



## REGULATORY COMMITTEE

## PLANNING COMMITTEE

**MEETING 10.30 am WEDNESDAY, 8 FEBRUARY 2017**

**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 14 December 2016 (*Pages 3 - 8*)
- 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 Proposals - report(s) by the Head of Planning and Environment**

- 5 Installation of tanks to facilitate the transfer of leachate and other associated development. Former Hastings Household Waste Recycling Site, Freshfields, off Bexhill Road, Pebsham, Bexhill, TN40 2RZ - RR/784/CM (*Pages 9 - 24*)  
Report by the Head of Planning and Environment

#### **Listed Building Consent - report(s) by the Head of Planning and Environment**

- 6 Listed Building application for relocation of door at third floor and additional demountable partition at lower ground floor. Hastings Central Library, 13 Claremont, Hastings, TN34 1HE - HS/3339/CCLB (*Pages 25 - 32*)  
Report by the Head of Planning and Environment

#### **Traffic Regulation Orders - report(s) by the Director of Communities, Economy and Transport**

- 7 Traffic Regulation Order - Sovereign Harbour Cycle Network (Phase 3) scheme, Eastbourne (*Pages 33 - 40*)

#### **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](http://www.eastsussex.gov.uk/webcasts)*

Report by the Director of Communities, Economy and Transport

- 8 Development Management Quarterly Update (*Pages 41 - 56*)  
Report by the Director of Communities, Economy and Transport
- 9 Any other items previously notified under agenda item 4

PHILIP BAKER  
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31 January 2017

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## PLANNING COMMITTEE

MINUTES of a meeting of the Planning Committee held at County Hall, Lewes on 14 December 2016.

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

### 52 MINUTES OF THE MEETING HELD ON 16 NOVEMBER 2016

52.1 RESOLVED to approve the minutes of the meeting held on 16 November 2016 as a correct record.

### 53 APOLOGIES FOR ABSENCE

53.1 Apologies for absence were received from Councillor Stogdon.

### 54 REPORTS

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

### 55 NEW BUILDING TO ACCOMMODATE SCRAP METAL SHREDDING AND PROCESSING MACHINERY. H. RIPLEY & CO., APEX WAY, HAILSHAM, BN27 3WA - WD/781/CM

55.1 The Committee considered a report by the Director of Communities, Economy and Transport. It was clarified that: within Condition 12, the reference to Condition 10 should be read as Condition 11; and that at paragraph 6.6 of the report, there were five occupiers from Coopers Way who objected to the proposals.

55.2 Councillor Keeley, one of the Local Members, spoke to support the proposal. The Chair reported that Councillor Bentley, the other Local Member, was supportive of the proposal and conditions.

55.3 Members have considered the officer's report, the clarifications and the comments of the Local Members and agree with the conclusion and reasons for recommendation, as set out in paragraph 7 of the report.

55.4 RESOLVED to grant planning permission subject to the following conditions:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the plans listed in the Schedule of Approved Plans.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The management of the undeveloped buffer areas within the application site shall be undertaken forthwith and in accordance with the documents approved on 6 March 2015 for planning permission WD/633/CM, namely:
  - (i) The Ecological Mitigation/Enhancement Plan by Arbtech, dated January 2014;
  - (ii) The Phase 1 Habitat Survey by Arbtech, dated 2013;
  - (iii) Arbtech Drawing Numbers AIA01 and TPP01;
  - (iv) The Landscape Management and Maintenance Plan/Specification by Benjemin Beth Projects Ltd, dated October 2014; &
  - (v) The Landscape Strategy Drawing Number P453/001 Rev C, unless otherwise agreed in writing with the Director of Communities, Economy and Transport.

Reason: To ensure the protection of the mature trees and the watercourse within the buffer areas, to ensure the development is appropriately screened from the A22 and to ensure there is no unacceptable effect on biodiversity, in accordance with Policies WMP25 and WMP27 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Policy WCS12 of the Wealden District Core Strategy Local Plan 2013.

4. The undeveloped buffer areas on the northern, southern and western boundaries of the site extension approved under planning permission WD/633/CM and shown as 'Proposed enhanced tree and shrub screen planting' on approved drawing 3908/Sk02 Rev. K, shall be retained as undeveloped buffer areas at all times and shall not be used for any activity other than as approved in the provisions of Condition 3 above.

Reason: To ensure the protection of the mature trees and the watercourse within the buffer areas, to ensure the development is appropriately screened from the A22 to ensure there is no unacceptable effect on biodiversity in accordance with Policies WMP25 and WMP27 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Policy WCS12 of the Wealden District Core Strategy Local Plan 2013.

5. The protection of trees within the buffer areas during the construction period shall be carried out in accordance with the Arboricultural Development Report by Arbtech, dated 20 October 2014 and Arbtech Drawing Numbers AIA01 and TPP01, approved on 6 March 2015 for planning permission WD/633/CM, unless otherwise agreed in writing with the Director of Communities, Economy and Transport.

Reason: To ensure the trees on the site boundaries, including those trees which are subject to Tree Preservation Orders, are protected and retained in the interests of screening the site and protecting biodiversity, in accordance with Policies WMP25 and WMP27 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Policy WCS12 of the Wealden District Core Strategy Local Plan 2013.

6. The development hereby permitted shall be carried out in accordance with the Construction Management Plan approved on 6 March 2015 for planning permission WD/633/CM, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

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

7. Before the occupation of the extension area the proposed noise attenuation barriers shall be erected in accordance with the provisions contained within approved Drawing Number 3908/Sk02 Rev K and in conjunction with the approved tree protection measures the subject of Condition 5 above, unless otherwise agreed in writing with the Director of Communities, Economy and Transport. The noise attenuation barriers shall be maintained thereafter in a good state of repair for the duration of the development.

Reason: In the interests of safeguarding residential amenity and protecting trees within the undeveloped buffer areas, in accordance with Policies WMP25 and WMP27 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

8. Before the occupation of the building hereby permitted details of the materials proposed to be used for the insulation of the building shall be submitted in writing to the Director of Communities, Economy and Transport for written approval. The use of the approved materials shall be implemented in full before any processing commences within the building and the materials shall thereafter be maintained in a good state of repair for the lifetime of the building.

Reason: To reduce noise from the processing activities in the interests of safeguarding amenity within the locality, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

9. The site extension shall not be occupied until details of the layout of the entire site have been submitted to and approved in writing by the Director of Communities, Economy and Transport. The details shall include a scaled plan illustrating:

(i) The general location for activities associated with receiving, sorting, storing, processing, loading and unloading waste metals;

(ii) The location of any static plant and machinery; &

(iii) The location of any bays or other solid barriers within the site, including details of their approximate height and materials.

The approved layout shall be retained, and any changes to it shall first be submitted to and approved in writing by the Director of Communities, Economy and Transport.

Reason: To allow the Waste Planning Authority an appropriate degree of control over the location of activities within the site in the interests of reducing the potential for noise and other emissions which may adversely affect the occupiers of nearby residential properties, in the interests of protecting residential amenity in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

10. Except for the provisions contained within the approved Drawing Number 3908/Sk02 Rev K, no additional artificial external lighting, including floodlighting, shall be installed or used within the application site other than in accordance with details that have first been submitted to and approved in writing by the Director of Communities, Economy and Transport. Such details shall include the type, location and number of lights together with the direction of the light beam and details of the hours of use of the lights.

Reason: In the interests of safeguarding residential amenity and protecting wildlife, in accordance with Policies WMP25 and WMP27 of the East Sussex, South Downs and

Brighton & Hove Waste and Minerals Plan 2013 and Policy WCS12 of the Wealden District Core Strategy Local Plan 2013.

11. The operation of the metal recycling facility shall be restricted to between the hours of 07.00 and 19.00 on Mondays to Fridays inclusive and the hours of 08.00 and 16.00 on Saturdays, and at no time on Sundays, Public and Bank Holidays except for works of essential maintenance or which are to respond to an emergency. Between the hours of 13.00 and 16.00 on Saturdays, the use of the site shall be restricted to the unloading of materials and the maintenance of plant and machinery only.

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

12. The rating level of noise emitted from the site, expressed as a 1hr LAeq, determined in accordance with BS 4142:2014 'Rating for Industrial Noise Affecting Mixed Residential and Industrial Areas' shall not exceed 5 dBA above the existing background LA90 noise level when measured at any boundary of 30 Coopers Way and/or 33 Coopers Way, and/or any other residential property, at any time when the site is operational (in accordance with the hours detailed in Condition 11 above). If plant has a tonal or impulsive characteristic then the rating level should be corrected by +5 dBA to reflect the likelihood for disturbance.

Note: The existing background levels should be measured when no part of the application site is in operation.

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

13. No material shall be stacked or stockpiled to a height exceeding 6 metres and shall not encroach beyond the boundaries of any part of the application site.

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

14. The extension hereby permitted shall not be occupied until a scheme for the provision of marker posts has been submitted to and approved in writing by the Director of Communities, Economy and Transport. No fewer than 4 marker posts shall be erected within the application site (in specified locations) to identify the 6 metres stockpile height limit. The scheme shall be implemented in full prior to the occupation of the building, and the marker posts shall thereafter be retained as approved, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: To enable the identification of the approved stockpile height limit in the interests of visual amenity, in accordance with WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

15. Before the occupation of the site extension area, construction of the surface water drainage scheme shall be carried out in accordance with the following approved documents:
  - (i) E9642 Surface Water Design report, Rev J;
  - (ii) Drawing Number E9642/01 Rev H; &

(iii) Drawing Number E9642/02 Rev F,  
and be subject to the approved tree protection measures the subject of Condition 5,  
unless otherwise agreed in writing with the Director of Communities, Economy and  
Transport.

Reason: To ensure satisfactory drainage of the site and to prevent water pollution in  
accordance with Policy WMP38 (a) of the East Sussex, South Downs and Brighton &  
Hove Waste and Minerals Plan 2013.

16. The proposed building hereby permitted shall not be brought into use until the site access  
has been altered and new pedestrian access provided in accordance with the details on  
approved Drawing Number 3908/Sk02 Rev. K. The accesses shall thereafter be retained  
in accordance with these details unless the Director of Communities, Economy and  
Transport approves an alternative arrangement.

Reason: In the interests of highway safety and convenience and safety within the site, in  
accordance with Policy WMP26(a) of the East Sussex, South Downs and Brighton & Hove  
Waste and Minerals Plan 2013.

17. The proposed building hereby permitted shall not be brought into use until the new  
dedicated car parking area and the visitor car parking spaces, as shown on approved  
Drawing Number 3908/Sk02 Rev. K, have been provided. The parking area and visitor  
spaces shall be kept available and maintained in a suitable condition for the parking of  
motor vehicles and shall not be used for any other purpose, except with the prior written  
consent of the Director of Communities, Economy and Transport.

Reason: To ensure the retention of appropriate car parking facilities in accordance with  
Policy WMP26(e) of the East Sussex, South Downs and Brighton & Hove Waste and  
Minerals Plan 2013.

18. The site extension hereby permitted shall not be brought into use until the covered bicycle  
and motorcycle parking/storage facility, as shown on approved drawing no. 3908/Sk02  
Rev. K and detailed under planning permission WD/633/CM, has been provided. The  
facility shall be kept available and maintained in a suitable condition for the  
parking/storage of bicycles and motorcycles and shall not be used for any other purpose,  
except with the prior written consent of the Director of Communities, Economy and  
Transport.

Reason: To ensure the retention of appropriate bicycle and motorcycle parking facilities, in  
accordance with Policy WMP26(e) of the East Sussex, South Downs and Brighton & Hove  
Waste and Minerals Plan 2013.

19. A clear route for vehicles travelling within the application site shall be retained at all times,  
sufficient to allow all vehicles using the site to enter in forward gear and exit in forward  
gear.

Reason: In the interests of highway safety and convenience and safety within the site, in  
accordance with Policy WMP26(a) & (e) of the East Sussex, South Downs and Brighton &  
Hove Waste and Minerals Plan 2013.

## INFORMATIVES

1. The applicant is informed that any changes to operations must also comply with the requirements of the Environmental Permit issued by the Environment Agency, and is advised to contact the Environment Agency for further information.

### Schedule of Approved Plans

3908/SP03 Rev A - Site Location Plan, 3908/SP01 Rev C - Existing Site Layout, HR001-S-A0002 - Shredder Yard Layout, HR001-R-P0009 - Shredder Building, E9642-01 Rev H Drainage Proposals Sheet 1 of 2, E9642-02 Rev F Drainage Proposals Sheet 2 of 2

The meeting ended at 10.42 am.



Committee: **Regulatory  
Planning Committee**

Date: **8 February 2017**

Report by: **Head of Planning and Environment**

Proposal: **Installation of tanks to facilitate the transfer of leachate  
and other associated development.**

Site Address: **Former Hastings Household Waste Recycling Site,  
Freshfields, off Bexhill Road, Pebsham, Bexhill, TN40  
2RZ**

Applicant: **Karl Taylor, Assistant Director - Operations, East  
Sussex County Council**

Application No. **RR/784/CM**

Key Issues:           (i)     **Need for and purpose of the development**  
                          (ii)     **Effect on strategic gap and Countryside Park**  
                          (iii)    **Traffic considerations**  
                          (iv)     **Effect on residential amenity**

Contact Officer: **Jeremy Patterson – Tel: 01273 481626**

Local Member: **Councillor Charles Clark**

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## **SUMMARY OF RECOMMENDATIONS**

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

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## **CONSIDERATION BY HEAD OF PLANNING AND ENVIRONMENT**

### **1. The Site and Surroundings**

1.1 The application site is situated on the eastern side of the access road, known as 'Freshfields', which is approximately 630 metres north of its junction with the A259 Bexhill Road. The site is adjacent to the entrance to the Pebsham Landfill site, which extends to the north and north-east (and is now being restored). The Southern Water Services Hastings Wastewater Treatment Works (WWTW) is located to the north-west.

1.2 To the south and south-east of the site are the Bulverhythe playing fields and recreation ground. A tree belt is present along the eastern side of Freshfields to the south of the site and an area of trees and scrub is located to

the east of the site. Opposite the site on the western side of Freshfields is Pebsham Lane, from which a public footpath tracks north towards the WWTW. Further to the south-west on the western side of Freshfields is a waste and recyclables transfer station (WRTS) and the Hastings Household Waste Recycling Site (HWRS).

1.3 The application site is an existing developed site, formerly accommodating the Hastings HWRS. The operational area is cut into the land and lies at a lower level compared to adjoining land on all sides. It is roughly rectangular in shape, being about 75 metres in length and with a width varying between 24 metres at its northern end, 34 metres in its central area and 18 metres at its southern end. The site comprises a gently sloping area of concrete hardstanding contained on all sides by steel retaining panels beyond which are grass embankments (2.5 – 3.5 metres high) topped by 2 metres high wire security fencing. There is an 8.2 metres wide concrete access (controlled via a steel framed gate) that leads from Freshfields into the south west corner of the site.

1.4 The site is within the strategic gap between Bexhill and St Leonards and is in the area covered by the Combe Valley Countryside Park.

## **2. Site History**

2.1 The application site had been used as a temporary HWRS since the mid-1980s when planning permission was granted in 1985 (ref. RR/84/2375/CM). Permissions to extend the timescales for the temporary operation of the facility were granted in 1988, 1993, 2003, 2005, 2008 and 2011 (ref. RR/658/CM). The latter expired on 1 March 2013 and when the use ceased, all the materials, containers and associated equipment and structures were removed, although some of the lighting columns, the entrance gates and perimeter fencing were retained to ensure site security.

## **3. The Proposal**

3.1 The proposal is to use the application site for a leachate transfer station to facilitate the County Council, as Waste Disposal Authority, in undertaking its statutory functions. This would involve the importation of tankered waste leachate from 'closed' landfill sites (see paragraphs 6.2 and 6.3), which would be transferred to freestanding, sealed steel liquid storage tanks located at the southern part of the site.

3.2 Although the exact number and type of tanks is presently unknown, it is likely that between 2 and 4 tanks would be required. Typically, the tanks would be about 12 metres in length, 3 – 4 metres wide and 3.5 metres high. The capacity of each tank would be between 50,000 litres (50 cubic metres) and 70,000 litres (70 cubic metres), and depending on the number and specification of the tanks procured, there would be a total site capacity of between 200,000 – 300,000 litres (200 - 300 cubic metres). However, the applicant considers that the lower figure represents a more realistic maximum

requirement for the site. Each tank would be positioned within a sealed low bund bricked wall enclosure and on a membrane sealed base.

3.3 The northern part of the application site would be used to accommodate staff facilities including portakabin office(s) and a toilet/washing area. These facilities would include the relocation of an existing compressor plant system currently located nearby. This plant is needed to continue to manage landfill gases and an existing 'air flow' connection point is available immediately to the north of the application site, which can be used for this purpose. The open, central part of the site would be retained to provide a turning area for tankers. Security lighting would be installed. The existing boundary fencing and entrance gate would be retained and landscape planting is proposed.

3.4 A new pipeline from the tanks would need to be laid across the former landfill area slightly to the north-east covering 350 metres and then tracking to the south-east by some 390 metres to a collection sump. This collection sump currently serves the former Pebsham Landfill area, which would continue. From the sump the leachate would transfer to sewer and then to the Bulverhythe Pumping Station, which transfers flows to the Hastings WWTW for treatment and final disposal.

3.5 The proposed use is expected, on average, to generate between 3 – 13 tanker trips per day involving 32 tonnes rigid tankers (4 axles) or articulated 38 tonnes vehicles. The smaller tankers have a capacity of 20 cubic metres and would be the most commonly used, with the 30 cubic metres articulated vehicles operating from the former Mountfield site. It is proposed that the site would be open on all days, except for Public and Bank Holidays, and be able to operate between the hours of 05.00 – 19.00 Mondays to Saturdays and 10.00 – 16.00 on Sundays.

#### **4. Consultations and Representations**

4.1 Rother District Council strongly objects to the proposal, on the following grounds:

1. The proposal is not compatible with the purposes of the Combe Valley Countryside Park and conflicts with saved Policy BX4 of the Rother District Local Plan and Policy HF1 of the Rother Local Plan Core Strategy;
2. The Park was developed and managed by Rother District Council (RDC), Hastings Borough Council (HBC) and the County Council. RDC and HBC have agreed shared issues, including accessibility to the Park, which the proposal is not compatible with;
3. The application site was used as a temporary waste facility. A new HWRS is now present on the west side of Freshfields. The application site should be filled and restored for use as part of the Park;
4. The proposal has no relationship to the site and does not serve the adjoining landfill site and there is no requirement for it to be located at

the site. The proposal would import waste into the Park from elsewhere in the County and no justification has been provided for this;

5. The carbon dioxide and financial savings are not considered sufficient to outweigh the harm outlined above and it is considered that there are other options which should be looked at; and
6. Should the County Council be minded to grant planning permission, mitigation should be sought in relation to granting a temporary permission, providing a financial contribution to offset the effect to the Park, providing a suitable crossing across Freshfields, considering including traffic calming measures and enhancing the tree belt on the eastern side of Freshfields.

4.2 Hastings Borough Council has not submitted any observations.

4.3 The Highway Authority raises no objections, although recommends that a turning space for vehicles be provided within the site and a wheel washing facility if excavations or earthworks are carried out.

4.4 The Environment Agency raises no objections, providing the site is operated in accordance with the necessary permits and that limits on storage are complied with. It also states that the proposal offers a more environmentally sustainable method for handling landfill leachate generated at existing closed landfill sites than exists at present.

4.5 Flood Risk Management ESCC raises no objections.

4.6 Representations: One representation has been received from the Chairman of the Board of Directors, Combe Valley Countryside Park, who objects on the following grounds:

1. The application site is within the Combe Valley Countryside Park, which is the strategic gap between Bexhill and Hastings;
2. The tanker trips will result in noise and pollution and increase carbon dioxide emissions in the Park. The disruption and disturbance would be an unacceptable nuisance;
3. The Park is a key recreational and amenity site for Hastings and Bexhill and it is unacceptable to include further waste development. It does not comply with Policy BX4 of the Rother District Local Plan; &
4. The proposal is unacceptable to users of the Park as it imports waste from East Sussex into the heart of the Park. It will impede plans for future development of the Park and the health hazards are obvious. The proposal conflicts with planning policies.

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

5.1 The East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013: Policies: WMP1 (Presumption in Favour of Sustainable Development); WMP3b (Turning Waste into a Resource); WMP7a (Sustainable Locations for Waste Development); WMP10 (Management of

Waste Water and Sewage Sludge); WMP19 (Co-location of Complementary Facilities); WMP24a (Climate Change); WMP25 (General Amenity); WMP26 (Traffic Impacts).

5.2 Rother Local Plan Core Strategy 2014: Policies: OSS2 (Use of Development Boundaries); OSS4 (General Development Considerations); BX1 (Overall Strategy for Bexhill); HF1 (The Hastings Fringes); EN5 (Biodiversity and Green Space).

5.3 Rother District Local Plan 2006: Saved Policies: DS5 (Strategic Gaps); BX4 (Bexhill - Countryside Park).

5.4 The National Planning Policy Development 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 the NPPF policies as far as relevant.

5.5 National Planning Policy for Waste (NPPW) 2014

The NPPW sets out detailed waste planning policies and regard should be had to them when planning authorities seek to discharge their responsibilities to the extent that they are appropriate to waste management.

## **6. Considerations**

### **Need for and purpose of the development**

6.1 The Waste and Minerals Plan seeks to take a positive approach to waste development that reflects the presumption in favour of sustainable development contained in the NPPF (Policy WMP1). Other relevant waste management policies in the Plan require waste to be managed in accordance with the waste hierarchy (Policy WMP3b) and for sites to be located in sustainable locations, referred to as Areas of Focus (Policy WMP7a). Policy WMP10 supports proposals for the provision of new waste water management facilities where the development is, inter alia, a necessary replacement of existing infrastructure and where it is demonstrated that development is required to meet the relevant environmental standards and improve the operational efficiency of waste water management. Policy WMP19 encourages opportunities to co-locate facilities, provided it does not cause unacceptable impacts.

6.2 The County Council has a statutory responsibility for managing municipal landfill sites that it either formally operated, or inherited, as a result of local government reorganisation in 1974. In East Sussex, except for Pebsham Landfill, all such landfill sites have now been restored and are closed. They are: Arlington, near Hailsham; Castlewood, near Rotherfield; Glynleigh, near Hankham; Mountfield, near Battle; and Scullwood, near

Hadlow Down. The proposal is to provide a leachate transfer facility to service these sites.

6.3 Although these landfills are 'closed', they still remain 'contaminated' under the provisions of the Environmental Protection Act 1990. This legislation seeks to ensure that such sites do not pose harm to human health and/or the environment. Consequently, the County Council actively manages the leachate that arises from water (principally rainfall), which percolates through the body of deposited wastes and becomes contaminated with dissolved methane and other pollutants, including heavy metals. Therefore, the management and control of the leachate is required to prevent pollution to both ground and surface waters around the landfill sites.

6.4 At these sites, the leachate is collected and drained to 'sump' areas, which then needs to be pumped out and tankered away for treatment and disposal. Such operations are likely to have to continue for a period exceeding 60 years post closure. Currently, there are no viable or technically practical procedures available to treat such leachate at source, which is why the waste has to be tankered away for disposal at suitable WWTWs. Such works can be located some distance from the closed landfill sites, thereby requiring considerable tanker travelling distances. Currently, leachate is tankered to WWTWs in Aylesford, Tonbridge and Ham Hill (Sittingbourne), all in Kent, and over the last five years, the average volume of leachate which needed to be tankered away amounted to 36,966 cubic metres per annum.

6.5 Changes in environmental licensing arrangements for disposal at WWTWs, together with rising costs, have required the applicant to review the current arrangements for disposing of the leachate, with a view to identifying a site within the County which would act as a strategic transfer facility for receiving leachate prior to treatment. Studies undertaken by consultants have considered various alternative options for this, including on-site treatment prior to discharge. However, the applicant considered that such options were not technically feasible and/or financially viable. The most suitable solution was identified as operating a transfer facility at the site of the former Hastings HWRS.

6.6 As well as the application site being 'ready made', the applicant also considers it to be the most suitable site for a transfer facility because it provides a location where the waste can be disposed of locally. Discussions between the applicant and Southern Water concluded that due to the make-up of the leachate, there was only one acceptable location for delivery in its raw state, this being Hastings WWTW. This site has sufficient capacity and licencing arrangements to accept this type of waste. However, as this WWTW only receives pumped sewage flows and does not accept direct tanker deliveries, a site nearby is required to act as a transfer station and the application site is ideally placed for this purpose. From here, controlled transfer can be undertaken via a pipeline, as proposed. Other WWTWs, such as at Newhaven and Peacehaven were also considered as potential disposal facilities but neither is able to accept tankered waste, nor offer suitable sites nearby for transfer purposes.

6.7 In waste management policy terms, the proposal can be fully supported. It provides a more sustainable, or at least a less environmentally harmful, method for managing landfill leachate in the County than at present, by requiring fewer miles to be travelled and therefore resulting in reduced emissions for carbon dioxide and other pollutants. The site is also within an Area of Focus, which has been identified as a sustainable location for waste development. This is acknowledged by the Environment Agency and accords with Policies WMP1, WMP3b, WMP7a and WMP24a of the Waste and Minerals Plan. The proposal also seeks to provide for a more efficient operation in the treatment of waste water by focusing activities at one site, in accordance with Policy WMP10, together with being located near to a complementary facility (the Hastings WWTW), which would treat and dispose of the waste (refer to Policy WMP19).

6.8 Rother District Council has objected on the grounds that the application site was used as a temporary waste facility in tandem with Pebsham Landfill and that a new HWRS is now present on the west side of Freshfields. Moreover, it states that the proposed facility has no relationship to the site and does not serve the adjacent landfill and so is not required to be located there. Although the proposal would not be storing leachate from Pebsham Landfill, it would be occupying a site which has previously been used as a waste management facility – and is now vacant – and which provides a suitable construction for the proposed facility. Furthermore, the site will be of strategic importance for the management of leachate within the County, as the liquid can be imported to a single facility and piped to a proximate WWTW, which is able to treat and dispose of it. No other location in the County is capable of managing leachate in this way and the objection from the District Council is not considered to outweigh the benefits that would occur from using the site as a transfer facility.

### **Effect on strategic gap and Countryside Park**

6.9 Policy WMP25 of the Waste and Minerals Plan requires, inter alia, that proposals should have no unacceptable effect on the standard of amenity appropriate to the established, permitted or allocated land uses of the communities likely to be affected by the development and that there is no significant adverse effect, regarding air quality and noise and on the recreational use of an area, including public access. Policy OSS4 of the Rother Local Plan Core Strategy requires proposals to respect and not detract from the character and appearance of the locality and is compatible with both the existing and planned use of adjacent land, while taking into account the previous use of the site.

6.10 Saved Policy DS5 of the Rother District Local Plan identifies the area between Bexhill and St Leonards as a strategic gap in which development will be carefully controlled and only in exceptional circumstances will be permitted. Any development must be unobtrusive and not detract from the openness of the area. Saved Policy BX4 of the same Plan identifies the land between Bexhill and St Leonards as a Countryside Park, within which

proposals should, inter alia, be consistent with the establishment and maintenance of the area as a key recreational and amenity resource. Although it is intended that the Pebsham Landfill would be restored as part of the Countryside Park, it is not clear from the Proposals Map accompanying the Rother District Local Plan whether, or not, the application site is within the area allocated for this purpose. The Policy also states that a Management Plan would be produced to provide a detailed framework for the layout of the Countryside Park. While this has not been produced, the 'Combe Valley Countryside Park' website has been established and an 'Activity Area Landscape Strategy' has been developed for the central part of the proposed area. This shows that the application site has not been included within the Landscape Strategy Area and is depicted as 'white land', together with the other waste facilities in the locality.

6.11 Policy BX1 of the Rother District Core Strategy relates to the overall strategy for Bexhill, which includes implementing the Combe Valley Countryside Park as part of developing local amenities. Policy OSS2 of the Plan relates to the use of Development Boundaries including having regard to important 'gaps' of countryside between them. Policy HF1 seeks to contribute to develop proposals for the establishment of the Countryside Park, including through securing appropriate developer contributions. Policy EN5 seeks to establish a major area of accessible open space at Combe Valley Countryside Park to protect and enhance biodiversity, geodiversity and green space.

6.12 Notwithstanding the apparent exclusion of the application site from the 'Activity Area Landscape Strategy' for the Countryside Park, Rother District Council considers that the proposal does not comply with Saved Policy BX4 of the Rother District Local Plan and Policy HF1 of the Rother District Core Strategy. As such, the application has been advertised as a departure from the Development Plan. The Chairman of the Board of Directors for the Combe Valley Countryside Park also raises an objection to the proposal on the grounds that it would adversely affect the strategic gap and the use of the Park.

6.13 The application site has been used for many years, until recently, as a HWRS, albeit on a temporary basis. The site is now vacant and the proposal would comprise free standing and moveable structures, not permanent buildings. Very little work would be required to prepare the site for the proposed use. The proposal would be less intensive than the previous waste use and the proposed structures would not exceed the height of the embankments that enclose the site. Trees and shrubs are present to the east and south of the application site and there would be no visual effect from existing views from the recreation ground to the south and south east of the site. Therefore, the sunken nature of the site would be well concealed from aspects within the wider landscape and would not adversely affect open space views from any direction. The development would be unobtrusive and not detract from the openness of the locality, thereby according with the objectives of the strategic gap designation.



6.14 The proposal also provides opportunities for additional tree and hedge planting to be carried out on the western and southern sides of the site to further reduce closer views from the west and south. Furthermore, despite any views of the site from the elevated part of the landfill to the north being very restricted, due to the topography of the land and existing tree planting adjacent to the site, proposed planting on the northern side of the site would provide additional concealment. However, public access to the landfill is unlikely to be available for several years, due to the retention of infrastructure that will be required at the site, for example, gas and leachate wells. Not only would this equipment be prone to vandalism (with resulting environmental and financial costs) but it could also present a health and safety hazard. Therefore, it is likely that no public views will be available from the landfill area for some considerable time.

6.15 Notwithstanding what happens at the application site, Freshfields would continue to be used by heavy vehicles servicing waste management facilities in the immediate locality, including both the WWTW and landfill, which are situated at the northern end of the road. Moreover, vehicles, including articulated lorries, using the WRTS to the south west of the application site, are regularly parked up on Freshfields awaiting entry into that site. Therefore, existing waste management activities will continue to feature as significant elements in this area and have, over time, profoundly influenced the character and appearance of the locality. The proposal for the leachate transfer facility would be easily accommodated into this setting and would not change its character or appearance.

6.16 The use of Freshfields by additional vehicles servicing the application site would result in only a modest increase in vehicle movements along the road (see paragraph 6.20 below). There are no public rights of way that cross Freshfields in the vicinity of the application site and any route ways that are sought as part of the Countryside Park proposals would be subject to their own planning and funding requirements. Notwithstanding this, visibility across Freshfields is very good in both directions, due to the linear nature of the road, and so any future crossing points would continue to benefit from this level of visibility.

6.17 Despite this, it would be likely that any future visitors to the Park would travel to the Discovery Centre, café and car park at the Park's 'hub location', some 340 metres north along Freshfields from the A259 and therefore, 290 metres south of the application site. From the 'hub', access to the recreation ground and other facilities could then be gained without recourse to using the northern part of Freshfields, thereby avoiding having to pass the waste management facilities along its length. Consequently, it is not considered that the proposal would prejudice the use of the Countryside Park as a recreational and amenity facility or materially affect the experience of its users. Moreover, while the proposal does not represent development that is consistent with Countryside Park 'development', it is not considered that it would conflict with policies which seek to support the future development of the Park.

## Traffic considerations

6.18 Policy WMP26 of the Waste and Minerals Plan requires proposals to have, inter alia, appropriate access arrangements, not cause an unacceptable adverse impact upon existing highway conditions or for other road users and secure suitable arrangements for on site vehicle manoeuvring, parking and loading/unloading. Policy WMP24a of the same Plan seeks the inclusion of measures to minimise greenhouse gas emissions, for example, by locating and designing the facility, and designing transport related to the development, in ways to minimise such emissions.

6.19 The numbers of vehicle movements associated with the proposed use would be likely to vary on a daily basis, as the need to tanker leachate relates primarily to rainfall conditions. Generally, more leachate is produced during the winter months, although due to the effects of climate change, increasing storm events involving very high rainfall can occur during any season. On average, the applicant considers that the transfer station use would be likely to generate 6 tanker deliveries per day (12 movements) but this would be likely to rise to 13 tankers per day (26 movements) during the winter period or in extreme wet weather events.

6.20 Assuming a worst case scenario of up to 15 tankers per day (a situation hitherto which has not taken place), the result would be a 1.39% increase in the total traffic movements along Freshfields (with HGV movements increasing by 7.33%). Traffic movements along the A259 (under pre Link Road conditions) would increase by 0.12% with HGV movements increasing by 2.02%. However, assuming average operating conditions of 6 tankers per day, traffic along Freshfields would increase by 0.56% (HGV movements increasing by 2.93%) and traffic movements on the A259 (under pre Link Road conditions) would increase by 0.05% (HGV movements increasing by 0.81%). There would be a slight increase in heavy vehicles as a result of the proposal, but in the context of an overall decrease in vehicle movements along the A259 in the Pebsham area by some 25% following the opening of the Link Road, the increase in proposed vehicle movements would be very small.

6.21 The proposed use would generate significantly fewer movements than its previous use as a HWRS, which typically generated some 500 vehicle trips (1,000 movements) by members of the public and about 15 trips (30 movements) by refuse collection vehicles, on a daily basis. However, the applicant acknowledges that the HWRS has been relocated, with access retained along Freshfields. Consequently, there would be a net increase in HGV movements along this road, although, as highlighted in paragraph 6.20 above, this would have a minor effect on traffic flows.

6.22 Currently, return tanker trips range considerably in distance, for example, from 32 miles between Castlewood and Tonbridge WWTW, to 92 miles between Glynleigh and Aylesford WWTW. The strength of the leachate from individual landfills and the capacity of the WWTWs receiving the waste,

determines where the tankers dispose of the leachate. Overall in 2015, the number of tanker miles amounted to 118,816.

6.23 Although the proposal would increase the tanker mileage for one site, it would be reduced for the other four sites, resulting in a significant overall reduction by 45,426 tanker miles. This is a reduction of some 38%, based on the 2015 figures, which would have equated to a 70 tonnes saving in carbon dioxide emissions.

6.24 Even though there would be a slight net increase in HGV movements along the A259 approach to Freshfields and along Freshfields itself under current conditions, the numbers would be very low in percentage terms. Visibility at the junction of Freshfields with the A259 is good and access into the site is tailor made with adequate turning space within the site to accommodate the tankers. The Highway Authority raises no objections and the proposal complies with Policy WMP26 of the Waste and Minerals Plan, regarding the effects of traffic and with Policy WMP24a, regarding the inclusion of measures to offset the effects of climate change.

6.25 Rother District Council has objected on the grounds that the carbon dioxide savings are not considered sufficient to outweigh the harm to the use of the Countryside Park and that there are other options which should be explored. Notwithstanding this, there are no other realistic options for managing leachate and there are no beneficial uses for it. The only practical option is to treat and dispose of it via a suitable WWTW. The proposal offers the opportunity to lower carbon dioxide emissions by significantly reducing the number of miles that tankers are required to travel, thereby providing a positive response to the negative effects of climate change.

### **Effect on residential amenity**

6.26 Policy WMP25 of the Waste and Minerals Plan requires proposals to have no unacceptable effect on amenity and for there to be no resulting significant effect on air quality or the local acoustic environment, including from traffic.

6.27 In relation to the potential effects on residential amenity, the application site is situated well away from existing residential properties and the use would have no adverse on residents.

6.28 While there are residential properties along the frontage of the A259 at its junction with Freshfields, the additional volume of HGVs turning will be negligible prior to 8am and after 6pm and while there might be some movements on Sundays, these would be significantly fewer than at the relocated HWRS. Within this context and compared to the traffic movements associated with the WRTS that also has long operating hours, the additional turning movements at the road junction would not have any significant impact in terms of increased noise or disturbance for the occupiers of properties. As such, there would be no conflict with Policy WMP25 of the Waste and Minerals Plan regarding the potential effects on residential amenity.

## **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 relevant policies in the Development Plan unless material considerations indicate otherwise.

7.2 The proposal is for the use of a former waste management facility as a leachate transfer station by the County Council, as Waste Disposal Authority. The management of leachate from the five closed landfills in the County is a statutory responsibility of the Authority and currently, the leachate is tankered away to WWTWs in Kent for disposal. The proposal would provide for a strategic facility which would import the leachate by tanker, store it in tanks and transfer it via pipeline to the nearby Hastings WWTW for treatment and disposal. This is the only location in the County where such an arrangement can operate. As a result, a more efficient operation would be undertaken to manage this waste. This would also enable a significant reduction in the overall number of tanker miles that would need to be travelled, thereby reducing carbon dioxide emissions and financial costs. The proposal is fully supported by waste management policies and policies to reduce the effects of climate change, specifically Policies WMP1, WMP3b, WMP7a, WMP10, WMP19 and WMP24a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

7.3 The application site is within the general area covered by the Combe Valley Countryside Park and strategic gap between Bexhill and St Leonards. While the proposal would result in a minor increase in the numbers of heavy vehicles using Freshfields, compared to the current situation, it would not adversely affect the openness of the 'gap', nor prejudice the ability of the Park to be used as a recreational and amenity facility. The surrounding area includes other waste management facilities, which also require access from Freshfields and which have determined, in large part, the character and appearance of the locality. The proposal would therefore be easily accommodated within this environment. As such, it is considered that there would be no conflict with policies which promote Park development or protect amenity, specifically Policies OSS2, OSS4, EN5, BX1 and HF1 of the Rother Local Plan Core Strategy 2014, Policies WMP25 and WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policies DS5 and BX4 of the Rother District Local Plan 2006.

7.4 Although the District Council is seeking mitigation for the development, if planning permission is granted, it is not considered that any is required, save for additional planting, which is the subject of a recommended condition. This is because the proposed development is considered to be acceptable without the need for additional mitigation, as it raises no conflict with the ability of the surrounding area to be used for recreational and amenity purposes. The proposal should be granted a permanent permission due to the length of time that the Council will need to manage leachate; a temporary permission would not be appropriate. If, at some point in the future, this operation is no longer considered to be necessary, the use will cease.

7.5 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) Order 2015.

7.6 There are no other material considerations and the decision should be taken in accordance with relevant policies in the Development Plan.

## **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 drawings listed in the Schedule of Approved Plans.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to the introduction of any structures into the site, details of the leachate storage tanks, office accommodation, storage containers and any other structures, shall be submitted to the Head of Planning and Environment for written approval. The details shall include the design, dimensions and colour of the structures and make provision for the height of the tanks, office and containers not to exceed the height of the existing adjoining embankments. The approved details shall be carried out in full unless otherwise agreed in writing with the Head of Planning and Environment.

Reason: To ensure that the development is appropriate to the site, in the interests of visual amenity and to accord with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

4. Prior to the occupation of the site, details of the proposed planting relating to the indicative measures shown on approved Drawing No. 5225/SP, shall be submitted to the Head of Planning and Environment for written approval. The approved details shall be carried out in full unless otherwise agreed in writing with the Head of Planning and Environment.

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

#### INFORMATIVE

1. The Applicant's attention is drawn to the need to obtain an Environmental Permit from the Environment Agency.

#### Schedule of Approved Plans

5225/LP - Site Location Plan, 5225/SP - Site Layout Plan (Illustrative),  
5225/SL - Block Plan and Cross Sections

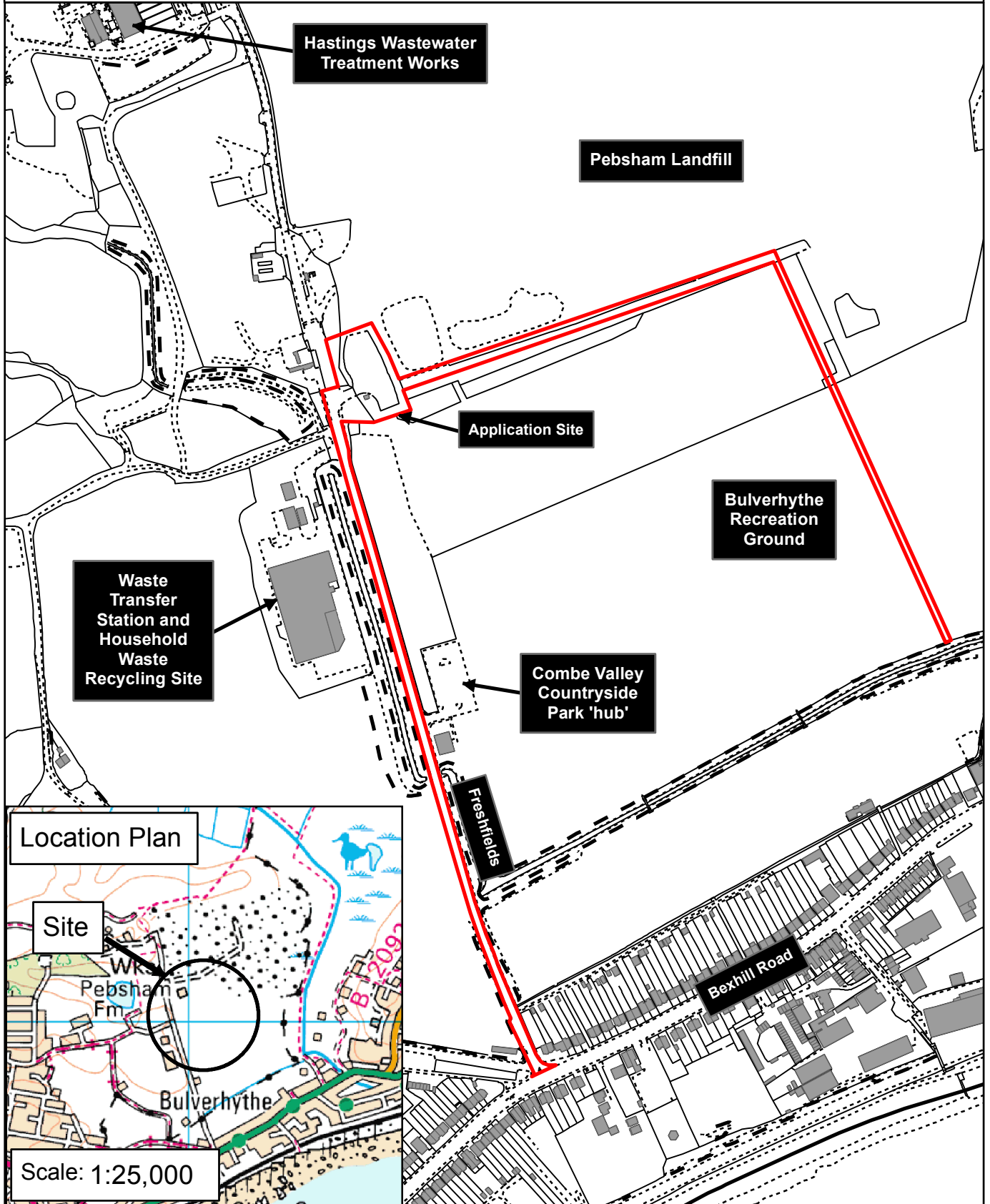
EDWARD SHEATH  
Head of Planning and Environment  
30 January 2017

#### **BACKGROUND DOCUMENTS**

Application file RR/784/CM  
Planning permissions RR/84/2375/CM & RR/658/CM  
The Development Plan  
National Planning Policy Framework 2012

RR/784/CM

Former Hastings Household Waste Recycling Site, Freshfields, off Bexhill Road, Pebsham, Bexhill



Location Plan

Site

Scale: 1:25,000

Scale: 1:5,000

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

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Committee: **Regulatory  
Planning Committee**

Date: **8 February 2017**

Report by: **Head of Planning and Environment**

Proposal: **Listed Building Consent for the relocation of a door on the third floor and additional demountable partition on the lower ground floor.**

Site Address: **Hastings Central Library, 13 Claremont, Hastings, TN34 1HE**

Applicant: **Assistant Director (Communities), Communities, Economy and Transport**

Application No. **HS/3339/CCLB**

Key Issues: **Impact on the Character and Historic Interest of the Listed Building**

Contact Officer: **Katie Rayner, Tel No: 01273 481833**

Local Member: **Councillor Godfrey Daniel**

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## **SUMMARY OF RECOMMENDATIONS**

- 1. To grant listed building consent subject to conditions as indicated in paragraph 8.1 of this report.**

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## **CONSIDERATION BY HEAD OF PLANNING AND ENVIRONMENT.**

- 1. The Site and Surroundings**

1.1 Hastings Central Library is a Grade II Listed four storey building within the Town Centre Conservation Area on the western side of Claremont, a short distance from the seafront. Originally built for Thomas Brassey (1878-1881) as a multi-purpose building it was presented to the town in 1888 to house a library, museum and School of Arts and Science. It has been a public lending library since 1914 and is constructed in a Gothic revival style with Italianate influences, including a balcony at third floor level and a two-storey bay fronted window. The main entrance is from Claremont through an arched porch located at the ground floor of the stair tower to the left hand side of the principal façade. The tower has a series of windows corresponding with the various landings and is crowned by a steeply-pitched hipped roof with a flat top.

1.2 Claremont forms the western side of the “Trinity Triangle” of roads with Trinity Street and Robertson Street. The surrounding buildings are predominately three to four storeys in height, although some have five or six storeys.

1.3 The site is within the town centre, with the Priory Meadow Shopping Centre a short distance to the east and Hastings Railway Station some 400 metres to the north. The surrounding roads are characterised by a typical town centre mix of shops, cafes and other related uses at ground floor level, with residential above.

## **2. The Proposal**

2.1 This proposal forms part of the programme of works currently being undertaken through the approved Listed Building Consent (Ref: HS/3301/CCLB) and planning permission (Ref: HS/3302/CC). This is for the refurbishment of the building and library incorporating the relocation of the Children’s Library, currently in Robertson Passage, to the main public library.

2.2 As part of these works the intention, as far as possible, is to remove the unsympathetic alterations that have, over the years, been cumulatively detrimental to the character and appearance of the building, and at the same time reveal, repair and refurbish more of the original features and layout with new elements to be as sympathetic as possible.

2.3 In order to further optimise the use of the building as a public library this proposal seeks to make additional internal layout adjustments to the plans previously approved by the consents (Ref: HS/3301/CCLB & HS/3302/CC). Also relevant to the proposal is HS/3326/CCLB for layout adjustments. The alterations include the addition of a new demountable partition wall to divide the store area into two separate rooms on the lower ground floor. In addition, it is proposed to move door DT.13 from its current approved location to an existing opening with no door in the approved layout of the third floor. The proposed changes are required to improve the flexibility of the spaces within the library.

2.4 As no external alterations are proposed these works do not require a separate planning permission, and this report will therefore focus solely on the impact of the proposal on the internal fabric of the building.

## **3. Site History**

3.1 HS/3302/CCNM/1 – Granted – 2016. Non-Material Amendment to planning permission Ref: HS/3302/CC to update the schedule of approved plans.

3.2 HS/3326/CCLB – Granted – 2016. Listed Building Consent for layout adjustments to ground floor toilets, additional first floor toilets and opening adjustment at lift lobby.

3.3 HS/3301/CCLB – Granted – 2016. Listed Building Consent for alterations and refurbishment of Hastings Central Library.

3.4 HS/3302/CC – Granted – 2016. Alterations and refurbishment of Hastings Central Library.

3.5 HS/3122/CCNM/1 – Granted – 2015. Non Material Amendments to planning permission HS/3122/CC

3.6 HS/3121/CCLB/1 – Granted – 2015. Refurbishment to Hastings Central Library, including extension into and change of use of No.12 Claremont. The combined building to incorporate the current Library, Children’s Library and Hastings Registration Services. The proposal includes constructing a mansard roof and terrace at third floor level of No.12.

3.7 HS/3121/CCLB – Granted 2013. Refurbishment to Hastings Central Library, including extension into and change of use of No.12 Claremont. The combined building to incorporate the current Library, Children’s Library and Hastings Registration Services. The proposal includes constructing a mansard roof at third floor level of No.12.

3.8 HS/3122/CC – Granted – 2013. Refurbishment to Hastings Central Library, including extension into and change of use of No.12 Claremont. The combined building to incorporate the current Library, Children’s Library and Hastings Registration Services. The proposal includes constructing a mansard roof and terrace at third floor level of No.12.

#### **4. Consultations and Representations**

4.1 Hastings Borough Council: Raise no objection.

4.2 Historic England: Recommend that the application should be determined in accordance with national and local policy guidance and on the basis of expert conservation advice.

4.3 National Amenity Societies (Ancient Monuments Society, Council for British Archaeology, The Georgian Group, The Society for the Protection of Ancient Buildings, The Twentieth Century Society, The Victorian Society): No observations submitted.

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

5.1 Hastings Planning Strategy, 2011-2028 (adopted February 2014): Policies EN1 (Built and Historic Environment) & FA2 (Strategic Policy for the Central Area).

5.2 Hastings Development Management Plan (adopted September 2015): Policies HN1 (Development Affecting the Significance and Setting of

Designated Heritage Assets) and HN4 (Development affecting Heritage Assets with Archaeological and Historic Interest or Potential Interest).

### 5.3 National Planning Policy Framework, 2012:

The National Planning Policy Framework (NPPF) does not change the status of the Development Plan as the starting point for decision making but it does constitute guidance as a material consideration in determining planning applications. At the heart of the NPPF is a presumption in favour of sustainable development. Chapter 12 deals with conserving and enhancing the historic environment, and is relevant in this case.

## **6. Considerations**

### **Impact on the Character and Historic Interest of the Listed Building**

6.1 Policy EN1 in the Hastings Planning Strategy 2011-2028 sets out a presumption in favour of the conservation of heritage assets and their settings and expects particular care to be given to protecting the significance and setting of listed buildings and conservation areas. Policy FA2 sets out a strategy for the Central Area, within which the library sits, with Policy FA2(k) seeking to protect and enhance architectural heritage, particularly in the Conservation Areas.

6.2 In the Development Management Plan, Policy HN1 states that permission will be given for schemes that show a full understanding of the significance of the heritage asset and convincingly demonstrate how their chosen design sustains and enhances the significance of any heritage assets affected, including Conservation Areas. Policy HN4 expects all applications affecting heritage assets with archaeological or historic interest or potential interest to include an appropriate, Historic Environment Record (HER) desk-based assessment and, where necessary, the results of a field evaluation.

6.3 The minor alterations proposed to the internal fabric of the building have resulted from the need to improve the flexibility of the spaces within the library. An Interpretative Survey and an Impact Assessment have informed the proposed scheme in accordance with Policies HN1 and HN4 in the Development Management Plan. The first alteration to the approved layout is to add a new demountable partition to divide the store area on the Lower Ground Floor into two separate rooms. This will enable the separation of book storage from other general use. In addition, it is proposed to relocate a door within the main gallery on the third floor, to improve the use of the space by maintaining the entry and exit routes of the gallery within one room.

6.4 Overall, the proposed alterations to the previously approved consents would be minor and consist of improvements that would further aid the functional use of the building as a public lending library and would complement the approved general refurbishment of the building. In turn this is considered acceptable by Hastings Borough Council in consultation with the Borough Conservation Officer.

6.5 Furthermore, the proposals are not seeking to amend or remove any of the original building features and will therefore not have a detrimental impact on the character and features of the listed building or the Hastings Town Centre Conservation Area. Nevertheless, it is recommended that a condition be attached to any grant of planning permission requiring the details of the proposed materials and finishes of the proposed works, to safeguard the internal historic fabric and architectural character and appearance of the building. The proposed works, subject to suitable conditions are therefore considered acceptable and satisfy the aims of policies EN1 and FA2(k) of the Hastings Planning Strategy and Policy HN1 and HN4 of the Development Management Plan.

## **7. Conclusion and reasons for approval**

7.1 The proposed alterations to the approved internal layout of the listed building are considered necessary to further optimise the use of the building as a public lending library. Furthermore, the proposal is considered to be sympathetic to the original historic features of the building and the overall aim of the refurbishment. The proposal is therefore in compliance with Policies FA2(k) and EN1 in the Hastings Planning Strategy 2014 and with Policies HN1, HN2 and HN4 in the Development Management Plan 2015.

7.2 In determining this listed building consent, 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) Order 2015.

## **8. Recommendation**

8.1 To recommend the Planning Committee to grant Listed Building Consent 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 18 of the Planning (Listed Buildings and Conservation Areas) 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. Prior to materials being used, a detailed schedule of materials and finishes for the development hereby permitted shall be submitted to and

approved in writing by the County Council's Head of Planning and Environment. The works shall thereafter be carried out in accordance with the approved details.

Reason: To safeguard the historic fabric and architectural character and appearance of this listed building.

4. The County Council's Head of Planning and Environment shall be notified of any additional works identified as being necessary during the course of solely implementing the development hereby approved. Any variation to the approved details shall be submitted for agreement in writing by the Head of Planning and Environment prior to the works being implemented. The works shall thereafter be carried out in accordance with the approved details.

Reason: To safeguard the historic fabric and architectural character and appearance of this listed building.

#### Schedule of Approved Plans

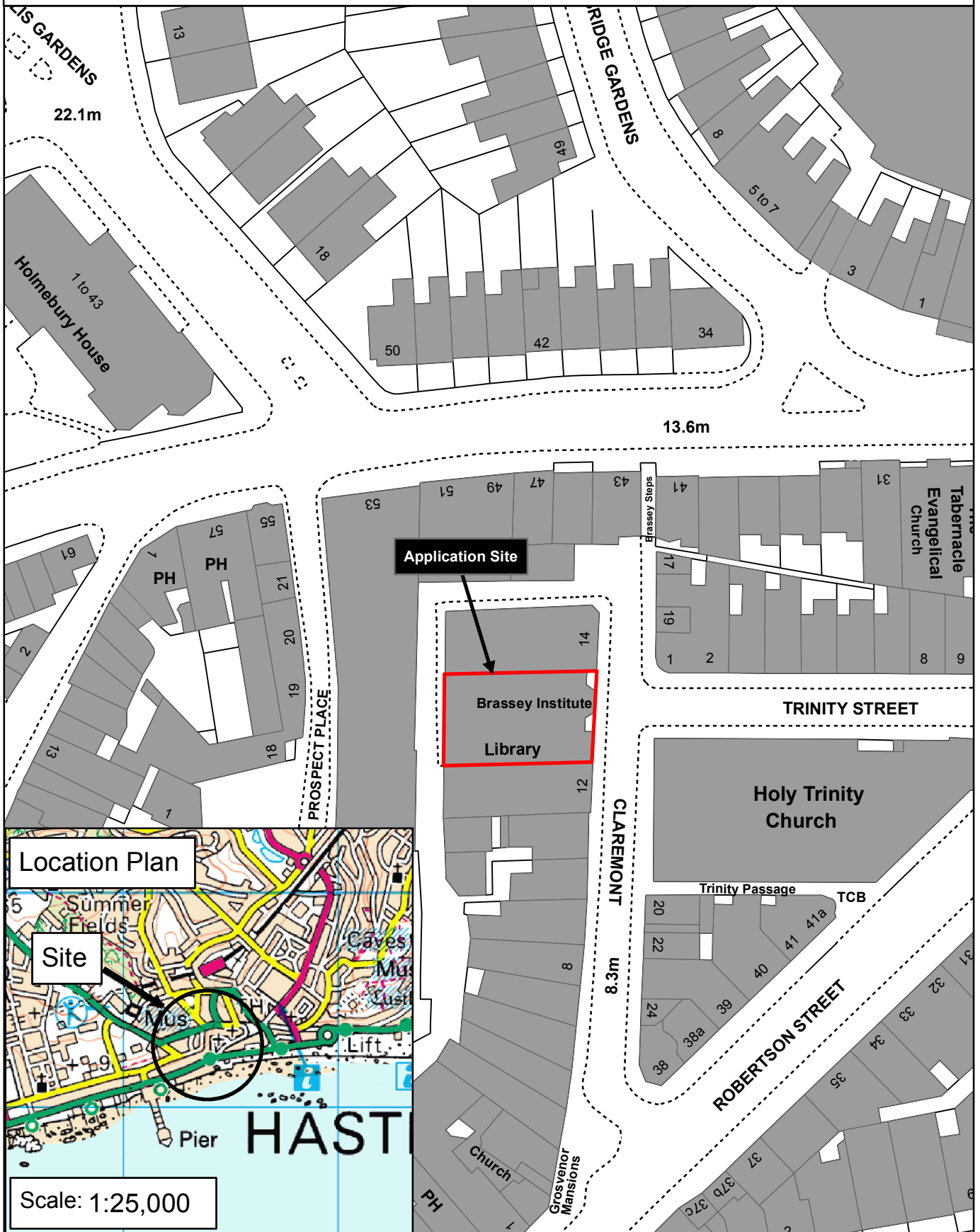
4432-MBA-00-0-DR-A-1005-S3 Site Location and Block Plan , 4432-MBA-00-L-DR-A-1800-S2 Rev A Lower Ground Floor Plan , 443-MBA-00-3-DR-A-1801-S2 Rev A Third Floor Plan, 4432-MBA-00-L-DR-A-4240-S2 Rev A Room Elevations (L.01& L.18), 4432-MBA-00-3-DR-A-4241-S2 Rev A Room Elevations (3.02) Public Library Area

EDWARD SHEATH  
Head of Planning and Environment  
30 January 2017

#### **BACKGROUND DOCUMENTS**

Application File HS/3339/CCLB  
Development Plan  
National Planning Policy Framework

# HS/3339/CCLB Hastings Central Library, 13 Claremont, Hastings.



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

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Committee:	<b>Regulatory Planning Committee</b>
Date:	<b>8 February 2017</b>
Report by:	<b>Director of Communities, Economy and Transport</b>
Title of Report	<b>Traffic Regulation Order – Sovereign Harbour Cycle Network (Phase 3) scheme, Eastbourne</b>
Purpose of Report	<b>To consider the objection received in response to the consultation on the draft Traffic Regulation Order to introduce No Waiting At Any Time as part of the Sovereign Harbour Cycle Network (Phase 3), in Eastbourne.</b>
Contact Officer:	<b>Alan Cook (East Sussex Highways) – 07342 998506</b>
Local Member:	<b>Councillor David Tutt</b>

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## **RECOMMENDATION**

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**The Planning Committee is recommended to:**

- 1. Not uphold the objection to the draft Order as set out in this report; and**
  - 2. Recommend to the Director of Communities, Economy and Transport that the Traffic Regulation Order be made as advertised.**
- 

## **CONSIDERATION BY DIRECTOR OF COMMUNITIES, ECONOMY AND TRANSPORT.**

### **1. Introduction**

1.1 In October 2010 a public consultation exercise was held to inform the public about proposals for two new cycle schemes in Eastbourne; the Sovereign Harbour Cycle Network (also known as the Horsey Cycle Route) and the King Edwards Parade Cycle Route. From the results of those responding to the questionnaire, 90% supported the Horsey Cycle Route proposals and 80% supported the King Edwards Parade Cycle Route. The results of this consultation were presented at the Lead Member for Transport and Environment meeting on 13 December 2010. It should be noted that of the three sections of the Horsey Cycle Route presented to the public, only those proposals for Phase 2 were at an advanced stage of design. Proposals for Phases 1 and 3 were conceptual only.

1.2 A further public consultation was undertaken in January 2014 where proposals for a number of cycle routes were presented, including the latest design proposals for Phases 1 and 3 of the Horsey Cycle Route. Again, there was a high level of support for the Horsey Cycle Route with 74% support being achieved for Phase 1 and 79% support for Phase 3. The full results of this public consultation were presented to the Lead Member for Transport and Environment on 18 March 2014.

1.3 In March 2012 the draft Eastbourne Cycling Strategy, developed jointly by East Sussex County Council and Eastbourne Borough Council, was approved by Lead Member for Transport and Environment. This strategy included the construction of the Horsey Cycle Route as a priority route.

1.4 A plan of the overall route for the Horsey Cycle Route (Phase 3) is included in Appendix 1. An integral part of this route is the introduction of waiting restrictions along parts of Birch Road and Seaside. The waiting restrictions along Birch Road are required to prevent vehicles from being parked in a manner that would hinder the visibility for cyclists crossing Birch Road at the designated crossing point. The waiting restriction in Seaside will apply along a 41m length of road on the northwest side of Seaside. This restriction is necessary to enable the existing footway to be widened and upgraded to a shared footway/cycleway and the existing traffic island to be widened to allow cyclists to cross Seaside safely. A plan showing the proposed “No waiting at any time” restrictions along Seaside is included as Appendix 2.

1.5 In April 2016 East Sussex County Council gave notice under its powers in the Road Traffic Regulation Act 1984 that it was proposing to make a Traffic Regulation Order (TRO) to introduce waiting restrictions in Birch Road and Seaside. A copy of the proposed TRO is included in Appendix 3. The draft order was advertised in the local press, statutory bodies were notified and notices were placed on lamp columns in all roads affected. A three week period was allowed for any comments to be received. This period ended on 11 May 2016.

## **2. Comments and Appraisal**

2.1 No objections were received from the statutory consultees. One objection was received from a member of the public against the introduction of a TRO in Seaside. The grounds for the objection were that the waiting restriction would reduce the parking availability on Seaside where parking is at a premium especially with parents picking up and dropping off children at the nearby Tollgate School. A full copy of the objection is provided in the Members Room.

2.2 The objector was contacted on 2 June 2016 and again on 23 June 2016 to ask if he would withdraw the objection, however no response has been received from the objector.

## **3 Conclusion and reasons for approval**

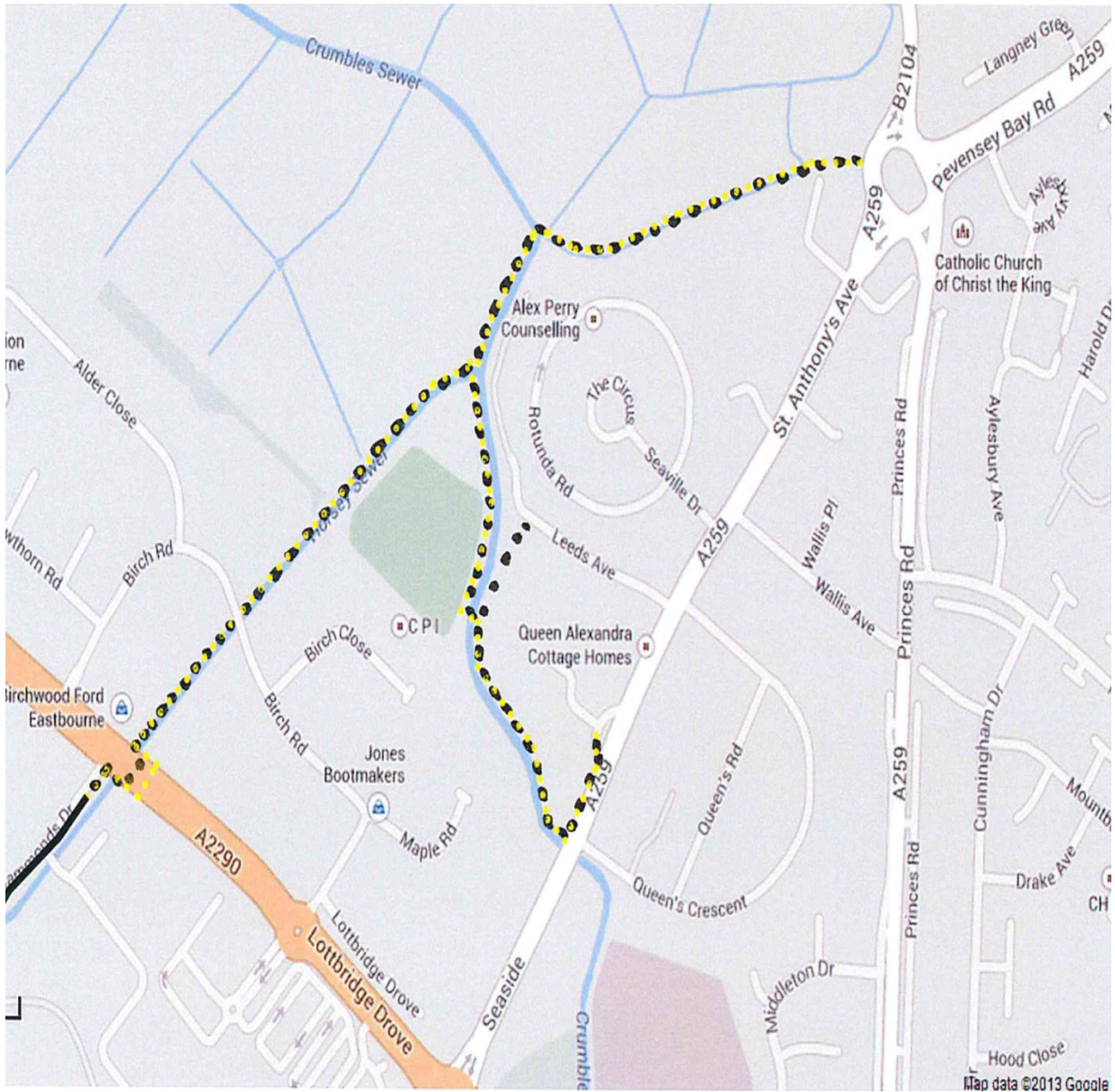
3.1 The “No waiting at any time” restriction is an essential part of the Horsey Way (Phase 3) proposals allowing cyclists to travel to Tollgate School and cross Seaside safely. Although the waiting restriction will reduce parking capacity in the vicinity of Tollgate Gardens by 7 vehicles, there are ample parking facilities along both sides of Seaside.

3.2 The Committee is therefore recommended, for the reasons set out in this report, not to uphold the objection to the Traffic Regulation Order and to recommend to the Director of Communities, Economy & Transport that the Order be made as advertised.

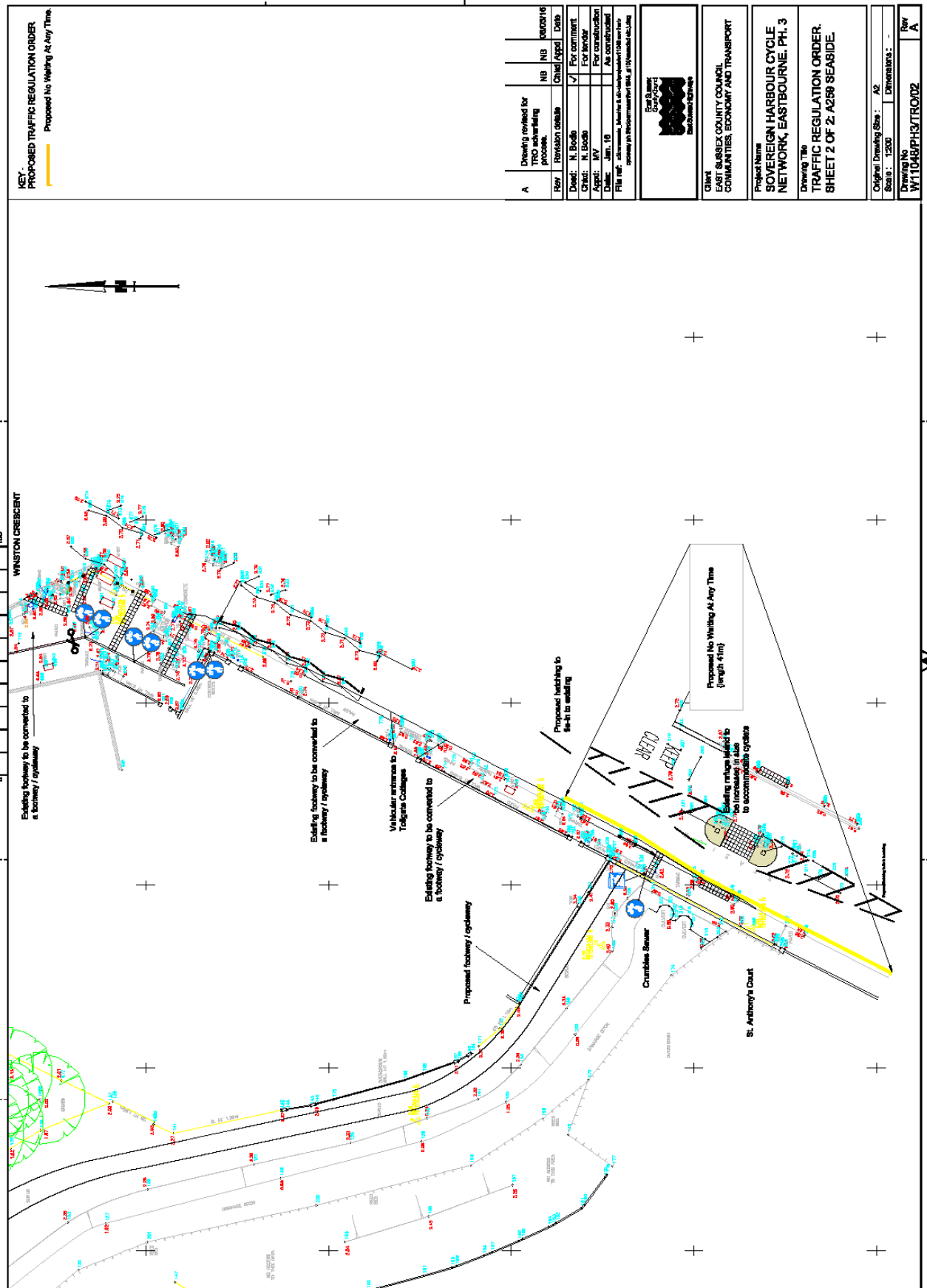
RUPERT CLUBB  
Director of Communities, Economy and Transport  
25 January 2016



HORSEY CYCLE ROUTE (PHASE 3)



PLAN OF WAITING RESTRICTIONS IN SEASIDE



## TRAFFIC REGULATION ORDER

EAST SUSSEX COUNTY COUNCIL  
ROAD TRAFFIC REGULATION ACT 1984**The East Sussex (Eastbourne Town Centre) (On-Street Parking Places and Prohibition  
& Restriction of Waiting) Order 2008 Amendment Order 201\* No \***  
**(Sovereign Harbour Cycle Network – Phase 3)**

NOTICE is hereby given that East Sussex County Council, propose to make an Order, under the relevant sections of the Road Traffic Act 1984, as amended, and all other enabling powers, which will introduce waiting restrictions along the following lengths of road:-

**No Waiting At Any Time**

- Birch Road** – southwest side - from a point 28 metres south-east from the centreline of the Horsey Sewer culvert north-westwards for a distance of 53 metres.
- Birch Road** – northeast side - from a point 18 metres south-east from the centreline of The Horsey Sewer culvert north-westwards for a distance of 28 metres.
- Seaside** - northwest side - from a point 24 metres south-west from the centreline of the Crumbles Sewer culvert north-eastwards for a distance of 41 metres.

A copy of the draft Order, plan showing the lengths of road and a statement of the Council's reasons for proposing the Order, may be examined in Reception, County Hall, Lewes Monday to Friday 9am to 4pm inclusive and at Eastbourne Library, Grove Road, Eastbourne Monday to Thursday 9.30am to 6.30pm, Friday 10.30am to 6.30pm, and Saturday 9.30am to 5pm.

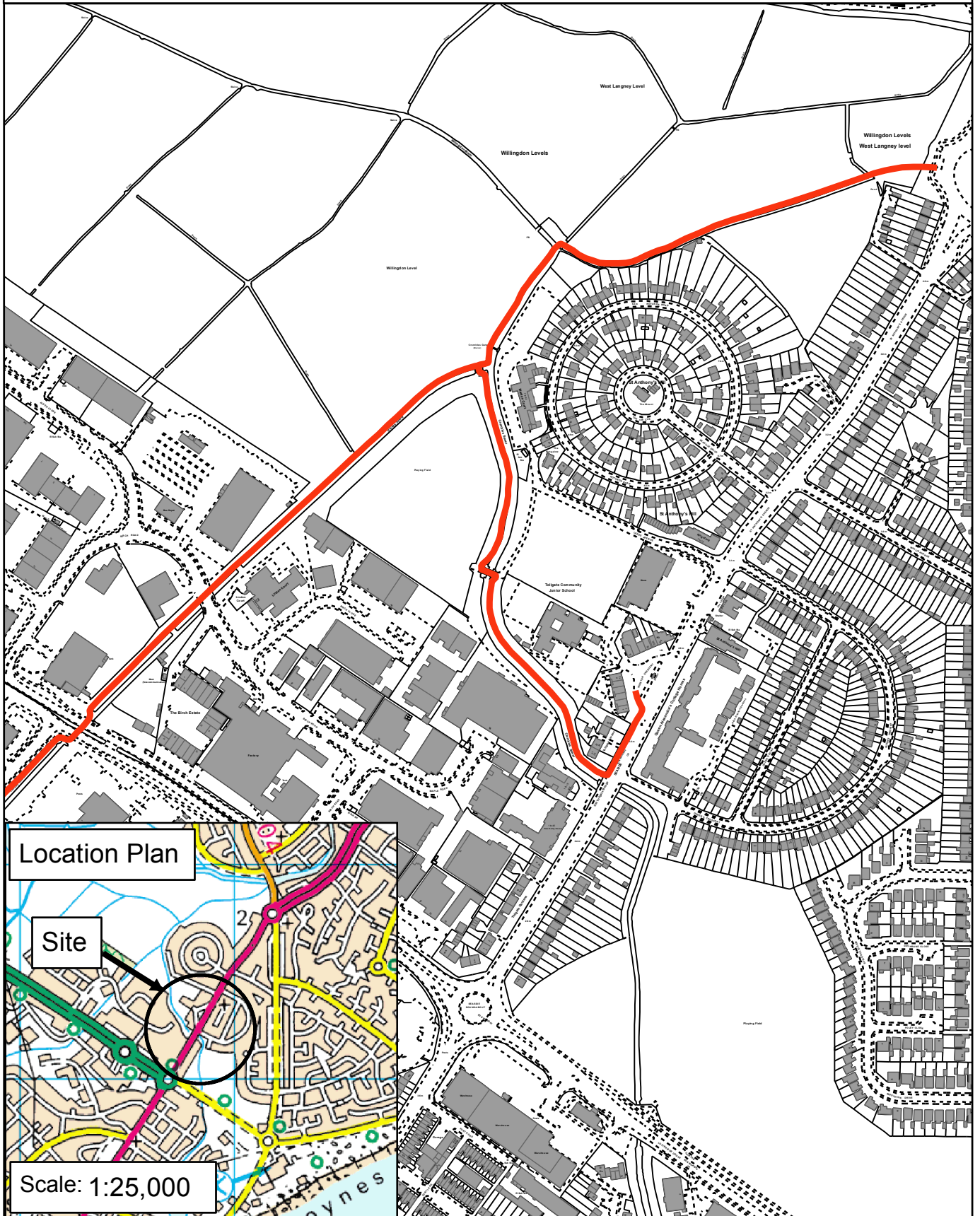
Any person wishing to make an objection or other representation concerning this proposal must do so in writing, together with the grounds on which it is made, to East Sussex County Council, Communities Economy & Transport, Parking, B Floor, County Hall, St. Anne's Crescent, Lewes, East Sussex BN7 1UE or email [TROS@eastsussex.gov.uk](mailto:TROS@eastsussex.gov.uk) quoting Ref TRO/369 by 11 May 2016.

If you require further information telephone the Infrastructure Design and Delivery team on 0345 60 80 193.

**Philip Baker, Assistant Chief Executive,  
Governance Services Department, County Hall, Lewes, East Sussex BN7 1UE**

19 April 2016

# Horsey Cycle Route (Phase 3) Sovereign Harbour Cycle Network, Eastbourne



Location Plan

Site

Scale: 1:25,000

Scale: 1:5,000

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

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Committee	<b>Regulatory Planning Committee</b>
Date	<b>8 February 2017</b>
Report by	<b>Director of Communities, Economy and Transport</b>
Subject	<b>Development Management Quarterly Update</b>
Purpose	<b>To inform Members about development management matters relating to enforcement and site monitoring, undertaken under delegated powers for the three month period between 1 October and 31 December 2016.</b>
Contact Officer:	<b>Sarah Iles – 01273 481631</b>
Local Members:	<b>All</b>

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## **SUMMARY OF RECOMMENDATIONS**

**The Committee is recommended to note the report.**

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## **CONSIDERATION BY DIRECTOR OF COMMUNITIES, ECONOMY AND TRANSPORT**

### **1. Enforcement**

1.1 In the period between 1 October and 31 December 2016, there were 22 new alleged breaches of planning control. Of the new cases, 17 were resolved within the last period and six older cases were also resolved. Accordingly, the number of sites being investigated or subject to formal action at the end of December 2016 was 17. This represents a decrease of one in the number of cases that were outstanding at the end of the previously reported quarter.

1.2 During the reported period, an unusually high number of new cases were received compared to the same period in the preceding five years (which averages at 14.8). However, as it was possible to resolve a total of 23 cases during this period, the overall number of outstanding cases at the end of December 2016 remained low and manageable. Notwithstanding this there are certain cases, as detailed in the paragraphs below, which can consume significant amounts of officer time and this has to be accommodated within the limited resources available.

1.3 Members may recall from the last quarterly report that a case was being prepared in respect of bringing a prosecution against the landowners of 187 London Road, Hailsham. This action was being brought due to the landowners breaching the requirements of an Enforcement Notice by allowing scrap metal and other waste materials to be stored at this location. Several attempts to get the landowners to comply with the Enforcement Notice and remove the waste were regrettably not successful and, therefore, the landowners were Summoned to appear at Hastings Magistrates' Court on 28 October 2016. They entered a plea of Not Guilty and following this, a trial was then held at Eastbourne Magistrates' Court on 9 December 2016. A large amount of evidence was presented and officers gave evidence in support of the prosecution. Both defendants were found guilty of failing to comply with the requirements of the Enforcement Notice and were each sentenced to a fine of £1,000, and ordered to pay costs of £2,250 and a victim surcharge of £200. The defendants did not appeal the conviction or sentence, and therefore have to pay, in total, an amount of £4,450.

1.4 The decision to bring about a prosecution is always carefully considered and usually a last resort. In this particular case, repeated attempts to resolve the matter were ignored and the Council was left with no option but to prosecute the landowners for blatantly allowing the Enforcement Notice to be breached. Whilst it is disappointing to get to a stage where it is necessary to prosecute a landowner, a successful prosecution is a reflection of the rigour with which the Council will pursue enforcement matters and it is hoped that this will send a clear message to others that the Council will not tolerate blatant and ongoing breaches of planning control.

1.5 During the trial, the landowners were also reminded that if the scrap and waste was not cleared and the Enforcement Notice complied with, they could be prosecuted again for the ongoing offence. The site will therefore continue to be monitored to ensure compliance. If a breach of the Enforcement Notice continues, consideration will be given to a further prosecution or other options, such as Direct Action. Members will be advised of progress in future reports. Further details regarding the background to this case can be found in the tables at Appendix 1 of this Report.

1.6 Another site of particular interest is Diplocks Farm, Chalvington. The site was being used for the unauthorised importation, deposit and disposal of waste (including burning). The Council has been investigating and monitoring this site since 2013. Initially, progress was being made in resolving the breach of planning control informally and the importation of waste ceased. Officers were monitoring the site and working with one of the landowners to oversee a phased clearance of the site. Unfortunately, the landowner became unwell and was unable to continue the work of clearing the site. Over time, it became apparent that the importation and burning of waste had resumed and, consequently, it was considered necessary and appropriate to serve an Enforcement Notice on the landowners and other interested parties. The Notice was served by hand on 28 November 2016 and, as no appeal was made against the Notice, it took effect on 29 December 2016. The Notice requires that the importation, deposit and disposal of waste ceases immediately and that specific, identified areas within the site be cleared of waste materials and waste residue within twelve months. The site is now being monitored to ensure that the requirements of the Notice are met and Members will be updated on progress in future reports.

1.7 Whilst the two specific cases mentioned above only represent a small percentage in terms of the overall number of cases dealt with, both have involved considerable officer time which is not necessarily reflected when reporting the statistics. Although some cases are resolved quickly and do not involve protracted officer involvement, inevitably there will always be cases which cannot be resolved swiftly and consume significant amounts of officer time. Furthermore, the range of contraveners also differs considerably and impacts on how cases are handled and dealt with. Officers have to deal with confrontational situations and potentially aggressive and uncooperative operators and landowners. In some cases, this can result in it being necessary to have a Police presence during site visits. In these instances, where resistance is experienced and due to the personalities involved, it is usually the case that matters will take longer to resolve.

1.8 Appendix 1 of this Report provides details of cases resolved and received within the period 1 October to 31 December 2016, 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. During the last quarter, eight non-chargeable site monitoring visits were carried out. No chargeable monitoring visits were undertaken during the last quarter.

2.2 Members will note from the entries in the tables at Appendix 1 of this Report that some of the breaches of planning control dealt with are identified during site monitoring visits. This

emphasises and highlights the importance of monitoring sites which the Council has granted planning permissions for, particularly with regard to waste sites and other largescale developments, such as the Bexhill-Hastings Link Road.

### **3. Contact Officers**

3.1 Members with any queries about enforcement matters or site monitoring should contact either Sarah Iles (01273 – 481631) or Robert Shapter (01273 – 335218).

RUPERT CLUBB  
Director of Communities, Economy and Transport  
30 January 2017

Local Members: All

### **BACKGROUND DOCUMENTS**

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

**TABLE 1 - BREACHES OF PLANNING CONTROL PREVIOUSLY INVESTIGATED AND RESOLVED BETWEEN OCTOBER 2016 AND DECEMBER 2016**

DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
May 2016	James Waste Management, Cradle Hill, Seaford	Breach of Conditions (Noise and dust)	<p>A complaint was received that noise, dust and vibration were being caused by the operations at the site. Dust and noise are controlled by conditions attached to the planning permission for the site (LW/711/CM), however vibration is not.</p> <p>Discussions were held with the operator who indicated that it was his intention to submit a new planning application for the site which he hoped would address noise/dust issues by totally enclosing the operation within a building.</p> <p>Numerous site monitoring visits have been undertaken, which have not identified any breaches of planning control. No further enforcement action required and the site will be monitored as part of the Council's Site Monitoring Policy.</p> <p><i>Note – Separate to this case, a planning application (LW/786/CM) in respect of a proposed new building has now been submitted and is currently under consideration.</i></p>
May 2016	Ripleys Scrapyard, Apex Way, Hailsham	Breach of Conditions (Noise)	<p>A complaint was received that noise emanating from the site exceeded the levels permitted by the conditions attached to the planning permission for the site. An initial site visit was undertaken and although some noise was heard from the region of the site, the precise source of the noise could not be ascertained and the noise heard did not appear excessive.</p> <p>Since then, planning permission (WD/781/CM) for a new building to accommodate scrap metal shredding and processing machinery was granted by Planning Committee on 14 December 2016. If implemented, this should result in the noisier activities at the site being located further away from the nearby residential properties, and thereby reduce the impact of the site on local residents. Notwithstanding this, despite further noise monitoring being carried out, no breach of planning control has been identified.</p> <p>No further enforcement action required and the site will be monitored as part of the Council's Site Monitoring Policy.</p>
June 2016	GB Metals, Knights Business Centre, Squires Farm Industrial Estate, Easons Green	Unauthorised development	<p>During a site monitoring visit, it was found that a new, unauthorised container/office building had been installed at the site. Following discussions, it transpired that a new operator had taken over the site.</p> <p>A planning application (WD/780/CM) to regularise the container/office was submitted and subsequently approved under delegated powers and the breach of planning control resolved. No further enforcement action required and the site will be monitored as part of the Council's Site Monitoring Policy.</p>
July 2016	Honey Farm, A22 Polegate By Pass, Polegate	Importation, deposit and processing of waste.	<p>A complaint was received that waste materials, comprising hardcore and soils, were being imported into this site, deposited and then processed by machinery. A site visit was undertaken which confirmed the substance of the complaint. A site meeting was held with the operator, who stated that he was bringing back waste from his own groundworks construction works and then processing it in order to recycle the material and reduce costs. A short time period for the removal of the imported waste was agreed with the operator.</p>

			A further site visit has been carried out, which confirmed that the site had been cleared of all the imported waste materials. Breach of planning control resolved and no further action required.
September 2016	Sandpit Farm, Thornwell Lane, Wilmington	Importation, deposit and burning of waste	<p>A complaint was received that waste was being imported into the site, deposited and burnt. A joint site visit with an officer from the Environment Agency was undertaken, which noted evidence of burning.</p> <p>Contact was made with the operator who stated that the farm had been in his family for a considerable period of time and the workshops near where the burning was taking place were used as the maintenance area for his van sales company. It was stated that the bonfire was generally used for burning green waste created on the farm, but the operator admitted that very occasionally some waste, other than green waste, was burnt.</p> <p>The implications of burning waste at the site were explained and the operator stated that he would immediately cease any burning on the site and instead use skips supplied by authorised waste operators to dispose of his waste. This is considered to be an ancillary operation related to the main use of the site and does not requiring specific planning permission.</p> <p>Breach of planning control resolved and no further action required.</p>
September 2016	East Sussex and Romney Marsh Hunt Kennels, Catsfield, Battle	Breach of Condition (Odour and storage of carcasses)	<p>A complaint was received that activities and operations at the site were not being carried out in accordance with the conditions attached to planning permission RR/744/CM, which relates to the site. A site visit and meeting with the operator was undertaken and the process of loading carcasses for removal observed by officers.</p> <p>No breach of planning control was found and no further enforcement action required. The site will be monitored as part of the Council's Site Monitoring Policy.</p>

**TABLE 2 - NEW BREACHES OF PLANNING CONTROL INVESTIGATED BETWEEN OCTOBER 2016 AND DECEMBER 2016 AND RESOLVED**

<b>DATE LPA BECAME AWARE OF BREACH</b>	<b>SITE ADDRESS</b>	<b>NATURE OF CASE</b>	<b>CURRENT POSITION</b>
October 2016	Lyes Farm, North Street, Hellingly	Importation and deposit of waste	<p>A complaint was received that large quantities of waste materials (soils) were being imported into the site. A joint site visit was undertaken with the Environment Agency which tended to confirm the substance of the complaint.</p> <p>A meeting was then held with the landowner, who stated that he had obtained planning permission from Wealden District Council for the backfilling of a pond. Contact was made with Wealden District Council which confirmed the information supplied by the Landowner. No breach of planning control and no further action required by this Authority.</p>
October 2016	Sussex Skips, North Quay Road, Newhaven	Breach of Condition (storage of waste)	<p>A complaint was received that the company was storing waste wood in the open, on the northern side of the site, which is prohibited by a condition attached to the planning permission that relates to the site. A site visit confirmed the substance of the complaint.</p> <p>A meeting was held with the site manager who explained that one company in the UK now appears to have a</p>

			<p>monopoly for the disposal of waste wood and they had cut down collections from this site by approximately 75%. The operator stated he was currently trying to obtain further collections from this company.</p> <p>A short timescale to clear the waste wood from the site was agreed. Shortly before the expiry of the agreed time period the site manager contacted officers to state that the waste wood stockpile had been cleared from the site. A further site visit was then undertaken which confirmed that the waste wood had been removed.</p> <p>Breach of planning control resolved and no further enforcement action required. The site will be monitored as part of the Council's Site Monitoring Policy.</p>
October 2016	Ace Carpentry, Ashwood Farm, Crowborough	Importation and deposit of waste	<p>A complaint was received that waste materials were being imported into and deposited at the site. A site visit confirmed that builders' waste was being imported and deposited at the site and some of this waste had been burnt. Contact was made with the landowner who stated that he had burnt some waste on the site and admitted that some of the waste had been brought back to the site from his various work sites. The operator agreed to immediately cease the importation and burning of waste at the site and a timescale was agreed for him to remove the imported waste from the site.</p> <p>A further site visit has been carried out and the site has been cleared of imported waste. Breach of planning control resolved and no further action required.</p>
October 2016	Go Green Waste Recycling Ltd, Ashwood Farm, Crowborough	Breach of Condition (site layout)	<p>A site monitoring visit was undertaken because the operator had recently taken up occupation and operation of this approved waste transfer station. During the course of the monitoring visit it was noted that the site was not laid out in accordance with the approved plans, and therefore a breach of condition was occurring.</p> <p>A meeting was held with the operator and the breach of planning control discussed. The operator requested, and was granted, a small amount of time in order to consider his options. He decided to return the site to compliance with the approved plans and a timescale was agreed. A further site visit was then undertaken which confirmed that the site had been returned to the correct layout and was in compliance with the planning permission and the breach of planning control resolved.</p> <p>No further enforcement action required and the site will be monitored as part of the Council's Site Monitoring Policy.</p>
October 2016	All Jobs Undertaken, Quarry Road Industrial Estate, Newhaven	Importation and deposit of waste	<p>A complaint was received that a tenant on the Industrial Estate had filled a unit full of waste. A joint site visit was undertaken with the Environment Agency and enquiries were made with the managing agent for the Industrial Estate.</p> <p>It transpired that the tenant, who was involved in roof/loft conversions, property management and rubbish clearance, had abandoned the unit, leaving it full of waste. The managing agent for the Industrial Estate was anticipating that the regulatory authorities would pursue the ex-tenant to get him to clear the waste from the site and thus avoid the cost of clearance falling to the landowner.</p> <p>However, it was explained that should the County Council seek to take enforcement action in respect of this matter, then the enforcement action would be taken against the landowner. Nevertheless, it is not considered that this site is being used solely as a waste disposal/management site and no further action is required by this Authority.</p> <p>Consequently, the managing agent is pursuing other options in order to resolve this matter.</p>

November 2016	Boyd Farm, Northall Lane, Fletching	Importation and deposit of waste soils	<p>A complaint was received that waste materials, comprising soils, were being imported into this farm and deposited on the land. A site visit was undertaken but no evidence was found which appeared to support the complaint.</p> <p>No breach of planning control identified and no further action required.</p>
November 2016	Land opposite Fairlawn, Burnt Oak Road, Crowborough	Importation and deposit of waste soils	<p>A complaint was received that the landowner was importing waste into the site and disposing of it on the land. A site visit was undertaken and it appeared from the site visit that the substance of the complaint was correct, with waste soils having been imported into the site.</p> <p>Contact was made with the landowner who explained that the works taking place were in connection with the construction of a hay barn, which has the benefit of planning permission from Wealden District Council. The landowner also explained that they had also obtained the necessary approval from the Environment Agency for the importation of soils. The information supplied by the landowner was verified.</p> <p>No breach of planning control and no further action required by this Authority.</p>
November 2016	Hendal Farm, Cherry Garden Hill, Groombridge	Importation and deposit of waste	<p>A complaint was received that waste materials, comprising soils, were being imported into this farm and deposited on the land. A site visit was undertaken but no evidence was found which appeared to support the complaint.</p> <p>No breach of planning control identified and no further action required.</p>
November 2016	King Standing Farm, Black Hill, Crowborough	Importation and deposit of waste	<p>A complaint was received that the landowner was importing waste into the site and disposing of it on the land.</p> <p>A site visit was undertaken and discussions held with the landowner, who explained that he had imported a small quantity of material (soil and hardcore) into the site in order to create a parking area for his riding centre clients.</p> <p>This is considered to be an engineering operation and not a waste disposal activity. Therefore, this is a matter for Wealden District Council, as the Local Planning Authority. The landowner has been advised to seek advice from the planning department of that Authority as to whether a planning application is required to regularise the development.</p> <p>No further action is required by the County Council in its capacity as Waste Planning Authority.</p>
November 2016	Luxford Farm, Eridge Road, Crowborough	Importation and deposit of waste materials	<p>A complaint was received that waste materials, comprising hardcore, had been deposited outside the side gate to the site. A site visit was carried out which confirmed the substance of the complaint.</p> <p>A meeting was held with the landowner, who explained the waste materials had been generated from approved building works that were taking place within the farm. The waste materials were deposited there temporarily until being collected for disposal by an authorised waste carrier. A timescale for the removal of this waste was agreed with the landowner and a further site visit has been carried out which confirmed that the deposited waste materials had been removed.</p> <p>Breach of planning control resolved and no further action required.</p>
November 2016	Twyford Farm, Twyford Lane, Horsted Keynes,	Importation and deposit of waste	<p>A complaint was received that waste materials, comprising soils, were being imported into this farm and deposited on the land. A site visit was undertaken and no evidence was found which appeared to support the complaint.</p>

	Haywards Heath		No breach of planning control identified and no further action required.
November 2016	AM Skips, London Road, Maresfield	Breach of Condition (burning of waste)	<p>A complaint was received that the operator was burning plastics and other waste on the site, which would appear to be a breach of condition 13 attached to the planning permission that relates to the site (WD/327/CM).</p> <p>A site visit was undertaken, but no evidence was found that any bonfires had been lit on the site. Discussions were held with the site manager who denied that there had been any bonfires on the site.</p> <p>No breach of planning control identified and no further enforcement action required. The site will be monitored as part of the Council's Site Monitoring Policy.</p>
November 2016	Cavendish School, Eldon Road, Eastbourne	Breach of Condition (noise and unauthorised structure)	<p>A complaint was received that a bird scarer had been fixed to the roof and the noise that it made when it was operating was very loud and intrusive, and considered by the complainant to be a breach of the conditions attached to the recent planning permission for the new school.</p> <p>Several site visits have been undertaken and discussions held with the site manager. The bird scarer, which is in the form of an artificial peregrine falcon is moveable and when initially installed it was too loud. The device was returned to the supplier who subsequently reduced the noise output significantly.</p> <p>The scarer is only operated during daylight hours and is necessary to prevent seagulls nesting and causing damage to the roof. The attending officers could not identify the noise specifically and it was only when the staff indicated the noise that was being made that officers became aware of it. Hence, the noise was not considered to be intrusive.</p> <p>The installation of the bird scarer is not considered to be a breach of condition or development that requires specific planning permission. No breach of planning control and no further action required.</p>
November 2016	Hill Farm, Barnhorn Road, Bexhill	Importation and deposit of waste	<p>A complaint was received that waste materials were being imported into the site and deposited.</p> <p>A joint site visit with an officer from the Environment Agency was undertaken and as the officers approached the site, two flat bed trucks carrying soils entered the site. The officers challenged the drivers of these vehicles, who were from the same company, as to their reason for attending the site and they decided to leave the site without depositing their loads of soils.</p> <p>From the site visit, it was evident that there were several small deposits of waste soils, green waste and hardcore on the site. A man working on the farm stated that the landowner was on holiday and would not be back for a few days.</p> <p>The landowner contacted officers on his return from holiday and explained that the hardcore was intended for use in repairing the farm tracks and the green waste had been imported from elsewhere and was intended for a bonfire on 5<sup>th</sup> November, but this had never happened. The landowner stated that the small quantities of waste soil had been fly tipped.</p> <p>The planning requirements relating to the importation, deposit and disposal of waste were explained to the landowner, who agreed to immediately cease any further importation of waste materials into this site.</p> <p>Breach of planning control resolved and no further action required.</p>



November 2016	Poplar Farm, Poplar Lane, Forest Row	Importation, deposit and burning of waste	<p>A complaint was received that waste materials were being imported into the site and burnt. A site visit was undertaken and discussions held with the developer. He stated that he had lit one bonfire to dispose of green waste generated on the site, and also some building and construction waste from the approved developments at the site. No waste was imported into the site</p> <p>The planning limitations of burning waste on the site were explained to the developer, who confirmed that no further bonfires to dispose of waste would take place on the site. Instead, skips from authorised waste disposal operators will be used to dispose of any further waste generated during the works.</p> <p>Breach of planning control resolved and no further action necessary.</p>
November 2016	Constables Farm, Barnhorn Road, Bexhill	Importation and deposit of waste materials	<p>Officers from this Authority and the Environment Agency were in the vicinity of this site, in connection with another matter, and saw large tipper lorries entering the site and depositing their loads of waste soils</p> <p>Discussions were held with the landowner who stated that the importation of these materials was in connection with an equestrian centre development on the site which has the benefit of planning permission granted by Rother District Council. The landowner added that his agent was currently applying to the Environment Agency for a Permit in respect of the imported materials, but in the meantime has an Exemption from the Environment Agency to cover the materials already imported.</p> <p>Checks with Rother District Council confirmed the existence of the planning permission referred to by the landowner and the works appeared to be taking place in the area covered by the planning permission.</p> <p>No breach of planning control insofar as the County Council as Waste Planning Authority is concerned. Details passed to Rother District Council for their information/action as they deem appropriate. No further action required</p>
November 2016	Messens Farm, Potmans Lane, Ninfield	Importation and deposit of waste	<p>A complaint was received that waste materials were being imported into the site at night and deposited. A site visit was undertaken and during the course of the visit a meeting was held with the landowner. The landowner stated that he had created a new track on the farm using road planings, which had been imported into the site to provide a top surface for the new track. The materials were imported at night as they had come directly from roadworks which were taking place at night.</p> <p>This is not an issue for the County Council as Waste Planning Authority and details have been passed to Wealden District Council for information/action as they deem appropriate.</p>

**Table 3 - New Breaches Of Planning Control Investigated Between October 2016 and December 2016 And As Yet Unresolved.**

DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
October 2016	Broad Farm, North Street Hellingly	Breach of Condition (site layout)	<p>The site has planning permission (WD/694/CM) for the storage, crushing and transfer of waste concrete and officers attending the Farm in connection with another matter noticed that the site layout of this area of the Farm was not in accordance with the approved plans.</p> <p>Discussions were held with the operator who stated that he intends to cease the use of the site as a hardcore processing area and instead apply for a change of use on the site in order to move his ready mixed concrete operation into this area. The operator stated that if planning permission for a change of use is granted, he will be clearing the site of this imported waste material and ceasing the use for waste processing and storage. A timescale was agreed for the operator to either submit a planning application for the above mentioned change of use or restore the site so that it is in accordance with the approved plans.</p> <p>A site visit is due to be carried out to check compliance.</p>
October 2016	Woollards Yard, Broad Farm, Hellingly	Importation and deposit of waste	<p>Officers noticed that there appeared to be a stockpile of waste materials, comprising hardcore, on the southern edge of the site and the quantity of waste material involved was clearly in excess of what could be considered as ancillary to the main use of the yard. The operator agreed to clear the imported hardcore from the site and a timescale for this to take place was agreed.</p> <p>A further site visit is due to take place to check that the waste has been removed.</p>
October 2016	Skip It Containers, North Quay Road, Newhaven	Breach of Conditions (height of waste stockpiles)	<p>A complaint was received that waste on the site was being stored above the permitted levels of four metres. A site visit was undertaken which confirmed the substance of the complaint. A meeting was held with the operator who accepted that they were breaching the conditions relating to the height of waste stockpiles. A time period was agreed for them to return the site to compliance with the conditions and a site visit is due to be carried out.</p>
November 2016	Allsworthy, Hailsham Road, Stone Cross	Importation and deposit of waste	<p>A complaint was received that waste materials were being imported into the site and deposited. A joint site visit with an officer from the Environment Agency was carried out and this confirmed the substance of the complaint. A letter has been sent to the landowner and a reply is currently awaited.</p>
November 2016	Bexhill Hastings Link Road, (Combe Valley Way)	Breach of condition (unauthorised closure of part of the Greenway)	<p>During a site monitoring visit it was noticed that part of the equestrian route of the Greenway, between Glovers Farm and the ford at the Combe Haven, was closed and a diversion put in place along Buckholt Lane.</p> <p>Meetings have been held with the site operator who is currently constructing the North Bexhill Access Road and who explained that as the Greenway crosses the construction area it is necessary for it to be closed to the public. However, subject to appropriate measures being in place, the Greenway can be made available outside construction hours. Consequently, a scheme has been agreed whereby the Greenway can be closed using barriers and signage during construction hours and then reopened to the public over weekends.</p> <p>A further site visit is due to be undertaken to check that the agreed scheme has been put in place and is operating</p>

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Table 4 - Outstanding Cases Subject To Ongoing Action

<b>DATE LPA BECAME AWARE OF BREACH</b>	<b>SITE ADDRESS</b>	<b>NATURE OF CASE</b>	<b>CURRENT POSITION</b>
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.</p> <p>The submission of a planning application to regularise the works to the car park and other development was then delayed due to the need for the land swap to be completed. The land swap has been finalised and the neighbour's new access has been constructed. A planning application is currently awaited to regularise this matter.</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 was his intention to clear the site of the imported waste.</p> <p>Officers, in conjunction with officers from the Environment Agency, have continued 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 commenced the phased removal of the waste from the site. Some waste was removed and there was initially no indication that further waste materials had been imported to the site. Clearance of the waste materials had been continuing. However, the landowner suffered a period of ill health and was unable to work.</p> <p>Further site visits have subsequently been carried out, including with officers from the Environment Agency. More recently it was noted that further waste appeared to have been imported to the site and there was also evidence of further burning taking place. Consequently, an Enforcement Notice was served on the landowners on 28</p>

			<p>November 2016. No appeal was made against the Notice and it became effective on 29 December 2016. The Enforcement Notice requires: (i) the immediate cessation of the importation, deposit, and disposal (including burning) of waste; and (ii) various areas to be cleared of waste and waste residue within twelve months of the Notice taking effect.</p> <p>Officers will continue to regularly monitor the site to ensure compliance with the requirements of the Notice.</p>
January 2015	KPS Composting, Boathouse Farm, Isfield	Breach of conditions (site layout and volume of waste)	<p>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.</p> <p>A planning application was submitted relating to altering the location of the wood waste processing and amending the limitation on the quantity of waste materials, but was not valid due to further information being required. A meeting with local residents was held to discuss their concerns regarding activities at the site, and further discussions with the operator have been ongoing.</p> <p>There had been a delay in the submission of the planning application because the operator decided to completely revise the use of the site, which involves a far more detailed application. A revised planning application (WD/782/CM) has been submitted and is currently under consideration.</p>
April 2015	Sussex Waste Services, Endeavour Works, Beach Road, Newhaven	Importation and deposit of waste	<p>Officers were visiting the site in connection with another matter and noticed that a significant quantity of waste materials comprising builders' waste, electrical and electronic waste, scrap metal and end of life vehicles had been deposited on the site. Given the history of this site it was decided that formal enforcement action should be taken.</p> <p>Consequently, an Enforcement Notice was served on the landowner of the site, and other interested parties, on 2 February 2016. No appeals were made against the Notice and it took effect on 4 March 2016. The landowner had until 4 June 2016 to clear the site of the imported waste materials in order to comply with the requirements of the Notice.</p> <p>A site visit was undertaken shortly after the expiry of the period of time for compliance with the requirements of the Enforcement Notice. Although the majority of the imported waste has been removed from the site, some still remains. Contact was made with the landowner who explained that he was having difficulty with his tenant, who was refusing access to the site. The landowner therefore placed the matter in the hands of his solicitor and the dispute between the landowner and his tenant was heard at Lewes County Court on 13 September 2016.</p> <p>A further site visit has been undertaken and it was noted that the tenant has now vacated the site having removed the majority of the imported waste. However, the landowner has been advised that further waste needs to be removed in order to comply with the requirements of the Enforcement Notice and he has been given a short period of time in which to achieve this final clearance, following which a further site visit will be carried out.</p>
July 2015	Holleys Yard, Squires Farm Industrial Estate, Easons Green	Importation, deposit and storage of waste wood	<p>This matter originally came to the Council's attention in 2012 when an operator imported a significant quantity of waste wood into this site and then vacated the site without clearing the waste wood. The Environment Agency undertook a prosecution against a Director of the company, and the County Council supported this prosecution and gave evidence in Court. The Director of the company was convicted of the offence and was sentenced to a</p>

			<p>Community Service Order of 200 Hours of unpaid work. There was no requirement for the Director to pay for the costs of clearing the land. Consequently, the waste wood has remained on the site and, in order to protect the County Council's position, it was considered appropriate to serve an Enforcement Notice on the landowners, and interested parties, requiring the removal of the waste wood.</p> <p>An Enforcement Notice was served on the landowners and interested parties on 2 February 2016. No appeal was made against the Enforcement Notice and it took effect on 4 March 2016. Given the circumstances of this particular case, a suitable period of time for the clearance of the site was given (until 4 March 2018) and officers are maintaining contact with the landowners to facilitate the removal/clearance of the waste wood from the site.</p> <p>Since the service of the Enforcement Notice, the Environment Agency made progress in their case against the company that was responsible for importing the waste wood into this site. The outstanding company director was arrested on a warrant and appeared at Lewes Crown Court on 22 August 2016 for sentence, after he had entered a guilty plea at an earlier hearing. He was sentenced to one year's imprisonment.</p> <p>The landowners have been researching methods of removal/disposal of this waste wood and have approached officers for advice regarding a possible planning proposal to achieve this.</p>
January 2016	Bexhill to Hastings Link Road (Combe Valley Way) - Decoy Overbridge	Breach of Condition (Noise)	<p>A complaint was received that excessive noise is being generated from the Link Road now that it is open to traffic. The complainant also raised concerns that vehicles using the Link Road were visible from distant views. The location of the relevant acoustic barriers has been checked and it is considered that they have been constructed in accordance with the approved drawings.</p> <p>Noise monitoring over a period of two weeks was carried out and the results analysed. A report was prepared and has been reviewed to ascertain whether the noise levels at this location are in accordance with the predicted levels.</p> <p>Given that the Link Road has now been open for over twelve months, it is considered that a further period of noise monitoring should be undertaken for comparison purposes and this is currently being arranged.</p>
February 2016	187 London Road, Hailsham	Breach of requirements of Enforcement Notice	<p>An Enforcement Notice was served on the joint landowners of the site in December 2014, which required all scrap metal and other waste, including end of life vehicles to be removed from the site. The Notice became effective in January 2015 and officers have undertaken regular monitoring visits to ensure that the site was in compliance with the requirements of the Enforcement Notice. A site visit was undertaken in February 2016 which showed that an end of life vehicle had been parked within the area covered by the Enforcement Notice and filled with waste. A letter was sent to the landowners advising them of the breach of the Enforcement Notice and giving a timescale for the removal of the end of life vehicle and waste. A site visit confirmed that this had not been done and there continued to be a breach of the requirements of the Enforcement Notice, which is an offence.</p> <p>Despite the landowners being given another timescale for the removal of the vehicle, a further site visit noted that it had not been removed and that the Enforcement Notice was still being breached. Consequently, the landowners were Summoned to appear at Hastings Magistrates' Court on 28 October 2016.</p> <p>The landowners appeared at Hastings Magistrates' Court on 28 October 2016 and entered a plea of "Not Guilty" to the summons of failing to comply with the requirements of the Enforcement Notice. The case was remanded to Eastbourne Magistrates Court on 9 December 2016 and officers gave evidence in support of the prosecution. The defendants were both found guilty of failing to comply with the requirements of the Enforcement Notice and were</p>

			<p>each sentenced to £1000 Fine, £1125 costs and £100 victim surcharge (a total of £4,450).</p> <p>Officers will continue to monitor the site to ensure compliance with the Enforcement Notice.</p>
May 2016	Greenacre Recycling, Titan Marine, Newhaven	Breach of Condition (Roller shutter doors)	<p>A complaint was received that the roller shutter doors of the building were open during the permitted hours of operation, which is a breach of Condition 5 of the planning permission for the site (LW/767/CM). A site visit was undertaken and during this site visit it was noted that the doors referred to were open during operations. Discussions were held with the operator, who stated that the doors are open very frequently in order to allow vehicles to access the building to deposit waste and then remove it to the yard once it has been sorted within the building.</p> <p>Site monitoring of the site is currently ongoing to identify if a substantive breach of planning control is occurring.</p>
May 2016	Land to the North of Leeds Lane, Five Ashes	Importation and deposit of waste materials	<p>A complaint was received that waste materials were being imported into and deposited at the site. A site visit was undertaken which confirmed the substance of the complaint. Contact was made with the occupier who stated that the purpose of the importation was to improve the track through the wood for his animals in order to be able to move them across the land and not across roads, which would incur expensive veterinary costs for tuberculosis testing.</p> <p>The position regarding the requirement for planning permission was explained to the tenant farmer, and he was requested to cease any further activity until a joint site meeting with all the regulatory authorities concerned had been arranged. A further joint site meeting took place, and it was noted that the tenant farmer had completed the works to the track. The imported waste appears not to have any stability and was noted to have already started to slip. It was considered that the works to the track were excessive and unnecessary, and amounted to a waste disposal operation.</p> <p>The tenant farmer was requested to remove the imported waste from the site. A further site visit noted that some waste may have been removed, but that there remained a quantity of waste on the site which still needs to be removed.</p> <p>Officers are currently liaising with all the regulatory authorities in order to provide the landowner with cohesive view of what is required in order to resolve this matter.</p>
June 2016	JM Skip Hire, Birch Close, Eastbourne	Breach of Conditions (noise and dust)	<p>A complaint was received alleging that noise and dust were emanating from this site. A joint site visit was undertaken with an officer from Eastbourne Borough Council and during the course of this site visit several breaches of the planning conditions relating to the site were identified. An initial letter was sent to the operator detailing the breaches that were found during the site visit and requesting the operator's comments and details of how he was going to address and resolve these issues. A response was received and a further letter sent to the operator. However, no response to this further letter was received from the operator.</p> <p>A further site visit was therefore undertaken and it was noted that most of the breaches have been satisfactorily resolved. There has been some structural damage to the sleeper wall caused by high winds, which has in turn delayed the completion of this planning requirement. The operator has requested, and been granted, a small period of time in order to undertake repairs and complete the sleeper wall, after which a site visit will be carried out to check compliance.</p>

June 2016	Penfold Driveways, The Warren, Crowborough	Unauthorised development	<p>A complaint was received by the Environment Agency that waste was being imported into and deposited at the site. A joint site meeting was arranged with all the various regulatory authorities and the operators to discuss the various issues at the site. It was clear during the course of the site meeting that the importation, deposit and processing of waste was taking place at the site.</p> <p>A pre-application site meeting with the operators has taken place and a planning application is expected to be submitted.</p>
July 2016	LF to Waste, Little Exceat Farm, South Chailey	Unauthorised waste transfer Station	<p>This breach of planning control was found by officers during the course of a visit to another part of the site. The operator had moved from Upper Lodge Farm in Ringmer and originally intended to use this site purely for the storage of vehicles and equipment, with all waste materials being taken directly to an authorised waste transfer station. However, officers attending the Farm in connection with another matter noted that the operator had imported waste into the site. The operator was contacted who stated that it was his intention to submit a planning application in order to attempt to regularise the planning situation at this site.</p> <p>A planning application (LW/785/CM) has now been submitted in respect of this matter, but it contains insufficient information. Further details have been requested from the operator and his agent, which are currently awaited.</p>

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