

PLANNING COMMITTEE

MINUTES of a meeting of the Planning Committee held at County Hall, Lewes on 13 April 2016.

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

71 MINUTES OF THE MEETING HELD ON 9 MARCH 2016

71.1 RESOLVED to approve as a correct record the minutes of the meeting held on 9 March 2016.

72 REPORTS

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

73 A259 NEWHAVEN ROAD AND BUCKLE BYPASS, SEAFORD 50MPH SPEED LIMIT ORDER 2016 - OBJECTIONS TO THE TRAFFIC REGULATION ORDER

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

73.2 Mrs Margaret Downham spoke regarding the proposed Order.

73.3 Members have considered the officer's report and comments of the public speaker and agree with the conclusion and reasons for recommendation as set out in paragraph 3 of the report.

73.4 RESOLVED to (1) not uphold the objections to the draft Speed Limit Order set out in Appendix 3 of the report; and

(2) recommend to the Director of Communities, Economy and Transport that the draft Order be made as advertised.

74 PROPOSED VARIATION OF CONDITIONS 8 (NOISE LEVELS), 9 (HOURS RESTRICTING OUTDOOR ACTIVITIES) & 10 (HOURS RESTRICTING HGV MOVEMENTS) OF PLANNING PERMISSION WD/715/CM. THE WOODLAND CENTRE, WHITESMITH, CHIDDINGLY BN8 6JB - WD/771/CM

74.1 The Committee considered a report by the Head of Planning and Environment.

74.2 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.

74.3 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 scheme for the provision of a telephone line for dealing with complaints from members of the public which was approved on 3rd March 2008 shall continue to be operated in full accordance with the approved details.

Reason: To secure the monitoring of the development in the interests of the amenity of the locality in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

4. Notice in writing of any complaint made by a member of the public about any matter associated with the development shall be given to the Head of Planning and Environment no later than the next working day after the complaint was received. The notice shall include a description of the complaint, the name and address of the person making the complaint and the action proposed as a result.

Reason: To secure the monitoring of the development in the interests of the amenity of the locality in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

5. The scheme for controlling dust during operations of the plant which was approved on 23rd July 2008 shall continue to be carried out in accordance with the approved details.

Reason: To control emissions of dust in the interests of the amenity of the locality in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

6. Any retained trees, shrubs or hedges on the site which within a period of five years from the completion of the development die, are removed, uprooted or destroyed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar species unless where otherwise agreed in writing by the Head of Planning and Environment.

Reason: To safeguard the specified landscape features in the interests of visual amenity and ecology in accordance with Policies WMP25 and WMP27 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

7. Any trees or shrubs planted as part of the landscaping scheme which was approved on 11th July 2008 which within a period of five years die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless otherwise agreed in writing with the Head of Planning and Environment.

Reason: To ensure the satisfactory appearance of the development in the context of the surrounding landscape in accordance with Policies WMP25 and WMP27 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

8. During the operation of the centralised composting facility noise emitted from all operational activities shall not exceed:

A) 45 dB LAeq, 1h (free-field) at any residential boundary between the hours of 07.00 - 18.00 Mondays to Fridays inclusive (save Bank Holidays) and 08.00 - 13.00 Saturdays and all noise sources will be free from any discernable characteristics, such as tonal or impulsive noise.

B) 40 dB LAeq, 1h (free field) at any residential boundary between the hours of 18.00 - 23.00 Mondays to Fridays inclusive, and 07.00 - 08.00 and 13.00 - 23.00 hours Saturdays, and 07.00 - 23.00 hours Sundays and Bank Holidays, and all noise sources will be free from any discernable characteristics, such as tonal or impulsive noise.

C) 26 dB LAeq, 1h (free-field) at any residential boundary between the hours of 23.00 - 07.00 every day, and all noise sources will be free from any discernable characteristics, such as tonal or impulsive noise.

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

9. No outdoor operational activities will be permitted outside of the hours of 08.00 - 18.00 Mondays to Fridays inclusive and 08.00 - 13.00 Saturdays, without the prior written consent of the Head of Planning and Environment, other than in the event of an emergency, written details of which shall be provided to the Head of Planning and Environment within three calendar days of the event.

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

10. There shall be no HGV movements associated with this development other than between the hours of 07.00 and 18.00 hours Mondays to Fridays inclusive (save Bank Holidays) and 08.00 to 13.00 hours on Saturdays, Sundays or Bank Holidays or during an emergency full details of the time, date and reason for the HGV movement shall be given in writing no later than 24 hours after there has been an HGV movement during an emergency to the Head of Planning and Environment.

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

11. Only source segregated green and food wastes up to a maximum annual (1 April - 31 March) tonnage of 60,000 tonnes material including only up to 15,000 tonnes of source segregated food waste, all arising from within the administrative area of East Sussex and Brighton & Hove shall be imported and processed at the facility. If it can be demonstrated that there is a shortfall of suitable locally sourced waste, an exception can be made for appropriate waste to be treated from outside the Waste and Minerals Plan Area with the prior written approval of the Head of Planning and Environment. No material shall be imported to the site unless and until all odour control facilities including negative air-pressure systems and biofilters are provided. Thereafter, the odour control arrangements shall be maintained in full working order in accordance with the Odour Management Plan.

Reason: To conform to Policy WMP3b of East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013, and in the interests of the amenity of the locality, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

12. No compostable material shall be stored outside the building unless the material is oversized or the direct product of wood chipping where all such material shall only be

stored either within the oversized storage bay or wood chipping area shown on drawing A4621-301 Rev Q approved under planning permission WD/457/CM, except where otherwise agreed in advance in writing by the Head of Planning and Environment.

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

13. The scheme for the illumination of the external faces of the site buildings, structures or other external areas which was approved on 19th January 2009 shall continue to be implemented in accordance with the approved details.

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

14. Any fuel, oil lubricant and other potential pollutants shall be handled on the site in such a manner as to prevent pollution of any watercourse or aquifer. For any liquid other than water, this shall include storage in suitable tanks and containers which shall be housed in an area surrounded by bund walls of sufficient height and construction so as to contain the equivalent of 110% of the total content of all containers and associated pipework. The floor and walls of the bunded areas shall be impervious to both oil and water. The pipes shall vent downwards into the bund.

Reason: To prevent pollution to land and water in accordance with Policy WMP28b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

15. Unless with the prior written approval of the Head of Planning and Environment, there shall be no more than an average, when measured over 1 year (1 April - 31 March), of 72 HGV (i.e. lorries in excess of 7.5 tonnes un-laden weight) movements per day (i.e. 36 in and 36 out) entering or leaving the site and, in any event, on any one day there shall be no more than 108 HGV movements entering or leaving the site.

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

16. Notwithstanding the provisions of the Town and Country Planning (Use classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification) no other uses of the building shall take place, other than as expressly authorised by this permission.

Reason: To enable the Head of Planning to control the future use of the site in the interests of the amenity of the locality in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

17. No storage container, skip sorted or unsorted waste material or residue of recycled materials or any other items shall be stored outside the building, except with the prior written consent of the Head of Planning and Environment.

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

18. There shall be no processing machinery operating outside the building or any treatment, sorting, loading or unloading of waste or recyclable materials other than within the building, unless otherwise agreed in writing by the Head of Planning and Environment.

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

19. There shall be no servicing or maintenance of Heavy Goods Vehicles on the site except for emergency repairs for the reasons of road safety.

Reason: To enable the Head of Planning and Environment to control the future use of the site in the interests of the amenity of the locality in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

20. No retail sales to the public shall take place on the site.

Reason: To enable the Head of Planning and Environment to control the future use of the site in the interests of the amenity of the locality in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

21. The Travel Plan which was approved on 28th September 2009 shall continue to remain in force and be developed in accordance with the approved details.

Reason: To increase awareness and use of alternative modes of transport for travel to and from the site.

22. The scheme for surface water drainage which was approved on 30th June 2008 shall be maintained in accordance with the approved details.

Reason: To prevent an increase in the risk of flooding in accordance with Policy WMP28a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

23. There shall be no new buildings, structures (including ponds, gates, walls and fences), car parks, tree planting or construction of raised ground levels within 3 metres of the adjacent watercourses, inside or along the boundary of the site, unless agreed otherwise in writing by the Head of Planning and Environment.

Reason: To protect the watercourse corridor, in accordance with Policies WMP28a and WMP28b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

24. The handling/storage areas where waste is received, handled, treated or stored must have an impervious base and be designed to ensure the containment of potentially polluting process liquors and all contaminated surface water.

Reason: To prevent the contamination of water sources in accordance with Policies WMP28a and WMP28b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

INFORMATIVES

1. Introduction of fish into any pond requires the consent of the Environment Agency.
2. Under the terms of the Water Resources Act 1991 written approval of the Environment Agency is required for any discharge of sewage or trade effluent into controlled waters, and may be required for any discharge of sewage or trade effluent from buildings or fixed plant into or on to the ground or into waters which are not controlled waters. Such approval may be withheld. (Controlled waters include rivers, streams, underground waters, reservoirs, estuaries and coastal waters). The applicant is advised to contact the Regulatory Water Quality Team to discuss this matter further.
3. The applicant remains bound by the provisions of the S.106 Deed of Agreement dated 14th September 2007.

Schedule of Approved Plans

Site Plan A4621-002, Site Operations Plan with Water Treatment A4621 5000A

75 EXTENSION OF TIME TO COMPLETE LEGAL AGREEMENT FOR - CHANGE OF USE OF LAND TO ALLOW CONSTRUCTION AND OPERATION OF A WASTEWATER PUMPING STATION WITH NEW LAYBY OFF FOURTEEN ACRE LANE AND A WASTEWATER TREATMENT WORKS WITH NEW VEHICULAR ACCESS FROM BUTCHER'S LANE, TOGETHER WITH ANCILLARY FENCING AND LANDSCAPING. LAND TO SOUTH OF BUTCHER'S LANE AND TO WEST OF SAILORS STREAM AND LAND TO NORTH EAST OF JUNCTION OF FOURTEEN ACRE LANE AND BUTCHER'S LANE IN THREE OAKS - RR/741/CM

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

75.2 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.

75.3 RESOLVED to agree an extension of time for the Legal Agreement to be completed, and, to authorise the Director of Communities, Economy and Transport to grant planning permission for application RR/741/CM upon completion of the Legal Agreement, subject to conditions along the lines agreed by Planning Committee on 14 October 2015. If the Legal Agreement has not been completed by 14 June 2016, the application shall be referred back to the Committee.

76 DEVELOPMENT MANAGEMENT MATTERS: QUARTERLY REPORT

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

76.2 RESOLVED to (1) note the report; and
(2) thank the staff for their efforts in the work involved.

The meeting ended at 10.55 am.