

## PLANNING COMMITTEE

MINUTES of a meeting of the Planning Committee held at County Hall, Lewes on 14 December 2016.

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

### 52 MINUTES OF THE MEETING HELD ON 16 NOVEMBER 2016

52.1 RESOLVED to approve the minutes of the meeting held on 16 November 2016 as a correct record.

### 53 APOLOGIES FOR ABSENCE

53.1 Apologies for absence were received from Councillor Stogdon.

### 54 REPORTS

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

### 55 NEW BUILDING TO ACCOMMODATE SCRAP METAL SHREDDING AND PROCESSING MACHINERY. H. RIPLEY & CO., APEX WAY, HAILSHAM, BN27 3WA - WD/781/CM

55.1 The Committee considered a report by the Director of Communities, Economy and Transport. It was clarified that: within Condition 12, the reference to Condition 10 should be read as Condition 11; and that at paragraph 6.6 of the report, there were five occupiers from Coopers Way who objected to the proposals.

55.2 Councillor Keeley, one of the Local Members, spoke to support the proposal. The Chair reported that Councillor Bentley, the other Local Member, was supportive of the proposal and conditions.

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

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

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

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. The management of the undeveloped buffer areas within the application site shall be undertaken forthwith and in accordance with the documents approved on 6 March 2015 for planning permission WD/633/CM, namely:
  - (i) The Ecological Mitigation/Enhancement Plan by Arbtech, dated January 2014;
  - (ii) The Phase 1 Habitat Survey by Arbtech, dated 2013;
  - (iii) Arbtech Drawing Numbers AIA01 and TPP01;
  - (iv) The Landscape Management and Maintenance Plan/Specification by Benjemin Beth Projects Ltd, dated October 2014; &
  - (v) The Landscape Strategy Drawing Number P453/001 Rev C, unless otherwise agreed in writing with the Director of Communities, Economy and Transport.

Reason: To ensure the protection of the mature trees and the watercourse within the buffer areas, to ensure the development is appropriately screened from the A22 and to ensure there is no unacceptable effect on biodiversity, in accordance with Policies WMP25 and WMP27 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Policy WCS12 of the Wealden District Core Strategy Local Plan 2013.

4. The undeveloped buffer areas on the northern, southern and western boundaries of the site extension approved under planning permission WD/633/CM and shown as 'Proposed enhanced tree and shrub screen planting' on approved drawing 3908/Sk02 Rev. K, shall be retained as undeveloped buffer areas at all times and shall not be used for any activity other than as approved in the provisions of Condition 3 above.

Reason: To ensure the protection of the mature trees and the watercourse within the buffer areas, to ensure the development is appropriately screened from the A22 to ensure there is no unacceptable effect on biodiversity in accordance with Policies WMP25 and WMP27 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Policy WCS12 of the Wealden District Core Strategy Local Plan 2013.

5. The protection of trees within the buffer areas during the construction period shall be carried out in accordance with the Arboricultural Development Report by Arbtech, dated 20 October 2014 and Arbtech Drawing Numbers AIA01 and TPP01, approved on 6 March 2015 for planning permission WD/633/CM, unless otherwise agreed in writing with the Director of Communities, Economy and Transport.

Reason: To ensure the trees on the site boundaries, including those trees which are subject to Tree Preservation Orders, are protected and retained in the interests of screening the site and protecting biodiversity, in accordance with Policies WMP25 and WMP27 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Policy WCS12 of the Wealden District Core Strategy Local Plan 2013.

6. The development hereby permitted shall be carried out in accordance with the Construction Management Plan approved on 6 March 2015 for planning permission WD/633/CM, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

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

7. Before the occupation of the extension area the proposed noise attenuation barriers shall be erected in accordance with the provisions contained within approved Drawing Number 3908/Sk02 Rev K and in conjunction with the approved tree protection measures the subject of Condition 5 above, unless otherwise agreed in writing with the Director of Communities, Economy and Transport. The noise attenuation barriers shall be maintained thereafter in a good state of repair for the duration of the development.

Reason: In the interests of safeguarding residential amenity and protecting trees within the undeveloped buffer areas, in accordance with Policies WMP25 and WMP27 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

8. Before the occupation of the building hereby permitted details of the materials proposed to be used for the insulation of the building shall be submitted in writing to the Director of Communities, Economy and Transport for written approval. The use of the approved materials shall be implemented in full before any processing commences within the building and the materials shall thereafter be maintained in a good state of repair for the lifetime of the building.

Reason: To reduce noise from the processing activities in the interests of safeguarding amenity within the locality, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

9. The site extension shall not be occupied until details of the layout of the entire site have been submitted to and approved in writing by the Director of Communities, Economy and Transport. The details shall include a scaled plan illustrating:

(i) The general location for activities associated with receiving, sorting, storing, processing, loading and unloading waste metals;

(ii) The location of any static plant and machinery; &

(iii) The location of any bays or other solid barriers within the site, including details of their approximate height and materials.

The approved layout shall be retained, and any changes to it shall first be submitted to and approved in writing by the Director of Communities, Economy and Transport.

Reason: To allow the Waste Planning Authority an appropriate degree of control over the location of activities within the site in the interests of reducing the potential for noise and other emissions which may adversely affect the occupiers of nearby residential properties, in the interests of protecting residential amenity in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

10. Except for the provisions contained within the approved Drawing Number 3908/Sk02 Rev K, no additional artificial external lighting, including floodlighting, shall be installed or used within the application site other than in accordance with details that have first been submitted to and approved in writing by the Director of Communities, Economy and Transport. Such details shall include the type, location and number of lights together with the direction of the light beam and details of the hours of use of the lights.

Reason: In the interests of safeguarding residential amenity and protecting wildlife, in accordance with Policies WMP25 and WMP27 of the East Sussex, South Downs and

Brighton & Hove Waste and Minerals Plan 2013 and Policy WCS12 of the Wealden District Core Strategy Local Plan 2013.

11. The operation of the metal recycling facility shall be restricted to between the hours of 07.00 and 19.00 on Mondays to Fridays inclusive and the hours of 08.00 and 16.00 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. Between the hours of 13.00 and 16.00 on Saturdays, the use of the site shall be restricted to the unloading of materials and the maintenance of plant and machinery only.

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 Plan 2013.

12. The rating level of noise emitted from the site, expressed as a 1hr LAeq, determined in accordance with BS 4142:2014 'Rating for Industrial Noise Affecting Mixed Residential and Industrial Areas' shall not exceed 5 dBA above the existing background LA90 noise level when measured at any boundary of 30 Coopers Way and/or 33 Coopers Way, and/or any other residential property, at any time when the site is operational (in accordance with the hours detailed in Condition 11 above). If plant has a tonal or impulsive characteristic then the rating level should be corrected by +5 dBA to reflect the likelihood for disturbance.

Note: The existing background levels should be measured when no part of the application site is in operation.

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 Plan 2013.

13. No material shall be stacked or stockpiled to a height exceeding 6 metres and shall not encroach beyond the boundaries of any part of the application site.

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

14. The extension hereby permitted shall not be occupied until a scheme for the provision of marker posts has been submitted to and approved in writing by the Director of Communities, Economy and Transport. No fewer than 4 marker posts shall be erected within the application site (in specified locations) to identify the 6 metres stockpile height limit. The scheme shall be implemented in full prior to the occupation of the building, and the marker posts shall thereafter be retained as approved, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: To enable the identification of the approved stockpile height limit in the interests of visual amenity, in accordance with WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

15. Before the occupation of the site extension area, construction of the surface water drainage scheme shall be carried out in accordance with the following approved documents:
  - (i) E9642 Surface Water Design report, Rev J;
  - (ii) Drawing Number E9642/01 Rev H; &

(iii) Drawing Number E9642/02 Rev F,  
and be subject to the approved tree protection measures the subject of Condition 5,  
unless otherwise agreed in writing with the Director of Communities, Economy and  
Transport.

Reason: To ensure satisfactory drainage of the site and to prevent water pollution in  
accordance with Policy WMP38 (a) of the East Sussex, South Downs and Brighton &  
Hove Waste and Minerals Plan 2013.

16. The proposed building hereby permitted shall not be brought into use until the site access  
has been altered and new pedestrian access provided in accordance with the details on  
approved Drawing Number 3908/Sk02 Rev. K. The accesses shall thereafter be retained  
in accordance with these details unless the Director of Communities, Economy and  
Transport approves an alternative arrangement.

Reason: In the interests of highway safety and convenience and safety within the site, in  
accordance with Policy WMP26(a) of the East Sussex, South Downs and Brighton & Hove  
Waste and Minerals Plan 2013.

17. The proposed building hereby permitted shall not be brought into use until the new  
dedicated car parking area and the visitor car parking spaces, as shown on approved  
Drawing Number 3908/Sk02 Rev. K, have been provided. The parking area and visitor  
spaces shall be kept available and maintained in a suitable condition for the parking of  
motor vehicles and shall not be used for any other purpose, except with the prior written  
consent of the Director of Communities, Economy and Transport.

Reason: To ensure the retention of appropriate car parking facilities in accordance with  
Policy WMP26(e) of the East Sussex, South Downs and Brighton & Hove Waste and  
Minerals Plan 2013.

18. The site extension hereby permitted shall not be brought into use until the covered bicycle  
and motorcycle parking/storage facility, as shown on approved drawing no. 3908/Sk02  
Rev. K and detailed under planning permission WD/633/CM, has been provided. The  
facility shall be kept available and maintained in a suitable condition for the  
parking/storage of bicycles and motorcycles and shall not be used for any other purpose,  
except with the prior written consent of the Director of Communities, Economy and  
Transport.

Reason: To ensure the retention of appropriate bicycle and motorcycle parking facilities, in  
accordance with Policy WMP26(e) of the East Sussex, South Downs and Brighton & Hove  
Waste and Minerals Plan 2013.

19. A clear route for vehicles travelling within the application site shall be retained at all times,  
sufficient to allow all vehicles using the site to enter in forward gear and exit in forward  
gear.

Reason: In the interests of highway safety and convenience and safety within the site, in  
accordance with Policy WMP26(a) & (e) of the East Sussex, South Downs and Brighton &  
Hove Waste and Minerals Plan 2013.

## INFORMATIVES

1. The applicant is informed that any changes to operations must also comply with the requirements of the Environmental Permit issued by the Environment Agency, and is advised to contact the Environment Agency for further information.

### Schedule of Approved Plans

3908/SP03 Rev A - Site Location Plan, 3908/SP01 Rev C - Existing Site Layout, HR001-S-A0002 - Shredder Yard Layout, HR001-R-P0009 - Shredder Building, E9642-01 Rev H Drainage Proposals Sheet 1 of 2, E9642-02 Rev F Drainage Proposals Sheet 2 of 2

The meeting ended at 10.42 am.