

PLANNING COMMITTEE

19 February 2025 at 2.00 pm

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

Councillors O'Neill, Penycate and Tandy were also in attendance for all or part of the meeting.

Apologies: Councillors Bower and Lury.

541. 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:

<b>Name</b>	<b>Town or Parish Council or West Sussex County Council [WSSCC]</b>
Councillor Billy Blanchard-Cooper	Littlehampton
Councillor June Hamilton	Pagham
Councillor Martin Lury	Bersted
Councillor Mike Northeast	Littlehampton
Councillor Peggy Partridge	Rustington
Councillor George O'Neill	Littlehampton
Councillor Sue Wallsgrove	Barnham and Eastergate
Councillor Bob Woodman	Littlehampton

Councillor Warr declared a Personal Interest as a member of Bognor Regis and Bersted Parish Councils.

The Chair then called a short adjournment so that officers could deal with a technical issue.

*The meeting was adjourned from 14:07pm and restarted at 14:12pm.*

542. MINUTES

The Minutes of the previous Special meeting held on 29 January 2025 were approved by the Committee and signed by the Chair.

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543. 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.

544. LU/242/24/PL 1-5 ST MARTINS LANE, LITTLEHAMPTON BN17 6BS

Change of use to F1 and F2 community centre and place of worship. This application is in CIL Zone 4 (zero rated) as other development.

The Team Leader (Development Management) presented the update report to members. Where he explained that the application had been deferred at the Planning Committee held on 15 January 2025 to give time to WSCC Highways and Environmental Health (EH) to review further information submitted by the applicant to overcome their objections. WSCC Highways reviewed the Travel Plan and raise no objection to securing a condition requiring Travel Information Packs be provided to all users of the site and encouragement of using public transport. On this basis the reasons for refusal on the grounds of impact to highway amenity and parking provision was withdrawn.

An acoustic report and other supplementary information was also provided by the applicant to overcome the EH objection, however EH maintain their objection following review of the additional information. They cannot support the hours of use being 04:30am to 10:30pm due to the negative impact this would have on neighbouring amenities in the early hours of the morning. Members were also informed that there was an EH Officer virtually in attendance at the meeting in order to answer any additional questions they had. Finally, he confirmed that the council had been in contact with the applicant to discuss their current use of the United Reform Church, specifically in relation to early morning prayers. The applicant confirmed that the church had not been used for early morning prayers, nor was it used for all five daily prayers. But it was used for Friday prayers, Eid prayers and late evening prayers during Ramadan.

In summing up the Team Leader (Development Management), advised that in light of the updated comments received from WSCC Highways and EH, the recommendation before members was still to refuse the application, however there was now only one reason for refusal regarding noise pollution and its impact on neighbouring amenity.

The Chair then invited members to debate and or ask any questions they had, where the reasoning for EH maintaining their objection was thoroughly questioned, it was confirmed by the EH Officer that the 04:30am start time was the significant concern given the very close proximity of the residential houses. Members where of the opinion that other surrounding factors such as the Pub, the Bakery and local supermarket who all impact the noise levels during late or early hours from the pub's late night operating hours to early morning deliveries to the Bakery and Supermarket. Member's highlighted that the number of people who would be attending early morning prayers would be between 2 and 8 people of which they felt would not cause significant noise. The also

asked how many letters of objection had been received specifically from the neighbours located opposite the site where it was confirmed that due to the reporting of objections this information could not be provided, however 1 letter of support had been received from a nearby neighbour. It was asked if the applicant would be prepared to hold their morning prayers at another location, the Officer confirmed that the applicant had been asked if they would be willing to accept a condition to exclude early morning use to which they replied they could not accept a condition that prevented early morning prayers as this would directly impact, their fundamental religious obligations as well as explaining that it would the impact their right to freedom of thought, belief and religion of the Equality Act and Article Nine of the human rights Act 1998.

Members continued to question EH's objection and the rationale for causing substantial harm where it was asked if it had been considered that for those people attending early morning prayers, could they use the back door instead of the front entrance as this was situated by the supermarket and therefore would remove the concern of any noise impacting the residents located opposite the main entrance. It was confirmed that this had not been discussed with the applicant, however the plans did show an entrance at the back of the property adjacent to the Supermarket that could be used. Following further comments made the Group Head of Planning was invited to address the committee where he advised that the recommendation before them was based on the opinions of Planning Officers and Consultees, members did not need to accept these, as they were the decision makers. There was agreement from members that a condition should be added to state that for early morning prayers the back door was used as the entrance to the property.

As there were no further comments the Chair asked members for a proposer and seconder for the officer recommendation where it was confirmed that the recommendation was proposed by Councillor Woodman and seconded by Councillor Partridge. Upon the vote being taken the recommendation FELL. The Chair then advised members that they now needed to agree a new recommendation and invited the Vice-Chair to address the Committee, where she stated that she would like to see a condition added to ensure that those people attending early morning prayers, only enter the building via the back door.

It was stated by the Group Head of Planning that there had been some suggested conditions drafted by the Team Leader (Development Management), the Chair then invited him to update the committee with these conditions.

The development begins within three years. The development complies with the plans that have been submitted. There be no sound reproduction or amplification equipment which is audible outside the site boundary. The times that the building was allowed to operate is from between 4:30am and 10:30pm every day of the week. The applicants to submit a noise management plan to include entry to the site via the back entrance for early morning prayers. Also, within the noise management plan, it should detail management responsibilities, for example how the applicants will seek to control the people who visit. One of those suggestions could be do not park in the allocated parking spaces for the site, park in the Council's car park. The need to ensure that the parking spaces provided are brought into use because they are changing. Also, the

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county council's condition for a travel information pack being provided to encourage use other than by car. The applicants have also suggested that up to 150 people could attend the site at any one time so a condition, stating no more than 150 people would be required. There would also be a need for two informative conditions these being a general one to say why the decision has been made and a second to state the biodiversity net gain was not relevant in this application.

The Chair then confirmed with the Committee that they were clear on the suggested conditions as presented by the Planning Team Leader. The recommendation to approve the application as per the conditions was then proposed by Councillor Northeast and seconded by Councillor Wallsgrove. The Chair then invite the Committee Manager to undertake a recorded vote where the result was.

Those voting FOR were Councillors Blanchard-Cooper, Gunner, Hamilton, Kelly, McDougall, Northeast, Partridge, Patel, Wallsgrove, Warr and Woodman (11). Therefore, the application was unanimously approved.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY.

545. AL/89/24/OUT LAND AT WOODGATE NURSERIES, LIDSEY ROAD, WOODGATE

1 Public Speaker

Nigel Jarvis, Agent

Outline planning will all matters reserved (except access) for the demolition of existing redundant nursery buildings and other structures and erection of a residential development of with up to 130 No. dwellings, informal, and formal public open space, landscaping, drainage and other associated works. This application may be a Departure from the Development Plan.

The Planning Officer presented the report to members with updates.

The recommendation was proposed by Councillor Partridge and seconded by Councillor Blanchard-Cooper.

The Chair then invited member debate where it was stated that it was pleasing to see that Southern Water were going to complete the reinforcement works. A question was raised regarding the square meter footage of the play area was raised where it was confirmed that this was conditioned within the application and the detail could be seen at condition 8. As there were no other comments, the Chair went to the vote.

The Committee

RESOLVED

DELEGATED to the Group Head of Planning in consultation with the Chair or Vice-Chair authority to grant outline planning permissions subject to conditions and subject to a Section 106 Agreement, the terms of which are substantially in accordance with those set out in the report with any minor amendments authorised by the Group Head of Planning. Should the Section 106 not be completed, then the application shall be refused, for the following reasons the absence of affordable housing provision, lack of travel plan and highway improvements necessary to make the development acceptable.

546. FG/92/24/PL LAND REAR OF 1 SEA ROAD, FERRING BN12 5HD

1 No dwelling. This application is in CIL Zone 4 and is CIL Liable as a new dwelling.

The Team Leader (Development Management) presented the report update to members which had been brought to Committee to correct inaccuracies in the previously presented presentation. The officer confirmed that the update report made no change to the original recommendation of approval, members were being asked to reconsider the application with the correct measurements.

The recommendation was proposed by Councillor Patel and seconded by Councillor Gunner.

As there was no member debate, the Chair put the recommendation to the vote.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY.

547. WA/52/24/ERS LAND WEST OF YAPTON LANE, WALBERTON

4 Public speakers

Andrew Vawer, Walberton Parish Council  
Martin Downs, Objector – Not present  
Peter Cleveland, Agent  
Councillor Mel Penycate, Ward Member

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Approval of reserved matters relating to appearance, landscaping, layout and scale for the erection of 48 dwellings, dental surgery (use class E(e)), substation, foul-pump station, public open space and associated works pursuant to outline application WA/2/22/OUT. This application may affect the setting of listed buildings and may affect the character and appearance of the Walberton Village conservation area. This application is in CIL zone 3 and is CIL liable for new dwellings.

The Planning Officer presented the report to members with updates.

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

Upon the Chair opening debated there were comments from members relating to the affordable housing mix figure and the suggestion of Grampian conditions being considered in relation to sewage and flooding experienced in the area. The Chair invited the Group Head of Planning to address the committee where he reminded members that the report before them was a reserved matters application and confirmed that the only matters for determination were those on layout, appearance and scale.

There was clarification sought regarding how many of the properties would be wheelchair complaint, the officer confirmed it was 2 properties which was in line with policy as well as 48% of the properties built to be wheelchair accessible with the ability to then be fully converted when purchased. One member raised that they felt the design of the properties were out of keeping with the surrounding area, no other comments were then made, so the Chair put the recommendations to the vote.

The Committee

RESOLVED

That the application be APPROVED CONDITIONALLY.

548. WA/65/24/PL LOWER FARM, YAPTON LANE, WALBERTON BN18 0AS

1 Public Speakers

John Hall, Agent

Addition of 3 No. 5ha glasshouses, ancillary structures and reservoir to existing permission for 1 x 5ha glasshouse and reservoir. This application is in CIL Zone 3 (Zero Rated) as other development.

The Planning Officer presented the report to members with updates.

The recommendation was proposed by Councillor Wallsgrove and seconded by Councillor Blanchard-Cooper.

In opening debate on the application, the Chair invited the Vice-Chair to address the committee where she stated that she was pleased to hear that the runoff surface water would be filtered before it entered the rife, along with the blackout screens to minimise light pollution impact. A concern was raised regarding the height of the glasshouses and were they sloped or a different height near the other buildings and there was surprise that there had been no objections received from the buildings nearby. The officer confirmed that the glasshouses were not different heights, 2 comments had been received but neither of these where from the nearby building occupiers.

As there were no other comments or questions to be asked the Chair put the recommendation to the vote.

The Committee

#### RESOLVED

That delegation be given to the Group Head of Planning in consultation with the Chair and Vice-Chair with authority to APPROVE CONDITIONALLY SUBJECT TO A S106 AGREEMENT.

#### 549. APPEALS

Members noted the appeals report.

#### 550. PLANNING COMMITTEE REPORT Q3 PERFORMANCE

The Group Head of Planning presented the report to members explaining that provided the committee with and update on the quarter 3 performance outturn for its key performance indicators. He stated that he was pleased to report that as set out in the report for indicators CP26, 27 and 28 the team had achieved a green status all of those indicators and more recently the data showed the team to be excelling in these areas. He confirmed that 157 applications had been determined within the timeframe and the only applications that had not been achieved within timeframe were those which had a s106 required or that had needed to come to committee for determination. In summing up he confirmed that the rolling 12-month data showed very good performance overall and stated that over the last 4/5 years performance had improved significantly and continued to do so.

In opening debate, congratulations and thanks to the planning team was expressed. A query was raised as to why the committee was receiving KPI's for all committees and not just its own relevant indicators where the Group Head of Planning provided and explanation for the change in reporting. With no other comments wanting to be made, members noted the report.

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551. APPEALS 2024 REPORT

The Group Head of Planning presented the report to members where he explained that the report outlined how the Council had performed in the calendar year of 2024 in respect of appeals. He also advised that item 14 presented in the agenda was the appendix to this report and not a separate agenda item to be discussed. He confirmed that significant improvement had been made over the last 6/7 years in this area and that this was first year the team had achieved a 75% dismissal rate, which demonstrated an improvement in the quality of decision making.

The Chair stated that he was pleased with the good all-round performance from the team. As there were no other comments or questions, members noted the report.

552. APPEALS SUMMARY 2024

The Group Head of Planning confirmed that this agenda item was the Appendix to Agenda Item 13.

(The meeting concluded at 3.34 pm)