

Planning Committee

Agenda Item No. 2

15 January 2013 – At a meeting of the Committee held at County Hall, Chichester.

Present:

Mr Whittington (Chairman), Mr Blampied, Mr Cherry, Mr Doyle, Mr R B Dunn, Mr B Hall, Mr Hellawell Mrs Mills, Mrs Mockridge, Mr Rogers, and Mr Waight.

Apologies:

Mrs Coleman, Mr Coomber and Mr Quirk.

Declarations of Interest

65. In accordance with the code of conduct Mrs Mockridge declared a personal interest in agenda item 5, WSCC/068/12/SU, as a member of Adur District Council and in agenda item 4, WSCC//066/12/WB, as the Deputy Cabinet Member for Finance and Resources with responsibility for Capital and Asset Management.

66. In accordance with the code of conduct Mr Waight declared a personal interest in agenda item 4, WSCC/066/12/WB, as a member of Worthing Borough Council. See also minutes

Minutes

67. Resolved – that the minutes of the meeting held on 11 December 2012 be approved as a correct record and that they be signed by the Chairman.

Regulation 3 Application

68. WSCC/066/12/WB Extensions and alterations to the existing school and refurbishment of the adjacent former WSCC Southern Area Professional Centre (SAPC) for inclusion into the school campus at Thomas A' Becket Middle School, Glebeside Avenue, Worthing, BN14 7PR.

69. Mr Doyle arrived at this point.

70. The Committee received a report from the Strategic Planning Manager (copy appended to the signed version of the minutes). Jane Moseley, Principal Planner, introduced the report and advised the Committee of the key issues relating to the application. Ms Moseley outlined amendments to two of the planning conditions as set out in bold below:

71. Condition 4: Construction Management Plan:

- measures to control the emission of dust and dirt during construction, **including the provision of an effective wheel washing facility.**
- Lighting for construction and security **and;**
- **Temporary contractor buildings and plant.**

72. Condition 8:

No deliveries of material shall take place between **8am** and **9.15am** and **2.30pm** and **3.30pm** on any school day during school term time.

73. The Committee raised those points below in the discussion that followed:
- There were no plans to provide additional parking for the eight extra teachers as parking formally used by the SAPC would compensate.
 - Concern that the County Council was making such a big investment into infrastructure without tackling the age of transfer issue at the same time.
 - A lift would be provided in the new two storey extension to provide disabled access although the school currently only had one visually impaired pupil and one in a wheelchair temporarily.
74. Mr Cherry arrived at this point but could not take part in the debate or vote on the application as he had missed the start of the item.
75. Mr Doyle declared a personal interest as his son is a pupil at the school.
76. The debate continued:
- Supportive of the plans to remove the modular classrooms as they were very run down.
 - Suggestion that the school travel plan should be strictly enforced as the Headteacher has recently banned pupils from coming into school on bikes, scooters and skateboards. The Chairman would take this issue up with the 'Safer Routes to School' team.
 - The school were committed to providing an additional pedestrian entrance.
 - Suggestion that the hard court play area to the front of the school could be reduced and relocated on the playing fields to allow for more parking.
77. Resolved – That planning permission be granted subject to the conditions and informatives set out in appendix 1 of the report.

County Matter Application

78. WSCC/068/12/SU Extension of temporary permission for unloading, preparation and storage of mineral aggregates with concrete batching plant for an additional 3 years at New Wharf, Brighton Road, Shoreham BN43 6RN
79. The Committee received a report from the Strategic Planning Manager (copy appended to the signed version of the minutes). Jane Moseley, Principal Planner, introduced the report and advised the Committee of the key issues relating to the application.
80. Mr Veites spoke in opposition to the application. Mr Veites was concerned that the continuing extension of short term applications for the site was limiting the long term plan for housing and commercial development. He was also concerned that the noise levels were above the 1998 baseline quoted in the report because there was more frequent unloading and longer hours of operation. Another concern was the Environmental Management Plan to control dust emissions from the site. He also raised concern about minimizing the impact on residents from disturbance caused by controlled explosions at the site. Mr Veites wanted to know who would pay for any damage caused to the river bank opposite. There had been no consultation documents sent to residents in Hancock Way or Emerald Quay. Mr Veites outlined several restrictions that he felt should be put in place should planning permission be granted. These included; restricted hours of operation, providing retaining walls along the south side of any aggregates open to the river, providing/using sprinklers to

reduce dust, extension should only be granted until 2014, a full Environmental Impact Assessment be undertaken, the applicant to contribute to funding repair and replacement of the opposite harbour wall, residents to be provided with full contact details of those to report a breach of conditions too and residents to be informed of any controlled explosions to be carried out via home visit and or/text message.

81. Cllr Liza McKinney from Adur District Council also spoke in opposition to the application. Cllr McKinney felt the Environmental Management Plan was insufficient and did not take account of all the dust. Cllr McKinney was very concerned that there had been no consultation with residents in Hancock Way or Emerald Quay. There had been many complaints to Environmental Health at Adur District Council about the noise caused by the operation, particularly digger buckets scraping on concrete and doors and hatches opening/closing. Cllr McKinney requested that the Committee insist that a noise study is carried out to include the ships unloading as well as the operation itself before granting planning permission, particularly as there had been no reference made to the reversing alarms that could be heard by residents on the opposite bank. If the Committee were minded to grant planning permission then Cllr McKinney urged them to apply the restrictions suggested by Mr Weites. Cllr McKinney also urged the County Council to have clearer lines for reporting noise issues/problems/complaints.

82. The Chairman invited Ms Moseley to respond to the points raised by Mr Veites and Cllr McKinney. The applicant had assured officers that no controlled explosions had been carried out. The dust could not necessarily be attributed to the applicants operation as adjacent operators' imported marble which created fine dust and there is a south-west prevailing wind. There were no doors or hatches on the dredgers used to bring in the aggregates, vehicles were fitted with white noise reversing alarms to be less intrusive than the beeping alarm and there were other operators along the bank that ran 24 hours a day so it was difficult to pinpoint exactly where the noise was coming from and wasn't fair to attribute it all to the applicant. Officers did not consider that there would be any change in noise levels from the 1998 baseline as there was no new plant in place. The damage to the river wall was not a planning matter so was outside the scope of the application and therefore could not be considered by the Committee. Officers noted that dust was not a significant issue as the material was sea dredged so already damp. Nor did officers see the benefits of retaining walls on the southern side.

83. The Committee raised those points below in the discussion that followed:

- Questioned whether a condition could be applied to state that this would be the last time a temporary permission was granted. Ms Floodgate, Solicitor, advised the Committee that this could not add such a condition as each application had to be considered on its own merits.
- the introduction or use of a sprinkler system would go a long way to appeasing residents. This is a requirement of the Environmental Management Plan.
- It would be unreasonable to restrict the hours of unloading aggregate as it was tide dependent and could not be restricted as part of the permission.
- Undertaking an Environmental Impact Assessment was a legal decision and WSCC cannot insist that one is undertaken and was not appropriate in this case.
- Residents could be given details of whom to contact in case of breaches to conditions but all details were available online.
- The operators should be encouraged to move to a site that is more suitable and located in the canal area of the port, away from residential developments.

- Consultation on the Joint Area Action Plan is due in May 2013 and officers do not consider it a conflict to grant temporary three year permission in relation to the plan.

84. In accordance with the Code of Conduct Mrs Mills and Mrs Mockridge declared personal interests as members of the Shoreham Port Authority.

85. The debate continued as follows:

- Appreciated that the development met an identified need but felt that it was inappropriately located.
- Ms Moseley explained that the applicant had been in contact with the Port Authority to discuss the possibility of moving to another site but there were difficulties with covenants, berths etc. that needed to be overcome.
- This operation was essential to the building industry and should developers want to move in, there were various other empty lots along the same stretch that could be used.

86. Following the debate Mr Blampied, seconded by Mr Dunn, proposed that Condition 1 be amended to reduce the permission to two years to cease on 31 December 2014 as the development is considered to be inappropriately located and the operator should be encouraged to move away from residential developments. The motion was voted on and carried."

87. Resolved – That Planning Permission be granted subject to the conditions and informatics, set out in appendix 1 of the report and subject to the amendment at minute 86 above. The Chairman abstained from the vote.

Update on Mineral, Waste and Regulation 3 Planning Applications

88. The Committee received and noted a report by the County Planning Manager on applications awaiting determination (copy appended to the signed version of the minutes).

Report of Delegated Action

89. The Committee received and noted a report by the County Planning Manager (copy appended to the signed version of the minutes) advising of the uses of delegated powers to grant permission for development proposals 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 December 2012.

Date of next meeting

90. The next meeting of the Committee would be held on Tuesday 5 February 2013 and the next site visits would take place on Friday 1 February 2013. The Chairman emphasised the importance of attendance at the site visits and urged members to make this their priority as there were five applications scheduled to be heard at the next meeting.

The meeting ended at 12.18 p.m.

Chairman