

Council
16 OCTOBER 2019

Present: Councillors: Kate Rowbottom (Chairman), Karen Burgess (Vice-Chairman), Matthew Allen, Andrew Baldwin, Tony Bevis, John Blackall, Toni Bradnum, Alan Britten, Chris Brown, Peter Burgess, Jonathan Chowen (Deputy Leader), Philip Circus, Paul Clarke, Christine Costin, Michael Croker, Leonard Crosbie, Brian Donnelly, Ruth Fletcher, Billy Greening, Frances Haigh, Tony Hogben, Nigel Jupp, Liz Kitchen, Lynn Lambert, Richard Landeryou, Gordon Lindsay, Tim Lloyd, Paul Marshall, John Milne, Colin Minto, Christian Mitchell, Mike Morgan, Godfrey Newman, Roger Noel, Bob Platt, Louise Potter, Josh Potts, Stuart Ritchie, Jack Saheid, Jim Sanson, David Skipp, Ian Stannard, Diana van der Klugt, Claire Vickers, Belinda Walters and Tricia Youtan

Apologies: Councillors: Roy Cornell and Ray Dawe

CO/38 **MINUTES**

The minutes of the meeting of the Council held on 4th September 2019 were approved as a correct record and signed by the Chairman.

CO/39 **DECLARATIONS OF MEMBERS' INTERESTS**

Councillors Nigel Jupp, Liz Kitchen and Christian Mitchell declared personal and prejudicial interests in the item on the former Novartis site, Parsonage Road, Horsham as they were Members of West Sussex County Council (the applicant) (Minute No CO/45 below refers).

CO/40 **ANNOUNCEMENTS**

The Chairman thanked all those Members who attended the Civic Service held on the 6th October in St Mary's Church. She went on to thank the Reverend Loveless for leading prayers at Council. Reverend Loveless would be moving to a new parish in Rustington shortly.

The Deputy Leader offered his congratulations to Councillor Paul Marshall on his nomination as Leader of West Sussex County Council.

The Cabinet Member for Environment, Recycling and Waste advised Members that West Sussex County Council had introduced residents checks at Household Recycling Centres in the County. He had expressed concern regarding the situation to the Director of Environment and Public Protection at West Sussex County Council as there were concerns that it would increase queuing, especially at the Hop Oast Site. He had raised the issue as there were many residents who thought that the centre was controlled by Horsham District Council, rather than West Sussex County Council. He went on to say that any measure that made

the deposit of waste more difficult would increase the risk of fly tipping, which would impact on Horsham District Council.

The Cabinet Member for Horsham Town Centre reported that on the 10 November there would be a Remembrance Service in Carfax.

CO/41 **QUESTIONS FROM THE PUBLIC**

No questions relevant to the business of the meeting had been received.

CO/42 **RECOMMENDATIONS FROM CABINET**

The Deputy Leader provided a report on operation of the café and bar at the Capitol. The Cabinet Member reported that on 31 March 2019 the contract for the operation of the cafe and bar at The Capitol had ended. As previous tender exercises had resulted in few applications, it was proposed to trial managing the service in-house. The trial began on the 1st April 2019. Over the eight years of the most recent external contract, the average net income per annum had been £24,000. The expected net income from the direct management was £72,000. An increase of almost £50,000. So far, the new direct management had delivered £16,100 net income which was in line with projections. The recommendation was seconded by Councillor Roger Noel.

RESOLVED

- i) That the café and bar at The Capitol be managed directly in-house.

CO/43 **RECOMMENDATIONS FROM COMMITTEES**

The Chairman of the Audit Committee reported that as at 31 March 2019, the Council's external debt was £4m and investments totalled £36.1m including call accounts and Money Market Funds. During 2018/19, the Council's cash balances had been invested in accordance with the Council's treasury management strategy. Interest of £0.887m had been earned on investments, an average return of 2.1%.

In reply to a question from a Member regarding the raising of the Public Work Loans Board increase in lending rates by 1%, the Director of Corporate Resources said that the council had no debt at the moment, so was unaffected by this change. Financial activity had shifted toward inter authority loans, as the rates were more favourable. The recommendation was seconded by Councillor John Blackall.

RESOLVED

That:

- i) an increase from £1m to £1.5m in the limit on lending to subsidiary companies in the 2019/20 Investment Strategy be approved; and;

- ii) a £0.5m limit on shareholding in its subsidiary companies in the 2019/20 Investment Strategy

CO/44 **REPORTS OF REPRESENTATIVES**

A Member said that Horsham in Bloom was helping to create and support many of the environmental support groups in the town. A new committee and logo for the organisation had been created. She hoped that the new committee would be well supported by the council.

CO/45 **FORMER NOVARTIS SITE, PARSONAGE ROAD, HORSHAM, WEST SUSSEX**

Councillors Nigel Jupp, Liz Kitchen and Christian Mitchell declared personal and prejudicial interests in the item on the former Novartis site, Parsonage Road, Horsham as they were Members of West Sussex County Council and withdrew from the meeting for the item.

The Principal Planning Officer reported that an outline application had been submitted for the erection of up to 300 dwellings, including the conversion of existing offices buildings up to 25,000sqm of employment floorspace and provision of 618sqm of flexible commercial/community space within the ground floor of a converted building. The scheme included improvements to existing pedestrian and vehicular accesses from Parsonage Road and Wimblehurst Road, together with associated parking and landscaping.

This application had been deferred from the Council meeting on the 4th September 2019 to allow Peter Brett Associates (PBA) to comment on the Road Safety Audit (RSA). To provide confirmation on parking and clarification of Sussex Police comments. Two additional letters of objection had been received, including a further letter from the Wimblehurst Residents Association which was forwarded to all Members. These comments had been taken into consideration.

The Officer went on to say that PBA had assessed the Road Safety Audit and identified areas of the RSA that required review and amendment in order to be fully GG119 compliant. The applicant had submitted an updated RSA and PBA had commented that the RSA had now addressed their comments. In assessing the RSA, PBA had undertaken a site visit and had considered the comments and concerns of local residents including the Wimblehurst Road Residents Group. Based on all available information PBA have advised that it was unlikely that the development would cause an unacceptable impact on highway safety.

He went on to say that parking details were outlined in detail in the report, and up to 308 spaces are proposed for residential uses and up to 872 spaces are proposed for the employment uses. This met the parking provision for new developments under West Sussex County Council guidance. Condition 10 of the recommendation required the submission of a parking strategy prior to the commencement of works. The purpose of the strategy was to agree how parking would be provided for the residential and commercial areas. This would allow

some flexibility in how parking was allocated, including opportunities to use the employment parking as overspill for the residential units in evenings and at weekends.

At the previous Council meeting, clarification had been sought as to what was classed as 'severe' in highway safety terms. This related to paragraph 109 of the NPPF. PBA have commented that there was no definitive answer to this question. Since the launch of the NPPF in 2012, what could be classed as 'severe' in highway terms had caused substantial uncertainty. Based on appeal decisions provided by PBA, it was clear that there were no trends as to what constituted 'severe'. What was also clear was that the term 'severe' set a high bar for intervention via the planning system in traffic effects arising from development. Appeal decisions highlighted that more congestion and inconvenience was not sufficient to trigger the 'severe' test in itself but rather it was a question of the consequences of such congestion taken as a whole. Given the uncertainty regarding what was classed as severe, the advice of the Highway Authority on the highway impacts of a proposal remained critical in determining whether a proposal would have a severe impact.

Three members of the public spoke in objection to the application. Two representatives spoke in support of the proposal. Representatives of North Horsham Parish Council and Horsham Denne Neighbourhood Council spoke in objection to the application. A local Member spoke in objection to the application, but stated that there were no reasons to turn it down on planning grounds. She did not feel, however, that she could endorse the application. A Local Member said that he did not feel that the scheme was of sufficient quality for the site. He believed that there would be traffic problems as a result of it. If the application was turned down, it was likely that West Sussex County Council would sell the land to a developer, which would mean that the provision of employment facilities would be unlikely. As a result, he would reluctantly support the application.

A Member stated concerns about the traffic and highway safety of the scheme but pointed out that if the scheme were to be turned down, any appeal would be likely to be lost, with substantial costs. Approving it would mean that the council would have continuing control and involvement in a scheme in an important site in the centre of the town.

In reply to a question from a Member, the Principal Planning Officer said that there were a number of legal stipulations in terms of highways improvements and mitigations. These included off-site pedestrian and cycling, changes to the bus waiting facilities in North Heath Lane and improvements to the Wimblehurst road and Parsonage road junctions. PBA had suggested additional improvements, which could include a new crossing on Parsonage Road. A travel plan would also be secured through the Section 106 agreements. A traffic management monitor would ask companies coming onto the site to instigate traffic moderation schemes.

In reply to a question from a Member, the Principal Planning Officer said that it was important that Members determine the proposal that was before them. Improvements had been made, and additional contributions had been made for

pedestrian improvements. There were no grounds to refuse the application on highways safety grounds. He said that placing an informative on the application that redesigned the scheme, were it to be passed could have implications on any future applications. Alternative ways could be considered in order to reduce traffic movements.

Members went on to address the issues of utilisation of brown field sites, the necessity for additional office space in the town, and the economic sustainability of the development.

It was moved and seconded that the recommendations in the report be approved.

RESOLVED

That

- i) The application for approval to the Head of Development, subject to completion of a legal agreement and appropriate conditions be approved.
- ii) In the event that the legal agreement was not completed within three months of the decision of the Council, or other later date as agreed by the Head of Development, the Director of Place be authorised to refuse permission on the grounds of failure to secure the Obligations necessary to make the development acceptable in planning terms.

CO/46 **A27 ARUNDEL BYPASS CONSULTATION - DRAFT HORSHAM DISTRICT COUNCIL RESPONSE**

The Deputy Leader reported that in August 2017, Highways England had published a consultation paper with six potential options for a new road bypass on the A27 around Arundel. In May 2018, Highways England published their Preferred Route Announcement, known as Option 5AV3. This new road layout would not be located in Horsham District, but it was believed that any change to this part of the A27 would have a big impact on reducing the high number of vehicles that currently use routes through Horsham District. It would accordingly improve the poor air quality villages such as Storrington and Cowfold, where there was declared Air Quality Management Areas.

Horsham District Council was a statutory consultee and the report set out the proposed response to this consultation. It was proposed that the Council favoured the 'Magenta option' as this should achieve significant reductions in traffic flows and consequent enhancements to air quality in Horsham District, minimising the impact on the South Downs National Park ancient woodland, and minimising likely environmental impacts. He went on to say that the original letter had been amended in order to remove the references to the grey and amber options, and a revised version had been circulated for consideration and approval. The amendment was seconded by Councillor Peter Burgess.

A Member stated that the works were part of a strategic road system undertaken by Highways England, and should be regarded as such.

A Member stated that she supported the reasons behind the council's response regarding the use of roads through villages and the serious congestion that resulted. Of the options, the Magenta option had significant environmental impact, massive cost and would incur significant objection and delay. She said that there were other options available, which included the Arundel Alternative, which would have less environmental impact and cost as it used the existing road in a way that kept the traffic flowing. A dual carriageway was not required in this location.

A Member stated that work undertaken by the Storrington Air Quality Control Group to ban lorries from the centre of the village had made little difference to the air quality there, as there were inherent difficulties in enforcing restrictions on heavy lorries. It was therefore important to be clear about the Council's recommendation on this matter. He supported the amended motion put forward by the Deputy Leader.

A Member pointed out that there had been a number of studies across Europe and the United States that showed that increasing the size of the roads was not an answer to congestion, as the traffic numbers merely grew to fill the available space.

A Member spoke in support of the amendment and pointed out that additional traffic was caused by the necessity to build houses in the district. He supported providing signs to separate cyclists and pedestrians.

Having been moved and seconded, the amendment was put. The amendment was therefore declared as CARRIED.

Councillor Fletcher stated that during a climate emergency it was inappropriate to build an enormously expensive dual carriageway through the countryside of West Sussex and proposed an amendment to the substantive motion that read:

'The Council requests that Highway's England also assess the effectiveness and deliverability of the 'Arundel Alternative' proposal from SCATE. The potential advantages of this proposal are a significantly reduced environmental impact, lower cost and possibly less public opposition. As a result, it may enable a satisfactory solution to the current problems to be delivered in a shorter timescale.

We understand that the proposal is to maintain steady vehicle flow throughout this section by removing and bypassing the points which currently cause hold-ups.

From the east, this route remodels Crossbush junction removing traffic signals and continues over a new rail bridge bypassing pinch points at Warringcamp junction, the railway station, bus stops, pedestrian crossing and Causeway roundabout. The river bridge is upgraded and Ford roundabout is remodeled to create a through road.

The proposal is for a 40mph single carriageway providing comparable capacity and very little difference in journey time compared with 70mph dual carriageway options.

Whichever option is chosen, this Council would encourage Highways England to construct any bypass and consequential bridges to the highest possible architectural standard and to take appropriate account of any potential flooding issues, given the sensitivity of the local environment.

There needs to be a strong commitment to provide for cycling and walking. Provision along and across the SRN should be in accordance with Highways England's own Standards for Highways, CD195, Designing for Cycle Traffic and should follow NPPF principles: to 'give priority first to pedestrian and cycle movements' and to 'protect sites and routes which could be critical in developing infrastructure to widen transport choice'.

In particular we emphasise the need to

- provide cycleways rather than shared-use footways
- avoid any diversion or severance to existing rights of way, minor roads and paths
- make provision for potential future walking and cycle routes by safeguarding land and by including bridges and underbridges with sufficient width for walking and cycling at potential severance locations.'

The motion was seconded by Councillor Bob Platt. Having been moved and seconded, the amendment was put. The amendment was declared LOST.

The original motion was therefore proposed by Councillor Jonathan Chowen and seconded by Councillor Paul Clarke. Having been moved and seconded, the motion was put.

RESOLVED as follows:

That the consultation response to be submitted to Highways England by 24 October 2019 be approved, subject to the removal of the line on page 2: 'Grey (Option 5BV1) and Amber (Option 4/5AV2) would also provide a beneficial outcome.'

CO/47 **MEMBERS' QUESTIONS ON NOTICE**

No questions had been received.

CO/48 **URGENT BUSINESS**

There was no urgent business.

The meeting closed at 8.30 pm having commenced at 6.00 pm

CHAIRMAN