

Planning Committee

6 November 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, Lt. Col. Barton, Mrs Duncton, Mr Jupp, Ms Lord, Mr S J Oakley, Mr Patel, Mr Quinn, Mr Wickremaratchi and Mr McDonald

Part I

75. Declarations of Interest

75.1 In accordance with the County Council's Code of Conduct, the following interest was declared:

- Lt. Col. Barton, member for Sompting and North Lancing, declared a personal and prejudicial interest in application WSCC/030/18/SW as the vice-chairman of Adur District Council.

76. Minutes of the last meeting of the Committee

76.1 Resolved – that the minutes of the meeting of the Committee held on 11 September 2018 are agreed as a correct record subject to the following amendments:

- Page 3, minute 64, first bullet point to be amended to, 'Mr Crow, Chairman declared ...'
- Page 14, minute 70.2, end of line 2 to be amended to, '... but the tall lighting columns to the car park ...'

77. Urgent Matters

77.1 There were no urgent matters.

78. Planning Applications: Waste

WSCC/027/18/F Proposed New Access Road. New Circular Technology Park (former Ford Blockworks), Ford Airfield Industrial Estate, Ford, Arundel, West Sussex, BN18 0HY

78.1 The committee considered a report by the Head of Planning Services, as amended by the agenda update sheet (copy appended to the signed copy of the minutes). The report was introduced by James Neave, Principal Planner, who gave a presentation on the proposals, details of the consultation and key issues in respect of the application.

78.2 Councillor Colin Humphris, Clymping Parish Council, spoke in objection to the application. The objections included: the effect of increased HGV numbers on Church Lane on historic buildings, increased

risks to pedestrians, cyclists and other road users; no safe controlled crossing points on Church Lane; no mitigation measures being recommended; extended delivery hours, and no control over delivery schedules; traffic surveys being undertaken on a quiet day during the summer school holidays, and the substantial increase in local traffic and pedestrian footfall once the new homes proposed for Yapton and Ford are constructed. Councillor Humphris asked for the following on Church Lane: speed limit reduction; footpath and pavement redesign; safe crossing points; and junctions to be redesigned. He also requested that current delivery hours and number of daily vehicle movements remain the same.

78.3 Jenny Betteridge, a local resident, spoke in objection to the application. At the Chairman's discretion, three photographs provided by Miss Betteridge were circulated to all members of the committee. The objections included: the effect of increased HGV numbers on residents living on Church Lane in terms of additional noise and increased vibrations very close to their only amenity areas (the properties do not have rear gardens); increased danger to road users (Church Lane is part of the national cycle network and the south coast cycle route) and pedestrians; the traffic survey was flawed because it was undertaken on a quiet day in August; the impact on listed buildings and other protected historical assets and their settings.

78.4 The Democratic Officer read out a letter of concern from Vince Anderson, Friends of the Old Ford to Hunston Canal to the committee. The letter referred to the Arun Local Plan 2011-2031 which stated that development would be permitted where it would not adversely affect the remaining line and configuration of the canal and features along it. The letter asked that the remainder of the canal be protected and restored for other uses including a footpath, cycleway, ponds, open spaces, hedgerows and trees which would help people get to work, benefit wildlife and preserve canal features. Committee members were invited to visit the site of the old canal.

78.5 Veronique Bensadou, Senior Planner for Grundon Waste Management Ltd, spoke in support of the application. The new access route meets the Arun District Local Plan criteria, joins the existing service road used by the sewage works and Viridor's waste recycling site and will move the site traffic away from existing and proposed residential areas. As a result, an increased number of permitted hours for waste delivery is being sought which are similar to, but shorter than, the nearby Viridor facility. Current recycling operations at the site experience a higher number of smaller lorries than envisaged and the proposed increase in the number of vehicles reflected this and would ensure that materials delivered to the site were generated locally rather transported from further afield in larger lorries. All proposals had been rigorously assessed for their potential impact and no objections had been received from the statutory consultees.

78.6 In response to a matter raised in the letter of concern, Planning Officers provided clarification that the route of the former canal would not be physically impacted by the proposed development.

78.7 During the debate, committee members raised the points below and clarification was provided by the Planning Officers, where applicable:

Increase in number of HGV movements

Points raised – What is the proposed increase in the number of vehicle movements; is this a significant increase? Will it affect total tonnages; and are movements from the Viridor facility included?

Response - The details about numbers of vehicles are included on page 36 of the committee report. Vehicle numbers/controls relate to the Circular Technology Park only; not to Viridor's vehicle movements. The proposed route of HGVs would be via an already well trafficked road, and additional vehicle movements proposed are not considered to give rise to unacceptable impacts. The applicant is not proposing to increase total tonnages processed at the site.

Monitoring of vehicle movements and hours of operation

Point raised – How will the hours of operation and number of vehicle movements be monitored?

Response – This would be controlled by conditions and/or legal agreement. The draft legal agreement at Appendix 2 of the committee report includes provisions such as record keeping; a requirement for letters to be sent to local residents explaining reporting of breaches; and remedial actions to be taken by the applicant should breaches be identified.

Vehicle size

Point raised – Can the size of vehicles be controlled?

Response – There is no existing control over vehicle size.

Prevention of use of existing outbound route

Point raised – Can the HGVs be prevented from accessing the facility from the existing outbound route?

Response – The proposed legal agreement would prevent the use of the existing east and west accesses. Gates at these accesses would be locked or replaced with a continuous fence, the final details of which would be controlled.

Impact upon allocated housing land

Point raised – To what degree will the access road impact upon future housing e.g. through visual/noise impacts?

Response – Condition 5 on page 43 of the committee report refers to the landscaping requirements, which can be made as robust as possible. Officers consider the proposed access arrangements, via an established route serving other development at the airfield,

would have less of an impact upon future housing land than the current access arrangements.

Hours of operation

Point raised – Can the Planning Committee refuse to allow the application to increase the number of hours of operation in order to mitigate the impact on residential amenity?

Response – Yes, but the Committee would need to be clear of the impacts which they consider to be unacceptable if minded to refuse the requested hours. The proposed hours of HGV movements are sought by the applicant to facilitate the operation of a waste facility with extant planning permission.

Sustainable transport

Points raised – Has the increase in the number of vehicle movements been communicated to Highways England? Will there be an impact upon residents' ability to access the new cycle route along the A259?

Response – Highways England were not consulted because the application site is a considerable distance away from a trunk road.

Traffic survey

Point raised – The traffic survey was undertaken in August, during the school holidays; can it give an accurate impression of the impact of the proposed increase in the number of vehicle movements?

Response – The survey complied with government guidelines; the original survey was undertaken in December 2015 and a subsequent survey should be undertaken within three years - the 2018 survey complied with this requirement.

Crossing points

Point raised – Can a crossing point on Church Lane be installed?

Response – There is already a crossing point by the open prison and some informal crossing points where the footpath changes from one side to the other where there are dropped kerbs and central bollards.

78.8 Mr Jupp proposed that the existing hours of operation should be retained and this was seconded by Lt. Col. Barton and put to the committee. Six members voted for the amendment and six members voted against. The Chairman then voted against the amendment, using his second and casting vote. The amendment fell.

78.9 Lt. Cdr. Atkins proposed that planning permission is granted for application WSCC/027/18/F as set out in the recommendations on page 24

of the committee report. This was seconded by Mrs Duncton, put to the Committee and approved by a majority.

78.10 It was resolved – that planning permission is granted for the proposed new access road, subject to:

- (a) the conditions and informatives set out in Appendix 1 of the report (as amended by the update tabled at the meeting); and
- (b) the applicant entering into an agreement under section 106 and s106A of the Town and Country Planning Act 1990 ('the Act') to deal with:
 - i) amendments to the existing S106 agreement for the Circular Technology Park site to remove the current controls on routeing and to allow an increase in the number and hours of HGV movements; and
 - ii) requiring the closure of existing vehicular accesses to the Circular Technology Park and routeing to/from the site only via the new access road and Ford Road/Church Lane.

79. Planning Applications: Regulation 3

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

79.1 The committee considered a report by the Head of Planning Services. This item had been deferred at the previous meeting. The report was introduced by Sam Dumbrell, Planning Officer, who gave a presentation on the proposals, details of the consultation and key issues in respect of the application.

79.2 The Chairman advised members that Debbie Kennard, one of the local members, had objected to this application.

79.3 Barry Candy, a local resident, spoke in objection to the application. At the Chairman's discretion, photographs from Mr Candy were circulated to committee members. Objections include: on the planning portal, as a matter of public record, there was a conversation between the architect and the project officer about the lack of a brief for the lighting; the 'Secured by Design' standard is inappropriate for a small school car park and causes nuisance to residents; the scale of the columns is inappropriate and intrusive and bollards would be more in keeping with the environment. There was already a separate fenced pathway for children and no vehicle movements during school hours so the arguments for this proposal were inconsistent. The Chair of Governors had said the lighting columns were not required and the contractor had not involved the Head Teacher who would be happy with an alternative design. The report implied that lighting was being installed for health and safety reasons - there are no health and safety standards for car parks; if there were, the majority of schools would not comply. This committee was the final safety net for the community and for the 11 objectors. There have been no amendments to the application other than rotating the lighting

through 90 degrees; side baffles were in original application. The issues of height, scale and lighting intensity have not been addressed. Mr David Simmons, member for Southwick, objected to the application.

79.4 David Seaman, architect, Seaman Partnership, spoke in support of the application. The height of the columns had been reduced from 5 to 4 metres and they had proposed the installation of side and rear baffles which would protect adjacent properties. If the height of the columns was reduced further, this would require the installation of additional columns in order to achieve the minimum required lux level. The columns would be painted dark green (they were currently galvanised); the fittings changed to powder coated black and the T-bar rotated through 90 degrees to reduce the line of sight from adjacent properties. The bulbs would be cool white rather than bright white.

79.5 Andy Prager, Paine Manwaring, the lighting designers/contractors spoke in support of the application and reiterated the points made by Mr Seaman. The lighting was not a security lighting installation rather it was to illuminate the car park for safety purposes. Side shields would be fitted so no light would escape the school boundaries. If the height of the columns was reduced more columns would be required. If bollards were installed instead, more would be required to achieve the light levels needed. Changing the bulbs from cool to warm white would be less harsh and the sensor would be relocated to ensure the lights did not come on during the daylight.

79.6 During the debate, committee members raised the points below and clarification was provided by the Planning Officers, where applicable:

Height of lighting columns

Point raised – Can the applicant be required to reduce the height of the lighting columns?

Response – Members were advised that the scheme as submitted should be considered. Adur District Council offered no further comments and does not consider that the lighting will have an adverse impact on residential amenity. If the height of the columns was reduced, there would be a need for additional lighting columns in order to provide the required level of light.

Hours of operation

Point raised – Clarification of the hours of operation of the lighting columns was requested.

Response – Members were referred to page 80 (and Condition 7) of the committee report which states that the lighting columns will be turned off between the hours of 21:15 and 07:00 and at all times when the car park is not being used for educational purposes.

Refusal of Regulation 3 application

Point raised – Can the committee refuse a Regulation 3 application?

Response – If, in the committee's opinion, all the options to remedy the concerns have been examined and are not deemed to be suitable, the committee should propose an 'in principle' refusal. The applicant would then need to consider whether to accept that decision and withdraw the application. If not, the full County Council procedure would be invoked and the application would need to be considered and decided at the next County Council meeting.

Condition to ensure rotation of light fittings

Points raised – Where, in proposed condition 2 (page 78 of the committee report), is the rotation of the fittings (as per section 4.5 on page 75 of the report) referred to?

Response – There is no specific mention and condition 2 could be amended to include that requirement.

79.7 Ms Lord proposed that condition 2 is amended, in consultation with the Chairman, to take account of the wording about rotating the fittings included in section 4.5, page 75 of the report. This was seconded by Mr Barrett-Miles, put to the committee and approved unanimously.

79.8 The substantive recommendation, as amended by the change to condition 2, was proposed by Mr Atkins and seconded by Mr Patel. It was put to the committee and approved unanimously.

79.9 Resolved – that:

- a) planning permission is granted subject to the conditions and informatives set out in Appendix 1 of Committee Report from 11 September 2018 (repeated in Appendix A to the Supplementary Report and incorporating the proposed amendments to Condition 2 (Approved Plans/Documents) and the previously-approved amendment to Condition 5 (Tree Protection Statement)); and
- b) subject to Condition 2 being amended to ensure the fittings are rotated by 90 degrees to reduce their visibility from Oldfield Crescent and incorporate both side and rear baffles to ensure light is directed only into the car parking area and not into adjacent residential properties; the final wording of this condition to be agreed in consultation with the Chairman.

(Lt. Col. Barton, having declared a personal and prejudicial interest in relation to this item, left the meeting table whilst this item was considered and determined.)

80. Update on Mineral, Waste and Regulation 3 Planning Applications

80.1 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.

81. Report of Delegated Action

81.1 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 11 September 2018.

82. Date of Next Meeting

82.1 The following scheduled meeting of Planning Committee will be on Tuesday 4 December 2018 at 10.30 a.m. at County Hall, Chichester.

The meeting ended at 12.47 pm

Chairman