



## REGULATORY COMMITTEE

## PLANNING COMMITTEE

**MEETING 10.30 am WEDNESDAY, 11 SEPTEMBER 2019**

**COUNCIL CHAMBER - COUNTY HALL, LEWES**

**MEMBERSHIP** - Councillor Richard Stogdon (Chair)  
Councillors Barry Taylor (Vice Chair), Bob Bowdler, Godfrey Daniel,  
Kathryn Field, Tom Liddiard and Pat Rodohan

### **A G E N D A**

- 1 Minutes of the meeting held on 14 August 2019 (*Pages 3 - 12*)
- 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 Wood recycling operations. Holly Woodshavings, Squires Farm Industrial Estate, Office 1 Palehouse Common, Framfield TN22 5RB - WD/820/CM (*Pages 13 - 26*)  
Report by the Director of Communities, Economy and Transport

### **Traffic Regulation Orders - report(s) by the Director of Communities, Economy and Transport**

- 6 Lewes District Parking Review 2018/19 (*Pages 27 - 48*)  
Report by the Director of Communities, Economy and Transport
- 7 Any other items previously notified under agenda item 4

PHILIP BAKER  
Assistant Chief Executive

#### **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](http://www.eastsussex.gov.uk/webcasts)*

County Hall, St Anne's Crescent  
LEWES BN7 1UE

3 September 2019

Contact Simon Bailey, Democratic Services Officer,  
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## PLANNING COMMITTEE

MINUTES of a meeting of the Planning Committee held at County Hall, Lewes on 14 August 2019.

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PRESENT Councillors Richard Stogdon (Chair), Barry Taylor (Vice Chair), Godfrey Daniel, Nigel Enever, Tom Liddiard and Pat Rodohan

### 6 MINUTES OF THE MEETING HELD ON 15 MAY 2019

6.1 The Committee approved as a correct record the minutes of the meeting held on 15 May 2019.

### 7 APOLOGIES FOR ABSENCE

7.1 Apologies for absence were received from Councillors Bob Bowdler and Kathryn Field. It was noted that Councillor Nigel Enever was in attendance as a substitute for Councillor Bowdler.

### 8 REPORTS

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

### 9 FULL PLANNING APPLICATION FOR CONSTRUCTION OF A PART 2-STOREY, PART 3-STOREY NEW 80 PLACE CO-EDUCATIONAL SEMH (SOCIAL, EMOTION, MENTAL HEALTH SPECIAL SCHOOL INCLUDING PROVISION OF HARD AND SOFT LANDSCAPING, PERIMETER FENCING, CAR PARKING AND OTHER ASSOCIATED WORKS INCLUDING SLOPE REGRADING, A NEW ELECTRIC SUB-STATION AND A NEW ACCESS FROM REEF WAY. KNOWN AS LAND EAST OF BATTLE ROAD, REEF WAY, HAILSHAM, BN27 1FB - WD/3400/CC

9.1 The Committee considered a report by the Director of Communities, Economy and Transport, together with an addendum containing an amended Recommendation 1(i) and written comments from Councillor Bob Bowdler, the Local Member.

9.2 Antony Julyan (ISEND Strategic Manager & Children's Commissioner) and Dr Jonty Clark (Provider) spoke in support of the recommendation.

9.3 An amendment to Condition 22, to make reference to a set review period and nominated post holder, was proposed and agreed.

9.4 Members have considered the officer's report, addendum, amended Condition, the comments of the Local Member and public speakers, and agree with the conclusions and reasons for recommendation as set out in paragraph 7 of the report.

9.5 RESOLVED to approve the application subject to the completion of the following procedure:-

- i. To authorise the Director of Communities, Economy and Transport to secure a Legal Agreement or Unilateral Undertaking requiring provision of dropped kerbs to provide a pedestrian crossing on Reef Way; road markings including single yellow line (time limited) and 'School Keep Clear' markings on Reef Way subject to the making of a Traffic Regulation Order and payment of the associated fee of £5,000 or such other works in mitigation to the satisfaction of the Highway Authority; and
- ii. To authorise the Director of Communities, Economy and Transport to grant planning permission upon completion of the Legal Agreement or Undertaking subject to conditions along the lines as indicated in Minute 9.6 below.
- iii. 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 of the date hereof.

9.6 The grant of planning permission should be subject to the following conditions:-

Time Limit

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.

General Operations

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 site shall be used for formal educational purposes and directly related activities such as School concerts or inter school sports and for no other purposes including unrelated community uses.

Reason: To protect the amenities of the area in accordance with Saved Policy EN27 in the Wealden Local Plan 1998.

4. The areas indicated on the approved drawings for the parking and circulation of vehicles shall not be used for any other purpose and shall be retained for this purpose at all times.

Reason: To ensure provision of the parking and circulation facilities in relation to the authorised use of the development in accordance with Saved Policy TR16 in the Wealden Local Plan 1998.

5. The School drop-off and pick-up times shall operate in accordance with the staggered timings as specified within the approved 'Outline Car Park Management

Plan' dated 19 July 2019 (or as updated), unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: To ensure acceptable traffic conditions on Reef Way are maintained in accordance with Saved Policy TR3 of the Wealden Local Plan 1998.

6. The pond located in the east of the site shall be fenced off at all times (both during and post construction), unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: In order to prevent contamination of the pond.

#### Construction Programme

7. Prior to the commencement of development, a revised Construction Management Plan (CMP) shall be submitted and approved by the Director of Communities, Economy and Transport. Details shall include:
  - i) Details of the methods of protection of trees and other vegetation during construction
  - ii) Details of the location of the contractors parking
  - iii) Details of wheel wash surface drainage outflows.

The CMP shall be implemented in accordance with the approved details, unless otherwise agreed in writing, and maintained for the duration of construction works.

Reason: In order to protect the amenity of the locality in accordance with Saved Policy EN27 of the Wealden Local Plan 1998 and the protection of trees and vegetation in accordance with Saved Policy EN14 of the Wealden Local Plan 1998.

8. Unless otherwise agreed in writing by the Director of Communities, Economy and Transport, no demolition or construction works shall take place in connection with the development hereby approved at any time other than between 0800 and 1700 on Mondays to Fridays and not at any time on Saturdays, Sundays, Bank and Public Holidays.

Reason: In the interests of the amenities of the locality in general and adjacent residential properties in particular and to accord with Saved Policy EN27 of the Wealden Local Plan 1998.

9. Unless otherwise agreed in writing by the Director of Communities, Economy and Transport, prior to any excavation works a Site Waste Management Plan (SWMP) securing and demonstrating that the amount of excavation and construction waste resulting from the development has been reduced to the smallest amount possible has been submitted to and approved in writing by the Director of Communities, Economy and Transport. The SWMP shall include details of the extent to which waste materials arising from excavation will be reused on site and demonstrate that maximum use is being made of these materials. If such reuse on site is not practicable, then details shall be given of the extent to which the waste material will be disposed of for reuse, recycling, composting or other method. All construction

waste materials associated with the development shall be reused, recycled and dealt with in accordance with the approved SWMP.

Reason: To minimise the amount of construction waste to be removed from site for final disposal in accordance with Policy WMP3d of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

10. The Construction Haulage Road hereby approved shall operate as a one-way system, with vehicles entering via the south-east temporary construction access and departing via the northern main access.

Reason: To ensure safety of users of the haulage road and to provide satisfactory means of access in accordance with Saved Policy TR3 of the Wealden Local Plan 1998.

11. The approved details of wheel washing facilities 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.

Reason: In the interests of highway safety and the amenity of the locality in accordance with Saved Policy TR3 of the Wealden Local Plan 1998.

#### Ecology & Landscape

12. No development shall take place (including any demolition, ground works, site clearance) until method statements for the protection of breeding birds, dormice, great crested newts and reptiles has been submitted to and approved in writing by the Director of Communities, Economy and Transport. The content of the method statement shall include the:

- a) purpose and objectives for the proposed works;
  - b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
  - c) extent and location of proposed works shown on appropriate scale maps and plans;
  - d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
  - e) persons responsible for implementing the works;
  - f) initial aftercare and long-term maintenance (where relevant);
- The works shall be carried out in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To protect habitats and species identified in the ecological surveys from adverse impacts during construction in accordance with provision in the NPPF.

13. No development shall take place until an ecological design strategy (EDS) addressing mitigation for the loss of habitat and enhancement of the site for biodiversity has been submitted to and approved in writing by the Director of Communities, Economy and Transport. The EDS shall include the following:
  - a) purpose and conservation objectives for the proposed works;

- b) review of site potential and constraints;
- c) detailed design(s) and/or working method(s) to achieve stated objectives;
- d) extent and location /area of proposed works on appropriate scale maps and plans;
- e) type and source of materials to be used where appropriate, e.g. native species of local provenance;
- f) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- g) persons responsible for implementing the works;
- h) details of initial aftercare and long-term maintenance;
- i) details for monitoring and remedial measures;

The EDS shall thereafter be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To ensure that any adverse environmental impacts of development activities can be mitigated, compensated and restored and that the proposed design, specification and implementation can demonstrate this.

14. A landscape and ecological management plan (LEMP) shall be submitted to, and approved in writing by, the Director of Communities, Economy and Transport prior to the occupation of the development. The content of the LEMP shall include the following:
- a) description and evaluation of features to be managed;
  - b) ecological trends and constraints on site that might influence management;
  - c) aims and objectives of management;
  - d) appropriate management options for achieving aims and objectives;
  - e) prescriptions for management actions, together with a plan of management compartments;
  - f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
  - g) details of the body or organisation responsible for implementation of the LEMP;
  - h) ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The LEMP shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved LEMP will be implemented in accordance with the approved details.

Reason: To ensure the conservation value of ecological and landscape features is conserved in accordance with the requirements of the NPPF and in accordance with Policy EN14 of the Wealden Local Plan 1998.

15. Prior to any groundworks, detailed planting plans based on the approved outline planting strategy shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The details shall also include:

- i) details of the construction method
- ii) details of materials proposed for reinforced embankments
- iii) details of type of rock to be used for gabions

The works shall thereafter be carried out in accordance with the approved details.

Reason: In order to conserve the landscape character in accordance with Saved Policy EN14 of the Wealden Local Plan 1998.

#### Flood Risk & Drainage

16. Prior to any groundworks taking place, details of measures to manage flood risk, both on and off site during the construction phase shall be submitted and approved in writing by the Director of Communities, Economy and Transport, and thereafter implemented in accordance with the approved details.

Reason: To ensure appropriate management of the risk of flooding.

17. Surface water discharge rates shall be limited to 11.2 l/s for all rainfall events, including those with 1 in 100 (+40% for climate change) annual probability of occurrence as specified in the approved Flood Risk Assessment & Drainage Strategy Report (ref. C1806-LON-ZZ-00-RE-0001). Prior to the occupation of the development hereby approved, evidence of this (in the form hydraulic calculations) including detailed drainage drawings shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The hydraulic calculations should take into account the connectivity of the different surface water drainage features.

Reason: In the interests of providing adequate provision of surface water drainage in accordance with Policy CS2 of the Wealden Local Plan 1998.

18. Prior to occupation of the development, a maintenance and management plan for the drainage system associated with the development hereby permitted, shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. This approved plan shall thereafter be implemented in full.

Reason: To ensure appropriate management of the drainage system in accordance with Policy CS2 of the Wealden Local Plan 1998.

#### Highways

19. No part of the development shall be occupied until such time as the vehicular access has been constructed in accordance with plans and technical details relating to the vehicle restraint/pedestrian barrier, fence protection for culvert, surface, footway, internal crossing section and drainage, which shall be submitted to and approved in writing by the Director of Communities, Economy and Transport.

Once approved, the works shall be carried out in accordance with the approved details and shall remain in place for the lifetime of the development.



Reason: In the interests of road safety, in accordance with Saved Policy TR3 of the Wealden Local Plan 1998.

20. No part of the development shall be occupied until provision has been made within the site in accordance with plans and details to be submitted to and approved by the Director of Communities, Economy and Transport, to prevent surface water draining onto the publicly accessible road way.

Reason: In the interests of road safety in accordance with Saved Policy TR3 of the Wealden Local Plan 1998.

21. Within 3 months of occupation, the draft parking management plan shall be reviewed and updated. The final management plan shall be submitted to and approved in writing by the Director of Communities, Economy and Transport and thereafter remain in place for the lifetime of the development.

Reason: To ensure highways safety and to prevent overspill of vehicles onto Reef Way in accordance with Policy TR3 of the Wealden Local Plan 1998.

22. The approved Travel Plan, which stipulates an annual review and a named post as the Travel Plan Co-Ordinator, shall be implemented and thereafter reviewed in accordance with the approved details.

Reason: To increase awareness and use of alternative modes of transport for school journeys in accordance with Saved Policy TR3 of the Wealden Local Plan 1998.

23. The visibility splays shall be provided in accordance with the approved plans and shall thereafter be maintained and kept free of all obstructions over a height of 600mm.

Reason: In the interests of road safety in accordance with Saved Policy TR3 of the Wealden Local Plan 1998.

#### Design

24. Development shall not commence above ground level until samples of the materials to be used in the construction of 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.

Reason: To ensure the appropriate appearance of the development in the area in accordance with Saved Policy EN27 in the Wealden Local Plan 1998.

#### Lighting

25. Before the development is occupied details of external lighting shall be submitted to and approved in writing by the Director of Communities, Economy and Transport and installed lighting shall be implemented in accordance with the approved details.

Reason: In the interests of safety, security and the amenities of the area and to accord with Saved Policy EN29 in the Wealden Local Plan 1998.

#### Archaeology

26. Unless otherwise agreed in writing, within 3 months of occupation of the development, an archaeological site investigation and post - investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The archaeological site investigation and post - investigation assessment shall be undertaken in accordance with the programme set out in the written scheme of investigation submitted with the application (Wessex Archaeology 212511.0)

Reason: To ensure that the archaeological and historical interest of the site is safeguarded and recorded to comply with the National Planning Policy Framework.

#### Noise

27. The combined noise rating level from all site plant shall be less than 38 dB at the nearest noise sensitive receptors at all times, as determined in accordance with BS 4142: 2014, and no plant shall be operated outside of school hours.

Reasons: to comply with the requirements of paragraphs 170 & 180 of the NPPF and to mitigate and reduce 'noticeable and intrusive' noise to a minimum, as recommended by the NPPG.

#### INFORMATIVES

1. The applicant should note that no removal of hedgerows, trees or habitats shall take place between 01 March and 31 August inclusive
2. All reasonable steps shall be taken to ensure that any vehicles associated with the development leaving the site are in such condition as to not emit dust or deposit mud, or other debris on the highway.
3. The applicant's archaeological consultant will need to notify the County Archaeologist of the start of the trial trenching and provide 10 days' notice for a site meeting to view the findings and agree further archaeological work.

#### Schedule of Approved Plans

Dwg Nos 1 & 2 - 4 Utility Mapping and Topographical Survey Plans, Dwg Nos 1,2 & 3 - 5 Utility Mapping and Topographical Survey Plans, 30/P9 - Proposed Lower Ground Floor Plan, 31/P12 - Proposed Upper Ground Floor Plan, 32/P12 - Proposed First Floor Plan, 33/P7 - Proposed Roof Plan, 37/P4 - Sections A-A, & B-B , 38/P4 - Sections C-C & D-D, 39/P1 - Proposed Site Sections, 2047/TF/V1/00/DR/L/1001 - Landscape Proposals, 2047/TF/V1/00/DR/L/5001 - Landscape sections/elevations, 2047/TF/V1/00/DR/L/1003 - Boundary Plan, 2047/TF/V1/00/DR/L/3001 - Planting Strategy, Design and Access Statement,

Flood Risk Assessment & Drainage Strategy Report March 19, Flood Risk Assessment Appendix A Site Plans and Exploratory Hole Logs, Flood Risk Assessment Appendix B Field Sampling and In-Situ Test Methods and Results, Flood Risk Assessment Appendix C Geotechnical Laboratory Test Methods and Results, Flood Risk Assessment Appendix D Geotechnical Figures and Tables, Flood Risk Assessment Appendix E Contamination Laboratory Test Methods and Results, Flood Risk Assessment Appendix F Monitoring Data, Noise Assessment, Planning Statement, LLD1560-ARB-DWG-001 Rev 01 - Tree Constraints Plan, Existing Tree Schedule, Project Environmental Plan, Technical Note - Impact on Ashdown Forest, Framework School Travel Plan, Preliminary Ecological Appraisal Report and Impact Assessment, Transport Statement, Preliminary Culvert and Access Details , Arboricultural Impact Assessment & Method Statement April 2019, Tree Retention and Protection Plan , Landscape Sections , 34/P6 - Proposed Elevations Sheet 1 (South East & South West), 35/P6 - Proposed Elevations Sheet 2 ((East & North), 51/P1 - Proposed Elevations Sheet 3 (South West & South East coloured), 52/P1 - Proposed Elevations Sheet 4 (North & East coloured), 2047 TF V1 00 DR L 2001 - Hard Landscape Plan (Sheet 1 of 2), 2047-TF-V1-00-DR-L-2002 - Hard Landscape Plan (Sheet 2 of 2), 2047-TF-V1-00-DR-L-1007 - Landscape Strategy (detail), 001 Rev P3 - Site Location Plan , Technical Note - Outline Car Parking Management Plan, Construction Management Plan, Written Scheme of Investigation for Archaeological Mitigation Revised 28 June 2019, 2047-SK-20190718-01 - Parking Entrance sketch, TP-0011 Rev PO1 - Large Refuse Vehicle - Swept Path Analysis, TP-0010 Rev PO2 - Site Access - Mini bus and taxi Swept Path Analysis, TP-0009 Rev PO4 - Site Access - Visibility Splays, TP-0006 Rev PO4 Haulage Road Swept Path Analysis - Large Tipper, Construction Management Plan - 1st August 2019

## 10 DEVELOPMENT MANAGEMENT MATTERS: QUARTERLY REPORT

10.1 The Committee considered a report by the Director of Communities, Economy and Transport, together with an update on an old enforcement case, which had resulted in the recovery of the County Council's costs by way of a legal charge placed on the land.

10.2 RESOLVED to note the report and thank the officers.

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Committee: **Regulatory  
Planning Committee**

Date: **11 September 2019**

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

Proposal: **Wood recycling operations**

Site Address: **Holley Woodshavings, Squires Farm Industrial Estate,  
Office 1, Palehouse Common, Framfield, TN22 5RB**

Applicant: **Mr Paul Holley, Holley Limited**

Application No. **WD/820/CM**

Key Issues: **(i) Management of waste wood  
(ii) Effect on amenity  
(iii) Drainage  
(iv) Highway matters**

Contact Officer: **Jeremy Patterson – Tel: 01273 481626**

Local Member: **Councillor Chris Dowling**

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## **SUMMARY OF RECOMMENDATIONS**

- 1. The Committee is recommended to refuse planning permission.**
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## **CONSIDERATION BY DIRECTOR OF COMMUNITIES, ECONOMY AND TRANSPORT**

### **1. The Site and Surroundings**

1.1 The application site is approximately 0.4 of a hectare in area and is located within the applicant's open yard at the north-eastern part of Squires Farm Industrial Estate. The application site comprises the existing access and northern part of the yard, together with land to accommodate a screening bund along the eastern boundary. The remainder of the yard includes buildings and further open space with its boundaries consisting of security fencing, existing buildings and hedging. The application site also accommodates piles of materials, both baled and unbaled, and provision for parking. To the north, north-west and east, the yard is bordered by fields with intervening trees and hedgerows; a minor water course is also present to the north. Various commercial and industrial units are present within the industrial estate and the nearest residential properties to the wood processing activity are at Tewitts Farm, about 240 metres to the west and south-west and five

recently constructed houses, some 130 metres to the south-east. There are also several residential properties along Pump Lane, approximately 300 metres to the west with others located further north along the road.

1.2 Squires Farm Industrial Estate is not located within any development boundary and falls within the countryside. It is accessed from Palehouse Common Road, which joins the B2192, approximately 300 metres to the south-east. The B2192 connects to the A22 some 1.7 kilometres to the south-west at Halland. The south-eastern outskirts of Uckfield are about 3 kilometres to the north-west of the industrial estate.

## **2. Site History**

2.1 The applicant has been involved in managing processed wood products for many years, including 25 years based at Squires Farm Industrial Estate, having moved to the estate in 1994 to the current site, which was previously occupied by a company involved in the manufacture of prefabricated steel buildings. The applicant collected residues (e.g. wood shavings and sawdust) from timber mills, which were then processed, bagged and distributed. Non-bagged, bulk loads were also handled. In 1996, waste wood off-cuts were also retrieved from timber mills and brought to the site for processing using a grinding machine. Two planning permissions were granted by Wealden District Council: (i) In 1994 (ref. WD/94/0158/F), for a 'Change of use of Buildings A, B and C from B4 Industrial Use to B2 General Industrial Use on Buildings A and B and B8 Storage and Distribution Use of Building C' (in relation to the collection, baling and distribution of woodshavings); and (ii) In 1998 (ref. WD/98/1200/F), covering the adjacent open yard, for a 'Change of use of land to external use of Holley Woodshavings'.

2.2 In 2005, the company invested heavily in additional processing machinery to meet demand for the wood products. However, the recession of 2007 – 2009 resulted in the company having to significantly scale back the business so that it was reduced to only buying in bales and distributing them.

2.3 In 2012, a third party proposed to import waste wood and process it for export. However, while imports of waste increased at the site, no processing took place and the applicant was left with a substantial pile of waste wood when the third party vacated the site. Although the third party was prosecuted in 2015 / 2016 by the Environment Agency for not complying with a Waste Removal Notice and found guilty, the Court made no requirement for the persons involved to facilitate the removal of the waste wood. However, to protect the land, the County Council served an Enforcement Notice in 2016 on the applicant to require the cessation of the importation of waste wood and the removal of the deposited waste wood. Subsequently, the applicant has sought to find ways of removing the waste wood but has been unsuccessful.

## **3. The Proposal**

3.1 The proposal is for a wood recycling facility, which has been operating for a number of months. Waste wood is imported, stored and processed into

graded material for export and subsequent use in animal bedding, chipboard manufacture and fuel for biomass plant. This operation is proposed to allow for the removal of the historic waste wood comprising about 1,000 tonnes (referred to in paragraph 2.3 above), at the northern part of the site, which can, according to the applicant, be included in the processing of the freshly imported waste wood, while still meeting market product specifications. The applicant anticipates that by the end of the first operational year after any permission is granted, the historic waste wood stockpile would be exhausted.

3.2 The proposed throughput of fresh material would be up to 10,000 tonnes per annum, although it is not expected that this volume would be reached in the initial period of operations. Up to 4 (2 in, 2 out) daily HGV movements would be required to facilitate the wood processing operations. The main processing machine is a specialist wood shredder, which is served by a loading shovel, which is also used to move material around the site. A surface mounted weighbridge would also be installed. The hours of operation would be between 0700 – 1800 on Mondays to Fridays and 0800 – 1300 on Saturdays.

3.3 Part of the application site already benefits from a concrete surface where the processing takes place. It is proposed to extend the impermeable surface over the whole site in a phased manner as the historic waste wood is removed. The new impermeable surface would incorporate a contained drainage system involving the installation of a holding tank at the northern end of the site and kerbing to retain any on-site waters. It is anticipated that, on average, 3 – 4 tankers would need to enter the site per week and remove collected rain water. The proposal also includes the formation of a bund, some 2 metres in height and 6 metres in width at the eastern boundary, which would be subject to planting, to strengthen screening at this part of the site.

#### **4. Consultations and Representations**

4.1 Wealden District Council raises no objections in planning terms, subject to noise and dust being adequately managed, the proposed landscape measures being implemented, the effect of the development on the Ashdown Forest being taken into account and the County Council being satisfied that it can control the effects of the development.

The Environmental Health Officer advises that the development would require a noise management plan and physical noise attenuation. Full enclosure of the operations might be required. However, it is considered that if these measures cannot be secured operations should not take place, due to the differences between the rating noise level and the background noise level as depicted in the latest noise assessment.

4.2 Framfield Parish Council supports the application, subject to noise levels being reduced, a travel plan requiring access from Eason's Green only and for there to be reasonable hours of work.

4.3 The Environment Agency raises no objections and notes that the applicant may require an Environmental Permit. It also states that it considers a sealed drainage system is an appropriate way of managing surface water at this site, due to the potential for contamination, requiring the removal by tanker.

4.4 The Lead Local Flood Authority (LLFA) (ESCC) raises no objections on the basis that it is the Environment Agency's preference for a fully sealed drainage system to manage surface water runoff from the application site, due to the potential for contamination. Despite this, the LLFA does not generally recommend such methods for surface water management, as they are usually costly and come with no guarantees that any tank / system will be fully emptied before a potential overspill event.

4.5 The Highway Authority raises no objections.

4.6 Councillor Chris Dowling, the local Member, raises concerns, regarding two matters: (i) Commercial traffic accessing and leaving the site, due to the effect on residents of Palehouse Common; and (ii) Levels of noise from the wood-chipping machine.

4.7 Local representations: Representations from the occupiers of seven properties in the locality have been received. One refers to the proposal as being acceptable in principle but notes that Palehouse Common Road is unsuitable for HGVs. The other six raise objections, which can be summarised as follows: (i) There is already a high level of noise and disruption from the site, which the proposal would increase; (ii) The processing of treated wood could release toxins into the air and water; (iii) The proposal is inappropriate leading to further degradation of the rural area and loss of amenity; (iv) The proposal is leading to anxiety and stress; (v) The proposal would adversely affect the setting of listed buildings, including at Tewitts Farm; and (vi) The proposal will increase traffic problems in Palehouse Common. One of the neighbours to the application site, at Tewitts Farm, has submitted information relating to noise from the industrial estate, including from the application site.

## **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 (Turning waste into a resource), WMP7a (Sustainable locations for waste development), WMP7b (More detailed criteria for waste development), WMP25 (General amenity), WMP26 (Traffic impacts), WMP27 (Environment), WMP28a (Flood risk and drainage).

5.2 East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan, Waste and Minerals Sites Plan, Schedule of Suitable Industrial Estates 2017: I/AN, Squires Farm Industrial Estate.



### 5.3 Wealden District (Incorporating Part of the South Downs National Park) Core Strategy Local Plan 2013

The Wealden District (incorporating part of the South Downs National Park) Core Strategy Local Plan was adopted on the 19 February 2013. The Core Strategy Local Plan is the key policy document setting out a strategic vision, objectives and spatial strategy for the area up to 2027. Currently saved development management policies contained in the Wealden Local Plan 1998 remain part of the Development Plan for the area.

### 5.4 Wealden Local Plan Examination 2019

The submission version of the Wealden Local Plan (January 2019) has been published and is currently at Examination. Until this Plan is adopted, policies from The Wealden District (Incorporating Part of the South Downs National Park) Core Strategy Local Plan 2013 remain relevant and many policies from the earlier Wealden Local Plan 1998 are still 'saved', where they also remain relevant, and consistent with the NPPF, until they are superseded. In accordance with paragraph 48 of the NPPF, it is considered that, at present, policies in the Submission Plan can be afforded minimal weight in the determination of this application.

5.5 Wealden Local Plan 1998 Saved Policies: TR3 (Traffic impact of new development); EN27 (Design).

### 5.6 National Planning Policy Framework 2019 (NPPF):

The NPPF sets out the Government's planning policies for England and how they should be applied. Planning law requires that applications for planning permission be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions. Parts 12 (Achieving well-designed places), 14 (including flooding) and 15 (Conserving and enhancing the natural environment) are relevant in this case.

## **6. Considerations**

### **Managing waste wood**

6.1 While the application site is not within a distinct Area of Focus under the provisions of Policy WMP7a of the Waste and Minerals Plan (although it is close to Uckfield and the A22 Areas of Focus), it is within an existing industrial estate, which accords with criteria supporting the location of waste facilities outside Areas of Focus, under Policy WMP7b of the Plan. Moreover, the Waste and Minerals Sites Plan includes a Schedule of Suitable Industrial Estates for waste management uses and Squires Farm Industrial Estate is included. This estate appears to have been in existence for many years and was originally developed on a farmstead. It comprises a number of one and two storey industrial units of differing sizes for industrial type uses, such as

motor repairs, stone masonry and freight distribution. The estate also houses a waste transfer station and a metal recycling facility.

6.2 The applicant has submitted this proposal, which would seek to address the requirements of the Enforcement Notice involving the removal of the pile of historic waste wood. After alternative options had been considered, without success, the current proposal offers an opportunity to dispose of the waste wood, as part of a new operation to import and process fresh waste wood. The processed material would then be transferred for use in different markets. As such, it represents a sustainable way of managing waste wood, particularly when compared to disposal through landfill. Allowing the importation and processing of fresh wood will enable the historic material also to be processed and then blended with the fresh material to an acceptable standard for re-use. This approach accords with the thrust of Policy WMP3b of the Waste and Minerals Plan, which seeks to manage waste as a resource.

6.3 The applicant is well established in managing wood products and has occupied the site at the Squires Farm Industrial Estate for 25 years. Although it appears little actual wood processing has taken place at the site for about 10 years, processing had been a feature of operations in previous years. The principle of the proposal to recycle waste wood is supported by policy and no 'in principle' objections have been received from the District and Parish Councils, the Environment Agency, or the Highway Authority.

### **Effect on amenity**

6.4 Policy WMP25 of the Waste and Minerals Plan requires, *inter alia*, that proposals should have no unacceptable effect on the standard of amenity appropriate to the established, permitted or allocated land uses of the local and host communities likely to be affected by the development including transport links, that there is no significant adverse impact on air quality or the local acoustic environment and that adequate means of controlling noise, dust and other emissions are secured. Saved Policy EN27 of the Wealden Local Plan requires development not to create an unacceptable adverse effect on the privacy and amenities of adjoining developments and the neighbourhood by reason of, *inter alia*, form and noise. The NPPF at Part 12 requires development to, *inter alia*, function well and add to the overall quality of the area, be sympathetic to local character and create places that promote health and well being, with a high standard of amenity for existing and future users.

6.5 The matter of noise is a very important consideration in dealing with this proposal and has proved to be a complicated one. The Squires Farm Industrial Estate includes various businesses which fall under general industrial, storage and distribution use classes and which appear to have limited planning controls regarding hours of use, vehicle movements or on noise emissions. There are also two permitted waste uses on the estate, one of which is a transfer station, which has controls on hours of use and vehicle movements but no noise controls. The other relates to an indoor scrap metal business, which has controls on hours of use. The estate is located outside of any development boundary and falls within the countryside with the

surrounding area being rural in character. Therefore, noise generated from uses within the estate can have the effect of being at odds with the rural nature of the area.

6.6 In this case, the development has been operational for some months and local residents have made representations regarding the type and duration of noise from the site and the associated impact on their amenity. The development is carried out in the open and involves the use of a wood shredder to process 'virgin' waste wood, the re-shredding of that material and the shredding of the historic waste wood. A loading shovel facilitates this use. As well as noise from the shredder, objections have been raised regarding noise from the use of the loading bucket.

6.7 The applicant submitted a Noise Impact Assessment to inform the application and a noise assessment was submitted as part of a representation made by the occupiers of Tewitts Farm, which has also contributed to the information on the local acoustic environment. However, due to there being some uncertainty regarding the level of noise from the operation in relation to neighbouring land, particularly at Tewitts Farm, a further noise assessment was undertaken on behalf of the applicant at that property with officers from both County and District authorities in attendance.

6.8 This assessment indicated that during the period of time the shredder was used to process 'virgin' waste wood in conditions that were considered to be 'worst case' (with Tewitts Farm downwind), noise was assessed at being +13 dB above the background level (i.e. when no new operations take place on site) on weekdays and +15 dB on Saturday mornings at Tewitts Farm. The secondary processing of the waste wood and that of the historic waste wood did not result in any significant increase in noise levels above the background noise level.

6.9 Although the processing of 'virgin' waste wood is an intermittent activity at the site (i.e. not continuous over lengthy periods) and the results above represent a 'worst case' in relation to wind direction (measuring downwind is standard good practice), they nevertheless are significant. The relevant British Standard (4142:2014) for assessing noise refers to a difference between the rating level and the background level of around +10 dB is an indication of a 'significant adverse impact', depending on the context. Although the prevailing wind direction from the south-west would be likely to reduce noise levels at Tewitts Farm by carrying the sound away from the property, the future incidence and duration of any winds from an easterly direction, which would carry sound towards Tewitts Farm, cannot be forecast with any certainty. Moreover, the operations at the site are not undertaken in a systematic way and processing takes place on an *ad hoc* basis, according to the requirements of the business and to market conditions. As such, placing restrictions by condition on times when the processing of 'virgin' waste wood could take place, or when it would not be able to take place due to certain weather conditions, would be unreasonable and unenforceable and would not mitigate noise impacts during still conditions. Although it is possible that the noise levels could be mitigated by a combination of on site management practices

and a physical barrier, no proposals have been submitted regarding the latter. In any event, such a barrier would need to be assessed first to establish whether it would be effective in reducing noise to an acceptable level.

6.10 The latest noise assessment identifies an increase in noise levels at Tewitts Farm during the processing of 'virgin' waste wood, which is significant and despite this type of processing being an intermittent activity, it nevertheless occurs on a regular basis during a 'processing day', as indicated in submitted representations. As such, these noise levels result in an unacceptable effect on amenity, which conflicts with Policy WMP25 of the Waste and Minerals Plan, Saved Policy EN27 of the Wealden Local Plan and the provisions of Part 12 of the NPPF.

6.11 The processing of waste wood can create dust and the applicant has submitted a Dust Management Plan to accompany the application, which identifies the causes of dust and the sensitive receptors that could be affected. It also describes the methods which would be involved in the management of dust to reduce emissions. The main principles for preventing dust emissions at the site are through avoidance, then containment followed by suppression. As well as the actual processing of wood, the Management Plan considers vehicle movements and materials storage, as well as how dust would be monitored. Although the Management Plan is considered to be acceptable if it was fully implemented, existing management practices at the site raise some concerns on how effective the future management of dust would be. This is because it is evident that dust currently escapes from the site onto adjoining land, even though a water spray has been set up to dampen dust and the northern and eastern boundaries of the site are lined with trees (which would have the effect of containing some dust). Notwithstanding this, if planning permission is granted, the generation of dust would need to be strictly controlled by condition.

6.12 The application site is contained within the existing Holley's Yard and therefore forms part of the developed area of the existing industrial estate. The machinery and piles of material are typical features in the context of the industrial area and the site is well screened on all sides by existing buildings and vegetation. Public views into the site are minimal and the proposal would not give rise to any adverse visual effect.

### **Drainage**

6.13 Policy WMP28a of the Waste and Minerals Plan requires development to reduce flood risk and incorporate measures to reduce surface water runoff. The NPPF also requires development not to increase flood risk and to be flood resistant and resilient. Sustainable drainage systems should be incorporated into development, unless there is clear evidence that this would be inappropriate.

6.14 Currently, the application site drains surface water via infiltration into the underlying soils where there is no impermeable hardstanding, with excess runoff discharged to adjoining land, primarily to the adjacent watercourse to

the north, as the site slopes down to the north. The site is within a Flood Zone 1, which identifies land as having a low risk of fluvial flooding.

6.15 The applicant has submitted a Flood Risk Assessment to inform the application and a full surface water management scheme is proposed, in line with permitting requirements. Due to the potential for contamination, all runoff from the application site is proposed to pass to a sealed system, from where it would be tankered off site, as trade waste, to a wastewater treatment works, although the location of a suitable treatment works is currently unknown. The drainage system would only be installed once the historic waste wood is removed so that the affected area can be treated with an impermeable hardstanding. The system would involve an impermeable hardstanding, which would be contoured to direct water to the northern boundary where it would be intercepted by open drainage gullies and discharged into a lined concrete tank, which would be sized to accommodate runoff to certain rainfall standards, including accounting for climate change. The tank would be set into the ground at a depth of 1.925 metres and cover an area of 120 square metres. It would have capacity for 195 cubic metres of water and accommodate a raised kerb standing at 300mm. An engineered wall/concrete upstand is also proposed around the entire perimeter of the recycling facility to prevent off-site discharges and to ensure all runoff is directed to the tank. The LLFA estimates that given an average annual rainfall of 750mm per metre square and the proposed hardstanding area at 3,865 square metres, the proposed tank (at 195 cubic metres) will need to be emptied 15 times per year. Since the capacity of a water tanker is normally 18 cubic metres, the applicant will need to arrange for an average of 167 trips per year to a wastewater treatment works.

6.16 The Environment Agency has considered the proposal and raises no objections. Although it accepts that storage and tankering of collected waste water has its own potential risks, it nevertheless considers that the proposed sealed drainage system is the most appropriate option and would require that system as part of the Environmental Permit for the site. The County Council, as LLFA, has also considered the proposal and following the response of the Environment Agency, also raises no objections. However, the LLFA raises concerns regarding this type of management regime, due to the high cost of disposal and that no guarantee can be provided that the tank will be emptied in a timely manner.

6.17 As the proposed drainage system cannot be installed before the removal of the historic waste wood, surface water will continue to drain from the site in its current form. However, the site has a low risk of flooding and the Environment Agency has not raised concerns regarding the existing drainage arrangements. If planning permission is granted, a timetable for the drainage works should be required by condition so they can be expedited once the historic waste wood is removed, thereby meeting appropriate drainage standards.

## **Highway matters**

6.18 Policy WMP26 of the Waste and Minerals Plan requires that development should have appropriate access arrangements and provision for on site vehicle manoeuvring, parking and loading / unloading. There should be no unacceptable adverse impact on existing highway conditions as a result of the traffic generated. Saved Policy TR3 of the Wealden Local Plan also requires development not to create or perpetuate unacceptable traffic conditions and that a satisfactory means of access is provided.

The proposal would result in a modest level of additional traffic being generated from the site with a daily average of 4 heavy goods vehicle (HGV) movements (2 in, 2 out), and another 4 movements for light vehicles. Tanker movements associated with the surface water drainage system would involve, on average, 3-4 loads per week.

6.19 The Parish Council, the local Member and local residents have raised concerns regarding the use of Palehouse Common Road by heavy vehicles beyond the access to the industrial estate, due to the rural nature of the road. However, the Highway Authority has considered the proposal and raised no objections. It notes that the industrial estate benefits from a private access road which is of sufficient width to accommodate 2-way traffic. Palehouse Common Road has a speed limit of 60mph and the necessary visibility requirements are in place. Moreover, the applicant has indicated that vehicles associated with the proposal use the B2192 to and from the site and not Palehouse Common Road beyond the industrial estate to the north-west and no changes to this route are proposed. However, it is unknown which route tankers would need to take to a wastewater treatment works to dispose of waste water, as a suitable facility has not been identified. If planning permission is granted, a routeing restriction might be considered appropriate along Palehouse Common Road to the north-west beyond the industrial estate, so that any tankers do not pass that way to access Uckfield.

## **Other matters**

6.20 Ashdown Forest: Wealden District Council has brought the Habitats Regulations to the attention of the County Council, regarding Ashdown Forest. The Ashdown Forest is designated as a Special Protection Area, Special Area of Conservation (SAC) and Site of Special Scientific Interest, thereby affording it the highest protection in nature conservation terms. It is important that levels of nitrogen deposition in the Forest are not increased to a level that adversely impacts the heathland that benefits from the SAC designation. One of the causes of nitrogen deposition is from vehicle emissions. Proposals should therefore consider the potential for issues relating to air quality and emissions, which may affect the heathland habitat. The level of traffic generated by the proposal is considered to be minor with no likely impact on the Forest. However, it is unclear on the potential route of any tankers which would be required to facilitate the removal of waste water from the site, as no suitable treatment works has been identified. Consequently, no assessment can currently be made of such movements on the interests of the Forest.

However, if planning permission is granted, a routeing restriction might be considered appropriate should the receiving treatment works be in a location where trips through the Forest may be taken to reach it.

6.21 Listed building: The residential property at Tewitts Farm is a grade II listed building and representations have been made stating that the development would adversely affect the building and its setting. In considering whether to grant planning permission which may affect a listed building or its setting, the Council has a statutory duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Case law has held that the desirability of preserving a listed building or its setting must be given 'considerable importance and weight'. However, the proposal is contained within the industrial estate and is over 200 metres from the listed building with intervening fields and trees between the two sites. The listed building has been restored over time by the occupiers in the knowledge of the presence of the industrial estate and a large barn has been constructed in close proximity to the listed building within Tewitts Farm. Taking these matters into account, it is not considered that the proposal would affect the listed building or its setting.

## **7. Conclusion and reasons for refusal**

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 to retain a wood recycling operation within the Holley's yard at the Squires Farm Industrial Estate. The operation takes place in the open and involves the shredding of imported 'virgin' waste wood, the re-shredding of that wood and the shredding of on-site, historic waste wood. In principle, this type of operation within an industrial estate, can be supported, as it represents a development which is normally considered suitable within industrial areas and one which seeks to manage waste as a resource. As stated elsewhere in this report, were this development to be permitted, it would be a way of achieving compliance with the Enforcement Notice.

7.3 However, Squires Farm Industrial Estate is located within the countryside and the general area is rural in character, albeit with some residential properties nearby. The nature of the wood recycling operation can result in the generation of significant noise levels compared to the background noise levels, specifically in relation to the shredding of 'virgin' waste wood. These levels are considered to be unacceptable and several representations have been received which object to the proposal on the grounds of the noise being generated. No proposals have been submitted which would attenuate these levels to a proven acceptable level and conditions could not be imposed which would overcome the problem of noise.

7.4 There are other businesses within the estate that generate noise, which is apparent from adjacent land. However, rather than allowing an increase in noise levels from the estate, the planning authorities should be seeking to minimise emissions where they are able to do so, particularly when the levels are shown to be significant and where they have a clear impact on the amenity of residents living nearby. In this case, the development conflicts with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013, Saved Policy EN27 of the Wealden Local Plan 1998 and the relevant provisions at Part 12 of the National Planning Policy Framework 2019. Consequently, the proposal cannot be supported and it is recommended for refusal.

7.5 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.

7.6 There are no other material considerations and the decision should be taken in accordance with the Development Plan.

## **8. Recommendation**

8.1 To recommend the Planning Committee to refuse planning permission for the following reason:

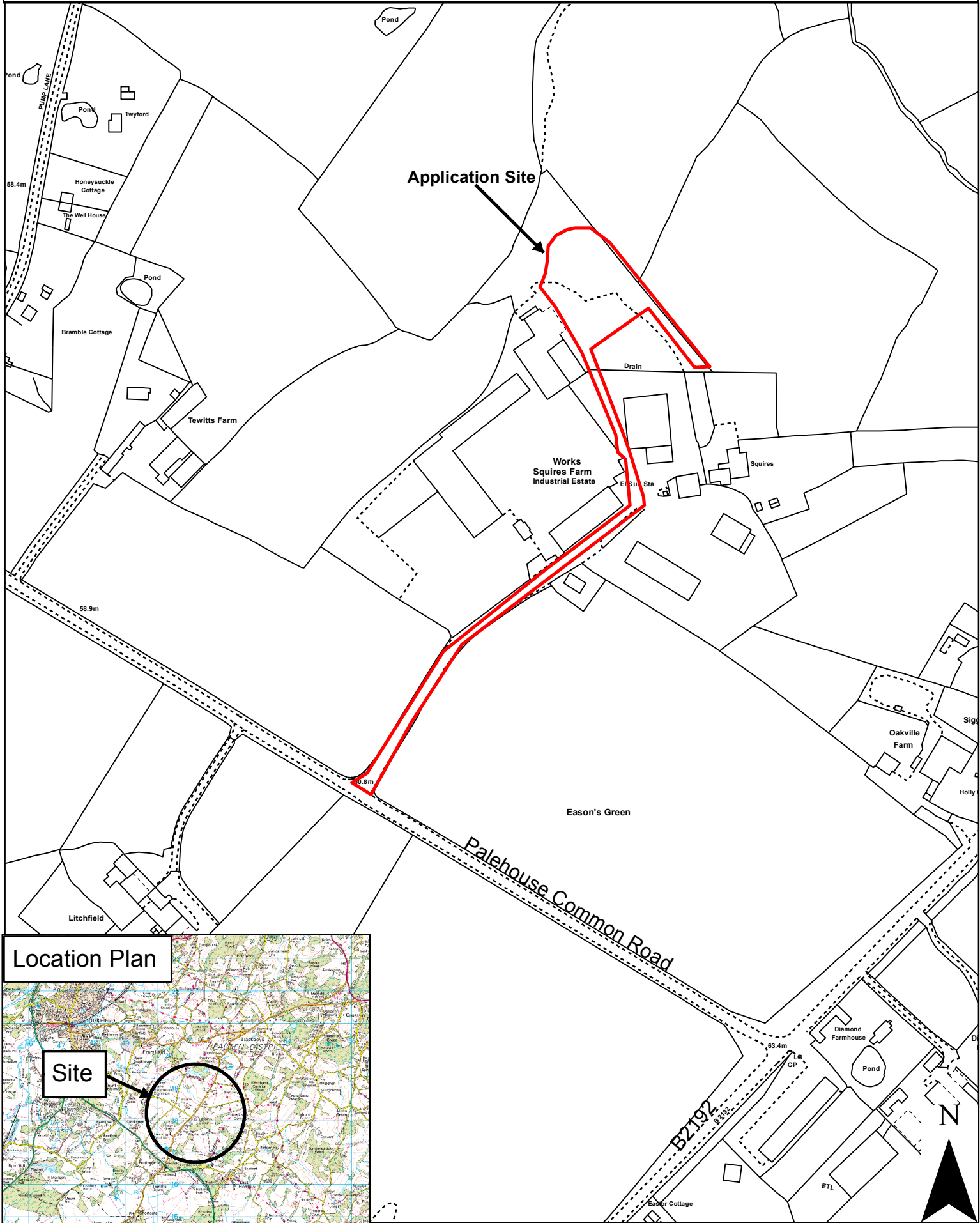
1. The development can generate significant levels of noise during certain operations which have an unacceptable effect on the amenity of persons living within the locality, thereby conflicting with Policy WMP25 (a), (b) and (c) of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013, Saved Policy EN27 (2) of the Wealden Local Plan 1998 and paragraph 127 (f) of Part 12 of the National Planning Policy Framework 2019.

RUPERT CLUBB  
Director of Communities, Economy and Transport  
3 September 2019

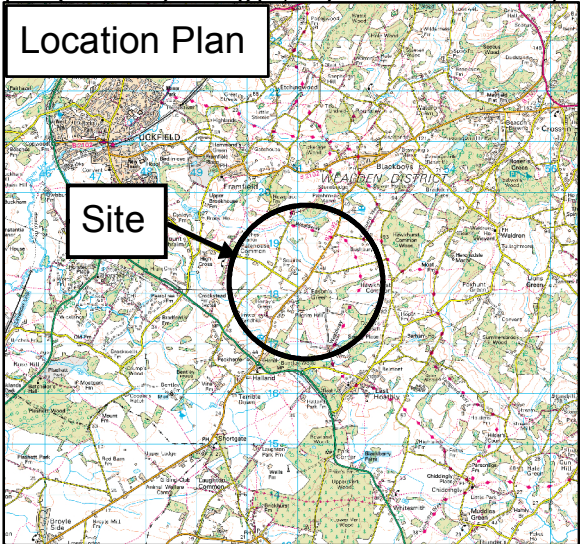
## **BACKGROUND DOCUMENTS**

File WD/820/CM  
ESCC Enforcement Notice, dated 2 February 2016  
The Development Plan  
The National Planning Policy Framework 2019  
Wealden District Council planning permissions





Location Plan



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Committee:	<b>Regulatory Planning Committee</b>
Date:	<b>11 September 2019</b>
Report by:	<b>Director of Communities, Economy and Transport</b>
Title of Report	<b>Traffic Regulation Orders – Lewes District Parking Review 2018-2019</b>
Purpose of Report	<b>To consider the objections received in response to the formal consultation on the draft Traffic Regulation Orders associated with the Lewes District Parking Review</b>
Contact Officer:	<b>Michael Blaney -Tel. 01424 726142</b>
Local Members:	<b>Councillor Phillip Daniel, Councillor Nigel Enever, Councillor Darren Grover, Councillor Carolyn Lambert, Councillor Ruth O’Keeffe and Councillor Andy Smith</b>

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## **RECOMMENDATION**

**The Planning Committee is recommended to:**

- 1. Uphold the objections to the draft Order as set out in Appendix 1 to this report.**
  - 2. Not uphold the objections to the draft Order as set out in Appendix 2 of this report.**
  - 3. Not uphold the objections to the revocation of the 2007 Traffic Regulation Orders as also set out in Appendix 2 of this report.**
  - 4. Recommend to the Director of Communities, Economy and Transport that the Traffic Regulation Order be made in part.**
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## **CONSIDERATION BY DIRECTOR OF COMMUNITIES, ECONOMY AND TRANSPORT.**

### **1. Introduction**

- 1.1** Requests for new or for changes to existing parking and waiting restrictions in Lewes District are held on a priority ranking database, with those requests ranking high enough being progressed to consultation. Informal consultations began in March 2019 to see whether there was enough public support to introduce controls, such as double yellow lines, or changes to permit parking schemes in a number of locations in the district.
- 1.2** Feedback from the consultations led to formal proposals being developed. These formal proposals were advertised, together with the draft Traffic Regulation Order (TRO) (a copy of which is attached at Appendix 2) in the Sussex Express on 14 June 2019. Notices and copies of the relevant plans were placed on posts and lamp-columns in the affected areas. Approximately 1000 letters were delivered to local addresses and the consultation was placed on the Council’s Consultation Hub for any member of the public to comment. The formal period for representations to be made ended on 5 July 2019.
- 1.3** Copies of the formal proposals were sent to relevant district and parish Councillors, County Councillors and statutory consultees including the emergency services. Copies of all supporting correspondence are available in the Members’ Room.

1.4 During the formal consultation 84 items of correspondence were received. These included 35 objections and 49 items of support. One of the objectors objected to all proposals but provided no grounds.

## **2. Comments and Appraisal**

2.1 Each item of correspondence has been considered individually and a summary of the objections and officer comments are included in Appendices 1 and 2. Plans and photographs showing the areas objected to are included in the Additional Information Pack.

2.2 Following consideration of the responses, it is recommended to withdraw the following proposal (summarised in Appendix 1):

- Clare Road, (Lewes) –

Officers are satisfied that the objections received are justified. Further investigation has shown that no application has been made to extend the existing dropped kerb at this location and vehicles should not therefore be driven over the footway to access or leave the widened hard-standing area at number 15. The resident must apply to East Sussex Highways for a Section 184 agreement to widen their dropped kerb. If this agreement is obtained it is likely that a new TRO will be proposed at a later date.

2.3 With regard to objections relating to Baxter Road (Lewes), Blatchington Road (Seaford), Central Avenue (Telscombe Cliffs), Claremont Road (Seaford), Cliffe Industrial Estate (Lewes), Fort Road (Newhaven), Mount Road (Newhaven), Pelham Rise (Peacehaven), Place Lane (Seaford), St Johns Terrace (Lewes), St Swithuns Terrace (Lewes), Sutton Avenue (Peacehaven), Sutton Park Road (Seaford), The Gallops (Lewes) as set out in Appendix 2, it is not considered that these objections provide sufficient grounds to warrant the modification or withdrawal of the proposals, and the proposals provide for the most efficient use of parking space. It is considered that these objections should not be upheld.

2.4 With regard to the objections relating to the revocation of the 2007 TROs, as also set out in Appendix 2 of this report, it is not considered that these objections provide sufficient grounds to withdraw the proposed revocation. The 2007 orders are effectively redundant, having been replaced in 2014 by Map-based TROs.

2.5 It is also recommended that all other proposals not objected to should be implemented as advertised.

## **3. Conclusion and reasons for recommendation**

3.1 The approach in trying to resolve objections to the Order has been to appraise the concerns raised by residents and other road users, whilst not compromising road safety or other factors. It is felt for highway and road safety reasons, that with the exception of the objection in relation to Clare Road, Lewes, the objections should not be upheld and the proposals in these areas should proceed as per the draft TRO as advertised.

3.2 It is therefore recommended for the reasons set out in this report, that the Planning Committee upholds the objections in Appendix 1, does not uphold the objections in Appendix 2, and to recommend to the Director of Communities, Economy, and Transport that the Order be made in part.

RUPERT CLUBB  
Director of Communities, Economy and Transport

BACKGROUND DOCUMENTS: None

## Appendix 1 – Proposals where objections are recommended to be upheld

### 1. Site 1 Clare Road, Lewes (Councillor O’Keeffe)

- 1.1 The proposal at this location is to extend the existing single yellow lines opposite number 15.
- 1.2 Three objections have been received from residents on the grounds that extending the single yellow line at this location will remove a parking space that is in constant use by many different households to accommodate visitors and tradesmen etc. Although there are no restrictions at the top of Clare Road, residents state that these are usually filled with school staff, parents or visitors and it means that the lower end of the close suffers.
- 1.3 The proposal follow requests from a local resident that they are being inconvenienced trying to exit their drive, especially in the early mornings when leaving to go to work because of vehicles parked opposite the drive.
- 1.4 Historically, number 15 had a driveway running up to a garage to the left of the property. There is a properly constructed dropped-kerb which provides this access. In recent years however the front garden has been re-landscaped to provide a wider hard-standing area to the front of the property. Officers are aware that no application has been made to extend the dropped kerb across the full width of the hard-standing area. As such, vehicles should only be using the dropped-kerb area to enter and leave the drive and should not be mounting the kerb and crossing the footway where the kerb has not been lowered.
- 1.5 Should the resident apply to extend the dropped kerb across the full width of their hard-standing area, and such an application is approved, it is likely that a new TRO will be proposed at a later date.
- 1.6 Having considered all of the objections and circumstances, officers are satisfied that the proposal can be withdrawn.
- 1.7 Councillor O’Keeffe has confirmed her agreement with the recommendation.
- 1.8 **Recommendation:** To uphold the objections and withdraw the proposal.

## **Appendix 2 – Proposals where objections are recommended to not be upheld and are proposed to be implemented as advertised**

### **1. Site 2 Sutton Park Road, Seaford (Councillor Lambert)**

- 1.1 The proposals at this location are to extend the times of the existing bus stop clearway by introducing a 24 hour clearway.
- 1.2 One objection has been received from Seaford Town Council. The grounds for the objection are that the change to a permanent clearway would have an adverse effect on late night takeaways in the area. The Transport Hub supports the bus operator's demand for these bus stop clearway restrictions to be changed to at any time except local buses.
- 1.3 The proposal follows a number of complaints regarding cars and other vehicles parked in the bus stop clearways. Both these bus stops are heavily used by bus passengers outside of the current bus stop clearway time period and buses are very frequently impeded due to parked vehicles. This makes it impossible for buses to safely deploy their wheelchair ramp and is in contravention of Accessibility Regulations.
- 1.4 Having considered the objection, officers are satisfied that there are not sufficient grounds for the proposals to be withdrawn. Vehicles will still be able to load and unload on the single yellow lines, double yellow lines and the loading bay in the area.
- 1.5 Councillor Lambert has confirmed her agreement with the recommendation.
- 1.6 **Recommendation:** To not uphold the objection and install the proposals as advertised.

### **2. Site 3 Blatchington Road, Seaford (Councillor Lambert)**

- 2.1 The proposal at this location is to remove a redundant taxi bay.
- 2.2 Two objections have been received. One provides no grounds for objection and the other is from a local business on the grounds that the bay is regularly used by their large HGV recovery truck.
- 2.3 The proposal follows feedback from previous parking reviews to create more parking in the area for both residents and visitors. The taxi bay in Blatchington Road was originally installed when the nearby nightclub was operating. As the club closed down in October 2016, the taxi bay is no longer needed. The removal of the bay will create five parking spaces which will allow anyone to park for an unlimited time period.
- 2.4 Having considered the objections, officers are satisfied that there are not sufficient grounds for the proposals to be withdrawn.
- 2.5 Councillor Lambert has confirmed her agreement with the recommendation.
- 2.6 **Recommendation:** To not uphold the objections and to install the proposals as advertised.

### **3. Site 4 Cliffe Industrial Estate, Lewes (Councillor Phillip Daniel)**

- 3.1 The proposal at this location is to install new no waiting at any time restrictions in the turning head.

- 3.2 One objection has been received from an employee of a local business on the grounds that the double yellow lines are needed on the north side of the turning area only.
- 3.3 The proposal follows complaints and concerns about inconsiderate parking affecting access for businesses and emergency vehicles. Double yellow lines are being proposed in the turning head make it easier for larger vehicles to turn without the need to reverse along the industrial estate.
- 3.4 Having considered the objection, officers are satisfied that there are not sufficient grounds for the proposals to be withdrawn. The proposed double yellow lines will keep the turning area clear at all times, improving visibility and facilitating the safe movements in both directions for lorries and other motorists.
- 3.5 At the time of writing, Councillor Daniel has not replied to confirm whether he agrees with the recommendation.
- 3.6 **Recommendation:** To not uphold the objection and install the proposals as advertised.

#### **4. Site 5 Baxter Road, Lewes (Councillor O’Keeffe)**

- 4.1 The proposal at this location is to install new double yellow lines (no waiting at any time) at the junction of Baxter Road and Meridien Road, and to extend the existing restrictions.
- 4.2 Two objections have been received from local residents to the proposed new double yellow lines on the grounds that these controls will take away valuable parking for residents and they will not be able to park outside their own homes.
- 4.3 The proposals follow requests from ESCC’s parking enforcement contractor (NSL) that cars parked at this location obstruct the junction and make it difficult to manoeuvre. Following the informal consultation in March 2019 the bus operator has reported that there are significant problems when vehicles park near this junction, as buses turn left from Baxter Road into Meridian Road.
- 4.4 It is recognised that it is often difficult to satisfy the needs of all road users and with a limited amount of kerbside space available, we have to strike a balance between the conflicting demands on that space. The proposals will ensure a safe passage of traffic and will protect sight lines at the junction, while maintaining as much parking for residents and other road users as safely possible. We are also mindful that an element of on street parking has a positive benefit in regulating vehicle speeds
- 4.5 Having considered the objections, officers are satisfied that there are not sufficient grounds for the proposals to be withdrawn. ESCC’s Transport Hub supports this proposal as this will assist in ensuring buses are not impeded by parked vehicles.
- 4.6 Councillor O’Keeffe has confirmed her agreement with the recommendation.
- 4.7 **Recommendation:** To not uphold the objections and install the proposals as advertised.

#### **5. Site 6 The Gallops, Lewes (Councillor O’Keeffe)**

- 5.1 The proposal at this location is to change the existing permit holder only bay to a shared parking bay (for permit holders or pay and display).



- 5.2 One objection has been received from a local resident to the proposal on the grounds that if they were to move their vehicle during the day they may not be able to come back and get a space.
- 5.3 The proposal follows a feedback meeting with NSL where it was noted that the permit holder only bay at top of The Gallops is being underused and is left empty for the majority of the time on most days.
- 5.4 The Gallops currently has 10 spaces allocated for permit holders only and checks have shown that there are only four residents living in The Gallops who have permits. The proposal to change the bay to shared use will allow both visitors and permit holders to park in the parking bays along the main stretch (around 26 parking spaces). The five other permit only bays will remain unchanged.
- 5.5 Having considered the objection, officers are satisfied that there are not sufficient grounds for the proposals to be withdrawn.
- 5.6 Councillor O’Keeffe has confirmed her agreement with the recommendation.
- 5.7 **Recommendation:** To not uphold the objection and install the proposals as advertised.

**6. Site 7 Central Avenue, Telscombe Cliffs (Councillor Smith)**

- 6.1 The proposal at this location is to change the existing two-hour limited stay to a one-hour stay.
- 6.2 One objection has been received from a local business in the area on the grounds that the changes will adversely affect his business. He states that sometimes clients overrun their one-hour time slots and if they are fined or refuse to attend because of a lack of parking he will have lost business.
- 6.3 The proposal follows a request made by the local residents association who asked to change the existing two-hour limited stay to 30 minutes. Officers do not believe 30 minutes is manageable either for NSL or for members of public visiting the local shops, and a one-hour maximum stay would be more appropriate. This will allow a greater turnover of vehicles, in effect creating more parking availability for customers to the area. There is plenty of unrestricted parking nearby should any member of public wish or need to stay for longer than an hour.
- 6.4 Having considered the objection, officers are satisfied that there are not sufficient grounds for the proposal to be withdrawn.
- 6.5 At the time of writing, Councillor Smith has not replied to confirm whether he agrees with the recommendation.
- 6.6 **Recommendation:** To not uphold the objection and install the proposals as advertised.

**7. Site 8 Place Lane, Seaford (Councillor Lambert)**

- 7.1 The proposed change in Place Lane is to correct and ratify the written description in the traffic order. There will be no physical changes on street.

- 7.2 One objection has been received but no reasons have been given for the objection. Legally, objectors must provide the grounds for their objection (in order for their grounds to be considered). Officers have written to the objector twice and have received no response.
- 7.3 Although no grounds have been given for the objection, officers have included it in this report for completeness.
- 7.4 There is an anomaly with the traffic regulation order for the current double yellow lines in Place Lane. To address this issue it has been proposed to correct the TRO. Once corrected, NSL can resume enforcement in this area.
- 7.5 Councillor Lambert has confirmed her agreement with the recommendation.
- 7.6 **Recommendation:** To not uphold the objection and install the proposals as advertised.

**8. Site 9 Claremont Road, Blatchington Road Seaford (Councillor Lambert)**

- 8.1 The proposed change at this location is to reduce the length of the double yellow lines at the junction and extend the length of the existing (time limited) parking bay.
- 8.2 One objection has been received from Seaford Town Council who said the current restrictions should be left in place. They did not provide any reason or grounds for this view.
- 8.3 Feedback from the last review in this area showed that residents, particularly near to the Claremont Road/Blatchington Road junction, were in need of more parking. The proposals to shorten the double yellow lines will increase parking for approximately three vehicles, while not compromising any safety issues.
- 8.4 Officers have written to Seaford Town Council asking for their reasons for objecting to the proposal and have received no further response.
- 8.5 Councillor Lambert has confirmed her agreement with the recommendation.
- 8.6 **Recommendation:** To not uphold the objection and install the proposals as advertised.

**9. Site 10 Fort Road, Newhaven (Councillor Grover)**

- 9.1 The proposal at this location is to remove some of the double yellow lines to create free on street parking for local residents and visitors.
- 9.2 One objection has been received from a local resident on the grounds that the changes will mean cars stopping and starting right outside their window, whereas now they flow past without much noise. They believe the changes are unnecessary as all residents have either a double garage, parking spaces, or both.
- 9.3 The proposals follow requests from local residents asking for more parking in the area. The proposals are to make two small areas of unrestricted parking and as well as providing much needed parking, the presence of on-street parking will also help to keep vehicle speeds low.
- 9.4 Having considered the objection, officers are satisfied that there are not sufficient grounds for the proposals to be withdrawn.
- 9.5 At the time of writing, Councillor Grover has not replied to confirm whether he agrees with the recommendation.

9.6 **Recommendation:** To not uphold the objection and install the proposals as advertised.

**10. Site 11 Mount Road, Newhaven (Councillor Grover)**

- 10.1 The proposal at this location is to extend the existing double yellow lines in Mount Road near Tide Mills View.
- 10.2 One objection has been received from Newhaven Town Council (NTC) along with four items of support. The grounds for the objection were that NTC's planning committee felt that the loss of parking in this area for residents and visitors to the nature reserve would be detrimental.
- 10.3 The proposal to extend the existing double yellow lines follow requests by the bus company. There are very frequent bus services (sometimes 15 to 20 services per hour) travelling along this section of Mount Road to access the Denton Corner bus stops. Buses are impeded by parked vehicles in this area, including when making the right turn to access the bus stops in the turn-around section opposite Tide Mills View. In addition, residents of Tide Mills View say that there are near misses almost daily when exiting the close due to vehicles parked too close to the entrance to Tide Mills View. They have also said there have been countless times when residents have witnessed near misses between motor vehicles, pedestrians, and buses and believe that this area is an accident waiting to happen.
- 10.4 Having considered the objection, officers are satisfied that there are not sufficient grounds for the proposals to be withdrawn.
- 10.5 At the time of writing, Councillor Grover has not replied to confirm whether he agrees with the recommendation.
- 10.6 **Recommendation:** To not uphold the objections and install the proposals as advertised.

**11. Site 12 Pelham Rise, Peacehaven (Councillor Enever)**

- 11.1 The proposals at this location are to install a new bus stop clearway and new no waiting at any time restrictions at the junction of Cripps Avenue and Pelham Rise.
- 11.2 One objection has been received from a local resident on the grounds that the restrictions will increase traffic speed. It will also mean that the resident will not be able to park outside their own home.
- 11.3 The proposals follow complaints from the bus company that vehicles parked at the bus stop prevent the bus from safely deploying its wheelchair ramp, meaning that the service is not complying with accessibility requirements. For this reason, a bus stop clearway is being proposed. This will displace vehicles and it is proposed to install double yellow lines to protect the junction of Pelham Rise and Cripps Avenue, to keep the junction clear of parked vehicles, and to enable adequate visibility when exiting and entering the junction. It must also be noted that there is a school nearby and introducing junction protection will increase safety for children attending the school.
- 11.4 Having considered the objection, officers are satisfied that there are not sufficient grounds for the proposal to be withdrawn. The proposals will ensure buses and passengers can safely use the bus stop, will ensure a safe passage of traffic and will protect sight lines at the junction.

11.5 At the time of writing, Councillor Enever has not replied to confirm whether he agrees with the recommendation.

11.6 **Recommendation:** To not uphold the objection and to install the proposals as advertised.

## **12. Site 13 St Swithuns Terrace, Lewes (Councillor O’Keeffe)**

12.1 The proposal at this location is to replace a section of the permit holders only parking bay with a disabled parking bay outside number 23.

12.2 Two objections have been received from local residents to the proposals on the grounds that a valuable parking space in an already overcrowded area will be removed.

12.3 The bay is being provided for a resident who already parks in this road so there will be no additional demand for parking as a result of this proposal. Officers are satisfied that the applicant meets the Council’s criteria for providing a disabled bay on the highway. A mobility assessment has been carried out by the Blue Badge team which confirms that the location of the bay is the most suitable location for the needs of the applicant.

12.4 Having considered the objections, officers are satisfied that there are not sufficient grounds for the proposals to be withdrawn.

12.5 Councillor O’Keeffe has confirmed her agreement with the recommendation.

12.6 **Recommendation:** To not uphold the objections and install the proposal as advertised.

## **13. Site 14 Sutton Avenue, Peacehaven (Councillor Enever)**

13.1 The proposal at this location is to extend the existing double yellow lines in Sutton Avenue.

13.2 One objection has been received from a local resident on the grounds that a pedestrian crossing would be needed if on-street parking was removed.

13.3 The proposal at this location follows requests from residents and a local councillor to extend the existing double yellow lines to help with sight lines when exiting Fairfield. This is a heavily trafficked route and visibility is very poor when exiting Fairfield. Drivers say they are unable to see until they have pulled out increasing the likelihood of a collision.

13.4 Having considered the objection, officers are satisfied that there are not sufficient grounds for the proposals to be withdrawn.

13.5 At the time of writing, Councillor Enever has not replied to confirm whether he agrees with the recommendation.

13.6 **Recommendation:** To not uphold the objection and install the proposals as advertised.

## **14. Site 15 St Johns Terrace, Lewes (Councillor Phillip Daniel)**

14.1 The proposal at this location is to introduce two new permit holder only bays in an area where there are existing double yellow lines.

14.2 Two objections have been received to the proposals. The grounds for the objection were that the current restrictions work well for the local community and should be left in place, and that the area should be left as a free parking area or should be turned into a place for charging electric vehicles.

- 14.3 A member of public contacted ESCC's Highway Land Information team about an un-hitched caravan parked at this location and at the same time asked if anything could be done about the other vehicles also parking there. The Highway Land Information team have confirmed that the area is adopted public highway. As such, the current double yellow lines would apply to this area and the vehicles should be removed. However, as vehicles have been parking here for many years without incident, the proposal will formalise the parking arrangements and provide two additional permit holder parking places.
- 14.4 There are no current plans to introduce electric charging points to this area.
- 14.5 Any issues with un-hitched caravans will be addressed outside the TRO process.
- 14.6 Having considered the objections, officers are satisfied that there are not sufficient grounds for the proposals to be withdrawn.
- 14.7 At the time of writing, Councillor Phillip Daniel has not replied to confirm whether he agrees with the recommendation.
- 14.8 **Recommendation:** To not uphold the objections and install the proposals as advertised.

## **15. Objections to revoked orders**

- 15.1 The parking scheme in Lewes town was introduced by way of Experimental TROs and in 2007 the TROs were made permanent. Since 2007 many changes to the scheme have been made through the parking reviews. In 2014 ESCC moved towards a more efficient way of making TROs by introducing Map-based TROs in Lewes town. These Map-based Orders essentially provide maps or plans showing the parking controls in place as opposed to the previous method of providing text descriptions depicting the controls. Around the time Map-based TROs were introduced, 'virtual' permits were also introduced, meaning no paper permits would be issued to residents.
- 15.2 This current parking review order lists all previous text-based TROs for Lewes town which will be revoked as they include articles or descriptions which are either no longer used, no longer operational, or are no longer as described.
- 15.3 13 objections have been received to the revocation of the 2007 TROs. These objections are essentially copies of each other and are based on the grounds that the 2014 TRO 'does not adequately replace the eligibility criteria for residents' permits contained within the 2007 Order. The objectors also say that Lewes town residents were not made aware that the eligibility criteria changed when the 2014 TRO was introduced and were not given adequate notice or opportunity to object, and that the changes to eligibility were not brought to the attention of the Committee. Full copies of the objections have been made available in the Members Room for the Committee to view.
- 15.4 Two of the objectors have also since written in saying they had parking rights which have now been removed, and as there are residents of Southover High Street who have two permits per property that this is discriminatory, that they are having difficulty letting out one of the flats in their property as they are finding it difficult to find a tenant who doesn't need a parking space.
- 15.5 The objectors all live in Priory Crescent, Lewes. Priory Crescent is a private street with on street parking available for around fifteen vehicles.
- 15.6 Historically, all our traffic regulation orders were text based, meaning that each stretch of yellow line or each parking bay needed a text description which specified the exact location

of that parking control. We were aware of other local authorities who were operating map-based traffic orders. This is a different way of representing parking controls by showing them graphically on a map, and therefore easier to understand than text-based descriptions and is a more efficient way of managing the traffic orders. The 2014 order replaced all the text descriptions and consolidated all the previous articles into an easier to manage, map based, traffic order. It is ESCC's ultimate aim to replace all our traffic regulation orders in Eastbourne, Lewes district, and Hastings with map-based traffic orders.

- 15.7 The 2014 order has since been amended through our regular parking reviews and accurately portrays what is currently on-street in Lewes. This is the current operational TRO (as amended) and takes precedence over any previous Orders.
- 15.8 There were no new or amended parking restrictions being proposed by the 2014 order and therefore it followed a slightly different process to previous Orders while still meeting legal requirements. The change in the 2014 Order was to the way the order was managed (as map-based rather than text-based) with no material changes to on-street parking arrangements. It was not necessary to place copies of the advertised notice in every street in Lewes or to deliver letters to all addresses. It was however advertised in the local newspaper. A report did not need to be presented to the Planning Committee because no objections were received.
- 15.9 The 2007 Order defined a resident (for the purpose of applying for a permit) as being a person whose usual address was included in a list of roads in 'Schedule G1' of that order. When the 2014 Order was introduced, a map of Lewes showing the permit zone areas replaced the list of roads so that the Council could manage the permit schemes more efficiently. This would allow, for example, newly built and eligible properties to become immediately able to apply for permits whereas under the previous 2007 TRO process they would have to wait possibly for a year or two until the next TRO review took place. The 2014 Order was changed to define a resident as being *"a person whose usual address is in any street or property with Permit Holders Parking Places, or Permit Holder or Pay and Display Parking Places as shown in the Order Plans"*. Both of these definitions are correct when they relate to the content of their own Order.
- 15.10 Officers have not made a decision about the eligibility for permits. In making the change from listing addresses to providing a map showing the parking places, it came to light that the Council could not issue permits to residents of Priory Crescent as this is a private street and not public highway. It was, therefore, appropriate that the Council did not issue further permits in relation to Priory Crescent. Unfortunately at the time of the 2014 Order no instruction was given to NSL to stop issuing permits in the private street, and regrettably they continued to do so. This oversight was identified in January of last year and NSL were then instructed not to issue any further permits. The Council does accept that errors have been made in relation to the inclusion of Priory Crescent in the 2007 TRO. The Council also accepts that residents should have been notified when it was realised that this error had been made, rather than when applying for permits. The Council however reconfirms its' position that permits will not be issued to residents of private streets.
- 15.11 Previous correspondence with the Chair of the Priory Crescent Residents Committee (PCRC) also highlighted to us that none of the TROs prior to 2014 had been revoked. The current proposals reflect this - the revocation of previous, now redundant, traffic orders.
- 15.12 Officers have previously explained the above to the Chair of the PCRC. The Assistant Director and the Assistant Chief Executive have also written to the Chair of the residents committee to confirm these details.
- 15.13 At the time of writing, Councillor O'Keeffe has not replied to confirm her agreement with the recommendation.

15.14 **Recommendation:** To not uphold the objections and revoke all previous Orders

**EAST SUSSEX COUNTY COUNCIL**

**ROAD TRAFFIC REGULATION ACT 1984, ROAD TRAFFIC ACT 1991 &  
TRAFFIC MANAGEMENT ACT 2004**

**The East Sussex (Lewes District) (Traffic Regulation) Order 2004 Amendment Order 2005  
No 1 (Amendment No x) 201x**

East Sussex County Council, in exercise of their powers under Sections 1(1), 2(1) to (4), 3(2), 4(2), 32, 35(1) and (3), 45, 46, 49, 51, 52 and 53 of, and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 (“the Act”), as amended, the Road Traffic Act 1991, as amended, Part 6 of the Traffic Management Act 2004, and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act hereby make the following Order:-

**1. Commencement and citation**

This Order may be cited as “The East Sussex (Lewes District) (Traffic Regulation) Order 2004 Amendment Order 2005 No 1 (Amendment No x) 201x and shall come into effect on xxxxxx

**2. When this Order comes into effect:**

(a) The East Sussex (Lewes District) (Traffic Regulation) Order 2004 Amendment Order 2005 No.1, as amended, shall have effect except as hereinafter contained.

**(iii) The Interpretation shall be amended as follows:**

1. Insert the following definition of “footway” before the definition for “goods”:

"footway" has the same meaning as defined in Section 329 (1) of the Highways Act 1980 or any re-enactment or modification thereof from time to time in force.

**(iv) Part II – Waiting and Loading Restrictions, that this be amended as follows:**

1. Insert Article 3 (6) as follows:

3	(6)	(i)	Save as provided in Article 3 (6) (ii), no person shall except upon the direction or with the permission of a Police Officer, cause or permit any motor vehicle to enter or wait in any of the lengths of road specified in Schedule 16.
		(ii)	Nothing in Article 3 (6) (i) shall render it unlawful to cause or permit any motor vehicle to enter those lengths of road specified in Schedule 16 if the vehicle:
		(a)	Is a licensed taxi, or
		(b)	Is being used for the purpose of loading and unloading, or
		(c)	Is a disabled person's vehicle which clearly and continuously displays a disabled person's badge such that; in the case of a vehicle fitted with a dashboard or facia panel, the badge is exhibited thereon so that Part 1 of the badge is legible from the outside of the vehicle; or in the case of a vehicle not fitted with a dashboard or facia panel, the badge is exhibited in a conspicuous position on the vehicle so that Part 1 of the badge is legible from the outside of the vehicle

2. Insert Article 3 (7) as follows:

3	(7)	(i)	No person shall cause or permit any vehicle to stop at any time with two or more wheels on any part of the footway or verge in the lengths of road specified in Schedule 17
		(ii)	Where any vehicle is waiting in contravention of any of the provisions contained within this Section and a Civil Enforcement Officer has reason to believe that a penalty charge is payable, he may:-
		(a)	fix a penalty charge notice to the vehicle; or
		(b)	give such a notice to the person appearing to him to be in charge of the vehicle; and
		(c)	arrange for the vehicle to be removed from the parking place by any person duly authorised by East Sussex County Council, who shall provide for the safe custody of the vehicle where it is so removed; or
		(d)	cause to be altered the position of the vehicle in order that its position shall comply with those provisions; or
		(e)	in the case of an emergency cause to be removed any vehicle left in a parking place to any place he thinks fit.

**(v) Schedule 1, Part A, Prohibition of Waiting At Any Time, that this Schedule be amended as follows:**

1. In the list of restrictions for Newhaven, the following item shall be deleted as follows:

<b>Mount Road</b>	North-east Side	From a point 16 metres south-east of its junction with Station Road, north-westwards for a distance of 41 metres
<b>Murray Avenue</b>	South-west Side	From a point 13.7 metres north-west of its junction with the northern kerbline of Brighton Road, north-westwards for a distance of 33.3 metres
<b>Fort Road</b>	South-west Side	From a point 75 meters from its junction with Court Farm Road, south-eastwards for its entire length



2. In the list of restrictions for Newhaven, the following items shall be added as follows:

<b>Beach Road</b>	West Side	From its junction with Transit Road, northwards for a distance of 15 metres
<b>Mount Road</b>	North-east Side	From a point 13 metres north-west of its junction with Station Road, south-eastwards for a distance of 62 metres
<b>Murray Avenue</b>	South-west Side	From a point 3 metres south-east of the south eastern building line of number 1 Murray Avenue, south-eastwards for a distance of 17 metres
<b>Fort Road</b>	South-west Side	From a point 75 meters from its junction with Court Farm Road, south-eastwards to a point 6.5 metres south-east of the boundary of Nos. 1/4 and 5/8 Mariners Wharf
<b>Fort Road</b>	South-west Side	From the south-eastern building line of 9/12 Mariners Wharf, south-eastwards for a distance of 47.5 metres
<b>Fort Road</b>	South-west Side	From a point 78.5 metres from the south-eastern building line of 9/12 Mariners Wharf, south-eastwards for its entire length
<b>First Avenue</b>	North-west Side	From its junction with Second Avenue, north-eastwards for a distance of 15 metres
<b>First Avenue</b>	South-east Side	From its junction with Second Avenue, north-eastwards for a distance of 11 metres
<b>First Avenue</b>	Both Sides	From its junction with Second Avenue, south-westwards for a distance of 17 metres
<b>Second Avenue</b>	Both Sides	From its junction with First Avenue, south-eastwards for a distance of 10 metres
<b>Second Avenue</b>	North-east Side	From its junction with First Avenue, north-westwards for a distance of 10 metres
<b>Southdown Road</b>	North-east Side	From the boundary of Nos. 28/30 Southdown Road, south-eastwards to the boundary of Nos. 36/38 Southdown Road

3. In the list of restrictions for Peacehaven, the following items shall be deleted as follows:

<b>Sutton Avenue</b>	Both Sides	From a point 85 metres north of its junction with the unnamed link road between Cavell Avenue and Sutton Avenue, northwards for a distance of 51.5 metres
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4. In the list of restrictions for Peacehaven, the following items shall be added as follows:

<b>Cissbury Avenue</b>	East Side	From a point 10 metres north of the northern kerbline of Arundel Road, southwards to its junction with Roundhay Avenue
<b>Cripps Avenue</b>	South Side	From its junction with Pelham Rise, following the kerbline in a westerly then south-westerly direction to a point 2.5 metres north-east of the north-eastern building line of number 27 Cripps Avenue
<b>Cripps Avenue</b>	North Side	From its junction with Pelham Rise, westwards for a distance of 19 metres
<b>Pelham Rise</b>	West Sides	From a point 15 metres north of its junction with Cripps Avenue, southwards to a point 10 metres south-east of the junction
<b>Sutton Avenue</b>	North-west Side	From a point opposite a point 13.5 metres south-westwards of the boundary of Nos. 41/43 Sutton Avenue, south-westwards for a distance of 98.5 metres

<b>Sutton Avenue</b>	South-east Side	From a point 13.5 metres south-westwards of the boundary of Nos. 41/43 Sutton Avenue, south-westwards for a distance of 51.5 metres
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5. In the list of restrictions for Seaford, the following items shall be deleted as follows:

<b>Church Street</b>	East Side	From a point 40 metres south of the southern kerbline of South Street, to its junction with Steyne Road
<b>Claremont Road</b>	North-east Side	From its junction with Blatchington Road, north-westwards for a distance of 15 metres

6. In the list of restrictions for Seaford, the following items shall be added as follows:

<b>Blatchington Road</b>	North-west Side	From its junction with Claremont Road, north-eastwards for a distance of 7 metres
<b>Church Street</b>	East Side	From its junction with Steyne Road, northwards for a distance of 12 metres
<b>Claremont Road</b>	North-east Side	From its junction with Blatchington Road, north-eastwards for a distance of 10 metres
<b>Place Lane</b>	South-east Side	From its junction with Broad Street, south-westwards for a distance of 10 metres

**(vi) Schedule 1, Part B, Prohibition Of Waiting, 8am to 6pm Monday to Sundays inclusive, that this Schedule be amended as follows:**

1. In the list of restrictions for Newhaven, the following items shall be deleted as follows:

<b>Beach Road</b>	Both Side	For its entire length
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2. In the list of restrictions for Newhaven, the following items shall be added as follows:

<b>Beach Road</b>	East Side	For its entire length
<b>Beach Road</b>	West Side	From its northern junction with Transit Road, southwards for a distance of 77 metres
<b>Beach Road</b>	West Side	From its southern junction with Transit Road, southwards for its entire length

**(vii) Schedule 1, Part C, Prohibition Of Waiting, 8am to 6pm Monday to Saturdays inclusive, that this Schedule be amended as follows:**

1. In the list of restrictions for Seaford, the following items shall be deleted as follows:

<b>Church Street</b>	East Side	From a point approximately 5 metres south of its junction with the south-western kerbline of South Street, southwards for a distance of 35 metres
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2. In the list of restrictions for Seaford, the following items shall be added as follows:

<b>Church Street</b>	East Side	From a point approximately 5 metres south of its junction with the south-western kerbline of South Street, southwards for a distance of 39 metres
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**(viii) Schedule 1, Part E, Prohibition Of Waiting, 7.30am to 8.30am and 2pm to 3pm Monday to Fridays inclusive, that this Schedule be amended as follows:**

1. In the list of restrictions for Newhaven, the following items shall be deleted as follows:

<b>Southdown Road</b>	North-east Side	From the eastern boundary of number 8, eastwards to the eastern boundary of number 14
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**(ix) Schedule 3, Part B, Time Limited Waiting, 8am to 6pm Monday to Saturdays inclusive, maximum stay 2 hours, no return within 1 hour, that this Schedule be amended as follows:**

1. In the list of restrictions for Telscombe, the following items shall be deleted as follows:

<b>Central Avenue</b>	East Side	From a point 39.5 metres north-east of the north-eastern kerbline of the A259, southwards for a distance of approximately 25 metres
<b>Central Avenue</b>	West Side	From a point of 47.5 metres north-east of the north-eastern kerbline of the A259, north-eastwards for a distance of approximately 25 metres

2. In the list of restrictions for Seaford, the following item shall be deleted as follows:

<b>Claremont Road</b>	North-east Side	From a point 15 metres north-west of the north-western kerbline of Blatchington Road, for a distance of 34 metres in a north-westerly direction
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3. In the list of restrictions for Seaford, the following item shall be added as follows:

<b>Claremont Road</b>	North-east Side	From a point 10 metres north-west of the north-western kerbline of Blatchington Road, north-westwards for a distance of 38 metres
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**(x) Schedule 3, Part G, 1 hour no return within 1 hour, 8am to 6pm Monday to Saturdays inclusive, that this Schedule be amended as follows:**

1. In the list of restrictions for Saltdean, the following item shall be deleted as follows:

<b>Longridge Avenue</b>	South-east Side	From a point 59.5 metres north-east of its junction with Nutley Avenue for a distance of 12 metres in a north-easterly direction
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2. In the list of restrictions for Saltdean, the following item shall be added as follows:

<b>Longridge Avenue</b>	South-east Side	From a point 24 metres south-west of its junction with Crowborough Road for a distance of 32 metres in a south-westerly direction
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**(xi) Schedule 3, Part K, Time Limited Waiting, 8am to 6pm Monday to Saturdays inclusive, maximum stay 1 hour, no return within 2 hours, that this Schedule be inserted as follows:**

1. In the list of restrictions for Telscombe Cliffs, the following item shall be added as follows:

<b>Central Avenue</b>	South-east Side	From a point 39.5 metres north-east of its junction with the A259, north-eastwards for a distance of approximately 25 metres
<b>Central Avenue</b>	North-west Side	From a point of 47.5 metres north-east of its junction with the A259, north-eastwards for a distance of approximately 25 metres

**(xii) Schedule 6, Disabled Persons Parking Places, that this Schedule be amended as follows:**

1. In the list of restrictions for Newhaven, the following items shall be added as follows:

<b>Chapel Street</b>	South-west Side	From a point 1 metre north-westwards of the the boundary of Nos.75/77 Chapel Street, south-eastwards for a distance of 6.6 metres
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**(xi) Schedule 14, Part B, Taxis Only 10pm-3am, that this Schedule be amended as follows:**

1. In the list of restrictions for Seaford, the following item shall be deleted as follows:

<b>Blatchington Road</b>	South-east Side	From a point opposite the north-eastern boundary of The Club, Blatchington Road south-westwards for a distance of 22 metres
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**(xii) Schedule 15, Taxis Only at any time, that this Schedule be amended as follows:**

1. In the list of restrictions for Saltdean, the following item shall be deleted as follows:

<b>Longridge Avenue</b>	South-east Side	From a point 23 metres south-west of its junction with Crowborough Road for a distance of 22 metres in a south-westerly direction
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**Revocations**

**The East Sussex (Various Roads, Peacehaven) (Part) (Restriction of Waiting) Order 2012**

**In Schedule W1.1, No Waiting At Any Time:**

<b>Cissbury Avenue</b>	East Side	From the northern kerbside of Roundhay Avenue, northwards for a distance of 15 metres
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**3. Citation**

This Order may be cited as "The East Sussex (Lewes District) (Traffic Regulation) Order 2004 Amendment Order 2005 No 1 (Amendment No x) 201x and shall come into effect on xx xxxx xxxx

THE COMMON SEAL of )  
EAST SUSSEX COUNTY COUNCIL )  
was affixed hereto )  
on the xx day of xxxxxxx )  
Two Thousand and xxxxxx )  
in the presence of:- )

AUTHORISED SIGNATORY

**EAST SUSSEX COUNTY COUNCIL**

**ROAD TRAFFIC REGULATION ACT 1984, ROAD TRAFFIC ACT 1991 & TRAFFIC MANAGEMENT ACT 2004**

**The East Sussex Lewes Town (Parking Places and Waiting and Loading Restrictions) Traffic Regulation Order 2014 Amendment No \* Order 201\***

East Sussex County Council, in exercise of their powers under Sections 1(1), 2(1) to (4), 3(2), 4(2), 32, 35(1) and (3), 45, 49, 51, 52, 53 of, and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 (“the Act”) as amended, the Road Traffic Act 1991 (as amended), Part 6 of the Traffic Management Act 2004, and of all other enabling powers and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act hereby make the following Order:-

**1. Commencement and citation**

This Order may be cited as “The East Sussex Lewes Town (Parking Places and Waiting and Loading Restrictions) Traffic Regulation Order 2014 Amendment No.\* Order 201\*”

**2. When this Order comes into effect:**

(a) The East Sussex Lewes Town (Parking Places and Waiting and Loading Restrictions) Traffic Regulation Order 2014, as amended, shall have effect except as hereinafter contained.

**(i) Payment of the Parking Charge that the following article shall be amended as follows:**

1 Article 15. (2) (b) shall be deleted and the following shall be inserted:

15.	(2)	(b)	where facilities allow, by a credit card, debit card or other pre-paid card at a pay and display ticket machine which is approved in accordance with Section 35(3) of the Road Traffic Regulation Act 1984 (as amended); or
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**(ii) The Order Plans shall be amended as follows:**

<b>The map tiles below shall be revoked</b>	<b>The map tiles below shall be inserted</b>
Overview Revision 3	Overview Revision *
LI104	LI104 Revision 1
LI105	LI105 Revision 1
LJ103	LJ103 Revision 1
LK103	LK103 Revision 1
LK107 Revision 1	LK107 Revision 2
LL106	LL106 Revision 1
LL107 Revision 1	LL107 Revision 2
LM103 Revision 2	LM103 Revision 3
LM106	LM106 Revision 1
LN106 Revision 2	LN106 Revision 3
LN107 Revision 3	LN107 Revision 4
LO103	LO103 Revision 1

LO104	LO104 Revision 1
LO107	LO107 Revision 1
LP111	LP111 Revision 1
LQ111	LQ111 Revision 1
LR111	LR111 Revision 1

### 3. Revocations

The following Orders and associated Amendment Orders are hereby revoked in their entirety:

<b>Lewes (Various Roads, Lewes) (Prohibition and Restriction of Waiting and Disabled Persons Parking Places) Order 1989</b>
<b>The East Sussex (Lewes Town Centre) (Parking Places) Experimental Traffic Order 2006</b>
<b>The East Sussex (Lewes Town Centre) (Waiting and Loading Restriction) Experimental Traffic Order 2006</b>
<b>The East Sussex (Lewes Town Centre Extension) (Parking Places) Experimental Traffic Order 2006</b>
<b>The East Sussex (Lewes Town Centre Extension) (Waiting and Loading Restriction) Experimental Traffic Order 2006</b>
<b>The East Sussex (Lewes Town Centre Extension) (Parking Places) Traffic Regulation Order 2007 Amendment No.1 2014</b>
<b>The East Sussex (Lewes Town Centre Extension) (Waiting and Loading Rest) Traffic Regulation Order 2007 Amendment 2013 No.1</b>
<b>The East Sussex (Lewes Town Centre) (Waiting and Loading Restriction) Traffic Regulation Order 2007 Amendment 2008 No.1</b>
<b>The East Sussex (Lewes Town Centre) (Waiting and Loading Restriction) Traffic Regulation Order 2007 Amendment 2013 No.1</b>
<b>The East Sussex (Lewes Town Centre Extension) (Parking Places) Traffic Regulation Order 2007 Amendment Order 2015 No.1</b>
<b>The East Sussex (Lewes Town Centre Extension) (Waiting And Loading Restrictions) Traffic Regulation Order 2007 Amendment Order 2015 No.1</b>
<b>The East Sussex (Lewes Town Centre Extension) (Parking Places) Traffic Regulation Order 2007 Amendment Order 2013 No.1</b>
<b>The East Sussex (Lewes Town Centre) (Parking Places) Traffic Regulation Order 2007 Amendment Order 2012 No.2</b>
<b>The East Sussex (Lewes Town Centre) (Parking Places) Traffic Regulation Order 2007 Amendment Order 2013 No.1</b>
<b>The East Sussex (Lewes Town Centre) (Parking Places) Traffic Regulation Order 2007 Amendment Order No.1 2014</b>
<b>The East Sussex (Lewes Town Centre) (Parking Places) Traffic Regulation Order 2007 Amendment Order 2008 No.1</b>
<b>The East Sussex (Lewes Town Centre)(Parking Places) Traffic Regulation Order 2007</b>
<b>The East Sussex(Lewes Town Centre)(Waiting and Loading Restriction) Traffic Regulation Order 2007</b>

### 4. Citation

This Order may be cited as The East Sussex Lewes Town (Parking Places and Waiting and Loading Restriction) Traffic Regulation Order 2014 Amendment No.\* Order 201\* and shall come into effect on xx xxxx xxxx

THE COMMON SEAL of EAST SUSSEX )  
COUNTY COUNCIL was affixed )  
hereto on the      day of              two      )  
thousand and      in the presence of:-      )

Authorised Signatory  
Director of Legal

H & T Ctte. 2.4.74 - para 4.2 joint report of

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