

REGULATORY COMMITTEE

PLANNING COMMITTEE

MINUTES of a meeting of the Planning Committee held at County Hall, Lewes, on 20 October 2010

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

45. MINUTES

45.1 RESOLVED to approve as a correct record the minutes of the previous meeting held on 22 September 2010.

46. REPORTS

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

47. DISCLOSURES OF INTEREST

47.1 Councillor Hughes declared a personal interest in item 7 in that she is a member of Rother District Council.

48. CONSTRUCTION OF A NEW HOUSEHOLD WASTE RECYCLING SITE. FORMER FOUNDRY SITE, NEW ROAD, NEWHAVEN – LW/635/CM

48.1 The Committee considered a report by the Head of Planning. An addendum report was circulated dealing with typing errors in the report, changes to conditions 20 and 21 and a new Informative regarding works in proximity to overhead power lines. The Committee was informed that since the report had been published Lewes District Council had submitted a further comment regarding the access arrangements, confirming it has no objections.

48.2 Councillor Ost, the local Member (and member of the Planning Committee), welcomed the application and the recommendation.

Reason for decision

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

48.4 RESOLVED to approve the application subject to the revised conditions as follows:

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 development hereby permitted shall be carried out in accordance with the plans listed in the Schedule of Approved Plans.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The Household Waste Recycling Site hereby permitted shall not be open for public use until the following works to the A26 outside the site have been completed, unless otherwise agreed in writing by the Head of Planning:

Construction of a ghost island right turn lane, narrowing of footways, increased width of site access, blocking up of two existing site entrances and installation of dropped kerbs, paving and signage to be carried out generally in accordance with drawing no. H16328 C 500 C6 (General Arrangement Plan as Proposed).

These works being subject to a Section 6 Agreement under the Highways Act.

Reason: For the avoidance of doubt and to ensure the development has no unacceptable effect on traffic, in accordance with Policy WLP36 of the East Sussex and Brighton & Hove Waste Local Plan 2006.

4. Prior to the first public use of the site, a Site Management Plan for traffic using the site shall be submitted to and approved in writing by the Head of Planning, and shall be fully implemented at all times during the lifetime of the development. Any proposed revisions to the approved Plan shall also be first submitted to the Head of Planning for approval.

Reason: In the interests of appropriate management of traffic within the site and to ensure that site activities have no adverse effect on the free flow of traffic on the A26 New Road, in accordance with Policy WLP36 of the East Sussex and Brighton & Hove Waste Local Plan 2006.

5. Notwithstanding the details on drawings H16328 C 500 C6 (General Arrangement Plan as Proposed) and H16328 C 518 C2 (Site Entrance and Exit Details), prior to the installation of the main gates, further details of the precise location of the gate posts in relation to the boundary fencing at the site entrance shall be submitted to and approved in writing by the Head of Planning. The approved details shall be implemented in full.

Reason: For the avoidance of doubt and in the interest of providing an appropriate turning area for vehicles turning left into the site, in accordance with Policy WLP36 (a) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

6. The Initial Landscape Strategy (Standerwick Land Design, February 2010) shall be fully implemented. All soft landscape works, including the installation of the hibernacula and the retention of the Ecological Zone, shall be carried out in accordance with the approved details on drawing no. SLD/C4-LP1 Rev. A (Planting Plan) in the first available planting season following completion of construction and shall thereafter be retained, unless the Head of Planning gives written approval to any variation.

Reason: To integrate the development effectively into the surrounding environment and in the interests of protecting wildlife, in accordance with Policies ST3 (g) and ST11 of the Lewes District Local Plan 2003.

7. Prior to the first public use of the site, a schedule of landscape maintenance for the approved Landscape Strategy, for a minimum period of 5 years, shall be submitted to and approved in writing by the Head of Planning. The schedule shall include details of management of the Ecological Zone and adjacent planted zone in the eastern part of the site, as shown on drawing SLD/C4 -LP1 Rev. A (Planting Plan). The approved schedule shall be implemented in full.

Reason: To integrate the development effectively into the surrounding environment, and in the interests of maintaining and protecting wildlife, in accordance with Policies ST3 (g) and ST11 of the Lewes District Local Plan 2003.

8. Any trees, shrubs or hedges on the site which within a period of five years from the first public use 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, unless the Head of Planning gives prior written consent to any variation.

Reason: To integrate the development effectively into the surrounding environment, and in the interests of maintaining and protecting wildlife, in accordance with Policies ST3 (g) and ST11 of the Lewes District Local Plan 2003.

9. Prior to the commencement of development, a scheme to demonstrate the measures that will be taken to minimise the effect of the development on wildlife and to achieve ecological enhancement shall be submitted to and approved in writing by the Head of Planning. The scheme shall include:
 - i) Details of an ecological watching brief to be maintained on site during site clearance works, including the removal of potential refuge areas during the initial phase of the development;
 - ii) Details of a further survey for bats to be carried out on the building;
 - iii) Details of actions to be undertaken in the event of any protected species being identified on the site during site clearance or construction works, including provision for appropriate relocation of any animal;
 - iv) Details of bird boxes to be erected on site.

The approved details shall be implemented in full.

Reason: In the interests of protecting wildlife, in accordance with Policy ST3 (g) of the Lewes District Local Plan 2003, and Policy WLP35 (e) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

10. A facility for members of the public who are unable to enter the site by vehicle, to drop off waste at the site, shall be maintained and made available at all times during the facility's normal opening hours, unless the Head of Planning gives written approval to a variation.

Reason: To ensure that any member of the public not arriving at the site by private car is not disadvantaged in using the household waste recycling site, in accordance with Policy WLP2 (b) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

11. The site shall not be open to the public for the recycling and disposal of waste except between the following times:

Monday to Sunday from April to September: 08.00 to 18.00 inclusive; and
Monday to Saturday from October to March: 08.00 to 16.00 inclusive; and
Sundays from October to March: 09.00 to 16.00 inclusive.

The site can be open, for operational purposes only, one hour before and half an hour after public opening times, or as otherwise agreed in writing by the Head of Planning.

Reason: In the interests of amenity and to accord with Policy WLP35 (b) of the East Sussex and Brighton & Hove Waste Local Plan 2006 and Policy ST3 (c) of the Lewes District Local Plan 2003.

12. During the construction period, no machinery shall be operated, no process shall be carried out and no deliveries taken to or despatched from the site other than between the hours of 07.30 and 17.00 on Mondays to Fridays inclusive, and not at any time on Saturdays,

Sundays, Bank and Public Holidays, unless with the prior written consent of the Head of Planning.

Reason: In the interests of amenity and to accord with Policy WLP35 (b) of the East Sussex and Brighton & Hove Waste Local Plan 2006 and Policy ST3 (c) of the Lewes District Local Plan 2003.

13. Development shall not commence until a Management Plan for Construction Activities has been submitted to and approved in writing by the Head of Planning. The Plan shall include details of measures that will be employed to ensure that dust, noise, litter, traffic and other emissions resulting from the construction period would have no unacceptable effect on the amenity of the locality. The approved Plan shall be fully implemented throughout the construction period.

Reason: In the interests of amenity and to accord with Policy WLP35 (b) of the East Sussex and Brighton & Hove Waste Local Plan 2006 and Policy ST3 (c) of the Lewes District Local Plan 2003.

14. Prior to the commencement of development, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Head of Planning:

1. An Options Appraisal and Remediation Strategy giving full details of the remediation measures required and how they are to be undertaken.
2. A Verification Plan providing details of the data that will be collected in order to demonstrate that the works set out in (1) are complete, and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components shall require the express consent of the Head of Planning. The approved scheme shall be fully implemented.

Reason: To ensure that any existing contamination at this site is appropriately managed, in the interests of preventing pollution, in accordance with Policy WLP38 (a) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

15. Prior to the first public use of the development, a Verification Report demonstrating completion of the works set out in the approved Remediation Strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Head of Planning. The report shall include results of any sampling and monitoring carried out in accordance with the approved Verification Plan. It shall also include any plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the Verification Plan, and for the reporting of this to the Head of Planning.

Reason: To ensure that any existing contamination at this site is appropriately managed, in the interests of preventing pollution, in accordance with Policy WLP38 (a) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

16. Development shall not commence until final and full details of a scheme for the disposal of foul and surface water have been submitted to and approved in writing by the Head of Planning. The scheme shall also include:

- (i) details of how the scheme shall be maintained and managed on completion of construction, and

(ii) details of how the surface water run-off will be limited to 25 litres/second and attenuation is designed for a 1 in 100 year storm event (including a 20% allowance for climate change), as detailed in section 8 of the Flood Risk Assessment.

The approved details shall be implemented in full prior to the completion of construction, unless the Head of Planning gives written approval to a variation.

Reason: To ensure satisfactory drainage of the site and to prevent water pollution and flooding in accordance with Policies WLP37 (b and c) and WLP38 (a) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

17. There shall be no piling or any other foundation designs using penetrative methods unless with the prior written consent of the Head of Planning.

Reason: In the interests of preventing pollution to controlled waters, in accordance with Policy WLP38 (a) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

18. Prior to the commencement of construction, full details of those waste materials to be re-used on site shall be submitted to and approved in writing by the Head of Planning. The details shall include:
- (i) Anticipated types and quantities of materials suitable for re-use
 - (ii) How and where the materials will be re-used on site
 - (iii) The re-use of any existing buildings on site
 - (iv) An explanation of the types and quantities of waste materials, including any buildings, currently on site that will not be suitable for re-use as part of the development, the reasons that re-use will not be possible, and the proposed method of managing such materials.

Reason: In the interests of minimising the amount of construction waste as far as possible, in accordance with Policy WLP11 of the East Sussex and Brighton & Hove Waste Local Plan 2006.

19. Prior to their installation, full details of the Site Office Building, Control Point Hut and Cycle Storage Facility, as illustrated on drawing no. H16328 C 500 C6 (General Arrangement Plan as Proposed), shall be submitted to and approved in writing by the Head of Planning. The development shall be carried out in accordance with the approved details.

Reason: For the avoidance of doubt and in the interests of visual amenity, in accordance with Policy WLP35 (a) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

20. Notwithstanding the details shown on the approved drawing No. H16328 C 500 C6 (General Arrangement Plan as Proposed), prior to the installation of lighting at the site, the following details shall be submitted to and approved in writing by the Head of Planning:
- (i) the precise position of each lighting column, which shall each maintain appropriate separation from the overhead electricity cables;
 - (ii) a scheme of illumination including details of the position, size, direction and manufacturer's specification of all lanterns, to contain the spread of beam to the site.

The lighting shall be installed in full accordance with the approved details.

Reason: In the interests of amenity, general safety and highway safety, in accordance with Policies WLP35 (a) and WLP36 (b) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

21. The site shall only be illuminated at those times of the year when illumination is necessary for site operations and in any case only within the site operating hours specified in condition

11, unless and until full details of proposals and reasons why the site needs to be lit outside these hours, have been submitted to and approved in writing by the Head of Planning. Any such out-of-hours lighting shall be implemented in accordance with the approved details.

Reason: In the interests of amenity and highway safety, and to prevent unnecessary light pollution, in accordance with Policies WLP35 (a) and WLP36 (b) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

Informatives

1. The Applicant's attention is drawn to the need to contact the Environment Agency to discuss the requirements for Site Licensing.
2. The Applicant's attention is drawn to the need for any facilities for the storage of oils, fuels or chemicals to be sited on impervious bases and surrounded by impervious bund walls. The applicant should contact the Environment Agency for further information.
3. The Applicant's attention is drawn to the provisions of The Wildlife and Countryside Act 1981 (as amended).
4. The Applicant's attention is drawn to the need to liaise with EDF Energy to ensure appropriate management of construction activities in close proximity to existing electrical infrastructure.

Schedule of Approved Plans

H16328 C 506 - Existing Office Building, H16328 C 508 C1 - External Works Details and Sections 1 of 2, H16328 C 509 C - External Works Details and Sections 2 of 2, H16328 C 510 C1 - Existing Site Layout and Levels, H16328 C 515 C1- Site Location Plan, H16328 C 516 C2 - Site Elevations, Initial Landscape Strategy, SLD/C4 - LP1 Planting Plan, Flood Risk Assessment, H16328 C 501 C5 - Vehicle Swept Path Analysis, H16328 C 505 C3 - Fencing layout proposed and existing, H16328 C 517 C2 - Visibility Splays, H16328 C 518 C2 - Site Entrance and Exit Details, H16328 C 519 C - Right Turn Lane General Arrangement Layout, H16328 C 503 C3 - Proposed Level and Setting Out, H16328 C 500 C6 - General Arrangement Plan as Proposed

49. DEVELOPMENT CONTROL AND SITE MONITORING QUARTERLY REPORT – REPORT BY DIRECTOR OF TRANSPORT AND ENVIRONMENT

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

49.2 RESOLVED to note and welcome the report.

50. CONSTRUCTION OF A DETACHED NURSERY BUILDING – SINGLE STOREY WITH TIMBER FRAMED BRICK CLAD WALLS AND A PITCHED TILED ROOF. MOUNTFIELD AND WHATLINGTON PRIMARY SCHOOL, JOHN'S CROSS, ROBERTSBRIDGE – RR/2941/CC

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

50.2 Councillor Field, the local Member, spoke in support of the application and the recommendation.

Reason for decision

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

50.4 RESOLVED to approve the application 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 development hereby permitted shall be carried out in accordance with the plans listed in the Schedule of Approved Plans.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to the commencement of any works on site and before any equipment, machinery or materials are brought on to the site for the purposes of this development, a 1.2 metres high chestnut pale fence to meet BS5837 shall be erected 6 metres distant from the northern boundary for a length of 27 metres from the north east corner of the site, with a return section to the boundary to create an enclosure. This shall be maintained on site until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any of the fenced area, nor any fires lit. The ground level within this area shall not be altered, nor shall any excavation be made, nor operations carried out without the prior written consent of the Director of Transport and Environment.

Reason: In the interests of the visual amenity of the High Weald Area of Outstanding natural Beauty to comply with Policies DS1 (vi) and GD1 (v) of the Rother District Local Plan 2006.

4. Before commencement of any works on site a plan at a scale of 1:200 indicating the site of the construction compound shall be submitted for approval by the Director of Transport and Environment. The compound shall not be sited within 8.5 metres of the trees on the northern boundary of the site. This area shall be returned to its original state as grassland within 1 month of the occupation of the nursery.

Reason: In the interests of amenity and to conserve the qualities of the High Weald Area of Outstanding Natural Beauty and to comply with Policies DS1(vi) and GD1 (v) of the Rother District Local Plan 2006.

5. Development above ground shall not commence until samples 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 Policies DS1(vi) and GD1 (v) of the Rother District Local Plan 2006.

6. Whilst the nursery unit hereby permitted is in use, 6 parking spaces shall be provided for the use of the staff (4 spaces) and visitors (2 spaces).

Reason: To ensure the provision of adequate parking spaces in accordance with Policy GD1 (ix) of the Rother District Local Plan 2006.

Schedule of Approved Plans

Design and Access Statement, 1214/02 - Plan as existing, 1214/04B - Windows, 1214/05A - Proposed Elevations, 1214/06A - Site Plan as proposed Scale 1:100, 1214/01A - Revised location plan + car parking, 1214/03C - Site Plan as proposed Scale 1:200 + disabled car parking, 1214/07 - Allocation of 6 parking spaces

51. EXPERIMENTAL TRAFFIC REGULATION ORDER – ROAD CLOSURE – LEWES ROAD/NEW ROAD, UCKFIELD

51.1 The Committee considered a report by the Director of Transport and Environment. The Committee was informed that a further four representations had been received since publication of the report.

51.2 Mr McLoughlin, Mr Youngman and Councillor Sweetland (Wealden District Council) spoke in favour of confirmation of the Order and the continued closure of New Road.

51.3 Mr Speake and Mr Gothard spoke in favour of ending the experimental Order.

51.4 Councillor Dowling, the local Member, recognised the need for traffic management in New Road and informed the Committee that some of the local residents had changed their views during the period of the experimental closure. He felt that further evidence was required.

51.5 Councillor Stogdon proposed a motion which sought the temporary road closure being removed and when further temporary traffic orders should be considered, seconded by Councillor St Pierre. The mover and seconder accepted an amendment to the motion after further debate by the Committee. The revised motion was voted on and agreed.

51.6 RESOLVED to recommend to the Lead Member for Transport & Environment that:

(i) on the basis of the comments made on the Experimental Traffic Regulation Order, the Planning Committee feel that the temporary road closure should be removed;

(ii) a further Traffic Regulation Order should only be considered when the majority of the development at Eastbourne Road has taken place; and

(iii) other forms of traffic management should be considered by the Lead Member when he considers this issue.

Reasons for decision

51.7 This is an experimental traffic regulation order and there is a fine balance between achieving the highway benefits and the adverse impact on local business. There is insufficient information on all issues and it was proposed that the whole matter be referred back to Lead Member for Transport & Environment