

## PLANNING COMMITTEE

MINUTES of a meeting of the Planning Committee held at County Hall, Lewes on 24 June 2015.

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PRESENT Councillors Godfrey Daniel (Chair), Ian Buchanan, Kathryn Field, Roy Galley, Barry Taylor and Steve Wallis

### 7 MINUTES

7.1 RESOLVED to approve as a correct record the minutes of the previous meeting held on 20 May 2015.

### 8 APOLOGIES FOR ABSENCE

8.1 Apologies for absence were received from Councillor Stogdon.

### 9 DISCLOSURES OF INTERESTS

9.1 Councillor Taylor declared a personal interest in item 5A as a member of Eastbourne Borough Council Planning Committee, but he did not consider this to be prejudicial.

9.2 Councillor Ungar declared a personal interest in item 5A as a member of Eastbourne Borough Council Planning Committee, and as a governor of Ocklynge School, but he did not consider these to be prejudicial.

9.3 Councillor Wallis declared a personal interest in items 5A and 6B in that he is the Eastbourne Borough Council portfolio holder for Planning and Planning Policy, and as the Chair of the Local Development Framework, but he did not consider these to be prejudicial.

### 10 REPORTS

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

### 11 CONSTRUCTION OF A NEW TWO STOREY TWO FORM ENTRY PRIMARY SCHOOL INCLUDING NURSERY PROVISION WITH ASSOCIATED CAR PARKING, 2NO 3G SPORTS PITCHES, PLAYING SURFACES AND GAMES COURT AS AN EXTENSION TO THE EXISTING SCHOOL. THE CAVENDISH SCHOOL, ELDON ROAD, EASTBOURNE BN21 1UE - EB/3238/CC

11.1 The Committee considered a report by the Director of Communities, Economy and Transport. Officers confirmed that three further representations had been received and circulated since the publication of the report.

11.2 Paul Atkins, John Owen and David Finney, all local residents, spoke against the application.

11.3 Stuart Gallimore, the Director of Children's Services, Peter Marchant, Headteacher designate, and Louise MacQuire-Plow, a parent, spoke in support of the application.

11.4 Councillor John Ungar, the Local Member, spoke against the application.

11.5 Members have considered the officer's report and 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.

11.6 RESOLVED (1) to grant planning permission subject to the completion of the following procedure:

a) To authorise the Director of Communities, Economy and Transport to secure, in conjunction with the Assistant Chief Executive, a Legal Agreement or Undertaking to secure off site highway works including alterations to the Willingdon Road/Eldon Road/Rodmill Drive traffic signals, alterations to the Cobbold Avenue/Willingdon Road junction, access alterations, provision of laybys in Eldon Road, provision of a new traffic island in Eldon Road, consideration of the position of bus stops in Eldon Road, consideration of Eastbourne Borough Council's request for a controlled crossing and 20mph speed limit in Eldon Road, a contribution towards applications for Traffic Regulation Orders and development of a Travel Plan

b) To authorise the Director of Communities, Economy and Transport to grant planning permission upon completion of the Legal Agreement/Undertaking subject to conditions along the lines as indicated in paragraph 8.2 of the report.

(2) to authorise the Director of Communities, Economy and Transport to refer the application back to the Committee if the Legal Agreement or Undertaking is not secured within 6 months of the date hereof.

11.7 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 0730 and 1800 on Mondays to Fridays, between 0800 and 1400 on Saturdays and not at any time on Sundays, Bank and Public Holidays unless the prior written agreement of the Director of Communities, Economy and Transport has been given.

Reason: To help protect the amenities of the locality during construction in accordance with Saved Policy HO20 of the Eastbourne Borough Plan 2003.

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: The condition is linked to commencement of development because it relates to the construction phase and is required in the interests of highway safety and the amenity of the locality.

5. The development shall not be occupied for educational purposes until site accesses affected by the development have been constructed or removed to the written satisfaction of the Director of Communities, Economy and Transport.

Reason: To ensure safe access to the site in accordance with Saved Policy TR2 in the Eastbourne Borough Plan 2003.

6. Unless otherwise agreed in writing by the Head of Planning and Environment, development shall not commence until a Construction 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: The condition is linked to commencement of development because it relates to the construction phase and is required in the interests of highway safety and the amenity of the locality.

7. 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 Plan.

Reason: The condition is linked to commencement of development because it relates to the construction phase and is intended to minimise the amount of construction waste to be removed from site for final disposal in accordance with Saved Policy NE5 of the Eastbourne Borough Plan 2003.

8. Prior to commencement of development details of the protection and retention of trees and other vegetation during 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: The condition is linked to commencement of development because it relates to the construction phase and aims to ensure trees are protected during construction in the interests of the character of the area in accordance with Saved Policy UHT7 in the Eastbourne Borough Plan 2003.

9. 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 UHT1 in the Eastbourne Borough Plan 2003.

10. Details of the proposed surface water drainage to prevent the discharge of surface water from the site onto the public highway and vice versa shall be submitted for the written approval of the Director of Communities Economy and Transport. The approved details shall form part of the development as built and be ready for use before the approved development is occupied.

Reason: To ensure appropriate arrangements for surface water drainage in the vicinity of the public highway.

11. 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.

12. The rating level of noise emitted from new plant shall not exceed the lowest measured background noise levels at the site's boundary with the nearest sensitive receptor.

Reason: To minimise the noise impact from plant in accordance with Saved Policy HO20 in the Eastbourne Borough Plan 2003.

13. 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 LCF18 in the Eastbourne Borough Plan 2003.

14. 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 help increase awareness and use of alternative modes of transport for school journeys in accordance with Saved Policy TR2 of the Eastbourne Borough Plan 2003.

15. 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 TR2 in the Eastbourne Borough Plan 2003.

16. 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 TR6 in the Eastbourne Borough Plan 2003.

17. Prior to occupation of the development details of noise barrier(s) adjacent to the eastern boundary shall be submitted to and approved in writing by the Director of Communities Economy and Transport. Details shall include design, appearance, siting and the

approved details shall be carried out before the development is occupied for educational purposes.

Reason: To minimise the impact of use of the access road in accordance with Saved Policy HO20 in the Eastbourne Borough Plan 2003.

18. The development shall not be occupied until details of hard and soft landscaping works and ecological enhancements have been submitted to and approved in writing by the Director of Communities, Economy and Transport and these works shall be carried out as approved. These details shall include:

Hard Landscaping

- Proposed finished levels or contours
- Means of enclosure
- Car parking layouts
- Other vehicle and pedestrian access and circulation areas
- Hard surfacing materials
- Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, etc.)

Soft Landscaping

- Planting plans
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate
- Implementation and maintenance programme

The landscaped areas shall be maintained thereafter in accordance with the approved details

Reason: To help integrate the development effectively into the surrounding environment and to comply with Saved Policy UHT7 Eastbourne Borough Plan 2003.

19. The development hereby permitted shall not be brought into use until the area shown as two mini soccer natural grass pitches shaded light green on Drawing No.(PL) 005 rev. K and the area shown as 5v5 Artificial Grass Pitch shaded dark green has been laid out in accordance with Drawing No. (PL) 005 rev. K, so that both are available for use as a playing field/sports facility. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order amending, revoking or re-enacting that order) that area shall not thereafter be used for any purpose other than as a playing field/sports facility.

Reason: To secure the provision of playing field/sports facility before the occupation of the new school building and to accord with Saved Policy LCF2 in the Eastbourne Borough Plan 2003.

20. The two mini soccer grass pitches shall be constructed and laid out in accordance with the area shaded light green on Drawing No. (PL) 005 rev. K and with the standards and methodologies set out in the guidance note `Natural Turf for Sport` (Sport England, 2011), and shall be available for use before occupation of the development hereby permitted.

Reason: To ensure the quality of pitches is satisfactory and they are available for use before occupation of the approved development in order to comply with Saved Policy LCF2 in the Eastbourne Borough Plan 2003.

21. The 5v5 Artificial Grass Pitch hereby permitted shall not be constructed other than substantially in accordance with Sport England's Design Guidance Notes for Artificial Surfaces for Outdoor Sport 2013 and the FA's 'Third Generation Football Turf Guidance.'

Reason: To ensure the approved development is fit for purpose and sustainable and to accord with Saved Policy LCF2 in the Eastbourne Borough Plan 2003.

22. Use of the approved development shall not commence until a Community Use Agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Director of Communities, Economy and Transport. The agreement shall apply to the 5v5 Artificial Grass Pitch and the northern playing field (x2 mini soccer pitches) and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which Sport England considers reasonably necessary in order to secure the effective community use of the facilities. The pitches 5v5 Artificial Grass Pitch and the northern playing field (x2 mini soccer pitches) shall be used strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Saved Policy LCF2 in the Eastbourne Borough Plan 2003.

23. The access road and 10 space car park to the east and north of the proposed building shall not be used at any time other than between the hours of 0730 and 1830 on Monday to Friday unless in the case of emergencies.

Reason: To minimise the impacts on the amenities of adjoining occupiers in accordance with Saved Policy HO20 of the Eastbourne Borough Plan 2003

## INFORMATIVES

1. Guidance on preparing Community Use Agreements is available from Sport England <https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/community-use-agreements/>
2. A formal application for connection to the public sewerage system is required in order to service the development. Please contact Southern Water, Southern House, Sparrowhawk, Otterbourne, Hampshire, Tel. 0330 303 0119.

## Schedule of Approved Plans

Site Location Plan RevA, Existing Secondary School Plan RevA, Existing Site Sections and Context Elevations RevA, Proposed Basement Floor Plan RevA, Proposed Roof Plan RevA, 6065 (PL 008 Rev B - Proposed First Floor Plan , 6065 (PL) 007 Rev B - Proposed Ground Floor Plan , 6065 (PL) 002 Rev D - Existing Site Plan, 6065 (PL) 010 Rev C - Proposed Elevations South & West, 6065 (PL) 011 Rev B - Proposed Elevations North & East, EDS 07-0102.05 A, Sub-station details, 6065 (PL) 005 Rev K - Proposed Site Plan, 6065 (PL) 012 Rev D - Proposed Elevations in Context, 6065 (PL) 013 Rev C - Proposed Sections, 6065 (PL) 014 Rev A - Eastern Boundary Sections

12. INSTALLATION OF A SINGLE MOBILE CLASSROOM TO BE LOCATED TO THE FRONT (SOUTH) OF THE MAIN SCHOOL BUILDING. CHYNGTON SCHOOL, MILLBERG ROAD, SEAFORD BN25 3ST - LW/3257/CC

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

12.2 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.

12.3 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.

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

3. The temporary building hereby permitted shall by 31st August 2020 be removed and the land restored to its former physical state of an area of tarmac and planted area or as otherwise agreed in accordance with a scheme submitted to and approved in writing by the Director of Communities, Economy and Transport.

Reason: The appearance of development is only considered appropriate for a temporary period.

4. No development shall take place until full details of measures to protect the tree and boundary hedge to the south of the proposed location of the temporary classroom have been submitted to and approved in writing by the Director of Communities, Economy and Transport and these works shall be carried out as approved. Such details shall be in accordance with BS5837:2012 and shall also include a drawing showing the location of the service runs for water, foul water and electricity supplies.

Reason: In order to protect the tree in the interest of visual amenity in accordance with Save Policy ST3 of the Lewes District Local Plan 2003.

5. Within 2 months of the occupation of the temporary classroom hereby approved, a bird box of the type set out in email correspondence between the agent and the County Council dated 10th June 2015 shall be fixed in a location to be agreed in writing by the Director of Communities, Economy and Transport. The bird box shall be retained in perpetuity unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: In the interest of encouraging biodiversity on the site in accordance with paragraph 109 of the NPPF.

6. Prior to the date six months from first occupation of the temporary classroom hereby approved, an updated School Travel Plan which addresses the increase in pupil and staff numbers accommodated by that temporary classroom shall be submitted to and approved in writing by the Director of Communities, Economy, and Transport. The School Travel Plan shall include targets for reduced car use, and an ongoing monitoring programme to ensure these targets are met. The updated School Travel Plan shall be implemented and thereafter maintained and/or developed in accordance with the approved details.

Reason: To increase awareness and use of alternative modes of transport for school journeys and reduce congestion at school delivery and collection times in accordance with Saved Policy TR1 of the Lewes Local Plan 2003.

7. The two air conditioning units hereby approved shall only be operated between the hours of 0730 and 1730 on Mondays to Fridays, inclusive, during term times and at no other times, in the evenings, weekends, Bank or Public Holidays except for works of essential maintenance or which are to respond to an emergency, frost control or as otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: In order to protect the amenity of adjoining residential occupiers in accordance with Saved Policy ST3 of the Lewes Local Plan 2003

## INFORMATIVE

1. The retention of this mobile classroom is unlikely to be granted planning permission for a further temporary period unless a review is undertaken which clearly indicates how this temporary accommodation can be replaced with permanent buildings within an acceptable timescale.

### Schedule of Approved Plans

8806/01b - Site Plan, 8806/02b - Part Existing Site Plan, 8806/03b - Site Plan Proposed, 8806/04b - Ground Floor Plan, 8806/05b - Exterior Elevations South and East, 8806/06b - Exterior Elevations - North and West

- 13 PROPOSED MANEGE FOR EXERCISING HORSES AND FORMED ON RAISED LEVEL AREA FROM IMPORTED INERT WASTE MATERIAL (SOIL, CRUSHED CONCRETE AND BRICK). KILNWOOD FARM, POTMANS LANE, CATSFIELD TN39 5JL - WD/752/CM

13.1 The Committee considered a report by the Director of Communities, Economy and Transport. Officers confirmed that a further representation from the applicant's agent had been received and circulated since the publication of the agenda. The Chair read out the comments of Councillor Bentley, one of the Local Members, in support of the recommendation of refusal.

13.2 Councillor Field, one of the Local Members and member of the Planning Committee, spoke in support of the recommendation of refusal.

13.3 Members have considered the officer's report together with the comments of the Local Members, and agree with the conclusions and reasons for recommendation as set out in paragraph 7 of the report.

13.4 RESOLVED to refuse planning permission for the following reasons:

1. The proposed development could be located at an alternative site within Kilnwood Farm, thereby negating the need for the importation of a substantial volume of inert waste materials. The use of such materials would not accord with the principles of the waste hierarchy, thereby conflicting with Policy WMP3b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.
2. The importation of inert waste materials to facilitate the construction of a manege would not be of benefit to the land and would conflict with the requirements of Policy WMP8b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

3. The proposed development would result in an adverse effect to the character of the natural topography of the landscape in the Low Weald, which would be significant in the local context, and would conflict with Saved Policy EN8 of the Wealden Local Plan 1998.
4. The proposed surfacing of the access track through Kiln Wood and the increased use of the track by heavy goods vehicles to facilitate the development would be detrimental to the interests of the Ancient Woodland, thereby conflicting with Saved Policy EN13 of the Wealden Local Plan 1998, Policy WMP27b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Part 11 of the National Planning Policy Framework 2012.

14. CHANGE OF USE OF THE EXISTING INDUSTRIAL UNITS TO A MATERIALS RECYCLING FACILITY (MRF) WITH EXTERNAL ANCILLARY WORKS. UNITS 2A AND 2B, BIRCH CLOSE, EASTBOURNE BN23 6NY - EB/751/CM

14.1 The Committee considered a report by the Director of Communities, Economy and Transport. Officers confirmed that two additional representations had been received and circulated since the publication of the agenda. The Chair reported the comments of Councillor Tutt, the Local Member.

14.2 Dan Stone, the applicant, and Alan Potter, his agent, spoke in support of the application.

14.3 A motion to amend the recommendation, so as to grant a temporary permission for three years, was proposed, seconded, voted on and lost.

14.4 Members have considered the officer's report and comments of the public speakers and Local Member, and agree with the conclusions and reasons for recommendation as set out in paragraph 5 of the report.

14.5 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.

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

3. Within one month of the date of this permission, the sleeper walls shall be constructed in accordance with the following approved plans and details:

-Drawing plan titled 'Existing elevations and proposed acoustic barrier' (front and side elevations) dated 30/04/2015 (Ref. L02 Rev B)

-Drawing plan titled 'Existing elevations and proposed acoustic barrier section' (rear elevation) dated 06/05/2015 (Ref. L03 Rev B)

-Document titled 'Details of Acoustic Barrier Construction' dated 12/06/2015

-Approved plan L.01 Rev H 'Site Layout Plan' (dated 04/06/2015) and thereafter maintained for the life of development.

Reason: In order to mitigate noise disturbance and in the interests of protecting the amenities of the locality in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

4. No machinery shall be operated and no process shall be carried out other than between the hours of 07.00 and 19.00 on Mondays to Fridays inclusive and between 07.00 and 14.00 on Saturdays and not at any time on Sundays, Bank and Public Holidays except of works for essential maintenance or which are to respond to an emergency. No later than one week after the carrying out of such works, full details of the time, date, reason for and nature of the works shall be given in writing to the Director of Communities, Economy and Transport.

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

5. The following operations shall not take place on site other than between the hours of 07.30 and 17.30 on Mondays to Fridays inclusive and between 07.30 and 13.30 on Saturdays:
  - (a) the removal of waste and loading of vehicles
  - (b) any deliveries or importation of waste to the site, including unloading of vehicles
  - (c) the servicing or repair of any vehicle

except with the prior written consent of the Director of Communities, Economy and Transport.

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

6. The maximum number of vehicle movements (excluding staff and other car movements) associated with the permitted use of the site shall not exceed 54 movements per day (i.e. 27 in and 27 out per day)

Reason: In the interests of amenity and highway safety and to comply with Policies WMP25 (a) and WMP26 (c) of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

7. Within one month of the date of this permission, the car parking spaces indicated on the approved plan L.01 Rev H 'Site Layout Plan' (dated 04/06/2015) shall be marked out and installed and thereafter shall be kept available at all times for the parking and stationing of vehicles associated with Units 2a and 2b, and shall not be used for any other purpose.

Reason: To ensure the provision of appropriate vehicle parking for the use hereby permitted, in accordance with Policy WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

8. The secure cycle storage room/building indicated on the approved plan L.01 Rev H 'Site Layout Plan' (dated 04/06/2015) shall be retained throughout the life of the development and shall be made available at all times for the parking and storage of staff and visitor bicycles.

Reason: To ensure the provision of appropriate cycle storage for the use hereby permitted, in accordance with Policy WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

9. The turning space for vehicles as identified on approved drawing 'Site Layout Plan' L.01 Rev H (dated 04/06/2015) shall be retained for use as a turning space for vehicles and for no other use.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway in accordance with Policy WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013

10. No storage container, skip, sorted or unsorted waste material or residue of recycled materials shall be stored outside the building other than wrapped or bound bales, which may be stored within the area identified as the 'Baled Waste Storage Area' on approved plan L.01 Rev H dated 04/06/2015 (that is the area to the southeast of the building).

Reason: In the interests of amenity of the locality in accordance with Policy WMP25 of the East Sussex and Brighton & Hove Waste Local Plan 2013.

11. Other than the moving of, setting down or loading of bales onto lorries (in accordance with the provisions of Condition 10 above), no sorting, treatment, loading or unloading of waste, recyclable materials or any other materials shall take place other than within the building.

Reason: In the interests of amenity of the locality in accordance with Policy WMP25 of the East Sussex and Brighton & Hove Waste Local Plan 2013.

12. No bales shall be stacked or deposited to a height exceeding 2.4 metres, measured from ground level on the site.

Reason: In the interests of amenity of the locality in accordance with Policy WMP25 of the East Sussex and Brighton & Hove Waste Local Plan 2013.

13. Notwithstanding the provisions of Part 7, Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no buildings, plant or machinery shall be extended, altered or installed at the site (other than as expressly authorised by this permission).

Reason: To enable the County Planning Authority to control the future use of the site in order to protect the character and amenity of the area in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

14. The rating level of the operational noise emitted from the site shall not exceed the background noise level at any time, as measured at Linden Court and St Anthony's Court and in accordance with BS 4142:2014.

Reason: In order to mitigate noise disturbance and in the interests of protecting the amenities of the locality in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

15. Within 3 months of the site becoming fully operational or within 6 months of the date of this permission (whichever is the sooner), a noise monitoring report shall be submitted in writing to the Director of Communities, Economy and Transport, to assess compliance with the above condition and, to outline and implement additional mitigation measures, if deemed necessary by the Director of Communities, Economy and Transport, to ensure compliance.

Reason: In order to mitigate noise disturbance and in the interests of protecting the amenities of the locality in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

16. Unless otherwise agreed in writing by the Director of Communities, Economy and Transport, the roller shutter doors at the front of the building shall remain closed at all times, except when bulked up waste is being removed from the site by HGVs.

Reason: In the interests of amenity of the locality in accordance with Policy WMP25 of the East Sussex and Brighton & Hove Waste Local Plan 2013.

17. The trommel or any other mechanical processing equipment shall not be in use or operation at any time when either of the roller shutter doors at the front of the building are open.

Reason: In the interests of amenity of the locality in accordance with Policy WMP25 of the East Sussex and Brighton & Hove Waste Local Plan 2013.

18. Within 2 months of the date of this permission, full details of the Dust Extraction System to be installed shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The approved Dust Extraction System shall be installed within 1 month of its approval and maintained at all times in full working order in accordance with the manufacturer's instructions.

Reason: In the interests of amenity of the locality in accordance with Policy WMP25 of the East Sussex and Brighton & Hove Waste Local Plan 2013.

#### Schedule of Approved Plans

P01 Rev D- Block Plan, Supporting Statement Rev 1, Dust Management Plan, Transport Statement dated March 2015, LWM BC Scheme Amendments v0.1 030615, LWM BC Site Layout Plan L.01 REVH 110615, LO3 Rev B Existing Elevations and proposed Acoustic Barrier Section, LO2 Rev B - Existing Elevations and proposed Acoustic Barrier , Details of Acoustic Barrier Construction 120615, Advice Note - LWM Birch Close Permitting v1.0 01.06.14

#### **NOTE**

The Planning Committee paused the meeting after consideration of this item, and reconvened as agents for the South Downs National Park Authority.

- 15 RETENTION OF IMPORTED WASTE MATERIAL AND PROFILING TO RAISE THE LEVEL OF A Paddock FOR DRAINAGE IMPROVEMENTS. FALMER COURT FARM, EAST STREET, FALMER, BN1 9PB - SDNP/15/00790/CW

15.1 The Committee, acting as agents for the South Downs National Park Authority, considered a report by the Head of Planning and Environment. Officers confirmed that an additional representation from the applicant's agent had been received and circulated since the publication of the agenda.

15.2 Peter Lenihan, a representative of Falmer Parish Council, spoke in support of the recommendation of refusal.

15.3 Mike Holland, the landowner, and Shane Tasker, his agent, spoke against the recommendation of refusal.

15.4 Members have considered the officer's report and comments of the public speakers and agree with the conclusion and reasons for recommendation as set out in paragraph 8 of the report.

15.5 RESOLVED (1) to refuse planning permission for the following reasons:

1. It has not been demonstrated that the importation of waste materials is required to manage drainage at the site and that there are no suitable alternative methods. Therefore, there is no justifiable need for the importation of waste for reasons of drainage and the use of the waste for this purpose does not accord with the principles of the waste hierarchy, thereby conflicting with Policy WMP3b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.
2. The importation of inert waste materials at the site to raise land levels for the purposes of drainage would not be of benefit to the land and would conflict with Policy WMP8b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.
3. The importation of waste materials at the site does not accord with the requirements to protect the landscape character of the South Downs National Park, thereby conflicting with Policies WMP2 and WMP27(a) of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013, Part 11 of the National Planning Policy Framework 2012 and Core Policy 10 of the Lewes District Submission Core Strategy 2013.
4. The importation of waste materials at the site does not accord with the requirements to conserve and enhance the character and appearance of Falmer Conservation Area and the setting of the tithe barn Grade II\* Listed Building, thereby conflicting with Policy WMP27(a) of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013, Saved Policies H2 and H5 of the Lewes District Local Plan 2003, Part 12 of the National Planning Policy Framework 2012 and Core Policy 11 of the Lewes District Submission Core Strategy 2013; and

(2) to authorise the Director of Communities, Economy and Transport to take appropriate enforcement action to secure the removal of all deposited inert and non-inert waste materials in breach of planning control at this site.