

PLANNING COMMITTEE

MINUTES of a meeting of the Planning Committee held at Council Chamber, County Hall, Lewes on 12 November 2025.

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

32. MINUTES OF THE MEETING HELD ON 15 OCTOBER 2025

32.1 The Committee approved as a correct record the minutes of the meeting held on 15 October 2025.

33. APOLOGIES FOR ABSENCE

33.1 No apologies for absence were received.

34. DISCLOSURES OF INTERESTS

34.1 Councillor Field declared a personal interest in item 6 as a Member of Rother District Council. She did not consider this to be prejudicial.

35. URGENT ITEMS

35.1 There were none.

36. REPORTS

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

37. AN ALTERNATE SITE LAYOUT (PART RETROSPECTIVE) INCLUDING THE EXTERNAL PROCESSING OF ASPHALT PLANINGS, TEMPORARY STORAGE OF CONTAINERS, THE INSTALLATION OF AN LPG STORAGE FACILITY, THE RELOCATION OF CAR AND LORRY PARKING, AND A MINOR ALTERATION TO THE CONFIGURATION OF ACOUSTIC FENCING. PLOTS 6 & 7, NORTH QUAY ROAD, NEWHAVEN BN9 0AB FOR F M CONWAY LIMITED - LW/894/CM

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

37.2 Mr George Massingham (agent for the applicant) spoke for the recommendation for granting planning permission.

37.3 Councillor James MacCleary, the Local Member spoke to highlight concerns regarding noise, emissions, odour, vehicle movements and visual impact associated with the site.

37.4 Committee 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 8.1 of the report.

37.5 The Committee unanimously 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 and documents listed in the Schedule of Approved Plans and Documents.

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

3. The temporary storage containers hereby permitted in the north of the site shall be removed by 31 August 2026. Prior to the area being brought into use for any other purpose, the applicant shall submit details of the permanent use of the area to the Waste Planning Authority for approval in writing, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

The approved permanent use of the area shall thereafter be implemented in accordance with the approved details.

Reason: 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 Local Plan 2013.

4. Use of Berth 1, North Quay Road, Newhaven on land under the control of applicant for the importation, storage and processing of mineral, demolition and construction wastes pursuant to planning permission LW/574/CM shall cease on the implementation of any external processing activities allowed by permission LW/894/CM. If processing activities under permission LW/894/CM cease, the applicant shall notify the Planning Authority prior to bringing Berth 1 back into use for external processing.

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

5. Prior to the construction of the covered storage bay and the relocation of the crusher and screener to the north of the site an ecological design strategy (EDS) addressing enhancement of the site shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The EDS shall include provision of a minimum of 190sqm of wildflower grassland along the northern boundary of the site. Details should include, location, dimensions, build-up/depth, low nutrient substrate/soil type, native plant species list and percentages, sowing density or turf type, initial aftercare and maintenance, long-term management which must include the removal of arisings, timetable of works and roles and responsibilities for implementing the works. Details on the edge design e.g. kerbing, to avoid damage from machines or spill from stockpiled material being processed adjacent to it and additional features such as log piles/bee banks/substrate piles of value to insects should also be provided. The EDS should be written by an ecologist with experience of specifying wildflower grassland creation and management. The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To ensure provision of measures considered necessary to enhance the site to provide a net gain for biodiversity as required by Section 40 of the Natural Environment

and Rural Communities Act 2006, paragraphs 187 and 193 of the NPPF (December 2024) and local policy.

6. The 500mm floodstop flood prevention barrier hereby approved in the north-east corner of the site shall remain closed at all times unless the operator requires use of the access in this area. The barrier shall be closed immediately after use. If the flood barrier is opened the operator shall inform the Planning Authority within 1 day of the flood barrier being opened and shall provide confirmation of its closure.

Reason: To ensure an appropriate means of flood enclosure is maintained.

7. The covered storage bay hereby permitted in the north west of the site shall be finished in corrugated aluminium sheeting and coloured as follows:

External ground to roof level – RAL 6028 Green.

Roof and internal faces – RAL 7038 Grey.

Unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: To help integrate the development into the existing site appearance and ensure an appropriate appearance of the development in accordance with Policy WMP23a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

8. Construction and subsequent development shall be carried out in accordance with the conclusions and recommendations in Section 8.7 to the 'Report on Preliminary Ground Investigation', Issue 3, dated March 2017 by Applied Geology Limited (ref. AG2519-16AA17).

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DM20 in the Lewes District Site Allocation and Development Management Policies 2020.

9. If, during construction, contamination not previously identified is found to be present at the site then no further construction (unless otherwise agreed in writing with the County Planning Authority) shall be carried out until the applicant has submitted and obtained the written approval of the Director of Communities, Economy and Transport for a remediation strategy detailing how this unsuspected contamination shall be dealt with. Construction shall be carried out in accordance with the approved remediation strategy thereafter.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DM20 in the Lewes District Site Allocation and Development Management Policies 2020.

10. Piling, or any other foundation designs, using penetrative methods shall not be permitted other than with the written consent of the Director of Communities, Economy and Transport, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. Construction shall be carried out in accordance with the approved details.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DM20 in the Lewes District Site Allocation and Development Management Policies 2020.

11. The recycled aggregate product (RAP) shed and the aggregate storage bays shall accord with the details approved in East Sussex County Council's letter dated 17 March 2020, namely application for approval of details reserved by condition, dated 27 July 2019, including accompanying statement and plan and the following drawings: (1) Column Layout: 19.0675-101C; (2) Elevations Sheet 1: 19.0675-200; (3) Elevations Sheet 2: 19.0675-201; & (4) Roof Steelwork Layout & Details: 19.0675-110A.

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.

12. External materials and finish including colour of buildings and/or structure of means of boundary enclosure shall accord with the details approved in East Sussex County Council's letter dated 25 August 2023, namely:

Asphalt plant and mixed material storage

Structures are clad in corrugated aluminium sheeting and coloured as follows:

Ground level to 13.15m height – RAL 6028 Green.

Above 13.15m – RAL 7038 Grey.

Aggregate storage sheds

Finished in corrugated aluminium sheeting and coloured as follows:

External ground to roof level – RAL 6028 Green.

Roof and internal faces – RAL 7038 Grey.

Bitumen tanks and fuel storage tanks

Full height and tops – RAL 6028 Green.

Fibre/colour pigment silos

Full height and tops – RAL 7031 Grey.

Offices, laboratory and messroom

Comprised of portacabins which are finished in RAL 6028 Green.

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 help ensure an appropriate appearance of the development in accordance with Policy WMP23a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

13. Construction shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (Feb 2017) and the following mitigation measures detailed within the FRA:

i) Landscaping or ground works are kept to the limits shown on drawings numbered "CWY51-EW-00-003 P1, Existing Site drainage" and "CWY51-EW-00-004 P2 Proposed Surface Levels" in order to minimise impact on flood levels and flows.

The mitigation measures shall be fully implemented prior to first occupation and subsequently retained in accordance with the timing and phasing arrangements within the scheme or within any other period as agreed in writing by the Director of Communities, Economy and Transport.

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

14. Within 3 months of the date of this permission, details of the technical design of the drainage system shall be submitted to and approved in writing by the Director of Communities, Economy and Transport.

Reason: To ensure that surface water runoff is controlled to ensure the development does not increase the risk of flooding in accordance with Policy WMP28a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

15. The development shall be implemented and operated in accordance with the Meridian Surface Water Drainage Strategy October 2024 Rev P01, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding in accordance with Policy WMP28a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

16. Prior to first use of the crusher and screener in the north of the site, a Noise Management Plan for the control and management of noise from the site operations and vehicle movements shall be submitted for the written approval of 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.

17. The development shall be carried out in accordance with the Environmental Fleet Management Plan for the control and management of vehicles associated with site operations approved in East Sussex County Council's letter dated 17 March 2020, 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.

18. Site lighting and CCTV shall be carried out in accordance with the approved details in East Sussex County Council's letter dated 22 December 2023, namely: Lighting Location Plan and Light specifications, 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.

19. The rating noise levels from the site shall not exceed those predicted at locations shown in WBM Technical Note (Ref. 4611, dated 28 February 2018), Appendix A, Table titled 'Night-time (with additional mitigation measures for top of asphalt plant and stack)' at any time.

Reason: To safeguard the amenities of the 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 ST3 of the Lewes Local Plan 2003.

20. Transfer of aggregate via North Quay Road between berth 5 and the application site shall not take place at any time other than between 0700 and 1900 hours Monday to Friday inclusive (excluding Bank and Public Holidays) and between 0700 and 1300 on Saturday 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.

21. HGVs shall not use the site routes between the covered storage bays and the site boundaries at any time other than between 0700 and 1900 hours on Monday to Friday inclusive (excluding Bank and Public Holidays) and between 0730 and 1300 on Saturday 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.

22. Wharf usage shall be carried out in line with the details approved in East Sussex County Council's letter dated 22nd December 2023, namely:

Information as set out in the letter dated 7 August 2023 from PDE Consulting Limited reference 16/012/GM/23/026.

Reason: In the interests of monitoring the use of wharves to inform Policy WMP15 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

INFORMATIVES

1. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this Act. Trees, hedgerows and scrub/planted shrubs are assumed to contain nesting birds between 01 March and 31 August inclusive (although nesting can occur outside of these dates), unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.
2. Consideration should be given to use of flood proofing measures to reduce the impact of flooding when it occurs. Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high

level so that plugs are located above possible flood levels. The applicant's attention is drawn to 'Improving the Flood Performance of New Buildings', issued in May 2017 by the Department for Communities and Local Government (ISBN 9781859462874).

Schedule of Approved Plans and Documents

- 1a - Dust and Odour Analysis Report, 1b - Dust and Odour Emissions Management Plan, 2 - Surface Water Drainage Strategy, KD.NHVN.3.D.001 - Location Plan, KD.NHVN.3.D.003 - LPG Compound, Planning Application Supporting Statement 28 February 2025, Kd.nhvn.5.d.008 Elevations Storage Bay, Kd.nhvn.5.d.001a Revised Site Plan September 2025, Proposed Flood Defences Types and Locations

38. VARIATION OF CONDITION 2 (TO PERMIT A SECOND WEIGHBRIDGE), CONDITION 10 (TO EXTEND WORKING HOURS ON SATURDAYS, SUNDAYS AND BANK HOLIDAYS), CONDITION 15 TO PERMIT INCREASED VEHICLE MOVEMENTS) AND CONDITION 17 (TO PERMIT OUTSIDE STORAGE OF EQUIPMENT OF PLANNING PERMISSION WD/771/CM. THE WOODLAND CENTRE, VEOLIA ES SOUTH DOWNS LTD, WHITESMITH, CHIDDINGLY, EAST SUSSEX, BN8 6JB FOR VEOLIA ES (SOUTH DOWNS) LTD. - WD/901/CM

38.1 The Committee considered a report by the Head of Planning and Environment together with written representation from Councillor Bennett, the Local Member.

38.2 Committee Members have considered the report, together with the comments of the Local Member and agree with the conclusions and reasons for the recommendation set out in paragraph 8.1 of the report and the addendum to the report.

38.3 The Committee unanimously 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 and documents listed in the Schedule of Approved Plans.

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

3. The scheme for the provision of a telephone line for dealing with complaints from members of the public which was approved on 3 March 2008 shall continue to be operated in full accordance with the approved details.

Reason: To secure the monitoring of 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.

4. Notice in writing of any complaint made by a member of the public about any matter associated with the development shall be given to the Head of Planning and Environment no later than the next working day after the complaint was received. The notice shall include a description of the complaint, the name and address of the person making the complaint and the action proposed as a result.

Reason: To secure the monitoring of 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.

5. The scheme for controlling dust during operations of the plant which was approved on 23 July 2008 shall continue to be carried out in accordance with the approved details.

Reason: To control emissions of dust 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.

6. During the operation of the centralised composting facility the noise rating level from all operational activities shall not exceed:

A) 45 dB LAeq, 1h (free-field) at any residential boundary between the hours of 07.00 - 18.00 Mondays to Fridays inclusive (save Bank Holidays) and 08.00 - 16.00 Saturdays and all noise sources will be free from any discernible characteristics, such as tonal or impulsive noise.

B) 40 dB LAeq, 1h (free field) at any residential boundary between the hours of 18.00 - 23.00 Mondays to Fridays inclusive, and 07.00 - 08.00 and 16.00 - 23.00 hours Saturdays, and 07.00 - 23.00 hours Sundays and Bank Holidays, and all noise sources will be free from any discernible characteristics, such as tonal or impulsive noise.

C) 26 dB LAeq, 15 mins (free-field) at any residential boundary between the hours of 23.00 - 07.00 every day, and all noise sources will be free from any discernible characteristics, such as tonal or impulsive noise.

All noise rating levels to be determined in accordance with BS 4142:2014+A1:2019.

Reason: To safeguard the residential amenities of 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.

7. No outdoor operational activities, except HGV and eHGV movements permitted by Condition 8, will be permitted outside of the hours of 08.00 - 18.00 Mondays to Fridays inclusive and 08.00 - 13.00 Saturdays, without the prior written consent of the Head of Planning and Environment, other than in the event of an emergency, written details of which shall be provided to the Head of Planning and Environment within three calendar days of the event.

Reason: To safeguard the residential amenities of 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.

8. There shall be no HGV and eHGV movements associated with this development other than between the hours of 07.00 and 18.00 hours Mondays to Fridays inclusive (save Bank Holidays) and 08.00 to 16.00 hours on Saturdays, Sundays or Bank Holidays or during an emergency full details of the time, date and reason for the HGV or eHGV movement shall be given in writing no later than 24 hours after there has been an HGV or eHGV movement during an emergency to the Head of Planning and Environment.

Reason: 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.

9. Waste imported to the composting facility shall be restricted to source segregated green and food wastes collected by the Waste Collection Authorities in the administrative areas of East Sussex County Council and Brighton & Hove City Council, and any other suitable waste arising in these areas, up to a maximum annual (1 April - 31 March) tonnage of 60,000 tonnes of material including up to a maximum of 15,000 tonnes of source segregated food waste, and to other appropriate municipal and commercial waste from outside these areas in the event that the facility has capacity in excess of that required to meet the needs of locallysourced waste. No material shall be imported to the site unless and until all odour control facilities including negative air-pressure systems and biofilters are provided. Thereafter, the odour control arrangements shall be maintained in full working order in accordance with the Odour Management Plan.

Reason: To conform to Policy WMP3b of East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013, and 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.

10. No compostable material shall be stored outside the building unless the material is oversized or the direct product of wood chipping where all such material shall only be stored either within the oversized storage bay or wood chipping area shown on drawing A4621-301 Rev Q approved under planning permission WD/457/CM, except where otherwise agreed in advance in writing by the Head of Planning and Environment.

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

11. The scheme for the illumination of the external faces of the site buildings, structures or other external areas which was approved on 19 January 2009 shall continue to be implemented in accordance with the approved details.

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

12. Any fuel, oil lubricant and other potential pollutants shall be handled on the site in such a manner as to prevent pollution of any watercourse or aquifer. For any liquid other than water, this shall include storage in suitable tanks and containers which shall be housed in an area surrounded by bund walls of sufficient height and construction so as to contain the equivalent of 110% of the total content of all containers and associated pipework. The floor and walls of the bunded areas shall be impervious to both oil and water. The pipes shall vent downwards into the bund.

Reason: To prevent pollution to land and water in accordance with Policy WMP28b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

13. Unless with the prior written approval of the Head of Planning and Environment, there shall be no more than an average, when measured over 1 year (1 April - 31 March), of 94 HGV (i.e. lorries in excess of 7.5 tonnes un-laden weight) movements per day (i.e. 47 in and 47 out) entering or leaving the site and, in any event, on any one day there shall be no more than 142 HGV movements entering or leaving the site.

Reason: 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.

14. Notwithstanding the provisions of the Town and Country Planning (Use classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification) no

other uses of the building shall take place, other than as expressly authorised by this permission.

Reason: To enable the Head of Planning to control the future use of the site 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.

15. Other than four Roll-On Roll-Off (RORO) containers and two shipping containers hereby permitted which shall only be used in connection with the composting site, no other storage containers, skip sorted or unsorted waste material or residue of recycled materials or any other items shall be stored outside the building, except with the prior written consent of the Head of Planning and Environment.

Reason: 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.

16. There shall be no processing machinery operating outside the building or any treatment, sorting, loading or unloading of waste or recyclable materials other than within the building, unless otherwise agreed in writing by the Head of Planning and Environment.

Reason: 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.

17. There shall be no servicing or maintenance of Heavy Goods Vehicles on the site except for emergency repairs for the reasons of road safety.

Reason: To enable the Head of Planning and Environment to control the future use of the site 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.

18. No retail sales to the public shall take place on the site.

Reason: To enable the Head of Planning and Environment to control the future use of the site 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.

19. The Travel Plan which was approved on 28 September 2009 shall continue to remain in force and be developed in accordance with the approved details.

Reason: To increase awareness and use of alternative modes of transport for travel to and from the site.

20. The scheme for surface water drainage which was approved on 30 June 2008 shall be maintained in accordance with the approved details.

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

21. There shall be no new buildings, structures (including ponds, gates, walls and fences), car parks, tree planting or construction of raised ground levels within 3 metres of the adjacent watercourses, inside or along the boundary of the site, unless agreed otherwise in writing by the Head of Planning and Environment.

Reason: To protect the watercourse corridor, in accordance with Policies WMP28a and WMP28b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

22. The handling/storage areas where waste is received, handled, treated or stored must have an impervious base and be designed to ensure the containment of potentially polluting process liquors and all contaminated surface water.

Reason: To prevent the contamination of water sources in accordance with Policies WMP28a and WMP28b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

INFORMATIVES

1. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition ("the biodiversity gain condition") that development may not begin unless: (a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan. The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be East Sussex County Council. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.
Based on the information available this permission does not require the approval of a biodiversity gain plan before development is begun because one of the statutory exemptions or transitional arrangements listed is relevant.
2. Introduction of fish into any pond requires the consent of the Environment Agency.
3. Under the terms of the Water Resources Act 1991 written approval of the Environment Agency is required for any discharge of sewage or trade effluent into controlled waters and may be required for any discharge of sewage or trade effluent from buildings or fixed plant into or onto the ground or into waters which are not controlled waters. Such approval may be withheld. (Controlled waters include rivers, streams, underground waters, reservoirs, estuaries and coastal waters). The applicant is advised to contact the Regulatory Water Quality Team to discuss this matter further.
4. The applicant remains bound by the provisions of the S.106 Deed of Agreement dated 14th September 2007 and the subsequent Deed of Variation made on 18th December 2013.

Schedule of Approved Plans and Documents

Ves Td Wood 200 002 Rev Woodland Composting New Weighbridge Site Location Plan 002,
Ves Td Wood 200 000 Rev Woodland Composting New Weighbridge Proposed Site Layout
000, Woodlands 2025 Vocs Supporting Statement, Woodlands IVC Further Information
Document October 2025

39. DEVELOPMENT MANAGEMENT UPDATE

39.1 The Committee considered a report by the Director of Communities, Economy and Transport which detailed the enforcement and site monitoring undertaken under delegated powers for the period between 1 April 2025 and 30 September 2025.

39.2 The Committee RESOLVED to note the report.

40. SOUTH STREET BUS STOP RELOCATION, EASTBOURNE TRAFFIC REGULATION ORDER

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

40.2 Committee Members have considered the report and agree with the conclusions and reasons for the recommendations as set out in the report.

40.3 The Committee unanimously RESOLVED to:

- 1) not uphold the objections to the draft Order, as set out in Appendix 2 to the report; and
- 2) recommend to the Director of Communities, Economy and Transport that the Traffic Regulation Order be made as advertised.

(The meeting ended at 11.29 am)

CHAIRMAN