



Late Observations Sheet
DEVELOPMENT CONTROL COMMITTEE
24 April 2014 at 7.00 pm

Late Observations

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24 April 2014

LATE OBSERVATIONS SHEET

Following the recent examination of the emerging Allocations and Development Management Plan (ADMP), policies contained within the ADMP are in the final stages of preparation and can now be attributed some weight in decision taking. The relevance of these policies to the proposals and the degree of weight to be attributed to them are considered below. Limited weight is given to policies which may be subject of main modifications. Moderate weight can be given to those policies where there are objections but no main modifications are proposed. Significant weight is given to policies where there are no objections and no modifications are proposed.

Item 4.1 – SE/03131/FUL The London Hire Stadium, Lower Road, Hextable BR8 7RZ

1. Emerging policies EN1, EN2, EN5, EN6, GI 1 and T1 of the ADMP are relevant to the assessment of this planning application. The table below identifies the weight to be given to each of these policies in the assessment of the planning application.

ADMP Policy	Weight	Amendment to recommendation required?
EN1	Moderate	No
EN2	Moderate	No
EN5	Moderate	No
EN6	Limited	No
GI 1	Moderate	No
T1	Moderate	No

2. Emerging policy EN1 (Design Principles) of the ADMP will in part replace adopted policy EN1 (Development Control: General Principles) of the Local Plan. Emerging policy EN1 requires high quality design and lists a number of criteria against which proposed development will be considered, including requiring the layout of proposed development to respect the topography and character of the site and the surrounding area and requirement for landscaping and good levels of accessibility. The emerging policy is similar to the adopted policy and does not alter the existing recommendation.
3. Emerging policy EN2 (Amenity Protection) of the ADMP will also in part replace adopted policy EN1 of the Local Plan. Emerging policy EN2 seeks to safeguard the amenities of existing and future occupants of nearby properties, including from excessive noise, activity or vehicle movements. The proposed development is considered to be acceptable in terms of impact on residential amenity and this policy does not alter the existing recommendation.

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4. Emerging policy EN5 (Outdoor Lighting) of the ADMP will replace adopted policy EN31 (Outdoor Lighting) of the Local Plan. Emerging policy EN5 is similar to the adopted policy in terms of requiring proposals to be integrated within a wider related development scheme and requiring any impact on the night sky, impact on residential amenities and impact on wildlife to be minimised or adequately mitigated. The emerging policy also requires proposals that may affect open countryside to demonstrate that lighting is essential for safety or security reasons. The policy does not alter the existing recommendation.
5. Emerging policy EN6 (Noise Pollution) of the ADMP will in part replace adopted policy EN1 of the Local Plan. Emerging policy EN6 states that development will not be permitted where high noise generating development would affect open countryside if it would undermine the character or harm the biodiversity of these areas. The proposals are considered to be acceptable in terms of noise impact on residential amenity and are not considered to result in harm to the character or biodiversity value of the site or surroundings. Emerging policy EN6 has only limited weight and therefore adopted policy EN1 of the Local Plan continues to be the most relevant policy in this regard.
6. Emerging policy GI 1 (Green Infrastructure and New Development) of the ADMP will in part replace adopted policy EN17B (Nature Conservation) of the Local Plan. Emerging policy GI 1 seeks to ensure that new developments fully consider the opportunities for provision of additional Green Infrastructure. The proposed development relates to existing Green Infrastructure and would not conflict with this policy.
7. Emerging policy T1 (Mitigating Travel Impact) of the ADMP states that new developments will be required to mitigate any adverse travel impacts, including their impact on congestion and safety, environmental impact, such as noise and tranquillity, pollution and impact on amenity and health. The travel impacts of the development are considered to be acceptable and this policy does not alter the existing recommendation.
8. In summary, no amendments or changes to the recommendation to refuse planning permission are proposed in light of the progress of the ADMP.
9. Since the publication of the Officer's report, additional information relating to the feasibility of using collapsible floodlights as an alternative to the fixed floodlights applied for has been received from the applicant. Notwithstanding the uncertainty regarding the availability of floodlights designed to fully collapse when not in use, it is uncertain whether collapsible floodlights would meet the needs of the applicant or league. Specifically there are concerns relating to the cost of such equipment (assumed to be higher), the length of time it would take to erect and dismantle floodlights between use, the potential health and safety implications for club members and risks to the security of the equipment when at ground level.

10. The NPPF and Planning Practice Guidance states that planning conditions should only be imposed where they comply with six tests, one of which is that conditions have to be 'reasonable in all other respects'. In light of the information relating to the uncertainty surrounding the feasibility of installing collapsible floodlights as an alternative to fixed floodlights, it would not be reasonable to require this by condition and the existing recommendation therefore still applies.

Item 4.2 - SE/13/03718/FUL Land West of Dairy House, Shoreham Road, Shoreham TN14 7UD

11. Emerging policies EN1, EN2, GI 1, GB5, GB9, T2 and T3 of the ADMP are relevant to the assessment of this planning application. The table below identifies the weight to be given to each of these policies in the assessment of the planning application.

ADMP Policy	Weight	Amendment to recommendation required?
EN1	Moderate	Additional condition
EN2	Moderate	No
GI 1	Moderate	No
GB5	Significant	No
GB9	Moderate	No
T2	Significant	No
T3	Moderate	Additional condition

12. Emerging policy EN1 (Design Principles) of the ADMP will in part replace adopted policy EN1 (Development Control: General Principles) of the Local Plan. Emerging policy EN1 requires high quality design and lists a number of criteria against which proposed development will be considered, including requiring the layout of proposed development to respect the topography and character of the site and the surrounding area and requirement for landscaping and good levels of accessibility. In this regard the emerging policy is similar to the adopted policy. In addition, emerging policy EN1 seeks new development to include infrastructure that complements modern communication and technology needs and restricts the need for future retrofitting. Of particular relevance to these proposals is the potential provision of a power supply that would support green technology initiatives such as in home electric car charging points. This requirement is also set out in emerging policy T3 (Provision of Electrical Vehicle Charging Points) which requires all new houses with a garage or vehicular access to include an electrical socket with suitable voltage and wiring for the safe charging of electric vehicles. Emerging policies EN1 and T3 have attracted 4 objections and 1 objection respectively, no main modifications are proposed and they therefore carry moderate weight. In order to comply with these emerging policies it is recommended that an additional condition be imposed to require details and installation of an electric car charging point.

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13. Emerging policy EN2 (Amenity Protection) of the ADMP will also in part replace adopted policy EN1 of the Local Plan. Emerging policy EN2 seeks to safeguard the amenities of existing and future occupants of nearby properties, including from excessive noise, activity or vehicle movements. The proposed development is considered to be acceptable in terms of impact on residential amenity and this policy does not alter the existing recommendation.
14. Emerging policy GI 1 (Green Infrastructure and New Development) of the ADMP will in part replace adopted policy EN17B (Nature Conservation) of the Local Plan. Emerging policy GI 1 seeks to ensure that new developments fully consider the opportunities for provision of additional Green Infrastructure. Subject to the conditions recommended relating to soft landscaping the proposals would present an opportunity to enhance the existing green infrastructure on the site. This policy does not alter the existing recommendation.
15. Emerging policy GB5 (Dwellings Permitted under Very Special Circumstances or as Rural Exceptions in the Green Belt) of the ADMP states that where new dwellings are permitted in the Green Belt on grounds of very special circumstances, the Council will remove permitted development rights for extensions and outbuildings to prevent future additions that cumulatively impact upon the openness of the Green Belt. The existing recommendation is to remove such permitted development rights by condition and on the basis that this emerging policy has no objections and no modifications are proposed this policy has significant weight.
16. Emerging policy GB9 (Replacement of a Non-residential Building in the Green Belt) of the ADMP sets out the criteria whereby such proposals will be permitted. The criteria includes where the existing building is lawful and permanent in nature, where the design and volume of the proposed replacement building would not be materially larger than the 'original' building and would not materially harm the openness of the Green Belt and where the replacement building would be within the same use as the building to be replaced. This emerging policy is consistent with paragraph 89 of the NPPF which the proposals have been assessed against and the development found to be inappropriate. Notwithstanding that this policy has moderate weight it does not prevent the advance of a very special circumstances case and does not alter the existing recommendation.
17. Emerging policy T2 (Vehicle Parking) of the ADMP in part replaces adopted policy VP1 (General Parking Standards) of the Local Plan. Whilst the policies are broadly consistent, emerging policy T2 requires appropriate provision for cycle parking as well as vehicle parking. There are currently no adopted standards for cycle parking and although no dedicated cycle storage has been proposed, the dwelling does include storage space at ground floor level that could be used for this purpose. The proposed development is considered to comply with this emerging policy.

18. In summary, whilst no changes to the recommendation to grant planning permission are proposed it is recommended that an additional condition (condition 15) be imposed as below:

15) No development shall be carried out until details of an electrical vehicle charging point have been submitted to and approved in writing by the Local Planning Authority. The electrical vehicle charging point shall be provided in accordance with the details so approved prior to the first occupation of the dwelling and maintained and retained thereafter.

In order to mitigate and adapt to climate change in accordance with emerging policies EN1 and T3 of the Allocations and Development Management Plan (Draft for Submission November 2013).

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