

**Minutes of a Meeting of the  
Development Control Committee  
7 December 2009**

Councillor Pat Beresford (Chairman)  
Councillor Angie Mills (Vice-Chairman)

Councillor Brian Boggis  
\* Councillor Brian Coomber  
Councillor Emma Evans  
Councillor Fred Lewis

Councillor Peter Metcalfe  
Councillor Janet Mockridge  
Councillor Ben Stride

\* Absent

**DCC/283/09-10                      Declarations of Interest/Substitute Members**

Councillor Laura Graysmark declared her substitution for Councillor Brian Coomber.

Councillor Fred Lewis declared a prejudicial interest in application ADC/0365/09 and left the room during its consideration.

Councillor Janet Mockridge declared a personal interest in application ADC/0427/09 as a member of West Sussex County Council.

Councillor Angie Mills declared a personal interest in applications ADC/0334/09, ADC/0392/09 and ADC/0388/09 as the Ward Councillor.

**DCC/284/09-10                      Confirmation of Minutes**

**Resolved** that the minutes of the meeting of the Committee held on 9 November 2009 be approved as a correct record and that they be signed by the Chairman.

**DCC/285/09-10                      Items Raised under Urgency Provisions**

There were no items raised under Urgency Provision.

**DCC/286/09-10                      Planning Applications**

The Committee received the report of the Executive Head of Planning, Regeneration and Wellbeing on planning applications, copies of which had been circulated to all Members and a copy of which is attached to the signed copy of these minutes as Item 4.

**Resolved** that the applications for planning permission set out in the report of the Executive Head of Planning, Regeneration and Wellbeing as Item 4, be determined subject to the reasons for refusal or approval and conditions as attached in Appendix A.

**DCC/287/09-10**

### **Questions and Statements by the Public**

The Chairman invited members of the public to ask questions or make statements about any matter for which the Council had a responsibility or which affected the district. There were no questions or statements from the public.

**DCC/288/09-10**

### **Enforcement of Planning Control**

Before the Committee was a report by the Executive Head of Planning, Regeneration and Wellbeing, copies of which had been circulated to all Members and a copy of which is attached to the signed copy of these Minutes as Item 6.

#### **Resolved,**

That the Council is not prepared to grant planning permission for the unauthorised change of use, whether subject to conditions or not, and that an Enforcement Notice be issued as follows:-

Matters constituting the breach of planning control:- The change of use from a dwellinghouse into 3 flats (including a flat on the ground floor) instead of 2 flats as permitted under ADC/0555/07

Requirements to comply:- To permanently cease the use of the groundfloor as a separate flat to and restore it to storage or other non-habitable use ancillary to the flats above.

Reason:- It appears to the Council that the breach of planning control has occurred within the last 4 years. The building lies within a flood risk area (zone 3) and the use of the ground floor as a separate dwelling poses unacceptable risk to the safety of the occupants and conflicts with PPS25 and policy NRM4 of the South East Plan. The residential amenities of the flat also fall below an acceptable standard on account of the poor level of daylight to and outlook from the livingroom.

Time for Compliance:- 12 months

**DCC/289/09-10**

### **Planning Appeals**

Before the Committee was a report by the Executive Head of Planning, Regeneration and Wellbeing, copies of which had been circulated to all Members and a copy of which is attached to the signed copy of these Minutes as Item 7.

**Resolved,** that the planning appeal set out in the report be noted.

The Chairman closed the meeting at 7:55pm, it having commenced at 7:00pm.

**Chairman**

**Application Number: ADC/0365/09**

**Site: 27 and 29 Penhill Road, Lancing BN15 8HA**

**Proposal: Demolition of bungalow (No.27) and redevelopment including disused storage site (No.29) with 4 three-bedroom terraced houses at rear and 1 three-bedroom detached house at front with 10 car parking spaces, storage for 12 bicycles and refuse/recycling storage**

Representations received and noted.

Further representations made at the meeting:-

Objector: None

Parish Representative: None

Ward Councillor: None

Applicant or Agent / Supporter: N/A

### DECISION –

Subject to completion of a satisfactory section106 Obligation undertaking to pay £5,478 towards sustainable transport improvements in the area, APPROVED for the reason that:-

The proposed development is within the built-up area and would help meet the need for additional housing without detracting from the existing local urban environment. It can take place without resulting in unacceptable detriment to the amenities of neighbouring properties and without detracting from highway safety. It would consequently not conflict with the relevant policies of the Adur District Local Plan (AG1, AH2) and The South East Plan (SCT1, SCT5, H1-2, H5, T4, BE1-2).

Subject to:-

1. C1Ci (Standard time limit)
2. C7Ci (Details of walls/fences to be approved and implemented)
3. C8Biv (Parking spaces, access facilities and cycle storage related to dwellings to be constructed and retained) (amended)
4. C9Ai (Pavement crossing details for widened access)
5. C9F (Pedestrian visibility splay westwards) (amended)
6. C9G (Vehicular visibility splay westwards to be 2.4m by 43m) (amended)
7. C9N (Temporary provision for contractors' vehicles, materials, etc on the site)
8. C12Aii (Schedule and samples of external materials for walls and roofs of buildings to be approved)
9. C14A3 (Permission relates to application as amended by revised plans 02C & 03C received on 18 November 2009)
10. C18B (Removal of PD rights for extensions or curtilage buildings over 5 cubic metres)
11. C18E3 (No windows to be formed in the side walls of the houses without planning permission)
12. C18Rii (Investigation and remediation of contamination)
13. C18R3 (Unsuspected contamination remediation)

**Application Number: ADC/0334/09**

**Site: 'The Old Forge' 2 Mill Road, Lancing BN15 0PT**

**Proposal: Attached garden room /toilet and pitched roof on utility area**

Representations received and noted.

Further representations made at the meeting:-

Objector: None

Parish Representative: None

Ward Councillor: None

Applicant or Agent / Supporter: N/A

**DECISION –**

APPROVED for the reason that:-

The proposed development would not detract from the local environment, would preserve or enhance the character and appearance of the Conservation Area and can take place without resulting in unacceptable detriment to the amenities of neighbouring properties. It would consequently not conflict with the policies of the Adur District Local Plan (AG1, AH7, AB4)

Subject to:-

1. C1Ci (Standard time limit)
2. C12Eii (External walls & roof of extension to match existing)
3. C14A3 (Permission relates to application as amended by revised plan dated 13 November 2009)
4. C18E3 amended (No windows to be formed in the east side wall or roof of the garden room and the north side wall or roof over the utility area without planning permission)
5. The rooflights to be used in the proposed garden room extension shall be 'conservation' style rooflights, fitted flush with the roofsope, in accordance with details to be submitted to and approved in writing by the local planning authority.

**Application Number: ADC/0392/09**

**Site: 23 Mill Road, Lancing BN15 0PX**

**Proposal: Single-storey rear extension**

Representations received and noted.

Further representations made at the meeting:-

Objector: Kate Wallace

Parish Representative: None

Ward Councillor: None

Applicant or Agent / Supporter: Mr Penfold

**DECISION –**

APPROVED for the reason that:-

The proposed development would preserve the character and appearance of the Conservation Area and can take place without resulting in unacceptable detriment to the amenities of neighbouring properties. It would consequently not conflict with the policies of the Adur District Local Plan (AG1, AB4, AH7).

Subject to:-

1. C1Ci (Standard time limit)
2. C12Eii (External walls and roof of extension to match existing)
3. C18Eiv (No windows or rooflights to be formed in the north side wall of the extension without planning permission)

**Application Number: ADC/0301/09**

**Site: 2 Oxen Avenue, Shoreham-by-Sea BN43 5AF**

**Proposal: Detached three-bedroom chalet-style dwelling (with dormers) and front parking space (on north-east side of existing dwelling)**

Representations received and noted.

Further representations made at the meeting:-

Objector: Mr R Moore

Parish Representative: None

Ward Councillor: None

Applicant or Agent / Supporter: Neville Thurlow

### DECISION –

Subject to a satisfactory section 106 Obligation being completed undertaking to pay £1,680 to sustainable transport improvements in the locality, APPROVED for the reason:-

The proposed development is within the built-up area and would help meet the need for new housing without detracting from the existing local urban environment. It can take place without resulting in unacceptable detriment to the amenities of neighbouring properties and without detracting from highway safety. It would consequently not conflict with the relevant policies of the Adur District Local Plan (AG1, AB25-26, AH2, AH5) and The South East Plan (SCT1, SCT5, SP3, CC6, H1-2, H5, T4, BE1-2).

Subject to:-

1. C1Ci (Standard time limit)
2. C8Gii (The approved dwelling shall not be occupied until 2 covered secure cycle parking spaces and one car parking space have been provided in accordance with details to be submitted to and approved in writing by the local planning authority) (amended)
3. C9Ai (Pavement crossing details)
4. C9F (No development shall be commenced until pedestrian visibility splays of 2 metres by 2 metres have been provided either side of the proposed site vehicular access onto Oxen Avenue. These visibility splays shall thereafter be kept free of all obstructions over a height of 0.6 metres above adjoining carriageway level) (amended)
5. C9N (Temporary provision for contractors' vehicles, materials, etc. on the site)
6. C11Ai (Landscaping scheme including existing trees to be approved and implemented and replacement of those that die)
7. C12Ai (External materials & roof of building to be approved)
8. C14A3 (Permission relates to application as amended by revised plan dated 4 November 2009)
9. C18E3 (No windows to be formed in the south-west side wall of the building without planning permission)
10. C18B (Removal of permitted development rights related to existing and proposed dwellings in respect of extensions and outbuildings over 10 cubic metres)

**Application Number: ADC/0388/09**

**Site: 57 Ring Road, Lancing BN15 0QE**

**Proposal: Pitch-roofed front extension (garage) and conversion of existing garage to a study/bedroom with roof alteration**

Representations received and noted.

Further representations made at the meeting:-

Objector: None

Parish Representative: None

Ward Councillor: None

Applicant or Agent / Supporter: None

**DECISION –**

APPROVED for reason that:-

The proposed development would not detract from the local environment and can take place without resulting in unacceptable detriment to the amenities of neighbouring properties and without detracting from highway safety. Subject to adequate precautions, it would not cause harm to the tree subject to TPO. It would consequently not conflict with the policies of the Adur District Local Plan (AG1, AB25, AH7)

Subject to:-

1. C1Ci (Standard time limit)
2. C11D (Protection of existing trees) (amended)
3. C14Aii (Permission relates to amended plans received on 8 November 2009)
4. C12Eii (External walls and roof of extension and alteration to match existing) (amended)
5. C18Eiv (No windows or rooflights to be formed in the east side wall or roof slope of the extension without planning permission)

**Consultation Number: ADC/0427/09**

**Application No. WSCC/079/09/SU**

**Site: Kendall Bros Concrete Batching Plant, New Wharf  
Brighton Road, Shoreham-by-Sea BN43 6RE**

**Proposal: Consultation by WSCC on variation of condition 1 of SU/233/04 to  
extend the temporary permission for unloading, preparation and  
storage of mineral aggregates with concrete batching plant**

Representations received and noted.

Further representations made at the meeting:-

Objector: None

Parish Representative: None

Ward Councillor: None

Applicant or Agent / Supporter: None

**DECISION** –

That West Sussex County Council be informed that this Council remains opposed to the use of this site for the purposes to which the application relates because of its adverse environmental effects and conflict with the objectives of the Shoreham Harbour Regeneration Project and proposed Joint Area Action Plan.

However, because the redevelopment of this area of the harbour is unlikely to take place prior to the adoption of the proposed Joint Area Action Plan and the setting up of the associated 'special delivery vehicle', no objection is raised to a further temporary permission (and any necessary deed of variation to the section 106 Agreement) but with the period expiring on **31 December 2011 (not 2014 as sought)**, with the previous conditions 2-11 also re-imposed but with condition 6 amended to prevent operations before 8am on Mon-Fri and Sat.