

## REGULATORY COMMITTEE

### PLANNING COMMITTEE

MINUTES of a meeting of the Planning Committee held at County Hall, Lewes, on 9 September 2009.

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

#### 20. MINUTES

20.1 RESOLVED – to approve as a correct record the minutes of the previous meeting held on 5 August 2009.

#### 21. REPORTS

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

#### 22. APOLOGIES

22.1 Apologies for absence were received from Councillor Ost and Councillor St Pierre.

#### 23. CHANGE OF USE OF LAND TO FORM EXTENSION TO METAL RECYCLING FACILITY TOGETHER WITH ALTERATIONS TO THE EXISTING SITE LAYOUT. LAND TO THE WEST OF H RIPLEY & CO, APEX WAY, DIPLOCKS INDUSTRIAL ESTATE, HAILSHAM – WD/583/CM

23.1 The Committee was advised that the Applicant had withdrawn this application.

#### 24. VARIATION OF CONDITION 4 OF PLANNING PERMISSION LW/581/CM TO ALLOW STORAGE OF EMPTY SKIPS OUTSIDE THE BUILDING. UNIT 3 CRADLE HILL INDUSTRIAL ESTATE, SEAFORD – LW/602/CM

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

24.2 The Chairman advised the Committee that he had received notification from Councillor Freeman, local Member advising he had met with the neighbouring Funeral Directors who opposed the application due to increased noise generated.

Reason for decision

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

24.4 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. The use hereby permitted shall not be carried on other than between the hours of 0730 and 1800 on Monday to Friday inclusive and the hours of 0800 to 1600 on Saturdays, and at no time on Sundays, Public and Bank Holidays except for works of essential maintenance or which are to respond to an emergency. No later than one week after the

carrying out of such works full details of the time, date, reason for and nature of the works shall be given in writing to 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 powered machinery or plant shall be installed or operated at the site, other than one mini-digger for waste sorting activities, without the prior approval in writing of the Director of Transport and Environment.

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

4. No storage container, skip, sorted or unsorted waste material or residue of recycled materials or any other items shall be stored outside the building, other than empty skips stored within areas A and B, north of the building, identified on the approved drawing, which was stamped as received by the County Council on 24th July 2009.

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

5. Notwithstanding the requirements of condition 4, the storage of skips shall not take place within Area B (identified on the approved drawing, stamped as received by the County Council on 24th July 2009), unless and until full details of ground-works to level this area have been submitted to and approved in writing by the Director of Transport and Environment, and those details have been implemented in full. The details shall include a scaled plan and sections drawing.

Reason: To ensure that the works to level the ground are undertaken appropriately and that surrounding land is not adversely affected, and to accord with Policy WLP35 of the East Sussex and Brighton & Hove Waste Local Plan 2006.

6. There shall be no sorting, treatment, loading or unloading of waste, recyclable materials or any other materials other than within the building.

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

7. The operational noise levels emitted from the site, measured as LAeq 1hour (freefield) at the northern or western boundaries of the garden of 17 Kammond Avenue and in accordance with British Standard 4142:1997, shall be at least 5dB below the background LA90 value.

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

8. The area of land to the south of the building, labelled 'lorry parking' on the approved site plan (dated December 2008, and originally approved under planning permission LW/581/CM), shall not be used for any purpose associated with the use hereby permitted other than pedestrian access to and from the building, unless otherwise agreed in writing by the Director of Transport and Environment.

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

## INFORMATIVES

1. The applicant is informed that any revisions to the planning permission must also comply with the requirements of any consents or permits issued by the Environment Agency, and is advised to contact the Environment Agency on telephone number 08708 502 858 for further information.
2. The applicant is advised that activities carried out at this site in the past may have caused contamination of soils, subsoils and groundwater. If, during the carrying out of the development, contamination not previously identified is found to be present at the site, the applicant is advised to contact the Environment Agency.
25. REVIEW OF MINERAL PLANNING PERMISSION FOR EXTRACTION OF SAND AND GRAVEL AND RESTORATION TO AGRICULTURE AND AMENITY AFTER USES. SCOTNEY COURT QUARRY, JURY'S GAP, CAMBER – RR/89/2294(CM)

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

### Reason for decision

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

25.3 RESOLVED to grant a postponement of the review of minerals permission RR/89/2294(CM) on the following basis:

1. The review of minerals permission RR/89/2294(CM) relating to East Sussex Area 10 of Lydd Quarry is postponed until 5 November 2011 or not later than 6 months before the applicant intends to extract minerals from Area 10, whichever is the sooner.

## 26. VARIATION OF ENFORCEMENT NOTICE – TELSCOMBE TYE

26.1 The Committee considered a report by the Director of Transport and Environment and Director of Law and Personnel.

26.2 The Committee was advised that Telscombe Town Council raised no objections to the proposal.

26.3 The Chairman advised the Committee that he had received email correspondence from Councillor Livings and Councillor Howson, local Members, confirming support for the application.

26.4 John Carden, Simon Doyle, and Frances Thetford spoke against the recommendation and in favour of retaining all of the bunding at Telscombe Tye.

26.5 RESOLVED, for the reasons set out in the report, to delegate authority to the Director of Transport and Environment, in consultation with the Director of Law and Personnel, to vary the Enforcement Notice to allow for the retention of some of the unauthorised bunding.

## 27. A NEW CHILDREN'S CENTRE AND NURSERY LOCATED TO THE WEST OF THE EXISTING SCHOOL BUILDING. TICEHURST C OF E PRIMARY SCHOOL, STEELLANDS RISE, TICEHURST – RR/2816/CC

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

### Reason for decision

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

27.3 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. Development shall not be occupied until details of the materials to be used in the construction of the external surfaces of the building 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 GD1 of the Rother District Local Plan 2006.

3. Development shall not be occupied 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
- Other vehicle and pedestrian access and circulation areas
- Hard surfacing materials
- Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc)

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 and to enhance the surrounding environment and to comply with Policy GD1 of the Rother District Local Plan 2006.

4. The development shall not be occupied until cycle parking facilities have been provided in accordance with the approved plans. These shall thereafter be retained for that use and shall not be used other than for the parking of cycles.

Reason: In order that the development site is accessible by non car modes and to meet the objectives of sustainable development in accordance with Policy TR3 of the Rother District Local Plan 2006.

5. 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 and Hove Waste Local Plan 2006.

6. The Children's Centre and/or nursery shall not be open at any time other than between the hours of 0800 and 1800 on Mondays to Fridays and not at any time on Saturdays, Sundays, Bank and Public Holidays.

Reason: To safeguard the amenities of the occupiers of properties in the vicinity of the site and to comply with Policy GD1 of the Rother District Local Plan 2006.

28. A NEW CHILDREN'S CENTRE LOCATED TO THE SOUTH-WESTERN BOUNDARY OF THE SCHOOL SITE. CHAILEY COMPREHENSIVE SCHOOL, MILL LANE, SOUTH CHAILEY – LW/2828/CC

28.1 The Committee considered a report by the Director of Transport and Environment. A tabled revision to condition 2 was tabled at the meeting.

28.2 The Chairman advised the Committee that he had received notification from Councillor Stroude, local Member confirming her support for the application.

Reason for decision

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

28.4 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 be occupied until details of materials to be used in the construction of the external surfaces of the building hereby permitted (including obscure glazing to the windows on the south-west elevation) 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 2003.

3. Development shall not be occupied 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 layouts
- Other vehicle and pedestrian access and circulation areas
- Hard surfacing materials
- Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc)

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 and to enhance the surrounding environment and to comply with Policy ST3 Lewes District Local Plan 2003.

4. No artificial external lighting shall be installed in relation to the Children's Centre proposal other than in accordance with details submitted to and approved in writing by the Director of Transport and Environment

Reason: To minimise impact on the residential amenity of The Martlets and to comply with Policy ST3 of the Lewes District Local Plan 2003.

5. The development shall not be occupied until car parking areas have been provided in accordance with the approved plans. Such areas thereafter be retained for that use and shall not be used other than for the parking of motor vehicles in connection with the Children's Centre

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding to the Children's Centre in accordance with Policy ST3 of the Lewes District Local plan 2003.

6. The development shall not be occupied until cycle parking facilities have been provided in accordance with the approved plans. These shall thereafter be retained for that use and shall not be used other than for the parking of cycles

Reason: In order that the development site is accessible by non car modes and to meet the objectives of sustainable development in accordance with Policy ST3 of the Lewes District Local Plan 2003.

7. 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 any 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.

8. The Children's Centre shall not be open at any time other than between the hours of 0800 and 1800 on Mondays to Fridays inclusive and not at any time on Saturdays, Sundays, Bank and Public Holidays.

Reason: To safeguard the amenities of the occupiers of properties in the vicinity of the site and to comply with Policy ST3 of the Lewes District Local Plan 2003.

9. Construction of the proposal shall not take place at any time other than between the hours of 0730 and 1800 on Monday to Friday inclusive, except with the prior written consent of the Director of Transport and Environment.

Reason: To minimise the impact of construction upon the amenities of the occupiers of properties in The Martlets and to comply with Policy ST3 of the Lewes District Local Plan 2003.