

East Sussex County Council Planning Committee 16 January 2019

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Agenda Item 5

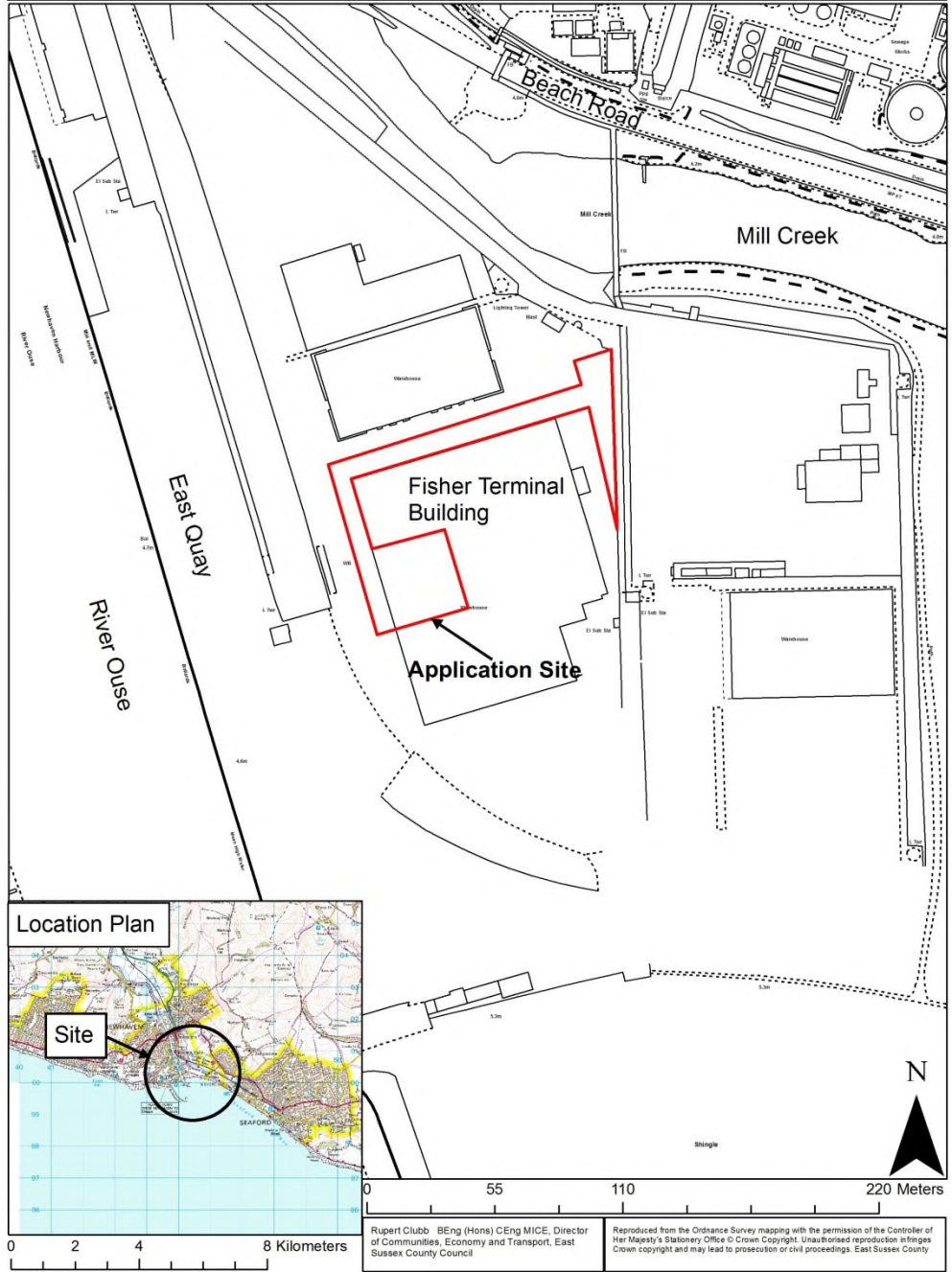
LW/815/CM

Proposed Installation & operation of energy conversion plant including receipt and processing of waste feedstock.

4A Fisher Terminal, East Quay, Newhaven, Newhaven Port,
BN9 0DA

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LW/815/CM
4A Fisher Terminal, East Quay, Newhaven



LW/815/CM
4A Fisher Terminal, East Quay, Newhaven





Western elevation of Unit 4a





View north along East Quay with the Fisher Terminal building on right and Unit 4a in centre

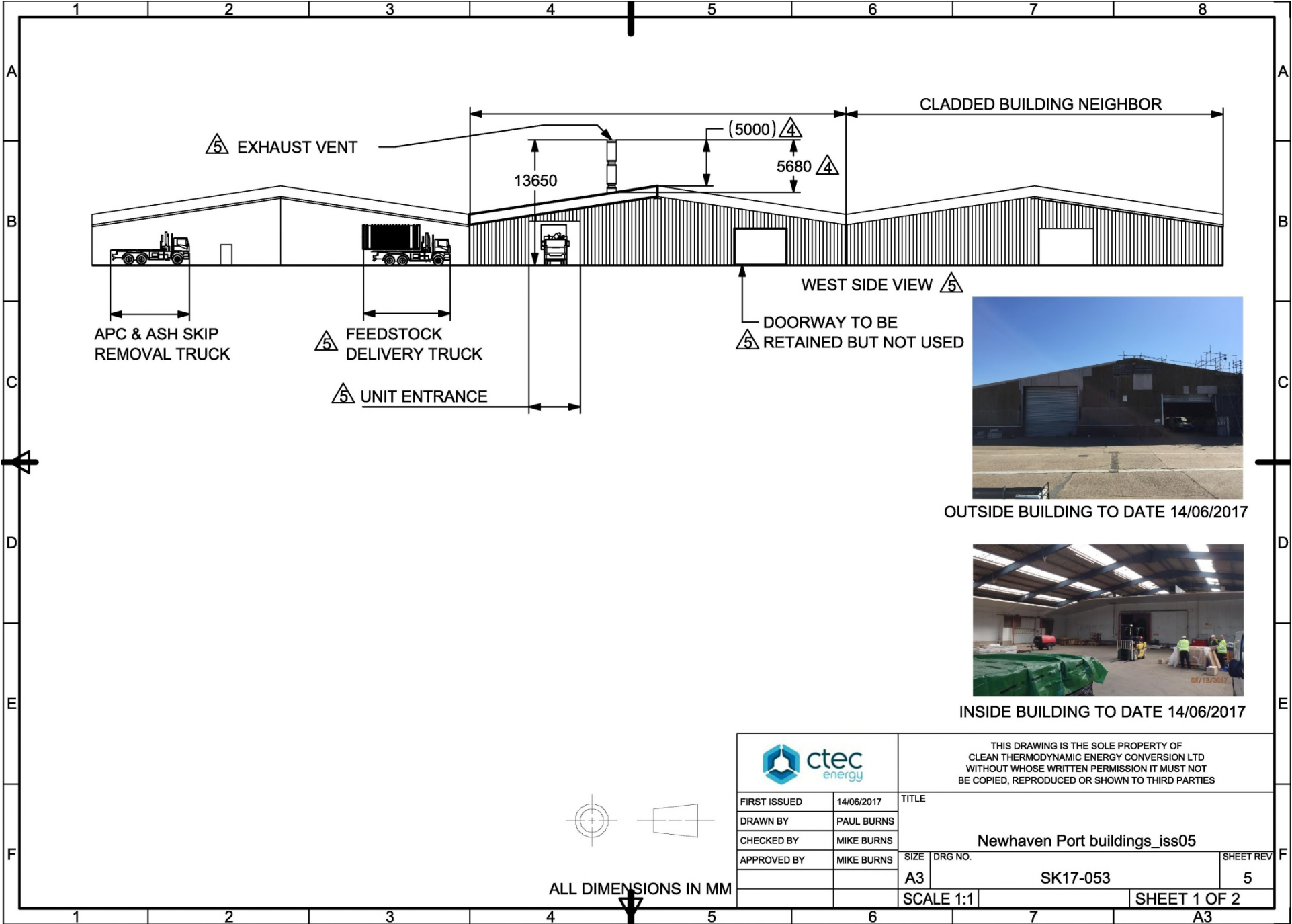


SITE LOCATION PLAN
AREA 4 HA
SCALE 1:1250 on A4
CENTRE COORDINATES: 545192, 10048

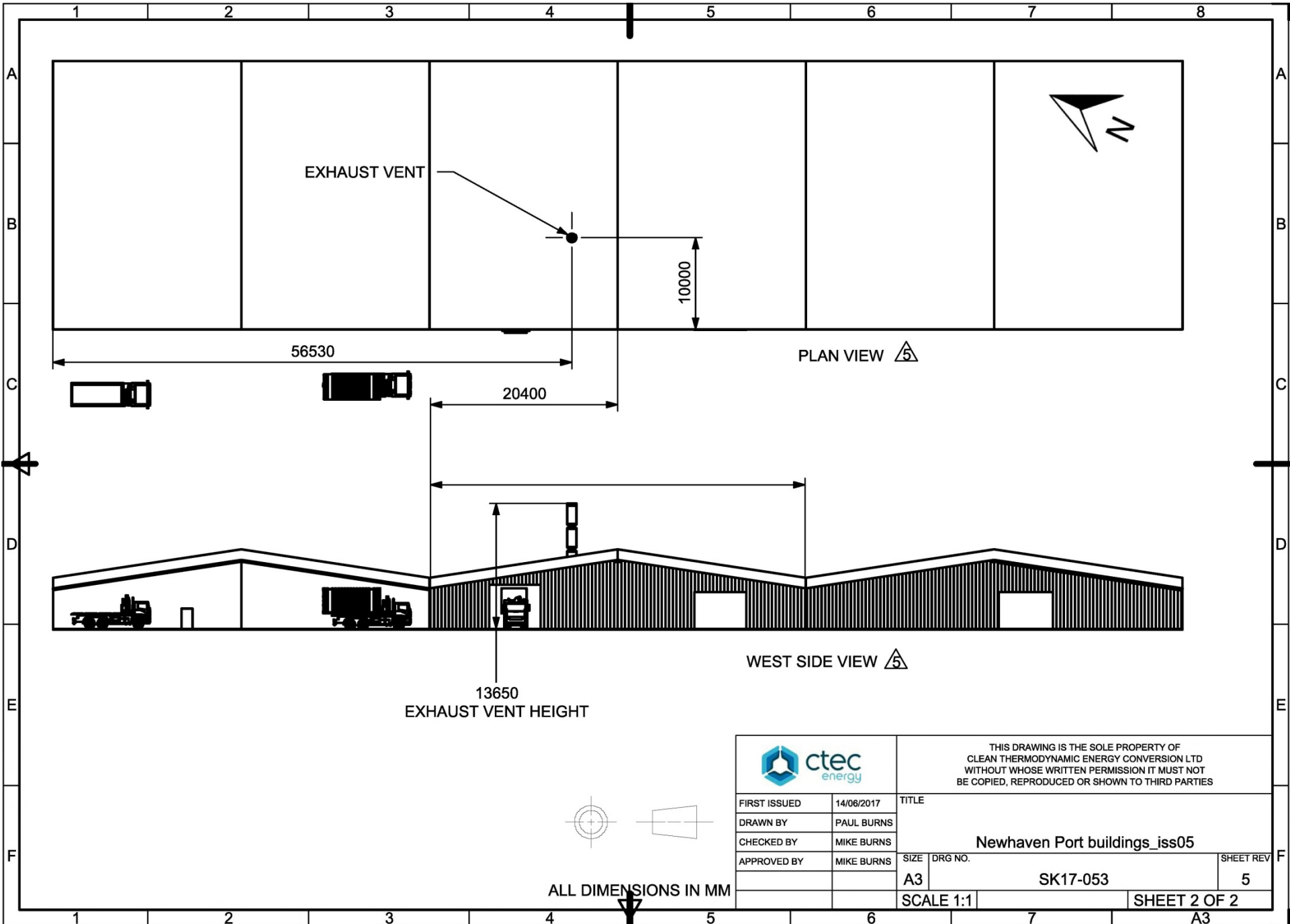


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FIRST ISSUED	14/06/2017	TITLE		
DRAWN BY	PAUL BURNS	Newhaven Port buildings_iss05		
CHECKED BY	MIKE BURNS	SIZE	DRG NO.	SHEET REV
APPROVED BY	MIKE BURNS	A3	SK17-053	5
		SCALE 1:1	SHEET 1 OF 2	
		A3		

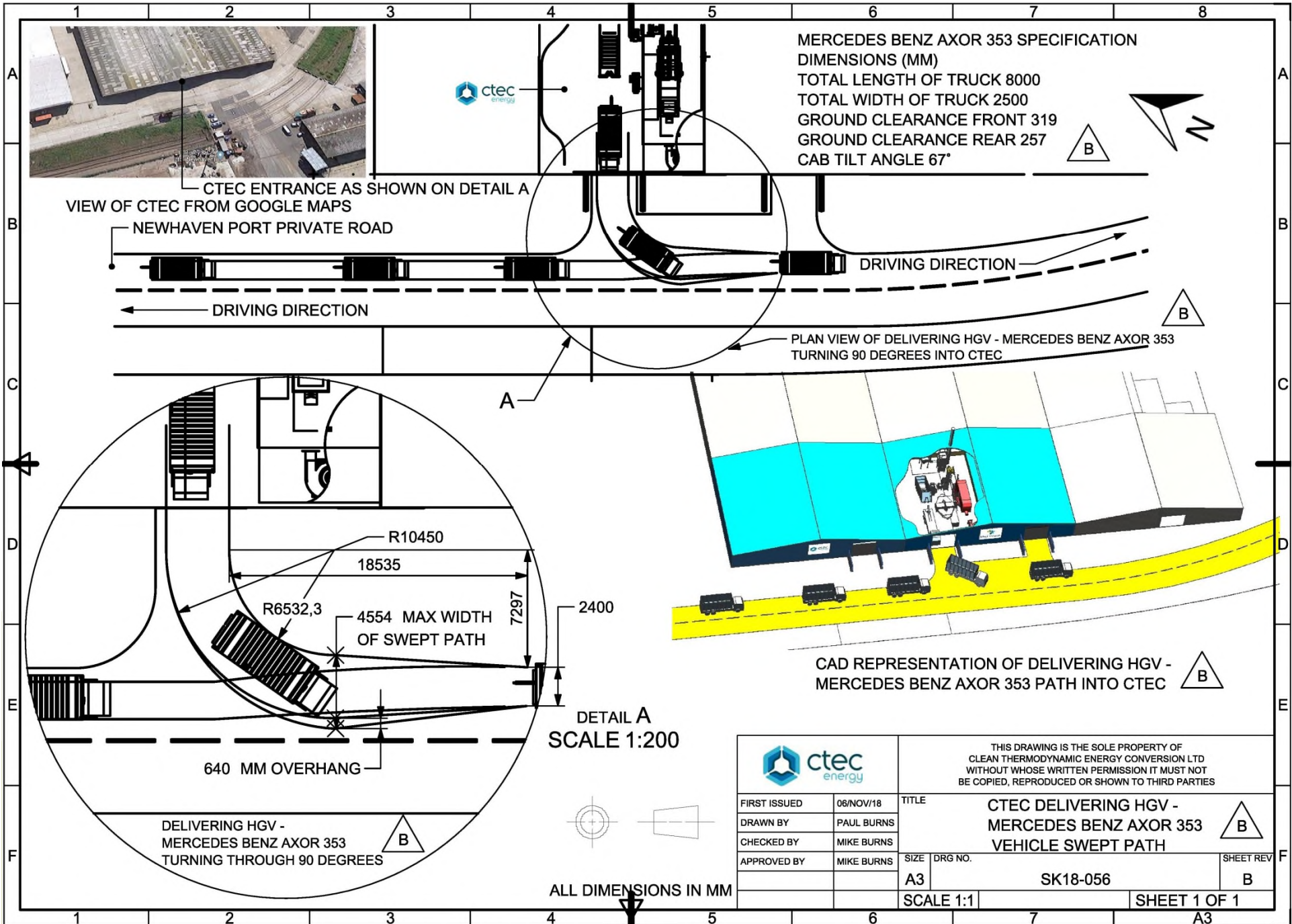


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		TITLE <p style="text-align: center;">Newhaven Port buildings_iss05</p>		
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APPROVED BY	MIKE BURNS	SHEET 2 OF 2		



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A3



LW/815/CM

Proposed Installation & operation of energy conversion plant including receipt and processing of waste feedstock.

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Development Management Matters:

Quarterly Update

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Development Management Matters – Quarterly Update

1 October – 31 December 2018

Enforcement

New cases received:	13
Total cases resolved:	16
Outstanding cases being investigated:	9

Site Monitoring

Non-chargeable site monitoring visits:	20
Chargeable site monitoring visits:	0

Appeals

Appeal against Enforcement Notice – Upper Lodge Farm, Ringmer

Enforcement Notice Appeal

Upper Lodge Farm, Ringmer

Appeal Decision

Hearing Held on 9 October 2018

Site visit made on 9 October 2018

by **Paul Freer BA (Hons) LLM PhD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 November 2018

Appeal Ref: APP/G1440/C/17/3185589

Land at Upper Lodge Farm, The Broyle, Ringmer BN8 5AP

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr John Farnes against an enforcement notice issued by East Sussex County Council.
- The enforcement notice was issued on 29 August 2017.
- The breach of planning control as alleged in the notice is, without planning permission, the unauthorised change of use of land from agricultural to the use of land for the importation, deposit, storage and processing of waste UPVC window frames and component parts.
- The requirements of the notice are:
 1. Cease the importation of all waste UPVC window frames and component parts.
 2. Cease the use of the land for the importation, deposit, storage and processing of waste materials and return the land for agricultural purposes by carrying out the following works on the land:
 - (i) Remove from the land all waste materials that have been deposited on the land so that the original undisturbed natural contours of the land are exposed.
 - (ii) Remove from the land any plant machinery and equipment and any other materials that are associated with the waste use of the site.
- The period for compliance with the requirements is:
 1. One day after the notice takes effect
 2. Four weeks after the notice takes effect.
- The appeal is proceeding on the grounds set out in section 174(2) (a) of the Town and Country Planning Act 1990 as amended.

Summary Decision: the appeal is dismissed and the enforcement notice is upheld

Procedural Matters

1. The enforcement notice as drafted contains at paragraph 5 definitions of the terms 'waste materials' and 'plant machinery and equipment' for the purposes of the notice. I have not reproduced those definitions above but my Decision should be read in the context of those definitions.
2. As part of his evidence, the appellant explains the difficulties of operating an agricultural use on the land as a result, in part, of the poor soil conditions. The appellant proposes a number of alternative uses for the land, including an industrial development, a shopping complex and/or a residential scheme. However, where an appeal is made on ground (a), Section 177(5) of the Town and Country Planning Act 1990 provides that the deemed planning application

Upper Lodge Farm, The Broyle, Ringmer



Upper Lodge Farm, The Broyle, Ringmer

Before



After



Upper Lodge Farm, The Broyle, Ringmer



Before



After



Before



After

Upper Lodge Farm, The Broyle, Ringmer

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Upper Lodge Farm, The Broyle, Ringmer



Press Coverage

Sussex Express – 7 December 2018

Friday, December 7, 2018 www.sussexexpress.co.uk

SUSSEX

Appeal against unauthorised waste ban gets dismissed

Express Reporter

sussex.express@jpress.co.uk
01323 414482

A landowner has lost his appeal against an enforcement notice banning him from using his Ringmer farm to store and process old windows and doors.

East Sussex County Council had ordered the owner of Upper Lodge Farm to stop importing, storing and processing waste UPVC windows and doors – a practice it did not have planning permission to carry out.

The landowner lodged an appeal against the Enforcement Notice, issued by the authority following complaints of noise disturbance and blocked public footpaths.

Cllr Nick Bennett, the county council's lead member for transport and environment, said: "I'm

pleased that the inspector decided to dismiss this appeal and uphold the Enforcement Notice, ordering the landowner to stop flouting planning laws.

"Our officers tried on several occasions to deal with this issue informally, but had no option but to take formal action."

Cllr Bennett continued: "Apart from the fact there was no planning permission in place to carry out the operation, neighbours were subjected to unacceptable levels of noise and walkers were often blocked from using public rights of way."

In his ruling, which followed a public hearing and site visit, the inspector found there had been a breach of planning control which unacceptably harms the character of the surrounding countryside, reduces the usability of the public right of way and harms the living conditions of



Complaints about noise and blocked footpaths: The scene at Upper Lodge Farm

neighbouring residents.

The landowner must cease waste activity at the site and clear all waste materials by

December 20.

Officers from East Sussex County Council will continue to monitor the site, located

on The Broyle at Ringmer, to ensure the enforcement notice is complied with, said a council spokesperson.

East Sussex
County Council



Development Management Matters:

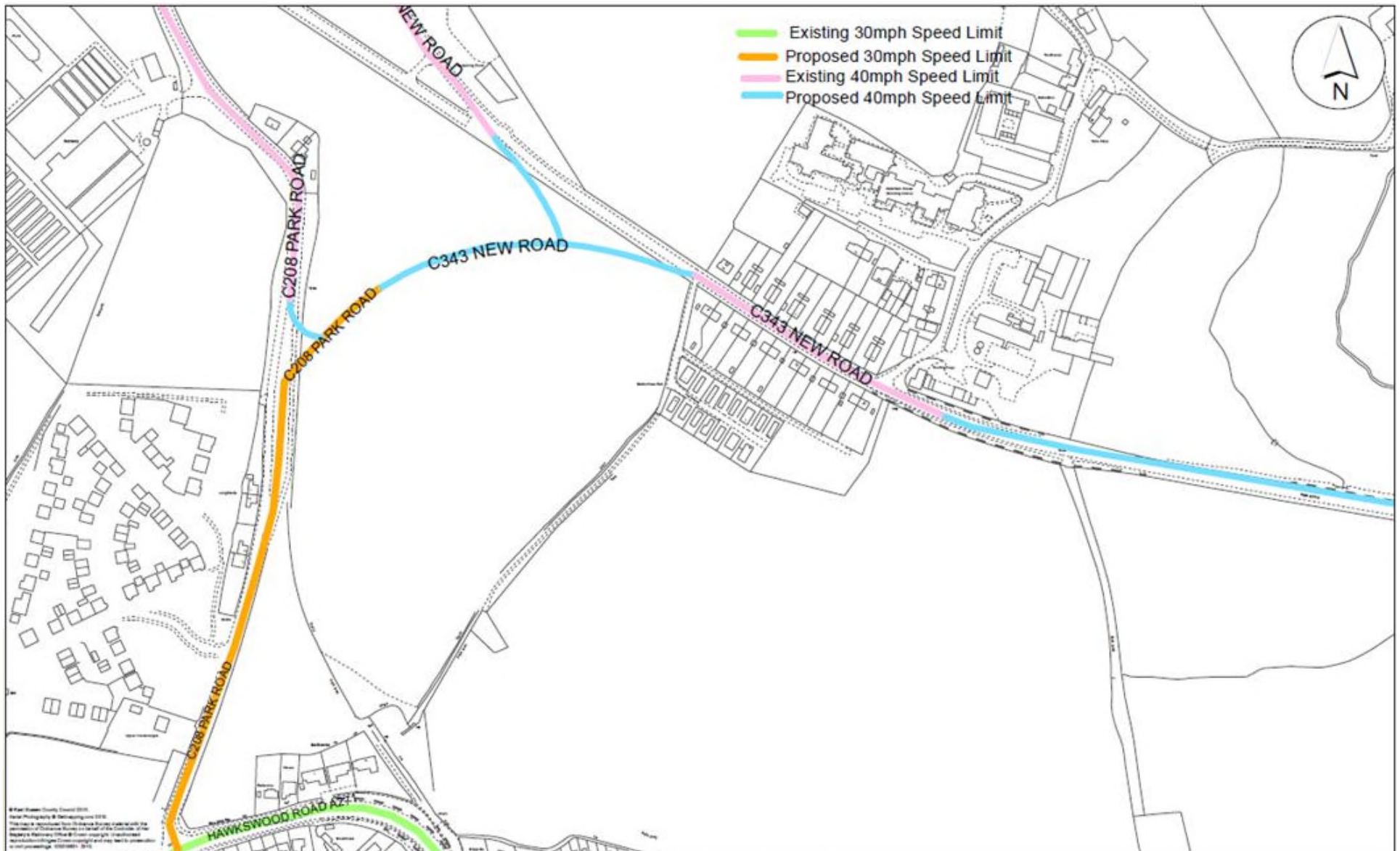
Quarterly Update

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Traffic Regulation Order:

Proposed extension of 30mph speed limit and 40mph speed limit

C208 Park Road and C343 New Road, Hellingly

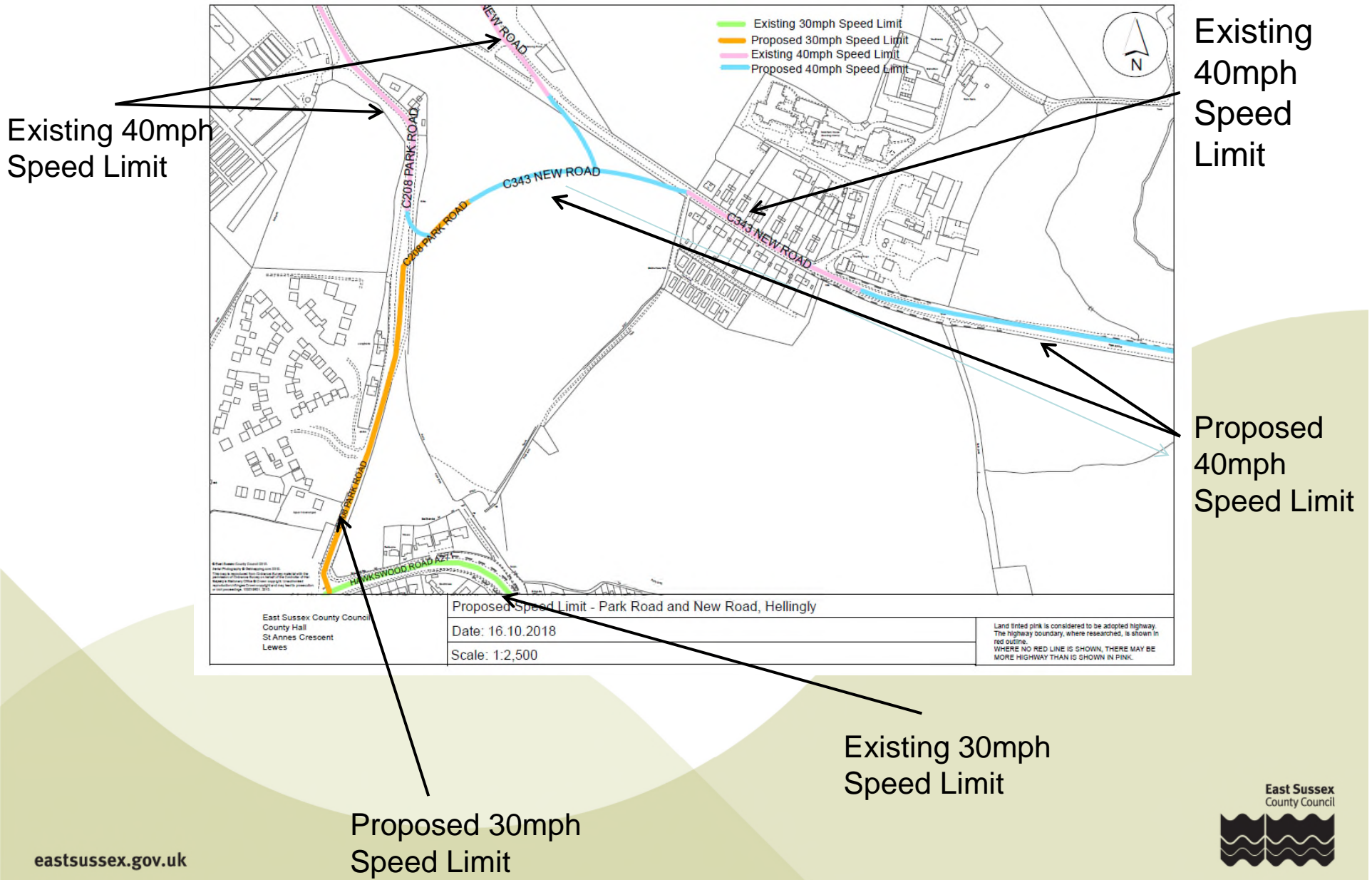


<p>East Sussex County Council County Hall St Annes Crescent Lewes</p>	<p>Proposed Speed Limit - Park Road and New Road, Hellingly</p> <p>Date: 16.10.2018</p> <p>Scale: 1:2,500</p>	<p>Land tinted pink is considered to be adopted highway. The highway boundary, where researched, is shown in red outline. WHERE NO RED LINE IS SHOWN, THERE MAY BE MORE HIGHWAY THAN IS SHOWN IN PINK.</p>
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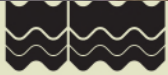


Proposed 30mph and 40mph Speed Limit – Park Road and New Road

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Traffic Regulation Order:

Proposed extension of 30mph speed limit and 40mph speed limit

C208 Park Road and C343 New Road, Hellingly

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