

REGULATORY COMMITTEE

PLANNING AND HIGHWAYS SUB-COMMITTEE

MINUTES of a meeting of the Planning and Highways Sub-Committee held at Pelham House, Lewes on 13 February 2002.

89. PRESENT - Councillor Dyason (Chairman)
Councillors Ellis, Gadd, Mrs Hopkinson, Mrs Leigh, Scott and Woodall.

90. MINUTES

90.1 RESOLVED – to approve the minutes of the previous meeting as a correct record.

91. DISCLOSURE OF INTEREST

91.1 Councillor Gadd declared an interest in Item number 7 on the agenda in relation to his membership on the Court of Sussex University. Councillor Gadd decided that this interest was not clear and substantial.

92. REPORTS

92.1 The Sub-Committee considered reports on the matters dealt with in minute numbers 93 - 101 below (copies in the minute book).

93. PLANNING GREEN PAPER "PLANNING : DELIVERING A FUNDAMENTAL CHANGE"

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

93.2 RESOLVED – to (1) agree the comments in appendix 3 to this report as providing a suitable basis for the Cabinet to form its response to the Green Paper; and

(2) inform Cabinet that the Sub Committee was of the view that in the meantime, the Council should continue to develop the East Sussex Structure Plan;

(3) inform Cabinet that the Sub Committee was concerned that there would be a loss of local control if more planning decisions were made at a regional level.

94. GOVERNMENT CONSULTATION PAPER "REFORMING PLANNING OBLIGATIONS : A CONSULTATION PAPER"

94.1 The Committee considered the report of the Director of Transport and Environment.

94.2 RESOLVED – to advise the Cabinet that its views on the Reforming Planning Obligations Consultation Paper are that:-

(a) Many of the principles of the 'Reforming Planning Obligations, a Consultation Paper' are welcomed.

(b) Planning obligations taking the form of a standardised tariff, set locally through the local plan process, would potentially result in a more transparent and equitable system for raising revenue.

(c) Should the County Council have no formal strategic role in the future planning process, there is concern about the ability of the County Council to secure appropriate contributions to necessary highway infrastructure, transport strategies, education facilities and other County Council services.

(d) The mechanism for securing appropriate contributions in relation to waste and mineral applications has not been made clear.

(2) To ask the Cabinet to take these views into account in forming the Council's response to the Government's 'Reforming Planning Obligations: A Consultation Paper' by 18 March 2002.

95. LAND NORTH OF VILLAGE WAY FALMER, BRIGHTON AND LAND SOUTH OF VILLAGE WAY, FALMER, BRIGHTON – PROPOSED COMMUNITY STADIUM WITH ACCOMMODATION FOR CLASS B1 BUSINESS, EDUCATIONAL, CONFERENCE, CLUB SHOP MERCHANDISE, ENTERTAINMENT AND FOOD AND DRINK USES, TOGETHER WITH ASSOCIATED LANDSCAPING AND TRANSPORTATION FACILITIES INCLUDING ROAD WORKS, PEDESTRIAN AND CYCLE LINKS, COACH/BUS PARK AND SET DOWN AREA, SHARED USE OF EXISTING CAR PARK SPACE AT THE UNIVERSITY OF SUSSEX AND SHARED USE OF LAND FOR RECREATION AND PARKING AT FALMER HIGH SCHOOL – BH/2001/2418/FP AND BH/2001/2419/FP – CONSULTATION BY BRIGHTON & HOVE CITY COUNCIL

95.1 The Sub Committee considered the report by Director of Transport and Environment. Councillor Neighbour, local member was in attendance and informed the Sub Committee that as a member on the Court of Sussex University he had an interest in the item. Councillor Neighbour indicated that he supported the officer recommendations. The Sub Committee welcomed the comments and unanimously agreed with the recommendations contained in the report.

95.2 RESOLVED - to inform Brighton & Hove City Council that whilst it is acknowledged that a new stadium serving the City could bring significant social and economic benefits to the local and wider community, Village Way, Falmer is an inappropriate location for a major football stadium and associated development and these applications should be refused as contrary to Structure Plan and local plan policies, for the following reasons:

(1) The applicant has failed to submit adequate evidence as part of these planning applications that:

(a) a countryside location is necessary and that no suitable alternative sites exist elsewhere, contrary to structure plan policies S10, EN5, LT14 and Planning Policy Guidance Notes (PPGs) 6 and 7; and,

(b) alternatives to design and layout and meeting the need for the development by other means have been genuinely considered, contrary to the requirements of PPG7 and Circular 2/99 (Environmental Impact Regulations);

(2) The proposed schemes represent inappropriate development within this nationally designated AONB landscape at Falmer, specifically:

(a) because of their scale and nature they would adversely affect the character and quality of the AONB landscape and Falmer Village and the adverse impact could not be effectively mitigated, contrary to structure plan policies, S1 and EN1-3;

(b) the schemes are not compatible with the purpose of the AONB designation to protect the landscape and scenic beauty, contrary to advice found in PPG17 (1991) and draft revisions (March 2001);

(c) the proposals would erode the important countryside gap separating the village of Falmer and the City of Brighton & Hove, contrary to Structure Plan policy S1(k); and

(d) no compensatory measures have been proposed to offset the loss of designated landscape contrary to structure plan policy EN2(f);

(3) Insufficient information has been provided to assess realistically the extent and severity of noise impacts on the tranquillity of the Downs and the village of Falmer, contrary to Structure Plan policies S1(b) and EN3;

(4) The proposals would hinder the implementation of the "Academic Corridor" as the Village Way North proposal would involve the loss of land allocated (subject to strict tests) for university or business uses and both proposals would compromise the implementation of the permission for business use at Woollards Field, contrary to Structure Plan policy E14 and EP7 of the adopted Brighton Borough Plan; and

(5) It is not clear that all appropriate transport services and infrastructure for access, parking and other non car means of access necessary to ensure safe access and highway safety can be put in place, contrary to structure plan policies TR1(i) and TR3 and the Transport Assessment does not include the potential traffic impacts on the Village Way/B2123 junction or those arising from other non-stadium uses.

(6) Brighton & Hove City Council should also be informed that the proposals are considered premature as they could prejudice the outcome of the forthcoming local plan inquiry into the Brighton & Hove Local Plan.

96. STEELBRIDGE FARM, DANEGATE NR ERIDGE – ALTERATIONS TO ACCESS TRACK (RETROSPECTIVE) – WD/348/CM

96.1 The Sub Committee considered the report by Director of Transport and Environment.

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

1. Within 4 weeks from the date of the grant of this permission a scheme of planting and landscaping shall be submitted to the Director of Transport and Environment. The scheme shall include the following elements:-

- a) the location and details of all existing trees and hedgerows on the land;
- b) proposals for and details of the planting of two informal groups of oak trees or other agreed native species to on either side of the farm access;
- c) details and location of fencing to be erected to protect the new planting;
- d) the consistent regrading and modelling of the existing deposits to blend in with the surrounding topography;
- e) details of the method of cultivation of the land to include details of ploughing, harrowing and seeding with grass;

- f) a scheme for the repositioning of the culvert to drain the land to the south;
- g) the details and location of stiles for crossing stock fences on the route of the public footpath.

Reason: To protect the landscape character of the AONB.

2. A planting and landscaping scheme including both the soft and hard landscaping submitted in accordance with Condition 1 and approved in writing by the Director of Transport and Environment shall be fully implemented by 30 April 2002 with the exception of the planting of trees which shall be completed by 31 March 2002.

Reason: To protect the landscape character of the AONB.

3. Any trees, shrubs or hedges on the site which within a period of five years from the completion of the development are removed uprooted or destroyed or which become seriously damaged or diseased or die shall be replaced in the next planting season with others of similar size and species.

Reason: To protect the landscape character of the AONB.

4. All non-inert waste materials and any inert materials, including bricks, blocks or concrete which exceed half brick size shall be removed from the site within 4 weeks from the date of this permission.

Reason: To ensure the proper disposal of waste materials and protect the landscape character of the AONB.

The Development Plan policies of relevance to this decision are:

East Sussex and Brighton & Hove Structure Plan, S1, S10, EN2, EN3.

East Sussex and Brighton & Hove Waste Local Plan Deposit Draft 2000, WLP24.

97. GOLDBRIDGE FARM, GOLDBRIDGE ROAD, NEWICK – RETENTION OF HIGHWAY ACCESS TO A272 – LW/342/CM

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

97.2 RESOLVED - to grant planning permission for the retention of the access subject to the following conditions:-

- 1. The vehicular access shall not be used except for the purposes of the agricultural use of the land.

Reason: For the avoidance of doubt and in the interests of the rural amenity of the area.

2. Within one month of the date of this permission a scheme for the stopping up of the vehicular accesses which are situated in the positions shown marked A and B on the attached plan LW/342/CM/A and the reinstatement of the kerb and/or verge shall be submitted to the Director of Transport and Environment. A scheme approved in writing by the Director of Transport and Environment shall be fully implemented within 3 months of approval and the accesses shall remain closed thereafter.

Reason: In the interests of highway safety.

3. The area shown hatched green on the plan LW/342/CM/B shall be cleared of vegetation and shall be kept clear of it at all times. No object or structure shall be placed or constructed on the area.

Reason: To ensure visibility at the junction with the road in the interests of highway safety.

The Development Plan policies of relevance to this decision are:

East Sussex and Brighton & Hove Structure Plan 1991-2011, S1 TR3, TR24

98. LINDFIELD SCHOOL, LINDFIELD ROAD, EASTBOURNE – ALTERATIONS TO AND ENLARGEMENT OF EXISTING SCHOOL CONSISTING OF EXTRA NEW CLASSROOMS AND SUPPORT FACILITIES FOR INCREASED SCHOOL POPULATION. USE OF CONTROLLED AREAS OF OUT OF SCHOOL HOURS COMMUNITY ACTIVITY – EB/2096/CC

98.1 The Sub Committee considered the report by the Director of Transport and Environment.

98.2 RESOLVED - to grant planning permission in accordance with the application as amended by letter dated 28 January 2002 and subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of a period of five years from the date of this consent.

Reason: To comply with Section 91 of the Town & Country Planning Act 1990.
Use Restriction

2. No part of the development hereby permitted shall be used by members of the public other than in relation to the use as an educational premises for special needs school children.

Reason: To protect the amenity of adjoining residents.

3. There shall be no use of the building hereby permitted after 22.00 Monday-Fridays and at no time on Saturdays, Sundays, Public and Bank Holidays unless with the prior written agreement of the Director of Transport and Environment.

Reason: To protect the amenities of adjoining residents.

Details/Samples of materials

4. No development shall take place until details and samples of the materials to be used in the construction of the external surfaces (walls and roofs) of the extensions and alterations hereby permitted have been submitted to and approved in writing by the Director of Transport and Environment. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity.

Construction Activities

5. No construction activities including the fitting out of the building shall take place other than between the hours of 8.00 and 18.00 Mondays to Fridays and at no time on Saturdays, Sundays, Public or Bank Holidays.

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

6. No construction traffic or any associated vehicles shall enter or leave the site other than between the hours of 9.00-12.30, 13.30-15.00, 16.00-17.00 Mondays to Fridays during term time and between 8.00-18.00 Mondays-Fridays during school holidays. No construction vehicles shall enter or leave the site on Saturdays, Sundays or Public Holidays.

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

7. From the commencement of works on site to the completion of the approved development no construction traffic or associated vehicles shall park within the site other than in the Construction Compound site areas as shown on drawing number 3947/WD 3C received 3 December 2001.

Reason: in the interests of safety of the users of the school.

Wheel Washing

8. No development shall take place until wheel washing facilities have been installed on the site in accordance with details submitted to and approved in writing by the Director of Transport and Environment. The facilities shall be maintained in working order at all times and shall be used by any vehicle carrying mud, dust or other debris on its wheels before leaving the site. No vehicle shall leave the site carrying mud, dust or debris.

Reason: In the interests of road safety.

Access and Provision of Turning Space/Parking/Visibility

9. The vehicular and pedestrian accesses and parking and turning areas shall be constructed in accordance with drawing number 3947/WD7(B) received 3 December 2001. The development shall not be brought into use until this means of vehicular and pedestrian access has been constructed in accordance with these approved plans. These areas shall thereafter be maintained in a suitable condition for these specified uses and shall not be used for any other purpose.

Reason: In the interests of Road Safety.

10. No development shall take place until details of the materials to be used to surface the footways, pedestrian crossover and paved areas have been submitted to and approved in writing by the Director of Transport and Environment. These works shall be constructed in accordance with the approved details.

Reason: In the interests of pedestrian safety.

Landscaping scheme

11. No development shall take place until there has been submitted to and approved in writing by the Director of Transport and Environment a scheme of landscaping, which shall include:-

- a) the location and details of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection while development is being carried out.
- b) details of any trees to be removed.
- c) details of any proposed trees, shrubs, hedges or other planting indicating the position of trunks or stems, the spread (shown to scale) and the species;

Reason: In the interests of visual amenity.

12. All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development. Any hedgerow planted in accordance with this condition shall thereafter be retained; any trees or plants which within a period of 5 years from the completion of the planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Director of Transport and the Environment gives prior written consent to any variation.

Reason: In the interests of visual amenity.

Surface Water Provision

13. Prior to being discharged into any watercourse, surface water sewer or soak-away system, all surface water drainage from parking areas and hard-standings shall be passed through trapped gullies to BS 5911:1982 with an overall capacity compatible with site drainage.

Reason: To prevent water pollution.

14. No development shall take place until details of surface water drainage works have been submitted to and approved in writing by the Director of Transport and Environment and these shall include the provision of sealed down pipes from all roofs. No part of the development shall be occupied until the works have been carried out in accordance with the approved details.

Reason: To ensure satisfactory drainage of the site and to prevent water pollution.

Contamination

15. No development shall take place until it has been demonstrated to the written satisfaction of the Director of Transport and Environment that either landfill gas is not present on the land being developed or that the development will proceed in such a way as to minimize the possibility of landfill gas entering any enclosed structures on the site and his written confirmation has been given.

Reason: to prevent pollution of the water environment.

16. No development shall take place until a specification for the new lighting bollards indicated on Drawing 3947/WD(B) has been submitted to and approved in writing by the Director of Transport and Environment. Prior to completion of the development hereby permitted these shall be erected in the positions shown and in accordance with the approved specification.

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

INFORMATIVE

Care should be taken during site works to ensure that all fuels, lubrication oils and any other potentially contaminating materials should be stored so as to prevent accidental/ unauthorised discharge to ground.

The Development Plan policies of relevance to this decision are:

East Sussex and Brighton and Hove Structure Plan 1991-2011 POLICY S1, W10.

Eastbourne Local Plan 1988 Policies ER1, CT1, US6.

East Sussex and Brighton and Hove Waste Local plan First deposit Nov 2000 Policy W11.

99. ST PETER'S C E SCHOOL, EAST GRINSTEAD ROAD, NORTH CHAILEY –
CONSTRUCTION OF SCHOOL HALL AND KITCHEN, INCORPORATING NEW
ENTRANCE FOYER LINK WITH EXISTING BUILDING – LW/2091/CC

99.1 The Sub Committee considered the report by the Director of Transport and Environment.

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

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

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

2. The development hereby approved shall be carried in accordance with the details of the following plans and elevations with the exception of any minor alterations first agreed in writing by the Director of Transport and Environment:

- i) 373104/A/100 Revision A - received on 11/12/01
- ii) 373104/A/101 - received on 06/11/01
- iii) 373104/A/102 Revision B - received on 14/01/02
- iv) 373104/A/104 Revision B - received on 14/01/02
- v) 373104/A/105 Revision B - received on 14/01/02
- vi) 373104/A/106 - received on 11/12/01
- vii) 373104/A/110 Revision A - received on 11/12/01
- viii) 373104/A/111 Revision A - received on 11/12/01
- ix) 373104/A/112 -received 06/11/01

Reason: For the avoidance of doubt.

3. No motor vehicles shall enter or be present on the site between the time starting 20 minutes before the start of the school day and lasting until 20 minutes after the end of the school day.

Reason: In the interests of pedestrian safety.

4. No development shall take place until samples of the materials to be used on the external surfaces of the building/ extension hereby permitted have been submitted to and approved in writing by the Director of Transport and Environment. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to this development in a conservation area.

5. No development shall take place until there has been submitted to and approved in writing by the Director of Transport and Environment a scheme of landscaping, which shall include the location and details of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection while development is being carried out and shall include the following matters:-

a) Implementation programme

Soft Landscaping

- b) Trees, shrubs, hedges or other planting indicating the position of trunks or stems, the spread (shown to scale) and the species;
- c) Written specifications (including cultivation and other operations associates with plant and grass establishment)
- d) Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate.

Hard Landscaping

- e) footways, steps, slopes, grassed and paved areas;
- f) earthworks, embankments, walls and bunds;
- g) watercourses.

Reason: To ensure a satisfactory appearance to this development in a conservation area.

6. All planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 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 similar size and species, unless the Director of Transport and Environment gives prior written consent to any variation.

Reason: To ensure a satisfactory appearance to this development in a conservation area.

7. All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out before the occupation of the building (with the exception of planting seeding and turfing which shall be carried out in accordance with condition 6 above) unless the prior agreement in writing of the Director of Transport and Environment is obtained to any longer period.

Reason: To ensure a satisfactory appearance to this development in a conservation area.

8. No development shall take place until there has been submitted to and approved in writing by the Director of Transport and Environment a scheme of minimization, re-use and recycling of waste material generated during the construction of the development hereby approved. This should include details of:-

- a) The proposed re-use, recycling or disposal of waste generated during the construction phase of the development;
- b) Any facilities to be provided to sort waste produced during construction to minimise the amount removed for final disposal.

Reason: In the interests of encouraging a sustainable approach to construction waste and to comply with Structure Plan Policy W10 and policy WLP11 of the First Deposit Waste Local Plan (November 2000).

The Development Plan policies of relevance to this decision are:

East Sussex Brighton and Hove Structure Plan 1991-2011, (1999): EN1 The Environment and S9 Villages.

Lewes District Local Plan Deposit Draft November 1996: ST1 Design, Form and Setting of Development, ST4 Access for people with Limited Mobility, ST13 Trees and Landscaping, H7 and H9 Development within Conservation Areas and T7 Road Safety.

100. HEATHFIELD SCHOOL AND COMMUNITY COLLEGE, CADE STREET, NR HEATHFIELD - CONSTRUCTION OF TWO STOREY BUILDING PROVIDING SIX CLASSROOMS AND TWO OFFICES AND THE CONSTRUCTION OF A SINGLE STORE BUILDING PROVIDING A TECHNOLOGY ROOM – WD/2095/CC

100.1 The Sub Committee considered the report by the Director of Transport and Environment. Councillor Simmons, local member was in attendance and supported the recommendation.

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

1. The Development hereby permitted shall be begun before the expiration of five years from the date of this permission.

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

2. The development hereby approved shall be carried out in strict accordance with the details of the following plans and elevations with the exception of any minor alterations first agreed in writing by the Director of Transport and Environment:

- i) 373580 -A - P00
- ii) 373580 -A - P03
- iii) 373580 -A - P04
- iv) 373580 -A - P05
- v) 373580 -A - P06
- vi) 373580 -A - P07

Reason: For the avoidance of doubt

3. No development shall take place until samples of all materials to be used in the construction of the external surfaces of the building/extension hereby permitted have been submitted to and approved in writing by the Director of Transport and Environment. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to this development in a conservation area.

4. No development shall take place until details of the location and method of construction of the proposed temporary access road have been submitted to and approved in writing by Director of Transport and Environment. This temporary access shall be constructed in accordance with the approved details before the development is commenced and retained until its completion.

Reason: To ensure the temporary access is constructed to the satisfaction of the County Highways Authority and that the route of the temporary access is acceptable.

5. No development shall take place until details of wheel washing facilities for vehicles leaving the site have been submitted to and approved in writing by Director of Transport and Environment. These facilities shall be provided before the commencement of development and maintained in working order at all times and shall be used by any vehicle carrying mud, dust or other debris on its wheels before leaving the site. no vehicle shall leave the site carrying mud, dust or debris on its wheels.

Reason: In the interests of highway safety.

6. There shall be no entry or exit of construction traffic to or from the temporary access road during the hours between 8am and 9am or 3pm to 4pm Monday to Friday during term time (excluding bank holidays).

Reason: In the interests of minimising danger to pedestrians during peak times.

7. The areas of the site to be used for the contractor's compound and the temporary access road shall be reinstated to their former condition as a paved or grassed area as appropriate to the written satisfaction of the Director of Transport and Environment within 3 months of the completion of the development hereby approved. All turfing or seeding shall be carried out within the first planting season following the completion of the development.

Reason: To ensure reinstatement of the school playing field and hard play areas following the completion of development.

8. No development shall take place until there has been submitted to and approved in writing by the Director of Transport and Environment a scheme for the protection of trees on the site, which shall include the location and details of all existing trees which may be affected by the proposed development (including the construction of the temporary access road), and details of any to be removed, together with measures for their protection while development is being carried out. Development shall be carried out in strict accordance with the approved scheme and all trees are to be retained unless they have been identified for removal as part of the approved scheme.

Reason: To ensure adequate protection of trees on the site.

9. No development shall take place until there has been submitted to and approved in writing by the Director of Transport and Environment a scheme of minimization, re-use and recycling of waste material generated during the construction of the development hereby approved. This should include details of

- a) The proposed re-use, recycling or disposal of waste generated during the construction phase of the development;
- b) Any facilities to be provided to sort waste produced during construction to minimise the amount removed for final disposal.

Reason: In the interests of encouraging a sustainable approach to construction waste and to comply with Structure Plan Policy W10 and policy WLP11 of the First Deposit Waste Local Plan (November 2000).

The Development Plan policies of relevance to this decision are:

EN3 - Areas of Outstanding Natural Beauty and S10(A) The Countryside – East Sussex and Brighton and Hove Structure Plan 1991 - 2011

Wealden Local Plan 1998.

GD2 - General Development Principles and EN6 - Development within the High Weald AONB.

101. CLAIMED PUBLIC FOOTPATH BETWEEN HAILSHAM ROAD AND ALEXANDRA ROAD, HEATHFIELD

101.1 The Sub-Committee considered the joint report by Director of Legal and Community Services and Director of Transport and Environment. The Sub Committee was reminded that this application had been deferred from a previous meeting in order to take into account further representations and evidence.

101.2 Councillor Simmons, local member was in attendance and expressed some concerns about the application and indicated he did not support the recommendation.

101.3 RESOLVED – to authorise the making of an Order to add a public footpath to the Definitive Map from Hailsham Road to Alexandra Road as shown between points A – D on the report plan.