

3 APR 2014



TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING GENERAL REGULATIONS 1992

Written Notice Pursuant to Regulation 6 (1) of the 1992 Regulations of development authorised by the Director of Economy, Transport and Environment.

To :- East Sussex County Council
c/o Mr Wratten
Mackellar Schwerdt Architects
The Old Library Albion Street
Lewes
East Sussex, BN7 2ND

County Ref. No. WD/3189/CC
District Ref. No. WD/2014/0289/CC

TAKE NOTICE that under the powers delegated to me by the Governance Committee meeting held on 30 January 2003 I have authorised the development described in Schedule 1 hereto, pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, subject to the conditions set out in Schedule 2 hereto.

SCHEDULE 1

Retrospective application for the provision of three temporary mobile units, two double and one single to be located to the north of the College buildings on the Staff car park, as a result of storm damage to the Science Building, with temporary Staff car parking for up to 51 cars, to be located on the existing playground to the east of the College campus. Uplands Community College, Lower High Street, Wadhurst, TN5 6AZ. (Within land edged red on applicants plan no. 8720/01a)

SCHEDULE 2

1. Prior to 31st December 2014:
 - a) The three mobile buildings hereby permitted shall be removed from the site and the land restored to a useable College staff car park.
 - b) The use of the car park within the playground to the north-east of the College on a regular basis for staff parking will cease and the parking markings shall be erased in order to restore the land for use as a playground for the College.

Reason: To enable the Director of Communities, Economy, and Transport to control and regulate the development. The nature or form of development is only considered appropriate for a temporary period because the original Science building accommodation will be reinstated, the design of the mobiles is of a temporary nature and the replacement staff car park will no-longer be required.

2. Within one calendar month of the grant of planning permission:
 - a) The temporary car parking spaces shall be marked out on the playground surface in accordance with approved drawing 8720/01a.
 - b) The mobile units hereby permitted shall be maintained 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 and to ensure an appropriate and safe parking layout for reasons of highway safety.

3. The temporary car park shall be operated at all times in accordance with the methodologies set out within the approved Uplands Community College Parking Management Plan, amended March 2014.

Reason: To safeguard the amenities of the occupiers of properties in the vicinity of the site, to ensure highway safety and to comply with Policies EN27 and TR3 of Wealden Local Plan 1998.

4. The playground shall only be used as a temporary car park between the hours of 7.30 to 17.00 Monday to Friday within Term time, at no other times apart from College Open Days, Parents' Evenings, Governors' Evenings and School Plays indicated on the College web site, when use of the car park will cease at 22.00. The car park shall not be used at any time on Saturdays, Sundays, Bank and Public Holidays unless otherwise agreed in writing by the Director of Communities Economy and Transport.

Reason: To safeguard the amenities of the occupiers of properties in the vicinity of the site and to comply with Policy EN27 of Wealden Local Plan 1998.

5. No artificial external lighting, including floodlighting, shall be installed or used in relation to the temporary car park other than in accordance with details submitted to and approved in writing by the Director of Communities, Economy, and Transport.

Reason: To protect amenities of the occupiers of adjoining properties and the special landscape character of the High Weald AONB in accordance with Policies EN6 and EN27 of the Wealden Local Plan.

6. No external machinery or plant shall be installed or operated at the site in relation to the mobile classrooms/ laboratories without the prior approval in writing of the Director of Communities, Economy, and Transport.

Reason: In the interests of local amenities in compliance with Policy EN27 of the Wealden Local Plan.

7. Within one month calendar month of the grant of planning permission, the applicant shall submit to the Director of Communities Economy and Transport a plan indicating proposed road markings within the site that identify vehicle and pedestrian routes from the highway to the main School building entrance. Thereafter, the markings shall be implemented in accordance with the details so approved within one month of the approval of the markings layout plan.

Reason: To assist the separation of pedestrians and vehicles within the site and to ensure the safe passage of pupils across the site.

8. At least six weeks prior to the removal of the mobile classrooms the applicant shall undertake an assessment of adjacent trees along the frontage of the site by Lower High Street. If the survey identifies that overhanging trees require crown works or trims in order to enable the safe removal of the mobile units without harm to the tree canopies, then a Tree Works Management Plan shall be submitted to the Director of Communities, Economy, and Transport for approval. The Tree Works Management Plan shall comply with the principles of BS3857: Trees in Relation to Construction and include a timetable for the works to be undertaken. Thereafter any necessary tree works shall be undertaken in accordance with the details approved by the Director of Communities, Economy, and Transport.

Reason: To protect the trees on the site in the interests of visual amenity and to preserve the character of the Wadhurst Conservation Area in accordance with Policies EN12 and EN19 of Wealden Local Plan 1998.

SCHEDULE OF APPROVED PLANS

Elevations - Labs 11 and 12 and Resource Room, Elevations - Labs 13 and 14, Location and Site Plan - 8720/01a, Ground Floor Plan 8720/02a, Uplands Community College Parking Management Plan

The policies relevant to this Decision are:-

The Wealden District Council (incorporating part of the South Downs National Park) Core Strategy Local Plan (adopted 19th February 2013). SPO13 (Local Distinctiveness), Policy WCS13 (Green Infrastructure).

The Wealden District (incorporating part of the South Downs National Park) Core Strategy Local Plan was adopted on 19th February 2013. The Core Strategy Local Plan is the key policy document setting out a strategic vision, objectives and spatial strategy for the area up to 2027. It only replaces parts of the Wealden Local Plan 1998. Some policies from this earlier plan are still “saved” where they remain of relevance and until they are superseded by further development plan documents. A Strategic Sites Development Plan Document (DPD) and Delivery and Site Allocations DPD will be produced (and collectively known as Site Allocation DPDs) to accompany the Core Strategy. At the moment, however, saved development management policies contained in the Wealden Local Plan remain part of the Development Plan for the area. Wealden District Council has not formally determined whether its Saved Policies in the Wealden Local Plan are in general conformity with the NPPF. The Saved Policies are considered by the County Planning Authority to be in general conformity with the overarching principles of the NPPF.

The Wealden Local Plan 1998 (Saved Policies): EN6 (development in High Weald AONB), EN12 (protection of trees and woodlands), EN19 (development within Conservation Areas,) EN27 (layout and design of development), EN28 (Access for people with disabilities), EN29 (external lighting), TR3 (traffic impact of new development).

Policy Statement on Planning for Schools Development: On the 15 August 2011 the Government issued, with immediate effect, a new policy statement on planning for school development. In this context, the policy statement states that the planning system, when dealing with planning applications for state-funded schools should operate positively and there should be a presumption in favour of the development of state-funded schools. The policy statement encourages a collaborative approach to applications, particularly encouraging pre-application discussions and the use of planning obligations to help mitigate adverse impact of developments. It further asserts that where it is necessary to impose conditions, they should be necessary in order to make the development acceptable and be clearly justified, thereby demonstrably meeting the tests as set out in Circular 11/95. The policy statement indicates that the Secretary of State will be minded to consider refusal of any application for state-funded schools to be unreasonable conduct, unless it is supported by clear and cogent evidence.

The National Planning Policy Framework (NPPF) was published on 27 March 2012 and the Framework applies with immediate effect. It does not change the status of the development plan as the starting point for decision making. It constitutes guidance as a material consideration in determining planning applications. For 12 months following publication, full weight was given to development plan documents

adopted since 2004 even if there was a limited degree of conflict. Following the expiry of this 12 months period, due weight should now be given to relevant policies in existing plans according to their degree of consistency with the NPPF. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF does not contain specific waste policies but regard should be had to NPPF policies so far as relevant. There are policies facilitating the use of minerals and there are provisions covering transport, good design, protecting the natural environment and references to avoiding noise giving rise to significant adverse impacts and limiting light pollution.

For Note


In determining this planning application, the County Council has worked with the applicant and agent in a positive and proactive manner. The Council has also sought views from consultees and neighbours and has considered these in preparing the recommendation. This approach has been taken positively and proactively in accordance with the requirement in the NPPF, and as set out in the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

Signed:

Date:

Tony Cook

Head of Planning

 02/04/14

All enquiries should be addressed to:

Director of Communities Economy and Transport
Communities Economy and Transport Department,
County Hall, St Anne's Crescent,
Lewes, East Sussex, BN7 1UE.

Copies to: M Powell/D Guyett– Business Services - Property
Mr S Robbins – Wealden District Council for Statutory Planning Register