the KPIs themselves or the levels to which they were assessed could be changed. The Group Head of Organisational Excellence noted that these measures were linked to government targets that gave Arun limited scope to change them, and that amending them might be undesirable anyway as a baseline would be harder to establish with a moving target.

Another Member sought the reasons for the staff shortages given within CP26 [Major applications determined in 13 weeks or agreed extension of time]. The Group Head of Planning explained that major applications usually either involved a Section 106 Agreement or needed to come to Committee for approval, and, with either, it would not be possible to determine applications in 13 weeks. He further explained that the Council had had vacancies at experienced Planning Officer levels for a very long time, a situation that had worsen further in recent years, but that recruitment was proving unsuccessful and although consultants had been brought in to work at that level it was not the equivalent of having full-time permanent members of staff. The Committee then noted the report.

33. CONSULTATION ON A LOCAL DEVELOPMENT ORDER FOR THE BUTLINS COMPLEX, BOGNOR REGIS

Upon the invitation of the Chair, the Planning Policy Team Leader presented the report which sought the Committee's agreement to carry out consultations and advertise the making of a new Local Development Order (LDO) for the Butlins Complex, Bognor Regis with a view to a further report to Full Council to approve the adoption of the LDO following the consultation. Members who spoke were in support of the recommendations and highlighted the benefit to Arun in a reduction of applications to be processed, but did seek reassurances from Officers that there would be protections for adjacent residential properties. The Planning Policy Team Leader confirmed that there were height and buffer conditions attached to the order. The recommendations were then proposed by Councillor McDougall and seconded by Councillor Bower.

The Committee

RESOLVED

That the Planning Committee agree the principle of a Local Development Order for an initial period of three years for the Butlins Complex, Bognor Regis subject to the following;

The Group Head of Planning be granted delegated authority to;

- a. Carry out formal public consultation on the draft Local Development Order;
- b. Consider the representations to the draft Local Development Order and draft modifications, if necessary;

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- c. Obtain a resolution from Full Council to adopt the Local Development Order;
- d. Notify the Secretary of State that the order has been made as soon as reasonably practicable and no later than 28 days after the Local Planning Authority has adopted the Local Development Order.

34. CONSULTATION ON A LOCAL DEVELOPMENT ORDER FOR THE UNIVERSITY OF CHICHESTER, BOGNOR CAMPUS

Upon the invitation of the Chair, the Planning Policy Team Leader presented the report which sought the Committee's agreement to carry out consultations and advertise the making of a Local Development Order (LDO) for the University of Chichester, Bognor Regis Campus, with a view to a further report to Full Council to approve the adoption of the LDO following the consultation. It was confirmed that any such development would be for ancillary uses for staff and students and not for residential use. Members were in support of the report for the same reasons as the previous item. The recommendations were then proposed by Councillor Bower and seconded by Councillor McDougall.

The Committee

RESOLVED

That the Committee agree the principle of a Local Development Order for an initial period of three years for the University of Chichester, Bognor Campus subject to the following:

The Group Head of Planning be granted delegated authority to;

- a. Carry out formal public consultation on the draft of the Local Development Order;
- b. Consider the representations to the draft Local Development Order and draft modifications, if necessary;
- c. Obtain a resolution from Full Council to adopt the order;
- d. Notify the Secretary of State that the order has been made as soon as reasonably practicable and no later than 28 days after the Local Planning Authority has adopted the order.

(The meeting concluded at 4.20 pm)