

REGULATORY COMMITTEE

PLANNING COMMITTEE

MINUTES of a meeting of the Planning Committee held at County Hall, Lewes, on 25 March 2009.

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

71. MINUTES

71.1 RESOLVED – to approve as a correct record the minutes of the previous meeting held on 25 February 2009.

72. REPORTS

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

73. DECLARATIONS OF INTEREST

73.1 Councillor B. Tidy declared a personal and prejudicial interest in item 7A in that he was a school governor at Uplands Community College. Councillor Tidy left the Chamber after he addressed the Committee.

74. VARIATION OF CONDITION 4 OF PLANNING PERMISSION WD/335/CM TO INCREASE THE NUMBER OF VEHICLE VISITS TO THE SITE PER WEEK FROM A MAXIMUM OF 25 EIGHT WHEELER LORRIES AND REFUSE COLLECTION TYPE VEHICLES (50 MOVEMENTS) AND 20 PICK-UP OR VAN TYPE VEHICLES (40 MOVEMENTS) TO A MAXIMUM OF 100 EIGHT WHEELER LORRIES AND REFUSE COLLECTION TYPE VEHICLES (200 MOVEMENTS) AND 30 PICK-UP OR VAN TYPE VEHICLES (60 MOVEMENTS). ISFIELD COMPOSTING SITE, BOATHOUSE FARM, LEWES ROAD, ISFIELD – WD/533/CM

74.1 The Committee considered a report by the Director of Transport and Environment and received a tabled addendum to condition 3 in the report.

Reason for decision

74.2 Members have considered the officer's report and the revised condition 3 and agree with the reasons for approval set out in paragraph 7 of the report.

74.3 RESOLVED to grant planning permission subject to the following conditions:

1. The site access, access road and gate shall be retained in their existing positions all in accordance with the details approved by the County Council on 13th November 2001 and the hard surface shall be maintained so that dust, mud and other debris can be swept up to prevent it being carried onto the public highway.

Reason: To ensure an appropriate access to the site in the interests of highway safety and to accord with Policy WLP36 (a) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

2. The total number of vehicle visits to the site per week shall not exceed 100 eight-wheeler lorries and refuse collection type vehicles (200 movements) and 30 light or medium goods vehicles (60 movements).

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

3. The total number of additional vehicles (not including those controlled by condition 2 above) removing compost from the site and returning to the site shall not exceed 10 per day (20 movements), unless otherwise agreed in writing by the Director of Transport & Environment.

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

4. The 'no left turn' sign at the site exit, advising vehicles to leave the site to the south, shall be retained in accordance with the details approved by the County Council on 22 July 2002.

Reason: In the interests of public and highway safety and the rural and residential amenities of the locality, in accordance with Policies WLP35 and WLP36 of the East Sussex and Brighton & Hove Waste Local Plan 2006.

5. The ground levels of the composting site and the height and profile of the landscaping bunds shall be retained in accordance with the details on drawings numbers P411, sheets 1, 3, 4 and 5, dated 4th July 2008, which were received by the County Council on 10th September 2008, unless otherwise agreed in writing by the Director of Transport & Environment.

Reason: For the avoidance of doubt and in the interests of conserving the landscape of the locality, in accordance with Policy EN1 of the East Sussex and Brighton & Hove Structure Plan 1991-2011.

6. The tree planting as illustrated on the drawing 'Planting scheme Autumn 2008' received by the County Council on 28th January 2009, shall be retained for the duration of the development. Any tree or plant as illustrated on the drawing that dies, is removed or becomes seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless otherwise agreed in writing by the Director of Transport & Environment.

Reason: To ensure the appropriate landscaping of the site in accordance with Policy EN1 of the East Sussex and Brighton & Hove Structure Plan 1991-2011.

7. Only green waste collected at household waste sites, waste from Wealden District Council's CROWN scheme and green waste from private contractors shall be imported and processed at the composting facility. No other waste shall be imported to the site except with the prior written consent of the Director of Transport & Environment.

Reason: For the avoidance of doubt and to enable the County Planning Authority to regulate and control the use of the site and to ensure waste management at the site has no unacceptable effects on the locality, in accordance with Policies WLP1 and WLP35 of the East Sussex and Brighton & Hove Waste Local Plan 2006.

8. The green waste composting facility shall operate only between the hours of 0700 and 1800 on Mondays to Fridays inclusive and 0800 and 1230 on Saturdays, and not at all on Sundays, Bank and Public Holidays except for a maximum of two deliveries per month, limited to one delivery on a Sunday, between the hours of 0800 and 1230 and for essential maintenance and emergency works unless with the prior written agreement of the Director of Transport & Environment.

Reason: In the interests of the amenity of the locality and occupiers of residential properties in the vicinity of the site, and to accord with Policy WLP35 of the East Sussex and Brighton & Hove Waste Local Plan 2006.

9. The operational noise levels from the site, measured as LAeq 1hr (freefield) at the boundaries of the nearest sensitive receptors (Oak Lodge and the Honey Pot Nursery School) and in accordance with British Standard 4142:1997, shall be at least 5 dB below the background LA90 value.

Reason: To safeguard the amenities of the occupiers of properties in the vicinity of the site in accordance with Policy WLP35 (b) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

10. No plant, machinery or vehicles shall be used on the site unless fitted with silencers maintained in accordance with the manufacturers' recommendations and specifications.

Reason: In the interests of the amenity of the locality and occupiers of residential properties in the vicinity of the site, and to accord with Policy WLP35 of the East Sussex and Brighton & Hove Waste Local Plan 2006.

11. Any machinery on site fitted with a reversing alarm shall only use a non-intrusive 'white noise' reversing alarm, unless otherwise agreed in writing by the Director of Transport & Environment.

Reason: To reduce the potential for noise nuisance from the site and to protect amenity, in accordance with Policy WLP35 of the East Sussex and Brighton & Hove Waste Local Plan 2006.

12. Any waste shredder in operation on the site shall be located on the southern side of at least one windrow of material within the area shown on drawing no WD/533/CM (A).

Reason: In the interests of protecting the amenity of users of the public footpath to the north of the site, in accordance with Policy WLP35 (d) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

13. The measures to minimise dust from site operations and vehicle movements that were approved by the County Council on 3 December 2001 shall be retained, unless otherwise agreed in writing by the Director of Transport & Environment.

Reason: In the interests of the amenity of the locality and to accord with Policy WLP35 of the East Sussex and Brighton & Hove Waste Local Plan 2006.

14. Composting shall not take place other than in the areas shown on the approved Site Plan (scale 1:500), date-stamped as received by the County Council on 21st June 2001.

Reason: For the avoidance of doubt and in the interests of the amenity of the locality and occupiers of properties in the vicinity of the site, in accordance with Policy WLP35 of the East Sussex and Brighton & Hove Waste Local Plan 2006.

15. Foul and surface water drainage shall be retained in accordance with the details approved by the County Council on 13th November 2001, unless otherwise agreed in writing by the Director of Transport & Environment.

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

16. Notwithstanding the provisions 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 plant, building or machinery, whether fixed or movable, shall be erected, other than as expressly authorised by this permission unless with the prior written approval of the Director of Transport & Environment.

Reason: To enable the County Planning Authority to control the development and to protect the character of the countryside and to comply with Policies S10 and S11 of the East Sussex and Brighton & Hove Structure Plan 1991-2011.

17. No material shall be stacked, stockpiled, deposited or windrowed to a height exceeding 5 metres above the hard surface of the site shown on drawing P411 dated 4th July 2008.

Reason: In the interests of visual amenity in accordance with Policy EN1 of the East Sussex and Brighton & Hove Structure Plan 1991-2011.

18. No burning of waste materials including the use of braziers shall take place within the application site.

Reason: In the interests of the amenity of the locality and occupiers of residential properties in the vicinity of the site, and to accord with Policy WLP35 of the East Sussex and Brighton & Hove Waste Local Plan 2006.

19. No retail sales shall take place from the site.

Reason: To enable the County Planning Authority to control the development in accordance with Policy S10 of the East Sussex and Brighton & Hove Structure Plan 1991-2011.

20. If no substantive composting operations take place on the site for more than 24 consecutive months, the impervious base, bunds and any structures associated with the development shall be removed from the site and the land restored. Such restoration shall be in accordance with details, which shall be submitted to and approved in writing by the Director of Transport & Environment, within 2 months following the 24 months during which no substantive composting operations have taken place on the site.

Reason: To safeguard the long-term rural amenity of the locality and to comply with Policies S10 and S11 of the East Sussex and Brighton & Hove Structure Plan 1991-2011.

21. The amount of green waste imported to the site shall not exceed 50,000 tonnes per annum unless with the prior written consent of the Director of Transport and Environment.

Reason: To ensure the composting activities have no unacceptable effect on the amenity of the locality and to accord with Policy WLP35 of the East Sussex and Brighton & Hove Waste Local Plan 2006.

75. PROPOSED IMPORTATION, STORAGE AND PROCESSING OF MINERAL, DEMOLITION AND CONSTRUCTION WASTES ON LAND AT NORTH QUAY (ADJACENT TO VAPOGRO BUILDING), ALSO KNOWN AS WHARF/BERTH 1, NORTH QUAY ROAD, NEWHAVEN – LW/574/CM

75.1 The Committee considered a report by the Director of Transport & Environment.

75.2 The Committee was advised that since publication of the report the Environment Agency had been re-consulted and following a flood risk assessment of the site, the Agency's original objection on the grounds of flood risk had been withdrawn. A response had not been received on the Agency's other objections concerning pollution.

75.3 The local Member, Councillor Ost, spoke in support of the application confirming that the use would be appropriate for the area.

Reason for decision

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

75.5 RESOLVED to grant planning permission subject to the following conditions:

1. All processing and storage of waste materials associated with the use hereby permitted shall be contained within the two areas labelled A and B on approved drawing no. N23/27: Proposed Aggregate Recycling Facility, unless otherwise first agreed in writing by the Director of Transport & Environment.

Reason: To enable the County Planning Authority to control the use of the land and to ensure the permitted use does not restrict the primary use of Wharf/Berth 1, in accordance with Policy NH24 of the Lewes District Local Plan 2003.

2. The use hereby permitted shall not be carried on independently of the primary use of the site, that being the importation, storage and processing of sea-borne imported aggregates, and shall cease if the primary use ceases.

Reason: To enable the County Planning Authority to control the use of the land and to ensure the permitted use does not restrict the primary use of Wharf/Berth 1, in accordance with Policy NH24 of the Lewes District Local Plan 2003.

3. The use of crushing or screening plant shall not be carried on other than between the hours of 0730 and 1900 on Mondays to Fridays inclusive and the hours of 0730 and 1300 on Saturdays, and at no time on Sundays, Public and Bank Holidays, unless with the prior written agreement of the Director of Transport & Environment.

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

4. All vehicles within the site shall maintain a travelling speed at or less than 10 miles per hour, and all vehicles carrying waste materials or recycled materials shall be sheeted prior to entering or leaving the site.

Reason: To reduce the potential for dust generation, in the interests of amenity and to accord with Policy WLP35 of the East Sussex and Brighton & Hove Waste Local Plan 2006.

76. EXTENSION OF TIME WITHIN WHICH TO SIGN A LEGAL AGREEMENT FOR DEVELOPMENT AND OPERATION OF WEEE STORAGE AND PROCESSING AND A COMBINED MATERIALS RECYCLING FACILITY AND WASTE TRANSFER STATION. GREYSTONE QUARRY, SOUTHERHAM, LEWES – LW/489/CM(EIA)

EXTENSION OF TIME WITHIN WHICH TO SIGN A LEGAL AGREEMENT OF PROPOSAL SEEKING RETROSPECTIVE PLANNING PERMISSION FOR THE INSTALLATION OF ELECTRICITY SUB STATION, THE RE-ENGINEERING OF A SECTION OF QUARRY FACE, CONSTRUCTION OF WASTE STORAGE BAYS AND THE CHANGE OF USE OF LAND TO WASTE MANAGEMENT ACTIVITY. GREYSTONE QUARRY, SOUTHERHAM – LW/546/CM

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

76.2 The local Member, Councillor Ost, spoke in support of the recommendation and paying tribute to the officers who had resolved the situation. However he raised concerns that the applicant had started work on site before consent had been received and requested that future work should be carried out in a proper manner.

76.3 RESOLVED that applications LW/489/CM(EIA) and LW/546/CM be approved subject to the completion of the following procedure:

(1) The completion of S106 Legal Agreements relating to applications LW/489/CM(EIA) and LW/546/CM for the remediation works to the cliff face at the south western side of the upper quarry, works to the public highway and the submission of a Travel Plan and to grant a further extension of time to 30 June 2009 to allow their completion. If the Legal Agreements are not completed the applications be referred back to the Planning Committee for determination.

(2) Following completion of the Legal Agreements, to authorise the Director of Transport and Environment to:

(i) approve minor changes to details of the development which were originally approved by the Planning Committee in June 2008. This will include changes to the position of the WEEE building, weighbridge and office;

(ii) grant planning permission subject to the conditions along the lines of those set out in the reports at the Appendices (subject to paragraph (iii) below);

(iii) make such alterations as the Director of Transport and Environment considers necessary to the conditions in the reports at the Appendices, including their deletion and the addition of further conditions.

76.4 The Committee agreed that the Director of Transport and Environment has authority, under existing powers, to take such enforcement action as he considers appropriate, with particular reference but not limited to, the situation whereby the Agreement is not entered into by 30 June 2009.

77. VARIATION OF PLANNING CONDITION NO. 4 IMPOSED ON PLANNING PERMISSION NO. WD/427/CM SO AS TO PROVIDE FOR THE PROCESSING AND TRANSFER OF WASTE MATERIALS LISTED IN THE ENVIRONMENT AGENCY SITE LICENCE NO. EAWML 19647. COPHALL WOOD WASTE TRANSFER STATION, HAILSHAM ROAD, POLEGATE – WD/586/CM

77.1 The Committee was advised that the application had been withdrawn by the applicant prior to the meeting.

78. TEMPORARY STORAGE OF RECYCLABLE MATERIALS. MARESFIELD WASTE TRANSFER/ HOUSEHOLD WASTE RECYCLING SITE. BATTs BRIDGE ROAD, MARESFIELD – WD/584/CM

78.1 The Committee considered a report by the Head of Planning.

Reason for decision

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

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

1. The use of the transfer building for the storage of recyclable waste materials and the use of the site for the parking of heavy goods vehicles shall cease by 25 March 2010 or as agreed in accordance with details first submitted to and approved in writing by the Head of Planning.

Reason: A temporary permission is appropriate in the circumstances of the proposal.

2. No storage container, skip, sorted or unsorted waste material or residue of recycled materials or any other items shall be stored outside the transfer building and no loading or unloading of waste materials shall take place outside that building.

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

3. The use of the transfer building for the storage of recyclable materials and all associated waste management activities shall not be carried out other than between the hours of 0700 and 1830 on Mondays to Fridays inclusive and the hours of 0800 and 1300 on Saturdays at no time on Sundays, except for works of essential maintenance or which are to respond to an emergency. There shall be no working on Christmas Day, Boxing Day or New Year's Day.

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

79. PROVISION OF A MULTI-USE GAMES AREA ON EXISTING PLAYGROUND. UPLANDS COMMUNITY COLLEGE, LOWER HIGH STREET, WADHURST – WD/2750/CC

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

79.2 Claire Donegan, a local resident, spoke against the application.

79.3 Councillor Tidy spoke in support of the application advising that he felt the MUGA would enhance the provision of sports and recreational play for the people of Wadhurst. He agreed the location was good as it could be managed well and be integrated with the current sports centre; however he requested that the Committee adhere to the proposed opening hours.

Reason for decision

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

79.5 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 08.00 and 16.00 during the winter months (October to March) and between the hours of 08.00 and 21.00 during the summer months (April-September), 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 S1 of the East Sussex and Brighton & Hove 1991-2011.

3. No works shall commence on site including the carrying out of any works or 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 the 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 & Hove Waste Local Plan 2006.

80. INSTALLATION OF A WOODEN PARENTAL SHELTER ADJACENT TO THE EASTERN SCHOOL BOUNDARY. ST MICHAELS C P SCHOOL, 1 STATION ROAD, WITHYHAM – WD/2758/CC

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

80.2 The Committee was advised that since publication of the report, no further response to the re-consultation had been received from the Parish Council or neighbours.

Reason for decision

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

80.4 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.

81. OBJECTIONS TO A22 HALLAND 30MPH SPEED LIMIT

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

81.2 The Chairman reminded the Committee that they had received email communication from the local member, Councillor Garvican, confirming his support of the application.

Reason for decision

81.3 The objection does not relate to the level or extent of the proposed limit but to the perceived lack of ancillary measures to achieve compliance, and the need for such measures will be reviewed in due course.

81.4 RESOLVED not to uphold the objections and recommend that the Order be implemented as advertised, and to inform the objector accordingly.

82. OBJECTIONS TO B2110 UPPER HARTFIELD 30MPH SPEED LIMIT

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

82.2 Stephen Wood, a local resident, spoke against the application.

82.3 The local Member, Councillor Whetstone, spoke in support of the application.

Reason for decision

82.4 The limit covers the central core of the village, including part of Parrock Lane, where drivers will be able to recognise the need to slow down due to being in built-up area. This should help to achieve better self-enforcement of the new limit.

82.5 RESOLVED not to uphold the objections and recommend that the Order be implemented as advertised, and to inform the objector accordingly.