

**UNADOPTED
POLEGATE TOWN COUNCIL**

PLANNING COMMITTEE

Minutes of the meeting held on 9th January 2012 at 7.30pm Council Chambers 49 High Street Polegate

Present: M Clewett (Chair), G Carter, Mrs C Berry, Mrs J Voyce, T Voyce (ex officio) Mrs M piper (ex officio) J Harmer (7)

Not present Cllr M Pybus, R Martin, E Board (3)

12 members of public

10 035 Apologies for absence

R Martin (other business), E Board (other meeting)
M Pybus apology received on answerphone.

10 036 Declarations of interest

None

10 037 Minutes of meeting held 29th November 2011

The minutes were taken as read, and signed as accurate by the chair. VOTE All in favour.

10 038 Opportunity for public comment

3 Members of the public wished to speak on application WD/662/CM

Standing orders suspended

Comments included

- noise pollution and above 5dB levels inside residential properties when being measured during the crusher use by the consultant SLR Noise recorded as 8dB.
- Above 5dB and high frequency tonal noises proven to adversely affect children and resident has two children age 5 & 8
- Country road not adequate to accommodate normal road users and 30 tonne lorries safely
- High frequency tonal noise intrusive
- Mitigating noise conditions inadequate
- Road issue mitigation inadequate (trimming trees and hedgerow)
- Amenities of local residents adversely affected by the application as it stands
- Further expansion if granted would totally destroy amenities of local residents
- The road is currently used as a regular access onto the A22 trunk road and this would become extremely dangerous to both traffic on the A22 and country lane when large lorries turn into or pull out of the lane
- No noise bunds on the residents side of the application

Cllrs Mrs C Berry and J Harmer arrived at 7.43pm

Standing orders reinstated

10 039 Planning Applications

WD/662/CM Polegate Yard, Coldthorn Lane, Hailsham

Change of use from mortar, aggregate and concrete plant yard and depot (part B2 and B8 use) to an inert recycling operation (45,000 tonnes per annum), dry recyclables storage and skip storage area with acoustic screening bunds.

The clerk was asked if the application was within the Polegate boundary. The clerk stated that it was but it was on the line of the boundary which bordered Hailsham.

Councillors present felt that when this application had been first received the information received from the applicant had not disclosed the full facts of the application, despite questions regarding details of the operation of the site being asked. The decision the planning committee had made in August was based on the application plus clarifications from the applicant's presentation at the planning meeting in August. Following a detailed

review of the application along with the amendments the committee were unanimous in their objections to the application.

All councillors present spoke against the application including the points below

- Noise – noise pollution from the application in and around local houses would be above recommended levels contrary to Planning Policy Guidance PPG14

The level of noise was noted by residents to be measured by the consultant above acceptable levels within a local resident's home. The surrounding houses are noise sensitive areas and the measures to mitigate noise are insufficient.

General principles

2. The impact of noise can be a material consideration in the determination of planning applications. The planning system has the task of guiding development to the most appropriate locations. It will be hard to reconcile some land uses, such as housing, hospitals or schools, with other activities which generate high levels of noise, but the planning system should ensure that, wherever practicable, noise-sensitive developments are separated from major sources of noise (such as road, rail and air transport and certain types of industrial development). It is equally important that new development involving noisy activities should, if possible, be sited away from noise-sensitive land uses. Development plans provide the policy framework within which these issues can be weighed but careful assessment of all these factors will also be required when individual applications for development are considered. Where it is not possible to achieve such a separation of land uses, local planning authorities should consider whether it is practicable to control or reduce noise levels, or to mitigate the impact of noise, through the use of conditions or planning obligations.

- The application would change the intrinsic character of the countryside and local houses amenities contrary to PPS4 and the cancelled PPG5 (now guidance)

POLICY EC6: PLANNING FOR ECONOMIC DEVELOPMENT IN RURAL AREAS EC6.1 Local planning authorities should ensure that the countryside is protected for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and to ensure it may be enjoyed by all. EC6.2 In rural areas, local planning authorities should: strictly control economic development in open countryside away from existing a. settlements, or outside areas allocated for development in development plans

- The proposed mitigating noise condition for 20 mins of crusher noise out of 1 hr is unlikely to be feasibly monitored and has been measured above acceptable levels in local houses.
- Is considered to be contrary to waste local plan 14 in respect of the land previously being used for construction not waste disposal and does not appear to have been allocated as "waste disposal" land.

POLICY WLP 14: Recycling and recovery facilities for construction and demolition waste

Facilities for the recycling of construction and demolition waste will be permitted, subject to other policies of the Plan where relevant, where it is demonstrated that they are:

- a) on land that is located within permitted or allocated industrial or waste management sites (other than landfill); or**
- b) on other suitable previously developed land; or**

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- c) within or adjacent to an existing permitted land disposal site or mineral working site, provided that the operation is for a temporary period commensurate with the life of the land disposal or mineral working operation and there is no conflict with restoration proposals; or**
- d) adjacent or in close proximity to a demolition and/or construction site provided that the operation is for a temporary period commensurate with the demolition/construction phase of the development.**

- Is considered to be contrary to waste local plan 35 in that it would adversely affect the amenities of local properties and businesses such as the fishing lakes, where there are protected crested newts in both local residents' ponds and the fishing lakes.

POLICY WLP 35: General Amenity Considerations

All proposals shall satisfy the following criteria:

- a) the development is of a scale, form and character appropriate to its location; and**
- b) there is no unacceptable adverse effect on the standard of amenity appropriate to the established, permitted or allocated land uses likely to be affected by the development; and**
- c) adequate means of controlling noise, dust, litter, odours and other emissions are secured; and**
- d) there is no unacceptable adverse effect on the recreational or tourist use of an area, or the use of existing public access or rights of way; and**
- e) there is no unacceptable adverse effect on areas or features of demonstrable landscape, archaeological, architectural, geological, ecological, or historical importance.**

- Is considered to be contrary to Wealden Non statutory Local Plan TR1 (5) in that the application would encourage large tonnage lorries onto a small country road, which is not adequately wide to accommodate large lorries to be turning into or out of the road without causing a hazard to other users of the road.
- Is considered to be contrary to Wealden Non Statutory Local Plan TR1 (1, 2) in that access onto the rural road would make entrance and exit to local residents and businesses hazardous.
- Is considered to be contrary to Wealden Non Statutory Local Plan TR3(1,2) in that access to and from the trunk road (A22) by non business vehicles would be put at risk (being suddenly faced with an oncoming 30 ton lorry). Occasions where a regular vehicle may have to back out onto a trunk road, or a vehicle planning to exit onto the trunk road would have to reverse a long distance along a narrow rural country road to avoid collision with the large waste carrying lorries.
- Is considered to be contrary to Wealden Local Plan EN27 (2) in that it would adversely affect the amenities of local properties and small business. Local recreation in the area includes fishing and horse riding.
- Is considered to be contrary to Wealden non statutory Local Plan NE4 (2,3) in that the land has already been built up. It appears that drains feeding into the local fishery top pond have been installed. This could cause leaching into the water supply and subsequently affect the livelihood of the business owner and the wildlife (crested newts and fish) in the ponds. (Each pond is fed from the main pond at the top)

Vote all in favour of submitting the above objections to the application.

The clerk was asked to draft a response to ESCC regarding the committee's objections.

10 040 Any other plans received prior to the meeting – notified to the public.

None

10 041 Delegated applications

**WD/2011/2526/F Builder's Yard, Nightingale Hill, Polegate BN26 6RF
Change of use from builder's yard to gas storage**

**Delegated committee: M Clewett (chair), R Martin (vice chair), G Carter
No objections**

**WD/2011/2546/AI Land at Cophall Farm, Hailsham road, Polegate BN26 6QL
Installation of appendage to existing "Total" gantry sign
Delegated committee: M Clewett (chair), R Martin (vice chair), G Carter
No objections**

**WD/2011/2576/F the Cottage, Dittons Road, Polegate BN26 6HS
Erect and Orangery and single storey extension at rear
Delegated committee: M Clewett (chair), R Martin (vice chair), G Carter
No objections**

**WD/2011/2452/F 58B High Street, Polegate BN26 6AE
Change of use from charity outlet to A2
Delegated committee: M Clewett (chair), R Martin (vice chair), G Carter
No objections**

**WD/2011/2689/F Unit C1, The Chaucer Business Park, Dittons Road, Polegate
BN26 6JF
Delegated committee: M Clewett (chair), R Martin (vice chair), G Carter
No objections**

**WD/2011/2656/AN Maybury, Dittons Road, Polegate BN26 6HS
2 SLF Supporting sign Boards
Delegated committee: M Clewett (chair), R Martin (vice chair), G Carter
No objections**

**10 042 Details of Planning decisions by Wealden District Council
WD/2011/2357/F 71 Victoria Road, Polegate BN26 6BX
Single Storey rear extension
Approved by Wealden District Council 19th December 2011**

**WD/2011/2221/F 3 Sayerland Road, Polegate BN26 6NU
Installation of photovoltaic solar panels
Approved by Wealden District Council 12th December 2011**

**WD/2011/2105/F Unit 1-2, Dittons Road, Polegate BN26 6HY
Erection of a 20 meter high by 1.4 metre lattice framework communications mast.
The mast will be coloured dark green and enclosed by a 2 metre high security
fence of metal construction also painted dark green.
Approved by Wealden District Council 12th December 2011**

**WD/2011/2230/F Nightingale Farmhouse, Hailsham road, Polegate BN26 6RE
Proposed replacement dwelling
Approved by Wealden District Council 6th December 2011**

**10 043 Correspondence for information only
None**

10 044 Planning updates and General information
The clerk mentioned that following an email requesting the details of matters for the core strategy she was now receiving further information.

Cllr Clewett and Cllr Mrs Voyce commented that the wind farm application had now been delayed pending further information.

The meeting closed at 8.00pm