

REGULATORY COMMITTEE

PLANNING COMMITTEE

MINUTES of a meeting of the Planning Committee held at County Hall, Lewes, on 12 December 2007.

PRESENT- Councillor Tunwell (Chairman), Councillors Daniel, Maynard (Vice-Chairman), Ost, Stogdon, Taylor and Woodall

40. MINUTES

40.1 RESOLVED – to approve as a correct record the minutes of the previous meeting held on 7 November 2007.

41. DECLARATION OF INTERESTS

41.1 Councillor Maynard declared a personal and non-prejudicial in item 6A in that he was Leader of Rother District Council.

42. REPORTS

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

43. VARIATION OF CONDITION 17 OF PERMISSION WD/247/CM TO ALLOW THE USE OF A MOBILE WASTE COMPACTOR. CROWBOROUGH HOUSEHOLD WASTE RECYCLING SITE, 13-15 WEALDEN INDUSTRIAL ESTATE, FARNINGHAM ROAD, JARVIS BROOK, CROWBOROUGH – WD/520/CM

43.1 The Committee considered a report by the Assistant Director – Policy, Transport and Environment.

43.2 The Committee was advised that the applicant had requested the following additional wording to the end of condition 1: “unless otherwise agreed in writing by the Assistant Director - Policy, Transport and Environment”. This amendment was moved, seconded and was lost when voted upon.

Reason for approval

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

43.4 RESOLVED to grant planning permission subject to the following conditions:-

1. The use of a mobile waste compactor, a 'Minimyza Plus' or equivalent, at the site shall cease on or before the expiration of 12 months from the date of this permission.

Reason: To enable the County Planning Authority to monitor the use of the compactor and assess its effects, in the interests of the amenity of the locality, in accordance with Policy WLP35 (b) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

2. At no time shall the level of noise emitted from the operational household waste recycling site, as measured in accordance with BS 4142:1997 exceed a level of 46 dB LAeq (1 Hour) freefield, as measured at Grey Walls, Mount Pleasant.

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

3. Within 3 months of a waste compactor being used at the site noise measurements will be undertaken by a competent and independent person to be agreed first in writing with the Assistant Director, Policy - Transport and Environment and the results, together with an assessment of the results in relation to the noise controls set out under condition 2, shall be submitted for consideration to the Assistant Director, Policy - Transport and Environment forthwith.

Reason: To allow a formal monitoring exercise to be carried out, in the interests of the amenity of the locality, in accordance with Policy WLP35 (b) and (c) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

4. Notice in writing of any noise complaint made by a member of the public whether made in writing or orally about the use of a compactor shall be submitted to the Assistant Director, Policy - Transport and Environment no later than the next working day after the complaint was received. The notice shall include a description of the complaint, the name and address of the person making the complaint and the action proposed as a result, unless otherwise agreed in writing with the Assistant Director, Policy - Transport and Environment.

Reason: To ensure a record is maintained of any complaints regarding noise, in the interests of the amenity of the locality, in accordance with Policy WLP35 (b) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

5. The details of measures relating to a scheme for the attenuation of noise arising from the site as approved by the Assistant Director, Policy - Transport and Environment on 30 January 2004 and subject to condition 6 shall be maintained for the duration of the development.

Reason: To protect the amenity of the locality, in accordance with Policy WLP35 (b) and (c) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

6. The details relating to acoustic fencing as approved on 30 January 2004 by the Assistant Director, Policy - Transport and Environment and thereafter amended and approved on 16 February 2005 shall be maintained throughout the duration of the development. Any breaches or damage to the acoustic fencing shall be repaired using material with like characteristics to the existing as soon as possible and in any case within two weeks of the applicant being notified in writing by the Assistant Director, Policy - Transport and Environment that repairs are necessary.

Reason: To ensure the effectiveness of the acoustic fencing, in the interests of the visual amenity of the locality, in accordance with Policy WLP35 (b) and (c) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

7. Existing tree and shrub planting shown to be retained on the embankments to the north-west and south-west of the site in the application details approved on 6 August 1999 shall not be felled, lopped, uprooted or otherwise destroyed throughout the duration of the development unless with the prior written consent of the Assistant Director, Policy - Transport and Environment.

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

8. Any trees or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be

replaced in the next planting season with others of similar species unless the Assistant Director, Policy - Transport and Environment gives written consent to any alternative arrangements.

Reason: To safeguard the trees and shrubs on the site in the interests of visual amenity, in accordance with Policy WLP35 (b) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

9. No vehicles associated with the Household Waste Recycling Site shall leave the site carrying mud, dust or other debris on their wheels.

Reason: In the interests of public amenity and highway safety.

10. Site operations shall be organised so that vehicles are able to enter the site at any time during the permitted hours of working.

Reason: In the interests of public amenity and highway safety.

11. The site shall not open and no work shall be carried out on the site other than between the hours of 0900-1700 Mondays to Fridays inclusive, 0900-1300 Saturdays and Sundays and at no times on Public and Bank Holidays unless the prior written approval of the Assistant Director, Policy - Transport and Environment has been obtained.

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

12. The loading and unloading of waste containers shall only take place between the hours of 0900-1700 Mondays to Fridays inclusive, 1000-1200 Saturdays and at no time on Sundays and Public & Bank Holidays unless the prior written approval of the Assistant Director, Policy - Transport and Environment has been obtained.

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

13. The use of a mobile compactor, a 'Minimyza Plus' or equivalent, at the site shall only take place between the hours of 0900-1700 Mondays to Fridays inclusive, 1000-1200 Saturdays and at no time on Sundays and Bank & Public Holidays, unless the prior written approval of the Assistant Director, Policy - Transport and Environment has been obtained.

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

14. The development shall be carried out in accordance with drawing numbers 250920/100/1/B and 250920/101/1/B as approved on 30 January 2004 by the Assistant Director, Policy - Transport and Environment and the layout of site operations shall be as shown on those drawings unless the prior approval in writing of the Assistant Director, Policy - Transport and Environment has been obtained.

Reason: For the avoidance of doubt.

15. The accommodation unit shall be retained in accordance with the details on drawing number 250920/100/1/B and in Appendix 26/70 Permanent Accommodation Unit as approved on 30 January 2004 by the Assistant Director, Policy - Transport and Environment, unless otherwise agreed in writing with the Assistant Director, Policy - Transport and Environment.

Reason: To enable the County Planning Authority to control and regulate the development of the site.

16. There shall be no illumination of the site unless a scheme of illumination including details of the position, size and direction of any lamps to contain the spread of beam to the site area has been submitted for the written approval of the Assistant Director, Policy - Transport and Environment. The approved scheme shall be implemented in full in accordance with the approved details and the site shall only be illuminated within the opening hours set out in condition 11 above.

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

17. The details submitted as part of drawing 5E092/103/1/B regarding surface water drainage and thereafter approved on 30 January 2004 by the Assistant Director, Policy - Transport and Environment shall be maintained throughout the duration of the development.

Reason: To prevent water pollution, in accordance with Policy WLP38 of the East Sussex and Brighton & Hove Waste Local Plan 2006.

18. No additional motorised plant, equipment or machinery shall be used on the site other than those items specifically identified in the planning application and under this permission unless with the specific written approval of the Assistant Director, Policy - Transport and Environment or as a result of necessary urgent repairs or maintenance works.

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

44. RETROSPECTIVE PLANNING APPLICATION FOR THE ERECTION OF A TIMBER 24M² PAVILION. LITTLE COMMON SCHOOL, SHEPHERD'S CLOSE, BEXHILL ON SEA – RR/2629/CC

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

44.2 The Committee was advised that since publication of the report Rother District Council had confirmed that they had no objections to the proposal.

44.3 Councillor Gadd, local Member and a Governor of Little Common School spoke and advised the Committee that the Headteacher and Governors at the School sent their apologies for the application being retrospective. They had received incorrect advice from the contractor that they did not require planning permission to erect the pavilion.

Reason for approval

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

44.5 RESOLVED To grant planning permission subject to the following condition:

1. A disabled access ramp shall be constructed to the pavilion within 3 months of the date of this approval.

Reason: In the interests of access to all and to comply with policy TR3 of the East Sussex and Brighton & Hove Structure Plan 1991-2011.

45. CONSTRUCTION OF A NEW SINGLE STOREY PITCHED ROOF, TIMBER FRAMED AND BRICK CLAD NURSERY BUILDING. CROSS IN HAND C E PRIMARY SCHOOL, SHEEPSETTING LANE, CROSS IN HAND, HEATHFIELD – WD/2627/CC

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

Reason for approval

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

45.3 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. 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
- 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
- Indication of how mounds would be reconstructed
- Implementation programme

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 Policies S1 and EN1 of the East Sussex and Brighton & Hove Structure Plan 1991-2011.

3. Development shall not commence until the following details have been submitted to and approved in writing by the Director of Transport and Environment showing:

(a) details of the species, the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (b) and (c) below apply;

(b) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;

(c) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation within the crown spread of any retained tree or of any tree on land adjacent to the site.

(d) details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development in accordance with BS 5837 2005 provided for retained trees.

Reason: In the interests of visual amenity and to comply with Policies S1 (b) & (f) and EN1 of the East Sussex and Brighton & Hove Structure Plan 1991-2011.

4. The materials to be used in the construction of the external surfaces of nursery shall match those used in the existing school building.

Reason: To ensure the appropriate appearance of the development in the area in accordance with Policies S1 and EN1 of the East Sussex and Brighton & Hove Structure Plan 1991-2011.

46. CONSTRUCTION OF A NEW SINGLE STOREY PITCHED ROOF, TIMBER FRAMED AND BRICK CLAD NURSERY BUILDING, SOUTH MALLING C E PRIMARY SCHOOL, CHURCH LANE, LEWES – LW/2628/CC

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

Reason for approval

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

- 46.3 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. The development shall be implemented in accordance with the submitted Waste Minimisation Statement, dated 11th September 2007.

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.

47. ERECTION OF A TERMINAL BUILDING (CAPABLE OF PROCESSING 500,000 PASSENGERS PER ANNUM) AND 637 CAR PARKING SPACES. CONSTRUCTION OF A 294 METRE RUNWAY EXTENSION TOGETHER WITH AN ADDITIONAL 150 METRE STARTER EXTENSION. LONDON ASHFORD AIRPORT, LYDD, ROMNEY MARSH, KENT – Y06/1647/SH AND Y06/1648/SH

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

- 47.2 RESOLVED to inform Shepway District Council that:

These proposals to increase passenger capacity at London Ashford Airport (Lydd) may bring social and economic benefits to an area characterised as having a poor performing economy in need of regeneration and as such can be supported in principle.

However, neither application should be permitted until the applicant has demonstrated that these proposals, either in combination or individually, will not give rise to surface access requirements which would have an adverse impact on the highway network in East Sussex, (TR1, TR3, and S1 (c) (d)).

If the District Council is minded to approve these applications it:

- should secure a legal agreement to restrict flight paths to those that form the basis of the Environmental Statement accompanying the applications, to avoid overflying East Sussex and consequent adverse impacts on its communities and environment; and,
- should ensure that adverse cross border transport impacts are minimised and that access by alternative modes is enhanced by securing a transport interchange at Appledore Station and regular public transport services connecting the station with the airport.

48. OUTLINE PROPOSAL FOR THE ERECTION OF A MIXED USE DEVELOPMENT COMPRISING SIXTH FORM COLLEGE, LIBRARY, SURGERY, PUBLIC OPEN SPACE AND 250 DWELLINGS (COMPRISING 40 SHELTERED, 75 AFFORDABLE AND 135 OPEN MARKET HOUSES) WITH ASSOCIATED ACCESS, LANDSCAPING AND PARKING. LAND EAST OF BATTLE ROAD AND ADJOINING THE LEISURE CENTRE CAR PARK, HAILSHAM – WD/07/2856

48.1 The Committee was advised that the applicant had withdrawn the application.