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Subject to approval at the next Planning Committee meeting

483

## SPECIAL MEETING OF DEVELOPMENT CONTROL COMMITTEE

18 May 2021 at 1.30 pm

Present: Councillors Bennett (Chair), Blanchard-Cooper, Bower, Charles, Clayden (Substitute for Roberts), Coster, Hamilton, Kelly, Lury, Pendleton, Tilbrook, Warr, Catterson (Substitute for Thurston) and Oliver-Redgate (Substitute for Edwards)

Apologies: Councillors Edwards, Roberts and Thurston

### 575. DECLARATIONS OF INTEREST

No declarations of interest were made.

### 576. MINUTES

The Minutes of the meeting held on 28 April 2021 were approved by the Committee.

### 577. FITZALAN LINK ROAD ACOUSTIC FENCE

#### 5 Public Speakers

Cllr Jill Long, Littlehampton Town Council  
Tracey Lynch  
David Willis  
Peter Hawkes  
Cllr Britton, West Sussex County Council

The Group Head of Planning presented his report. This was followed by five Public Speakers and response to comments made was provided by the Group Head of Planning.

Members then took part in a full debate on the report where a number of concerns with the acoustic fencing were raised. These concerns primarily revolved around height, traffic speed on the new road, materials and proximity to housing.

Members who spoke noted that the fencing was high and some noted that it could have a claustrophobic effect on residents, but that there was not currently enough information to determine if the fencing was too high. There was a perception amongst Members who spoke that the height of the fencing was strongly determined by the speed of the road and the subsequent noise generated, and therefore if the speed limit could be reduced to 30mph from 40mph then the fencing height could also be reduced.

Special Meeting of Development Control Committee - 18.05.21

It was explained that West Sussex County Council, with responsibility for Highways and having previously determined the speed of the new road, would have to agree to a reduction in the speed limit. The Group Head of Planning also confirmed that there was no technical evidence that demonstrated that a lower speed limit would result in the need for a significantly lower structure. Members were asked to note changes to Government policy on carbon neutrality and the future impact of more electric vehicles on the road but appreciated in the short and medium term that the road may be used by large vehicles including HGVs. The Cabinet Member for Planning noted that there was not a direct correlation between height and speed limit due to the complexities of sound mitigation and therefore seeking a lowering to the speed limit might not be the right direction to take as it would not necessarily translate into a lower fence.

Members who spoke raised concerns around the look of the weathered steel both for residents and road users and how in keeping with other road barriers in the District it was. Members who spoke suggested that options around alternative materials that were more sympathetic to residents and the area should be explored including transparent ones and the use or greater use of natural barriers such as trees and shrubs. The proximity of fencing of that height to the houses on Highdown Drive and Amberley Close was also raised as a concern and whether an option of moving the fence further away from the houses could lessen the impact of both the height and look for residents.

Members who spoke acknowledged that this was a complex issue with a long history but affirmed that they wanted to see a fair outcome for residents and road users, and that in order to achieve that end needed more information on possible ways forward. Given the consensus during the discussion, the Chair put the second recommendation from the report to the Committee. The Group Head of Planning confirmed that the activity taking place on the site was lawful and that any decision of the Committee today would not change that. Therefore, the Council could not take any action to prevent continued activity. Members acknowledged this

The Committee

#### RECOMMEND TO FULL COUNCIL

That a supplementary estimate be agreed for up to £15,000 to fund the commissioning of an independent expert to undertake the following actions:

- a) Review the decisions already taken to establish if there are any issues (process and judgement)
- b) Identify what legal options exist for securing changes to the acoustic fence
- c) What are the implications of the above, including financial (compensation) and legal.

(The meeting concluded at 2.27 pm)