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Subject to approval at the next Development Control Committee meeting

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## DEVELOPMENT CONTROL COMMITTEE

27 June 2019 at 2.30 pm

Present: Councillors Ms Thurston (Vice-Chairman, in the Chair), Bower, Charles, Coster, Lury, Northeast, Mrs Pendleton, Roberts, Mrs Stainton, Mrs Yeates and Brooks

Councillors Jones and Mrs Worne were also in attendance for all or part of the meeting.

### 55. APPOINTMENT OF VICE-CHAIRMAN FOR THE MEETING

The Committee

RESOLVED

That Councillor Lury be appointed Vice-Chairman for the meeting.

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The Committee

RESOLVED

That Councillor Lury be appointed Vice-Chairman for the meeting.

### 56. WITHDRAWN APPLICATIONS

The Chairman advised that Planning Applications CM/4/19/PL and Y/103/18/PL had been withdrawn from the agenda and would not be considered at this meeting.

### 57. APOLOGIES

Apologies for absence had been received from Councillors Bennett, B. Blanchard-Cooper, Mrs Hamilton and Oliver-Redgate.

### 58. DECLARATIONS OF INTEREST

Planning Application A/40/18/OUT – Councillor Bicknell declared a personal interest as a member of the Angmering Advisory Group and Angmering Parish Council – he stated that he had reserved his position and any decision made would be based on the information presented at this meeting.

### 59. AL/3/19/PL NYTON NURSERY, NYTON ROAD, WESTERGATE PO20 3UQ

AL/3/19/PL – Residential development of 68 No. dwellings (net increase of 23 over current consent AL/102/17/RES) including 30% affordable housing (7 units) with

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associated access, public open space & landscaping, Nyton Nursery, Nyton Road, Westergate

The Strategic Development Team Leader presented this report, together with two separate written officer report updates circulated at the meeting detailing:-

- Additional consultee responses from Natural England; West Sussex County Council relating to infrastructure contributions; updated comments from the Environment Officer regarding Great Crested Newts and hedgerows; and Walberton Parish Council; and pre-commencement conditions
- Changes to pre-commencement conditions as requested by the applicant with all other pre-commencement conditions not referred to being accepted
- Amendment to conditions 5, 6, 8, 9, and 18 as detailed in the update

A verbal update was also given that Sussex Police had no comments to add.

Following a comprehensive presentation by the Strategic Development Team Leader, Members participated in some discussion on the item. It was acknowledged that the history of the site was relevant and, although concerns were expressed about the infrastructure deficit in respect of medical facilities and the local road network, together with the increase of 23 dwellings over the current consent AL/102/17/RES, there were no planning reasons to refuse this application.

The Committee therefore

RESOLVED

That the application be approved as detailed in the report and the officer's written report update.

60. AL/32/19/OUT WINGS NURSERY,LIDSEY ROAD, WOODGATE PO20 3SU

AL/32/19/OUT – Outline application with some matters reserved for the erection of 55 No. dwellings, access arrangements, sustainable drainage measures, public open space, landscaping & all other associated works (resubmission following AL/115/17/OUT). This application is a Departure from the Development Plan, Wings Nursery, Lidsey Road, Woodgate

The Planning Team Leader presented this report and advised the Committee on the following by way of the officer's written report update circulated at the meeting:-

- Changes to the position on the Council's 5 year Housing Land Supply (HSL) position
- Additional comment on the agricultural land loss policy SO DM1
- Update on ecological matters following the submission of an additional study relating to greater crested newts, resulting in an additional condition as set out in the update report

In considering this item, a question was asked in relation to egress from the site onto a busy road and the County Highways officer present was able to confirm that there would be a right hand turn.

Following further discussion relating to Tree Preservation Orders; payment of S106 monies to the NHS; and time limits for infrastructure being put in place, the Committee

RESOLVED

That the application be approved as detailed in the report and the officer report update.

61. Y/62/18/OUT CLAYS FARM, NORTH END ROAD, YAPTON BN18 0DT

*(Prior to consideration of this application, Councillors Jones and Mrs Worne addressed the Committee as Ward Members.)*

Y/62/18/OUT – Outline application with some matters reserved (appearance, landscaping, layout & scale) for 33 No. residential dwellings, access, landscaping & associated works. This application is a Departure from the Development Plan, Clays Farm, North End Road, Yapton Having received a report on the matter, together with the officer's written report update detailing:-

- Changes to the Council's 5 year housing land supply (HSL) which has resulted in paragraph 11.d of the NPPF (2019) and the application of the 'presumption' in favour of sustainable development being triggered
- The weight to be attached to the loss of agricultural land against the benefits of the proposal, namely the boost to the Council's 5 year HLS, the provision of affordable housing and the financial contributions to local education, libraries and medical facilities

the Committee was advised by the Principal Planning Officer that this proposal had sites approved for development to the north and south and, as such, it was felt there would be limited harm to the character of the countryside if this application site was developed.

The Group Head of Planning also gave advice in respect of the 5 year HLS and the need within the District to provide housing in sustainable locations.

In discussing the proposal, there was a divergence of opinion in that comment was made that the application should be approved as there was insufficient evidence on which to base a refusal. However, other Members were of the view that this site represented a green space and should therefore be protected and that the loss of agricultural land was unacceptable. Further comment was made that the cumulative effect of increased traffic movements had to be a serious consideration and it was felt

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that to approve this application would be contrary to the Council's own policy to reduce congestion.

The Group Head of Planning gave advice, together with the County Council's Highways Officer, and confirmed that the cumulative impact on the highways network had been taken account of through highways assessment work that had been done, in addition to what the applicants had submitted, which showed that the impact would not be so severe as to warrant a refusal. In addition, the Council's lack of a 5 year HLS was a strong material planning consideration that must be given sufficient weight.

Following consideration, the Committee

RESOLVED

That the application be refused.

As a recorded vote had been requested, Councillors Bicknell, Bower, Charles and Roberts voted FOR (4). Councillors Coster, Huntley, Lury, and Ms Thurston voted AGAINST (4). Councillors Brooks, Northeast, Mrs Pendleton, Mrs Stainton and Mrs Yeates ABSTAINED (5). As the vote was tied, the Chairman used her casting vote to refuse the application.

As the Committee had voted against the officer's recommendation to approve, the Group Head of Planning advised that the option open to Members was to either defer the application or refuse it. If Members wished to refuse, they needed to provide reasons to officers to enable suitable wording to be drawn up for another vote to then be taken.

In discussing that matter, loss of agricultural land was cited as a prime consideration, together with transport implications. However, the Group Head of Planning strongly advised that the highways issues should be steered away from as that would not be able to be evidenced at appeal.

The Chairman called a 5 minute adjournment to enable officers to formulate suitable wording and, on the meeting being reconvened, the Committee

RESOLVED

That the application be refused for the following reason:-

The proposal results in a loss of high grade agricultural land in conflict with policies SO DM1 of the Arun Local Plan, H1 of the Yapton Neighbourhood Development Plan and paragraph 170 of the National Planning Policy Framework.

62. CM/4/19/PL LAND SOUTH OF THE A259, GREVATT'S LANE, CLIMPING BN17 5RE

CM/4/19/PL – Construction of a crematorium comprising of a crematorium building & associated structures, car parking, access & landscaped spaces. This application is a Departure from the Development Plan, Land south of the A259, Grevatt's Lane, Climping The meeting had been advised that this application had been withdrawn from the agenda.

63. Y/103/18/PL 10 ACRE FIELD, NORTH OF GREVATTS LANE, YAPTON

Y/103/18/PL – Single Chapel Crematorium with car parking, landscape works, surface water drainage features & associated highway improvements. This application is a Departure from the development Plan, 10 Acre Field, North of Grevatts Lane, Yapton The meeting had been advised that this application had been withdrawn from the agenda.

64. A/40/18/OUT LAND NORTH OF WATER LANE, ANGMERING

*(Councillor Bicknell had declared a personal interest on this item and remained in the meeting and took part in the debate and vote.)*

A/40/18/OUT – Outline application with some matters reserved for the development of up to 525 residential dwellings (Class 3), 3 ha (gross) of employment land (Class B1), public open space, play areas, access, associated infrastructure and landscaping, Land North of Water Lane, Angmering The Committee received this report, together with the officer's written report update detailing:-

- Withdrawal of the Arboricultural Officer's objection to the proposed development
- 3 further representations from Angmering Parish Council
- Amendment to the wording in the draft S106 agreement regarding the servicing of the employment needs to include the provision of 'roads and footways'

The Strategic Principal Planner gave a comprehensive presentation on this application and advised Members that a detailed design masterplan would be produced prior to submission of a full reserved matters application; TPOs (Tree Preservation Orders) had been placed on significant trees within the site; and that improvements to the Palmer Road Recreation Ground would be enabled. Agreement was being sought to delegate authority to the Group Head of Planning, in consultation with the Chairman and Vice-Chairman, to (i) authorise the execution and completion of the Section 106 Agreement; and (ii) grant planning permission, subject to conditions and the S106 Agreement.

In the course of debate on the matter, Member comment was made that the provision of a primary school was of the utmost urgency, particularly in light of the forthcoming dualling of the A259 which would make travel to the existing school difficult for those living north of the railway line. The contribution to the delivery of a new school by way of this development was considered to be a positive outcome. The Strategic Principal Planner reassured the Committee that the existing monies set aside for education from earlier developments, together with this proposal, had been and would be ring fenced and would only be used in Angmering.

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The Senior Drainage Engineer also reassured Members that the site was in Flood Zone 1 and that the proposed surface water drainage scheme would improve the situation for the residents of Angmering.

Following consideration, the Committee

**RESOLVED**

That the application be approved and that authority be delegated to the Group Head of Planning, in consultation with the Chairman and the Vice-Chairman to

- (i) authorise the execution and completion of the Section 106 Agreement; and
- (ii) grant planning permission, subject to conditions and the S106 Agreement.

(The meeting concluded at 5.10 pm)