

PLANNING COMMITTEE

15 November 2023 at 2.00 pm

Present: Councillors Hamilton (Chair), Wallsgrove (Vice-Chair), Blanchard-Cooper, Bower, Kelly, Lury, McDougall, Partridge, Patel, Tandy (Substitute for Northeast) and Woodman

Councillors Oppler, Warr and Worne were also in attendance for all or part of the meeting.

362. WELCOME

The Chair welcomed Members, the public, press and those watching the webcast to the meeting. During her welcome she advised that she would be making a change to the order of the agenda, in order to take Item 12 [Y/52/23/PL, LAND AT BILSHAM ROAD, YAPTON, BN18 0LA] as the first item. This was because the officer recommendation had been updated to recommend 'deferral' and as the application had significant interest with those in attendance at the meeting she felt it would be unfair to keep everyone waiting unnecessarily should the Committee be minded to approve the officers updated recommendation.

363. APOLOGIES

Apologies were received from Councillor Northeast.

364. DECLARATIONS OF INTEREST

Councillor Tandy declared a Personal Interest in agenda item 10 [LU/220/23/PL, THE MANSE, 2 ARUNDEL ROAD, LITTLEHAMPTON, BN17 7DB] as a member of Littlehampton Town Council and a member of their Planning Committee who had previously refused the application. He then made an open-minded declaration stating that he would listen to the professional advice given by the officers and will take a balanced view.

Councillor Patel declared a Personal Interest in agenda item 8 [AW/177/23/PL, WEST PARK CAFÉ, SILVERSTON AVENUE, ALDWICK, PO21 2RD] as a member of Aldwick Parish Council.

Councillor Woodman declared a Personal Interest in agenda item 10 [LU/220/23/PL, THE MANSE, 2 ARUNDEL ROAD, LITTLEHAMPTON, BN17 7DB] as a member of Littlehampton Town Council and a member of their Planning Committee who had previously refused the application. She then made an open-minded declaration stating, for the record she was here today with an open mind and with the benefit of the professional officers report, advice and listening to the debate she would be making and objective decision.

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365. MINUTES

The minutes from the previous meeting held on 18 October 2023 were approved and signed by the Chair.

366. 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

There were no urgent items presented at the meeting. However, the Chair proposed that Item 14 [SCHEME OF DELEGATION AND PLANNING PROTOCOL] be postponed to another meeting of the Committee as she felt a considered response was required. The proposal was seconded by Councillor Wallsgrove, however on putting it to the vote it was clear the rest of the Committee were not of the same view and therefore a postponement was not agreed.

367. Y/52/23/PL, LAND WEST OF BILSHAM ROAD, YAPTON BN18 0LA

5 Public Speakers

Dilys Lownsborough – Objector  
Carol Inglis – Objector  
Anna Harper – Applicant  
Sam Skyes – Agent  
Councillor Amanda Worne – Ward Member

Full Planning Application for the erection of 170 residential dwellings; with access and parking, the provision of open space, play space and ecology areas with associated vehicular and pedestrian access, attenuation ponds and landscaping and associated works. This application is a Departure from the Development plan and affects a Public Right of Way.

The Principal Planning Officer presented the report with updates, the Chair then asked the Committee if based on the officer update that had been provided as the recommendation had changed, would they like to defer the application without discussion. Upon taking the vote, 5 members voted for, 5 against with 1 member abstaining. Due to the vote being tied the Chair used her casting vote to vote against deferring the application without discussion. Each public speaker who had registered to speak was then invited to make their statements.

Members raised the following points during debate, concerns that the design of the application was out of keeping with the area, outside of the built-up area, did not meet the areas housing need, was a departure from the Development plan, weather related flooding and drainage concerns within the area due to the current sewer infrastructure. The Group Head of Planning addressed the committee to explain that the comments made relating to being outside the built-up area would not be able to used as a refusal reason due to a previous application on the same site having had permission granted. The Principal Planning Officer was then invited to respond to points raised

where he confirmed that the objection received relating to drainage concerns were in relation to surface water drainage issues only and he believed that these could be resolved through negotiation with the applicant and the Council's drainage engineers which would then result in the objection being removed.

Having listened to the debate Councillor Tandy proposed that the application be REFUSED for the following reasons

1. the development sits outside the Built-up Area Boundary of Yapton, and does not conform to the exceptions criteria outlined in policy H11 of the YNDP2. The proposal would therefore be in conflict with policies H1 and BB1 of the YNDP2, and policies CSP1 and SD SP2 of the Arun Local Plan.
2. The development would result in a loss of Grade 1 and Grade 2 agricultural land, contrary to policy SO DMI of the Arun Local Plan, policy E1 of the YNDP2, and paragraph 174b of the NPPF.
3. The application fails to provide an acceptable Flood Risk Assessment (FRA), Drainage Strategy and supporting information, contrary to NPPF paragraphs 167 and 169, and policies WDM2 and WDM3 of the Arun Local Plan.
4. The proposal by nature of its design fails to reflect the rural character of Yapton and Bilsham, contrary to policy D DM1 of the Arun Local Plan and police H4 of the YNDP2

This was duly seconded by Councillor McDougall and upon the vote being taken;

The Committee

#### RESOLVED

That the application be REFUSED for the following reasons

1. the development sits outside the Built-up Area Boundary of Yapton, and does not conform to the exceptions criteria outlined in policy H11 of the YNDP2. The proposal would therefore be in conflict with policies H1 and BB1 of the YNDP2, and policies CSP1 and SD SP2 of the Arun Local Plan.
2. The development would result in a loss of Grade 1 and Grade 2 agricultural land, contrary to policy SO DMI of the Arun Local Plan, policy E1 of the YNDP2, and paragraph 174b of the NPPF.
3. The application fails to provide an acceptable Flood Risk Assessment (FRA), Drainage Strategy and supporting information, contrary to NPPF paragraphs 167 and 169, and policies WDM2 and WDM3 of the Arun Local Plan.
4. The proposal by nature of its design fails to reflect the rural character of Yapton and Bilsham, contrary to policy D DM1 of the Arun Local Plan and police H4 of the YNDP2

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A short 5 minute adjournment was then taken by the Committee at 15:00pm.

368. A/11/23/PL, BMW HOUSE, CHANDLERS GARAGE LTD, WATER LANE, ANGMERING BN16 4EH

*(The meeting readjourned at 15:07pm)*

2 Public Speakers

Gian Bendinelli – Agent

Alex Fox – Supporter

Demolition of all buildings and structures and erection of retirement apartments with onsite parking including 2 N spaces for Eachways and associated highways works including footway widening (resubmission following A/110/21/PL). This application affects the setting of listed buildings, affects the character and appearance of Angmering Conservation Area and is in CIL Zone 2 and is CIL liable as Older People's Housing.

The Interim Head of Development Management presented the report.

Members raised the following points during their debate, the application was welcomed as the site had been an eyesore for many years and would now improve the visual amenity which was considered an improvement for the village. Concern was voiced relating to affordable housing not being provided and Condition 15 was queried in terms of the age restriction in place and was this in line with the national standard age. The Interim Head of Development Management confirmed that the condition was not standard, but one commonly added.

The recommendation was proposed by Councillor Bower and seconded by Councillor Wallsgrove.

The Committee

RESOLVED

That the application be approved conditionally.

369. A/106/23/PL, THE COACH HOUSE, ARUNDEL ROAD, FONTWELL BN18 0SX

2 Public Speakers

Simon Laparle – Applicant  
George Frost – Agent

Detached single storey teaching building clad in timber. This site is a departure from the development Plan and is in CIL Zone 3 (Zero Rated) as other development.

The Interim Head of Development Management presented the report with updates.

The recommendations were then proposed by Councillor Blanchard-Cooper and seconded by Councillor Tandy.

The Committee

RESOLVED

That the application be approved conditionally.

370. AW/177/23/PL, WEST PARK CAFE, SILVERSTON AVENUE, ALDWICK PO21 2RD

*(Councillor Patel redeclared his Personal interest in this item as a member of Aldwick Parish Council.)*

No Public Speakers

Removal of public toilets and change of use to café only (Sui generis to Class E/A3), refurbishment of existing café including alterations to existing layout and conversion of existing flat roof to useable terrace, and installation of verandah. This application is in CIL Zone 4 (Zero Rated) as other development.

The Interim Head of Development Management presented the report with a verbal update which detailed the following, a change to Condition 4 regarding amended opening times for the café in order to allow it to trade from 9am to 9:30pm to match with the opening times as set out in the lease for the property. Informative 7 had also been added to inform the applicant of the building regulations that may require installation of a lift, to ensure that the roof terrace could be made available for all users and finally that a further objection had been received from the Parish Council.

During the debate it was stated that it was concerning regarding the number of objections in relation to removal of the public toilets, as these weren't based on what was actually happening. It was suggested that maybe there should be a consideration that a report be taken to the Environment Committee in order to complete a review on this topic.

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The recommendations were proposed by Councillor McDougall and seconded by Councillor Wallsgrove.

The Committee

RESOLVED

That the application be approved conditionally

371. BR/83/23/PL, REGIS CENTRE CAR PARK, BELMONT STREET, BOGNOR REGIS PO21 1LE

6 Public Speakers

Councillor Bob Waterhouse – Bognor Regis Town Council  
Peter Coles – Objector  
Hugh Coster – Objector  
Louise Woodruff – Supporter  
Becky White – Supporter  
Councillor Jeanette Warr – Ward Member

Demolition of former fire station, and construction of a 5-storey, 116-bedroom hotel with ancillary restaurant and all associated works. This application affects the setting of Listed Building and is in CIL Zone 4 (zero rated) as other development.

The Principal Planning Officer presented the report with updates. After the public speakers were heard, non-committee member Councillor Oppler was invited to address the Committee. The Principal Planning Officer was then invited to respond to any points raised where he addressed the parking concerns that had been made and commented that regarding the residential amenity concerns highlighted, the Arun Design Guide refers to 'rear to rear interface distances of 21 meters or front to front of 16 meters', he confirmed that this relationship was clearly a front to front arrangement and that the 25-degree rule only applies to rear to rear relationships. In summing up he confirmed that Environmental Health nor the Councils Conservation Officer had raised any objections.

Members made the following points during the debate; parking provision was still a concern as it was believed to be vital to the Theatre. The level of disabled parking provision of only 5 spaces was commented to not be good enough. Further comments were made in relation to the wheelchair passing place documented within the Hotel was felt to not be a practical solution, the specifications of the wet rooms were also felt to not be practical for wheelchair users. Concerns were also raised regarding the accessibility for wheelchair users and the current plans mean that these individuals would be required to travel around the entire building due to it having no rear entrance, other than that through a restaurant, which was commented not to be practical. Discussion was also had on the impact to those residents situated at Berkley Court where possible reasons for refusal were considered. However, it was also raised that a previous application BR/156/16PL had been refused and when appealed has been

overturned. Final comments were that a hotel located on Bognor Regis seafront was essential and would benefit the economy of Bognor Regis greatly.

The recommendation was proposed by Councillor Bower and seconded by Councillor Wallsgrove.

The Committee

RESOLVED

That the application be approved conditionally subject to a S106 agreement.

Due to the time and as outlined at Part 5, Rules of Procedure (meetings), Section 2, Committee Procedure Rules, Paragraph 8.1, members then took a vote to extend the meeting by an additional 30 minutes to allow for the remaining business on the agenda to be completed.

372. LU/220/23/PL, THE MANSE, 2 ARUNDEL ROAD, LITTLEHAMPTON BN17 7DB

*(Councillors Woodman and Tandy both redeclared their Personal interest in this item as members of Littlehampton Town Council and its Planning Committee.)*

1 Public Speaker

Catherine Hill – Applicant

Lounge conversion to increase bed spaces from 6 to 7 HMO. This site is in CIL zone 4 and is CIL Liable as dwelling.

The Senior Planning Officer presented the report.

Members raised the following points during debate, support was expressed for the work completed by Turning Tides and the support they provide to those in the community that need it. It was commented that there had been a concern regarding toilet and bathroom facilities, however these had been alleviated after the officer provided some additional information outside of the meeting. It was confirmed that the previous concerns considered by Littlehampton Town Council were in relation to the amount of amenity space within the development.

The recommendation was then proposed by Councillor Lury and seconded by Councillor McDougall.

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The Committee

RESOLVED

That the application be approved conditionally

373. R/163/23/PL, 43 OLD MANOR ROAD, RUSTINGTON BN16 3QS

*(Councillor Woodman left the meeting at the start of this item and did not return.)*

1 Public Speaker

Chloe Jolley – Objector

Erection of block of 5 garages. This application is in CIL Zone 4 (zero rated) as other development.

The Interim Head of Development Management presented the report. After the public speaker was heard, the presenting officer was invited to respond to comments made where he stated that the comment regarding the access becoming a through-road was unfair, conditions could be implemented to manage any unauthorised commercial uses and should these be breached, the Council would take measures to ensure the conditions were met. He also confirmed for members that the comments relating to land ownership were a civil matter and not one for the committee to address.

Members raised the following points during the debate, a suggestion was made by the Interim Head of Development Management that a further condition could be added to address the Surface Water drainage concerns, which was supported by Councillor Wallsgrove. Further clarity was sought regarding the access through-road and concern was raised regarding the potential for the garages to be used commercially. In response to the comments made regarding the previous application that had been refused it was clarified that the current application was for 5 garages a reduction of 2 from the previous application. It was also reconfirmed that should members be minded to approve the application they would not be providing the applicant with any form of legal ownership over the land permission. Reasons for refusal were discussed of which the number of garages were raised as a concern, the Group Head of Planning advised members of a similar application that had been refused on the grounds of noise and disturbance from vehicles coming and going, with the subsequent appeal having been allowed there should not be an automatic assumption that these would be sufficient with this application.

The officer recommendation was proposed by Councillor Partridge and seconded by Councillor Wallsgrove; the vote was LOST with all members unanimously voting against the application.

It was then proposed by Councillor Bower that the application be REFUSED due to an over intensification of garages in a domestic area. The presenting officer suggested some stronger wording for members to consider as an appropriate refusal reasoning. "The proposed garages by reason of their excessive number, siting and close proximity to the host and neighbouring residential properties and the significantly increased vehicular activity and disturbance will result in an unacceptable detrimental impact on the residential amenities of existing neighbouring residential occupiers in conflict with policies D DM1 and QE SP1 of the Arun Local Plan, Arun Design Guide and the NPPF."

This was formally proposed by Councillor Bower and seconded by Councillor Lury.

The Committee

RESOLVED

That the application be REFUSED due to the proposed garages by reason of their excessive number, siting and close proximity to the host and neighbouring residential properties and the significantly increased vehicular activity and disturbance will result in an unacceptable detrimental impact on the residential amenities of existing neighbouring residential occupiers in conflict with policies D DM1 and QE SP1 of the Arun Local Plan, Arun Design Guide and the NPPF.

374. APPEALS

Members noted the appeals list presented.

375. SCHEME OF DELEGATION AND PLANNING PROTOCOL

Due to the meeting guillotine, this item was immediately proposed by Councillor Bower to be deferred to the next meeting of the committee; this was duly seconded by Councillor Lury.

The Committee

RESOLVED

That this item be deferred to its committee meeting due to be held on 13 December 2023.

(The meeting concluded at 5.21 pm)