

Subject to approval at the next Committee meeting

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SPECIAL DEVELOPMENT CONTROL COMMITTEE

19th March 2008 at 11.30 a.m.

Present : Councillors Mrs Goad (Chairman), Mrs Hall (Vice-Chairman), Biss, Bower, Butler, Mrs Coleman (substituting for Councillor Mrs Stainton), Evans, Mrs Harrison, Haymes, Mrs Hazlehurst, Mrs Maconachie, McDougall, Oliver-Redgate and Steward.

(Note: Councillor Oliver-Redgate was absent from the meeting during consideration of the matters referred to in Minutes 828 to 831 (part).)

828. WELCOME

The Chairman welcomed to the meeting Mr Spencer Bryan from West Sussex County Highways Department and Messrs Beck, Briggs and their colleagues representing Barratt Homes and David Wilson Homes. She also welcomed public speakers and Council officers representing the Engineering, Parks and Landscape and Environmental Health Departments.

829. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs Olliver and Mrs Stainton.

830. DECLARATIONS OF INTEREST

Councillor Bower gave notice of a personal interest in Agenda Item 5, Planning Application FP/220/07, as Chairman of the Policy Site 6 Advisory Group, and stated that he would reserve his right to speak on the matter.

Councillor Haymes gave notice of a personal interest in Agenda Item 5, Planning Application FP/220/07 as Chairman of Yapton Parish Council but stated that he had not been involved in any discussions on the item and that he would reserve his right to speak.

Councillor McDougall gave notice of a personal interest in Agenda Item 5, Planning Application FP/220/07, as a member of the Policy Site 6 Advisory Group.

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(Prior to consideration of the following application, Councillors Bower and McDougall had declared a personal interest as members of the Policy Site 6 Advisory Group and remained in the meeting and took part in the debate and vote.

Councillor Haymes had also declared a personal interest as the Chairman of Yapton Parish Council and remained in the meeting and took part in the debate and vote.))

831. PLANNING APPLICATION FP/220/07 – APPROVAL OF RESERVED MATTERS FOLLOWING OUTLINE APPLICATION FP/92/04 – THE WESTERN SECTION OF THE BOGNOR REGIS NORTHERN RELIEF ROAD BETWEEN THE A259 AT FELPHAM TO THE A29 AT SHRIPNEY & ASSOCIATED ENGINEERING WORKS (THIS APPLICATION AFFECTS A PUBLIC RIGHT OF WAY & ALSO FALLS WITHIN THE PARISHES OF YAPTON, MIDDLETON, BOGNOR REGIS, ALDINGBOURNE & BERSTED

The Committee received a detailed presentation from the Planning Advisor, who divided his presentation into segments and invited Members' questions following each one. These were as follows :-

- An overview
- Noise
- Bridges
- Cycleways and Footpaths
- Junctions
- Management of Floodrisk
- Drainage
- Pond Details/ecology
- Hoe Lane

During the course of Members' questions on the above, the Planning Advisor stated that-

- with regard to the diversion of the public footpaths any grant of planning permission did not override the need for separate Diversion Orders; such applications were currently with the Council's legal section.
- The provision of a cycle link to the Barnham/Bognor Regis route was outside the scope of this application and a matter for the County Council and it was anticipated that they would consult with the Parish Councils. The current application only considered the land forming the road corridor; Condition 6 was recommended to ensure that adequate crossing facilities were provided, wherever these were found to be

needed once the outcome of the separate discussions on the cyclepath link were known.

- The crossing arrangements for footpath FP152 were unclear but could be dealt with under delegated authority, unless it proved to be the case that the crossing led to the need for lighting on the bridge, i.e. if the crossing point was to be across the road rather than under the bridge. If this proved to be the case, an officer report would be brought back to the Committee for a decision.

Members were advised that the Environment Agency had, within the last 24 hours, raised an objection to the flood compensation areas and this would need to be looked into to assess whether a technical solution could be arrived at. It was suggested that the matter should be dealt with under delegated authority as the outline scheme had made provision for more and larger compensation areas and there could well be scope to enlarge the proposals without significant impacts on the surroundings. If this did not prove possible, a further report would be brought back to the Committee on this point should the matter need to be considered further.

Mr Holland from the Council's Engineering Section explained the drainage concerns at Stanover Lane which might require a fresh Section 106 Agreement to be drawn up if these concerns could not be dealt with by way of conditions or the controls available under the outline permission. The Planning Advisor informed the Committee that the RbSPA report had been received within the last 24 hours and that time was needed to look at it and assess its implications, if any.

The Committee was also advised that whilst the outline scheme had set out ecological mitigation requirements, a new Ecological Mitigation Strategy document had only recently been received. In addition, ecological survey work was taking place on the site through until June, which would then inform whether other mitigation might be required. Members were informed that officers were looking to ensure that any different or additional mitigation, if needed, would be capable of being included in or added to the development through the use of planning conditions.

Following the Planning Advisor's comprehensive presentation, the Chairman called a short adjournment to the proceedings to enable the Committee and those present to read the officer report update which had been circulated at the meeting. This report update detailed corrections to the report, additional comments/responses received and further information for consideration and, as a result, the Planning Advisor also gave a verbal update that a correction was required to Table A as detailed at Page 46 of the agenda insofar as the first occurrence of number 14 should be amended to number 13 and that the following recommendations should also be added :-

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15. Design details for the section of road west of Stanover Lane, which are needed to allow it to operate at 50mph, to be submitted and approved.
16. Details of the cycleway/pedestrian path along the south side of the relief road to be submitted and approved.
17. Condition No. 2 to be amended to include the requirement for a clear span bridge over Lidsey Rife.
18. Details of the diversion arrangements for FP152 at the railway bridge to be submitted and approved.
19. Condition 5 to be amended to include a requirement for the Designer's response to the Safety Audits.
20. Confirmation that the Council's Engineer and Environment Agency are satisfied with the design and maintenance proposals for the flood compensation areas.
21. Agreement between the County Highway Authority, Arun Officers and the applicants as to the extent of the areas to be adopted as public highway, and a maintenance plan and arrangements be agreed for the unadopted areas.
22. Submission and agreement of a Construction Environment Management Plan, to include provisions for protection of ecology.

The applicant to be reminded of the requirement on the outline permission to include wheel-washing.

The Committee was also requested to agree that, with regards to the Matters Pursuant referred to in Table B, any changes could be dealt with under officer's delegated authority.

On behalf of the Committee, the Chairman thanked the Planning Advisor for the fullness of his report and congratulated him on the level of detail and information provided.

Following consideration, the Committee

RESOLVED - That

(1) the application for Reserved Matters permission be approved subject to:

(i) the satisfactory resolution of all points in Table A of the report, and as amended at the meeting and detailed above, under authority delegated to the Head of Planning Services and Housing Strategy;

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(ii) the imposition of the conditions and informatives attached to the report;

(iii) the imposition of any conditions and informatives required as a result of (i) above; and

(iv) the completion of a Section 106 Agreement or deed of variation of the existing unilateral obligation relating to flood compensation under the outline permission FP/92/04, subject to legal advice, to ensure that flood compensation areas are provided as part of this development and are permanently retained and maintained for the purposes of floodwater compensation; and

(2) the Matters Pursuant to conditions listed in Table B of the report be approved for the purposes of the development of the relief road and its associated features within the area covered by the Reserved Matters application FP/220/07 and, subject to the satisfactory resolution of the matters listed in Table B, any changes to be subject to officer's delegated authority.

(The meeting concluded at 1.35 p.m.)