

**Minutes of a meeting of District Planning Committee
held on Thursday, 21st February, 2019
from 2.00 pm - 4.08 pm**

Present: R Salisbury (Chairman)
J Wilkinson (Vice-Chair)

C Hersey	P Moore	P Wyan
E Matthews	D Sweatman	
N Mockford	A Watts Williams	

Absent: Councillors C Holden

Also Present: Councillors M. Hersey, Wall, MacNaughton, Forbes, Ash-Edwards & Coote.

**1. TO NOTE SUBSTITUTES IN ACCORDANCE WITH COUNCIL PROCEDURE
RULE 4 - SUBSTITUTES AT MEETINGS OF COMMITTEES ETC.**

None.

2. TO RECEIVE APOLOGIES FOR ABSENCE.

Apologies were received from Councillor Holden.

**3. TO RECEIVE DECLARATIONS OF INTEREST FROM MEMBERS IN RESPECT OF
ANY MATTER ON THE AGENDA.**

None.

**4. TO CONFIRM MINUTES OF THE MEETING OF THE COMMITTEE HELD ON 18
DECEMBER 2018.**

The minutes of the Committee held on 18 December 2018 were agreed as correct records and signed by the Chairman.

**5. TO CONSIDER ANY ITEMS THAT THE CHAIRMAN AGREES TO TAKE AS
URGENT BUSINESS.**

None.

**6. DM/18/3525 - LAND AT LOWER HOLLOW COPSE, COPTHORNE ROAD,
COPTHORNE - OPPOSITE RH10 3PE**

Steve King, Planning Applications Team Leader, introduced the report which seeks planning permission for a change of use of a site adjacent to the junction of Lower Hollow Copse and Copthorne Road to a private gypsy and traveller caravan site to form two Sites. Site A proposed the laying out of 10 permanent pitches for the gypsy

and traveller community; erection of a site manager's office and amenity blocks and laying out of internal roads, parking, and associated drainage works and landscaping. Site B proposed the laying out of 3 permanent pitches for the gypsy and traveller community; associated access roads, drainage works and landscaping; single vehicular access to Copthorne Road to serve both sites and provision of footpath within the highway verge along Copthorne Road. The Planning History of the site was noted as having a single storey dwelling refused in 2005 and an application for 16 permanent pitches for the gypsy and traveller community distributed over two sites which was withdrawn in 2017. He drew Members attention to the Agenda Update Sheet which outlined further letters of objection, amendments to minor typographical errors and an amendment to the wording of Condition 8.

The Planning Applications Team Leader highlighted the main issues and drew Members attention to the relevant sections of the report where those issues were addressed.

Chris Phillips, Worth Parish Council, spoke against the application.

Mike Livesey, Mary Rice and Paul Bugden, local residents and representative of the Copthorne Village Association, spoke against the application.

Joy MacCoughlan and Nigel Mann, planning consultant & acoustic agent of the applicants, spoke in favour of the application.

The Chairman read out a letter from Councillor Dorey, Ward Member for Copthorne and Worth, who was unable to attend the meeting. The letter from Councillor Dorey drew attention to previous applications that were refused on the site and the dangerous level of traffic travelling down the A264 which has since increased because of the newly built Gatwick car park. Councillor Dorey's letter stated that the design of the footpath that would serve the site is questionable at best and any access to the doctor's surgery or local amenities would require crossing the road that has fast-moving vehicles travelling down it, posing a risk to the safety of pedestrians. The provision of a two-metre high acoustic fencing would be contrary to government guidance on the design of gypsy and traveller sites and would isolate residents from the rest of the community. Councillor Dorey's letter also raised concerns of the size of the caravan plots as they do not appropriately reflect the size of the families within the gypsy and traveller communities. Councillor Dorey's letter noted that proposal is also not in-keeping with the street scene and format of other properties on the road.

A Member enquired whether there are any statutory standards that this application can be compared to. He also sought clarification on the proposed sewer works system.

The Planning Applications Team Leader confirmed that the Technical Housing Standards space standards applies to 'bricks and mortar' housing. He explained that caravans are a use of the land rather than operational development. He added that with respect to the removal of sewage, the proposed solutions for the two sites would be either to connect all drains to the public sewer network or to drain the effluent to a package treatment system which would then drain all treated effluent to the existing watercourse. It was noted that the proposed solutions are not final solutions and the drainage of the site can be controlled through a planning condition. He advised Members that the Drainage Engineer had no objection to the application.

The Chairman reminded the committee and the members of the public that development can only take place where the developer can meet the planning

obligations and conditions.. He asked the Senior Environmental Health Officer, Nick Bennett to provide further clarification on the noise impact and mitigation through the use of the acoustic fence.

The Senior Environmental Health Officer confirmed that the applicants submitted a noise and acoustic survey, British Standard on Sound and Noise Reduction for Buildings (BS8233), which found that the application does meet the requirements provided for in the legislation. Concerns were raised over the effect of aircraft noise however YWG, the applicant's noise consultant on this application, had previously confirmed that it is not a dominant noise source in the area. Concerns were also raised over the reflection of noise from the acoustic barrier onto the properties of the residents of the opposite road with the reflected noise monitored at 6dB. In response, the applicant confirmed that they were happy to permit absorptive barriers in replacement for the acoustic barriers.

The Chairman sought clarification on the implications of the Council having ownership of the land proposed for development which was raised as an objection by a member of the public.

Richard Moules, a Legal Consultant on the Planning application, expressed his understanding of the concerns that members of public might have about the Council determining planning applications where it was also the applicant. He drew attention to parliamentary legislation which dictated that the District Council should determine all planning applications within their administrative area even if they are either the applicant, land owner or have an interest in the land. Members of the committee must assess any application against the policies in the development plan and other material planning considerations which includes the NPPF and the Planning Policy for Traveller Sites. He did note that the NPPF was recently updated (Feb 2019) however the only amendment related to European protected sites and therefore did not affect this site.

The Chairman enquired about the footpath that would be constructed along Copthorne Road to serve the development.

The West Sussex County Council Highways Officer confirmed the footpath will have a 1.5m pavement. As outlined on P.74, condition 8 ensures that no development will take place before appropriate details of the footpath are submitted.

A Member believed that although the acoustic fencing must be in place to reduce noise levels its proximity and height would isolate the site from the rest of the local community. He sought clarification on whether more planting would provide a better alternative to the acoustic fencing. The Member noted that there is no safe pedestrian access from the roundabout to Copthorne Village and questioned whether there will be a crossing to access the village.

Sally Blomfield, Divisional Leader for Planning and Economy, clarified that officers had regard to Paragraph 26 of the Planning Policy for traveller Sites and were satisfied that the fencing would not give the impression of isolation. In addition, she confirmed that the acoustic fencing was to be provided for the benefit of residents having regard to the requirements of the District plan Policy DP29.

The Planning Applications Team Leader confirmed planting would soften the impact of the acoustic fencing on the character of the area.

The West Sussex County Council Highways Officer explained that a signalised pedestrian crossing at the roundabout would be unachievable however a dropped

kerb in addition to a refuge in the middle of the road that would allow safe passage for pedestrians.

A Member raised his concerns over the A264 crossing especially due to it being a dropped kerb and not a signalised crossing. He also requested a condition be put in place to prevent burning of any form before, during and after construction of the site.

The Divisional Leader for Planning and Economy outlined that it would not be normal practice to prevent burning on completed residential sites, so it would be hard to justify why such a condition was necessary in this instance. She added that there are other environmental controls that provides for the prevention of burning or antisocial burning if it causes a public health issue.

The West Sussex County Council Highways Officer highlighted the different context of the signalised crossing for the customers of the golf course down the road when compared to the Copthorne Roundabout as road movements are slower by the roundabout. He advised Members that the Stage 1 of Road Safety Audit did not raise any problems. He explained that a signalised crossing so close to a roundabout could prove to be a highway hazard for two reasons. Firstly there would be a danger of rear end shunts from cars exiting the roundabout and colliding with stationary traffic. Secondly as the crossing would be infrequently used drivers would not become accustomed to slowing down for the signals so they would be unprepared when the crossing is used.

A Member questioned whether consultation or discussions were had with the traveller community and sought clarification on the planning history of the site.

The Divisional Leader for Planning and Economy clarified that a consultation was undertaken with the gypsy and traveller community through the Gypsy Liaison Officer based at West Sussex County Council. It was noted that the Statement of Community Involvement (SCI) states the results of the consultation.

The Planning Applications Team Leader outlined that a dwelling house was previously refused on the site in 2005 however highlighted that the application was for a different type of use as well as being assessed against different planning policy. He noted that the Government Guidance in the Planning Policy for Traveller Sites did not contain a prohibition on all gypsy and traveller sites within the countryside.

A Member enquired whether there would be space between the plots to accommodate the potential 3 receptacle bins that the residents may have. She also queried whether there is any restriction to the size of a caravan accessing the site.

The Planning Applications Team Leader explained that there is sufficient space to accommodate the refuse bins as well as enough space for the waste collection freighters to access both sites and safely turn to exit the development. With regard to the size of the caravans, the caravans must meet the definition of a caravan as set out in the Caravan Sites Act to be classified as a caravan and to be acceptable in the site.

A Member drew attention to the objector's comments that the health centre and primary school are at capacity.

The Planning Applications Team Leader advised that the District Council consults the Horsham and Mid Sussex Clinical Commissioning Group on major planning applications to ascertain whether infrastructure contributions are required to mitigate

the impact of the development. He advised Members that the CCG were consulted on the major development to the west of Cophorne that was under construction. He advised that the legal agreement attached to that planning permission provided for land for health facilities on site or a financial contribution off site. He advised that the CCG were not consulted on this planning application for the Gypsy and traveller site.

A Member enquired whether a fence could be installed between Site A and the ancient woodland to ensure no destruction is done to the woodland. He also asked why there were no amenity blocks needed on site B. He also raised a concern over light pollution from the site as he could not find information about it in the report.

The Planning Applications Team Leader clarified that the amenity blocks were required on Site A as it is a public site however Site B is a private site and the plots within it were larger and so officers were of the view that there was not a requirement for amenity blocks on site B. He directed the Member to plans detailed in the presentation, indicating that a low-level internal fencing will be placed between the site and the 15m buffer zone to protect the ancient woodland. Additionally, it has been detailed that bollard lighting will be provided on the sites however a condition can be added to prevent any additional lighting.

A Member sought clarification over the deliverability of both sites.

The Planning Applications Team Leader advised that national guidance in the Planning Policy for Traveller sites stated that for sites to be considered to be deliverable there should be a realistic prospect of the development being delivered within.

The Chairman noted that no more Members wished to speak so moved to the recommendations which were approved unanimously.

RESOLVED

That planning permission be granted subject to the conditions listed in Appendix A and amendments in the Agenda Update Sheet.

7. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 10 DUE NOTICE OF WHICH HAS BEEN GIVEN.

None.

The meeting finished at 4.08 pm

Chairman