



REGULATORY COMMITTEE

PLANNING COMMITTEE

MEETING 11.15 am WEDNESDAY, 11 NOVEMBER 2015

COUNCIL CHAMBER, COUNTY HALL, LEWES

MEMBERSHIP - Councillor Godfrey Daniel (Chair)
Councillors Ian Buchanan, Kathryn Field, Roy Galley, Richard Stogdon (Vice Chair), Barry Taylor, Steve Wallis

A G E N D A

1 Minutes of the meeting held on 14 October 2015 (*Pages 3 - 10*)

2 Apologies for absence

3 Disclosures of interests

Disclosures by all members present of personal interests in matters on the agenda, the nature of any interest and whether the member regards the interest as prejudicial under the terms of the Code of Conduct.

4 Urgent items

Notification of items which the Chair considers to be urgent and proposes to take at the appropriate part of the agenda. Any members who wish to raise urgent items are asked, wherever possible, to notify the Chair before the start of the meeting. In so doing, they must state the special circumstances which they consider justify the matter being considered urgent.

County Matter Proposals - report(s) by the Director of Communities, Economy and Transport

5 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 (*Pages 11 - 34*)
Report by the Director of Communities, Economy and Transport

County Council Proposals - report(s) by the Director of Communities, Economy and Transport

6 Proposed Extensions to provide additional teaching and ancillary accommodation. Ark Blacklands Primary Academy, Osborne Close, Hastings, TN34 2HU - HS/3298/CC (*Pages 35 - 50*)
Report by the Director of Communities, Economy and Transport

7 Any other items previously notified under agenda item 4

NOTES:

- (1) *Members are reminded that copies of all representations received are available for inspection in the Members' Room*
- (2) *As part of the County Council's drive to increase accessibility to its public meetings, this meeting will be broadcast live on its website and the record archived for future viewing. The broadcast / record is accessible at: www.eastsussex.gov.uk/webcasts*

PHILIP BAKER
Assistant Chief Executive
County Hall, St Anne's Crescent
LEWES BN7 1UE

3 November 2015

Contact Simon Bailey, Democratic Services Officer,
01273 481935
Email: simon.bailey@eastsussex.gov.uk

PLANNING COMMITTEE

MINUTES of a meeting of the Planning Committee held at Council Chamber, County Hall, Lewes on 14 October 2015.

PRESENT Councillors Godfrey Daniel (Chair), Ian Buchanan, Kathryn Field, Roy Galley, Richard Stogdon (Vice Chair), Barry Taylor and Steve Wallis

37 MINUTES OF THE MEETING HELD ON 16 SEPTEMBER 2015

37.1 RESOLVED to approve as a correct record the minutes of the meeting held on 16 September 2015.

38 DISCLOSURES OF INTERESTS

38.1 Councillor Galley declared a personal interest in Item 7 in that he is a member of Wealden District Council, and the Council had commented on the application. He did not consider this to be prejudicial.

38.2 Councillor Stogdon declared a personal interest in Item 8 in that he is the owner of land adjacent to a site subject to ongoing enforcement action, and that he would consider it prejudicial should the site come up for a specific discussion and leave the room.

39 REPORTS

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

40 CHANGE OF USE OF LAND TO ALLOW CONSTRUCTION AND OPERATION OF A WASTEWATER PUMPING STATION WITH NEW LAYBY OFF FOURTEEN ACRE LANE AND A WASTEWATER TREATMENT WORKS WITH NEW VEHICULAR ACCESS FROM BUTCHER'S LANE, TOGETHER WITH ANCILLARY FENCING AND LANDSCAPING. LAND TO SOUTH OF BUTCHER'S LANE AND TO WEST OF SAILORS STREAM AND LAND TO NORTH EAST OF JUNCTION OF FOURTEEN ACRE LANE AND BUTCHER'S LANE IN THREE OAKS - RR/741/CM

40.1 The Committee considered a report by the Director of Communities, Economy and Transport. Clarification was provided regarding modelling of climate change, the average discharge flow of the Wastewater Treatment Works and a reference in Condition 18.

40.2 Mr John Rogers spoke against the proposal.

40.3 Mrs Ruth Harding of Paris Smith, the applicant's agent, spoke in favour of the proposal.

40.4 Members have considered the officer's report, the clarifications 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.

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

- (i) The completion of a Legal Agreement to carry out off site highway works;
- (ii) To authorise the Director of Communities, Economy and Transport to grant planning permission, upon completion of the Legal Agreement, subject to conditions along the lines of those indicated in minute 40.7.

40.6 If the Legal Agreement has not been completed within six months, the application shall be referred back to Committee for consideration.

40.7 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 drawings listed in the Schedule of Approved Plans.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No development shall take place until details of the following landscaping matters have been submitted to and approved in writing by the Director of Communities, Economy and Transport:

(i) Proposals for tree planting, including the use of heavy standard trees, at the northern boundary of the treatment works site off Butcher's Lane following further assessment;

(ii) Proposals for the re-alignment of the boundary fence at the northern boundary of the treatment works site off Butcher's Lane to accommodate additional planting following further assessment;

(iii) Planting specification including species, numbers and layout for the proposed hedgerow along the boundary of the pumping station off Fourteen Acre Lane;

(iv) A plan showing the proposed alignment of fencing during construction at the treatment works site off Butcher's Lane, including the identification of the extent of the Root Protection Areas for all retained trees, taking into account the requirements of British Standard 5837:2012 Trees in relation to design, demolition and construction; &

(v) A timetable for the implementation of all works required as part of this condition.

The assessment referred to in (i) & (ii) above shall comprise a report which shall be submitted for consideration and approval.

The approved details shall be carried out in full.

Reason: To secure appropriate landscaping at the site and the protection of trees in the interests of the amenity of the locality and the landscape character of the AONB, in accordance with Policies WMP25 and WMP27 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

4. Subject to the provisions of other conditions related to this planning permission, the details of the planting set out in the Landscape Proposals Plan (Drg. No. 5105602/WA/611 Rev C) and the recommendations contained in the Arboricultural Assessment Report (Johns Associates, July 2015) shall be incorporated into the design of the development and implemented in accordance with the timetable approved under Condition 3.

Reason: To ensure appropriate planting and landscaping of the site and protection of retained trees and woodland, in accordance with Policy WMP27 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

5. Any trees, shrubs or other plants which are planted as part of the landscaping requirements which within a period of five years die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar species, unless otherwise agreed in writing with the Director of Communities, Economy and Transport.

Reason: To secure appropriate landscaping at the site in the interests of the amenity of the locality and the landscape character of the AONB, in accordance with Policy WMP27 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

6. No development shall take place until Mitigation Strategies, including measures for compensation for loss of habitat so that there is no net loss of suitable habitat, for the following species, or group of species, have been submitted to and approved by the Director of Communities, Economy and Transport:
 1. Great Crested Newt, which should follow the Great Crested Newt Mitigation Guidelines (2001) and Natural England's Standing Advice;
 2. Dormouse, which should follow the guidance in the Dormouse Conservation Handbook (2006);
 3. Bats, which should follow the guidance from the Bat Conservation Trust. A Method Statement for the avoidance of harm to bats should also be included; and
 4. Reptiles, which should follow Natural England's Standing Advice.

The approved Strategies and Method Statement shall be implemented in full.

Reason: To secure appropriate protection of species, including mitigation and compensation for loss of habitat, in accordance with Policy WMP27 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

7. Prior to the works commencing on site a Traffic Management Plan shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The Management Plan shall include:
 - (i) The proposed size of vehicles for both construction and operational activities;
 - (ii) The proposed routing of vehicles;
 - (iii) Appropriate traffic signals and signage;
 - (iv) Hours of operation;
 - (v) A schedule of delivery times to avoid peak traffic flows and reduce the risk of vehicles meeting 'head on'; &
 - (vi) Wheel washing facilities.

Reason: In the interests of highway safety and the amenity of persons in the locality, in accordance with Policies WMP25 and WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

8. The new access from Butcher's Lane to the treatment plant shall be undertaken in the position shown on submitted Drawing No. 121875-C-800011 Rev D and shall be constructed and laid out in accordance with the attached HT407 diagram and all works undertaken shall be executed and completed with the agreement of the Highway Authority prior to the commencement of the use of the development hereby permitted, unless otherwise agreed in writing with the Director of Communities, Economy and Transport.

Reason: In the interests of the safety of persons and drivers of vehicles entering and leaving the access and using the highway, in accordance with Policy WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

9. The proposed gate at the new access to the treatment works off Butcher's Lane shall be positioned at least 10 metres back from the edge of the highway.

Reason: To enable a vehicle to wait clear of the highway while the gate is being operated in the interests of highway safety, in accordance with Policy WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

10. The development shall not be used until a turning space for vehicles has been provided and constructed in accordance with the submitted Drawing No. 121875-C-800011 Rev D and the turning space shall thereafter be retained for that use and shall not be used for any other purpose, unless otherwise agreed in writing with the Director of Communities, Economy and Transport.

Reason: To provide for a sufficient turning area within the site for safety reasons, in accordance with Policy WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

11. No machinery shall be operated, no process shall be carried out and no deliveries taken to or despatched from the development sites on land off Butcher's Lane and Fourteen Acre Lane during the period of construction other than between the hours of 07.30 to 18.30 Mondays to Fridays inclusive and 07.30 to 13.00 on Saturdays, unless otherwise agreed in writing with the Director of Communities, Economy and Transport. There shall be no working at these sites on Sundays or Bank and Public Holidays, unless otherwise agreed in writing with the Director of Communities, Economy and Transport.

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

12. All construction activities shall be managed in accordance with British Standard 5228-1: 2009 (code of practice for noise and vibration control on construction and open sites - Part 1: noise) or such updated British Standard as may be issued in place of British Standard 5228-1: 2009.

Reason: To ensure that the relevant British Standard trigger levels are not exceeded in the interests of protecting the amenity of persons in the locality, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

13. The operational noise rating level shall, at all times, be below 30 dBLAeq (freefield), determined at the nearest noise sensitive receptors, namely Sailor's Stream Cottage in Butcher's Lane and the Willow Stream residential property in Fourteen Acre Lane, and in accordance with British Standard 4142: 2014.

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

14. Within 3 months of first commencement of the operational use of the wastewater treatment works, a noise monitoring report shall be submitted to the Director of Communities, Economy and Transport for approval. The report should demonstrate that the development complies with the noise restriction of Condition 13. If the development does not comply, the report should propose further measures for noise mitigation and a timetable of implementation to reduce noise to meet the restriction of Condition 13.

Reason: To safeguard the amenity of the occupiers of nearby residential properties in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

15. No development shall take place until details of surface water management at the treatment works site off Butcher's Lane have been submitted to and approved in writing by the Director of Communities, Economy and Transport which shall include:
- (i) Detailed hydraulic calculations which should take into account the connectivity of the different drainage features. They should show a 'like for like' discharge rate between the existing and proposed 1 in 1, 1 in 30 and 1 in 100 rainfall events, including an allowance for climate change;
 - (ii) Provision for catchpits upstream of cellular storage structures to prevent sediment build-up; &
 - (iii) Specifications of the measures to line any surface water storage facilities to prevent groundwater ingress.

Prior to the development being brought into use, the approved details relating to points (i) to (iii) above shall be implemented in full, unless otherwise agreed in writing with the Director of Communities, Economy and Transport.

Reason: To reduce the risk of flooding, in accordance with Policy WMP28a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

16. No development shall commence until a management and maintenance plan for the entire drainage system associated with the development has been submitted to and approved in writing by the Director of Communities, Economy and Transport. The approved plan shall be implemented in full.

Reason: To secure the proper management and maintenance of the drainage system to reduce the risk of flooding, in accordance with Policy WMP28a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

17. No development shall take place until the applicant has secured the implementation of a programme of archaeological work for both development sites, in accordance with a Written Scheme of Archaeological Investigation, which has been submitted to and approved in writing by the Director of Communities, Economy and Transport.

Reason: To ensure that the archaeological and historical interests of the sites are safeguarded and recorded in accordance with Policy WMP27a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

18. The development hereby permitted shall not be brought into use until the archaeological site investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 17 and that provision for analysis, publication and dissemination of results and archive deposition, including a timetable for the submission of details relating to the post excavation assessment, has been secured.

Reason: To ensure that the archaeological and historical interests of the sites are safeguarded and recorded in accordance with Policy WMP27a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

19. Development shall not commence until full details, including a plan showing the details, on how the affected part of the Guestling 32a public footpath will be accommodated on land to the south of Butcher's Lane have been submitted to and approved in writing by the Director of Communities, Economy and Transport.
Prior to the development being brought into use, the approved details shall be implemented in full.

Reason: To secure an appropriate specification for the footpath which will be affected by the development in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

20. Notwithstanding the fencing arrangements shown on the approved drawings, the boundary fencing at both the wastewater treatment works site off Butcher's Lane and the pumping station site off Fourteen Acre Lane shall comprise 1.8 metres high weld mesh fencing coloured dark green only, unless otherwise agreed in writing with the Director of Communities, Economy and Transport.

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

21. No artificial external lighting, including floodlighting, shall be installed or used in relation to construction and operations other than in accordance with details first submitted to and approved in writing by the Director of Communities, Economy and Transport. Such details should include reference to guidance from the Bat Conservation Trust.

Reason: In the interests of the amenity of the locality and the local natural environment, in accordance with Policies WMP25 and WMP27b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

INFORMATIVES

1. The Applicant's attention is drawn to the need to obtain:

Ordinary Watercourse Consent from East Sussex County Council, as Lead Local Flood Authority, regarding any works affecting the cross section of the stream or the flow of water.

2. The Applicant's attention is drawn to the provisions of:

The Badgers Act 1992 and The Wildlife and Countryside Act 1981, as amended in exercising any activities associated with the development.

Schedule of Approved Plans

121875-C-800010 Rev.04 - Site Location, 121875-C-800012 Rev.04 - Proposed Wastewater Treatment Works Elevation, 121875-C-800018 Rev.01 - Standby Generator Kiosk , 121875-C-900016 Rev.01 - Proposed SAFF blower and MCC Kiosk Plan, 121875-C-800017 Rev.03 - Proposed SAFF blower and MCC Kiosk Elevations , 5105602/WA/215C - Proposed Pumping Station Plan Layout, SDS 202830.04C - Topographical Land & Drainage Survey, 5105602/WA/210D - Proposed Sewerage Layout Sheet 1 of 2, 5105602/WA/211D - Proposed Sewerage Layout Sheet 2 of 2, 5105602_WA_611 RevC - Landscape Proposals Plan, Proposed Wastewater Treatment Works Site Plan - 121875-C-800011 RevD, Proposed Wastewater Treatment Works Elevation (West) Inside Fence - 121875-C-800013 RevB

41 NON MATERIAL AMENDMENT - ALTERATION TO THE WORDING OF CONDITION 13 TO ALLOW THE USE OF THE LINK ROAD BY THE PUBLIC PRIOR TO THE COMPLETION OF THE BOUNDARY WALLS AND FENCING. A259 BELLE HILL, BEXHILL-ON-SEA TO B2092 QUEENSWAY, ST LEONARDS-ON -SEA - RR/2474/CC(EIA)/NM/11

41.1 The Committee considered a report by the Head of Planning and Environment. The Chair reported that two of the local members had sought assurances about the provision of safety measures and this was referred to in the officer's report.

41.2 Mr Karl Taylor, Assistant Director Operations on behalf of the applicant, spoke to provide reassurance that acoustic, safety and badger fencing would be installed prior to the road opening.

41.3 Councillor Field, one of the Local Members and member of the Planning Committee, spoke in support of the application.

41.4 Members have considered the report, together with the comments of the Local Members and public speaker, and agree with the conclusion and reasons for recommendation as set out in paragraph 8 of the report.

41.5 RESOLVED to grant the application for non material amendment RR/2474/CC(EIA)NM/11 and alter the wording of condition 13 attached to RR/2474/CC(EIA), approved on 29 July 2009, as follows:

13. Unless otherwise agreed in writing by the Head of Planning and Environment, the Link Road shall not be brought into full permanent use by the public until all approved details of boundary walls, fences and other means of enclosure to be erected within the site have been provided and shall thereafter be retained unless otherwise agreed in writing by the Head of Planning and Environment. If during construction, the temporary use of part of the Link Road is required this shall only be undertaken with means of enclosure appropriate to the temporary use and following the prior written approval of the Head of Planning and Environment.

Reason: To ensure the appropriate appearance of the development in the area.

42 RENEWAL OF PLANNING PERMISSION FOR THE SITING OF ONE MOBILE CLASSROOM TO THE SOUTH EAST OF THE SCHOOL SITE. NINFIELD C OF E SCHOOL, CHURCH LANE, NINFIELD - WD/1656/CC/3

42.1 The Committee considered a report by the Director of Communities, Economy and Transport. Clarification was provided regarding the proximity of the nearest residential property which was confirmed to be "School House" but this did not affect the officer's recommendation.

42.2 The comments of Councillor Bentley, one of the Local Members, had been circulated to the Committee.

42.3 Members have considered the officer's report and comments of the Local Member, and agree with the conclusions and reasons for recommendation.

42.4 RESOLVED to grant planning permission subject to the following condition:

1. The temporary building hereby permitted shall be removed from the site and the land restored to its former physical state by 31 October 2016 or as otherwise agreed in accordance with a scheme submitted to and approved in writing by the Director of Communities, Economy and Transport.

Reason: The nature or form of development is only considered appropriate for a temporary period.

43 DEVELOPMENT MANAGEMENT MATTERS: QUARTERLY REPORT

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

43.2 RESOLVED to note the report.

(The meeting ended at 11.28 am)

CHAIRMAN

Committee: **Regulatory
Planning Committee**

Date: **11 November 2015**

Report by: **Director of Communities, Economy and Transport**

Proposal: **Erection of a non-ferrous metals storage building, skip storage area, 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**

Site Address: **Sussex Waste Management Site, Whitworth Road, St Leonards-on-Sea, East Sussex, TN37 7PZ.**

Applicant: **Mr Fred Ham, Sussex Waste Management Ltd**

Application No. **HS/759/CM**

Key Issues: **i. Need for the development;
ii. Effects on amenity: Noise, Dust, External storage of skips/containers containing waste;
iii. Landscape, Visual Impact and Biodiversity
iv. Traffic impacts**

Contact Officer: **Chris Flavin - 01273 481833**

Local Member: **Councillor Peter Pragnell**

SUMMARY OF RECOMMENDATIONS

1. To grant planning permission subject to conditions as indicated in paragraph 8.1 of this report

CONSIDERATION BY DIRECTOR OF COMMUNITIES ECONOMY AND TRANSPORT

1. The Site and Surroundings

1.1 The Sussex Waste Management Site is situated on the northern fringe of Hastings to the south of The Ridge West and to the west of the A21, and the site is accessed via Junction Road and Whitworth Road. The western section of this access is a single lane road serving the applicant's site and the neighbouring industrial unit. The eastern section of the road is a two lane adopted highway with adequate width for parking on both sides.

1.2 The waste transfer station site accommodates a skip hire business and comprises open land surfaced with a mixture of tarmac and concrete. In the north-east corner of the site is the existing waste transfer building, an open fronted steel sheet clad industrial type shed measuring 24.3 metres by 9.3 metres, and 9 metres in height. Along the eastern boundary of the site towards the southern end of the site is a portakabin site office and weighbridge. The site access is located at the southern end of the site.

1.3 Immediately south of the site is an open area of land occupied by a scaffolding company which uses the site as a depot and storage yard. The western boundary and part of the northern boundary is contained by dense woodland. The site is bounded to the north, west and south, by the Hollington Valley Site of Nature Conservation Interest (SNCI), also commonly referred to as the Hollington Valley Local Wildlife Site (LWS), which extends some 300 metres to Beauharrow Road, a residential area to the south. This SNCI is a mixture of woodland, open land and two large ponds, and, is crossed with informal footpaths.

1.4 To the east of the application site beyond an embankment and line of trees is the Whitworth Road Industrial Estate. The neighbouring industrial unit, 40 metres to the east of the site is occupied by Emmaus, a 'social enterprise' charity which has a second-hand superstore in a building, selling furniture and other second-hand items that have been repaired in a workshop on site. As well as providing employment, the Emmaus site also provides residential accommodation for people that were formerly homeless, and this lies approximately 30 metres to the east of the application site.

1.5 In addition to the neighbouring Emmaus site, the nearest residential dwellings are houses at Beauport Gardens to the west of the site, some 250 metres away at the other side of Queensway, and, the caravan site (Beauport Holiday Park) which is 150 metres away to the north of the A2100 (The Ridge West). To the south west 320 metres away are several houses that are accessed from Beauharrow Road.

1.6 There are public rights of way close to the western boundary, the north-west boundary and along part of the eastern boundary of the site. The boundary of the High Weald Area of Outstanding Natural Beauty lies approximately 75 metres to the north.

2. The Proposal

2.1 This application is for a number of additions and changes to the existing permitted waste recycling facility, as summarised below:

- Erection of a storage building for non-ferrous metals.
- Concrete hardstanding to provide an inert waste treatment pad (to accommodate inert waste processing).
- The screening, sorting and crushing of inert waste externally (outside the existing waste transfer building).

- New external waste storage bays (for inert waste) and associated rear push walls.
- A designated skip storage area (for empty skip and for skips containing recovered waste materials).
- The erection, retrospectively, of a 3 metres high pole for mounting five CCTV cameras.
- Partial replacement fencing.
- Improved drainage facilities.

2.2 When the planning application was originally submitted, the proposed description of the development included a proposed increase in the maximum number of vehicle movements (from 48 movements up to 80 movements). However the applicant has subsequently removed this part of the proposal, due to the advice of the Highway Authority that the proposed increase in vehicle movements would only be acceptable if the site was accessed from an alternative new access route onto the proposed new Queensway Gateway Road.

2.3 The planning permission for the Queensway Gateway Road, which relates to land to the south west of the Whitworth Road waste transfer station site (land between Queensway and Sedlescombe Road North), was extant at the time that Sussex Waste Management submitted the planning application. However, the planning permission for the Gateway Road (HS/FA/14/00832) has since been quashed by Hastings Borough Council. This means that Sussex Waste Management will have to continue to use the existing site access off Whitworth Road. Consequently, the original proposed increase in vehicle movements has been removed from the application. (For further specific details of the proposed Queensway Gateway Road see Section 3 below.)

2.4 The proposed building for the storage of non-ferrous metals would be a steel framed building (moss green in colour) located in the south western corner of the site, measuring 12.2 metres by 13.4 metres, and, 4.6 metres in height (to the eaves of the roof). The purpose of the building is to accommodate metals that are recovered from skip loads of incoming waste and also to store the existing metal shearing equipment.

2.5 A concrete hardstanding area measuring 16 metres by 23 metres is proposed to the south of the existing recycling building, where the applicant proposes to screen, sort and crush inert waste (externally). The processed inert waste products arising from this operation would then be stored within the proposed storage bays (see paragraph 2.6 below) on the eastern side of the new concrete pad. Under the current planning permission for the site the processing and storage of waste is only permitted to take place within the footprint of the main recycling building –a stainless steel clad shed-type or 'lean to' structure which is almost entirely open on one side. All non-inert waste and mixed skip waste would continue to be processed inside the existing recycling building.

2.6 The erection of a new wall constructed with railway sleepers and storage bays for recycled materials is proposed along the eastern boundary of the site, immediately south of the existing recycling building. The rear wall at the back of the bays would be created from wooden sleepers and RSJ's. The internal dividing walls between each bay would comprise pre-cast concrete 'L' or 'A' shape sections. The rear wall and the internal dividing sections for the bays would be a maximum of 3 metres in height, although the applicant has yet to confirm what the actual height would be. The height of the railway sleeper wall has also not yet been confirmed but it would need to be higher than the pre-cast concrete sections in order to prevent waste over-spilling at the back of the bays. The bays are located wholly on the proposed new concrete pad.

2.7 A new designated skip store area measuring 52 metres by 16 metres is proposed along the western side of the site. Most of the skips that would be stored in this location would be empty although some skips would contain sorted, recovered waste materials. The applicant has proposed that the maximum number of skips that would be stored with waste in them would be 25 and the number of roll on/off containers with waste stored in them would be 5. The storage of waste in skips outside is controlled by the Environment Agency (EA) issued Environmental Permit –consequently, some types of recovered waste would be required to be covered, other types, such as plastic window frames or glass would not require covering. The applicant states that the skips of recovered waste would be stored for a minimum possible period of time prior to being removed off site for further recycling or re-use.

2.8 The applicant is also seeking planning permission retrospectively for the erection of a 3 metres high pole which provides mounting for five CCTV security cameras. The pole is attached to the wall on the western side of the site office.

2.9 New replacement fencing is required along the northern boundary of the site and a small section along the eastern boundary due to damage, and, wear and tear. Along the northern boundary of the site it is proposed to erect a 45 metres long section of steel palisade fencing (2.5 metres high). Along the eastern section, new wooden panel fencing (1.8 metres high) is required to ensure that the site is secure in order to comply with the Environmental Permit and to minimise the visual impacts of the site.

3. Site History

3.1 Planning permission HS/570/CM - Change of use from a skip hire depot with siting of a portable office building to a mixed use incorporating a skip hire depot with siting of a portable office building, weighbridge and new building for a waste transfer & recycling facility, was granted on 10 November 2008.

3.2 Planning permission HS/651/CM - Variation of condition 3 and deletion of condition 14 of planning permission HS/570/CM, comprising changes to the

size and design of the waste transfer building, including omission of the roller-shutter doors, was granted on 24 January 2011.

3.3 Non-Material Amendment (NMA) application HS/651/CMNM/1 to amend position of building (relocation by 1 metre) and building to be constructed in rectangular footing was granted on 14 July 2011.

3.4 In June (2015) Hastings Borough Council quashed Planning Permission HS/FA/14/00832 (issued on 05/02/2015) for the proposed Queensway Gateway Road which relates to land to the south west of the Whitworth Road waste transfer site (land between Queensway and Sedlescombe Road North). The application for the Queensway Gateway Road has subsequently been re-submitted to Hastings Borough Council and the application will eventually be considered by the Council's Planning and Regulation Committee.

4. Consultations and Representations

4.1 Hastings Borough Council: Raises no objection, subject to the following conditions: i) times of crushing to be restricted to between 08.00 -17.00 Monday to Friday; ii) crusher not to be used on windy or very dry days; iii) Dust Scheme needed to outline measures to prevent fugitive emissions of particulate matter to air; and iv) due to the potential increase in HGV traffic on site, a wheel wash facility should be considered to prevent the tracking of dust and other material onto the highway.

4.2 Highway Authority: The proposed increase in HGV movements shouldn't be permitted until the Queensway Gateway Road is formally open.

4.3 Environment Agency - No objections to the proposal.

4.4 Representations

Letters of objection were received from the residents of six different residential addresses which are located on Beauport Home Farm Close and Beauharrow Road, some 400-500 metres from where the proposed crushing operation would take place. The following concerns have been raised:

- The existing waste operation already causes poor air quality, dust and noise.
- Proposed processing of waste externally will result in increased noise and dust.
- Concerns proposal will cause odour, vibration and vermin problems.
- Roads won't be able to cope with the increase in traffic.
- The increased HGV traffic will cause more disturbance (noise, dust and congestion).
- Poor site access (until the Queensway Gateway Road is built).
- Applicant has previously been prosecuted regarding non-compliance issues.
- An air quality assessment/environmental study should be carried out.

- Current development is non-compliant with conditions regarding storage of waste on the site.
- Concerns over impacts on wildlife in this area: the effect of the proposal on wildlife should be assessed.
- Concerns over potential groundwater pollution and the pollution that surface water runoff might cause
- Not a good location for the proposed development.
- Current development generates noise of skips being dropped and scraping of metal on concrete.
- The scrap metal part of the business has already increased the volume of traffic at the site (which has added to the pollution, noise and smell).
- Allege that the increase in traffic has already taken place.
- Concerns the proposed push walls will be another unacceptable noise level.

5. The Development Plan and other policies of relevance to this decision are:

5.1 East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013: Policies: WMP3b (Waste Hierarchy), WMP22 (Expansion and Alterations Within Existing Waste Facilities), WMP23A (Design Principles for Built Waste Facilities), WMP25 (General Amenity), WMP 26 (Traffic Impacts), and WMP27 (Environment and Environmental Enhancement).

5.2 Hastings Local Plan 2011-2028: Hastings Planning Strategy (2014): Policy EN6 (Local Wildlife Sites).

5.3 Hastings Local Plan 2011-2028 Development Management Plan (adopted 2015): Policies: DM1 (Design Principles), DM3 (General Amenity), and Policy DM6 (c) (Pollution and Hazards),

5.4 National Planning Policy Framework (NPPF) 2012: The NPPF does not change the status of the Development Plan as the starting point for decision making and constitutes guidance as a material consideration in determining planning applications. It does not contain specific waste policies but regard should be had to NPPF policies so far as relevant.

5.5 National Planning Policy for Waste (NPPW) 2014: The NPPW sets out detailed waste planning policies and regard should be had to them when planning authorities seek to discharge their responsibilities to the extent that they are appropriate to waste management.

6. Considerations

Need for the development

6.1 Policy WMP3b of the Waste and Minerals Plan seeks to divert waste away from landfill and for it to be managed further up the waste hierarchy. Policy WMP22 of the Waste and Minerals Plan supports, in principle, proposals for increased operational capacity within the boundary of existing

waste sites, where it can be demonstrated that certain criteria are met. These criteria include the requirement for improved operational efficiency of the facility, and the proposed development contributing towards meeting the objectives of the Waste and Minerals Plan.

6.2 Under the current planning permission the processing and storage of inert waste is only permitted to take place within the footprint of the existing waste transfer building, and the crushing of inert waste is not permitted to take place anywhere on the site. Because of the amount of space in the waste transfer building that is taken up unloading, sorting and storing non-inert and mixed skip waste, there is currently a lack of available space to effectively deal with the quantities of inert waste that are being brought on to the site. The proposal to process and store inert waste externally on a separate part of the site to other waste types, would enable the site to be operated in a more effective and efficient manner, as well as enabling a higher volume of waste to be processed at the site. In addition to this, the proposed crushing and processing of inert waste would enable the recovery and re-use of a higher proportion of waste on site. As well as diverting more waste away from landfill the proposed crushing would prevent the need for inert waste to be 'double handled' -where inert waste may have previously been taken away from Whitworth Road to be crushed and processed elsewhere.

6.3 Since submitting the planning application the applicant has indicated that, for operational reasons, a slightly larger concrete pad is required. However, no details have been submitted regarding the required size. A condition is therefore proposed requiring the submission of details of the location and size of the concrete pad, prior to its construction.

6.4 It is considered that the proposal would enable a beneficial increase to the operational capacity of the site as well as improved recycling rates, both of which would enable more waste to be moved up the waste hierarchy. The proposal therefore complies with Policies WMP3b and WMP22 of the Waste and Minerals Plan.

Effects on Amenity

Noise

6.5 Policy WMP25 of the Waste and Minerals Plan seeks to protect the standard of general amenity appropriate to the locality of the development and for development to provide for adequate means of controlling, inter alia, dust, noise and odour. With regard to noise it states that there shall be no significant adverse impact on the local acoustic environment. Policy DM6 of the Hastings Development Management Plan seeks to protect human health and water quality, with (c) relating to noise and odour. It states that planning permission will only be granted providing that noise and odour that is detrimental to neighbouring and/or local amenity is kept to a practical minimum and that appropriate means of assessment may be required.

6.6 Residents in the local area have raised concerns that the proposed development would result in elevated noise levels which would cause unacceptable noise disturbance. Furthermore, local residents have said that the existing development is already causing problems with noise disturbance as well as dust, although no complaints have been received recently relating to noise from the current activities at the site.

6.7 A noise assessment has been submitted as part of the planning application but it has not met the standard that is required to make accurate and reliable conclusions about the likely impacts of the proposal on the local noise environment. Although several re-submissions of the noise assessment were made, they didn't meet the criteria set out in the Planning Noise Advice Document for Sussex (2015).

6.8 The proposed external waste operations would be on a relatively small scale and the proposed 'bucket crusher' is very different to the much larger mobile crushers that are used at larger aggregate recycling sites and demolition sites to process hundreds of tonnes an hour (the proposed bucket crusher would only process a maximum of 50 to 60 tonnes per hour). The external crushing and waste processing operations will clearly generate some noise on the site, but the question is to what extent will it impact on the noise environment experienced by the residential dwellings in the area. Concerns about noise were raised by the residents of three different properties at Beauport Home Farm Close and one resident at Beauharrow Road. These residents are some 400-500 metres from where the proposed crushing operation would take place. At this distance, and against a prevailing south westerly wind direction, the proposed operations would have to be quite severe if they were to be audible enough to cause disturbance.

6.9 Much nearer to the proposed external waste operations is the neighbouring Emmaus site, which, in addition to the second-hand superstore and workshop, also provides residential accommodation for people that were formerly homeless. Although the accommodation block is an unusual feature on an industrial estate, it still has to be viewed as residential, and consequently, a noise sensitive receptor. One of the purposes of requiring the submission of a noise assessment with the planning application, was to enable an accurate assessment (with a higher degree of certainty) of the predicted noise levels that would be experienced by occupiers of the Emmaus site if the proposed development went ahead. The other reason for requiring the noise assessment was the expectation that it could have been used to highlight the opportunity for noise mitigation measures and to predict and assess the likely effectiveness of the noise attenuation measures that are available. Without a more detailed and reliable noise assessment neither of these requirements can be fulfilled.

6.10 It is considered that it is not possible to totally ensure the protection of the local and neighbouring amenity under these arrangements as is required by Policy WMP25 of the Waste and Minerals Plan and Policy DM6 (c) of the Hastings Development Management Plan. For this reason it is not considered

acceptable to grant a planning permission that allowed permanent processing/crushing of waste externally at the present time.

6.11 Rather than refusing the entire planning application because of this one aspect of uncertainty, one option would be to grant a planning permission which limits the external waste processing/crushing operations for a temporary period only. This would allow the Waste Planning Authority to fully monitor and assess the actual impacts of external processing at the site. With such an option, all other parts of the proposal (the metals storage building, skip storage area, fencing, new concrete pad with storage bays and push walls, and improved drainage) would be granted permanent planning permission, but the external waste operations (crushing and the processing of inert waste outside the existing waste building) would be limited by planning condition for a temporary period of time. The actual hard standing surface of the concrete pad itself, where the external waste operations are proposed, could be included in the permanent planning permission i.e. it would only be the external waste operations that would be covered by the temporary period planning condition.

6.12 The proposal does include some means of controlling noise and dust, and in conjunction with additional restrictions and controls that could be imposed using planning conditions it would be possible to fulfil the requirements of Policy WMP25 of the Waste and Minerals Plan and Policy DM6 (c) of the Hastings Development Management Plan. A planning condition could be used to limit the hours during which external crushing, mechanical processing/sorting and unloading/emptying of skips, containers or vehicles transporting waste, outside of the footprint of the waste transfer building could take place to between 08.00–17.00 Monday to Friday. Another planning condition could impose a limit on the noise levels generated by the waste operations (as recorded by noise monitoring equipment at the neighbouring Emmaus site). A similar planning condition already applies to the existing permission. In order to assess and monitor compliance with the noise limit, another planning condition would require a noise survey to be carried out (conducted while the proposed bucket crusher is in use) and the results submitted, within 2 months of the start of the bucket crusher being used at the site. With regard to the length of the temporary period, 12 months is considered to be appropriate as this would enable the applicant to demonstrate whether or not it is possible to carry out the external processing operations without any compliance issues or unacceptable adverse impacts occurring.

6.13 The other factor which has been taken into consideration is that although the neighbouring Emmaus site contains a residential unit, it is still located on what is an industrial site, and Emmaus itself is a working business with a furniture repairs workshop and shop that are operate during normal working hours. The workshop and 'second hand superstore' generate their own noise during business hours and therefore the amenity of the site and the local noise environment during those hours is very different to what would normally exist in a residential area. Operations at the application site would be restricted to 0700 to 1800 Monday to Friday, and, 0700 to 1300 on Saturdays.

6.14 Subject to the proposed conditions and the recommendation that the proposed external waste crushing and processing operations is limited to a temporary period of 12 months, the proposal is considered to be in accordance with Policy WMP25 of the Waste and Minerals Plan and Policy DM6 (c) of the Hastings Development Management Plan.

Dust

6.15 Local residents have raised concerns that the proposal to process and crush inert waste externally would cause dust problems. The processing and crushing of inert waste is a something that can generate dust, particularly during periods of dry and windy weather. However, dust impacts can be controlled effectively when mitigation measures are employed. To prevent dust spreading to the neighbouring area, the applicant proposes to use a water based mist stream 'atomiser'. The atomiser would produce a fine mist up to 20 metres in length, and this would be directed towards the area of inert processing or where incoming loads of waste are being unloaded. The applicant has also advised that should planning permission be granted a detailed Dust Management Plan could be prepared which would outline operational procedures for ensuring that dust is minimised. It has been noted that the residents that have raised the concerns relating to potential dust problems, live between 400 and 500 metres from where the proposed crushing operation would take place. At such a distance it is unlikely that these residents (on Beauport Home Farm Close and Beauharrow Road) would experience any dust problems from operations at the site.

6.16 All existing waste operations at the site are also controlled by an Environmental Permit issued by the Environment Agency (EA) and this would continue to be the case if the proposed development is granted planning permission. This covers all areas of pollution prevention including dust, noise and odour. The Environmental Permit would also require dust prevention and dust management procedures to be in place and in the event that these are found to be ineffective at any point, the EA can require these measures to be reviewed and updated with additional measures.

6.17 Subject to the proposed conditions, it is considered that the proposal would not have an undue unacceptable impact on the amenity of the local area, including existing local and potential future local residents, businesses and other users of the area, in accordance with Policy WMP25 of the Waste and Minerals Plan and Policy DM6 of the Hastings Development Management Plan.

External storage of skips/containers containing waste

6.18 Regarding the proposal for a new designated skip storage area, there is some concern that the applicant has proposed the storage of a large quantity of waste (sorted waste/recovered materials) within skips. The applicant has proposed that the maximum number of skips that would be stored with waste in them would be 25 and the number of roll on/off

containers with waste stored in them would be 5. This could result in long term storage of waste and recovered materials on the site, instead of the material being transferred for sale, disposal or further processing/recycling at another location.

6.19 An overriding need for long term storage of up to 25 full skips and 5 larger 'roll on, roll off containers' of waste has not been demonstrated. It is accepted that different waste streams need to be bulked up and that in order for it's transfer off site to be cost effective and viable, there is a need for a certain minimum quantity of a waste type or material to be accumulated. However, the storage of 25 skips of waste and 5 containers is considered to be excessive, and furthermore the applicant would have the capacity to also store waste within the proposed bays or the main waste transfer building. A maximum of 10 skips of waste and 5 containers (roll on, roll off containers) is considered to be a more than adequate amount that would enable the effective management of up to 15 different types of waste material. It is therefore recommended that a planning condition be imposed, which limits the maximum number of skips and containers that can be used to store waste externally, to 10 skips and 5 roll on, roll off containers. The type of waste stored within the skips/containers also needs to be controlled by the proposed condition.

Landscape, visual impact and biodiversity

6.20 Policy WMP23A (Design Principles for Built Waste Facilities) of the Waste and Minerals Plan requires built waste developments to be of a design that complements the existing scale and built form of the local area and take account of local landscape and distinctiveness. Policy DM1 (e) of the Hastings Development Management Plan (2015) requires proposals to take into account visual impact, including the height, scale and form of the development in the context of the site's location.

6.21 The site is an established waste management site with associated light industrial character, buildings and plant, and is not considered to be valued landscape in the context of the NPPF. The landscape character of the townscape to the east of the site is of low sensitivity to the proposed development. The character of the Hollington Stream Valley is of moderate landscape sensitivity to the proposed development, therefore this needs to be considered in the context of the existing waste site.

6.22 It is considered that the existing waste use on the site does not detract from the visual amenity of the wider landscape as it is largely screened from public views by topography and tree cover. Furthermore the Hollington Stream Valley and associated trees provide a landscape buffer to the site. The visual sensitivity of the surrounding area is considered to be of low sensitivity to the proposed development.

6.23 The landscape and visual impacts of the proposed development are considered to be minor. Because of the well screened nature of the site and surrounding topography, the proposed metals building and push wall will not

have any significant impact on the surrounding landscape. Consequently the proposal accords with Policies WMP23a of the Waste and Minerals Plan and Policy DM1 (d) of the Hastings Development Management Plan (2015).

6.24 Policy WMP27 of the Waste and Minerals Plan states that permission will not be granted where the development would have a significant adverse impact on sites of national and local importance for nature conservation, including local sites of biodiversity interest such as Local Wildlife Sites (LWS) or Sites of Nature Conservation Importance (SNCI). Policy EN6 of the Hastings Local Plan Planning Strategy states that development proposals within or adjacent to Local Wildlife Sites will only be permitted where there is a local need which outweighs any harm to the nature conservation interest.

6.25 The proposal site is immediately adjacent to the Hollington Valley SNCI (also known as the Hollington Valley Local Wildlife Site) which comprises 13.93 hectares of semi natural woodland with associated stream and meadows. In fact, a small part of the existing permitted waste transfer site is within the defined boundary of the SNCI. As the site has been in industrial and waste use for some time, this small part of the SNCI has lost any wildlife interest that might have once existed.

6.26 It is considered that provided the recommended mitigation measures are carried out, the proposed development is unlikely to have a detrimental impact on biodiversity and can therefore be supported from an ecological perspective. With regard to the SNCI, it is noted that due to the location of the proposed inert waste treatment pad on the eastern flank of the site, which is furthest from and downwind of the SNCI, the potential dust impacts on the SNCI would be minimised. Furthermore, as previously noted in paragraph 6.14 above, the proposal already includes dust mitigation measures such as the atomiser and the applicant would be required by planning condition to submit an updated Dust Management Plan.

6.27 The proposed development would not have a significant adverse impact on the Hollington Valley SNCI or any other nature conservation sites, and therefore complies with Policy WMP27 of the Waste and Minerals Plan and Policy EN6 of the Hastings Local Plan Planning Strategy.

Traffic Impacts

6.28 Policy WMP26 (Traffic Impacts) of the Waste and Minerals Plan sets out the transport criteria and scenarios under which proposals will be permitted. The proposal does not now involve any change to the volume of traffic generated at the site. To ensure that volumes of traffic at the site do not increase, the existing planning condition on permission HS/651/CM, which imposes daily limits on the volume of HGV and skip truck movements, would be kept and re-applied if planning permission is granted. Furthermore, an additional planning condition is proposed requiring the applicant to maintain records of daily vehicle movements (skip trucks and HGV's) which would have to be made available to the Waste Planning Authority upon written request. Consequently it can be concluded that the proposal would not have an

unacceptable adverse impact upon existing highway conditions, and it thus accords with the requirements of Policy WMP26 of the Waste and Minerals Plan.

7. Conclusion and reasons for approval

7.1 In accordance with Section 38 of the Planning and Compulsory Purchase Act 2004 the decision on this application should be taken in accordance with the development plan unless material considerations indicate otherwise.

7.2 The proposal is for a new building for the storage of metals, and a number of additions and changes to the existing planning permission, the main change being the crushing and processing of inert waste externally. The proposal is considered acceptable in waste management terms, but without details and reliable noise assessment, the part of the proposal that involves the external crushing and processing of inert waste cannot be recommended for approval on a permanent basis.

7.3 The external waste crushing and processing parts of the proposal should be restricted to a temporary period of 12 months, through the use of planning conditions. The proposal does include some means of controlling noise and dust, and in conjunction with additional restrictions and controls that could be imposed using planning conditions it would be possible to fulfil the requirements of Policy WMP25 of the Waste and Minerals Plan and Policy DM6 (c) of the Hastings Development Management Plan (2015).

7.4 The new building and proposed changes would enable the applicant's business to operate more effectively and efficiently, with additional waste recovery allowing the diversion of more waste away from landfill. Detailed mitigation measures such as the new mist atomiser (for dust control) have been included in the proposal and proposed planning conditions should further ensure that there is no undue unacceptable effect on amenity.

7.5 The proposal is therefore considered to comply with the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (2013) Policies: WMP3b (Waste Hierarchy), WMP22 (Expansion and Alterations Within Existing Waste Facilities), WMP23A (Design Principles for Built Waste Facilities), WMP25 (General Amenity), WMP 26 (Traffic Impacts), WMP27 (Environment and Environmental Enhancement); the Hastings Local Plan 2011-2028 Planning Strategy (2014) Policy EN6 (Local Wildlife Sites); and the Hastings Development Management Plan (2015) Policy DM1 (Design Principles), Policy DM3 (General Amenity), Policy DM6 (Pollution and Hazards).

7.6 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) Order 2015.

7.7 There are no other material considerations and the decision should be taken in accordance with the development plans.

8. Recommendation

8.1 To recommend the Planning Committee 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 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

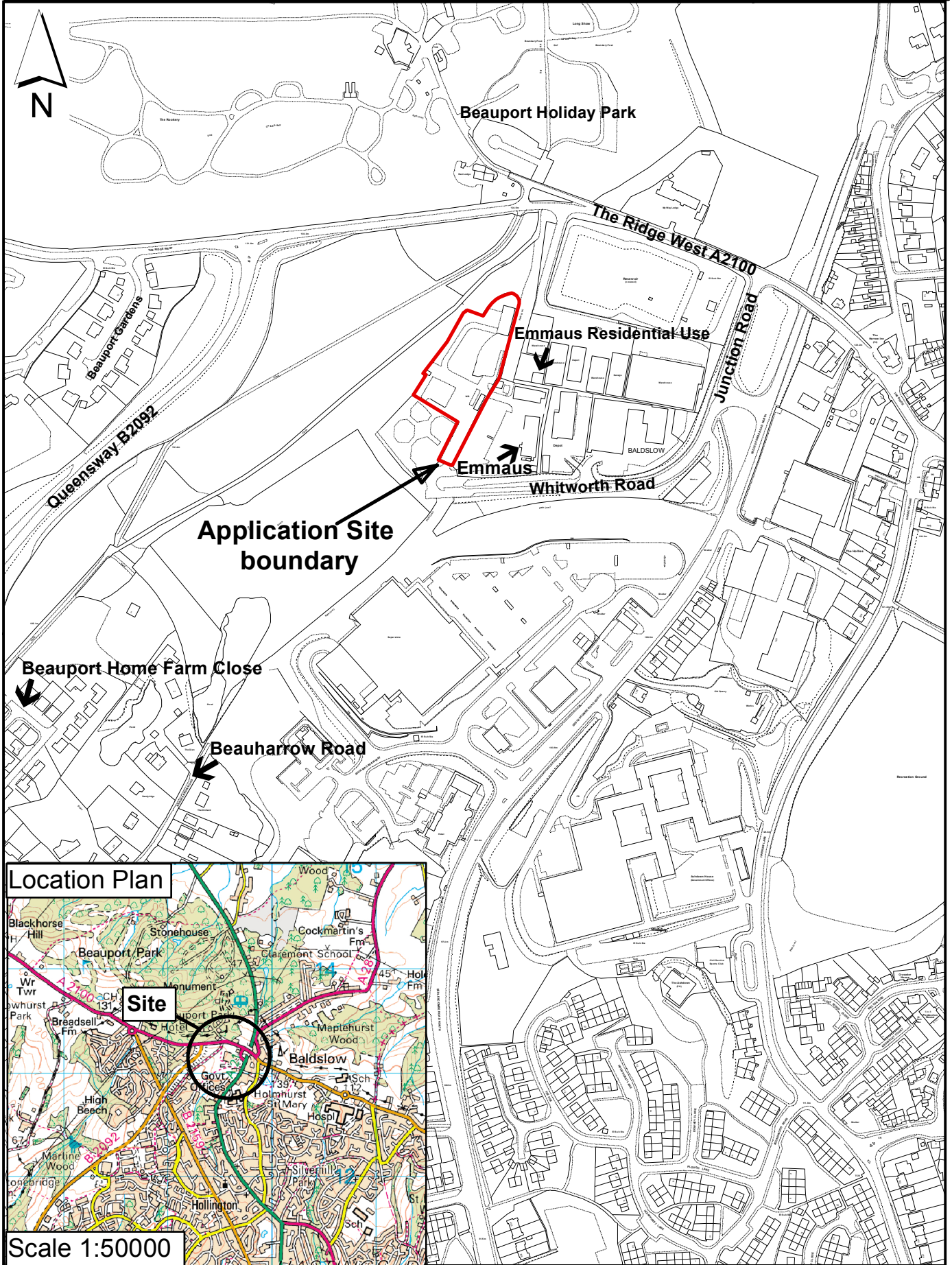
RUPERT CLUBB
Director of Communities, Economy and Transport
3 November 2015

BACKGROUND DOCUMENT

See file HS/759/CM

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HS/759/CM Sussex Waste Management Site, Whitworth Road, St Leonards-on-Sea



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Committee: **Regulatory
Planning Committee**

Date: **11 November 2015**

Report by: **Director of Communities Economy and Transport**

Proposal: **Proposed Extensions to provide additional teaching and ancillary accommodation.**

Site Address: **Ark Blacklands Primary Academy, Osborne Close, Hastings, TN34 2HU.**

Applicant: **Business Services Department, East Sussex County Council.**

Application No. **HS/3298/CC**

Key Issues: **i) Need
ii) Design and Impact on Amenity
iii) Traffic Implications
iv) Other issues**

Contact Officer: **Julie Cattell – Tel. 01273 481595**

Local Member: **Cllr. John Hodges**

SUMMARY OF RECOMMENDATIONS:-

1. The Committee is recommended that the application be approved subject to the completion of 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 paragraph 8.3 of this report.

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

CONSIDERATION BY DIRECTOR OF COMMUNITIES, ECONOMY AND TRANSPORT

1. The Site And Surroundings

1.1 Ark Blacklands Primary Academy, Osbourne Close is located on a large site (2.06ha) in the centre of a residential area to the north of Hastings Town Centre. The site is roughly rectangular and is bounded on all sides by one or two storey residential properties. The site boundaries are marked by dense vegetation and trees to the extent that the School is hardly visible from public areas. The site levels are varied with a steep slope across the site from east to west. There are a number of significant mature trees on the School site which are of varying quality and value.

1.2 The main pedestrian and vehicular entrance to the site is from Osborne Close, a narrow cul-de-sac containing a mix of houses, flats and free-standing garages.

1.3 The main school building is located to the east of the site and has two wings leading from a central core. It is a mix of flat roof single and two storey elements with timber and masonry cladding. There was a free standing structure enclosing a swimming pool adjacent to and east of, the northern wing, which was demolished and the pool infilled earlier in 2015.

2. The Proposal

2.1 Planning permission is sought for extensions to the School to create the following: a) new block containing three additional classrooms; b) extension to an existing classroom; c) extension to the hall; and d) extension to the administration office and Reception Year toilets. The extensions and alterations are to accommodate additional intake up to 2021. The current capacity of the school is for 540 pupils. The intention is to increase the intake by 15 pupils per year up to 2021, with an increase of staff from 75 to 97.

2.2 The new teaching block measuring 20.4m x 13m x 4m high will be located on the eastern facing elevation of the north wing of the main school building. It will comprise three classrooms – one covering 56m² and two at 57m², together with a 10m² Group Room, toilet block (including Accessible WC), circulation space and a glazed link to the existing building, measuring 3m x 12.5m.

2.3 The extension to the existing hall will be 10.5m deep x 4.5m wide, on the north facing elevation of the central wing of the School and will provide 33m² of additional space and an 11m² store.

2.4 The extension to the administration office will be 9.8m wide x 3m deep, on the east facing side of the southern wing of the School and will comprise 17m² of additional office space. The Reception Year toilets are adjacent to the

office and will be extended and re-modelled. These works will be on the elevation adjacent to the main entrance to the School.

2.5 Finally, the existing Reception Year classroom in the southern wing of the School will be extended on the west-facing elevation to create an additional 19m² of floorspace.

2.6 The new extensions are all single storey and have been designed to complement features of the existing school building. The facing material will be vertical timber cladding, set on grey coloured brick plinths where there are changes in level. All doors and windows and the curtain walling system on the south facing link block will be slate grey colour powder coated aluminium. There will be angled rooflights over the new teaching block and clerestory windows above the hall extension.

2.7 A new hard landscaped area will be formed in the space between the new teaching block and the hall extension. This will be a permeable surface with raised planting beds and seating. There are a number of trees close to the buildings which are to be retained. Four new parking spaces, including one for drivers with disabilities, will be created within the School site, close to the south-eastern corner of the building.

2.8 An existing single storey extension to the hall (approximately 3m deep by 7m wide) will be demolished to accommodate the new hall extension. The swimming pool itself was removed and infilled, all to facilitate the new teaching block.

2.9 The School held a meeting about the project for local residents on 28th September 2015.

3. Site History

3.1 The planning history of the School site dates back to 1975 and includes applications for mobile classrooms and retention thereof, enclosure of the swimming pool, small-scale extensions and refurbishment works, and, replacement windows.

3.2 The most recent application dates from 2011. HS/2985/CC – Partial refurbishment and single storey extension to south eastern elevation. This extension has been built and offers accommodation for a special needs facility in the School.

4. Consultations and Representations

4.1 Hastings Borough Council - No objections to the proposals

4.2 Highway Authority - There is some concern that the proposed extension of the School could increase parking pressures and congestion issues on the highway network at the start and end of the school day; however, the provision of a robust Travel Plan and improved facilities to

encourage alternative means of transport to the School will help to reduce any impact. Bearing in mind the package of measures mentioned above, as well as paragraph 32 of the National Planning Policy Framework which states that 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe,' it is not considered that a refusal on highway grounds could be defended. Any offsite works and the travel plan will need to be secured via will need to be secured via a S106 Legal Agreement/Unilateral Undertaking. In response to the further representations raised after the Transport Statement was published, no objections are raised to a 20mph speed limit. However, on-street parking acts as a natural traffic calming feature and as a result vehicle speeds are generally slow during the busiest periods. There may be also objections from other residents to the introduction of a speed limit. Overall, the likely increase in vehicle trips is unlikely to be considered as severe, even with a 'do nothing' approach. An objection on Highways grounds could not be justified.

4.3 Local Representations – Representations have been received from eight local residents, variously raising the following issues:

- Lack of adequate consultation by the School, requests for extension of time for local residents to comment to ESCC
- Concern about quality of consultation carried out by School, lack of transparency of the consultation process
- Planning Authority consultations should have been wider
- Concern about adequacy of parking on site
- Concern about traffic generation, capacity of roads and pathways
- Concern about increased demand for on-street parking in the area generally, lack of consideration by people dropping off/picking up children
- People dropping off/picking up children should not be permitted to use Osborne Close
- People block driveways in Osborne Close
- The proposal does not include any mitigation measures for traffic impacts
- No consideration given to what would happen if the proposed updated School Travel Plan is not properly implemented
- Errors in Transport Statement pointed out
- Concern about loss of outlook and privacy for residents in properties backing onto the School site
- TPOs should be placed on trees on the site
- Swimming pool was not under-used, it should be replaced
- A further representation was received following the publication of the Transport Statement and the Highway Authority response, suggesting that a) liaising with the local bus company with a view to improving public transport use, including provision of a school bus; b) introduction of a 20mph speed limit on Freshwater Avenue or a one-way system at peak times. Concerns raised about how the off-site works would be delivered and lack of timetable for the monitoring of the Travel Plan

5. The Development Plan and other policies of relevance to this decision are:

5.1 Hastings Development Management Plan (adopted September 2015)
Policies: DM1 (Design Principles), DM3 (General Amenity) DM4 – General Access, HC3 (Community Facilities).

5.2 East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 Policy WMP3d (minimising and managing waste during construction, demolition and excavation).

5.3 National Planning Policy Framework 2012; The National Planning Policy Framework (NPPF) does not change the status of the development plan as the starting point for decision making but it does constitute guidance as a material consideration in determining planning applications. Due weight should be given to relevant policies in plans existing before 2012 according to their degree of consistency with the NPPF. At the heart of the NPPF is a presumption in favour of sustainable development. Section 7 emphasises the great importance Government attaches to the design of the built environment and paragraph 109 states the planning system should contribute to and enhance the natural and local environment. Paragraph 72 sets out the requirement to ensure that the planning system delivers a sufficient choice of school places by giving 'great weight' to create, expand or alter schools'.

5.4 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.

6. Considerations

Need

6.1 Policy HC3 of the Hastings Development Management Plan 2015 supports development proposals for community facilities provided that they are acceptable in terms of location, design, access and impact on the locality. These matters are considered below. The Policy Statement on Planning for Schools Development encourages a positive approach when dealing with planning applications involving state-funded schools.

6.2 As is the case with many primary schools in the County, there is demand in the area for additional school places over the next five years partly due to an increase in the birth rate. The need for additional school places was set out in the Education Commissioning Plan October 2014, where the option to increase the capacity of Ark Blacklands Primary Academy to 630 places was put forward. It is therefore considered that the need for the proposal has been satisfactorily demonstrated and that a permanent extension is preferable to more temporary classrooms.

6.3 It is considered that the proposal is compliant with Central Government policy regarding the expansion and alteration of state schools.

Design and Impact on Amenity

6.4 Policy DM1 (Design Principles) of the Hastings Development Management Plan 2015 requires development proposals to reach a good standard of design, and amongst other things, take into account local character. Policy DM3 (General Amenity) seeks demonstration that development proposals take into consideration amenity of future users and of neighbours. Policy DM4 (General Access) requires development proposals, amongst other things, to ensure that good accessibility is provided for all, especially for people with a physical or sensory impairment.

6.5 The existing main school building is of little architectural merit. The proposed extensions are of a simple flat-roof design that picks up the modular fenestration pattern and the timber cladding that is found on parts of the building, including the recent extension. Additional interest is provided by the rooflights above the new teaching block and the clerestory windows above the hall extension.

6.6 The proposal also includes additional disabled WC facilities and disabled parking, and will therefore ensure there are suitable facilities for people with disabilities.

6.7 The nearest residential properties are 30m away to the north, south and east. It is considered that this distance is sufficient to safeguard the residents from loss of privacy, daylight/sunlight or outlook. The properties to the west do not have a view of the proposed new extensions so would not be affected in this way.

6.8 The only landscaping that is proposed on the submitted drawings is the formation of a courtyard area outside the new teaching block and the extended hall. The hard surface will be permeable and the area will contain planters, seating and new steps to take into account the changes in level.

6.9 The application was accompanied by an Arboricultural Survey, which was considered by the County Landscape Architect. This document recommended that a further survey be carried out once the design and layout had been finalised. Although this was not done, the layout indicates that four

of the trees on the School site could be potentially affected by the works. A condition is proposed requiring these trees to be protected during the works.

6.10 A Phase 1 Habitat Survey was also submitted, which was considered by the County Ecologist. This concluded that the site has a low ecological value, although the scattered trees and shrubs on the site have intrinsic ecological value due to their potential to support nesting birds. The Report makes various recommendations concerning the need to consider legal responsibilities associated with nesting birds, bats and reptiles during the construction period. Finally, the report recommends that ecological enhancements be introduced in the form of bat and bird boxes. The County Ecologist is satisfied that, provided the recommended mitigation measures are carried out, the proposed development is unlikely to have a significant impact on biodiversity and can be supported from an ecological perspective. The site offers opportunities for enhancement that will help the Council address its duties and responsibilities under the Natural Environment and Rural Communities Act and NPPF.

6.11 Details of the landscape scheme, tree protection measures during construction and type and location of bird and bat boxes will be secured by a proposed condition.

6.12 Overall, it is considered that the proposed extensions are of satisfactory design in keeping with the character of the existing school, taking into account the needs of people with disabilities and having no adverse impact on the occupiers of neighbouring residential properties. Therefore it is considered that the development complies with the relevant parts of Policies DM1, DM3 and DM4 of the Hastings Development Management Plan 2015.

Traffic Implications

6.13 Policy DM4 (General Access) of the Hastings Development Management Plan 2015 seeks to ensure that development proposals take into consideration access into and around the site, including parking on site and provision for non-car based modes of transport. Development proposals should be accompanied by a Transport Statement where appropriate.

6.14 The impact of additional demand for on-street parking and additional traffic movements as a result of the expansion project is one of the key matters for consideration and has generated most of the objections in relation to the application.

6.15 The application was accompanied by a Transport Statement and a School Travel Plan, both of which were submitted to the Highway Authority for comment. The Transport Statement includes surveys of the levels of parking on the streets surrounding the School, the mode of travel of pupils, the mode of travel of staff, pupil's preferences as to how they would like to travel to and from School. Parents/carers were consulted on various optional alternatives to car travel.

6.16 The Transport Statement was considered to broadly reflect the situation as interpreted by the Highway Authority's analysis of the survey results and on-site observations. The survey records that parking pressures are particularly high on roads closest to the School entrance at peak drop-off/pick-up times, with spare capacity for on-street parking some distance away and unlikely to be utilised by parents/carers.

6.17 A Travel Plan to support the School expansion plan was submitted with the Transport Statement, which focussed on identifying and promoting non-car travel modes through recognising benefits for pupils such as health, road safety awareness, independence and socialising. A number of initiatives have been identified to assist in promoting such modes for example having 'walk to school week', informing parents through newsletters, creating a walking bus group, highlighting problems associated with parents parking inappropriately and promoting car sharing. These will rely on the School and the parents/carers actively participating and encouraging these activities. Other measures that have been suggested include new cycle stands and storage facilities for cycling equipment. Finally, off-site measures such as improved pedestrian facilities (footways/crossing points etc) are also mentioned in the Travel Plan but without the required funding these measures have not been taken into consideration by the Highway Authority at this stage.

6.18 Overall, the Travel Plan was considered to be acceptable as a 'basic framework' and it is recommended that it should be amended to include additional measures such as:

- On-site improvements to cycle facilities – ramps, better changing/cloakrooms, cycle purchase scheme with local bike shop
- Encouraging walking by setting up a Walking Bus Scheme, a 'Park and Walk' scheme, involving pupils and parents/carers in identifying walking routes in the area, pedometer scheme, pedestrian safety training at the School.
- Setting up a car-sharing scheme.

6.19 The Travel Plan aims for a reduction to 30% in pupils being driven to School alone, from the current level of 42%. The Highway Authority suggests that this is ambitious as it relies on off-site works which are outside of the control of the School. A more realistic target of a reduction to 36% is suggested as achievable if the additional measures recommended by the Highway Authority are included in a revised version of the Travel Plan.

6.20 At this stage, the Travel Plan is considered to be a 'working document' which can be developed to include measures to reduce reliance on car journeys to and from the School together with such off-site works as are considered necessary once appropriate surveys have been carried out, to be funded by the applicant. These and a final Travel Plan can be secured by way of a by way of Legal Undertaking or Agreement.

6.21 In response to the Highway Authority's comments, the applicant's agent has submitted a sketch showing how additional staff parking could be

accommodated on the site to give 11 spaces in total. This is considered to be acceptable.

6.22 The Highway Authority recommends that measures to improve pedestrian access to the site through the provision of pedestrian crossing points close to the Freshwater Avenue/Osbourne Close junction be investigated further with possibly two crossing points provided with one either side of the junction. This can be secured by way of a Legal Undertaking. Finally, the Highway Authority recommends a number of conditions to be attached to the planning permission.

6.23 It is considered that the submitted and recommended measures will resolve the existing and potential parking and traffic generation issues to comply with Policy DM4 of the Hastings Development Management Plan 2015.

Other issues

6.24 Some local residents have raised the matter of the demolition of the pool and it has been suggested that it should be re-instated as being a valuable school facility. The applicant has responded that the decision to demolish and infill the pool was down to the high cost of heating and maintaining it for just 12 weeks out of the school year, during warmer weather. The cost of replacing the facility would be prohibitive and the need to provide additional classrooms to accommodate the demand for school places is considered to be of greater importance.

7. Conclusion and reasons for approval

7.1 In accordance with Section 38 of the Planning and Compulsory Purchase Act 2004 the decision on this application should be taken in accordance with the development plan unless material considerations indicate otherwise.

7.2 The design and layout of the proposal is considered to be acceptable and to comply with all relevant policies in the Hastings Development Management Plan 2015 including Policy HC3, and Central Government policy regarding extensions to educational buildings. It is considered that the traffic and highways issues raised by the proposal can be satisfactorily addressed by measures to be set out in the Travel Plan and supplemented by the recommendations of the Highway Authority.

7.3 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) Order 2015.

7.4 There are no other material considerations and the decision should be taken in accordance with the development plans.

8. Recommendation

8.1 The Planning Committee is recommended that the application be approved subject to the completion of 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 paragraph 8.3 of this report.

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

8.3 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 Version2.0

RUPERT CLUBB

Director of Communities, Economy and Transport

3 November 2015

BACKGROUND DOCUMENTS

Hastings Development Management Plan 2015

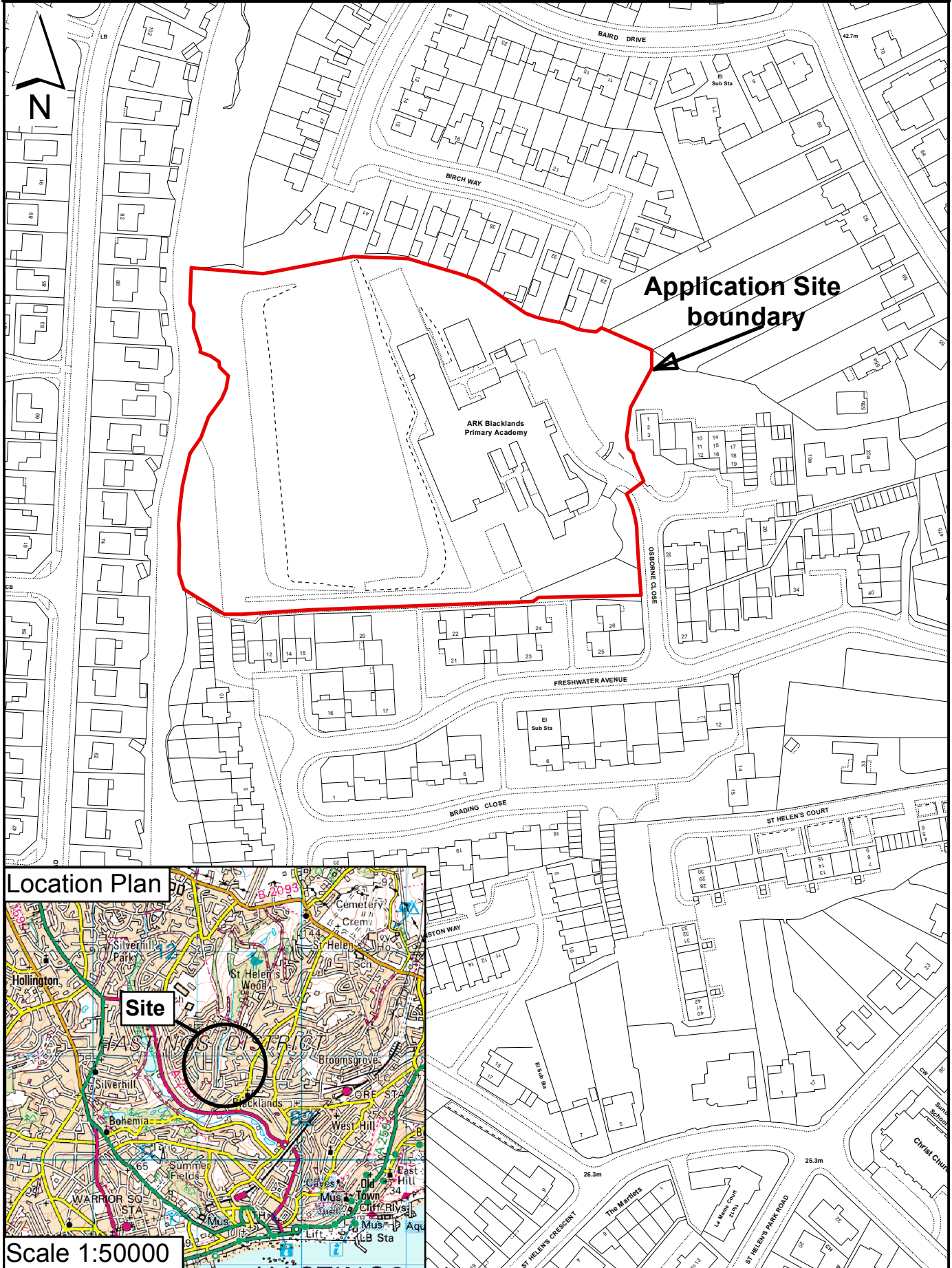
East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013

National Planning Policy Framework 2012

Planning File HS/3298/CC

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HS/3298/CC Blacklands Primary School, Osborne Close, Hastings



Application Site boundary

ARK Blacklands Primary Academy

Location Plan

Site

Scale 1:50000

Scale 1:2000

Rupert Clubb BEng (Hons) CEng MICE
Director of Communities,
Economy and Transport
East Sussex County Council

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