

PLANNING COMMITTEE

MINUTES of a meeting of the Planning Committee held at Council Chamber, County Hall, Lewes on 18 September 2024.

PRESENT Councillors Tom Liddiard (Chair), Philip Lunn (Deputy Chair), Abul Azad, Godfrey Daniel, Kathryn Field, Eleanor Kirby-Green and Pat Rodohan

ALSO PRESENT Councillors Anne Cross and Phil Scott

15. MINUTES OF THE MEETING HELD ON 14 AUGUST 2024

15.1 The Committee approved as a correct record the minutes of the meeting held on 14 August 2024.

16. APOLOGIES FOR ABSENCE

16.1 There were no apologies for absence.

17. DISCLOSURES OF INTERESTS

17.1 There were none.

18. URGENT ITEMS

18.1 There were none.

19. REPORTS

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

20. CHANGE OF USE OF AN INDUSTRIAL UNIT INCLUDING EXTERNAL YARD TO A SKIP WASTE RECYCLING FACILITY AND OPERATING DEPOT. THE SKIP WASTE RECYCLING OPERATION WILL INCLUDE SKIP HIRE, WITH DEPOSIT AND MANUAL SORTING OF WASTE FOR ONWARD RECYCLING - UNIT 4 GHYLL ROAD INDUSTRIAL ESTATE, GHYLL ROAD, HEATHFIELD, EAST SUSSEX, TN21 8AW

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

20.2 Mr Alan Potter (agent for the applicant) spoke in support of the recommendation for granting planning permission.

20.3 Councillor Anne Cross, the Local Member spoke in support of the recommendation for granting planning permission.

20.4 Members have considered the report, together with the comments of the public speaker and Local Member and agree with the conclusions and reasons for the recommendation set out in paragraph 8 of the report.

20.4 The Committee unanimously RESOLVED to grant planning permission subject to the following conditions:

1. The development hereby permitted shall be carried out in full accordance with the plans listed in the Schedule of Approved Plans and Documents.

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

2. Notwithstanding the provisions of Part 7, Class L of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no buildings, structures, plant or machinery shall be extended, altered or installed at the site (other than as expressly authorised by this permission), unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: To enable the Waste Planning Authority to control the future use of the site in order to protect the amenity of the area in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

3. No activity or operation associated with the permitted use of the site including vehicle movements to and from the site, shall be carried out other than between the hours of 08.00-17.00 on Monday to Friday inclusive and the hours of 08.00-13.00 on Saturdays, and at no time on Sundays, Public and Bank Holidays except for works of essential maintenance or which are to respond to an emergency. No later than one week after the carrying out of such essential/emergency works full details of the time, date, reason for and nature of the works shall be given in writing to the Director of Communities, Economy and Transport.

Reason: To protect the amenity of the locality, in accordance with Policy WMP25a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

4. The site shall only be used for the purposes identified in the planning application, namely the unloading, transfer, sorting, processing and reloading of inert and non-putrescible waste. No hazardous waste shall be permitted at the site.

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

5. There shall be no sorting, processing, screening or grading of waste outside the footprint of the waste transfer building unless otherwise agreed in writing in advance by the Director of Communities, Economy and Transport.

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

6. There shall be no storage of waste outside the footprint of the waste transfer building other than within the designated bays and containers specified within the Site Layout Plan (v0.5 Submission 02.09.2024), unless otherwise agreed in writing in advance by the Director of Communities, Economy and Transport.

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

7. The external storage of materials shall only take place within the bays in the 'Inert/Specified Waste' area indicated on the Site Layout Plan (v0.5 Submission 02.09.2024). Unless otherwise agreed in writing in advance by the Director of Communities, Economy and Transport, the bays shall not exceed 1.5m(h) x 5m(w) x 3m(d) and netting at the rear of the bays shall be maintained as new at all times.

Reason: To prevent the overspill of materials into the adjoining woodland and the uncontrolled spread of stored material on-site outside of the areas specified on the Site Layout Play (v0.5

Submission 02.09.2024) and to protect the amenity of the locality, in accordance with Policy WMP25 and Draft Policy RD1 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

8. Waste stored in the 'Inert/ Specified Waste' bays shown on the Site Layout Plan (v0.5 Submission 02.09.2024) shall not exceed the height of the walls of the bays.

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

9. Empty skips and containers shall be limited to a maximum height of 3 metres at all times, unless otherwise agreed in writing by the Director of Communities, Economy and Transport. Skips or containers which contain waste shall not be stacked upon one another.

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

10. All works and operations shall be carried out in full accordance with the details contained in the Site Dust Emissions Management Plan/SDEMP (Beyond Waste, May 2024) as already submitted with the planning application and agreed in principle with the Waste Planning Authority prior to determination.
All measures within the SDEMP shall be kept in place for the lifetime of the development.

Reason: To ensure that the measures considered necessary to ensure the minimisation of impacts on surrounding biodiversity and air quality impacts on local residents are carried out as specified and to ensure the continued protection of the environment and amenity of the area as required under Draft Policy RD1 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan Revised Policies Document 2021 and also included in Part 15 of the NPPF.

11. No more than 50 HGV movements (25 in and 25 out) shall take place to and from the site per day without the prior written agreement of the Director of Communities, Economy and Transport.

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

12. A record of all daily vehicle movements to and from the site, identifying vehicle type, operator and load, shall be maintained and be made available for inspection on the request of the County Planning Authority.

Reason: In order to allow the County Planning Authority to monitor and control the number of vehicle movements associated with the development.

13. Artificial illumination of the site shall only take place during the hours permitted by Condition 3 of this planning permission. No floodlighting, security lighting or other external means of illumination of the site shall be provided, installed or operated in the development within the approved site boundary unless details have been submitted to and approved in writing by the Director of Communities, Economy and Transport.

Reason: In the interests of amenity and the protection of the adjacent Site of Nature Conservation Importance, and to comply with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

14. The level of operational noise emitted from the site shall, at all times, not exceed 5dB above background noise levels at the nearest noise sensitive receptor. All noise levels need to be determined in accordance with BS 4142:2014+A1:2019.

Reason: To protect the amenity of the locality, especially for people living nearby having regard to Policy NE4 of the Non Statutory Wealden Local Plan, Saved Policy EN27 of the adopted Wealden Local Plan 1998 and the requirements of Section 15 of the National Planning Policy Framework 2023.

15. Within one month of the date of this permission, the applicant shall submit for approval by the Director of Communities, Economy and Transport, a method statement detailing measures to be taken on the western boundary, including any boundary treatment, to prevent the spilling of materials into the adjacent woodland. Following approval, the measures shall be implemented within one month of their approval and maintained for the lifetime of the development.

Reason: To protect the biodiversity and local landscape character of the adjoining Ancient Woodland and to prevent the overspill of materials into the woodland, in accordance with Policy WMP25 and Draft Policy RD1 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and Saved Policy EN13 of the Wealden District Local Plan (1998).

16. Within one month of the date of this permission, the kerbing on the western boundary, shown on the Site Layout Plan (v0.5 Submission 02.09.2024), shall be fully installed and repaired. The kerbing shall be maintained in good order to provide a barrier capable of preventing run-off from the site to the Ancient Woodland for the duration of the development.

Any subsequent damage to the kerbing shall be repaired within ten working days of the matter being brought to the attention of the applicant.

Reason: To protect the biodiversity and character of the adjoining Ancient Woodland and ghyll woodland, in accordance with Policy WMP25 and Draft Policy RD1 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and Saved Policy EN13 of the Wealden District Local Plan (1998).

17. Within one month of the date of this permission, parking areas shall be provided in accordance with the Site Layout Plan (v0.5 Submission 02.09.2024). The areas shall thereafter be retained for that use.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway, in accordance with Policy WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (2013).

18. Within six weeks of the date of this permission, the soakaway beneath the Inert/Specified Waste bays, shown on the Site Layout Plan (v0.5 Submission 02.09.2024) shall be fully installed and then maintained for the duration of the development.

Reason: To protect the biodiversity and character of the adjoining Ancient Woodland and ghyll woodland, in accordance with Policy WMP25 and Draft Policy RD1 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and Saved Policy EN13 of the Wealden District Local Plan (1998).

19. Within 2 months of the date of this permission, the applicant shall seek advice from their consultant ecologist on the type and location of bat or bird boxes and any other measures to enhance the biodiversity value of the site, and details submitted for approval to the Director of

Communities, Economy and Transport Any such measures must be implemented no later than 2 months following receipt of such advice.

Reason: To help minimise the potential impact of the proposed development on ancient and HPI woodland and to help provide appropriate mitigation and enhancement.

INFORMATIVES

1. Site Monitoring

The applicant is reminded that the site will be monitored as part of the County Council's Site Monitoring Policy, to ensure operations at the site remain in compliance with the conditions attached to the planning permission hereby approved.

2. Environmental permit

The applicant's attention is drawn to the following comments/requirement from the Environment Agency:

Please note that this development may require an environmental permit, a variation of an existing permit or an exception from an environmental permit from us.

Further information can be found on the gov.uk website – <https://www.gov.uk/topic/environmental-management/environmental-permits>.

The Applicant must ensure that the operations at the site are in accordance with the Environmental Permitting (England and Wales) Regulations 2016. The Applicant is advised to contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk to obtain advice about environmental permitting matters.

Under the Environmental Permitting (England and Wales) Regulations 2016, the operator of a waste site will require an environmental permit for the importation, storage, and treatment of waste.

The need for an environmental permit is separate to the need for planning permission. The granting of planning permission does not necessarily lead to the granting of an environmental permit.

3. Surface Water Run-Off

The applicant's attention is drawn to the following comments/requirement from the Pevensy and Cuckmere Water Level Management Board:

The application site drains surface water runoff to the Pevensy and Cuckmere Water Level Management Board drainage district. Therefore the applicant should apply for consent to discharge surface water runoff into the Water Level Management Board's area as required by the Board's Byelaw 3, which is the process by which the Board agrees the proposed discharge rates.

Should consent be given it will be subject to the payment of a Surface Water Development Contribution fee, calculated in line with the Board's charging policy. This policy is available using the following link: https://www.wlma.org.uk/uploads/WMA_Table_of_Charges_and_Fees.pdf

4. High Pressure Gas Pipeline

The applicant's attention is drawn to the attached guidance from SGN and the comment below:

Although SGN has a high pressure gas pipeline in the vicinity, the safety and integrity of our assets will not be affected by the proposal.

However, should your proposal change please contact immediately and we will re-assess.

Schedule of Approved Plans and Documents

Site Location Plan Version 1.3, Planning Supporting Statement, Ghyll Industrial Estate PEA Technical Note. Issue1, Site Dust Emissions Management Plan (Beyond Waste, May 2024), Site Layout Plan (V0.5 Submission 02.09.2024).

(The meeting ended at 10.57 am)

CHAIRMAN