

Committee: **Regulatory
Planning Committee**

Date: **8 February 2017**

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

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

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

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

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

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

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

Local Member: **Councillor Charles Clark**

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

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

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

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

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

2. Site History

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

3. The Proposal

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

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

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

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

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

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

4. Consultations and Representations

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

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

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

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

4.2 Hastings Borough Council has not submitted any observations.

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

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

4.5 Flood Risk Management ESCC raises no objections.

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

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

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

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

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

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

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

5.4 The National Planning Policy Development Framework (NPPF) 2012

The NPPF does not change the status of the Development Plan as the starting point for decision making and constitutes guidance as a material consideration in determining planning applications. It does not contain specific waste policies but regard should be had to the NPPF policies as far as relevant.

5.5 National Planning Policy for Waste (NPPW) 2014

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

6. Considerations

Need for and purpose of the development

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

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

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

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

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

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

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

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

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

Effect on strategic gap and Countryside Park

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

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

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

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

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

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

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

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

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

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

Traffic considerations

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

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

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

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

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

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

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

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

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

Effect on residential amenity

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

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

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

7. Conclusion and reasons for approval

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

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

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

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

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

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

8. Recommendation

8.1 To recommend the Planning Committee to grant planning permission subject to the following conditions:-

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

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

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

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

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

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

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

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

INFORMATIVE

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

Schedule of Approved Plans

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

EDWARD SHEATH
Head of Planning and Environment
30 January 2017

BACKGROUND DOCUMENTS

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