

REGULATORY COMMITTEE

PLANNING COMMITTEE

MINUTES of a meeting of the Planning Committee held at County Hall, Lewes, on 5 August 2009.

PRESENT- Councillor Daniel (Chairman), Councillors Belsey, Hughes, Ost, Stogdon (Vice-Chairman) and Taylor

10. MINUTES

10.1 RESOLVED – to approve as a correct record the minutes of the previous meeting held on 1 July 2009.

11. REPORTS

11.1 Copies of the reports and documents referred to below are contained in the minute book.

12. APOLOGIES

12.1 Apologies for absence were received from Councillor St Pierre.

13. DISCLOSURE OF INTERESTS

13.1 Councillor Simmons disclosed a personal and prejudicial interest in item 5A (Heathfield Community College) in that he is a governor at Heathfield Community College. Councillor Simmons left the Council Chamber after he addressed the Committee and before the item was debated and voted upon.

13.2 Councillor Daniel disclosed a personal and prejudicial interest in the urgent item (land to the north west of Pebsham Landfill) in that he was involved in petitioning against the original application. Councillor Daniel left the Council Chamber whilst this item was discussed and voted upon.

14. URGENT ITEM

14.1 The Chairman advised the Committee that he had received notification of an urgent item concerning land to the north west of Pebsham Landfill, Freshfields, Bexhill Road, Pebsham. The reason for urgency was due to the legal agreement not being signed within the agreed timeframe and a further extension of time being required before the date of the next Planning Committee.

15. TO REMOVE EXISTING TARMAC TENNIS COURTS AND INSTALL NEW FLOODLIT MULTI-USE GAMES AREA WITH SYNTHETIC GRASS SURFACE. TO INCLUDE NEW CAR PARK AND PEDESTRIAN PATH. HEATHFIELD COMMUNITY COLLEGE, CADE STREET, HEATHFIELD – WD/2804/CC

15.1 The Committee considered a report by the Director of Transport and Environment. The Committee received a tabled additional condition which was omitted from the original published report.

15.2 Councillor Simmons spoke as a Governor of the school and as the local member. He spoke in favour of the application and requested floodlighting on the site. Councillor Simmons left the Council Chamber after he had spoken.

15.3 Mr Powell, Headteacher at Heathfield Community College spoke in support of the application on behalf of the applicant; he also requested floodlighting be included at the MUGA site.

15.4 A motion was proposed, seconded, and voted upon to include floodlighting on the MUGA site. Proposed conditions were tabled and it was agreed that they would be included, as set out in conditions 5 and 7 below.

Reason for decision

15.5 Members have considered the officer's report and tabled conditions and agree with the reasons for approval set out in paragraph 7 of the report, subject to replacement in paragraph 7.2 of 'if not floodlit' with 'with modified floodlighting'.

15.6 RESOLVED to grant planning permission subject to the following conditions:

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

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

2. The MUGA shall not be brought into use until plans and full details of both hard and soft landscaping works have been submitted to and approved in writing by the Director of Transport and Environment and these works shall be carried out as approved within an agreed timetable. These details shall include:

Hard Landscaping

- Proposed finished levels or contours
- Means of enclosure
- Car parking layouts
- Hard surfacing materials
- Minor artefacts and structures (e.g. bollard lighting etc)
- Proposals for restoration, where appropriate

Soft Landscaping

- Planting plans
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate
- Implementation programme

The landscaped areas shall be maintained thereafter in accordance with the approved management plan.

Reason: To secure appropriate landscaping at the site in the interests of the amenity of the locality and the landscape character of High Weald AONB in accordance with Policy C3 of the South East Plan 2009.

3. The MUGA shall not be brought into use until the car parking spaces shown on drawing 8479/103 hereby approved have been provided in accordance with those drawings.

Reason: In order to ensure sufficient adequate car parking spaces are provided in accordance with Policy TR16 in the Wealden Local Plan 1998.

4. The development shall be implemented in accordance with the submitted Waste Minimisation Statement, dated 21st May 2009.

Reason: To minimise the amount of construction waste to be removed from site for final disposal in accordance with Policy WLP11 of the East Sussex and Brighton & Hove Waste Local Plan 2006.

5. Notwithstanding the details of floodlighting in the application the MUGA shall not be brought into use until revised floodlighting proposals have been submitted to and approved in writing

by the Director of Transport and Environment. The revised proposals shall include measures to reduce glare to passing motorists to the minimum possible and to minimise the impact upon the surrounding High Weald Area of Outstanding Natural Beauty.

Reason: To help reduce the adverse impact of the Multi-Use Games Area and floodlights in operation on road users and on the character and appearance of the High Weald Area of Outstanding Natural Beauty in accordance with Policy C3 in the South East Plan 2009, Policy EN6 and Policy LR4 in the Wealden District Local Plan 1998.

6. Construction work shall not take place at any time other than between the hours of 0730 and 1800 on Mondays to Fridays (excluding Bank and Public Holidays) and between 0800 and 1330 on Saturdays.

Reason: To safeguard the amenities of the occupiers of properties in the vicinity of the site.

7. The Multi-Use Games Area and floodlighting shall not be used or in operation at any time other than between 0800 hours and 2200 hours on any day and not at any time on Public and Bank Holidays unless otherwise agreed by the prior written approval of the Director of Transport and Environment.

Reason: To protect amenities and help reduce the impact of the Multi-Use Games Area and floodlights in operation on the character and appearance of the surrounding area and the High Weald Area of Outstanding Natural Beauty in accordance with Policy C3 in the South East Plan 2009, Policy EN6 and Policy LR4 in the Wealden District Local Plan 1998.

16. PROPOSED 2 STOREY CLASSROOM EXTENSION AND CIRCULATION TO REAR OF EXISTING SCHOOL BUILDING PROVIDING 4 REPLACEMENT CLASSROOMS IN LIEU OF TWO MOBILE CLASSROOMS EACH CURRENTLY PROVIDING 2 CLASSROOMS. THE REMOVAL OF THE TWO MOBILE CLASSROOMS UPON COMPLETION. A GROUND FLOOR SINGLE STOREY EXTENSION TO THE EXISTING ICT SUITE TO THE FRONT OF THE SCHOOL. THE ADDITION OF A SINGLE STOREY ENTRANCE FOYER TO THE WEST. THE ADDITION OF A SECOND STOREY 'BRIDGE' LINK TO THE REAR OF THE SCHOOL LINKING THE NEW CLASSROOM EXTENSION AND THE 2ND FLOOR OF THE WESTERN TEACHING BLOCK. THE WORKS INCLUDE LANDSCAPING REVISIONS TO THE EXISTING CAR PARK, LIGHTING TO EXTERNAL WORKS AND LANDSCAPE. CRADLE HILL C P SCHOOL, LEXDEN ROAD, SEAFORD – LW/2809/CC

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

16.2 The Chairman advised the Committee that he had received notification from the local Member, Councillor Freeman, supporting the application.

Reason for decision

16.3 Members have considered the officer's report and agree with the reasons for approval set out in paragraph 7 of the report.

16.4 RESOLVED to grant planning permission subject to the following conditions:

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

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

2. Development shall not commence until samples of the materials to be used in the construction of the external surfaces of the 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 the appropriate appearance of the development in the area in accordance with Policy ST3 (b) of the Lewes District Local Plan March 2003.

3. No development shall take place until details of car parking and turning facilities within the site have been submitted to and approved in writing by the Director of Transport and Environment. The building/development shall not be occupied until the car parking and turning facilities have been provided and completed in accordance with the approved details and shall thereafter be maintained in a condition suitable for use for car parking/turning during the continuation of the use hereby permitted.

Reason: To ensure the parking facilities in relation to the authorised use of the development and in accordance with Policy ST3 (e) of the Lewes District Local Plan March 2003

4. Development shall not commence until details of wheel washing facilities have been submitted to and approved in writing by the Director of Transport and Environment. The approved details shall be implemented in full before the commencement of development and the facilities shall be maintained in working order during the construction period and shall be used by any vehicle carrying mud, dust or other debris on its wheels before leaving the site. No vehicle associated with the development shall leave the site carrying mud, dust or debris.

Reason: In the interests of highway safety and the amenity of the locality and to enable the Local Planning Authority to control and regulate the development to accord with Policy ST3 (d) of the Lewes District Local Plan March 2003.

5. Construction works shall not take place outside the hours of 8am to 6pm Mondays to Fridays and 8am to 1pm on Saturdays and at no time on Sundays, Public or Bank Holidays.

Reason: In the interests of the amenities of the locality in general and adjoining residential properties in particular and to accord with Policy ST3 (d) of the Lewes District Local Plan March 2003.

6. No development shall take place until plans and full details of both hard and soft landscaping works have been submitted to and approved in writing by the Director of Transport and Environment and these works shall be carried out as approved. These details shall include:

Hard Landscaping

- Proposed finished levels or contours
- Means of enclosure
- Car parking layout and proposed lighting to the car park
- Other vehicle and pedestrian access and circulation areas
- Hard surfacing materials
- Proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc indicating lines, manholes, supports etc.)
- Retained historic landscape features and proposals for restoration, where appropriate.

Soft Landscaping

- Planting plans including tree planting to replace existing trees on a two for one basis, native planting and habitat creation (in accordance with the submitted Ecological Report January 2009)
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate
- Implementation programme

All hard and soft landscape works shall be carried out in accordance with the approved details and in accordance with the relevant recommendations of appropriate British

Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting are removed, die or become, in the opinion of the Local Planning Authority seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and to secure appropriate landscaping at the site in the interests of the amenity of the locality and the landscape character of the surrounding environment in accordance with Policies ST3 (g) and ST11 of Lewes District Local Plan March 2003.

7. No development shall take place until details of earthworks have been submitted to and approved in writing by the Director of Transport and Environment. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of the proposed mounding to existing vegetation and surrounding landform. The development shall be carried out in accordance with the approved details.

Reason: To secure appropriate landscaping at the site in the interests of the amenity of the locality and the landscape character of the surrounding area in accordance with Policy ST11 of the Lewes District Local Plan March 2003.

8. In this condition 'retained trees' means an existing tree which is to be retained in accordance with the approved plans and particulars and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from completion of the development.
 - (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3857 Tree Work.
 - (b) If any retained tree is removed, uprooted or destroyed, becomes seriously damaged or diseased or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Director of Transport and Environment.
 - (c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and to BS 5837 before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition, nor any fires lit, and the ground levels within those areas shall not be altered, nor shall any excavation be made, or operations carried out without the prior written consent of the Director of Transport and Environment.

Reason: In the interests of visual amenity and to comply with Policy ST3 (f) of the Lewes District Local Plan March 2003.

9. No works shall commence on site including the carrying out of any works of demolition until a detailed strategy and method statement for securing and demonstrating that the amount of construction waste resulting from the development has been reduced to smallest amount possible has been submitted to and approved in writing by the Director of Transport and Environment. The statement shall include details of the extent to which waste materials arising from the demolition and construction activities will be reused on site and demonstrating that maximum use is being made of these materials. If such reuse on site is not practicable, then details shall be given of the extent to which the waste material will be disposed of for reuse, recycling, composting or other method in accordance with the best practicable environmental option. All waste materials from the demolition and construction

associated with the development shall be reused, recycled and dealt with in accordance with the approved strategy and method statement.

Reason: To minimise the amount of construction waste to be removed from site for final disposal in accordance with Policy WLP11 of the East Sussex and Brighton & Hove Waste Local Plan 2006.

10. No development or demolition shall take place until details indicating how the measures set out in the Ecology Assessment Report January 2009 will be implemented and maintained so as to provide a suitable habitat for bats and birds, have been submitted to and approved in writing by the County Planning Authority.

Reason: To safeguard the ecology of the area and to ensure that the habitat remains for bats and birds after development. In accordance with Policy ST3(g) of the Lewes Local Plan March 2003.

INFORMATIVE

1. The Applicant's attention is drawn to the provisions of The Wildlife and Countryside Act 1981 (as amended), particularly with regard to the protection of Great Crested Newts, bats and nesting birds which may be affected during construction.

17. CONSTRUCTION OF NEW TWO STOREY EXTENSION TO NORTH (REAR) OF SCHOOL COMPRISING 6 CLASSROOMS, SMALL HALL, WCS, OFFICE, PLANT ROOM, FIRE ESCAPE STAIRS AND EXTERNAL LIGHTING. INSTALLATION OF 1X NEW CANOPY OVER EXISTING MAIN ENTRANCE INCLUDING NEW EXTERNAL LIGHTING. REMODELLING/REFURBISHMENT OF SOME EXISTING INTERNAL SPACES INVOLVING NO EXTERNAL CHANGES. REMOVAL FROM SITE OF 4X EXISTING MOBILE CLASSROOM UNITS. VARIOUS HARD AND SOFT LANDSCAPING WORKS TO MAKE GOOD AND REPLACE PLAYGROUND. CHYNGTON C P SCHOOL, MILLBERG ROAD, SEAFORD – LW/2810/CC

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

- 17.2 The Chairman advised the Committee that he had received notification from the local Member, Councillor Lambert, supporting the application.

Reason for decision

- 17.3 Members have considered the officer's report and agree with the reasons for approval set out in paragraph 7 of the report.

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

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

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

2. Development shall not commence until details and samples of the materials to be used in the construction of the external surfaces of the extension and the illuminated 'sculptural canopy' to the front entrance 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 the appropriate appearance of the development in the area in accordance with Policy ST3 of the Lewes District Local Plan, March 2003.

3. Development shall not commence until details of wheel washing facilities have been submitted to and approved in writing by the Director of Transport and Environment. The approved details shall be implemented in full before the commencement of development and the facilities shall be maintained in working order during the construction period and shall be used by any vehicle carrying mud, dust or other debris on its wheels before leaving the site. No vehicle associated with the development shall leave the site carrying mud, dust or debris on its wheels.

Reason: In the interests of highway safety and the amenity of the locality and to enable the Local Planning Authority to control and regulate the development. In accordance with Policy ST3 (c) of the Lewes District Local Plan, March 2003.

4. No development shall take place until plans and full details of both hard and soft landscaping works have been submitted to and approved in writing by the Director of Transport and Environment and these works shall be carried out as approved. These details shall include:

Hard Landscaping

- Proposed finished levels or contours
- Means of enclosure
- Circulation areas
- Hard surfacing materials
- Minor artefacts and structures (e.g. play equipment, signs, lighting etc)
- Proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc indicating lines, manholes, supports etc.)
- Retained historic landscape features
- Proposals for restoration, where appropriate
- Proposed extended play area
- Proposed habitat area

Soft Landscaping

- Planting plans
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate
- Implementation programme

The landscaped areas shall be maintained thereafter in accordance with the approved management plan.

Reason: To integrate the development effectively into the surrounding environment and to comply with Policies ST3 (f) and ST11 of the Lewes District Local Plan, March 2003.

5. No development shall take place until details of earthworks have been submitted to and approved in writing by the Director of Transport and Environment. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of the proposed mounding to existing vegetation and surrounding landform. The development shall be carried out in accordance with the approved details.

Reason: To integrate the development effectively into the surrounding environment and to comply with Policy ST11 of the Lewes District Local Plan, March 2003.

6. In this condition 'retained trees' means an existing tree which is to be retained in accordance with the approved plans and particulars and paragraphs (a) and (b) below shall have effect until the expiration of five year from the completion of the development.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3857 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed, becomes seriously damaged or diseased or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Director of Transport and Environment.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and to BS 5837 before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition, nor any fires lit, and the ground levels within those areas shall not be altered, nor shall any excavation be made, or operations carried out without the prior written consent of the Director of Transport and Environment.

Reason: In the interests of visual amenity and to comply with Policy ST3 (c) and ST3 (f) of the Lewes District Local Plan, March 2003.

7. No development shall take place on the school site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, including a timetable for the investigation, which has been submitted by the applicant and approved in writing by the Director of Transport and Environment. The works shall be undertaken in accordance with the approved details, which shall be implemented in full.

Reason: In order to protect valuable archaeological remains and to comply with Policy BE6 of The South East Plan, May 2009.

8. No works shall commence on site including the carrying out of any works of demolition until a detailed strategy and method statement for securing and demonstrating that the amount of construction waste resulting from the development has been reduced to smallest amount possible has been submitted to and approved in writing by the Director of Transport and Environment. The statement shall include details of the extent to which waste materials arising from the demolition and construction activities will be reused on site and demonstrating that maximum use is being made of these materials. If such reuse on site is not practicable, then details shall be given of the extent to which the waste material will be disposed of for reuse, recycling, composting or other method in accordance with the best practicable environmental option. All waste materials from the demolition and construction associated with the development shall be reused, recycled and dealt with in accordance with the approved strategy and method statement.

Reason: To minimise the amount of construction waste to be removed from site for final disposal in accordance with Policy WLP11 of the East Sussex and Brighton & Hove Waste Local Plan 2006.

9. Construction works shall not take place outside the hours of 8am to 6pm Mondays to Fridays and 8am to 1pm on Saturdays and at no time on Sundays, Public or Bank Holidays.

Reason: In the interests of the amenities of the locality in general and adjoining residential properties in particular and to accord with Policy ST3 (d) of the Lewes District Local Plan March 2003.

10. No development or demolition shall take place until details indicating how the measures set out in the Ecology Assessment Report January 2009 will be implemented and maintained so as to provide native species with any landscaping and a suitable habitat for bats and birds, have been submitted to and approved in writing by the County Planning Authority.

Reason: To safeguard the ecology of the area and to ensure that the habitat remains for bats and birds after development. In accordance with Policy ST3(g) of the Lewes Local Plan March 2003.

INFORMATIVE

1. The Applicant's attention is drawn to the provisions of The Wildlife and Countryside Act 1981 (as amended), particularly with regard to the protection of Great Crested Newts, bats and nesting birds which may be affected during construction.

18. PROVISION OF SINGLE TEMPORARY CLASSROOM TO BE LOCATED IN EXISTING PLAYGROUND. LOCATION AS PREVIOUSLY SITED UNIT WHICH WAS REMOVED 2 YEARS AGO. DITCHLING PRIMARY SCHOOL, LEWES ROAD, DITCHLING – LW/2814/CC

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

18.2 The Chairman advised the Committee that he had received notification from the local Member, Councillor Stroude, supporting the application.

Reason for decision

18.3 Members have considered the officer's report and agree with the reasons for approval set out in paragraph 7 of the report.

18.4 RESOLVED to to grant planning permission subject to the following conditions:

1. The temporary unit hereby permitted shall be removed and the land restored to its former condition as a playground on or before 1st August 2014.

Reason: To enable the County Planning Authority to control and regulate the development and to comply with Policy ST3 of Lewes District Local Plan 2003.

19. URGENT ITEM - THE FORMATION OF A TEMPORARY SOIL STOCKPILE TO THE NORTH WEST OF THE PEBSHAM LANDFILL SITE TO ACCOMMODATE MATERIAL RESULTING FROM THE CONSTRUCTION OF THE NORTHERN QUADRANT CELL AT THE PEBSHAM LANDFILL SITE. LAND TO THE NORTH WEST OF PEBSHAM LANDFILL, FRESHFIELDS, BEXHILL ROAD, PEBSHAM.

19.1 The Vice-Chairman chaired the remainder of the meeting as Councillor Daniel withdrew from the Council Chamber due to declaring a personal and prejudicial interest.

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

19.3 Councillor Kenward, local Member spoke requesting clarification on visual impact.

19.4 RESOLVED that:

- (1) an extension of time be granted to 31 October 2009 to allow the completion of either a Section 106 agreement or an agreement under Section 111 and the Council's other enabling powers, relating to application RR/543/CM, as set out in the report to Committee in September 2008;
- (2) Following completion of the legal agreement, to authorise the Director of Transport and Environment to consider any minor amendments required to conditions as a result of the South East Plan replacing the Structure Plan and RPG9 before issuing planning permission; and
- (3) If the legal agreement is not completed, the application should be referred back to Planning Committee for determination.