

REGULATORY COMMITTEE

PLANNING COMMITTEE

MINUTES of a meeting of the Planning Committee held at County Hall, Lewes, on 11 March 2015

PRESENT - Councillors Daniel (Chair), Buchanan, Field, Stogdon (Vice-Chair) and Taylor

54. MINUTES

54.1 RESOLVED to approve as a correct record the minutes of the previous meeting held on 11 February 2015.

55. APOLOGIES

55.1 Apologies for absence were received from Councillors Galley and Wallis.

56. INTERESTS

56.1 Councillor Taylor declared a prejudicial interest in item 6, in that his family property in the vicinity. He left the Chamber during consideration of this item.

57. REPORTS

57.1 Copies of the reports and documents referred to below are contained in the Minute book.

58. VARIATION OF CONDITION 38 OF PLANNING PERMISSION LW/462/CM (EIA) IN ORDER TO REMOVE THE CATCHMENT BOUNDARY RESTRICTION FOR WASTE IMPORTATION TO THE ENERGY RECOVERY FACILITY. NORTH QUAY ROAD, NEWHAVEN – LW/748/CM

58.1 The Committee considered a report by the Head of Planning and Environment. An addendum incorporating a revised recommendation, consequential changes and correcting a typing error, and an additional informative was circulated.

58.2 Owen Dimond, Planning Manager (Southern) of Veolia spoke in support of the application.

58.3 Councillor Buchanan reported that Councillor Charlton, the Local Member, was supportive of the application with a hope that local residents would achieve some benefit.

58.4 Members have considered the Officer's report and addendum and the comments of the public speaker, and agree with the conclusion and reasons for recommendation as set out in paragraph 7 of the report.

58.5 RESOLVED to grant planning permission subject to conditions along the lines of:

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. Notwithstanding the provisions of Parts 4, 8 and 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order):

(a) Additional external fixed plant or machinery, buildings, structures and erections shall not be erected, installed or replaced at the site without the prior written agreement of the Head of Planning and Environment;

(b) No Telecommunications antenna shall be installed or erected without the prior written consent of the Head of Planning and Environment.

Reason: In the interests of amenity in the area and to comply with Policies WMP23a and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy ST3 of the Lewes District Local Plan 2003.

3. The development shall accord with the following drawings:

2GB5 001 5 Site Plan and Layout

2GB5 010 5: Horizontal Section 1-1 and 2-2

2GB5 011 5: Horizontal Section 3-3 and 4-4

2GB5 020 4: West Facade

2GB5 021 4: Long Section 5-5

2GB5 022 4: East Facade

2GB5 023 4: South and North Facades

2GB5 024 4: Cross Sections 1-1 and 2-2

2GB5 025 4: Cross Sections 3-3 and 4-4

2GB5 033 4: Gate House Plan

2GB5 040 5: Circulation Plan and Visitors Route

157812C/05/03: Flood Defences and Flow Velocity Reduction Wall

VES TD NHAV 100 005: Application Boundary

NHTPVAD 00201 15: Plan View Level (Admin Building)

NHTELADN0 309 05: Elevations East & North (Admin Building)

NHTELADS0 310 05: Elevations South-west & South-east (Admin Building)

NHTCTEFSTCW130: (External Illumination]

NHTPVAD0020114: (Cycle parking)

NHTSPST0017013: (Flood protection bund)

NHTSCST0017113: (Flood protection bund & bulk earthwork sections)

NHTSP0015019: (Boundary fence)

NHTDDST0018011: (Retaining wall plans & sections)

NHTSPST0030017: External Drainage Plan

NHTDDST0031214: External Drainage General Details

Technical Note: Chimney Stack Diameter, AE&E

300 Rev P: Landscape Proposals
302 Rev J: Landscape Proposals Entrance/Car Park Area

CS/021055/H1/311 Rev A: Mini Roundabout Setting
CS/021055/H1/321 Sheet 1: Proposed Mini Roundabout Spot Levels
CS/021055/H1/322 Rev A Sheet 2: Proposed Mini Roundabout Spot Levels
CS/021055/H1/326: Proposed Mini Roundabout Longitudinal Cross Sections
CS/021055/H1/331 Rev A: Proposed Mini Roundabout Road Signs & Road Markings
CS/021055/H1/332 Rev A: Proposed Mini Roundabout Road Sign Schedules
CS/021055/H1/341 Rev A: Proposed Mini Roundabout Vehicle Swept Path Plans Sheet 1
CS/021055/H1/342 Rev A: Proposed Mini Roundabout Vehicle Swept Path Plans Sheet 2
CS/021055/H1/216: Vehicle Track Movements
CS/021055/H1/121: Proposed Improvement Works Drg 1 of 3
CS/021055/H1/122: Proposed Improvement Works Drg 2 of 3
CS/021055/H1/123: Proposed Improvement Works Drg 3 of 3

CS/021055/H1/125: Vehicle Track Movements - Rigid Trucks
CS/021055/H1/101 Rev B: Proposed Un-segregated Footway/Cycleway
CS/021055/H1/130: Footway/Cycleway Construction Details
CS/021055/H1/010: Pavement Repair Sheet 1 of 2
CS/021055/H1/011: Pavement Repair Sheet 2 of 2
CS/021055/DR/002 Rev A: Proposed Drainage Improvement Works
CS/021055/L1/001 Rev C: Conceptual Lighting Design

unless otherwise agreed in writing by the Head of Planning and Environment.

Reason: In the interests of the amenity of the area, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

4. The height of the different parts of the building and the chimneys shall accord with the dimensions shown on approved Drawing No. 2GB50214 (under permission LW/462/CM(EIA)) and Drawing No. NHTELADS031005 (under approval LW/462/CMNM1).

Reason: To ensure the development is implemented in accordance with the approved drawings, in the interests of the amenity of the area and to comply with Policies WMP23a and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

5. The materials used in the external surfaces of the buildings shall accord with the details approved in East Sussex County Council's letters dated 4th November 2009, 25th June 2010, 13th September 2010 and 20th September 2010.

Reason: To ensure the appropriate appearance of the development in the area and to comply with Policies WMP23a and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy ST3 of the Lewes District Local Plan 2003.

6. The hard and soft landscaping works carried out as part of the development shall accord with the details approved in East Sussex County Council's letter dated 20th December 2011, namely Drawing Nos. 300 RevP and 302 RevJ.

Reason: To integrate the development effectively into the surrounding environment and to comply with Policy WMP23a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policies ST3 and ST11 of the Lewes District Local Plan 2003.

7. The construction of the flood defences carried out as part of the development shall accord with the approved details in East Sussex County Council letter dated 19th June 2009, namely:
 - (i) The Civil Infrastructure works flood protection bund plan no. NHTSPST0017013; &
 - (ii) The Civil Infrastructure works flood protection bund and bulk earthwork sections plan no. NHTSCST0017113,and shall be maintained thereafter.

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

8. The surface water drainage works carried out as part of the development shall accord with the details approved in East Sussex County Council letter dated 19 June 2009, namely Drawing Nos. NHTSPST0030017 and NHTDDST0031214 and the Buro Happold Surface Water Drainage Report, dated February 2009, and shall be maintained thereafter.

Reason: To ensure the development does not increase the risk of flooding and water pollution and that there is a satisfactory means of surface water disposal and drainage of the site in accordance with Policies WMP28a and WMP28b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

9. The illumination of the external faces of the buildings shall accord with the approved details in East Sussex County Council letter dated 19th January 2010 including plan no. NHTCTEFSTCW130.

Reason: In the interests of the amenity of the area adjacent to a countryside location, to limit light pollution and to comply with Policies WMP23a and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

10. The Travel Plan dated April 2011 and approved in East Sussex County Council letter dated 26th May 2011 shall be updated in accordance with the details set out in the Plan and to meet the requirements of the new planning permission. The updated Travel Plan shall be submitted in writing to the Head of Planning and Environment for approval within 3 months of the date of this permission. The updated Travel Plan shall be implemented and thereafter monitored in accordance with the approved details.

Reason: To increase awareness and use of alternative modes of transport for employee and visitor journeys in accordance with Policies WMP25 and WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

11. The highway works carried out as part of the development shall accord with the approved details set out in East Sussex County Council letter dated 23rd September 2009, namely:

CS/021055/H1/311 Rev A: Mini Roundabout Setting
CS/021055/H1/321 Sheet 1: Proposed Mini Roundabout Spot Levels
CS/021055/H1/322 Rev A Sheet 2: Proposed Mini Roundabout Spot Levels
CS/021055/H1/326: Proposed Mini Roundabout Longitudinal Cross Sections

CS/021055/H1/331 Rev A: Proposed Mini Roundabout Road Signs & Road Markings
 CS/021055/H1/332 Rev A: Proposed Mini Roundabout Road Sign Schedules
 CS/021055/H1/341 Rev A: Proposed Mini Roundabout Vehicle Swept Path Plans Sheet 1
 CS/021055/H1/342 Rev A: Proposed Mini Roundabout Vehicle Swept Path Plans Sheet 2
 CS/021055/H1/216: Vehicle Track Movements
 CS/021055/H1/121: Proposed Improvement Works Drg 1 of 3
 CS/021055/H1/122: Proposed Improvement Works Drg 2 of 3
 CS/021055/H1/123: Proposed Improvement Works Drg 3 of 3
 CS/021055/H1/125: Vehicle Track Movements - Rigid Trucks
 CS/021055/H1/101 Rev B: Proposed Un-segregated Footway/Cycleway
 CS/021055/H1/130: Footway/Cycleway Construction Details
 CS/021055/H1/010: Pavement Repair Sheet 1 of 2
 CS/021055/H1/011: Pavement Repair Sheet 2 of 2
 CS/021055/DR/002 Rev A: Proposed Drainage Improvement Works
 CS/021055/L1/001 Rev C: Conceptual Lighting Design

Reason: To ensure a satisfactory road access for vehicular, pedestrian and cycle users and to protect local amenity in accordance with Policies WMP25 and WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy T8 of the Lewes District Local Plan 2003.

12. The installation of the cycle parking facilities carried out as part of the development shall accord with the approved details in East Sussex County Council letter dated 24th June 2010, namely plan no. NHTPVAD0020114.

Reason: To comply with Policy WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

13. No waste or reclaimed materials or residues shall be imported or removed from the site other than between the hours of 07.00 to 19.00 on Mondays to Fridays inclusive and the hours of 07.30 to 18.00 on Saturdays. On Sundays, Public and Bank Holidays, street sweepings and no more than 10 deliveries of household waste shall be delivered to the site between 08.00 and 17.00, and not outside these hours, unless with the prior written approval of the Head of Planning and Environment.

Reason: To safeguard the amenities of the occupiers of properties and houseboats in the vicinity and to comply with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

14. Between the hours of 07.00 and 23.00 the level of noise emitted from the operational Energy Recovery Plant, as measured in accordance with BS 4142:1997, shall not exceed a level of 53 dB LAeq, 5mins (free field) at any time, except in the case of emergencies, as measured at any part of the planning site boundary as shown on the approved plan 2GB5 001 5. For the avoidance of doubt this excludes any contribution from vehicular transport onto and off the site.

Reason: To protect the amenity of the area to comply with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

15. Between the hours of 23.00 and 07.00 the level of noise emitted from the operational Energy Recovery Plant, as measured in accordance with BS 4142:1997, shall not exceed a level of 49 dB LAeq 5mins (free field) at any time, except in the case of

emergencies, as measured at any part of the planning site boundary as shown on the approved plan 2GB5 001 5.

Reason: To protect the amenity of the area to comply with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

16. Between the hours of 23.00 and 07.00 the level of noise emitted from the operational Energy Recovery Plant, as measured in accordance with BS 4142:1997 shall not exceed a rating level of 35 dB LATr 5mins (free field) at any time, except in the case of emergencies, as measured at any of the residential uses situated at Lee Court, Elphick Road, No 1 New Road, 13 Powell Gardens, 23 Glynde Close and Piddinghoe Mead and the nearest houseboat at Ordnance Survey location TQ44443-01872 and any noise shall be free from low frequency noise.

Reason: To protect the amenity of the area to comply with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

17. To avoid the use of intrusive reversing beepers, all mobile wheeled plant used at the site shall only be fitted and operated with a 'smart' reversing device, or such other reversing device, as may be agreed in writing by the Head of Planning and Environment.

Reason: To protect the residential and general amenity of the area to comply with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

18. All areas where waste is stored, handled or transferred shall be underlain by impervious hardstanding with dedicated drainage to foul sewer or sealed tank.

Reason: To prevent pollution of the water environment which could pose a threat to the chalk aquifer that underlies the site and to comply with Policy WMP28b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

19. There shall be no sorting or treatment of waste other than within the Energy Recovery Facility building and the unloading, loading and storage of recyclable materials shall only take place within the storage bays shown on approved Drawing No. 2GB5 001 5 or immediately adjacent thereto.

Reason: In the interests of amenity to comply with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

20. Waste imported to the Energy Recovery Facility shall be restricted to waste collected by the Waste Collection Authorities in the administrative areas of East Sussex County Council and Brighton & Hove City Council, and any other suitable waste arising in these areas, up to a maximum of 242,000 tonnes of waste combusted in any one year (recognising that the nominal capacity of the plant will be below this under normal operating conditions taking account of its annual average availability due to planned maintenance events and other plant shutdowns), and, to other appropriate municipal and commercial waste from outside these areas in the event that the plant has capacity in excess of that required to meet the needs of locally sourced waste.

Reason: To ensure that the management of waste at the facility conforms with the principles of the Waste Hierarchy and the Proximity Principle in line with the National Planning Policy for Waste.

21. The amount, source and type of waste imported to the Energy Recovery Facility from outside the administrative areas of East Sussex County Council and Brighton & Hove City Council, shall be reported annually and in writing to the Head of Planning and Environment.

Reason: To assist the County Council as Waste Planning Authority in the monitoring of waste movements and in meeting the policy objectives of net self sufficiency, as set out in the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

22. The site shall not provide car parking for more than 36 vehicles.

Reason: To ensure the development does not provide an excessive number of spaces in respect to its needs which discourage more sustainable options of transport and to comply with Policy WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

23. Following the initial receipt of municipal or household waste, no storage container, skip, sorted or unsorted waste material or residue of recycled materials or any other items shall be stored outside the building, other than within the designated bays or on operational vehicles. That material within the storage bays on the eastern boundary of the site shall not exceed a height of 5.5 metres above the adjacent hardstanding.

Reason: In the interests of amenity of the area in compliance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

24. The connection from the plant to the local electrical transmission system shall be by underground line only.

Reason: In the interests of the amenity on the area to comply with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

25. Following the decommissioning of the facilities a scheme and timetable for the demolition of the building and plant shall be submitted to the Head of Planning and Environment for approval in writing. The scheme shall be implemented as approved within the agreed timetable.

Reason: To ensure the land is capable of beneficial use in the future to comply with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

26. The construction of the site boundary fence including the retaining 'push' wall on the length of the boundary between the existing riverside wharf and the bund to the Energy Recovery Facility shall accord with the approved details set out in the East Sussex County Council letter dated 19th January 2010 including plan nos. NHTSP0015019 and NHTDDST0018011 and as amended by East Sussex County Council letter dated 25th January 2011.

Reason: In the interests of amenity and to retain acceptable facilities for the landing and storage of aggregates to comply with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy NH24 of the Lewes District Local Plan 2003.

INFORMATIVES

1. The applicant is requested to keep under review the use of hot water from the plant to maximise the recovery of energy in the local area.
2. The applicant is requested to keep under review the potential to transport waste and residual materials by rail and or water.
3. The applicant is requested to maintain a regular Local Liaison Group involving representatives from relevant regulatory bodies and members of the local community throughout the duration of the development.
4. It should be noted that a separate planning permission LW/641/CM, granted in September 2010, is relevant to the ERF development in that it allowed for the construction of the transformer housing and the provision of an additional landscaping area to the north-eastern boundary, incorporating drawings: 300 Rev M, 302 Rev G, 303 Rev J, 304 Rev D, 305 Rev B & 306 Rev C.
5. The application site continues to be bound by the provisions of the s.106 Legal Agreement dated 3rd March 2008 attached to planning permission LW/462/CM(EIA).

Schedule of Approved Plans

Application Boundary VES_TD_NHAV_100_005

59. EXTENSION OF TIME TO COMPLETE LEGAL AGREEMENT FOR DEVELOPMENT OF A BUILDING TO ENCLOSE WASTE MANAGEMENT ACTIVITIES, EXTERNAL STORAGE OF RECYCLED AGGREGATE PRODUCT AND PROVISION OF SURFACE WATER DRAINAGE. LAND AT POLEGATE YARD, SUMMERHILL LANE, HAILSHAM – WD/739/CM

59.1 The Committee considered a report by the Director of Communities, Economy and Transport. Councillor Taylor left the Chamber while this item was being considered.

59.2 Members have considered the Officer's report and agree with the conclusion and reasons for recommendation as set out in paragraph 2 of the report.

59.3 RESOLVED:

(1) to grant an extension of time to 15 June 2015 for the Section 106 Legal Agreement to be completed;

(2) to authorise the Director of Communities, Economy and Transport to grant planning permission for application WD/739/CM upon completion of the Legal Agreement, subject to conditions along the lines agreed by Planning Committee on 15 October 2014; and

(3) if the Legal Agreement is not completed by 15 June 2015 the application will be referred back to the Planning Committee for determination.

60. CONSTRUCTION OF A ONE FORM ENTRY PRIMARY SCHOOL WITH ASSOCIATED CAR PARKING, MUGA AND PLAYING FIELD (AMENDED APPLICATION FOLLOWING REFUSAL OF WD/3225/CC). LAND OFF INGRAMS WAY, HAILSHAM – WD/3252/CC

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

60.2 The Reverend Peter Clark, Virginia Browne and Karen Tomkins, local residents, spoke against the application.

60.3 Stuart Gallimore, the Director of Children's Services, Chris Bowler, a representative from Lilac Sky (Academy sponsors) and Helen Deehan, a Hailsham resident, spoke in support of the application.

60.4 The views of Councillor Keeley, one the Local Members, were conveyed to the Committee by the Chair.

60.5 Members have considered the Officer's report, together with the comments of the public speakers and Local Member, and agree with the conclusion and reasons for recommendation as set out in paragraph 7 of the report.

60.6 RESOLVED (1) to approve the application subject to the completion of the following procedure:

(i) The completion of a Legal Agreement or Undertaking requiring provision of a pedestrian crossing on South Road; provision of a pedestrian crossing point in Oaklands Way; inspection and necessary upgrading of the existing footway between the site boundary and Sandbanks Way; road markings in Cacklebury Close and Oaklands Way subject to application for Traffic Regulation Order; a financial contribution to cover on-street parking survey and monitoring work before and after opening of the new School; and applications for any necessary Traffic Regulation Orders arising from survey work;

(ii) To authorise the Director of Communities, Economy and Transport to grant planning permission upon completion of the Legal Agreement or Undertaking subject to conditions along the lines as indicated in Minute 60.7; and

(2) to authorise the Director of Communities, Economy and Transport to refer the application back to this Committee if the Legal Agreement/Undertaking is not secured within six months of the date hereof.

60.7 Subject to Minute 60.6(1)(ii), the grant of planning permission shall be subject to conditions along the lines of:

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.

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

3. 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 unless the prior written agreement of the Director of Communities, Economy and Transport has been given.

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

4. Unless otherwise agreed in writing by the Head of Planning and Environment, development shall not commence until details of wheel washing facilities have been submitted to and approved in writing by the Director of Communities, Economy and Transport. The approved details shall be implemented in full before the commencement of development and the facilities shall be maintained in working order during the construction period and shall be used by any vehicle carrying mud, dust or other debris on its wheels before leaving the site. No vehicle associated with the development shall leave the site carrying mud, dust or debris on its wheels.

Reason: In the interests of highway safety and the amenity of the locality and to enable the County Planning Authority to control and regulate the development.

5. The development shall not be occupied for educational purposes until the main access from Oaklands Way has been constructed to the satisfaction of the Director of Communities, Economy and Transport.

Reason: To ensure safe access to the site in accordance with Saved Policy TR3 in the Wealden Local Plan 1998.

6. Unless otherwise agreed in writing by the Head of Planning and Environment, development shall not commence until a Traffic Management Scheme has been submitted to and approved by the Director of Communities, Economy and Transport. This shall include the size of vehicles, hours of operation and routeing and construction shall be carried out in accordance with the approved Scheme.

Reason: In the interests of highway safety and for the benefit and convenience of the public at large

7. Prior to commencement of development details of acoustic fencing to be provided on the site boundary shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The approved details shall be fully implemented and retained thereafter.

Reason: To help manage construction and operational noise in the interests of residential amenity in accordance with Saved Policy EN27 in the Wealden Local Plan 1998.

8. No development shall take place until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of archaeological 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.

9. The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation and that the provision for analysis, publication and dissemination of results and archive deposition has been secured.

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

10. Prior to commencement of development details of;

1. The protection and retention of trees and other vegetation during construction and,
2. New planting and ongoing maintenance

shall be 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 protect trees and vegetation during construction in the interests of the character of the area in accordance with Saved Policy EN14 in the Wealden Local Plan 1998.

11. 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.

12. Unless otherwise agreed in writing by the Head of Planning and Environment, development including demolition shall not commence until a Site Waste Management Plan securing and demonstrating that the amount of excavation and construction waste resulting from the development has been reduced to smallest amount possible has been submitted to and approved in writing by the Director of Communities, Economy and Transport. The statement shall include details of the extent to which waste materials arising from excavation will be reused on site and demonstrating that maximum use is being made of these materials. If such reuse on site is not practicable, then details shall be given of the extent to which the waste material will be disposed of for reuse, recycling, composting or other method. All construction waste materials associated with the development shall be reused, recycled and dealt with in accordance with the approved strategy and method statement.

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

13. The development shall not be occupied until details of the proposed means of foul and surface water drainage have been submitted to and approved in writing by the Director of Communities, Economy and Transport and development shall be carried out in accordance with the approved details.

Reason: To ensure adequate drainage of foul and surface water from the site in accordance with Saved Policy CS2 in the Wealden Local Plan 1998

14. Development shall be carried out in accordance with the recommendations in the approved Flood Risk Assessment (Ref. 14310/3/FRA, Rev. B and addendum).

Reason: To ensure adequate attenuation of surface water run-off from the site in accordance with Saved Policy CS2 in the Wealden Local Plan 1998

15. Cumulative noise rating from plant shall not exceed 35 dB(A) between 0700 and 2300 and 25 dB(A) between 2300 and 0700 at the nearest residential facade.

Reason: To minimise the noise impact from plant in accordance with Saved Policy EN27 in the Wealden Local Plan 1998.

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

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

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

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

18. Before the first occupation of the development hereby permitted, a Framework Travel Plan shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The Travel Plan shall be implemented and thereafter reviewed in accordance with the approved details.

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

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

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

20. Before the school is brought into use the cycle and scooter parking on the approved plans shall be provided and retained thereafter.

Reason: To comply with Saved Policy TR16 in the Wealden Local Plan 1998.

Schedule of Approved Plans

Site Location Plan Rev B, Exiting Site Plan, Proposed Site Plan, Ground Floor Plan, Roof Plan, Proposed Elevations, Site Sections, Sections, Tree Retention & Protection Plan Rev01

61. VARIATION TO CONDITION 2 ATTACHED TO CONSENT EB/3164/CC TO ALLOW FOR THE PERMANENT USE OF THE MUGA BETWEEN THE HOURS OF 08:00 AND 21:00 HOURS MONDAY TO FRIDAY AND BETWEEN 09:00 AND 17:00 HOURS ON SATURDAY, SUNDAY, BANK AND PUBLIC HOLIDAYS. OCKLYNGE COUNTY JUNIOR SCHOOL, VICTORIA DRIVE, EASTBOURNE – EB/3239/CC

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

61.2 Members have considered the Officer's report, and agree with the conclusion and reasons for recommendation as set out in paragraph 7 of the report.

61.3 RESOLVED to approve the application 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.

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

3. The multi use games area shall not be used at any time other than between 0800 and 2100 hours Monday - Friday and between 0900 and 1700 hours on Saturday, Sunday, Bank and Public Holidays.

Reason: To protect residential amenity in accordance with Policies NE18 and HO20 of the Eastbourne Borough Plan 2001 - 2011.

4. Car parking facilities on the school site shall be available at all times that the MUGA is available for use.

Reason: To ensure parking facilities are available for users of the MUGA in accordance with Policy TR11 of the Eastbourne Borough Plan 2001 - 2011.

5. The pedestrian access to the site from Baldwin Avenue shall be locked until 0730 and after 1730, Monday - Friday and at all times during weekends.

Reason: To ensure the only access to the site in the evening and weekend is from Farlaine Road in order to discourage school related vehicles parking in Baldwin Avenue in accordance with Policy TR11 in the Eastbourne Borough Plan 2001 - 2011.

6. Floodlighting shall be retained in accordance with the approved details and thereafter monitored by the School. If in operation lighting levels do not meet the predicted levels in Baldwin Avenue and properties adjoining Baldwin Avenue, measures to reduce glare to passing motorists and minimise impact on adjoining properties shall be submitted to the Director of Communities, Economy and Transport for written approval within 14 days of the situation being brought to the School's attention. The approved measures shall be implemented within 14 days of the date of written approval. If during operation, any light becomes misaligned, the floodlight shall be adjusted within 5 days of it being brought to the School's attention.

Reason: To help minimise the impact of the MUGA in operation on road users and the amenity of adjoining properties, and ensure that the floodlighting performs as approved and be in accordance with Policy UHT13 of the Eastbourne Borough Plan 2001 - 2011.

Schedule of Approved Plans

4177 SK1 Rev B - MUGA Layout Plan