

PLANNING COMMITTEE

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

PRESENT: Councillors Godfrey Daniel (Chair), Ian Buchanan, Roy Galley, Barry Taylor, Steve Wallis (for Item 6 only - see minute 48) and Angharad Davies

44 MINUTES OF THE MEETING HELD ON 14 OCTOBER 2015

44.1 RESOLVED to approve as a correct record the minutes held on 14 October 2015.

45 APOLOGIES FOR ABSENCE

45.1 Apologies for absence were received from Councillor Field.

45.2 It was noted that Councillor Davies was substituting for Councillor Stogdon.

46 REPORTS

46.1 Reports referred to in the minutes below are contained in the minute book.

47 ERECTION OF A NON-FERROUS METALS STORAGE BUILDING, SKIP STORAGE AREA, INCREASE IN VEHICLE MOVEMENTS, PARTIAL REPLACEMENT FENCING, INERT WASTE TREATMENT PAD, NEW STORAGE BAYS AND PUSH WALLS, THE PROCESSING OF INERT WASTE OUTSIDE THE EXISTING BUILDING AND IMPROVED DRAINAGE FACILITIES. SUSSEX WASTE MANAGEMENT SITE, WHITWORTH ROAD, ST LEONARDS ON SEA TN37 7PZ - HS/759/CM

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

47.2 Members have considered the officer's report and agree with the conclusion and reasons for recommendation as set out in paragraph 7 of the report.

47.3 RESOLVED to approve the application 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 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. Notwithstanding the provisions of Part 7, Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no buildings, plant or machinery shall be

extended, altered or installed at the site (other than as expressly authorised by this permission), unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: To enable the Waste Planning Authority to control the future use of the site in order to protect the amenity of the area in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

4. Construction of the metals storage building and 'Proposed Inert Waste Treatment Pad' hereby permitted, shall not take place until a scheme for the provision of surface water drainage (including a timetable for implementation) has been submitted to and approved in writing by the Director of Communities, Economy and Transport and implemented thereafter. The drainage works shall be fully implemented in accordance with the approved details including the timetable.

Reason: To ensure satisfactory drainage of the site and to prevent water pollution and to comply with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

5. Construction of the 'Proposed Inert Waste Treatment Pad' shall not commence until details of the exact location and size of the Treatment Pad have been submitted to and approved in writing by the Director of Communities, Economy and Transport. The Treatment Pad shall be fully constructed in accordance with the approved details.

Reason: In the interests of amenity of the locality in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

6. There shall be no external waste processing operations (crushing with the bucket crusher, grading, processing and mechanical sorting of waste) or storage of waste, on the area marked 'Proposed Inert Waste Treatment Pad' on Drg. No. SWML/02A (Site Layout Plan dated 09/09/2014 Revised 04/08/2015) until the full completion of the new concrete surface of the pad and the full completion of the erection of the 'Inert Waste Storage bays' and 'Push Wall', and the full completion of the surface water drainage as required by Condition 4.

Reason: In the interests of amenity of the locality in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

7. Construction of the 'Inert Waste Storage Bays' and 'Push Wall' shown on approved plan Drg. No. SWML/02A (dated 09/09/2014 Revised 04/08/2015) shall not take place until full details of the proposed 'Inert Waste Storage Bays' and 'Push Wall', including cross section drawing plans, have been submitted to and approved in writing by the Director of Communities, Economy and Transport. The development shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: In the interests of amenity of the locality in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

8. Within 5 working days of the commencement of waste processing operations (crushing with the bucket crusher, or grading, processing or mechanical sorting/screening of waste) on the area marked 'Proposed Inert Waste Treatment Pad' on Drg. No. SWML/02A (Site Layout Plan dated 09/09/2014 Revised 04/08/2015), the operator shall provide written notification to the Director of Communities, Economy and Transport, stating the date that external waste processing operations commenced.

Reason: In the interests of the amenity of the locality, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

9. The waste processing operations (crushing, grading, processing and mechanical sorting/screening of waste) on the area marked 'Proposed Inert Waste Treatment Pad' on Drg. No. SWML/02A (Site Layout Plan dated 09/09/2014 Revised 04/08/2015) shall cease within 12 months of the date of commencement as defined by Condition 8 above. On cessation of the waste processing operations on the area marked 'Proposed Inert Waste Treatment Pad', all mechanical waste processing, crushing and grading must be confined to within the footprint of the main Waste Transfer building.

Reason: In the interests of the amenity of the locality, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

10. Construction of the metals storage building shall not commence until full details of the colour of the materials to be used for the external surfaces of the building hereby permitted, have been submitted to and approved in writing by the Director of Communities, Economy and Transport. Development shall be carried out in accordance with the approved details, and thereafter retained.

Reason: To ensure the appropriate appearance of the development in the area in accordance with Policy WMP23a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

11. No activity or operation associated with the permitted use of the site including vehicle movements to and from the site, shall be carried out other than between the hours of 07.00-18.00 on Monday to Friday inclusive and the hours of 07.00-13.00 on Saturdays, and at no time on Sundays, Public and Bank Holidays except for works of essential maintenance or which are to respond to an emergency. No later than one week after the carrying out of such works full details of the time, date, reason for and nature of the works shall be given in writing to the Director of Communities, Economy and Transport.

Reason: To protect the amenity of the locality, in accordance with Policy WMP25a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013

12. Notwithstanding the requirements of Condition 10 of this permission, there shall be no crushing, grading, or other mechanical processing of inert waste materials at the site, and no external (i.e. outside of the footprint of the waste transfer building) emptying/unloading of skips, containers or vehicles transporting waste, other than between the hours of 08.00-17.00 on Monday to Friday inclusive. There shall be no external processing on Saturdays, Sundays, Public and Bank Holidays.

Reason: To protect the amenity of the locality, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and Policy DM3 of the Hastings Development Management Plan (2015).

13. There shall be no sorting, loading, unloading, processing, crushing, grading or storage of waste outside the footprint of the waste transfer building, except for the types of waste listed in Appendix 5 (List of 'Specified Wastes') on page 34 of the Supporting Statement dated July 2015 unless otherwise agreed in writing in advance by the Director of Communities, Economy and Transport.

Reason: In the interests of amenity of the locality in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

14. There shall be no crushing, grading, processing, sorting, loading or unloading of Specified Wastes (listed in Appendix 5 of the Supporting Statement dated July 2015) at the site, other than on the area marked 'Proposed Inert Waste Treatment Pad' on Drg. No. SWML/02A (Site Layout Plan dated 09/09/2014 Revised 04/08/2015), or within the footprint of the waste transfer building.

Reason: To protect the amenity of the locality, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

15. There shall be no storage of the types of waste listed in Appendix 5 (List of 'Specified Wastes') on page 34 of the Supporting Statement dated July 2015 at the site other than within the 'Inert Waste Storage Bays' shown on approved plan Drg. Number SWML/02 Revised 04/08/2015 or within skips or containers located in the 'Proposed Skip Storage Area' indicated on Drg. Number SWML/02A Revised 04/08/2015.

Reason: In the interests of amenity of the locality in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

16. There shall be no storage of Specified Wastes or recycled materials on the 'Proposed Inert Waste Pad' on Drg. No. SWML/02 (Site Layout Plan dated 09/09/2014) other than within the 'Inert Waste Storage Bays' shown on Drg. No. SWML/02A Revised 04/08/2015.

Reason: To protect the amenity of the locality, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and Policy DM3 of the Hastings Development Management Plan (2015) and to enable the County Planning Authority to control and regulate the use of the site.

17. Waste stored in the 'Inert Waste Storage Bays' shown on Drg. No. SWML/02A (dated 09/09/2014 Revised 04/08/2015) shall not be stacked or deposited to a height within 50cm of the top of the rear wall, or beyond 3 metres above ground level, whichever is the lowest. The operator shall provide and maintain a clearly visible marker line on the rear wall of railway sleepers at a height of 3 metres above ground level.

Reason: In the interests of amenity of the locality in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

18. The metals storage building shall only be used in association with waste metals recovery and the uses set out in Paragraph 3.2 of the Supporting Statement dated July 2015.

Reason: To enable the County Planning Authority to control the future use of the site in order to protect the amenity of the area in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

19. No more than 40 skip lorry movements (i.e. 20 in and 20 out) and eight 28 tonnes container lorry movements (i.e. 4 in and 4 out) shall take place to and from the site per day without the prior written agreement of the Director of Communities, Economy and Transport.

Reason: In the interests of road safety and protecting amenity, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

20. A record of daily vehicle movements (skip lorries and HGVs) to and from the site shall be maintained and, upon request, be made available to the County Planning Authority.

Reason: In order to allow the County Planning Authority to monitor and control the number of vehicle movements associated with the development.

21. The operational noise levels from the site between the hours of 07.00 - 18.00 from Monday to Friday inclusive and 07.00 - 13.00 on Saturdays, measured as LAeq 1hr (freefield) (at the residential properties of the Emmaus site) and in accordance with British Standard 4142:2014, shall not exceed the background LA 90 value.

Reason: In the interests of protecting residential amenity, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste Local Plan 2013.

22. Within 5 days of the bucket crusher being brought onto the site, the operator shall provide written notification to the Director of Communities, Economy and Transport, stating the date that the bucket crusher was brought onto the site so that within 2 months of the new bucket crusher being used on the site, a noise survey shall be undertaken in accordance with BS 4142:2014, and, the results shall be submitted forthwith in a report to the Director of Communities, Economy and Transport. The survey shall take place while the bucket crusher is being used to crush inert waste, and shall demonstrate whether the noise levels required by Condition 21 are being achieved. If the survey does not demonstrate such compliance then the report must include measures to reduce noise, that shall be first agreed in writing by the Director of Communities, Economy and Transport, such that the noise levels required by Condition 21 will be met. These measures shall be implemented within a time period to be agreed with the Director of Communities Economy and Transport, and compliance shall be demonstrated to the Director's satisfaction which will be given in writing.

Reason: In the interests of protecting residential amenity, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

23. Prior to the commencement of external processing operations, a scheme to control and manage the emission of dust and litter, (including a timetable for implementation) shall be submitted to and approved by the Director of Communities, Economy and Transport. The scheme shall include:
 - (a) Measures to minimise dust and litter from waste loading, unloading, sorting and processing activities;
 - (b) Measures to minimise dust and litter from vehicles entering, exiting and travelling within the site;
 - (c) Measures to minimise the opportunity for dust and litter to escape from the waste transfer building and from the site boundaries;
 - (d) Measures to ensure that any wind-blown litter from the site is cleared from open areas of the site and areas adjacent to the site at the earliest opportunity;
 - (e) Details of how these measures will be managed;
 - (f) Details of monitoring arrangements which shall be employed to regularly monitor the success of the measures required by parts (a - d) above.

Any approved equipment shall be maintained in accordance with the manufacturer's instructions at all times. The approved scheme shall be fully implemented in accordance with the agreed timetable and any changes to the approved scheme shall first be approved in writing by the Director of Communities, Economy and Transport.

Reason: In the interests of amenity and the protection of the adjacent Site of Nature Conservation Importance, and to comply with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste Local Plan 2013

24. The external storage of skips and 'roll on, roll off containers' shall only take place within the 'Proposed Skip Storage Area' indicated on Drg. Number SWML/02A (dated 09/09/2014 Revised 04/08/2015) unless otherwise agreed in writing by the Director of Communities, Economy and Transport. Skips or containers shall not be stacked to a height exceeding 3 metres above ground level.

Reason: To protect the amenity of the locality, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and Policy DM3 of the Hastings Development Management Plan (2015) and to enable the County Planning Authority to control and regulate the use of the site.

25. The external storage of skips and 'roll on, roll off containers' which contain waste or recycled materials shall only take place within the 'Proposed Skip Storage Area' indicated on Drg. Number SWML/02A (dated 09/09/2014 Revised 04/08/2015) and shall be limited to a maximum number of 10 skips and 5 'roll on, roll off containers', unless otherwise agreed in writing by the Director of Communities, Economy and Transport. Skips or containers which contain waste shall not be stacked upon one another.

Reason: To protect the amenity of the locality, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and Policy DM3 of the Hastings Development Management Plan (2015) and to enable the County Planning Authority to control and regulate the use of the site.

26. No artificial external lighting, including floodlighting, shall be installed or used in relation to the Waste Transfer Station/Skip Hire Depot other than in accordance with details that are first submitted to and approved in writing by the Director of Communities, Economy and Transport.

Reason: In the interests of amenity and the protection of the adjacent Site of Nature Conservation Importance, and to comply with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013

27. The boundaries of the application site shall be secured by fencing which shall be maintained in good order at all times and any damaged or broken sections replaced within two weeks of site staff being notified of the damage or breakage, to the satisfaction of the Director of Communities, Economy and Transport.

Reason: In the interests of amenity and the protection of the adjacent Site of Nature Conservation Importance, and to comply with Policy EN6 of the Hastings Local Plan 2011-2028 Planning Strategy (2014) and Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

28. There shall be no servicing or maintenance of HGV's on the site except for emergency repairs.

Reason: To protect the amenity of the locality, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and to enable the County Planning Authority to control and regulate the use of the site.

29. No retail sales shall take place on the site.

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

Schedule of Approved Plans

Drawing SWML04 Elevations, Revised Supporting Statement July 2015 SWML02A Vers2, Site Layout Plan Revised 04/08/2015

48 PROPOSED EXTENSIONS TO PROVIDE ADDITIONAL TEACHING AND ANCILLARY ACCOMMODATION. ARK BLACKLANDS PRIMARY ACADEMY, OSBORNE CLOSE, HASTINGS, TN34 2HU - HS/3298/CC

48.1 The Committee considered a report by the Director of Communities, Economy and Transport. It was clarified that the number of staff at the proposed expanded school, indicated in paragraph 2.1 of the report, would be 87, not 97.

48.2 Mr Gary Spencer-Holmes spoke against the application.

48.3 Mr Sean Hambrook, Major Capital Projects Manager of the County Council spoke in support of the application.

48.4 Members have considered the officer's report and the comments of the public speakers, and agree with the conclusion and reasons for recommendation as set out in paragraph 7 of the report.

48.5 RESOLVED to approve the application subject to the following procedure:

(i) The completion of a Legal Agreement or Undertaking to secure the provision of a financial contribution to cover all traffic survey work and any highway works subsequently undertaken following the consideration of associated works to include additional crossing points in the vicinity of the School; the preparation of a Traffic Regulation Order, and; the submission of a revised Travel Plan for approval prior to the occupation of the development; and

(ii) To authorise the Director of Communities, Economy and Transport to grant planning permission upon completion of the Legal Agreement / Undertaking subject to conditions along the lines as indicated in Minute 48.7.

48.6 If the Legal Agreement or Undertaking has not been completed within six months, the application will be referred back to the Committee for consideration.

48.7 The grant of planning permission should be 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 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. Prior to the commencement of the development hereby permitted a Construction 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. Given the restrictions of the surrounding roads

to the site the hours of delivery/collection should avoid peak traffic flow times. Details regarding contractors' vehicles whilst works are being carried out should also be provided. The development shall be carried out in accordance with the approved Construction Traffic Management Scheme.

Reason: In the interest of highway safety and for the benefit and convenience of the public at large, and in accordance with Policy DM4 of the Hastings Development Management Plan.

4. 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.

5. Development shall not commence 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. Development shall be carried out in accordance with the approved details.

Reason: To ensure the appropriate appearance of the development in the area and to comply Policy DM1 of the Hastings Development Management Plan 2015.

6. Development above ground shall not commence until details of the proposed landscaping works has 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:

- Surface Materials
- Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc)
- Car parking layout
- Type and location of Bat and Bird boxes

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 Policies DM1 and DM4 of the Hastings Development Management Plan 2015.

7. No development shall take place until full details of measures to protect the trees located to the south of the proposed new teaching block and to the north of the proposed classroom extension 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. Such details shall be in accordance with BS5837:2012 and shall also include a drawing showing the location of the service runs for water, foul water and electricity supplies.

Reason: In order to protect the tree in the interest of visual amenity in accordance with Policy DM1 of the Hastings Development Management Plan 2015.

8. The development shall not be occupied until parking and turning areas have been provided in accordance with the approved plans and the areas 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 and to comply with Policy DM4 of the Hastings Development Management Plan 2015.

9. The development shall not be occupied until cycle parking areas have been provided in accordance with the approved plans or details which have been submitted to and approved in writing by the County Planning Authority and the area shall thereafter be retained for that use 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 meet the objectives of sustainable development in compliance with Policy DM4 of the Hastings Development Management Plan 2015.

INFORMATIVE

1. A Travel Plan is required in association with this development to ensure that private car trips to and from the site are reduced. The travel plan should include targets for reduced car use and a monitoring programme to ensure these targets are met. This will need to recommend realistic proposals for providing for and improving non-car modes of travel, through walking, cycling and public transport and assess the residual impact of the development on the surrounding highway network with ameliorative measures as necessary.

Schedule of Approved Plans

Arboricultural Survey, Preliminary Ground Contamination Risk Assessment Report, Extended Phase 1 habitat Survey & Preliminary Bat Roost Assessment, Design and Access Statement, 0001 Rev R1 - Site Block & Location Plan, 0005 Rev R1 - Existing Site Plan, 0010 Rev R1 - Proposed Site Plan, 0014 Rev R1 - Existing Floor Plan, 0015 Rev R1 - Proposed Floor Plan, 0020 Rev R1 - Existing Elevations, 0025 Rev R1 - Proposed Elevations, Transport Statement - September 2015 V2.0, School Travel Plan - October 2015 Version 2.0

(The meeting ended at 11.47 am)

CHAIR