

Public Document Pack

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29 October 2018

Planning Committee

A meeting of the committee will be held at **10.30 am** on **Tuesday, 6 November 2018** at **County Hall, Chichester**.

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Agenda

1. **Declarations of Interest**

Members and officers must declare any pecuniary or personal interest in any business on the agenda. They should also make declarations at any stage such as an interest becomes apparent during the meeting. Consideration should be given to leaving the meeting if the nature of the interest warrants it. If in doubt please contact Democratic Services before the meeting.

2. **Minutes of the last meeting of the Committee** (Pages 3 - 20)

The Committee is asked to agree the minutes of the meeting held on 11 September 2018 (cream paper).

3. **Urgent Matters**

Items not on the agenda which the Chairman of the meeting is of the opinion should be considered as a matter of urgency by reason of special circumstances.

4. **Planning Applications: Waste** (Pages 21 - 70)

Report by Head of Planning Services.

To consider and determine the following application:

WSSC/027/18/F

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

5. **Planning Applications: Regulation 3** (Pages 71 - 80)

Report by Head of Planning Services.

To consider and determine the following 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.

6. **Update on Mineral, Waste and Regulation 3 Planning Applications**
(Pages 81 - 84)

Report by Strategic Planning, County Planning Manager.

To note the schedule of County Matter applications and the schedule of applications submitted under the Town and Country Planning General Regulations 1992 – Regulation 3.

7. **Report of Delegated Action** (Pages 85 - 86)

Report by Strategic Planning, County Planning Manager.

To note the report of 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.

8. **Date of Next Meeting**

The next meeting of the Planning Committee will be held at 10.30 a.m. on Tuesday, 4 December 2018 at County Hall, Chichester.

To all members of the Planning Committee

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

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Planning Committee

6 November 2018

County Matter Waste Application

Proposed New Access Road

New Circular Technology Park (former Ford Blockworks), Ford Airfield Industrial Estate, Ford, Arundel, West Sussex, BN18 0HY

Application No: WSCC/027/18/F

Report by Head of Planning Services

Local Member: Jacky Pendleton

District: Arun

Executive Summary

This report concerns an application proposing the development of a new access road to serve a permitted, part implemented, waste treatment facility (WSCC/096/13/F) at the Circular Technology Park (CTP), Ford. As part of the proposals, the applicant is seeking to vary the S106 legal agreement attached to the 2013 permission to remove the permitted HGV route to/from the CTP site, to increase the maximum permitted number of HGV movements, and to increase the hours in which waste deliveries can occur. A new legal agreement is also sought to require the closure of the existing accesses and to ensure the routing of all vehicles to/from the east via the new access and Ford Road/Church Lane.

The report provides a generalised description of the site and a detailed account of the proposed development, and appraises it against the relevant policy framework from national to local level along with other material considerations.

Arun District Council and the Highway Authority raise no objection. Yapton Parish Council support the proposals.

Ford and Clymping Parish Councils object to the proposals principally due to impacts on the highway network in safety and capacity terms. They consider transport assessments and non-motorised user audits are inadequate, outdated, and fail to take account of future development as set out in the adopted Arun Local Plan. They further note that no mitigation is proposed to protect residents and listed buildings from traffic pollution and noise/vibration, which should include speed restrictions, improvements to the road network and low noise/emission HGVs.

Eighteen representations have been received – fourteen in support; two in objection; one raising concerns; and one making comments. Representations in support generally note that vehicles would no longer be routed through residential areas at Rollaston Park and Rodney Crescent and highlight the safety/amenity benefits of the proposed new route of vehicles, being further away from their properties and off a shared PROW.

Representations in objection principally consider the proposed additional hours and

volume of HGVs would give rise to unacceptable noise, vibration and amenity impacts on residential properties and heritage assets, and would result in a risk to pedestrians and cyclists on Church Lane. Further concerns are raised that Ford Road is a country lane of unsuitable design/capacity for HGV traffic and vehicle exhausts will affect the health of residents.

Consideration of Key Issues

The main material planning considerations are impacts on:

- Arun Local Plan allocations;
- landscape and visual amenity;
- highway capacity and road safety; and
- residential amenity.

Arun Local Plan Allocations

The proposed access road and routing of vehicular traffic via the established airfield service road would support the operation of an established and safeguarded waste facility, and would represent an improvement in routing over the approved access. The proposed development would utilise an established service road and has the potential to improve deliverability of the ADC strategic development site 'Ford' through the removal of existing HGV access routes that dissect the allocation site.

Landscape and Visual Amenity

The proposed access road would inevitably have some urbanising effect upon the immediate locality. Although it would be sited on the periphery of an arable field, it would be adjacent to existing developments of a large-scale, industrial nature, and would result in a limited continuation of existing street lighting. Further, the arable fields have been allocated for future residential use. Overall, therefore, the proposed development is not considered to give rise to any unacceptable landscape impacts.

Highway Capacity and Road Safety

The proposed development would result in a significant increase in HGV movements on Ford Road/Church Lane beyond that currently permitted by WSCC/096/13/F, rising from a maximum of 60 HGV movements per day to 240 HGV movements per day. However, WSCC Highways are satisfied that the local highway network can accommodate these movements without any unacceptable impact upon the highway capacity or road safety. Subject to a S106 legal agreement to control the routing and number of HGV movements, the proposed development is considered acceptable with regards to highway capacity and road safety.

Residential Amenity

Taking into account the existing, well-trafficked character of the highway and surrounding environs for the proposed HGV route, and limited potential for noise impacts on residential receptors, it is considered that the proposed increase in hours and numbers of HGV movements would not give rise to an unacceptable impact upon amenity. The proposals are consistent with the 'development principles' as set out in the WLP allocation for the site and would result in amenity benefits to

sensitive receptors, public footpath users, and future housing development in areas where HGV routeing would cease. On balance, the proposed development is not considered to give rise to any unacceptable impact upon the environment or local communities.

Conclusion

The principle of the use of the wider site for waste management purposes is established. The proposed development would support the delivery and operation of an existing, part-implemented, waste management facility on a site allocated in the WLP for that purpose.

The proposed access road would be sited adjacent to existing development of an industrial nature and proposed lighting would be consistent with existing street lighting in the immediate locality. The proposals include provision of landscaping that would ensure any landscape impacts are minimised.

The proposed development would result in a significant increase in HGV volumes and hours on Ford Road/Church Lane beyond that currently permitted by WSCC/096/13/F. However, the Highway Authority is satisfied that the local highway network can accommodate these movements without any unacceptable impact upon the highway capacity or road safety.

The proposals would inevitably give rise to some negative impact upon the amenity of residents, in particular those in close proximity to Ford Road/Church Lane. However, account must be taken of character of the highway and surrounding environs, the limited overall increase in noise levels, and the wider amenity benefits to sensitive receptors, public footpath users, and future housing development on the currently permitted HGV access routes. On balance, it is not considered that the proposals would give rise to an unacceptable impact upon amenity.

The applicant has carried out an Environmental Impact Assessment, building on previous assessments for the wider site, that adequately identifies and considers the key topics with potential for significant environmental effects. Taking into account the assessments presented therein, comments received from consultees and third parties, and the measures proposed to mitigate any impacts, it is considered that the proposed development would not give rise to any unacceptable environmental effects either alone or in combination with other development.

If the application is permitted, the required amendments to the existing S106 agreement and the proposed new S106 agreement should be taken forward in a single legal agreement (see Appendix 2).

In considering the application, the County Council has, through consultation with the appropriate statutory bodies and having regard to the Development Plan and all other material considerations, considered the objectives of protection of human health and the environment and self-sufficiency and proximity as required by Article 18 of the Waste (England and Wales) Regulations 2011.

Recommendations

It is recommended that planning permission be granted for the proposed new access road, subject to:

- (a) the conditions and informatives set out in Appendix 1;
- (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.

1. Introduction

- 1.1 This report concerns an application proposing the development of a new access road to serve a permitted, part implemented, waste treatment facility (WSCC/096/13/F) at the Circular Technology Park, Ford. As part of the proposals, the applicant is seeking to vary the S106 legal agreement attached to the 2013 permission to remove the permitted HGV route to/from the CTP site, to increase the maximum permitted number of HGV movements, and to increase the hours in which waste deliveries can occur. A new legal agreement is also sought to require the closure of the existing accesses and to ensure the routing of all vehicles to/from the east via the new access and Ford Road/Church Lane. These requirements can be captured within one agreement made under sections 106 (general) and 106A (variations) of the Act.

2 Site and Description

- 2.1 The proposals relate to a site known collectively as the Circular Technology Park (CTP), the former Ford Blockworks site. This comprises the site of the waste development approved through planning permission WSCC/096/13/F, and two large hangar buildings, connected to that permission by S106 legal agreement, that have general industrial uses (planning use class B2).
- 2.2 The proposed access road is located to the south east of the CTP, which is located north of the Ford Airfield, in the parish of Ford, in Arun District (see **Appendix 3 – Site Location Plan**).
- 2.3 The proposed access road covers an area of 0.7 hectares and would link to the southeast corner of the CTP, following a field boundary alongside the existing Ford Waste Water Treatment Works, and includes a section of the established airfield service road from Ford Road (see **Appendix 4 – Application Site**). To the east of the site beyond agricultural land are residential properties in Rodney Crescent. To the south of the site is Ford Airfield (used for a Sunday market and Car Boot events), Ford Open Prison, and the Viridor waste Materials Recovery Facility (MRF).
- 2.4 The CTP comprises hard standing, a weighbridge, two large hangars and a large warehouse-type building, the latter of which currently contains waste transfer activities. The site has permission for further development of waste operations to include an energy from waste (EfW) facility that, when constructed, would be contained within a large new building in the southern

section of the site. This element of the proposals has not been implemented to date.

- 2.5 The closest residential properties to the proposed new access road are those in Rodney Crescent to the north-east. The wider locality includes residential properties at Rollaston Park and Yapton to the west, and Climping to the south. A number of residential properties border the surrounding road network where HGVs would be routed, most notably those along and Ford Road/Church Lane (including Nelson Row).
- 2.6 The wider area includes a number of industrial and business parks including Ford Airfield Industrial Estate to the west, Ford Lane Business Park and Trade Estate to the north, and Rudford Industrial Estate approximately 550m to the south.
- 2.7 The site is not within an area subject to any ecological, landscape or other constraints, is not within an area identified as being at risk of flooding, nor in a groundwater source protection zone. However, the site is in an area of known archaeological potential.

3 **Relevant Planning History**

WSCC/096/13/F

- 3.1 In January 2015, planning permission was granted by the County Council for the operation of a waste treatment facility comprising a reception and pre-treatment facility/materials recovery facility (MRF), and energy from waste (EfW) facility making use of residual waste through gasification. The proposed facility is permitted to manage up to 200,000 tonnes of waste per annum, with approximately 60,000 tonnes recycled, and the residual fraction of 140,000 tonnes processed by the EfW to produce electricity.
- 3.2 To date, this development has only been partially implemented, namely the limited operation of the MRF facility (approximately 20,000 tonnes per annum) to establish the scale of demand and local waste streams.
- 3.3 This permission is subject to a S106 legal agreement that controls the number, timing and routing of HGV movements related to both the permitted waste treatment facility and the wider CTP site (see Lawful Development Certificates below).

Lawful Development Certificates

- 3.4 In September 2013, Arun District Council approved Lawful Development Certificates confirming the established use of hangars located on the north of the wider CTP site for general industrial activities (planning use class B2).
- 3.5 This use remains extant because the hangars were excluded from the site granted planning permission for waste development by virtue of WSCC/096/13/F (see **Appendix 5 - WSCC/096/13/F – Application site**). However, as they are sited on land within the applicant's control, and having the potential to be used in combination with the approved waste development, they are also subject to the S106 legal agreement that controls HGV movement numbers and hours for the entire CTP site (i.e. including both the permitted

waste facility granted planning permission, and the hangars).

4 **The Proposal**

- 4.1 The applicant is seeking to create a new access road to/from the site, to double the number of HGV movements permitted to/from the site, and to extend the operating hours for the waste use.
- 4.2 However, because HGV movements and operating hours are controlled by an existing S106 agreement and because the new access road needs to be linked, in planning terms, to the wider site, the mechanisms to do so are less straightforward than would usually be the case.
- 4.3 Therefore, the applicant is seeking the following:
- planning permission for the construction of a new access road between the CTP site and the airfield access road (which also serves the Southern Water sewage works and Viridor waste site (MRF));
 - an amendment to the existing S106 agreement to increase the number of HGVs permitted to/from the site;
 - an amendment to the existing S106 agreement to increase the existing permitted hours of HGV movements to/from the site; and
 - to amend the existing S106 agreement to remove the current controls on routing and to enter into a new S106 agreement to require all vehicles accessing the entire CTP site to use the new access and to control the routing of all vehicles to/from the east via the new access and Ford Road/Church Lane.
- 4.4 A single legal agreement is proposed to both vary the existing s106 agreement (under s106A of the Town and Country Planning Act 1990) and to introduce new controls under S106 over access to the site and HGV routing (see **Appendix 2 – Draft Legal Agreement**).

Access Road

- 4.5 The proposed new site access road would comprise a 150m long, 10m wide sealed road with a combined foot/cycleway. This would only serve the site and would not be part of the public highway. The new section of road would include street lighting (approximately 8m in height), fencing/gates, and a landscaping belt on its eastern side (**see Appendix 6 – Proposed Access Road**). Upon completion of construction, all vehicular access to the CTP site would be via the new access, with existing accesses closed to vehicular traffic.

HGV Numbers

- 4.6 The proposal seeks to amend the existing S106 agreement attached to the site to double HGV numbers. At present, the maximum number of HGVs permitted to access the site is 60 in and 60 out on weekdays, and 30 in and 30 out Saturdays. The applicant is seeking to double this to 120 in and 120 out weekdays and 60 in and 60 out Saturdays.

HGV Hours

- 4.7 At present, HGVs are permitted to access the site between 07.30-17.00 weekdays and 08.00-13.00 Saturdays. The proposal is seeking to amend the existing S106 agreement attached to the site to extend these hours to between 06.00-22.00 weekdays and 08.00-18.00 Saturdays.

Lorry Routing

- 4.8 Lorry routing secured via existing S106 agreement requires lorries to enter from the west via Yapton Road and Rollaston Park and exit to the east via a shared public footpath to the north of Rodney Crescent and then south via Ford Road/Church Lane to its junction with the A259. This would be replaced by the new agreement to require all vehicles to access the site via the new access road, the existing airfield service road and then to/from the south via Ford Road/Church Lane to its junction with the A259 (**see Appendix 7 - Existing and Proposed Vehicular Routeing**).

5 Environmental Impact Assessment (EIA)

- 5.1 The proposals fall within Schedule 2 to the Town and Country Planning (Environmental Impact Assessment (England) Regulations 2017 (the EIA Regulations), namely Part 13(b) as relating to a '*change to or extension of development of a description listed in paragraphs 1 to 12 of Column 1 of this table* (Schedule 2), *where that development is already authorised, executed or in the process of being executed*'. This is because the planning application for the wider CTP site was classified as an '*installation for the disposal of waste*', within Schedule 2, Part 11(b) and was the subject of an Environmental Impact Assessment submitted in support of WSCC/096/13/F.
- 5.2 The County Council issued an EIA Screening Opinion for the present proposal on 30 October 2017. This confirmed that, taking into account the fact that the current proposals are intrinsically linked to the wider development, for which an EIA was carried out, and the criteria contained in Schedule 3 of the EIA Regulations, it was considered that the proposal has the potential for significant environmental impacts within the meaning of the EIA Regulations and thus an EIA would be required.

6 Policy

Statutory Development Plan

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the statutory 'development plan' unless material considerations indicate otherwise (as confirmed in paragraph 47 of the National Planning Policy Framework - NPPF). For the purposes of the application, the following documents form the statutory development plan: the West Sussex Waste Local Plan (2014), the Arun Local Plan 2011-2031 (July 2018).
- 6.2 The key policies in the development plan, which are material to the determination of the application, are summarised below. In addition, reference is made to relevant emerging policy and guidance, and national planning policy

that guides the decision-making process and which is material to the determination of the application.

West Sussex Waste Local Plan (WLP - 2014)

- 6.3 Policy W10 identifies a number of strategic sites to meet identified shortfalls in waste transfer, recycling, and recovery capacity. The Circular Technology Park is identified as 'Site north of wastewater Treatment Works, Ford' and is allocated for a Built Waste Management Facility. Policy W10 requires development of this site to satisfactorily address the 'development principles'.
- 6.4 The development principles for the Ford site are as follows:
- development of the site to be comprehensive;
 - comprehensive landscaping scheme required;
 - assessment of impact on the listed buildings to the north and possible mitigation required;
 - if substantial new ground excavations are proposed, low-level archaeological mitigation required;
 - assessment of impacts on the water environment (major aquifer) and possible mitigation required;
 - assessment of impacts on the amenity of users of public rights of way and possible mitigation and enhancement required;
 - assessment of impact (e.g. traffic, noise, odour) on the amenity of dwellings to the north east and south west and possible mitigation required;
 - the cumulative impacts of traffic, noise and odour on the environment and local communities to be satisfactorily addressed and mitigated as required, taking into account all existing, permitted, allocated, or proposed development within the wider area;
 - assessment of the possible closure of the existing access north of Rodney Crescent and the use of an alternative access to the site from Ford Road;
 - assessment of impact of additional HGV movements on highway capacity and road safety, including at the Church Lane and A259 junction and possible mitigation required; and
 - a routing agreement is required to ensure vehicles enter and exit via Ford Road to the south, and not to or from the A27 to the north. Access via Rollaston Park/B2233 for HGVs should also be prevented.
- 6.5 Policy W2 seeks to safeguard development that would prejudice the use of existing waste management sites. Policies W11 – W20 relate to development management and are designed to ensure that there would be no unacceptable harm to amenity, character, and the environment or to other material considerations from waste development proposals. Of particular relevance to the proposals are: Character (Policy W11), High Quality Development (Policy W12), Air, Soil and Water (Policy W16), Flooding (Policy W17), Transport (Policy W18), Public Health and Amenity (Policy W19) and Cumulative Impact (Policy W21).

Arun District Local Plan 2011-2031 (July 2018)

- 6.6 Policy H SP1 identifies a number of strategic sites to deliver new homes during the plan period. The application site falls within the site 'SD8 – Ford' allocated for 1500 new homes.
- 6.7 Policy H SP2c requires development proposals at strategic housing sites to demonstrate compliance with key design and infrastructure requirements. With regard to the Ford site (SD8) it is noted that adverse effects on the Arun Valley Special Protection Area should be avoided, and development proposals must demonstrate compliance with various design and infrastructure requirements, including:
- "a. to take account of sustainable links for all modes of transport between the development, Ford Railway Station and the Littlehampton/Arundel cycleway,*
 - f. improvements to the A259 between Climping and Littlehampton,*
 - g. incorporate planned new employment provision*
 - h. reflect the historic alignment of the canal,*
 - i. maintain visual separation between Ford and Yapton and between Climping and Ford through the layout of the development and provision of landscaped open space; and*
 - j. take into account the siting of Ford Wastewater Treatment Works, including the outcomes of an odour assessment, and not prejudice the operation of or the expansion of the treatment plant as required to accommodate future growth in the District."*
- 6.8 In addition to the above, the following policies are of relevance to the proposed development: Climping Housing allocation (Policy H SP2c (SD10)), Sustainable development (Policy SD SP1), Adapting to climate change (Policy ECC SP1), Transport and Development (Policy TSP1), The Historic Environment (HER SP1), Sites of Archaeological Interest (Policy HER DM6), Noise Pollution (QE DM1), Light Pollution (Policy QE DM2), Air Pollution (Policy QE DM3), Quality of the Environment (Policy QE SP1).

Ford Neighbourhood Plan

- 6.9 The Ford Neighbourhood Development Plan is at an advanced stage, having been subject to independent examination and modification. The adoption of the Neighbourhood Plan will be dependent on a local referendum, currently scheduled for the 8 November 2018. Emerging plans are a material consideration when determining planning applications. The latest version of the Plan is the '*Ford Parish Council Neighbourhood Development Plan 2017-2031 – Post examination version*' that was published in September 2018.
- 6.10 Of particular relevance to the proposals are policies SP1 (Spatial Plan for the Parish); SA1 (Ford Airfield); EH4 (Surface Water Management); EH8 (Light Pollution); and EE1 (Employment and Enterprise).

Clymping Neighbourhood Plan 2015-2030 (October 2015)

- 6.11 The plan was 'made' in January 2016 and as such forms part to the development plan. Of particular relevance to the proposals are policies; CPN13 (Retain buildings or structures of character); and CPN14 (Traffic and the Environment).

National Planning Policy Framework (2018)

- 6.12 The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The NPPF does not form part of the development plan but is a material consideration in determining planning applications. It also helps to guide decision-makers as to what matters are material to the decision-making process.
- 6.13 Paragraph 8 sets out the three key roles of the planning system; economic, social and environmental. The supporting text highlights the importance of providing infrastructure to support growth.
- 6.14 The paragraphs of the NPPF of key relevance to this application are: 8 (roles of the planning system), 11 (presumption in favour of sustainable development), 47 (determining applications in accordance with the development plan), 102 (consideration of transport issues), 109 (unacceptable impact on the road safety or a severe impact on the road network), 117 (promoting effective use of land to meet the need for homes), 127-132 (achieving well-designed places in decision making), 163 (ensuring flood risk is not increased elsewhere), 170 (conserving and enhancing the natural environment), 175 (protection and enhancement of biodiversity and geodiversity), 178 (avoiding pollution and contamination), 180 (minimising impacts of noise), and 192 (protection of heritage assets).

National Planning Practice Guidance (PPG).

- 6.15 The PPG is a web-based resource that sets out Government's planning guidance to be read in conjunction with the NPPF. PPG does not form part of the development plan but is a material consideration in determining planning applications. PPG was published on 6 March 2014 and contains guidance on a range of planning matters, which are independently updated as necessary. The most relevant sections of the PPG to this application are:

Air Quality (updated 06/03/2014), Noise (updated 06/03/2014), Travel plans, transport assessments and statements in decision-taking (updated 06/03/2014).

EU Council Directive 2008/98/EC

- 6.16 By virtue of the Waste (England and Wales) Regulations 2011 when determining any application for planning permission that relates to waste management (article 18) the planning authority is required to take into account EU Council Directive 2008/98/EC which sets out the objectives of the protection of human health and the environment (article 13) and self-sufficiency and proximity (first paragraph of article 16(1), article 16(2) and (3)). Case law has confirmed that these articles are objectives at which to aim. As objectives they must be kept

in mind whilst assessing the application and provided this is done, any decision in which the furtherance of the objectives are not achieved, may stand.

7 Consultations

- 7.1 **Arun District Council - Planning:** No objection. However, following adoption of the Arun Local Plan in July 2018, and allocation of the 'Ford' site for 1,500 homes, additional comments made. These note the need to ensure that the development will not prejudice the operation or expansion of the Southern Water sewage works or the delivery of future housing.
- 7.2 **Arun District Council - Environmental Health:** Note that residents to the west of the site will undoubtedly benefit from this proposal in terms of noise, but raise concerns that the impact of noise on future residents of land adjacent to the new access has not been considered.
- 7.3 Recommend consideration of conditions to protect air quality, including ensuring that all vehicular routing is via the new road only, and requiring a transport plan to encourage a switch to low/zero emission vehicles.
- 7.4 **Ford Parish Council:** Objection. Wish to retain existing HGV times and volumes. Traffic surveys are outdated and do not take account of existing and future development. Ford Road/Church Lane has narrow footways and there is danger of pedestrians being struck by HGVs. No mitigation to protect resident from traffic pollution and noise are proposed, which should include consideration of speed restrictions, road widening, a new roundabout, low noise/emission HGVs, verge beautification, and control of light pollution.
- 7.5 **Clymping Parish Council:** Objection on the basis of highway safety and capacity impacts, HGVs noise/vibration impacts on residents adjacent to Church Lane (including listed buildings), lack of control over HGV numbers, failure to take account of future housing and associated traffic from future housing sites allocated in the adopted Arun Local Plan. Consider improvements to the highway network are required in accordance with the Clymping Neighbourhood Plan. Consider the submitted Non-motorised user audit to be flawed in terms of impact on pedestrians. Should the development be approved request a condition for all traffic to be routed north once the Arundel bypass is built.
- 7.6 **Yapton Parish Council:** Support. Welcome alternative routing proposals. Initially concerns raised over additional numbers and hours of HGV movements and potential for noise impacts. However, following further information submitted by the applicant, support offered.
- 7.7 **Environment Agency:** No comments received
- 7.8 **Southern Water:** Draw attention to the approximate position of a public sewer crossing the site and detail steps to be taken to ensure its protection. Note concerns regarding the potential impact of 1,500 homes on the Southern Water sewage works, however, cannot comment further until detailed information about the proposals and future expansion of the sewage works are known.
- 7.9 **WSCC Archaeology:** No objection subject to a condition to secure a scheme of archaeological investigation.

- 7.10 **WSSC Ecology:** No ecological objection. Recommends conditions to secure a detailed scheme for screening planting (and long term management and maintenance thereof) and ecologist supervision of clearance works.
- 7.11 **WSSC Drainage and Flooding:** No objection.
- 7.12 **WSSC Highways:** No objection. Satisfied with the capacity data and Road Safety Audit submitted. The junction with Ford Road is adequate. Note the Church Lane roundabout is operating close to theoretical capacity, however, the hourly number of movements at this junction would not constitute a level at which a material impact would occur. Improvement of the roundabout is not necessary to accommodate the worst case traffic generated by the proposed development. Note that roundabout improvements are sought as part of the Arun Local Plan, and included within development proposals currently being considered at appeal. Satisfied with the submitted non-motorised user audit (NMUA) and consider additional vehicles are unlikely to result in any perceptible impacts upon non-motorised users. The proposed development is not considered to give rise to a severe impact on highway capacity or a unacceptable impacts on highway safety, and is thereby considered to accord with paragraph 109 of the NPPF.
- 7.13 **WSSC Tree Officer:** No objection subject to a condition to secure a detailed planting specification and subsequent maintenance.
- 7.14 **WSSC Public Rights of Way:** No objection.
- 7.15 **National Planning Casework Unit:** No comments received.
- 7.16 **WSSC Councillor Jacky Pendleton:** No comments received.

8 Representations

- 8.1 The application was publicised in accordance with The Town and Country Planning (General Development Procedure)(England) Order 2015. Eight site notices were erected at various locations around the application site, an advertisement put in the local newspaper, and neighbour notification letters sent to properties in the immediate vicinity of the application site. Following further information submitted under Regulation 25 of the EIA Regulations, the full consultation exercise was repeated.
- 8.2 In response, eighteen representations have been received – fourteen in support; two in objection; one raising concerns; and one making comments.
- 8.3 Representations in support generally note that vehicles would no longer be routed through residential areas at Rollaston Park and Rodney Crescent and highlight the safety/amenity benefits of the proposed new route of vehicles, being further away from their properties and off a shared PROW.
- 8.4 Representations in objection principally consider the proposed additional hours and volume of HGVs would give rise to unacceptable noise, vibration and amenity impacts on residential properties and heritage assets on Church Lane (including a Scheduled Ancient Monument and Listed Buildings). The proximity of some properties to the carriageway exacerbates these concerns. Consider traffic data outdated and the proposals would result in a safety risk to

pedestrians and cyclists on Church Lane. Further concerns are raised that Ford Road is a country lane of unsuitable design/capacity for HGV traffic and vehicle exhausts will affect the health of residents.

- 8.5 In addition to the above, further comments set out the need to ensure that the development would not impact upon the former Portsmouth to Arundel Canal, and the need to ensure that the routing of HGVs and containment there loads is controlled.

9 **Consideration of Key Issues**

- 9.1 The main material planning considerations in relation to this application are impacts on:
- Arun Local Plan allocations;
 - landscape and visual amenity;
 - highway capacity and road safety; and
 - residential amenity
- 9.2 In considering this application it should be noted that the acceptability of the use of the site for waste purposes has already been confirmed through its allocation in Policy W10 of the Waste Local Plan, and through the grant of planning permission WSCC/096/13/F. The only issues being considered are the implications of the new access and associated S106 agreement (requiring the use of the new access only), and the amendments proposed to the existing S106 agreement (to increase HGV numbers, permitted hours, and cease use of the existing access).

Arun Local Plan Allocations

- 9.3 On the 18 July 2018, Arun District Council adopted the Arun District Local Plan 2011-2031, setting out the strategic site allocations for the District. Of particular relevance to the current proposals are Policies SD8 and SD10 which allocate land in the Ford /Climping areas for the provision of 1800 homes and associated community infrastructure (see **Appendix 8 - Arun Local Plan Proposal Map (extract)**).
- 9.4 The site allocated under Policy SD8 includes land around the Ford airfield (including the application site) for the provision of 1,500 new homes and associated community facilities. As already noted, Arun District Council has commented that the applicant needs to demonstrate the proposed new access road would not prejudice the future delivery of housing, and would not potentially constrain future development of the Southern Water sewage works. Further, the Arun EHO has raised concerns that the application has not taken account of the potential impact on future residents when housing comes forward.
- 9.5 However, it is important to note that the allocation of the CTP for the provision of a built waste management facility and the extant planning permission predate the adopt of the Local Plan and should have been taken into account during its preparation. Similarly, the existence of a number of existing permitted waste developments in the immediate area, which include the Southern Water sewage works and Viridor MRF (both of which utilise the exiting airfield access to which the proposed access road would connect), should have been taken into account,

given that their use is safeguarded by Policy W2 of the WLP. Further, any future housing development of the ADC allocation would firstly need to ensure it would not prejudice the continued or future operation of these sites.

- 9.6 The proposed access road and routing of vehicular traffic via the established airfield service road would be consistent with the development principles of the WLP allocation, which seek to prevent access via Rollaston Park.
- 9.7 The proposed access road would be sited on the edge of the ADC allocation, adjacent to established waste uses, and would result in all site traffic being routed via an established service road serving a number of waste facilities in the locality. In contrast, the approved access and egress routes dissect the ADC allocation. On balance, therefore, the proposed access arrangements are considered a largely positive arrangement, removing a significant constraint to the delivery of the strategic allocation resulting from current HGV routing arrangements. Further, the proposed access road includes a landscaped corridor on its eastern side, which would minimise potential views from future housing land.
- 9.8 In terms of the potential impact upon future operation and expansion of the neighbouring Southern Water sewage works, Southern Water have advised that they cannot comment until such time as they have concrete information about the future housing proposals and any associated sewage works expansion proposals. At this stage, it is not considered that these comments are sufficient reasons to refuse the proposed development.
- 9.9 In addition to the housing allocation at 'Ford', ADC Policy SD10 also allocates land at 'Climping' (north-west of the Climping roundabout) for the provision of 300 new homes. This site, and the allocation at 'Ford', could contribute to future traffic at Ford Road/Church Lane and its junction with the A259 and act in combination with the development proposed. However, both housing allocations include criteria requiring improvements to the A259 between Climping and Littlehampton and consideration of sustainable transport links where necessary. These criteria would ensure any measures required to mitigate any traffic arising from additional housing would be delivered as part of that development, as and when the details come forward.
- 9.10 *The proposed access road and routing of vehicular traffic via the established airfield service road would support the operation of an established and safeguarded waste facility, and would represent an improvement in routing over the approved access. The proposed development would utilise an established service road and has the potential to improve deliverability of the ADC strategic development site 'Ford' through the removal of existing HGV access routes that dissect the allocation site.*

Landscape and Visual Amenity

- 9.11 The development has the potential to have an 'urbanising' effect on the locality by introducing new road infrastructure and intensifying the use of the CTP site.
- 9.12 It is proposed to construct a new purpose-built sealed road of approximately 150m in length and 10m in width. The proposed road would be located on the edge of an arable field immediately adjacent to the Southern Water sewage

works, and would link the CTP to the existing Tangmere Airfield service road which joins with the public Highway to at Ford Road to the east. The proposed new access road includes a landscaping belt, including a fence, of approximately 4.5m wide on its eastern side.

- 9.13 The proposed new access road would include lighting columns of approximately 8m in height. The proposed lighting specifications include LED lighting that would be directed downward, with minimal potential for spill. All lighting would be timer-and sensor-controlled and would only be on during the consented hours of operation for the waste site, when daylight is not sufficient (e.g. mornings/evenings during winter months).
- 9.14 To the north and east of the proposed access road, approximately 400m distant beyond open agricultural fields, are residential properties in Rodney Crescent and Ford Lane. A Public Footpath is approximately 180m to the north of the site, a hard surfaced track also forming the existing egress route for vehicles from the CTP.
- 9.15 The site of the proposed access road is currently arable farmland; however, the locality has an urbanised context due to the surrounding hard surfaced areas/access roads, neighbouring Southern Water sewage works, and large industrial type structures at the CTP. Further, the application site is located entirely within a strategic housing allocation site (SD8 – ‘Ford’ allocated for 1,500 new homes) and so it is likely to be subject to significant built development in the future.
- 9.16 Some existing properties may have distant views of the proposed access road, in particular lighting columns; however, for the most part the views would be well-screened by intervening vegetation and seen against the backdrop of existing industrial development and street lighting along the airfield access road. The proposed landscaping to the north and east of the access road, in time, would ensure any potential visual impacts are minimised.
- 9.17 *The proposed access road would inevitably have some urbanising effect upon the immediate locality. Although it would be sited on the periphery of an arable field, it would be adjacent to existing developments of a large-scale, industrial nature, and would result in a limited continuation of existing street lighting. Further, the arable fields have been allocated for future residential use. Overall, therefore, the proposed development is not considered to give rise to any unacceptable landscape impacts.*

Highway Capacity and Road Safety

- 9.18 The proposed development would result in all vehicles accessing the CTP site (including both the permitted waste use and hangar buildings) to/from the east via a new access road, which would connect with the existing airfield service road which extends east to Ford Road/Church Lane. This would be a change from the currently permitted arrangements that require all vehicles to enter from the west via Yapton Road and Rollaston Park, and exit to the east via an established access road to the north of Rodney Crescent (a shared Public footpath) (**see appendix 7**). Should the proposal be permitted, the existing western and eastern accesses into the site would be closed to site traffic.

- 9.19 In addition, at present the S106 legal agreement attached to the approved waste activities (WSCC/096/13/F) limits HGV movements to a maximum of 60 in and 60 out weekdays and 30 in and 30 out Saturdays (120 HGV movements in total).
- 9.20 On their own, the proposed addition of a new access road and associated routing of all vehicles to the east would result a doubling of site HGV movements on Ford Road/Church Lane. However, the applicant is also seeking to double maximum permitted HGV numbers to 120 in and 120 out weekdays, and 60 in and 60 out Saturdays (a total of 240 HGV movements weekdays, and 120 HGVs Saturdays). Overall, this would result in a quadrupling of current maximum HGV numbers travelling to/from the site via Ford Road/Church Lane.
- 9.21 Although no increase in throughput at the CTP is proposed, the applicant states that the principal reason for the proposed increase in maximum HGV numbers is to allow greater flexibility for smaller HGVs (e.g. refuse collection lorries) to be able to access the site. For the previous application, the applicants assumed that the majority of HGVs entering exiting the site would be articulated lorries carrying bulked waste (20 tonnes average load). However, since the part-implementation of the permission, the applicants have identified a greater demand for local waste deliveries than previously envisaged, which results in a higher number of smaller HGVs such as refuse collection and roll-on/roll-off vehicles (4.8 tonnes average load).
- 9.22 Based on the applicant's latest predictions of vehicle types, the proposed development would result in an average of 192 HGVs (96 in and 96 out) once the permitted waste management facility is at full capacity. This includes hypothetical HGV movements that could be generated by a future development of a plastics recycling plant in the neighbouring hangar buildings on the Circular Technology Park (which would require further planning consent). However, the applicant has assumed a worst case of 25% variability, which although unlikely to represent the norm, takes the potential maximum up to 240 HGVs per day (120 in and 120 out). This is the rationale for the maximum number of HGVs sought.
- 9.23 Based on the 14 hour day sought by the applicant, this would be an average of 17 HGVs per hour (8.5 in and 8.5 out), or one HGV passing every 3.5 minutes. These figures would be slightly reduced on Saturdays to 12 HGVs per hour, one passing every five minutes.
- 9.24 The applicant has submitted a full Transport Assessment including consideration of recent and historic traffic data, accident data, forecasting for future growth, and capacity and safety assessments for relevant junctions. This concludes that the proposed HGV movements could be safely accommodated by the relevant junctions, including the Church Lane/A259 junction (Clymping roundabout). The submitted details note that the proposal would give rise to a 3.4% increase in the total traffic on Ford Road/Church Lane, although it would represent a 22.6% increase in HGV numbers.
- 9.25 Following a request from WSCC Highways, the applicant has provided a Non-Motorised User Audit (NMUA) that considers the potential impact of proposed vehicle movements on pedestrians and cyclists using Ford Road/Church Lane. This notes that a footway is provided along the entire length of the roadway and that there is good forward visibility for motorists to detect cyclists that are

required to use the carriageway. The NMUA also identifies that, in some locations, the proximity of the path to the carriageway and limited width of crossing islands is such that there can be a feeling of unease for pedestrians when HGVs pass. However, the NMUA notes that footfall along the route is low, and that there are limited sections along the route where unease may be felt. It concludes there would be a limited chance of pedestrians meeting a HGV at these points and overall increase in traffic volumes would be unlikely to give rise to any perceptible impacts upon users. WSCC Highways notes that they are satisfied with the conclusions of the NMUA and that the proposal is unlikely to result in any perceptible impacts on non-motorised users.

- 9.26 WSCC Highways has considered the potential impacts upon highway capacity and road safety and concluded that the proposed development would not be contrary to policy in the NPPF. In particular, they note that the Ford Road/Airfield junction is of an adequate design, that the local Highway network and A259 roundabout has sufficient capacity to deal with the worst case maximum vehicle movements proposed, and that they are satisfied with the findings of the NMUA.
- 9.27 *The proposed development would result in a significant increase in HGV movements on Ford Road/Church Lane beyond that currently permitted by WSCC/096/13/F, rising from a maximum of 60 HGV movements per day to 240 HGV movements per day. However, WSCC Highways are satisfied that the local highway network can accommodate these movements without any unacceptable impact upon the highway capacity or road safety. Subject to a S106 legal agreement to control the routing and number of HGV movements, the proposed development is considered acceptable with regards to highway capacity and road safety.*

Residential Amenity

Access Road

- 9.28 The proposed new access road would be located adjacent to the existing Southern Water sewage works and the approved, but part-implemented, waste development at the CTP. It would be sited approximately 380m from the nearest residential properties at Rollaston Park to the east, albeit adjacent to an allocated housing site.
- 9.29 The application site for the proposed new access road includes a section of the existing Ford Airfield access road of approximately 380m in length that, at its nearest point, would be some 90m from residential properties in Rodney Crescent. This section of road forms an established access to a number of existing uses/developments in the immediate locality, including the Ford Airfield Market, Southern Water sewage works, and Viridor MRF, and is well-screened on its northern side by a substantial hedge.
- 9.30 Given the distance of the proposed access road from neighbouring properties, the context of existing and permitted waste uses in the locality and the established access thereto, and limited potential for lighting impacts (see landscape above), it is not considered that the proposed access road itself would give rise to any unacceptable impacts upon residential amenity.

HGV movements

- 9.31 The proposals would result in all vehicles being routed to the east via a new access road and the existing access Airfield service road, as well as operational hours being increased and vehicle numbers being doubled.
- 9.32 Two 'development principles' are established in Policy W10 of the WLP to address the potential impact of HGVs on amenity, namely:
- *"assessment of the possible closure of the existing access north of Rodney Crescent and the use of an alternative access to the site from Ford Road" and;*
 - *"a routing agreement is required to ensure vehicles enter and exit via Ford Road to the south, and not to or from the A27 to the north. Access via Rollaston Park/B2233 for HGVs should also be prevented"*
- 9.33 The proposed routing arrangements are, therefore, consistent with these development principles. It is of further note that the estimated volume of HGV numbers that informed the evidence base for the site's allocation, are consistent with those now proposed by the applicant (240 HGV movements per day).
- 9.34 However, consideration of additional development principles is also required. Of particular relevance is the following:
- *"the cumulative impacts of traffic, noise and odour on the environment and local communities to be satisfactorily addressed and mitigated as required, taking into account all existing, permitted, allocated, or proposed development within the wider area"*
- 9.35 Hours and volumes of HGVs were restricted by the S106 agreement for the CTP primarily because of the potential impacts upon residential amenity in areas in Rollaston Park and Rodney Crescent, where a number of residential properties are in close proximity to the circulatory access route to the site. As a result, HGV delivery hours are more restrictive than permitted operational hours at the site which allows 24 hour activities for the EfW facility.
- 9.36 The hours of HGV movements proposed by the applicant (06.00-22.00 weekdays and 08.00-18.00 Saturdays) would be the same as the nearby Viridor MRF site, which also has permission for HGV movements between 0800-1800 on Sundays and Public Holidays (NB: no movements on Sundays or public holidays is sought in this application). All HGVs access the Viridor MRF site via the same section of the Airfield service road, and Ford Road/Church Lane, as sought by the applicant.
- 9.37 At Rollaston Park, Rodney Crescent, and the existing site egress road (also a public footpath), the proposals would inevitably result in a significant positive effect upon amenity, with site traffic removed. Conversely, however, the proposals would result in a greater volume of HGVs over longer hours on Ford Road/Church Lane.
- 9.38 The applicant has carried out a noise impact assessment for HGV movements on Ford Road/Church Lane, which concludes that the calculated increase in noise/vibration levels would be negligible.

- 9.39 Nonetheless, given the increase in HGV movements, there would inevitably be some detrimental impact on amenity through increased fear and intimidation of non-motorised users on Ford Road/Church Lane, and at a limited number of residential properties on Church Lane, which are sited in close proximity to the carriageway. It is of further note that the applicant proposes such movements over a longer period each day than is currently permitted.
- 9.40 Such negative impacts must be balanced against the benefits to amenity that would result from diverting traffic away from the approved access if this application was approved. The approved access route involves a significantly longer route to/from the Strategic Lorry Route (A259), includes roads that are generally less trafficked (Rollaston Park), and a public footpath (currently shared with the sites egress). The benefits to those properties, the PROW, and as previously noted, the deliverability of housing within the now allocated site, would be considerable.
- 9.41 Ford Road/Church Lane is not considered to have the same degree of residential character as the existing HGV access route, with residential properties generally set further back from the carriageway, fewer properties affected, and the road being more heavily trafficked owing to it forming a link between the A259 and A27, and providing accesses to the Rudford Industrial Estate, Ford Prison, Viridor MRF, and Southern Water sewage works. Further, although additional hours of HGV movements are sought, they would be consistent with those permitted for existing waste operations in the locality (e.g. Viridor MRF, Southern Water sewage works, Rudford Industrial Estate).
- 9.42 The supporting EIA has considered changes to environmental baselines since the approval of the waste facility, including changes in traffic, approved development, and associated noise/air quality impacts, which satisfactorily demonstrates no unacceptable impacts would arise. Although the Arun District Environmental Health Officer notes the need to consider impacts upon land allocated for future housing, they have not raised an objection in terms of noise impacts resulting from HGVs.
- 9.43 *Taking into account the existing, well-trafficked character of the highway and surrounding environs for the proposed HGV route, and limited potential for noise impacts on residential receptors, it is considered that the proposed increase in hours and numbers of HGV movements would not give rise to an unacceptable impact upon amenity. The proposals are consistent with the 'development principles' as set out in the WLP allocation for the site and would result in amenity benefits to sensitive receptors, public footpath users, and future housing development in areas where HGV routeing would cease. On balance, the proposed development is not considered to give rise to any unacceptable impact upon the environment or local communities.*

Other material considerations

- 9.44 The submitted EIA has considered potential impacts upon air quality resulting from the proposed development, primarily in terms of increased HGV movements, building upon the Air Quality Assessment carried out for the development of the wider CTP. This concludes that the proposed increase in vehicular movements on the local road network would not have a significant impact on local air quality and would be beneficial for receptors along existing

access routes that will cease to be used.

- 9.45 The Arun District Environmental Health Officer does not raise an objection to the proposals subject to the submission of a transport plan to promote low or zero emission vehicles. The wider waste development (as approved by WSCC/096/13/F) is subject to an approved Delivery and Servicing Management Plan, required by condition (condition 20). This is a live management document and is considered an appropriate mechanism to encourage low/zero emission vehicles as part of its ongoing regular review.
- 9.46 Although there would be some potential for indirect impacts from increased HGV movements upon the setting of Listed Buildings and a Scheduled Monument in Climping Village, this is an established and well-trafficked highway that already forms part of the setting of these heritage assets and so the impact is not considered to be significant. Although the site is in an area of known archaeological interest, it is considered that the development would be acceptable, subject to a condition to secure archaeological monitoring during construction.

10 **Overall Conclusion and Recommendation**

- 10.1 The principle of the use of the wider site for waste management purposes is established. The proposed development would support the delivery and operation of an existing, part-implemented, waste management facility on a site allocated in the WLP for that purpose.
- 10.2 The proposed access road would be sited adjacent to existing development of an industrial nature and proposed lighting would be consistent with existing street lighting in the immediate locality. The proposals include provision of landscaping that would ensure any landscape impacts are minimised.
- 10.3 The proposed development would result in a significant increase in HGV volumes and hours on Ford Road/Church Lane beyond that currently permitted by WSCC/096/13/F. However, the Highway Authority is satisfied that the local highway network can accommodate these movements without any unacceptable impact upon the highway capacity or road safety.
- 10.4 The proposals would inevitably give rise to some negative impact upon the amenity of residents, in particular those in close proximity to Ford Road/Church Lane. However, account must be taken of character of the highway and surrounding environs, the limited overall increase in noise levels, and the wider amenity benefits to sensitive receptors, public footpath users, and future housing development on the currently permitted HGV access routes. On balance, it is not considered that the proposals would give rise to an unacceptable impact upon amenity.
- 10.5 The applicant has carried out an Environmental Impact Assessment, building on previous assessments for the wider site, that adequately identifies and considers the key topics with potential for significant environmental effects. Taking into account the assessments presented therein, comments received from consultees and third parties, and the measures proposed to mitigate any impacts, it is considered that the proposed development would not give rise to any unacceptable environmental effects either alone or in combination with other development.

- 10.6 In considering the application, the County Council has, through consultation with the appropriate statutory bodies and having regard to the Development Plan and all other material considerations, considered the objectives of protection of human health and the environment and self-sufficiency and proximity as required by Article 18 of the Waste (England and Wales) Regulations 2011.
- 10.7 It is **recommended**, therefore, that planning permission be granted for the proposed new access road, subject to:
- (a) the conditions and informatives set out in Appendix 1;
 - (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.
- 10.8 If the application is permitted, the amendments to the existing S106 agreement and the proposed new S106 agreement, as recommended under (b) above, should be taken forward in a single legal agreement – see Appendix 2.

11 **Equality Duty**

- 11.1 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act 2010. Officers considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

12 **Risk Management Implications**

- 12.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the determination of planning applications must be made in accordance with the policies of the development plan unless material considerations indicate otherwise. If this is not done, any decision could be susceptible to an application for Judicial Review.

13 **Crime and Disorder Act Implications**

- 13.1 This decision has no implications in relation to crime and disorder.

14 **Human Rights Act Implications**

- 14.1 The Human Rights Act requires the County Council to take into account the

rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

- 14.2 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.
- 14.3 The Committee should also be aware of Article 6, the focus of which (for the purpose of this committee) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

Michael Elkington
Head of Planning Services

Background Papers

As set out in Section 6.

List of Appendices

Appendix 1 - Conditions and Informatives
Appendix 2 - Draft Legal Agreement
Appendix 3 - Site Location Plan
Appendix 4 - Application Site
Appendix 5 - WSCC/096/13/F - Application Site
Appendix 6 - Proposed Access Road
Appendix 7 - Existing and Proposed Vehicular Routeing
Appendix 8 - Arun Local Plan Proposal Map (extract)

Contact: James Neave, tel: 25571

Appendix 1: Conditions and Informatives

Commencement

1. The development hereby permitted shall commence before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

Approved Plans and Documents

2. The development hereby permitted shall not take place other than in accordance with the particulars of the application, the approved plans and documents:
 - Planning Application and Land Ownership Area (drawing DG/ES/FOR/NAR/02 – dated March 2017)
 - Proposed Site Layout (1) (drawing DG/ES/FOR/NAR/03 -dated May 2017)
 - Proposed Site Layout (2) (drawing DG/ES/FOR/NAR/04 -dated May 2017)
 - Proposed Specification New Access Road Ford (drawing DG/EN/FOR/WDL/2020 – dated 11/05/16)
 - Below Ground Drainage (drawing 500 – Rev 2 – dated November 2016)
 - Proposed Levels (drawing 501 - Rev 1 - dated November 2016)
 - External Works (drawing 502 - Rev 1 - dated November 2016)
 - Construction Details (drawing 503 – Rev 1 – dated November 2016)

save as varied by the conditions hereafter.

Reason: To secure a satisfactory development.

Hours of use

3. HGVs shall only be permitted to use the new section of access road as detailed on plan - Proposed Specification New Access Road Ford (drawing DG/EN/FOR/WDL/2020 – dated 11/05/16), between the hours of 06.00 – 20.00 Monday to Fridays and 08.00 – 18.00 Saturdays.

Reason: In the interests of amenity.

Fencing and Gates

4. Prior to the commencement of development a scheme of all new fencing and gates shall be submitted to and approved in writing by the County Planning Authority. The scheme shall include details of location, style, height and finishes of the fences/gates to be used. Thereafter, all fencing and gates shall be erected in accordance with the approved scheme prior to new access being brought into use and thereafter maintained in accordance with the approved scheme throughout the operation of the development.

Reason: To ensure good design, security, and in the interest of amenity.

Landscaping

5. Prior to the commencement of the development, a landscape scheme detailing all planting and seeding proposals shall be submitted to and approved in advance in writing by the County Planning Authority. The scheme shall

include details of species, planting sizes, planting spacing, seeding, the measures to tie into perimeter landscaping at the wider Circular Technology Park, soil amelioration/improvement, and provision for on-going maintenance. Once approved, the scheme shall be implemented in full with all planting carried out in the first planting season (November - February) following the commencement of the development. Any plants which die, are removed or become seriously damaged or diseased within the first five years shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing with the County Planning Authority.

Reason: In the interests of the visual amenities of the locality.

Lighting

6. All new external lighting shall only be installed in accordance with the submitted specifications and plan (App.3 Gemma Lighting – Jupiter 54 XL110, and Proposed Specification New Access Road Ford (drawing DG/EN/FOR/WDL/2020 – dated 11/05/16)), save for any variation thereto which may be submitted to and approved in advance in writing by the County Planning Authority. All external lighting shall be angled, directed or cowled so as to prevent light spillage in an upward direction or cause nuisance outside the site and shall only be operated between 06.00-22.00 weekdays and 08.00-18.00 Saturdays. .

Reason: To prevent light pollution in the interests of local amenity.

Archaeology

7. No development shall be carried out (including any demolition and site clearance) until a scheme of archaeological work has been submitted to and approved in advance in writing by the County Planning Authority. The scheme shall include a written scheme of investigation to include the scope of archaeological recording and mitigation. Thereafter the scheme of archaeological work shall be implemented in full in accordance with a timetable to be agreed within the scheme.

Reason: in the interests of local heritage and archaeology

Construction Management Plan

8. No development shall be carried out (including any demolition and site clearance) until a Construction Management Scheme has been submitted to and approved in advance and in writing by the County Planning Authority. The plan shall provide details as appropriate but not necessarily be restricted to the following matters:
 - the anticipated number, frequency and types of vehicles used during construction,
 - the method of access and routing of vehicles during construction;
 - the parking of vehicles by construction site operatives;
 - details of public engagement both prior to and during construction works;
 - the storage, loading and unloading of plant, materials and waste;
 - temporary lighting;
 - the erection and maintenance of construction screening/hoardings;
 - the provision of wheel washing and/or other works required to mitigate the

impact of construction upon the public highway;

- the measures to minimise noise producing activities.

Thereafter, the plan shall be implemented and adhered to as approved throughout the entire construction period of the development hereby permitted.

Reason: In the interests of highway safety and the amenities of the locality.

Hours of Construction and Deliveries

9. Construction (including any demolition and site clearance) of the development hereby permitted, involving the use of plant/machinery/equipment/vehicles and the deliveries of construction materials/plant/machinery/equipment being received by or despatched shall only take place between the hours of:

- 08.00 and 18.00 on Monday to Friday inclusive;
- 08.00 and 13.00 on Saturdays; and

not at any time on Sundays, Bank Holidays or Public Holidays.

Reason: In the interests of the amenity of the locality and of local residents.

Ecological supervision and mitigation

10. All site clearance works shall be carried out under the supervision of an Ecological Clerk of Works, unless otherwise approved in writing by the County Planning Authority.

Reason: To maintain the ecological integrity of the site.

Contamination Remediation Strategy

11. If during development contamination not previously identified is found to be present, no further development shall be carried out until a remediation strategy detailing how this contamination would be dealt with has been submitted to and approved in writing by the County Planning Authority. The remediation strategy shall be implemented as approved in full.

Reason: To avoid the potential for pollution of land/water.

INFORMATIVES

- a) In accordance with paragraph 38 of the National Planning Policy Framework, the County Planning Authority has approached the determination of this application in a positive and creative way, and has worked proactively with the applicant by:
 - Providing pre-application advice;
 - Seeking amendments early on in the application process to see if a sustainable solution can be agreed;
 - Discussing issues of concern as early as possible, including those raised by consultees and third parties;

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- Giving them the opportunity to provide further information/changes to overcome material impacts;
- Working with consultees

As a result, the County Planning Authority has been able to recommend the grant of planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development.

- b) The applicant is advised that should protected species, including any species of bat, be present work must stop and Natural England informed. A license may be required from Natural England before works can re-commence. Natural England will advise.
- c) The applicants attention is drawn to the comments of Southern Water dated 19 September 2018, in particular the location of a public sewer crossing the site. The applicant must liaise with Southern Water accordingly to ensure that public apparatus is protected during construction.
- d) As the proposed development would serve the wider Circular Technology Park, the applicant is encouraged to review and update all relevant conditional schemes as approved under planning permission WSCC/096/13/F. Any such revised schemes must be submitted for approval by the County Planning Authority as necessary.

Legal Agreement (Draft)

Dated 2018

Grundon Waste Management Limited (1)

Peter Hague, Susanne Hague and Robert William Enticott (2)

And

West Sussex County Council (3)

Relating to New Access Road to the Circular Technology Park (former Tarmac Blockworks)
Ford Airfield Industrial Estate, Ford, West Sussex, BN18 0HY.

Agreement

Pursuant to Section 106 and Section 106A of the Town and Country Planning Act 1990

This Agreement is made the Day of 2018

Between:

- (1) Grundon Waste Management Limited whose registered office is at Thames House, Oxford Road, Benson, Wallingford, OX10 6LX (hereinafter called "the Applicant")
- (2) Peter Hague, Susanne Hague and Robert William Enticott of 52 North Street, Chichester, West Sussex, PO19 1NQ ("hereinafter called "the Owner")
- (3) West Sussex County Council of County Hall, Chichester, West Sussex, PO18 9DN (hereinafter called "the County Council")

Whereas:

- (1) The County Council is the Local Planning Authority and Highways Authority for the area within which the Site is situated
- (2) The Applicant has made a Planning Application to the County Council and is proposing to carry out the Development
- (3) The Applicant is the owner in fee simple of land forming the Circular Technology Park and which is registered under Title numbers WSX194846, WSX205495 and WSX79759 at HM Land Registry and known as New Circular Technology Park (former Tarmac Blockworks) Ford Airfield Industrial Estate Ford and shown for identification purposes only edged blue on Plan A
- (4) The Owner is the freehold owner of the Site which is registered under Title number WSX274536 at HM Land Registry and known as Ford Farm, Ford Road, Ford, Arundel and shown for identification purposes only edged red on Plan A
- (5) On the 11th December 2014 the Applicant (1) and the County Council (2) entered into the Original Agreement.
- (6) The Applicant and the Owner have agreed with the County Council to enter into this Agreement with the County Council to control the route that shall be taken by Heavy

Goods Vehicles when they enter and exit the Site and to close accesses currently used. The Applicant and Owner have also agreed with the County Council to vary the Original Agreement to control the number of Heavy Goods Vehicles involved in wider operations within Ford Circular Technology Park and to control the hours of Heavy Goods Vehicles movements within Ford Circular Technology Park

- (7) The operative provisions of this Agreement are conditional inter alia upon the County Council granting Planning Permission

Now this Deed Witnesses as follows:

1. Definitions and Interpretations

- 1.1 In this Deed the following words and expressions shall where the context so requires or admits have the following meanings:

“the Act” means the Town and Country Planning Act 1990 and all subsequent revisions and amendments

“The Applicant” means Grundon Waste Management Limited whose registered office is at Thames House, Oxford Road, Benson, Wallingford, OX10 6LX

“The Ford Circular Technology Park” means the land and buildings on the west side of Ford Road, Ford shown for identification purposes on the Site Plan edged blue

“Commencement of the Development” means the date on which the Development is commenced in accordance with the provisions of section 56 of the Act

“the County Council” means West Sussex County Council whose principal office is at County Hall, Chichester, West Sussex, PO19 1RQ

“Date the Development is Brought into Use” means the date Heavy Goods Vehicles can use the Site to access the Circular Technology Park (ie the new access road, which forms part of the Site, has been built and commissioned)

“Development” means the proposed development as detailed in the Planning Application and resolved to be granted Planning Permission by planning committee on [DATE TBC]

“Heavy Goods Vehicle” means a vehicle for the carriage of goods having a maximum laden weight exceeding 3.5 tonnes and for the avoidance of doubt to include traffic associated with the construction of the Site

“Highway Authority” means West Sussex County Council or such other authority or body acting as such

“the Owner” means Peter Hague, Susanne Hague and Robert William Enticott of 52 North Street, Chichester, West Sussex, PO19 1NQ

“Original Agreement” means the Agreement made under Section 106 of the Town and Country Planning Act 1990 dated 11th December 2014 made between (1) the Applicant and (2) the County Council

“Plan A” means the plan annexed to this Deed and labelled as Plan A

“Plan B” means the plan annexed to this Deed and labelled as Plan B

“Plan C” means the plan annexed to this Deed and labelled as Plan C

“Planning Application” means the application for planning permission numbered [PLANNING APPLICATION REFERENCE NUMBER TBC]

“Planning Permission” means full planning permission granted by West Sussex Planning Council pursuant to this planning application

“Prescribed Route” means the roads identified by solid red lines and arrows on the Routing Plan on Plan B

“Prohibited Road” means any road in West Sussex shown on the Routing Plan which is not a Prescribed Route

“Relevant Journey” means a journey undertaken in connection with either the construction of the Development or the operation of the Development either originating from the Site or one destination of which is the Site

“the Routing Plan” means the plan marked “Plan B” annexed to this Agreement

“Site” means the new access road to the Circular Technology Park shown on the Site Plan with red edging

“the Site Plan” means the plan marked “plan A” annexed to this Agreement

“Specified Date” means the date upon which an obligation arising under this Agreement is due to be performed

“Unconditional Date” means the earliest date on which both of the following have occurred:

- (i) the Planning Permission has been granted by the County Council;
- and
- (ii) there has been Commencement of the Development

1.2 Words importing the singular includes the plural and vice versa and words importing one gender shall include all other genders

1.3 The expressions “the County Council” “the Applicant” and “the Owner” shall include their respective successors in title and assigns whether statutory or otherwise

1.4 Headings are for ease of reference and shall not be construed as part of this Deed

2. Statutory Provisions

2.1 This Deed is made pursuant to the provisions of Sections 106 and 106A of the Town and Country Planning Act 1990, Section 111 of the Local Government Act 1972, Section 2 of the Local Government Act 2000 and Section 1 of the Localism Act 2011 all other powers enabling the parties hereto.

2.2 This Deed shall have full force and effect on the date hereof.

2.3 The County Council is the local planning authority by whom the obligations contained in this Deed are enforceable.

2.4 This Deed is a local land charge and shall be registered as such provided that if at any time the obligations of the Applicant and the Owner under this Deed for any reason do not apply further the County Council shall upon the written request of the Applicant or Owner issue written confirmation thereof and thereafter use its reasonable endeavours to cancel all related entries in the Register of Local Land Charges

- 2.5 If the Planning Permission expires before the Unconditional Date or shall at any time be revoked this Deed shall forthwith determine and cease to have effect

3. Covenants by the Applicant and/or the Owner

- 3.1 The Applicant and the Owner covenant and agree that, from the Date the Development is Brought into Use, all other vehicular accesses to the Circular Technology Park will cease to be used. All existing gates to the east and west of the Circular Technology Park (as marked on Plan C) will remain locked or changed into a continuous fence (the details of which shall be agreed in advance in writing by the County Council), from the Date the Development is Brought into Use.
- 3.2 The Applicant and the Owner covenant and agree that the covenants contained in the First Schedule of this Deed shall take effect from the Date the Development is Brought into Use
- 3.3 The Applicant covenant that the Original Agreement is varied as follows from the Date the Development is Brought into Use:-

3.3.1 Replace the First Schedule (Covenants by the Owner and Applicant) paragraphs 1 (k) and (l) only with the following:

- (K) Unless otherwise agreed in advance and in writing by the County Planning Authority:-
- (i) no more than 120 HGVs shall enter the Site and no more than 120 HGVs shall exit the Site Mondays to Fridays
 - (ii) no more than 60 HGVs shall enter the Site and no more than 60 HGVs shall exit the Site on Saturdays; and
 - (iii) a record of all HGVs entering and exiting the Site (including their respective number plates) is to be kept on Site and shall be made available to the County Planning Authority upon request.
- (L) Unless otherwise agreed in advance and in writing by the County Planning Authority:-
- (i) HGVs shall only enter and exit the Site between the hours of 06.00 – 20.00 on Mondays to Fridays inclusive.
 - (ii) HGVs shall only enter and exit the Site between the hours of 08.00 – 18.00 on Saturdays.

3.3.2 Remove clause 10, that part of the First Schedule that deals with Lorry Routing (namely paragraphs 1 (a) - (j) and the Second Schedule

4. Disputes

- 4.1 In the event of a dispute between the parties to this Deed (other than a dispute relating to a matter of Law) the parties agree that the matter in dispute will on the application of any of them be referred to an Engineer acting as an expert (hereinafter referred to as "the Expert") who shall be a member of the Institution of Civil Engineers with not less than 10 years relevant experience whose identity will be agreed by the parties or in default of agreement appointed by or on behalf of the President of the Institution of Civil Engineers
- 4.2 It is further agreed that:

- (a) the determination of the Expert will be final and binding on the parties save in the case of manifest error;
- (b) the parties shall be entitled to make representation and counter representations to the Expert in accordance with such timetable as the Expert shall direct; and
- (c) the Expert's costs and the costs of his appointment shall be borne in such proportions as he may direct and if the Expert shall fail to make any direction as to costs they shall be borne by the Applicant

5. Costs

- 5.1 .The Applicant covenants with the County Council that upon completion of this Deed to pay the legal costs of the County Council involved in the preparation and execution of this Deed
- 5.2 The Applicant will reimburse the County Council in respect of all reasonable legal and administrative costs in connection with the enforcement of any of the provisions of this Deed including correspondence monitoring and site visits by or on behalf of the County Council

6. Severance

If any provisions of this Deed shall be found by any Court or administrative body of competent jurisdiction to be invalid or unenforceable the invalidity or unenforceability of such provisions shall not effect the other provisions of this Deed and all provisions not affected by such invalidity or unenforceability shall remain in full force and effect and the parties hereunto agree to take all reasonable steps to substitute for any invalid or unenforceable provision a valid or enforceable provision which achieves as far as reasonably practicable the legal social and environmental objectives of the invalid or unenforceable provision

7. Contracts (Rights of Third Parties) Act 1999

For the avoidance of doubt it is hereby agreed and declared that:-

- (a) nothing in this Deed shall be construed as expressly providing a right for any third party within the meaning of the Contracts (Rights of Third Parties) Act 1999; and
- (b) nothing in this Deed is intended to confer any benefit on any third party (whether referred to herein by name class description or otherwise) or any right to enforce a term contained in this Deed

8. Alternative Routing

It is hereby agreed and declared the Applicant shall be entitled to request in writing at any time the prior written approval of the County Council as Local Planning Authority (such approval not to be unreasonably withheld or delayed) of an alternative route for Heavy Goods Vehicles either temporarily or permanently and that in that situation all of the provisions of this Deed (unless agreed otherwise) shall apply to that alternative route as if it were the Prescribed Route for as long as the County Council shall reasonable direct

9. Notice

Where it is a requirement of this Deed that any party be notified of an event in writing by any other party then such notice shall be delivered to that party at the address contained in this Deed. Any notice to the Owner/ Applicant shall be addressed to the Owner individually or to the Company Secretary as the case may be. The provisions of Section 196 of the Law of Property Act 1925 shall comply in addition

10. Indemnity

The Applicant will fully indemnify the County Council against any costs, claims, proceedings, losses or damages arising directly or indirectly out of any act, omission or negligence of the Applicant due to the failure to perform any of the Applicant's obligations under this Agreement.

Annex 1

Schedule 1: LORRY ROUTING:

(a) To Serve:

- (i) preliminary written notice upon the County Council advising it of the proposed date which will be the Date the Development is Brought into Use under planning consent ref. [Reference], which notice shall be given at least 28 days before such proposed date; and
- (ii) written notice upon the County Council advising it of the Date the Development is Brought into Use within fourteen days of its occurrence

(b) From the Date the Development is Brought into Use and prior to their first visit to the Site all drivers of Heavy Goods Vehicles shall be provided with written details of the Prescribed Route as detailed in paragraph 1(h) below and as shown on Plan B annexed hereto and be given on their first visit to the Site an induction to cover details of the Prescribed Route, the Prohibited Roads, site speed restrictions, and of potential conflict arising from the shared vehicular use with a Public Right of Way.

(c) From the Date the Development is Brought into Use to erect and maintain on the Site in clearly visible positions at the entrance and exit notices detailing the Prescribed Route. The details of such notices, including exact locations, sizes, wording and fonts shall be agreed in advance in writing by the County Council in consultation with County Highways.

(d) Not at any time to cause or permit any Heavy Goods Vehicle operated on a Relevant Journey to pass along any part of any road in West Sussex which is a Prohibited Road except:-

- (i) to the extent necessary to enable any vehicle to deliver or collect goods relating to the Applicant's business or businesses to or from an address or addresses on a Prohibited Road
- (ii) to the extent necessary to enable the driver of any vehicle to comply with any direction given to him by a police officer or traffic warden or with any traffic sign for the time being in place prescribing the route to be taken by vehicles

(e) To ensure that where a person other than the Owner or the Applicant operates a Heavy Goods Vehicle on a Relevant Journey that person observes the requirements of sub-clauses (b) and (d) as if that person were the Owner or the Applicant.

(f) In the event of a complaint being received by the Applicant of a Heavy Goods Vehicle deviating from the Prescribed Route, that complaint will be investigated by the Applicant and the driver or owner/ or operator of the Heavy Goods Vehicle notified of non-compliance with the Prescribed Route. In the event that any driver or owner/ or operator of a Heavy Goods Vehicle receives three such notifications, the Applicant shall ban the driver or owner/ or operator from conducting business on Site.

(g) The Prescribed Route:

- (i) All traffic shall access the Site to/from the south by way of the airfield junction with Ford Road/Church Lane and the A259.
- (ii) All traffic shall approach or leave the Site as denoted on Plan B.
- (h) That not less than 21 days before the date referred to in paragraph 1(a)(i) to write a letter to Yapton Parish Council, Ford Parish Council, Clymping Parish Council and Arun District Council and those who commented on the Planning Application the residents of Ford Lane, Nelsons Row, Church Lane and Ford Road as shown on Plan B substantially in the form of the letter in the Second Schedule
- (i) To keep a log of all telephone calls made to the contact number specified in letter referred to in paragraph (h) recording the following information:-
 - (i) the date and time of the telephone call
 - (ii) the name of the caller
 - (iii) the number plate of the HGV involved
 - (iv) whether or not the HGV was involved in the Development
 - (v) whether it was breaching the terms of this Deed
 - (vi) what action was taken in accordance with paragraph (g) and;
 - (vii) to make the log available for inspection by the County Council at all reasonable hours

Schedule 2: Draft Letter

YOUR COMPANY'S HEADED PAPER

Dear Sir/Madam

Re: New Circular Technology Park (former Tarmac Blockworks), Ford Airfield Industrial Estate, Ford.

As you are aware, planning permission reference has been granted by West Sussex County Council authorising the proposed development and operation of a waste treatment It is planned that those works will commence on [insert date]. **OR** These works have already commenced and are continuing.

In order to carry out the works and subsequent operations permitted by the planning permission it is necessary to use large vehicles but it is recognised that it is important to minimise the impact of their use. Hence, large vehicles travelling to and from the New Circular Technology Park shall only use the route shown by the red line and arrows on the enclosed plan.

All the lorry drivers coming to and from the site will be required to abide by the prescribed route but in order to ensure that this agreement works, if you see our vehicles on the local roads where they should not be travelling, please inform us by contacting the site operator (**details to be confirmed by Grundon**), however, if you are not satisfied with the response given by the site operator please contact an Enforcement Officer within the County Planning Team (+44) 0330 22 26953 and/or copy such notifications to planning.enforcement@westsussex.gov.uk. Where possible, please can you inform us of the location, time, description of the vehicles and registration number before reporting it.

We hope we have given you sufficient explanation of our proposals. However, if you have any further questions or require any further information about these works and subsequent operations, please telephone (**details to be confirmed by Grundon**) where our staff will be happy to help you.

Yours faithfully

SIGNED AS A DEED BY)
Grundon Waste Management Limited)
.....

In the presence of:-

SIGNED AS A DEED BY)
The said **PETER HAGUE**)
.....

In the presence of:-

SIGNED AS A DEED BY)
The said **SUSANNE HAGUE**)
.....

In the presence of:-

SIGNED AS A DEED BY)
The said **ROBERT WILLIAM ENTICOTT**)
.....

In the presence of:-

THE COMMON SEAL of WEST

SUSSEX COUNTY COUNCIL

was affixed to this Deed in the
presence of:-

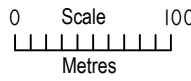
.....

Authorised signatory

DRAFT



- Key
- APPLICATION SITE
(NEW ACCESS ROAD
TO FORD CTP SITE)
 - LAND IN CONTROL
OF APPLICANT
(FORD CTP SITE)



Issue	Date	Comments
-------	------	----------

Notes

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GRUNDON

Grundon Waste Management Ltd
Estates Department, Grange Lane
Beenham, Reading, Berks RG7 5PY
Tel 01189 714040 estates@grundon.com

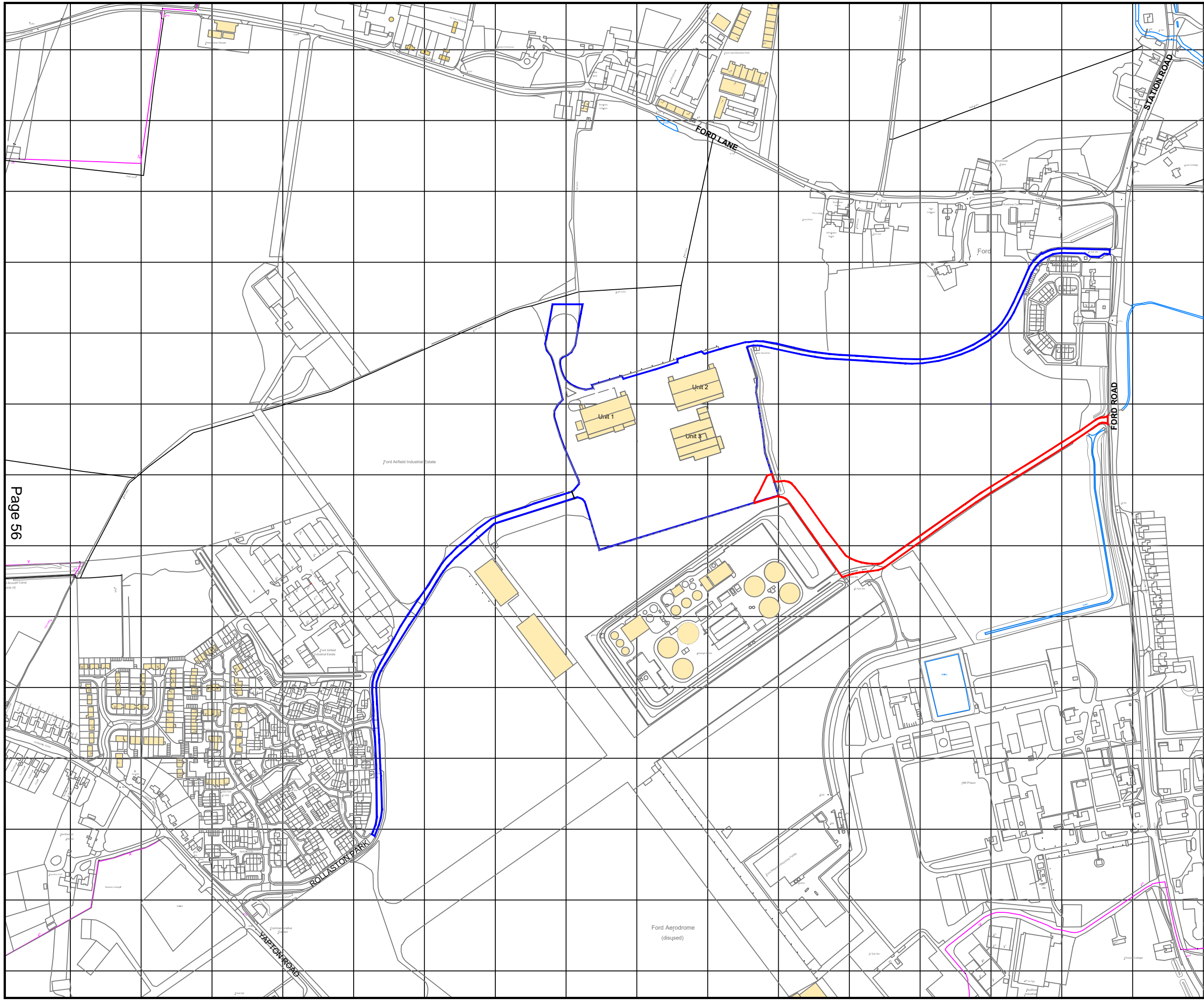
Project
FORD CTP SITE

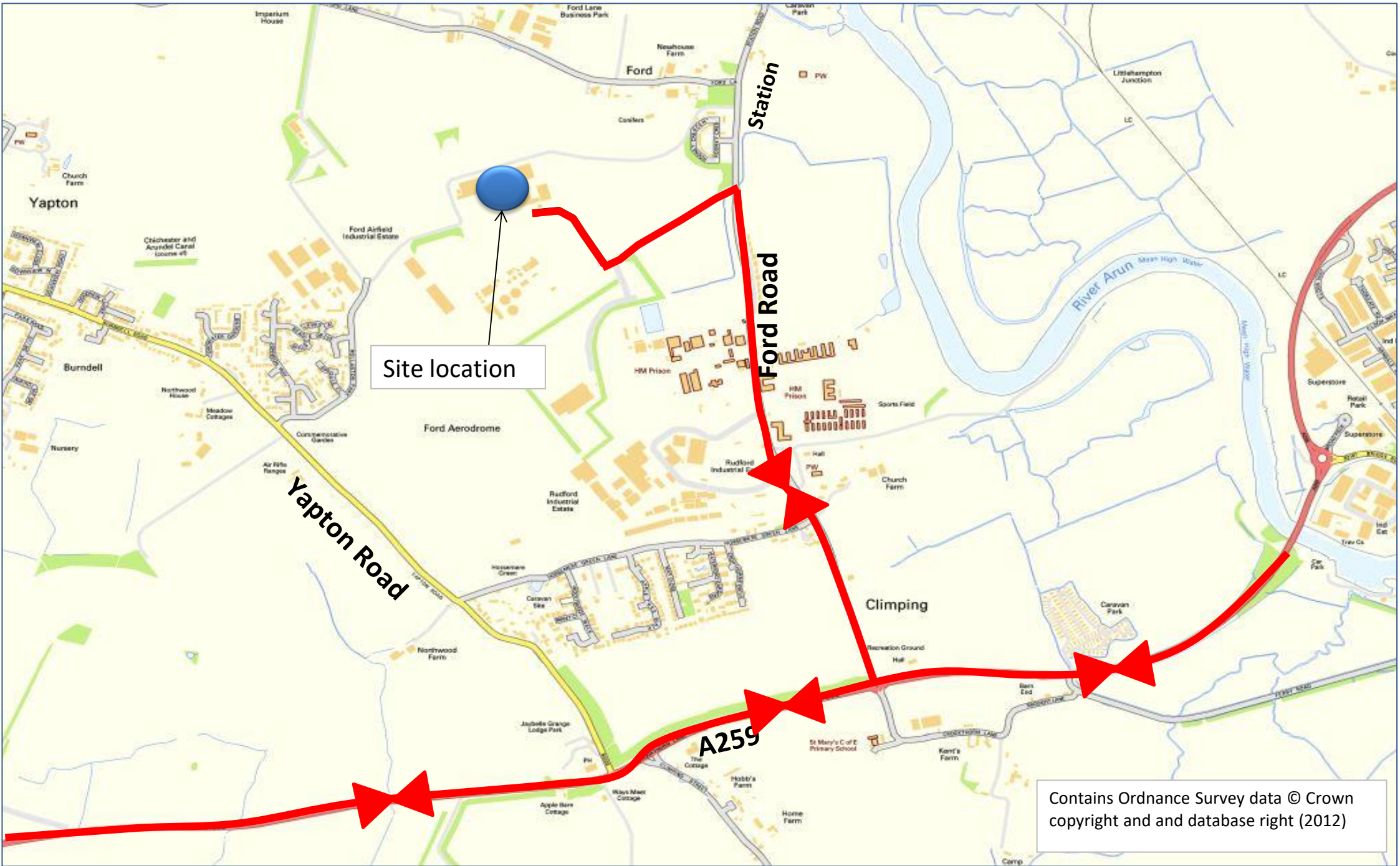
Title
PLAN A

Scale 1 : 5,000 @ A3	Date JUNE 2018
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Drawn By MG	Checked By VB
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Drawing No
DG/ES/FOR/SI06/PLAN A






Plan B

KEY:

Proposed new lorry route: 

Direction: 

Location:
Google
<http://goo.gl/maps/fCiSQ>

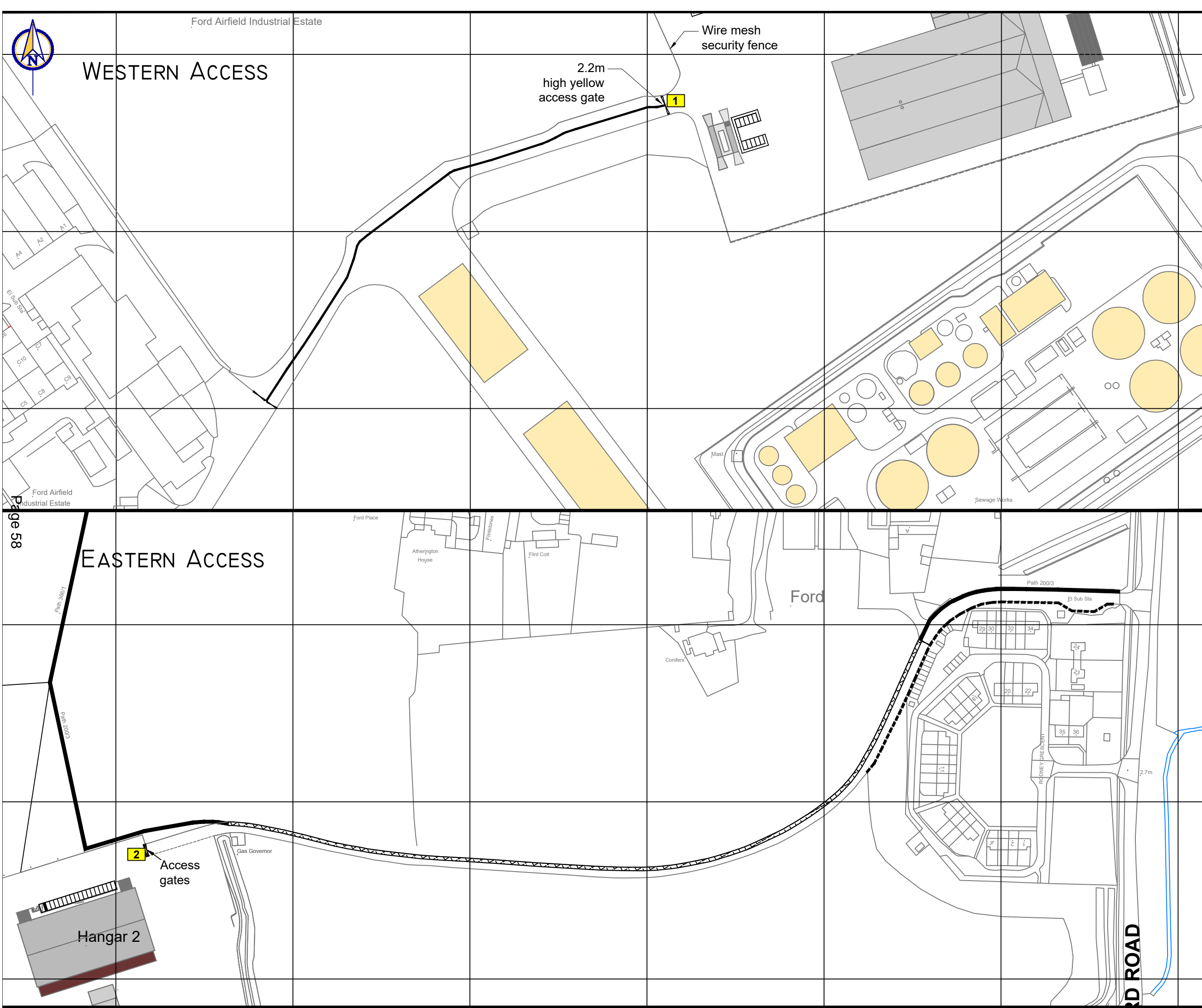
OSGR
SU9934 0335

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Title: Proposed New Lorry Route for CTP, Ford Airfield

Project Title:	Southern Link Road - CTP, Ford Airfield		
Job Number:	TE1093		
Client:	Grundon Waste Management Ltd		
Status	Planning	Figure No:	Figure 1
Scale:	NTS		




Key


1



Access Item 4

2





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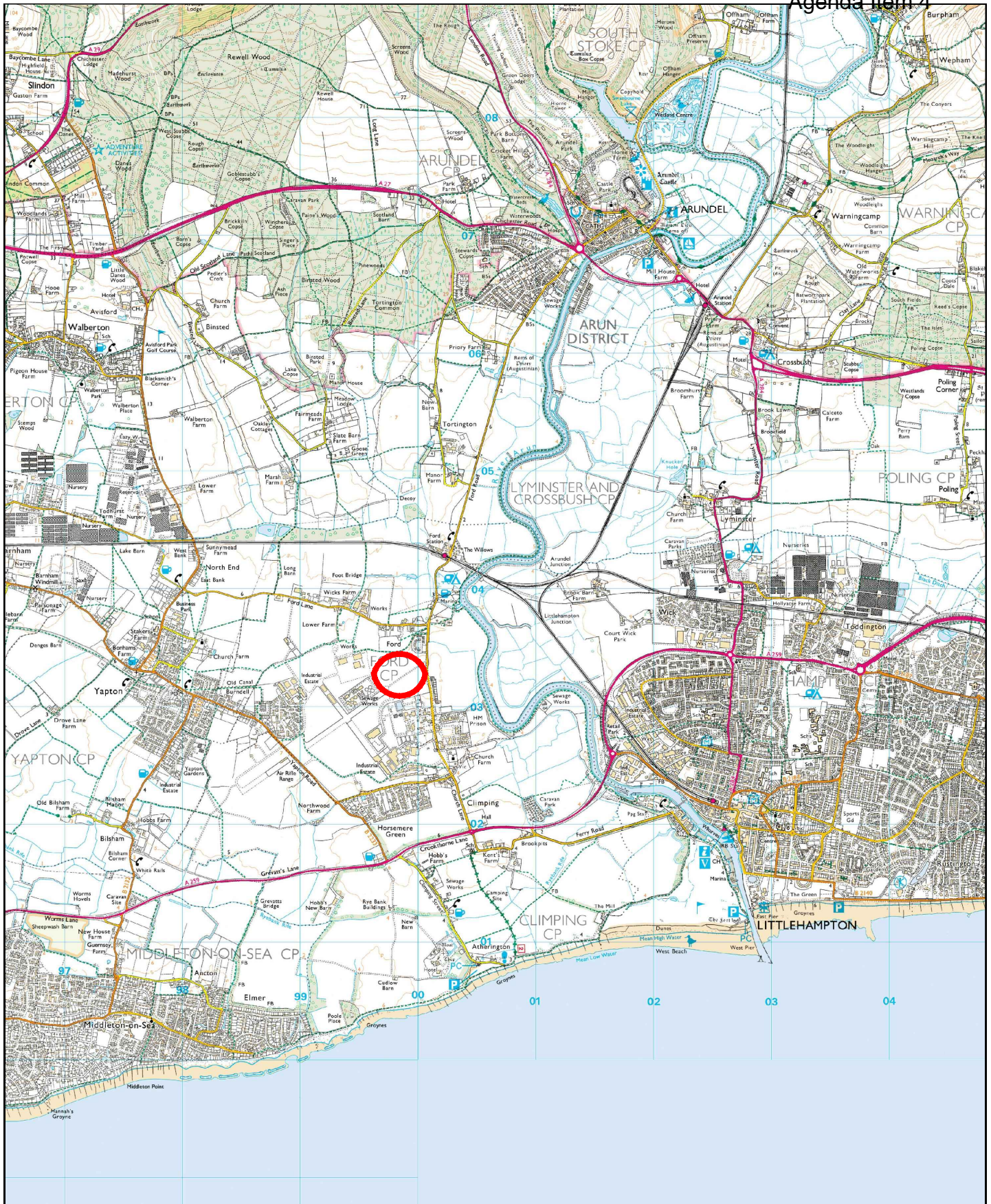
Grundon Waste Management Ltd
Estates Department, Grange Lane
Beenham, Reading, Berks RG7 5PY
Tel 01189 714040 estates@grundon.com



Project
FORD CTP SITE

Title
PLAN C

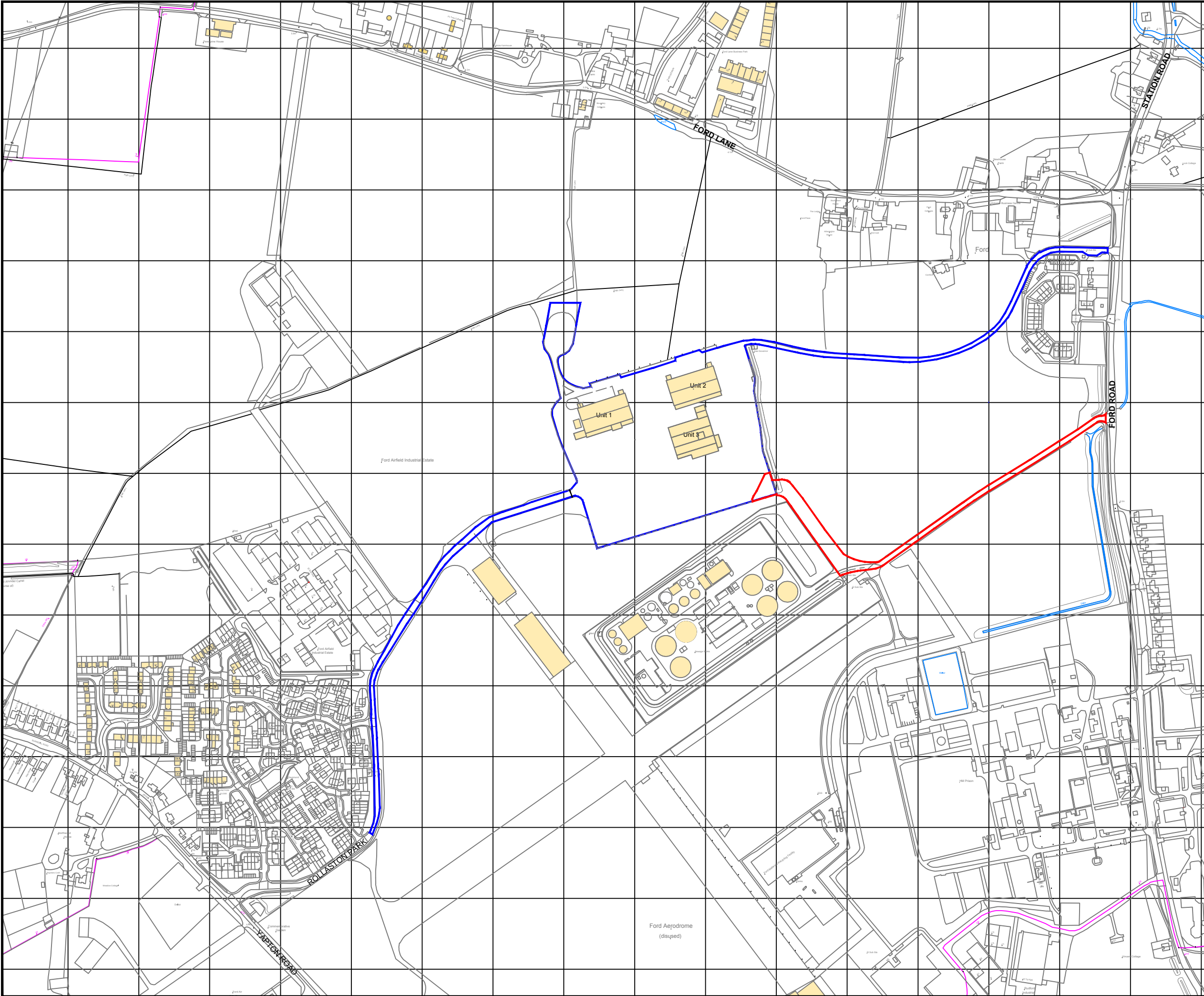
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Drawn By MG	Checked By VB

Drawing No
DG/ES/FOR/SI06/PLAN C





Revisions		Notes	
		 APPLICATION SITE LOCATION	
Issue	Comments	Date	
 <p>Grundon Waste Management Ltd Estates Department, Grange Lane Beenham, Berks, RG7 5PY Tel: 01189 714040 estates@grundon.com</p>		Scale 1:50,000 @A4	Date MARCH 2017
		Drawn By MG	Checked By VB
		Project CTP NEW ACCESS ROAD	
		Title SITE LOCATION PLAN	
		Drawing No DG/ES/FOR/NAR/01	


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Key



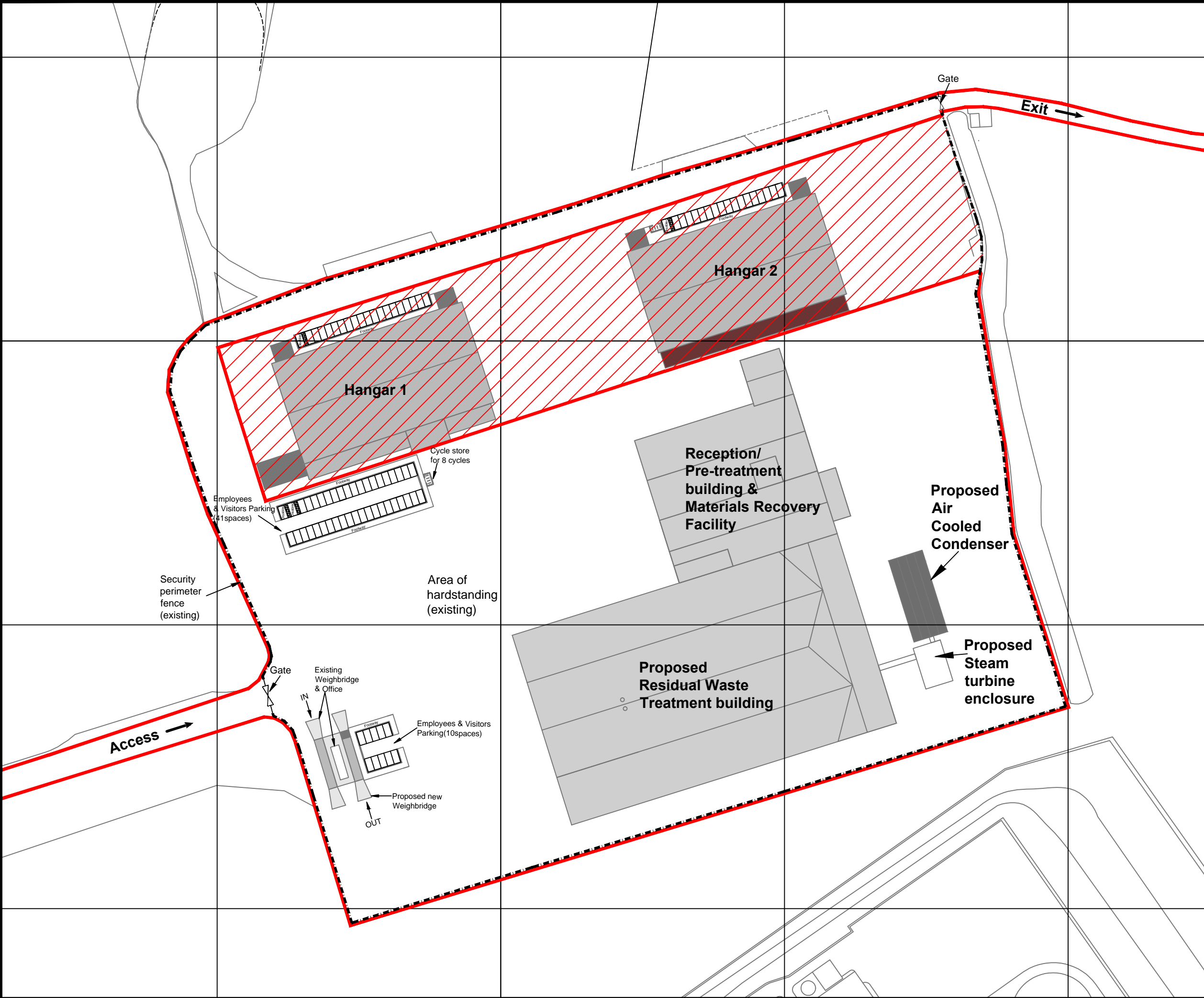
 APPLICATION SITE

 LAND IN CONTROL OF APPLICANT


0 Scale 100
Metres

Issue	Date	Comments
Notes		
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Grundon Waste Management Ltd Estates Department, Grange Lane Beenham, Reading, Berks RG7 5PY Tel 01189 714040 estates@grundon.com		
Project CTP NEW ACCESS ROAD		
Title PLANNING APPLICATION AND LANDOWNERSHIP AREA		
Scale 1 : 5,000 @ A3	Date MARCH 2017	
Drawn By MG	Checked By VB	
Drawing No DG/ES/FOR/NAR/02		

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Key



APPLICATION SITE

AREA OUTSIDE THE APPLICATION AREA

0

Scale

50

Metres

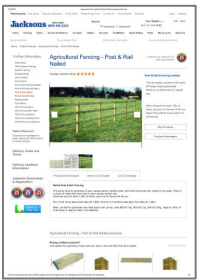
Issue	Date	Comments
Notes		
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<div><div>GRUNDON</div><div>Grundon Waste Management Ltd Estates Department, Grange Lane Beenham, Reading, Berks RG7 5PY Tel 01189 714040 estates@grundon.com</div></div>		
Project CIRCULAR TECHNOLOGY PARK		
Title PROPOSED SITE LAYOUT		
Scale 1:1,250 @ A3	Date NOVEMBER 2013	
Drawn By MG	Checked By VB	
Drawing No DG/ES/FOR/APPL/03		

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Grundon Transfer Station Site



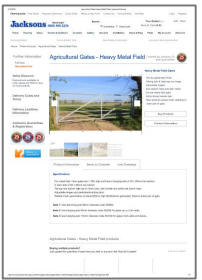
App. 1



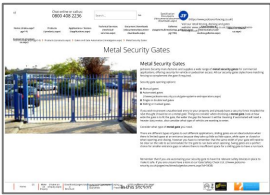
App. 2



App. 3



App. 4



App. 5



App. 6

- ①. 2.0m footway and cycleway paved in tarmac
- ②. 8.0m tarmac road constructed to Highway Specification similar to attached DRG No. SN/127
- ③. Standard concrete kerb edging similar to App. 1
- ④. Agricultural timber post & rail fencing similar to App. 2
- ⑤. Approx 7.0-8.0m high LED street lamps similar to App. 3
- ⑥. 5.0m galvanised steel farm gates similar to App. 4
- ⑦. 8.0 metal security gates similar to App. 5
- ⑧. 8.0m access barrier similar to App. 6

KEY:
APPROX LOCATION
7no. LED STREET LIGHTS
COVERING PEDESTRIAN PATH AND ROAD
AT A HEIGHT OF 7.0 TO 8.0M AS SHOWN

Service Road leading to Ford Road

ISS.No.	DESCRIPTION	DATE
Issue 1	11/05/16	
Issue 1	03/05/17	

GRUNDON WASTE MANAGEMENT LTD.
Lakeside Road, Colnbrook,
Slough. SL3 0EG

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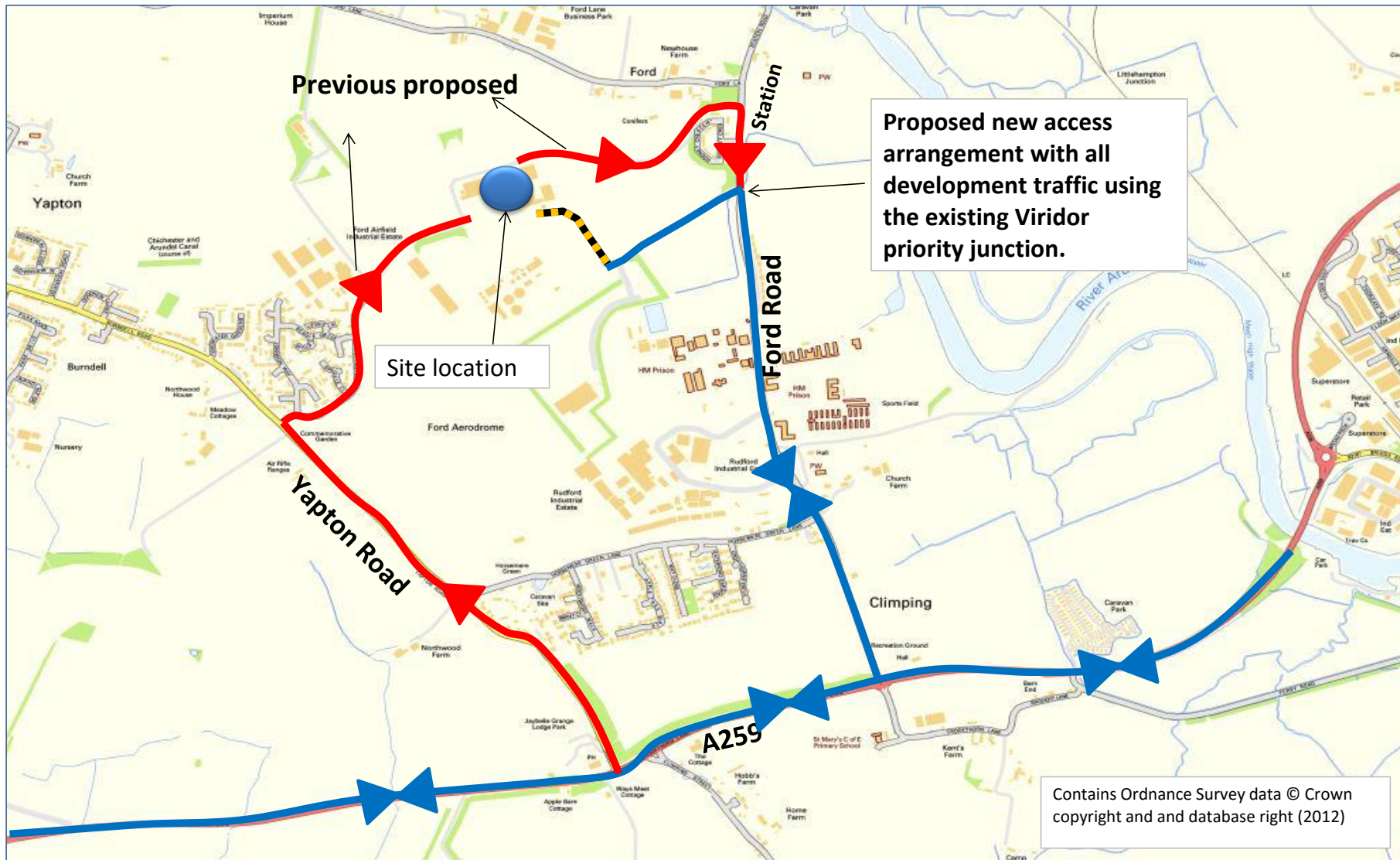
GRUNDON

TITLE

Proposed Specification
New Access Road
Ford

DRAWN	CHECKED	DATE	SCALE
RN	JD	11/05/16	NTS
DRG.No.			
DG/EN/FOR/WDL/2020			

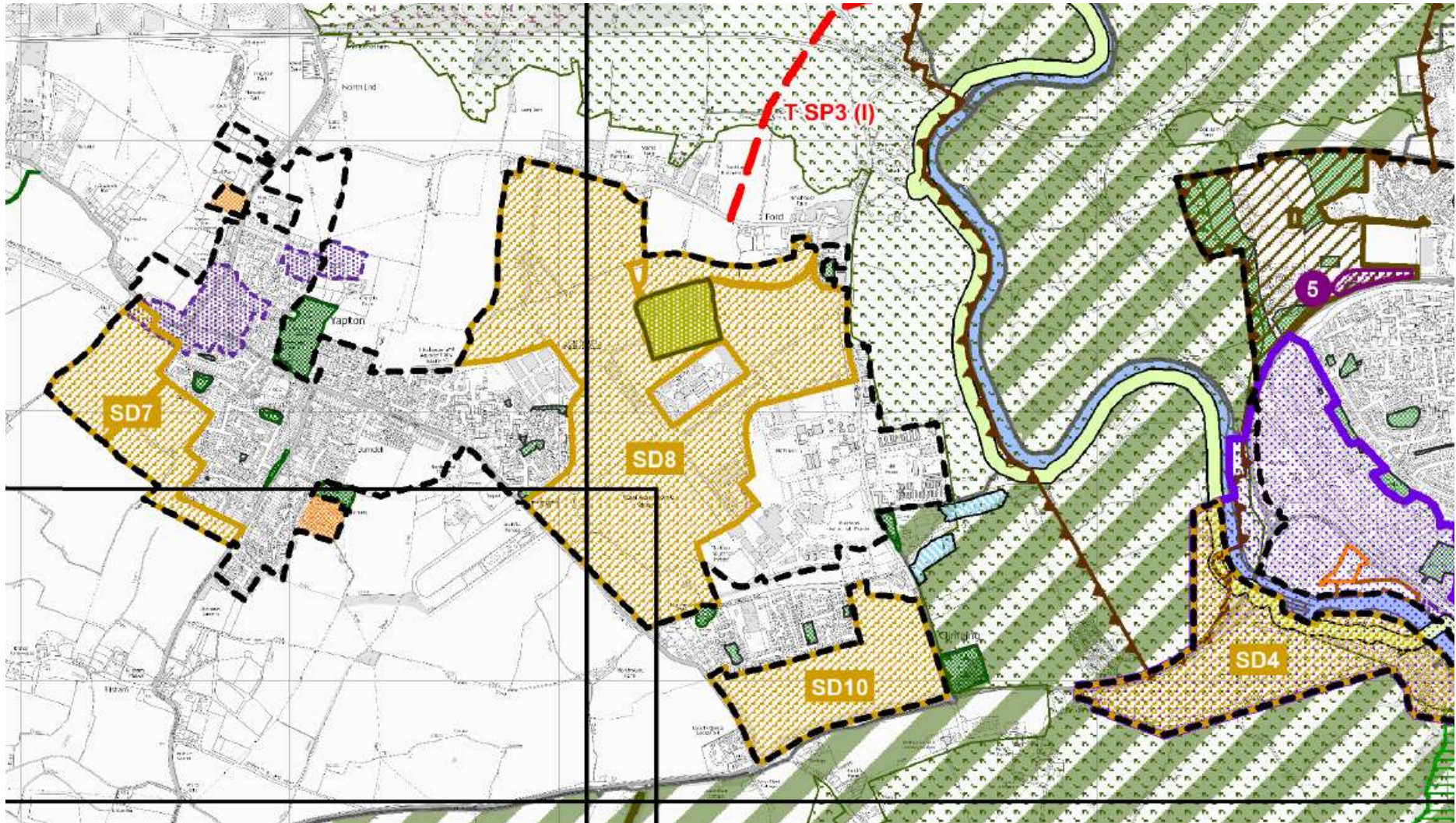
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Arun local Plan 2011-2031 (July 2018)

Proposals Map (extract)



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Planning Committee

6 November 2018

Regulation 3 Application

Installation of new lighting layout to the existing car parking area

The Glebe Primary School, Church Lane, Southwick, West Sussex, BN42 4GB

Application No: WSCC/030/18/SW

Supplementary Report by Head of Planning Services

Local Members: David Simmons and Debbie Kennard

Borough: Adur

Executive Summary

At its meeting on 11 September 2018, the Planning Committee deferred determining an application for the *'Installation of new lighting layout to the existing car parking area'* at the Glebe Primary School 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."*

This Supplementary Report sets out of the findings of the investigation by officers, which has involved further consultation with Adur District Council's Planning Department, consultation with the County Council's Ecologist, and discussions with the applicant (West Sussex County Council as the Local Education Authority (LEA)) and their appointed lighting contractors.

At the meeting on 11 September 2018, the Committee approved an amendment to Condition 5 (Tree Protection) to require a five year replanting and maintenance plan; the final form of wording of the condition was delegated to the County Planning Team Manager.

This report should be read alongside the [Committee Report from 11 September 2018](#).

Impact of Design of New Lighting Columns on Conservation Area, Listed Buildings and surroundings adjacent to the Site

Members requested that officers investigate further the impact of the proposed lighting columns on the nearby Conservation Area, Listed Buildings and surroundings. Although the proposed columns would be adjacent to a Conservation Area and close to Listed Buildings, they would be separated from them by mature trees, minimising the visual impact. The lighting columns would be viewed in the context of the school buildings and structures, and there are similar columns in the local area, including immediately outside the school, within the Conservation Area itself. Adur District Council maintains that the proposed development remains an

acceptable one in terms of its impact on the character of the area. On this basis, the proposal is considered acceptable in terms of its impact on the Conservation Area and Listed Buildings.

Whether a Bat Survey is Required

Members requested that officers assess the impact of the proposed lighting scheme on local bat populations. The County Council's Ecologist concluded that the proposed lighting scheme is 'a low impact light scheme', that it is unlikely to have any impact on protected bat species, and that no additional mitigation would be required.

Impact of New Lighting Scheme on Residential Amenity

Members requested that officers further assess the impact of the proposed lighting scheme on residential amenity. Adur District Council maintained their view that the proposed scheme is acceptable subject to timer controls being installed. Furthermore, the incorporation of additional mitigation measures to the columns' fittings and updated light spill data concluding that illuminance (Lux) levels were low and would not encroach onto adjoining residential properties, both ensure the lighting scheme's impact is an acceptable one. It is concluded, therefore, that the proposed development would not adversely affect the outlook or residential amenity of neighbouring properties to the east and south of the car parking area and the wider school site.

Overall Conclusion

Officers remain of the view that whilst the proposed development would be adjacent to a Conservation Area and Listed Buildings, it would be set back from them and separated by mature trees, minimising the visual impact. Further, the lighting columns are not unusual in the local area, including immediately outside of the school, within the Conservation Area. The proposed lighting scheme is unlikely to have any undue ecological impact on the immediate local area and any local protected bat species' adjoining the site. Although the three proposed lighting columns would be visible from neighbouring residential properties, light intensity and spill would be within acceptable levels, and largely confined to the school site.

Subject to conditions, the proposed development would not result in any significant impacts on the local environment or on local amenity. The proposed development, therefore, is in accordance with the policies of the Development Plan.

Recommendation

That planning permission be granted subject to the conditions and informatives set out in Appendix 1 of Committee Report from 11 September 2018 (repeated in **Appendix A** to this Supplementary Report and incorporating the proposed amendments to Condition 2 (Approved Plans/Documents) and the previously-approved amendment to Condition 5 (Tree Protection Statement)).

1. **Introduction**

- 1.1 At its meeting on 11 September 2018, the Planning Committee deferred determining an application for the '*Installation of new lighting layout to the existing car parking area*' at the Glebe Primary School 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."*
- 1.2 This Supplementary Report sets out of the findings of the investigation by officers, which has involved further consultation with Adur District Council's Planning Department, consultation with the County Council's Ecologist, and discussions with the applicant (West Sussex County Council as the Local Education Authority (LEA)) and their appointed lighting contractors.
- 1.3 At the meeting on 11 September 2018, the Committee approved an amendment to Condition 5 (Tree Protection Statement) to require a five year replanting and maintenance plan; the final form of wording was delegated to the County Planning Team Manager. Therefore, the wording of Condition 5 has been amended as identified in bold in **Appendix A** to this report.
- 1.4 This report should be read alongside the Committee Report from 11 September 2018.

2. **Impact of Design of New Lighting Columns on Conservation Area, Listed Buildings and surroundings adjacent to the Site**

- 2.1 Members raised concerns that the impact of the proposed lighting columns on the nearby Conservation Area, Listed Buildings and surroundings (presumably, in planning terms, the settings of the historic features) had not been fully assessed. Officers were asked to investigate further.
- 2.2 The Southwick Conservation Area extends along the southern boundary of the school site, abutting the playing fields and including the southern part of the school's access road onto Church Lane. There are three Listed Buildings in the immediate locality, namely the Old Rectory and Old Rectory Cottage, immediately south-west of the school playing fields, and the Church of St Michael, to the south-east of the school access road.
- 2.3 Officers contacted Adur District Council (ADC) for a further view on this matter. ADC is responsible for both designating and protecting Conservation Areas and Listed Buildings, as well as their surroundings, from development-related harm.
- 2.4 In response to re-consulting them, ADC confirmed that they had nothing to add to their previous response, which stated:

"Visual Amenity

The lighting columns are within the school car park and will not be visible from Church Lane. The bollards are low in height and will also be relatively

unobtrusive. The bollards along the pedestrian access may have some impact but, due to their low height, it is considered that impact from light will be minimal. The impact on the Conservation Area will be acceptable."

- 2.5 This confirms the District Council's view that the lighting columns, which are in situ, are not visible from Church Lane and so do not have any impact on the Conservation Area.
- 2.6 The school's boundary with the Conservation Area is characterised by thick, mature trees which largely screen views to and from it. There is also a dwelling along the school access outside the conservation area that helps to provide additional physical screening of views, and the lighting columns would be viewed in the context of the buildings and structures on the school grounds.
- 2.7 The columns are typical of those used along roads and in parking areas across urban and rural West Sussex. It is of note that Church Lane contains large lighting columns, including immediately adjacent to the school's access road. It is not considered that lighting columns would be out of keeping on a site outside the Conservation Area, even if it could be considered to be within the setting of it.
- 2.8 The applicant's lighting contractor has reiterated that the combination of the reduction in column height to 4m from the existing 5m, and the prior agreement of column finishes would help to integrate the columns sympathetically into the locality, including the conservation area.
- 2.9 *Members requested that officers investigate further the impact of the proposed lighting columns on the nearby Conservation Area, Listed Buildings and surroundings. Although the proposed columns would be adjacent to a Conservation Area and close to Listed Buildings, they would be separated from them by mature trees, minimising the visual impact. The lighting columns would be viewed in the context of the school buildings and structures, and there are similar columns in the local area, including immediately outside the school, within the Conservation Area itself. Adur District Council maintains that the proposed development remains an acceptable one in terms of its impact on the character of the area. On this basis, the proposal is considered acceptable in terms of its impact on the Conservation Area and Listed Buildings.*

3. **Whether a Bat Survey is Required**

- 3.1 Members were concerned that the impact of the proposed lighting scheme on local bat populations had not been assessed by an ecological expert. Officers were asked to investigate this.
- 3.2 In response, the applicant's lighting contractor provided an ecological assessment of the proposal.
- 3.3 The County Council's Ecologist reviewed the submitted information and lighting assessment and confirmed that any locally-protected bat species, whether roosting or foraging in trees adjoining the site's boundaries, were unlikely to be affected by the proposed lighting scheme, and that the site offers low potential to support tree roosting bats, and limited suitability for foraging or commuting bats. They also noted that the proposal was an ecologically low impact lighting

scheme. No change to the proposed lighting scheme was necessary and no additional mitigation would be required.

- 3.4 *Members requested that officers assess the impact of the proposed lighting scheme on local bat populations. The County Council's Ecologist concluded that the proposed lighting scheme is 'a low impact light scheme', that it is unlikely to have any impact on protected bat species, and that no additional mitigation would be required.*

4. **Impact of New Lighting Scheme on Residential Amenity**

- 4.1 Members raised concerns that the impact of the proposed lighting scheme on the nearby residents and surroundings had not been fully assessed. Officers were asked to investigate further.
- 4.2 Officers contacted ADC for a further view on this. ADC (as the Local Environmental Health Authority) is responsible for protecting local residents and the environment, from development-related harm and pollution
- 4.3 ADC offered no further comments to their original consultation response, which stated:

"Residential amenity

The proposal is generally not considered to have an adverse impact on residential amenity because of the height and location of the lighting columns and bollards. However, the column nearest to 20 Church Lane has the potential to cause some light pollution. The Environmental Health Officer has suggested an hours of use condition in order to safeguard residential amenity."

- 4.4 Furthermore, the applicant's lighting contractor provided amendments to the columns' proposed fittings and updated light spill assessment data to address the Committee's concerns.
- 4.5 This included rotating the fittings by 90 degrees to reduce their visibility from Oldfield Crescent and incorporating both side and rear baffles to ensure light is directed only into the car parking area and not into adjacent residential properties. These changes would need to be secured by condition. Therefore, the proposed wording of Condition 2 has been amended as identified in bold in **Appendix A** to this report.
- 4.6 The updated light spill assessment data confirmed that the majority of the school car park and access road area affected by the proposed lighting scheme would average 13 Lux illuminance, with no lighting infiltrating onto the adjacent gardens in Oldfield Crescent. Health and Safety Regulations and Directives stipulate a minimum level of car park lighting to be 5-20 Lux. All proposed lighting would also be 'warm white' rather than 'cool white'. This is a less prominent and intrusive type of white light.
- 4.7 *Members requested that officers further assess the impact of the proposed lighting scheme on residential amenity. Adur District Council maintained their view that the proposed scheme is acceptable subject to timer controls being installed. Furthermore, the incorporation of additional mitigation measures to*

the columns' fittings and updated light spill data concluding that illuminance (Lux) levels were low and would not encroach onto adjoining residential properties, both ensure the lighting scheme's impact is an acceptable one. It is concluded, therefore, that the proposed development would not adversely affect the outlook or residential amenity of neighbouring properties to the east and south of the car parking area and the wider school site.

5. **Overall Conclusion and Recommendation**

- 5.1 Officers remain of the view that whilst the proposed development would be adjacent to a Conservation Area and Listed Buildings, it would be set back from them and separated by mature trees, minimising the visual impact. Further, the lighting columns are not unusual in the local area, including immediately outside of the school, within the Conservation Area. The proposed lighting scheme is unlikely to have any undue ecological impact on the immediate local area and any local protected bat species' adjoining the site. Although the three proposed lighting columns would be visible from neighbouring residential properties, light intensity and spill would be within acceptable levels, and largely confined to the school site.
- 5.2 Subject to conditions, the proposed development would not result in any significant impacts on the local environment or on local amenity. The proposed development, therefore, is in accordance with the policies of the Development Plan.
- 5.3 It is **recommended**, therefore, that planning permission be granted subject to the conditions and informatives set out at Appendix 1 of the Committee Report of 11 September 2018 (repeated in **Appendix A** to this Supplementary Report and incorporating the proposed amendments to Condition 2 (Approved Plans/Documents) and the previously-approved amendment to Condition 5 (Tree Protection Statement)).

6. **Crime and Disorder Act Implications**

- 6.1 As set out in Section 11 of the report to Planning Committee on 11 September 2018.

7. **Equality Act Implications**

- 7.1 As set out in Section 12 of the report to Planning Committee on 11 September 2018.

8. **Human Rights Act Implications**

- 8.1 As set out in Section 13 of the report to Planning Committee on 11 September 2018.

Michael Elkington
Head of Planning Services

Background Papers:

Report on planning application WSCC/030/18/CR to Planning Committee on 11 September 2018.

List of Appendices:

Appendix A: Conditions and Informatives set out at Appendix 1 of the Committee Report of 11 September 2018, incorporating the amendments to Condition 2 (Approved Plans/Documents) and the previously-approved amendment to Condition 5 (Tree Protection Statement))

Contact: Sam Dumbrell, ext. 26947

Appendix A: Conditions and Informatives

GENERAL

Commencement

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

Approved Plans/Documents

2. The proposed development shall not take place other than in accordance with the approved plans:
 - Location Plan (Drawing No. TSP542/00/A/1000, dated 25/08/17);
 - Site Plan (Drawing No. TSP542/00/A/1001 Rev D, dated 25/08/17);
 - Electrical Services. Car Park Lighting & Barrier Power and Entry Systems (Drawing No. PML-EC3600-E-500 Rev C8, dated July 2016);
 - Elevations (Drawing No. TSP542/00/A/1002 Rev C, dated 25/08/17);
 - ~~Kingfisher Klou Bollard Data Sheet (KF KLOU 180 VERSION 2);~~
 - **ASD Litehouse Bollard Black Fresnel LED 500Ma (LHS/B1AFLED50);**
 - Kingfisher Lighting Columns Data Sheet 2016 (KF COLUMNS 14.04.2016 VERSION 3);
 - ~~Viva City Lighting Column – Data Sheet 2016 (KF VIVA CITY 14.04.2016 VERSION 4);~~
 - **ASD Lamp (ASD Highway Diamond Elite LED 24 – HWD-B40LED2450-S0) & ASD Lamp Side & Rear Shield (ASD HWD/BLS100S & HWD/BLS100R);**
 - ASD Installation : Roadway Lighting Specifications (09.04.2018);

along with documents submitted with the application, save as varied by the conditions hereafter or any variation thereto that may be agreed in writing by the County Planning Authority.

Reason: To secure a satisfactory development in accordance with the NPPF (2018).

PRIOR TO COMMENCEMENT

Finishes

3. No development shall be carried out until a schedule detailing the proposed finishes of the lighting columns has been submitted to and approved in advance and in writing by the County Planning Authority. Once approved, the development shall be constructed in accordance with the approved schedule, and maintained as approved.

Reason: In the interests of amenity and to ensure the development has a good quality appearance.

Construction Management Statement

4. No development shall take place until a Construction Management Statement has been submitted to and approved in advance and in writing by the County Planning Authority. The Statement shall provide details as appropriate but not necessarily be restricted to the following matters:
- the parking of vehicles by site operatives and visitors,
 - the loading and unloading of plant, materials and waste,
 - the storage of plant and materials used in construction of the development,
 - measures to ensure safe vehicular and pedestrian access during installation.

Once approved, the Construction Management Statement shall be implemented in full during the entire installation period.

Reason: To secure safe and satisfactory means of vehicular access to and from the site during the installation period in the interests of highway safety.

Tree Protection Statement

5. No development involving groundworks shall be commenced until a Tree Protection Statement has been submitted to and approved in advance and in writing by the County Planning Authority. Once approved, the Tree Protection Statement shall be implemented in full throughout the entire installation period. Any planting which dies, is removed or becomes seriously damaged or diseased during the installation period **and within five years following the completion of the installation works** shall be replaced in the next planting season with others of similar size and species, unless the County Planning Authority gives written consent for any variation.

Reason: To protect existing high value trees in the interests of the local landscape.

CONTROLLING INSTALLATION WORKS

Hours of Installation Works

6. Installation (including any demolition and site clearance) of the development hereby permitted, involving the use of plant/machinery/equipment/vehicles and the deliveries of construction materials/plant/machinery/equipment being received by or despatched shall only take place between the hours of:
- 08.00 and 18.00 on Monday to Friday inclusive (but no deliveries or departures by goods vehicles shall take place between the hours of 08:30 and 09:15 and 14:30 and 15:30 during school term-time);
 - 09.00 and 13.00 on Saturdays; and

not at any time on Sundays, Bank Holidays or Public Holidays.

Reason: In the interests of the amenity of the locality and of local residents.

ONGOING USE

Hours of Use

7. The lighting columns hereby permitted shall 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.

Reason: In the interests of the amenity of the locality and of local residents.

Informatives

- A. In accordance with paragraph 38 of the National Planning Policy Framework, the County Planning Authority has approached the determination of this application in a positive way, and has worked proactively with the applicant by:
- Providing pre-application advice;
 - Seeking amendments early on in the application process to see if a sustainable solution can be agreed;
 - Discussing issues of concern as early as possible, including those raised by consultees and third parties;
 - Giving them the opportunity to provide further information/changes to overcome material impacts; and
 - Working with consultees.

As a result, the County Planning Authority has been able to recommend the grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development.

- B. The Environmental Health Authority, Adur and Worthing Councils, may use their powers under the Control of Pollution Act 1974 (COPA) to enforce against any nuisance (including waste disposal, water pollution, noise, atmospheric pollution and public health; and for purposes connected with the matters aforesaid) from the site. For any queries on this matter, please contact the Environmental Health Department of Adur and Worthing Councils on 01903 221064.

Update on Mineral, Waste and Regulation 3 Planning Applications

Planning Committee date 06 November 2018

Report by Strategic Planning, County Planning Manager

Minerals and Waste Planning Applications

Report run on 24 October 2018

Type	Reference (Case Officer)	Applicant	Proposal	Location	Member	Date Valid	Recommended determination date	Extension Deadline Date	Period post validation	Update comments
County Matter Waste	WSCC/001/18/WE (Mr Chris Bartlett)	Landacre Trading Limited	Amendment of conditions 2, 3, 7 and 17 of planning permission WSCC/007/12/WE to allow extension of time for completion of restoration works by 18 months and variation of schemes	Hambrook Marlpit, Marlpit Lane, Hambrook, Chichester, West Sussex, PO18 8UL	Mr Viral Parikh	22-DEC-2017	24-MAR-2018	16-JUN-2018	44 weeks	Decision imminent
County Matter Waste	WSCC/027/18/F (Mr James Neave)	Grundon Waste Management Ltd	Proposed new access road	New Circular Technology Park (former Ford Blockworks), Ford Airfield Industrial Estate, Ford, Arundel, BN18 0HY	Mrs Jacky Pendleton	04-JUN-2018	24-SEP-2018	09-NOV-2018	20 weeks	This agenda
County Matter Waste	WSCC/037/18/CR (Mr Chris Bartlett)	H Ripley & Co Ltd	Change of use to a metal recycling facility involving the storage, bulking and distribution of recycled metal materials. To include creating an additional access to facilitate vehicle circulation within the site	International Park, Priestley Way, Manor Road Industrial Estate, Crawley, RH10 9NT	Mrs Sue Mullins	30-JUL-2018	30-OCT-2018	-	12 weeks	Decision imminent

Type	Reference (Case Officer)	Applicant	Proposal	Location	Member	Date Valid	Recommended determination date	Extension Deadline Date	Period post validation	Update comments
County Matter Waste	WSCC/039/18/SI (Mr Chris Bartlett)	R M Pettett Ltd	Change of use of land to form part of metal recycling yard including hard surfacing and new boundary walls (retrospective)	The Old Coal Yard, Jury Lane, Sidlesham Common, Chichester, West Sussex, PO20 7PX	Mr Pieter Montyn	30-AUG- 2018	30-NOV-2018	-	8 weeks	Awaiting consultee responses
County Matter Waste	WSCC/040/18/BL (Mr James Neave)	Viridor Waste Management Limited	New welfare cabin	Billingshurst Household Waste Recycling Site, Newbridge Road, Billingshurst, West Sussex, RH14 9HZ	Mrs Amanda Jupp	17-SEP- 2018	18-DEC-2018	-	5 weeks	Decision imminent
County Matter Mineral	WSCC/043/18/CR (Mr Sam Dumbrell)	Cemex UK Operations	Variation of Condition 5 (hours of operation) of planning permission CR/22/81 to allow extended hours of operation of the concrete batching plant only to include between 6.00 pm and 7.00 am on Mondays to Fridays inclusive up to a maximum of 12 times per calendar month	Crawley Goods Yard (Cemex Site), Gatwick Road, Crawley, West Sussex, RH10 9RE	Mr Charles Petts	09-OCT- 2018	09-JAN-2019	-	2 weeks	Within consultation period
County Matter Mineral	WSCC/044/18/SR (Mr Chris Bartlett)	Inert Recycling (UK) Limited and CEMEX (UK) Operations Limited	Continuation of working the mineral (sand extraction), but with an enhanced restoration scheme for nature conservation and informal recreation involving the importation of 1.8 million tonnes of inert material over a period of eleven years	Sandgate Park Quarry, Water Lane, Sullington, Storrington, West Sussex, RH20 4AS	Mr Paul Marshall	15-OCT- 2018	04-FEB-2019	-	1 weeks	Within consultation period

Regulation 3 Planning Applications

Type	Reference (Case Officer)	Applicant	Proposal	Location	Member	Date valid	Recommended determination date	Extension Deadline Date	Period post validation	Update comments
Reg 3 Minor	WSCC/030/18/SW (Mr Sam Dumbrell)	Director of Economy, Planning and Place	Installation of new lighting layout to the existing car parking area	The Glebe Primary School, Church Lane, Southwick, West Sussex, BN42 4GB	Mr David Simmons	18-JUN- 2018	14-AUG-2018	-	18 weeks	This agenda
Reg 3 Minor	WSCC/038/18/SB (Mr Chris Bartlett)	Director of Economy, Planning and Place	A new single-story extension to the existing school allowing the school to expand from a 5FE to 6FE together with a new Multi Use Games Area floodlighting & associated parking.	Bourne Community College, Park Road, Emsworth, PO10 8PJ	Mr Viral Parikh	13-AUG- 2018	09-OCT-2018	-	10 weeks	Decision imminent
Reg 3 Minor	WSCC/042/18/WB (Mr Chris Bartlett)	Director of Economy, Planning and Place	Removal of condition 12 of planning permission WSCC/009/09/WB (hours) to allow the former Children and Family Centre to be used as part of the wider school	Vale School, Vale Avenue, Worthing, West Sussex, BN14 0DB	Mrs Elizabeth Sparkes	17-SEP- 2018	13-NOV-2018	-	5 weeks	Awaiting consultee responses
Reg 3 Minor	WSCC/041/18/CR (Mr Sam Dumbrell)	Director of Economy, Planning and Place	Construction of single storey dance/drama studio extension	Maidenbower Junior School, Harvest Road, Maidenbower, Crawley, West Sussex, RH10 7RA	Mr Bob Lanzer	19-SEP- 2018	15-NOV-2018	-	5 weeks	Consultees' requirements being negotiated with applicant
Reg 3 Minor	WSCC/045/18/HA (Mr James Neave)	Director of Economy, Planning and Place	Outdoor Performance Area	Downlands Community School, Dale Avenue, Hassocks, West Sussex, BN6 8LP	Mrs Kirsty Lord	16-OCT- 2018	12-DEC-2018	-	1 weeks	Within consultation period

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Report of Delegated Action; Applications approved subject to conditions

Planning Committee date: 06 November 2018

Decided between: Period Start Date: '29-AUG-2018' and Period End Date: '24-OCT-2018'

Report run on 24 October 2018

	District	Application Number	Proposal	Location
County Matter Waste	Horsham District Council	WSCC/029/18/SP	Restoration works to Knepp Mill Pond by dredging and construction of landscape enhancement features using imported inert materials, together with the provision of public access and amenity (amendment to WSCC/037/17/SP)	Knepp Castle, West Grinstead, West Sussex, RH13 8LJ
Regulation 3 Minor	Arun District Council	WSCC/036/18/EP	Extension of tarmac hard play area	East Preston Infants School, Lashmar Road, East Preston, West Sussex, BN16 1EZ

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