



## REGULATORY COMMITTEE

## PLANNING COMMITTEE

**MEETING 10.30 am WEDNESDAY, 12 NOVEMBER 2025**

**COUNCIL CHAMBER, COUNTY HALL, LEWES**

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

## **A G E N D A**

1. Minutes of the meeting held on 15 October 2025 (*Pages 3 - 6*)
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. An alternate site layout (part retrospective) including the external processing of asphalt plantings, 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 (*Pages 7 - 26*)  
Report by the Director of Communities, Economy and Transport

### **County Matter Proposals - report(s) by the Head of Planning and Environment**

6. 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 (*Pages 27 - 44*)  
Report by the Head of Planning and Environment
7. Development Management Update (*Pages 45 - 78*)  
Report by the Director of Communities, Economy and Transport

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

8. South Street Bus stop relocation, Eastbourne Traffic Regulation Order (*Pages 79 - 92*)  
Report by the Director of Communities, Economy and Transport
9. Any other items previously notified under agenda item 4

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

4 November 2025

Contact Sophie Webb, Governance and Democracy Manager,  
01273 337495  
Email: [sophie.webb@eastsussex.gov.uk](mailto:sophie.webb@eastsussex.gov.uk)

### **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. The live broadcast is accessible at: <https://www.eastsussex.gov.uk/your-council/videos-of-council-meetings/webcasts>**

## PLANNING COMMITTEE

MINUTES of a meeting of the Planning Committee held at Council Chamber, County Hall, Lewes on 15 October 2025.

---

PRESENT Councillors Tom Liddiard (Chair), Philip Lunn (Deputy Chair), Abul Azad, Godfrey Daniel, Kathryn Field, Pat Rodohan and Colin Belsey

LEAD MEMBERS Councillor Claire Dowling

ALSO PRESENT Councillors Murphy, Stephen Shing and Tutt

### 23. MINUTES OF THE MEETING HELD ON 17 SEPTEMBER 2025

23.1 The Committee approved as a correct record the minutes of the meeting held on 17 September 2025.

### 24. APOLOGIES FOR ABSENCE

24.1 Apologies for absence were received from Councillor Kirby-Green.

24.2 It was noted that Councillor Belsey was in attendance as a substitute for Councillor Kirby-Green.

24.3 Councillor Field gave apologies from 12:15 pm and was not present during items 7 and 8 (minutes 30 and 31).

### 25. DISCLOSURES OF INTERESTS

25.1 Councillor Belsey declared a personal interest as a Member of Eastbourne Borough Councillor. He did not consider this to be prejudicial.

25.2 Councillor Rodohan declared a personal interest as a Member of Eastbourne Borough Councillor. He did not consider this to be prejudicial.

### 26. URGENT ITEMS

26.1 There were none.

### 27. REPORTS

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

### 28. A259 SEASIDE AND ST ANTHONY'S AVENUE TRAFFIC REGULATION ORDER

28.1 The Committee considered a report by the Director of Communities, Economy and Transport together with written representation from Councillor di Cara, a Local Member.

28.2 Ms Jodie Atherton spoke against the proposal and officer's recommendations.

28.3 Mr Derrick Coffee spoke for the proposal and officer's recommendations.

28.4 Councillor Tutt, a Local Member spoke against the proposal and officer's recommendations.

28.5 Committee Members have considered the report and comments of the public speakers and Local Members and agree with the conclusions and reasons for the recommendations as set out in the report.

28.6 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.

## 29. A259 UPPERTON ROAD / STATION PARADE, EASTBOURNE TRAFFIC REGULATION ORDER

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

29.2 Mr Luke Johnson and Ms Denise Harwood spoke against the proposal and officer's recommendations.

29.3 Councillor Tutt, representing the Eastbourne – Devonshire division as a Local Member, spoke against the proposal and officer's recommendations.

29.4 Councillor Rodohan, a Local Member, spoke in favour of the motion to defer consideration of the proposal.

29.5 Committee Members have considered the report and comments of the public speakers and Local Members and a motion to defer consideration of the proposal to allow for discussion regarding the provision and consideration of modelling by a third party ready for consideration by the December Committee was proposed, seconded, voted on and carried unanimously.

29.6 The Committee RESOLVED to defer consideration of the objections to the Traffic Regulation Order to allow the provision and consideration of modelling by a third party, which can then be considered at the Planning Committee meeting in December 2025.

## 30. A259 EASTBOURNE ROAD AND PEVENSEY BAY ROAD (40MPH SPEED LIMIT) TRAFFIC REGULATION ORDER

30.1 The Committee considered a report by the Director of Communities, Economy and Transport together with written representation from Councillor di Cara, a Local Member who wrote in support of the proposal and officer's recommendations.

30.2 Councillor Tutt, a Local Member spoke in favour of the proposal and officer's recommendations.

30.3 Councillor Liddiard, a Local Member spoke in favour of the proposal and officer's recommendations.

30.4 Committee Members have considered the report and comments of the Local Members and agree with the conclusions and reasons for the recommendations as set out in the report.

30.5 The Committee unanimously RESOLVED to:

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

31. COOKSBRIDGE ROAD, HAMSEY LANE AND CHATFIELD CLOSE, COOKSBRIDGE TRAFFIC REGULATION ORDER

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

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

31.3 The Committee unanimously RESOLVED to:

- 1) not uphold the objections to the draft Order as set out in paragraph 2.3 of 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 12.28 pm)

CHAIRMAN

This page is intentionally left blank

Committee: **Regulatory Planning Committee**

Date: **12 November 2025**

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

Proposal: **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.**

Site Address: **Plots 6 & 7, North Quay Road, Newhaven BN9 0AB**

Applicant: **F M Conway Limited**

Application No. **LW/894/CM**

Key Issues: **1) Need  
2) Air Quality  
3) Impact on Amenity  
4) Biodiversity**

Contact Officer: **Miss Kiran Sajjan Tel. 01273 481595**

Local Member: **Councillor James MacCleary**

---

## **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 approximately 0.35ha in area comprising an existing asphalt plant and includes part of the private North Quay Road as far to the south where it meets the public highway near the flyover carrying the A259.

1.2 It is within an industrial area on the eastern side of the River Ouse to the north-east of Newhaven Town Centre with Denton Island intervening. The

closest residential properties are in the town centre, 200 metres south-west of the site, at Bridge Court on the north side of Bridge Street. Various industrial activities take place within the locality to the north, south and east. North Quay Road (a private road) adjoins Plots 6 and 7 to the east of the site and provides access to it from the public highway to the south.

## **2. The Proposal**

2.1 Part retrospective planning permission is sought to regularise the site layout and to allow for some additions to the site. The proposal involves the external processing (crushing and screening) of asphalt plantings in the north-west of the site which would involve the relocation of the mobile crusher and screener to this part of the site. At present, external processing is being carried out at a site to the south known as Berth 1, North Quay under permission reference LW/574/CM. The land at Berth 1 is under the control of the applicant.

2.2 The proposal also comprises some retrospective elements including the installation of a Liquefied Petroleum Gas (LPG) storage facility roughly in the centre of the site; relocation of the car parking area to the eastern boundary and lorry parking to the south of the site office; the temporary storage of containers in the northern part of the site; a minor alteration to the configuration of the acoustic fencing and stocking bays on the western boundary. Finally, the construction of a covered open fronted storage bay to the west of the proposed external stocking and processing area is proposed. The storage bay would be 500 square metres in area and 12 metres in height at its tallest point.

2.3 As a result of the proposal and due to space constraints, the previously permitted gully waste plant and concrete batching facility have not been implemented and are now being omitted from the scheme.

2.4 Improvements to on-site drainage are proposed. The runoff is currently managed with runoff diverted to the River Ouse immediately to the west of the site. The existing scheme utilises petrol interceptors to treat the runoff from any contaminants before the water is diverted to the watercourse. Modelling shows that there would be 529 cubic metres of flooding on site in a 1 in 100 year + climate change event. Due to the presence of a flood defence wall running along the boundary of the site, excess water will need to be accommodated on site. To provide sufficient site storage, a barrier at the height of 3.6 metres Above Ordnance Datum is proposed. The barrier would be formed of a trief kerb (a concave concrete barrier), a floodstop flood prevention barrier at the northernmost access point (use of this access is infrequent) and speed humps would be utilised at the southern site entrances to ensure a continuous barrier is maintained whilst still allowing access into the site.

## **3. Site History**

3.1 Planning permission was granted in July 2018 (ref. LW/789/CM(EIA)) for the development of the site to install and operate an asphalt plant, concrete batching plant and gully waste plant, together with ancillary development and



access. The permission was subject to the completion of a legal agreement (the requirements of which have been discharged) and is subject to conditions.

3.2 Subsequent to the original permission, the applicant applied to vary the approved drawings to facilitate changes to the layout of the approved development and specifications of the asphalt plant. Permission for these variations was granted in February 2020 (ref. LW/840/CM).

3.3 In August 2024, planning permission (ref. LW/886/CM) was granted for a height extension of the stack on the existing asphalt plant by 20 metres to aid dispersal and lower the concentration of pollutants. The stack extension was implemented in March 2025.

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

4.1 Lewes District Council – The Planning Applications Committee resolved to object to the application on the grounds that there is insufficient data available within the submitted information to understand the impact on emissions and the opportunities for pollution mitigation.

In the event that East Sussex County Council (ESCC) is minded to approve the application, Lewes District Council requests ESCC to seek: (i) Ecological and Biodiversity Gains on site; and (ii) Ongoing improvements in the reduction of emissions, dust and noise both from the plant operations and from Heavy Goods Vehicles (HGV) movements

4.2 Lewes District Council, Pollution Control (Environmental Health) – No response received.

4.3 Councillor Keene – District Councillor (Ward: Lewes Priory) – Objects on the grounds that the application would formalise existing harm to public health and the environment. Concerns are raised regarding hazardous gas and particulate exposure, odour, noise and vibration. It is suggested that reorganising HGV movements and parking will increase emissions and disruption near homes. It is also suggested that relocating materials bays will move hazardous, odorous substances closer to residential boundaries. The proposal was felt to increase health burden.

4.4 Newhaven Town Council – Raises no objections to this application.

4.5 ESCC Noise Advisor, Environmental Advice - There are no changes being proposed to the site that would appear to significantly alter the acoustic environment.

4.6 County Landscape Architect – Raises no objections as the site changes would have a minor landscape and visual effect when considered in the context of the existing permitted uses on the site and the wider industrial uses on North Quay Road.

4.7 Highway Authority – Raise no objections as the retrospective location of the HGV parking allows sufficient space for HGVs to turn and egress in forward gear. The location of the car parking area is also acceptable.

It is further noted that, in addition to the road planings imported to the site, a small quantity of hazardous planings will also be imported, generating approximately 278 additional HGV movements per year equating to fewer than one per day. Given that not all consented uses are currently operational under the previous approval, a highway objection could not be justified as there would be no significant intensification in traffic.

4.8 Lead Local Flood Authority - Raise no objections subject to the inclusion of a planning condition to control the use of the proposed flood barriers and ensure they remain closed.

4.9 County Ecology – Raise no objections subject to the implementation of the proposed wildflower verge to provide ecological enhancement.

4.10 NatureSpace - The proposed development is not considered to be relevant to the District Licensing Scheme in this case and they consider there would be no likely impact on great crested newts or their habitats. Therefore, no comments are made.

4.11 Environment Agency – Raise no objections to the proposal however advise the applicant of the requirement for an Environmental Permit.

4.12 Representations – 9 letters of objection have been received from residents of Newhaven. The concerns raised are summarised below:

- The proposal would give rise to dust, odour and air quality impacts.
- Amenity concerns as a result of site layout changes.
- Health concerns.
- Insufficient community engagement.
- Incremental site changes have taken place without an holistic review of cumulative impacts.

## **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 Local Plan 2013: Policies WMP22 (Expansion and Alterations within the Site Boundary of Existing Waste Facilities); WMP23a (Design) and WMP25 (General Amenity).

5.2 East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan Revised Policies Document July 2024: Policy RD1 (Environment & Environmental Enhancement).

5.3 Lewes District Joint Core Strategy 2016: Core Policy 9 (Air Quality) and Core Policy 11 (Built and Historic Environment and High Quality Design).

5.4 Lewes District Site Allocation and Development Management Policies 2020: Policies DM20 (Pollution Management) and DM25 (Design).

5.5 National Planning Policy Framework (NPPF) December 2024: Parts of relevance include Part 12 (Achieving well-designed places) and Part 15 (Conserving and enhancing the natural environment).

Although not part of the Development Plan, also of relevance to this decision are:

5.6 Environment Act 2021, Schedule 14: In England, developers must deliver a Biodiversity Net Gain (BNG) of 10% under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). However, it is considered that the proposal is exempt due to it being part retrospective.

5.7 Newhaven Port Masterplan 2024: The Plan acknowledges the presence of FM Conway at Newhaven.

## **6. Considerations**

### **Need**

6.1 WMP22 of the Waste and Minerals Local Plan supports proposals for increased operational capacity within the site boundary of existing waste management facilities in principle where it is demonstrated that the development is required to meet current environmental standards or the development is required to improve the operational efficiency of the facility and the development would contribute towards meeting the Objectives of the Plan.

6.2 The variations to the site layout have been designed in such a way so as to be operationally efficient. All the main constituent materials required for the Proposed Development will be located within close proximity to where they are required, and will be laid out in such a way as to reduce emissions associated with the transport of the materials around the Site. The location of recycling activities within the north of the Site will minimise the transport distance between stockpiles and processing plant.

6.3 The revised layout incorporates changes to the location of the car parking, from that previously approved. These changes are retrospective and are required to minimise the risk of accidents. Staff parking is located along the eastern boundary of the site using a separate access from HGVs entering and departing the site. A one-way system for HGVs is operated on site.

6.4 Moreover, the proposed covered storage bay is required to store a small quantity of hazardous road planings arising from road resurfacing contracts. These planings will be kept segregated from the remainder of the planings on site within a new dedicated covered storage bay. It is understood this enclosed storage is required to meet Environmental Permitting requirements.

6.5 As set out above, the proposed and retrospective site layout amendments subject of this application are required to improve site efficiency and ensure the operations of the site can be carried out safely. As such, it is considered that the proposal is supported by Policy WMP22 of the Waste and Minerals Local Plan.

## **Air Quality**

6.6 Policy WMP25 in the Waste and Minerals Plan requires that all proposals ensure there is no unacceptable effect on the standard of amenity appropriate to (existing and proposed) land uses likely to be affected by the development; there is no significant adverse impact on air quality; adequate means of controlling dust, litter, odours and other emissions including those arising from traffic generated by the development are secured and there is no unacceptable effect on the recreational or tourist use of an area or use of areas for public access.

6.7 Policy DM20 of the Lewes Local Plan Part 2 states that development that may potentially contribute to, or be adversely affected by, unacceptable levels of soil, air, water, noise or light pollution will only be permitted where it can be demonstrated that: its location is appropriate in terms of land use in relation to the uses in the surrounding area; the development will not have an unacceptable impact on health, the natural environment or general amenity; the development will not have an adverse impact on the use of other land and where relevant, the appropriate after-use of land can be secured.

6.8 Core Strategy Policy 9 seeks to improve air quality with applications that could impact on an Air Quality Management Area (AQMA) required to have regard to any relevant Air Quality Action Plan (AQAP), seek improvements to air quality through implementation of measures in the AQAP and provide mitigation where development would adversely affect an AQMA. There is long-standing and wide ranging legislative framework underpinning a national strategy aimed at improving air quality and protecting human health from the effects of pollution. One outcome of this has been the declaration in 2014 of an AQMA around Newhaven Town Centre and the swing bridge because of recorded levels of Nitrogen Dioxide (NO<sub>2</sub>).

6.9 The site layout changes and additions to the site are not considered to give rise to adverse air quality impacts. It should be noted that this application is being considered against a baseline of the currently consented activities. The processing activities which are proposed to be relocated to the northern part of the site are already taking place on adjoining land within the control of the applicant.

6.10 Three surveys were carried out during the months of April – June 2024 in which concentrations of particulate matter (Total suspended particles (TSP), PM<sub>10</sub>, PM<sub>2.5</sub> and PM<sub>1</sub>) were monitored at various locations. The surveys specifically focused on monitoring locations surrounding the crusher being located in the southwest on land under the control of the applicant at Berth 1,,

which was identified as the primary source of particulate matter within the site. There were a number of monitoring locations which were carried out in a transect (at increasing distances away from the crusher and the screener). Baseline levels of PM10 are around 12-16 micrograms per cubic metre, with elevated levels next to busy and dusty roads resulting from off-site sources i.e. passing lorries. Elevated levels of particulates attributed to the site (including the asphalt plant and associated screening and crushing and stockpiles) are not observed more than a few metres from the site boundary (beyond North Quay Road). PM10 reduces significantly by the time it reaches residential receptors to the east and northeast of the site as such no additional mitigation measures are required.

6.11 Regarding the matter of odour emissions, the main odour emission source from the operations of the asphalt plant were identified to be the rotary drying drum stack. Odour sniffing surveys were carried out between April and August 2024 and the results indicated that odour can be detectable at downwind locations reaching to the residential areas to the northeast of the site under the operations of the plant stack height at 20 metres. The stack height has subsequently been increased following the grant of permission LW/886/CM which is expected to improve odour emissions from the plant. The effects of odour emissions from the operations of the permitted extended stack become 'negligible' at all receptors. The submitted Particulate Matter and Odour Surveys' Analysis Report concludes that no additional odour abatement is required after installation of the approved extended stack height.

6.12 Moreover, the application is accompanied by a Dust and Odour Emissions Management Plan which sets out how dust and odour will be managed and controlled to prevent or minimise impacts.

6.13 Overall, it is considered that the proposed site layout changes and relocation of external processing to the north of the site would not give rise to adverse impacts to the air quality of the surrounding area. The proposal is considered to comply with Policies WMP25 of the Waste and Minerals Plan, DM20 of the Lewes Local Plan Part 2 and Core Strategy Policy 9.

### **Impact on Amenity**

6.14 Waste and Minerals Plan Policy WMP23a requires all buildings associated with waste development to be of a scale, form and character appropriate to its location and to allow sufficient space for effective operations. In urban locations design should complement the existing or planned scale or built form of the local area and take account of local landscape character and distinctiveness. Policy WMP25 of the same Plan, as set out in paragraph 6.6, requires that all proposals ensure there is no unacceptable effect on the standard of amenity.

6.15 Policy RD1 of the Waste and Minerals Local Plan states that in order to conserve and enhance the local character and environment of the Plan Area, permission will not be granted where development would have a significant

adverse impact on particular sites and assets including the South Downs National Park.

6.16 Core Strategy Policy 11 of the Lewes District Joint Core Strategy 2016 seeks high quality design in all new development by ensuring, *inter alia*, that it respects the character and distinctiveness of built heritage and responds sympathetically to the site and its local context.

6.17 Policy DM25 of the Lewes Local Plan Part 2 supports development which contributes towards local character and distinctiveness through high quality design through a series of criteria including ensuring its scale, form, height, massing, and proportions are compatible with existing buildings, building lines, roofscapes and skylines and where there will be no unacceptable adverse impact on the amenities of neighbouring properties in terms of privacy, outlook, daylight, sunlight, noise, odour, light intrusion, or activity levels.

6.18 At present the processing of road planings is undertaken by the Applicant on land to the south of the site, known as Berth 1 in accordance with planning permission reference LW/574/CM, granted on 26 March 2009. The current proposal seeks to move these operations to the northern part of the applicant's site. It is considered that the relocation of this activity would be of benefit for protecting the amenity of the surrounding area by moving the processing operations further away from the town centre. The processing operations would be contained within the site and the proposed covered bay would screen views of the external processing area from the west.

6.19 Road planings imported to the site are currently delivered via HGVs and deposited within a stockpiling area within the north of the site. The relocation of the processing plant from Berth 1 will significantly improve the efficiency of operations as at present imported road planings must be transported via loading shovel from the stockpiling area to Berth 1 for processing before the recycled products are transported back to the site again for storage within the covered bays prior to use within the asphalt production. It is considered that the proposal would minimise double handling of materials and reduce noise impact by reducing the use of the loading shovel.

6.20 The retrospective elements of the proposal include LPG storage tanks and the revised location of the lorry parking. These elements of the proposal have been positioned in the proposed locations since the site was built out in 2020. The locations of these activities are not considered to give rise to any unacceptable impacts. The LPG storage tanks are located roughly within the centre of the site and are screened by the existing covered storage bays and the asphalt plant to the south and east.

6.21 The proposal includes an area in the north of the site for temporary storage of containers. Use of the container storage area is sought for a temporary period whilst the Applicant completes a project which they have been contracted to work on in London. It is anticipated that the storage of these materials will be required on site until the end of June 2026 when the stored materials will be removed offsite and the land returned to operational yard

space which will be used for stocking of materials in connection with the operation of the asphalt plant and recycling activities. The storage containers are not out of keeping with the industrial characteristics of the surrounding area. Following the removal of the temporary storage containers, the applicant has indicated that the area would be used for stocking of materials. A condition is recommended requiring the submission of further details of the use of this area.

6.22 It is considered that the proposed amendments would be in keeping with the nature of the site. The relocation of the processing area is considered to provide improvements to the amenity of residents and visitors of the town centre. The proposal accords with amenity Policies set out earlier in this report.

## **Biodiversity**

6.23 Policy RD1 of the Waste and Minerals Local Plan Revised Policies Document states that to conserve and enhance the built and natural environment development should, *inter alia*, provide measurable net gain in biodiversity and enhancement of natural capital, following the mitigation hierarchy with gain provided on site where possible.

6.24 As the application is part-retrospective, the mandatory biodiversity net gain legislation does not apply in this case. However, a response from Lewes District Council requests that ESCC seeks on site biodiversity gains. This has been given due consideration and given the industrial nature of the site, and the surrounding land uses, it is not considered that the site is compatible with encouraging biodiversity to the site. Notwithstanding this, the applicant was asked to consider options for providing on-site enhancements to biodiversity. The applicant proposes to create a border of wildflower grassland measuring 95 metres in length and 2 metres in width along the northern boundary of the site.

6.25 It is considered that the proposed wildflower verge along the northern boundary would meet the aims of Policy RD1 to provide biodiversity gain on site where possible. A condition is recommended for the submission of an Ecological Design Strategy to secure the detail of the proposed biodiversity enhancement and ensure it is successfully established.

## **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 Permission is sought to retrospectively regularise the layout of the site and allow for some additional elements including a covered storage bay for hazardous planings and allow for the processing (i.e. crushing and screening) of recycled asphalt planings in the northwestern part of the site. The proposal has been considered in line with Policies WMP22, WMP23a, and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local

Plan 2013; Policy RD1 of the Revised Policies Document 2024 and Core Policies 9 & 11 of the Lewes District Core Strategy 2016 and Policies DM20 and DM25 of the Lewes District Site Allocation and Development Management Policies 2020. The proposal is supported by the provisions of the National Planning Policy Framework 2024.

7.3 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.

7.4 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 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

RUPERT CLUBB

Director of Communities, Economy and Transport

Date: 3 November 2025

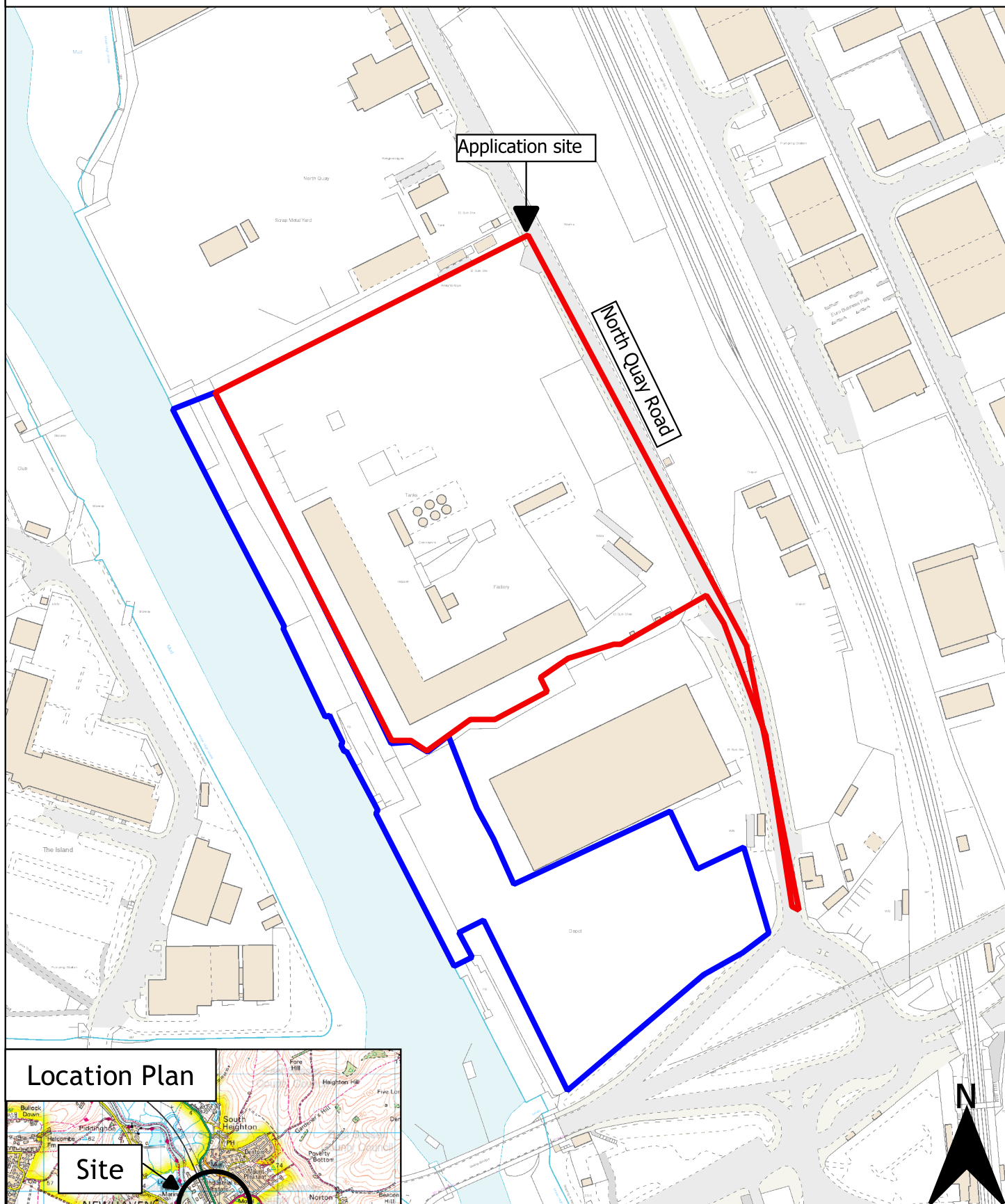
**BACKGROUND DOCUMENTS**

The Development Plan

This page is intentionally left blank



# LW/894/CM - Plots 6 & 7, North Quay Road, Newhaven BN9 0AB



0 30 60 90 120 150 180 m

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

Reproduced from the Ordnance Survey mapping with the permission  
of the Controller of Her Majesty's Stationery Office © Crown  
Copyright. Unauthorised reproduction infringes Crown copyright and  
may lead to prosecution or civil proceedings. East Sussex County  
Council, 100019601, 2017

This page is intentionally left blank

Committee: **Regulatory Planning Committee**

Date: **12 November 2025**

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

Proposal: **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/791/CM.**

Site Address: **The Woodland Centre, Veolia ES (South Downs Ltd), Whitesmith, Chiddingly, East Sussex, BN8 6JB**

Applicant: **Veolia ES (South Downs) Ltd**

Application No. **WD/901/CM**

Key Issues: **1) Purpose of the Development  
2) Effect on Amenity  
3) Loss of Parking  
4) Traffic Impacts**

Contact Officer: **Miss Kiran Sajjan Tel. 01273 481595**

Local Member: **Councillor Nick Bennett**

---

## **SUMMARY OF RECOMMENDATIONS:**

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

---

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

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

1.1 The Woodlands Composting Facility is located on the east side of the A22 between Uckfield and Hailsham, to the south-east of the village of Whitesmith. The site comprises an area of about 3 hectares. The facility is one of several businesses located within The Woodland Centre, a commercial and industrial site. The application site is largely surrounded by arable fields, woodland and tree and hedgerow boundaries, with the other business uses located between the facility's composting hall and the A22. All the businesses

share a common bell mouth junction access to the A22, which has a northbound dedicated right turn facility.

1.2 The nearest residential properties at East Haven Cottages (to the north west between the site entrance and Whitesmith village) and Providence House (west of the A22 to the north-west of the main entrance) are just over 200 metres from the composting building and approximately 130 metres and 80 metres from the entrance to The Woodland Centre, respectively. Whitesmith village is about 500 metres to the north-west.

1.3 Woodlands Composting Facility building is fully enclosed, incorporating a waste reception area, composting tunnels, maturation hall, refining hall, final product storage hall and access/circulation areas. The biofilter plant is located above the building housing the composting tunnels. Twin flues stand at a height of 18 metres above ground level, compared with a main building height of 15 metres. The site also contains a separate visitor centre/administration building, weighbridge, water treatment building, parking and circulation areas, water retention ponds and areas of landscaping, together with a wildlife area.

## **2. The Proposal**

2.1 The applicant is seeking planning permission to vary several planning conditions of planning permission WD/791/CM. The variations sought are described below:

### Condition 2 (Approved Plans):

An amendment is sought to vary the approved plans to incorporate a new ground level weighbridge adjacent to the existing weighbridge situated to the northeast of the composting hall. The reason for the proposed additional weighbridge is in response to new legislation called Simpler Recycling which comes into effect on 1 April 2026 and requires all Waste Collection Authorities to collect kerbside domestic food waste from that date. This means that there is a potential for increase vehicle movements to the site. The second weighbridge would allow vehicles to move through the site quicker, thereby avoiding a backlog of vehicles. The increase in electric vehicles in the Veolia vehicle fleet also means that vehicles are smaller and therefore carry less waste which could also potentially increase the number of vehicle movements in and out of the site.

The proposed weighbridge would be 15 metres in length and 3 metres wide.

### Condition 10 (HGV hours):

In order to support the collections required by new legislation, a variation is sought to the hours during which Heavy Goods Vehicles (HGV) movements can take place to and from the site. At present, the condition allows for HGV movements between the hours of 0700 and 1800 Mondays to Fridays inclusive and between 0800 and 1300 hours on Saturdays, Sundays and Bank Holidays. The amendment sought would extend the hours on Saturdays, Sundays and

Bank Holidays by 3 hours, until 1600. The reason for this amendment is to ensure the collection services by Wealden District, Rother District, Hastings Borough and Eastbourne Borough Councils are not unduly restricted. Food waste needs to be moved regularly and cannot be left onboard vehicles overnight due to odour impacts. Therefore, flexibility to allow bank holiday collections and exceptional weekend collections is sought.

Condition 15 (Average number of HGV movements):

A variation is sought to amend the annual number of vehicle movements allowed in and out of the site. The current condition allows for no more than an average of (when measured over 1 year) 72 HGV (36 in and 36 out) per day entering or leaving the site, in any event, on any day there shall be no more than 108 HGV movements entering or leaving the site. Permission is sought to increase the number of HGVs to an average of 94 (47 in and 47 out) per day (when measured over 1 year) and no more than 142 HGV entering or leaving the site in any one day. This would result in a 31% increase in vehicle movements than currently approved. This increase in vehicle movements is required to support the requirement for Waste Collection Authorities to collect kerbside domestic food waste from 1 April 2026. Separate food waste collection rounds will be set up in Eastbourne, Rother, Hastings and Wealden and deliver directly to The Woodland Centre. Food waste collection vehicles are usually smaller than standard waste collection vehicles which would result in additional movements.

Condition 17 (Outdoor storage):

A variation is sought to condition 17 to allow for non-waste storage outside of the main building. This is due to a need for extra equipment and storage. The external storage would comprise 4 roll-on/roll-off (RORO) containers and 2 shipping containers. One of the proposed storage containers would result in the loss of 6 car parking spaces on site.

As a consequence of the above amendments, if planning permission is granted, Condition 8 (noise thresholds) and 9 (outdoor operational activities) will need to be updated to ensure they accurately reflect the changes.

### **3. Site History**

3.1 A planning application was first submitted in 2005 and planning permission for the construction and operation of an enclosed composting facility including ancillary infrastructure, visitor centre and wood chipping facility was granted in September 2007, subject to conditions and the completion of a S106 legal agreement (reference WD/457/CM). A further permission was granted for the inclusion of a water treatment building in 2009 (reference WD/598/CM), which is positioned in the location of the approved wood chipping facility, which the applicant did not wish to implement.

3.2 Following this, planning permission was granted in 2013 (ref. WD/715/CM) for the variation of Condition 22 of permission WD/457/CM to increase the maximum annual throughput of material to 60,000 tonnes, including 15,000 tonnes of food waste and the part removal of the control on restricting the source of waste. Furthermore, permission was granted in 2016 (ref. WD/771/CM) for the variation of Conditions 8, 9 and 10 of planning permission WD/715/CM, which principally related to hours of operation. In 2018, permission WD/791/CM was granted to allow for waste to be imported from outside the Plan Area and managed at the Veolia facility at the Woodland Centre.

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

4.1 Wealden District Council – Raise no objections to the proposed development.

4.2 Chiddingly Parish Council – Object to the proposal on the grounds that the proposed variations would intensify operations at the site. The cumulative impact of increased activity, noise and traffic would have an adverse impact on residential amenity. Moreover, the comments raise concerns on highway safety, particularly increased risk of accidents and traffic pressures. Concerns are raised regarding outdoor storage and the impact this would have on the rural setting of the site.

4.3 Highway Authority – Provided comments on the suitability of the access for electric refuse collection vehicles. These vehicles tend to be smaller than standard HGVs, therefore no concerns were raised. The safety of the access and increase in vehicle movements was also considered to be acceptable. It also comments on the loss of 6 parking spaces and conclude that it does not wish to raise objections to the proposal.

4.4 NatureSpace – No response received.

4.5 Gatwick Airport Aerodrome Safeguarding – Raise no objections to the proposal as it does not conflict with safeguarding criteria.

4.6 Local Representations – One objection has been received from a neighbouring resident who raises concerns regarding noise from increased lorry movements which would exacerbate existing noise concerns.

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

5.1 East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013: Policies: WMP3b (Turning Waste into a Resource); WMP6 (Safeguarding Waste Sites); WMP22 (Increased Operational Capacity within the Site Boundary of Existing Waste Facilities); WMP25 (General Amenity); WMP26 (Traffic Impacts).

## 5.2 Wealden District Local Plan 1998: Saved Policy EN27 (Design & Layout of Development).

Wealden District Council has not formally determined whether its Saved Policies in the Wealden Local Plan are in general conformity with the NPPF. However, the Saved Policies are considered by the Waste Planning Authority to be in general conformity with the overarching principles of the NPPF.

## 5.3 Wealden District Council (incorporating part of the South Downs National Park) Core Strategy Local Plan 2013

The Wealden District (incorporating part of the South Downs National Park) Core Strategy Local Plan was adopted in February 2013. The Core Strategy Local Plan is the key policy document setting out a strategic vision, objectives and spatial strategy for the area up to 2027. Currently, saved development management policies contained in the Wealden Local Plan 1998 remain part of the Development Plan for the area.

## 5.4 National Planning Policy Framework (NPPF) 2024

The NPPF does not change the status of the Development Plan as the starting point for decision making and constitutes guidance as a material consideration in determining planning applications. It sets out a presumption in favour of sustainable development, which should be applied by local planning authorities in assessing and determining development proposals. Although it does not contain specific waste policies, regard should be had to the policies so far as relevant.

## 5.5 National Planning Policy for Waste (NPPW) 2014

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

# 6. **Considerations**

## **Purpose of the development**

6.1 The NPPF sets out a presumption in favour of sustainable development whereby local planning authorities (LPAs) should apply this presumption in assessing and determining development proposals. Policy WMP3b of the Waste and Minerals Plan requires that development should not displace the management of waste which is already managed, or likely to be managed, by a process which is further up the waste hierarchy than that being proposed, unless the proposal would result in fewer greenhouse gas emissions. Policy WMP22 of the Waste and Minerals Plan supports an increase in operational capacity within the site boundary of existing waste management facilities where it can be demonstrated that the development is required to improve the operational efficiency of the facility and the development would contribute towards meeting the objectives of the Plan.

6.2 The application site is one of several strategic waste management facilities operated by the applicant in providing a long term, sustainable approach to managing the Plan Area's municipal waste. The facilities have been designed to increase the recycling, composting and recovery of waste, while reducing dependence on landfill. The site is safeguarded in the Waste and Minerals Plan under Policy WMP6 and Policy SP6 of the Waste and Minerals Sites Plan 2017.

6.3 The proposal is in response to Simpler Recycling Legislation introduced by the Department for Environment, Food and Rural Affairs (DEFRA) in 2023 which aims to standardise recycling collections in England. Businesses and public service buildings are required to separate recyclables into different streams, including dry mixed recycling (glass, metal, plastic, paper, card), and food waste. Lewes District Council already provide a separate waste food collection service. As part of the new proposed changes, a separate food waste collection would also be provided by Eastbourne Borough Council, Hastings Borough Council, Rother District Council and Wealden District Council. Due to the nature of food waste, it needs to be moved regularly and cannot be left on vehicles overnight as it is potentially more odorous than green waste. The applicant considers that whilst collection rounds work well for non-bank holiday dates where tipping is permitted until 5pm, the 1pm closure on bank holidays imposes a restriction on the collection service. The proposed change to the hours on the weekends is to allow for tipping of food waste in exceptional circumstances i.e. to catch up after a bank holiday. This is not expected to be a regular occurrence. The second weighbridge would further improve efficiency at the site by allowing a flow of vehicles in and out of the site. The proposed changes are justified to ensure that national policy changes can be implemented efficiently within the County. As such the proposal accords with the objectives of Policy WMP22 of the Waste and Minerals Plan.

### **Effect on Amenity**

6.4 Policy WMP25 of the Waste and Minerals Plan requires, *inter alia*, that proposals should ensure that there is 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, and, that adequate means of controlling noise and other emissions are secured. Saved Policy EN27 of the Wealden Local Plan also requires development not to result in unacceptable effects on amenity.

6.5 The main issue regarding the proposed increase in operating times for HGV movements is the potential for noise. The objections to the proposal refer to this and the potential effect on amenity. Noise emissions arising as a result of the proposed variations would be limited to the noise from the additional vehicle movements on Saturdays, Sundays and Bank Holidays. The dominant noise experienced by local residents is from traffic on the adjoining A22. Given the relatively small increase in vehicle movements, it would be unlikely that local residents would perceive any significant change in noise levels between vehicles entering the site and those passing along the A22 adjoining the site.



Moreover, other businesses located within The Woodland Centre have no restrictions on their planning permission regarding the times in which vehicles can either enter or leave the site. It is considered that any additional traffic noise would be subsumed into the regular traffic flow and associated noise on the A22. There is an existing noise condition included on the planning permission which provides sufficient controls to ensure adverse impacts from noise generated from the site are controlled. Moreover, an increasing proportion of vehicle movements associated with the Veolia site will be by electric vehicles which are quieter.

6.6 The applicant has provided some data showing the percentage of vehicles currently using the access from the A22 associated with the Veolia facility. The access is shared by a number of businesses and from the data provided it is clear that the distribution of vehicles movements vary significantly. The data provided shows vehicle movements from 2 days in September 2025, on the first day 46% of lorry type vehicle movements were associated with Veolia operations, on the second day 74% of lorry type vehicles were associated with Veolia operations. This demonstrates noise impacts from vehicle movements using The Woodland Centre access do not solely relate to vehicles attending the Veolia site, it is a shared access with large vehicles frequently using the access associated with other businesses. Moreover, the number of vehicle movements from the Veolia site vary to reflect local authority collection delivery dates during the week. There may also be seasonal variations i.e. a small increase in vehicles movements to the Veolia site would be expected in the summer months.

6.7 At present, processing of food waste (composting) takes place at the facility, including food waste collections from Lewes District and outside of East Sussex. The food waste processing of waste inputs from outside of East Sussex will stop to accommodate the additional East Sussex food waste collections. It is therefore, considered that the facility has sufficient capacity to process food waste from Eastbourne Borough, Hastings Borough, Rother District and Wealden District and it not considered that the proposed variations would give rise to odour.

6.8 With regard to visual amenity, the proposed amendments would have a limited impact from public viewpoints. The proposed second weighbridge would be located immediately adjacent to the existing weighbridge, therefore remaining in keeping with the existing visual appearance of the site. The areas of the proposed outdoor storage are currently being used to store equipment on the ground in the open. The proposed containers would enable the operator to enclose these items which would provide an improved and tidier appearance to the site. A storage container proposed in the east of the site would result in the loss of 6 car parking spaces. The operator of the site considers that these spaces are underutilised and are rarely required.

6.9 Overall it is considered that the proposed variations would not have an adverse impact on the amenity of the locality. Whilst there would be an increased number of vehicles movements to the site, it is not considered to be

a significant increase and it is not anticipated that vehicles would arrive or leave the site within the extended hours every weekend, it would be on occasion and therefore the impact would be reduced. As such it is considered that the proposal accords with Policy WMP25 of the Waste and Minerals Plan and Saved Policy EN27 of the Wealden Local Plan.

### **Loss of parking**

6.10 The applicant has advised that there will be a loss of car parking spaces in the east of the site to accommodate a storage container. The application documents clarify that the parking spaces have been in situ since the original application was granted however, the applicant has noted these spaces have not been used since 2009. This is because the main car park, at the front of the site, superseded the need for these spaces and is not at capacity. The applicant considers that the parking spaces which would be lost are surplus to needs. This would not be contrary to the requirements of Policy WMP26 of the Waste and Minerals Local which states that proposals will be permitted where, *inter alia*, there are suitable arrangements for on-site vehicle manoeuvring, parking and loading/unloading areas.

### **Traffic Impacts**

6.11 Condition 15 of planning permission WD/791/CM states that there shall be no more than an average, when measured over 1 year (1 April-31 March), of 72 HGV (i.e. 36 in and 36 out) per day entering or leaving the site and, in any event, on any one day there shall be no more than 108 HGV movements entering or leaving the site. The proposed condition will be amended to 47 trips in and 47 trips out and in any one day there will be no more than 142 HGV movements entering or leaving the site.

6.12 The Highway Authority considers that the access is acceptable in regard to the visibility and the proposed Electric HGVs will access the site safely. Veolia, the applicant, has increased the number of electric vehicles in their fleet which means the vehicles will be smaller. Given that HGVs regularly access the site at present, access for electric HGV's is considered to be suitable. The Highway Authority suggests that the condition wording should be amended to cover both types of vehicles. An electric lorry is a Heavy Goods Vehicle, also known as an eHGV or Electric HGV, as it meets the definition of a commercial vehicle over 3.5 tonnes in weight but uses electric power instead of a diesel engine.

6.13 The site is directly adjacent to the A22. The existing operations across the estate access the A22 directly and have done so for the duration of the estate's existence with a filter lane to allow continuing traffic flow. Concerns raised within the representations have been noted and the suggestion that the proposed increase in movements will compromise highway safety and exacerbate traffic pressures and heighten the risk of accidents has been considered. The accident record over a 5-year period shows that there have been no recorded accidents relating to the existing access to the site. It was

noted there was an accident on 15 May 2025 however, this was due to driver error and does not change the Highway Authority's view on this proposal.

6.14 Overall it is considered that the proposal complies with Policy WMP26 of the Waste and Minerals Local Plan which states that proposals will be permitted where access arrangements are appropriate or could be made suitable for the volume and nature of traffic generated by the proposal.

## **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 to vary conditions 2, 10, 15 and 17 of planning permission WD/791/CM. The variations would allow for an additional weighbridge, an extension to the hours of HGV movements on the weekends and bank holidays, along with an increase in the number of HGV movements permitted. These changes would allow the site to manage food waste efficiently as required by Simpler Recycling legislation. The applicant is also seeking to formalise outdoor storage areas with the use of containers which would improve the visual appearance of the site. The proposed amendments would allow for food waste to be efficiently managed within the county in line with national policy, without having a negative effect on amenity. The proposal is considered to comply with Policies WMP3b, WMP6, WMP22, WMP25 and WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013. The proposal is supported by National Policy.

7.3 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.

7.4 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 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 locally

sourced 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, 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

EDWARD SHEATH

Head of Planning and Environment, CET Department

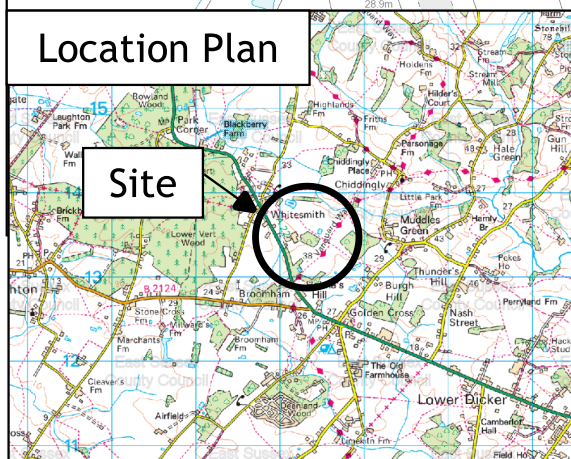
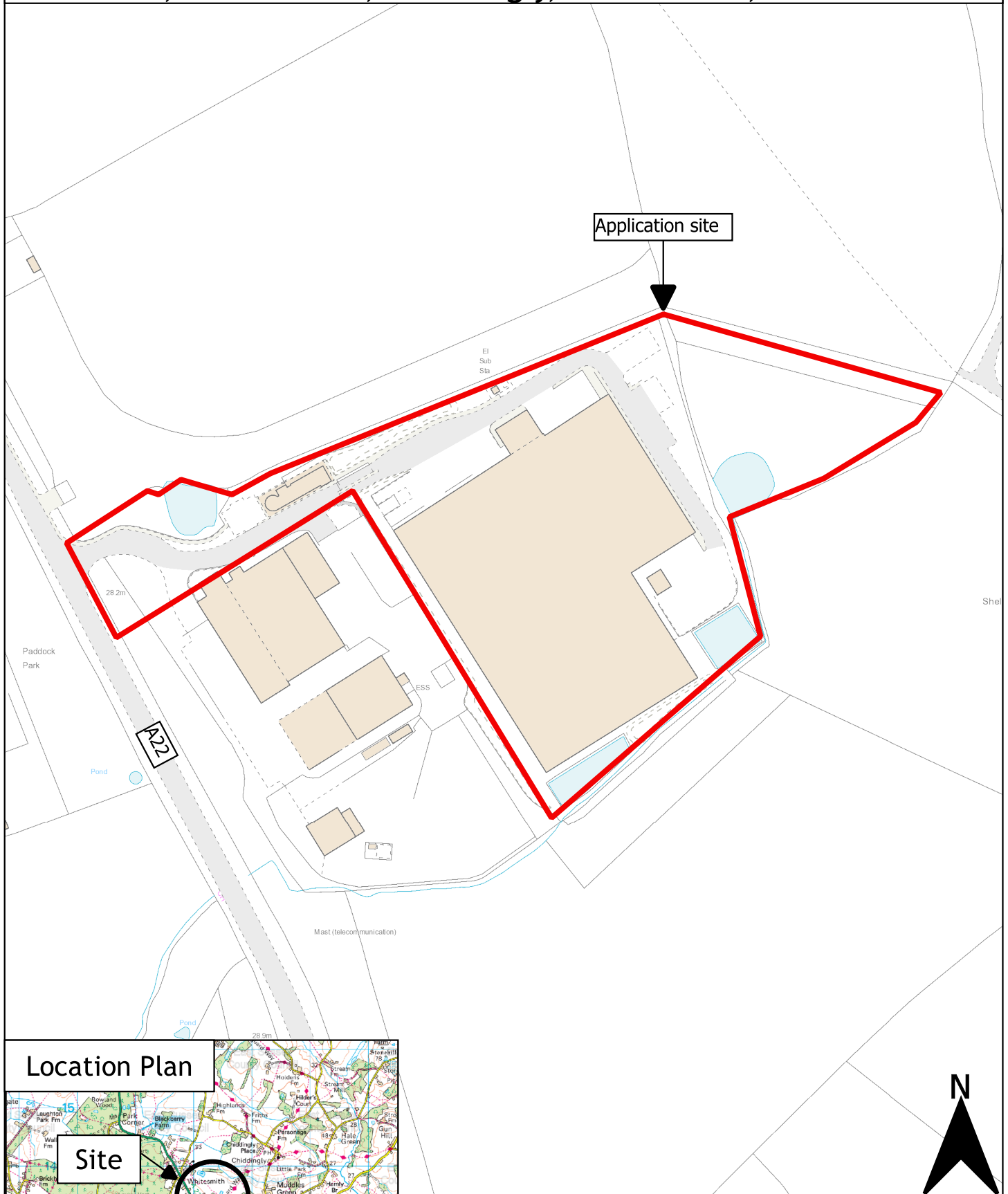
Date: 3 November 2025

#### **BACKGROUND DOCUMENTS**

The Development Plan

This page is intentionally left blank

# WD/901/CM - The Woodland Centre, Veolia ES (South Downs) Ltd, Whitesmith, Chiddingfold, East Sussex, BN8 6JB



0 30 60 90 120 150 180 m

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

Reproduced from the Ordnance Survey mapping with the permission  
of the Controller of Her Majesty's Stationery Office © Crown  
Copyright. Unauthorised reproduction infringes Crown copyright and  
may lead to prosecution or civil proceedings. East Sussex County  
Council, 100019601, 2017

This page is intentionally left blank

Committee	<b>Regulatory Planning Committee</b>
Date	<b>12 November 2025</b>
Report by	<b>Director of Communities, Economy and Transport</b>
Subject	<b>Development Management Update</b>
Purpose	<b>To inform Members about matters relating to enforcement and site monitoring, undertaken under delegated powers for the period between 1 April 2025 and 30 September 2025.</b>
Contact Officer:	<b>Sarah Iles – 01273 481631</b>
Local Members:	<b>All</b>

---

## **RECOMMENDATION:**

**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 September 2025, inclusive, there were 23 new complaints about alleged breaches of planning control. All of the new cases relate to “County Matter” sites. Of the new cases, 9 were dealt with and completed within the reporting period and 14 older cases were also resolved. Accordingly, the number of sites being investigated or subject to formal action at the end of September 2025 was 49, which is the same as the number of cases that were outstanding at the end of the previously reported period (1 October 2024 – 31 March 2025).

1.2 There continue to be a number of cases which are particularly problematic and consume a significant amount of Officer time. This in turn can result in progress on other cases being delayed, which can be frustrating, particularly to complainants. However, priority must be given to cases which present the most harm and, at times, it can be challenging to deal with people’s expectations. Officers continue to work proactively with colleagues in other organisations and agencies and this is seen as a vital part of the enforcement function.

1.3 Appendix 1 of this report provides details of cases resolved and received within the period 1 April 2025 and 30 September 2025, 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 Due to significant resourcing limitations it has not been possible to proactively carry out a structured site monitoring programme. There have been some site monitoring visits, but this has been inclined towards sites where there have been previous or ongoing issues. It is hoped that a more thorough and focussed programme of site monitoring can be carried out in the future, particularly as additional staffing resources are being introduced to the Team.

### **3. Contact Officers**

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

#### **RUPERT CLUBB**

Director of Communities, Economy and Transport

Local Members: All

**TABLE 1 - BREACHES OF PLANNING CONTROL PREVIOUSLY INVESTIGATED AND RESOLVED BETWEEN 1 APRIL 2025 AND 30 SEPTEMBER 2025**

	DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
1/1	June 2021	Spring Valley Farm, West Street Lane, Maynards Green	Importation and deposit of household waste.	<p>A complaint was received that household waste was being imported into this site in small vans by different operators and deposited.</p> <p>A joint site visit was carried out with the Environment Agency, which confirmed the details contained within the complaint. A meeting was also held with the landowner, who agreed to halt any further importation into the site and to clear the site of the waste that had already been imported.</p> <p>There were a number of issues relating to the site and, due to the landowner's circumstances, multiple agencies worked with the landowner and his family to ensure that no further waste materials were imported.</p> <p>Further site visits and meetings with the landowner were undertaken, which confirmed that the importation of waste into the site had ceased. No further enforcement action is required, and officers will continue to periodically monitor the site to ensure the importation of waste materials to the site does not resume.</p>
1/2	November 2021	Hazelwood, Cansiron Lane, Cowden, Edenbridge	Importation and deposit of waste (soils)	<p>A complaint was received that waste materials, comprising soils and hardcore, were being imported into the site and deposited. A site visit was undertaken, during the course of which a meeting was held with the landowner. It was noted that a significant quantity of soils and hardcore had been imported into the site. The landowner explained that some of the materials were required to build up pond banks on the site, and more material was required to landscape a steep bank on the site.</p> <p>A further site meeting was arranged with the landowner and removal of the waste and remedial works agreed.</p>

				A final site visit has been carried out which confirmed that the imported materials had been removed, and the land restored as agreed. The breach of planning control has been resolved and no further enforcement action is required.
1/3	March 2022	Land to the rear of Sussex Oak, Oak Lane, Blackham	Importation and deposit of waste – soils.	<p>A complaint was received that waste materials, comprising soils, were being imported and deposited at the site. A site visit was carried out and a chance meeting with the operator and landowner held. It was identified that subsoil had been imported to the site, with the intention to level an area of land and re-plant it as an orchard and mixed leaf woodland.</p> <p>Following the site visit, a formal letter was sent to the landowner and a response received. According to the landowner, since owning the property, he had spent several years clearing historic waste tipped on the site, which resulted in an area of uneven and unproductive land. The landowner's intention was to restore this land and a small amount of topsoil was required to complete this.</p> <p>The remedial and restoration works have been completed and no further action is required.</p>
1/4	June 2022	Old Concrete Works, Tilley Lane, Boreham Street	Deposit/burning of waste.	<p>A complaint was received that waste materials were being imported to and burnt at the site. An initial site visit was carried out but access to the site was denied. Following discussions with the landowner, a comprehensive site inspection was arranged and undertaken. This identified a significant quantity of waste materials that appeared to have been imported to the site, although the landowner stated that some were site derived following excavations and the construction of a new barn on the site, as well as waste concrete products left at the site from its former use.</p> <p>Following the site visit and meeting, a letter was sent to the landowner and a response received. The importation of any further waste materials subsequently ceased.</p> <p>Due to the complexity and scale of the site, a further site meeting was held with the landowner/their representatives and additional officers from this Authority. This meeting identified specific remedial works to be undertaken to address some of the breaches of planning control.</p> <p>An Enforcement Notice specifying a detailed package of remedial measures together</p>



				<p>with timescales, was served on the landowners and no appeal made against it. The Notice took effect on 24 May 2024. Due to the scale of the measures to be carried out, a period of 18 months for compliance has been given, which means the Notice must be complied with in terms of the works by 24 November 2025.</p> <p>Officers maintained regular contact with the representatives of the landowners and have undertaken regular site visits to monitor progress. Following a recent site visit, it was confirmed that the requirements of the Enforcement Notice had been complied with.</p> <p>The breach of planning control has therefore been resolved, and no further action is required. The Enforcement Notice remains extant, and officers will periodically inspect the site to ensure there are no breaches of the Enforcement Notice.</p>
1/5	October 2022	East Lodge, Glynleigh Road, Westham	Importation and deposit of waste.	<p>Complaints were received regarding waste being imported to the site. A site visit was carried out, which confirmed the complaints. Contact was made with the landowner, who, under threat of enforcement action, was advised to cease the importation of any further materials. A further site meeting was then held with the landowner, who stated that the materials had been imported in order to repair tracks and raise levels of land prone to waterlogging. Processing of some of the materials was also being undertaken to make them suitable for use.</p> <p>No further materials were imported and several site meetings held with the landowner/their representatives. There was a suspicion that the imported materials could have been contaminated and soil testing was carried out on the imported materials, the results of which concluded that the materials were not suitable for use on the land.</p> <p>The stockpiles of materials have subsequently been removed to authorised sites for disposal and a final site visit confirmed that the waste materials had been removed. The breach of planning control has been resolved and no further action is required.</p>
1/6	April 2023	Bellhurst Farm, Tilley Lane, Boreham Street	Importation and deposit of waste.	<p>A complaint was received regarding waste materials being imported to the site. During an initial site visit, officers were unable to gain entry. Contact was made with the landowner and a joint site visit with an officer from the Environment Agency arranged.</p>

				<p>During the course of the visit, it was noted that waste materials, comprising mostly hardcore, but including plastics and metals, had been imported to the site. The landowner stated that he had planning permission for a barn and the materials were to provide a base/foundation for that. There were various other works being undertaken, including excavations for the creation of a car parking area and the siting of storage containers.</p> <p>Following the site visit, further investigations took place. Officers from Wealden District Council also visited the site and were pursuing action regarding changes of use and other unauthorised developments. Officers from Wealden District Council also confirmed that there was no planning permission for a new barn, despite the assertions of the landowner.</p> <p>Officers worked closely with Wealden District Council, who have now acted in respect of the unauthorised development at the site, including the imported materials. At this stage, the various issues pertaining to the site are being dealt with by Wealden District Council and no further action is required by this Authority.</p>
1/7	December 2023	Malling Farm, Down Street, Piltdown,	Importation and deposit of waste soils.	<p>A complaint was received that waste materials were being imported to the site. A site visit was carried out and a hectic scene involving lorries entering/leaving the site was observed, along with the deposited material. Immediate steps were taken including discussions with the landowner, who agreed to cease the importation of any further materials.</p> <p>A further site meeting was held with the landowner, who explained that the soil had been imported to improve and extend an existing track and to raise/level a boggy area. The materials used were clean soils. A programme of remedial works was agreed.</p> <p>A final inspection has been carried out which confirmed that the agreed works have been satisfactorily carried out. The breach of planning control has been resolved and no further enforcement action is required.</p>
1/8	May 2024	The Old Barn, Rye Harbour Road, Rye	Unauthorised waste transfer station.	<p>This matter was referred by Rother District Council. Complaints had been received regarding a number of issues at the site, including the importation, deposit and storage of asbestos and other waste materials along with an unauthorised scaffolding business and unauthorised residential use.</p>

				<p>A site visit was carried out and it was noted that a large amount of waste was stored at the site, including a significant amount of asbestos. Contact was made with the landowner, who was advised that no further waste should be imported and that the site must be cleared of all waste with a specialist contractor required for the asbestos.</p> <p>The site has been closely monitored along with Officers from Rother District Council. Additionally, warning signs were displayed at the site entrance stating that the site was being watched for unauthorised activities. Tipping appeared to have stopped following these interventions.</p> <p>Due to there being multiple breaches at the site, Case Law dictated that enforcement action would fall to the District Council. Accordingly, Rother District Council, with support from this Authority, has subsequently taken formal enforcement action and served notices on the landowner, including to address the waste related activities at the site. At this stage, therefore, there is no further enforcement action required by this Authority, although officers continue to support Rother District Council with regard to the site.</p>
1/9	October 2024	Pyrite, The Coal Yard, Swan Barn Road, Hailsham.	Burning of tyres.	<p>A complaint was received that tyres were being burnt at the site and photographic evidence supported this. The site has planning permission (WD/831/CM) for tyre recycling and crumb/bale production. However, no burning of waste/tyres is permitted.</p> <p>An initial site visit was carried out, which identified evidence of the burning of tyres. Following correspondence, warnings and discussions with the operator, the burning of tyres ceased.</p> <p>Further monitoring visits have been carried out and no further evidence found of burning taking place.</p> <p>The breach of planning control has been resolved and no further action is required. The site will be monitored as part of the Council's Site Monitoring Policy. In the meantime, the site will be monitored periodically to ensure that the burning of tyres does not resume.</p>

1/10	October 2024	Morgans Farm, Cowbeech Road, Rushlake Green, Heathfield	Importation and deposit of waste.	<p>A complaint was received that waste materials were being imported to the site and deposited on the land. The complaint also referred to run-off from the site causing a pollution incident further downstream. This aspect was already being pursued by the Environment Agency with a view to a prosecution.</p> <p>Wealden District Council (WDC) had also been heavily involved with the site with various consents having been granted in relation to agricultural barns/tracks/works, along with enforcement proceedings.</p> <p>A joint site inspection with officers from the Environment Agency, the operator and landowner was carried out. The landowner advised that a track, which had been laid using imported waste materials adjacent to some Ancient Woodland was due to be removed following a requirement from WDC. Other remedial works required by WDC were also to be undertaken.</p> <p>Since the joint site inspection, proposals for a new track and farmyard manure storage area and new agricultural building have been considered by WDC.</p> <p>Activities at the site involving the importation of materials are related to various consents granted by WDC or are Permitted Development. Therefore, there is no breach of planning control relevant to this Authority, as Waste Planning Authority, and no further action is required. Notwithstanding we have given advice to the owner and Officers will continue to maintain contact with WDC and continually review the situation.</p>
1/11	November 2024	Hole Farm, Westfield Lane, Westfield	Breach of Conditions attached to planning permission RR/724/CM (Site layout, height of stockpiles and plant/machinery).	<p>During a monitoring visit, it was noted that there were significant breaches of the planning permission for the site, including site layout, heights of stockpiled materials and additional machinery.</p> <p>Under threat of enforcement action, the operator submitted a planning application (RR/899/CM) to regularise aspects of the layout and use of the site. The application was considered by the Planning Committee at its meeting on 17 September 2025 and planning permission granted.</p> <p>No further enforcement action is required. However, the site will be closely monitored. Needless to say full compliance with the Planning Permission will be required. In the event of non-compliance it is highly likely that enforcement action will</p>

				be taken.
1/12	January 2025	Bell Reed Farm, Dads Hill, Cross- in-Hand, Heathfield	Importation and deposit of waste.	<p>A complaint was received that waste materials were being imported, deposited and stored at the site. An inspection was carried out and although it was not possible to gain access to the site, it was evident that waste was being imported.</p> <p>Contact was made with the landowner, who stated that various parties had used the land for the storage of various items, including waste. The planning/enforcement position was set out and a timescale for the clearance of the site agreed.</p> <p>A further site inspection has been carried out which confirmed that the site had been satisfactorily cleared, and no further waste materials imported. The breach of planning control has been resolved and no further action is required.</p>
1/13	January 2025	Land off Chiddingly Road, Horam	Importation and deposit of waste.	<p>A complaint was received regarding the alleged importation and deposit of waste at the site. Officers attended and it was observed that one load of soil had been deposited. Contact was made with the operator who advised the deposit was a one off owing to the fact he had been unable to make it that day to a lawful site for disposal.</p> <p>The material has subsequently been removed and no further complaints have been received. No further action is required.</p>
1/14	March 2025	Great Cow Farm, Cowbeech Road, Cowbeech	Importation and deposit of waste.	<p>A complaint was received that lorries were running into the site and depositing significant quantities of waste materials. A site visit was carried out but circumstances dictated that it was not appropriate to access the site at that time. However, the driver of a tipper lorry leaving the site was spoken to. He confirmed that soils and aggregates were being imported for the purposes of building a base for a barn. In this respect officers liaised both with Wealden District Council and the haulier.</p> <p>A letter was sent to the landowner and a site meeting subsequently held. The materials had been imported in relation to a matter dealt with by Wealden District Council for a steel framed barn. They were clean and quantities were considered proportionate relative to the consent granted. Therefore, there is no further action required by this Authority, in its capacity as Waste Planning Authority.</p>

**TABLE 2 - NEW BREACHES OF PLANNING CONTROL INVESTIGATED AND RESOLVED BETWEEN 1 APRIL 2025 AND 30 SEPTEMBER 2025**

	DATE LPA BECAME AWARE OF BREACH	SITE ADDRESS	NATURE OF CASE	CURRENT POSITION
2/1	April 2025	Maddomswood Farm, Hoath Lane, Whatlington, Battle, TN33 0NP	Importation, deposit and burning of waste.	<p>A complaint was received that waste materials were being imported, deposited and burnt at the site. A site visit was carried out and a meeting held with the landowner, who stated that waste arisings, such as concrete, were site derived. He also referred to vehicles running in and out associated with his business. There was no tangible evidence that waste materials were being imported, deposited and/or burnt at the site.</p> <p>No breach of planning control was identified and no further action required at this stage. Going forward, as with all cases, further investigations will be undertaken should complaints resume.</p>
2/2	April 2025	Land North side of Bircholt, Marlpits Lane, Ninfield TN33 9LD	Importation and deposit of waste materials.	<p>A complaint was received that waste materials (soils) were being imported and deposited at the site, down an embankment.</p> <p>A site visit was carried out and discussions held with local personnel. The materials have been imported to assist with land stabilisation to facilitate an adjacent development.</p> <p>In terms of planning case law the matter is considered to be operational development, rather than a waste disposal operation, and no further action is required by this Authority as the Waste Planning Authority.</p>
2/3	April 2025	Quarry Farm, Bodiam	Importation and deposit of materials.	<p>A complaint was received regarding the importation and deposit of waste (soils) at the site. Following investigations, the importation of soils is permitted under the approval of a Prior Notification relating to agricultural improvements.</p> <p>No breach of planning control was identified, and no further action is required.</p>
2/4	May 2025	Eastbourne Golfing Park, Lottbridge	Unauthorised development -	<p>A complaint was received that waste materials were being imported to - and deposited at - the site. A site visit confirmed that materials had indeed been imported, which was</p>

		Drove, Eastbourne	Breach of pre-commencement conditions attached to Planning Permission EB/889/CM	<p>in breach of the planning permission for the site due to pre-commencement planning conditions not having been discharged.</p> <p>Following a meeting with the landowner and further correspondence, importation of materials has ceased. There is currently no breach of planning control and the site will be monitored in accordance with the Council's Site Monitoring Policy.</p>
2/5	May 2025	Little England Farm, Main Road, Hadlow Down	Importation and deposit of waste from road sweepers.	<p>A complaint was received that waste materials (road sweepings) were being imported and deposited at the site. A joint site inspection with officers from the Environment Agency and Wealden District Council was carried out, which confirmed that waste materials had been imported to the site.</p> <p>However, the works are in association with a barn approved by Wealden District Council, who have confirmed they will be pursuing the matter. No further action required by this Authority, as Waste Planning Authority.</p>
2/6	May 2025	Marlie Farm, The Broyle, Shortgate, Ringmer	Importation and deposit of waste.	<p>A complaint was received that waste materials were being imported and deposited at the site. A joint site visit with an officer from the Environment Agency was carried which confirmed the substance of the complaint.</p> <p>Following a meeting with the landowner, it was ascertained that the works were in connection with a consent granted by Wealden District Council, who subsequently confirmed this to be the case.</p> <p>No further action is required by this Authority, as Waste Planning Authority.</p>
2/7	May 2025	Unit 4 Ghyll Road Industrial Estate, Ghyll Road, Heathfield	Breach of conditions of planning permission WD/888/CM and burning of waste	<p>Conditions attached to planning permission WD/888/CM for the site were breached. Following investigations and site inspections, the waste use of the site has ceased. Therefore, there is no breach of planning control and no further enforcement action is required.</p>
2/8	July 2025	Former Household Waste Site, Station Road, Forest Row	Importation and processing of construction, demolition and excavation	<p>A complaint was received regarding waste related activities at the site. An inspection was carried out and it was noted that a groundworks company was occupying the site. Following discussions with personnel on site, it was established that they were operating under a planning permission granted by Wealden District Council.</p>

			waste.	The matter has therefore been referred to Wealden District Council for any action they consider appropriate.
2/9	August 2025	The Cockpit, Bardown Road, Stonegate, Wadhurst	Importation, processing and storage of waste.	<p>A complaint was received that waste materials were being imported and processed at the site. An inspection was carried out and a meeting held with the operator. The operator confirmed that they had been at the site for six years and the site is primarily a vehicle/contractor yard.</p> <p>There were no activities to suggest that this is a waste operation and no further action is required.</p>

**TABLE 3 - NEW BREACHES OF PLANNING CONTROL INVESTIGATED BETWEEN 1 APRIL 2025 AND 30 SEPTEMBER 2025 AND AS YET UNRESOLVED.**

	<b>DATE LPA BECAME AWARE OF BREACH</b>	<b>SITE ADDRESS</b>	<b>NATURE OF CASE</b>	<b>CURRENT POSITION</b>
3/1	April 2025	Land at container storage facility to the rear of 172 Battle Road, Hailsham	Unauthorised deposit of mixed waste.	Following investigations by officers, it was identified that a significant quantity of mixed waste had been imported to - and deposited at - the site. Contact has been made with the landowner and investigations are continuing.
3/2	April 2025	Land adjacent to and to the rear of 172 Battle Road, Hailsham	Use of container for storage and transfer of waste materials	Following investigations by officers, it was noted that an operator from another site was using a shipping container at this site for the storage of waste materials. Investigations are ongoing.
3/3	April 2025	Rideout Agricultural Ltd, Dunly Wood, Mayfield Road, Cross in Hand, Heathfield	Tipping from road sweepers and processing (potential breach of extant Enforcement	A complaint was received that waste from road sweepings was being imported and deposited at the site. A joint site inspection with officers from Wealden District Council and the Environment Agency was carried out. This confirmed that significant quantities of road sweeping waste had indeed been deposited at the site.



			Notice).	<p>The main area of the deposits lies within the area covered by the extant Enforcement Notice served by this Authority in 2021, and this is therefore in breach of the extant Enforcement Notice.</p> <p>Investigations are continuing, with a view to a prosecution for the breach of the Enforcement Notice.</p>
3/4	April 2025	Land at Ockham House, Silverhill, Etchingham	Importation and deposit of waste materials.	<p>A complaint was received that waste materials, comprising mostly soils, were being imported and deposited at the site. An inspection was carried out, which confirmed the substance of the complaint. During the course of the site visit, a chance meeting was held with one of the landowner's sons, who stated that the materials were being imported to cover an area that had historically been tipped with farm waste. Discussions were also held with the operator at the site. Both the landowner's son and the operator were advised to cease any further importation of materials and works with immediate effect which they duly did.</p> <p>Following the site visit, a letter was sent to the landowner and officers were then contacted by another of the landowner's sons. The property is currently for sale and there is an interested purchaser. A subsequent meeting was held with the prospective purchaser who agreed to certain measures and works being undertaken, pending the purchase of the property.</p> <p>Officers have also had meetings with the Environment Agency and the Police regarding activities at the site.</p> <p>Currently, results from testing and topographical surveys are awaited pending any further action.</p>
3/5	May 2025	Little Friars Farm, Otham Court Lane, Polegate	Importation, deposit and burying of waste and scrap metal.	<p>A complaint was received that waste materials, comprising clinical waste and scrap metal, were being imported, deposited and buried at the site. A concern was also raised regarding the welfare of horses at the site. An initial site inspection was carried out but, despite noting an untidy site, no evidence was found to support the nature of the complaint. A further site inspection was made which, again, could not identify the alleged breach.</p> <p>A letter was sent to the landowner, but no response received. A further letter was sent and officers were contacted by a relative of the landowner. The landowner is in</p>

				<p>poor health and relatives are endeavouring to resolve matters. A site meeting was held, which did identify quantities of clinical and other waste materials. Steps are being taken to clear the site of all waste materials and officers are maintaining contact with those involved and monitoring the situation.</p> <p>The RSPCA have also been involved and the Council understands that all the horses will be removed from the site.</p>
3/6	July 2025	Stonehill Farm, Stonehill, Horam	Importation and deposit of waste	<p>A complaint was received that waste materials, comprising soils, were being imported to the site and spread across the land. A joint site inspection with an officer from the Environment Agency was carried out, which confirmed the substance of the complaint. Warnings were issued to the landowner with discussions subsequently being held with the operator at the site. He explained that the works were being carried out to improve drainage and prevent flooding of other areas on the site, which appeared to be genuine. Nevertheless, concerns were raised with the operator regarding the proximity of the deposited materials within the crown spread of trees at the edge of the site.</p> <p>Remedial works were agreed with the contractor and undertaken to safeguard affected trees going forward. A further site inspection is to be undertaken shortly to ensure the agreed works have been carried out satisfactorily. If so, no further action will be taken.</p>
3/7	July 2025	Bardown Farm, Bardown Road, Stonegate	Importation and deposit of waste	<p>A complaint was received that waste materials were being imported to and deposited at the site. An inspection was carried out, which confirmed the substance of the complaint. It was noted that fairly significant groundworks have taken place and piles of waste (hardcore, soils, timber and potential trommel fines) are stored at the site. During the initial visit, a chance meeting was held with a relative of the landowner, who claimed not to be aware of what was taking place, but that she would ask the landowner to contact officers.</p> <p>No contact was made by the landowner, and a warning letter was therefore sent to the landowner. No response has been received and officers are pursuing the matter, with a view to serving a Planning Contravention Notice should a response to a final warning letter not be forthcoming.</p> <p>The Environment Agency are also involved with the case.</p>

3/8	July 2025	Land at East Quay adjacent to Brett Aggregates Limited, Fishers Wharf, East Quay, Newhaven Port, Newhaven	Dust arising from aggregate storage and processing on land outside area approved by Planning Permission LW/799/CM/EIA	<p>A complaint was received that dust from aggregate storage piles to the south of the Brett Aggregates site was being blown further afield and causing a nuisance. A site inspection was carried out and discussions held with the site manager.</p> <p>The site manager advised that the height of the stockpiles has been reduced but there had been a problem with the dust suppression (water sprinkler) system, which was due to be replaced.</p> <p>Although the storage of aggregates in this area is Permitted Development and not covered by the planning permissions relating to the Brett Aggregate's site to the north, a further site inspection will be arranged to assess the new dust suppression system and ensure it is fit for purpose.</p>
3/9	July 2025	Oakley Farm, London Road, Mountfield, Robertsbridge	Importation and deposit of waste (soils)	<p>A complaint was received that waste materials were being imported and deposited at the site. A site visit was attempted but it was not possible to gain access.</p> <p>A letter was sent to the landowner and discussions subsequently held. The imported materials are being used to level the land and the landowner proposes to install a charcoal kiln.</p> <p>A site meeting is currently being arranged.</p>
3/10	August 2025	Franchise Farm, Spring Lane, Burwash	Importation and spreading of waste materials.	<p>A complaint was received that contaminated waste materials were being imported to the site and spread on the land. An initial site visit was carried out but due to the lack of clarity regarding the location of the waste it was not possible to identify if there was a breach of planning control.</p> <p>A letter was sent to the landowner who stated that the waste was imported and spread on the land in his absence and without his knowledge. The landowner commissioned testing of the waste and the matter is ongoing.</p> <p>A joint inspection with the Environment Agency is to be arranged.</p>

3/11	September 2025	Adams Farm, Sandrock Hill, Crowhurst, Battle	Importation and deposit of waste	A complaint was received that waste materials were being imported to the site and deposited. A site visit was carried out but it was not possible to gain access. A letter was issued to the landowner who has subsequently replied suggesting that lorries attending the site were bringing in compost and topsoil. A meeting on site with the landowner will be arranged shortly to ascertain the veracity of this.
3/12	September 2025	Plot 324, 6 Valley Road, Peacehaven	Importation and burning of waste.	<p>A complaint was received that waste materials were being imported, deposited and burnt at the site. Allegations regarding other breaches of planning control in respect of the unauthorised siting of residential caravans and other operational development were also made.</p> <p>The matter is currently under investigation.</p>
3/13	September 2025	Land on south side of West End, Herstmonceux, Hailsham	Deposit of soil from adjacent development	A complaint was received that waste materials (soil) from an adjacent housing development had been deposited in a field. A site visit was carried out which confirmed the substance of the complaint. A letter is due to be sent to the landowner pending any further action.
3/14	September 2025	Land to the south-east of Royal Oak Garage, London Road, Flimwell	Importation and deposit of waste materials (soil/sandstone) and burning of waste.	<p>A complaint was received that waste materials (soil/sandstone) were being deposited on the land. A site inspection was carried out, which confirmed that a significant quantity of clean site derived materials had been deposited on an area of land, including within Ancient Woodland. Those materials had arisen as a result of a Planning Permission for site works granted by Tunbridge Wells District Council.</p> <p>Instructions were issued to immediately clear and restore the Ancient Woodland. This was backed up with correspondence issued to the landowner and a subsequent site meeting held both with him and his planning agent. As required, all materials have been removed from within the Ancient Woodland; original levels have been restored. No damage to trees has occurred. The material removed has been temporarily stockpiled elsewhere on the site. The landowner has indicated that it is the intention to make a planning application to retain the materials elsewhere on the site and a planning application is expected.</p>

**TABLE 4 - OUTSTANDING CASES SUBJECT TO ONGOING ACTION**

	<b>DATE LPA BECAME AWARE OF BREACH</b>	<b>SITE ADDRESS</b>	<b>NATURE OF CASE</b>	<b>CURRENT POSITION</b>
4/1	January 2020	Meadow Farm, Road Hill, Isfield	Importation and deposit of waste (soils and hardcore)	<p>In 2018 a complaint was received alleging that lorry loads of waste materials, comprising soils and hardcore, had been imported into the site and deposited. Joint site visits were undertaken with officers from the Environment Agency and Wealden District Council, and meetings were also held with the landowner and operators. Wealden District Council invited an application, which sought to retain the deposited materials on site to be used in several engineering operations. That authority eventually decided that they could not entertain such an application and returned the application and fee to the landowner.</p> <p>The matter was then referred back to the County Council to deal with as a County Matter. Officers held an initial site meeting with the landowner (February 2020). At that time the whole area was so waterlogged as to be impassable, and the removal of the materials was not feasible. Since the initial meeting, the Coronavirus Pandemic prevented further progress in this matter. However, contact was maintained with the landowner in order to progress matters.</p> <p>A further meeting was then held with the landowner and an initial course of action was agreed, which was the moving of the bunds of material to outside of the crown spread of the trees. Initially there had been no progress made because of the waterlogged ground conditions and the site needed a considerable period of dry weather to improve the ground conditions to allow work to start. However, works were then commenced to remove the bunds and a subsequent site inspection noted that the landowner had moved the imported materials away from the crown spread of the affected trees.</p> <p>Numerous inspections have been carried out and a meeting held with the landowner. Further works to resolve the breach of planning control were identified and agreed with</p>

				the landowner, together with a timetable for their completion. Officers are monitoring the site to review progress. A further site meeting with the landowner and other officers is to be arranged to check progress with the remedial works.
4/2	April 2021	Crockstead Farm Hotel, Halland	Importation and deposit of waste – soils.	<p>A complaint was received that waste materials, comprising soils, were being imported into the site and deposited. A site visit was undertaken, during which a meeting was held with the operator undertaking the works, who admitted that materials had been imported into the site to improve an existing access track and to improve the land.</p> <p>At the time of the site visit, the landowner was away. A letter was sent to the landowner and a meeting was subsequently held with the site manager who explained that the materials were imported to improve the land for equestrian grazing.</p> <p>The materials imported included soils, which contained a significant quantity of hardcore, metal and plastics, which would eventually work through to the finished surface of the site. This material was not considered to be suitable for its intended purpose and, after considering the situation, the County Council required the materials to be removed and the original landform to be restored. The operator/landowner was given an initial timescale for these remedial works to be undertaken.</p> <p>A planning application (WD/891/CM) to regularise the breach of planning control has subsequently been submitted and is currently under consideration.</p>
4/3	June 2021	Former HT Drinks Site, Endeavour Works, Beach Road, Newhaven	Importation and bulking up of waste tyres.	<p>A complaint was received that waste tyres were being imported into this site and were being bulked up. A joint site visit was undertaken with an officer from the Environment Agency, which confirmed the substance of the complaint.</p> <p>A meeting and subsequent correspondence were had with the site operator and agent, and the requirement for planning permission and an environmental permit explained. The operator stated his intention to apply for planning permission and an environmental permit, and a timescale was agreed for him to submit the necessary applications.</p> <p>The agreed timescale for the submission of a planning application expired without any application being submitted. Officers therefore undertook a further site visit to check the situation at the site. This confirmed that the site was continuing to be used for the unauthorised waste activity.</p>

				<p>Further contact was made with the operator, who stated that the planning application was being prepared and would be submitted in the next few days. No planning application was forthcoming, and the unauthorised activity continued. A Temporary Stop Notice was therefore served on the landowner, operator and interested parties on 12 November 2021, which ceased the waste activity on the site.</p> <p>Following the service of the Temporary Stop Notice, the operator submitted a planning application (LW/860/CM) relating to the waste tyre processing on the site, including by pyrolysis. However, due to proposed changes to the planning application, it was withdrawn in January 2024. The operator has engaged a new agent and intends to submit a revised planning application.</p> <p>In the meantime, the site is continuing to be monitored and only the storage and baling of tyres is taking place which, whilst unauthorised, is not presently causing any apparent harm. The operator is well aware however of the possibility of further enforcement action being taken.</p>
4/4	June 2022	Skilton's Skips, AS Farm, The Warren Crowborough	Importation and deposit of waste.	<p>A complaint was received regarding a potential skip business being operated from the site. An initial inspection was carried out which confirmed the nature of the complaint. Further inspections were then undertaken and discussions held with the operator.</p> <p>There are adjoining sites which have also been investigated; matters have been complicated by landownership issues and boundary disputes. Correspondence was issued to the person understood to be the overarching landowner regarding the various issues. A further site meeting was held with the landowner in January 2024, which identified various options to regularise matters. Further correspondence was then issued to the landowner following that meeting, since when there has been no contact or progress. Accordingly, the case is being reviewed to consider what action now needs to be taken to remedy matters and address any harm being caused. It is highly likely that a Planning Contravention Notice will be served. The site is continuing to be monitored by officers.</p>
4/5	June 2022	AM Skips & Plant Hire, Hazelbank, London Road, Maresfield,	Breach of conditions – noise and site layout.	<p>During a site monitoring visit, it was noted that the layout of the site was not in accordance with the approved plans. Subsequent complaints were also received regarding excessive noise emanating from the site and its operations.</p> <p>Numerous site visits were carried out and meetings held with the operator and also the</p>

				<p>Environmental Health Officer (EHO) from Wealden District Council (WDC). In respect of noise, WDC have previously served a Noise Abatement Notice on the operator and the EHO identified certain measures which could be implemented to address the noise issues, such as acoustic fencing. However, such measures require planning permission due to their scale.</p> <p>The operator submitted a planning application (WD/876/CM) for the erection of three metres high boundary treatment (acoustic fencing) to the north-western boundary of the site. The application was approved under delegated powers (August 2023) and the fencing had to be installed within six months of the date of the decision (February 2024).</p> <p>Notwithstanding the submission of a planning application to address the noise issues at the site, with regard to the remaining breaches no satisfactory progress had been made to resolve these. Consequently, a Section 330 Notice (Requisition for Information) was served on the operator as a precursor to the instigation of formal enforcement proceedings. A response to the Notice was received.</p> <p>A further site inspection was carried out, which confirmed that the acoustic fencing had been installed. Despite the installation of the fencing, complaints have continued to be received and the overall site layout remains in breach of the approved plans for the site.</p> <p>The site is currently being monitored to ascertain whether it is breaching its noise controls.</p>
4/6	July 2022	The Plantation, Ersham Road, Stone Cross	Importation, processing and deposit of waste.	<p>A complaint was received regarding a significant number of lorries entering the site and depositing waste materials. A joint inspection with an officer from the Environment Agency was undertaken. The drivers of lorries entering the site were spoken to and a chance meeting with the landowner held. It was noted that a substantial volume of waste materials, including trommel fines, hardcore, subsoil and timber, had been imported to the site and deposited. Processing plant was also noted to be on the site.</p> <p>The landowner stated he was carrying out works associated with a Prior Notification approval he had in relation to raising the levels of land to return it to productive agricultural use. However, the scale of the works went well beyond this and the nature of considerable quantities of the material being imported and stockpiled (trommel fines)</p>



				<p>was wholly unsuitable for that purpose. Work was halted whilst further investigations were carried out.</p> <p>Due to the scale and nature of the works, a Planning Contravention Notice was served on the landowner and a "Time and Place" meeting held, which was attended by the landowner, his solicitor, and other representatives. Since that meeting, a further, extensive site inspection was undertaken with the landowner, in addition to a later joint site meeting with officers from Wealden District Council and the landowner.</p> <p>Correspondence was issued to the landowner further to the various site meetings clearly setting out the Council's position regarding remedying what was a very significant breach and the repercussions of not doing so. Since then, further discussions and site meetings have taken place to ensure the satisfactory progression of remedial measures. No further waste materials have been imported to the site. Soil testing was carried out on the imported materials in order to assess their make-up. The results identified that the materials were not suitable for use on the land. Extensive further testing has since been carried out and arrangements made for the waste materials to be removed from the site to authorised places of disposal.</p> <p>Significant quantities of materials, much of it trommel fines, have been removed from the site. Contact has been maintained with representatives of the landowner and a further site inspection is due to take place to confirm that the required works have been carried out.</p>
4/7	November 2022	FM Conway Ltd, North Quay Road, Newhaven	Breach of conditions and excessive emissions.	<p>During a site monitoring visit, it was noted that the site layout was not in full accordance with the planning permission for the site (LW/840/CM) and also that details pursuant to several conditions were outstanding. Contact was made with Environmental Health Officers at Lewes District Council concerning potential breaches of the Environmental Permit in relation to emissions.</p> <p>The operator subsequently submitted details pursuant to the outstanding conditions and undertook works regarding emissions and breaches of the Environmental Permit. Noise attenuation fencing was also installed and improvements to operating practices implemented.</p> <p>Whilst positive progress was made to resolve the various matters, there remain outstanding issues relating to both the planning permission and Environmental Permit.</p>

				<p>A planning application (LW/886/CM) was subsequently submitted in relation to increasing the height of the stack and this was approved by the Planning Committee at its meeting on 14 August 2024. The planning permission has now been implemented, and the stack extension was installed in early March 2025.</p> <p>A further planning application (LW/894/CM) to regularise the layout of the site and add a new covered bay has been submitted and is being considered under Agenda Item 5 of this Planning Committee meeting.</p>
4/8	February 2023	Land adjacent to reservoir, Cottage Hill, Rotherfield	Use of land by skip business.	<p>A complaint was received that the land was being used by a skip business and waste was being brought back to the site. A site visit was carried out and an area of land with two skips on it was found. The ownership of the land is not registered at the Land Registry and attempts to identify the landowner were initially unsuccessful.</p> <p>Further site visits have been carried out and contact was finally made with the operator. During discussions the operator was advised of the planning requirements for the use of the site and he is currently considering options going forward.</p>
4/9	February 2023	Land north-west of Eridge Road, Crowborough	Importation and deposit of waste: Landraising.	<p>A complaint was received that waste materials were being imported and deposited, resulting in a change to the landform. A site visit was carried out which confirmed the substance of the complaint and noted that significant quantities of materials had been imported, raising the levels of the land.</p> <p>Investigations and liaison with Wealden District Council identified a complex planning history for the site, including two planning permissions - one for a timber storage barn and storage container on the southern part; and one for the erection of a building to store wood and manufacture timber fencing products on the northern part of the site. It is, however, unclear whether these permissions allow for the alterations of the levels of the land, which would account for the imported materials, or whether the materials have been imported solely as a means of disposal.</p> <p>Further investigations were carried out and a site inspection undertaken with Wealden District Council. Since then, an extensive site inspection has been carried out with the Environment Agency and matters are ongoing.</p>
4/10	March 2023	Timber Yard,	Importation, deposit	<p>During a visit to another site in the locality, officers noticed what appeared to be the</p>

		Limekiln Forest Road, Eridge Green, Crowborough	and burning of waste.	<p>storage and burning of waste materials. The primary use of the site appears to be a timber yard, but some of the items noted on site were not consistent with that use. There is no relevant planning history for the site.</p> <p>A further inspection has been carried out and contact made with the landowner, who has recently purchased the site. The new landowner is in the process of clearing the site and has been made aware of the restrictions in terms of any waste use/activity at the site. Officers will monitor the site to ensure the waste is removed.</p>
4/11	March 2023	Greenacres, London Road, Battle	Importation and deposit of waste.	<p>A complaint was received regarding waste materials (soils and hardcore) being imported to the site. A site visit was carried out which confirmed the substance of the complaint; however, no one was present. Officers liaised with the Environment Agency, who also had an interest in the site. Significant quantities of material have been deposited adversely affecting Ancient Woodland and the High Weald National Landscape.</p> <p>Contact was subsequently made with the landowner and a site meeting held. The landowner confirmed that some materials had been imported, but also that a large amount of the material had originated from within the site following various building projects. The landowner stated it was their intention to improve the area of land and create a wildflower meadow.</p> <p>Two further site meetings were held with the landowner, their representatives and various officers from this Authority, including an Ecologist and Landscape officer. Various options to resolve the matter were discussed and a programme of works agreed, which included the removal of material, restoration of the landform, replacement planting and ecological enhancements.</p> <p>These works were due to be secured through the submission of a planning application. However, no application has been forthcoming, and the landowner is no longer responding to correspondence. Therefore, an Enforcement Notice is being prepared and will be served on the landowner and interested parties shortly.</p>
4/12	March 2023	Tanyard Farm, Hooe Road, Ninfield, Battle	Importation and deposit of waste: soils and scrap vehicles:	<p>A complaint was received regarding the importation of waste materials to the site, including lorries entering at night. A site visit was carried out which confirmed the substance of the complaint. Following the site visit a letter was sent to the landowner, however no response was received and a chaser was sent. Officers also liaised with</p>

				<p>officers from other agencies as well as gathering further information from other sources.</p> <p>During a further site inspection it was noted that burning was taking place and officers observed an unattended bonfire at the site. As the landowners has failed to respond to correspondence, they were issued with a warning letter and a Planning Contravention Notice (PCN) was subsequently served on them. No response to the PCNs was received.</p> <p>Officers have since visited the site again and noted that the waste use is continuing, along with other activities including potential residential uses. It is proposed to issue a new Planning Contravention Notice, which will be served in person.</p>
4/13	June 2023	Giffords Farm, Battle Road, Dallington	Importation and deposit of waste, creation of haul road and infilling of a pond.	<p>A complaint was received regarding the importation of waste to the site. An initial site visit was undertaken but officers were unable to gain access.</p> <p>A joint inspection with the Environment Agency was subsequently undertaken and discussions held with the landowner. Some of the works related to a planning permission for the infilling of a lagoon and pond, and the erection of a barn, granted by Rother District Council (RDC) and the matter has been referred to RDC to check compliance.</p> <p>Notwithstanding this, there was evidence of the importation of significant quantities of assorted waste materials elsewhere on the site as well as the creation of a large pond. The site is within the High Weald National Landscape. Of particular concern is the deposit of waste in areas of Ancient Woodland given its likely adverse impact on both trees and ecology. A letter was sent to the landowner following the inspection but no response was received. A warning letter regarding the lack of any reply was sent to the landowner, but still no response was received.</p> <p>A Planning Contravention Notice (PCN) was therefore served on the landowner in January 2024. The landowner failed, despite numerous reminders, to respond to the Planning Contravention Notice, which is an offence.</p> <p>As a result of the landowner's failure to respond to the PCN, a prosecution was brought against him. The case was heard at Hastings Magistrates' Court on 18 July 2024, where the landowner pleaded guilty to the offence of failing to respond to the PCN. He</p>

				<p>was ordered to pay a total of £1,291.50, consisting of £700 fine; £311.50 costs and £280 Victim Surcharge.</p> <p>Following the successful prosecution, a further letter was sent to the landowner advising him that a response to the PCN was still required and it was an ongoing offence to fail to do so. Despite this, the landowner chose still to not respond to the PCN. He was therefore subsequently summonsed to appear before Hastings Magistrates' Court in October 2024. He once again pleaded guilty and was ordered to pay a total of £1,229.34; consisting of £576 fine; £423.34 Victim Surcharge and £423.34 costs.</p> <p>Following the second successful prosecution, the landowner's agent contacted officers, indicating that he was keen to work with the Council to resolve matters. Regrettably, nothing has happened in this regard and there has been no apparent attempt to meet deadlines set for the removal of the waste materials, particularly from within the Ancient Woodland. Therefore, an Enforcement Notice is being prepared and will be served shortly.</p>
4/14	September 2023	Land off Hempstead Lane, Hailsham.	Use of land as a waste site.	<p>A complaint was received that waste materials (soils and hardcore) were being imported to and stored at the site. A site visit was carried out which confirmed the substance of the complaint. Contact was made with the operator and a site meeting held.</p> <p>The site in question is brownfield formerly being part of a scrap yard, the main body of which is on land directly opposite.</p> <p>Further to officers maintaining contact with the operator and undertaking additional monitoring visits, the operator indicated that a planning application would be submitted to regularise the use of the site. The operator subsequently requested formal pre-application advice, which was provided. There have been delays with the submission of an application due to the operator changing planning agents. Following a recent complaint and further site inspection, it was noted that agreed remedial works had not been carried out. Enforcement action very much remains an option and the operator is well aware of this. It is currently expected that a planning application will be submitted by the end of November 2025. Officers are maintaining a very close eye on the situation.</p>

4/15	September 2023	Land at Lunsford Cross Farm (now known as Church Stand Farm), Peartree Lane, Ninfield.	Importation/deposit of waste, plus other issues.	<p>A complaint was received that waste materials were being imported to and deposited at the site, as well as the unauthorised use of the land for residential purposes and other matters. An initial site visit was carried out, which supported the nature of the complaint, but it was not possible to gain full access to the site.</p> <p>A multi-agency site visit was subsequently undertaken which identified a number of issues for the various regulatory bodies to deal with. Following the site visit, the landowner made contact with officers and a further inspection and meeting was arranged.</p> <p>At that meeting, various matters were identified, including the residential use of a caravan and the importation of waste materials. The owner has been told what remedial measures are expected. The matter remains ongoing and a further joint site inspection will be arranged.</p>
4/16	January 2024	Bowen Farm, Park Lane, Laughton,	Importation and deposit of waste.	<p>A complaint was received that waste materials were being imported to the site. A joint inspection with officers from Wealden District Council was carried out, which confirmed the substance of the complaint. During the course of that inspection, discussions were held with the landowner who stated that the materials had been imported in connection with landscaping works related to the conversion of farm buildings, which had the benefit of planning permission. The officer from Wealden District Council advised that the extent of the land covered by the planning permission for the conversion did not extend to the area where the materials had been deposited.</p> <p>Following the initial inspection, a letter was sent to the landowner, who subsequently appointed an agent. Several site meetings have been held and correspondence has taken place with the agent and their ecological consultants. Significant remedial works including the removal of material were expected, as was a planning application to regularise certain matters including landscape and ecological works.</p> <p>A planning application has now been submitted (WD/903/CM) and is currently being processed.</p> <p>The Environment Agency are also investigating matters relevant to them.</p>
4/17	February 2024	Oaklands Farm, Newick Lane,	Importation and deposit of waste.	<p>A complaint was received that waste materials were being imported and spread on the land. A joint site visit with an officer from Wealden District Council was carried out and</p>

		Heathfield		<p>a meeting held with the landowner and their planning agent. There was evidence of imported materials and the landowner stated these were for works around the farm.</p> <p>It transpires there is an extant Enforcement Notice on the site (served by Wealden District Council) which relates to the unauthorised use as a ground workers commercial storage yard and depot. The Enforcement Notice requires this use to cease and also for plant, machinery, vehicles to be removed. It also requires rubbish, rubble and debris to be removed.</p> <p>As the Enforcement Notice requires the removal of waste materials, it is considered that this Authority should wait for compliance with the District Council's Notice and then assess if there are further steps that need to be taken to resolve any other breaches of planning control.</p>
4/18	February 2024	Magreed Farm, Magreed Lane, Broad Oak, Heathfield	Importation and deposit of waste. General site condition.	<p>A complaint was received about waste materials being imported to the site and deposited. Due to the history of the site, a joint site visit with officers from Wealden District Council was carried out.</p> <p>A warning letter to the landowners was sent and a subsequent joint site meeting held both with them and an Officer from Wealden District Council. A significant quantity of farm detritus was present on site and the landowners advised that much of this had either come from their previous farm or had been inherited from the previous landowner. Scrap metal from the site is being taken to a local scrap yard. Specific works to remove items from the site were agreed.</p> <p>A further inspection to monitor progress regarding the clearance of items from the site has recently been carried out and it was noted that some progress has been made. However, there remains further waste to be removed and the matter is being monitored.</p>
4/19	March 2024	Land adjacent to Star House, Down Street, Piltdown	Deposition of soil and storage of scrap cars.	<p>A complaint was received that waste soil was being imported to the site, scrap vehicles stored and vegetation was being allowed to encroach onto the highway. An inspection was carried out, and whilst it was not possible to gain access to the site, from the adjoining road it was possible to see piles of soil within the site as well as several vehicles. There was no evidence of vegetation encroaching onto the highway.</p> <p>Further site visits have been carried out and, most recently, access to the site was</p>

				<p>gained. There was evidence of waste being stored and burning taking place, together with several scrap cars stored in the woodland.</p> <p>A warning letter has been sent to the landowner and discussions are ongoing.</p>
4/20	April 2024	8 Grovelands, Hailsham	Importation, storage, bulking up and sorting of waste.	<p>Following previous alleged breaches of planning control at this property, periodic monitoring had been taking place with advice being issued to the occupant on several occasions. Matters seemed to have been remedied but after a period of time further complaints were received that the owner of the property was again bringing waste back, sorting, bulking up and storing it, before disposing of it elsewhere.</p> <p>Further monitoring of the site and activities took place, as well as investigations of various sources of information pertaining to activities at the site. Several other lines of inquiry were also followed.</p> <p>Discussions were held with the landowner and the planning situation set out to him. It was made clear, both during discussions and in correspondence, that waste should not be brought back, sorted and stored at the property.</p> <p>Despite the warning of enforcement action, the landowner continued to use the property for unauthorised waste related uses. Accordingly, an Enforcement Notice was served on him, which required the cessation of the importation, sorting and storage of waste and the clearance of the site. No appeal was made against the Enforcement Notice.</p> <p>Complaints continue to be received and officers are closely monitoring the site to ascertain whether the Notice is being breached. Should a breach of the Notice be detected the Council will likely initiate legal proceedings.</p>
4/21	April 2024	Messens Farm, Potmans Lane, Bexhill on Sea	Importation and deposit of waste.	<p>A complaint was received that waste materials (soil and hardcore) were being imported and deposited at the site. A site visit was carried out and discussions held with the landowner, who stated that the materials had been imported to level some undulating land.</p> <p>Discussions took place with officers from Wealden District Council as to whether the works were in connection with a planning permission granted by them for an equestrian sand school. Their view is that the works are outside that permission.</p>



				<p>The landowner was advised to undertake some immediate remedial works and also that planning permission is likely to be required if the materials are to be retained. The matter is ongoing, and officers will be undertaking a further site inspection to ascertain whether remedial works have been carried out or the materials removed.</p>
4/22	August 2024	187 London Road, Hailsham	Alleged importation of waste and scrap metal - breach of extant Enforcement Notice.	<p>There is an extant Enforcement Notice for this site prohibiting scrap metal and other waste related activities. Complaints were received that waste related activities were again taking place at the property.</p> <p>Several inspections were carried out and breaches of the Enforcement Notice identified. Warning notices were issued and a letter sent to the landowner setting out a timescale for the clearance of the site and compliance with the Enforcement Notice.</p> <p>The landowner failed to comply and continued to breach the Enforcement Notice. Consequently, he was summonsed to appear before Hastings Magistrates' Court on 19 December 2024. The landowner failed to attend and the case was heard in his absence. The Magistrates were satisfied that the case had been proven and ordered the landowner to pay a total of £7,827.63; consisting of a £5,000 fine, £2,000 Victim Surcharge and £827.63 in costs. This was the third time the owner had been prosecuted by the Waste Planning Authority for breaching the requirements of the extant Enforcement Notice.</p> <p>Since the prosecution, the site has been monitored and the breach continues, with complaints continuing to be received. Therefore, other options are now being actively and urgently considered in collaboration with our legal team as to how to secure compliance with the Enforcement Notice.</p>
4/23	October 2024	South Hartfield House, Colemans Hatch, Hartfield	Excavation and deposit of soils.	<p>A complaint was received that excavations were taking place and the excavated soil was being deposited on the boundary of the property.</p> <p>Investigations have been carried out and discussions held with the landowner. Some materials (MOT Type 1 (sub base)) have been imported in connection with works to the drive to the property and soil imported for drainage purposes.</p> <p>Further information is awaited from the landowner.</p>

4/24	January 2025	Sussex Waste Management Site, Whitworth Road, St Leonards-on-sea	Breach of Condition - Site Layout.	<p>During a monitoring visit, it was noted that the site was not in accordance with the approved layout under planning permission HS/884/CM.</p> <p>Remedial steps were set out for the operator to return the site to compliance with the planning permission. A further inspection noted that progress had been made with the site, but there remain some breaches. Further steps have been specified and an inspection is due to be undertaken to check the site is compliant.</p>
4/25	January 2025	Cuckoo Cottage, Newick Lane, Mayfield	Importation and deposit of waste.	<p>A complaint was received that waste materials, comprising soil and hardcore, were being imported to the site and tipped into an old railway cutting. A joint site visit with the Environment Agency was undertaken and a meeting held with the landowners.</p> <p>The landowners explained that there were stability issues with the railway cutting due to its steepness and a landslip had occurred. This was jeopardising their access. Sheet piling had been installed and then the waste soils and hardcore tipped in order to shore-up the embankments. However, slippage of the deposited materials has now occurred. The landowner stated that they wished to import further materials. The planning and Environmental Permitting requirements were clearly set out. Advice was given to instruct a suitably qualified structural engineer and that planning permission should be sought for the works.</p> <p>In addition to the stability of the embankments, officers have also been in contact with the Historical Railways Estate (HRE) due to concerns regarding the structural integrity of the bridge over the former railway, which provides access to the site. Initially HRE had deemed the bridge unsafe but have now reassessed it and are satisfied that the bridge can take lorries over it. Separate to the potential infilling of the railway cutting, HRE will be submitting a planning application to Wealden District Council to fill around the piers of the bridge to protect them from any future landslips.</p> <p>A further site inspection has been carried out and it was noted that further materials had been imported to assist with the stabilisation of the cutting. Officers are liaising with the Environment Agency and the case is currently being reviewed to determine the appropriate way forward.</p>
4/26	January 2025	Upper Wilting Farm, Crowhurst Road, St Leonards	Importation and deposit of waste.	<p>A complaint was received via Rother District Council that waste materials were being imported to the site. A site visit was carried out but it was not possible to gain entry. Contact is being made with the operator/landowner to arrange access to the site and a</p>

		on Sea		site meeting.
4/27	January 2025	Land east of Lower Wilting Farm, Crowhurst Road, St Leonards on Sea	Importation and deposit of waste.	<p>A complaint was received that waste materials, comprising soil and hardcore, were being imported, deposited and spread across the site. A joint site visit with officers from Rother District Council was undertaken which confirmed the substance of the complaint. During the site visit, it was noted that significant quantities of waste had been imported to the site and deposited over a large area, with no apparent reason.</p> <p>A letter was sent to the landowner and a response received advising that the tenant of the site was responsible. Contact was made with the tenant and a programme of works to remove the imported waste materials agreed.</p> <p>Officers have undertaken further visits to the site and works are progressing to clear the imported materials and restore the land. This site is continuing to be monitored to ensure full removal of the materials and satisfactory restoration.</p>
4/28	March 2025	Land opposite Little Exceat Farm (Hurst Barns Farm, Chiltington Lane, East Chiltington	Importation and deposit of waste.	<p>A complaint was received that waste materials, comprising hardcore/bricks, had been imported to and deposited at the site. A site visit was carried out which confirmed the substance of the complaint, although the materials deposited appeared to have been processed and akin to MOT Type 1.</p> <p>An agricultural track has been constructed in recent years and it is possible the materials are for the repair/maintenance of this. Further investigations are continuing to fully understand the nature of the materials and the reason for their importation.</p>
4/29	March 2025	Land North West of Eridge Road, (ESX229476) Lower Ashwood Farm, Crowborough	Importation and burning of waste - recontouring of land.	Whilst undertaking a joint site inspection with the Environment Agency to an existing site, several other sites were noted to appear to be being used for waste related activities. Details of all the owners have been obtained and further investigations are currently underway with a view to remedying waste related breaches of planning control at these additional sites.
4/30	March 2025	Land North West of Eridge Road, (ESX392714) Lower Ashwood Farm, Crowborough	Importation and burning of waste - recontouring of land.	Whilst undertaking a joint site inspection with the Environment Agency to an existing site, several other sites were noted to appear to be being used for waste related activities. Details of all the owners have been obtained and further investigations are underway with a view to remedying waste related breaches of planning control at these additional sites.

4/31	March 2025	Land North West of Eridge Road, (ESX97819) Lower Ashwood Farm, Crowborough	Importation of waste and recontouring of land.	Whilst undertaking a joint site inspection with the Environment Agency to an existing site, several other sites were noted to appear to be being used for waste related activities. Details of all the owners have been obtained and further investigations are currently underway with a view to remedying waste related breaches of planning control at these additional sites.
4/32	March 2025	Land North West of Eridge Road, (ESX248144) Lower Ashwood Farm, Crowborough	Importation and storage of waste paper and burning of waste.	Whilst undertaking a joint site inspection with the Environment Agency to an existing site, several other sites were noted to appear to be being used for waste related activities. Details of all the owners have been obtained and further investigations are currently underway with a view to remedying waste related breaches of planning control at these additional sites.
4/33	March 2025  [Note: this is a different operator to the entry below.]	Stanbridge Grab Services Limited, The Woodyard, A267 Tunbridge Wells Road, Frant	Importation, storage and processing of waste.	A report was received from the Environment Agency that the site was being used for the tipping and processing of waste soils and then the bulking up and bagging of the processed materials. Research into the site has not found any relevant planning permission that would allow this activity.  An inspection is in the process of being arranged.
4/34	March 2025  [Note: this is a different operator to the entry above.]	Stanbridge Surfacing Limited, The Woodyard, A267 Tunbridge Wells Road, Frant	Importation, storage and processing of waste.	A report was received from the Environment Agency that the site was being used for the storage of unprocessed waste soil, tarmac, concrete and bricks, and potential processing using a crusher. Research into the site has not found any relevant planning permission that would allow this activity.  An inspection is in the process of being arranged.
4/35	March 2025	Land at Corseley Road, Groombridge	Importation, deposit and burning of waste.	A complaint was received that waste materials were being imported to the site and burnt. Unfortunately, specific details of the location were not provided, but officers attended the area and identified the site in question, where it was noted that waste materials had been imported and there was also evidence of burning.  A letter was sent to the landowner, who contacted officers to state that the waste had been imported by persons unknown whilst he was away. He confirmed he intended to clear the site and secure it. A further site inspection is required to ensure the site has indeed been cleared.



This page is intentionally left blank

<b>Committee:</b>	<b>Regulatory Planning Committee</b>
<b>Date:</b>	<b>12 November 2025</b>
<b>Report by:</b>	<b>Director of Communities, Economy and Transport</b>
<b>Title of Report:</b>	<b>South Street Bus stop relocation, Eastbourne Traffic Regulation Order</b>
<b>Purpose of Report:</b>	<b>To consider the objections received in response to the formal consultation on the draft Traffic Regulation Order associated with South Street bus stop relocation, Eastbourne.</b>
<b>Contact Officer:</b>	<b>Emma Burt 01273 481170</b>
<b>Local Members:</b>	<b>Councillor Brett Wright</b>

---

## **RECOMMENDATIONS:**

**The Planning Committee is recommended to:**

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

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

### **1. Introduction**

1.1 The Eastbourne Town Centre Movement and Access Package identified improvements and upgrades to the Memorial Roundabout and further into South Street. As part of the South Street proposals, it identified a need to move the existing westbound bus stop from outside Simply Patisserie to between Wish Road and Hardwick Road. This will improve pedestrian accessibility, enhance traffic flow, and create a safer, more attractive town centre environment.

1.2 This bus stop improvement is being funded from the integrated transport block grant funding that the County Council receives from Government annually. The integrated transport funding is used to develop and deliver schemes in the county council's capital programme of local transport improvements approved annually by the Lead Member for Transport and Environment. The types of schemes developed and delivered using this funding include new footways, new crossing points, cycle routes, small scale local junction improvements and bus infrastructure improvements, including bus stops.

1.3 The draft Traffic Regulation Order is to implement the relocation of the bus stop and aims to:

- enhance accessibility and convenience for pedestrians to public transport services in the town centre and ensuring South Street is more user friendly for all.
- reconfigure parking spaces to balance accessibility and traffic management.
- enhance accessibility by providing one blue badge holder parking bay.
- help create a safer, healthier, and more vibrant town centre that increases visitor numbers and supports local businesses.
- continue the Council's wider improvements to the public realm in the town centre.
- help to reduce carbon emissions and improve air quality.

1.4 An initial informal consultation on the proposed Traffic Regulation Order associated with the South Street bus stop relocation was carried out between 27 January 2025 and 16 February 2025 with local County Councillors, Eastbourne Borough Council and statutory consultees including the emergency services and bus companies.

1.5 The initial consultation proposed relocating the bus stop to between Hardwick Road and Spencer Road (outside of St Saviours Church). Feedback from stakeholders suggested that this was not a suitable location and an alternative location was suggested between Wish Road and Hardwick Road. This was supported by feedback from the engineers about the best option for relocation.

1.6 On 29 August 2025, the County Council gave notice under the relevant sections of the Road Traffic Regulation Act 1984 (as amended), that it was proposing to make a Traffic Regulation Order. A copy of the draft Traffic Regulation Order is included at Appendix 1. A copy of the advertised Notice of proposals was placed at 20 locations on and in the vicinity of South Street, copies of the proposals were also placed on the County Council's Consultation website. In addition, the Public Notice was advertised in the local newspaper (The Eastbourne Herald) on 29 August 2025 and again on the 5 September 2025. Statutory Consultees were also contacted again to make them aware of the formal consultation. The formal period for representations took place between 29 August 2025 to 26 September 2025.

1.7 The South Street Traffic Regulation Order proposals are as follows:

1. Removal of Bus stop clearway (No Stopping At Any Time Except Buses) in: South Street between Cornfield Lane and Wish Road.
2. Removal of 24 metres of Parking bays (Permit Holders (zone G) or Pay and Display, Mon to Sat, 8am-6pm, Maximum stay 2 hours, no return within 1 hour) in: South Street between Hardwick Road and Wish Road.
3. Introduction of 18.9 metres of Parking bays (Permit Holders (zone G) or Pay and Display, Mon to Sat, 8am-6pm, Maximum stay 2 hours, no return within 1 hour) in: South Street between Cornfield Lane and Wish Road.



4. Introduction of Bus stop clearway (No Stopping At Any Time Except Local Buses) in: South Street between Hardwick Road and Wish Road.
5. Introduction of a 6.6 metre Disabled Persons Parking Place (Blue Badge Holders Only, Maximum stay 3 hours, no return within 2 hours) in: South Street between Cornfield Lane and Wish Road.

## **2. Comments and Appraisal**

2.1 During the formal consultation period, 21 items of correspondence were received in relation to the proposals. 11 of these were objections and 8 were in support, with the remaining 2 being general enquiries regarding the road conditions and/or speed limit rather than commenting on the TRO proposals. Full copies of the correspondence received have been made available in the Members' Room and have all been made available to Planning Committee members in electronic format.

2.2 The 8 items of support referenced:

- The plan will complement bus travel
- The plan will provide those that have limited mobility to access facilities within the Town Centre
- It will improve and ease traffic blocks on the pedestrian crossing and roundabout
- The current location of the bus stop being situated near the crossing has a narrow footway and that the proposed new location would be more suited.

2.3 The 11 objections were primarily received from individuals employed at the same organisation (Hart Reade solicitors). The objections were in relation to the location of the proposed bus stop being situated outside of building 104 (currently Hart Reade Solicitors) on South Street and made reference to, pollution, confidentiality, noise, disabled access, dangerous location, business improvement district, trees and expense as reasons for not implementing the proposed changes. Further information can be found in Appendix 2 on the topics that were raised within the 11 objections.

## **3. Conclusion and reasons for recommendation**

3.1 The relocation of South Street bus stop forms part of East Sussex County Council's wider plan to enhance and promote the vitality of Eastbourne Town Centre. The existing location of the South Street bus stop is in a close proximity to those seated outside of St Patisserie. The buses pulling up directly opposite has caused concerns around the fumes due to the proximity to the restaurant. The footway within this area is very narrow, also causing congestion with pedestrians. The footway in the proposed new location for the bus stop is much wider, resulting in less congestion of pedestrians and less impact of people be affected by any fumes from the buses due to the building being set back from the footway. As part of the South Street bus stop relocation scheme in Eastbourne, this will improve pedestrian accessibility, enhance traffic flow, and create a safer, more attractive town centre environment. This will also continue the Council's wider improvements to the public realm in the town centre and help to reduce carbon emissions and improve air quality.

3.2 The Traffic Regulation Order would enable changes to the location of the bus stop clearway on South Street from between Cornfield Lane and Wish Road to between Hardwick Road and Wish Road. It would also enable changes to pay and display parking bays from between Hardwick Road and Wish Road to between Cornfield Lane and Wish Road. It would also allow the introduction of a Disabled Persons Parking Place.

3.3 The approach in trying to resolve objections to the draft Order has been to appraise the concerns raised by representees and other road users, whilst meeting road safety standards and the objectives of the scheme. Officers consider that for reasons presented in this report, the objections summarised in Appendix 2 should not be upheld and the proposals in this area should proceed as advertised.

3.4 It is therefore recommended, for the reasons set out in the report, that the Planning Committee does not uphold the objections to the draft Traffic Regulation Order, and recommends to the Director of Communities, Economy and Transport that the Traffic Regulation Order be made as advertised.

**RUPERT CLUBB**

Director of Communities, Economy and Transport

**BACKGROUND DOCUMENTS**

[Decision - Eastbourne Town Centre Movement and Access Package Phase 2b & Victoria Place Levelling Up Fund \(Seaside Road to Grand Parade\) | 25 September 2023 | public consultation outcomes | East Sussex County Council](#)

EAST SUSSEX COUNTY COUNCIL

ROAD TRAFFIC REGULATION ACT 1984, ROAD TRAFFIC ACT 1991 &  
TRAFFIC MANAGEMENT ACT 2004

**East Sussex County Council (Prohibition and Restriction of Waiting, No Stopping,  
Loading, Unloading and Parking Places) (Eastbourne Borough Consolidation)  
Order 2025 Amendment Order 202\* No\*  
(South Street Bus Stop Relocation Scheme)**

East Sussex County Council, in exercise of their powers under Sections 9, 10(1) and (2), of the Road Traffic Regulation Act 1984 ("the Act"), as amended, and of all other enabling powers, after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the Act and Traffic Management Act 2004, as amended, hereby make the following Order:

**1. Commencement and Citation**

This Order may be cited as "East Sussex County Council (Prohibition and Restriction of Waiting, No Stopping, Loading, Unloading and Parking Places) (Eastbourne Borough Consolidation) Order 2025 Amendment Order 202\* No \* (South Street Bus Stop Relocation Scheme)" and shall come into effect on DD MM YYYY.

**2. When this Order comes into effect:**

- (i) East Sussex County Council (Prohibition and Restriction of Waiting, No Stopping, Loading, Unloading and Parking Places) (Eastbourne Borough Consolidation) Order 2025 shall have effect except as hereinafter contained:

**SCHEDULE ONE**

- (ii) The Order Plans shall be amended as detailed in the Order Plans attached to this Order.

THE COMMON SEAL of EAST SUSSEX )  
COUNTY COUNCIL was affixed )  
hereto on the DD<sup>th</sup> day of MM )  
two thousand and twenty YY in the presence of :- )

**AUTHORISED SIGNATORY**

H & T Ctte. 2.4.74 - para 4.2 joint  
report of Director of Legal &  
Community Services & County  
Engineer

EAST SUSSEX COUNTY COUNCIL (PROHIBITION AND RESTRICTION OF  
WAITING, NO STOPPING, LOADING, UNLOADING AND PARKING  
PLACES) (EASTBOURNE BOROUGH CONSOLIDATION) ORDER 2025 AMENDMENT  
ORDER 202\* No \* (SOUTH STREET BUS STOP RELOCATION SCHEME)

## The Order Plans

# Static Order Guide

## Map page indicator

Shows current map number against total and indicates if the legend is split over multiple pages eg. 2a, 2b, 2c

## Change type

Indicates whether restrictions have been Added, Modified or Removed

## Coloured spots

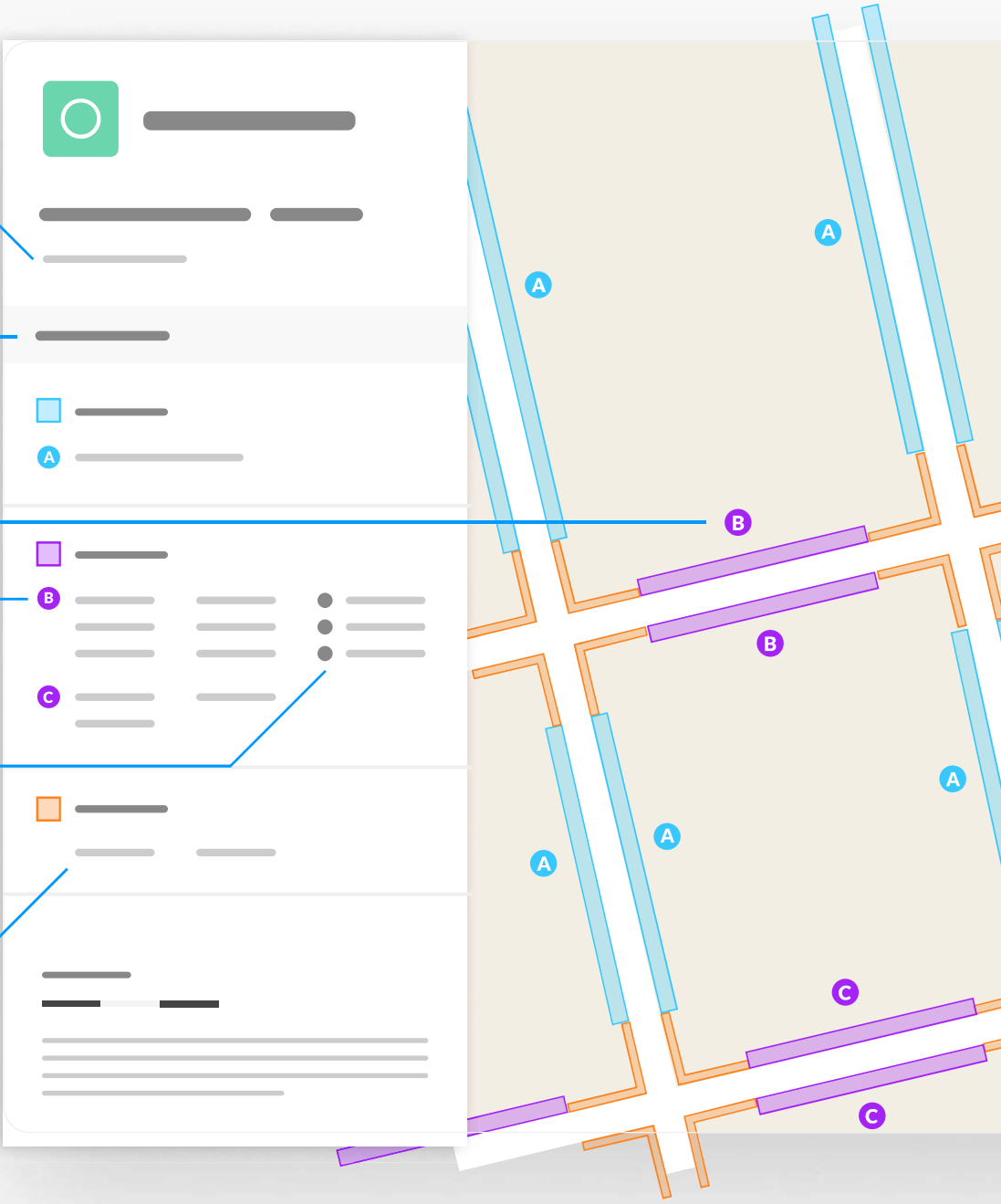
Restrictions with different attributes are marked with a lettered spot

## Restriction icons

- ⊕ Min stay   ⊕ Max stay   ⊘ No return   ⌚ Tariff hours
- ▶ Up to   ⛽ Fuel surcharge   Ⓜ Event day   ⓘ Emissions pricing

## Restriction durations

Where no months or days are specified, restrictions apply all year and all week



## Amendment Order 202\* No\* (South Street Bus Stop Relocation Scheme)

Map 1 of 1

### ADDED

Disabled persons' badge holders parking place

At all times 3h 2h

Shared

Paid-for parking place

Mon-Sat 08:00-18:00 2h 1h

Permit holders parking place (G)

Mon-Sat 08:00-18:00

Bus stop

Non-TRO Item

At all times

### REMOVED

Shared

Paid-for parking place

Mon-Sat 08:00-18:00 2h 1h

Permit holders parking place (G)

Mon-Sat 08:00-18:00

Bus stop

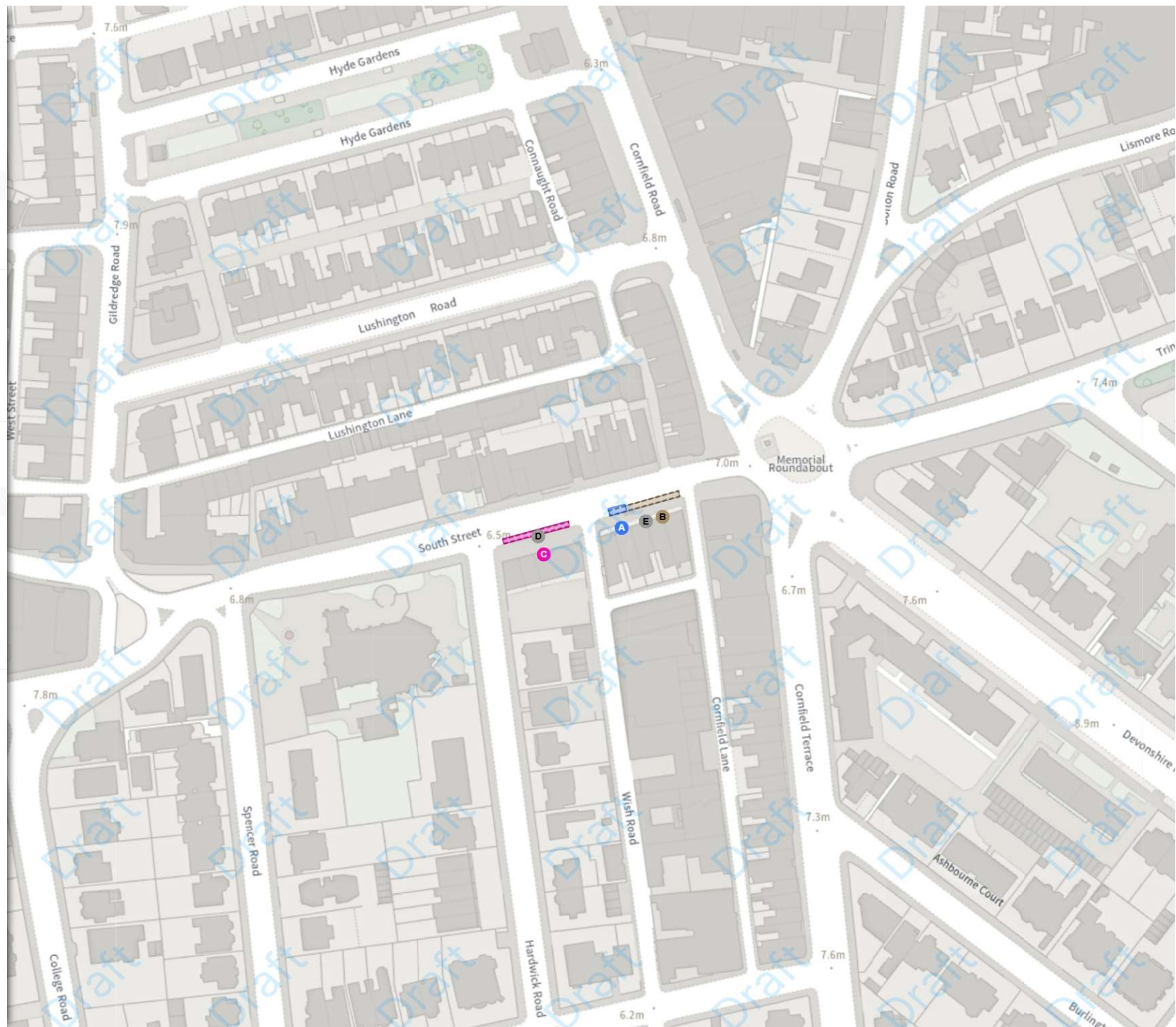
Non-TRO Item

At all times

Scale: 1:1250 0 20 40 60m

NW 560941.618, 98985.031 SE 561394.363, 98613.864

© Crown copyright and database rights 2025 Ordnance Survey.  
You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form. Licence number AC0000808855



## Appendix 2

### 12 November 2025- Planning Committee

#### South Street Bus Stop relocation, Eastbourne.

Local member: Councillor Brett Wright

#### 1. Summary of objections and officer responses

1.1 21 representations have been received during the Traffic Regulation Order (TRO) advertisement period. Of these representations, 8 representations were in support, 11 were in objection and 2 were not in relation to the TRO proposals. The 11 objections were primarily received from individuals employed at the same organisation (Hart Reade solicitors) raising similar concerns over the proposal to relocate the bus stop outside of 104 South Street, which is currently used by Hart Reade Solicitors.

1.2 Objectors raised concerns around the scheme in connection with pollution, mobility needs, expense, trees, confidentiality, noise and location and these objections are summarised in the following paragraphs. Also presented, is the officer response to the matters raised.

#### 2. Pollution:

2.1 Concerns were raised that the building (no. 104 South Street) will directly face the new proposed bus stop resulting in those who work in the building to be exposed by the fumes of the buses.

2.2 The Government's Design Manual for Roads and Bridges (DMRB) guidance has been reviewed, noting the triggers for an air quality assessment. Currently, the proposed scheme for South Street is not expected to significantly alter the volume of traffic in the area enough to require an air quality assessment.

2.3 Under the Climate Change Act (2008), the UK aims to achieve net zero greenhouse gas emissions by 2050. In East Sussex, transport contributes 35% of CO2 emissions; hence, decarbonising transport is crucial for reaching net zero. East Sussex County Council and Eastbourne Borough Council are actively working towards meeting this target.

2.4 Additionally, the East Sussex Local Transport Plan 4 (LTP4) focuses on planning for people and places, enhancing capacity, resilience, reliability, and connectivity through public transport interventions by increasing buses' ability to capture a greater share of short, medium and longer distance trips, reducing the number of



private car trips taken, limiting carbon emissions from transport and improving air quality.

2.5 Policy B5 in the East Sussex LTP4 addresses air quality by promoting less polluting forms of travel, such as buses, active travel, and electric vehicles. This includes implementing infrastructure like bus lanes and leveraging advancements in vehicle technology, including ultra-low and zero emission vehicles. In summary, developing bus priority infrastructure for urban and rural areas will support decarbonisation and improve air quality.

2.6 Having considered the objections, officers are satisfied that there are not sufficient grounds for the proposal to be withdrawn.

2.7 **Recommendation:** To not uphold the objections and install the proposal as advertised.

### 3. Access to the building for those with mobility needs:

3.1 Concerns were raised in relation to those with mobility needs having limited access to the Solicitors building and not being able to be dropped off at the front of the building with the bus stop being relocated to the new proposed location.

3.2 As part of the scheme designs, officers have prioritised blue badge parking. As a result, the new parking bays, located between Cornfield Lane and Wish Road will contain one blue badge parking space. This will allow those with mobility needs to still be able to gain easy access to the Solicitors building.

3.3 Having considered the objections, officers are satisfied that there are not sufficient grounds for the proposal to be withdrawn.

3.4 **Recommendation:** To not uphold the objections and install the proposal as advertised.

### 4. Expense:

4.1 Objectors requested East Sussex County Council to provide clear and transparent data on the cost of these proposals.

4.2 This bus stop improvement is being funded from the integrated transport block grant funding that the County Council receives from Government annually.

4.3 The integrated transport funding is used to develop and deliver schemes in the county council's capital programme of local transport improvements approved annually by the Lead Member for Transport and Environment.



4.4 The types of schemes developed and delivered using this funding include new footways, new crossing points, cycle routes, small scale local junction improvements and bus infrastructure improvements, including bus stops

4.5 Having considered the objections, officers are satisfied that there are not sufficient grounds for the proposal to be withdrawn.

4.6 **Recommendation:** To not uphold the objections and install the proposal as advertised.

## 5. Trees:

5.1 Objectors raised queries around not wanting the 2 trees to be removed from outside of the building and that removing the trees will be detrimental to the environment and visual impact of South Street, 'Little Chelsea' and the conservation area.

5.2 Concerns were also raised on wheelchair access to buses if the trees are to remain.

5.3 The 2 trees between Wish Road and Hardwick Road are being retained within this scheme.

5.4 As part of the proposals, the tree stump between the 2 existing trees will be removed.

5.5 Balfour Beatty Living Places Design Team have carried out swept path analysis which is a computer-based simulation that models the path of a vehicle as it turns to determine the minimum space required for it to manoeuvre safely through a route. This has confirmed the trees can remain where they are with regular pruning. This will allow for the buses to be able to pull fully into the kerb which will allow for wheelchair access.

5.6 Having considered the objections, officers are satisfied that there are not sufficient grounds for the proposal to be withdrawn.

5.7 **Recommendation:** To not uphold the objections and install the proposal as advertised.

## 6. Confidentiality:

6.1 Concerns were raised around confidentiality and that the proposal is detrimental to the Solicitors' ability to provide confidentiality to their clients. Concerns around members of the public waiting for buses would be able to easily view who enters and leaves the offices.

6.2 The responsibility to meet confidentiality obligations resides with private companies and therefore East Sussex County Council are unable to manage such concerns. The location of the solicitors' business currently resides along the front of the street and therefore with the proposed relocation of the bus stop, it is not envisaged to create any additional confidentiality concerns.

6.3 Having considered the objections, officers are satisfied that there are not sufficient grounds for the proposal to be withdrawn.

6.4 **Recommendation:** To not uphold the objections and install the proposal as advertised.

## 7. Noise:

7.1 Concerns were raised over the potential noise increase of traffic and congregation of passengers.

7.2 No significant change in noise levels is expected from relocating the bus stop. The stop will be moved approximately 40 metres west of its current location and the number of buses and their movements will remain constant. There may be a negligible increase in noise when a bus is waiting at the stop but, generally, background road traffic noise is anticipated to remain similar.

7.3 Having considered the objections, officers are satisfied that there are not sufficient grounds for the proposal to be withdrawn.

7.4 **Recommendation:** To not uphold the objections and install the proposal as advertised.

## 8. Location of bus stop:

8.1 Concerns were raised in relation to the proposed location of the bus stop. As part of developing the designs for the proposals, alternative locations were identified and explored. A SWEPT Path analysis which is a computer-based simulation that models the path of a vehicle as it turns to determine the minimum space required for it to manoeuvre safely through a route was undertaken

alongside and following resident engagement and the location was adjusted to that proposed in the draft TRO following the formal consultation period.

8.2 The proposed bus stop's position and design are similar to the current one. Both existing and planned stops are situated between two junctions, with comparable overall length and layout. The proposed new stop is located midway, approximately, between Wish Road and Hardwick Road. Drivers turning onto South Street from both Wish Road and Hardwick Road will have an appropriate level of visibility to oncoming traffic.

8.3 Due to the area's low speed limit and the proximity of junctions and private entrances, vehicles will generally be travelling at lower speeds. These factors allow drivers sufficient time to react to errant pedestrians or turning vehicles. The relocated bus stop is not anticipated to result in changes to visibility or safety.

8.4 Having considered the objections, officers are satisfied that there are not sufficient grounds for the proposal to be withdrawn.

8.5 **Recommendation:** To not uphold the objections and install the proposal as advertised.

## 9. Speed limit and road conditions

9.1 2 objections were received in relation to the speed limit and the road conditions on South Street.

9.2 These matters were not relevant to the draft TRO (as advertised) and are therefore recommended to be not upheld.

9.3 **Recommendation:** To not uphold the objections and install the proposal as advertised.

This page is intentionally left blank