

PLANNING COMMITTEE

MINUTES of a meeting of the Planning Committee held at Council Chamber, County Hall, Lewes on 16 October 2024.

PRESENT Councillors Tom Liddiard (Chair), Philip Lunn (Deputy Chair), Abul Azad, Godfrey Daniel, Kathryn Field, Eleanor Kirby-Green and Pat Rodohan

ALSO PRESENT Councillor Bob Bowdler

21. MINUTES OF THE MEETING HELD ON 18 SEPTEMBER 2024

21.1 The Committee approved as a correct record the minutes of the meeting held on 18 September 2024.

22. APOLOGIES FOR ABSENCE

22.1 It was noted that Councillor Rodohan sent apologies for the beginning of the meeting and was present from 10:24 am.

22.2 Councillor Rodohan did not participate in the debate and vote on agenda item 5 (see minute 26) as he arrived after the conclusion of the item.

23. DISCLOSURES OF INTERESTS

23.1 There were none.

24. URGENT ITEMS

24.1 There were none.

25. REPORTS

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

26. VARIATION OF CONDITION 2 OF PLANNING APPROVAL LW/786/CM TO INCLUDE A SIDE ROLLER SHUTTER DOOR FOR EMERGENCY USE ONLY ON THE SOUTHERN ELEVATION OF THE BUILDING. UNIT 3, CRADLE HILL INDUSTRIAL ESTATE, CRADLE HILL ROAD, SEAFORD, EAST SUSSEX, BN25 3JE - LW/892/CM

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

26.2 Members have considered the report and agree with the conclusions and reasons for the recommendation set out in paragraph 8 of the report.

26.3 The Committee unanimously RESOLVED to grant planning permission subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the plans listed in the Schedule of Approved Plans and Documents.

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

3. The applicant shall provide formal notification to the County Planning Authority of the date they intend to commence the development hereby permitted.
Where development is not commenced on the date provided in the notice, the applicant must serve a new notice with an updated anticipated commencement date.

Reason: To comply with Section 93G of the Town and Country Planning Act 1990.

4. In the event that the roller shutter door hereby approved is required to be open, all operations within the building shall cease until the door is fully closed.

Reason: In the interests of protecting the amenity of occupiers of properties in Kammond Avenue in line with Policy WMP25 of the Waste and Minerals Plan and Policies DM23 and DM25 of the Lewes Local Plan Part 2.

5. The roller shutter door hereby permitted shall remain closed at all times and shall not be used other than for the purposes of firefighting, access for emergency services and as a means of escape in an emergency. Notice of the date and reason for the use of the door shall be given in writing to the waste planning authority no later than one working day after the use of the door.

Reason: In the interests of protecting the amenity of the locality in accordance with Policy WMP25 of the Waste and Minerals Plan and Policy DM25 of the Lewes Local Plan Part 2.

6. The colour of the door hereby permitted shall match the colour of the cladding on the exterior of the southern elevation of the building.

Reason: In the interests of protecting the amenity of the locality in accordance with Policy WMP25 of the Waste and Minerals Plan and Policy DM25 of the Lewes Local Plan Part 2.

7. The roller shutter door hereby permitted shall measure 4 metres wide and 5 metres in height.

Reason: For the purposes of clarity.

8. Demolition and construction works associated with the development shall accord with the details approved in East Sussex County Council's letter dated 20th November 2020, namely:

- Proposed site arrangement dwg. GRE07A rev A Jun 2020. Received 17/09/2020.
- Construction Management Plan Ref GRE 20 D. Received 20/11/2020.

The approved plan shall be implemented in full throughout the demolition and construction works.

Reason: In the interests of protecting the amenity of the locality in accordance with Policy WMP25 of the Waste and Minerals Plan and Policy DM25 of the Lewes Local Plan Part 2.

9. Measures to manage surface water drainage at the site shall accord with details approved in East Sussex County Council's letter dated 20th November 2020, namely:

- Expert Skips, Cradle Hill Rd, Seaford, As Built Drainage Drawing, Casey Construction Yeovil Ltd. Dated 28th May 2024. Received on 31st May 2024.

- Tanks Direct invoice for Klargester Full Retention Separator -NSFP006 - 335M² drainage area. Dated 23/01/2024. Received on 14th June 2024.

The development shall be implemented in accordance with the approved details, and thereafter retained for the life of the development.

Reason: To ensure satisfactory drainage of the site and to prevent water pollution and to comply with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

10. Before the occupation of the building hereby permitted a dust mitigation scheme for the operational use of the site, including dust arising from the use of vehicles, shall be submitted to the Waste Planning Authority for approval in writing. The development shall thereafter be implemented and Page 15 operated in accordance with the approved scheme for the life of the development.

Reason: In the interests of protecting the amenity of the locality in accordance with Policy WMP25 of the Waste and Minerals Plan and Policy DM25 of the Lewes Local Plan Part 2.

11. The landscaping scheme shall accord with the details approved in East Sussex County Council's letter dated 19th March 2020, namely:

- Landscape Proposal Report Rev 2.3.2020. Received on 05.03.2020.

The shared wall with the cemetery will be protected from damage during any works and sufficient space shall be available to undertake planting and its subsequent management. The scheme shall thereafter be implemented and retained in accordance with the approved details.

Reason: In the interests of protecting the amenity of the locality in accordance with Policy WMP25 of the Waste and Minerals Plan and Policy DM25 of the Lewes Local Plan Part 2.

12. The landscape management plan shall accord with the details approved in East Sussex County Council's letter dated 19 March 2020, namely:

- Landscape Proposal Report Rev 2.3.2020. Received on 05.03.2020.

The development shall thereafter be implemented and maintained in accordance with the approved management plan.

Reason: To ensure the approved landscape scheme is effective and maintained for the lifetime of the development.

13. The building hereby permitted shall not be occupied until the parking area for employees has been provided in accordance with the details approved in East Sussex County Council's letter dated 19th March 2020, namely:

- Proposed site layout plan 1589/D003 revised and received on 25.07.2019.

The development shall be implemented in accordance with the approved details before the building is first occupied and the parking area shall thereafter be used for no purposes other than the parking of vehicles.

Reason: To ensure adequate parking is provided on site to avoid overspill onto the surrounding road network.

14. The external materials used for the construction of the building shall accord with the details approved in East Sussex County Council's letter dated 19th March 2020, namely:

- Steel powder coated goose wing grey profile single skin for roof and all walls with 15% rooflights. Steel roller shutter also in goose wing grey.

Development shall be carried out and thereafter retained in accordance with the approved details.

Reason: In the interests of protecting the amenity of the locality in accordance with Policy WMP25 of the Waste and Minerals Plan and to ensure the buildings appearance is sympathetic to the surroundings in accordance with Policy DM25 of the Lewes Local Plan Part 2.

15. The use of the waste transfer station shall not be carried on outside the hours of 0730 - 1800 on Mondays to Fridays inclusive and the hours of 0800 and 1600 on Saturdays, and at no time on Sundays, Public Holidays and Bank Holidays except for works of essential maintenance or which are in response to an emergency. Notice of the date, reason for and nature of the works shall be given in writing to the waste planning authority no later than one week after the carrying out such works.

Reason: In the interests of protecting the amenity of the locality in accordance with Policy WMP25 of the Waste and Minerals Plan and Policy DM25 of the Lewes Local Plan Part 2.

16. Except for the two containers shown on Drawing Number 1589/D003 Rev v.a, dated 9 November 2016 (Proposed Site Plan), no container, skip, sorted or unsorted waste materials including recycled materials shall be stored outside the building.

Reason: In the interests of protecting the amenity of the locality in accordance with Policy WMP25 of the Waste and Minerals Plan and Policy DM25 of the Lewes Local Plan Part 2 and the allow the Waste Planning Authority to appropriately control and regulate the site.

17. There shall be no sorting, treatment, loading or unloading of waste, recyclable materials or any other materials other than within the building.

Reason: In the interests of protecting the amenity of the locality in accordance with Policy WMP25 of the Waste and Minerals Plan and Policy DM25 of the Lewes Local Plan Part 2 and the allow the Waste Planning Authority to appropriately control and regulate the site.

18. The operational noise levels emitted from the site, measured as LAeq 1 hour (freefield) at the northern or western boundaries of the garden of 17 Kammond Avenue and in accordance with British Standard 4142:2014 shall be at least 5dB below the background LA90 value.

Reason: In the interests of protecting the amenity of the locality in accordance with Policy WMP25 of the Waste and Minerals Plan and Policy DM25 of the Lewes Local Plan Part 2.

19. The use of the waste transfer station shall not commence until an external lighting plan showing the location and specification of the lights and any associated structures, together with the extent of light spillage from each light, has been submitted to the Waste Planning Authority for approval in writing. The development shall be implemented and thereafter retained in accordance with the approved details.

Reason: In the interests of protecting the amenity of the locality in accordance with Policy WMP25 of the Waste and Minerals Plan and Policy DM25 of the Lewes Local Plan Part 2.

20. The development shall accord with the remediation strategy approved in East Sussex County Council's letter dated 20th November 2020, namely:

- Contamination Assessment: Intrusive Investigation August 2020. Received 17/09/2020.

- Contamination assay 1-4
- The Environmental Laboratory Report and spreadsheet 20-29008. Received 17/09/2020.

Any changes to these components require the written consent of the waste planning authority. The scheme shall be implemented as approved.

Reason: To ensure an appropriate method of remediation is in place in case contamination is found during the construction phase.

21. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the waste planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure an appropriate method of remediation is in place in case contamination is found during the construction phase.

22. Prior to any part of the permitted development being brought into use a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the waste planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure an appropriate method of remediation is in place in case contamination is found during the construction phase.

23. Prior to the commencement of any work on site details of any proposed works of piling or other penetrative foundation works and measures to Page 18 avoid the creation of preferential pathways to groundwater shall be submitted to the waste planning authority for approval in writing. The development shall thereafter be implemented in accordance with the approved details.

Reason: To protect the quality of the groundwater in the area in accordance with Policy WMP28b of the Waste and Minerals Plan 2013.

INFORMATIVES

1. 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.

2. The permitted site operations will enable the production of recycled aggregate to be sold from the site. As such the site operator will be required to make annual returns (detailing sales production and capacity) to the minerals planning authority in respect of the Aggregate Monitoring survey. This information will then be collated and sent to the South East Aggregate Working Party on behalf of the Government.

Schedule of Approved Plans and Documents

GRE01A Rev A Jun 2020 - Location Plan, GRE07G Rev G July 2024 - Proposed Site Plan, GRE08A Rev A Jul 2024 - Proposed elevations - amendments

27. DEVELOPMENT MANAGEMENT UPDATE

27.1 The Committee considered a report by the Director of Communities, Economy and Transport which detailed the enforcement and site monitoring undertaken under delegated powers for the period between 1 April 2024 and 30 September 2024.

27.2 The Committee RESOLVED to note the report.

(The meeting ended at 10.26 am)

CHAIRMAN