

Committee: **Regulatory  
Planning Committee**

Date: **15 January 2020**

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

Proposal: **Variation of Condition 4 of planning permission  
WD/782/CM to increase the total amount of waste  
imported to the site by 25,000 tonnes per annum.**

Site Address: **Boathouse Farm, Lewes Road, Isfield, TN22 5TY**

Applicant: **KPS Composting Services Limited**

Application No. **WD/835/CM**

Key Issues: **1) Purpose of the Variation of Condition 4  
2) Impact of increasing the capacity of the site**

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

Local Member: **Councillor Roy Galley**

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## **SUMMARY OF RECOMMENDATIONS**

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

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

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

1.1 The application site is an established outdoor composting facility that receives and processes green waste to produce compost, which is then exported as a finished product. From 2010, the site also began to process wood waste, which is screened and shredded on the site to form woodchip and is exported for use in chipboard and fibreboard manufacture. The site is located in a rural area 0.7 kilometres (km) south of the village of Isfield and 6km north-east of Lewes. It occupies an area of approximately 9 hectares (ha) and is surrounded by farmland and some woodland, including areas of designated ancient woodland to the north and south.

1.2 The site is accessed from Isfield Road to the east, approximately 700 metres north of the junction with the A26. The former Honey Pot Children's Nursery is situated opposite the site entrance on Isfield Road and the closest

residential properties lie 250 metres south of the site entrance. A public footpath runs from east to west approximately 100 metres north of the site.

1.3 The site can be divided into three main areas, which are reached via an access track to the north of the site. The access track rises gently from the Isfield Road, to the site office and weighbridge and continues into the active composting pad situated in the western section of the site. The wood waste processing area is located to the east of the green waste composting area and includes a barn used to store dry wood, compost products and machinery. This barn is currently being extended to the north-east which was granted under WD/782/CM which once complete will form an 'L' shape building.

1.4 The eastern part of the site, along the boundary of Isfield Road, consists of a wetland treatment system which allows for storage of surface water run off and storm water as well as providing a habitat for wildlife.

## **2. The Proposal**

2.1 Planning permission is sought for the variation of condition 4 of planning permission WD/782/CM. Condition 4 currently restricts the throughput capacity of the site to a total of 50,000 tonnes (t) of waste per annum (pa). Condition 5 of the aforementioned permission restricts the amount of waste wood that can be imported into the site to no more than 10,000 tonnes per annum (tpa). It is proposed that the total throughput is increased by 25,000tpa taking the total up to 75,000tpa, equating to an increase in throughput by an additional 50%. The increase in tonnage would only relate to green waste and it is therefore not proposed to vary condition 5 meaning that the throughput capacity of wood waste would remain the same as existing at 10,000tpa.

## **3. Site History**

3.1 Planning permission (ref. WD/335/CM) was granted in 2001 for the existing green waste processing facility. Consequently, the composting facility began operating in 2002 and at the time comprised of an area of hard standing and two adjoining surface water storage lagoons. There have been several subsequent planning permissions relating to the site. In 2010, permission (ref. WD/634/CM) was granted to expand the scope of the operations on the site to include the processing of up to 5,000 tonnes per annum of wood waste. As part of this application the applicant was also granted permission to vary condition no.2 of planning permission Ref: WD/533/CM, to permit vehicles with more than eight wheels to enter the site.

3.2 In July 2017, planning permission (ref. WD/782/CM) was granted for the continued use of land for green waste composting and wood waste processing, including an increased throughput to allow for up to 10,000 tonnes per annum of waste wood (the previously approved amount was up to 5,000tpa) and the relocation of the waste wood processing area including an extension to the existing storage building and yard area. This permission also

included the replacement and relocation of an existing overflow pond with a reed bed system and the repositioning of the earth bunds at the southern and eastern boundaries of the site. Conditions attached to this permission limit, inter alia, the total number of vehicle visits to and from the site, the hours of operation, the heights of material stockpiles, the location of operations and the operational noise levels.

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

4.1 Wealden District Council: Raise no objection to the proposal, subject to Habitats Regulation Assessment screening to assess whether the proposal requires an Appropriate Assessment. The Council have also recommended the imposition of relevant conditions to control impacts on residential and visual amenity.

4.2 Isfield Parish Council: objects to the proposal as it feels the traffic, noise, dust and odour would increase proportionately and the resultant potential increase in number of cases of fungus related illnesses, asthma and cystic fibrosis would not be acceptable. The Council also raises concerns regarding large vehicles entering the village and using local roads, which the Council considers to be unsuitable and dangerous. Regarding the issue of increased vehicle movements, it notes that the increase would affect the carbon footprint and considers that an Environmental Impact Assessment should be carried out and the effects on the nitrogen levels on the Ashdown Forest assessed.

4.3 Little Horsted Parish Council: objects to the proposal as the site has not changed size since the maximum capacity of 50,000 tonnes was granted and therefore there is concern that the site is not suitable to support a 50% waste capacity increase. The Council also considers that vehicles to the site are large and note that there will be an increase in traffic movements. It is further considered that the proposal would have an adverse impact on the environment and the Ashdown Forest. Reference is also made to the increase in odour levels.

4.4 Highway Authority: Raises no objections as the projected trips are within the permitted trip threshold of 19,380 per annum (agreed under planning permission WD/782/CM).

4.5 Environment Agency: raises no objections, but draws the applicant's attention to the need for an Environmental Permit.

4.6 Environmental Health Officer (EHO): considers the relevant controls in terms of noise and odour management are in place on the existing consent and providing that these are carried over no objections are raised. The EHO further requests that an additional condition is included to require further noise mitigation measures should the applicant breach the requirements of condition 8 of planning permission WD/782/CM.

#### 4.7 Representations:

Twenty eight representations have been received from members of the public objecting to the proposal. One letter of support has been received. In summary the objections refer to the following matters:

- i) The increase in green waste would be of detriment to the village;
- ii) Rise in odour from the increase in green waste on site;
- iii) Increase in traffic movements would be unsuitable and would pose danger to users of Isfield Road;
- iv) Access to the site is inadequate, in particular the turning onto the A26;
- v) Reference is made to breaches at the site dating back to 2015 and other breaches relating to stock pile height limits;
- vi) Fungal spores are affecting the air quality leading to health concerns;
- vii) Noise generated from plant at the site;
- viii) Dust emissions from the site posing amenity and health impacts;
- ix) Impact on the Ashdown Forest SAC;
- x) Reports of fly infestations, although representations note that there is no evidence to show that this can be attributed to the application site.
- xi) Increase in run-off from the site affecting the surrounding footpaths and causing water pollution;
- xii) Lack of consultation by the applicant;

The above concerns are also reflected in a representation received from the Local Member, Councillor Roy Galley.

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

5.1 East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013: WMP3b (Turning Waste into Resource); WMP20 (Community Involvement and Benefits), WMP22 (Increased Operational Capacity within the Site Boundary of Existing Waste Facilities), WMP23b (Operation of Sites), WMP25 (General Amenity) and WMP26 (Traffic Impacts).

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

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

5.3 Wealden Local Plan Core Strategy, 2013: None of relevance to this proposal.

5.4 Wealden Local Plan 1998: Saved Policies EN27 (Design) and TR3 (Traffic Impacts).

## 5.5 National Planning Policy Framework (NPPF) 2019:

The NPPF does not change the status of the Development Plan as the starting point for decision making but it does constitute guidance as a material consideration in determining planning applications. At the heart of the NPPF is a presumption in favour of sustainable development. Whilst it does not contain specific waste policies regard should be had to the NPPF policies as far as relevant.

## 5.6 National 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 Variation of Condition 4 (ref. WD/782/CM)**

6.1 Policy WMP22 of the Waste and Minerals Local Plan encourages alterations at existing waste facilities where it will support more sustainable waste management and the movement of waste up the hierarchy. WMP22 also 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 owned and managed by KPS Composting Ltd, who also operate two other sites in West Sussex; one at Scaynes Hill and the other at Hardriding Farm in Pease Pottage, Crawley, located approximately 25 kilometres to the north-west of the application site. The applicant seeks to increase the capacity of the KPS Composting site in Isfield following the imminent closure of the company's composting facility located in Pease Pottage, West Sussex. The applicant has leased the Pease Pottage site for a number of years; however the site has now been granted planning permission by Mid Sussex District Council for a housing development forcing the site's closure. Consequently KPS Composting is required to vacate the site by April 2020. In order to offset the loss of capacity, the applicant is seeking to increase the throughput of the Isfield site. The total capacity of the site at Pease Pottage is 25,000tpa consisting of solely green waste; this arrangement is reflected within this proposal.

6.3 Although the current planning permission for the Isfield site restricts the total throughput of the site to 50,000tpa, the site's Environmental Permit, issued by the Environment Agency (EA), restricts the annual throughput to 75,000 tonnes. Therefore the proposal would bring the annual throughput of the site in line with the EA permit thereby preventing ambiguity.

6.4 It is considered that the proposal accords with Policy WMP22 of the Waste and Minerals Local Plan as it would allow green waste that can no

longer be dealt with by the Pease Pottage site to continue to be turned into a resource, therefore meeting the objectives of the Plan.

## **Impact of increasing the capacity of the site**

### *Traffic Impact*

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

6.6 The extant planning permission for the operation of the site (Ref. WD/782/CM) limits the amount of traffic generated and further deters vehicles from turning left when leaving the site to avoid traffic travelling through the village of Isfield. The combined permitted number of vehicle movements for the site is secured by existing traffic management conditions. In combination, conditions 21 and 22 permit up to 19,380 vehicle trips per annum. As acknowledged by the applicant, the increase in throughput by 50% would inevitably increase the number of vehicle movements in and out of the site, however this would remain within the permitted number of vehicle movements. Based on weighbridge data from 2014 to 2018, the applicant has calculated an average of 0.23 vehicle movements per tonne of green waste throughput and an average of 0.37 vehicle movements per tonne of wood waste throughput per annum. The Traffic Generation Assessment accompanying the application reports that the proposal would result in an increase of vehicle movements to a total of 18,650 vehicle movements per annum. At present, data suggests that in 2018, at a capacity of 50,000tpa, a total of 12,191 vehicle movements were carried out (this figure relates to vehicle movements associated with both waste input and product output e.g. compost and wood chippings). Therefore, it is considered that there is sufficient manoeuvrability within the existing permitted number of vehicle movements to support this proposal.

6.7 It is anticipated that the catchment area of where the waste would be delivered from would largely remain the same as the Pease Pottage site however the applicant has indicated that it is expected that some contracts closer to the Pease Pottage site would be lost due to the distance to the Isfield site. The applicant anticipates that this loss of contracts would be replaced by contracts more local to the Isfield site. Furthermore, it is considered that although the additional vehicle movements would be added to the Isfield site, these movements are currently undertaken within the wider catchment area of the Isfield site which extends to Mid Sussex, other parts of West Sussex, Kent and Surrey.

6.8 At present, there are four members of staff at the Pease Pottage site, it is anticipated that all four members of staff would be relocated and retained at the Isfield site.

6.9 The access and road safety arrangements already in place are not proposed to be altered. The current planning permission Ref: WD/782/CM requires signage at the site exit to notify drivers of a 'no left turn', this arrangement would remain in place thereby restricting vehicles associated with the site from travelling through the village of Isfield.

6.10 Representations received in response to the proposal have raised concerns with regard to increase in traffic movements, which are considered to, in turn, pose a hazard to users of the highway on the local narrow roads. Reference is also made to damage to the verges in places, although this cannot solely be attributed to the application site. The Highway Authority were consulted on this proposal, as well as the previous application ref. WD/782/CM of which this application is a variation, and are satisfied that the resultant increase in vehicle movements from the increase in green waste capacity would remain within the total number of permitted trips as secured by conditions 21 and 22 of planning permission Ref: WD/782/CM.

6.11 Overall, whilst the proposed increase in green waste throughput would result in an increase in vehicle movements to and from the site, this increase would not result in the overall number being in excess of the number already considered acceptable and permitted by the previous planning permission. Previous applications at this site gave careful consideration to the effect of HGVs on both traffic and residential amenity and these effects were not considered to be unacceptable. Therefore, it is considered that there is no conflict with Policy WMP26 of the Waste and Minerals Local Plan and Saved Policy TR3 of the Wealden Local Plan.

#### *Ashdown Forest and the Lewes Downs*

6.12 The Ashdown Forest is designated as a Special Protection Area (SPA), Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI), thereby affording it the highest protection in nature conservation terms. It is important that levels of nitrogen deposition in the Forest are not increased to a level that adversely impacts the heathland that benefits from the SAC designation. One of the causes of nitrogen deposition is from vehicle emissions. Proposals should therefore consider the potential for issues relating to air quality and or emissions, which may affect the heathland habitat. It should be noted the site is located approximately 10.3 kilometres to the south of the Ashdown Forest. The site is also located in close proximity to the Lewes Downs which is designated as a SAC for its dry grasslands and scrubland facies.

6.13 As a result of the closure of the Pease Pottage site, contracts from Pease Pottage would be transferred to the Isfield site. The number of permitted traffic movements by the previous planning permission would not be exceeded by this proposal and it is considered that these trips have already

been assessed and considered to be acceptable. Furthermore, the applicant has indicated that there is an overlap of catchment areas between the two sites and it is unlikely the vehicles travelling from West Sussex or Surrey would travel across the Ashdown Forest. Vehicles travelling to and from Kent could travel across the Forest however these would not be new trips but transferred trips as the catchment area for the Isfield site covers this area at present.

6.14 Vehicles visiting the site currently utilise the A26, this will continue in order to prevent disruption to residents of Isfield Village. It is not considered that emissions from the A26, which are associated with this proposal (alone and in-combination), would have an adverse impact on the Lewes Downs SAC.

#### *Noise Impact*

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

6.16 The increase in green waste throughput would not result in any additional plant or machinery on site. Although the existing plant and machinery would continue to be used, this will be required to run for longer periods (albeit within the existing permitted operational hours) to ensure that conditions relating to stockpile limits etc. are complied with. At present, various plant and machinery are used during the wood waste and green waste operations on site, including shredding machines and screening machines, in addition to delivery vehicles entering and leaving the site. The use of the plant and machinery varies dependent on the seasons, however the applicant has indicated that yearly records show that the existing operations require the use of the shredder and the telescopic wheel loader approximately 20 hours a week and the screeners and loading shovels approximately 28 hours per week. Therefore, based on these records, an increase in throughput by an extra 50% could potentially increase the use of the shredder and loader to 30 hours per week and the screeners and loading shovels to approximately 42 hours per week. This increase can be accommodated within the current permitted hours of operations.

6.17 Several representations have been received from local residents and Isfield Parish Council raising concerns regarding the rise in noise from the increase of green waste on site, leading to increased processing. The County Council's Environmental Advice Team and the Wealden District Council Environmental Health Officer were consulted on this proposal and in this case it is considered that the existing controls secured by conditions 8 and 10 of



planning permission Ref: WD/782/CM would remain sufficient. It should be noted that details required by condition 10 (further noise monitoring) Ref: WD/782/CM have not yet been submitted for consideration as the wood waste operations are not yet operational within the approved wood waste processing area. As of October 2019 the extension to the building is still underway.

6.18 On balance, the increased operational hours of the plant and machinery is considered to be acceptable as there is an existing noise condition stating that the rating noise level measured at locations stipulated within the Acoustic Report dated 22 June 2017 (approved under WD/782/CM) from the site shall not exceed the background LA90 value at any time and the applicant considers that this development would not result in an increase in excess of the background noise level. On the basis that the existing conditions controlling noise emissions from the site remain in place, I do not consider there any reason, in terms of impact from noise, to refuse the current application. Overall, in terms of noise, the proposal is considered to comply with Policy WMP25 of the Waste and Minerals Local Plan and Saved Policy EN27 of the Wealden Local Plan.

#### *Other Matters*

6.19 Policy WMP25 of the Waste and Minerals Local Plan requires that adequate controls should be secured regarding, *inter alia*, odour and dust resulting from the development.

6.20 Several representations have been received from local residents raising concerns about the existing issue of odour, dust and fly infestations from the site and the potential exacerbation of this issue as a result of the proposal. The applicant has clarified that, at present, to minimise odour, the shredding of green waste occurs within 72 hours of delivery. It is proposed that this arrangement would remain in place.

6.21 In terms of the concerns relating to odour and dust from the site and the potential effect on human health, these are specific matters for the Environment Agency to consider in the monitoring of the Environmental Permit. However, the applicant has advised that measures are in place on site to reduce the impact on the locality, including a dust suppression scheme approved under condition 15 of planning permission WD/782/CM. An odour management plan accompanies the planning application which includes measures to reduce odour levels should an issue be identified. The odour management plan was also considered and approved under condition 16 of planning permission Ref: WD/782/CM. It is therefore considered that adequate controls are in place on site in accordance with Policy WMP25 of the Waste and Minerals Local Plan.

6.22 Regarding the matter of fly infestations, there is no evidence to suggest that the source of the flies is from the applicant's site. It should be noted that the County Council has not received any complaints relating to the site since planning permission WD/782/CM was granted in 2017.

6.23 Many representations address lack of consultation carried out by the applicant prior to the submission of the application. Policy WMP20 of the Waste and Minerals Local Plan requires, *inter alia*, applicants to demonstrate how host communities have been involved in the development of the proposal, taking into account best practice, and show how their concerns have been addressed. The Policy further states that there may be some proposals that this policy may not apply to such as alterations to existing facilities, which in this case would apply to this application. Furthermore, the applicant has advised that a separate consultation was not undertaken due to time pressures of the closure of the Pease Pottage site. However a representative from KPS attended the Parish Council meeting in November 2019.

6.24 On balance, the applicant is confident that all conditions controlling noise emissions, stockpile heights and vehicle movements would continue to be complied with and it is considered that the correct controls are in place to support the proposal. Overall, the principle for this development has already been set by the previous planning permission Ref: WD/782/CM and is considered to be supportable.

## **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 Planning permission is sought for the variation of condition 4 of planning permission WD/782/CM, granted in 2017, to increase the capacity of solely green waste throughput by a further 25,000 tonnes per annum bringing the total throughput of the site to 75,000 tonnes (of which no more than 10,000 tonnes would be wood waste). It is considered that the principle of this proposal has already been set as the increase in vehicle movements would comply with those permitted under WD/782/CM. Further, the relevant controls relating to stockpile heights, noise and odour are already established through conditions included on the 2017 planning permission. Therefore, the proposal complies with Policies WMP3b (Turning Waste into Resource); WMP20 (Community Involvement and Benefits), WMP22 (Increased Operational Capacity within the Site Boundary of Existing Waste Facilities), WMP23b (Operation of Sites), WMP25 (General Amenity), and WMP26 (Traffic Impacts) of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and Saved Policies EN27 (Design) and TR3 (Traffic Impacts) of the Wealden Local Plan 1998.

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 carried out in accordance with the drawings, plans and documents listed in the Schedule of Approved Plans.

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

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

Reason: In the interests of the amenity of the locality and occupiers of residential properties within the vicinity of the site, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

3. The total amount of waste imported to the site, including wood waste, shall not exceed 75,000 tonnes per annum.

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

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

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

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

Reason: For the avoidance of doubt and in the interests of the amenity of the locality and occupiers of properties in the vicinity of the site, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

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

Reason: For the avoidance of doubt and in the interests of the amenity of the locality and occupiers of properties in the vicinity of the site, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

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

Reason: To safeguard the amenities of the occupiers of properties within the vicinity of the site in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

8. Within 7 days of the wood waste processing becoming operational within the approved wood waste processing area, the Director of Communities, Economy and Transport shall be notified in writing.

Reason: For the avoidance of doubt and to enable the County Planning Authority to monitor the operations in the interest of the amenity of the locality, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

9. Within three months of the wood waste activities becoming operational within the approved wood waste processing area, a noise survey shall be undertaken in accordance with BS 4142: 2014 (Methods for rating and assessing industrial and commercial sound) and the results submitted to and approved in writing by the Director of Communities, Economy and Transport. The Survey shall:

- a) demonstrate whether the noise levels required by condition 7 are being achieved;
- b) if the survey does not demonstrate such compliance the report must include measures to reduce noise, which shall first be agreed in writing by the Director of Communities, Economy and Transport, such that the noise levels required by condition 7 will be met;
- c) These measures shall be implemented within a time period to be agreed by the Director of Communities, Economy and Transport, and compliance shall be demonstrated by a further noise survey, which must be submitted to and agreed in writing by the Director of Communities, Economy and Transport within a further 3 months of the measures being implemented.

Reason: To safeguard the amenities of the occupiers of properties within the vicinity of the site in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

10. Other than the erection of the acoustic barrier as specified in the Southdown's acoustic report dated 22 June 2017 (Ref: 2016w-00003-02) and shown on Figure A2 of the acoustic report, no development hereby permitted shall be carried out until the acoustic barrier has been installed to a height of no less than 1.8 metres on the earth bund to the north of the site, providing an overall height of 3.8 metres and in accordance with the details approved in East Sussex County Council's letter dated 09 May 2018. Thereafter the acoustic barrier shall be maintained in accordance with the approved details for the duration of the development.

Reason: To safeguard the amenities of the occupiers of properties within the vicinity of the site in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

11. The surface water management scheme approved in East Sussex County Council's letter dated 01 March 2018 shall be fully implemented in accordance with the approved scheme. Any changes to the approved scheme shall first be approved in writing by the Director of Communities, Economy and Transport.

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

12. The management of surface water from the new areas of hardstanding shall be carried out in accordance with the details approved in East Sussex County Council's letter dated 01 March 2018. Any changes to the approved scheme shall first be approved in writing by the Director of Communities, Economy and Transport.

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

13. The external materials and finish including colour of the building and push walls as approved by WD/782/CM shall be in accordance with the details approved in East Sussex County Council's letter dated 09 May 2018. Any changes to the approved scheme shall first be approved in writing by the Director of Communities, Economy and Transport.

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

14. The control and management of dust from the site operations and vehicle movements shall be carried out in accordance with the details approved in East Sussex County Council's letter dated 09 May 2018. Any changes to the approved scheme shall first be approved in writing by the Director of Communities, Economy and Transport.

Reason: In the interests of the amenity of the locality to accord with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

15. The control and management of odour from the site operations shall be carried out in accordance with the details in approved in East Sussex County Council's letter dated 09 May 2018. Any changes to the approved scheme shall first be approved in writing by the Director of Communities, Economy and Transport.

Reason: In the interests of the amenity of the locality to accord with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

16. The landscaping scheme approved in East Sussex County Council's letter dated 09 May 2018 shall be implemented in full and maintained in accordance with the approved scheme. Any changes to the approved scheme shall first be approved in writing by the Director of Communities, Economy and Transport.

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

17. Prior to the use of the development approved under WD/782/CM, the concrete boundary push walls as specified on Push Wall detail Drawing no. KPS2016/PWD, dated April 2016 shall be installed to a height of 3

metres on the perimeter of the wood waste processing area as shown on the approved Block Plan as proposed (Ref: 1215/2 Rev G), dated April 2016, and thereafter maintained in accordance with the approved details for the duration of the development, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: To safeguard the amenities of the occupiers of properties within the vicinity of the site in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

18. No material shall be stacked, stockpiled, deposited or windrowed to a height exceeding 5 metres above ground level.

Reason: In the interests of visual amenity in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policies EN27 and EN8 of the Wealden Local Plan 1998.

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

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

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

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

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

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

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

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

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

Reason: In the interests of the amenity of the locality and occupiers of residential properties in the vicinity of the site, in accordance Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

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

Reason: To reduce the potential for noise nuisance from the site and to protect amenity, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

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

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

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

Reason: In the interests of the amenity of the locality and occupiers of the residential properties in the vicinity of the site, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove



Waste and Minerals Plan 2013 and Saved Policy EN27 of the Wealden Local Plan 1998.

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

Reason: To ensure the protection of existing trees and hedgerows in the interests of visual amenity and biodiversity, in accordance with Policy WMP25 and WMP27 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy EN12 of the Wealden Local Plan 1998.

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

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

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

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

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

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

#### INFORMATIVES

1. The Applicant is informed of the need to ensure that the development also accords with the conditions of the site's Environmental Permit, issued by the Environment Agency.
2. The Applicant's attention is drawn to the provisions of The Wildlife and Countryside Act 1981 (as amended) particularly with regard to the protection of nesting birds, slow worms, grass snakes, common lizards and adders which are protected against international killing or injuring under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended), which may be affected during the proposed operations.
3. For avoidance of doubt, any monitoring undertaken of noise levels from the site activities will need to take into consideration all operations, including the simultaneous green waste composting and wood waste processing operations.
4. The Applicant is reminded that the site will be monitored as part of the County Council's Site Monitoring Policy, to ensure operations at the site remain in compliance with the conditions attached to the planning permission hereby approved.

#### Schedule of Approved Plans

Planning Statement, Traffic Generation Assessment, 1215/1C - Area as approved, 1215/2G - Block Plan as proposed, KPS Composting Odour Management Plan, KPS2016/PWD - Push Wall Detail, KPS2016/MPD - Marker Post Detail, 1215/1 Rev C - Site Location Plan and Existing Layout, 1215/3 Rev B - Proposed Extension to Storage Barn - Elevations, 1214/4 Rev E Proposed Extension to Storage Barn - Floor Plan, 1215/2 Rev G Block Plan (Site Layout Plan - As Proposed)

RUPERT CLUBB

Director of Communities, Economy and Transport  
7 January 2020

#### **BACKGROUND DOCUMENTS**

Application file WD/835/CM  
Planning permission WD/782/CM  
The Development Plan