

## REGULATORY COMMITTEE

### PLANNING COMMITTEE

MINUTES of a meeting of the Planning Committee held at County Hall, Lewes, on 11 February 2015

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PRESENT - Councillors Daniel (Chair), Buchanan, Field Galley, Stogdon (Vice-Chair), Taylor and Wallis

#### 46. MINUTES

46.1 RESOLVED to approve as a correct record the minutes of the previous meeting held on 17 December 2014.

46.2 The Committee recorded their thanks to Michaela Frost, Democratic Services Officer, who is leaving the County Council, for her long-standing support to the Committee.

#### 47. REPORTS

47.1 Copies of the reports and documents referred to below are contained in the Minute book.

#### 48. EXTENSION OF TIME TO COMPLETE LEGAL AGREEMENT FOR CHANGE OF USE OF LAND ON WHICH TO CONSTRUCT AND OPERATE A WASTEWATER PUMPING STATION AND A WASTEWATER TREATMENT WORKS PLUS ANCILLARY WORKS. LAND TO THE SOUTH OF NEW CUT AND LAND TO THE SOUTH OF SOLOMON'S LANE, MOUNTFIELD – RR/728/CM

48.1 The Committee considered a report by the Director of Communities, Economy and Transport.

48.2 Councillor Field, who is a Member of the Committee and Local Member, requested information about the delay in completion of the legal agreement.

48.3 Members have considered the Officer's report and comments of the Local Member, and agree with the conclusion and reasons for recommendation as set out in paragraph 2 of the report.

#### 48.4 RESOLVED:

(1) to grant an extension of time for the Section 106 Legal Agreement to be completed;

(2) to authorise the Director of Communities, Economy and Transport to grant planning permission for application RR/728/CM upon completion of the Legal Agreement, subject to conditions along the lines agreed by Planning Committee on 16 July 2014; and

(3) if the Legal Agreement is not completed by 16 March 2015 the application will be referred back to Committee for determination.

49. PART DEMOLITION AND NEW SINGLE STOREY EXTENSIONS TO SCHOOL. RINGMER PRIMARY SCHOOL, HARRISONS LANE, RINGMER, LEWES, BN8 5LL – LW/3237/CC

49.1 The Committee considered a report by the Director of Communities, Economy and Transport.

49.2 Mr Sean Hambrook, a representative of East Sussex County Council Business Services Department, spoke in support of the application.

49.3 Mr Roger Palmer, a representative from Creative Roads (traffic consultants), spoke in support of the application.

49.4 Mr Dave Evans, the Headteacher of Ringmer Primary School, spoke in support of the application.

49.5 Councillor St Pierre, the Local Member, spoke in support of the application.

49.6 Members have considered the Officer's report, together with the comments of the public speakers and Local Member, and agree with the conclusion and reasons for recommendation as set out in paragraph 7 of the report.

49.7 RESOLVED to approve the application subject to the completion of the following procedure:

i. To authorise the Director of Communities, Economy and Transport to secure, in conjunction with the Assistant Chief Executive, a Legal Agreement or Undertaking requiring: a Traffic Regulation Order and associated works to include, Double yellow lines on Harrisons Lane to protect the build out section and double yellow lines at the northern end of Harrisons Lane and enhancement of existing School signage, extending the existing School keep clear / zig-zags making the existing School keep clear / zig-zags mandatory, new School Crossing signage, the provision of a disabled bay outside of the property 'Brookside' on Rushey Green, the provision of a bus stop clearway at the existing bus stop to the south west of the School entrance; the highway build out between Harrisons Lane/Rushey Close, Shepherds Way and Anchor Field, access protection markings for the Care Home entrance at 17 Harrisons Lane, widening of the footpath to the south of the School entrance; additional pedestrian route through the sports field at Ringmer Community College, the yearly monitoring of the School Travel Plan over a continual 5 years period. All of the proposed measures detailed in the Legal Agreement or Undertaking shall be in place prior to the development being fully occupied.

ii. To authorise the Director of Communities, Economy and Transport to grant planning permission upon completion of the Legal Agreement or Undertaking subject to conditions along the lines as indicated in Paragraph 8.2 of this report.

iii. To authorise the Director of Communities, Economy and Transport to refer the application back to this Committee if the Legal Agreement or Undertaking is not secured within 6 months of the date hereof.

49.8 The grant of planning permission will be subject to conditions along the lines of:

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. No construction may take place above ground level until samples of the materials to be used in the construction of the external surfaces of the extensions hereby permitted have been submitted to and approved in writing by the Director of Communities, Economy, and Transport and construction 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 Saved Policy ST3 of the Lewes District Local Plan 2003.

4. The development shall not be occupied until the details of the cycle and scooter parking areas have been provided and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles and scooters.

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development in accordance with Saved Policies T1, T7 and T14 of the Lewes District Local Plan, 2003.

5. 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 completion of the development.

(a) 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 Communities, Economy and Transport.

(b) 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 Communities, Economy and Transport.

Reason: In the interests of visual amenity and to comply with Saved Policy ST3 of the Lewes District Local Plan 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 Communities, Economy and Transport 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)
- Proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc indicating lines, manholes, supports etc.)

Soft Landscaping

- Planting plans including the planting details for the 'Green Roofs'
- 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. The plants shall be maintained and replaced if they die within 5 years of planting.

Reason: To integrate the development effectively into the surrounding environment and to comply with Saved Policy ST3 of the Lewes District Local Plan 2003.

7. Development of the surface water drainage system shall be carried out in accordance with approved Drawing No. H18363(T)101 Revision T3 (Proposed Site Drainage Layout), submitted with the Flood Risk Assessment - report, dated September 2014, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: To secure an appropriate means of surface water drainage at the site.

8. Before the development is occupied details of external lighting shall be submitted to and be approved in writing by the Director of Communities, Economy and Transport. The installation of the lighting shall be implemented in accordance with the approved details.

Reason: In the interests of safety, security and the amenities of the locality, in accordance with Saved Policy ST3 of the Lewes District Local Plan 2003.

9. The proposed development hereby approved does not make provision for lighting the access route along part of the sports field at Ringmer Community College. If the School intends to light the pathway in the future, planning permission will be required.

Reason: In the interests of safety and visibility.

10. No noise shall be emitted from the kitchen extract system or from all other building services plant comprising this development or at any other times other than during School hours and not at any time on Saturdays, Sundays, Bank and Public Holidays and at no other times, except for works of essential maintenance or to respond to an emergency, frost control or as otherwise agreed in writing by the Director of Communities, Economy and Transport. The rating level of plant operated at the School shall be 5 db(A) below the background noise levels at all times, as determined at the nearest noise sensitive receptor.

Reason: In the interest of the amenities of the locality in general and adjoining residential properties in particular and to accord with Saved Policy ST3 of the Lewes District Local Plan 2003

11. No demolition or construction works shall takes place in connection with the development hereby approved at any time other than between the hours of 07.30 and 17.00 on Mondays to Fridays and from 07.30 and 13.00 on Saturdays and not at any time on Sundays, Bank and Public Holidays unless the prior written agreement of the Director of Communities, Economy and Transport.

Reason: In the interest of the amenities of the locality in general and adjoining residential properties in particular and to accord with Saved Policy ST3 of the Lewes District Local Plan 2003

12. 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 Communities, Economy and Transport. 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 WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

13. No construction may take place until a method statement setting out the mitigation measures to be implemented to manage dust from the construction activities on site, have been submitted to and approved in writing by the Director of Communities, Economy and Transport and the mitigation measures to supress dust shall be carried out in accordance with the approved details.

Reason: In the interests of the amenity of the locality and to enable the County Planning Authority to control and regulate the development.

14. Development shall not commence until details of wheel washing facilities have been submitted to and approved in writing by the Director of Communities Economy and Transport. 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 County Planning Authority to control and regulate the development.

15. Prior to demolition works commencing on site a Traffic Management Scheme shall be submitted to and approved by the County Planning Authority in consultation with the Highway Authority. This shall include the size of vehicles, routing of vehicles and hours of operation, wheel washing area, compounds for contractor parking and storage areas for plant, machinery and materials. Given the restrictions of the access and /or the approach road the hours of delivery/collection should avoid the School start and end times.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large. To comply with Saved Policy ST3 of the Lewes District Local Plan 2003.

16. No development shall take place until there has been submitted to and approved in writing by the Director of Communities, Economy and Transport a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment so approved shall be completed before the development is occupied in accordance with a timetable approved in writing by the Director of Communities, Economy and Transport.

Reason: To secure appropriate landscaping at the site in the interests of visual amenity and the environment and to comply with Saved Policy ST3 of the Lewes District Local Plan 2003.

17. The works hereby permitted shall include the ecological enhancements at the site that are outlined in the Baseline Ecological Evaluation and Impact Assessment report (September 2014). A plan to illustrate these provisions shall be submitted to and approved in writing by the Director of Communities, Economy, and Transport.

Reason: In the interests of complementing and enhancing the development, in accordance with Saved Policy ST3 (g) of the Lewes District Local Plan 2003.

18. During construction and clearance works the site should be protected and retained and a nesting bird check should be undertaken at the site by an appropriately trained, qualified and experienced ecologist and if any nesting birds are found, clearance must cease and the developer must contact the County Council's Ecologist.

Reason: To safeguard the ecology of the area and to ensure that the habitat remains for wildlife in accordance with Saved Policy ST3 of the Lewes District Local Plan 2003.

## INFORMATIVES

1. The applicant/developer will need to enter into a formal agreement with Southern Water for the new connection to the public foul and surface water sewer. The applicant is advised to contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or [www.southernwater.co.uk](http://www.southernwater.co.uk)

2. No new soakaways should be located within 5 metres of a public sewer.
3. If, during construction works a sewer is found, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. Southern Water can be contacted at; Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk
4. The development hereby approved including new tree planting should not be located within 3 metres either side of the centreline of the public sewer and all existing infrastructure should be protected during the course of construction works.
5. The Applicants attention is drawn to the provisions of The Wildlife and Countryside Act 1981 (as amended) particularly with regard to the protection of bats, nesting birds and invertebrates, which may be affected during construction

#### Schedule of Approved Plans

Arboricultural Impact Assessment & Method Statement, Baseline Ecological Evaluation and Impact Assessment of site, Amended Bat Survey Report 17 September 2014, AR-WS-XX-PL-100-003 Rev1 - Demolition Plan, Design and Access Statement 29 September 2014 Rev A, Flood Risk Assessment dated September 2014, Internal and External Noise Levels Report, Landscape Design Strategy & Outline Planting Specification dated 26 September 2014, R&Co/125/03 - Landscape Masterplan, AR-WS-XX-PL-100-001 Rev T2 Location Plan, H1863(T) 101 Rev T3 - Proposed Site Drainage Layout, H18363(T) 106 Attenuation Tank and Pond Sections, S814/0418/P/0001 - Topographical Survey, 001a - Traffic Management Plan - Site Access Plan, 002c - Traffic Management Plan Site Setup, Proposed School footpath post construction Drawing No.103, Proposed Temporary Classroom layout, Transport Statement in support of Proposed Extension dated September 2014, School Travel Plan dated 14 November 2014, RCo125/01/A - Tree Protection Drawing Sheet A (1 of 2), RCo125/01/B - Tree Protection Drawing Sheet B (2 of 2), AR-XX-XX-EL-251-002 Rev2 - Proposed Elevations (Whole Building), AR-XX-XX-EL-251-003 Rev2 - Proposed Extension Elevations, AR-XX-XX-SE-251-002 Rev2 - Existing and Proposed Sections, AR-WS-XX-PL-100-002 Rev2 - Site Plan, AR-XX-00-PL-200-003 Rev2 - Proposed Ground Floor Plan, AR-XX-00-PL-200-004 Rev2 - Proposed Roof Plan, 100298-100 Rev b - Site Access Road and Temporary Accommodation 7Jan15, 100298-103Reva - School Footpath - Post Construction 7Jan15, UKP-137-01 Rev F - Traffic Management Plan

#### 50. DEVELOPMENT MANAGEMENT AND SITE MONITORING QUARTERLY REPORT

50.1 The Committee considered a report by the Director of Communities, Economy and Transport.

50.2 RESOLVED to note the report.

51. TRAFFIC REGULATON ORDER – THE EAST SUSSEX (C7 KINGSTON ROAD AND NEWHAVEN ROAD)(40MPH AND 50MPH SPEED LIMIT) ORDER

51.1 The Committee considered a report by the Director of Communities, Economy and Transport which considered the objections received in response to the consultation on the draft Traffic Regulation Order. The comments of Councillor O’Keeffe, one of the Local Members, in support of the proposed Order were read out.

51.2 Members have considered the Officer’s report and the comments of the Local Member, and agree with the conclusion and reasons for recommendation as set out in paragraph 3 of the report.

51.3 RESOLVED to:

- (1) not uphold the objections to the draft Order as set out in Appendix 2 to the report; and
- (2) recommend to the Director of Communities, Economy and Transport that the draft Traffic Regulation Order be made as proposed.

52. TRAFFIC REGULATON ORDER – POLEGATE PARKING REVIEW

52.1 The Committee considered a report by the Director of Communities, Economy and Transport which considered the objections received in response to the consultation on the draft Traffic Regulation Order.

52.2 Councillor Stephen Shing, one of the Local Members, spoke in support of the proposed Order.

52.3 Members have considered the Officer’s report and the comments of the Local Member, and agree with the conclusion and reasons for recommendation as set out in paragraph 3 of the report.

52.4 RESOLVED to:

- (1) not uphold the objections set out in Appendix 2 to the Report, concerning the draft Traffic Regulation Order for various sites in Polegate; and
- (2) recommend to the Director of Communities, Economy and Transport that the Order be made as proposed.

53. TRAFFIC REGULATON ORDER – 20MPH SPEED LIMIT SCHEME (MALLING, LEWES)

53.1 The Committee considered a report by the Director of Communities, Economy and Transport which considered the objections received in response to the consultation on the draft Traffic Regulation Order.



53.2 Mary Pengelly, local resident, and Mr Robert Cheeseman, local resident and member of the Friends of Lewes, spoke against the proposed Order.

53.3 Councillor St Pierre, the Local Member, spoke in support of the proposed Order.

53.4 Members have considered the Officer's report, and the comments of the public speakers and Local Member.

53.5 RESOLVED to:

- (1) uphold the objections to the draft Order as set out in Appendix 2 of this report;  
and
- (2) recommend to the Director of Communities, Economy and Transport that the Traffic Regulation Order should not be made as proposed.