

Committee: **Regulatory
Planning Committee**

Date: **20 May 2015**

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

Proposal: **Change of use of the existing industrial units to a
Materials Recycling Facility (MRF) with External
Ancillary Works.**

Site Address: **Units 2A & 2B, Birch Close, Eastbourne, BN23 6NY.**

Applicant: **Mr Daniel Stone, Links Waste Management Ltd**

Application No. **EB/751/CM**

Key Issues: **Need for the development;
Effects on amenity;
Traffic impact**

Contact Officer: **Chris Flavin tel. 01273 481833**

Local Member: **Councillor David Tutt**

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 located at Birch Close on the eastern side of the Birch Road Industrial Estate, Eastbourne. Birch Rd is accessed from Lottbridge Drove (A2290) between the A22 and the A259.

1.2 The site comprises two of three adjoining industrial units with parking and a yard area at the front (north-west) and side (south-west) of the building, and a narrow yard area at the rear (south-east) of the building. The total internal floor space of the building covered by the proposal is 822m² (including offices and staff welfare facilities). The building has roller-shutter doors to each unit at the front (north-west) of the building, which are slightly set back from office areas, and staff welfare facility rooms which exist either side of these doors. On the south west side of the building near the far south

corner of the site is another roller-shutter door, which would be used by vehicles as the main entrance into the building. Also on the south west side of the building is a small extension building which would serve as a storage area for staff bicycles. The application site, which is 0.17ha in size is surrounded by other industrial unit buildings (including a car spray and car body repair centre and a book printing works). The site is located within Flood Zone 3a and 3b (within Tidal Zone).

1.3 The nearest residential properties to the application site are 100 metres away to the south east of the site at St Anthony's Court. To the north east of the application site, 75 metres away, is Tollgate Junior School and 115 metres away is Linden Court, a day centre facility for people with learning disabilities provided by East Sussex County Council.

2. The Proposal

2.1 The proposal is for a change of use of the site and buildings from existing B2 industrial use to a Materials Recycling Facility (MRF) which would be used for receiving, processing, sorting, bulking and storage of a range of waste materials as collected by the applicants skip waste business.

2.2 The proposed operating hours of the MRF are 07.00 to 19.00 on Mondays to Fridays and 07.00 to 14.00 on Saturdays. Once operational, there would be 10 members of staff. The estimated number of daily movements for all waste related vehicles would be up to 54 movements (27 in and 27 out).

2.3 The proposed MRF is for a maximum annual throughput of approximately 40,000 tonnes, although the applicant has advised that based on their current projections the annual throughput would be below 30,000 tonnes. The waste materials to be processed would largely comprise of waste collected from the applicant's mini-skip business, but there would also be some additional import directly from local building and construction companies. The applicant currently operates the business from a site near Ninfield, which is being vacated, and the business serves an area comprising Bexhill, St Leonards, Hastings and Eastbourne.

2.4 As well as bringing waste on to the site using skip trucks and transit type tipper vehicles, there would also be importation of pre-bulked waste by HGV tipper lorries and roll on/roll off container lorries. The applicant also has a small industrial building at Brett Drive in Bexhill, and the intention would be for some waste to be brought there for bulking onto lorries before onward transport to the proposed site at Birch Close. At Birch Close the site processing and bulking will be confined to within the building. This is an alteration to the details originally submitted with the application.

2.5 The waste brought on to the site would comprise a range of materials: inert construction and demolition materials including hardcore, aggregate and soils; recyclable materials such as paper, card, metals, wood and mixed plastics; bulky waste including sofas and mattresses; and carpets and textile

waste. A large proportion of the materials are anticipated to be recycled and therefore diverted from landfill and transferred for reprocessing.

2.6 The proposed machinery would be a baler and a hopper (electric), an electric trommel; an electric blower; an electric picking line and conveyor; an electric magnet; two loaders (diesel) 'Bobcat' type or similar and a diesel powered 360 grab loader. There will be no parking of HGVs or skip trucks on the site and no storage of skips on the site, as the applicant will be keeping these overnight at their other site.

2.7 Although no physical changes to the external part of the actual building are proposed, a 3.6 metres high sleeper wall (acoustic barrier) has been proposed along parts of three sides of the perimeter boundary of the site, for noise mitigation purposes. At the front (north-west) of the site a 25 metres long section of sleeper wall (acoustic barrier) is proposed. From the south corner of the site a 19.5 metres long section of sleeper wall is proposed along the south west side of the site (opposite the side entrance roller-shutter door) and along the south-east corner (rear) of the building a 19.5 metres section is also proposed.

3. Site History

3.1 The building was constructed as part of the Birch Road Industrial Estate between 1969 and 1971. The specific uses for Units 2A and 2B at Birch Close are not defined although the consent would have anticipated uses within 'Use Class B' (industrial, offices, storage & distribution).

3.2 It is understood that the units have previously been occupied by Eastbourne Coach Finishers, the company which currently occupies the neighbouring adjoining unit (Unit 2C) as well as Units 3A and 3B of Birch Close.

4. Consultations and Representations

4.1 Eastbourne Borough Council – raises no objections.

4.2 Eastbourne Borough Council (Environmental Health Officer) – raises no objections

4.3 Highway Authority - raises no objections. Taking into account the fact that the existing permitted use has no restrictions on the number of traffic movements and the proposed number of trips is only slightly higher than would be expected for a B2 class use, no objections are raised. This is subject to conditions that require the provision of details and implementation of car parking, cycle storage and an HGV turning space, and a condition imposing a limit of 54 daily waste vehicle movements to and from the site.

4.4 Environment Agency – raises no objections. The Environment Agency is independently advising the operator on Environmental Permitting requirements for the proposed use.

4.5 ESCC Flood Risk Management – raises no objections.

4.6 Local Representations –Two of the neighbouring businesses on Birch Close have raised objections and a number of concerns regarding:

-The impact of the proposal on amenities and the character of the area.

-The application lacks information regarding noise, dust and fumes (no acoustic assessment or dust mitigation plan).

-Waste will be deposited by lorries outside of the building which will lead to 'stray' rubbish being deposited.

-The 'appearance' of the applicants existing waste site is at odds with the general appearance of the proposed Birch Close site.

-An unsightly waste site will be at odds with the well designed industrial estate that benefits from mature landscaping.

-The application provides no analysis of impact on neighbouring commercial users or the impact on environmentally sensitive areas.

-Noise disturbance and impact on neighbouring users (noisy machinery and operations, building doors will be left open, large vehicles will be manoeuvring around the site, with possible noise from reverse beepers).

-No Transport Assessment.

-Traffic flow will be impeded as the estate doesn't have the capacity to deal with such a large volume of HGV's.

-There would not be enough space within the buildings to accommodate the proposed annual throughput of waste.

-No independently verifiable data or survey results have been supplied to support the submitted transport information.

-Concerns over arrangements for a minibus to transport staff to the site from their homes in Bexhill and Hastings.

-The vehicle 'swept paths' plan indicates use of land that is beyond the control of the applicant.

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: WMP1 (sustainable development), WMP3b (waste

hierarchy), WMP5 (Provision of Built Waste Facilities), WMP7a (sustainable locations for waste development), WMP7b (detailed criteria for waste development), WMP23A (Design Principles for Built Waste Facilities), WMP25 (amenity), WMP26 (transport).

5.2 Eastbourne Core Strategy Local Plan 2006-2027 (adopted 2013): Policy D2 (Economy).

Eastbourne Borough Council has not formally determined whether its Saved Policies in the Eastbourne Borough Local Plan are in general conformity with the NPPF. The Saved Policies are considered by the County Planning Authority to be in general conformity with the overarching principles of the NPPF, with reference to Paragraphs 57 and 58.

5.3 The National Planning Policy 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 NPPF policies so far as relevant

5.4 The National Planning Policy for Waste 2014 (NPPW)

The NPPW document sets out the government's detailed waste planning policies.

5.5 East Sussex, South Downs and Brighton and Hove Waste and Minerals Sites Plan (Consultation Draft –July 2014) including the associated Schedule of Suitable Industrial Estates: Relevant Draft Policy WMSP 6 (Existing Industrial Estates)

5.6 Eastbourne Employment Land Local Plan (Proposed Submission Version): Relevant Draft Policy: Policy EL2 (Industrial Estates)

6. Considerations

Need for the development

6.1 Policy WMP3b of the Waste and Minerals Plan seeks to divert waste away from landfill and for it to be managed further up the waste hierarchy. Policies WMP7a and WMP7b set out criteria for the sustainable location of waste development and identify Areas of Focus, which are considered to be preferable for waste development, as they are generally close to sources of waste arisings, have good transport links and are located near to other complementary uses.

6.2 Draft Policy WMSP 6 (Existing Industrial Estates) of the East Sussex, South Downs and Brighton and Hove Waste and Minerals Sites Plan (Consultation Draft –July 2014) sets out the criteria under which proposals for

waste management on existing industrial estates will be supported in principle.

6.3 The proposal is for a waste recycling facility that would accommodate the relocation of an existing waste management company. The applicant's current volume of business and throughput of waste has meant that the existing operation has outgrown its current main site near Ninfield. Whilst the proposal contributes to the implementation of Policy WMP5, it is likely that the proposal will involve only a small net increase as the applicant's former premises will probably be used for non-waste uses. The applicant is seeking to manage the imported waste as far up the waste hierarchy as possible so that most of it could be recycled. This would divert waste from landfill, thereby according with Policy WMP3b of the Waste and Minerals Plan. The location of the application site is within an established industrial estate in Eastbourne, which falls within an Area of Focus identified by the Waste and Minerals Plan, as a sustainable location for waste development.

6.4 With all waste operations confined to within the building, and with the implementation of noise and dust mitigation measures, the proposal would be in keeping with other uses on the industrial estate (these issues are discussed in further detail under effects on amenity). Consequently, the proposal accords with Policies WMP3b, WMP5, WMP7a and WMP7b of the Waste and Minerals Plan.

6.5 Policy D2 (Economy) of the Eastbourne Core Strategy Local Plan 2006-2027 (adopted 2013) states that job growth and economic prosperity in Eastbourne will be supported and that this will be achieved by encouraging development which supports improvements in the local jobs market through creation of additional jobs and employment diversification; maximising the use of existing employment sites, through redevelopment for employment use and increased density on existing industrial estates.

6.6 The proposed MRF development would contribute towards job growth and economic prosperity in Eastbourne, with the creation of 10 jobs. The proposal is therefore in accordance with Policy D2.

6.7 Draft Policy EL2 (Industrial Estates) of the Eastbourne Employment Land Local Plan (Proposed Submission Version) states that change of use to alternative non-B use will only be granted where it can be demonstrated to the satisfaction of the Council that the proposed alternative use is an appropriate use to the industrial estate that cannot be located elsewhere due to its un-neighbourliness.

6.8 Although the proposed MRF development does involve the change of use from an industrial 'B' use to waste use (non-B use), the proposal is in accordance with the emerging plan Draft Policy EL2. It should be noted that the draft Eastbourne Employment Land Local Plan (Proposed Submission Version) does specifically refer to a waste facility or recycling processing plant as an example of what would be an acceptable change of use away from an existing 'B' use.

Effects on amenity

6.9 Policy WMP25 of the Waste and Minerals Plan seeks to protect the standard of general amenity appropriate to the locality of the development and for development to provide for adequate means of controlling, inter alia, dust, noise and odour. Policy WMP23A (Design Principles for Built Waste Facilities) of the Waste and Minerals Plan requires built waste developments to be of a design that complements the existing scale and built form of the local area.

6.10 When the planning application was originally submitted, and during the first period of consultation, the proposals involved the unloading of incoming waste in an outside part of the yard. In response to concerns that were raised about the potential for this part of the proposal to cause noise and dust problems, the applicant chose to alter the proposed working scheme so that all waste unloading operations would now take place within the building. This means that with the exception of the storage of baled waste at the rear of the building, all waste operations would take place within the building. Combined with the fact that there would be no storage of skips, containers or bins outside of the building, the proposed waste use and operations would not have an adverse effect on the visual amenity of the area.

6.11 The 3.6 metres high sleeper walls have been proposed in response to the findings of a noise assessment that was required as part of the planning application. The applicant's noise report states that the proposed sections of 3.6m high railway sleeper wall, in addition to internal noise insulation panels on the building, are necessary in order to help ensure that noise levels from the proposed operations on site do not increase (beyond existing background noise levels) at the nearby residential dwellings at St Anthony's Court and the learning disability day centre at Linden Court.

6.12 The sleeper walls would be built with wooden (brown) railway sleepers, each of which measures 244cm long by 25.4cm wide by 20.3cm high. The sleepers would be stacked on top of each other and would slot into vertical steel 'H' beams (middle sections of the wall) and vertical steel 'C' beams (end sections of the wall). The walls would be built on the site within the boundary of the existing steel palisade fencing which is 2 metres in height. Along part of the south west side of the site at the southern end, the ground level of the neighbouring site (on which the steel palisade fence is mounted) is 30cm higher than the proposal site ground level. This means that the south west boundary section of the sleeper wall would be seen at a lower height of 3.3m when viewed from the neighbouring sites to the south-west.

6.13 At the front of the building (the north-west boundary) the sleeper wall would be facing the rear of the neighbouring industrial building (No. 48-50 Birch Close) where there are rear entry doors and a loading area. The sleeper wall would be 13 metres from the façade of the neighbouring building (No. 48-50) and given that there are no windows, it is reasonable to conclude that the

proposed sleeper wall would not have an adverse effect on the light or shadow of the neighbouring building.

6.14 The front sleeper wall (north-west) would be visible from the public highway of Birch Close itself and also from Unit 4b which is 50 metres away. The wall would also be visible from the adjoining neighbouring Unit 2C and from Units 3A and 3B. It is reasonable to conclude that the proposed sleeper wall would not have an adverse effect on the light or shadow of these other neighbouring buildings. The rear sleeper wall on the south-east side of the building would be 7 metres from the nearest 2 industrial units. The wall would be backing on to the rear part of these buildings so would have little impact in terms of visual amenity.

6.15 The actual materials and design of the proposed sleeper wall are considered to be appropriate to the location of the Birch and Maple Road industrial estate. It is however, the height of the walls that has to be assessed in terms of acceptability. The height of the existing steel palisade perimeter fencing is 2 metres and therefore the proposed 3.6m height would represent a 1.6 metres increase. Given that the industrial buildings at Birch Close are 6 metres in height to the pitch of the roof, and given that most of the proposed sleeper wall would be 7 metres to 13 metres distance from the nearest neighbouring building, the proposal is considered to be acceptable in terms of the existing scale and built form of the area. Therefore the proposal does comply with the requirements of Policy WMP23A.

6.16 It is important to note that at the time of writing this report, consultation is still underway regarding the addition of the sleeper walls (acoustic barrier) to the proposed development. The additional consultation period ends on 14 May 2015 and any further representations that are received will be reported orally.

6.17 The proposal involves the three large shutter doors to the building having to be left open during the normal hours of operation, in order to enable ventilation of the building where there will be vehicle and machinery exhaust emissions. Consequently there is a risk that noise and dust generated by waste operations within the building could have an impact on the surrounding area.

6.18 Modelling carried out as part of the noise assessment has established that the proposed mitigation measures would be necessary in order to ensure that the proposed development does not result in an increase in existing background noise levels at the nearest residential area of St Anthony's Court or the Linden Day Care Centre. With regard to dust, the applicant has submitted a dust management plan that would be in place to ensure effective mitigation.

6.19 A Flood Risk Assessment (FRA) has therefore been prepared and submitted by the applicant and this demonstrates that the proposed change of use development will not increase flood risk. The FRA also sets out measures that will be taken to improve the building's resilience and procedures that will

be followed in the event of flood warnings being issued and an actual flooding event.

6.20 Subject to the proposed conditions, it is considered that the proposal would not have an unacceptable impact on the amenity of the local area, including existing local and potential future local residents, businesses and other users of the area, in accordance with Policies WMP25 and WMP23A of the Waste and Minerals Plan.

Traffic impact

6.21 Policy WMP26 of the Waste and Minerals Plan requires, inter alia, that appropriate access arrangements should be provided for development and that the traffic generated should not exceed local capacity.

6.22 The proposal is expected to generate a maximum of 54 waste vehicle movements a day (27 in and 27 out), and this would be the limit imposed by a proposed planning condition (it should be noted that the current permitted use for the proposal site has no restrictions on vehicle movement numbers). The 54 daily movements is only slightly higher than the volume of traffic (50 daily movements) that might typically be generated by a B2 class use (general industrial) site of this size –as calculated on the ‘TRICS’ (trip generation analysis) database by the Highway Authority. Therefore the proposal would not generate a significant increase in the volume of HGV traffic on the local road network and local capacity would not be substantially exceeded.

6.23 The Highway Authority notes that the TRICS database suggests that if the building was in use as a B2 (general industrial) class use, the use would be expected to generate around 50 trips per day although the applicants own Transport Assessment, which used a smaller database, indicated that between 76 and 205 trips would be likely to be generated. The Highway Authority has not raised any objection to the proposal, although this is subject to proposed conditions that require the provision of details and implementation of car parking, cycle storage and an HGV turning space, and a condition imposing a limit on waste vehicle movements to and from the site.

6.24 Regarding a neighbouring business and their concerns regarding the proposed site access, vehicle turning, vehicle ‘swept path’ analysis and the control over the land outlined in the red line application area, the applicant has provided an amended application area plan and drawing plans from the leasehold title to the site. This demonstrates that the ‘shared access area can be used by HGV’s for access to the site.

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 for the change of use of an existing industrial building to a waste management use. It is considered acceptable in waste management terms. The applicant's business would operate more efficiently on this site. The location of the site is considered appropriate for the proposed use in principle. Proposed conditions should ensure there is no unacceptable effect on amenity and traffic.

7.3 The proposal complies with East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (2013) Policies: WMP1 (sustainable development), WMP3b (waste hierarchy), WMP5 (Provision of Built Waste Facilities), WMP7a (sustainable locations for waste development), WMP7b (detailed criteria for waste development), WMP23A (Design Principles for Built Waste Facilities), WMP25 (amenity), WMP26 (transport), and Eastbourne Core Strategy Local Plan 2006-2027 Policy D2 (Economy).

7.4 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) (Amendment No. 2) Order 2012.

7.5 There are no other material considerations and the decision should be taken in accordance with the development plans.

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 listed in the Schedule of Approved Plans.

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

3. Within one month of the commencement of the development the sleeper walls shall be constructed in accordance with the following approved plans and details:

-Drawing plan titled 'Existing elevations and proposed acoustic barrier' (front and side elevations) dated 30/04/2015

-Drawing plan titled 'Existing elevations and proposed acoustic barrier' (rear elevation) dated 30/04/2015
-Document titled 'Details of Sleeper Walls' dated 29/04/2015
-Approved plan L.01 Rev F 'Site Layout Plan' (dated 29/04/2015) and thereafter maintained for the life of development.

Reason: In order to mitigate noise disturbance and in the interests of protecting the amenities of the locality in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

4. No machinery shall be operated and no process shall be carried out other than between the hours of 07.00 and 19.00 on Mondays to Fridays inclusive and between 07.00 and 14.00 on Saturdays and not at any time on Sundays, Bank and Public Holidays except of works for essential maintenance or which are to respond to an emergency. No later than one week after the carrying out of such works, full details of the time, date, reason for and nature of the works shall be given in writing to the Director of Communities, Economy and Transport.

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

5. The following operations shall not take place on site other than between the hours of 07.30 and 17.30 on Mondays to Fridays inclusive and between 07.30 and 13.30 on Saturdays:
 - (a) the removal of waste and loading of vehicles
 - (b) any deliveries or importation of waste to the site, including unloading of vehicles
 - (c) the servicing or repair of any vehicle

except with the prior written consent of the Director of Communities, Economy and Transport.

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

6. The maximum number of vehicle movements (excluding staff and other car movements) associated with the permitted use of the site shall not exceed 54 movements per day (i.e. 27 in and 27 out per day)

Reason: In the interests of amenity and highway safety and to comply with Policies WMP25 (a) and WMP26 (c) of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

7. Within one month of the commencement of the development, the car parking spaces indicated on the approved plan L.01 Rev F 'Site Layout Plan' (dated 29/04/2015) shall be marked out and installed and thereafter

shall be kept available at all times for the parking and stationing of vehicles associated with Units 2a and 2b, and shall not be used for any other purpose.

Reason: To ensure the provision of appropriate vehicle parking for the use hereby permitted, in accordance with Policy WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

8. The secure cycle storage room/building indicated on the approved plan L.01 Rev F 'Site Layout Plan' (dated 29/04/2015) shall be retained throughout the life of the development and shall be made available at all times for the parking and storage of staff and visitor bicycles.

Reason: To ensure the provision of appropriate cycle storage for the use hereby permitted, in accordance with Policy WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

9. The development shall not be occupied until the turning space for vehicles as identified on approved drawing 'Site Layout Plan' L.01 Rev F (dated 29/04/2015) has been provided and the turning space shall thereafter be retained for use as a turning space for vehicles and for no other use.

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

10. No storage container, skip, sorted or unsorted waste material or residue of recycled materials shall be stored outside the building other than wrapped or bound bales, which may be stored within the area identified as the 'Storage Area' on approved plan L.01 Rev F dated 29/04/2015 (that is the area to the southeast of the building).

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

11. Other than the moving of, setting down or loading of bales onto lorries (in accordance with the provisions of Condition 10 above), no sorting, treatment, loading or unloading of waste, recyclable materials or any other materials shall take place other than within the building.

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

12. No bales shall be stacked or deposited to a height exceeding 2.4 metres, measured from ground level on the site.

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

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

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

14. The rating level of the operational noise emitted from the site shall not exceed the background noise level at any time, as measured at Linden Court and St Anthony's Court and in accordance with BS 4142:2014.

Reason: In order to mitigate noise disturbance and in the interests of protecting the amenities of the locality in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

15. Within 3 months of the commencement of waste operations at the site, a noise monitoring report shall be submitted in writing to the Director of Communities, Economy and Transport, to assess compliance with the above condition within 3 months of the site becoming fully operational, and, to outline and implement additional mitigation measures, if necessary, to ensure compliance.

Reason: In order to mitigate noise disturbance and in the interests of protecting the amenities of the locality in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013.

Schedule of Approved Plans

P01 Rev D- Block Plan, Supporting Statement Rev 1, Dust Management Plan, Noise Report, LO1 Rev F - Site Layout Plan, LO3 Rev A Existing Elevations and proposed Acoustic Barrier Section, LO2 Rev A - Existing Elevations and proposed Acoustic Barrier, Email 05/05/15 Re Plan of leasehold area, Transport Statement dated March 2015

RUPERT CLUBB

Director of Communities, Economy and Transport

12 May 2015

BACKGROUND DOCUMENTS

See Case File EB/751/CM