

Subject to approval at the next Committee meeting

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SPECIAL DEVELOPMENT CONTROL COMMITTEE

8 May 2014 at 1.00 p.m.

Present: Councillors Mrs Maconachie (Chairman), Mrs Hall (Vice-Chairman), Mrs Bower, Bower, Mrs Bowyer, Mrs Goad, Maconachie, McDougall, Mrs Oakley (substituting for Councillor Haymes), Oliver-Redgate (substituting for Councillor Evans), Mrs Pendleton and Mrs Stainton.

Councillors Cooper and Wensley were also present at the meeting.

711. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Charles, Evans, Haymes, Northeast and Steward.

712. DECLARATIONS OF INTEREST

The Monitoring Officer has advised Members of interim arrangements to follow when making declarations of interest. They have been advised that for the reasons explained below, they should make their declarations on the same basis as the former Code of Conduct using the descriptions of Personal and Prejudicial Interests.

Reasons

- The Council has adopted the government's example for a new local code of conduct, but new policies and procedures relating to the new local code are yet to be considered and adopted.
- Members have not yet been trained on the provisions of the new local code of conduct.
- The definition of Pecuniary Interests is narrower than the definition of Prejudicial Interests, so by declaring a matter as a Prejudicial Interest, that will cover the requirement to declare a Pecuniary Interest in the same matter.

Where a Member declares a "Prejudicial Interest" this will, in the interests of clarity for the public, be recorded in the Minutes as a Prejudicial and Pecuniary Interest.

On behalf of the Committee, Councillor Bower advised that Members had previously considered the Local Plan strategic allocations and these live applications would now be considered on their own merits, taking account of the information and

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detail now available. The Local Plan decision making process was totally separate from the Development Control decision making process.

713. GENERAL INTRODUCTION

Prior to consideration of the detail of the three planning applications set out in the Agenda, the Strategic Development Planner introduced the principles of development in respect of these sites and reminded the meeting that, at Full Council on 30 April 2014, these sites had been approved as part of a strategic allocation in the emerging Local Plan.

The Strategic Development Planner explained that the National Planning Policy Framework (NPPF) was afforded more weight than the policies contained in the 2003 Local Plan and, as such, the supply of housing was to be significantly boosted by having a presumption in favour of sustainable development. These Angmering sites were considered to be sustainably located and, as such, the presumption in favour of development would apply. Furthermore, the refusal of such development must only be when any adverse impacts would significantly and demonstrably outweigh the benefits.

Members heard that, for the reasons given, maintaining the supply of housing land in the District would be dependent upon further strategic sites coming forward. The two full planning applications to be considered today could be included within this supply, which would make the Council's task of refusing schemes and defending appeals on sites that were not strategic allocations or within the Neighbourhood Plans easier as there would be a more robust buffer above minimum housing supply requirements. This, coupled with an up to date housing strategy, would strengthen the Council's position.

The Committee was reminded that these sites had been included in draft planning policy documents for over two years, as well as being included within a more general area of search as far back as 2009. It was also emphasised that the decisions on strategic development sites sat outside of the Neighbourhood Plan process and that these Plans would relate to the delivery of Parish allocations and not strategic development in the District. The Strategic Development Planner stressed that, in terms of the principle of development, he had to put forward a very strong recommendation for approval of the applications as, with a time expired Local Plan; a NPPF that strongly supported such developments; and a Council decision to support residential development on the sites, there was no reason why the principle of the proposals should not be approved.

The planning officers had spent a lot of time over the past two years getting the applicants for these three sites (and others not yet submitted) to work together to demonstrate delivery in terms of design and infrastructure. This was seen as essential in order for the potential developments to appear as one development

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rather than a series of different piece meal proposals. This process had also assisted in the consideration of the delivery of infrastructure requirements over the whole of the strategic allocation site.

In terms of infrastructure delivery and S106 matters, the Strategic Development Planner advised that the proposals were all accompanied by detailed Heads of Terms. These sites would contribute towards the upgrading of the A259 - one of the Council's priorities in the Local Strategic Statement - as well as make an additional contribution of approximately £4.55m towards a potential new primary school on the site south of the village, with the Heads of Terms being very specific in relation to what this money could be spent on.

Mr Dominic Smith from West Sussex County Council Highways and Mr Andy Elder, the Council's Housing Strategy and Enabling Manager, were in attendance to inform Members on highways issues and affordable housing matters respectively and to answer Members' questions.

Mr Smith advised that a Joint Transport Assessment had been undertaken relating to highways issues and traffic flows based on 720 dwellings. It was acknowledged that mitigation would be required to make the applications acceptable, with £4m to be directed towards improvements to the A259.

The Housing Strategy and Enabling Manager then informed the Committee that the viability aspects of the applications had been very carefully considered and it was being proposed that, in order to support the provision of a primary school, the affordable housing requirement should be reduced from 30% to 20%.

(Prior to consideration of the following applications, Councillor Cooper spoke on behalf of himself and the two other Ward Members for Angmering, Councillors Bicknell and Wensley, opposing the proposals.)

714. ANGMERING PLANNING APPLICATIONS

A/82/12 – Residential development comprising 139 (amended to 138) No. dwellings including 30% affordable with access, landscaping, open space & associated works (this application is a departure from the Development Plan), Land to east of Roundstone Lane, Angmering Having received a report on the matter, the Committee received a presentation from the Senior Planner who confirmed that this application was for residential development comprising 138 dwellings, 20% of which would be affordable housing. A written report update had been circulated to Members prior to the meeting (also circulated at the meeting) detailing the outcome of the Full Council's decision on the Pre-Submission Local Plan; the Parish Council's comments relating to the Heads of Terms; minor internal design changes; amendments to the report; and additional conditions relating to a Travel Plan and an

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archaeological field investigation. Verbal advice was given that further representations had been received but these did not cover any new matters to those already addressed in the officer report and the update report.

The Committee participated in a lengthy debate which covered a number of issues, as follows:-

- Access from the site – if there was not access on to the A280 there would be unacceptable pressure on Weavers Hill, which would be unsustainable. The officer response was that traffic capacity would be improved on the A259 and there would be traffic calming measures put in place to discourage use of Weavers Hill and rat running .
- The transport assessment needed to address parking at Angmering Station.
- There must be a strong commitment for a primary school to be built as the promise of a primary school for Bramley Green had not materialised and it was now a priority. Concern was also raised that the senior school was almost at capacity and what would happen in the future with the potential for an increase in numbers. In response, it was emphasised that the County Council was the Education Authority and it was for them to make any decisions.
- Major issues regarding access to and from the site for pedestrians.
- A request was made that the wording of the Heads of Terms must be amended to tie down the County Council to deliver the primary school.
- Affordable housing should be retained at 30% and not reduced. Members were advised that the reduction in affordable housing was considered to be necessary to help delivery of the primary school.

It was suggested that the application be deferred to approach the developers on the matters that had been raised – however, this was not supported following advice from the Strategic Development Planner.

The wording of the Heads of Terms with regard to the provision of a primary school was queried, particularly relating to the sentence “If not spent on the provision of a primary school, it would be retained by ADC to support the delivery of affordable housing in the locality”. It was felt that the money needed to be spent on educational facilities. However, the Strategic Development Planner confirmed that this element of the agreement would need to be retained as it prevented the potential for a large sum to be returned to the developer if the money was not spent on the primary school.

Following a discussion about the wording of the Heads of Terms, it was agreed that the wording for all primary education contributions be amended to read “The contribution would be held by ADC to be spent (within a specified period of time) on the delivery of a new primary school in Angmering.” It was also agreed that

a further amendment should be made that “Contributions to be spent on the provision of a new school on the Bramley Green site in the first instance”.

Members considered that this wording gave the right emphasis on the requirement to build a new primary school to serve the developments and catered for eventualities should negotiations with school providers not prove successful.

The Committee

RESOLVED

That the application be approved as detailed in the report, the officer’s written report update and subject to amendment to the Heads of Terms as follows:-

“The contribution would be held by ADC to be spent (within a specified period of time) on the delivery of a new primary school in Angmering”;

“Contributions to be spent on the provision of a new school on the Bramley Green site in the first instance”,

A/122/12 – Outline application for demolition of the existing glasshouses, ancillary buildings and hardstanding and redevelopment of up to 195 dwellings with associated access, public open space and landscaping. Departure from the Development Plan, West End Nursery, Roundstone Lane, Angmering Having received a report on the matter, together with a written report update which had been circulated to Members prior to the meeting (also circulated at the meeting) detailing the outcome of the Full Council’s decision on the Pre-Submission Local Plan; the Parish Council’s comments relating to the Heads of Terms; additional consultation response from West Sussex County Council Highways; additional information; and an additional condition relating to a vehicular access and deletion of Condition 26 as it was a repeat of Condition 19, the Committee acknowledged that the Heads of Terms should be amended in line with the previous application. The Committee then

RESOLVED

That the application be approved as detailed in the report, the officer’s written report update and subject to amendment of the Heads of Terms as follows:-

“The contribution would be held by ADC to be spent (within a specified period of time) on the delivery of a new primary school in Angmering”;

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“Contributions to be spent on the provision of a new school on the Bramley Green site in the first instance”

A/135/12 – Erection of 36 dwellings with car parking, public open space, landscaping and new access to Roundstone Lane. Departure from the Development Plan, Pound Nursery, Roundstone Lane, Angmering Having received a report on the matter, together with the officer’s written report update which had been circulated to Members prior to the meeting (also circulated at the meeting) detailing the outcome of the Full Council’s decision on the Pre-Submission Local Plan; the Parish Council’s comments relating to the Heads of Terms; minor internal design changes; amendments to the report; additional information; and additional conditions relating to an archaeological field investigation and possible future access points, the Committee was further advised that the final decision on this application was required to be delegated to the Assistant Director of Planning and Economic Regeneration, in consultation with the Chairman, due to the consultation period not expiring until the end of the day on 8 May 2014. Verbal advice was also given that 5 further letters of objection had been received on 8 May 2014 but that they had raised no new issues.

The Committee agreed that the Heads of Terms should be amended in line with the previous two applications and

RESOLVED

That, following expiration of the consultation period, the decision to approve the application be delegated to the Assistant Director of Planning and Economic Regeneration, in consultation with the Chairman, and as detailed in the report, the officer’s written report update and subject to amendment of the Heads of Terms as follows:-

“The contribution would be held by ADC to be spent (within a specified period of time) on the delivery of a new primary school in Angmering”;

“Contributions to be spent on the provision of a new school on the Bramley Green site in the first instance.”

(The meeting concluded at 3.15 p.m.)