

PLANNING COMMITTEE

20 March 2024 at 2.00 pm

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

Councillors Elkins, Gunner and Turner were also in attendance for all or part of the meeting.

726. APOLOGIES

No apologies were received for the meeting.

727. DECLARATIONS OF INTEREST

The Declaration of Interest Sheet set out below confirms those Members who had made a declaration of their personal interest as a Member of a Town or Parish Councillor or a West Sussex County Councillor, as confirmed in their Register of Interest as these declarations could apply to any of the issues to be discussed at the meeting:

Name	Town or Parish Council or West Sussex County Council [WSSCC]
Councillor Billy Blanchard-Cooper	Littlehampton
Councillor Martin Lury	Bersted
Councillor Mike Northeast	Littlehampton
Councillor Peggy Partridge	Rustington
Councillor Freddie Tandy	Littlehampton
Councillor Sue Wallsgrove	Barnham and Eastergate
Councillor Bob Woodman	Littlehampton

Councillor Lury additionally declared a Predjudicial Interest in Item 9 [BR/6/24/PL 1 ARGYLE ROAD, BOGNOR REGIS PO21 1DY] and confirmed he would leave the Chamber whilst the application was discussed.

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728. MINUTES

The minutes of the previous meeting held on 14 February 2024 were approved and signed by the Chair.

The Chair then advised the Committee that there would be a change to the order of the agenda where agenda item 11 [LU/305/23/PL ANTONIA COURT, TERMINUS ROAD, LITTLEHAMPTON BN17 5BS] would be swapped with agenda item 9 [BR/6/24/PL 1 ARGYLE ROAD, BOGNOR REGIS PO21 1DY].

729. 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 for the meeting.

730. LU/299/22/PL LAND NORTH OF LITTLEHAMPTON ACADEMY, LITTLEHAMPTON

The Chair confirmed that the item had been withdrawn from the agenda for the meeting. This was due to the applicant confirming that they would accept the in-perpetuity clause and on that basis, officers were now able to exercise the delegated authority previously granted by Members.

731. AB/8/24/HH 54 TORTON HILL ROAD, ARUNDEL BN18 9HH

1 Public Speaker

Alice Grimson – Objector

Raised terrace to rear of property.

The Principal Planning Officer presented the report with updates from the update report published on the website on Tuesday 19 March 2024.

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

Members then took part in a debate on the application where drainage concerns were raised. Members felt strongly that they could not make a decision on the application without comment from a drainage engineer and as there was no comment

from a drainage engineer included with the application it was proposed by Councillor Lury that the application be deferred until a site visit could be undertaken with a drainage engineer in attendance, this was seconded by Councillor Blanchard-Cooper.

The Committee

RESOLVED

That the application be DEFERRED until a site visit could be undertaken.

732. AB/9/24/PL ORCHARD HOUSE, 33A TORTON HILL ROAD, ARUNDEL BN18 9HF

No Public Speakers.

Demolition of existing dwelling and erection 1 No. replacement dwelling with associated landscaping. This application is in CIL Zone 2 and is CIL liable as a new dwelling.

The Principal Planning Officer presented the report.

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

The Chair then opened the debate where a query was raised regarding the distance between the two neighbouring properties. It was confirmed by the Principal Planning Officer that the distance was estimated to be two thirds of the width to the property at number 9.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY.

733. LU/305/23/PL ANTONIA COURT, TERMINUS ROAD, LITTLEHAMPTON BN17 5BS

2 Public Speakers

Sarah Tyrell - Objector.
Tania Tindale - Agent.

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Erection of an upward extension to the existing three storey residential building to provide two additional floors comprising 8 No. flats along with associated external alterations to the existing building. This application may effect the setting of listed buildings, may effect the Littlehampton River Road Conservation Area and is in CIL Zone 4 (Zero Rated) as flats.

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

After the public speakers had been heard the Interim Head of Development Management was invited by the Chair to address comments made. He confirmed that the report detailed that the site was within a conservation area and nearby to listed buildings. He drew members attention to the Conservation officer's comments relating to the benefits of the application that outweighed the harm identified.

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

Members then took part in a debate on the application where several points were raised including concerns over the height of building, the application was considered to be overdevelopment, overbearing with a lack of parking to be provided. Comments were made regarding Part P of the Arun Design Guide, specifying that development should 'continue the rhythm of the street'. It was also debated that the application could have a detrimental impact on the views of the surrounding area. The suggestion of a site visit was made; however, members were reminded that a site visits purpose was to allow for specific elements that needed to be viewed from inside the site location, however anything that could be viewed from the public realm should have already been undertaken by members.

The Interim Head of development Management addressed concerns raised relating to parking by stating that the area was highly sustainable with access to public transport. He also reminded members that whilst there would be no new parking allocation for new flats, there was already existing parking arrangements in place that would remain.

Upon taking the vote on the officer recommendation, it was LOST. Members then had a detailed discussion on their reason for refusal for the application and advice was sought from the Interim Head of Development Management where it was agreed that by virtue of its additional bulk and height and detailed design the proposed development would appear overbearing, unduly prominent and out of keeping with the prevailing pattern of development within the conservation area setting. The proposals are thereby contrary to policies DDM1 HER DM3 of the Arun Local Plan and the level of demonstrable harm to designated heritage assets would not be outweighed by the public benefits. This was proposed by Councillor Bower and seconded by Councillor Woodman. In line with the constitution Part 8, Codes and Protocols, section 3, Planning Protocol, Rule 12.5 (iv) a recorded vote was undertaken. Those voting for the

recommendation were Blanchard-Cooper, Bower, Hamilton, Kelly, Lury, McDougall, Northeast, Partridge, Patel, Wallsgrove and Woodman (11). The vote was unanimous.

The Committee

REESOLVED

That the application be REFUSED by virtue of its additional bulk and height and detailed design the proposed development would appear overbearing, unduly prominent, and out of keeping with the prevailing pattern of development within the conservation area setting. The proposals are thereby contrary to policies DDM1 HER DM3 of the Arun Local Plan and the level of demonstrable harm to designated heritage assets would not be outweighed by the public benefits.

A short adjournment was then taken at 15:12 to allow members to take a comfort break.

734. K/46/23/PL LAND NORTHEAST OF KINGSTON LANE, KINGSTON

The meeting resumed at 15:19.

7 Public Speakers

Cllr Roger Wetherell - Kingston Parish Council.
Cllr Christine Bowman - East Preston Parish Council.
Mr Michael Barker - Objector.
Mr Roger Robinson-Brown - Objector.
Mr Peter Cleveland - Agent.
Cllr Mark Turner - Ward Member.
Cllr Roger Elkins - Ward Member.

Erection of 47 No. residential dwellings (including affordable homes) (resubmission following K/56/22/PL). This application is a Departure from the development Plan and is in CIL Zone 5 and is CIL liable as new dwellings.

The Interim Head of Development Management presented the report with updates. He also confirmed that a 2-meter footpath was to be provided, this question had been raised at the site visit that had taken place ahead of the meeting. As the location of the site was Grade 1 Agricultural Land, he also drew members attention to a recent appeal decision of another similar application where refusal of the application due to the land grading had been overturned by the appeal inspector on the grounds that the level of harm was classed as moderate.

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After the speakers had been heard the Interim Head of Development Management was invited by the Chair to address comments that had been made. He stated that the council was unable to demonstrate a 5-year housing land supply and that the tilted balance applied. He addressed the drainage concerns that had been made and readvised the committee of the recent appeal that had been overturned by the appeals inspector. He outlined the differences between that site and this site and stated that the application was arguably less harmful than the overturned appeal site. In addressing comments made regarding the protection of agricultural land he referred back to the status and weight that had been applied previously as having been a 'moderate level of weight'.

The recommendation was proposed by Councillor McDougall and seconded by Councillor Partridge.

Members then took part in a full debate on the application where the following points were raised, concerns relating to developers returning with future applications for more houses should the application be approved, the layout of the application was commented as 'uninspiring'. Concerns regarding the footpath were raised as it was felt that Kingston Lane was already not wide enough for vehicles to pass each other, let alone accommodate a footpath. Additionally concerns raised by members of the public relating to the level crossing were commented on. An early suggestion for a refusal reason was suggested by one member that the application would cause demonstrable harm to the gap and countryside. Comments were also made regarding the application being a departure from the development plan and outside the built-up boundary. Members also considered the impact should the application be refused and then overturned on appeal, specifically the costs that would be incurred by the council.

The Group Head of Planning then reminded members, that all comments made by them during their debate had already been given prior consideration. He stated he understood that national policies were not favourable, however should the application be refused, an inspector would conclude that the impact on the gap was not significant enough. He explained to members that in planning terms the site was a good site and member would need to be able to demonstrate the weight afforded to the pro's of the application, as defending the application for refusal would be very difficult and it would be likely that any inspector would find in favour of the developer. The Interim Head of Development Management then advised that the transport contribution had now been agreed in accordance with policy. He also stated that the application would provide CIL contributions that would be managed through the S106 agreement.

As requested during the debate a recorded vote was then undertaken. Those voting for the application were Blanchard-Cooper, Hamilton, McDougall, Northeast, Wallsgrove and Woodman (6). Those voting against the application were, Bower, Kelly, Lury, Partridge and Patel (5). There were no abstentions.

The Committee

RESOLVED

That the application be APPROVED WITH A S106 AGREEMENT.

735. BR/6/24/PL 1 ARGYLE ROAD, BOGNOR REGIS PO21 1DY

(Councillor Lury redeclared a prejudicial interest in this item and left the meeting during its debate and vote.)

No Public Speakers

Conversion of an existing 2 storey, 4 bedroom end of terrace house into 2 No. 2 bedroom flats. This application is CIL Zone 4 (zero rated) as other development.

The Senior Planning Officer presented the report with updates.

The recommendation was proposed by Councillor Blanchard-Cooper and seconded by Councillor Woodman, as there was no debate the application was put to the vote.

The Committee

RESOLVED

That delegated authority be given to the Group Head of Planning in consultation with the Chair and Vice-Chair with authority to:

- a. Grant planning permission subject to conditions; and
- b. Subject to a Section 106 (Paghams) Agreement, the terms of which are substantially in accordance with those set out in this report with any minor amendments authorised by the Group Head of Planning.

736. M/9/24/HH 44 SOUTHDEAN DRIVE, MIDDLETON ON SEA PO22 7TB

(Councillor Lury returned to the meeting at 16:45 at the start of this item)

No Public Speakers.

First floor rear infill extension; Loft conversion and internal alterations; New roof windows to the front and rear elevations; New Juliet balcony to the rear elevation.

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The Principal Planning Officer presented the report.

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

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY.

737. APPEALS

It was confirmed that the list had been updated since publication of the agenda and A/216/22/PL had now been dismissed.

Members noted the appeals list presented.

(The meeting concluded at 4.50 pm)