

## REGULATORY COMMITTEE

### PLANNING AND HIGHWAYS SUB-COMMITTEE

MINUTES of a meeting of the Planning and Highways Sub-Committee held at Pelham House, Lewes, on 17 October 2001.

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44. PRESENT - Councillor Dyason (Chairman)  
Councillors Ellis, Mrs Hopkinson, Mrs Leigh, Scott, Mrs Stroude  
(Vice-Chairman) and Woodall

45. MINUTES

45.1 RESOLVED – to approve the minutes of the meeting held on 12 September 2001 as a correct record.

46. REPORTS

46.1 The Sub-Committee considered reports on the matters dealt with in minute numbers 47 - 55 below (copies in the minute book).

47. PARAGRAPH 7 CONSULTATION – SCHEDULE OF DECISIONS MADE BY DISTRICT/BOROUGH PLANNING AUTHORITIES

47.1 The Sub-Committee considered a report by the Director of Transport and Environment.

47.1 RESOLVED - to note the report and make it available to the Borough and District Councils.

48. NORTH TRADE NURSERY, NORTH TRADE ROAD, BATTLE – OUTLINE OF APPLICATION FOR 32 HOUSES WITH GARAGES/PARKING – RR/2001/1751

48.1 The Sub-Committee considered a report by the Director of Transport and Environment.

48.2 RESOLVED - to inform Rother District Council that:-

1. This application should not be approved because;
  - (a) The site falls outside the Development Boundary of Battle as defined in the Rother District Local Plan Initial Deposit and lies within the High Weald Area of Outstanding Natural Beauty. As such it is contrary to Structure Plan Policy S10.
  - (b) It is premature and would prejudice the outcome of the local plan process currently underway. The local plan is the appropriate arena for determining the timing and pattern of land releases for new housing to meet Structure Plan requirements to prevent speculative proposals setting a precedent for development. As such it is contrary to national guidance in PPG3 and PPG1.

2. However, it is considered that this could be an acceptable site for housing, provided:

- (a) an appropriate landscaping scheme is secured to avoid adverse impact on the wider AONB including retaining existing trees enclosing the site as a landscape screen (policy S1 (b), (j))
- (b) the District Council can be satisfied that the design of buildings respects and enhances local character including the setting of the adjoining listed building, in accordance with Structure plan policies S1 (f), S1(m) and S6(d)
- (c) the outstanding transport issues can be resolved by the applicant, including a package of proposals, secured by planning obligation as necessary, which will support a more satisfactory public transport provision for a minimum of three years in order to establish the right travel patterns at the outset of development, in accordance with policies S2, S3, TR1(b), TR1(h), TR1 (j), TR2(f), TR3(b), TR7, TR10, TR11.
- (d) appropriate measures are in place to minimise and/or reuse construction waste on site (Structure Plan policy W10(a)).

In this event an appropriate contribution from the development, secured by planning obligation, would be required to meet the extra demand for permanent school accommodation resulting from extra housing, in accordance with Structure Plan policies S2 and S3.

3. Any development of the site should preferably be brought forward through the local plan process where a comprehensive assessment of site opportunities can be made.

49. BEECH FARM, NETHERFIELD ROAD, BATTLE – CHANGE OF USE OF REDUNDANT FARM BUILDINGS TO BUSINESS CLASS B1 USE AND IMPROVEMENTS TO ACCESS – RR/2001/1094/P

49.1 The Sub-Committee considered a report by the Director of Transport and Environment.

49.2 RESOLVED - to inform Rother District Council that:-

1. The application should be refused because:-

- a) The scale of business use proposed at this prominent and attractive location is excessive and unjustified and could set an unwelcome precedent. The scheme would introduce an intrusive major business use into the countryside which would seriously erode the special quality and character of the High Weald Area of Outstanding Natural Beauty (AONB) and could harm the setting of the listed farmstead buildings, contrary to Structure Plan policies S10 (b) S1(j) S1(m) and ENV3 and ENV5 and PPG7.
- b) It has failed to demonstrate a compelling case for such a scale of activity at this problematic site and would encourage an unsustainable pattern of land use and economic activity, to the particular detriment of the coastal towns and would encourage out-commuting, contrary to Structure Plan policies S1 (a), (e), S4 (a), (i); S10, S7, and ENV5 and E17 and PPG7.

- c) The site is set in the countryside and suffers from generally poor accessibility. The application is not supported by the required Travel Impact Assessment (TIA) and has not satisfactorily demonstrated how it would remedy the associated access deficiencies, address car and cycle parking provision and upgrade footpath access. Though access arrangements onto the A271 would be improved, there are concerns over traffic impacts on the wider network and the physical adequacy of proposed farm track itself to accommodate the traffic generated. As such it is contrary to Structure Plan policies TR1, (a), (h), (j); TR3; TR16; TR18; S1(d) and S3.

2. A more modest, suitably designed, revised scheme could be acceptable. Subject to the views of Department of the Environment and Rural Affairs (DEFRA) and the relevant Heritage organisations, this could focus on using (and securing the future of) the listed farm buildings and retaining only as many of the other buildings as is necessary to contain (and conceal) the required parking. Appropriate access improvements and landscape screening would also be required. It is also noted that the current scheme fails to rectify the obstruction of the footpath by the recent siting of a farm building. In any event, the Highway Authority wish to be consulted on any revised application.

50. NAZARETH HOUSE, HASTINGS ROAD, BEXHILL-ON-SEA – CONVERSION OF NAZARETH HOUSE CONVENT AND RESIDENTIAL CARE HOME AND REDUNDANT PRIMARY SCHOOL INCLUDING PART DEMOLITION AND EXTENSION TO PROVIDE 93 FLATS (INCLUDING 33 AFFORDABLE HOUSING UNITS) AND ASSOCIATED PARKING WITH NEW ACCESS AND ESTATE ROAD - RR/2001/2050 AND DEVELOPMENT OF 18 DWELLINGS, ASSOCIATED GARAGING AND NEW ACCESS ARRANGEMENTS – RR/2001/2051

50.1 The Sub-Committee considered a report by the Director of Transport and Environment.

50.2 RESOLVED – to inform Rother District Council that:-

1. Both of these applications are welcomed and supported in principle as potentially sustainable brownfield developments that would make significant contributions to housing provision in Rother. In particular the principle of converting Nazareth House (RR/2001/2050) and the inclusion of affordable housing is strongly supported.

2. However, as a fully detailed application the residential conversion of Nazareth House (RR/2001/2050) cannot be recommended for approval because:

a) The subdivision of the chapel would adversely affect the character and quality of the listed building contrary to policy S1(m)

b) There are a number of transport issues to be resolved following further work by the applicant before the Highway Authority can be satisfied the proposal adequately addresses access by non-car modes and the impact on surrounding roads and the adjoining school. Following this it may be appropriate to seek a contribution to offsite transport works and other measures to comply with policies S1(c) and (d), S3 and TR3.

c) A revised scheme should be sought that addresses these issues, incorporates a suitable landscaping scheme to mitigate the impact of parking on the listed building and includes arrangements to secure the affordable housing proposed; and

3. The outline application RR/2001/2051 should not be approved until:
- a) the District Council is satisfied that no better design and layout that increases the density to a level complying with PPG3 and policy H8 that would respect the setting of the listed building can be achieved.
  - b) The Highway Authority is satisfied that the scheme would not add to traffic problems in the area (S1(c) and (d) and S3)
4. In the event of permission being granted for housing on either or both of these sites, an appropriate contribution from the development, secured by planning obligation, would be required to meet the extra demand for permanent school accommodation resulting from the additional housing, to comply with policy S3.

51. HAZELBANK, LONDON ROAD, MARESFIELD – CONTINUED USE OF EXISTING WASTE MANAGEMENT FACILITY INCORPORATING SORTING AND GRADING OF WASTE WITH A TROMMEL AND PROCESSING OF HARDCORE WITH A CRUSHER AND TEMPORARY STORAGE OF RESULTING SECONDARY AGGREGATE ON SITE. ANCILLARY STORAGE OF SKIPS AND PARKING OF LORRIES. USE OF LAND FOR STORAGE OF PLANT IN CONNECTION WITH A HIRE BUSINESS – WD/327/CM

51.1 The Sub-Committee considered a report by the Director of Transport and Environment. Councillor Reid, Local Member, had previously informed the Chairman that he fully supported the recommendations. The Sub Committee were advised that no representations had been received from the Parish Council.

51.2 RESOLVED - to grant planning permission subject to the following conditions:

1. Within one month of the date of this permission the site shall be laid out and all excavation and reinstatement works completed in accordance with the approved plan (reference AM/01/1A) received by the County Planning Authority on 30 March 2001. The site shall thereafter be retained and used only in accordance with the approved layout plan with no processing, storage or transfer of waste outside the agreed areas.

Reason: For the avoidance of doubt and to protect the amenity of the surrounding area.

2. No more than one mechanical crusher and one trommel (mechanical sorter) shall be operated on the site at any one time. No other form of mechanical sorting, grading or crushing shall take place on site.

Reason: For the avoidance of doubt and to protect the amenity of the surrounding area.

- 3 No activity or operation shall take place on site other than between the hours of 07.30 and 17.30 on Monday to Friday inclusive and the hours of 08.00 and 13.00 on Saturdays and at no time on Sunday, Public and Bank Holidays unless with the prior written consent of the Director of Transport and Environment.

Reason: To protect the amenity of the surrounding area and neighbours.

4. The crusher and the trommel (mechanical sorter) shall not operate other than between the hours of 0800 to 17.30 Monday to Friday and 0800-1300 hours on Saturday and at no time on Sundays, Public and Bank Holidays unless with the prior written consent of the Director of Transport and Environment.

Reason: To protect the amenity of the surrounding area and neighbours.

5. The level of noise emitted from the site between the hours 0800 – 1730 from Monday to Friday and 0800 – 1300 hours on Saturdays as a result of any activity or operation hereby permitted at the site shall not exceed 5dB(A) above background levels at any of the measurement locations which are identified on the plan attached to the and which forms part of this permission.

6. Any crusher or trommel (mechanical sorter) shall be subject to a noise attenuation scheme prior to being used on site. The scheme shall comprise a rubber lining to all of the hopper/feeder and the exterior of the hopper/feeder shall be painted with a bitumen-based product to reduce the resonance of the hopper/feeder. The noise attenuation scheme shall be fully maintained to prevent it deteriorating and becoming less effective in the reduction of noise.

Reason: To protect the amenity of the surrounding area and neighbours.

7. The number of daily vehicle movements associated with the development hereby permitted shall not exceed 60 skip lorry movements per day (i.e. 30 into the site and 30 out of the site) and 30 other vehicle movements per day (i.e. 15 into the site and 15 out of the site) unless with prior written consent of the Director of Transport and Environment.

Reason: In the interests of highway safety.

8. The site shall not be used for the sale of any waste material stored or deposited on the site or retail sales of any material crushed, processed or sorted on site nor for the sale of any other material, articles or goods.

Reason: For the avoidance of doubt and in the interests of highway safety.

9. No material or skips shall be deposited or stacked on site to a height exceeding 5 metres above the ground level of the site.

Reason: In the interests of the amenity of the area.

10. The site shall not be used for any purpose other than for the incorporating sorting and grading of waste with a trommel (mechanical sorter) and processing of hardcore with a crusher and temporary storage of resulting secondary aggregate on site, the ancillary storage of skips and parking of lorries and the use of land for storage of plant in connection with hire business and for no other purposes whatsoever.

Reason: For the avoidance of doubt.

11. A 2 metre high solid fence along the northwestern boundary of the site shall be retained and so maintained at all times.

Reason: In the interests of the amenity of the area.

12. Within 2 months of the date of this permission a scheme to control the emission of dust shall be submitted to and approved in writing by the Director of Transport and Environment. The approved scheme shall be fully implemented and thereafter maintained.

Reason: To protect the amenity of the surrounding area.

13. No burning of waste, including the use of braziers, shall take place on site.

Reason: For the avoidance of doubt.

**The Development Plan policies of relevance to this decision are:**

East Sussex and Brighton and Hove Structure Plan 1999: Policies W9 and W11.

East Sussex and Brighton and Hove Waste Local Plan Deposit Draft 2000: Policies WLP1, WLP5, WLP13, WLP14 and WLP17.

**52. QUARTERLY ENFORCEMENT MATTERS**

52.1 The Sub Committee considered a report by the Director of Transport and Environment informing members about enforcement matters and work undertaken in the period since 18 July 2001.

52.2 RESOLVED – to note the report.

**53. ST PAULS C E PRIMARY SCHOOL, HORNTYE ROAD, ST LEONARDS-ON-SEA – PROVISION OF A NEW MUSIC AND PERFORMING ARTS REHEARSAL AND PERFORMANCE CENTRE. TWO PRACTICE ROOMS AND ANCILLARY ACCOMMODATION FOR SCHOOL AND COMMUNITY USE AND ALTERATION OF EXISTING ACCESS. FORMATION OF NEW PEDESTRIAN ACCESS AND PROVISION OF PARKING FOR 18 CARS – HS/2063/CC**

53.1 The Sub-Committee considered a report by the Director of Transport and Environment including amendment to his recommendation made by him and tabled separately at this meeting. Councillor Scott informed the Sub-Committee that Councillor Birch, local member, fully supported the proposals.

53.2 RESOLVED - to grant planning permission subject to the following conditions:

1. The development hereby permitted shall be begun not later than the expiration of 5 years from the date of this permission.

Reason: To comply with S91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall not be used other than as a music and performing art rehearsal and performance centre, two practise rooms and ancillary accommodation for educational and community projects.

Reason: In the interests of the amenity of the adjoining residents.

3. No development shall take place until samples of the external bricks to be used in the development for the walls of the building and for the retaining walls, and the colour of the fascia boards have been submitted to an approved in writing by the Director of Transport and Environment. No materials other than those approved shall be used in the development.

Reason: To ensure the proper development of the site and in the interests of visual amenity.

4. All existing trees on the boundary with Amherst Road (within the red line area) and the existing hedge along the boundary separating the playing field from the school site, shown on drawing number BLA3 202 C received 14 September 2001, shall be retained and maintained. If within a period of five years from the date of this permission any tree, shrub or hedge shown on drawing number BLA3 202 C is lopped, topped, removed, uprooted, or become diseased or is seriously damaged or dies, another tree of the same species as that originally planted shall be planted in the same place unless the Director of Transport and Environment agrees in writing to any variation.

Reason : In the interests of the visual amenity of the adjoining residents.

5. No development shall commence on the site until a 1.2m high chestnut paling fence has been erected at the limit of the crown spread of trees along the boundary with Amherst Road throughout the length of the playground area. This shall be retained and maintained in good condition until the construction works have been completed on the site. No excavated soils, spoil, construction or other materials shall be placed between this fence and the trunk of any of the trees.

Reason: To protect the trees during construction in the interests of the visual amenity of the adjoining residents.

6. The development hereby permitted shall not be occupied until the access, but not the ramped access, and car parking area including all hard landscaping, retaining walls and footways have been constructed in accordance with Drawing no BLA 202C received 14 September 2001 and with the details specified in conditions 7 and 8 of this permission. Before occupation of the development, the ramped access shall be surfaced with a tarmac finish in accordance with a specification which has first been submitted to and approved in writing by the Director of Transport and Environment.

Reason : In the interests of road safety and of the amenity of the area.

7. The gradient of the proposed vehicular access shall be no greater than 1 in 20 for the first 10 metres from the gates into the site.

Reason : To reduce the risk of over run onto the public highway

8. The entrance gates shall only open inwards onto the site.

Reason : In the interests of roads safety.

9. While construction work is being carried out no mud or debris should be carried onto the highway.

Reason: In the interests of road safety

10. The modified vehicular access from Amherst Road shall not be used until the school zone traffic calming scheme has been completed.

Reason: In the interests of highway and pedestrian safety.

11. The development shall not be used until a pedestrian barrier has been erected on the footway adjacent to the new pedestrian access onto Amherst Road in accordance with details agreed in writing by the Director of Transport and Environment.

Reason: In the interests of road safety.

12. No development shall take place until a scheme for the disposal of surface water, which ensures all surface water from roofs shall be piped direct to an approved surface water system using sealed down pipes, has been submitted to and approved in writing by the Director of Transport and Environment and no building shall be occupied until such works have been carried out in accordance with approved details.

Reason: To ensure satisfactory drainage of the site and to prevent an increased risk of flooding.

13. No Construction work nor any associated activity shall be carried out other than between 08.00 and 18.00 Monday to Friday and not at any time on Saturdays, Sundays and Bank and Public Holidays

Reason : In the interest of the amenities of adjoining residents.

14. If archaeological remains are found while construction or other works associated with the development are being carried out, the developer shall immediately notify the Director of Transport and the Environment in writing and shall allow an archaeologist nominated by the County Planning Authority access to the site at all reasonable times allowing him to observe the excavations and record items of interest and any finds.

Reason: in order to provide a reasonable opportunity to record the history of the site.

15. The development hereby approved shall not be used other than between the hours of 08.00 and 22.00 hours.

Reason: In the interests of the amenity of adjoining residents.

16. No construction traffic will enter or leave the site from Horntye Road

Reason: In the interests of road safety and the amenity of adjoining residents.

17. The vehicular access from Amherst Road and car park as shown on drawing number BL3 200D dated 14 September and the existing school car park with access off Horntye Road shall be open for use at anytime when the development hereby permitted is open outside school hours unless with the prior consent of the Director of Transport and Environment.

Reason: In the interests of highway safety and of the amenity of the area.

18. If the grasscrete surface to the access road cracks or becomes uneven within a period of 5 years from the date of implementation of this permission, notice shall be given to the Director of Transport & Environment and a specification for a replacement surface submitted for his approval. A replacement surface shall be provided in accordance with a specification approved in writing by the Director of Transport and the Environment within two months of the date of the approval.

Reason: In the interests of road safety and of amenity.



The Development Plan policies of relevance to this decision are:

Policies S1,LT18, TR1, TR3 & W9(b) East Sussex and Brighton and Hove Structure Plan 1991-2011.

Policies WLP11 East Sussex and Brighton and Hove Waste Local Plan First Deposit.  
Hastings Local Plan Revised Deposit Draft - December 2000.

54. THE CAUSEWAY SCHOOL, LARKSPUR DRIVE, EASTBOURNE – TWO STOREY EXTENSION, PHASE 3 DEVELOPMENT OF THE CAUSEWAY SCHOOL. TO INCLUDE A GLAZED ATRIUM BETWEEN THE EXISTING BUILDING AND THE NEW EXTENSION, WHICH CONTINUES BETWEEN THE TWO SECTIONS. ADDITIONAL LANDSCAPE WORKS TO BE ADDED TO COMPLETE THE DEVELOPMENT. ALSO CAR PARKING AND HARD PLAY AREA – EB/2076/CC

54.1 The Sub-Committee considered a report by the Director of Transport and Environment whose recommendation included an additional condition tabled separately at the meeting. The Director of Transport and Environment advised the Sub Committee of the views of the Environment Agency, which were received after the report was written.

54.2 RESOLVED – to to grant conditional planning permission subject to the following conditions:

- (1) The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

- (2) The external materials of the extension hereby approved shall match those of the existing building.

Reason: To safeguard the visual amenity of the area.

- (3) Notwithstanding the approved plans, there shall be no development until details of the atrium and its roof have been submitted to and approved in writing by the Director of Transport & Environment. The approved atrium details shall thereafter be fully implemented.

Reason: To ensure that appropriate details are submitted and for the avoidance of doubt.

- (4) The extensions hereby approved shall not be used until the vehicle parking area hereby approved has been laid out and surfaced, unless otherwise agreed in writing by the Director of Transport and Environment.

Reason: To ensure appropriate levels of off-street parking are provided.

- (5) Construction of the development shall be undertaken in accordance with the 'Contractors Working Restrictions' details submitted with the application.

Reason: In the interests of pedestrian/highway safety and for the avoidance of doubt.

- (6) The extensions hereby approved shall not be used until the details of a landscaping scheme, including any remodeling of the bunds or additional footpaths, have been submitted to and approved in writing by the Director of Transport and Environment.

Reason: In the interests of visual amenity.

(7) All planting, seeding or turfing comprised in the approved details of landscaping which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Director of Transport and Environment gives written approval to any variation.

Reason: To ensure the maintenance of the landscaping.

8. No development shall take place on this site until the floor levels, which shall be at least 2.9 metres above Ordnance Datum, have first been approved in writing by the Director of Transport and Environment. The development shall be carried out in accordance with this approval.

Reason: To protect the development from flooding.

**The Development Plan policies of relevance to this decision are:**

East Sussex and Brighton and Hove Structure Plan 1999: Policy S1  
Eastbourne Borough Plan: Policies US6, US17, CT1

55. SEAFORD HEAD COMMUNITY COLLEGE (UPPER), ARUNDEL ROAD, SEAFORD – NEW TWO-STORE EXTENSION TO IMPROVE ACCESS FOR DISABLED PEOPLE, COMPRISING A LIFT AND ANCILLARY ACCOMMODATION AND A TWO STORE GLAZED RAMPED LINK – LW/2077/CC

55.1 The Sub-Committee considered a report by the Director of Transport and Environment. The Sub-Committee noted that Councillor Murphy, local member fully supported the proposals.

55.2 RESOLVED - to grant planning permission subject to the following conditions:

1. The development hereby permitted shall be commenced no later than 5 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The glazed eastern elevation of the extension shall comprise 6mm toughened anti-sun glass for the outer pane and 6.8mm laminated clear glass for the inner pane. The glazing film shall be coloured 'Royal Blue' as specified by Solar Gard Window Films and the render shall be coloured blue under specification NCS 3060-B. The remaining parts of the development shall be carried out in accordance with Drawing No. 372690/P/105, validated on 9 August 2001, unless the prior written approval of the Director of Transport and Environment is given for any variation.

Reason: In the interests of crime prevention and the amenity of the locality.

**The Development Plan policies of relevance to this decision are:**

East Sussex and Brighton & Hove Structure Plan 1991-2011: S1.