



REGULATORY COMMITTEE

PLANNING COMMITTEE

MEETING 10.30 am WEDNESDAY, 12 FEBRUARY 2020

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 15 January 2020 (*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.

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

- 5 TRO - Eastbourne Parking Review (*Pages 13 - 68*)
Report by the Director of Communities, Economy and Transport

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

- 6 Wood recycling operations. Holley Woodshavings Squires Farm, Industrial Estate, Office 1 Palehouse Common, Framfield, TN22 5RB - WD/836/CM (*Pages 69 - 86*)
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*

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

4 February 2020

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 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.

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Committee:	Regulatory Planning Committee
Date:	12 February 2020
Report by:	Director of Communities, Economy and Transport
Title of Report	Traffic Regulation Orders – Eastbourne Parking Review
Purpose of Report	To consider the objections received in response to the formal consultation on the draft Traffic Regulation Orders associated with the Eastbourne Parking Review
Contact Officer:	Michael Blaney - Tel. 01424 726142
Local Member:	Councillors Belsey, Elkin, Rodohan, Swansborough, Taylor, Tutt, Ungar, Wallis

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. Recommend to the Director of Communities, Economy and Transport that the draft 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 Eastbourne are held on a priority ranking database, with those requests ranking high enough being progressed to consultation. Informal consultations began in June 2019 to see whether there was enough public support to introduce controls such as double yellow lines or changes to permit parking schemes in Eastbourne.
- 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 3) in the Eastbourne Herald on 25 October 2019. Notices and copies of the relevant plans were placed on posts and lamp-columns in the affected areas. Approximately 2300 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 15 November 2019.

- 1.3 Copies of the formal proposals were sent to relevant Borough Councillors, County Councillors and statutory consultees including the emergency services.
- 1.4 During the formal consultation 213 items of correspondence were received. These include 127 objections and 86 items of support. 8 of the objections and 1 of support have now been withdrawn.
- 1.5 Full copies of all correspondence are available in the Members' Room.

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 modify or withdraw the following proposals (summarised in Appendix 1):
 - Mark Lane – withdraw the proposals
 - Winchelsea Road, Vine Square – withdraw the proposals
 - Winston Crescent – withdraw the proposals
 - Brodrick Road – modify the proposal to remove the proposed double yellow lines west to the main entrance to school
 - Channel View Road – modify the proposal to remove the proposed formalisation of an advisory disabled bay outside number 71
 - Edensor Road, Rowsley Road – modify the proposals to remove the proposed single yellow lines

Officers are satisfied that these modifications do not involve a substantial change to the draft Order and it is unnecessary to consult again on their implementation.

- 2.3 With regard to objections relating to Admiralty Way, Arlington Road, Breakers Mews, Calverley Road, Camden Road, Carew Road, Chatham Green, Cliff Road, Commercial Road, Devonshire Place, Elms Avenue, Etchingham Road, Furness Road, Grove Road, Halton Road, Hardwick Road, Holywell Road, Hyde Road, Langney Road, Latimer Road, MacMillan Drive, Matlock Road, Meads Road, Meads Street, Milton Crescent, Milton Road, Old Orchard Road, Pevensey Road, Royal Parade, Saffrons Park, Saffrons Road, St Anne's Road, Wilmington Gardens, Wilmington Square, York Road 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 It is recognised that many of the objections are seeking additional restrictions, or significant variations to the advertised restrictions. Additional restrictions cannot be introduced by means of an amendment to this Order without further consultation. The Planning Committee can only consider the original proposals, and although minor modifications can be allowed, the Committee cannot redesign the schemes to include additional restrictions, as this may adversely impact residents or road users without them being made aware of the changes.

2.5 It is also recommended that all other proposals not objected to should be installed 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. On balance, some objections can be accepted and some minor modifications can be incorporated into the Order, whilst with the rest of the objections, it is felt for highway and road safety reasons, that they should not be upheld and the proposals in these areas should proceed as per the 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 draft 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 Brodrick Road (Councillors Belsey and Swansborough)

- 1.1** The proposal is to reduce the length of the current School Keep Clear restriction outside the school and to reposition it so it covers the entrances. It is also proposed to install double yellow lines (no waiting at any time) to maintain safety and visibility while allowing pupils to be dropped off and picked up away from the school keep clear markings.
- 1.2** Three objections have been received on the grounds that the proposals will cause additional parking problems in the area, the proposed double yellow lines should be changed to single yellows (8am to 4pm weekdays only), that resident permit holders only bays should be installed, home deliveries and taxis are still needed for local disabled residents and that the grass verge on the north side should be changed to a parking area.
- 1.3** The proposal in this area follows a request from the school and a local councillor that vehicles parking on the pavement to the west of the vehicular entrance to the school reduced their line of sight and increased safety fears. When considering this request, officers noted the current existing Keep Clear markings were approximately 115 metres long. This does not meet legislation (the maximum length of a single set of school keep clear markings is 43.2 metres) so the markings need to be changed. As the school no longer uses its central entrance, it was decided to amend the markings to protect both the pedestrian access to the east, and the vehicle entrance to the west.
- 1.4** The proposed changes will ensure safety for pupils by keeping both the entrances to the school clear during pick-up and drop-off times. The proposed double yellow lines will maintain the current traffic flow in this busy area but motorists will be permitted to stop in order to load or unload, this includes domestic deliveries and taxis. Blue badge holders will also be able to park on these double yellow lines up to three hours.
- 1.5** Officers are satisfied that the proposals can be modified to remove the proposed double yellow lines west of the vehicle entrance to the school. The proposed School Keep Clear restriction at this location will ensure visibility and safety during school pick up and drop off times.
- 1.6** Councillor Belsey has asked if the proposed double yellow lines could be reduced to single yellow lines (operational Monday to Friday 8am to 4pm), and if a footway parking ban can be introduced. This would be a significant change to the proposals and cannot be considered at this time.
- 1.7** At the time of writing, Councillor Swansborough has not replied to confirm whether he agrees with the recommendation
- 1.8** **Recommendation:** To uphold the objections, in part, and to modify the proposals so that the double yellow lines west of the school entrance are withdrawn.

2. Site 2 Winston Crescent (Councillor Tutt)

- 2.1 The proposal in Winston Crescent is to reduce the maximum stay to allow parking for up to one hour and to restrict any vehicle from returning to Winston Crescent within two hours.
- 2.2 The proposed changes follow reports about limited parking availability and complaints about a local business abusing current parking controls. An informal consultation took place in 2019, feedback to this initial consultation highlighted that the restriction is difficult to enforce if the no return period is less than the maximum stay. The proposed reduction of maximum stay was requested by a local business in their feedback to the informal consultation.
- 2.3 Four objections have been received, one of which included a letter with 69 signatures against the proposed changes. The grounds for the objection are that the proposal does not allow enough time for customers and workmen to complete their business in local shops, that this will result in a loss of custom and affect the viability of the businesses, and that the proposals will cause further parking problems to local residents. Other comments include close proximity to free parking in adjacent Lidl car park, inconsiderate parking causing traffic issues and blocking the road, vehicles driving and parking on the pavement and bus stop, suggestions to introduce a short period of parking without charge before motorists need to pay, and changes made as part of the recent introduction of a cycle path at this location.
- 2.4 Officers believe that this area should be monitored further before introducing any measures.
- 2.5 At the time of writing, Councillor Tutt has not replied to confirm whether he agrees with the recommendation
- 2.6 **Recommendation:** To uphold the objections and withdraw the proposals.
3. **Site 3 Winchelsea Road, Vine Square (Councillor Wallis)**
- 3.1 The proposals in this area are to relax the times of the existing School Keep Clear restrictions to increase parking availability. The proposed changes have been designed to keep the entrance to the school clear during the drop off and pick up times, and when the school does not require the entrance to be clear, it will be available for anyone wishing to park.
- 3.2 The proposed changes to the operational times of the existing School Keep Clear restrictions in Winchelsea Road and Vine Square follow a request to review all School Keep Clear restrictions in Eastbourne. As parking is in high demand, parking controls are continually being reviewed to ensure they meet the changing demands of local communities.
- 3.3 Four objections have been received, three of which are from the school. The objections are on the grounds that the lives and wellbeing of the children at the school are going to be put at great risk, that the wording of the signs is ambiguous and will be subject to misinterpretation, that the changes will add to the chaos outside the school during the academic period, that to allow parking at weekends will allow vehicles to be left beyond those timings as many motorists will flout the law, that emergency access to the school is also required outside of the academic period, and that the housing development adjacent to the school and the amount of increased traffic will increase the risk of accident. Other comments received

include requests for more visits of CEOs, clearer signage and traffic cameras to remotely monitor the situation.

- 3.4 St Andrew's CE School is a part of our school watch program but given the number of schools in the borough, CEOs are unable to attend all schools each day at drop off and pick up times. The Parking Team cannot consider traffic cameras at this location. As there was no support for the proposed changes demonstrated, officers believe that the proposals can be withdrawn and the area further monitored to see if any changes are needed.
- 3.5 Councillor Wallis has confirmed his agreement with the recommendation.
- 3.6 **Recommendation:** To uphold the objections and to withdraw the proposals in Winchelsea Road and Vine Square.

4. **Site 4 Channel View Road (Councillor Wallis)**

- 4.1 The proposal at this location is to formalise the two existing disabled bays and to extend them by approximately 1 metre to meet the standard size of 6.6 metres.
- 4.2 During the formal consultation we were notified that one of the original applicants no longer requires the bay outside No 71. An item of support was received relating to the bay outside No.73.
- 4.3 Although no formal objection has been received, the information that the bay outside No 71 is no longer needed means there is no longer a need to retain this bay.
- 4.4 Councillor Wallis has confirmed his agreement with the recommendation.
- 4.5 **Recommendation:** To modify the proposal so that only the changes to the bay outside No 73 take place.

5. **Site 5 Edensor Road, Rowsley Road (Councillor Taylor)**

- 5.1 The proposals are to introduce School Keep Clear restrictions and single yellow lines operational only at school drop off and pick up times. Currently there are existing single yellow lines outside the school gates which restrict parking between Monday to Friday 9am to 5pm.
- 5.2 The proposed changes to parking controls in Edensor Road and Rowsley Road follow requests from the school to make changes to the existing restrictions to facilitate the morning school pick up taking place before the current operational times of the single yellow lines. The requestor expressed their concerns about vehicles pulling up in front of the gates to drop off or pick up, and the danger it can cause to the children arriving on foot and trying to cross the road.
- 5.3 In June and July last year an informal consultation with local residents took place on the proposed introduction of the School Keep Clear restrictions in this area. The feedback received included comments about parents requiring short term areas to drop off and collect their children, and concerns raised about drivers often blocking driveways or stopping in the middle of the road due to a lack of parking. To address these concerns, single yellow lines operational during school drop off

and pick up times only were proposed beside the school. As single yellow line restriction allows loading, these areas could be used as drop off or pick up areas.

- 5.4** 35 objections have been received to the formal proposals, two of which have been withdrawn. The reasons for the objections are that the changes will cause additional parking problems in the area and adjacent roads, that the proposed single yellow lines should be changed to residents parking, that the proposed controls would only alleviate the parking issues if more patrols were made by Civil Enforcement Officers (CEOs), that the proposal may force parents to park on Upper Dukes Drive and use residents' private pathways, that the proposal will force parents to park illegally, that the proposal will make it more difficult to drop off children, that the proposal will reduce parking for those working in school and health sectors and currently using this area for all-day parking, that the proposed changes will reduce parking for those shopping for essentials in the village and supporting local shops, that the proposal may result in vehicles queuing for the No Waiting zone on Rowsley Road and breaking the rules relating to No Stopping zones, that the vehicles may have impatient occupants and become stopped vehicles, and that the addition of large No Stopping signs to the street furniture is ugly.
- 5.5** Other comments include not enough visits made by CEOs, the sudden increase in cars around the school area is due to the Brighton University now charging staff and students to use their car park, the school drop off scheme previously supervised by the school should be reinstated, parents are driving dangerously when rushing to a parking space, extremely expensive and limited public transport in this area, the danger of walking even further away from the school as the roads are extremely busy, removal of the grass verge in Upper Dukes Drive, inconsiderate parking causing difficulties to refuse collections, Civil Enforcement Officers frequently patrolling this area as 'they know where to make the council money', congestion and parked cars often providing the benefit of causing traffic to flow more slowly and increasing the safety for children, consideration to lowering the speed limit in Rowsley Road and Edensor Road, and the introduction of No Loading restrictions instead of the School Keep Clear restriction.
- 5.6** Parking in front of gates could cause considerable danger to children by blocking lines of sight for other drivers and pedestrians. The proposed School Keep Clear restriction will mean that no vehicles are allowed to stop outside the school entrance during the busy drop off and pick up times, but outside of these times this area will be available to anyone wishing to park. St John's Meads Church Of England Primary School is a part of the school watch program but given the number of schools in the borough, CEOs are unable to attend all schools each day at drop off and pick up times. It is the driver's responsibility to proceed with caution but the proposed School Keep Clear restriction will aid visibility during busy times.
- 5.7** East Sussex County Council's Parking Team does not manage private land and is unable to reinstate the school drop off scheme previously supervised by the school. The request for a loading ban and change to the current speed limit cannot take place as part of these proposals and would require further assessment.
- 5.8** Having considered the feedback, officers believe this location should be monitored further before deciding whether No Waiting restrictions should be installed in this area.

5.9 Recommendation: To uphold the objections, in part, and modify the proposal by withdrawing the proposed single yellow lines.

6. Site 6 Mark Lane (Councillor Taylor)

6.1 The proposals are to change the operational times of the loadings bays to allow free parking in the evenings for local residents and other motorists.

6.2 One objection was received from a local restaurant on the grounds that vehicles parking in the bay obstruct the fire and front exits to their property and cause significant difficulties for their disabled customers. The objector has also requested double yellow lines in front of their property. The request was supported by a letter with 79 signatures.

6.3 The request for double yellow lines at this location cannot take place as part of these proposals and would require further assessment as part of the next parking review in Eastbourne.

6.4 Reducing the times of operation for only one of the loading bays in Mark Lane could lead to confusion and officers believe that no changes should be made until further assessment takes place. There were no objections to the proposed change in Station Street and this should proceed as advertised.

6.5 Recommendation: To uphold the objection and withdraw the proposed changes in Mark Lane.

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

7 Site 7 Admiralty Way, Chatham Green (Councillor Elkin)

- 7.1 The proposal in this area is to install double yellow lines at the junction of Admiralty Way and Chatham Green, and in the turning head area across the emergency access located in Admiralty Court.
- 7.2 The proposed double yellow lines follow requests received from local residents that vehicles parked in the turning head areas and on the bend in Chatham Green were blocking access and causing visibility issues.
- 7.3 Six objections have been received along with 17 items of support. The objections are on the grounds that parking is already limited, that if people park haphazardly it creates a traffic calming measure, that additional restrictions will put pressure on the rest of the Green, that the proposals do not extend far enough, that there are no parking problems in this area, that the proposal is costly and will only further restrict parking for visitors, that the area across the emergency access is already marked as 'Keep Clear' and is rarely used as permanent parking. Other comments are that it is not a through road and is not used by vehicles other than those who have business or are visiting residents in the area, that the proposal is a waste of money, that the proposal does not alleviate the current visibility problems on the corner, and that the proposed changes formalise the present position and practice with the current danger continuing unresolved. Other comments include concerns about work vans undergoing work for residents and requiring to park nearby, and concerns that restrictions will be completely ignored by residents and/or visitors unless they are regularly monitored by CEOs and fines issued.
- 7.4 In June and July last year, an informal consultation with local residents took place on the introduction of double yellow lines in Admiralty Way and Chatham Green. Following the feedback received, a number of the proposed changes were removed to maintain as much parking as possible without compromising the road safety. The formal proposal will keep clear the emergency access located at Admiralty Court and will protect the immediate junction of Admiralty Way and Chatham Green. The existing 'Keep Clear' markings across the emergency access are advisory only and therefore unenforceable. Loading and unloading is permitted on double yellow lines as long as the vehicle is not causing an obstruction and is actively loading or unloading.
- 7.5 Councillor Elkin has confirmed his agreement with the recommendation.
- 7.6 **Recommendation:** To not uphold the objections and install the proposals as advertised.

8 Site 8 Etchingam Road (Councillor Tutt)

- 8.1 The proposed double yellow lines follow reports about dangerous and inconsiderate parking during drop off and pick up times.
- 8.2 One objection has been received from a local resident on the grounds that the proposals will cause additional parking problems in the area, non-residents are

using private parking at the court and there was also a suggestion to convert the grass area to additional parking.

8.3 Parking opposite and at the junction obstructs sight lines and therefore can put other road users at risk. The proposed double yellow lines near Gloucester Court will allow drivers emerging from, or turning into, the junction a clear view of the road they are joining. The yellow lines will keep the junction clear of inconsiderate parking and will allow drivers to see hazards such as pedestrians or cyclists at the junction. The proposed restriction outside Gloucester Court will ensure the traffic flow and will prevent vehicles from blocking the access to the court. East Sussex County Council's Parking Team does not manage the private parking at the court, and cannot consider converting the grass area outside the court to additional parking, these matters need to be considered by the landowner.

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

8.5 **Recommendation:** To not uphold the objection and to implement the proposals as advertised.

9 **Site 9 Breakers Mews (Councillor Wallis)**

9.1 The proposal is to install double yellow lines to maintain access to the recently redeveloped properties in Breakers Mews. Residents have reported vehicles blocking the road and expressed their concerns about emergency access.

9.2 One objection has been received from a local resident who is planning to repair their roof, along with one item of support. The grounds for the objections are that workmen require access at the rear of the properties in Beach Road in order to load or unload their materials.

9.3 During the informal consultation, double yellow lines were also proposed at the rear of the properties in Beach Road but following the feedback received (which included the above objection), the proposals were reduced. As double yellow lines are no longer proposed at the back of the properties of Beach Road, this area will continue to be unrestricted and therefore available to workmen should they require the access via the back.

9.4 Councillor Wallis has confirmed his agreement with the recommendation.

9.5 **Recommendation:** To not uphold the objection and install the proposal as advertised

10 **Site 10 Halton Road, Latimer Road (Councillor Wallis)**

10.1 The proposals are to install double yellow lines at the junctions of Halton Road and Latimer Road, and follow requests to introduce double yellow lines at the junctions of Hanover Road and Seaside as well as Hanover Road and Latimer Road. Any new restrictions are likely to cause vehicle displacement and following an on-site assessment it has been proposed to introduce double yellow lines at the junction of Halton Road as this would have been the only junction in the area without protection.

- 10.2** Two objections have been received along with one item of support. The grounds for the objections are that the proposals will cause additional parking problems in the area, that the changes will result in parents leaving children unattended in order to find parking spaces further away, that the proposed changes will cause difficulties in carrying shopping, that the consultation process has not provided sufficient information or engaged the public in a discussion about the issues and alternative options, that there has not been provided any evidence or information on the need for the changes and has therefore, not been undertaken in a meaningful way, that there has been no appreciation of the impact on parking, that the public has not been given a full picture of the issues or any other options to choose from or has been asked to assist with identifying or assessing other options such as mitigating the parking impact by re-assessing the length of the double yellow lines at some existing junctions, that the initial consultation was exactly the same as the final consultation, and that a Traffic Regulation Order has already been written suggesting the Council has already made the decision.
- 10.3** Parking at the junction obstructs sight lines and therefore can put other road users at risk. The proposed double yellow lines will improve visibility of oncoming traffic and will allow drivers emerging from, or turning into, the junction a clear view of the road they are joining. An informal consultation took place in June and July to seek the views of local residents. Feedback received led to the proposed double yellow lines being reduced from the standard 10 metres to 5 metres. This was to maintain as much parking as possible without compromising the road safety. The statement of reasons for the proposals has been available on the consultation hub, Eastbourne Library and in County Hall in Lewes. The request to reduce the existing double yellow lines at other junctions in the area cannot take place as part of these proposals and would require further assessment. It is a legal requirement to draft a Traffic Regulation Order when advertising formal proposals.
- 10.4** Councillor Wallis has confirmed his agreement with the recommendation.
- 10.5** **Recommendation:** To not uphold the objections and to install the proposals as advertised.
- 11. Site 11 Pevensey Road (Councillor Wallis)**
- 11.1** The proposal is to change the goods-vehicle loading bay from being operational at all times, to being a loading bay for any vehicle from 7am to 7pm, and to change the bus stop clearway opposite to being operational at all times.
- 11.2** One objection has been received along with one item of support.
- 11.3** The grounds for the objection were that the objector did not think the loading bay was needed on Sundays.
- 11.4** Vehicles currently park in the bus stop in the evenings disrupting buses, while the loading bay stands empty. Local businesses still need loading provision on Sundays, and the change will allow overnight parking when the loading bay is not operational while keeping the bus stop clear of parked vehicles.
- 11.5** Councillor Wallis has confirmed his agreement with the recommendation.
- 11.6** **Recommendation:** To not uphold the objection and to install the proposals as advertised.

12 Site 12 Commercial Road (Councillor Rodohan)

- 12.1** The proposal is to remove two disabled bays which were installed for two local residents. The original applicants no longer require the bays and these spaces often remain empty.
- 12.2** Four objections have been received, one of which is on the grounds that a previous request for a loading bay in Commercial Road did not go ahead. The other grounds for objection are that there are various service providers in the area which serve vulnerable people and disabled badge holders, that the proposal will disadvantage people for whom a greater distance from a parking space to the service provider could be a major discouragement and they may choose not to attend.
- 12.3** There are disabled bays in St Leonard's Road outside Avenue House and St Mary's House which were provided for the convenience of blue badge holders requiring an easy access to service providers in this area. Blue badge holders can park for up to three hours on yellow lines (provided they do not cause an obstruction) and in the adjacent Permit Holders or Time Limited bays without a time limit.
- 12.4** Disabled bays are installed for residents following a successful application. When the applicant no longer needs the bays they are removed to free up kerb space for other residents and visitors to the area.
- 12.5** **Recommendation:** To not uphold the objections and install the proposals as advertised.

13 Site 13 Pevensey Road, Langney Road (Councillor Wallis)

- 13.1** The proposals are to remove the loading bay in Pevensey Road and to introduce time limited bays in Langney Road to better utilise the existing road space.
- 13.2** At present the loading bay in Pevensey Road does not front a property requiring loading of large deliveries which would justify the presence of a designated loading bay. As parking in this area is at premium, the approach is to balance the needs of all users and to ensure the kerb space is well utilised. Parking controls are continually being reviewed to make sure they meet the changing demands of local communities. Whilst there is no longer need for a loading bay, it has been recognised that short term parking would be beneficial to this area. Time limited bays have been proposed in Langney Road to ensure the vehicle turnover and allowing visitors to find a parking space.
- 13.3** Two objections have been received along with one item of support. The objections are on the grounds that a previous request to change the loading bay to a disabled bay did not go ahead, that the loading bay is often used by local workers to park in, that the disabled bay outside 113 Pevensey Road is no longer fit for purpose for the area and that there is an increasing number of local residents who hold disabled badges, that disabled adults with learning difficulties are finding it more difficult to park for dropping and picking up, that the corner from Langney Road into Pevensey Road is extremely dangerous and is an accident waiting to happen when passengers need to be dropped nearer the corner.

- 13.4 The objections relating to the proposed introduction of time limited bays in Langney Road include comments that the areas are relatively small and allow only two vehicles at a time, and that there is limited all day parking for residents and people working in the area.
- 13.5 The request for an additional disabled bay in Pevensey Road cannot take place as part of these proposals and would require further assessment in the next parking review in this area. Comments about vehicles parked in contravention have been passed to the enforcement contractor. The proposed time limited bays in Langney Road will increase the turnover of spaces allowing visitors to park nearby. The proposed removal of the loading bay in Pevensey Road would provide additional unrestricted all-day parking spaces.
- 13.6 Councillor Wallis has confirmed his agreement with the recommendation.
- 13.7 **Recommendation:** To not uphold the objections and install the proposals as advertised.
- 14 **Site 14 Royal Parade (Councillor Wallis)**
- 14.1 The proposal at this location is to allow permit holders for zone S to park in the Shared Use bays which currently can only be used by hotel permit holders and pay and display users.
- 14.2 One objection has been received. The grounds for the objection are that parking in this area is difficult, that there is only one disabled bay in Marine Parade, that it is sometimes possible to park in one of the bays which the proposals apply to but the changes will increase the use of these bays and therefore will decrease the possibility for the objector to park there, and that the unrestricted areas are used for commuter parking. The objection also includes a request for additional disabled bays and access to parking vouchers or being able to have a resident permit for zone S.
- 14.3 Disabled parking bays in residential areas are only provided on a receipt of a qualifying application and the objector has been advised on how to apply for a bay.
- 14.4 Previous consultations have shown that although this area is within zone S, there has been little desire to introduce permit bays to Marine Parade. Any properties within the current permit eligibility zones can apply for a resident visitor permit (vouchers) or a resident permit. There are currently 7 active residents' permits for zone S at this location although the closest bay allowing residents' permits is in Collonade Gardens. This proposal will allow local permit holders to park near their homes.
- 14.5 The objector's property is currently within the zone and they have been advised that they can apply for parking permits.
- 14.6 Councillor Wallis has confirmed his agreement with the recommendation.
- 14.7 **Recommendation:** To not uphold the objection and to install the proposals as advertised.
- 15 **Site 15 Elms Avenue (Councillor Wallis)**

- 15.1 The proposals are to make changes to the existing Shared Use bays (Permit Holders or Pay and Display) so hotel permits can no longer park there. The proposed changes follow reports about limited parking for local residents and subsequent requests made for changes to existing controls.
- 15.2 One objection has been received from a local guest house along with one item of support. The grounds for the objection are that the proposals will have detrimental effect for guests as they will no longer be able to park in the road they are staying and that it will affect the business.
- 15.3 Currently there are 28 active resident permits in Elms Avenue with only 18 parking spaces available. These spaces are currently shared with hotel guest permits as well as pay and display users meaning there are very few spaces left for local residents. There are a number of bays in the area that allow hotel permit holders to park. The closest of these are within a one to two minute walk and are in Burlington Road, Cavendish Place, Seaside Road, Terminus Road and along the seafront. Although hotel guests will no longer be able to park directly outside of the objector's property, there is no guarantee any permit holder will be able to park outside their property.
- 15.4 Councillor Wallis has confirmed his agreement with the recommendation.
- 15.5 **Recommendation:** To not uphold the objections and to install the proposals as advertised.

16 **Site 16 Devonshire Place (Councillor Taylor)**

- 16.1 The proposal is to install a disabled parking bay following an approved application from a local resident.
- 16.2 One objection has been received. The grounds for the objection are that the prices of parking permits are being increased, that parking controls in Devonshire Place should be 7 days a week, and that one side of the road should be permit holders only due to the close proximity to the Beacon and Arndale Centre.
- 16.3 Requests for changes to the operational times and the introduction of Permit Holders Only bays are not part of these proposals and would require a further assessment in a future review.
- 16.4 The comments about the changes to prices relate to a separate consultation and bears no relevance to the introduction of this Disabled parking bay.
- 16.5 **Recommendation:** To not uphold the objections and to install the proposals as advertised.

17 **Site 17 Grove Road, Hyde Road, Camden Road, Calverley Road, York Road (Councillor Taylor)**

- 17.1 The proposals are to introduce more pay and display only bays in Grove Road and residents permit holders only bays in adjacent residential roads. The proposed changes to the parking controls in this area (known as Little Chelsea) follow concerns about a lack of parking for shoppers, visitors and residents.

- 17.2** Five objections have been received along with two items of support. The grounds for the objections from local businesses are that the proposed maximum stay for Pay and Display bays should be reduced to one hour, that with the loss of so much parking, bays should be marked into individual spaces to prevent inconsiderate parking. Other reasons are that the proposed introduction of residents only parking severely restricts the area for business permit holders, that it will drastically affect the operation of local businesses, that as a compromise Hyde Road should remain available for business permit use to ensure the space is utilised during the working day.
- 17.3** The grounds for the objection from local residents are that had the previously proposed changes to permit zone boundaries been maintained then the proposal would have been supported, that the already limited residents parking in Hyde Road, Camden Road, Calverley Road and York Road will be further reduced as residents of Grove Road and South Street will continue to be permitted to park in this area, that there are no plans to extend operational times till 8pm, that there are a lot of businesses who also park in the area and have resident parking permits, that the consultation is a paper exercise for the Local Authority to tick boxes and not listen to the concerns of local residents. Other comments include concerns about the changes to parking controls in Gildredge Road as part of Eastbourne Town Centre Improvement Scheme.
- 17.4** The proposed changes to the parking controls in the Little Chelsea area follow concerns about the lack of parking available for shoppers, the sustainability of independent traders due to a lack of parking for shoppers, and the lack of parking spaces for local residents due to businesses using their business permits to park in the residential areas.
- 17.5** The introduction of approximately 10 Pay and Display Only spaces in Grove Road will increase parking provision for visitors, while changing the 'permit holder' bays to 'resident permit holder only' bays in the adjacent residential roads will protect the needs of local residents.
- 17.6** There was not enough support shown during the informal consultation to progress the changes to zone boundaries, and the request to extend the times of operation will be looked at in the next review. The concerns about the Eastbourne Town Centre Improvement Scheme have been passed to the relevant team.
- 17.7** **Recommendation:** To not uphold the objections and to install the proposals as advertised.
- 18** **Site 18 Arlington Road, Old Orchard Road, Saffron's Road (Councillor Rodohan)**
- 18.1** The proposal in Arlington Road is to introduce a loading ban at its junction with Old Orchard Road. The proposed changes in Old Orchard Road and Saffrons Road include the introduction of controlled parking bays and changes to the existing double yellow lines.
- 18.2** The proposed controls follow reports about inconsiderate parking at the junction and requests to extend parking schemes to alleviate parking issues to local residents and visitors to the area.

- 18.3** Four objections have been received along with three items of support. The grounds for the objection to the proposed loading are that the local doctors' surgery has limited parking and most visitors do not stay long, and that the previous reduction of the doctor's bay at this location was wrong.
- 18.4** The objections relating to the proposals in Old Orchard Road and Saffrons Road are on the grounds that the introduction of controlled parking bays will leave nowhere for workers to park, that the proposal does not address the problem with the excessive amount of taxis using this area, and that the taxi rank in Old Orchard Road should be relocated to Southfields Road or Saffrons Road.
- 18.5** The length of the Doctors bay in Arlington Road was previously reduced in 2016 to improve safety at this junction by extending the double yellow lines. Since then reports have been received about inconsiderate parking caused by taxis and Blue Badge holders parking at this junction. The proposed loading ban will improve safety by keeping the junction clear of parked vehicles.
- 18.6** The request for the relocation of the taxi rank in Old Orchard Road cannot take place as part of these proposals and would require further assessment.
- 18.7** **Recommendation:** To not uphold the objections and to install the proposal as advertised.

19 **Site 19 Furness Road (Councillor Taylor)**

- 19.1** The proposals include the introduction of controlled parking bays and changes to the double yellow lines. The proposals in Furness Road follow requests to extend parking schemes to alleviate parking issues to local residents and visitors to the area.
- 19.2** Five objections have been received along with three items of support. One of the objections has been withdrawn, as well as one item of support. The grounds for the objections are that the proposals will reduce the overall parking space numbers, that it will cause further parking problems on adjacent roads, that the controls should be introduced either for the entire length of Furness Road or none of it, that similar controls should be installed in College Road otherwise College Road will even more become a prime location for those working in the town centre and impact residents accessing their homes and visitors to the GP and dental surgeries, that a nearby property with no access to off-street parking which is currently outside of the proposed zone boundary should be permitted to buy resident permits, that the proposals will leave nowhere for workers to park.
- 19.3** Double yellow lines are only proposed across dropped kerbs therefore officers believe that the overall number of spaces will not be reduced. It is inevitable that some displacement will occur if new parking restrictions are installed and the area will be monitored. The requests for further changes cannot take place as part of these proposals and would require further assessment.
- 19.4** **Recommendation:** To not uphold the objections and to install the proposals as advertised.

20 **Site 20 Hardwick Road (Councillor Taylor)**

- 20.1** The proposals are to change the existing Pay and Display bays in Hardwick Road to Shared Use bays (Permit Holders S or Pay and Display) without any time limit. The proposed changes follow reports that these pay and display bays are not utilised.
- 20.2** Five objections have been received along with two items of support. Three of the objections are from local guest houses on the grounds that the spaces in Hardwick Road remain empty whilst their guests struggle to find places to park, that it is a waste of space, that one of the objectors was nearly physically assaulted by a guest who received a parking fine for parking there with a hotel permit, that by allowing one type of permit it will increase the risk of guests misreading the signage and parking there, that the proposal will increase the harm to the objector and their staff of verbal and physical abuse, that the proposals are complicated for hotel guests which increases the risk of visitors getting parking fines and suggestion that this could be a deliberate move, that allowing hotel permits to park there could have been included in the proposals but instead ESCC runs the risk of wasting tax payers money on more signage later down the line, that ESCC will always do what they want, that the objector cannot see the logic that car owners in some residential areas have to pay when they park on the streets and some people in Eastbourne do not have to pay at all, that different costs for different areas should be introduced, but all should pay when they use the streets for parking, and that the proposals do not make enough allowances for accommodation providers in an area that is extensively for visitors.
- 20.3** The objection from a local resident is that they would prefer to have permit only bays, and not shared with pay and display, that in the objector's road there are 6 hotels, that due to close proximity to the Devonshire Park theatre and tennis courts this area gets very busy, that most days the objector has to drive around to find a space and ends up quite a way away, which when carrying shopping can be very annoying, and that it is much worse at night. The objector also raised concern over a lorry that had been parked in Hardwick Road during the 2019 Tennis Week and the impact that the fumes from this lorry had had on the amenity of the residential property.
- 20.4** The pay and display bays in Hardwick Road were installed in 2019 as part of the redevelopment of the Devonshire Park theatre complex. Any new restrictions are monitored to see if further changes need to be made. In this instance, reports have been received that these bays are underutilised. When deciding on the proposals we have to balance the needs of many motorists wanting to park in the controlled area, not just hotel guests, but also residents, businesses and other visitors all wanting to park in the town. There are over 1,000 spaces in and around the town which can be used by hotel guests to park when using a hotel guest permit. The proposed changes will increase parking availability to local residents of zone S and will allow visitors to Eastbourne to park longer than the current permitted maximum stay of 4 hours. It is the driver's responsibility to check the signs and make sure that they do not park in contravention.
- 20.5** **Recommendation:** To not uphold the objections and to install the proposals as advertised.

21 Site 21 Wilmington Square (Councillor Taylor)

- 21.1** The proposal is to remove hotel permit parking from the northern section of Wilmington Square. The proposed change follows reports about a lack of parking

being available for local residents and subsequent requests made for changes to existing controls.

- 21.2** Eight objections have been received along with eight items of support. A letter with 30 signatures supporting the proposal and requesting more changes to parking in the area has also been received. One objection has been withdrawn.
- 21.3** The grounds for the objections are that the restrictions in Wilmington Square are already confusing as the square has different days coverage compared to the other roads around the objector's property, that removing hotel permits altogether would mean that hotel guests risk getting tickets even more, that the flats in that square have private parking facilities so the objectors cannot see the justification for making this change, and that the proposals do not make enough allowances for accommodation providers in an area that is extensively for visitors.
- 21.4** Other objections were on the grounds that the proposed changes are insufficient for the needs of local residents, that both sides of Wilmington Square should have no parking metres due to close proximity to the theatres, restaurants, and other local attractions, that with the opening of a new bistro shortly the whole situation will get even worse, that the proposal does not offer residents parking outside their homes yet charges for permits are made, that an embargo should be placed on non-residents parking on the east side of Wilmington Square between 8am and 8pm, that hotel permit parking should be removed from the front of Grand Court along King Edward's Parade and that the operational times of parking controls should extend beyond 6pm, and that the points raised about this in the informal consultation have not been addressed.
- 21.5** When assessing requests for parking controls, each location is looked at individually and assessed on its own merits. Ultimately it is the driver's responsibility to check the signs and make sure that the vehicle is not parked in contravention. Currently hotel permits are valid in most permit or shared use bays in zones S and N. Pay and display bays along the seafront are also available to hotel guest permit holders to help limit the impact on the busier residential areas.
- 21.6** **Recommendation:** To not uphold the objections and to install the proposals as advertised.

22 **Site 22 Wilmington Gardens (Councillor Taylor)**

- 22.1** The proposal is to introduce a permanent TRO for double yellow lines across the emergency access to the theatres. Following concerns about safety issues, a temporary TRO for double yellow lines at a length of 5 metres was recently introduced.
- 22.2** Four objections have been received, although one of these has now been withdrawn. The grounds for the objections are that since the road redesign it is now not possible for blue badge holders to park on the double yellow lines to go to evening shows and that ESCC are potentially discriminating against blue badge holders, that a non-blue badge holder area for dropping off and picking up outside the Congress Theatre should be introduced, that there is nowhere for taxis to stop, and that the very purpose of this drop off zone (time limited disabled bay) is to allow non-driving blue badge holders to be afforded convenient access to the Congress theatre by permitting their carers to park for a short period and escort

them to the theatre entrance before returning to move their vehicle to another parking position further away.

- 22.3** As part of the redevelopment of the Devonshire Quarter, a number of changes to the road layout have been made. Following these changes, no loading/unloading restrictions were installed to ensure safety and traffic flow in this area. Disabled parking bays were also installed outside the Congress theatre to accommodate the needs of Blue Badge holders.
- 22.4** There is a loading bay in Compton Street which can be used by non-Blue Badge holders and taxis as a pick up and drop off point. This bay has a maximum stay of 20 minutes to ensure the turnover of spaces. There is also a designated taxi bay in Hardwick Road and it should also be noted that taxis are permitted to stop in bus stop clearways to pick up or set down passengers. It should also be noted that the proposed removal of the loading ban in the new lay-by in Carlisle Road will mean this area will become available for loading, dropping off or picking up, and also for disabled parking for up to three hours.
- 22.5** **Recommendation:** To not uphold the objections and to install the proposals as advertised.

23 **Site 23 Meads Street, Holywell Road, Cliff Road (Councillor Taylor)**

- 23.1** The proposal is to change some of the existing shared parking bays (operational Monday to Saturday) to permit holders only on all days. The proposed changes follow requests from local residents.
- 23.2** 11 objections have been received along with 25 items of support. Three objections have since been withdrawn on the conditional basis that the area will be monitored, and that further changes or controls will be proposed as part of future reviews.
- 23.3** The grounds for the objections are that the proposed changes should apply to the bays outside nos. 81-87 as there are four houses there and three opposite nos.74-78, that the proposals will mean it will be unlikely that these seven houses will be able to park, that the proposal is to introduce a permit holders only bay outside nos. 77-79 and these two houses have garages. Other grounds for the objection are that the proposed changes will cause further problems for those shopping at Tesco, that local businesses rely on the parking availability for customers, that the proposal will destroy the village area and a popular 'High Street', that although local residents should be able to park outside their own homes a lack of spaces for shoppers will be bad for businesses and long term for local residents too as they risk ending up with no shops open, that there is already limited parking for those working in the area, that the 2 hour restriction allows parking for people who wish to visit pubs, restaurants, shops, that the imposition of Resident Only parking will have a significant detrimental effect on all businesses in Meads Street, and that Milnthorpe Road has not been proposed as residents only parking.
- 23.4** Although no parking scheme will ever completely satisfy the conflicting needs of different groups we aim to strike a balance between restricting the needs of some to protect the needs of others. Close proximity to the beach and various service providers attracting visitors to this area mean that parking is in high demand and there are very few spaces left for local residents. The proposed changes will help residents to find parking spaces near their homes. The request to introduce a

permit holders only bay outside numbers 81-87 cannot form part of these proposals and would require further assessment. There are currently no plans to change the existing time limited bays in the upper section of Meads Street, these will therefore continue ensuring the turnover of spaces and allowing visitors to park nearby. There are also a number of shared use and time limited bays in adjacent roads (Darley Road, Derwent Road, Matlock Road, Dalton Road, The Village, Coltstocks Road) which can be used for a maximum stay of two hours free of charge. Should the proposed changes be installed, any issues observed or reported will be addressed as part of future reviews.

23.5 Recommendation: To not uphold the objections and to install the proposals as advertised.

24 Site 24 Matlock Road, Meads Street (Councillor Taylor)

24.1 The proposals at the junction of Matlock Road and Meads Street are to introduce a loading ban (operational at all times), to change the days of operation of the loading bay outside Tesco Express so it is controlled seven days a week, and to introduce a loading ban on the approach to the bus stop clearway near Darley Road.

24.2 Seven objections have been received along with two items of support.

24.3 The grounds for the objection from two residents of adjacent roads are that Meads Street and surrounding areas are already heavily congested by articulated delivery lorries, the regular bus service, persistent transiting traffic, tourists, cyclists and drivers of disabled scooters, that the area is close to Brighton University, two primary schools and that these add to transiting traffic, that parking is displaced into roads adjacent to Meads Street which already have parking on both sides of the road during the day, that this makes it hazardous for buses to transit through Milnthorpe Road and nearby roads, that Milnthorpe Road is dominated by flats, that no context to the proposals have been provided, that the proposed changes will encourage more bad and dangerous parking by selfish drivers, that the objection is based on common sense, safety and amenity for road users, pedestrians and local residents, that the proposals will cause vehicle displacement to Milnthorpe Road where parking problems are already present, that inconsiderate parking obstructs driveways, that Milnthorpe road is the first road without parking restrictions and any changes to Meads street and surrounding areas will simply have knock on impacts in Milnthorpe Road and Darley Road.

24.4 The grounds for two objections specifically relating to the proposal at the junction of Matlock Road and Meads Street are that the change from "no waiting" to "no loading or unloading at any time" will leave nowhere for deliveries to be loaded or unloaded, that there will be nowhere for customers buying a large amount of items to stop and have it loaded into their car, that the proposal will negatively impact their business in an already difficult environment, and that the parking spaces are usually hotly contested and there is never a chance of their delivery vehicles parking there to load or unload.

24.5 Three objections are on the grounds that that the proposed loading ban on the northern side of Matlock Road does not extend far enough and should extend westwards to maintain access and prevent obstruction to nearby property, that the resident of that property is elderly and living alone with mobility and health issues and that they need emergency access in and out of the property at all times as

there is no other access, that this has been a cause of huge distress in the past and has several times prevented relatives of that resident being able to get out of the property, that the proposal will cause displacement and make this problem even worse. The objector also states that ESCC has not complied with the relevant requirements in relation to this Traffic Regulation Order as they did not receive a copy of the consultation letter at the informal stage of the parking review, that over the years ESCC have repeatedly failed the resident in their requirement of notification and that a formal complaint has been made regarding this. Other comments from the objector are that the consultation is flawed, manipulated and selective which cannot be lawful, that ESCC need to follow their guidelines and resort to the postal system, that ESCC failed to include in their statement of reasons footway damages at this location, that it is inconsistent with other proposals, that the proposal fails to consider the objector's personal access and obstruction, but addresses others, that by introducing no loading/unloading at certain times specifically endorses such activity at other times, that if the proposal at the junction of Meads Street and Darley Road is implemented for the other residents, then equally the same consideration must also be given to the objector, that problems have increased due to the installation of all the bollards in Meads Street and Matlock Road, and that they have been blocked by blue badge holders once for over 2 hours.

- 24.6** The proposed changes at the junction of Matlock Road and Meads Street follow reports about inconsiderate parking and loading activities at the junction which hinder traffic flow outside of the current times of loading restrictions. This area is particularly busy due to the close proximity to shops and wheelchair accessible crossing points.
- 24.7** The proposed changes outside Tesco Express follow reports that deliveries are also made on Sundays and as it is outside of the current operational times, delivery vehicles often have to double park in order to load and unload.
- 24.8** The proposed changes at the junction of Meads Street and Darley Road follow reports about vehicles parking on the approach to the bus stop and causing difficulties to buses accessing the kerb. The loading ban is proposed to keep the area approaching the bus stop clearway clear to ensure buses comply with legislation so that passengers can board and alight in safety.
- 24.9** Parking and loading close to the junction can put other road users at risk by obstructing sight lines and causing visibility issues. The dropped kerbs in Matlock Road need to be kept clear at all times to provide crossing points and disabled access. Double parked vehicles and buses block the through traffic and add to congestion.
- 24.10** The request to extend the proposed loading restrictions on the northern side of Matlock Road cannot be considered as part of these proposals and would require further assessment.
- 24.11 Recommendation:** To not uphold the objections and to install the proposals as advertised.

25 **Site 25 Meads Road, Saffron's Park (Councillor Taylor)**

- 25.1** The proposals are to install double yellow lines opposite and at the junction of Meads Road and Saffron's Park. The proposed changes follow requests from local residents who expressed their concerns about dangerous parking in this area.
- 25.2** Three objections have been received along with one item of support. The grounds for the objections are that the proposals do not extend far enough, that the proposed changes will cause vehicle displacement into Saffron's Park, that parked vehicles already obstruct driveways and front doors, that parking on both sides of Saffron's Park causes difficulties for emergency services, and that the double yellow lines should be installed further up Saffron's Park to deter all day parking. Other concerns are that the proposed double yellow lines in Meads Road will lead to a false sense of security when exiting Saffron's Park, that at present it is quite obvious when turning into Meads Road that care has to be taken but with an empty space opposite, it might be tempting to just pull out without being aware of traffic heading south on the wrong side of Meads Road, that parking on the bend in Saffrons Park adjacent to number 6 causes a dangerous situation and that double yellow lines should be installed there instead. Other comments include a request which includes multiple signatures in favour of installing double yellow lines on both sides of Meads Road between Carlisle Road and Blackwater Road due to parked vehicles narrowing the road and creating a single line for traffic to pass through. The objector raised their concerns about vehicles coming around the Meads Road blind bend (opposite Carlisle Road) at excess speeds, and during public events cars park on both sides of Meads Road making it difficult to pass along a narrow stretch of road. The objector also mentions that Meads Road is a bus route, and that parked vehicles make an exit from their property very dangerous as vision is blocked.
- 25.3** Vehicles should not park at or opposite a junction and the proposals are designed to reinforce this measure. Although this may displace the vehicles to Saffron's Park, any driver should ensure they park up in a safe and unobstructive manner. The proposed double yellow lines will remove the obstruction and increase visibility. The request for additional double yellow lines in Meads Road between Carlisle Road and Blackwater Road was considered in 2017. The area was assessed by the traffic and safety team who advised that double yellow lines would increase vehicle speeds and therefore the request was not progressed. Although no reports have been received from the bus companies or emergency services about their vehicles having issues in this area, a new request for this has been logged for consideration as part of the next review. If the proposed double yellow lines opposite and at the junction of Saffron's Park and Meads Road are approved, the area will be monitored to see if further controls are needed.
- 25.4 Recommendation:** To not uphold the objections and to implement the proposal as advertised.

26 Site 26 St Anne's Road (Councillor Rodohan)

- 26.1** The proposals are to extend the existing double yellow lines north-west of the junction of Mill Gap Road, and to install double yellow lines on the south-west side of St Anne's Road.
- 26.2** The proposals follow responses to the formal consultation which took place in 2017. The feedback received to that consultation was that the proposals did not address the most dangerous aspect of this junction and that when exiting Mill Gap Road it is only possible to see traffic from the north when the driver is already half

way across the junction. The area has since been monitored, and an additional request for changes to parking controls in this area has also been received from a local councillor.

26.3 One objection has been received along with one item of support. The grounds for the objection are that the sight line on turning right from the eastern arm of Mill Gap Road could be improved by extending the double yellow lines by 2 or 3 cars length, that the total elimination of parking will encourage speeding and illegal parking, that the proposal is ineffective, over the top and is complicated by the closing off of the western part of Mill Gap Road for construction works which encourages parking elsewhere, that the priority should be given to lowering the speed limit in this area, and that the proposal should be deferred until the construction works are complete and parking in the western part of Mill Gap Road restored.

26.4 Due to the layout of this junction, any vehicles parked north-west of the junction of Mill Gap Road could cause visibility issues and therefore the existing double yellow lines need to be extended to improve safety. There are no current plans to change the speed limit in this area.

26.5 Recommendation: To not uphold the objections and to install the proposals as advertised.

27 Site 27 MacMillan Drive, Milton Crescent, Milton Road (Councillor Ungar)

27.1 The proposals in this area are to relax the times of the existing School Keep Clear restriction in MacMillan Drive, to install double yellow lines at the junction of Milton Road and Milton Crescent, and to extend the existing School Keep Clear restriction in Milton Road.

27.2 The proposed parking restrictions in Milton Road and Milton Crescent follow reports about dangerous parking at the junction during drop off and pick up times. The proposed changes to operational times of the existing School Keep Clear restrictions in MacMillan follow a request to review all School Keep Clear restrictions in Eastbourne.

27.3 Two objections have been received. The grounds for the objections are that the proposed double yellow lines will only add to the parking problems in Macmillan Drive, that parents drop off and pick up pupils outside of the proposed times as new starters initially do half days only, and that the relaxing of the current controls will make it dangerous for these drop-offs and pick-ups. Other comments are that the junction is wide and there is rarely an issue with visibility outside of the beginning and end of the school day, that parents are likely to wait temporarily on double yellow lines, that children attending the nearby school are accompanied by adults and do not need additional visibility space beyond the Keep Clear zones, that the adults need places to park their cars whilst accompanying the children, that parking of vehicles at these locations does not cause an unmanageable delay for through traffic as there are passing points, that parked vehicles can have a positive effect of slowing down traffic, that the area has a high demand for parking space and the proposal will reduce the available kerb space for local residents, that the proposed changes will cause vehicle displacement and will result in the need for further parking restrictions.

- 27.4** Vehicles should not park at a junction and the proposals are designed to reinforce this measure. Although this may displace vehicles, any driver should ensure they park up in a safe and unobstructive manner. Parking at the junction obstructs sight lines and therefore can put other road users at risk. The proposed parking controls in Milton Crescent and Milton Road will ensure safety by improving driver and pedestrian visibility at the junction and crossing points. The proposed changes in MacMillan Drive have been designed to keep the entrance to the school clear during the main drop off and pick up times, and outside of these times the area will be available for anyone wishing to park.
- 27.5** At the time of writing Councillor Ungar has not replied to confirm whether he agrees with the recommendation.
- 27.6** **Recommendation:** To not uphold the objections and to install the proposals as advertised.

28 **Site 28 Carew Road (Councillor Rodohan)**

- 28.1** The proposal is to remove a length of redundant single yellow lines to increase parking availability to local residents and anyone wishing to park nearby.
- 28.2** One objection has been received. The grounds for the objection are that some of the local residents are over retirement age and they find it difficult to carry shopping long distances, that a residents' permit parking scheme should be introduced, and that parking on single yellow lines causes difficulties for the dustcarts to negotiate the lane between the back of Enys Road and Arundel Road. Other comments include reports about residents who have access to off-street parking using on-street parking and therefore taking away the valuable spaces from those without access to private parking, and a lack of enforcement.
- 28.3** No issues or concerns with access at this location have been raised by the emergency services or the refuse company. There are currently no plans to introduce a permit scheme in this area.
- 28.4** **Recommendation:** To not uphold the objection and to install the proposals as advertised.

29 **All proposals**

- 29.1** Two objections have been received to all proposals along with two items of support. The grounds for the objections are that the parking controls should remain as they currently are, that the road network in the town centre has already been messed up, that a taxi rank in Hyde Gardens has not been replaced, that Eastbourne is the only town in East Sussex not allowing cab drivers to use bus lanes. Other grounds for the objection are that there are insufficient parking provisions for disabled drivers in the town centre, that the time limited bay (maximum stay 30 minutes) in Wilmington Gardens should be changed to 4 hours, that in Hailsham there are also too few disabled bays and that these are abused by non-blue badge holders including council workers.
- 29.2** The recent changes in the town centre were a part of the Eastbourne Town Centre Improvement Scheme, any objections received were considered previously by the Planning Committee. The request for additional disabled bays in the town centre cannot take place as part of these proposals and would require further

assessment. Hailsham is not a part of these proposals and irrelevant to this review.

29.3 Recommendation: To not uphold the objections to all of the proposals and to install as advertised subject to the recommendations in appendices 1 and 2.

**The East Sussex (Eastbourne) (Parking Places, Waiting and Loading Restrictions)
Traffic Regulation Order 20***

**EAST SUSSEX COUNTY COUNCIL
ROAD TRAFFIC REGULATION ACT 1984 & ROAD TRAFFIC ACT 1991
TRAFFIC MANAGEMENT ACT 2004**

**The East Sussex (Eastbourne) (Parking Places, Waiting and Loading Restrictions)
Traffic Regulation Order 20***

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:-

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1.	Part I – Preliminary
	Interpretation
	Reference to any statute or statutory provision includes a reference to that statute or statutory provision as from time to time amended, extended, re-enacted or consolidated or modified whether substantial or not and whether before or after the date of this Order and all statutory instruments or orders made pursuant to it;
	Reference to a numbered Article or Schedule in this Order shall, unless the context otherwise requires, be construed as a reference to the Article or Schedule bearing that number in this Order;
	"the Act of 1984" and "the 1984 Act" means the Road Traffic Regulation Act 1984, and any re-enactment or modification thereof from time to time in force;
	"ambulance" has the same meaning as in the Vehicle Excise and Registration Act 1994;
	"authorised agent" means the parking services contractor appointed by and acting on behalf of the Council for the purposes of the supervision and enforcement of the provisions of this Order;
	"bus" and "bus and coach" mean motor vehicles constructed or adapted to carry more than eight passengers (excluding the driver); and local buses not so constructed or adapted;
	*"bus lane" means any area of carriageway reserved for the passage of buses and any other authorised vehicles such as cycles and taxis as shown in the Order Plans;
	"business" means any Company limited by shares or guarantee, business partnership, sole trader or charitable organisation;
	"business permit" means a permit issued under the provisions of Article 26;
	"business Permit Holder" means a person to whom a business permit has been issued under the provisions of Article 26;
	"business user" means a person who carries out business at any premises the postal address of which is in any street with designated parking places shown in the Order Plans;
	"carriageway" 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;
	"Civil Enforcement Officer" means a person authorised by or on behalf of the East Sussex County Council under Section 76 of the Traffic Management Act 2004 to supervise and enforce the road traffic contraventions for which East Sussex County Council is the enforcement authority;
	"concessionaire", means a person who has been granted a concession by the Council to be eligible for a day permit for bona fide reasons;

	"day permit" means a permit issued under the provisions of Article 29;
	"disabled person's badge" and "time clock" have the same meanings as in Regulation 3(1) of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (England) Regulations 2000 and "relevant position" has the same meaning as in Regulation 4 of those Regulations;
	"disabled persons' vehicle" has the same meaning as given by Section 142 of the Road Traffic Regulation Act 1984, or any re-enactment or modification thereof from time to time in force;
	"driver", in relation to a vehicle waiting in a parking place, means the person driving the vehicle at the time it was left in the parking place;
	"dual purpose vehicle" has the same meaning as in the Road Vehicles (Construction and Use) Regulations 1986, or any re-enactment or modification thereof from time to time in force;
	"electric vehicle" means a vehicle primarily powered by an electrical motor;
	"emergency vehicle" has the same meaning as in The Road Vehicles Lighting Regulations 1989 or any re-enactment or modification thereof from time to time in force;
	"enactment" means any enactment, whether public general or local, and includes any order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment and any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment;
	"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;
	"goods" means any article not easily carried by hand or burden of any description and "delivering" and/or "collecting" in relation to any goods includes checking, loading or unloading the goods for the purposes of their delivery or collection;
	"goods vehicle" has the same meaning as in the Road Vehicles (Construction and Use) Regulations 1986, or any re-enactment or modification thereof from time to time in force;
	"health care worker", means a person working for a Primary Care Trust or a health and community care organisation who needs to park in order to provide services to a resident of any street or property in pursuit of their duties;
	"heavy commercial vehicle" means, as defined in Section 138 of the Road Traffic Regulation Act of 1984, or any re-enactment or modification thereof from time to time in force, which has an operating weight exceeding 7.5 tonnes";
	"heavy goods vehicle" means, for the purposes of this Order, a goods vehicle which has an operating weight exceeding 5 tonnes;
	"Higher Level Contravention" has the same meaning as defined in the Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007;

	<p>“Higher Level Penalty Charge” has the same meaning as defined in the Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007;</p>
	<p>"hotel or guest house" means any premises offering overnight accommodation to visitors on a commercial basis from a business rated premises, or a holiday home let to persons on holiday;</p>
	<p>“hotel guest” means a person staying or lodging at a hotel or guest house being premises the postal address of which is in any street or property having designated parking places as shown in the Order Plans;</p>
	<p>"invalid carriage" has the same meaning as in the Road Vehicles (Construction and Use) Regulations 1986, or any re-enactment or modification thereof from time to time in force;</p>
	<p>“licensed taxi” or “taxi” has the same meaning as in Section 13(3)(a) of the Transport Act 1985;</p>
	<p>"local service" has the same meaning as in the Transport Act 1985;</p>
	<p>“lpg vehicle” means a vehicle primarily powered by a motor using liquefied petroleum gas or a hybrid vehicle using either petrol, diesel or liquefied petroleum gas;</p>
	<p>"motor cycle" or "motor tricycle" has the same meaning as in the Road Vehicles (Construction and Use) Regulations 1986, or any re-enactment or modification thereof from time to time in force;</p>
	<p>“the Order Plans” means the plans associated with this Order;</p>
	<p>"this Order" means East Sussex (Eastbourne) (Parking Places, Waiting and Loading Restrictions) Traffic Regulation Order 201*, or any re-enactment or modification thereof from time to time in force;</p>
	<p>“Owner”, in relation to a vehicle, has the same meaning as defined in Section 92 of the Traffic Management Act 2004;</p>
	<p>“parking disc" means a disc issued by a local authority, 125 millimetres square coloured blue if issued on or after 1st April 2000, or coloured orange if issued before that date, which has not ceased to be valid, and which is capable of showing the quarter hour period during which a period of waiting begins;</p>
	<p>"parking period" means a period of time for which payment of the parking charge has been paid in respect of a vehicle and during which that vehicle may be left in a parking place shown in the Order Plans, subject to the provisions of this Order;</p>
	<p>“parking place” means any length of road authorised by this Order to be used as a parking place;</p>
	<p>“parking space” means a space in a parking place, which is provided for the leaving of a vehicle;</p>
	<p>"Part 1" when used in relation to a disabled person's badge, means the front of the badge;</p>

	"passenger vehicle" means a motor vehicle (other than a motor cycle or invalid carriage) constructed or adapted solely for the carriage of not more than twelve passengers (exclusive of the driver) and their effects and not drawing a trailer;
	"permitted hours", in relation to a parking place means the period specified on the Order Plans relating to that parking place;
	"Penalty Charge" and "Reduced Penalty charge" means a charge set by East Sussex County Council in accordance with the provisions of Section 77 and Schedule 9 of the Traffic Management Act 2004 and Regulations made thereunder and in accordance with and any guidance given by the Secretary of State, following the issue of a penalty charge notice;
	"Penalty Charge notice" means a notice issued by a Civil Enforcement Officer pursuant to the provisions of Section 78 of the Traffic Management Act 2004 and any Regulations made thereunder;
	"prescribed hours" in relation to a street or length of street shown in the Order Plans, means the time shown in the Order Plans;
	"protective cover", means a protective cover issued by the Council under the provisions of Articles 23 and 26;
	"registered keeper" in relation to a vehicle means the person in whose name the vehicle is registered under the provisions of the Vehicle Excise and Registration Act 1994;
	"resident" for the purpose of this Order means a person whose usual place of abode is at premises the postal address of which is in any street or property within the boundaries of the zones shown on the Eastbourne Permit Zones map in the Order Plans, provided that the street is not private;
	"resident's permit" means a permit issued under the provisions of Article 23;
	"resident's visitor" means a person who is visiting a resident;
	"restricted street" means a street or part of a street shown in the Order Plans as having a 'No Waiting' restriction, provided that the expression "restricted street" shall not for the purpose of this Order include any area on a highway or any place for the time being designated or described as a parking place by any order made or having effect as if made under sections 1, 9, 32 and 45 of the Road Traffic Regulation Act 1984, or any re-enactment or modification thereof from time to time in force;
	"solo motor cycle" has the same meaning as in the Traffic Signs Regulations and General Directions 2002;
	"Schedule" means a Schedule to this Order;
	"street" includes any part of a street;
	"telecommunication system" has the same meaning as in the Telecommunications Act 1984;
	"ticket" means a ticket issued by a ticket parking meter relating to a parking place shown in the Order Plans as being a Pay and Display parking place;

	<p>“ticket parking meter” means an apparatus of a type and design approved by the Secretary of State for Transport for the purposes of this Order being an apparatus designed to issue a ticket indicating the payment of the parking charge referred to in Article 14 and the time by which the parking period will expire;</p>	
	<p>“tradesperson”, means a person who in the course of their business is engaged in work at any premises the postal address of which is in any street or property with parking places shown in the Order Plans, provided that such a person’s business is not based at those premises;</p>	
	<p>"traffic sign" means a sign of any size, type and colour prescribed and authorised under, or as having effect as though prescribed or authorised under section 64 of the Road Traffic Regulation Act 1984;</p>	
	<p>"universal service provider", "provision of a universal postal service" and "postal packet" have the same meanings as in the Postal Services Act 2000;</p>	
	<p>"verge" means any part of a highway which is not a carriageway or footway;</p>	
	<p>“waiting restriction” means a prohibition of waiting in a street and shall be at any time or at the times shown in the Order Plans;</p>	
2.	<p>For the purposes of Part II of this Order, a vehicle shall be deemed to wait:-</p>	
	(a)	<p>in any street or length of street specified in the Order Plans as having a waiting restriction, if any point in that street or length of street is below the vehicle or its load (if any) and the vehicle is stationary; or</p>
	(b)	<p>for more than a specified period in the same place in a restricted street if any point in a street is below the vehicle or its load (if any) throughout a period exceeding the specified period whether or not the vehicle is moved during that period;</p>
	(c)	<p>any reference to a street or length of street shall, unless otherwise specified, be construed as a reference to the whole width of that street or length of street;</p>
	(d)	<p>the restrictions, prohibitions and requirements imposed by Part II of this Order are in addition to and not in derogation of any restriction, prohibition or requirement imposed by any other enactment and any exception or exemption from the provisions of this Order is without prejudice to the provisions of any other enactment.</p>
<p>Application of Order</p>		
<p>The restrictions imposed by Part II of this Order are subject to the exceptions, exemptions, and supplementary provisions set out in Part III of this Order.</p>		
<p>Part II – Waiting and Loading restrictions and designation of Parking Places</p>		
3.	(1)	<p>No person shall cause or permit any vehicle to wait during the prescribed hours, in any street or length of street specified in the Order Plans as having a waiting restriction except for so long as may be necessary for the purpose of</p>

		delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the street or length of street.
	(2)	No person shall cause or permit any vehicle to wait in any road shown in the Order Plans as having a weight limit restriction if that vehicle exceeds the weight limit restriction except for so long as may be necessary for the purpose of delivering or collecting goods or for loading or unloading the vehicle at premises adjacent to the road.
	(3)	No person shall cause or permit any vehicle to wait, including waiting for the purpose of delivering or collecting goods or loading or unloading the vehicle during the prescribed hours, in any street or length of street specified in the Order Plans as having a 'No Loading/Unloading' restriction.
	(4)	Save as provided in Article 3 (5), no person shall cause or permit any vehicle to stop on any of the lengths of road and on such days during the permitted hours as specified in the Order Plans as having a 'No Stopping on Entrance Markings' restriction.
	(5)	Nothing in Article 3 (4) of this Section shall render it unlawful to cause or permit any vehicle to wait in the length or road referred to in that Article for so long as may be necessary to enable:-
	(a)	The vehicle to be used for emergency services purposes;
	(b)	A vehicle to wait owing to the driver being prevented from proceeding by circumstances beyond his control or to such waiting being necessary in order to avoid accident;
	(6)	No person shall cause or permit any vehicle the maximum weight of which exceeds 5 tonnes to wait during the prescribed hours, in any road or length of road in the Borough of Eastbourne
	(7)	No person shall cause or permit a bus or coach to wait in any road or length of road in the Borough of Eastbourne
4.	(1)	Each parking place may be used, subject to the provisions of this Order, for the leaving during the permitted hours of vehicles of the following class, that is to say, passenger vehicles or goods carrying vehicles (the gross weight of which does not exceed 5 tonnes, the height of which is not more than 2.28 metres and the overall length of which does not exceed 5.25 metres), motor cycles or invalid carriages.
	(2)	Each parking place referred to in the Order Plans as being Permit Holders parking places, or as being Permit Holders or Time Limited parking places may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles of the class specified in paragraph (1) of this Article which display in the manner specified in Article 5(2) either a valid resident's, business or day permit issued in respect of that vehicle under the provisions of this Order, or where such a permit is not displayed in the manner specified in Article 5(2), the vehicle does not wait in the parking place for a period exceeding the permitted length of stay.
	(3)	Each parking place referred to in the Order Plans as being Pay and Display

		parking places may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles of the class specified in paragraph (1) of this Article which display in the manner specified in Article 5(2) either a valid business permit or a valid ticket issued in respect of that vehicle under the provisions of this Order.
	(4)	Each parking place referred to in the Order Plans as being Permit Holder or Pay and Display parking places may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles of the class specified in paragraph (1) of this Article which display in the manner specified in Article 5(2) either a valid resident's, business or day permit or a valid ticket issued in respect of that vehicle under the provisions of this Order.
	(5)	Each parking place referred to in the Order Plans as being Motorcycle parking places may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles as are solo motor cycles.
	(6)	Each parking place referred to in the Order Plans as being Blue Badge Holders only parking places may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles clearly and continuously displaying in the relevant position a disabled person's badge.
	(7)	Each parking place referred to in the Order Plans as being Taxi parking places may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles as are taxis.
	(8)	Each parking place referred to in the Order Plans as being free parking places may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles of the class specified in paragraph (1) of this Article.
	(9)	Each parking place referred to in the Order Plans as being Goods Vehicle Loading Only may be used, subject to the provisions of this Order, for 'active loading' during the permitted hours of goods carrying vehicles of the class specified in paragraph (1) of this Article.
	(10)	Each parking place referred to in the Order Plans as being Loading Only may be used, subject to the provisions of this Order, for 'active loading' during the permitted hours of any vehicles of the class specified in paragraph (1) of this Article.
	(11)	Each parking place referred to in the Order Plans as being Time Limited parking places may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles of the class specified in paragraph (1) of this Article, provided that the vehicle does not wait in the parking place for a period exceeding the permitted length of stay.
	(12)	Each parking place referred to in the Order Plans as being Ambulance parking places may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles as are ambulances.
	(13)	Each parking place referred to in the Order Plans as being Buses parking places may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles as are buses.

	(14)	Each parking place referred to in the Order Plans as being Doctors parking places may be used, subject to the provisions of this Order, for the leaving during the permitted hours of such vehicles displaying a valid Doctor's permit issued by Eastbourne Parking Information Centre.
Part III – Supplementary Provisions		
Display of tickets, permits, waivers and blue badges		
5.	(1)	A valid ticket shall be clearly and continuously displayed in a vehicle so that the amount paid, expiry date and expiry time of the parking period is clearly visible from the front or nearside of the vehicle, for its entire length of stay in that parking place.
	(2)	A valid permit shall be clearly and continuously displayed in a vehicle so that the VRM (Vehicle Registration Mark), permit code and expiry date, or in the case of a scratch card permit the VRM, permit code and date when parking is allowed, including the time where applicable, is clearly visible from the front or nearside of the vehicle, for its entire length of stay in that parking place.
	(3)	A valid waiver shall be clearly and continuously displayed in a vehicle so that the location, dates and times of the waiver are clearly visible from the front or nearside of the vehicle, for its entire length of stay in that parking place.
	(4)	A valid blue badge shall be clearly and continuously displayed in a vehicle so that the serial number, issuing authority and expiry date, and where applicable, the time clock set at the time of arrival, are clearly visible from the front or nearside of the vehicle, for its entire length of stay in that parking place.
	(5)	When payment has been made according to Article 15 (4) there shall be no requirement to display a ticket or permit, and evidence that the charge has been paid shall be provided by the appearance on a hand-held device (where “hand-held device” means a wireless hand-held computer used by a Civil Enforcement Officer, which is programmed to interface with the telephone payment system) of:
		(a) an indication that the correct payment for a valid permit applicable to the parking place in which the vehicle has been left has been made in respect of that vehicle; or
		(b) an indication that the correct payment applicable to the parking place in which the vehicle has been left has been made in respect of that vehicle, together with details of the date and time of the expiry of the parking period for which that payment has been made; and
		(c) an indication that the parking period for which the payment has been made has not expired.
	(6)	When payment has been made via an online application, there shall be no requirement to display a ticket or permit, and evidence that the payment has been paid shall be provided by the appearance on a hand-held device (where “hand-held device” means a wireless hand-held computer used by a Civil Enforcement Officer), provided that:
		(a) an ‘online application’ has been approved by East Sussex County Council,

		and
	(b)	the session has been activated by the online application.
Contraventions and Penalty Charge		
6.	A penalty charge will be payable if a vehicle is left in a parking place without complying with the provisions of this Order. A contravention shall be deemed to have occurred if:	
	(a)	a vehicle is parked after expiry of the parking period for which the parking charge (where applicable) was paid; or
	(b)	a vehicle is parked without displaying a valid ticket in accordance with Article 5 (1) of this Order or a valid permit in accordance with Article 5 (2) of this Order, or where necessary both, or a valid waiver in accordance with Article 5 (3), or a valid blue badge in accordance with Article 5 (4), as required for that parking place; or
	(c)	where facilities allow payment by a mobile telephone, confirmation of a valid parking period or parking charge paid for that parking place does not appear on the CEO's hand-held device when the VRM is entered; or
	(d)	a vehicle is parked in a parking space or part of a parking place designated for a specific user and it is not of that class of vehicle or driver; or
	(e)	where there are marked bays in a parking place, a vehicle is not parked fully within a marked bay; or
	(f)	a vehicle is parked obstructing the entrance or exit of the parking place or causing an obstruction to other vehicles using the parking place; or
	(g)	a vehicle exceeds the permitted length, height or weight for that parking place; or
	(h)	a vehicle exceeds the permitted length of stay for that parking place; or
	(i)	a vehicle returns to the same parking place before the minimum length of time between stays has elapsed; or
	(j)	a vehicle is using the parking place for any purpose other than parking.
6.1	When a CEO identifies a contravention as having occurred they will issue a Penalty Charge Notice (PCN) which they will either attach to the vehicle in a noticeable position or hand to the driver of the vehicle.	
6.2	The driver of a vehicle which has been issued a PCN can pay the penalty charge to the Council by:	
	(a)	telephone, using a secure line which is available 24 hours, 7 days a week; or
	(b)	in person at the following addresses: Eastbourne Library, Grove Road, Eastbourne, BN21 4TL Hastings Library, Brassey Institute, 13 Claremont, Hastings, TN34 1HE Lewes Library, Styles Field, Friars Walk, Lewes, BN7 2LZ

	(c)	online, using a secure link from the Council's website; or
	(d)	sending cheque or postal orders (payable to East Sussex County Council) with the tear off slip at the bottom of the PCN, by post to East Sussex County Council, Parking Services, Eastbourne Library, Eastbourne, BN21 4TL
6.3		The amount of penalty charge referred to in Article 6.2 above shall be £70 for a Higher Level Contravention and £50 for all other contraventions.
6.4		A Penalty Charge Notice shall also be served by post by the Council (the enforcement authority) as defined in The Civil Enforcement of Parking Contraventions (England) General Regulations (CEPCGR) 2007 or any re-enactment or modification thereof from time to time in force where;
	(a)	on the basis of a record produced by an approved device, the authority has reason to believe that a penalty charge is payable with respect to a vehicle which is stationary in a civil enforcement area; or
	(b)	a civil enforcement officer had begun to prepare a penalty charge notice for service in accordance with regulation 9 of CEPGCR, but the vehicle concerned was driven away from the place in which it was stationary before the civil enforcement officer had finished preparing the penalty charge notice or had served it in accordance with regulation 9 of CEPGCR,
		and references in these Regulations to a "regulation 10 penalty charge notice" are to a penalty charge notice served by virtue of this paragraph.
Alteration of position, duty to move on, and contravention of restrictions		
7.	(1)	Where any vehicle is standing in a parking place in contravention of the provisions of Article 9, a civil enforcement officer may alter or cause to be altered the position of the vehicle in order that its position shall comply with those provisions.
	(2)	Notwithstanding any exception or exemption contained in this Order, the person in control of a vehicle waiting during the prescribed hours in any restricted street, or in any street or length of street with No Waiting restrictions, or in a parking place shall move the vehicle on the instructions of a police constable in uniform or a civil enforcement officer whenever such moving may be reasonably necessary for the purpose of preventing or removing obstruction, including any obstruction to pedestrians or obstruction to lines of sight for reasons of safety.
	(3)	Except as provided by this Order, if a person causes or permits a vehicle to wait during the prescribed hours in any restricted street or length of street with No Waiting or No Loading restrictions, then a contravention shall be deemed to have occurred and a penalty charge shall be payable.
	(4)	Except as provided in this Order, if a person causes or permits a vehicle to be in a Bus Lane, whether it be for the purposes of driving, waiting, stopping, loading, unloading, or any other reason during the prescribed hours then a contravention shall be deemed to have occurred and a penalty charge shall be payable.
Exemptions for vehicles displaying a disabled person's badge when left in certain		

parking places

8.	(1)	Notwithstanding the foregoing provisions of this Order, a vehicle which displays in the relevant position a valid disabled person's badge may be left in a parking place referred to in the Order Plans as being Pay and Display, Permit Holders or Pay and Display, Time Limited, Permit Holders or Time Limited, or for Disabled Persons without charge or time limit provided that the use of that part of the parking place in which the vehicle is left has not been suspended.
	(2)	Without prejudice to the generality of this Article, a disabled person's vehicle shall stand in a parking place in accordance with the provisions of Article 9.

Exemptions for vehicles displaying a disabled person's badge when left in restricted streets or streets with waiting restrictions

8.1	Notwithstanding the foregoing provisions of this Order, a vehicle which displays in the relevant position a valid disabled person's badge and a time clock, may be left in any part of a street or length of street specified in the Order Plans as No Waiting At Any Time or No Waiting during certain times, or a restricted street for a period of not more than 3 hours (not being a period separated by an interval of less than one hour from a previous period of waiting by the same vehicle in the same length of road), provided that:-	
	(1)	the driver of the vehicle or other person in charge of the vehicle sets the time clock to the time at which the period of waiting has begun;
	(2)	the Disabled Persons Blue Badge and time clock are clearly and continuously displayed, and;
	(3)	the vehicle is not causing obstruction or inconvenience to other road users, including pedestrians.

Other exemptions

8.2	Nothing in Part II of this Order shall render it unlawful to cause or permit a vehicle to wait in any street or length of street specified in the Order Plans as No Waiting At Any Time or No Waiting during certain times, as a restricted street, Pay and Display, Permit Holder Only, or Permit Holder or Pay and Display parking places:	
	(a)	for so long as may be necessary to allow the vehicle to be used in connection with the removal of any obstruction to traffic;
	(b)	if the driver is required by law to stop or is prevented from proceeding by circumstances beyond their control or such waiting is necessary to avoid an accident;
	(c)	while the vehicle is being used by a universal service provider in the course of the provision of a universal postal service and the vehicle is waiting only for so long as may be reasonably necessary for postal packets to be collected or delivered at premises or posting boxes adjacent to the place in which the vehicle is waiting;
	(d)	while the vehicle is being used in connection with any of the following:-
	(i)	any building operation, industrial operation, demolition or excavation in or adjacent to that street or length of street;

	(ii)	the maintenance, improvement, re-construction, cleansing or lighting of that street or length of street;
	(iii)	the laying, erection, alteration or repair in or adjacent to that street or length of street of any sewer or of any pipe, main or apparatus for the supply of gas, water or electricity, or of any telecommunication system;
	(iv)	the placing, maintenance or removal of any traffic sign in that street or length of street, if the vehicle cannot be conveniently and lawfully used for these purposes in a street not being a street referred to in the Order Plans as having waiting or parking restrictions;
	(v)	the posting or removing of advertising material in the form of posters on or from, or cleaning windows or chimneys in premises adjacent to that street or length of street.
	(e)	while the vehicle is in actual use in connection with the removal of furniture or in connection with a wedding or a funeral;
	(f)	while the vehicle is being used for the purpose of selling or offering for sale of goods from the vehicle by a person who is licensed by the Council to sell goods from a stationary vehicle on a pitch situated in the place where the vehicle is waiting;
	(g)	in relation to a vehicle being used for ambulance, fire brigade, police, or other emergency vehicle purposes, provided the vehicle is being used for statutory duties;
	(h)	in relation to a vehicle being used in the service of a local authority in pursuance of statutory powers or duties provided that in all the circumstances the vehicle cannot reasonably be used for such purpose in a street not being a restricted street;
	(i)	to anything done with the permission or at the direction of a police constable in uniform or a civil enforcement officer;
	(j)	where notice is given to the Council or authorised agent, their consent is obtained in writing and any such conditions as they may impose are complied with.

Manner of standing in a parking place

9.	(1)	The driver of a vehicle waiting in a parking place during the permitted hours shall cause it so to stand:-
	(a)	in the case of a parking place in relation to which special provisions as to the manner of standing of a vehicle in that parking place are specified, so as to be in accordance with those provisions;
	(b)	in the case of any other parking place so that the longitudinal axis of the vehicle is parallel to the edge of the carriageway nearest to the vehicle and the wheels of the vehicle are not more than 30 centimeters away from the edge of the carriageway nearest the vehicle;
	(c)	so that every part of the vehicle is within the limits of a parking place;

		(d)	so that no part of the vehicle obstructs any vehicular means of ingress to or egress from any premises adjacent to the side of the road on which the vehicle is waiting.
	(2)		The driver of a motor cycle waiting in a parking place during the permitted hours shall cause it so to stand:-
		(a)	so that every part of the vehicle is within the limits of that parking place;
		(b)	so that no part of the vehicle obstructs any vehicular means of ingress to or egress from any premises adjacent to the side of the road on which the vehicle is waiting.
	(3)		For the purposes of sub-paragraph (1)(d) and (2)(b) of this Article, the expression "premises" shall not include any premises to or from which any furniture is being removed by virtue of the provisions of Article 12(3)(a) or to or from which goods are being delivered or collected by virtue of the provisions of Article 12(3)(b).
Power to suspend the use of a parking place			
10.	(1)		The Chief Officer of Police or any police officer above the rank of Chief Inspector may suspend the use of a parking place or any part thereof for a period not exceeding twenty-eight days whenever he considers such suspension necessary for maintaining the security of premises in the vicinity of that parking place.
	(2)		At the expiration of the period of twenty-eight days mentioned in paragraph (1) of this Article, the suspension of the parking place, as the case may be, or any part thereof shall be reviewed by the person who suspended its use and any continuation of the suspension that they consider necessary shall be notified to the Council and shall not exceed a further period of twenty-eight days without similar review.
	(3)	(a)	Any person duly authorised by the Council or authorised agent may suspend the use of a parking place or any part thereof whenever they consider such suspension reasonably necessary:-
		(b)	on any occasion on which it is likely, by reason of some special attraction or occurrence, that any street will be thronged or obstructed;
		(c)	for the purpose of any building operation, demolition or excavation adjacent to the parking place, the maintenance, improvement or reconstruction of the highway or the cleansing of gullies in or adjacent to the parking place or loading area, as the case may be, the laying, erection alteration or repair in or adjacent to the parking place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication system or the placing, maintenance or removal of any traffic sign;

	(d)	for the convenience of occupiers of premises adjacent to the parking place on any occasion of the removal of furniture to or from one office or dwelling-house adjacent to that parking place from or to a depository, or another office or dwelling-house;
	(e)	for the convenience of occupiers of premises adjacent to the parking place at times of weddings or funerals, or on other special occasions.
(4)		A police constable in uniform may suspend for not longer than seven days the use of a parking place or any part thereof whenever he considers such suspension reasonably necessary:-
	(a)	for the purpose of facilitating the movement of traffic or promoting its safety;
	(b)	on any occasion on which it is likely, by reason of some special attraction or occurrence, that any street will be thronged or obstructed.
(5)		On the suspension of the use of a parking place or any part thereof in accordance with the provisions of this Article, the person authorising or causing such suspension shall place or cause to be placed in or adjacent to that parking place, or that part thereof, as the case may be, a traffic sign indicating that waiting by vehicles is prohibited.
(6)		No person shall cause or permit a vehicle to wait in a parking place or any part thereof at any time during which there is displayed in or adjacent to that parking place or that part thereof, as the case may be, a traffic sign placed in pursuance of paragraph (5) of this Article. Provided that nothing in this paragraph shall apply:-
	(a)	in respect of any vehicle being used for ambulance, fire brigade or police purposes or any vehicle which is waiting for any reason specified in Article 12(2)(b), (d) or (e);
	(b)	to anything done with the permission of the person suspending the use of the parking place or the part thereof, as the case may be, in pursuance of paragraph (1), (3) or (4) of this Article, a police constable in uniform or a civil enforcement officer.

Restriction on the use of a parking place

11.		During the permitted hours no person shall use any parking place or any vehicle while it is in a parking place in connection with the sale or offering or exposing for sale of any goods to any person in or near the parking place or in connection with the selling or offering for sale of their skill in handicraft or their services in any other capacity. Provided that, nothing in this Article shall prevent the sale or offering or exposing for sale of goods from a vehicle:-
	(a)	if the vehicle is a passenger vehicle, a goods carrying vehicle, a motor cycle or an invalid carriage and the goods are immediately delivered at or taken into premises adjacent to the vehicle from which the sale is effected; or
	(b)	if the vehicle is one to which the provisions of Article 12(3)(b) apply.

Restriction on waiting by a vehicle in a parking place

12.	(1)	During the permitted hours no person shall use any parking place or any vehicle while it is in a parking place in connection with the sale or offering or exposing for sale of any goods to any person in or near the parking place or in connection with the selling or offering for sale of their skill in handicraft or their services in any other capacity. Provided that, nothing in this Article shall prevent the sale or offering or exposing for sale of goods from a vehicle:-	
	(2)	Notwithstanding the foregoing provisions of this Order, any vehicle may wait during the permitted hours in any part of a parking place if the use of that part has not been suspended and if:-	
		(a)	the vehicle is waiting for so long as may be reasonably necessary to enable a person to board or alight from the vehicle or load thereon or unload therefrom their personal luggage;
		(b)	the vehicle is waiting owing to the driver being prevented from proceeding by circumstances beyond their control or to such waiting being necessary in order to avoid an accident;
		(c)	the vehicle is being used for emergency vehicle purposes or, not being a passenger vehicle, is being used in the service of a local authority in pursuance of statutory powers or duties provided that in all the circumstances it is reasonably necessary in the exercise of such powers or the performance of such duties for the vehicle to wait in the place in which it is waiting;
		(d)	the vehicle is waiting only for so long as may be necessary to enable it to be used in connection with the removal of any obstruction to traffic;
		(e)	the vehicle is being used by a universal service provider in the course of the provision of a universal postal service and the vehicle is waiting only for so long as may be reasonably necessary for postal packets to be collected or delivered at premises or posting boxes adjacent to the place in which the vehicle is waiting;
		(f)	the vehicle, not being a passenger vehicle, is waiting only for so long as may be necessary to enable it to be used for any purpose specified in Article 10(3)(c);
		(g)	the vehicle is waiting with the written consent of the Council or authorised agent and such conditions and requirements as they may impose are being complied with.
	(3)	Notwithstanding the foregoing provisions of this Order, any vehicle may wait during the permitted hours in any part of a parking place if the use of that part has not been suspended and if:-	
		(a)	the vehicle is in actual use in connection with the removal of furniture to or from one office or dwelling-house adjacent to the parking place from or to a depository, another office or dwelling-house;
		(b)	in any other case the vehicle is waiting for the purpose of delivering or collecting goods or loading or unloading the vehicle at premises adjacent to the parking place in which the vehicle is waiting and the vehicle does not wait for such purpose for more than twenty minutes or for such longer period

		as a civil enforcement officer may approve.
	(4)	Except as provided by this Order, the driver or person in charge of a vehicle shall not cause or permit that vehicle to wait in a parking place during the permitted hours.
	(5)	The driver of a vehicle waiting in a parking place by virtue of the provisions of paragraph (1) (2) or (3) of this Article shall cause it so to stand in accordance with the provisions of Article 9.
	(6)	Nothing in the foregoing provisions of this Order shall be taken as authorising anything which would be a contravention of any Regulations made or having effect as if made under section 25 of the Road Traffic Regulation Act 1984 or any re-enactment or modification thereof from time to time in force relating to pedestrian crossing regulations.
Installation of ticket parking meters, placing of traffic signs, etc.		
13.	The Council shall:-	
	(a)	place and maintain traffic signs indicating the limits of each parking place;
	(b)	place and maintain in or in the vicinity of each parking place traffic signs indicating that such parking place may be used during the permitted hours for the leaving only of the vehicles specified in Article 4;
	(c)	carry out such other work as is reasonably required for the purposes of the satisfactory operation of a parking place.
Amount of the parking charge paid at ticket parking meters and maximum parking periods		
14.	(1)	Except as provided in Article 21, the relevant parking charge for a vehicle left in a parking place referred to in the Order Plans as being Pay and Display, or Permit Holders or Pay and Display parking places during the permitted hours shall, subject as hereinafter provided, be as specified in Schedule G5.
	(2)	Where payment of the parking charge has been made in respect of a vehicle left in a parking place referred to in the Order Plans as being Pay and Display parking places, or Permit Holders or Pay and Display parking places, the parking period shall not exceed that period shown in the Order Plans.
Payment of the Parking Charge		
15.	(1)	The driver of a vehicle using a parking place shall pay the parking charge relevant to that parking place.
	(2)	The parking charge shall be paid:
	(a)	where facilities allow, by the insertion of coins into 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

	(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
	(c)	where facilities allow, by a mobile telephone payment; or
	(d)	where facilities allow, in the case of a Permit, by a mobile telephone payment or by any other method described in this Order.
(3)		When payment of a parking charge is made using a pay and display ticket machine, a ticket will be issued by the machine identifying the amount paid and the expiry time of the parking period, and the VRM of the vehicle. This ticket is non-transferable between parking places or vehicles and must be displayed in the vehicle as set out in Article 5.
(4)		When payment is made by mobile telephone, the parking place will be identified by the Location Identification Number (LIN) displayed on the information signs and the parking period paid for will only be valid for that specific parking place and vehicle. The LIN, parking charge paid and parking period will be available for CEOs to view on their hand-held devices when the VRM is entered.
(5)		If, when a vehicle is parked in a parking place, payment of the parking charge is not possible using the drivers preferred method, it should be paid using any alternative method available. Where there is a problem with a pay and display ticket machine, the driver should check if there is another machine in that parking place that could be used.
(6)		Only if all of the facilities for paying the parking charge at a parking place are not working or have been covered by an authorised agent, will the driver of that vehicle be exempt from paying the parking charge, provided that if the said facilities are rectified or replaced not later than two hours before the expiration of the permitted hours, the vehicle is removed within two hours of such rectification or replacement. If the vehicle is not so removed the parking charge for a period of two hours shall be deemed to have been incurred and paid at the time when the vehicle was left in the parking place and all the provisions of this Order shall apply accordingly.

No additional tickets to be displayed

16.	Where a ticket has been displayed on a vehicle in accordance with the provisions of Article 15(3), no person shall display or cause to be displayed on that vehicle any ticket other than that which was initially displayed on that vehicle at the time the vehicle was first left in a parking place. Provided that, nothing in this Article shall apply in relation to a vehicle which is taken away from a parking place and –
(1)	is returned to that same parking place after the expiration of at least one hour from the time the vehicle was taken away from that parking place; or
(2)	is left in a different parking place.

Restriction on the removal of tickets

17.	Where a ticket has been displayed on a vehicle in accordance with the provisions of
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Article 15(3), no person not being the driver of the vehicle shall remove the ticket from the vehicle unless authorised to do so by the driver of the vehicle.

Indications by tickets

- | | | |
|-----|-----|--|
| 18. | (1) | Payment of the parking charge for a vehicle left in a parking place referred to in the Order Plans as being Pay and Display, or Permit Holders or Pay and Display parking places shall be indicated by the issue by a ticket parking meter of a ticket indicating that a parking charge has been paid, and the day and time by which the parking period will expire, and by the display of that ticket in the manner specified in Article 15(3). |
| | (2) | The expiry of the parking period in respect of a vehicle left in a parking place referred to in the Order Plans as being Pay and Display, or Permit Holders or Pay and Display parking places shall be indicated when there is displayed on the vehicle a ticket issued by a ticket parking meter relating to that parking place, showing the day and time by which the parking period will expire, and the day so shown is not the day on which the vehicle is left or the time shown on the clock of that ticket parking meter is later than the time shown on the ticket. |

Ticket and ticket parking meter indications as evidence

- | | | |
|-----|-----|--|
| 19. | (1) | Except as provided in Article 21, if at any time while a vehicle is left in a parking place referred to in the Order Plans as being Pay and Display, or Permit Holders or Pay and Display parking places during the permitted hours no ticket issued by a ticket parking meter is displayed on that vehicle in accordance with the provisions of Article 15(3) it shall be presumed, unless the contrary is proved, that the parking charge has not been duly paid. |
| | (2) | Except as provided in Article 21, if at any time while a vehicle is left in a parking place referred to in the Order Plans as being Pay and Display, or Permit Holders or Pay and Display parking places during the permitted hours, the ticket issued by a ticket parking meter and displayed on the vehicle in accordance with the provisions of Article 15(3) and the clock on the ticket parking meter by which such ticket was issued gives the indication mentioned in Article 18(2), it shall be presumed, unless the contrary is proved, that the parking charge has been duly paid in respect of that vehicle, and that the parking period has already expired. |
| | (3) | If it is presumed, unless the contrary is proved, in accordance with the provisions of paragraph (1) of this Article that the parking charge has not been duly paid, or in accordance with paragraph (2) of this Article that the parking period has already expired, then these indications shall be evidence that a contravention has occurred for the purposes of Article 6. |
| | (4) | Any ticket issued by a ticket parking meter relating to a parking place referred to in the Order Plans as being Pay and Display, or Permit Holders or Pay and Display parking places shall be presumed, unless the contrary is proved, to have been issued on the day shown thereon. |

No ticket to be displayed other than that obtained on payment of the parking charge

20.	(1)	No person shall display on a vehicle left in a parking place referred to in the Order Plans as being Pay and Display, or Permit Holders or Pay and Display parking places during the permitted hours any ticket other than that issued by the ticket parking meter relating to that parking place upon payment of the parking charge in respect of that vehicle.
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Exemptions from the parking charge

21.	(1)	Notwithstanding the provisions of Articles 14, 15 or 16, a vehicle which displays a valid business permit issued in respect of that vehicle in accordance with the provisions of this Order, may be left in a parking place referred to in the Order Plans as being Pay and Display parking places without time limit, provided that the use of that parking place has not been suspended.
	(2)	Notwithstanding the provisions of Articles 14, 15 or 16, a vehicle which displays either a valid resident's, business or day permit issued in respect of that vehicle in accordance with the provisions of this Order, may be left in a parking place referred to referred to in the Order Plans as Permit Holder Only, or Permit Holder or Pay and Display parking places without time limit provided that the use of that parking place has not been suspended.
	(3)	No parking charge shall be incurred or payable in accordance with the provisions of Article 15(2) in respect of any vehicle referred to in either paragraph (1) or (2) of this Article.

Interval before a vehicle may again be left in a parking place

22.	No vehicle which, having displayed a ticket, has been taken away from a parking place during the permitted hours shall, until the expiration of one hours from the time it was taken away, again be left in that parking place during the permitted hours.
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Issue of a Resident's Permit

23.	(1)	<p>A resident who is the registered keeper of a vehicle of the class specified in Article4(1) may apply to the Council or authorised agent for the issue of a resident's permit in respect of that vehicle and any such application shall be made on a form obtainable from the Council or authorised agent and shall include the particulars and information required by such form to be supplied and shall be accompanied by the remittance of the relevant charge specified in Schedule G2. Provided that, a resident may not apply to the Council or authorised agent for the issue of a resident's permit in any case where more than one other residents' permit has previously been issued to either that resident or any other resident in the same household and that permit remains valid or;</p> <p>if in the planning application process for the development of the premises of which the applicant for a permit is or will be a resident (hereafter "the Premises"), or if either as part of the process of the local planning authority considering whether prior approval under the Town and Country Planning (General Permitted Development) Order 1995 is required in respect of the Premises or in any document which specifies whether prior approval under the order is required in relation to the Premises, the local planning authority has and/or the Council in any consultation or other discussion with the planning authority has stated that no permit or a single permit will be issued in respect of the property.</p>
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	(2)	On receipt of an application for a resident's permit or after the issue of a resident's permit, the Council or authorised agent may at any time require an applicant for a resident's permit or a resident's Permit Holders, as the case may be, to produce to an officer of the Council or a representative of the authorised agent:-
	(a)	in respect of any application, such evidence as they may reasonably call for to verify the details of that application; or
	(b)	in respect of any resident's permit that has been issued, such evidence as they may reasonably call for to verify that the resident's permit is valid.
	(3)	On receipt of an application made under the provisions of this Article and on receipt of the relevant charge specified in Schedule G2, the Council or authorised agent, upon being satisfied that the applicant is a resident and is the registered keeper of the vehicle in respect of which the application is made and the vehicle is of the class specified in Article 4(1) and that no other permit which remains valid has been issued under the provisions of this Order in respect of that vehicle, shall issue to the applicant:-
	(a)	one resident's permit for the leaving during the permitted hours in a parking place referred to in the Order Plans as Permit Holder Only or Permit Holder or Pay and Display parking places, of the vehicle to which such resident's permit relates by the resident's Permit Holder or by any person using such vehicle with the consent of the resident's Permit Holder, other than a person to whom such vehicle has been let for hire or reward;
	(b)	one protective cover in which the resident's permit must be displayed.

Surrender, withdrawal and validity of resident's permits

24.	(1)	A resident's Permit Holder may surrender a resident's permit to the Council or authorised agent at any time and shall surrender a resident's permit to the Council or authorised agent on the occurrence of any one of the following events:
	(a)	the resident's Permit Holder ceasing to be a resident;
	(b)	the resident's Permit Holder ceasing to be the registered keeper of the vehicle in respect of which the resident's permit was issued;
	(c)	the withdrawal of such resident's permit by the Council or authorised agent under the provisions of paragraph (2) of this Article;
	(d)	the vehicle in respect of which such resident's permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 4(l).
	(2)	The Council or authorised agent may, by notice in writing served on the resident's Permit Holder by sending the same by the recorded delivery service to the resident's Permit Holder at the address shown by that person on the application for the resident's permit or at any other address believed to be that person's place of abode, withdraw a resident's permit if it appears to the Council or authorised agent that any of the events set out in paragraph (1)(a), (1)(b) or (1)(d) of this Article has occurred and the resident's Permit Holders shall surrender

		the permit to the Council or authorised agent within 48 hours of the receipt of the afore-mentioned notice.
	(3)	Where a resident's permit is issued to any person upon receipt of a cheque and the cheque is subsequently dishonoured, the resident's permit shall cease to be of any effect and the Council or authorised agent shall, by notice served on the person to whom such resident's permit was issued, by sending the same by the recorded delivery service to him or her at the address shown by that person on the application for the resident's permit or at any other address believed to be that person's place of abode, require that person to surrender the resident's permit to the Council or authorised agent within 48 hours of the receipt of the afore-mentioned notice.
	(4)	A resident's permit shall cease to be valid at the expiration of the period specified on it or on the occurrence of one or more of the events referred to in paragraph (1) of this Article, whichever is the sooner.

Application for and issue of duplicate resident's permits

25.	(1)	If a resident's permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the residents' permit has become altered by fading or otherwise, the resident's Permit Holder shall either surrender it to the Council or authorised agent or apply to the Council or authorised agent for the issue to them of a duplicate resident's permit and the Council or authorised agent, upon receipt of the resident's permit, shall issue a duplicate resident's permit, so marked, and upon such issue the resident's permit shall become invalid.
	(2)	If a resident's permit is lost or destroyed, the resident's Permit Holders may apply to the Council or authorised agent for the issue to them of a duplicate resident's permit and the Council or authorised agent, upon being satisfied as to such loss or destruction, shall issue a duplicate resident's permit, so marked, and upon such issue the resident's permit shall become invalid.
	(3)	The provisions of this Order shall apply to a duplicate resident's permit and an application for a duplicate resident's permit, as if it were a resident's permit or, as the case may be, an application for a resident's permit.

Application for and issue of business permits

26.	(1)	A business user who uses a vehicle of the class specified in Article 4(l) that:-
	(a)	is essential to the operation of a business carried out at any premises the postal address of which is in a street or property within the controlled parking areas in Eastbourne; and
	(b)	is used for the purchase or sale of goods or services or for delivering goods or providing a service, in connection with that business –
		may apply to the Council or authorised agent for the issue of a business permit in respect of that vehicle and any such application shall be made on a form obtainable from the Council or authorised agent and shall include the particulars and information required by such form to be supplied and shall be accompanied by the remittance of the relevant charge specified in Schedule G3.

	(2)	On receipt of an application for a business permit or after the issue of a business permit, the Council or authorised agent may at any time require an applicant for a business permit or a business Permit Holder, as the case may be, to produce to an officer of the Council or a representative of the authorised agent:-
	(a)	in respect of any application, such evidence as they may reasonably call for to verify the details of that application; or
	(b)	in respect of any business permit that has been issued, such evidence as they may reasonably call for to verify that the business permit is valid.
	(3)	On receipt of an application made under the provisions of this Article and on receipt of the charge specified in Schedule G3, the Council or authorised agent, upon being satisfied that the applicant is a business user and uses the vehicle in respect of which the application is made and the vehicle is of the class specified in Article 4(1), shall issue to the applicant:-
	(a)	one business permit for the leaving during the permitted hours in a parking place referred to in the Order Plans as Permit Holder Only, or Permit Holder or Pay and Display, of the vehicle to which such business permit relates, by the business Permit Holders or by any person using such vehicle with the consent of the business Permit Holders, other than a person to whom such vehicle has been let for hire or reward;
	(b)	one protective cover in which the business permit must be displayed.

Surrender, withdrawal and validity of business permits

27.	(1)	A business Permit Holder may surrender a business permit to the Council or authorised agent at any time and shall surrender a business permit to the Council or authorised agent on the occurrence of any one of the following events:
	(a)	the business Permit Holder ceasing to be a business user;
	(b)	the business Permit Holder ceasing to be the user of the vehicle in respect of which the business permit was issued;
	(c)	the withdrawal of such business permit by the Council or authorised agent under the provisions of paragraph (2) of this Article;
	(d)	the vehicle in respect of which such business permit was issued being adapted or used in such a manner that it is not a vehicle of the class specified in Article 4(l);
	(e)	the issue of a duplicate business permit by the Council or authorised agent under the provisions of Article 28.
	(2)	The Council or authorised agent may, by notice in writing served on the business Permit Holder by sending the same by the recorded delivery service to the business Permit Holder at the address shown by that person on the application for the business permit or at any other address believed to be that person's place of abode or business, withdraw a business permit if it appears to the Council or authorised agent that any of the events set out in paragraph (1)(a), (1)(b) or (1)(d) of this Article has occurred and the business Permit Holders shall

		surrender the permit to the Council or authorised agent within 48 hours of the receipt of the afore-mentioned notice.
	(3)	Where a business permit is issued to any person upon receipt of a cheque and the cheque is subsequently dishonoured, the business permit shall cease to be of any effect and the Council or authorised agent shall, by notice served on the person to whom such business permit was issued, by sending the same by the recorded delivery service to him or her at the address shown by that person on the application for the business permit or at any other address believed to be that person's place of abode or business, require that person to surrender the business permit to the Council or authorised agent within 48 hours of the receipt of the afore-mentioned notice.
	(4)	A business permit shall cease to be valid at the expiration of the period specified on it or on the occurrence of one or more of the events referred to in paragraph (1) of this Article, whichever is the sooner.

Application for and issue of duplicate business permits

28.	(1)	If a business permit is mutilated or accidentally defaced or the figures or particulars thereon have become illegible or the colour of the business permit has become altered by fading or otherwise, the business Permit Holder shall either surrender it to the Council or authorised agent or apply to the Council or authorised agent for the issue to them of a duplicate business permit and the Council or authorised agent, upon receipt of the business permit, shall issue a duplicate business permit, so marked, and upon such issue the business permit shall become invalid.
	(2)	If a business permit is lost or destroyed, the business Permit Holders may apply to the Council or authorised agent for the issue to them of a duplicate business permit and the Council or authorised agent, upon being satisfied as to such loss or destruction, shall issue a duplicate business permit, so marked, and upon such issue the business permit shall become invalid.
	(3)	The provisions of this Order shall apply to a duplicate business permit and an application for a duplicate business permit, as if it were a business permit or, as the case may be, an application for a business permit.

Application for and issue of day permits

29.	(1)	An employer, hotelier or resident may apply to the Council or authorised agent for the issue of a day permit for use by either a concessionaire, health care worker, hotel guest, resident's visitor or tradesperson, as the case may be, in respect of a vehicle of the class specified in Article 4(1) being used by that person and any such application shall be made on a form obtainable from the Council or authorised agent and shall include the particulars and information required by such form to be supplied and shall be accompanied by the remittance of the relevant charge specified in Schedule G4. Providing that the quota of day permits issued to either a concessionaire, health care worker, hotel guest, resident's visitor or tradesperson, that the Council may from time to time resolve to limit, has not been exceeded.
	(2)	On receipt of an application made under the provisions of this Article and of the relevant charge specified in Schedule G4 and on being satisfied that the applicant is either a concessionaire, health care worker, hotel guest, resident's

		<p>visitor or tradesperson and that they satisfy the Council's criteria, the Council or authorised agent shall issue to the applicant a book of ten appropriate day permits, or in the case of a tradesperson, a book of five day permits, for the leaving during the permitted hours in a parking place referred to in the Order Plans as Permit Holder Only, or Permit Holder or Pay and Display parking places inclusive of vehicles of the class specified in Article 4(1):-</p> <p>Provided that the Council or authorised agent shall not issue more than the quota of day permits that the Council may from time to time resolve to supply.</p>
	(3)	The Council may at any time require an applicant for day permits to produce to an officer of the Council or the authorised agent such evidence in respect of an application for day permits as they may reasonably require to verify any particulars or information given to them or in respect of any day permits issued by them as they may reasonably call for to verify that the day permits are valid.
	(4)	A day permit shall be valid during the permitted hours from the beginning of the day on which it is first validated by the day Permit Holder until 11 a.m. on the following day.
	(5)	A day permit shall cease to be valid if more than one day has been scratched off or revealed.

Surrender, withdrawal and validity of day permits

30.	(1)	An employer, hotelier or resident may surrender a day permit to the Council or authorised agent at any time and shall surrender a day permit to the Council or authorised agent on ceasing to be either a concessionaire, health care worker, hotel guest, resident's visitor or tradesperson.
	(2)	The Council or authorised agent may, by notice in writing served on the day Permit Holder by sending the same by the recorded delivery service to the day Permit Holder at the address shown by that person on the application for the day permit or at any other address believed to be that person's place of abode, withdraw all day permits if it appears to the Council or authorised agent that the person has ceased to be a day Permit Holder and they shall surrender the permits to the Council or authorised agent within 48 hours of the receipt of the aforementioned notice.

Refunds of charges paid for resident's permits and business permits

31.		A resident's Permit Holder or a business Permit Holder who surrenders a resident's permit or a business permit respectively to the Council or authorised agent, shall be entitled to a refund of the charge paid or part of the charge paid, in accordance with the provisions set out in Schedule G6.
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Restriction on the removal of permits

32. Where a resident's permit, a business permit or a day permit has been displayed in accordance with the provisions of Article 5, no person not being the driver of the vehicle shall remove that permit unless authorised to do so by the driver of the vehicle:
- Provided that nothing in this Article shall apply to a civil enforcement officer or a police constable in uniform or any other person removing the vehicle in pursuance of an arrangement made under regulations in pursuance of powers contained in sections 99, 100 and 101 of the Road Traffic Regulation Act 1984.

Form of Permits

33. (1) A resident's permit or a business permit shall be in writing and shall include the following particulars:-
- (a) the registration mark of the vehicle in respect of which the permit has been issued;
 - (b) the period during which the permit shall remain valid, subject to the provisions of Article 24(4) or 27(4), as the case may be;
 - (c) an indication that the permit has been issued by the Council or authorised agent; and
 - (d) an indication of the parking sub-zone or sub-zones within which the permit is valid.

Clamping, moving and removal of a vehicle

34. (a) When a persistent evader is identified in a parking place, a person authorised on behalf of the Council may clamp the vehicle. The owner is responsible for the payment of the clamping fees before their vehicle will be released. If the vehicle is in contravention at the time it is identified and a PCN is issued, this must also be paid before the vehicle is released.
- (b) When a contravention of this Order has occurred or a persistent evader is identified, a person authorised on behalf of the Council may move the vehicle to a different position within that parking place so that it complies with the provisions of this Order, or remove the vehicle completely from the parking place.
- (c) Any person authorised by the Council for moving or removal of vehicles in a parking place may do so by any manner they think necessary and when removing a vehicle from a parking place, will make sure the vehicle is stored securely until such time as the owner claims the vehicle. The owner is responsible for the payment of any removal and storage charges before their car will be released.

STRUCTURE OF TARIFFS

SCHEDULE G – LEVELS OF PENALTY CHARGES AND CHARGES RELATING TO PERMITS AND PAY AND DISPLAY TICKETS.

Part A. Cost of resident permits

	1st Permit		
Period	12 Months	6 Months	3 Months
Cost	£25.00	£15.00	£8.00

2nd Permit		
12 Months	6 Months	3 Months
£75.00	£38.00	£19.00

Part B. Cost of Business Permits

Vehicle Type	All Zone Permit		
Period	12 Months	6 Months	3 Months
Petrol/Diesel	£420	£210	£105
Electric/LPG	£100	£50	£25

Single Zone Permit		
12 Months	6 Months	3 Months
£220	£110	£55
£100	£50	£25

Part C. Cost of Doctor's Permits

Doctors Permit - £60 each

Part D. Day Permits

Type of permit	Cost
Resident Visitor	£5 per book of 10 (50 pence each)
Resident Visitor (Concessions)	£2.50 per book of 10 (25 pence each)
Hotel Guest	£10 per book of 10 (£1 each)
Health and Care Worker	£5 per book of 10 (50 pence each)
Tradesperson's Permit	£2 each

Part E. Charges relating to pay and display tickets

Length of Stay	Central controlled area (Max. stay 2 hours) *1	Rest of CPZ (Max. stay 2 hours)	Rest of CPZ (Max. stay 4 hours) *2	Seafront (Max. stay 23 hours 55 mins) *3	Seafront (Max. stay 23 hours 55 minutes)	Central controlled area (No Max. stay) *4
Up to 15 mins	20p	20p	20p	20p	-	20p
Up to 30 mins	£1.00	50p	40p	40p	-	40p
Up to 1 hour	£2.00	£1.00	£1.00	80p	-	80p
Up to 2 hours	£3.00	£2.00	£2.00	£1.50	20p	£1.50
Up to 4 Hours	n/a	n/a	£3.00	£2.50	£1.20	£2.50
Up to 6 Hours	n/a	n/a	n/a	£3.00	£1.50	£3.00
More than 6 hours	n/a	n/a	n/a	£4.00	£4.00	£4.00

*1 Tariff structure in Hyde Gardens, Lushington Road, Cornfield Road and Gildredge Road.

*2 Tariff structure in Burlington Place (between Compton Street and Grand Parade) Howard Square, Lascelles Terrace and Wilmington Square.

*3 Tariff Structure applicable on South Cliff, King Edwards Parade, Grand Parade, Marine Parade, Royal Parade.

*4 Tariff Structure applicable in Hardwick Road

Part F. Refunds relating to Resident and Business Permits

	Amount of Refund
Permit surrendered before it becomes valid	
	Full refund of charge paid
Permit surrendered after it becomes valid	
12 monthly	The sum of one twelfth of the charge paid in respect of each complete month which remains unexpired at the time the permit is surrendered
6 monthly	The sum of one sixth of the charge paid in respect of each complete month which remains unexpired at the time the permit is surrendered
3 monthly	The sum of one third of the charge paid in respect of each complete month which remains unexpired at the time the permit is surrendered

There will be no charge for Motorcycles parking in permit only or designated motorcycle bays. Motorcycles must park perpendicular to the kerb line.

THE COMMON SEAL of the EAST)
SUSSEX COUNTY COUNCIL was)
Affixed hereunto on the day)
of two thousand and)
in the presence of:)

Committee: **Regulatory
Planning Committee**

Date: **12 February 2020**

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/836/CM**

Key Issues: **(i) Managing waste wood**
 (ii) Effect of dust
 (iii) Effect of noise
 (iv) Drainage
 (v) Highway matters

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

Local Member: **Councillor Chris Dowling**

SUMMARY OF RECOMMENDATIONS

1. The Committee is recommended to refuse planning permission, as set out at paragraph 8.1 of this report.

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, largely used for grazing, 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 five recently constructed houses in Squires Lane, some 130 metres to the south-east and at Tewitts Farm, about 240 metres to the west and south-west. 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. 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'. The latter sought retrospective permission for an extension to the yard into agricultural land.

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, without planning permission, 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 sought to find ways of removing the waste wood but was unsuccessful.

2.4 In early 2018, the applicant received pre-application advice for a waste wood operation at the site. However, it came to the attention of the Council in the autumn of that year that further waste wood had been imported for processing without planning permission. Following investigations and the cautioning of the operator, due to a breach of the Enforcement Notice having taken place, the applicant submitted a planning application (ref. WD/820/CM) in March 2019 to regularise the operation, which also included the means to dispose of the historic waste wood. The planning application was due to be presented at the September 2019 Planning Committee with a recommendation for refusal but the applicant withdrew it before the meeting.

3. The Proposal

3.1 This proposal is similar to the development under WD/820/CM, as it is for the retention of a wood recycling facility, although now includes provision for an acoustic barrier. The development has now been operating on an unauthorised basis for over 12 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. A maximum of up to 500 tonnes of fresh waste wood would be stored at the site at a height not exceeding 4 metres.

3.2 The proposed throughput of fresh waste material, involving both processed wood such as pallets and 'virgin' wood such as tree branches, 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 8 (4 in, 4 out) daily vehicle movements would be required to facilitate the wood processing operations, half of which would be by heavy goods vehicles (HGVs). Transportation of wood waste would be controlled by the applicant who uses his own vehicles and any entry by third parties would be by appointment only. 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 be installed. The hours of operation would be between 0700 – 1800 on Mondays to Fridays and 0800 – 1300 on Saturdays with no operations on Sundays or Bank/Public Holidays, or Saturdays immediately following such holidays, except in emergencies. No shredding would take place in the hour of 07.00 – 08.00 Mondays to Fridays and not at all on Saturdays.

3.3 A 'square C-shaped' wall is proposed to be erected to provide a barrier against which the processing equipment would be located. According to the applicant, the wall would be constructed of concrete blocks and provide

acoustic screening, which would also help to contain dust. It would be 5.4 metres in height and 21.6 metres long. There would be two returns, the southern one being 3.6 metres in length and constructed from concrete blocks and the northern one being 3.8 metres in length and constructed from wood panelling. The applicant has indicated that the northern return comprises wood panelling so that it can be used as a moveable 'door' to provide more space when the machine is being cleaned. The highest part of the shredding machine is 3.03 metres with a width of 2.11 metres and a length of 12.05 metres. A water mister would be positioned over the discharge conveyor to dampen dust.

3.4 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 up to 167 tankers would need to enter the site per annum and remove collected rain water. The proposal also includes the formation of a bund along the eastern boundary, largely comprising degraded waste wood from the site, which would be some 2 metres in height and 6 metres in width. This would be subject to planting, to strengthen the screening at this part of the site. A large section of this bund is already in place.

3.5 The applicant has considered the possibility of using the existing buildings on site to accommodate the operations, as it could reduce potential noise and dust impacts. However, the applicant considers that they are unsuitable due to physical limitations of space and height, unsuitable construction and the requirement for retrofitting a fire prevention system and insulation, as well as adjoining other businesses.

4 Consultations and Representations

4.1 Wealden District Council raises no objections in planning terms, subject to an appropriate consideration of impacts on European sites and neighbouring amenity issues, especially noise and dust. There is a need for a Habitats Regulation Assessment and consideration on whether an Appropriate Assessment is required.

The Environmental Health Officer (EHO) advises that in considering the context of the application, which is for shredding to occur on a B2 industrial estate, which has been operating as such for many years, the recommendation can only be for approval subject to conditions.

4.2 Framfield Parish Council strongly objects for the following reasons: (i) Squires Farm Industrial Estate is situated in a rural setting surrounded by open countryside and has grown over decades but not without negative impacts; (ii) There are historic/listed buildings nearby; (iii) There is historic waste wood on site which should have been removed; (iv) Noise from the machine is the main issue, there is no enclosure, the barrier is a wall which

could reflect noise; (v) Dust suppression is ineffective and there are problems on adjoining land; and (vi) There is an increase in vehicle movements.

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 concerns regarding the proposed management of surface water runoff, with particular regard to maintenance and management over the lifetime of the development. Although the LLFA notes the Environment Agency's policy, it strongly advises that the applicant reconsiders the drainage proposals, as they are unlikely to be sustainable in the long term. The LLFA considers that it would be preferable to separate runoff from the source of contamination, which would allow the site to discharge to the watercourse in line with national policy on surface water drainage. It has been noted that an automatic float trigger could be installed to monitor water levels but no confirmation has been given that an agreement is in place to tanker water off the site. If the site is flooded, it would be unlikely to have significant off-site impacts. While the LLFA does not support the proposal, it does not object and recommends conditions if planning permission is granted.

4.5 The Highway Authority raises no objections.

4.6 Local representations: 32 representations have been made, of which 20 raise objections and 12 offer support. A further two representations have been made by consultants, on behalf of the occupiers of Tewitts Farm, objecting to the proposal.

Local residents, landowners and employees at a business outside of the industrial estate have raised objections, which can be summarised as follows: (i) The adverse effects of noise from the operations, particularly from the shredder; (ii) An increase in traffic along Palehouse Lane; (iii) The adverse effect on the environment generally including pollution to the stream to the north of the site and the effect on people's health; (iv) Disruption to adjoining land, including an equestrian use; (v) Concerns over monitoring by the Council; (vi) The operation should be fully enclosed within an appropriate building; and (vii) Dust escaping from the site to adjoining land which affects the fields for grazing livestock, cutting grass for silage and the health of persons and animals. The consultants who have submitted representations on behalf of the occupiers of Tewitts Farm have raised certain matters including the effects of the development in relation to dust and noise emissions, environmental impact and the effect on the setting of listed buildings.

Persons from within the Squires Farm Industrial Estate and those from businesses involved in the waste wood and haulage industries, together with employees of the applicant's business have offered support. The nature of this support relates largely to: (i) The development being at an appropriate

location on an industrial estate; (ii) The applicant having been long established at the site; (iii) Recycling should be supported and more facilities should be provided; and (iv) The business provides an important product for other businesses and treats waste wood from other operators.

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

5.5 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 metals recycling facility.

6.2 The applicant has submitted this proposal to retain a wood recycling operation, which would also 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 (other than the waste material used in the bund), 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 beneficial way of managing waste wood, particularly when compared to disposal through landfill (although much of this type of wood would be likely to find its way to other recyclers). Allowing the importation and processing of fresh wood would enable much of 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 that little, if any, actual wood processing has taken place at the site for about 10 years under the provisions of the extant District Council planning permission, 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 Council, the Environment Agency, or the Highway Authority.

6.4 Notwithstanding the above, it should be noted that the applicant has indicated that after the first operational year, that is, the first year after any planning permission is granted, all the historic waste wood would have been removed from the site. However, the facility has already been operating for over a year and only a relatively small amount of historic waste wood has been removed. Based on what has been stated in the application, the applicant could have already removed this waste as part of the recycling operations. This then would have complied with the terms of the extant Enforcement Notice in relation to the removal of the waste and benefited the applicant by freeing up space within the yard. Unfortunately, this has not happened.

Effect of dust

6.5 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.

6.6 The processing of waste wood can generate dust and create nuisance for neighbouring uses and several representations refer to this. The applicant has submitted a Dust Management Plan (DMP) 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 DMP considers vehicle movements and materials storage, as well as how dust would be monitored. Although the Management Plan appears to address the main issues and could significantly reduce emissions if it was fully implemented, existing management practices at the site raise 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 apparently been in use 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 when in leaf.

6.7 Of particular concern is the effect of dust on adjoining land, which is used for agricultural purposes. Although the landowner to the east of the application site, who farms this land, did not make a representation regarding application WD/820/CM, she has for the current application and raises concerns on the effect of wood dust on the fields for grazing livestock and for the production of silage, as well on her own health. Although the DMP refers to employing best practice in terms of housekeeping operations, it is likely that dust will remain a concern for the farmer even with the construction of a barrier wall, due to the operation being carried out in the open and her land being down wind of the prevailing wind direction.

6.8 In spite of the proposed mitigation measures to control dust, which have apparently been employed during the period of operations up to now, dust emissions will be likely to continue to be generated to the extent that it will cause a nuisance and concern in the undertaking of farming activities on adjoining land. This is considered to be a serious matter and to allow the

operations to continue would likely result in harm. Therefore, in relation to dust emissions, the proposal is considered to be unacceptable, thereby conflicting 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.

Effect of noise

6.9 The policy considerations regarding the effects of noise are similar to those for dust and so paragraph 6.5 is also relevant to this issue.

6.10 The matter of noise is an 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.

6.11 In this case, the development has been operational for over a year 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 fresh waste wood, the re-shredding of that material and the shredding of the historic waste wood. A loading shovel facilitates this use.

6.12 Last September, planning application WD/820/CM was due to be recommended for refusal due to the likely impact of noise and the effect on amenity and the applicant withdrew it so further consideration could be given to mitigation. A revised Noise Impact Assessment has been submitted to inform the current application and the applicant considers that it addresses the concerns relating to noise. Mitigation measures have been included, specifically, a barrier wall, a commitment for no shredding to take place on Saturday mornings and the submission of a Noise Management Plan to minimise noise associated with site operations.

6.13 The Noise Impact Assessment includes calculations which have been undertaken to determine the noise level at the nearest residential properties at Squires Lane and Tewitts Farm from the operational plant. This has taken into account, *inter alia*, the intermittent nature of the operational noise by assuming that the noise will be +3 dB higher than the predicted modelled noise level and the effects of carrying out wood processing activities behind a 5.4 metres high acoustic barrier.

6.14 The predicted noise levels indicate that there would be an estimated +5 dB increase in noise levels above the background level during weekdays at Squires Lane and a +2 dB increase at Tewitts Farm. On Saturday mornings, it would be +10 dB and +3 dB, respectively. Although these results are only indicative forecasts and subject to some uncertainty, they do indicate that the most likely adverse effects would take place on Saturday mornings at Squires Lane when the shredder is in use. To avoid this effect, the applicant has stated that no processing would take place at this time. In terms of weekday processing, a +5 dB increase at Squires Lane would be likely to result in a noticeable increase in noise levels. However, the residential properties in this location were approved and built in the knowledge that the industrial estate would be a neighbour and that a mix of operational activities takes place (and could change in the future). Therefore, taking context into account, this level is not considered to be unacceptable. In relation to Tewitts Farm house, the predicted noise levels are not significant. This does not mean that there would be no increase in noise levels or that they would not be noticeable but that any such increase would fall within the World Health Organisation's recommendations relating to noise and the associated annoyance thresholds.

6.15 Monitoring and modelling of noise levels provide an indication of the potential noise rather than a precise assessment. Furthermore, people react to the same types and levels of noise in different ways. Consequently, judgements have to be made and advice taken from appropriate practitioners. Taking into account the predicted noise levels and the context of the site, together with the conditions recommended by the EHO and those that the County Council would wish to include if planning permission was granted, it is not considered that the potential effects of noise justifies a reason for refusal.

Drainage

6.16 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.

6.17 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.

6.18 The applicant has submitted a Flood Risk Assessment to inform the application and a full surface water management scheme is proposed, in line with Environment Agency 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.

6.19 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 does not support the proposed method of drainage, as it is considered unlikely to be sustainable in the longer term. Instead, the LLFA considers that it would be preferable to separate runoff from the source of contamination so that the runoff could be discharged into the watercourse. Concerns are also raised regarding this type of management regime in relation to the reliance on tankers, due to the high cost of disposal and that no guarantee can be provided that the storage unit will be emptied in a timely manner.

6.20 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, conditions should be included for the drainage works, including a timetable for installation, so they can be expedited once the historic waste wood is removed, thereby meeting appropriate drainage standards.

Highway matters

6.21 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.

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

6.23 The Parish Council and local residents have raised concerns regarding the use of Palehouse Common Road by heavy vehicles, 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.

Other matters

6.24 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 condition should be included requiring further details on the location of the wastewater treatment works to be used for the disposal of waste water and any associated routing implications for the Ashdown Forest at that time.

6.25 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 agricultural building 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.

6.26 Eastern bund: The proposal includes provision for a bund at the eastern side of the application site, which would be approximately 6 metres wide, 2 metres high and 130 metres in length. Much of this is already in place (although not to the stated maximum dimensions) with the north-eastern section, currently where the historic waste wood is located, remaining. Planting of trees and shrubs would take place on the eastern side of the bund. The applicant has noted that the reason for the bund would be to strengthen the screening of the eastern boundary of the site by forming a second line of landscaping behind the existing boundary hedge and to prevent encroachment of site operations at this boundary.

6.27 Despite the potential screening effect, the bund is a significant structure and appears to be a way of disposing of rotten material from the historic waste wood pile, rather than having to remove it from site. Although decomposed wood can form part of a compost to facilitate plant growth, the bund would need sufficient other soil/compost to provide for a more effective medium for water retention and nutrients for shrubs to thrive. Given that a hardstanding forms the ground surface beneath the bund, the planting of trees would be inappropriate. Although other material could be added to the bund to make it more suitable for shrub growth, the siting of such a large structure in this location is not considered appropriate. There is already an existing, robust boundary hedge on the eastern side, which screens the site. There appears to be no justifiable need for the bund. However, if planning permission is granted, conditions should be included restricting its size and use of materials, as well as identifying an appropriate planting mix and subsequent management programme.

6.28 Visual effect: 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. The proposed barrier wall would be a significant structure in the central part of the yard and visible from adjacent units within the estate. However, public views into the site are minimal and the proposal would not give rise to any adverse visual effect.

7. Conclusion and reason 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 fresh waste wood, the re-shredding of that wood and the shredding of on-site, historic waste wood. Measures are proposed to reduce noise, including the erection of a substantial barrier wall. 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 extant Enforcement Notice, regarding the removal of the historic waste wood.

7.3 However, Squires Farm Industrial Estate is located within the countryside and the general area is rural in character, with adjoining fields, some of which are used for agriculture. The nature of the wood recycling operation can result in the generation of significant levels of dust which finds its way onto adjoining land. As well as being a nuisance, its deposition constitutes a serious concern for the farmer who owns land to the east of the application site, regarding the grazing of livestock and the production of silage. Despite the application proposals including measures to reduce dust, there is uncertainty as to their effectiveness. Consequently, there is a real risk of continuing harm to the farming interests of this land, which is considered to be unacceptable. As such, the proposal would conflict 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 provisions of Part 12 of the National Planning Policy Framework 2019.

7.4 Although there are some concerns regarding noise, the proposed mitigation is considered to be acceptable given the context of the site. There are also concerns regarding the management of surface water runoff but as this would involve contaminated water, the Environment Agency would be responsible for controlling its discharge through a permit. Ideally, this type of development should be fully enclosed, which would likely prove beneficial in controlling dust and noise emissions, as well as directing surface water runoff to the water course.

7.5 This proposal is very finely balanced in terms of merit. However, the harmful effects of dust emissions to adjoining land cannot be ignored and therefore, the development is recommended for refusal.

7.6 In determining this planning application, the County Council has worked with the applicant and agent in a positive manner. The Council has

also sought views from consultees and neighbours and has considered these in preparing the recommendation. This approach has been taken positively and proactively in accordance with the requirement in the NPPF, and as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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

8. Recommendation

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

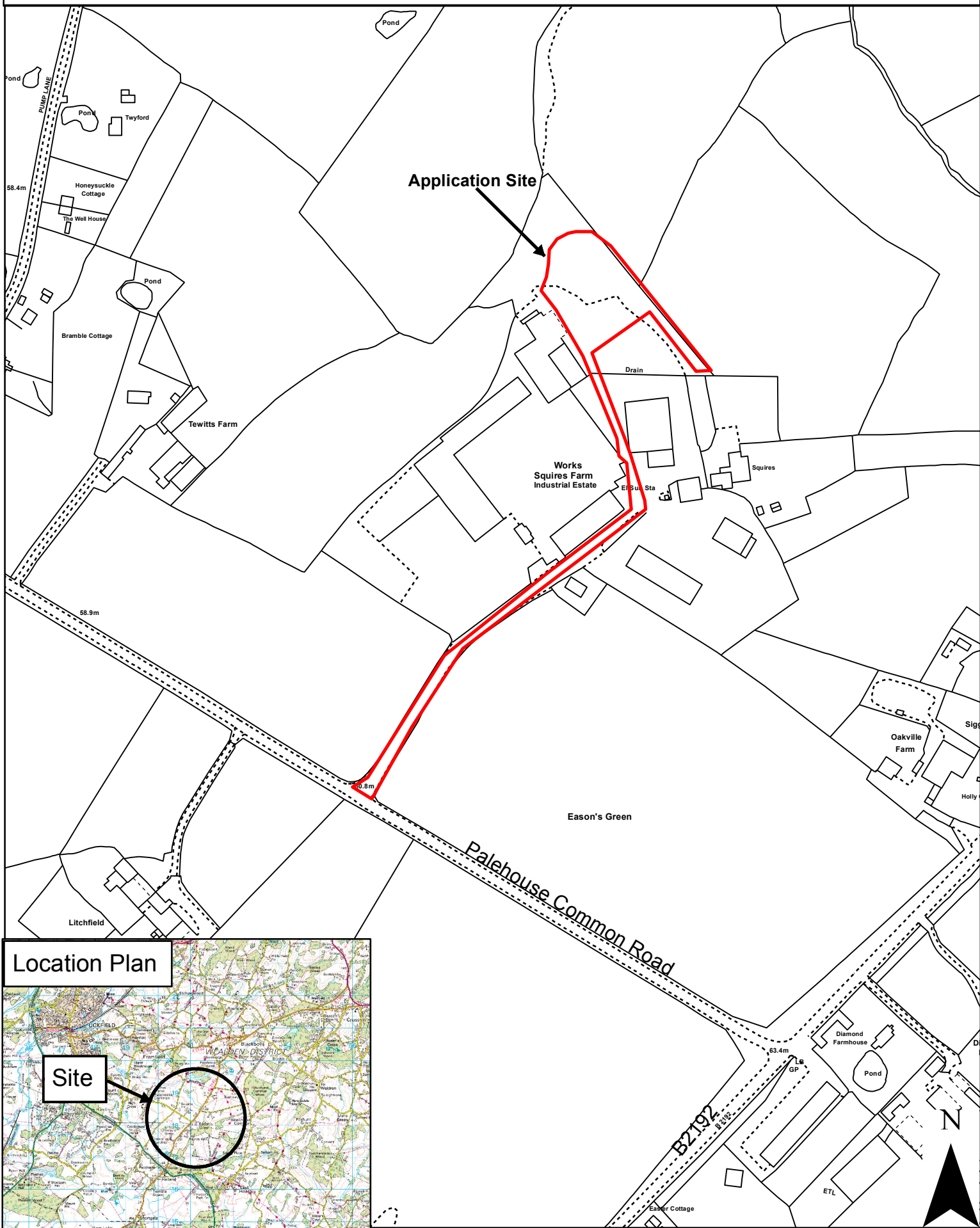
1. The development generates dust which is deposited on adjoining land. This creates concern and nuisance for landowners, particularly regarding the undertaking of agricultural activities which is considered to be harmful. Consequently, the development is unacceptable and conflicts with Policy WMP25 (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 the provisions of paragraph 127 of the National Planning Policy Framework 2019.

RUPERT CLUBB
Director of Communities, Economy and Transport
4 February 2020

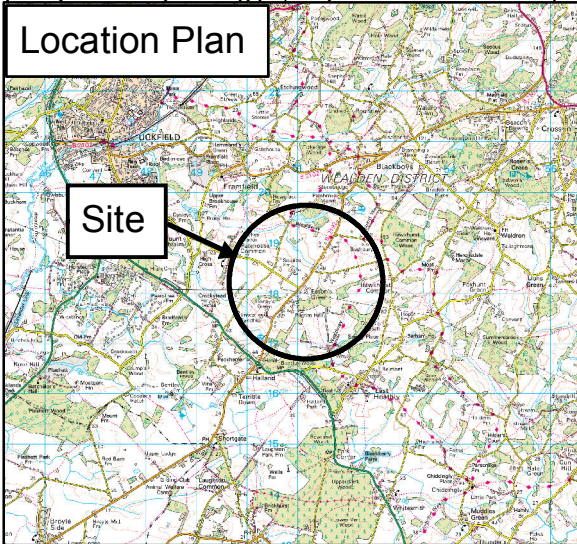
BACKGROUND DOCUMENTS

File WD/836/CM
Withdrawn planning application WD/820/CM
ESCC Enforcement Notice, dated 2 February 2016
The Development Plan
The National Planning Policy Framework 2019
Wealden District Council planning permissions

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Location Plan



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