

REGULATORY COMMITTEE

PLANNING COMMITTEE

MINUTES of a meeting of the Planning Committee held at County Hall, Lewes, on 24 February 2010.

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

57. MINUTES

57.1 RESOLVED – to approve as a correct record the minutes of the previous meeting held on 20 January 2010.

58. REPORTS

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

59. DISCLOSURE OF INTEREST

59.1 Councillor Hughes declared a personal interest in item 6B in that she was a member of Rother District Council. Councillor Hughes also took no part when item 6C was discussed and voted upon as she felt that she had pre-determined her position by participating on Rother District Council Planning Committee when they were considering the planning application.

59.2 Councillor Glazier declared a personal and prejudicial interest in item 6B in that he was Chairman of Rye Partnership. Councillor Glazier also declared a personal and prejudicial interest in items 6A and 6C in that he was the Lead Cabinet Member for Children and Adult's Services.

59.3 Councillor B. Tidy declared a personal interest in item 6B in that he was the local member for the area. Councillor Tidy also declared a personal and prejudicial interest in item 6B in that he was the Lead Cabinet Member for Community Services.

59.4 Councillor Taylor left the Council Chamber whilst item 6B was being discussed and voted upon as he felt he had pre-determined his position when speaking at other County Council meetings.

59.5 Councillor Elkin declared a personal and prejudicial interest in item 6A in that he was the Lead Cabinet Member for Learning and School Effectiveness. Councillor Elkin left the Chamber whilst the item was discussed and voted upon.

59.6 Councillor Daniel declared a personal interest in item 6A in that he was the Chairman of Transport and Student Support Panel.

60. RETENTION OF CONCRETE BATCHING FACILITY COMPRISING PLANT AND MACHINERY. LAND AT PLOT 7, NORTH QUAY ROAD, NEWHAVEN – LW/616/CM

60.1 The Committee considered a report by the Director of Transport and Environment. The Committee was advised of the following error in the report:

- Paragraph 6.3 (page 6 in the agenda), 3rd line down, first word, should read 'that' rather than 'this'.

60.2 Councillor Ost, local member spoke in support of the application.

Reason for decision

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

60.4 RESOLVED to grant temporary planning permission subject to the following conditions:

1. The concrete batching plant shall cease to be used as hereby permitted by 25th February 2012, unless otherwise agreed in writing by the Director of Transport and Environment. On cessation of its use the plant shall be removed and the land shall be restored to its former physical state of a concrete-surfaced yard or as agreed in accordance with a scheme submitted to and approved in writing by the Director of Transport and Environment.

Reason: The plant is only required for a temporary period.

2. The development hereby permitted shall be carried out in full accordance with the approved Flood Risk Assessment (dated October 2009), which shall be fully implemented.

Reason: To ensure the site has no unacceptable effect on flood risk, in accordance with Policy NRM4 of the South East Plan 2009.

3. Within 2 months of the date of this permission, to submit a Flood Management Plan which is acceptable to and approved in writing by the Director of Transport and Environment. The Plan shall include registering with the Environment Agency's 'Floodlines Warnings Direct' service and the provision of suitable signage warning of the site's susceptibility to flooding and identification of evacuation routes. The approved Plan shall be fully implemented within one month of its written approval and maintained for the duration of the temporary permission.

Reason: To ensure site personnel and other site users are aware of the risk of flooding and safe access and egress to and from the site, in accordance with Policy NRM4 of the South East Plan 2009.

4. Notwithstanding the provisions of Part 8 (B) of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no buildings, structures or plant shall be erected and no engineering operations of any kind shall take place within any part of the application site as shown on the approved 'Site Location Plan' (reference N71r/001), without express planning permission, unless otherwise agreed in writing by the Director of Transport and Environment.

Reason: To ensure that operations on site do not lead to a risk of pollution to the underlying aquifer, and to ensure that any existing contamination of the site is not disturbed by physical works on site, in accordance with Policy NRM2 (iv) of the South East Plan 2009.

INFORMATIVE

1. The applicant is informed that the site is bounded by both the Denton Sewer and the River Ouse, which are main rivers under the jurisdiction of the Environment Agency.

61. NEW BUILD HALF FORM ENTRY PRIMARY SCHOOL ON GLEBE LAND, CHURCH LANE, FRANT WITH ASSOCIATED EXTERNAL PLAY SPACE AND PARKING PROVISION. GLEBE LAND, CHURCH LANE, FRANT – WD/2860/CC

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

61.2 Paul Shefford, Head Teacher at Frant CE Primary School spoke as the applicant and in support of the application.

61.3 Councillor B. Tidy, local member, spoke in support of the application.

61.4 An amendment to include a request to further investigate the possibility of improving pedestrian access along Church Lane using road markings and subject to a safety audit was proposed, seconded, voted upon and agreed.

Reason for decision

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

61.6 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. Development shall not commence above ground level until samples of the materials to be used in the construction of the external surfaces of the school 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 EN27 of the Wealden Local Plan 1998.

3. Development shall be carried out in accordance with the Conclusions and Recommendations of the Arboricultural Report AR/2609, January 2010.

Reason: To protect retained trees during construction In the interests of visual amenity of the area and to comply with Policy EN14 of the Wealden Local Plan 1998.

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
- Car parking layouts
- Other vehicle and pedestrian access and circulation areas
- Hard surfacing materials

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
- Management Plan including wildlife habitat

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 Policy C3 in the South East Plan 2009 and Policy EN6 of the Wealden Local Plan 1998.

5. The new access [es] shall be in the position[s] shown on the submitted plan [number 1381/010] and laid out and constructed in accordance with the attached HT407 form/diagram and all works undertaken shall be executed and completed by the applicant to the satisfaction of the Local Planning Authority prior to occupation of the development hereby permitted.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

6. During any form of earthworks or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided within the site, to the approval of the Planning Authority, to prevent contamination and damage to the adjacent roads.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large.

7. Prior to the commencement of educational use of the development, detailed drawings, including levels, sections and constructional details of the proposed access and surface water drainage, shall be submitted to the Director of Transport and Environment and be approved in writing and thereafter implemented before the building is brought into educational use.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large.

8. The development shall not be occupied for educational use until a turning space for vehicles has been provided and constructed in accordance with the approved plan number 1381/010.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

9. The development shall not be occupied for educational use until parking area[s] have been provided in accordance with the approved plan number 1381/010 area[s] shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

10. The development shall not be occupied for educational use until the cycle parking area facilities shown on drawing 1831/010 been provided and shall thereafter be retained for that purpose 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 help meet the objectives of sustainable development.

11. Prior to commencement of the educational use details of the maximum gradients of the completed access shall be submitted to and approved in writing by the Director of Transport and Environment and the access constructed in accordance with the approved details.

Reason: To ensure the safety of persons and vehicles using the access and/or proceeding along the highway.

12. The educational use shall not commence until the highway improvement works shown in Appendix C of the Transport Statement Issue B, dated 7th October 2009 have been carried out and certified in writing as complete and a monitoring schedule agreed with the Director of Transport and Environment

Reason: In order to comply with Policy TR16 of the Wealden Local Plan 1998.

13. Within 12 months of the opening of the new school a Travel Plan shall be submitted to and approved in writing by the Director of Transport and Environment. The Travel Plan shall be implemented and thereafter maintained and/or developed in accordance with the approved details.

Reason: To help increase awareness and use of alternative modes of transport for school journeys in accordance with Policy TR16 of the Wealden Local Plan 1998.

14. Prior to commencement of the use of the school details of surface water drainage (including implementation, maintenance and management) shall be submitted to and approved in writing by the Director of Transport and Environment. Drainage shall be implemented before the school is brought into use and subsequently managed and maintained in accordance with the approved details.

Reason: To prevent increased risk of flooding in accordance with Policy CS2 of the Wealden Local Plan 1998.

15. No artificial external lighting shall be installed or used in relation to the new school site other than in accordance with details submitted to and approved in writing by the Director of Transport and Environment.

Reason: To minimise the impact of lighting of the development on the area in accordance with Policy EN29 in the Wealden Local Plan 1998.

16. Development shall be carried out in accordance with the Written Scheme of Investigation for an Archaeological Investigation, prepared by Archaeology South East, January 2010.

Reason: In order to provide a reasonable opportunity to record the history of the site.

17. The development shall be implemented in accordance with the submitted Site Waste Management Plan, WSL/FPS/01 October 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.

18. The applicant shall prepare a scheme for the improvement of pedestrian access along Church Lane using road markings and commission a Road Safety Audit in relation to its suitability. The Road Safety Audit shall be submitted to the Director of Transport and Environment and if the Audit recommends the scheme to be acceptable the applicant shall submit the scheme for the approval in writing by the Director of Transport and Environment. The approved scheme shall be implemented in full before the opening of the new school.

Reason: To fully investigate improved pedestrian access along Church Lane in accordance with Policy TR13 in the Wealden Local Plan 1998.

62. ALTERATIONS AND EXTENSIONS TO EXISTING BUILDING TO PROVIDE A LIBRARY AND ASSOCIATED OFFICES AND STORAGE. 29 HIGH STREET, RYE – RR/2875/CC

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

62.2 Councillor Glazier returned to the Council Chamber.

62.3 The Committee considered a report by the Director of Transport and Environment, and a tabled revised recommendation which reflected that Rother District Council had confirmed it raised

no objections to the proposed alteration and extensions to the existing building to provide a library and associated offices and storage.

62.4 Councillor Glazier, local member, spoke in support of the application and advised that the majority of comments he had received from local residents had been positive. He had also received assurances from officers that although the help point would be moved, the proposed provision would allow for private conversations to be held. Councillor Glazier left the Chamber whilst the item was discussed and voted upon.

Reason for decision

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

62.6 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. Development shall not commence until full details of the aluminium shop front doors, windows and fire escape 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 within the Rye Conservation Area in accordance with Policies GD1 and RY1 of the Rother District Local Plan 2006 and Policies BE6 and CC6 of the South East Plan 2009.

3. The materials to be used in the construction of the external surfaces of the first floor rear extension hereby permitted shall match those used in the existing building.

Reason: To ensure the appropriate appearance of the development within the Rye Conservation Area in accordance with Policies GD1 and RY1 of the Rother District Local Plan 2006 and Policies BE6 and CC6 of the South East Plan 2009.

4. No development shall take place 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 local planning authority and the works shall be undertaken in accordance with the approved details.

Reason: To ensure there is no unacceptable disturbance to remains of archaeological interest and in accordance with Policy BE6 of The South East Plan 2009.

5. The air handling unit hereby permitted shall not be in use other than between the hours of 0800 and 1900 on Monday to Friday inclusive and the hours of 0800 and 1800 on Saturdays and at no time on Sundays, except for works of essential maintenance or which are to respond to an emergency.

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.

6. 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.

63. THE REFURBISHMENT OF EXISTING ARTIFICIAL SURFACED (MACADAM) TENNIS COURTS TO A NEW ARTIFICIAL SURFACED (SYNTHETIC GRASS) MULTI-SPORT PITCH WITH ASSOCIATED BALL-STOP FENCING. FLOODLIGHTING AND DRAINAGE. RYE COLLEGE, LOVE LANE, RYE – RR/2866/CC

63.1 Councillor Glazier and Councillor Taylor returned to the Council Chamber.

63.2 Councillor Hughes did not take part in the discussions or voting on this item, as she had predetermined her position by having previously participated in the consideration of the application at Rother District Council.

63.3 The Committee considered a report by the Director of Transport and Environment and was advised that the house marked as 'No.12 Love Lane' in View 1 of the additional information booklet was incorrectly labelled and should read 'No.10 Love Lane'.

63.4 Councillor Glazier, local member spoke in support of the application however he advised that whilst residents in Love Lane had concerns he agreed that this was the most advantageous site for the proposal. Councillor Glazier requested that the opening times for the MUGA be extended to 9pm to allow for community use and make it commercially viable. Councillor Glazier left the Chamber whilst the application was discussed and voted upon.

63.5 Mr J Howlett, Ms S Relf, and Rye Town Councillor M Smith spoke against the application.

63.6 Mr B Thomson spoke as the applicant, in support of the application and requested the opening times be extended to 21.00 Monday to Friday and 18.00 on Sundays.

63.7 An amendment to extend the opening times of the MUGA to 21.00 on Monday to Fridays and 18.00 on Sundays was proposed, seconded, voted upon and agreed.

Reason for decision

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

63.9 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 used other than between the hours of 0830 and 2100 Monday to Friday, 1000 and 1900 on Saturdays and 1000 and 1800 on Sundays, except for works of essential maintenance which are to be carried out in accordance with a schedule first submitted to and approved 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 GD1 of the Rother District Local Plan 2006.

3. Full details of a 3 metres high acoustic barrier shall be submitted to and approved in writing by the Director of Transport and Environment. The MUGA facility shall not be brought into use until the works have been completed in accordance with the approved details.

Reason: For the avoidance of doubt and to enable the Local Planning Authority to control and regulate the development and to comply with Policy GD1 of the Rother District Local Plan 2006.

4. The development shall not be brought into use until a traffic management plan has been submitted to the Council for prior approval. This plan shall be implemented in full accordance with details/scheme first submitted to and approved in writing by the Director of Transport and Environment.

Reason: To ensure that the proposal will have no significant adverse traffic or parking impacts on surrounding streets to the detriment of local residents in accordance with Policy TR3 of the Rother District Local Plan 2006.

5. The development shall not be brought into use until full details of the perimeter fence hereby permitted have been submitted to and approved in writing by the Director of Transport and Environment.

Reason: To ensure a satisfactory visual appearance in accordance with Policy C3 of the South East Plan 2009 and Policy GD1 of the Rother District Local Plan 2006.

6. The development shall be implemented in accordance with the submitted Waste Minimisation Scheme, contained within the Design and Access Statement dated 12 November 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.