

PLANNING COMMITTEE

MINUTES of a meeting of the Planning Committee held at County Hall, Lewes on 15 January 2020.

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

ALSO PRESENT Councillors John Barnes, Angharad Davies, Gerard Fox and Keith Glazier

29 MINUTES OF THE MEETING HELD ON 18 DECEMBER 2019

29.1 The Committee approved as a correct record the minutes of the meeting held on 18 December 2019.

30 DISCLOSURES OF INTERESTS

30.1 Councillor Tom Liddiard declared a prejudicial interest in Item 5 in that he is the political and electoral agent for a number of people who expressed views on the Proposals, and so withdrew from the Chamber during consideration of this item.

30.2 Councillor Kathryn Field declared a personal interest in Item 5 as a member of Rother District Council, and a prejudicial one as far as the Item affects Battle, in that she had published material in support of those specific proposals, and so withdrew from the Chamber during the consideration of Appendix 1 Sites 7 and 8, and Appendix 3 Sites 1 and 2.

30.3 Councillor Richard Stogdon declared a prejudicial interest in Item 6A in that he used to have a commercial relationship with the applicant, and so withdrew from the Chamber during consideration of the Item. The Vice Chair chaired the meeting in his absence.

30.4 Councillor Bob Bowdler declared a prejudicial interest in Item 6B in that he had already made a written objection to the proposal.

31 REPORTS

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

32 TRO - ROTHER PARKING PROPOSALS

32.1 Councillor Tom Liddiard left the Chamber during consideration of this Item. Councillor Kathryn Field left the Chamber during consideration of Appendix 1 Sites 7 and 8, and Appendix 3 Sites 1 and 2.

32.2 The Committee considered a report by the Director of Communities, Economy and Transport, together with the written comments provided by the Local Members.

32.3 The following people spoke to make representations on the following sites:

Site		Public Speaker(s)
Appendix 1		
9	Central Zone, Bexhill	Ray Griffiths
15	East Zone, Bexhill	Ian Hollidge OBO Bexhill Chamber of Commerce
21	De La Warr Parade, Bexhill	Andrea Kennett
22	High Street, Robertsbridge	Dickie Clymo Nick Brown
23	High Street, Rye	David Nixon Cllr Chris Hoggart OBO RTC
24	East Street etc., Rye	Sarah Nixon OBO Mint Association Jonathan Dellar
25	Citadel Zone, Rye	David Wylson
Appendix 2		
1	Old Manor Close, Bexhill	Ken Ellis Peter Joy Dorothy Smith

32.4 Councillor Angharad Davies spoke in support of the Recommendation with regard to Appendix 1 Site 6 (Staplecross School) and Site 22 (Robertsbridge).

32.5 The following Local Members made written representations on the following sites:

Site		Local Member
Appendix 1		
2	Brede Primary School	Cllr Maynard
3	Chantry Primary School	Cllr Clark
4	Glenleigh Park Academy	Cllr Ensor
5	Westfield Primary	Cllr Maynard
9	Central Zone, Bexhill	Cllr Elford
10	3 roads, Central Zone, Bexhill	Cllr Elford
11	Linden Road, Bexhill	Cllr Elford
12	North Zone, Bexhill	Cllr Elford
13	Buckhurst Road, Bexhill	Cllr Elford
14	3 roads, North Zone, Bexhill	Cllr Elford
15	East Zone, Bexhill	Cllr Elford
16	3 roads, East Zone, Bexhill	Cllr Elford
17	De La Warr Parade, Bexhill	Cllr Elford
18	West Zone, Bexhill	Cllr Elford
19	Egerton Road, Bexhill	Cllr Elford
20	Seafront, Bexhill	Cllr Elford
21	De La Warr Parade, Bexhill	Cllr Elford
23	High Street, Rye	Cllr Glazier
24	East Street etc., Rye	Cllr Glazier
25	Citadel Zone, Rye	Cllr Glazier
Appendix 2		
1	Old Manor Close, Bexhill	Cllr Elford

Appendix 3		
3	De Moleyns Close Bexhill	Cllr Elford

32.6 The Members have considered the report, the comments of the public speakers and Local Members and agree with the reasons for recommendation set out in paragraph 3 of the report, with the exception of Appendix 1 Site 22 – High Street and Station Road, Robertsbridge regarding the two pay and display bays.

32.7 The Committee RESOLVED to: (1) not uphold the objections to the draft Order as set out in Appendix 1 with the exception of Site 22 – Robertsbridge;

(2) to uphold in part the objections to the draft Order as set out in Appendix 2;

(3) to uphold the objections to the draft Order as set out in Appendix 3 and in regard to Appendix 1 Site 22; and

(4) recommend to the Director of Communities, Economy and Transport that the Traffic Regulation Order should be made in part.

33 VARIATION OF CONDITION 4 OF PLANNING PERMISSION WD/782/CM TO INCREASE THE TOTAL AMOUNT OF WASTE IMPORTED TO THE SITE BY 25,000 TONNES PER ANNUM. BOATHOUSE FARM, LEWES ROAD, ISFIELD, TN22 5TY - WD/835/CM

33.1 Councillor Richard Stogdon left the Chamber during consideration of this Item. Councillor Barry Taylor chaired the meeting.

33.2 The Committee considered a report by the Director of Communities, Economy and Transport, together with the written comments recommending refusal of the application of the Local Member.

33.3 Mike Pickup, the applicant's agent, spoke in support of the recommendation.

33.4 Members have considered the report and comments of the Local Member and public speaker, and agree with the conclusion and reasons for recommendation set out in paragraph 7 of the report.

33.5 The Committee RESOLVED to grant planning permission, subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the drawings, plans and documents listed in the Schedule of Approved Plans.

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

2. The green waste composting facility, including the wood waste processing activities shall only operate between the hours of 0700 and 1800 on Mondays to Fridays inclusive and 0800 and 1230 on Saturdays, and not at all on Sundays, Bank and Public Holidays except for a maximum of two deliveries per month, limited to one delivery on a Sunday, between the hours of 0800 and 1230 and for essential maintenance and emergency works, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: In the interests of the amenity of the locality and occupiers of residential properties within the vicinity of the site, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

3. The total amount of waste imported to the site, including wood waste, shall not exceed 75,000 tonnes per annum.

Reason: To enable the County Planning Authority to control the development in the interests of the amenity of the locality, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

4. The amount of wood waste imported to the site shall not exceed 10,000 tonnes per annum.

Reason: To ensure the wood waste processing activities remain ancillary to the composting activities.

5. The green waste composting activities shall not take place other than in the area labelled 'Green waste composting area' as shown on the approved Block Plan (Ref: 1215/2 Rev G), dated April 2016.

Reason: For the avoidance of doubt and in the interests of the amenity of the locality and occupiers of properties in the vicinity of the site, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

6. Wood waste processing and the stockpiling of unprocessed wood waste material shall not take place other than in the blue cross hatched area as indicated for this purpose on the approved Block Plan (Ref: 1215/2 Rev G), dated April 2016, unless with the prior written agreement of the Director of Communities, Economy and Transport.

Reason: For the avoidance of doubt and in the interests of the amenity of the locality and occupiers of properties in the vicinity of the site, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

7. The rating noise level from the site, measured at locations R1, R2 and R3 as shown on Figure 1A in the Southdowns Acoustic Report dated 22 June 2017 (Ref:2016w-00003-02), shall not exceed the background LA90 value at any time, as measured in accordance with BS 4142:2014 (Methods for rating and assessing industrial and commercial sound).

Reason: To safeguard the amenities of the occupiers of properties within the vicinity of the site in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

8. Within 7 days of the wood waste processing becoming operational within the approved wood waste processing area, the Director of Communities, Economy and Transport shall be notified in writing.

Reason: For the avoidance of doubt and to enable the County Planning Authority to monitor the operations in the interest of the amenity of the locality, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

9. Within three months of the wood waste activities becoming operational within the approved wood waste processing area, a noise survey shall be undertaken in accordance with BS 4142: 2014 (Methods for rating and assessing industrial and commercial sound)

and the results submitted to and approved in writing by the Director of Communities, Economy and Transport. The Survey shall:

- a) demonstrate whether the noise levels required by condition 7 are being achieved;
- b) if the survey does not demonstrate such compliance the report must include measures to reduce noise, which shall first be agreed in writing by the Director of Communities, Economy and Transport, such that the noise levels required by condition 7 will be met;
- c) These measures shall be implemented within a time period to be agreed by the Director of Communities, Economy and Transport, and compliance shall be demonstrated by a further noise survey, which must be submitted to and agreed in writing by the Director of Communities, Economy and Transport within a further 3 months of the measures being implemented.

Reason: To safeguard the amenities of the occupiers of properties within the vicinity of the site in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

10. Other than the erection of the acoustic barrier as specified in the Southdown's acoustic report dated 22 June 2017 (Ref: 2016w-00003-02) and shown on Figure A2 of the acoustic report, no development hereby permitted shall be carried out until the acoustic barrier has been installed to a height of no less than 1.8 metres on the earth bund to the north of the site, providing an overall height of 3.8 metres and in accordance with the details approved in East Sussex County Council's letter dated 09 May 2018. Thereafter the acoustic barrier shall be maintained in accordance with the approved details for the duration of the development.

Reason: To safeguard the amenities of the occupiers of properties within the vicinity of the site in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

11. The surface water management scheme approved in East Sussex County Council's letter dated 01 March 2018 shall be fully implemented in accordance with the approved scheme. Any changes to the approved scheme shall first be approved in writing by the Director of Communities, Economy and Transport.

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

12. The management of surface water from the new areas of hardstanding shall be carried out in accordance with the details approved in East Sussex County Council's letter dated 01 March 2018. Any changes to the approved scheme shall first be approved in writing by the Director of Communities, Economy and Transport.

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

13. The external materials and finish including colour of the building and push walls as approved by WD/782/CM shall be in accordance with the details approved in East Sussex County Council's letter dated 09 May 2018. Any changes to the approved scheme shall first be approved in writing by the Director of Communities, Economy and Transport.

Reason: To ensure an appropriate appearance of the barn extension and wood waste processing area, in accordance with Policy WMP23a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

14. The control and management of dust from the site operations and vehicle movements shall be carried out in accordance with the details approved in East Sussex County Council's letter dated 09 May 2018. Any changes to the approved scheme shall first be approved in writing by the Director of Communities, Economy and Transport.

Reason: In the interests of the amenity of the locality to accord with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

15. The control and management of odour from the site operations shall be carried out in accordance with the details in approved in East Sussex County Council's letter dated 09 May 2018. Any changes to the approved scheme shall first be approved in writing by the Director of Communities, Economy and Transport.

Reason: In the interests of the amenity of the locality to accord with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

16. The landscaping scheme approved in East Sussex County Council's letter dated 09 May 2018 shall be implemented in full and maintained in accordance with the approved scheme. Any changes to the approved scheme shall first be approved in writing by the Director of Communities, Economy and Transport.

Reason: To integrate the development effectively into the surrounding environment, in accordance with Saved Policies EN8 and EN12 of the Wealden Local Plan 1998.

17. Prior to the use of the development approved under WD/782/CM, the concrete boundary push walls as specified on Push Wall detail Drawing no. KPS2016/PWD, dated April 2016 shall be installed to a height of 3 metres on the perimeter of the wood waste processing area as shown on the approved Block Plan as proposed (Ref: 1215/2 Rev G), dated April 2016, and thereafter maintained in accordance with the approved details for the duration of the development, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: To safeguard the amenities of the occupiers of properties within the vicinity of the site in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

18. No material shall be stacked, stockpiled, deposited or windrowed to a height exceeding 5 metres above ground level.

Reason: In the interests of visual amenity in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policies EN27 and EN8 of the Wealden Local Plan 1998.

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

Reason: To maintain an appropriate access to the site in the interests of highway safety and to accord with WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy TR3 of the Wealden Local Plan 1998.

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

Reason: In the interests of amenity and highway safety, in accordance with WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy TR3 of the Wealden Local Plan 1998.

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

Reason: In the interests of amenity and highway safety, in accordance with Policy WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy TR3 of the Wealden Local Plan 1998.

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

Reason: In the interests of public and highway safety and the rural and residential amenities of the locality, in accordance with Policies WMP25 and WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policies TR3 and EN27 of the Wealden Local Plan 1998.

23. No plant, machinery or vehicles shall be used on the site unless fitted with silencers maintained in accordance with the manufacturers' recommendations and specifications, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: In the interests of the amenity of the locality and occupiers of residential properties in the vicinity of the site, in accordance Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

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

Reason: To reduce the potential for noise nuisance from the site and to protect amenity, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

25. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that Order with or without modification) no plant, building or machinery, whether fixed or moveable, shall be erected other than as expressly authorised by this permission unless with the prior written approval of the Director of Communities, Economy and Transport.

Reason: To enable the Waste Planning Authority to control the development in the interests of the amenity of the locality, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policies EN27 and EN8 of the Wealden Local Plan 1998.

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

Reason: In the interests of the amenity of the locality and occupiers of the residential properties in the vicinity of the site, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

27. All trees and hedgerows within the application site shall be retained and protected in accordance with BS 5837: 2015 (Trees in Relation to Design, Demolition and Construction). In the event that any trees, shrubs or hedgerows are removed or seriously damaged as a result of the construction activities on the site, including the mature oak trees in the woodland adjacent to the approved extension to the earth bund on the eastern boundary of the site, they shall be replaced in the next planting season following completion of the construction, in accordance with details which are first submitted to and approved in writing by the Director of Communities, Economy and Transport.

Reason: To ensure the protection of existing trees and hedgerows in the interests of visual amenity and biodiversity, in accordance with Policy WMP25 and WMP27 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN12 of the Wealden Local Plan 1998.

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

Reason: To enable the County Planning Authority to control the development in accordance with Policy WMP23b of the East Sussex, South Downs and Brighton & Hove Minerals and Waste Plan 2013.

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

Reason: In the interests of the countryside locality and amenity, in accordance with Saved Policies GD2 and EN8 of the Wealden Local Plan 1998 and Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

30. There shall be no illumination of the external faces of the site buildings or structures or other external areas other than in accordance with a scheme submitted to and approved in writing by the Director of Communities, Economy and Transport. The submitted scheme shall show the position, height, type and power of each light and indicate the need in safety and security terms, and the circumstances in which the light shall be activated. Thereafter the artificial illumination of the site shall take place only in accordance with the approved lighting scheme.

Reason: In the interests of the amenity of the countryside location and to comply with Policy WMP25 of the East Sussex, South Down and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policies EN8 and EN27 of the Wealden Local Plan 1998.

INFORMATIVES

1. The Applicant is informed of the need to ensure that the development also accords with the conditions of the site's Environmental Permit, issued by the Environment Agency.

2. The Applicant's attention is drawn to the provisions of The Wildlife and Countryside Act 1981 (as amended) particularly with regard to the protection of nesting birds, slow worms, grass snakes, common lizards and adders which are protected against international killing or injuring under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended), which may be affected during the proposed operations.
3. For avoidance of doubt, any monitoring undertaken of noise levels from the site activities will need to take into consideration all operations, including the simultaneous green waste composting and wood waste processing operations.
4. The Applicant is reminded that the site will be monitored as part of the County Council's Site Monitoring Policy, to ensure operations at the site remain in compliance with the conditions attached to the planning permission hereby approved.

Schedule of Approved Plans

Planning Statement, Traffic Generation Assessment, 1215/1C - Area as approved, 1215/2G - Block Plan as proposed, KPS Composting Odour Management Plan, KPS2016/PWD - Push Wall Detail, KPS2016/MPD - Marker Post Detail, 1215/1 Rev C - Site Location Plan and Existing Layout, 1215/3 Rev B - Proposed Extension to Storage Barn - Elevations, 12141/4 Rev E Proposed Extension to Storage Barn - Floor Plan, 1215/2 Rev G Block Plan (Site Layout Plan - As Proposed)

34 CHANGE OF USE OF COAL YARD AND EXISTING BUILDING TO A TYRE RECYCLING AND CRUMB AND BALE PRODUCTION FACILITY. THE COAL YARD, SWAN BARN ROAD, HAILSHAM, BN27 2BY - WD/831/CM

34.1 Officers recommended that consideration of this item be deferred to a future meeting, on the basis that the applicant had agreed an extension of time for determining the application, in order to allow for further mitigation measures that seek to address the recommended reasons for refusal to be submitted by themselves and then duly consulted on and assessed by the County Planning Authority.

34.2 The Committee RESOLVED to defer consideration of the application until March 2020.

35 DEVELOPMENT MANAGEMENT MATTERS: QUARTERLY REPORT

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

35.2 The Committee RESOLVED to note the report.

The meeting ended at 1.05 pm.