

Planning Committee

19 July 2016 - At a meeting of the Committee held at 10.30 a.m. at County Hall, Chichester.

Present: Mrs Brunsdon (Chairman), Mr Barrett-Miles, Mr Clark*, Mr Crow, Mrs Hall, Mrs Kitchen, Mrs Mockridge, Mr S. Oakley, Mr Patel, Mr Quinn and Mr R. Rogers.

Apologies: Mr McAra, Mr J. Rogers, Mr Wickremaratchi.

Substitutes: Mr Patel

*Mr Clark arrived at 10.55 and did not participate in the debate or vote on Item 4(i).

Declarations of Interest

93. Mr R. Rogers declared a personal interest regarding application WSCC/027/16/WB Vale School because one of the speakers objecting to the application is known to him.

94. Mrs Mockridge declared a personal interest regarding application WSCC/013/16/SW The Glebe Primary School because she lives in the conservation area adjacent to the school.

Part I Minutes of the meeting of the Committee held on 21 June 2016

95. Resolved – that both Part I and Part II minutes of the meeting of the Committee held on 21 June 2016 be agreed as a correct record.

Regulation 3 Applications

WSCC/017/16/R Construction of new classroom block to provide 6 additional classrooms. Extension of hall to provide additional capacity and formation of new entrance to school buildings at Rustington Community Primary School, North Lane, Rustington, West Sussex BN16 3PW.

96. The Committee considered a report by the Strategic Planning Manager (copy appended to the signed minutes). The report was introduced by the County Planning Manager who provided a presentation on the proposals, details of the consultation and key issues in respect of the application. It was clarified that the report available with the 19 July 2016 Committee papers is a supplementary report and should be read alongside the original report available with the 21 June 2016 Committee papers. Clarification of matters in the reports were advised as follows:

- Original report of 21 June: in reference to paragraph 9.12 of the report which states that 'at closest, the residential facades would be 40m (to the west)', the distance to the closest residential boundary is 14m. Arun District Council Planning confirmed in their response that they do not consider the application would have a detrimental impact on residential properties.

- Original report of 21 June: the existing school hall is 1.5m higher than the proposed new classroom block to the north.
- Supplementary report of 19 July: The anticipated 57% of entrants to the school from BN17 postcode area (Littlehampton) are accounted for by the School being very close to that postcode border.
- Conditions and Informatives: Amendments to condition 10 are proposed, in order to clarify that the Old Manor Road access will only be used as a pedestrian access after construction has ceased – see Minute 108.
- Bollards are not proposed for grass verges.

97. Mrs Marilyn Burt, local resident spoke in objection to the application. The 40m distance stated was not representative as the nearest gardens lie only 14m from the proposed building and this does have a bearing on loss of residential amenity and noise impact on the nearest neighbours; Members were asked to give this point further consideration. Additional impact on local roads will occur due to the increased pupil numbers at nearby Summerlea Primary School. NPPF Policy 123 has not been complied with regarding impact of noise on nearby residential properties; the report only addresses the proposed development, not the site as a whole nor the impact of increased pupil numbers. Has the per pupil ratio for outdoor hardstanding areas been met? There is concern that the School could extend its hard areas near North Lane and Old Manor Way leading to increased noise. Lack of comment from Environmental Health Officers on the matter of noise was raised. The new entrance in Old Manor Road will generate more congestion and parking problems. That the intake numbers for schools has already been decided means democracy has been removed from the planning process. A further deferment was requested for independent traffic and noise impact reports to be carried out. Future proposals to extend any hard informal and social areas should be subject to a specific planning application.

98. Mrs Meg Bayly, spoke in objection to the application as a local resident and on behalf of residents in roads close to the school. By 2022 around 1,000 pupils will travel to the local area due to increased pupil numbers at both Rustington and Summerlea schools. There are already problems with parking and restricted traffic flow; driveways are often blocked, as well as sight-lines. North Lane bus route is frequently blocked as is Old Manor Road. Aims in the Travel Plan of a 'sustainable travel culture' are laudable, but doubtful in practice and not likely in poor weather. There are concerns about the proposed Park and Stride parking locations and with parking pledges. Safety at the pedestrian access at Old Manor Road will be an issue, being close to Old Worthing Road. Increased numbers of support-staff are not accounted for in the proposed new car parking spaces; staff are likely to park on the roads. Dr James Walsh recommended a full travel survey on 27 April 2016. The current survey is cursory and so a full survey is requested to consider the impact of increased traffic, safety of all and mitigation methods.

99. Mr Jamie Bennett, Vice-Chairman of Rustington Parish Council spoke in objection to the application. The need for the development was queried in relation the number of schools in Littlehampton and proposals for a new school. The Travel Plan directs parents to Churchill Parade public car park, which is full most days; to two car parks in the village whose private owners have not been contacted regarding use; and to the Rustington Sports and Social Club car park, which is owned by the Parish Council who have also not been contacted. There will also be additional increased traffic and congestion due to the proposals to also increase Summerlea School pupil numbers as well as the rolling start times. The new pedestrian entrance on Old Manor Road will increase traffic on this road and

have a detrimental impact for local residents; it is requested that this access be opened only for the duration of construction.

100. Leigh Hunnikin, Project Manager, Capital Planning & Projects spoke in support of the application. The development is needed due to growth in pupil numbers; there will be a gradual increase of 30 pupils per year at Rustington. Summerlea and St Catharine's Schools are also increasing pupil numbers. Increases are required to allow children to access schools close to home and where, for many, their siblings already attend. The proposed additional buildings meet guidelines for pupil and staff numbers. The new small hall is required to allow hot meals to be served. Alterations will allow visitors a clear and secure path to the school. External area sizes are not statutory, but the County Council and the school are satisfied that guidelines have been met; there is no objection from Sport England. The Travel Plan has been updated and provides more robust options for Park and Stride. The new entrance on Old Manor Road is essential to allow prompt access. TROs can be funded from the project budget, subject to approvals; and may include Keep Clear markings and double-yellow lines.

101. Mr Graham Tyler, the local member spoke on the application. The objections raised at Planning Committee on 21 June 2016 have not been addressed and the report understates the impact of increased pupil numbers and traffic caused by out-of-catchment pupils. There has been no contact by the school with him to discuss the Travel Plan. Proposals for the new access on Old Manor Road imply an acceptance of increased traffic; the width of the access is queried as it leads to suspicion that this may become a vehicular access with car parking. The announcement of a new Free School in Littlehampton states that this school will fulfil the need in the area for school places and, therefore, the need identified for places at Rustington School is questioned. With no catchment areas for Free Schools there could be further increases in traffic. The lives of residents are being blighted and the application should be deferred further to allow officers, including Highways Officers to provide reports that are meaningful.

102. In response to certain matters raised by speakers, the County Planning Manager clarified the following points:

Noise – Following the last Committee meeting of 21 June, Arun District Council's Environmental Health Officer has confirmed that she is satisfied with the information provided and that the proposals would not cause any significant increase in noise.

Exterior hardstanding areas to pupil ratio – The ratio accords with Government guidelines. This is not a material consideration. Sport England's mandate is the provision of playing fields, and so they do not comment on hardstanding areas.

Request for a transport impact assessment – The Highways Issues and Options report was carried out by consultants. A survey was undertaken and the report includes accident data and takes into account the existing highway environment, thereby including the location of Summerlea Primary School. It was considered that the information submitted was sufficient and satisfactory.

Number of spaces at Church Parade car park – There are 100 spaces in the car park. Parking is limited to 3 hours.

School Travel Plan – The Travel Plan has been updated and will be reviewed at regular intervals.

103. During the debate the Committee raised the points below and clarification was provided by the County Planning Manager and Solicitor, where applicable:

New pedestrian access at Old Manor Road

Points raised – Parents are likely to park in Old Manor Road, even though it is unsuitable. Mr Barratt-Miles asked about the request made at Planning Committee on 21 June regarding the impact of having only one access to the school; this has only resulted in the Headteacher stating that ‘the new access is needed’.

Response – The view of both WSCC Planning and Highways is that providing an additional access will spread the footfall and impact, and this will be beneficial to the highway network. The current access cannot easily accommodate bicycles. An additional entrance is required for a school of this size. The Travel Plan is a working document and access for the school can be reviewed as part of this, if deemed appropriate.

Increased pupil numbers

Point raised – Rustington Community Primary School is not ideal for an uplift of 50% in pupil numbers; however, it is considered that the need for additional places outweighs the impact of the proposals.

Traffic congestion and parking

Points raised – The suggested use of the Sports and Social Club car park was queried and concern is raised that some of the proposed car parks are in private hands, and may not always be available. The applicant has not shown in the Travel Plan that they can provide sufficient parking capacity. It will be difficult to estimate the number of vehicles travelling to the area.

Response – School pick-up and drop-off are outside peak hours. Very few schools have sufficient parking or setting down/picking-up areas. TROs as well as the Travel Plan aim to help manage the impact of travel and the Travel Plan must evidence that the School encourages sustainable travel options.

Proposed Free School and Catchment Area

Point raised – The announcement of a new Free School in Littlehampton is a material consideration. What information is known about the proposals; how many forms of entry will this have; has land been secured, and has the need for this school been assessed alongside the need for additional pupil places at other schools in the locality? What will be the impact of pupils potentially travelling to the school from well outside the catchment area?

104. Committee recessed at 11.56 to allow officers to respond to queries regarding the announcement of a new Free School in Littlehampton. Committee reconvened at 12.08.

105. Proposed Free School and Catchment Area

Response – WSCC Education team has confirmed that proposals for a new Free School were considered in the School Places Planning document, but the additional capacity at Rustington is still required. The Free School is coming forward as part of a Section 106 legal agreement associated with a housing development and the build will only be triggered when a certain number of houses have been erected. Land has been secured for the

school. There is no specified catchment area for a Free School and so it is not possible to establish where pupils will travel from, nor the impact on local roads.

106. Mr Barratt-Miles proposed an amendment to condition 10, as below. The proposal was seconded by Mr R. Rogers.

Temporary Construction Access (Route)

10. Following the completion of construction, the access from Old Manor Road (between numbers 8 and 10) will remain closed until further evidence, based on actual experience of the need for the access, is brought back to Planning Committee.

107 The Committee voted on the proposed amendment and the majority voted against the proposal.

108. The County Planning Manager advised the details of the revision to condition 10, as below, which is updated to emphasise that the access cannot be used by vehicles after construction works have finished, to minimise impacts on residential neighbours.

Temporary Construction Access (Route)

10. Means of construction vehicular access to and egress from the site shall be from Old Manor Road only (between numbers 8 and 10). Within 15 months of the date of this permission, the access shall be closed off to vehicular access and used thereafter only as a pedestrian access.

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

109. The Committee was asked if it is minded to approve the application. This is a constitutional matter; should the Committee not be minded to approve the application then the matter shall be referred to full County Council.

110. The substantive recommendation, including the amendment to condition 10. as revised by Planning Officers and detailed in Minute 108 above, was put to the Committee and the majority voted that they were minded to approve the application.

111. The substantive recommendation, including the amendment to condition 10. as revised by Planning Officers and detailed in Minute 108 above, was proposed by Mr Crow and seconded Mrs Mockridge. This was put to the Committee and approved by a majority.

112. Resolved – that planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the report and as amended by the Committee.

113. The Committee considered a report by the Strategic Planning Manager (copy appended to the signed minutes). The report was introduced by the Senior Planner who provided a presentation on the proposals, details of consultation and key issues in respect of the application.

114. Mrs Maggie Winter, local resident and member Findon Valley Residents Association spoke in objection to the application. Bringing the sports field back into use is welcomed. There is concern about 'intensive use of the area' by unspecified community groups. Days of use which do not reflect normal school days and associated school activities are strongly objected to. There should be no regular Sunday activity and Saturday use should be limited to mornings only and hours of use should reflect daylight hours. Residents' rights to enjoy periods of respite should be respected. There is only a very limited public transport service along the A24 and limited parking at the school, so there will be an impact on local roads. It is appreciated that schools need to raise funds, but initiatives should be balanced against the effect on neighbours.

115. Mr Roger Mahony, Director of Brodie Plant Goddard Architects spoke in support of the application. The sports field was closed following a County Council health and safety report. The new pitch design aims to resolve existing surface water drainage issues which also impacts on neighbouring properties on Hill View Road. It will bring an unusable sports field back into use. The proposed new pitch will prevent flints reappearing and act as a soakaway thus preventing excess rainwater running off the site and it will be robust enough to allow intensive use. Department for Education (DfE) guidelines shows that Vale School should have more than twice the playing field area it has; the new design will provide two under 8's pitches or one under 10's pitch. The new pitch will be surrounded by a green welded mesh fence to prevent balls going onto neighbouring properties, this type of fencing being less noisy than traditional fencing. No lighting is proposed.

116. Mr Martin Garratt, Headteacher, Vale School spoke in support of the application. There is a responsibility to provide pupils with a broad and balanced curriculum; this has been very challenging, limiting the types of physical education and sporting activities pupils can do because of the condition of the sports field means it is no longer used. Concerns of residents are recognised; they have had four years of peace and quiet. The school has a record of working closely and sympathetically with neighbours, including Findon Valley Residents' Association, who have not approached the school about any concerns. There are only a few occasions each year when Vale School uses the sports pitch after 8pm, e.g. the leavers party and summer fair, and the Committee is asked to extend hours of use for Monday to Friday to 9pm to accommodate these.

117. Mr Kevin Jenkins, Chairperson of Governors at Vale School declared that he is a member of Worthing Borough Council and Chairman of Worthing Borough Council Planning Committee.

118. Mr Kevin Jenkins, Chairperson of Governors at Vale School spoke in support of the application. Many children do not meet the recommended activity levels of 60 mins per day. Physical education helps to improve fitness and peer

acceptance, social skills, self-esteem and school performance. The new pitch will enable the school to offer an enhanced curriculum and provide local clubs with a sporting and healthy lifestyle. The pitch is quite small and designed for children, all under the age of 10. There will be no adult leagues, so no noise or language issues associated with adult clubs. There has been no communication from Findon Valley Residents' Association. The School takes seriously its responsibility to its neighbours. No noise complaints have ever been received. The speaker has been unable to meet with the local member. The sports field has been in use since 1951, until use stopped four years ago, and so residents now have a distorted view of everyday noise levels. If this sports field was not artificially constructed then there would be no restrictions on use.

119. A statement was read out on behalf of the local member, John Rogers. "I am fully supportive of the installation of this new artificial grass sports pitch for the school. There have been severe drainage problems with the current grass for many years rendering it unusable for much of the year and causing run-off into residents' gardens lower down the slope. I have not been able to see the report prior to my holiday and am only able to comment on what I understand to be the case. However, I am concerned at the lack of explanation as to what 'community use' will involve and ask that the committee restrict the hours of use in some way in order to give nearby residents some relief from the parking problems they experience on a daily basis during term times."

120. During the debate the Committee raised the points below and clarification was provided by the County Planning Manager, where applicable:

Drainage

Point raised – Are the existing soakaways to be used?

Response – WSSC Drainage is satisfied the existing soakaway will be sufficient.

Noise

Points raised – Consideration should be given to installing acoustic fencing. Neighbouring properties could be significantly impacted by community use.

Response – The application includes a condition that a noise management plan must be submitted for approval, which will outline measures to be taken to mitigate and/or limit noise nuisance.

Design of sports pitch

Point raised – Will the level of the sports pitch be the same as that of the adjacent tarmac.

Response – The turf will be very slightly raised.

Size of the sports pitch

Point raised – Whilst the design incorporates two pitches for under-8s or one for under-10s, it is still big enough for adult 5-a-side football.

Reason for community use

Point raised – The proposals will allow the school to raise funds; to not approve the application will impact on fundraising.

Response – The proposal accords with Paragraph 73 of the NPPF which states that access to high quality open spaces and opportunities for sport

and recreation can make an important contribution to health and wellbeing, and also with the Worthing Core Strategy 2011 which states that dual use of community facilities encourages and enhances current provision.

Hours of Use

Points raised – Are hours of use balanced against other similar permitted hours elsewhere? A natural grass pitch would not have any limitations on hours of use. The hours of use are inappropriate and should be amended, particularly on Saturdays and on Sundays and Bank Holidays. The proposed permitted hours of use are enabling hours, and actual usage is likely to be significantly less.

Response - The proposed hours of use accord with other similar usage in the local area.

121. Members considered amendments to condition 5. It was agreed that the condition be amended as follows:

HOURS OF USE

5. The artificial grass pitch hereby permitted shall not be used except between the hours of:

08:00 to 20:00 on Monday to Friday;
09:00 to 21:00 on Saturday; and
No permitted use on Sunday and Bank Holidays.

Reason: *To protect the amenity of local residents.*

122. The proposed amendment to condition 5 was put to the Committee and approved.

123. The substantive recommendation as amended by changes to condition 5 as approved by the Committee, was proposed by Mr R. Rogers and seconded by Mr Patel, was put to the Committee and approved unanimously.

124. Resolved – That planning permission is granted subject to the amended conditions and informatives (as amended) set out in Appendix 1 of the report.

125. The Committee recessed at 1.22 p.m. and reconvened at 1.28 p.m.

WSCC/013/16/SW **5 single storey flat roof extensions, to include a 4.5m internal height multi-purpose hall, with new hard and soft play areas and improved car parking, vehicular and pedestrian access. The Glebe Primary School, Church Lane, Southwick, West Sussex BN42 4GB.**

126. The Committee considered a report by the Strategic Planning Manager (copy appended to the signed minutes). The report was introduced by the County Planning Manager who provided a presentation on the proposals, details of consultation and key issues in respect of the application. It should be noted that paragraph 4.5 and condition 10 should read Kingston Lane, not Church Lane. Clarification of matters in the report were advised as follows:

- The distance to the nearest resident façade to the west is 35 metres and 15 metres to the nearest common boundary.

- It has been confirmed by WSCC Highways that the Kingston Lane access is the preferred access for construction.

127. Mr Barry Candy, local resident spoke in opposition to the application. Requested that the ball retention fence, adjacent to netball pitch, be reduced in length by 2m by the boundary of 38 and 40 Oldfield Crescent for aesthetic purposes, and that it be dark green plastic coated, to lessen the visual impact. The proposed staff car park places fall short of DfE guidelines of 1 space per teacher and 2 per support staff, plus disabled and visitor spaces; there will be 55 FTE staff, but actual parking demand will be 63 spaces due to part-time staff. The premises manager's on-site house has no parking provision for family and so they currently use the school's car park. Parking space could be provided at the Kingston Lane end of the site. There will be an impact on surrounding streets due to inadequate staff parking, and obstructions are likely. The point was made that the application does not seek approval for any permanent highway works.

128. A statement was noted by local member, Peter Metcalf, who has asked that his support of Mr Candy's comments be recorded.

129. During the debate the Committee raised the points below and clarification was provided by the Strategic Planning Manager and Solicitor:

Staff parking provision/Impact on local roads

Points raised – Staff parking is inadequate and does not meet parking requirements. The design is tight and off-site staff parking is likely. Parking issues overall will have an impact on local roads. The need for pupil places must be balanced against the impact of the proposals, and this need is necessary.

Response – The proposals do meet WSCC guidelines for parking, and are a betterment over the existing situation.

Construction access

Point raised – WSCC Highways require that construction vehicles are able to turn on-site and not reverse out, but the proposal is for the use of a banksman when vehicles are reversing; this should be addressed by condition.

Response – Comments are noted, and this matter can be resolved with WSCC Highways via the construction management plan.

Construction access

Point raised – WSCC Highways required that construction vehicles are able to turn on-site and not reverse out, but the proposal is for the use of a banksman when vehicles are reversing; this should be addressed by condition.

Response – Comments are noted, and this matter can be resolved with WSCC Highways via the construction management plan.

Ball retention fence

Point raised – Can the requests regarding for a reduction of the length of the ball retention fence and fence colour be accommodated.

Response – This can be accommodated via the submission of details of materials to be submitted to the authority and agreed by Planning Officers.

130. The County Planning Manager advised the details of the Planning Officer's revision to condition 10, as below, which is updated to because the report is inaccurate – Kingston Lane would be used as the construction access.

Temporary Construction Access (Route)

10. Means of vehicular construction access to and from the site shall be from Kingston Lane only.

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

131. The Committee agreed unanimously that the matter of the determination of materials, colour and dimensions of the ball retention fence be delegated to the Planning Officers.

132. The substantive recommendation as amended by changes to condition 10 as approved by the Committee, was proposed by Mr R. Rogers and seconded by Mr Quinn, was put to the Committee and approved unanimously.

133. Resolved - That planning permission is granted subject to the conditions and informatives (as amended) set out in Appendix 1 of the report.

Certificate of Lawfulness for Proposed Use or Development Appeal Decision. Crouchland Farm, Rickman's Lane, Kirdford, Billingshurst, West Sussex RH14 0LE.

134. The Committee received and noted a report by the Director of Law, Strategy and Assurance (copy appended to the signed minutes), with the main points clarified by the Solicitor, as below.

135. Appeal was by way of Hearing and heard in Chichester on 12 and 13 May earlier this year. The Inspector's decision was issued on 22 June 2016.

136. The appeal by the Appellant Crouchland Biogas, was allowed in part. The Inspector allowed the appeal in respect of the containers for the conditioning of biogas and its exportation. (The containers are the containers from the 2011 planning permission to aid gas conditioning). The Certificate has, therefore, been amended to include two metal containers (marked G on the accompanying plan to the Certificate ref CLU/036/15/PS/1). Further, the Inspector concluded that the 2011 permission authorised equipment to process a particular product so that it can now be used off site with no limitations on the exportation of that product. The Inspector found that the use of the equipment is noted as being for gas conditioning which implies that it will be exported and, therefore, finds that it must be the case that the exportation of conditioned biogas is authorised by the 2011 permission. The Certificate has, therefore, been amended to include the conditioning and export of biogas from the site. The flare and separator were considered by the Inspector to require planning permission and no such permissions currently exist. (The appeal therefore failed on these 2 pieces of equipment).

137. The Inspector concluded that there was no authorised change of use as a result of the 2007/08 permissions from agricultural use to include use as an

anaerobic digestion facility that can operate independently from the agricultural use. This means that the permissions authorise the treatment of feedstock that arises from Crouchland Farm only. There can be no authorised treatment of material from outside this land, meaning no importation of material is permitted. The Inspector also found that the County Council was correct in excluding rented land from the Certificate.

138. A meeting with Counsel and external consultants is scheduled for 20 July 2016. This will include any further comments Counsel may have on the decision and preparation for the Inquiry. Currently, dates early in the new-year are being considered for the inquiry.

139. The inquiry is scheduled to deal with both the appeals against the enforcement notices issued by Chichester District Council and the appeal against the refusal of planning permission issued by the County Council last year.

140. The appellant still has right of appeal [s288 TCPA] against the Inspector's decision, within 6 weeks from date of decision. There are 2 weeks remaining.

Update on Mineral, Waste and Regulation 3 Planning Applications

141. The Committee received and noted a report by the Strategic Planning, County Planning Manager 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.

Report of Delegated Action

142. The Committee received and noted a report by the Strategic Planning, County Planning Manager (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 21 June 2016.

Date of Next Meeting

143. The Committee noted that the next scheduled meeting would be held on Tuesday 6 September 2016 at 10.30 a.m.

The meeting closed at 1.15 pm

Chairman