



REGULATORY COMMITTEE

PLANNING COMMITTEE

MEETING 10.30 am WEDNESDAY, 20 MAY 2015

COUNCIL CHAMBER, COUNTY HALL, LEWES

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

A G E N D A

1 Minutes of the meeting held on 11 March 2015 (*Pages 3 - 16*)

2 Apologies for absence

3 Disclosures of interests

Disclosures by all members present of personal interests in matters on the agenda, the nature of any interest and whether the member regards the interest as prejudicial under the terms of the Code of Conduct.

4 Urgent items

Notification of items which the Chair considers to be urgent and proposes to take at the appropriate part of the agenda. Any members who wish to raise urgent items are asked, wherever possible, to notify the Chair before the start of the meeting. In so doing, they must state the special circumstances which they consider justify the matter being considered urgent.

County Matter Proposal

5 Change of use of the existing industrial units to a Materials Recycling Facility (MRF) with External Ancillary Works (*Pages 17 - 32*)
Units 2A and 2B, Birch Close, Eastbourne – EB/751/CM
Report by the Director of Communities, Economy and Transport

Development Control Matters

6 Development Management Matters - Quarterly Report (*Pages 33 - 46*)
Report by the Director of Communities, Economy and Transport

7 Any other items previously notified under agenda item 4

PHILIP BAKER
Assistant Chief Executive
County Hall, St Anne's Crescent
LEWES BN7 1UE

12 May 2015

NOTES:

- (1) *Members are reminded that copies of all representations received are available for inspection in the Members' Room*
- (2) *As part of the County Council's drive to increase accessibility to its public meetings, this meeting will be broadcast live on its website and the record archived for future viewing. The broadcast / record is accessible at: www.eastsussex.gov.uk/webcasts*

Contact Simon Bailey, 01273 481935,
01273 481935
Email: simon.bailey@eastsussex.gov.uk

REGULATORY COMMITTEE

PLANNING COMMITTEE

MINUTES of a meeting of the Planning Committee held at County Hall, Lewes, on 11 March 2015

PRESENT - Councillors Daniel (Chair), Buchanan, Field, Stogdon (Vice-Chair) and Taylor

54. MINUTES

54.1 RESOLVED to approve as a correct record the minutes of the previous meeting held on 11 February 2015.

55. APOLOGIES

55.1 Apologies for absence were received from Councillors Galley and Wallis.

56. INTERESTS

56.1 Councillor Taylor declared a prejudicial interest in item 6, in that his family property in the vicinity. He left the Chamber during consideration of this item.

57. REPORTS

57.1 Copies of the reports and documents referred to below are contained in the Minute book.

58. VARIATION OF CONDITION 38 OF PLANNING PERMISSION LW/462/CM (EIA) IN ORDER TO REMOVE THE CATCHMENT BOUNDARY RESTRICTION FOR WASTE IMPORTATION TO THE ENERGY RECOVERY FACILITY. NORTH QUAY ROAD, NEWHAVEN – LW/748/CM

58.1 The Committee considered a report by the Head of Planning and Environment. An addendum incorporating a revised recommendation, consequential changes and correcting a typing error, and an additional informative was circulated.

58.2 Owen Dimond, Planning Manager (Southern) of Veolia spoke in support of the application.

58.3 Councillor Buchanan reported that Councillor Charlton, the Local Member, was supportive of the application with a hope that local residents would achieve some benefit.

58.4 Members have considered the Officer's report and addendum and the comments of the public speaker, and agree with the conclusion and reasons for recommendation as set out in paragraph 7 of the report.

58.5 RESOLVED to grant planning permission 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. Notwithstanding the provisions of Parts 4, 8 and 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order):

(a) Additional external fixed plant or machinery, buildings, structures and erections shall not be erected, installed or replaced at the site without the prior written agreement of the Head of Planning and Environment;

(b) No Telecommunications antenna shall be installed or erected without the prior written consent of the Head of Planning and Environment.

Reason: In the interests of amenity in the area and to comply with Policies WMP23a and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy ST3 of the Lewes District Local Plan 2003.

3. The development shall accord with the following drawings:

2GB5 001 5 Site Plan and Layout

2GB5 010 5: Horizontal Section 1-1 and 2-2

2GB5 011 5: Horizontal Section 3-3 and 4-4

2GB5 020 4: West Facade

2GB5 021 4: Long Section 5-5

2GB5 022 4: East Facade

2GB5 023 4: South and North Facades

2GB5 024 4: Cross Sections 1-1 and 2-2

2GB5 025 4: Cross Sections 3-3 and 4-4

2GB5 033 4: Gate House Plan

2GB5 040 5: Circulation Plan and Visitors Route

157812C/05/03: Flood Defences and Flow Velocity Reduction Wall

VES TD NHAV 100 005: Application Boundary

NHTPVAD 00201 15: Plan View Level (Admin Building)

NHTELADN0 309 05: Elevations East & North (Admin Building)

NHTELADS0 310 05: Elevations South-west & South-east (Admin Building)

NHTCTEFSTCW130: (External Illumination]

NHTPVAD0020114: (Cycle parking)

NHTSPST0017013: (Flood protection bund)

NHTSCST0017113: (Flood protection bund & bulk earthwork sections)

NHTSP0015019: (Boundary fence)

NHTDDST0018011: (Retaining wall plans & sections)

NHTSPST0030017: External Drainage Plan

NHTDDST0031214: External Drainage General Details

Technical Note: Chimney Stack Diameter, AE&E

300 Rev P: Landscape Proposals
302 Rev J: Landscape Proposals Entrance/Car Park Area

CS/021055/H1/311 Rev A: Mini Roundabout Setting
CS/021055/H1/321 Sheet 1: Proposed Mini Roundabout Spot Levels
CS/021055/H1/322 Rev A Sheet 2: Proposed Mini Roundabout Spot Levels
CS/021055/H1/326: Proposed Mini Roundabout Longitudinal Cross Sections
CS/021055/H1/331 Rev A: Proposed Mini Roundabout Road Signs & Road Markings
CS/021055/H1/332 Rev A: Proposed Mini Roundabout Road Sign Schedules
CS/021055/H1/341 Rev A: Proposed Mini Roundabout Vehicle Swept Path Plans Sheet 1
CS/021055/H1/342 Rev A: Proposed Mini Roundabout Vehicle Swept Path Plans Sheet 2
CS/021055/H1/216: Vehicle Track Movements
CS/021055/H1/121: Proposed Improvement Works Drg 1 of 3
CS/021055/H1/122: Proposed Improvement Works Drg 2 of 3
CS/021055/H1/123: Proposed Improvement Works Drg 3 of 3

CS/021055/H1/125: Vehicle Track Movements - Rigid Trucks
CS/021055/H1/101 Rev B: Proposed Un-segregated Footway/Cycleway
CS/021055/H1/130: Footway/Cycleway Construction Details
CS/021055/H1/010: Pavement Repair Sheet 1 of 2
CS/021055/H1/011: Pavement Repair Sheet 2 of 2
CS/021055/DR/002 Rev A: Proposed Drainage Improvement Works
CS/021055/L1/001 Rev C: Conceptual Lighting Design

unless otherwise agreed in writing by the Head of Planning and Environment.

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

4. The height of the different parts of the building and the chimneys shall accord with the dimensions shown on approved Drawing No. 2GB50214 (under permission LW/462/CM(EIA)) and Drawing No. NHTELADS031005 (under approval LW/462/CMNM1).

Reason: To ensure the development is implemented in accordance with the approved drawings, in the interests of the amenity of the area and to comply with Policies WMP23a and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

5. The materials used in the external surfaces of the buildings shall accord with the details approved in East Sussex County Council's letters dated 4th November 2009, 25th June 2010, 13th September 2010 and 20th September 2010.

Reason: To ensure the appropriate appearance of the development in the area and to comply with Policies WMP23a and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy ST3 of the Lewes District Local Plan 2003.

6. The hard and soft landscaping works carried out as part of the development shall accord with the details approved in East Sussex County Council's letter dated 20th December 2011, namely Drawing Nos. 300 RevP and 302 RevJ.

Reason: To integrate the development effectively into the surrounding environment and to comply with Policy WMP23a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policies ST3 and ST11 of the Lewes District Local Plan 2003.

7. The construction of the flood defences carried out as part of the development shall accord with the approved details in East Sussex County Council letter dated 19th June 2009, namely:
 - (i) The Civil Infrastructure works flood protection bund plan no. NHTSPST0017013; &
 - (ii) The Civil Infrastructure works flood protection bund and bulk earthwork sections plan no. NHTSCST0017113,and shall be maintained thereafter.

Reason: To reduce flood risk and to comply with Policy WMP28a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

8. The surface water drainage works carried out as part of the development shall accord with the details approved in East Sussex County Council letter dated 19 June 2009, namely Drawing Nos. NHTSPST0030017 and NHTDDST0031214 and the Buro Happold Surface Water Drainage Report, dated February 2009, and shall be maintained thereafter.

Reason: To ensure the development does not increase the risk of flooding and water pollution and that there is a satisfactory means of surface water disposal and drainage of the site in accordance with Policies WMP28a and WMP28b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

9. The illumination of the external faces of the buildings shall accord with the approved details in East Sussex County Council letter dated 19th January 2010 including plan no. NHTCTEFSTCW130.

Reason: In the interests of the amenity of the area adjacent to a countryside location, to limit light pollution and to comply with Policies WMP23a and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

10. The Travel Plan dated April 2011 and approved in East Sussex County Council letter dated 26th May 2011 shall be updated in accordance with the details set out in the Plan and to meet the requirements of the new planning permission. The updated Travel Plan shall be submitted in writing to the Head of Planning and Environment for approval within 3 months of the date of this permission. The updated Travel Plan shall be implemented and thereafter monitored in accordance with the approved details.

Reason: To increase awareness and use of alternative modes of transport for employee and visitor journeys in accordance with Policies WMP25 and WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

11. The highway works carried out as part of the development shall accord with the approved details set out in East Sussex County Council letter dated 23rd September 2009, namely:

CS/021055/H1/311 Rev A: Mini Roundabout Setting
CS/021055/H1/321 Sheet 1: Proposed Mini Roundabout Spot Levels
CS/021055/H1/322 Rev A Sheet 2: Proposed Mini Roundabout Spot Levels
CS/021055/H1/326: Proposed Mini Roundabout Longitudinal Cross Sections

CS/021055/H1/331 Rev A: Proposed Mini Roundabout Road Signs & Road Markings
CS/021055/H1/332 Rev A: Proposed Mini Roundabout Road Sign Schedules
CS/021055/H1/341 Rev A: Proposed Mini Roundabout Vehicle Swept Path Plans Sheet 1
CS/021055/H1/342 Rev A: Proposed Mini Roundabout Vehicle Swept Path Plans Sheet 2
CS/021055/H1/216: Vehicle Track Movements
CS/021055/H1/121: Proposed Improvement Works Drg 1 of 3
CS/021055/H1/122: Proposed Improvement Works Drg 2 of 3
CS/021055/H1/123: Proposed Improvement Works Drg 3 of 3
CS/021055/H1/125: Vehicle Track Movements - Rigid Trucks
CS/021055/H1/101 Rev B: Proposed Un-segregated Footway/Cycleway
CS/021055/H1/130: Footway/Cycleway Construction Details
CS/021055/H1/010: Pavement Repair Sheet 1 of 2
CS/021055/H1/011: Pavement Repair Sheet 2 of 2
CS/021055/DR/002 Rev A: Proposed Drainage Improvement Works
CS/021055/L1/001 Rev C: Conceptual Lighting Design

Reason: To ensure a satisfactory road access for vehicular, pedestrian and cycle users and to protect local amenity in accordance with Policies WMP25 and WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy T8 of the Lewes District Local Plan 2003.

12. The installation of the cycle parking facilities carried out as part of the development shall accord with the approved details in East Sussex County Council letter dated 24th June 2010, namely plan no. NHTPVAD0020114.

Reason: To comply with Policy WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

13. No waste or reclaimed materials or residues shall be imported or removed from the site other than between the hours of 07.00 to 19.00 on Mondays to Fridays inclusive and the hours of 07.30 to 18.00 on Saturdays. On Sundays, Public and Bank Holidays, street sweepings and no more than 10 deliveries of household waste shall be delivered to the site between 08.00 and 17.00, and not outside these hours, unless with the prior written approval of the Head of Planning and Environment.

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

14. Between the hours of 07.00 and 23.00 the level of noise emitted from the operational Energy Recovery Plant, as measured in accordance with BS 4142:1997, shall not exceed a level of 53 dB LAeq, 5mins (free field) at any time, except in the case of emergencies, as measured at any part of the planning site boundary as shown on the approved plan 2GB5 001 5. For the avoidance of doubt this excludes any contribution from vehicular transport onto and off the site.

Reason: To protect the amenity of the area to comply with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

15. Between the hours of 23.00 and 07.00 the level of noise emitted from the operational Energy Recovery Plant, as measured in accordance with BS 4142:1997, shall not exceed a level of 49 dB LAeq 5mins (free field) at any time, except in the case of

emergencies, as measured at any part of the planning site boundary as shown on the approved plan 2GB5 001 5.

Reason: To protect the amenity of the area to comply with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

16. Between the hours of 23.00 and 07.00 the level of noise emitted from the operational Energy Recovery Plant, as measured in accordance with BS 4142:1997 shall not exceed a rating level of 35 dB LATr 5mins (free field) at any time, except in the case of emergencies, as measured at any of the residential uses situated at Lee Court, Elphick Road, No 1 New Road, 13 Powell Gardens, 23 Glynde Close and Piddinghoe Mead and the nearest houseboat at Ordnance Survey location TQ44443-01872 and any noise shall be free from low frequency noise.

Reason: To protect the amenity of the area to comply with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

17. To avoid the use of intrusive reversing beepers, all mobile wheeled plant used at the site shall only be fitted and operated with a 'smart' reversing device, or such other reversing device, as may be agreed in writing by the Head of Planning and Environment.

Reason: To protect the residential and general amenity of the area to comply with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

18. All areas where waste is stored, handled or transferred shall be underlain by impervious hardstanding with dedicated drainage to foul sewer or sealed tank.

Reason: To prevent pollution of the water environment which could pose a threat to the chalk aquifer that underlies the site and to comply with Policy WMP28b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

19. There shall be no sorting or treatment of waste other than within the Energy Recovery Facility building and the unloading, loading and storage of recyclable materials shall only take place within the storage bays shown on approved Drawing No. 2GB5 001 5 or immediately adjacent thereto.

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

20. Waste imported to the Energy Recovery Facility shall be restricted to waste collected by the Waste Collection Authorities in the administrative areas of East Sussex County Council and Brighton & Hove City Council, and any other suitable waste arising in these areas, up to a maximum of 242,000 tonnes of waste combusted in any one year (recognising that the nominal capacity of the plant will be below this under normal operating conditions taking account of its annual average availability due to planned maintenance events and other plant shutdowns), and, to other appropriate municipal and commercial waste from outside these areas in the event that the plant has capacity in excess of that required to meet the needs of locally sourced waste.

Reason: To ensure that the management of waste at the facility conforms with the principles of the Waste Hierarchy and the Proximity Principle in line with the National Planning Policy for Waste.

21. The amount, source and type of waste imported to the Energy Recovery Facility from outside the administrative areas of East Sussex County Council and Brighton & Hove City Council, shall be reported annually and in writing to the Head of Planning and Environment.

Reason: To assist the County Council as Waste Planning Authority in the monitoring of waste movements and in meeting the policy objectives of net self sufficiency, as set out in the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

22. The site shall not provide car parking for more than 36 vehicles.

Reason: To ensure the development does not provide an excessive number of spaces in respect to its needs which discourage more sustainable options of transport and to comply with Policy WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

23. Following the initial receipt of municipal or household waste, no storage container, skip, sorted or unsorted waste material or residue of recycled materials or any other items shall be stored outside the building, other than within the designated bays or on operational vehicles. That material within the storage bays on the eastern boundary of the site shall not exceed a height of 5.5 metres above the adjacent hardstanding.

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

24. The connection from the plant to the local electrical transmission system shall be by underground line only.

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

25. Following the decommissioning of the facilities a scheme and timetable for the demolition of the building and plant shall be submitted to the Head of Planning and Environment for approval in writing. The scheme shall be implemented as approved within the agreed timetable.

Reason: To ensure the land is capable of beneficial use in the future to comply with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

26. The construction of the site boundary fence including the retaining 'push' wall on the length of the boundary between the existing riverside wharf and the bund to the Energy Recovery Facility shall accord with the approved details set out in the East Sussex County Council letter dated 19th January 2010 including plan nos. NHTSP0015019 and NHTDDST0018011 and as amended by East Sussex County Council letter dated 25th January 2011.

Reason: In the interests of amenity and to retain acceptable facilities for the landing and storage of aggregates to comply with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy NH24 of the Lewes District Local Plan 2003.

INFORMATIVES

1. The applicant is requested to keep under review the use of hot water from the plant to maximise the recovery of energy in the local area.
2. The applicant is requested to keep under review the potential to transport waste and residual materials by rail and or water.
3. The applicant is requested to maintain a regular Local Liaison Group involving representatives from relevant regulatory bodies and members of the local community throughout the duration of the development.
4. It should be noted that a separate planning permission LW/641/CM, granted in September 2010, is relevant to the ERF development in that it allowed for the construction of the transformer housing and the provision of an additional landscaping area to the north-eastern boundary, incorporating drawings: 300 Rev M, 302 Rev G, 303 Rev J, 304 Rev D, 305 Rev B & 306 Rev C.
5. The application site continues to be bound by the provisions of the s.106 Legal Agreement dated 3rd March 2008 attached to planning permission LW/462/CM(EIA).

Schedule of Approved Plans

Application Boundary VES_TD_NHAV_100_005

59. EXTENSION OF TIME TO COMPLETE LEGAL AGREEMENT FOR DEVELOPMENT OF A BUILDING TO ENCLOSE WASTE MANAGEMENT ACTIVITIES, EXTERNAL STORAGE OF RECYCLED AGGREGATE PRODUCT AND PROVISION OF SURFACE WATER DRAINAGE. LAND AT POLEGATE YARD, SUMMERHILL LANE, HAILSHAM – WD/739/CM

59.1 The Committee considered a report by the Director of Communities, Economy and Transport. Councillor Taylor left the Chamber while this item was being considered.

59.2 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.

59.3 RESOLVED:

(1) to grant an extension of time to 15 June 2015 for the Section 106 Legal Agreement to be completed;

(2) to authorise the Director of Communities, Economy and Transport to grant planning permission for application WD/739/CM upon completion of the Legal Agreement, subject to conditions along the lines agreed by Planning Committee on 15 October 2014; and

(3) if the Legal Agreement is not completed by 15 June 2015 the application will be referred back to the Planning Committee for determination.

60. CONSTRUCTION OF A ONE FORM ENTRY PRIMARY SCHOOL WITH ASSOCIATED CAR PARKING, MUGA AND PLAYING FIELD (AMENDED APPLICATION FOLLOWING REFUSAL OF WD/3225/CC). LAND OFF INGRAMS WAY, HAILSHAM – WD/3252/CC

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

60.2 The Reverend Peter Clark, Virginia Browne and Karen Tomkins, local residents, spoke against the application.

60.3 Stuart Gallimore, the Director of Children's Services, Chris Bowler, a representative from Lilac Sky (Academy sponsors) and Helen Deehan, a Hailsham resident, spoke in support of the application.

60.4 The views of Councillor Keeley, one the Local Members, were conveyed to the Committee by the Chair.

60.5 Members have considered the Officer's report, together with 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.

60.6 RESOLVED (1) to approve the application subject to the completion of the following procedure:

(i) The completion of a Legal Agreement or Undertaking requiring provision of a pedestrian crossing on South Road; provision of a pedestrian crossing point in Oaklands Way; inspection and necessary upgrading of the existing footway between the site boundary and Sandbanks Way; road markings in Cacklebury Close and Oaklands Way subject to application for Traffic Regulation Order; a financial contribution to cover on-street parking survey and monitoring work before and after opening of the new School; and applications for any necessary Traffic Regulation Orders arising from survey work;

(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 60.7; and

(2) 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 six months of the date hereof.

60.7 Subject to Minute 60.6(1)(ii), 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 0800 and 1700 on Mondays to Fridays and not at any time on Saturdays, Sundays, Bank and Public Holidays unless the prior written agreement of the Director of Communities, Economy and Transport has been given.

Reason: In the interests of the amenities of the locality in general and adjoining residential properties in particular and to accord with Saved Policy EN27 of the Wealden Local Plan 1998.

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: In the interests of highway safety and the amenity of the locality and to enable the County Planning Authority to control and regulate the development.

5. The development shall not be occupied for educational purposes until the main access from Oaklands Way has been constructed to the satisfaction of the Director of Communities, Economy and Transport.

Reason: To ensure safe access to the site in accordance with Saved Policy TR3 in the Wealden Local Plan 1998.

6. Unless otherwise agreed in writing by the Head of Planning and Environment, development shall not commence until a 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: In the interests of highway safety and for the benefit and convenience of the public at large

7. Prior to commencement of development details of acoustic fencing to be provided on the site boundary shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The approved details shall be fully implemented and retained thereafter.

Reason: To help manage construction and operational noise in the interests of residential amenity in accordance with Saved Policy EN27 in the Wealden Local Plan 1998.

8. No development shall take place until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of archaeological investigation which has been submitted to and approved in writing by the Director of Communities, Economy and Transport.

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

9. The development hereby permitted shall not be brought into use until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Written Scheme of Investigation and that the provision for analysis, publication and dissemination of results and archive deposition has been secured.

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

10. Prior to commencement of development details of;

1. The protection and retention of trees and other vegetation during construction and,
2. New planting and ongoing maintenance

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: To protect trees and vegetation during construction in the interests of the character of the area in accordance with Saved Policy EN14 in the Wealden Local Plan 1998.

11. 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.

12. 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 strategy and method statement.

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.

13. 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 in accordance with Saved Policy CS2 in the Wealden Local Plan 1998

14. Development shall be carried out in accordance with the recommendations in the approved Flood Risk Assessment (Ref. 14310/3/FRA, Rev. B and addendum).

Reason: To ensure adequate attenuation of surface water run-off from the site in accordance with Saved Policy CS2 in the Wealden Local Plan 1998

15. Cumulative noise rating from plant shall not exceed 35 dB(A) between 0700 and 2300 and 25 dB(A) between 2300 and 0700 at the nearest residential facade.

Reason: To minimise the noise impact from plant in accordance with Saved Policy EN27 in the Wealden Local Plan 1998.

16. 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.

17. 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.

18. 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 increase awareness and use of alternative modes of transport for school journeys in accordance with Saved Policy TR3 of the Wealden Local Plan 1998.

19. 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.

20. 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 TR16 in the Wealden Local Plan 1998.

Schedule of Approved Plans

Site Location Plan Rev B, Exiting Site Plan, Proposed Site Plan, Ground Floor Plan, Roof Plan, Proposed Elevations, Site Sections, Sections, Tree Retention & Protection Plan Rev01

61. VARIATION TO CONDITION 2 ATTACHED TO CONSENT EB/3164/CC TO ALLOW FOR THE PERMANENT USE OF THE MUGA BETWEEN THE HOURS OF 08:00 AND 21:00 HOURS MONDAY TO FRIDAY AND BETWEEN 09:00 AND 17:00 HOURS ON SATURDAY, SUNDAY, BANK AND PUBLIC HOLIDAYS. OCKLYNGE COUNTY JUNIOR SCHOOL, VICTORIA DRIVE, EASTBOURNE – EB/3239/CC

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

61.2 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.

61.3 RESOLVED to approve the application 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 multi use games area shall not be used at any time other than between 0800 and 2100 hours Monday - Friday and between 0900 and 1700 hours on Saturday, Sunday, Bank and Public Holidays.

Reason: To protect residential amenity in accordance with Policies NE18 and HO20 of the Eastbourne Borough Plan 2001 - 2011.

4. Car parking facilities on the school site shall be available at all times that the MUGA is available for use.

Reason: To ensure parking facilities are available for users of the MUGA in accordance with Policy TR11 of the Eastbourne Borough Plan 2001 - 2011.

5. The pedestrian access to the site from Baldwin Avenue shall be locked until 0730 and after 1730, Monday - Friday and at all times during weekends.

Reason: To ensure the only access to the site in the evening and weekend is from Farlaine Road in order to discourage school related vehicles parking in Baldwin Avenue in accordance with Policy TR11 in the Eastbourne Borough Plan 2001 - 2011.

6. Floodlighting shall be retained in accordance with the approved details and thereafter monitored by the School. If in operation lighting levels do not meet the predicted levels in Baldwin Avenue and properties adjoining Baldwin Avenue, measures to reduce glare to passing motorists and minimise impact on adjoining properties shall be submitted to the Director of Communities, Economy and Transport for written approval within 14 days of the situation being brought to the School's attention. The approved measures shall be implemented within 14 days of the date of written approval. If during operation, any light becomes misaligned, the floodlight shall be adjusted within 5 days of it being brought to the School's attention.

Reason: To help minimise the impact of the MUGA in operation on road users and the amenity of adjoining properties, and ensure that the floodlighting performs as approved and be in accordance with Policy UHT13 of the Eastbourne Borough Plan 2001 - 2011.

Schedule of Approved Plans

4177 SK1 Rev B - MUGA Layout Plan

Committee: **Regulatory
Planning Committee**

Date: **20 May 2015**

Report by: **Director of Communities Economy and Transport**

Proposal: **Change of use of the existing industrial units to a
Materials Recycling Facility (MRF) with External
Ancillary Works.**

Site Address: **Units 2A & 2B, Birch Close, Eastbourne, BN23 6NY.**

Applicant: **Mr Daniel Stone, Links Waste Management Ltd**

Application No. **EB/751/CM**

Key Issues: **Need for the development;
Effects on amenity;
Traffic impact**

Contact Officer: **Chris Flavin tel. 01273 481833**

Local Member: **Councillor David Tutt**

SUMMARY OF RECOMMENDATIONS

1. To grant planning permission subject to conditions as indicated in paragraph 8.1 of this report

CONSIDERATION BY DIRECTOR OF COMMUNITIES ECONOMY AND TRANSPORT

1. The Site and Surroundings

1.1 The application site is located at Birch Close on the eastern side of the Birch Road Industrial Estate, Eastbourne. Birch Rd is accessed from Lottbridge Drove (A2290) between the A22 and the A259.

1.2 The site comprises two of three adjoining industrial units with parking and a yard area at the front (north-west) and side (south-west) of the building, and a narrow yard area at the rear (south-east) of the building. The total internal floor space of the building covered by the proposal is 822m² (including offices and staff welfare facilities). The building has roller-shutter doors to each unit at the front (north-west) of the building, which are slightly set back from office areas, and staff welfare facility rooms which exist either side of these doors. On the south west side of the building near the far south

corner of the site is another roller-shutter door, which would be used by vehicles as the main entrance into the building. Also on the south west side of the building is a small extension building which would serve as a storage area for staff bicycles. The application site, which is 0.17ha in size is surrounded by other industrial unit buildings (including a car spray and car body repair centre and a book printing works). The site is located within Flood Zone 3a and 3b (within Tidal Zone).

1.3 The nearest residential properties to the application site are 100 metres away to the south east of the site at St Anthony's Court. To the north east of the application site, 75 metres away, is Tollgate Junior School and 115 metres away is Linden Court, a day centre facility for people with learning disabilities provided by East Sussex County Council.

2. The Proposal

2.1 The proposal is for a change of use of the site and buildings from existing B2 industrial use to a Materials Recycling Facility (MRF) which would be used for receiving, processing, sorting, bulking and storage of a range of waste materials as collected by the applicants skip waste business.

2.2 The proposed operating hours of the MRF are 07.00 to 19.00 on Mondays to Fridays and 07.00 to 14.00 on Saturdays. Once operational, there would be 10 members of staff. The estimated number of daily movements for all waste related vehicles would be up to 54 movements (27 in and 27 out).

2.3 The proposed MRF is for a maximum annual throughput of approximately 40,000 tonnes, although the applicant has advised that based on their current projections the annual throughput would be below 30,000 tonnes. The waste materials to be processed would largely comprise of waste collected from the applicant's mini-skip business, but there would also be some additional import directly from local building and construction companies. The applicant currently operates the business from a site near Ninfield, which is being vacated, and the business serves an area comprising Bexhill, St Leonards, Hastings and Eastbourne.

2.4 As well as bringing waste on to the site using skip trucks and transit type tipper vehicles, there would also be importation of pre-bulked waste by HGV tipper lorries and roll on/roll off container lorries. The applicant also has a small industrial building at Brett Drive in Bexhill, and the intention would be for some waste to be brought there for bulking onto lorries before onward transport to the proposed site at Birch Close. At Birch Close the site processing and bulking will be confined to within the building. This is an alteration to the details originally submitted with the application.

2.5 The waste brought on to the site would comprise a range of materials: inert construction and demolition materials including hardcore, aggregate and soils; recyclable materials such as paper, card, metals, wood and mixed plastics; bulky waste including sofas and mattresses; and carpets and textile

waste. A large proportion of the materials are anticipated to be recycled and therefore diverted from landfill and transferred for reprocessing.

2.6 The proposed machinery would be a baler and a hopper (electric), an electric trommel; an electric blower; an electric picking line and conveyor; an electric magnet; two loaders (diesel) 'Bobcat' type or similar and a diesel powered 360 grab loader. There will be no parking of HGVs or skip trucks on the site and no storage of skips on the site, as the applicant will be keeping these overnight at their other site.

2.7 Although no physical changes to the external part of the actual building are proposed, a 3.6 metres high sleeper wall (acoustic barrier) has been proposed along parts of three sides of the perimeter boundary of the site, for noise mitigation purposes. At the front (north-west) of the site a 25 metres long section of sleeper wall (acoustic barrier) is proposed. From the south corner of the site a 19.5 metres long section of sleeper wall is proposed along the south west side of the site (opposite the side entrance roller-shutter door) and along the south-east corner (rear) of the building a 19.5 metres section is also proposed.

3. Site History

3.1 The building was constructed as part of the Birch Road Industrial Estate between 1969 and 1971. The specific uses for Units 2A and 2B at Birch Close are not defined although the consent would have anticipated uses within 'Use Class B' (industrial, offices, storage & distribution).

3.2 It is understood that the units have previously been occupied by Eastbourne Coach Finishers, the company which currently occupies the neighbouring adjoining unit (Unit 2C) as well as Units 3A and 3B of Birch Close.

4. Consultations and Representations

4.1 Eastbourne Borough Council – raises no objections.

4.2 Eastbourne Borough Council (Environmental Health Officer) – raises no objections

4.3 Highway Authority - raises no objections. Taking into account the fact that the existing permitted use has no restrictions on the number of traffic movements and the proposed number of trips is only slightly higher than would be expected for a B2 class use, no objections are raised. This is subject to conditions that require the provision of details and implementation of car parking, cycle storage and an HGV turning space, and a condition imposing a limit of 54 daily waste vehicle movements to and from the site.

4.4 Environment Agency – raises no objections. The Environment Agency is independently advising the operator on Environmental Permitting requirements for the proposed use.

4.5 ESCC Flood Risk Management – raises no objections.

4.6 Local Representations –Two of the neighbouring businesses on Birch Close have raised objections and a number of concerns regarding:

-The impact of the proposal on amenities and the character of the area.

-The application lacks information regarding noise, dust and fumes (no acoustic assessment or dust mitigation plan).

-Waste will be deposited by lorries outside of the building which will lead to 'stray' rubbish being deposited.

-The 'appearance' of the applicants existing waste site is at odds with the general appearance of the proposed Birch Close site.

-An unsightly waste site will be at odds with the well designed industrial estate that benefits from mature landscaping.

-The application provides no analysis of impact on neighbouring commercial users or the impact on environmentally sensitive areas.

-Noise disturbance and impact on neighbouring users (noisy machinery and operations, building doors will be left open, large vehicles will be manoeuvring around the site, with possible noise from reverse beepers).

-No Transport Assessment.

-Traffic flow will be impeded as the estate doesn't have the capacity to deal with such a large volume of HGV's.

-There would not be enough space within the buildings to accommodate the proposed annual throughput of waste.

-No independently verifiable data or survey results have been supplied to support the submitted transport information.

-Concerns over arrangements for a minibus to transport staff to the site from their homes in Bexhill and Hastings.

-The vehicle 'swept paths' plan indicates use of land that is beyond the control of the applicant.

5. The Development Plan and other policies of relevance to this decision are:

5.1 East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013: Policies: WMP1 (sustainable development), WMP3b (waste

hierarchy), WMP5 (Provision of Built Waste Facilities), WMP7a (sustainable locations for waste development), WMP7b (detailed criteria for waste development), WMP23A (Design Principles for Built Waste Facilities), WMP25 (amenity), WMP26 (transport).

5.2 Eastbourne Core Strategy Local Plan 2006-2027 (adopted 2013): Policy D2 (Economy).

Eastbourne Borough Council has not formally determined whether its Saved Policies in the Eastbourne Borough Local Plan are in general conformity with the NPPF. The Saved Policies are considered by the County Planning Authority to be in general conformity with the overarching principles of the NPPF, with reference to Paragraphs 57 and 58.

5.3 The National Planning Policy Framework (NPPF) 2012

The NPPF does not change the status of the Development Plan as the starting point for decision making and constitutes guidance as a material consideration in determining planning applications. It does not contain specific waste policies but regard should be had to NPPF policies so far as relevant

5.4 The National Planning Policy for Waste 2014 (NPPW)

The NPPW document sets out the government's detailed waste planning policies.

5.5 East Sussex, South Downs and Brighton and Hove Waste and Minerals Sites Plan (Consultation Draft –July 2014) including the associated Schedule of Suitable Industrial Estates: Relevant Draft Policy WMSP 6 (Existing Industrial Estates)

5.6 Eastbourne Employment Land Local Plan (Proposed Submission Version): Relevant Draft Policy: Policy EL2 (Industrial Estates)

6. Considerations

Need for the development

6.1 Policy WMP3b of the Waste and Minerals Plan seeks to divert waste away from landfill and for it to be managed further up the waste hierarchy. Policies WMP7a and WMP7b set out criteria for the sustainable location of waste development and identify Areas of Focus, which are considered to be preferable for waste development, as they are generally close to sources of waste arisings, have good transport links and are located near to other complementary uses.

6.2 Draft Policy WMSP 6 (Existing Industrial Estates) of the East Sussex, South Downs and Brighton and Hove Waste and Minerals Sites Plan (Consultation Draft –July 2014) sets out the criteria under which proposals for

waste management on existing industrial estates will be supported in principle.

6.3 The proposal is for a waste recycling facility that would accommodate the relocation of an existing waste management company. The applicant's current volume of business and throughput of waste has meant that the existing operation has outgrown its current main site near Ninfield. Whilst the proposal contributes to the implementation of Policy WMP5, it is likely that the proposal will involve only a small net increase as the applicant's former premises will probably be used for non-waste uses. The applicant is seeking to manage the imported waste as far up the waste hierarchy as possible so that most of it could be recycled. This would divert waste from landfill, thereby according with Policy WMP3b of the Waste and Minerals Plan. The location of the application site is within an established industrial estate in Eastbourne, which falls within an Area of Focus identified by the Waste and Minerals Plan, as a sustainable location for waste development.

6.4 With all waste operations confined to within the building, and with the implementation of noise and dust mitigation measures, the proposal would be in keeping with other uses on the industrial estate (these issues are discussed in further detail under effects on amenity). Consequently, the proposal accords with Policies WMP3b, WMP5, WMP7a and WMP7b of the Waste and Minerals Plan.

6.5 Policy D2 (Economy) of the Eastbourne Core Strategy Local Plan 2006-2027 (adopted 2013) states that job growth and economic prosperity in Eastbourne will be supported and that this will be achieved by encouraging development which supports improvements in the local jobs market through creation of additional jobs and employment diversification; maximising the use of existing employment sites, through redevelopment for employment use and increased density on existing industrial estates.

6.6 The proposed MRF development would contribute towards job growth and economic prosperity in Eastbourne, with the creation of 10 jobs. The proposal is therefore in accordance with Policy D2.

6.7 Draft Policy EL2 (Industrial Estates) of the Eastbourne Employment Land Local Plan (Proposed Submission Version) states that change of use to alternative non-B use will only be granted where it can be demonstrated to the satisfaction of the Council that the proposed alternative use is an appropriate use to the industrial estate that cannot be located elsewhere due to its un-neighbourliness.

6.8 Although the proposed MRF development does involve the change of use from an industrial 'B' use to waste use (non-B use), the proposal is in accordance with the emerging plan Draft Policy EL2. It should be noted that the draft Eastbourne Employment Land Local Plan (Proposed Submission Version) does specifically refer to a waste facility or recycling processing plant as an example of what would be an acceptable change of use away from an existing 'B' use.

Effects on amenity

6.9 Policy WMP25 of the Waste and Minerals Plan seeks to protect the standard of general amenity appropriate to the locality of the development and for development to provide for adequate means of controlling, inter alia, dust, noise and odour. Policy WMP23A (Design Principles for Built Waste Facilities) of the Waste and Minerals Plan requires built waste developments to be of a design that complements the existing scale and built form of the local area.

6.10 When the planning application was originally submitted, and during the first period of consultation, the proposals involved the unloading of incoming waste in an outside part of the yard. In response to concerns that were raised about the potential for this part of the proposal to cause noise and dust problems, the applicant chose to alter the proposed working scheme so that all waste unloading operations would now take place within the building. This means that with the exception of the storage of baled waste at the rear of the building, all waste operations would take place within the building. Combined with the fact that there would be no storage of skips, containers or bins outside of the building, the proposed waste use and operations would not have an adverse effect on the visual amenity of the area.

6.11 The 3.6 metres high sleeper walls have been proposed in response to the findings of a noise assessment that was required as part of the planning application. The applicant's noise report states that the proposed sections of 3.6m high railway sleeper wall, in addition to internal noise insulation panels on the building, are necessary in order to help ensure that noise levels from the proposed operations on site do not increase (beyond existing background noise levels) at the nearby residential dwellings at St Anthony's Court and the learning disability day centre at Linden Court.

6.12 The sleeper walls would be built with wooden (brown) railway sleepers, each of which measures 244cm long by 25.4cm wide by 20.3cm high. The sleepers would be stacked on top of each other and would slot into vertical steel 'H' beams (middle sections of the wall) and vertical steel 'C' beams (end sections of the wall). The walls would be built on the site within the boundary of the existing steel palisade fencing which is 2 metres in height. Along part of the south west side of the site at the southern end, the ground level of the neighbouring site (on which the steel palisade fence is mounted) is 30cm higher than the proposal site ground level. This means that the south west boundary section of the sleeper wall would be seen at a lower height of 3.3m when viewed from the neighbouring sites to the south-west.

6.13 At the front of the building (the north-west boundary) the sleeper wall would be facing the rear of the neighbouring industrial building (No. 48-50 Birch Close) where there are rear entry doors and a loading area. The sleeper wall would be 13 metres from the façade of the neighbouring building (No. 48-50) and given that there are no windows, it is reasonable to conclude that the

proposed sleeper wall would not have an adverse effect on the light or shadow of the neighbouring building.

6.14 The front sleeper wall (north-west) would be visible from the public highway of Birch Close itself and also from Unit 4b which is 50 metres away. The wall would also be visible from the adjoining neighbouring Unit 2C and from Units 3A and 3B. It is reasonable to conclude that the proposed sleeper wall would not have an adverse effect on the light or shadow of these other neighbouring buildings. The rear sleeper wall on the south-east side of the building would be 7 metres from the nearest 2 industrial units. The wall would be backing on to the rear part of these buildings so would have little impact in terms of visual amenity.

6.15 The actual materials and design of the proposed sleeper wall are considered to be appropriate to the location of the Birch and Maple Road industrial estate. It is however, the height of the walls that has to be assessed in terms of acceptability. The height of the existing steel palisade perimeter fencing is 2 metres and therefore the proposed 3.6m height would represent a 1.6 metres increase. Given that the industrial buildings at Birch Close are 6 metres in height to the pitch of the roof, and given that most of the proposed sleeper wall would be 7 metres to 13 metres distance from the nearest neighbouring building, the proposal is considered to be acceptable in terms of the existing scale and built form of the area. Therefore the proposal does comply with the requirements of Policy WMP23A.

6.16 It is important to note that at the time of writing this report, consultation is still underway regarding the addition of the sleeper walls (acoustic barrier) to the proposed development. The additional consultation period ends on 14 May 2015 and any further representations that are received will be reported orally.

6.17 The proposal involves the three large shutter doors to the building having to be left open during the normal hours of operation, in order to enable ventilation of the building where there will be vehicle and machinery exhaust emissions. Consequently there is a risk that noise and dust generated by waste operations within the building could have an impact on the surrounding area.

6.18 Modelling carried out as part of the noise assessment has established that the proposed mitigation measures would be necessary in order to ensure that the proposed development does not result in an increase in existing background noise levels at the nearest residential area of St Anthony's Court or the Linden Day Care Centre. With regard to dust, the applicant has submitted a dust management plan that would be in place to ensure effective mitigation.

6.19 A Flood Risk Assessment (FRA) has therefore been prepared and submitted by the applicant and this demonstrates that the proposed change of use development will not increase flood risk. The FRA also sets out measures that will be taken to improve the building's resilience and procedures that will

be followed in the event of flood warnings being issued and an actual flooding event.

6.20 Subject to the proposed conditions, it is considered that the proposal would not have an unacceptable impact on the amenity of the local area, including existing local and potential future local residents, businesses and other users of the area, in accordance with Policies WMP25 and WMP23A of the Waste and Minerals Plan.

Traffic impact

6.21 Policy WMP26 of the Waste and Minerals Plan requires, inter alia, that appropriate access arrangements should be provided for development and that the traffic generated should not exceed local capacity.

6.22 The proposal is expected to generate a maximum of 54 waste vehicle movements a day (27 in and 27 out), and this would be the limit imposed by a proposed planning condition (it should be noted that the current permitted use for the proposal site has no restrictions on vehicle movement numbers). The 54 daily movements is only slightly higher than the volume of traffic (50 daily movements) that might typically be generated by a B2 class use (general industrial) site of this size –as calculated on the ‘TRICS’ (trip generation analysis) database by the Highway Authority. Therefore the proposal would not generate a significant increase in the volume of HGV traffic on the local road network and local capacity would not be substantially exceeded.

6.23 The Highway Authority notes that the TRICS database suggests that if the building was in use as a B2 (general industrial) class use, the use would be expected to generate around 50 trips per day although the applicants own Transport Assessment, which used a smaller database, indicated that between 76 and 205 trips would be likely to be generated. The Highway Authority has not raised any objection to the proposal, although this is subject to proposed conditions that require the provision of details and implementation of car parking, cycle storage and an HGV turning space, and a condition imposing a limit on waste vehicle movements to and from the site.

6.24 Regarding a neighbouring business and their concerns regarding the proposed site access, vehicle turning, vehicle ‘swept path’ analysis and the control over the land outlined in the red line application area, the applicant has provided an amended application area plan and drawing plans from the leasehold title to the site. This demonstrates that the ‘shared access area can be used by HGV’s for access to the site.

7. Conclusion and reasons for approval

7.1 In accordance with Section 38 of the Planning and Compulsory Purchase Act 2004 the decision on this application should be taken in accordance with the development plan unless material considerations indicate otherwise.

7.2 The proposal is for the change of use of an existing industrial building to a waste management use. It is considered acceptable in waste management terms. The applicant's business would operate more efficiently on this site. The location of the site is considered appropriate for the proposed use in principle. Proposed conditions should ensure there is no unacceptable effect on amenity and traffic.

7.3 The proposal complies with East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (2013) Policies: WMP1 (sustainable development), WMP3b (waste hierarchy), WMP5 (Provision of Built Waste Facilities), WMP7a (sustainable locations for waste development), WMP7b (detailed criteria for waste development), WMP23A (Design Principles for Built Waste Facilities), WMP25 (amenity), WMP26 (transport), and Eastbourne Core Strategy Local Plan 2006-2027 Policy D2 (Economy).

7.4 In determining this planning application, the County Council has worked with the applicant and agent in a positive and proactive manner. The Council has also sought views from consultees and neighbours and has considered these in preparing the recommendation. This approach has been taken positively and proactively in accordance with the requirement in the NPPF, and as set out in the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.

7.5 There are no other material considerations and the decision should be taken in accordance with the development plans.

8. Recommendation

8.1 To recommend the Planning Committee 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 commencement of the development 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

-Drawing plan titled 'Existing elevations and proposed acoustic barrier' (rear elevation) dated 30/04/2015
-Document titled 'Details of Sleeper Walls' dated 29/04/2015
-Approved plan L.01 Rev F 'Site Layout Plan' (dated 29/04/2015) 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 commencement of the development, the car parking spaces indicated on the approved plan L.01 Rev F 'Site Layout Plan' (dated 29/04/2015) 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 F 'Site Layout Plan' (dated 29/04/2015) 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 development shall not be occupied until the turning space for vehicles as identified on approved drawing 'Site Layout Plan' L.01 Rev F (dated 29/04/2015) has been provided and the turning space shall thereafter 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 'Storage Area' on approved plan L.01 Rev F dated 29/04/2015 (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 Local 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 commencement of waste operations at the site, a noise monitoring report shall be submitted in writing to the Director of Communities, Economy and Transport, to assess compliance with the above condition within 3 months of the site becoming fully operational, and, to outline and implement additional mitigation measures, if necessary, 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.

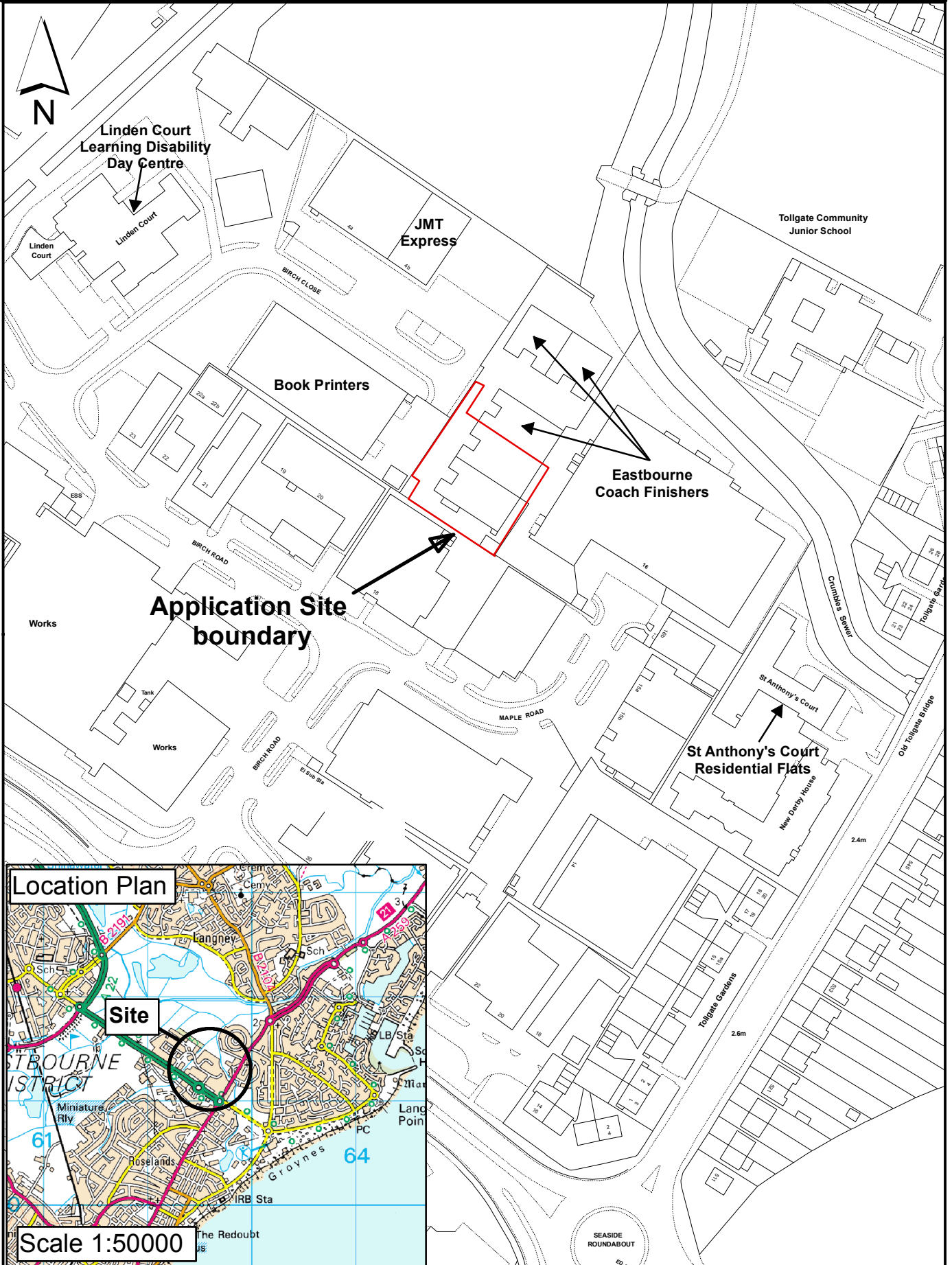
Schedule of Approved Plans

P01 Rev D- Block Plan, Supporting Statement Rev 1, Dust Management Plan, Noise Report, LO1 Rev F - Site Layout Plan, LO3 Rev A Existing Elevations and proposed Acoustic Barrier Section, LO2 Rev A - Existing Elevations and proposed Acoustic Barrier, Email 05/05/15 Re Plan of leasehold area, Transport Statement dated March 2015

RUPERT CLUBB
Director of Communities, Economy and Transport
12 May 2015

BACKGROUND DOCUMENTS
See Case File EB/751/CM

Agenda item 5, EB/751/CM Units 2A & 2B, Birch Close, Eastbourne, BN23 6NY.



Scale 1:50000

Rupert Clubb BEng (Hons) CEng MICE
Director of Communities,
Economy and Transport
East Sussex County Council

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. East Sussex County Council, 100019601, 2015

This page is intentionally left blank

Committee	Planning Committee
Date	20 May 2015
Report by	Director of Communities, Economy and Transport
Subject	Development Management Matters
Purpose	To inform Members about activities undertaken under delegated powers and development management performance for the three months period between 1 January 2015 and 31 March 2015, and, about activities undertaken in accordance with the Site Monitoring Policy
Contact Officer:	Sarah Iles – 01273 481631
Local Members:	All

SUMMARY OF RECOMMENDATIONS

The Committee is recommended to note the report.

CONSIDERATION BY DIRECTOR OF COMMUNITIES, ECONOMY AND TRANSPORT

1. Enforcement

1.1 In the period between January and the end of March 2015, twenty five complaints about alleged breaches of planning control were received. Of the new cases received, twelve were resolved within the last period and four older cases were also resolved. Accordingly, the number of sites being investigated or subject to formal action at the end of March 2015 was thirty two. This represents an increase of nine in the number of cases that were outstanding at the end of the previously reported quarter.

1.2 The increase in the number of outstanding cases is disappointing, but understandable given the number of new cases received during the period, particularly given the available resources to investigate and deal with enforcement matters. By comparison, sixteen new cases were reported in the previous quarter and in the same reported period last year (January – March 2014) nineteen new cases were received.

1.3 In respect of specific cases and the Enforcement Notice that was served on the owners of a property in London Road, Hailsham (in relation to the importation, storage and a limited amount of processing of scrap metal), no appeal was made against the Enforcement Notice and it had to be complied with by 15 February 2015. Since that date, site inspections have identified that the Notice has been mostly complied with and, although there remains a residual amount of scrap metal at the site, it is not expedient at this time to pursue further planning enforcement action.

1.4 Appendix 1 of this Report provides details of cases resolved and received within the period January to March 2015 together with details of the status of all current cases. Additional details and information on these cases can be obtained from the relevant officers listed at the end of this Report.

2. Site Monitoring

2.1 Site monitoring of all minerals and waste sites is continuing, but has to be accommodated within limited resources and alongside the enforcement service. Notwithstanding this, seven non-chargeable monitoring visits to sites have been carried out during the relevant period. No chargeable monitoring visits to minerals or landfill sites were undertaken during the last quarter.

2.2 Monitoring of the construction work for the Bexhill-Hastings Link Road (BHLR) also continues to be undertaken. This is a major scheme and site monitoring includes reviewing landscaping, ecological and archaeological issues as well as ensuring that all the conditions attached to the planning permission are met and that the development is being carried out in accordance with the approved details. Whilst archaeological investigations on the site have been completed, there are numerous areas where the archaeology has not been excavated and is being “preserved in-situ”. In these locations it is important that the ground is not disturbed by construction activities/vehicles and now that the earthworks season has resumed, ensuring the areas are protected will form a key part of the regular site monitoring.

2.3 In addition to BHLR site monitoring inspections, monthly meetings are held with the contractor, which enables any issues and outstanding matters to be discussed and resolved. The BHLR Local Liaison Committee which has been set up has continued to meet. Attendees at the meeting include representatives of the local community and businesses, the developer, the County Planning Authority, Local Members and other public bodies. Significant development management work on the BHLR continues to be undertaken, including further approval of details pursuant to conditions, additional hours/access requests, site monitoring, meetings and liaison with the public – all of which have to be absorbed within the current Planning Policy and Development Management Team resources.

2.4 Liaison meetings continue at the Newhaven Energy Recovery Facility, Peacehaven Wastewater Treatment Works, the composting site at Woodlands, Whitesmith and at Pebsham Landfill. Monitoring visits at these sites are also undertaken.

3. Development Control

3.1 The Growth and Infrastructure Act 2013 introduced new measures and consequences in terms of the planning performance of planning authorities. It seeks to target poor performance in relation to the speed and quality of decisions, and focuses on improving planning performance. Where authorities are not adequately performing their planning function of determining relevant planning applications within prescribed timescales, they can be designated as being in “special measures”. Under this provision, the power for determining planning applications will be taken away from local authorities, and applications consequently determined by the Planning Inspectorate. We are still required to submit quarterly statistical returns and there are penalties for failing to submit two or more quarters of data and, once applied, the penalties will be reflected in the performance statistics published. Additionally, if an application is not determined within 26 weeks and an extension of time not agreed with the applicant, planning authorities have to return the planning application fee to the applicant.

3.2 The Government published criteria for the determination of designation of local planning authorities. One measure is the average percentage figure for determination of major development applications over two years. The threshold for designation was originally set at 30% or fewer determinations, although the Government has now increased this threshold for relevant County Matter applications to 40%. The quality of decisions is measured by the average percentage of major development applications overturned at appeal with a threshold of 20%. Despite the relaxation of national performance indicators, we have continued to set ourselves a target of determining 60% of County Matter applications within 13 weeks and we have also set ourselves a target with regard to County Council development of deciding 75% of applications within 8 weeks.

3.3 In terms of performance, for the period January and March 2015 (inclusive) a total of 13 applications were determined (3 County Matters and 10 County Council). One application was withdrawn by an applicant during this period. Of the relevant applications, 33.3% of County Matter applications were determined within 13 weeks, which falls considerably below our target for determining planning applications and 50% of County Council applications were determined within 8 weeks, which also falls below the Council's locally set target. The cumulative figures for the year are 78.5% of relevant County Matter applications determined within 13 weeks, which clearly exceeds the target, and 69.8% of County Council applications were determined within 8 weeks, which falls below the target. In terms of the new Government measures, the outturn figure for the 24 months ending December 2013 is 63% of applications determined, which is well above the current 40% threshold.

3.4 In addition to dealing with planning applications, the Planning Policy and Development Management Team has continued to provide a pre-application advice service to applicants, for both County Matters (often which arise out of enforcement investigations or site monitoring) and County Council development, and, applications within the South Downs National Park. During the last period, sixteen separate proposals received pre-application advice from officers. The pre-application service provided has a number of benefits, including assisting applicants to understand the planning process and how acceptable their proposal is likely to be and can result in a better proposal or design of a development being negotiated before the formal submission of a planning application.

4. Contact Officers

4.1 Members with any queries about enforcement matters should contact either Sarah Iles (01273 – 481631) or Robert Shapter (01273 – 335218). Members with queries on development management matters should contact David Vickers (01273 – 481629) for County Council development or Jeremy Patterson for County Matter development. Members with any queries about site monitoring should contact Sarah Iles.

RUPERT CLUBB
Director of Communities, Economy and Transport
12 May 2015

Local Members: All

BACKGROUND DOCUMENTS

Current Enforcement, Monitoring and Planning Application Files.
MasterGov Database.

BREACHES OF PLANNING CONTROL PREVIOUSLY INVESTIGATED AND RESOLVED BETWEEN JANUARY – MARCH 2015

DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
November 2013	AM Skip & Plant Hire, Hazelbank, Maresfield	Breach of Conditions (Hours of Operation and Noise)	<p>A complaint was received that the site was not being operated in accordance with the conditions attached to the planning permission for the site, particularly in regard to the hours of operation and the amount of noise that was being emitted from the site.</p> <p>Site monitoring, including numerous “out of hours” checks, was undertaken, which identified that activity at the site was commencing before the permitted hours. A Breach of Condition Notice was therefore served on the operator on 13 February 2014 in relation to the operation of the site outside permitted hours. Monitoring of the site since the Notice became effective was regularly carried out, which confirmed that the site was operating within the hours permitted.</p> <p>Noise monitoring was also undertaken, which indicated that there may have been a breach of the noise condition relating to the planning permission for the site. The operator requested a period of time, which was agreed, to conduct noise surveys to identify the plant/machinery causing the problem and to undertake some noise attenuation measures. The noise survey and subsequent noise attenuation measures were completed. Further noise monitoring was undertaken and the noise emitted from the site during the hours of operation was found to be within the permitted limits.</p> <p>Further monitoring of the hours of operation for the site has continued to take place and it is considered that the site is being operated within the permitted times. Breaches of planning control resolved and no further enforcement action is required. The site will be monitored in accordance with the Council’s Site Monitoring Policy.</p>
March 2014	Sunrise, Dodd’s Bank, Nutley	Importation, deposit and storage of scrap vehicles.	<p>A complaint was received that end of life vehicles were being imported into the site, deposited and stored. A joint site visit was undertaken with the Environment Agency, during the course of which a meeting was held with the landowners. Though a large number of end of life vehicles, and other scrap metal, were found at the site, it appeared that this activity had been taking place at the site for many years and was therefore considered immune from planning enforcement action. However the Environment Agency is working with the landowners to clear the site, and the County Council will maintain contact with the Environment Agency and keep a watching brief over the site to ensure that no other breaches of planning control arise.</p> <p>Further site visits have continued to be undertaken, which have noted that some clearance of the site has taken place. Regular contact has been maintained with the Environment Agency and the landowners, and monitoring of the site has continued.</p> <p>Given that the storage of scrap at the site is considered to be immune from planning enforcement, this matter is now closed as far as the County Council, as Waste Planning Authority, is concerned. However, in order to ensure that activity does not intensify, and to support to the Environment Agency in their efforts to clear the site, officers will continue to monitor the site.</p>

November 2014	13 North Row, Uckfield	Burying of waste	<p>A complaint was received that builder's waste generated from an authorised development at the site was being buried in the rear garden.</p> <p>A joint site meeting with the landowner and Wealden District Council was undertaken. There was no evidence seen at the site to support the complaint and the landowner stated that any waste generated during renovation work at the property had been removed from the site to an authorised place of disposal. No breach of planning control identified and no further action required.</p>
November 2014	The Rhinns, Cherry Gardens Hill, Groombridge	Importation and deposit of waste	<p>A complaint was received that waste builders' materials were being imported into and deposited at the site and a site visit was undertaken, which confirmed the substance of the complaint.</p> <p>A letter was sent to the landowner, who has stated that materials associated with his business have been taken back to the site over a considerable number of years, to the extent that the use is now lawful. The landowner will be submitting an application for a Certificate of Lawfulness of Existing Use or Development, and no further enforcement action is required at this time. However, the site will be monitored and contact maintained with the landowner to ensure that this course of action is followed.</p>

NEW BREACHES OF PLANNING CONTROL INVESTIGATED BETWEEN JANUARY AND MARCH 2015 AND RESOLVED.

Page 37

DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
January 2015	Seaford Head 6 th Form Annex, Steyne Road, Seaford	Breach of Condition	A complaint was received that the Annex to the 6 th Form College had been occupied by staff and students prior to the pre occupation conditions being discharged. A site visit was undertaken where it was found that the premises were in fact still in the process of being constructed and staff and pupils had not taken up occupation. No breach of planning control and no further action required.
January 2015	British Gypsum, Hollingrove Hill, Brightling	Unauthorised development	A complaint was received that fencing and gates had been erected at the site without the necessary planning consent having been sought. A site visit was undertaken which confirmed the substance of the complaint. Discussions were held with the operators, who decided not to pursue a planning application to regularise the breach of planning control, but instead to reduce the height of the fencing and gates to within levels where planning approval was not required (i.e. Permitted Development). A further site visit has been carried out and the fencing and gates have been reduced to a height which is considered to be within Permitted Development levels. Breach of planning control resolved and no further action required.
January 2015	Land at the junction of School Lane and Coach & Horses Lane, Danehill	Importation and deposit of waste soils	A complaint was received that waste materials were being imported into the site and deposited. A site visit was undertaken which confirmed the substance of the complaint. A joint site visit and meeting with the operator was held, during which the operator explained that the works were being undertaken in order to repair damage to the field caused by heavy engineering plant and machinery used on the site by UK Power Networks when they buried a supply cable. The materials imported to the site were soils to complete the repairs and no more materials were to be imported into the site. Due to the weather, the site had become very wet and the soils were temporarily stockpiled and will be graded out when the weather and ground conditions improve. There appears to be no overall increase in the levels of the land and it is considered that no breach of planning control has occurred. No further action required.

January 2015	Land off A26, Herons Ghyll	Breach of Conditions	A complaint was received that the site was not being developed in accordance with the conditions attached to the planning consent, and that there were no wheel washing facilities at the site. Several site visits were undertaken and discussions held with the operator. It was confirmed that the site is being managed in accordance with the conditions attached to the planning consent and there are wheel washing facilities on site, which are being used by vehicles exiting the site. No breach of planning control and no further enforcement action required. The site will continue to be monitored in accordance with the Council's Site Monitoring Policy.
January 2015	Green Lanes Farm, Camberlot Road, Lower Dicker	Importation, deposit and storage of waste	A complaint was received that waste materials, comprising soils and hardcore, were being imported into the site, deposited and stored. A site visit was undertaken which confirmed the substance of the complaint. A joint site meeting was arranged with the landowner, and officers from the Environment Agency and Wealden District Council. The landowner explained that the hardcore was stored on site because he had intended to use it for the base of a new agricultural barn, and had been delayed in these works due to poor weather and other factors. The Environment Agency is requiring the clearance of the site and Wealden District Council has requested that the landowner submit a Certificate of Lawfulness in respect of part of the site (stockpiles of reclaimed materials). Therefore no further action required by this Authority, as Waste Planning Authority.
January 2015	Shovelstrode Racing Stables, Shovelstrode Lane, Ashurstwood	Importation and deposit of waste	A complaint was received that waste materials were being imported into the site and deposited. A site visit was undertaken which confirmed the substance of the complaint. An unplanned site meeting with the landowner during the site visit confirmed that soils were being imported into the site in order to make an area of land useable for the horses on the site. The landowner agreed to immediately cease any further importation of soils into the site, pending the outcome of a joint site meeting with East Sussex County Council, Wealden District Council and the Environment Agency. At the point this meeting was held, the soils had been mixed with manure from the site and graded out over the area, which resulted in no significant raising of the land levels. In view of the apparent absence of harm, the cessation of any further importation of waste and the landowner seeking advice prior to any further similar activity, it was considered that no further enforcement action is required in respect of this matter.
January 2015	St Pauls C of E School, Horntyne Road, St Leonards-on-Sea	Breach of Conditions	A complaint was received that workmen at the site were commencing work in the morning before the permitted hours of operation and that trees were cut down to facilitate pupil access to a temporary site entrance whilst the construction works were in progress. A site visit was undertaken and discussions held with the site foreman and the School's Business Manager. The hours of operation were not restricted by the planning permission and the works were not, therefore, a breach of planning control. With regard to the allegation regarding trees being felled at the temporary entrance, these were outside the School site and not subject to any restrictions from the planning permission granted for the School. The tree works were undertaken by Hastings Borough Council and involved coppicing. No breach of planning control and no further enforcement action required.
February 2015	1 Stroma Gardens, Hailsham	Importation, deposit, storage and burning of builders' waste	A complaint was received that builders' waste was being imported into the site, deposited and either bulked up in a skip or burnt in the rear garden. A site visit was undertaken which identified the remnants of a small bonfire in the rear garden, although there was no evidence of any waste being imported into the site and bulked up. No breach of planning control identified and no further enforcement action required.

February 2015	Paul's Mini Skips, Chaucer Business Park, Polegate	Breach of Conditions (outside storage)	During a routine site monitoring visit to the site, it was found that there was a skip load of hardcore outside the building and that empty skips were being stored outside the building and above the permitted height level. Discussions were held with the operator and the breaches were pointed out to him. A timescale was given to remedy the breaches of planning control and bring the site back into compliance. A further site visit was undertaken, which confirmed that the site was now in compliance. Breach of planning control resolved and no further enforcement action required. The site will be monitored in accordance with the Council's Site Monitoring Policy.
February 2015	Darwell Beech Farm, Darwell Hill, Netherfield	Importation and deposit of waste	A complaint was received that hardcore was being imported into the site and deposited. A joint site visit was undertaken with the Environment Agency, which confirmed the nature of the complaint. Discussions held with the landowner who explained that the hardcore had been imported to the site in order to create a hard standing for farm and forestry plant, and machinery. This is considered to be development, but not a waste disposal operation. Not a County Matter and no further enforcement action required.
February 2015	Simla Cottage, Framfield Road, Blackboys	Importation, deposit and burning of waste	A complaint was received that waste materials, comprising wood, were being imported into the site and burnt. A joint site visit was undertaken with an officer from the Environment Agency and it was found that waste wood was being burnt on the site. Discussions held with the landowner, who explained that the waste wood was all generated from within the site from maintenance works. No breach of planning control identified and no further enforcement action required by this Authority.
February 2015	Land adjacent to Old Mill Cottage, Camberlot Road, Lower Dicker	Importation, deposit, storage and burning of waste	Officers attending an adjacent site noticed that a quantity of waste material was being burnt on the site. A joint site meeting was arranged with Wealden District Council, where the planning implications of the importation and burning of waste at the site were explained to the landowner. The landowner agreed to immediately cease any further importation and burning of waste. Other issues identified at the site relate to the conditions attached to a planning permission granted by Wealden District Council, who will monitor the site. No further enforcement action required.

NEW BREACHES OF PLANNING CONTROL INVESTIGATED BETWEEN JANUARY AND MARCH 2015 AND UNRESOLVED.

DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
January 2015	Ocklynge School, Eastbourne	Unauthorised development	A complaint was received that a storage container on the site, which was subject to the grant of temporary planning permission (EB/3170/CC) and which required the removal of the container by 31 December 2014, was still on the site. A site visit was undertaken, which confirmed that the container had not been removed from the site as required. Discussions have taken place with Eastbourne Borough Council regarding the instigation of enforcement action to secure the removal of the container and action is ongoing in this respect.
January 2015	Pipers, Marl pits Lane, Ninfield	Importation, deposit and burning of waste	A complaint was received that waste materials were being imported into the site and burnt. A site visit was carried out, which proved inconclusive. The landowner has been traced and a site meeting arranged in order to ascertain what activities are taking place at the site.
January 2015	KPS Composting, Boathouse Farm, Isfield	Breach of conditions (site layout and volume of waste)	A complaint was received that waste wood processing was not taking place in the area approved and that the site was exceeding the total quantity of waste that was permitted to be imported into the site (the permitted volume of waste is limited to 50,000 tonnes/annum). Discussions were held with the Manager of the site, who stated that the

			area for the waste wood processing had been moved to a different part of the site for health and safety reasons. Figures provided for the volume of imported material showed that in the last year, nearly 54,000 tonnes of waste material had been imported to the site, some 4,000 tonnes above the permitted level. The Site Manager indicated that they would be seeking to vary the conditions which relate to the siting of the wood waste processing and the limitation on the quantity of waste materials, and an application is expected shortly.
February 2015	Golf Course Farm, Wivelsfield Green	Breach of conditions (wheel washing)	A complaint was received that the wheel washing facilities on the site appeared to be inadequate as mud was being carried out onto the public highway. A site visit was undertaken which confirmed the substance of the complaint. Discussions were held with site personnel and a timescale given for the wheel washing facilities to be improved. A site visit is scheduled for the near future to ensure that the wheel washing facilities are adequate and mud is not being tracked onto the highway.
February 2015	Mount Pleasant Garage, Ninfield Road, Bexhill	Unauthorised development: breaking of end of life motor vehicles	A complaint was received that end of life vehicles were being broken up at the site. A joint site visit was undertaken with the Environment Agency which confirmed the nature of the complaint. The landowner was identified and the planning and Environmental Permitting regulations explained to him. The landowner stated that he would cease the operations at the site and would clear the site of all vehicles and vehicle parts, and tidy the site up. A timescale to undertake those works was agreed and a further site visit will be undertaken to ensure compliance at the end of the agreed time period.
February 2015	Rushlake Green Pumping Station Number 2, Rushlake Green	Breach of Condition (landscaping)	A complaint was received that the planting condition attached to the planning permission for the development was not being complied with. A site visit was undertaken and the operator contacted for their maintenance schedule and details of recent site visits. The requested information has been submitted and is currently being considered to ascertain whether there have been any breaches of the landscaping requirements.
February 2015	Gladwish Farm, Catsfield Road, Ninfield	Importation and deposit of waste	A complaint has been received that waste has been imported into the site and deposited. A site visit was undertaken and discussions held with one of the landowners. The site has been subject to sporadic fly tipping over the recent past, which was dealt with by Wealden District Council. The quantity of hardcore observed on the site represented the last two loads of fly tipped material that had been deposited recently. Given the small quantity of hardcore, the landowner is intending to use this material to maintain tracks on the land. The site will be monitored to ensure that the materials are used as intended.
February 2015	Go Green Recycling, Owlsbury Business Park, Hadlow Down Road, Crowborough	Importation and deposit of waste	A complaint was received that waste materials were being imported into the site and deposited. A site visit was undertaken which confirmed the nature of the complaint. Contact has been made with the operator and investigations are continuing.
March 2015	Kilnwood Farm, Potmans Lane, Catsfield	Importation, deposit and burning of waste	A complaint was received that waste materials were being imported into the site and burnt. A joint site visit was undertaken with the Environment Agency, which confirmed the substance of the complaint. A meeting was held with the operator where the planning requirements and Environmental Permitting requirements were explained. The landowner agreed to immediately cease any further importation and burning of waste on the site and agreed to clear the site of imported waste. The site is being monitored to ensure that the landowner completes the clearance of the site as agreed.
March 2015	The Thorne, Ninfield Road, Bexhill	Importation, deposit and breaking up of end of life vehicles	This site was visited by officers tracing the landowner of Mount Pleasant Garage (see entry above) and whilst on the site it was noticed that there was a quantity of second hand car parts scattered across the land. Discussions were held with the landowner and a timescale agreed for the clearance of the site of these items. The site will be monitored

			to ensure compliance.
March 2015	Bridge Cottage, Rock Lane, Guestling	Importation, deposit and storage of waste	A complaint was received that soils were being imported into the site and used to create a dam on a pond. The dam was failing and this was risking damage to a Network Rail embankment. A site inspection was carried out which confirmed that the dam was failing. Contact was made with the landowner who stated that all the soils on the site had been generated from within the site, and none had been imported. A site visit has been arranged with officers from the County Council and Rother District Council in order to try and resolve this issue.
March 2015	Ringmer Primary School, Ringmer	Unauthorised development	A complaint was received that works had commenced on the site without planning permission having been issued. The planning permission (LW/3237/CC) had been approved by Planning Committee on 11 February 2015, subject to a Unilateral Undertaking. The Unilateral Undertaking had not been completed, and therefore planning permission had not been issued. A site visit was undertaken and discussions held with the Site Manager, who stated that the works being undertaken were preparatory works to construct the temporary haul road that would be required when the planning permission was issued. The Site Manager considered that the works carried out were not part of the planning permission as they were only temporary and would be removed on completion of the development and further enquiries are therefore being made. [NB – the Unilateral Undertaking has since been completed and planning permission issued.]

NEW CASES WITHIN THE SOUTH DOWNS NATIONAL PARK AND UNRESOLVED

January 2015	Offham Waste Water Treatment Works, Offham	Breach of Conditions	A complaint was received that an area used during the construction phase of this development had become waterlogged due to a drainage pipe becoming broken. A site visit was undertaken which confirmed the substance of the complaint. However it is not apparent from the site visit whether this pipe is dealing with drainage from within the field or from the adjacent highway. Enquiries are being made to trace the owner and resolve this issue, which technically may not fall within the remit of planning enforcement.
--------------	--	----------------------	--

OUTSTANDING CASES SUBJECT TO ONGOING ACTION

DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
June 2012	Endeavour Works, Beach Road, Newhaven	Importation and deposit of waste	<p>This site was noticed by officers visiting the area in connection with another matter. A local operator was approached, who admitted being responsible for importing some of the material on the site. A timescale to remove the material was agreed. However, the operator subsequently passed away. The deceased operator's brother took over the site and has been clearing the site of the waste imported by his brother. Given the circumstances surrounding this matter, the time period for him to clear the site has been extended on several occasions. Contact has also been maintained with the landowner, who has been continuing with the process of arranging for the removal of the imported waste materials.</p> <p>A further site visit is scheduled to be undertaken to assess the progress being made with the clearance of the site. Given the length of time that this matter has been outstanding, if little or no progress has been made in clearing the</p>

			site of the waste materials, consideration will be given to the service of an Enforcement Notice requiring clearance of the site.
April 2013	St Mary's School, Maynards Green	Unauthorised development	<p>A complaint was received that the School had carried out unauthorised development by creating a new car park at the site. A site visit confirmed the nature of the works and that the development required planning permission. After receiving pre-application advice from officers, a planning application (WD/3180/CC) was submitted in respect of this matter and this was due to be considered by the Planning Committee on 11 December 2013. However, due to ongoing negotiations with the adjoining property owner regarding a proposed land-swap, the application was withdrawn by the School pending the outcome of those negotiations.</p> <p>Following these negotiations, a planning application (WD/3227/CC) for a change of use (from agricultural to educational use) relating to area subject to the land swap was submitted and subsequently approved under delegated powers. The regularisation of the works to the car park and other development can now be progressed. A planning application was expected to be submitted shortly, but this has not happened and the matter will be chased up.</p>
October 2013	Diplocks Farm, Chalvington	Importation and deposit of waste	<p>Officers noticed that a significant quantity of waste materials comprising chalk, end of life vehicles and household and builders' waste had been stockpiled on the site. Evidence of burning of green waste was also present. A joint site meeting with the Environment Agency and the landowner was held. The landowner was advised that the activity required planning permission, but would be unlikely to be supported and that the importation of waste should cease and the site be cleared. The landowner stated that it is his intention to clear the site of the imported waste.</p> <p>Officers, in conjunction with officers from the Environment Agency, continue to undertake regular site visits and meetings with the landowner to ensure that the phased clearance of this site is carried out. In order to protect the Council's position, a Planning Contravention Notice was served on the landowner, to which a response was received. The landowner has commenced the phased removal of the waste from the site. Some waste has been removed and there has been no indication that further waste materials have been imported to the site.</p> <p>Clearance of the waste materials had been continuing, however the wet winter weather halted the clearance works as the ground where the waste is stored and the access to it have been waterlogged. It is hoped that with better weather the landowner can resume the clearance of waste from the site and further monitoring of the site will continue in conjunction with the Environment Agency.</p>
January 2014	Messens Farm, Potmans Lane, Bexhill on Sea	Breach of conditions (various)	<p>A complaint was received that the landowner was failing to comply with some of the conditions that were attached to the latest planning permission which relates to this site. A site visit was undertaken, which confirmed the substance of the complaint. A letter was sent to the agent for the landowner requiring the conditions to be addressed. However, the conditions were not complied with within the specified timescales and a Breach of Condition Notice was served on the landowner for breaches of Conditions 3, 9, 10 and 15 of planning permission WD/720/CM. Whilst there is no right of appeal against a Breach of Condition Notice, following the service of the Notice the landowner lodged an appeal with the Planning Inspectorate in respect of the Conditions 3, 9, 10 and 15 attached to the planning permission itself. Due to the submission of the appeal, the Breach of Condition Notice was put into abeyance pending the outcome of the appeal.</p> <p>The Planning Inspector dismissed the appeal and concluded that the conditions were necessary and reasonable. Consequently, formal enforcement action regarding the breaches of the conditions was resumed. The original Breach of Condition Notice was withdrawn and a new Breach of Condition Notice, with the same requirements as the previous one, re-issued. The requirements of the Notice were to be complied with by 18 July 2014</p>

			<p>The requirements of the Breach of Condition Notice were not been complied with, which is an offence. The site has been regularly monitored and no further waste materials have been imported into the site since November 2013, mainly due to the landowner being unable to obtain the necessary permit from the Environment Agency. A new permit application has been submitted to the Environment Agency and further action in relation to the Breach of Condition Notice is being held in abeyance pending the outcome of the permit application. In the meantime, monitoring of the site has continued to ensure that the importation of waste materials to the site does not resume until all outstanding matters are resolved.</p>
May 2014	Woodlands Composting Centre, Whitesmith	Breach of Conditions (noise and odour)	<p>A complaint was received that breaches of the conditions attached to the planning permission for the composting facility were occurring, specifically in relation to permitted noise and odour levels. A site visit was undertaken, which did not identify any odours, and contact was made with both the complainant and operator. The operator commissioned a noise survey for the site and has been monitoring the site to identify the source of any odour.</p> <p>Officers have continued to monitor the site, but have not observed any breaches of condition in respect of noise/odours emanating from the site. The operator is working with the complainant to try and resolve the issues that have been raised, and officers will continue to monitor the site.</p> <p>Monitoring of the site has continued since the original complaint and no issues of noise or odour have been noted. The operator is continuing to liaise with the complainant when a potential problem is identified. In the meantime, further monitoring will be undertaken by officers to ensure that no breaches of planning control occur.</p>
May 2014	Brooklodge Farm, Pottery Lane, Brede	Importation, deposit and processing of waste (hardcore)	<p>A complaint was received that waste materials, comprising hardcore and bricks, were being imported into the site and processed. A site visit was undertaken which confirmed the nature of the complaint. The landowner was contacted and he explained that the hardcore and bricks were generated from his demolition business and some of the hardcore was required to repair the tracks and gateways on the farm, and the remainder was sold. The landowner agreed to cease this activity on the site and a timescale for the clearance of the site was agreed.</p> <p>The site was not cleared within the agreed timescale and the landowner subsequently claimed that the activity had been taking place on the site for so long as to be immune from planning enforcement action. In order to ascertain whether a breach of planning control was occurring the landowners were served with Planning Contravention Notices.</p> <p>The landowner attended a "Time & Place" meeting in connection with the Planning Contravention Notice and also submitted a written response to the Notice (failure to do so is an offence). The landowner contends that the activity has been taking place on the site for many years, certainly in excess of ten and is therefore immune from planning enforcement action. The landowner intends to submit an application for a Certificate of Lawfulness of Existing Use or Development.</p> <p>However, no application for a Certificate of Lawfulness has yet been submitted. A further site visit is to be carried out and contact will be made with the landowner.</p>
July 2014	Haulaway, Polegate Yard Summerhill Lane, Hailsham	Unauthorised development	<p>A complaint was received that a building had been erected on the site without the necessary planning permission being in place. A site visit was undertaken and a meeting held with the operator. The operator explained that he had installed a very expensive plastics baling machine at the site and the building was a temporary one to protect it from the elements and vandalism until planning permission for a new permanent building had been sought.</p> <p>The operator applied for planning permission (Reference WD/739/CM) for the permanent building and the application was considered by the Planning Committee on 15 October 2014. Planning permission was granted, subject to the</p>

			completion of a Legal Agreement. <i>See last entry in this section for further details on the current situation regarding this matter.</i>
July 2014	Sussex Waste Management, Whitworth Road, St Leonards	Breach of Condition (Outside storage of waste)	<p>A site monitoring visit was undertaken and the operator was found to have four skips outside the waste transfer building, containing sorted waste materials - which is a breach of the condition attached to the current planning permission for the site. The operator has been in pre-application discussions with the County Council with regard to the submission of a revised planning application which would address various planning issues at the site. Given the minor nature of this breach and the imminence of the new planning application, it is not considered expedient to take formal enforcement action at this time. This site and situation have been monitored and regular contact maintained with the operator.</p> <p>A planning application (HS/759/CM) has now been submitted and further information is currently awaited before the application can be validated and processed.</p>
July 2014	Down Barn Farm, Ninfield Road, Bexhill	Breach of Condition (Site layout)	<p>During a site monitoring visit, the site was found to be in breach of the planning condition relating to the site layout. The operator confirmed that his business has outgrown the site and that he was actively searching for more suitable premises from which to operate. The landowner agreed a timescale for the operator to vacate the site and on this basis it was not considered necessary to pursue formal action as the operator was looking to vacate the site, and the site has continued to be monitored by officers.</p> <p>The operator subsequently identified a potential new site in Eastbourne. A planning application (EB/751/CM) has been submitted and is being considered by the Planning Committee at Agenda Item 5.</p>
August 2014	Harbour Primary School, Newhaven	Development not in accordance with approved plans	A complaint was received that the temporary classrooms building erected at the site was not in accordance with the approved plans. Site inspections have been carried out, which indicate that the classrooms have been constructed in the correct location. An independent survey has been carried out to confirm the situation and the results are currently being analysed.
September 2014	Stonehouse Farm, Pilmer Road, Crowborough	Importation and deposit of waste	<p>A complaint was received that waste materials, comprising soils and hardcore, were being imported into and deposited at the site, before being buried. Contact was made with the landowner who stated that the importation of materials was in relation to a planning permission granted by this Authority in 2004 and that the works were all in accordance with that permission.</p> <p>A site meeting was held with the landowners. The works that have been undertaken (and that are required to complete the development) are in excess of the original permission, and therefore in breach of planning control. A revised planning application has been requested to encompass the unauthorised works that have already been undertaken and also the works that are necessary to complete the development. Officers are also working with the Environment Agency in relation to the site.</p> <p>As yet, no application has been submitted in respect of the unauthorised development of the site. Further contact is to be made with the landowner to request the submission of a planning application, or an update on their intentions regarding the breach of planning control.</p>
September 2014	Antye Farm, Theobalds Road, Burgess Hill	Importation, deposit, storage and bulking up of waste materials	A complaint was received that waste materials, comprising soil and hardcore and builders' and household waste, were being imported into this site, deposited, stored and bulked up. A site visit was carried out which confirmed the nature of the complaint.

			<p>Following discussions with the operator, it appeared that whilst the operator was away from work on holiday, his partner had imported and deposited the waste, before abandoning the site. Regular contact has been maintained with the operator and tenant farmer and the site is now being cleared of the imported waste materials.</p> <p>Regular monitoring of the site has continued. It is anticipated that the final clearance of the site will be completed within the second quarter of 2015, and the site will continue to be monitored to ensure compliance.</p>
October 2014	Harbour Primary School, Church Hill, Newhaven	Unauthorised development	<p>A complaint was received that three sheds had been erected on the edge of the School's playground. A site visit was undertaken and a meeting held with a member of staff. Two sheds had been erected on the edge of the playground with a third about to be constructed. The School was advised that these sheds required planning permission and it was agreed that a planning application to regularise this breach of planning control would be submitted.</p> <p>No planning application has been received in respect of this breach of planning control and further contact has been made with the School to progress this matter.</p>
October 2014	Land to the north of Mead Cottage, Crowhurst Lane, Catsfield	Importation, deposit and burning of waste materials	<p>A complaint was received that waste materials were being imported into this site and being burnt. A joint site visit was undertaken with the Environment Agency and a meeting held with the landowner. The landowner admitted allowing the site to be used for the importation and burning of waste. The landowner agreed to immediately cease the importation of waste into the site and requested time to be allowed to clear the imported waste from the site. The site has been monitored by officers from both the County Council and the Environment Agency to ensure that no further waste importation takes place and the site is cleared of the imported waste</p> <p>Further site visits have been undertaken and the landowner has made progress in the clearance of the site. Monitoring of the site will be continued to ensure the site is cleared.</p>
November 2014	Fir Tree Cottage, Heathfield Road, Halland	Importation, deposit and disposal of waste	<p>A complaint was received that waste materials, comprising soils and sub soils, were being imported into the site and deposited. A site visit was undertaken which confirmed the substance of the complaint. A joint site meeting was undertaken with the landowner, operator and the Environment Agency. The landowner explained that the purpose of importing the soils was to improve the drainage of the land. Given the relatively small quantity of waste involved and the apparent absence of harm, it was not considered expedient to require the waste soils to be removed from the site. Remedial works to be carried out have been specified.</p> <p>However, the weather has not been suitable to commence the remedial works. With the onset of spring and drier weather, it is hoped that the ground will dry out sufficiently to allow the remedial works to be undertaken and the site will be monitored.</p>
November 2014	187 London Road, Hailsham	Importation, deposit, processing and storage of scrap metal	<p>Despite previous breaches of planning control being resolved at this site, a further complaint was received stating that the site (a residential property) was again being operated as a waste transfer station for scrap metal. A site visit was undertaken which confirmed the nature of the complaint. Given the long standing issues with the site and the landowners' failure to permanently cease the unauthorised scrap metal activities, an Enforcement Notice was prepared and served on the landowner, and those with an interest in the land. The Enforcement Notice took effect on 18 January 2015.</p> <p>The period of time for compliance with the requirements of the Enforcement Notice expired on 15 February 2015. A site visit was carried out shortly after that. A very small quantity of scrap metal and other waste was still on site and it</p>

			was considered appropriate to give the landowners a short extension of time to comply with the requirements of the Enforcement Notice. The site will be visited shortly to see if it has finally been cleared and the Notice complied with.
November 2014	Flitteridge Farm, Splaynes Green, Fletching	Unauthorised development	<p>Officers undertaking a site monitoring visit noticed that a substantial engineering operation had taken place on the bund which encloses the slurry lagoon, involving the importation of a significant quantity of waste materials (soils). A letter was sent to the landowner's agent and a response received.</p> <p>A planning application (WD/750/CM) to regularise the works has been submitted and is currently under consideration.</p>
December 2014	Haulaway Ltd, Polegate Yard, Summerhill Lane, Hailsham	Unauthorised development	<p>A complaint was received that a large building was being erected on the site, which did not have planning permission. A site visit was undertaken which confirmed that a building was in the process of being erected. A meeting was then held with the site operator. The development being carried out was subject to a planning application (WD/739/CM), which had been reported to Planning Committee on 15 October 2014 and the application was approved subject to the completion of a Legal Agreement.</p> <p>However, the Legal Agreement had not been completed and a Decision Notice not issued. Technically, therefore, the development does not have the benefit of planning permission. The operator confirmed that the delay in signing the Legal Agreement was due to a delay in the purchase of a small piece of land. Due to the land ownership issues which were delaying matters, an extension of time for the completion of the Legal Agreement was agreed by the Planning Committee on 11 March 2015.</p> <p>It is understood that the transfer of land has now taken place and confirmation is awaited from the Land Registry before the Legal Agreement can be signed and the planning permission issued. In the meantime, the site is continuing to be monitored.</p>
OUTSTANDING CASE WITHIN THE SOUTH DOWNS NATIONAL PARK SUBJECT TO ONGOING ACTION			
March 2014	Court Farm, Falmer	Importation and deposit of waste.	<p>A complaint was received that waste materials, comprising soils, were being imported into the site and deposited. A site visit was undertaken which confirmed the nature of the complaint. Discussions were held with the landowner and a planning application (SDNP/14/03083/CW) to regularise the development submitted. However, the application was withdrawn by the applicant and a new, revised planning application was expected.</p> <p>A new revised planning application (SDNP/15/00790/CW) has now been submitted and is under consideration.</p>