



# **BOGNOR REGIS TOWN COUNCIL**

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## **MINUTES OF THE PLANNING AND LICENSING COMMITTEE MEETING**

### **HELD ON TUESDAY 28<sup>th</sup> JANUARY 2020**

**PRESENT:** Cllrs: J. Barrett, Mrs. S. Daniells, J. Erskine and Ms. A. Sharples

**IN ATTENDANCE:** Mrs. J. Davis (Civic & Office Manager)  
8 members of the public

*The Meeting opened at 6.32pm*

#### **185. CHAIRMAN'S ANNOUNCEMENTS AND APOLOGIES FOR ABSENCE**

In the absence of the Chairman and Vice-Chairman, Members **AGREED** that Cllr. Ms. Sharples would act as Chairman and Cllr. Barrett as Vice-Chairman for this meeting only.

The Chairman welcomed those present and went through the evacuation procedure in the event of a fire. Apologies for absence had been received from Cllr. Goodheart who had another meeting, Cllr. Smith who was unwell, and Cllr. Mrs. Warr who was away.

#### **186. DECLARATIONS OF INTEREST**

Members and Officers were reminded to make any declarations of Disclosable Pecuniary and/or Ordinary Interests that they may have in relation to items on this Agenda.

Members and Officers should make their declaration by stating:

- a) the item they have the Interest in
- b) whether it is a Disclosable Pecuniary or Ordinary Interest
- c) the nature of the Interest
- d) if it is an Ordinary Interest whether they intend to leave the room for the discussion and vote
- e) if it is a Disclosable Pecuniary Interest, and therefore must leave the room for the discussion and vote, whether they will be exercising their right to speak on this matter under Public Question Time

They then need to re-declare their Interest and the nature of the Interest at the commencement of the item or when the Interest becomes apparent. They should request that it be recorded in the Minutes that they

will leave the meeting and will neither take part in discussion, nor vote on the item.

In accordance with good practice, individual forms were available to those Councillors present in order that they could personally record their Interests - both Disclosable Pecuniary and Ordinary. These forms should be returned to the Committee Clerk at the end of the meeting to enable all declarations of Interest to be accurately recorded in the Minutes. Members were reminded that it is their responsibility to notify the Monitoring Officer of all Disclosable Pecuniary Interests or Ordinary Interests notifiable under the Council's Code of Conduct, not already recorded on their Register of Interests Form, within 28 days.

The Chairman reminded Members to declare their Interests as any arise or again at the relative point in the meeting if they have already.

***There were no declarations of Interest***

**187. TO APPROVE THE MINUTES OF THE PLANNING AND LICENSING COMMITTEE MEETING HELD ON 7<sup>th</sup> JANUARY 2020**

The Committee **RESOLVED** to **AGREE** and approve the Minutes of the Meeting held on 7<sup>th</sup> January 2020 as an accurate record of the proceedings and the Chairman signed them.

**188. ADJOURNMENT FOR PUBLIC QUESTION TIME AND STATEMENTS**

***Meeting adjourned at 6.36pm***

Those present in the public gallery spoke in relation to planning application BR/282/19/PL.

***Meeting reconvened at 6.46pm***

**189. CLERK'S REPORT FROM PREVIOUS MINUTES**

**7<sup>th</sup> January 2020 - Min. 177 - Planning application BR/227/19/PL**

In relation to the alleged breach of the condition imposed on the planning approval for BR/227/19/PL, it has been confirmed that there can be no accountability in this case. Unfortunately, as the tree protection measures were required at the time of construction, and with construction having been completed, there is no enforcement action that could be taken now in relation to the alleged breach.

**190. TO CONSIDER PLANNING APPLICATIONS ON LISTS DATED 3<sup>rd</sup>, 10<sup>th</sup> AND 17<sup>th</sup> JANUARY 2020**

**190.1** The Committee noted the views of Cllr. Goodheart, expressed in an email to Members, whereby his support was given in relation to planning

application BR/282/19/PL. There were no views from other Town Councillors to report.

**190.2** The Committee noted that representations had been received from members of the public in respect of planning applications BR/282/19/PL, BR/298/19/PL and BR/347/19/T. There had been no representations received from neighbouring parishes, in respect of these applications.

**190.3** The Committee, having considered the applications, **RESOLVED** that its representations be forwarded to ADC (Appended to these Minutes as **Appendices 1 and 2**).

**191. TO CONSIDER COMMENTING ON ANY SIGNIFICANT PLANNING APPLICATIONS OUTSIDE THE WARDS OF BOGNOR REGIS, THAT MAY IMPACT ON THE INFRASTRUCTURE OF BOGNOR REGIS ON LISTS DATED 3<sup>rd</sup>, 10<sup>th</sup> AND 17<sup>th</sup> JANUARY 2020**

There were no applications outside the Wards of Bognor Regis to be considered.

**192. TO RESOLVE TO SUSPEND STANDING ORDERS (S.O. 16.1) TO CONSIDER REVISITING THE PREVIOUS DECISION, OR MAKING FURTHER COMMENT, FOLLOWING SUBSTITUTE PLANS REGARDING PLANNING APPLICATION BR/275/19/PL - NEWMAN HOUSE, 21 STURGES ROAD, BOGNOR REGIS (MIN. 123.3 OF 29<sup>th</sup> OCTOBER 2019 REFERS)**

The Committee **RESOLVED** to Suspend Standing Orders (S.O. 16.1 refers) to consider revisiting the previous decision, or making further comment, following receipt of substitute plans regarding planning application BR/275/19/PL - Newman House, 21 Sturges Road, Bognor Regis (Min. 123.3 of 29<sup>th</sup> October 2019 refers).

Members **RESOLVED** to further consider their previous decision and Standing Orders were therefore reinstated.

**193. TO RECEIVE AN UPDATE REGARDING PLANNING APPLICATION BR/275/19/PL - NEWMAN HOUSE, 21 STURGES ROAD, BOGNOR REGIS (MIN. 123.3 OF 29<sup>th</sup> OCTOBER 2019 REFERS)**

Members had resolved to object to planning application BR/275/19/PL at the meeting held 29<sup>th</sup> October. Members were unable to support Planning Application BR/275/19/PL as it was not possible to determine how access to the garage/store block would be achieved, from the information supplied, with concerns about the possible effect that access might have on the highway.

Members noted that substitute plans had been submitted by the applicant following feedback from the Local Planning Authority that the original proposals for the garage structure were considered too large for its location. Consequently, the design had been reduced to single storey with a row of garages rather than an L shaped block. The amended location plan clearly shows how access to the garage/store block would be achieved.

Following discussion, Members **RESOLVED** to **AGREE** that their previous objection to BR/275/19/PL be **RESCINDED**.

**194. NOTIFICATION OF ANY APPLICATIONS TO BE CONSIDERED AT THE NEXT ADC DEVELOPMENT CONTROL COMMITTEE MEETING**

ADC Development Control Meeting - 5<sup>th</sup> February 2020.

**BR/227/19/PL - 3 Southdown Road, Bognor Regis - Removal of condition 5 imposed under BR/84/16/OUT (APP/C3810/W/16/3153767) relating to condition 5 - details of all trees/bushes/hedges to be retained along with measures to protect them during demolition and construction works**

It was noted that the Planning and Licensing Committee had raised an **OBJECTION** to Planning Application BR/227/19/PL at the meeting held on 17<sup>th</sup> September 2019 (Min. 93.3 refers).

Members **RESOLVED** to contact the Civic & Office Manager by no later than 4pm on Tuesday 4<sup>th</sup> February 2020 should they wish to attend the Development Control Committee Meeting to speak, on behalf of the Town Council, in objection of planning application BR/227/19/PL.

**195. TO CONSIDER PREMISES LICENCE APPLICATIONS INCLUDING ANY VARIATIONS AND ANY OTHER LICENCE APPLICATIONS**

**Licensing Act 2003**

**Premises: Istanbul Grill, 10 High Street, Bognor Regis, PO21 1SR  
Notice of Review - Reference Number: 6968**

Members noted that Arun District Council had received an application for a review under section 51 of the Licensing Act 2003 in relation to Istanbul Grill, 10 High Street, Bognor Regis. The grounds of the review are that the Licensing Objectives of 'The prevention of crime & disorder and public safety' have been seriously undermined.

Having fully considered the grounds of the review, Members **RESOLVED** to **AGREE** with the applicant's request and were in **SUPPORT** of the premises licence for Istanbul Grill being **REVOKED**.

**196. TO NOTE THE RESPONSES EMAILED TO THE CIVIC & OFFICE MANAGER, AS AGREED AT THE PLANNING AND LICENSING COMMITTEE MEETING HELD ON 7<sup>th</sup> JANUARY 2020, IN RELATION TO THE 'STRENGTHENING POLICE POWERS TO TACKLE UNAUTHORISED ENCAMPMENTS' GOVERNMENT CONSULTATION, AND TO AGREE SUBMITTING COLLATED COMMENTS TO THE NATIONAL ASSOCIATION OF LOCAL COUNCILS - MIN. 182 REFERS**

The Civic & Office Manager's report was **NOTED**.

With only one Member having emailed their individual response to the questions within the consultation document, to the Civic & Office Manager, it was **AGREED** that each Member would email their own response direct to NALC before the deadline of 19<sup>th</sup> February 2020, should they wish to do so.

**197. TO RECEIVE DETAILS OF WSCC'S PROPOSED SUBMISSION DRAFT SOFT SAND REVIEW OF THE WEST SUSSEX JOINT MINERALS LOCAL PLAN AND TO NOTE THE DEADLINE DATE OF 6<sup>th</sup> MARCH 2020 FOR INDIVIDUAL REPRESENTATIONS TO BE SUBMITTED**

The Civic & Office Manager's report, with the requirement for Members to individually respond to the consultation, was **NOTED**.

**198. TO RECEIVE DETAILS OF WSCC'S PERMIT SCHEME CONSULTATION AND TO NOTE THE DEADLINE DATE OF 21<sup>st</sup> FEBRUARY 2020 FOR INDIVIDUAL REPRESENTATIONS TO BE SUBMITTED**

The Civic & Office Manager's report, including the requirement for Members to individually respond to the consultation, was **NOTED**.

**199. TO DISCUSS THE ARUN DISTRICT DESIGN GUIDE SUPPLEMENTARY PLANNING DOCUMENT AND TO AGREE ANY COMMENTS TO BE SUBMITTED IN RESPONSE TO THE CONSULTATION BY THE DEADLINE DATE OF 21<sup>st</sup> FEBRUARY 2020**

The Civic & Office Manager's report was **NOTED**.

Having considered the Design Guide, Members **RESOLVED** to submit their own response to the consultation by no later than the deadline date of 21<sup>st</sup> February 2020.

**200. CORRESPONDENCE**

The Committee **NOTED** receipt of correspondence previously circulated. In addition, the following was brought to Members attention:

Additional correspondence included: -

**200.1** ADC - Notice of Approval of Arun District Council CIL Charging Schedule

**200.2** WSCC - Temporary Traffic Regulation: Public Notice - the use of (and parking on) Westloats Lane and Gravits Lane from junction with Collyer

Avenue to junction with Hampshire Avenue is temporarily prohibited from 17/02/20 at 07:30 until 21/02/20 at 18:00, 24 hours a day, to install a series of speed cushions and raised table junctions as part of a traffic calming scheme

**200.3** WSCC - Highways, Transport and Planning Members Newsletter - January 2020. Circulated to Members

***The Meeting closed at 8.25pm***

**APPENDIX 1**  
**PLANNING AND LICENSING COMMITTEE MEETING HELD ON 28<sup>th</sup> JANUARY 2020**  
**REPRESENTATIONS ON PLANNING APPLICATIONS ON LIST DATED 3<sup>rd</sup>, 10<sup>th</sup> AND 17<sup>th</sup> JANUARY 2020**

The Planning and Licensing Committee of Bognor Regis Town Council **RESOLVED** as follows:

<p><b>BR/282/19/PL</b>  The Beach Hotel (former Mud Club)  2-4 Waterloo Square  Bognor Regis  PO21 1SU</p>	<p>Redevelopment into 49 No. apartments consisting of 24 No. 1 &amp; 25 No. 2 bed apartments &amp; 2 No. commercial units (A3 Restaurant &amp; Cafe). This application affects the character &amp; appearance of The Steyne, Bognor Regis Conservation Area &amp; may affect the setting of a listed building.</p>	<p><b>OBJECTION</b> (comments attached to these Minutes as <b>Appendix 2</b>).</p>
<p><b>BR/298/19/PL</b> (<i>RE-ADVERTISED</i>)  Homebeech Nursing Home  19-21 Stocker Road  Bognor Regis  PO21 2QH</p>	<p>Retention of timber shelter.</p>	<p><b>NO OBJECTION</b></p>
<p><b>BR/347/19/T</b>  4 Pinewood Gardens  Bognor Regis  PO21 2XB</p>	<p>Fell 1 No. Liquid Amber tree.</p>	<p><b>OBJECTION</b> Members agree with the comments of the Tree Officer, in that the tree has significant amenity value and its retention is highly desirable.</p>
<p><b>BR/342/19/PL</b>  67 Ash Grove  Bognor Regis  PO22 9JT</p>	<p>Creation of new steps and handrail for disabled access to front door.</p>	<p><b>NO OBJECTION</b></p>
<p><b>BR/349/19/HH</b>  27 Westway  Bognor Regis  PO22 8DA</p>	<p>Single storey front/side extension to replace existing garage and utility area.</p>	<p><b>NO OBJECTION</b></p>

<p><b>BR/357/19/HH</b> 5 Mons Avenue Bognor Regis PO21 5JL</p>	<p>Proposed rear extension and loft conversion.</p>	<p><b>NO OBJECTION</b></p>
<p><b>BR/341/19/PL</b> Car park to the rear of 152-156 The Co-op Hawthorn Road Bognor Regis PO21 2UR</p>	<p>InstaVolt are proposing to install 2 rapid electric vehicle charging stations within the grounds of Co-op Bognor Regis. An existing parking area will become 2 EV charging bays, along with associated equipment.</p>	<p><b>NO OBJECTION</b></p>
<p><b>BR/5/20/PL</b> 114 Victoria Drive Bognor Regis PO21 2EJ</p>	<p>Reduce size of existing flat roof rear extension, new lantern light, changes to fenestration &amp; extension of boundary wall on north east elevation.</p>	<p><b>OBJECTION</b> According to the plans the property is currently a 17 No. bedroom House of Multiple Occupation. It is unclear why the 3 No. bedrooms currently located in the rear extension would be relocated on the Ground Floor, in place of 1 No. bathroom and 1 No. kitchen, to allow for a kitchen in the rear extension. The proposed reconfiguration on both the Ground and First Floors would result in the loss of 5 No. en-suites and 3 No. WCs in total. There are concerns that these seemingly unnecessary changes are the precursor to a future application to increase the number of bedrooms even further. Whilst the property has a relatively large amount of off-street parking, it is not considered to be sufficient for a 17 No. bedroom (or greater) HMO in an area that is known to have problems with on-street parking. Members are of the opinion that this application is over-development.</p>



<p><b>BR/289/19/PL</b>          105 Victoria Drive          Bognor Regis          PO21 2DZ</p>	<p>Demolition of existing garages &amp; construction of 1 No 1 bed &amp; 1 No 2 bed flats adjoining existing building.</p>	<p><b>NO OBJECTION</b></p>
<p><b>BR/11/20/HH</b>          3 Highcroft Avenue          Bognor Regis          PO21 8DQ</p>	<p>Removal of existing structure &amp; erection of single storey rear extension</p>	<p><b>NO OBJECTION</b></p>

**BOGNOR REGIS TOWN COUNCIL** has considered planning application BR/282/19/PL and wishes to **OBJECT** on the following grounds:

2-4 Waterloo Square, and the Beach Restaurant, were both listed as a 'Building and Structure of Character' in ADC's SPD, prior to demolition and this should be a material consideration. Policy **HER DM2** set out in the **adopted ALP (2011-31)** states "*applications will only be granted for development which results in the loss of existing...Buildings or Structures of Character when it can be demonstrated that the building or structure cannot be put to a beneficial use or re-use. Replacement structures will need to be of a high-quality design*"

The existing site occupies a prominent position in relation to Waterloo Square and the Esplanade and demands a building of outstanding design. The proposed design is well below the quality of design that is required for this important location and is considered to be in contravention to **ALP Policy D DM1**.

All development proposals should seek to make efficient use of land but reflect the characteristics of the site and local area in their layout, landscaping, density, mix, scale, massing, character, materials, finish and architectural details (**ALP Strategic Policy D SP1**). It is not considered that these proposals are of sympathetic form with no reflection, for example, of traditional features that are characteristic of the Conservation Area such as natural slate or plain clay tiles, softwood timber sash or casement windows and doors, and iron railings around balconies with pitched canopy roofs (**ALP Policy HER DM3 c**).

As a consequence, this application does not meet the tests set out in the NPPF regarding delivering sustainable development for the following reasons: -

### **NPPF Theme 12: Achieving well-designed places**

#### **Para 127:**

*"Planning policies and decisions should ensure that developments:*

...

*c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

...

*d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;"*

## **NPPF Theme 16: Conserving and enhancing the historic environment**

### **Para 185:**

*"Plans should set out a positive strategy for conservation and enjoyment of the historic environment... This strategy should take into account:*

*...*

*c) the desirability of new development making a positive contribution to local character and distinctiveness;*

*and d) opportunities to draw on the contribution made by the historic environment to the character of a place."*

Within the Waterloo Square Conservation Area No.s 7,9,11-15, and 17 Waterloo Square are Listed Buildings, in addition to Bognor Regis Pier which is also Listed. It is considered that this proposal will affect these Listed Buildings and fails to meet the requirements of **ALP Policy HER DM1**, whereby proposals are required to: -

- " a. Preserve or enhance the historic character*
- b. Be necessary and not detrimental to the architectural and historical integrity*
- c. Protect the special interest of buildings*
- d. Protect, and where possible enhance the setting of the building."*

Nor are these proposals deemed to comply with the **Bognor Regis 2015 - 2030 Neighbourhood Development Plan Policy Theme A: Objective 1** - *"To restore and enhance our designated and non-designated heritage assets and their settings to the highest standard, identifying as the first English purpose built seaside resort."*

Current **ADC SDP re Conservation Areas** states:

**"S1.2.** *Conservation areas are statutorily defined as "areas of special architectural or historical interest, the character or appearance of which it is desirable to preserve or enhance" (Section 69 of the Planning (Listed Building and Conservation Areas) Act 1990)*

**S1.3.** *Special features of these areas include not only individual buildings but various factors such as: historic street patterns and building layouts; the mix of uses; scale and detailing of buildings; materials; street furniture; vistas; and even the spaces between buildings.*

**S1.4.** *The principle of conservation is to protect and preserve those buildings, features, spaces, activities and uses which form the particular character and appearance of an area, whilst allowing for appropriate change and new development which preserves or enhances that special character.*

**S1.5.** *The Council's aims in respect of Conservation Areas include the following:*

- 
- *Protection of Conservation Areas from inappropriate and damaging development;*
- *Where new development is appropriate, to encourage design of the highest standard and which respects the character of the Conservation Area*

**S2.3.** *The special character and appearance of Conservation Areas will be a material factor in planning decisions and the objective of preservation can be achieved either by development which makes a positive contribution to the area's character or appearance, or by development which leaves that character and appearance unharmed. This implies that new development must be of a high standard, reflecting the form and materials and character of existing development in the locality."*

It is not felt that the proposal meets the principles and aims as set out above. The development in its present format is likely to cause harm to the Conservation Area and other nearby heritage assets, principally due to the height/massing of the proposed building, and therefore disagrees with **ALP Policy HER DM3 (f)**.

Conservation Areas and Listed Buildings will be given the highest level of protection and should be conserved and enhanced in a manner appropriate to their significance in accordance with **ALP Policy HER SP1**.

Continuing on the theme of character and setting it is felt that the proposal would have an adverse impact on the character of the street scene, in conflict with the Bognor Regis 2015 - 2030 Neighbourhood Development Plan. It is regarded to be out of character with nearby Listed Buildings and lacks any comprehension of the particular character of the area.

The NDP, which protects the whole of Bognor Regis from inappropriate development, must be conformed with. The proposal goes against the ethos of the NDP, with the exception of the retail units, particularly in relation to:-

**NDP Policy 2: Promoting the seaside identity** - *"Development Proposals within the 'Wider Town Centre Area' and concerned with extensions and alterations to the exterior of Designated and Non-designated Heritage Assets and their settings must adhere to 'Secure, restore and boost our seaside identity first' principle by echoing and responding eloquently and innovatively to the local built environment character and setting."*

**NDP Policy Theme A: Objective 4** - *"To enhance and promote the character of our seafront, esplanade and foreshore by taking a proactive approach to locating an appropriate range of amenities and structures in proximity to key access routes and by doing so maintaining long stretches of uninterrupted sea views."*

In considering the application, questions were asked regarding the rationale for building 49 No. apartments. This is regarded to be unacceptable overdevelopment of the site, particularly in relation to scale and massing (**ALP Policy D DM1**). The scale of the development should be kept within the general confines of the overall character of a locality unless it can be demonstrated that the contrary would bring a substantial visual improvement (**ALP Policy D DM1**). The opinion is that the proposal fails to demonstrate this. Furthermore, **ALP HER DM3 (a)** sets out that new buildings and structures acknowledge the character of their special environment in their layout, form, scale and it is not believed that the proposal meets this requirement.

There is disappointment at the lack of affordable housing in the proposal. The Design and Access Statement: Affordable Housing Statement (s.6.13) alleges that "*...it was agreed that as this site was in such a prominent location, affordable housing would be better located on another site owned by Mr Brookes (sic) and family.*" However, according to consultation documents on ADC's Planning Portal, the ADC Housing Manager is currently objecting to the application as no alternative site for affordable housing has been brought forward by the applicant. The Town Council would be seeking reassurance of 30% allocated housing being provided within the proposal.

The proposal for 22 No. spaces on a basement level car park is significantly less than the calculations of the WSCC Car Parking Demand Calculator, which envisions a total demand for 45 spaces. The Local Highways Authority have themselves, in consultation, stated that access into the basement level car park is not wide enough, with a waiting space that not only results in a car overhanging the footway, but has been provided on the wrong side. The 2 No. disabled parking bays also fail to meet the requirement of having an additional width of 1.2m on each side.

The proposal gives rise to residential amenity issues, in relation to the relationship of the new building to existing residential development to the north and east. There should be minimal impact to users and occupiers of nearby property and land. The height and scale of the building proposed will likely have a significant impact on existing residential developments and, therefore, fails to meet the criteria of **ALP Policy D DM1**. It would appear that no shadow path analysis has been carried out.

In closing, Bognor Regis Town Council accept the principle of building on the site and acknowledge that any development will likely include flats/apartments. However, the application as currently prepared cannot be supported as it conflicts with the relevant policies within the adopted ALP (2011-31), Bognor Regis 2015 - 2030 Neighbourhood Plan and the NPPF.