

Subject to approval at the next Committee meeting

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SPECIAL DEVELOPMENT CONTROL COMMITTEE

19<sup>th</sup> May 2008 at 6.00 p.m.

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

[Note : The following Councillors were absent from the meeting during consideration of the matters referred to in the Minutes indicated:- Councillors Biss, Butler and Evans Minutes 27 to 30 (part); and Councillor Mrs Stainton, Minute 30 (part).]

Councillors English and Holman were also in attendance at the meeting.

27. WELCOME

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

28. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Mrs Hazlehurst, McDougall, Oliver-Redgate and Mrs Smee.

29. DECLARATIONS OF INTEREST

Councillor Bower gave notice of a personal interest in Agenda Item 5, Planning Application FP/251/08, as Chairman of the Policy Site 6 Advisory Group.

Councillors Mrs Olliver and Mrs Stainton gave notice of a personal interest in Agenda Item 5, Planning Application FP/251/08, as members of the Policy Site 6 Advisory Group.

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*(Prior to consideration of the following application, Councillors Bower, Mrs Olliver and Mrs Stainton 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.)*

30. PLANNING APPLICATION FP/251/07 – RESERVED MATTERS APPLICATION PURSUANT TO OUTLINE PLANNING PERMISSION FP/92/04 RELATING TO 3 PHASES OF RESIDENTIAL DEVELOPMENT FOR 464 DWELLINGS, AND UP TO 217 SQM RETAIL FLOOR SPACE, WITH ASSOCIATED RESIDENTIAL ROADS, DRAINAGE WORKS AND PUBLIC OPEN SPACE – THIS APPLICATION AFFECTS A PUBLIC RIGHT OF WAY

Prior to consideration of this application, the Chairman called a short adjournment to the meeting to enable Members to read the detailed written report update which had been circulated at the meeting, together with suggested conditions. The Planning Advisor stated that this was a reflection on the complexity of the work that had been undertaken between officers and the developers to bring back the application for consideration by the Committee. He advised that the conditions listed were not final and that changes, additions or subtractions would be necessary under officer delegation before permission could be issued.

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

**Open Space and Drainage**

In discussion on this issue, concerns were raised with regard to the filling in of some of the ditches. The Planning Advisor and Engineer explained that much of this filling in had been considered as part of the relief road application (FP/220/07) and that the amount of filling was acceptable to the Environment Agency; land drainage was provided by a mixture of new and existing ditches and pipes.

**Landscaping**

The Planning Advisor confirmed that the proposals were generally acceptable but with some small changes, for instance the Council would be looking for improved screen planting and hedging with some additional trees at the southern boundary of Phases B & C.

There was an issue regarding the phasing plan for the delivery of playing pitches which appeared to leave pitches until late in the overall development of 700 dwellings. The Advisor explained that there may be practical difficulties in making the pitches to the far west of the site available

for use while development works were taking place at Phases D-E but that further dialogue should be undertaken under delegated powers to ensure that the rate of provision would meet the requirements of the Council as far as possible; this would include further discussion with the Council's Cultural Development Manager.

Questions were asked as to whether 1) a supply of surplus paving slabs could be kept for long term replacement and 2) whether allotments could be provided. Officers answered that 1) long term storage would be hard to achieve as stored materials were likely to be moved, lost or damaged over several years and that no allotments had been required at the site allocation or outline stage, although the Council was looking at this possibility for future housing allocations.

#### **Highways and Movement**

Due to officer concerns that had been described at the previous meeting with regard to increased car parking compared with the outline permission, the Planning Advisor stated that a compromise had now been reached whereby a lesser increase was proposed and that, following Counsel's consideration, it was agreed that this was now within the confines of the outline permission. Confirmation was awaited from the Highway Authority as to the acceptability of the proposed parking layout; this could be sought under officer delegation.

Members were informed that the main access roads, including the proposed bus route were slightly wider than the remaining roads and that the Highways Authority was at the moment looking at the bus tracking plans. In addition, the refuse vehicle plans were also being considered by the Highways Authority and the Council's Amenities officer and it was proposed that these matters should be dealt with under officer delegation.

In discussing the Bus Gate, the County Council Highways representative was of the view that this was a good concept and was the preferable option at this stage, subject to the outcome of the developer's further discussion with the bus operator and the emergency services.

Questions were asked about failure and damage rates and replacement. The Highways Officer referred to the alternative ways in which the rising bollards could be operated if the onboard bus transponder failed. In the event of damage, this would be repaired by the Highway Authority.

Questions were also asked as to whether a study had been undertaken of bus movement through the existing streets south of the site and whether a bus could turn in Westmorland Drive if the rising bollard failed. The Highway Officer advised that bollards were designed such that if failure occurred it

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would be more likely in the 'down' position, which would allow a bus to pass through rather than turn. He would look at the question of the existing roads, although the decision to cater for buses was already part of the outline permission.

Further questions were asked about motorcycle access. The Highway Officer advised that cycles would be prohibited by traffic order and the bollards and that signage would reinforce this; unauthorised use of the access would be an offence. In response to a question about access by vehicles for people with disabilities, the Planning Advisor reminded the Committee that the planning condition of the outline permission referred only to buses and emergency vehicles.

In addition, the Advisor recommended that, because the design had changed since the application was received and might undergo further change as a result of the discussions, a consultation exercise should be undertaken with the residents of the northern part of Westmorland Drive (approximately 23 dwellings) as it was important to inform them of what was being proposed. During the course of public speaking it was also put forward that the Parish Council should be involved in the consultation process. The outcome could be referred back to the Chairman and Vice-Chairman.

#### **Permitted Development Restrictions**

The Planning Advisor recommended that restrictions should be applied to windows and front extensions due to the nature of the development.

#### **Drawings of the Buildings**

Members were advised that the developers had reacted to their concerns from the previous meeting and there was now a 34% increase in added materials, including the building at the NE corner of Phase A fronting Flansham Lane in flint, and three of the flatted buildings now with increased brick detailing. Members thanked the applicant for the much improved quality of the plans which were now clearer and in colour.

#### **Maintenance**

The Committee was informed that the Land Management Plan had only been received on Friday 16<sup>th</sup> May and other officers needed to be appraised of its content. A number of issues of concern were flagged up and it was acknowledged that work still needed to be undertaken to resolve the maintenance implications. It was agreed that Southern Housing and the Council's Housing Officer would be approached to ascertain the financial implications that maintenance charges would have on its prospective tenants.

A variation was required of the existing Section 106 Agreement relating to SUDS. The Planning Advisor stated that legal advice was needed as to the

scope of this variation and that it might necessitate a SUDS maintenance agreement. Legal advice was also required as to whether there were any other maintenance issues that could be dealt with as part of the development, either by legal agreement or conditions.

### **Site Compounds**

The Planning Advisor stated that conditions would be placed on any approval to ensure the site compounds would be in existence for the stated periods only.

Prior to moving to the recommendation, the Committee was advised by the Planning Advisor of three amendments to the conditions as set out in the written officer report update circulated at the meeting, namely :-

Under (c)(1) Amended plans to omit re-seeded matting **from** stormwater ponds .....

Under (c) (3) Amended engineering plans to include drainage to **gabions** and top soils.....

Under (c)(16) to read "That a Satisfactory Stage 1 Safety Audit is provided and agreed with the Highway Authority (the phrase "or an Informative...") to be deleted.

The Committee was also reminded that:-

1. consultation of residents of Westmorland Drive immediately south of the site would be undertaken, allowing a response period of 10-14 days for the revised plan of the bus gate, with subsequent referral to the Chairman and Vice-Chairman. The Parish Council would be included in this consultation.

2. the suggested conditions would form a basis for any notice of permission but would require various changes, additions or subtractions under officer delegation before permission could be issued.

3. legal advice would be sought as to whether any maintenance issues would be required to be dealt with in addition to SUDS, either by condition or legal agreement.

Having taken account of the above, the Committee then

### **RESOLVED**

That the application be approved as detailed at the officer's written report update circulated at the meeting and subject to the amendments as set out above.

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31. VOTE OF THANKS

The Chairman thanked the officers and applicants for their hard work in improving the application, with particular thanks to the Planning Advisor for his efforts.

(The meeting concluded at 8.25 p.m.)