

## **Planning Committee**

11 September 2018 – At a meeting of the Planning Committee held at 10.30 am at County Hall, Chichester.

Present: Mr Crow (Chairman)

Mrs Kitchen, Lt Cdr Atkins, Mr Barrett-Miles, Mrs Duncton, Mr Jupp, Ms Lord, Mr S J Oakley, Mr Patel and Mrs Russell

Apologies were received from Lt Col Barton, Mr Quinn and Mr Wickremaratchi

### **Part I**

#### **64. Declarations of Interest**

In accordance with the County Council's Code of Conduct, the following interests were declared:

- Mr Crow, member for Pound Hill declared a personal interest in application WSCC/034/18/CR as a Councillor for Crawley Borough Council.
- Mrs Duncton declared a personal interest in applications WSCC 002/18/CC, WSCC 003/18/CC, WSCC 004/18/WH and WSCC 005/18/TG as a Councillor for Chichester District Council.
- Mrs Kitchen declared a personal interest in applications WSCC/032/18/WC and WSCC 033/18/WC as a Councillor for Horsham District Council.
- Mr Jupp declared a personal interest in applications WSCC 032/18/WC and WSCC 033/18/WC because he lives close by the site and as local member for Southwater and Nuthurst, which is close to the site, and as a Councillor for Horsham District Council.
- Mr Oakley declared a personal interest in applications WSCC 002/18/CC, WSCC 003/18/CC, WSCC 004/18/WH and WSCC 005/18/TG as a Councillor for Chichester District Council and in application WSCC/005/18/TG as local member for Chichester East.
- Mr Burrett, member for Pound Hill declared a personal interest in application WSCC/034/18/CR as a Councillor for Crawley Borough Council.

#### **65. Minutes of the last meeting of the Committee**

65.1 Resolved – That the minutes of the meeting of the Committee held on 17 July 2018 be agreed as a correct record.

## **66. Urgent Matters**

66.1 There were no urgent matters.

## **67. Planning Applications: County Matter Waste Applications**

**WSCC/002/18/CC Installation of 9.92km wastewater pipeline and associated infrastructure including air vents, air valves, washout chambers, compounds and haul routes. Pipeline Stretching From South of Salthill Lane, to Tangmere WWTW**

**WSCC/003/18/CC Installation of pumping station comprising above and below ground plant including kiosks, draw pit and valve chamber, hardstanding, and fencing. Land to the south of Salthill Lane, north of Clay Lane and to the east of New Bridge Farm, Chichester**

**WSCC/004/18/WH Installation of pumping station comprising above and below ground plant including kiosks, draw pit and valve chamber, hardstanding, and fencing. Land to the west of, Old Place Lane & Old Place House & east of River Lavant near Madgwick Lane, Chichester**

**WSCC/005/18/TG Installation of pumping station comprising above and below ground plant including kiosks, draw pit and valve chamber, hardstanding, and fencing. Land to south of, Gamecock Terrace, Tangmere, Chichester**

67.1 The Committee considered a report, as amended by the Agenda update sheet, by the Head of Planning Services (copy appended to the signed minutes). The report was introduced by James Neave, Principal Planner, who provided a presentation on the proposals, details of the consultation and key issues in respect of the application. The following new information was noted:

- Representations – Two new representations been received since the report was published. Goodwood Estate has asked for a slight realignment to the east to avoid sterilisation of land that could potentially support future development. The landowner of Pumping Station 3 has stated that Southern Water notices were not correctly served and has raised concern about access and the impact on farming operations. The matters raised have been noted. They do not change the recommendation.

67.2 Hannah Seabrook of the University of Chichester spoke on the application. The University does not object in principle to the pipeline. Concerns are that Southern Water has not engaged in sufficient discussion with the University and they have not provided enough details. Also that student safety will be compromised, particularly due to the trench across

the University sport fields, restricting access to halls of residence. Southern Water has acknowledged plans for works in the Graylingwell Lower area which includes a link road to the University site and states it does not foresee any issues, but the University has concerns that the pipeline could cause potential structural problems due to its depth in that area.

67.3 Clare Taylor, Planning Consultant for MWH/Stantec, agent for the applicant, spoke in support of the application. Cross-country pipelines are usually permitted development. Southern Water installs pipelines on a regular basis. Many options are considered and the most sustainable routes are always looked for. Environmental surveys are undertaken and local development plans and application histories considered. Landowners are engaged with on a regular basis and Southern Water will work with developers and landowners to provide the right infrastructure. Southern Water implements mitigation measures during construction, and learns from previous works to improve future construction, such as improved drilling techniques. Odour control has improved with newer pumping stations. The pipeline is of sufficient diameter to accommodate forecasted flows and to accommodate planned future development in the area. The route of the pipeline is based on the best information available at the time, but can evolve as more details become available.

67.3 In response to matters raised by speakers, Planning Officers provided clarification of the following points:

- Although unsure of the exact extent of University land, a large section of the pipeline in this locality will be directionally drilled below ground, resulting in limited above-ground impacts.
- Student safety around construction sites is a health and safety matter that will need to be addressed by the applicant.

67.5 During the debate the Committee raised the points below and clarification was provided by the Planning Officers, where applicable:

#### **Number of planning applications**

**Point raised** – What is the reason for four applications being submitted, rather than one covering the whole development?

**Response** – The application fee for four applications was significantly smaller than for a single application due to the way the fees are calculated. This is not material to the consideration of the planning applications.

#### **Reason for determination by Committee**

**Point raised** – If most cross country pipelines are allowed under permitted development rights, why does this one require planning applications?

**Response** – The applications constitute Environmental Impact Assessment (EIA) development, and as such require planning permission.

### **Sterilisation of land**

**Points raised** – How much of the land will be affected by sterilisation? Will this impact on the landscaping belt required south and west of the Tangmere housing allocation?

**Response** – An easement of 6 metres is thought to be required – 3 metres either side of the pipeline route. It is understood that this would restrict buildings from being built over the top; however, planting can be carried out as long as it is not deep rooting, and other works such as cycle paths and roads are often created above sewers without issue. The pipeline skirts the south and west of Tangmere Strategic Development Land (SDL), where potential pedestrian/cycle links are sought and thus could potentially coexist. It is considered that the perimeter route proposed minimises the potential for sterilisation of future development of the Tangmere SDL.

### **Five year Replanting and Maintenance Plan**

**Points raised** – Standard wording should be included in condition 6 for all applications requiring a five year replanting and maintenance plan.

**Response** – Details of replanting and maintenance are contained within the Ecological Management Plan submitted by the applicant, which is required to be implemented in full.

### **Mix of Planting**

**Point raised** – It is requested that coniferous plants be avoided in the planting mix because they are unsightly.

**Response** – Details of proposed planting is shown in the submitted Landscape and Ecological Management Plan, but there is scope to agree the detail. The WSCC Landscape Officer is content with the proposed mix of native planting.

### **Noise and Odours**

**Points raised** – Reassurance is sought regarding noise and odour controls, particularly in relation to Pumping Station 3.

**Response** – Pumping station distances from nearest properties were highlighted in the Committee report. Chemical dosing is proposed at pumping stations to prevent waste from going septic, thereby reducing odours. Vent stacks equalise pressure and their height and inclusion of carbon filters, aids dispersal of odours. Equipment inside pumping stations is not typically noise generating and the pumps are 7-8 meters underground. An emergency generator would be located at Pumping Station 3, but any noise would likely be infrequent and submitted assessments show noise to be within acceptable levels.

### **West Chichester SDL**

**Points raised** – Clarity was sought on the progress/status of development within the West of Chichester SDL area, and routing of

the proposals relative to spine roads shown in the masterplan for the area.

**Response** – The pipeline would largely follow the approved route of the spine road shown on the masterplan, albeit a section to the north of the SDL would be routed in an easterly direction through areas of future development. An outline planning permission has been granted for Phase 1 of the SDL which includes provision for either a pumping station or treatment facility. Reserved matters applications require further approval, some of which are currently being considered by Chichester District Council. This includes a reserved matters application regarding details of key road layouts.

### **Tangmere to Shopwyke Lakes link**

**Point raised** – Is the pipeline designed to accommodate development at Shopwyke Lakes in future?

**Response** – Plans show a spur at Tangmere to connect the pipeline to the existing foul sewer network, but full details are not known at this stage.

### **Goodwood Estate**

**Point raised** – There are no allocations in the Chichester Local Plan for housing development on the Goodwood Estate and, therefore, the concerns raised are not material to the applications being considered.

**Response** – None required.

### **Surface Water Culverts in Tangmere**

**Point raised** – There are a number of known surface water culverts in Tangmere that cut across the pipeline site; will they be maintained?

**Response** – The applicant has advised that a preliminary survey has been carried out which confirms the presence of surface water culverts at the site. The applicant believes the culverts will not be significantly impacted upon, and as with the wider route, proposes to carry out further detailed scanning and surveys prior to construction. The Construction Environmental Management Plan includes provision for the reinstatement of existing drainage post construction.

### **Informative F for application WSCC/002/18/CC (Pipeline)**

**Point raised** – Informative F on the pipeline decision would include a reference to Pumping Station 2 despite this application not relating to the Pumping Stations.

**Response** – It was clarified that the reference to Pumping Station 2 is included as an Informative for this application because the pipeline would cross through a potential flood risk area near Pumping Station 2, so is subject to Flood Defence Warnings.

### **Public Rights of Way (PROW)**

**Point raised** – Will there be any temporary or permanent impacts on PROWs?

**Response** – There are seven PROWs affected by the development. The applicant does not envisage the closure of any PROWs. Access during construction will be managed by double gates and banksmen.

### **Agricultural Access by Pumping Station 3**

**Point raised** – Is the access by Pumping Station 3 wide enough to allow agricultural vehicles and machinery through.

**Response** – Yes.

67.6 Mr S Oakley proposed that standard wording be added to condition 6 (Landscape and Ecological Management Plan) for all four applications: WSCC 002/18/CC, WSCC 003/18/CC, WSCC 004/18/WH and WSCC 005/18/TG to require a five year replanting and maintenance plan. This was seconded by Mr Barrett-Miles, and put to the Committee and approved by a majority. The final form of wording of the condition was delegated to the County Planning Manager.

67.7 The substantive recommendation for application WSCC 002/18/CC, as amended by the Agenda update sheet and changes to condition 6, as agreed by the Committee, was proposed by Mrs Duncton and seconded by Lt. Cdr. Atkins and was put to the Committee and approved unanimously.

67.8 Resolved – That planning permission for application WSCC 002/18/CC be granted subject to amended conditions and informatives set out in Appendix 1 of the report, as agreed by the Committee.

67.9 The substantive recommendation for application WSCC 003/18/CC, as amended by the Agenda update sheet and changes to condition 6, as agreed by the Committee, was proposed by Lt. Cdr. Atkins and seconded by Mrs Duncton and was put to the Committee and approved unanimously.

67.10 Resolved – That planning permission for application WSCC 003/18/CC be granted subject to amended conditions and informatives set out in Appendix 2 of the report, as agreed by the Committee.

67.11 The substantive recommendation for application WSCC 004/18/WH, as amended by the Agenda update sheet and changes to condition 6, as agreed by the Committee, was proposed by Mrs Duncton and seconded by Lt. Cdr. Atkins and was put to the Committee and approved unanimously.

67.12 Resolved – That planning permission for application WSCC 004/18/WH be granted subject to amended conditions and informatives set out in Appendix 3 of the report, as agreed by the Committee.

67.13 The substantive recommendation for application WSCC 005/18/TG, as amended by the Agenda update sheet and changes to condition 6, as agreed by the Committee, was proposed by Lt. Cdr. Atkins and seconded by Mrs Kitchen and was put to the Committee and approved by a majority.

67.14 Resolved – That planning permission for applications WSCC/005/TG be granted subject to amended conditions and informatives set out in Appendix 4 of the report, as agreed by the Committee.

67.15 The Committee recessed at 11.41 a.m. and reconvened at 12.20 p.m.

## **68. Planning Applications: County Matter Mineral Applications**

**WSCC/032/18/WC Amendment of Condition 1 of planning permission ref: WSCC/029/17/WC extending the permission by 18 months to enable the completion of phase 4 site retention and restoration.**

**WSCC/033/18/WC Amendment of condition no. 1 of planning permission WSCC/032/17/WC to enable the retention of security fencing, gates and cabins for a further 18 months.**

**Woodbarn Farm, Adversane Lane, Broadford Bridge, Billingshurst, West Sussex, RH14 9ED**

68.1 The Committee considered a report by the Head of Planning Services (copy appended to the signed minutes). The report was introduced by Chris Bartlett, Principal Planner, who provided a presentation on the proposals, details of consultation and key issues in respect of the application. The following additional points were noted:

- Should the applicant wish to carry out further drilling and/or extract oil commercially then a further planning application would be required. Any potential future activity is not material to the current application.
- Since publication of the Committee report a further three objections have been received covering both applications.

68.2 Dr Jill Sutcliffe representing Keep Kirdford and Wisborough Green, spoke in objection to the application. This application would increase time on site from 49 to 67 months. Various promises made by the applicant to restore the site have not been met. The site is not viable, as stated by the applicant themselves and other industry commentators. The company has data, so why is more time required? Other sites in the Weald referred to are not within WSCC jurisdiction and so should not be a consideration. The operator has a poor record of clean-up and has been served with a Breach of Condition notice by South Downs National Park Authority for failure to restore Markwells Wood site after 2-years. During drilling the cement bonding failed causing the well to leak and there is concern that carcinogenic and toxic chemicals escaped. Horsham District Council expressed concerns that 'longer term retention...would be detrimental to the landscape character of this countryside location'. There are concerns about air and water pollution, and that drilling has taken place through a geological fault line with the potential for earthquakes. If approved, then a financial bond should be required to secure site restoration.

68.3 Mr Nigel Moore of Zetland Group Ltd, agent for the applicant, spoke in support of the application. The additional 18 months requested is to allow time to review existing and new data from the existing boreholes and other nearby locations in the Weald, to understand the quality and recoverability of the oil reserves. The scheme remains temporary and is reversible. It is recognised that the NPPF is moving towards the transition to low carbon energy supplies but this will take time and, the meantime, the UK demand for energy is overriding. The climate change agenda can be delivered but not at the expense of economic growth. It will take time for UK households to transition from gas and oil boilers and for changes to take place in manufacturing and transport. The UK is a net importer of energy and is not impervious to energy price volatility. A managed transition to a low carbon economy will also protect jobs and tax revenues. Retention of the site is not cost free, but it currently sits benignly, and the requested extension of time should be balanced against need, which is tilted in the favour of the later.

68.4 Mr Matt Cartwright, Chief Operating Officer, UKOG (234) Ltd, the applicant, spoke in support of the application. UKOG (234) Ltd (previously Kimmeridge Oil) has only operated on site for 7 months of the last 4 years. Good relations have been built with regulators, including the Oil and Gas Authority which has extended the exploration licence for a further 5 years. The company has tried to be a good neighbour, and has received more than 200 visitors. It wants to share royalties. Oil has been found in most the zones, but the question is whether they can get it to the surface at commercial rates. Testing of the same reservoir at Horse Hill will be key to whether this works commercially across the region, and this and the other testing in the licence area is why a further 18 months is needed. The UK economy still needs oil and gas, which drives growth, jobs and tax revenues. Broadford Bridge is a key site. There are potential benefits for south-east England.

68.5 During the debate the Committee raised the points below and clarification was provided by the Planning Officers, where applicable:

#### **Extension of Time for Site Restoration**

**Points raised** – What will happen regarding site restoration if the applications are not approved? The Committee needs to decide whether the applicant has already had long enough or whether the need for more time, particularly to analyse test results, is justifiable. It was noted that the Oil and Gas Authority has extended the applicant's licence well beyond the period requested in these applications. Should the applicant apply in future for a further extension then they may expect that the Committee would be quite tough in its position.

**Response** – If refused, the applicant would be expected to restore the site as soon as possible in accordance with existing planning permission. However, the Oil and Gas Authority requires operators to carry out certain works so there may be some conflict. No response was required for the second and third points, which are for the Committee to consider.



### **Dates of the Restoration Period**

**Points raised** – Clarification was sought regarding the restoration period, which is stated as October 2019 to March 2020

**Response** – Restoration should only take 6 weeks but this must be done during the autumn/winter planting period, which is why 6 months has been allowed.

### **Changes since the last application WSCC 029/17/WC**

**Points raised** – Have there been any material change to the site or impacts caused since the last application was approved? Have there been any further works carried out on the site?

**Response** – A new Minerals Local Plan has been approved and the NPPF has been updated, but officers consider that the applications still accord with both. The flow testing, as permitted under application WSCC/029/17/WC has been completed in the last year. Equipment was removed after the flow testing and the site is clear other than hard-standing, a container (placed over the well-head for protection and security) and site fencing and gates.

### **Expiry dates of current applications WSCC/029/17/WC and WSCC/032/17/WC**

**Point raised** – Why have the applications for extension of time been submitted so close to the expiry dates of the previous applications?

**Response** – The applications were submitted at least 13 weeks prior to the expiry dates of the previous applications. As at the date of this Committee meeting, the applicant is not in breach of any planning permission.

### **Restoration (financial) bond**

**Points raised** – Can a financial bond be required from the applicant?

**Response** – National guidance indicates that a bond or financial guarantee is typically only justified for quarries or development which requires 'novel' approaches. Officers consider that application WSCC/032/18/WC does not fall into that category. In addition, the Oil and Gas Authority carries out checks into the insurance and financial status of the operator to ensure they have sufficient funds/coverage for the operations, including site restoration. Unlike quarries or landfills, the cost of restoration of this site would not be excessive, because it requires only the sealing of the well and reinstatement of the land to an agricultural field.

### **Impact of HGV Movements**

**Point raised** – How do the predicted HGV movements of 22 per day for the 6 weeks of restoration compare with existing movements.

**Response** – There are no HGV movements at the moment because no work is being undertaken on the site. No assessment of HGV movements was carried out for these applications, though it was for

the initial application which the Highways Authority concluded acceptable. The proposed 22 movements per day will be for a very limited period of time during restoration.

### **Local Member**

**Point raised** – Has the local member commented on these applications?

**Response** – No comment has been received from the local member.

### **Fencing**

**Point raised** – Is the heras fencing at the front of the site required for security purposes? And, if not, when will it be removed? It was suggested that removal should be required by condition.

**Response** – The heras fencing is not required for security purposes and therefore, the applicant has agreed that it is to be removed. The only authorised fencing on site would be that permitted through application WSCC/033/18/WC. Any other fencing must be removed or a new application submitted to retain it.

### **Comments from Horsham District Council**

**Point raised** – Dr Sutcliffe quoted concerns raised by Horsham District Council on the impact on landscape character; why is this not in the report?

**Response** – This quote is taken from previous Horsham District Council comments regarding application WSCC/029/17/WC. It was clarified that Horsham District Council has not responded to application WSCC/032/18/WC. Mr Oakley clarified that a response was received on 16 July 2018 to application WSCC/033/18/WC only, and it is noted in the Committee report that the District Council had no comments to make.

68.6 The substantive recommendation for application WSCC 032/18/WC was proposed by Lt. Cdr. Atkins and seconded by Mr Barrett-Miles and was put to the Committee and approved by a majority.

68.7 Resolved – That planning permission for application WSCC 032/18/WC be granted subject to conditions and informatives set out in Appendix 1 of the report, as agreed by the Committee.

68.8 The substantive recommendation for application WSCC 033/18/WC was proposed by Lt. Cdr. Atkins and seconded by Mr Barrett-Miles and was put to the Committee and approved by a majority.

68.9 Resolved – That planning permission for application WSCC 033/18/WC be granted subject to conditions and informatives set out in Appendix 2 of the report, as agreed by the Committee.

68.10 The Committee recessed at 1.07 p.m. for lunch and reconvened at 1.30 p.m. Ms Lord left the meeting during the recess.

## **69. Planning Applications: County Matter Waste Application**

### **WSCC/034/18/CR Amendment of condition 4 of planning permission WSCC/051/16/CR to restrict requirement for sheeting of vehicles to HGVs only. Rivington Farm, Antlands Lane, Shipley Bridge, Horley, RH6 9SR**

69.1 The Committee considered a report by the Head of Planning Services (copy appended to the signed minutes). The report was introduced by Jane Moseley, County Planning Team Manager, who provided a presentation on the proposals, details of consultation and key issues in respect of the application.

69.2 Mr Richard Burrett, Member for Pound Hill, spoke in objection to the application and in support of the recommendation that planning permission be refused. Concerns were raised about the impact of site activities on local residents. The site is not well situated, a better access exists onto Antlands Lane but the applicants choose not to use it. Residents have concerns about dust from commercial vehicles which lands on homes, gardens, cars and people when out and about. Residents accept the Committee had little choice but to approve the previous application WSCC/056/16/CR but feel that maintaining condition 4 is the most important thing and to remove it would be a retrograde action. Residents are disappointed with the level of enforcement activity but accept that officers cannot be there 24 hours per day. Crawley Borough Council agrees with the recommendation. The Committee was urged to refuse the application.

69.3 During the debate the Committee raised the points below and clarification was provided by the Planning Officers, where applicable:

#### **Dust**

**Point raised** – There was clear evidence during the site visit on the impact of dust, so residents' concerns are understood.

**Response** – None required.

#### **Reasoning behind the application**

**Point raised** – What does the applicant hope to gain by the application?

**Response** – The applicant feels that the condition is unreasonable and should only apply to HGVs, not all commercial vehicles.

#### **Sheeting versus covering**

**Points raised** – What does the applicant mean by 'sheeting' rather than 'covering'. How many HGVs would be sheeted?

**Response** – Sheeting is likely to involve HGVs with a sheet that is placed over the top of the HGV by means of an extending arm. The applicant has not provided details of numbers of HGVs to which this would apply.

69.4 The substantive recommendation, was proposed by Mr Patel and seconded by Lt. Cdr. Atkins and was put to the Committee and approved unanimously.

69.5 Resolved – That planning permission be refused, for the reasons set out in the committee report and agreed by the Committee.

69.6 The Committee recessed at 1.52 p.m. and reconvened at 2.07 p.m.

## **70. Planning Applications: Regulation 3 Application**

### **WSCC/030/18/SW Installation of new lighting layout to the existing car parking area. The Glebe Primary School, Church Lane, Southwick, West Sussex, BN42 4GB**

70.1 The Committee considered a report, as amended by the agenda update sheet, by the Head of Planning Services (copy appended to the signed minutes). The report was introduced by Sam Dumbrell, Planner who provided a presentation on the proposals, details of consultation and key issues in respect of the application.

70.2 Mr Barry Candy, local resident, spoke in objection to the application. The need for lighting is accepted, but the tall lighting columns in the car are intrusive and impact on residents' amenity; they should be replaced with bollard style lighting. A school governor has stated that the tall lighting columns in the car park had not been a requirement. The installation of lighting was sub contracted to a company based in Birmingham that has stated it is not prepared to amend the design which was done without any visit to the location. A consultation was then carried out, but the design has not been changed. The Head Teacher has stated that she was not engaged regarding the design, and would be happy with an alternative. The tall columns are out of scale with the size of the car park. The intensity of the lamps in the lighting columns is greater than that of the nearby highway lighting. Residents' objections are supported by their current County Councillor, and by a previous one as well. The Committee is urged to either prevent the use of the tall lighting columns in the car park or impose restrictions on their height.

70.3 Mr David Simmons, Member for Southwick spoke on the application. He requested that this matter be brought before the Committee. The tall lighting columns in the car park cause a loss of amenity to local residents and can be said to have a significant impact on adjacent properties. Shielding of lamps on tall columns does not prevent light spill. Due process has not been followed: the lighting columns were installed without planning permission and without consultation. Consideration of the impact has not included the floodlights on front of the school. Lighting levels are unacceptable; only 'adequate' lighting is required and this could be obtained by use of bollard lighting in the car park. Where bollard lighting is proposed along the access road, which next to walls and vegetation, it is considered adequate. The bollard lighting has no impact on the adjacent Conservation Area and so should be used throughout. The person in support of the application lives on the school site. The designers/engineers did not even visit the site before the tall lighting

columns were installed. The part of the application recommending lighting columns in the car park should be rejected.

70.4 In response to points made by the speakers, Planning Officers clarified the following:

- On the last point made Mr Simmons, the Committee is required to consider the acceptability of the whole application.
- In relation to suggested bollard lighting for the car park, the WSCC Street Lighting Team has stated that bollard lighting can be blocked by parked cars and this may obscure a small person/child.
- As soon as Planning Officers were made aware of the installation of the lighting in the car park without planning permission the school was advised to submit an application to regularise the matter.
- The WSCC Street Lighting Team has acknowledged that the column lighting is brighter than lighting on the adjacent highway but that it is not overly bright. Baffles on their eastern side as well as timings, as required in condition 7 – Hours of Use, will limit the impact.
- Painting the columns green, as required in condition 3 – Finishes, could help alleviate concerns about the industrial look of the lighting columns.

70.5 During the debate the Committee raised the points below and clarification was provided by the Planning Officers, where applicable:

#### **Lamp intensity**

**Point raised** – Shielding of lamps (baffles) does not work well or it has only a limited effect.

**Response** – None given.

#### **Height of lighting columns in the car park**

**Point raised** – The height of the lighting columns in the car park seems excessive, even at the proposed reduction to 4m. It was agreed that bollard lighting for the car park could prove a risk to small people/children. The designers did a poor job and the design could be improved.

**Response** – None given.

#### **Conservation area**

**Point raised** – There is a lack of information about the impact of the development on the Conservation Area, such as location of Listed Buildings and the church.

**Response** – The impact of the proposed lighting, upon the conservation area and on Listed Buildings was highlighted, as were the comments of Adur District Council (Planning & Environmental Health) and the WSCC Archaeologist, neither of whom raised any concerns.

### **Bat survey**

**Points raised** – Why has a bat survey not been carried out, especially given the significant impact that lighting can have on bats?

**Response** – The WSCC Ecologist was not consulted on the need for a bat survey because these are generally only required for major works, such as demolition of buildings where there might be roosts. Lighting is generally installed under permitted development and therefore, in most instances, a bat survey is not undertaken.

### **Five year replanting and maintenance plan**

**Points raised** – Condition 5 – Tree Protection Statement should be amended, based on standard wording, requiring a five year replanting and maintenance plan.

**Response** – Should the Committee wish to propose this then this would be reasonable.

70.6 Mr S Oakley proposed that Condition 5 – Tree Protection Statement should be amended, based on standard wording, requiring a five year replanting and maintenance plan. This was seconded by Mr Barrett-Miles, and put to the Committee and approved unanimously. The final form of wording of the condition was delegated to the County Planning Team Manager.

70.7 Mr Barrett-Miles proposed that the item be deferred on the following grounds:

- Pending further investigation into the impact of the design on the conservation area, listed buildings and surroundings adjacent to the site;
- To ascertain whether or not a bat survey is required; and
- To further investigate the impact on residential amenity caused by the current light spill and height of the lighting columns in the car park and to establish a way of mitigating this.

The proposal to defer was seconded by Lt. Cdr. Atkins. The Committee voted on the proposal to defer the item, which was approved by a majority.

70.8 Deferred – for the reasons set out Minute 70.7 above, as stated by the Committee.

70.9 The Committee recessed at 2.35 p.m. and reconvened at 2.46 p.m.

## **71. Planning Applications: Regulation 3 Application**

**WSCC/028/18/WP Single Storey Extension to Existing School Comprising 3 No. Classrooms, Hall, Kitchen & Ancillary Accommodation, Additional Parking & External Works. Crawley Down Village C of E Primary School, Hophurst Drive, Crawley Down, West Sussex, RH10 4XA**

71.1 The Committee considered a report, as amended by the agenda update sheet, by the Head of Planning Services (copy appended to the signed minutes). The report was introduced by Benjamin Marshall, Apprentice Planner who provided a presentation on the proposals, details of consultation and key issues in respect of the application.

71.2 Mr Oliver Durcombe, Head Teacher of Crawley Down Village C of E Primary School, spoke in support of the application. An increase in housing means not all local children are able to attend the school due to lack of places. The committee papers state there are 315 pupils with an increase of 15 pupils per year from September 2019. This is inaccurate: there are currently 373 pupils and the intake has increased over the last three years. The school is now full and there is a waiting list. The main school building is no longer suitable; corridors, hall, toilets (60 reception children share 3 toilets) and kitchen cannot cope. Modular classrooms added in 2016 provide enough space, but shared spaces are the biggest concern. Health and safety concerns have been raised by Governors. The proposed new development will accommodate the full 2 forms of entry as it moves through the school. Increased group room spaces will enable more 1:1 and small group tuition. The development retains a large proportion of the playing fields and provides additional hard play space. The netball court will allow community use. The children of Crawley Down should be able to attend their local school which should be fit for purpose.

71.3 During the debate the Committee raised the points below and clarification was provided by the Planning Officers, where applicable:

#### **Loss of trees and five year replanting and maintenance plan**

**Points raised** – The loss of two trees was noted as being unfortunate but replanting was acknowledged. A new condition should be included, based on standard wording, requiring a five year replanting and maintenance plan.

**Response** – Should the Committee wish to propose a condition requiring a five year replanting and maintenance plan then this would appear reasonable.

#### **Need for the development**

**Point raised** – Members noted the importance of enabling local children to attend their local school.

**Response** – None required.

#### **Impact on residential amenity**

**Points raised** – The impact on residential amenity and, in particular, one address in Hophurst Drive, was noted. However, the need for the development outweighs these impacts.

**Response** – None required.

#### **Netball Court**

**Points raised** – It is disappointing to see that the netball court will not be lit, which will limit community use to daylight hours; what is the reason for this? What was the response to this from Sport England?

**Response** – Sport England, on re-consultation, requested a Community Use Agreement. Sports England were aware of and noted the lack of floodlighting. However, the overall provision of usable play space enables the proposal to meet their tests. There is no lighting because the netball court is close to residential properties to the north. Officers highlighted that in these circumstances, there is always a balance between community use and mitigating against adverse impacts upon neighbouring properties.

#### **Hours of construction**

**Point raised** – Can deliveries during hours of construction be prevented during peak drop off and pick up times, for the purposes of children’s safety?

**Response** – Should the Committee wish to propose such restrictions, officers consider that this would appear reasonable.

#### **Size of the site**

**Points raised** – Clarification of the size of the site was requested.

**Response** – The ‘red line’ development area is 0.63 hectares.

71.4 Mr S Oakley proposed that new condition should be included, based on standard wording, requiring a five year replanting and maintenance plan. This was seconded by Lt. Cdr. Atkins, and put to the Committee and approved unanimously. The final form of wording of the condition was delegated to the County Planning Team Manager.

71.5 Mr Barrett-Miles proposed an amendment to condition 4 - Deliveries requesting that no construction related vehicles movements should take place in a specified period at the beginning and end of the school day. This was seconded by Mr Oakley, and put to the Committee and approved by a majority. Details of hours of exclusion were delegated to the County Planning Team Manager.

71.6 The substantive recommendation, as amended by the agenda update sheet and also by changes to conditions agreed by the Committee, was proposed by Mr Barrett-Miles and seconded by Lt. Cdr. Atkins and was put to the Committee and approved unanimously.

71.7 Resolved – That planning permission be granted subject to amended conditions and informatives set out in Appendix 1 of the report, as agreed by the Committee.

## **72. Update on Mineral, Waste and Regulation 3 Planning Applications**

72.1 The Committee received and noted a report by the Head of Planning Services on applications awaiting determination (copy appended to the signed minutes) detailing the schedule of County Matter applications and the schedule of applications submitted under the Town and Country Planning General Regulations 1992 – Regulation 3.



### **73. Report of Delegated Action**

73.1 The Committee received and noted a report by the Head of Planning Services (copy appended to the signed minutes) applications approved subject to conditions under the Town and Country Planning Act 1990 and Regulation 3 of the Town and Country Planning General Regulations 1992 since the Planning Committee meeting on 17 July 2018.

### **74. Date of Next Meeting**

74.1 The following scheduled meeting of Planning Committee will be on Tuesday, 9 October 2018 at 10.30 a.m. at County Hall, Chichester.

The meeting ended at 3.13 pm

Chairman