

PLANNING COMMITTEE

MINUTES of a meeting of the Planning Committee held at County Hall, Lewes on 14 August 2019.

PRESENT Councillors Richard Stogdon (Chair), Barry Taylor (Vice Chair), Godfrey Daniel, Nigel Enever, Tom Liddiard and Pat Rodohan

6 MINUTES OF THE MEETING HELD ON 15 MAY 2019

6.1 The Committee approved as a correct record the minutes of the meeting held on 15 May 2019.

7 APOLOGIES FOR ABSENCE

7.1 Apologies for absence were received from Councillors Bob Bowdler and Kathryn Field. It was noted that Councillor Nigel Enever was in attendance as a substitute for Councillor Bowdler.

8 REPORTS

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

9 FULL PLANNING APPLICATION FOR CONSTRUCTION OF A PART 2-STOREY, PART 3-STOREY NEW 80 PLACE CO-EDUCATIONAL SEMH (SOCIAL, EMOTION, MENTAL HEALTH SPECIAL SCHOOL INCLUDING PROVISION OF HARD AND SOFT LANDSCAPING, PERIMETER FENCING, CAR PARKING AND OTHER ASSOCIATED WORKS INCLUDING SLOPE REGRADING, A NEW ELECTRIC SUB-STATION AND A NEW ACCESS FROM REEF WAY. KNOWN AS LAND EAST OF BATTLE ROAD, REEF WAY, HAILSHAM, BN27 1FB - WD/3400/CC

9.1 The Committee considered a report by the Director of Communities, Economy and Transport, together with an addendum containing an amended Recommendation 1(i) and written comments from Councillor Bob Bowdler, the Local Member.

9.2 Antony Julyan (ISEND Strategic Manager & Children's Commissioner) and Dr Jonty Clark (Provider) spoke in support of the recommendation.

9.3 An amendment to Condition 22, to make reference to a set review period and nominated post holder, was proposed and agreed.

9.4 Members have considered the officer's report, addendum, amended Condition, the comments of the Local Member and public speakers, and agree with the conclusions and reasons for recommendation as set out in paragraph 7 of the report.

9.5 RESOLVED to approve the application subject to the completion of the following procedure:-

- i. To authorise the Director of Communities, Economy and Transport to secure a Legal Agreement or Unilateral Undertaking requiring provision of dropped kerbs to provide a pedestrian crossing on Reef Way; road markings including single yellow line (time limited) and 'School Keep Clear' markings on Reef Way subject to the making of a Traffic Regulation Order and payment of the associated fee of £5,000 or such other works in mitigation to the satisfaction of the Highway Authority; and
- 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 9.6 below.
- iii. 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 6 months of the date hereof.

9.6 The grant of planning permission should be subject to the following conditions:-

Time Limit

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.

General Operations

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 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.

4. 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.

5. The School drop-off and pick-up times shall operate in accordance with the staggered timings as specified within the approved 'Outline Car Park Management

Plan' dated 19 July 2019 (or as updated), unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: To ensure acceptable traffic conditions on Reef Way are maintained in accordance with Saved Policy TR3 of the Wealden Local Plan 1998.

6. The pond located in the east of the site shall be fenced off at all times (both during and post construction), unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: In order to prevent contamination of the pond.

Construction Programme

7. Prior to the commencement of development, a revised 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) Details of the location of the contractors parking
- iii) Details of wheel wash surface drainage outflows.

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.

8. 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.

9. Unless otherwise agreed in writing by the Director of Communities, Economy and Transport, prior to any excavation works a Site Waste Management Plan (SWMP) securing and demonstrating that the amount of excavation and construction waste resulting from the development has been reduced to the smallest amount possible has been submitted to and approved in writing by the Director of Communities, Economy and Transport. The SWMP shall include details of the extent to which waste materials arising from excavation will be reused on site and demonstrate 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 SWMP.

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.

10. The Construction Haulage Road hereby approved shall operate as a one-way system, with vehicles entering via the south-east temporary construction access and departing via the northern main access.

Reason: To ensure safety of users of the haulage road and to provide satisfactory means of access in accordance with Saved Policy TR3 of the Wealden Local Plan 1998.

11. The approved details of wheel washing facilities 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.

Reason: In the interests of highway safety and the amenity of the locality in accordance with Saved Policy TR3 of the Wealden Local Plan 1998.

Ecology & Landscape

12. No development shall take place (including any demolition, ground works, site clearance) until method statements for the protection of breeding birds, dormice, great crested newts and reptiles 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);
- The works shall be carried out in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To protect habitats and species identified in the ecological surveys from adverse impacts during construction in accordance with provision in the NPPF.

13. No development shall take place until an ecological design strategy (EDS) addressing mitigation for the loss of habitat and enhancement of the site for biodiversity 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;

The EDS shall thereafter 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.

14. A landscape and ecological management plan (LEMP) shall be submitted to, and approved in writing by, the Director of Communities, Economy and Transport prior to the occupation of the development. The content of the LEMP shall include the following:
- a) description and evaluation of features to be managed;
 - b) ecological trends and constraints on site that might influence management;
 - c) aims and objectives of management;
 - d) appropriate management options for achieving aims and objectives;
 - e) prescriptions for management actions, together with a plan of management compartments;
 - f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
 - g) details of the body or organisation responsible for implementation of the LEMP;
 - h) ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The LEMP shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved LEMP will be implemented in accordance with the approved details.

Reason: To ensure the conservation value of ecological and landscape features is conserved in accordance with the requirements of the NPPF and in accordance with Policy EN14 of the Wealden Local Plan 1998.

15. Prior to any groundworks, detailed planting plans based on the approved outline planting strategy shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The details shall also include:

- i) details of the construction method
- ii) details of materials proposed for reinforced embankments
- iii) details of type of rock to be used for gabions

The works shall thereafter be carried out in accordance with the approved details.

Reason: In order to conserve the landscape character in accordance with Saved Policy EN14 of the Wealden Local Plan 1998.

Flood Risk & Drainage

16. 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.

Reason: To ensure appropriate management of the risk of flooding.

17. Surface water discharge rates shall be limited to 11.2 l/s for all rainfall events, including those with 1 in 100 (+40% for climate change) annual probability of occurrence as specified in the approved Flood Risk Assessment & Drainage Strategy Report (ref. C1806-LON-ZZ-00-RE-0001). Prior to the occupation of the development hereby approved, evidence of this (in the form hydraulic calculations) including detailed drainage drawings shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The hydraulic calculations should take into account the connectivity of the different surface water drainage features.

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

18. Prior to occupation of the development, a maintenance and management plan for the drainage system associated with the development hereby permitted, shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. This approved plan shall thereafter be implemented in full.

Reason: To ensure appropriate management of the drainage system in accordance with Policy CS2 of the Wealden Local Plan 1998.

Highways

19. No part of the development shall be occupied until such time as the vehicular access has been constructed in accordance with plans and technical details relating to the vehicle restraint/pedestrian barrier, fence protection for culvert, surface, footway, internal crossing section and drainage, which shall be submitted to and approved in writing by the Director of Communities, Economy and Transport.

Once approved, the works shall be carried out in accordance with the approved details and shall remain in place for the lifetime of the development.

Reason: In the interests of road safety, in accordance with Saved Policy TR3 of the Wealden Local Plan 1998.

20. No part of the development shall be occupied until provision has been made within the site in accordance with plans and details to be submitted to and approved by the Director of Communities, Economy and Transport, to prevent surface water draining onto the publicly accessible road way.

Reason: In the interests of road safety in accordance with Saved Policy TR3 of the Wealden Local Plan 1998.

21. Within 3 months of occupation, the draft parking management plan shall be reviewed and updated. The final management plan shall be submitted to and approved in writing by the Director of Communities, Economy and Transport and thereafter remain in place for the lifetime of the development.

Reason: To ensure highways safety and to prevent overspill of vehicles onto Reef Way in accordance with Policy TR3 of the Wealden Local Plan 1998.

22. The approved Travel Plan, which stipulates an annual review and a named post as the Travel Plan Co-Ordinator, 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.

23. The visibility splays shall be provided in accordance with the approved plans and shall thereafter be maintained and kept free of all obstructions over a height of 600mm.

Reason: In the interests of road safety in accordance with Saved Policy TR3 of the Wealden Local Plan 1998.

Design

24. 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.

Lighting

25. 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.

Archaeology

26. Unless otherwise agreed in writing, within 3 months of occupation of the development, an archaeological site investigation and post - investigation assessment (including provision for analysis, publication and dissemination of results and archive deposition) shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The archaeological site investigation and post - investigation assessment shall be undertaken in accordance with the programme set out in the written scheme of investigation submitted with the application (Wessex Archaeology 212511.0)

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

Noise

27. The combined noise rating level from all site plant shall be less than 38 dB at the nearest noise sensitive receptors at all times, as determined in accordance with BS 4142: 2014, and no plant shall be operated outside of school hours.

Reasons: to comply with the requirements of paragraphs 170 & 180 of the NPPF and to mitigate and reduce 'noticeable and intrusive' noise to a minimum, as recommended by the NPPG.

INFORMATIVES

1. The applicant should note that no removal of hedgerows, trees or habitats shall take place between 01 March and 31 August inclusive
2. All reasonable steps shall be taken to ensure that any vehicles associated with the development leaving the site are in such condition as to not emit dust or deposit mud, or other debris on the highway.
3. The applicant's archaeological consultant will need to notify the County Archaeologist of the start of the trial trenching and provide 10 days' notice for a site meeting to view the findings and agree further archaeological work.

Schedule of Approved Plans

Dwg Nos 1 & 2 - 4 Utility Mapping and Topographical Survey Plans, Dwg Nos 1,2 & 3 - 5 Utility Mapping and Topographical Survey Plans, 30/P9 - Proposed Lower Ground Floor Plan, 31/P12 - Proposed Upper Ground Floor Plan, 32/P12 - Proposed First Floor Plan, 33/P7 - Proposed Roof Plan, 37/P4 - Sections A-A, & B-B , 38/P4 - Sections C-C & D-D, 39/P1 - Proposed Site Sections, 2047/TF/V1/00/DR/L/1001 - Landscape Proposals, 2047/TF/V1/00/DR/L/5001 - Landscape sections/elevations, 2047/TF/V1/00/DR/L/1003 - Boundary Plan, 2047/TF/V1/00/DR/L/3001 - Planting Strategy, Design and Access Statement,

Flood Risk Assessment & Drainage Strategy Report March 19, Flood Risk Assessment Appendix A Site Plans and Exploratory Hole Logs, Flood Risk Assessment Appendix B Field Sampling and In-Situ Test Methods and Results, Flood Risk Assessment Appendix C Geotechnical Laboratory Test Methods and Results, Flood Risk Assessment Appendix D Geotechnical Figures and Tables, Flood Risk Assessment Appendix E Contamination Laboratory Test Methods and Results, Flood Risk Assessment Appendix F Monitoring Data, Noise Assessment, Planning Statement, LLD1560-ARB-DWG-001 Rev 01 - Tree Constraints Plan, Existing Tree Schedule, Project Environmental Plan, Technical Note - Impact on Ashdown Forest, Framework School Travel Plan, Preliminary Ecological Appraisal Report and Impact Assessment, Transport Statement, Preliminary Culvert and Access Details , Arboricultural Impact Assessment & Method Statement April 2019, Tree Retention and Protection Plan , Landscape Sections , 34/P6 - Proposed Elevations Sheet 1 (South East & South West), 35/P6 - Proposed Elevations Sheet 2 ((East & North), 51/P1 - Proposed Elevations Sheet 3 (South West & South East coloured), 52/P1 - Proposed Elevations Sheet 4 (North & East coloured), 2047 TF V1 00 DR L 2001 - Hard Landscape Plan (Sheet 1 of 2), 2047-TF-V1-00-DR-L-2002 - Hard Landscape Plan (Sheet 2 of 2), 2047-TF-V1-00-DR-L-1007 - Landscape Strategy (detail), 001 Rev P3 - Site Location Plan , Technical Note - Outline Car Parking Management Plan, Construction Management Plan, Written Scheme of Investigation for Archaeological Mitigation Revised 28 June 2019, 2047-SK-20190718-01 - Parking Entrance sketch, TP-0011 Rev PO1 - Large Refuse Vehicle - Swept Path Analysis, TP-0010 Rev PO2 - Site Access - Mini bus and taxi Swept Path Analysis, TP-0009 Rev PO4 - Site Access - Visibility Splays, TP-0006 Rev PO4 Haulage Road Swept Path Analysis - Large Tipper, Construction Management Plan - 1st August 2019

10 DEVELOPMENT MANAGEMENT MATTERS: QUARTERLY REPORT

10.1 The Committee considered a report by the Director of Communities, Economy and Transport, together with an update on an old enforcement case, which had resulted in the recovery of the County Council's costs by way of a legal charge placed on the land.

10.2 RESOLVED to note the report and thank the officers.