



REGULATORY COMMITTEE

PLANNING COMMITTEE

MEETING 2.30 pm THURSDAY, 20 JULY 2017

COUNCIL CHAMBER, COUNTY HALL, LEWES

MEMBERSHIP - Councillor Claire Dowling (Chair)
Councillors Barry Taylor (Vice Chair), Bob Bowdler, Godfrey Daniel,
Darren Grover, Tom Liddiard and Pat Rodohan

A G E N D A

- 1 Minutes of the meeting held on 21 June 2017 (*Pages 3 - 10*)
- 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 Director of Communities, Economy and Transport

- 5 The continued use of land for green waste composting and wood waste processing, including an increased through-put for up to 10,000 tonnes per annum of waste wood and the relocation of the waste wood processing area including an extension to the existing storage building and yard area, the replacement and relocation of the existing overflow pond (no.3) with a reed bed system and the repositioning of the earth bunds at the southern and eastern boundaries of the site. KPS, Boathouse Farm, Isfield Road, Isfield, TN22 5JJ - WD/782/CM (*Pages 11 - 40*)
Report by the Director of Communities, Economy and Transport
- 6 Development Management Matters - Quarterly report (*Pages 41 - 52*)
Report by the Director of Communities, Economy and Transport
- 7 Any other items previously notified under agenda item 4

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*

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

12 July 2017

Contact Simon Bailey, Democratic Services Officer,
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PLANNING COMMITTEE

MINUTES of a meeting of the Planning Committee held at County Hall, Lewes on 21 June 2017.

PRESENT Councillors Barry Taylor (Vice Chair in the Chair), Bob Bowdler, Godfrey Daniel, Darren Grover and Pat Rodohan

6 MINUTES OF THE MEETING HELD ON 31 MAY 2017

6.1 RESOLVED to approve as a correct record the minutes of the meeting held on 31 May 2017.

7 APOLOGIES FOR ABSENCE

7.1 Apologies for absence were received from Councillor Dowling and Councillor Liddiard. It was noted that Councillor Taylor was acting as the Chair.

8 DISCLOSURES OF INTERESTS

8.1 Councillor Belsey declared a personal interest in Item 6A, in that he is a resident of Kings Drive, one of the sites under discussion, but he did not consider this to be prejudicial.

8.2 Councillors Rodohan and Taylor declared a personal interest in Item 6A, in that they are members of Eastbourne Borough Council, but they did not consider this to be prejudicial.

9 REPORTS

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

10 PROPOSED EXTENSION FOR THE PROVISION OF 2NO CLASSROOMS AND ANCILLARY ACCOMMODATION TO REPLACE EXISTING DOUBLE MOBILE CLASSROOM, INCLUDING NEW MULTI-USE GAMES AREA AND ASSOCIATED LANDSCAPING. NINFIELD C OF E SCHOOL, CHURCH LANE, NINFIELD, TN33 9JW - WD/3349/CC

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

10.2 Sean Hambrook, of East Sussex County Council Business Services, spoke on behalf of the applicant in support of the recommendation.

10.3 Councillor Bentley, the Local Member, spoke in support of the recommendation. He also requested the replanting of a Copper Beech tree to replace the one due to be felled, and wished to ensure that any damage caused by construction traffic is avoided/made good.

10.4 Members have considered the report and comments of the public speaker and Local Member, and agree with the conclusions and reasons for recommendation as set out in paragraph 7 of the report.

10.5 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. Prior to the commencement of the development hereby permitted a Construction Traffic Management Scheme shall be submitted to and approved in writing by the Director of Communities, Economy and Transport and shall include the following details:
 - The anticipated number, frequency and types of vehicles used during construction. The hours of delivery/collection should avoid peak traffic flow times and AM/PM peak School travel times;
 - The methods of access and egress and routeing of vehicles during construction;
 - The parking of vehicles by site operatives and visitors;
 - The loading and unloading of plant, materials and waste and any storage of plant and materials to be used in the construction of the development and the erection and maintenance of security hoarding;
 - The provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders); and
 - Details of public engagement both prior to and during construction works.

The development shall be carried out in accordance with the approved Construction Traffic Management Scheme, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: In the interest of highway safety and amenity, in accordance with Saved Policies EN27 and TR3 of the Wealden Local Plan 1998.

4. Prior to the commencement of the development hereby approved, details of the temporary construction access surface shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The temporary surface shall be removed within one week of the completion the development hereby approved and the land restored to its former physical state, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: In the interests of highway safety and to safeguard the appearance of the recreation ground in accordance with Saved Policies TR3 and EN27 of the Wealden Local Plan 1998.

5. Prior to the commencement of the development hereby approved, an Ecological Design Strategy (EDS) addressing enhancement of the site for biodiversity shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The EDS shall include the following details:
 - Purpose and conservation objectives for the proposed works;
 - Review of site potential and constraints;
 - Detailed design(s) and/or working method(s) to achieve stated objectives;
 - Extent and location/area of proposed works on appropriate scale maps and plans;
 - Type and source of materials to be used where appropriate, e.g. native species of local provenance;

- Timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- Persons responsible for implementing the works;
- Details of initial aftercare and long-term maintenance; and
- Details of monitoring and remedial measures;

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: To provide opportunities for the enhancement of biodiversity on the site, in accordance with the Council's responsibilities under the Natural Environment and Rural Communities Act 2006 and Part 11 of the National Planning Policy Framework 2012.

6. Prior to the commencement of the development hereby approved, details of the proposed scheme for the management of surface water on the site, including ground investigations confirming groundwater levels, infiltration rates and soakage testing, in accordance with BRE365, shall be submitted to and approved by the Director of Communities, Economy and Transport. The development shall thereafter be carried out in accordance with the approved details, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: To ensure surface water runoff from the development is managed safely and to reduce the risk of flooding, in accordance with the provisions of Part 10 of the National Planning Policy Framework 2012.

7. Prior to the commencement of development above ground, details of the design and materials to be used for the surfaces and fencing of the Multi Use Games Area shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The development shall thereafter be carried out in accordance with the approved details, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: To ensure an appropriate appearance of the Multi Use Games Area in the locality, in accordance with Saved Policy EN27 of the Wealden Local Plan 1998.

8. Prior to the commencement of development above ground, details of the proposed green roofs shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The development shall thereafter be carried out in accordance with the approved details, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: To integrate the development effectively into the surrounding environment, in accordance with Saved Policy EN27 of the Wealden Local Plan.

9. Prior to the occupation of the development hereby approved, full details of both hard and soft landscaping works, including the additional measures to compensate for the loss of the Copper Beech tree on the eastern boundary of the site, noting schedules of plants, species, plant size and proposed number/densities where appropriate and a programme of implementation and management for the works including the green roofs, shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. These works shall be carried out as approved and shall be maintained thereafter in accordance with the approved management plan, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: To integrate the development effectively into the surrounding environment and provide suitable compensatory planting for the loss of the beech tree on the eastern site boundary, in accordance with Saved Policy EN27 of the Wealden Local Plan.

10. Unless otherwise agreed in writing by the Director of Communities, Economy and Transport, the Multi Use Games Area hereby approved shall not be used at any time other than between the hours of:

During term time:

- (i) 0900 and 2100 Monday to Friday inclusive; and
- (ii) 0900 and 1800 on Saturdays, Sundays, Bank and Public Holidays,

Outside of term time:

- (i) 0900 and 1800 Monday to Sunday, Bank and Public Holidays;

Subject to a 12 month temporary period outside of normal School hours (0900 - 1800) commencing with the first use of the Multi Use Games Area between the hours of 1800 and 2100 Monday to Friday or 0900 and 1800 Saturday, Sundays, Bank or Public Holidays.

The Director of Communities, Economy and Transport shall be notified of the date of the first use of the Multi Use Games Area outside of School hours, as set out above. After the expiry of the 12 months from the first use of the Multi Use Games Area, its use shall revert to between the hours of 0900 and 1800 on Monday - Friday inclusive, excluding bank and public holidays, unless varied by another permission.

Reason: To allow sufficient time to assess the effect of noise from the use of the Multi Use Games Area outside of School hours, between the hours of 1800 and 2100 Monday to Friday and 0900 and 1800 Saturday, Sunday, Bank and Public Holidays, in order to safeguard the amenity of neighbouring residents, in accordance with Saved Policy EN27 of the Wealden Local Plan 1998.

11. Unless otherwise agreed in advance and in writing by the Director of Communities, Economy and Transport, the Multi Use Games Area shall not be used other than for outdoor sport and play.

Reason: To protect the Multi Use Games Area from inappropriate use and to maintain the quality of and secure the safe use of the sporting facility.

12. At all times when the Multi Use Games Area hereby permitted is being used by non-School users outside of normal School hours, the School's existing car park shall be made available for users of the Multi Use Games Area.

Reason: To ensure parking facilities are available for users of the Multi Use Games Area, in accordance with Saved Policy TR3 of the Wealden Local Plan 1998.

13. The rating level of noise emitted from the air source heat pump as permitted shall be 10dB below the measured background noise level at all times. The noise levels shall be determined at position R7 as shown on Plan A1 of the Noise Report dated February 2017 (Ref: RFE-0125-17-2). The measurements and assessment shall be made according to BS 4142: 2014 Rating Industrial Noise Affecting Mixed Residential and Industrial Areas.

Reason: In order to safeguard the amenity of the occupiers of neighbouring residential properties, in accordance with Saved Policy EN27 of the Wealden Local Plan.

14. In this condition `retained trees` means an existing tree which is to be retained in accordance with the approved plans and particulars and paragraphs (a) and (b) below shall have effect until the completion of the development hereby permitted.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Director of Communities, Economy and Transport. Any topping or lopping approved shall be carried out in accordance with British Standard 3998:2010 Tree Works.

(b) If any retained tree is removed, uprooted or destroyed, becomes seriously damaged or diseased or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Director of Communities, Economy and Transport.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and to BS 5837: 2012 Trees in Relation to Design, Demolition and Construction before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition, nor any fires lit, and the ground levels within those areas shall not be altered, nor shall any excavation be made, or operations carried out without the prior written consent of the Director of Communities, Economy and Transport.

Reason: In the interests of visual amenity and in accordance with Saved Policy EN27 of the Wealden Local Plan 1998.

15. Any damage to the recreation ground as a result of its use for the construction of the development hereby approved, shall be rectified within one month of the completion of the works and land restored to its former physical condition, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: To safeguard the amenity and use of the recreation ground, in accordance with Saved Policy EN27 of the Wealden Local Plan 1998.

INFORMATIVES

1. The Applicant's attention is drawn to the provisions of The Wildlife and Countryside Act 1981 (as amended) particularly with regard to the protection of bats and nesting birds, which may be affected during the proposed operations.
2. The applicant has advised that the development hereby permitted does not include the use or provision of any floodlighting or artificial illumination. Floodlighting of the Multi Use Games Area would require the submission of a separate planning application and given the proximity of the facility to the residential properties it is unlikely that planning permission would be granted.
3. The applicant's attention is drawn to the need to submit a formal application for connection to the public sewerage system if required in order to service the development. Please contact Southern Water, Southern House, Sparrowhawk, Otterbourne, Hampshire, Tel. 0330 303 0119.

Schedule of Approved Plans

8858/200 - Location Plan, 8858/201A - Existing Ground Floor Plan, 8858/209 - Existing Elevations, 8858/210 - Construction Access, 8858/211 - Long and Cross Sections of MUGA, LLD1016/01 - Tree Constraints Plan, Figure No 1 - Site Habitat Plan, 8858/202 C - Proposed Ground Floor Plan Overall Scheme, 8858/203 B - Proposed Ground Floor Plan Extension ,

8858/208 A - Proposed Sections, 8858/207 A - Proposed Visuals, 8858/206 B - Proposed Elevations

11 EASTBOURNE PARKING REVIEW 2016/17 - CONSIDERATION OF OBJECTIONS

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

11.2 The following Local Members indicated their support for the recommendations on the following Sites:

Site	Location	Councillor
5	Martinique Way, St Kitts Drive	Cllr Elkin
6	Chatham Green	Cllr Elkin
7	Ivy Lane	Cllr Rodohan
8	Saffrons Road	Cllr Rodohan
9	Michel Grove	Cllr Rodohan
16	Dalton Road	Cllr Taylor
17	Grand Parade	Cllr Taylor
18	Rutland Close	Cllr Belsey
19	Kings Drive, Park Avenue	Cllr Belsey
20	Beatty Road	Cllr Elkin
21	Prince William Parade	Cllr Elkin
22	Atlantic Drive	Cllr Elkin
23	Eugene Way	Cllr Elkin

11.3 Councillor Wallis provided written comments in support of the recommendations on the following Sites:

3	Brede Close, Wartling Road
4	Dursley Road
10	Latimer Road
11	Langney Drive

11.4 Members have considered the report and comments of the Local Members and agree with the conclusions and reasons for recommendation as set out in paragraph 3 of the report.

11.5 RESOLVED to (1) uphold the objections to the draft Order as set out in Appendix 1 of the report;

(2) not uphold the objections to the draft Order as set out in Appendix 2 of the report; and

(3) recommend to the Director of Communities, Economy and Transport that the draft Traffic Regulation Order be made in part.

12 LEWES PARKING REVIEW 2016/17 - CONSIDERATION OF OBJECTIONS

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

12.2 Wendy Muriel, a local resident, spoke in support of the recommendation for Site 7 (Malling Estate, Lewes).

12.3 Melanie Cutress, Chair of Falmer Parish Council, and Angela Stannard, a local resident, spoke against the recommendations for Sites 13, 14 and 15 (Middle Street, Mill Street and Park Street, Falmer).

12.4 Councillor Philip Daniel, one of the Local Members, spoke in support of the recommendations in respect of Sites 1 and 2 (Godfrey Close and Lansdowne Place), and to draw the Committee's attention to the restrictions around the Green at Site 7 (Malling Estate).

12.5 Councillor Lambert's written comments regarding the following Sites were communicated to the Committee:

3	Pelham Road, Seaford
4	Steyne Road, Seaford
8	Station Approach, Seaford
9	South Street, Seaford
10	Alfriston Road, Seaford
11	Steyne Road area, Seaford

12.6 A motion to amend Recommendation 2, to exclude Sites 13, 14 and 15 (with the effect of upholding the objections) was proposed, seconded, voted on and won.

12.7 Members have considered the report and comments of the public speakers and Local Members, and agree with the conclusions and reasons for recommendation as set out in paragraph 3 of the report, with the exception of the three sites mentioned at Minute 12.6.

12.8 RESOLVED to (1) uphold the objections to the draft Order as set out in Appendix 1 of the report;

(2) not uphold the objections to the draft Order as set out in Appendix 2 of the report, with the exception of Sites 13, 14 and 15 where the objections are upheld; and

(3) recommend to the Director of Communities, Economy and Transport that the draft Traffic Regulation Order be made in part.

The meeting ended at 11.45 am.

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Committee: **Regulatory
Planning Committee**

Date: **20 July 2017**

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

Proposal: **The continued use of land for green waste composting and wood waste processing, including an increased through-put for up to 10,000 tonnes per annum of waste wood and the relocation of the waste wood processing area including an extension to the existing storage building and yard area, the replacement and relocation of the existing overflow pond (no.3) with a reed bed system and the repositioning of the earth bunds at the southern and eastern boundaries of the site.**

Site Address: **KPS, Boathouse Farm, Isfield Road, Isfield, TN22 5JJ**

Applicant: **KPS Composting Services Ltd**

Application No. **WD/782/CM**

Key Issues: **1) Purpose of Development
2) Development in the Countryside
3) Impact on Residential Amenity
4) Effect on Traffic
5) Effect on Biodiversity
6) Flood Risk and Drainage**

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

Local Member: **Councillor Roy Galley**

SUMMARY OF RECOMMENDATIONS

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

CONSIDERATION BY DIRECTOR OF COMMUNITIES, ECONOMY AND TRANSPORT

1. The Site and Surroundings

1.1 The application site is an established outdoor composting facility that receives and processes green waste to produce compost, which is then exported as a finished product. From 2010, the site also began to process

wood waste, which is screened and shredded on the site to form woodchip and is exported for use in chipboard and fibreboard manufacture. The site is located in a rural area 0.7 kilometres (km) south of the village of Isfield and 6km north-east of Lewes. It occupies an area of approximately 9 hectares (ha) and is surrounded by farmland and some woodland, including areas of designated ancient woodland to the north and south.

1.2 The site is accessed from Isfield Road to the east, approximately 700 metres north of the junction with the A26. The former Honey Pot Children's Nursery is situated opposite the site entrance on Isfield Road and the closest residential properties lie 250 metres south of the site entrance. A public footpath runs from east to west approximately 100 metres north of the site.

1.3 The site can be divided into three main areas, which are reached via an access track to the north of the site. The access track rises gently from the Isfield Road, to the site office and weighbridge and continues into the active composting pad situated in the western section of the site. The western section measures 4.63ha and is surrounded by a vegetated earth bund. A waste wood processing area is also situated within this part of the site and is currently being operated in an unauthorised position adjacent to the northern site boundary. The central section of the site covers approximately 2.5ha and consists of a site office, storage barn with associated hard standing and three surface water storage lagoons. Finally, the eastern section of the site covers approximately 2.6ha and consists of a rough grassland field, which has largely been left unmanaged, although is often used by a local farmer to raise pheasants. A large earth bund of 2 metres in height is present within this area which forms a barrier between the application site and the Isfield Road and the area of ancient woodland, known as Scimcorner Wood, is to the south of the site.

2. The Proposal

2.1 The applicant seeks planning permission to increase the annual site throughput of wood waste to 10,000 tonnes per annum against the current approved level of 5,000 tonnes, as limited by condition no.25 of planning permission Ref: WD/634/CM. The increase in wood waste by 5,000 tonnes per annum is proposed to be offset by a corresponding reduction in the annual throughput of green waste, in order for the site to remain within its total permitted annual tonnage of 50,000 tonnes, as secured by condition no.24 of planning permission Ref: WD/634/CM.

2.2 In order to facilitate the proposed increase in wood waste processing and improve the operational efficiency of the site, the applicant is also seeking planning permission to reconfigure the existing yard and storage area to the east of the active composting pad and the two surface water storage lagoons. These works will comprise of the removal of the third overflow water storage lagoon and an extension of the existing hardstanding, to enable the creation of a formalised wood waste storage and processing area, which will be enclosed within 3 metres high concrete push walls. The displaced storage lagoon would be relocated further to the east of the site in the form of a pond

and reedbed wetland treatment system. The proposed wetland treatment system would be designed to treat effluent, store surface water run-off and storm water, whilst providing a biodiversity feature on the site.

2.3 To further facilitate these works the applicant is seeking to erect a 1.8 metre high acoustic fence on the top of the existing earth bund to the north of the active composting area. Part retrospective planning permission is also sought for the removal and relocation of an existing 3 metres high bund, which borders the central and eastern sections of the site in a north south orientation. The applicant undertook the works to relocate the bund to the southern and eastern areas of the site during the previous planting season in order to protect and replant the existing trees. Further bunding works are proposed as part of this application, which have yet to be implemented, including an extension to the relocated bund along the eastern boundary of the site with the Isfield Road, towards the site access.

2.4 In addition, the applicant is seeking planning permission to extend the existing storage barn on the site to form a large 'L' shape building. The extension would occupy the area of land to the east of the existing barn and would measure approximately 70 metres in length with a width of 25 metres, providing 1750 square metres of additional storage space on the site. The barn will have a shallow pitched corrugated roof to match the existing, measuring 5.6 metres at the eaves and 7 metres at the ridge. The building is designed to complement the existing and will be constructed of concrete panels with vertical timber boarding above, with the western face remaining open. Internally the building would be compartmentalised by 4 metres high concrete dividing walls. The bays formed would be used to store dry wood, compost products and machinery.

3. Site History

3.1 The use of the site as a green waste composting facility was originally approved in 2000 (Ref: WD/313/CM). However, due to difficulties in obtaining a Waste Management Licence from the Environment Agency, this permission was not implemented. A subsequent permission was granted in 2001 (Ref: WD/335/CM) for the use of an adjacent field, further to the west of the previously approved site. Consequently, the composting facility began operating in 2002 and at the time comprised of an area of hard standing and two adjoining surface water storage lagoons.

3.2 Since the original permission various planning permissions have been granted to upgrade the facilities on the site, including the construction of a storage barn, an enlarged access, retention of internal access tracks and the creation of earth bunding (Ref: WD/483/CM). In September 2009, planning permission (Ref: WD/606/CM) was granted for a further single bay extension to the barn and in November 2009, planning permission (Ref: WD/611/CM) was granted for an additional balancing pond, known as the third overflow water storage lagoon, to improve site drainage.

3.3 The site's permission was further updated in March 2009, through an application (Ref: WD/533/CM), which varied condition no.4 of planning permission Ref: WD/335/CM, to increase the permitted number of weekly vehicle visits (delivering and collecting waste) to the site. Additionally, in 2010, planning permission (Ref: WD/634/CM) was granted to expand the scope of operations on the site to include the processing of up to 5,000 tonnes per annum of wood waste. The approved changes limited the wood waste processing operation to the southern part of the site, behind at least one windrow of compost material. As part of this application the applicant was also granted permission to vary condition no.2 of planning permission Ref: WD/533/CM, to permit vehicles with more than eight wheels to enter the site.

3.4 The most recent application on the site was granted in 2014 (Ref: WD/732/CM) for the construction of a replacement site office on the northern boundary with associated mess room facilities.

3.5 In summary, planning permission Ref: WD/634/CM is the substantive permission for the site and refers to the use of the site as a green waste composting and wood waste processing facility, with the ability to process up to 50,000 tonnes per annum. This comprises of up to 5,000 tonnes of wood waste and thereby 45,000 tonnes of green waste. Other conditions attached to the permission limit, inter alia, the total number of vehicle visits to and from the site, the hours of operation, the location of operations and the operational noise levels. The current proposal seeks to continue to use the site for this purpose and expand the waste wood processing operations including changes to the site layout and an extension to the existing storage barn.

4. Consultations and Representations

4.1 Wealden District Council: Raise no objection to the proposal, subject to the County Council as a competent Authority (under the Conservation of Habitats and Species Regulations 2010) being satisfied that the proposal either alone or in combination would not have any likely significant effects upon the Ashdown Forest SPA, SAC and SSSI.

4.2 Environmental Health Officer (Wealden District Council): Wish to make no comments on the application.

4.3 Isfield Parish Council: It is noted that the Parish Council would have liked to support the application but is unable to because; the new wetland area has been approved by the Wildlife and Wetland Trust but is yet to be approved by the Department of the Environment. It is further considered that a sound test should be carried out by an independent company recommended by the County Council as questions have been raised regarding the procedure used within the reports as submitted with the application. Following the re-consultation on the application documentation it was added that the Councillors continue to disagree with the figures in the latest noise report.

4.4 Ringmer Parish Council: Raise no objections.

4.5 Highway Authority: Raise no objection to the proposed increase in vehicle movements and the figures remain in accordance with the thresholds as set out in conditions 4, 5 and 10 attached to the extant planning permission Ref: WD/634/CM, for the site.

4.6 Rights of Way: Wish to make no comments on this application and note the footpath (Isfield 12) runs approximately 100 metres to the north east of the site and appears to be unaffected.

4.7 Environment Agency: Raise no objection.

4.8 Flood Risk Management ESCC: Raise no objection to the proposal, however it is noted that the proposed development would be expected to achieve a 'like for like' surface water discharge rate between the existing and proposed scenarios during the 1 in 1, 1 in 30 and 1 in 100 rainfall events. It is considered that a surface water management proposal supported by surface water drainage drawings and cross sections of the proposed overflow pipe network for the wetland treatment system and for the barn extension showing how the development can achieve a 'like for like' discharge rate between the existing and proposed scenarios, could be secured by condition if the Council is minded to approve the application.

4.9 Local Representations: Public consultation in the form of letters to neighbours, site notices and a press advert, were posted on 4 November 2016 and two further re-consultations following the submission of additional information took place on 21 February 2017 and 27 April 2017. To date 22 objections have been received since the initial consultation in response to the proposal, including 3 from a local landowner and a letter from DMH Stallard acting on behalf of a group of Isfield residents. Full copies of all representations received are circulated to members of the Planning Committee prior to the discussion of proposals at the Committee meeting, and are available in the Members' Room.

4.10 The main objections relate to the impact of the current and proposed site operations on residential amenity due to the resultant increase in traffic movements, noise, smell, dust and the visual impact of piles of material and can be summarised as follows: (i) the proposal will result in moving the waste wood processing operations 150 metres closer to dwellings to the north which include a listed building, and 136 metres closer to Isfield Road than previously permitted, which would lead to a significant increase in disturbance from the wood shredder in terms of noise, dust, smell and visual impact; (ii) the submitted noise assessment, does not consider the properties to the north and given the direction of the prevailing wind and the complaints made by residents to the north it is not considered that the noise report is sufficient to accurately assess the impact of the proposal; (iii) it is further noted within the noise assessment that the noise impact on the former nursery is significant enough that the internal noise levels exceed guideline levels unless all of the windrows are fully closed; (iv) there are fears for respiratory health from wood dust and spores being carried in the prevailing wind following instances of cars and windows being covered in a film of dust; (v) if planning permission

were to be approved residents would like to see limits on the days and hours of operation of the wood chipper, dust mitigation measures, additional tree and hedge planting on bunds. This would be in addition to restrictions on the use of the wood shredder and green waste shredder being used at the same time; (vi) the study of existing and possible traffic movements in January 2017 indicates that movements will be within permitted thresholds, however this is likely to result in an increase of the number of movements by 16 wheeler vehicles, which would further accelerate the damaging ecological impact of nitrous oxide deposits on the Ashdown Forest; (vii) the increase in traffic from the site is also considered to worsen the existing safety issues, and in particular the hazardous nature of the junction to the south of the site with the A26; (viii) the Isfield Road is also considered unable to accommodate two large vehicles passing each other resulting in the use of verges as the road is too narrow and winding.

4.11 Other objections raised in response to the proposal can be summarised as follows: (i) the level of development proposed at the site indicates that the applicant intends to increase the wood waste processing operations by more than the amount stated in the application; (ii) in the last 10-12 years there has been a huge increase in the size of this site which now appears to have become a large industrial site not suitable for the area and far removed from the original green recycling centre; (iii) further need for the increase in waste wood tonnage is not proven on the grounds of the current throughput of waste wood which is declining; (v) there is a pattern and history of retrospective planning permissions being granted at this site which have enabled repeated intensification of activity without development controls, suggesting that in due course there will be further breaches of conditions unless a strong development control framework is put in place; (vi) the submitted ecological appraisal report fails to identify the presence of what is considered to be an ecologically important lake close to the boundary with the application site, and omits to mention the 12 different bat species recently recorded by the Sussex Bat Research Group at Sussex University. Concerns are therefore raised with regard to the increase in the waste wood operations and the potential impact this will have on wildlife and enjoyment of the Scimcorner Wood; (vii) no consultation with neighbours has taken place regarding the application contrary to WMP20 of the Waste and Minerals Plan and the statement made within the submitted Planning Statement.

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

5.1 East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013: WMP3b (Turning Waste into a Resource), WMP6 (Safeguarding Waste Sites), WMP7a (Sustainable Locations for Waste Development, excluding Land Disposal), WMP20 (Community Involvement and Benefits), WMP22 (Increased Operational Capacity within the Site Boundary of Existing Waste Facilities), WMP23a (Design Principles for Built Waste and Mineral Facilities), WMP23b (Operation of Sites), WP25 (General Amenity), WMP26 (Traffic Impacts), WMP27 (Environment and Environmental Enhancements) and WMP28a (Flood Risk).

5.2 East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan, February 2017: Policy SP6 (Safeguarding Waste Sites) and Map 21 SP-WCA/C Boathouse Farm, Isfield.

The East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan sets out the site specific policies for the management of waste and minerals in the Plan Area up to 2026.

5.3 Wealden Local Plan Core Strategy, 2013: Policies WCS12 (Biodiversity), as amended following the Court of Appeal judgement¹

5.4 Wealden Local Plan 1998: Saved Policies GD2 (Outside of Development Boundaries), EN8 (Low Weald), EN12 (Trees, Woodland and Landscaping), EN27 (Design), BS9 (The Countryside) and TR3 (Traffic Impacts).

5.5 National Planning Policy Framework (NPPF) 2012:

The 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. Whilst it does not contain specific waste policies regard should be had to the NPPF policies as far as relevant.

5.6 National Waste Planning Policy (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

Purpose of Development

6.1 The Waste and Minerals Plan supports, in principle, proposals for the development of waste management facilities where they contribute to the implementation of the waste hierarchy (Policy WMP3b). Policy WMP6 safeguards existing waste management facilities and Policy WMP7a directs proposals to Areas of Focus, which are considered to represent more sustainable locations for waste development. In addition, WMP22 of the same Plan encourages alterations at existing waste facilities where it will support more sustainable waste management and the movement of waste up the hierarchy. Proposals seeking to increase the operational capacity of existing sites will be supported, in principle, where it can be demonstrated that the development is required to improve the operational efficiency of the facility.

¹

http://www.wealden.gov.uk/Wealden/Residents/Planning_and_Building_Control/Planning_Policy/CoreStrategy/Planning_Core_Strategy_Local_Plan.aspx

Furthermore, the Waste and Minerals Sites Plan safeguards existing waste sites (Policy SP6), which includes the applicant's site at Boathouse Farm, Isfield, which is identified within the Plan at Map 21 (SP-WCA/C).

6.2 KPS Composting Services Ltd is an established green waste composting and wood waste processing facility and represents an important waste management operation in the County. The site generates full time employment for 10 staff and effectively supports the diversion of waste from landfill and the management of waste further up the waste hierarchy. The proposed development seeks to increase the wood waste processing operations on the site and to establish a more formal processing and storage area for this to take place, separate from the active composting area.

6.3 The applicant has advised that the diversification into wood waste processing at the site has been developed to compensate for the reduction in the demand for green waste and the subsequent loss of trade, following the commencement of other competing green waste operations such as the indoor composting facility at Whitesmith in 2009. Consequently, over the past 12-18 months, the applicant has advised that the site has experienced a considerable increase in the demand for recycled wood waste, and in particular woodchip suitable for use in biomass boilers. In order to meet this demand and further subsidise the green waste activities the current proposal seeks to increase the existing volume of wood waste processed on the site by an additional 5,000 tonnes per annum.

6.4 As per current operations, the applicant has advised that the wood managed would be limited to the 'clean' waste wood stream, meaning that no wood contaminated by, for example, surface or chemical treatments, metals or plastics would be accepted. This is also restricted by the sites Waste Management Permit, issued and monitored by the Environment Agency. It is proposed that the woodchip product resulting from the shredding activity is to be stored on the site and sold to registered biofuel companies, as well as other biofuel users such as the Glyndebourne Estate and the Balcombe Estate. The recycled product will also continue to be sold for chipboard and fibreboard manufacture.

6.5 Objections received in response to the proposal raise concerns with regard to the need for the proposed increase in wood waste processing on the site. In particular, following an investigation into the site's throughput obtained from the Environment Agency records, it has been suggested that the need for the increase in operations is not proven, as the current throughput of wood waste at the site appears to be declining, whilst the green waste figures remain stable.

6.6 As noted above, the site is limited under the current permission (Ref: WD/634/CM) to an overall throughput of 50,000 tonnes per annum. This comprises of up to 5,000 tonnes per annum of wood waste and thereby up to the remaining allowed tonnage of green waste. Whilst the overall throughput of the site is restricted there is flexibility within the condition which effectively allows the applicant to manage the tonnage of each waste stream at the site,

up to the specified amount for wood waste, according to the market demands, which are likely to be subject to seasonal variation. The applicant has indicated that the additional throughput of wood waste at the site is to meet the demand for the biofuel market and if planning permission were to be approved the wood waste throughput would be limited to up to 10,000 tonnes per annum and would result in a corresponding reduction in green waste processing. The overall throughput of the site will remain unchanged at 50,000 tonnes per annum of green and wood waste. This means that should the green waste throughput return to previous levels in the future, the total amount of waste permitted to be managed by the site would remain limited as previously.

6.7 The applicant has advised that the site is also experiencing operational difficulties in locating the wood waste processing operations to the south of the active composting pad as approved in the current permission for the site (Ref: WD/634/CM). In particular, internal traffic movements of plant and vehicles are resulting in conflicts between the waste activities, whilst presenting health and safety concerns. In light of this, the waste wood operations have been temporarily moved to the northern part of the composting pad to further assess this impact. The movement of the operations has overcome the majority of the operational difficulties experienced, however, some vehicle crossing movements still occur and the positioning of the operations has resulted in complaints from local residents. As part of the proposal the applicant is therefore seeking permission to relocate the wood waste processing and storage area in to the central section of the site, to the east of the active composting area and surface water storage lagoons. To further improve the operational efficiency of the operations, permission is also sought to extend the existing storage barn, to provide additional recycled product storage and shelter for associated plant and machinery.

6.8 The site is a safeguarded waste management facility which currently has permission to process both green and wood waste. The primary purpose of the proposal is to increase the waste wood processing operations on the site and meet the current demand for recycled wood waste, contributing to the sustainable management of waste further up the waste hierarchy. As a result, the proposal will improve the operational efficiency of the facility through the separation of the green and wood waste activities and an extension to the existing storage barn. Moreover, the wood waste operations will remain ancillary to the primary green waste composting operations. The proposal is therefore supported, in principle, by Policies WMP3b, WMP6, WMP7a and WMP22 of the Waste and Minerals Plan and Policy SP6 of the Waste and Minerals Sites Plan.

Development in the Countryside

6.9 The application site is located to the south of the village of Isfield, and as such lies outside of the defined development boundary of the village and falls within the surrounding Low Weald Landscape Character Area. The Low

Weald area is broadly characterised as gently undulating and typically containing small fields and pastures interspersed with woodland and trees.

6.10 Saved Policy GD2 of the Wealden Local Plan, resists development outside of the development boundary unless it is in accordance with the specific policies of the Plan. Saved Policy BS9 of the same Plan states proposals for the expansion, redevelopment or intensification of existing business sites outside development boundaries will only be permitted where there would be no adverse impact on the landscape or on the character of the open countryside and it would not detract from the rural environmental qualities of the area. In addition, Saved Policies EN8 and EN12 of the Wealden Local Plan require development within the Low Weald to conserve or enhance the distinctive characteristics of the landscape and further promote the retention and enhancement of trees and woodland. Furthermore, Policy WMP23a of the Waste and Minerals Plan outlines design principles for waste facilities in order that they are appropriate to the scale, form and character of their locations. In particular, for rural locations, sites should be designed to minimise views to operational areas and buildings and should reflect the nearby built form of farm buildings.

6.11 A number of representations received in response to the proposal raise concerns that the continued expansion of the site over the last decade has resulted in a facility of an industrial scale which is incompatible with the rural nature of the area. It is also argued in some of the representation that the increase in the size of the concrete yard and storage barn would result in overdevelopment of the site beyond that required to support an increase in 5,000 tonnes per annum of wood waste. Furthermore, concerns are raised with regard to the movement of operations closer to the road and village and the visual impact this will have on the surrounding area and in particular any view points from the public footpath to the north of the site.

6.12 Although the application site lies outside of the defined development boundary, it is an established waste management facility with permission to process both green and wood waste and due to operational difficulties experienced on the site, from the co-location of the waste activities, the applicant seeks to create a more formalised wood waste processing area. This area will contain all wood waste shredding and screening activities and the storage of unprocessed and processed wood waste up to 5 metres in height, as permitted elsewhere on the site. Consequently, the proposed operational changes will result in the movement of the wood waste processing operations closer to the village of Isfield to the north and the Isfield Road to the east of the site, than the current approved location of the wood processing activities. However, at present the wood waste operations are currently being undertaken in an unauthorised position adjacent to the northern site boundary, and at times are visible and audible beyond the boundaries of the application site. Furthermore, the proposed expansions of waste activities into the central and eastern areas of the site will encroach on the largely undeveloped part of the site and the area of the previously unimplemented permission.

6.13 The application site is well separated from residential properties to the south-east and north of the site and is not readily visible from public view points, including the public footpath to the north, due to the extensive earth bunding on the perimeter of the site and dense boundary planting. Given the separation distance between the proposed wood waste processing area and any potential public view points, the relocation of the wood waste processing activities is not considered to create an unacceptable visual impact on the locality outside of the boundary of the safeguarded waste site. However, due to the countryside location of the facility and the nature of the activities taking place on the site, it is considered necessary to restrict the operations to ensure the proposed wood waste processing takes place within the specified location on the site and stockpiles do not exceed the specified height limit, to avoid any visual intrusion on the surrounding landscape. Such restrictions will be secured by condition attached to any grant of planning permission.

6.14 Furthermore, the proposed extension to the existing storage barn on the site is considered to be of a substantial size; nevertheless, it would be designed and constructed in materials to complement the existing barn and other agricultural style buildings in the area. Due to the gently sloping nature of this part of the site to the south, the existing barn is largely concealed from public view points, with the closest point being the site entrance. The bund in this part of the site is planted with a row of oak trees, which provides a good level of screening of the site operations and it is recommended that this bund is planted with understorey planting to further restrict views from the road. As a result of the proposed barn extension any views from this point will be of the eastern elevation of the building, which would provide an effective screen to the other operational areas to the west of the extension. In addition, the relocation of the plant and machinery to within the building will also improve the appearance of this part of the site and the dark green and natural wood colours of the barn are considered appropriate in the rural setting and will be secured by condition attached to any grant of planning permission.

6.15 As a consequence of the proposed changes to the central section of the site, the third overflow surface water storage lagoon will be relocated to the eastern area of the site in the form a wetland treatment system. The establishment of the wetland area will allow for the storage of surface water run off and storm water as well as the creation of habitats for wildlife. This would enhance the biodiversity value of the site and create an important landscape buffer between the operational areas and the Isfield Road to the east. The applicant also seeks to undertake works to extend the bund to the east of the site, to further screen the operations from the Isfield Road. It is intended that the bunding will be planted to complement existing planting in the surrounding area, the details of which will be secured by condition attached to any grant of planning permission. Further to the concerns of noise levels generated by the operations on the site, the applicant also seeks to erect a 1.8 metres high acoustic fence along the earth bund to the north of the active compost pad. It is anticipated that the fence will be visible from the public footpath, however this would be for a short section of the path. Consequently, it is recommended that additional evergreen planting, close to

the fence on the northern side of the bund, is secured by condition to minimise the visual impact of the fence on the locality.

6.16 Although the proposed operational changes to the site would be contained within the boundaries of the safeguarded waste site, they will effectively encroach on the undeveloped part of the site to the east. However, it is considered that subject to the provision of conditions limiting the wood waste operations to the proposed processing area on the site, the relocation of the wood waste operation is not considered to adversely impact the landscape or the character of the open countryside and would therefore not detract from the rural qualities of the area. Likewise, the barn extension, though substantial, is proposed to reflect the built form of the existing storage barn which is of an agricultural style and will be set back within the site, separating it from any public view points. Consequently, the proposed orientation of the building will minimise potential views of the operational areas of the site, especially from the east. Furthermore, the creation of the proposed reedbed wetland system offers opportunities to enhance the landscape and biodiversity value of the site. As such, the proposal is considered to be in accordance with Policy WMP23a of the Waste and Minerals Plan and Saved Policies BS9, GD2, EN8 and EN12 of the Wealden Local Plan.

Impact on Residential Amenity

6.17 Policy WMP25 of the Waste and Minerals Plan requires proposals to have no unacceptable effect on the standard of amenity appropriate to the established, permitted or allocated land uses of the local and host communities likely to be affected by the development. Moreover, there should be no significant adverse impact on air quality or the acoustic environment, and adequate controls should be secured regarding dust, litter, noise and odour resulting from the development. Similarly, Saved Policy EN27 of the Wealden Local Plan requires, inter alia, that the scale, form and site coverage of development should respect the character of adjoining development and not create an unacceptable adverse impact on the amenities of adjoining developments and the neighbourhood by reason of scale, height, form, noise and traffic movements.

6.18 At present, various plant and machinery are used during the wood waste and green waste operations on the site, including screening machines, shredding machines, loading shovels and tractors, in addition to delivery vehicles entering and leaving the site. The existing operations require the use of the wood shredder for a period of 2 days per month. The current proposal seeks to increase the use of the wood shredder to 2-3 days per week and relocate the operations to a more formalised processing area within the central section of the site.

6.19 The extant planning permission for the site (Ref: WD/634/CM) stipulates that the wood waste processing area should be limited to the south western part of the site, immediately to the south of the green waste composting area and at least one windrow of material, in the interest of

protecting the amenity of users of the public footpath to the north of the site. Consequently, in order to overcome the operational difficulties on the site, arising from cross vehicle movements, the waste wood operation was moved to its current unauthorised position to the north of the active composting pad. However, the movement of the operations has not fully overcome the traffic movement issues experienced and has resulted in moving the activity closer to the residential properties and public footpath to the north of the site. A number of complaints have therefore been received from local residents in terms of noise and wind blown dust, as well as visual impact from stockpiles of unprocessed material on the site.

6.20 Several representations have been received from local residents including properties within the village of Isfield to the north of the application site and those along Isfield Road, objecting to the proposed development on amenity grounds. Although some of their comments appear to relate to the existing operations on the site, including the current unauthorised position of the wood shredder and material, they nevertheless refer to the proposed increase in wood waste shredding activities and the impact this will have on the surrounding area in terms of increased traffic movements, noise, odour, dust and visual amenity. In particular, it is considered that the noise impact of the proposed development to the north of the site has not been assessed and the residents consider that the bunds afford little noise protection as the equipment is regularly working above this height. Representations have also referred to need for restrictions on the use of the shredding equipment and it is considered that the wood waste operations should be enclosed within a building offering noise and dust protection. Isfield Parish Council has also raised concern with regard to the potential inadequacies of the noise assessment which is considered to underestimate the impact of the noise from the site.

6.21 The formalised wood waste operations are proposed to take place within the central section of the site, enclosed by 3 metres high boundary push walls. As noted previously, the site is heavily screened by earth bunds and dense boundary planting and as the site gently slopes southwards, the proposed operations would occupy a lower position than the current unauthorised position of the wood waste processing activities adjacent to the northern site boundary. As a result, public views into the operational wood waste processing area will be minimised. In terms of the concerns relating to odour and dust from the site and the potential effect on human health, these are specific matters for the Environment Agency to consider in the monitoring of the Waste Management Permit. However, the applicant has advised that measures are in place on site to reduce the impact on the locality, including a dust suppression scheme, the full details of which will be secured by condition attached to any grant of planning permission.

6.22 Further to the representations, the applicant has advised that the movement of wood waste processing operations to within the extended barn would undermine the purpose of the barn for the storage of dry-product and therefore at this stage would not be appropriate. However, the applicant has submitted a noise assessment with the proposal, and following further

discussions with the County Planning Authority, has undertaken additional noise monitoring in the vicinity of the site. This monitoring took into consideration the concerns of the residents and the likely impact of the proposed waste wood operation in the direction of the prevailing wind on the closest residential property to the north of the site, approximately 400 metres from the proposed waste wood processing area. A further addendum to the report also assesses the site's compliance with the existing noise condition, providing an indication as to whether it would remain in compliance, should the current application be approved.

6.23 The overall noise monitoring concluded that noise levels associated with the existing site operations and proposed operations, including the wood shredder when located within 10 metres of the proposed boundary push walls, fall below the background noise levels at the monitoring locations to the east and south-east of the application site. Therefore the continued use of the site and proposed wood waste operations would achieve the existing noise controls on the site as imposed by Condition no.11 of planning permission Ref: WD/634/CM. However, the additional monitoring undertaken to the north of the site revealed that the existing and proposed site operations exceed the background noise levels, by 13 decibels (dB). According to BS 4142:2014 (Methods for rating and assessing industrial and commercial sound), a difference of +10dB or more is likely to be an indication of significant adverse impact. Subsequently, it is considered that the noisiest activity on the site is the green waste shredding machine operated to the north of the active compost pad. The applicant has therefore recommended the installation of a 1.8 metres high acoustic fence, to be positioned on top of the 2 metres high earth bund to the north of the composting area. The proposed fencing has been modelled and it is predicted to reduce the noise level to that required by the existing noise restriction on the site.

6.24 Notwithstanding the above, there is concern that if the noise from the existing site operations are appropriately mitigated, the noise from the proposed wood shredding activities may become more prominent and therefore the full impact of the increased wood shredding activities on the locality is uncertain. Furthermore, the nature of the shredding operation on the site will mean that the noise created by the machine is intermittent, so relatively high noise levels may occur when it is in operation, which is likely to lead to a different experience in the locality than that predicted within the noise assessment.

6.25 Accordingly, it is recommended that in order to protect the amenity of the nearest sensitive receptors, a condition is attached to any grant of planning permission securing the hours of operations and noise levels at the site monitored at the nearest residential receptors to the north, east and south-east. In addition, it is considered necessary to secure the installation of the proposed mitigation measures including the 1.8 metres high acoustic fence along the northern boundary bund and associated planting to ensure that it integrates with character of the area. Furthermore it is recommended, that within 3 months of the wood shredder becoming operational within the proposed wood waste processing area, a further noise survey is required to

be undertaken, to demonstrate whether the noise levels required by the condition are being met and if it is found that the site is not in compliance the implementation of further attenuation measures will be required.

6.26 Taking all matters in to account and subject to the provision of conditions as set out above, it is considered that the current proposal is unlikely to have an unacceptable effect on residential amenity. Consequently the proposal accords with Policy WMP25 of the Waste and Minerals Plan and Saved Policy EN27 of the Wealden Local Plan.

Effect on Traffic

6.27 Policy WMP26 of the Waste and Minerals Plan requires that development should, inter alia, provide for appropriate access arrangements; that there would be no unacceptable safety hazards for other road users; that the level of traffic generated would not exceed the capacity of the local road network; and there would be no unacceptable adverse impact upon the existing highway conditions in terms of traffic, congestion and parking. Furthermore, there should be suitable arrangements for on site vehicle manoeuvring, parking and loading/unloading areas. Similarly, Saved Policy TR3 of the Wealden Local Plan stipulates, inter alia, that developments do not create or perpetuate unacceptable traffic conditions.

6.28 The extant planning permission for the operation of the site (Ref: WD/634/CM) limits the amount of traffic generated and further deters vehicles from turning left when leaving the site to avoid traffic travelling through the village of Isfield. The combined permitted number of vehicle movements for the site as secured by existing traffic management conditions, allow up to 19,380 vehicle trips per year. As stipulated by the applicant, wood waste and processed woodchip have a greater volume per tonne than green waste and compost, and therefore require more vehicles to transport the same weight. Consequently, in replacing 5,000 tonnes of green waste with 5,000 tonnes of wood waste, vehicle movements at the site will increase. The applicant has therefore analysed the weighbridge data from the site for the last four years to calculate an estimated additional increase of 354 vehicle movements per year (177 in and 177 out).

6.29 Representations received in response to the proposal have raised concerns with regard to increase in articulated lorries using the site, which are considered a hazard on the narrow roads and contribute to the uneven wearing of the surface and damage to the verges in places. In addition, it is considered that the configuration of the Isfield road junction with the A26, to the south of the site, is inadequate to accommodate the large vehicles movements from the application site. However, the Highway Authority were consulted on the proposal and are satisfied that the resultant increase in vehicle movements remain within the total number of permitted trips as secured by Conditions 4, 5 and 10 of planning permission Ref: WD/634/CM. Earlier planning applications at the site carefully considered the effect of HGVs on both traffic and residential amenity and it should be noted that heavy

vehicles are already permitted to access the site, and refusing the current application would not alter this situation.

6.30 Moreover, as detailed in the officer's report for planning permission Ref: WD/634/CM, traffic figures analysed during the consideration of the 2009 planning application, for an increase in vehicle movements at this site, found that there are other HGV movements on Isfield Road, which use the Junction with the A26. These movements along with double decker buses and other vehicles are unrelated to the application site. Therefore any wider issues with regard to the adequacies of the Junction between Isfield Road and the A26 are considered to be out of the control of this proposal and would be the responsibility of the Highway Safety Team to monitor.

6.31 On the basis that conditions controlling the number of vehicle movements and the restriction on vehicles turning left and travelling through Isfield village when leaving the site are imposed, I do not consider there is any reason, in highway safety terms, to refuse the current application. Consequently, I do not consider there is a conflict with Policy WMP26 of the Waste and Minerals Plan or Saved Policy TR3 of the Wealden Local Plan.

Effect on Biodiversity

6.32 The application site is situated within the Low Weald, surrounded by farmland which is interspersed by pockets of woodland. Immediately to the south-east of the site lies an area of Ancient Woodland, known as Scimcorner Wood. In addition, the nationally designated Plashett Park Wood which covers an area of 154ha is located at its nearest part, approximately 380 metres to the east of the site. There are local records of protected species including reptiles and Great Crested Newts within the area, with the latter recorded within 250 metres of the proposed development. The application site also includes suitable terrestrial habitats for both amphibians and reptiles.

6.33 Policy WMP27 of the Waste and Minerals Plan requires, inter alia, proposals to have no significant adverse impact on sites of national and local importance for nature conservation, and opportunities for increasing biodiversity and habitat creation should be maximised. Similarly, Policy WCS12 of the Wealden District Local Plan Core Strategy, inter alia, seeks to prevent the net loss of biodiversity and maximise opportunities to ensure habitats, biodiversity features and ecological networks are maintained, restored, enhanced and where possible created to achieve a net gain in biodiversity and sustain wildlife.

6.34 The relocation of the wood waste processing activity to the central section of the site will result in the removal of the third overflow water storage lagoon and its replacement with a pond and reedbed wetland treatment system, to be delivered to east of the site. The applicant has advised that the creation of an extended facility for the treatment of surface water run-off from the processing areas to form a wetland habitat for wildlife would enhance biodiversity in the area, as well as provide a landscape buffer between the

proposed waste wood processing area to the west and the Isfield Road frontage to the east.

6.35 The applicant has submitted a Preliminary Ecological Appraisal to support the application. Whilst it was not possible to undertake a detailed assessment due to the timing of the application, Great Crested Newt Surveys of the four waterbodies within the application site and numerous surrounding ponds were considered as part of the study. The proposed development would lead to the disturbance of 2.1ha of undeveloped land and habitat within the eastern section of the application site. However, this area currently comprises of grassland, which is used for the rearing of pheasants and is therefore sub-optimal for amphibians and reptiles. The proposed works to establish the reedbed treatment system and potential disturbance will be temporary and would result in the creation of higher quality habitat that would be beneficial to wildlife and would enhance local biodiversity.

6.36 Concerns have been raised by the landowner of Scimcorner Wood with regard to the impact of the proposed development on the wildlife of the Ancient Woodland, to the south-east of the site. Consequently, it is noted that the adjacent Ancient Woodland is known to support several species of bats, including some rare species, however it is considered unlikely that the proposed development would have any detrimental impact on the bats and is likely to result in an enhanced foraging habitat.

6.37 Taking all matters in account and provided the recommended mitigation measures as detailed within the Preliminary Ecological Appraisal are carried out, the proposed development is unlikely to have any negative impact on biodiversity. Instead it is likely to result in an enhancement to the habitats in the locality, with subsequent benefits to wildlife. As such, the proposal accords with Policy WMP27 of the Waste and Minerals Plan and Policy WSC12 of the Wealden District Council's Core Strategy Local Plan.

Flood Risk and Drainage

6.38 Policy WMP28a of the Waste and Minerals Plan requires, inter alia, that development adequately provides for the implications of flood risk in that it would not increase the risk of flooding from the site or elsewhere. Accordingly, proposals should also have appropriate measures in place to reduce surface water runoff.

6.39 The Iron River, a tributary of the River Ouse borders the western boundary of the site. The River Ouse is located 300 metres further to the west of the application site and the proximity of the river, combined with the low lying topography of the area particularly to the south and west of the application site, has led to the area around the site being identified as within Flood Risk Zone 3 and pockets of the site fall within Flood Risk Zones 1 and 2. As with other industrial development, the proposal is classified as 'less vulnerable' and is therefore not considered to be inappropriate, in flood risk terms, such an area.

6.40 The application site currently contains three surface water storage lagoons and water run off from the working area is collected by kerbed hard surfacing and enters the storage lagoons for re-use. The water from the lagoons is recycled for use in the composting process. At present, the non-working areas of the site, namely a meadow to the south of the storage barn and area to the east of the site, which is proposed to be utilised for the creation of the wetland treatment system, are naturally drained and enter the ditch drainage network within the site and eventually join with the Iron River to the west of the site.

6.41 As noted previously, the current proposal seeks to relocate the displaced third overflow storage lagoon to the east of the site in the form of a wetland treatment system. The eastern section of the site is predominately clay with low infiltration rates and rainfall currently runs off in to the existing ditch network through temporary ditches. The applicant has advised that these temporary ditches will become obsolete once the wetland area is in place and no run-off from this part of the site will take place. In addition, the applicant intends to install rainwater harvesting tanks to the existing barn and extension, which will collect water from the roof of the barn via gutter and downpipe, fitted with a particle filter. It is anticipated that this system will provide a supply of water for site use, reducing the need to draw on the mains water for machine and yard cleaning. Once the harvesting tanks are at capacity, any tank overflow from the system will be valve controlled to maintain lagoon levels or divert to the ditch network.

6.42 The County Council's Flood Risk Management Team have commented on the proposal and consider that that the lagoons and proposed rainwater harvesting system is likely to provide the required water storage volume on the site, however, the rate of discharge during an overflow event to the ditch network can result in increase flood risk in the locality, if not limited to the existing. It is therefore recommended that further details of the discharge rate to the ditch network are secured by condition attached to any grant of planning permission. Subject to the inclusion of the recommended conditions, the proposal it is considered that the proposal raises no conflict with Policy WMP28a of the Waste and Minerals Plan.

Other Matters

6.43 Other matters raised in relation to the proposal concern the inadequacies of the applicant's consultation with the community prior to the submission of the current application in accordance with Policy WMP20 of the Waste and Minerals Plan. Policy WMP20 requires applicants to demonstrate how host communities have been involved in the development of the proposal and show how their concerns have been addressed. It is further noted within the Policy that this may not apply to some proposals including alterations to existing facilities, which in this case would apply to the application site. However, it is duly noted that within the submitted Planning Statement the applicant refers to the 'regular contact and meetings' with the local residents and a number of representations have indicated that this was not the case.

6.44 Further concerns have been raised with regard to the numerous breaches of planning control at the site. These breaches are not a material consideration in the determination of the current proposal, however, in the event that planning permission is granted, the County Council will seek to monitor the site in accordance with the County Council's Site Monitoring Plan, to ensure that the applicant continues to operate within the parameters of their permission.

6.45 The matter of the Ashdown Forest as raised by Wealden District Council, has been considered. Although the site is within 15km of the forest, it is not considered that activities of the application site will have any adverse effect on the nitrogen deposition levels of the forest, particularly as the number of vehicle movements generated by this proposal would not exceed the levels currently permitted at the site. It is also considered that the proposal will not lead to an increase in the recreational use of the Ashdown Forest and the resulting disturbance to ground nesting birds that this can cause.

7. Conclusion and reasons for approval

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

7.2 The proposal is for the continued use of the site as a green waste composting and wood waste processing facility, which is proposed to be operated on a more intensive basis than the existing operations. Although, the proposed operational changes to the site would be contained within the boundaries of the safeguarded waste site, they would effectively encroach on undeveloped parts of the site to the east. However it is considered that subject to the provision of conditions, the proposed changes are not considered to have an adverse impact on the character of the area. Moreover, the site benefits from extensive boundary treatment in the form of earth bunds and well established vegetation, effectively limiting public views into the site and the proposed operational changes are therefore not considered to have an unacceptable impact on the landscape or the rural qualities of the area. Furthermore, subject to the provision of adequate controls on noise, dust, odour and traffic movements the proposal is not considered to have an unacceptable impact on residential amenity within the locality of the site. Additionally, the replacement of the displaced overflow water storage lagoon with a wetland treatment system will result in an enhancement to the local habitat and biodiversity value of the site and is not considered to increase the risk of flooding within the area.

7.3 As such, the proposal is considered to accord with Policies WMP3b, WMP6, WMP7a, WMP20, WMP22, WMP23a, WMP23b, WMP25, WMP26, WMP27 and WMP28a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013, Policy SP6 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan, 2017, Policy WCS12 of

the Wealden Local Plan Core Strategy 2013 and Saved Policies GD2, EN8, EN12, EN27, BS9 and TR3 of the Wealden Local Plan 1998.

7.4 In determining this planning application, the County Council has worked with the applicant and agent in a positive and proactive manner. The Council has also sought views from consultees and neighbours and has considered these in preparing the recommendation. This approach has been taken positively and proactively in accordance with the requirement in the NPPF, and as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

7.5 There are no other material considerations and the decision should be taken in accordance with 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 plans listed in the Schedule of Approved Plans.

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

3. The green waste composting facility, including the wood waste processing activities shall only operate between the hours of 0700 and 1800 on Mondays to Fridays inclusive and 0800 and 1230 on Saturdays, and not at all on Sundays, Bank and Public Holidays except for a maximum of two deliveries per month, limited to one delivery on a Sunday, between the hours of 0800 and 1230 and for essential maintenance and emergency works, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: In the interests of the amenity of the locality and occupiers of residential properties within the vicinity of the site, 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.

4. The total amount of waste imported to the site, including wood waste, shall not exceed 50,000 tonnes per annum.

Reason: To enable the County Planning Authority to control the development in the interests of the amenity of 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.

5. The amount of wood waste imported to the site shall not exceed 10,000 tonnes per annum.

Reason: To ensure the wood waste processing activities remain ancillary to the composting activities.

6. The green waste composting activities shall not take place other than in the area labelled 'Green waste composting area' as shown on the approved Block Plan (Ref: 1215/2 Rev G), dated April 2016.

Reason: For the avoidance of doubt and in the interests of the amenity of the locality and occupiers of properties in the vicinity of the site, 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.

7. Wood waste processing and the stockpiling of unprocessed wood waste material shall not take place other than in the blue cross hatched area as indicated for this purpose on the approved Block Plan (Ref: 1215/2 Rev G), dated April 2016, unless with the prior written agreement of the Director of Communities, Economy and Transport.

Reason: For the avoidance of doubt and in the interests of the amenity of the locality and occupiers of properties in the vicinity of the site, 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.

8. The rating noise level from the site, measured at locations R1, R2 and R3 as shown on Figure 1A in the Southdowns Acoustic Report dated 22 June 2017 (Ref:2016w-00003-02), shall not exceed the background LA90 value at any time, as measured in accordance with BS 4142:2014 (Methods for rating and assessing industrial and commercial sound).

Reason: To safeguard the amenities of the occupiers of properties within the vicinity of the site 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. Within 7 days of the wood waste processing becoming operational within the hereby approved wood waste processing area, the Director of Communities, Economy and Transport shall be notified in writing.

Reason: For the avoidance of doubt and to enable the County Planning Authority to monitor the operations in the interest of the amenity of 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.

10. Within three months of the wood waste activities becoming operational within the approved wood waste processing area, a noise survey shall be undertaken in accordance with BS 4142: 2014 (Methods for rating and assessing industrial and commercial sound) and the results submitted to and approved in writing by the Director of Communities, Economy and Transport. The Survey shall:
 - a) demonstrate whether the noise levels required by condition 8 are being achieved;
 - b) if the survey does not demonstrate such compliance the report must include measures to reduce noise, which shall first be agreed in writing by the Director of Communities, Economy and Transport, such that the noise levels required by condition 8 will be met;
 - c) These measures shall be implemented within a time period to be agreed by the Director of Communities, Economy and Transport, and compliance shall be demonstrated by a further noise survey, which must be submitted to and agreed in writing by the Director of Communities, Economy and Transport within a further 3 months of the measures being implemented.

Reason: To safeguard the amenities of the occupiers of properties within the vicinity of the site 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.

11. Other than the erection of the acoustic barrier as specified in the Southdowns acoustic report dated 22 June 2017 (Ref: 2016w-00003-02) and shown on Figure A2 of the acoustic report, no development hereby permitted shall be carried out until the acoustic barrier has been installed to a height of no less than 1.8 metres on the earth bund to the north of the site, providing an overall height of 3.8 metres. Thereafter the acoustic barrier shall be maintained in accordance with the approved details for the duration of the development.

Reason: To safeguard the amenities of the occupiers of properties within the vicinity of the site 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.

12. Other than the erection of the acoustic barrier, no development hereby permitted shall be carried out until surface water management proposals are submitted to and approved in writing by the Director of Communities, Economy and Transport. The proposals shall include, drawings/diagrams and cross section information to show how the rainwater harvesting tanks and discharge pipes in the eastern area of the

application site will be used in an overflow situation as opposed to continuous discharge. The development shall thereafter be carried out in accordance with the approved details, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

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

13. Other than the erection of the acoustic barrier, no development hereby permitted shall be carried out until details of the management of surface water from the new areas of hardstanding, showing a 'like for like' discharge rate between the existing and proposed scenarios up to and including the 1 in 100 (plus an allowance for climate change) rainfall event are submitted to and approved by the Director of Communities, Economy and Transport. The drawings shall be supported by detailed hydraulic calculations. The development shall thereafter be carried out in accordance with the approved details, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

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

14. Prior to the commencement of the construction of the building and concrete push walls hereby approved, details of the external materials and finish including colour shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The development shall thereafter be carried out in accordance with the approved details, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: To ensure an appropriate appearance of the barn extension and wood waste processing area, in accordance with Policy WMP23a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

15. Prior to the use of the development hereby approved, a scheme for the control and management of dust from the site operations and vehicle movements shall be submitted to and approved by the Director of Communities, Economy and Transport. The development shall thereafter be carried out in accordance with the approved details, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: In the interests of the amenity of the locality to accord 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.

16. Prior to the use of the development hereby approved, a scheme for the control and management of odour from the site operations shall be submitted to and approved by the Director of Communities, Economy and Transport. The development shall thereafter be carried out in accordance with the approved details, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: In the interests of the amenity of the locality to accord 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.

17. Prior to the development hereby permitted being brought into use a landscaping scheme shall be submitted to and approved by the Director of Communities, Economy and Transport. The scheme shall include, proposals for the planting of the new eastern boundary bund, understorey planting to the Oak trees on the bund to the south of the site access and further planting to screen the acoustic fence as shown on the approved Block Plan (Ref:1215/2 Rev G), dated April 2016, noting species and location, together with a programme for implementation and maintenance. The planting shall thereafter be undertaken during the first available planting season following the approval of the details and maintained in accordance with the approved scheme.

Reason: To integrate the development effectively into the surrounding environment, in accordance with Saved Policies EN8 and EN12 of the Wealden Local Plan 1998.

18. Prior to the use of the development hereby approved, the concrete boundary push walls as specified on Push Wall detail Drawing no. KPS2016/PWD, dated April 2016 shall be installed to a height of 3 metres on the perimeter of the wood waste processing area as shown on the approved Block Plan as proposed (Ref: 1215/2 Rev G), dated April 2016, and thereafter maintained in accordance with the approved details for the duration of the development, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: To safeguard the amenities of the occupiers of properties within the vicinity of the site 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.

19. No material shall be stacked, stockpiled, deposited or windrowed to a height exceeding 5 metres above the hard surface of the site.

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 and Saved Policies EN27 and EN8 of the Wealden Local Plan 1998.

20. The site access, access road and gate shall be retained in their existing positions in accordance with the details approved by the County Council on 13th November 2001 and the hard surface shall be maintained so that dust, mud and other debris can be swept up to prevent it being carried onto the public highway.

Reason: To maintain an appropriate access to the site in the interests of highway safety and to accord with WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy TR3 of the Wealden Local Plan 1998.

21. The total number of vehicle visits to the site per week shall not exceed 100 lorries and refuse collection type vehicles (200 movements) and 30 light or medium goods vehicles (60 movements).

Reason: In the interests of amenity and highway safety, in accordance with WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy TR3 of the Wealden Local Plan 1998.

22. The total number of additional vehicles (not including those controlled by condition 21 above) removing compost or woodchip from the site and returning to the site shall not exceed 10 per day (20 movements), unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: In the interests of amenity and highway safety, in accordance with Policy WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy TR3 of the Wealden Local Plan 1998.

23. The 'no left turn' sign at the site exit, advising vehicles to leave the site to the south, shall be retained in accordance with the details approved by the County Council on 22 July 2002.

Reason: In the interests of public and highway safety and the rural and residential amenities of the locality, in accordance with Policies WMP25 and WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policies TR3 and EN27 of the Wealden Local Plan 1998.

24. No plant, machinery or vehicles shall be used on the site unless fitted with silencers maintained in accordance with the manufacturers' recommendations and specifications, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: In the interests of the amenity of the locality and occupiers of residential properties in the vicinity of the site, in accordance 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.

25. Any machinery on site fitted with a reversing alarm shall only use a non-intrusive 'white noise' reversing alarm, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: To reduce the potential for noise nuisance from the site and to protect amenity, 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.

26. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that Order with or without modification) no plant, building or machinery, whether fixed or moveable, shall be erected other than as expressly authorised by this permission unless with the prior written approval of the Director of Communities, Economy and Transport.

Reason: To enable the Waste Planning Authority to control the development in the interests of the amenity of the locality, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policies EN27 and EN8 of the Wealden Local Plan 1998.

27. No burning of waste materials whatsoever including the use of braziers shall take place within the application site.

Reason: In the interests of the amenity of the locality and occupiers of the residential properties in the vicinity of the site, 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.

28. All trees and hedgerows within the application site shall be retained and protected in accordance with BS 5837: 2015 (Trees in Relation to Design, Demolition and Construction). In the event that any trees, shrubs or hedgerows are removed or seriously damaged as a result of the construction activities on the site, including the mature oak trees in the woodland adjacent to the approved extension to the earth bund on the eastern boundary of the site, they shall be replaced in the next planting season following completion of the construction, in accordance with details which are first submitted to and approved in writing by the Director of Communities, Economy and Transport.

Reason: To ensure the protection of existing trees and hedgerows in the interests of visual amenity and biodiversity, in accordance with Policy WMP25 and WMP27 of the East Sussex, South Downs and Brighton &

Hove Waste and Minerals Plan 2013 and Saved Policy EN12 of the Wealden Local Plan 1998.

29. No retail sales shall take place from the site.

Reason: To enable the County Planning Authority to control the development in accordance with Policy WMP23b of the East Sussex, South Downs and Brighton & Hove Minerals and Waste Plan 2013.

30. If no substantive composting operations take place on the site for more than 24 consecutive months, the impervious base, bunds and any structures associated with the development shall be removed from the site and the land restored. Such restoration shall be in accordance with details, which shall be submitted to and approved in writing by the Director of Communities, Economy and Transport, within 2 months following the 24 months during which no substantive composting operations have taken place on the site.

Reason: In the interests of the countryside locality and amenity, in accordance with Saved Policies GD2 and EN8 of the Wealden Local Plan 1998 and Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

31. There shall be no illumination of the external faces of the site buildings or structures or other external areas other than in accordance with a scheme submitted to and approved in writing by the Director of Communities, Economy and Transport. The submitted scheme shall show the position, height, type and power of each light and indicate the need in safety and security terms, and the circumstances in which the light shall be activated. Thereafter the artificial illumination of the site shall take place only in accordance with the approved lighting scheme.

Reason: In the interests of the amenity of the countryside location and to comply with Policy WMP25 of the East Sussex, South Down and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policies EN8 and EN27 of the Wealden Local Plan 1998.

INFORMATIVES

1. The applicant is informed of the need to ensure that the development also accords with the conditions of the site's Environmental Permit, issued by the Environment Agency.
2. The Applicant's attention is drawn to the provisions of The Wildlife and Countryside Act 1981 (as amended) particularly with regard to the protection of nesting birds, slow worms, grass snakes, common lizards and adders which are protected against international killing or injuring under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended), which may be affected during the proposed operations.

Schedule of Approved Plans

KPS2016/PWD - Push Wall Detail, KPS2016/MPD - Marker Post Detail, 1215/1 Rev C - Site Location Plan and Existing Layout, 1215/3 Rev B - Proposed Extension to Storage Barn - Elevations, 12141/4 Rev E Proposed Extension to Storage Barn - Floor Plan, 1215/2 Rev E - Block Plan , 1215/2 Rev G Block Plan (Site Layout Plan - As Proposed)

RUPERT CLUBB

Director of Communities, Economy and Transport

12 July 2017

BACKGROUND DOCUMENTS

Planning Application File WD/782/CM

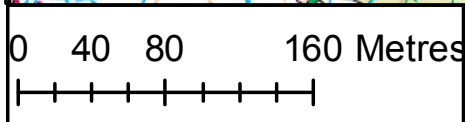
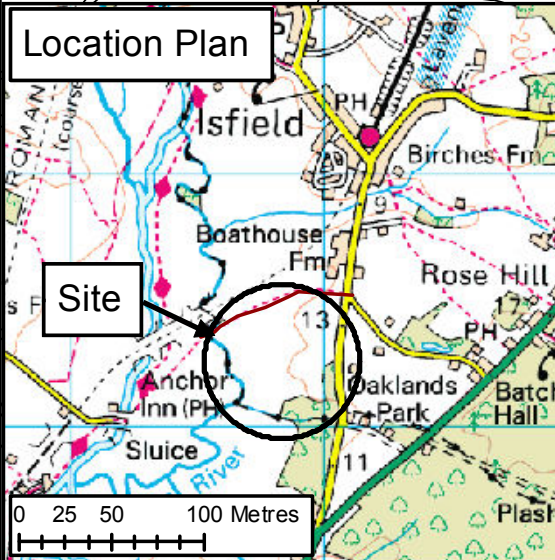
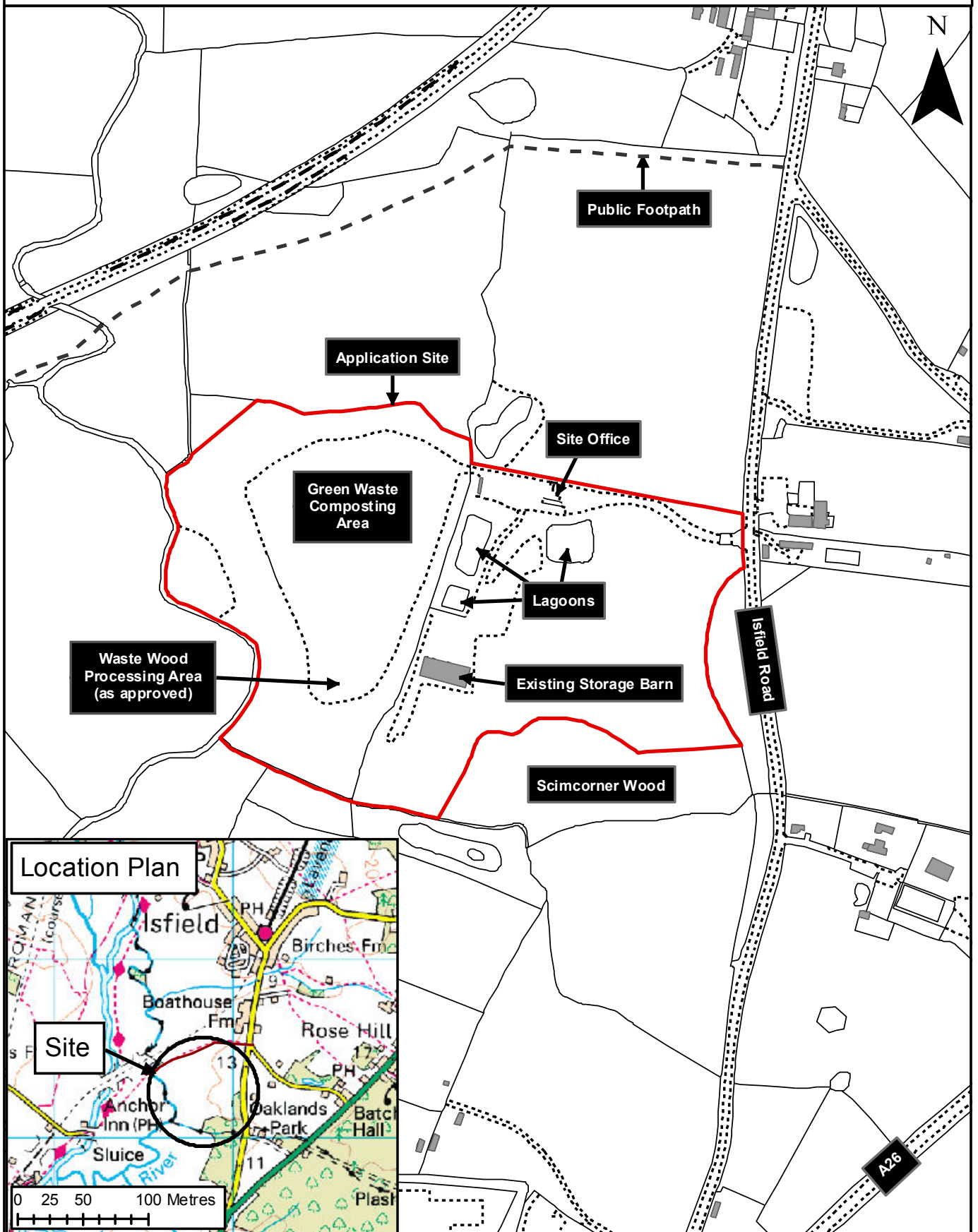
Planning Permissions WD/335/CM & WD/634/CM

The Development Plan

National Planning Policy Framework

National Waste Planning Policy

WD/782/CM
 KPS, Boathouse Farm, Isfield Road, Isfield



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	20 July 2017
Report by	Director of Communities, Economy and Transport
Subject	Development Management Quarterly Update
Purpose	To inform Members about development management matters relating to enforcement and site monitoring, undertaken under delegated powers for the three month period between 1 April and 30 June 2017.
Contact Officer:	Sarah Iles – 01273 481631
Local Members:	All

SUMMARY OF RECOMMENDATIONS

The Committee is recommended to note the report.

CONSIDERATION BY DIRECTOR OF COMMUNITIES, ECONOMY AND TRANSPORT

1. Enforcement

1.1 In the period between 1 April and 30 June 2017, there were twenty new alleged breaches of planning control, all concerning waste related activities. Of the new cases, eighteen were resolved within the reporting period and six older cases were also resolved. Accordingly, the number of sites being investigated or subject to formal action at the end of June 2017 was twelve. This represents a decrease of four in the number of cases that were outstanding at the end of the previously reported quarter.

1.2 The reduction in the number of outstanding cases continues to be encouraging, particularly given the limited resources available for dealing with enforcement matters. Joint working with other regulatory bodies continues to be a regular and important occurrence, as does participation in meetings and attendance at specific, specialist groups. Officers regularly support other regulatory bodies with enforcement matters, including prosecutions, and this support is reciprocated. Intelligence sharing is a key element to successful enforcement and officers fully support and welcome the strong working relationships that exist with other enforcement agencies.

1.3 A case worth highlighting is that at Little Exceat Farm, South Chailey. Following the refusal of retrospective planning permission for a waste transfer station at the site in question, an Enforcement Notice was served on the operator, landowner and other interested parties on 9 May 2017. No appeal was made against the Enforcement Notice and it therefore took effect on 12 June 2017. The Notice required the immediate cessation of the importation of waste and the clearance of the site within a specified period. Officers are monitoring the site to ensure compliance and are also in discussions with the operator in relation to finding an alternative site which would be suitable for his business.

1.4 Although it was necessary to serve a formal Enforcement Notice in respect of the unauthorised use at Little Exceat Farm, as Members will note from the tables in Appendix 1 to this report, most enforcement cases are dealt with and resolved informally, without the need to resort to formal action. There are multiple benefits to this approach, the main ones being the ability for officers to negotiate outcomes, which can often achieve a better result than if formal

action needs to be taken; a quicker resolution to breaches of planning control; and, less risk and cost to both the Council and contraveners. Whilst the preference is to deal with matters informally, there are times when this simply isn't possible. When necessary, formal enforcement action is taken when considered expedient to do so, including any follow up action such as prosecution or direct action.

1.5 Appendix 1 of this Report provides details of cases resolved and received within the period 1 April to 30 June 2017, 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, fourteen non-chargeable site monitoring visits were carried out and two chargeable monitoring visits were undertaken.

2.2 It is important that site monitoring is undertaken for sites where the Council has granted planning permission – both in terms of County Matter developments and the Council's own developments. There are statutory requirements to monitor certain sites and it is also considered good practice. In addition to operational limitations on some sites, there are also longer term monitoring requirements relating to, for example, landscaping and ecological requirements. In this respect, it is important that site monitoring is undertaken to ensure that agreed conditions and mitigation measures are implemented and maintained.

3. Contact Officers

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

RUPERT CLUBB
Director of Communities, Economy and Transport
12 July 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 SINCE APRIL 2017

DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
January 2017	Disused railway line, Anchor Lane Barcombe	Importation, deposit and burning of waste	<p>Officers attending the area in connection with another matter noticed that waste materials were being imported into the site and burnt. Contact was made with the landowner who explained that he used the site to store wood for his tree house construction company, but that the site was not secured and therefore people were able to access it and the importation, deposit and burning of waste was undertaken by trespassers (fly tipping). Following discussions, the landowner agreed to clear the site of the imported waste.</p> <p>Further site visits have been carried out which confirmed that the landowner has cleared the site of the imported waste materials. Breach of planning control resolved and no further action required.</p>
January 2017	Robsack Wood Primary School, St Leonards-on-Sea	Unauthorised development – Lighting	A complaint was received that exterior lighting had been erected at the school, which did not have the necessary planning approval. A planning application (HS/3318/CC/1) was submitted to regularise the works and subsequently approved under delegated powers. Breach of planning control resolved and no further action required.
January 2017	Troy Recycling, Croft Works, Hailsham	Breach of Conditions (Type of waste materials and outside processing)	<p>The site has planning approval for the collection, storage and processing of scrap metal. During a site monitoring visit, it was found that the operator was importing, storing and bulking up cardboard, plastics and paper, which was in breach of conditions attached to the planning permission for the site. Discussions were held with the operator, who indicated that he was considering either moving to another site, or submitting an application to vary the waste streams permitted on the existing site.</p> <p>Following further meetings and discussions, the operator decided not to pursue the planning application at this site and instead to relocate to more suitable premises. The site has subsequently been cleared of all the imported waste materials, plant and equipment and the operator has vacated the site. Breach of planning control resolved and no further action required.</p>
February 2017	Paul's Mini Skips, Chaucer Business Park, Polegate	Breach of Condition (Site layout and height of skips)	<p>A complaint was received that the site was not being operated in accordance with the conditions that are attached to the planning permission for the site. A site visit was undertaken which confirmed that end of life vehicles were being dismantled at the site, empty skips were being stored above the approved height and vehicles were being stored in an area that was exclusively reserved for baled waste.</p> <p>A meeting was held with the operator who agreed a timescale for the site to be returned to compliance with the conditions attached to the planning permission. Unfortunately the operator fell ill, which caused a delay in resolving this matter.</p> <p>However, following this period of illness, the operator has now returned to work. The site has been returned to being in compliance with the conditions attached to the planning permission. The breach of planning control has therefore been resolved. No further enforcement action required and the site will be monitored in accordance with the Council's Site Monitoring Policy.</p>

March 2017	JM Waste Management, Brett Drive, Bexhill-on-Sea	Breach of Condition (Outside storage of waste)	<p>A monitoring visit was undertaken to the site and during the course of which a breach of one of the conditions that are attached to the planning permission was noted, in that waste was being stored outside the waste transfer building. A meeting was held with the operator and a timescale for resolving the breach agreed.</p> <p>A further site visit has been carried out which confirmed that the outside storage of waste has ceased and the breach of planning control therefore resolved. No further enforcement action required and the site will be monitored in accordance with the Council's Site Monitoring Policy.</p>
March 2017	Wealden Joinery, Lews Farm, Rotherfield	Importation and deposit of waste	<p>A complaint was received that sawdust was being imported to the site and deposited. A joint site visit was undertaken with an officer from Wealden District Council, during the course of which discussions were held with the operator. The operator explained that he was in the process of installing plant at the site to dispose of the stockpiled sawdust, which is generated from his joinery company. A time period for the removal of the stockpile was agreed with the operator.</p> <p>Following the expiry of the agreed timescale, a further site visit was undertaken which confirmed that the operator had removed the sawdust stockpile and the site has been restored to its original condition. Breach of planning control resolved and no further action is required.</p>

TABLE 2 - NEW BREACHES OF PLANNING CONTROL INVESTIGATED SINCE APRIL 2017 AND RESOLVED

DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
April 2017	Spring Cottage, Howbourne Lane, Buxted	Importation and deposit of end of life vehicles	A complaint was received that end of life vehicles were being imported into and deposited at the site. A site visit was undertaken which confirmed that there were various vehicles on site. These vehicles comprised touring caravans, and curtain sided trailers. In researching the history of the site, it transpired that the site had previously been investigated by officers from Wealden District Council in 2008 who found at that time that this activity had been going on at the site in excess of 10 years and was therefore immune from planning enforcement action. During the recent site visit, it was clear that there had been no apparent increase in the level of activity at the site and therefore there is no further action that this Authority can take.
April 2017	Land at The Dens, Churchsettle Lane, Wadhurst	Importation and deposit of end of life vehicles	A complaint was made to Wealden District Council that end of life vehicles were being deposited on farmland at this location. A site visit was undertaken which confirmed the details contained within the complaint. Contact was made with the landowner who agreed to remove the vehicles from the site and a short timescale was agreed to allow this to be done. A further site visit has been carried out which confirmed that the site had been cleared and restored. Breach of planning control resolved and no further action required.
April 2017	Badgers Mead Farm, Heathfield Road, Five Ashes	Importation and deposit of waste (soils)	Officers from this Authority observed waste soils being delivered into the site. A meeting was held with the landowner who stated that these materials were required in order to improve and extend the chicken runs at the farm and make the birds less susceptible to waterborne diseases. Given that the ground levels of the chicken runs have been raised by a significant level, the works are considered to be an engineering operation requiring planning permission. This matter has therefore been referred to Wealden District Council for information/action as they may deem appropriate. No further action is required by this Authority in its capacity as Waste Planning Authority.

April 2017	The Thorne/Little Thorne, Ninfield Road, Bexhill	Disposal of waste vehicle parts	A complaint was received that waste materials, comprising old vehicle parts, wheels and tyres, were being deposited at the site. A site visit confirmed the substance of the complaint. A site meeting was held with the operator who explained that the vehicle parts and tyres had been on the site for some time and he was in the process of clearing them all from the site. A timescale for the completion of the clearance of the site was agreed with the operator. A further site visit has been carried out, which confirmed that all the vehicle parts, tyres and wheels had been cleared. Breach of planning control resolved and no further action is required.
April 2017	Land at Hanging Birch Lane, Horam	Importation and deposit of waste (hardcore)	A complaint was received that waste materials comprising, hardcore and road planings, had been imported into and deposited at the site. A site visit was undertaken, during the course of which a meeting was held with the landowner. The landowner explained that he had recently purchased the site, which encompasses an abandoned cherry orchard, and it was his intention to return the cherry orchard to production. The size of the access onto Hanging Birch Lane has been increased and the landowner has erected 2.4 metres high gates and increased the size of the hardstanding immediately inside the gates. All of these works are considered to require planning permission and the landowner has now submitted a planning application, which seeks to regularise these works, to Wealden District Council. The planning application is currently under consideration by that Authority and no further action is required by the County Council.
April 2017	Brook Lodge Farm, Pottery Lane, Brede	Importation and deposit of waste	A complaint was received that waste materials, comprising soils and hardcore, were being imported into this site. A site visit was undertaken and a meeting held with the landowner, who vehemently denied that any waste had been imported into the site. No evidence of imported waste was found during the site visit. No breach of planning control identified and no further action required.
April 2017	Warrenorth Farm, East Grinstead Road, North Chailey	Importation and deposit of waste (soils)	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 undertaken and discussions held with the landowner and operator. The landowner has recently purchased the site and had employed the operator to remove all the historically deposited waste on the site and return the land to pastureland suitable for the grazing of her horses. Once all the waste had been removed, the land was re-graded to reflect the surrounding landform and seeded with a suitable grass seed. Lewes District Council was consulted in regard to this matter and it was not deemed that the works taking place required planning permission. No breach of planning control and no further action required.
April 2017	Land south of Mayfield Lane, Wadhurst	Importation and deposit of waste	A complaint was received that trees were being removed in order that waste materials could be imported into and deposited at the site. A site visit was undertaken and it was found that no waste had been imported. However, a new access had been created, which is the subject of a planning application to Wealden District Council for retrospective approval for the works. There is no breach of planning control insofar as the County Council, as Waste Planning Authority, is concerned and no further action is required.
April 2017	Strawberry Hill Farm, Eridge Road, Tunbridge Wells	Importation and deposit of waste	A complaint was received that waste materials, comprising hardcore, builders' waste, and road planings 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 operator who explained that the waste was generated from his driveway business and it was his intention to recycle the materials into other driveway construction works, but he realised that planning permission would be required. The operator decided to vacate the yard and a short time period was agreed for him to remove the imported waste materials. A further site visit was carried out, which confirmed that the waste materials had been removed and the site restored. Breach of planning control resolved and no further action required.
May 2017	Crabtree Manor,	Importation and deposit	Complaints were received from two separate sources that waste materials were being transported along the A22 by

	Meres Lane, Five Ashes	of Waste (Soils)	tractors and trailers. The complainants were unable to assist with the destination for these waste materials. Officers therefore waited for the tractors along the A22 and followed one to its destination which was this site. The load that the tractor was hauling proved to be top soil which was required at this site for the completion of a small landscaping contract. The quantity of topsoil required at this location did not materially change the level of the land and was therefore not deemed to require planning permission. A meeting was held with the operator where the differing planning requirements were explained to him and he was advised to seek advice from planning authorities in future should he have any queries in regard to any works he was undertaking. No breach of planning control and no further action required.
May 2017	Kitty Hawk Farm, Darp Lane, Ripe	Importation and deposit of waste (Chalk)	A complaint was received that waste materials were being imported into and deposited at this site. A site visit was undertaken which confirmed that waste chalk was being imported into the site and deposited on the land to form a new track across an agricultural field. Contact was made with the operator who explained that the new track was required because farm machinery was unable to access the field which was low lying and prone to being very wet and boggy for most of the year. The operator was advised of the need for planning permission for the works and the matter has been referred to Wealden District Council for information/action as they deem appropriate. No further action is required by the County Council as Waste Planning Authority.
May 2017	Smallgrove, Rotherfield Hill, Crowborough	Importation and deposit of waste (Builders' waste)	A complaint was received that a skip was being used to bulk up waste materials that had not originated from within the site. A site visit was undertaken, during the course of which a meeting was held with the landowner. He explained that the skip was on the site because the house was undergoing extensive refurbishment and the skip was necessary to manage the waste generated from those works. The landowner stated that the location of the skip was dictated by the narrowness of the access drive to the site, which meant that a skip lorry could not physically negotiate the driveway to deposit the skip in the drive. The landowner indicated that he had suffered from passers by depositing their waste in his skip. As the skip is on the site for the purposes of managing waste generated from within the site there is no breach of planning control and no further action is required by this Authority.
May 2017	Bexhill/Hastings Wastewater Treatment Works, Pebsham, Bexhill	Breach of Condition (Odour)	A complaint was received that excessive odour was emanating from the site. The site has been monitored on several occasions and no odours have been detected. No breach of planning control identified and no further enforcement action required. The site will continue to be monitored in accordance with the County Council's Site Monitoring Policy.
May 2017	Frymans Cottage, Frymans Lane, Brede	Importation and deposit of waste (soils)	A complaint was received that waste materials, comprising soils, were being imported into and deposited at the site. A joint site visit was undertaken with officers from the Environment Agency and Rother District Council, which confirmed the substance of the complaint. Contact was made with the landowner who stated that works were in connection with a new agricultural barn development, which has the benefit of planning permission granted by Rother District Council. The information supplied by the landowner was subsequently verified and therefore there is no breach of planning control and no further action required.
May 2017	Holtye Croft, Cansiron Lane, Cowden	Importation, deposit and disposal of waste	A complaint was received concerning unauthorised works to a watercourse, and the importation and deposit of builders' waste in a wood at the rear of the residential premises. A site visit was undertaken and a meeting held with the landowner, who explained that the works to the watercourse were designed to stop a footpath in the wood being washed out. The requirement for Ordinary Watercourse Consent was explained and the landowner agreed to have the small culvert pipe removed. With regard to the builders' waste in the wood, the landowner inherited this when the land was purchased from the previous owner. The current landowner has now used an authorised waste disposal operator to remove this waste from the site. Breach of planning control resolved and no further action required.

May 2017	Lunsford Cross Quarry, Peartree Lane, Ninfield	Importation and deposit of waste	A complaint was received that waste materials were being imported into and deposited at the site. Checks revealed that the site has planning permission for the creation of an agricultural barn, which involved the levelling of the site in order to build the barn. No breach of planning control and therefore no further action required.
June 2017	Allied Waste, Unit 8 Knights Business Park, Squires Farm Industrial Estate, Easons Green	Breach of Conditions (Hours and outside storage of waste)	A complaint was received that the site was operating outside permitted hours and also that waste was being stored in skips in the yard outside the building. A site visit was undertaken, during the course of which discussions were held with the operator. The complainant stated that the site was operating before 8am, however the relevant planning permission allows the site to operate from 7am and therefore no breach of planning control was occurring. With regard to the outside storage of waste, the operator explained that they had a scheduled collection of a full Roll-On/Roll-Off skip on the following Monday morning and as they ran out of space in the waste transfer building on the Friday prior to the collection, they moved the loaded skip outside the building knowing it would be a very temporary measure. The Roll-On/Roll-Off was subsequently removed and the breach of planning control resolved. No further enforcement action required and the site will continue to be monitored in accordance with the County Council's Site Monitoring Policy.
June 2017	East Side, Newhaven	Importation and deposit of waste (soils)	A complaint was received that waste materials were being deposited at the site. A joint site visit was undertaken with an officer from Lewes District Council. The works being undertaken appear to be in connection with the new development of East Side, for which Lewes District Council has granted a number of planning permissions. Lewes District Council will be checking the relevant permissions to ensure that the works are not a breach of planning control. There is currently no breach of planning control insofar as the County Council, as Waste Planning Authority, is concerned, and no further action is required.

TABLE 3 - NEW BREACHES OF PLANNING CONTROL INVESTIGATED SINCE APRIL 2017 AND AS YET UNRESOLVED.

DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
April 2017	Remove It, The Old Poultry Farm, Rattle Road, Westham	Importation and deposit of waste (House Clearance)	<p>A complaint was received that waste materials from house clearances were being imported and deposited at the site. A site visit was undertaken which confirmed the details contained within the complaint. Contact was made with the operator who stated that he was in the process of clearing the site and vacating it because he had been given notice to quit by the landowner. The existing buildings are to be demolished and a new block of industrial units are to be constructed.</p> <p>The operator commenced clearing of his area of the site and then the landowner commenced the demolition of the buildings. Whilst doing this, the landowner lit a bonfire containing waste materials, including items containing asbestos. The Environmental Health Officer for Wealden District Council subsequently served a Notice on the landowner under the Environmental Protection Act 1990. This requires the landowner to undertake surveys of the demolition site to assess the level of contamination and to arrange for the correct removal of any contaminated materials. In conjunction with this Notice, no-one is currently allowed to enter the site until these surveys have been completed. This Authority is liaising with all the other Regulatory Authorities who are involved in this site and the case is ongoing.</p>
June 2017	New Lodge Farm,	Importation, deposit and	A complaint was received that waste materials were being imported into this site, deposited and burnt. A site visit

	Nettlesworth Lane, Vines Cross	burning of waste	was undertaken which confirmed the substance of the complaint. A meeting was held with the landowner, who explained that he had allowed members of his family to bring waste materials into the site to dispose of them by burning. The landowner was advised that such an activity required planning permission and, given the nature of the activity, it was not considered acceptable. The landowner agreed to immediately cease the unauthorised activity and clear the waste and burnt residue from the site. The site will be monitored by officers to ensure that the clearance of the site is undertaken and that no further importation and burning of waste takes place.
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TABLE 4 - OUTSTANDING CASES SUBJECT TO ONGOING ACTION

DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
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>A further planning application (WD/3364/CC), to regularise the works to the car park and other development, has now been submitted and is currently under consideration.</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, continued to undertake regular site visits and meetings with the landowner to ensure that the phased clearance of this site was 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 were subsequently carried out, including with officers from the Environment Agency. It was noted that further waste appeared to have been imported to the site and there was also evidence of further burning</p>

			<p>taking place. Consequently, an Enforcement Notice was served on the landowners on 28 November 2016. No appeal was made against the Enforcement 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 Enforcement Notice taking effect.</p> <p>Officers are continuing to regularly monitor the site to ensure compliance with the requirements of the Enforcement 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 there have been further discussions with the operator.</p> <p>A revised planning application (WD/782/CM) was submitted and is being considered by the Planning Committee under Agenda Item 5 of this meeting.</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. One of the Directors of the company was convicted of the offence and was sentenced to a 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.</p> <p>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. An Enforcement Notice was therefore served 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).</p> <p>Since the service of the Enforcement Notice, the Environment Agency made further 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>Officers are maintaining contact with the landowners to facilitate the removal/clearance of the waste wood from the site and the case is ongoing.</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 was considered appropriate that a further period of noise monitoring should be undertaken for comparison purposes. In addition, noise monitoring is being undertaken throughout the wider scheme.</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 have continued to liaise with all the regulatory authorities in order to provide the landowner with cohesive view of what is required in order to resolve this matter. Subsequently, the landowner and agent were contacted and given a timescale for removal of the imported waste materials.</p> <p>A further meeting has now been held with the agent, and a phased programme of works has been agreed. The various regulatory authorities will continue to monitor the progress of these works.</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 took place and the operator's agent contacted officers to confirm that a planning application would be submitted. However, no application has been forthcoming and the operator has now appointed a new agent who has contacted officers with a view to expediting the submission of the planning application. In the meantime, the site is being monitored.</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) was submitted and considered by the Planning Committee on 19 April 2017. Planning permission was refused with a recommendation for immediate enforcement action. An Enforcement Notice was subsequently served on the landowner and operator on 9 May 2017 and, as no appeal was made against the Enforcement Notice, it became effective on 12 June 2017. Officers are monitoring the site to ensure the requirements of the Notice are complied with.</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 was sent to the landowner, who contacted officers and a site meeting was held. A time period for removal of the waste imported into the site was agreed.</p> <p>The landowner has made significant progress in clearing the site of the imported waste, despite suffering a family bereavement and suffering ill health, and remains committed to completing the clearance of the waste. Site monitoring and contact with the landowner will continue in order to support the landowner in the effort to clear the site.</p>
February 2017	Freedom Powerchairs Ltd, Upper Lodge Farm, The Broyle, Ringmer	Importation and deposit of waste	<p>A complaint was received that old UPVC window frames were being imported into this site and processed. A site visit was undertaken which confirmed the details contained within the complaint. A meeting was held with the landowner where the requirement for planning permission for this type of operation was explained. A further site meeting was also held with the operator and discussions were undertaken concerning the planning requirements for activities at the site.</p> <p>The operator was given a timescale in which to either submit a planning application to regularise the unauthorised development, or to cease the use of the site for waste processing and clear the site of the imported waste.</p> <p>The operator failed to submit a planning application within the agreed timescale, or clear the site of the imported waste. The County Council is therefore preparing to instigate formal enforcement proceeding against the landowner and operator.</p>

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