

## PLANNING COMMITTEE

MINUTES of a meeting of the Planning Committee held at Council Chamber, County Hall, Lewes on 30 April 2025.

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

### 48. MINUTES OF THE MEETING HELD ON 19 MARCH 2025

48.1 The Committee approved as a correct record the minute of the meeting held on 19 March 2025.

### 49. APOLOGIES FOR ABSENCE

49.1 Apologies for absence were received from Councillor Field.

49.2 It was noted that Councillor Murphy was in attendance as a substitute for Councillor Field.

### 50. DISCLOSURES OF INTERESTS

50.1 Councillor Lunn declared a personal interest in item 5 as the Local Member for the division in which the application is situated. He did not consider this to be prejudicial.

### 51. URGENT ITEMS

51.1 There were none.

### 52. REPORTS

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

### 53. THE ERECTION OF A NEW SECONDARY SCHOOL BUILDING WITH ASSOCIATED OUTDOOR LEARNING AND PLAY SPACE, LANDSCAPING AND PARKING. GROVE PARK SCHOOL, CHURCH ROAD, CROWBOROUGH, EAST SUSSEX, TN6 1BN - WD/3517/CC

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

53.2 Megan Smith (agent for the applicant) spoke for the recommendation for granting planning permission.

53.3 Councillor Philip Lunn, the Local Member spoke in support of the recommendation for granting planning permission.

53.4 Members have considered the report, together with the comments of the public speaker and Local Member and agree with the conclusions and reasons for the recommendation set out in paragraph 8 of the report.

53.5 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.

#### Construction

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

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

4. Prior to the commencement of development, a Construction Management Plan (CMP) shall be submitted and approved by the Director of Communities, Economy and Transport. Details shall include:

- i) Details of the methods of protection of trees and other vegetation during construction
- ii) Measures to manage noise and dust emissions during the construction phase
- iii) Contractors' parking arrangements and details around the timing of construction traffic arrivals and departures, in order to avoid disruption during the existing school drop-off and pick-up times.

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

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

#### Noise

5. The operational noise rating level will, at no time, exceed 35dB(A) at the façade of The Lodge, Grove Park, Beacon Road, as determined in accordance with BS4142:2014+A1:2019'.

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

#### Materials and Landscape

6. Development shall not commence above ground level until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Director of Communities, Economy and Transport. Development shall be carried out in accordance with the approved details.

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

7. The hard and soft landscaping proposals hereby approved shall be delivered in accordance with the following details:
  - a) The submitted Arboricultural Impact Assessment and outline Method Statement ref. GROV-WWA-XX-XX-T-L-0601
  - b) The submitted landscape layout plan ref. GROV-WWA-XX-XX-D-L-0102 S3 P13.
  - c) The submitted outline planting plan ref. GROV-WWA-XX-XX-D-L-0301 S3 P02.
  - d) The hard and soft landscape strategies as outlined in the Design and Access Statement.

Reason: In the interests of the protection of trees and vegetation and the delivery of an appropriate landscaping scheme in accordance with Saved Policy EN14 of the Wealden Local Plan 1998.

#### Flood Risk and Drainage

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

Reason: To ensure appropriate management of the risk of flooding in accordance with Saved Policy CS2 of the Wealden Local Plan 1998.

9. Prior to the commencement of any development, including any groundworks, a detailed design of the entire drainage system shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The details shall include but are not limited to the following:

- Surface water discharge rates shall not exceed greenfield runoff for all rainfall events, including those with 1 in 100 (plus climate change allowance) annual probability of occurrence. Evidence of this (in the form of hydraulic calculations) shall be submitted with the detailed drainage drawings. The hydraulic calculations shall take into account the connectivity of the different surface water drainage features.

- The detailed design of deepbore soakage and attenuation systems shall be informed by findings of groundwater monitoring between autumn and spring together with infiltration testing in the location and depth of the proposed soakaway. The design shall leave at least 10m unsaturated zone between the base of the soakaways and the highest recorded groundwater level.

- Robust pollution prevention based upon multiple treatment stages shall be provided upstream of the soakaway.

- The detailed design shall include information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely.

The approved drainage scheme shall thereafter be implemented in full and maintained for the lifetime of the development unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

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

10. Prior to any groundworks, a maintenance and management plan for the entire drainage system shall be submitted to and approved in writing by the Director of Communities, Economy and Transport to ensure the designed system takes into account design standards of those responsible for maintenance. The management plan shall cover the following:

- a) clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains
- b) Evidence that these responsibility arrangements will remain in place throughout the lifetime of the development

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

11. Prior to occupation of the development, evidence (including photographs, as-built drawings and topographic survey as necessary) showing that the drainage system has been constructed as per the final agreed detailed drainage designs shall be submitted to and approved in writing by the Director of Communities, Economy and Transport.

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

#### Highways

12. The development shall not be occupied until parking areas have been provided in accordance with the approved plans/details which have been submitted to and approved in writing by the Director of Communities, Economy and Transport in consultation with the Highway Authority and the areas shall thereafter be retained for that use unless otherwise agreed in writing by the Director.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway and to ensure sufficient parking areas are provided within the site in accordance with Saved Policies TR3 and TR16 of the Wealden Local Plan 1998.

13. The parking spaces hereby approved shall measure at least 2.5m by 5m (add an extra 50cm where spaces abut walls or fences).

Reason: To provide adequate space for the parking of vehicles and to ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Saved Policies TR3 and TR16 of the Wealden Local Plan 1998.

14. The development shall not be occupied until cycle parking/storage has been provided in accordance with details which have first been submitted to and approved in writing by the Director of Communities, Economy and Transport in consultation with the Highway Authority and the areas shall thereafter be retained for that use and maintained for the lifetime of the development.

Reason: In order that the development site is accessible by non-car modes and to meet the objectives of sustainable development.

15. The entrance gate hereby approved shall be positioned at least 9m from the edge of the carriageway and be inward opening in order that a vehicle may wait clear of the highway whilst the gate is being operated.

Reason: To ensure that the use of the highway by persons and vehicles is not obstructed by waiting vehicles.

16. Within 3 months of occupation of the building hereby approved, a parking and drop-off/pick-up management strategy shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The strategy shall include measures to ensure there are no delays during drop-off/pick-up times to avoid a backlog of vehicles. The approved strategy shall be implemented thereafter.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway and to ensure sufficient parking areas are provided within the site in accordance with Saved Policies TR3 and TR16 of the Wealden Local Plan 1998.

#### Ecology

17. No development shall take place, including any site preparation works involving machinery, breaking of ground, demolition and vegetation clearance, until an updated survey for badgers has been undertaken, in accordance with best practice. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures shall be revised and new or amended measures, and a timetable for their implementation, shall be submitted to and approved in writing by the Director of Communities, Economy and Transport prior to the commencement of any development. Works shall then be carried out in accordance with the new approved ecological measures and timetable.

Reason: As badgers are a mobile species whose activities/patterns varies across the year and in reaction to a range of influencing factors, it is important that the surveys reflect the situation at the time on any given impact occurring to ensure adequate mitigation and compensation can be put in place and to ensure no offences are committed.

18. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Director of Communities, Economy and Transport. The CEMP (Biodiversity) shall include the following:

- a) risk assessment of potentially damaging construction activities;
- b) identification of "biodiversity protection zones";
- c) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements which should include one specifically relating to Invasive Non-Native Species (INNS) remediation and removal);
- d) the location and timing of sensitive works to avoid harm to biodiversity features;
- e) the times during construction when specialist ecologists need to be present on site to oversee works;
- f) responsible persons and lines of communication;
- g) the role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- h) use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details.

Reason: To ensure that any adverse environmental impacts of development activities are mitigated.

19. No development shall take place (including any demolition, ground works, site clearance) until a precautionary working methods statement (PWMS) for detailing reasonable avoidance measures for bats, reptiles and badgers has been submitted to and approved in writing by the Director of Communities, Economy and Transport. The content of the method statement shall include the:
- a) purpose and objectives for the proposed works;
  - b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
  - c) extent and location of proposed works shown on appropriate scale maps and plans;
  - d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
  - e) persons responsible for implementing the works;
  - f) initial aftercare and long-term maintenance (where relevant);
  - g) disposal of any wastes arising from the works.

Works shall only be undertaken in accordance with the approved Method Statement.

Reason: To protect habitats and species identified in the ecological surveys from adverse impacts during construction and to avoid an offence under the Wildlife and Countryside Act 1981, as amended, and The Protection of Badgers Act 1992.

20. No development shall take place until an ecological design strategy (EDS) addressing compensation, mitigation and enhancement measures and including bat and bird boxes, log piles and an insect hotel, has been submitted to and approved in writing by the Director of Communities, Economy and Transport. The EDS shall include the following:
- a) purpose and conservation objectives for the proposed works;
  - b) review of site potential and constraints;
  - c) detailed design(s) and/or working method(s) to achieve stated objectives;
  - d) extent and location /area of proposed works on appropriate scale maps and plans;
  - e) type and source of materials to be used where appropriate, e.g. native species of local provenance;
  - f) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
  - g) persons responsible for implementing the works;
  - h) details of initial aftercare and long-term maintenance;
  - i) details for monitoring and remedial measures;
  - j) details for disposal of any wastes arising from works.

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

Reason: To ensure that any adverse environmental impacts of development activities can be mitigated, compensated and restored and that the proposed design, specification and implementation can demonstrate this, and to provide a net gain for biodiversity as required by Section 40 of the Natural Environment and Rural Communities Act 2006, paragraphs 187 and 193 of the National Planning Policy Framework 2024.

Biodiversity Net Gain

21. Prior to the commencement of the development, including any groundworks, a biodiversity gain plan shall be submitted to the Director of Communities, Economy and Transport for approval in writing.

The biodiversity gain plan must include:

- a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- b) the pre-development biodiversity value of the onsite habitat;
- c) the post-development biodiversity value of the onsite habitat;
- d) any registered offsite biodiversity gain allocated to the development and the biodiversity value of that gain in relation to the development;
- e) any biodiversity credits purchased for the development;
- f) any such other matters as the Secretary of State may by regulations specify; and
- g) arrangements for maintenance of habitat enhancement for at least 30 years after the development is completed to include monitoring that maintenance (and associated monitoring costs).
- h) identify responsible persons for paying the relevant monitoring fees for both on-site and off-site biodiversity gains.

When calculating the post-development biodiversity value of a habitat, the planning authority can only take into account an increase in biodiversity value post-development where it is satisfied that the habitat creation or enhancements delivering the increase will be maintained for at least 30 years after the development is completed. This must be secured either by a condition, planning obligation, or conservation covenant.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act.

22. Prior to the commencement of the development hereby permitted, a Habitat Management and Monitoring Plan (HMMP) shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The HMMP shall accord with the Biodiversity Gain Plan and include:
- a) A non-technical summary
  - b) The roles and responsibilities of the people or organisations delivering the HMMP
  - c) The planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan
  - d) The management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the first [occupation or use] of the development
  - e) The monitoring methodology and frequency in respect of the created or enhanced habitat
  - f) Provision for the identification, agreement and implementation of contingencies and/or remedial actions where the results from monitoring show that the conservation aims and objectives of the HMMP are not being met.

The created and/or enhanced habitat specified in the approved HMMP shall thereafter be managed and maintained in accordance with the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act.

23. Prior to the first occupation of the development hereby permitted, a completion report, evidencing the completed habitat enhancements set out in the approved Habitat Management and Monitoring Plan, shall be submitted to and approved in writing by the Director of Communities, Economy and Transport.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act.

24. Habitat monitoring reports shall be submitted to and approved in writing by the Director of Communities, Economy and Transport in accordance with the methodology and frequency specified in the approved Habitat Management and Monitoring Plan.

The reports shall include (where the results from monitoring show that conservation aims and objectives of the HMMP are not being met) any contingencies and/or remedial action for agreement. Any agreed contingencies or remedial action shall thereafter be implemented in accordance with the approved details.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act.

#### Archaeology

25. No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Director of Communities, Economy and Transport.

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

26. No phase of the development hereby permitted shall be brought into use until the archaeological site investigation and post-investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) for that phase has been completed and approved in writing by the Director of Communities, Economy and Transport. The archaeological site investigation and post - investigation assessment will be undertaken in accordance with the programme set out in the written scheme of investigation approved under condition 25.

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

#### INFORMATIVES

1. This Highway Authority's requirements associated with this development proposal will need to be secured through a Section 184/278 Legal Agreement between the applicant and East Sussex County Council. The applicant is requested to contact the Transport Development Planning Team (01273 482254) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
2. The applicant is advised to put in place a management plan to ensure that any vehicle entering the grounds is suitably monitored and that all pedestrians are adequately protected for vehicle pedestrian collision with authorised staff or volunteers to control and direct traffic
3. The applicant is advised to have regard to the Secured by Design (SBD) New Schools 2014 document.
4. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition ("the biodiversity gain condition") that



development may not begin unless: (a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan. The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be East Sussex County Council. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed are considered to apply.

#### Schedule of Approved Plans and Documents

Planning Statement, GROV-WWA-XX-XX-D-L-0301 Outline Planting Plan Rev P02, GROV-WWA-XX-XX-D-L-0401 - Sections Rev P02, GROV-WWA-XX-XX-T-L-0607 - Outline Landscape Specification, GROV-WWA-XX-XX-D-L-0108 - Access Strategy Rev P02, GROV-WWA-XX-XX-D-L-0109 - Security Strategy - Rev P02, Waste Minimisation Report, Interim Travel Plan, Transport Statement, Archaeological Desk Based Assessment, Phase 1 Desk Study Report , GROV-HAW-ZZ-00-D-E-1701 Rev P02 - Site Wide External Lighting Layout, GROV-HAW-ZZ-00-D-E-1702 Rev P02 - Site Wide External Lighting Layout (Including LTG Output), Air Quality Assessment V2, Daylight Calculation Report, 3D View 01 - Top West, GROV-WWA-XX-XX-D-L-102 REv P13 - Landscape Layout Plan, GROV-WWA-XX-XX-DR-L-0704 Rev P02 - Tree Protection Plan Sheet 1 of 2, GROV-WWA-XX-XX-DR-L-0705 Rev P01 - Tree Protection Plan Sheet 2 of 2, GROV-PCE-XX-XX-T-O-003 - Acoustic Design Note, GROV-WWA-XX-XX-T-L-0601-P03- Tree Survey, Arboricultural Impact Assessment & Outline Method Statement, GROV-ECE-XX-RF-D-A-0104 Rev P08 - Roof Plan, GROV-ECE-XX-XX-D-A-0006 Rev P08 - Proposed Site Plan, GROV-ECE-XX-XX-D-A-0007 Rev P07 - Proposed Site Elevations/Sections, GROV-ECE-XX-ZZ-D-A-0410 Rev P06 - Colour Elevations - South and East, GROV-ECE-XX-ZZ-D-A-0411 Rev P06 - Coloured Elevations - North and West, GROV-ECE-XX-00-D-A-0102 Rev P11 - Ground Floor Plan, GROV-ECE-XX-01-D-A-0103 Rev P09 - First Floor Plan, GROV-ECE-XX-LG-D-A-0101 Rev P10 - Lower Ground Floor Plan, GROV-LON-XX-XX-RP-C-0001 Rev P04 - Flood Risk Assessment & Drainage Strategy March 2025, Grove Statutory Biodiversity Metric Condition Assessment 23,7,24, Biodiversity Net Gain Assessment Version 2, Ecological Impact Assessment Version 3, Statutory Biodiversity Metric Tool, Grov Pce Xx Xx T O 0003 Noise Assessment Incl. Substation

#### 54. ANNUAL REPORT ON DEVELOPMENT CONTROL MATTERS

54.1 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 October 2024 and 31 March 2025 and development management performance for the period 1 April 2024 to 31 March 2025.

54.2 The Committee RESOLVED to note the report.

(The meeting ended at 11.22 am)

CHAIRMAN