

## REGULATORY COMMITTEE

### PLANNING COMMITTEE

MINUTES of a meeting of the Planning Committee held at County Hall, Lewes, on 7 October 2009.

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

#### 29. MINUTES

29.1 RESOLVED – to approve as a correct record the minutes of the previous meeting held on 9 September 2009.

#### 30. REPORTS

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

#### 31. DISCLOSURE OF INTERESTS

31.1 Councillor Daniel disclosed a personal and prejudicial interest in item 5C (Bulverhythe Depot - HS/607/CM) in that he was a Member of Hastings Borough Council. Councillor Daniel left the Council Chamber whilst the item was discussed and voted upon.

31.2 Councillor Hughes disclosed a personal interest in item 7 (29-30 High Street Rye – RR/2847/CC) in that she was a Member of Rother District Council.

31.3 Councillor Taylor left the Council Chamber whilst item 7A was discussed and voted upon as he felt he had pre-determined his position by having previously expressed a view on the application.

#### 32. CHANGE OF USE OF LAND FOR VERMICULTURE ENTERPRISE, TOGETHER WITH THE INSTALLATION AND RETENTION OF A MOBILE HOME FOR THREE YEARS. LAND ADJOINING MEADOWVIEW, CHALVINGTON – WD/596/CM

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

32.2 A note from the applicant's agent; an additional plan showing the location of a neighboring farm; and a photograph showing an example of a mobile home were circulated to Committee members.

32.3 Mr Bishop spoke on behalf of Ripe and Chalvington Parish Council and against the application.

32.4 Councillor Bennett, local Member spoke endorsing the officer's recommendations in the report. He felt that the application failed on grounds of necessity, pollution controls and was in breach of planning regulations. He advised there was strong public feeling that the proposed enterprise and mobile home were not needed in the local area.

32.5 RESOLVED to refuse planning permission for the following reasons:

- 1 The applicant has not provided any detailed evidence to illustrate that it is necessary for someone to be readily available on site at most times, day and night, or that matters of site security and potential predators could not be dealt with by alternative means. Therefore, a functional need for a mobile home has not been demonstrated. Furthermore, it has not been demonstrated that an exclusive countryside location is necessary for the proposed

enterprise. Consequently, the proposal conflicts with Policies DC2 and DC22 of the Wealden Local Plan 1998, and Policies DC2 and DC21 of the Non-Statutory Wealden Local Plan 2005.

2. The applicant has not demonstrated how potential odours, vermin and ground and water pollution from the vermiculture process and associated wastes would be controlled. Therefore the proposal is unacceptable in terms of its potential effect on residential amenity, and conflicts with Policy WLP35 (b and c) of the East Sussex and Brighton & Hove Waste Local Plan 2006, Policy EN27 (2) of the Wealden Local Plan 1998 and Policies BE1 (7) and NE4 of the Non-Statutory Wealden Local Plan 2005.
3. The proposed mobile home and hard-standing would have an adverse effect on the landscape of the Low Weald. This conflicts with Policy WLP35 (a) of the East Sussex and Brighton & Hove Waste Local Plan 2006, Policies EN27 (1) and EN8 of the Wealden Local Plan 1998, Policies BE1 (1, 3) and NE7 of the Non-Statutory Wealden Local Plan 2005, and Policy C4 of the South East Plan 2009.
33. CONSTRUCTION OF AN ELECTRICITY SUB-STATION WITHIN THE PERMITTED WASTE WATER TREATMENT COMPOUND AT RUSHLAKE GREEN. LAND ADJACENT TO CLIPPENHAM STREAM, STREAM COTTAGES AND STREAM FARM, RUSHLAKE GREEN – WD/610/CM

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

Reason for decision

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

33.3 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. No vehicles associated with the construction of the development shall enter the site other than between the hours of 0700 and 1800 on Mondays to Fridays inclusive and 0900 and 1300 on Saturdays and not at any time on Sundays, Bank and Public Holidays unless otherwise agreed in writing by the Director of Transport and Environment.

Reason: To safeguard the amenities of the occupiers of properties in the vicinity of the site and to comply with Policy WLP35 (b) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

3. No machinery shall be operated and no construction process shall be carried out other than between the hours of 0730 and 1800 on Mondays to Fridays inclusive and 0900 and 1300 on Saturdays and not at any time on Sundays, Bank and Public Holidays unless otherwise agreed in writing by the Director of Transport and Environment.

Reason: To safeguard the amenities of the occupiers of properties in the vicinity of the site and to comply with Policy WLP35 (b) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

4. The external surfaces of the building hereby permitted shall be coloured dark green unless otherwise approved in writing with the Director of Transport and Environment.

Reason: To match the colour of the proposed adjacent building in the interests of visual amenity and to minimise the visual impact of the development within the High Weald Area of

Outstanding Natural Beauty, in accordance with Policy WLP39 (b) of the East Sussex and Brighton & Hove Waste Local Plan 2006 and Policy C3 of the South East Plan 2009.

5. The development hereby permitted shall only be carried out if the Rushlake Green Wastewater Treatment Works is constructed in accordance with drawing no. 5051211/WA/037 Rev D (Planning Application Wastewater Treatment Works Site Plan), which was approved by the County Council on 31 July 2009, pursuant to planning permission reference WD/545/CM, unless the Director of Transport and Environment gives written approval to a variation.

Reason: For the avoidance of doubt and in the interests of visual amenity and to minimise the visual impact of the development within the High Weald Area of Outstanding Natural Beauty, in accordance with Policy WLP39 (b) of the East Sussex and Brighton & Hove Waste Local Plan 2006 and Policy C3 of the South East Plan 2009.

34. VARIATION OF CONDITION 1 (TIME LIMIT) OF PLANNING PERMISSION HS/544/CM TO ALLOW THE PERMANENT USE OF BUILDING 13/14 AS A WASTE TRANSFER STATION FACILITY. BULVERHYTHE DEPOT, BULVERHYTHE ROAD, ST LEONARDS ON SEA – HS/607/CM

34.1 Councillor Daniel left the Council Chamber whilst this item was discussed and voted upon.

34.2 The Committee considered a report by the Director of Transport and Environment. The Committee was advised that there was a typographical error in paragraph 6.11 (line 11), it should refer to paragraph 6.9.

Reason for decision

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

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

1. No storage container, skip, sorted or unsorted waste material or residue of recycled materials or any other items shall be stored outside the building.

Reason: In the interests of the amenity of the locality, in accordance with Policy WLP35 of the East Sussex and Brighton & Hove Waste Local Plan 2006.

2. The opening of any bagged materials and/or the sorting of materials shall not take place anywhere on the site except within Building 13/14 at the Bulverhythe Depot as outlined on the approved site plan.

Reason: To safeguard the amenity of the locality, in accordance with Policy WLP35 of the East Sussex and Brighton & Hove Waste Local Plan 2006.

#### INFORMATIVES

1. To request the applicant to use the junction of the A259 Bexhill Road with Bulverhythe Road a short distance to the north-west of the depot access in order to enter and leave the depot and not the junction of the above named roads located further to the east.
2. The applicant should seek to manage vehicles entering and leaving the site in such a way as to avoid the need for any vehicle to stop and wait outside any property along Bulverhythe Road, Cliftonville Road or Bridge Way.

35. DEVELOPMENT CONTROL MATTERS AND SITE MONITORING

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

35.2 The Committee was advised that the report was published prior to the end of the quarter and that there were now revised figures to be included:

- a further four new enforcement complaints had been received
- 16 new cases had now been resolved
- 9 old cases had now been resolved
- 26 outstanding cases were now remaining.

35.3 RESOLVED to (1) note the report; and

(2) congratulate staff on the excellent performance results.

36. CHANGE OF USE FROM RETAIL AND ANCILLARY ACCOMMODATION (CLASS A1) TO LIBRARY USE (CLASS D1 XV1). 29-30 HIGH STREET RYE – RR/2847/CC

36.1 Councillor Taylor left the Council Chamber whilst the item was discussed and voted upon.

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

36.3 The Committee was advised that since the report was published, Rother District Council had confirmed it raised no objection to the proposed change of use of the premises to a library. A revised recommendation was tabled to reflect this.

36.4 The Chairman advised the Committee that the local Member, Councillor Glazier had confirmed his support for the application.

Reason for decision

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

36.6 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. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification) the land shall be used only as library and for no purpose including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification other than that expressly authorised by this permission.

Reason: To enable the Local Planning Authority to control the future use of the site in order to protect the character of the area in accordance with Policy EM13 of the Rother District Local Plan 2005.

37. HORAM PARKING REVIEW

37.1 The Committee considered a report by the Director of Transport and Environment. An additional map showing the location of Manor Pharmacy was tabled.

37.2 The Chairman confirmed that he had circulated comments received from the local Member, Councillor Dowling, who supported the recommendations in the report.

Reason for decision

37.3 The original request to introduce a means of deterring all day parking by the Traders Association had the support of the Parish Council, the local District Councillors and the Local Member. These aims have been achieved whilst maintaining some unrestricted parking for long term use, which will address the concerns voiced by those that live and work in Horam.

37.4 In a busy rural village there are many competing demands for parking. It is not possible to provide adequate parking facilities for everyone within the limited available road space. These proposals do attempt to strike a balance between these conflicting demands as best as possible.

37.5 RESOLVED not to uphold the objections to the proposed Order and to recommend that the Order be made as proposed and inform the objectors accordingly.

38. LOCAL PARKING SCHEME HIGH STREET, CROSS-IN-HAND: OBJECTIONS TO THE EAST SUSSEX (B2102 HIGH STREET, CROSS-IN-HAND) ORDER 2009.

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

38.2 The Committee was advised that since publication of the report, a further letter of objection had been received.

38.3 Mr Clark (who spoke on behalf of Mr Barden) and Mr Parsons spoke objecting to the proposed traffic regulation order being promoted in association with the local parking proposals for the High Street, Cross-in-Hand.

Reason for decision

38.4 The County Council has consulted widely on the scheme, consideration has been given to the objections that have been made to the draft Traffic Orders and every effort has been made to resolve these. The Parish Council and Local Member have further been consulted following the receipt of these objections and have restated their wish for the proposals to be introduced as advertised.

38.5 RESOLVED not to uphold the objection to the proposed order and recommend that the order be made as proposed and inform the objectors accordingly.