



Working in Partnership



Agenda Item

Report PC

Report to Regulatory Planning Committee

Date of Committee 10 February 2016

By Head of Planning and Environment (ESCC) on behalf of Director of Planning

Local Authority East Sussex County Council

Application No: SDNP/15/05347/CW

Validation Date 23 October 2015

Target Date:

Applicant: Mr James Malyan, Greenacre

Proposal: Change of use of existing Industrial unit and yard into a construction and demolition waste transfer station

Site Address Land at Northern Tip of Industrial Yard

New Road Industrial Area, Newhaven, East Sussex, BN9 0HE

Purpose of Report The application is reported to Committee for a decision

**Recommendation: That the application be Approved for the reasons and subject to the conditions set out in paragraph 10.1 of this report.**

### **Executive Summary**

The proposal is for a change of use of land and buildings from storage and distribution to a waste transfer station within the New Road Industrial Estate, Newhaven. The northern part of the site is within the boundary of the National Park, although it comprises a hard surfaced area that forms part of a larger yard. Most of the site is outside the boundary of the National Park. The area within the National Park would be used for the storage and processing of soils and hardcore. Boundary vegetation adjoining the site would be unaffected and there would be no adverse effect to the purposes of the National Park designation. The proposal can be supported with regard to waste management policies. Recommended conditions would mitigate effects to amenity and the access is suitable. There would be no adverse effect to the floodplain. The proposal is considered to be acceptable and is supported by the Development Plan and NPPF.

## **1. Site Description**

The total site area is 0.58ha and is the former Titan Maritime UK Ltd premises within the New Road Industrial Estate (also referred to as the North Industrial Estate), off New Road (A26 Trunk Road), Newhaven. It comprises a building of some 1,000 square metres and a small 2-storey office building, together with an external yard. The site occupies the northern and eastern parts of the Industrial Estate and other industrial units are present on the western and southern sides of the site, including garages/workshops for motor repairs. A car dealer, AMC Cars, is immediately to the south of the application site and shares the eastern access off New Road with the application site, and, a telecoms business is located in Units 1 & 2 adjoining the north-western part of the application site.

The Lewes to Newhaven & Seaford railway line is adjacent to the west of the site. Veolia's Energy Recovery Facility (ERF) and the industrial area of North Quay Road are present to the south-west beyond the railway line. The nearest residential properties are located along a cul-de-sac, also known as New Road, about 16 metres from the site on the opposite side of the A26 with the residential area of South Heighton beyond. Paradise Park leisure facility is to the south-east of the application site, also on the opposite side of the A26, with the Avis Way Industrial Estate extending beyond.

A water course is culverted at the north-eastern boundary of the site and the land beyond to the north and north-west forms part of the undeveloped area of the Ouse Valley. A section of the northern part of the application site, some 1,000 square metres in area, and the land beyond, falls within the boundary of the South Downs National Park (SDNP), and, its northern and north-western boundaries are bordered with hedgerows and a screen of trees. The site is also within a Flood Zone 3, due to it being within the tidal floodplain of the River Ouse.

## **2. Relevant Planning History**

Lewes District Council has previously dealt with planning applications at this site.

In the mid-1990s, planning permission was granted from a 'sui generis' use to a Class B2 use (ref. LW/95/1378). However, a planning application for the inclusion of land as an external area within the proposal for change of use to B2 General Industrial use granted under permission LW/95/1378 (ref. LW/96/0392) was withdrawn.

In 1998, planning permission was granted (ref. LW/97/1051), subject to conditions, for a S.73(a) retrospective application for the continued use from Class B2 to Class B8 (storage and distribution) to include additional landscaping.

## **3. Proposal**

Application SDNP/15/05347/CW covers the area within the SDNP. The proposal is for the change of use of the site from a B8 Use to a waste transfer station (WTS) and it is envisaged that up to 15,000 tonnes of waste per annum would be managed. The WTS would comprise three main elements: (i) A skip waste

operation; (ii) A processing and storage facility for soils and hardcore; & (iii) Skip storage.

The skip waste operation would take place within the existing building which would be used for the sorting and processing of deposited waste, together with the storage of other types of construction, demolition and excavation waste (CDEW). The building comprises floorspace of about 1,000 square metres (or about 10,000 square feet) on a single level with adequate space and height for vehicles to reverse and tip inside the building. Most of the applicant's waste comes from skips and is sourced from domestic building works. Therefore, waste processed in the building would consist largely of materials from dwellings, such as fittings, plasterboard and garden waste. An electrically powered trommel would be used to process waste within the building. Outside, soils and hardcore would be stored using pre-cast concrete wall dividers in the northern part of the site, most of which is within the boundary of the SDNP. The powerscreen, which would be used to process materials in this area, would be located within the SDNP.

Skips would be stored along the boundary fence at the western and eastern sides of the site and a weighbridge and office would be located at the south-eastern part near to the entrance. Staff and visitor parking would be accommodated at the southern end of the site near to the offices. The proposed hours of operation would be from 06.30 to 17.30 Mondays to Fridays and from 06.30 to 13.00 on Saturdays, although it is proposed by the applicant to restrict the use of the powerscreen to commence from 08.00.

The development will also be subject to controls under an Environmental Permit issued by the Environment Agency.

As most of the site is within the administrative boundary of East Sussex County Council, a separate planning application (ref. LW/767/CM) for the same proposal has been submitted to that Authority for determination. However, the County Council will be determining this application, on behalf of the South Downs National Park Authority (SDNPA), as well as application LW/767/CM, and both reports are included within the Agenda. (See Item 7 on the Agenda).

#### **4. Consultations**

Lewes District Council has not submitted any observations.

Newhaven Town Council objects on the grounds that the site is a gateway into Newhaven from the South Downs National Park and is highly visible from the A26. Heavy lorries and dust would impact on neighbouring businesses.

South Heighton Parish Council objects on the grounds that if the existing adjoining screening is removed from the northern and eastern boundaries, the site would impact on the visual amenity of the area; the generation of noise from skip movements on the eastern side of the site; the generation of dust might impact on amenity, together with the hours of use and external lighting; the level of traffic generated and the access arrangements. If planning permission is granted, conditions should be included to control activities.

Highways England raises no objections. However, It advises that the applicant should sign and road mark the entrance to the site in accordance with the

guidance given in the Traffic Signs Manual and provide road markings which would discourage vehicles parking within the junction. This is to ensure that all vehicles required to enter and egress the site are able to do so safely and unimpeded. Highways England also advises that the visibility splays should remain clear and free from parked vehicles so that inter-visibility between vehicles on the A26 and those leaving the site is maintained at all times to facilitate safe turning movements for all vehicles.

Environment Agency (EA) raises no objections, although an Environmental Permit might be required for certain activities.

ESCC Flood Risk Management Team raises no objections.

## **5. Representations**

Two representations have been received from adjoining businesses objecting to the proposal:

AMC Cars, off New Road, has been trading since 2004 and sells used motor vehicles. The company objects on the grounds that the proposal will interfere with the business, as it shares the same entrance off the A26 and lorries will obstruct/prevent access for customers and the company. Waste will create dust which will affect the state of vehicles.

Telecom (Investments) Ltd, which adjoins the application site to the north-west and occupies Units 1 & 2, objects largely on the grounds of a lack of information on the nature of the use, traffic generation, noise and flooding.

## **6. Policy Context**

- 6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan in this area is the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and the Lewes District Local Plan 2003.

### National Planning Policy Framework (NPPF) and Circular 2010

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 27 March 2012. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the National Parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

### 6.2 National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas;

- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes.

### 6.3 The South Downs Partnership Management Plan

The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan.

## 7. **Planning Policy**

The Development Plan and other policies (not included in Part 6 above) of relevance to this application are:

East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013: WMP2 (Minerals and Waste Development affecting the SDNP); WMP3b (Turning Waste into a Resource); WMP7a (Sustainable Locations for Waste Development); WMP23a (Design Principles); WMP23b (Operation of Sites); WMP25 (General Amenity); WMP26 (Traffic Impacts); WMP27a (Environment & Environmental Enhancement); WMP28a (Flood Risk).

Lewes District Local Plan 2003: Saved Policy ST3 (Design, Form & Setting of Development).

Lewes District Council undertook a review of its Saved Local Plan Policies (2007) to determine their consistency with the NPPF (2012) and produced a table indicating the extent to which the policies are fully consistent, partly consistent or not consistent. Saved Policy ST3 is considered to be fully consistent with the NPPF.

Lewes District Proposed Submission Joint Core Strategy 2013:

Lewes District Council Joint Core Strategy Local Plan Public Examination Hearings took place in January 2015. The Core Strategy is now in an advance stage following the publication of the proposed Modifications, which the Inspector is currently reviewing and a Hearing was held in mid-December 2015. The Core Strategy is a strategic level plan and is a material consideration in determining planning applications.

East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan 2015. The Schedule of Suitable Industrial Estates includes: I/B Avis Way / New Road Industrial Estates, Newhaven.

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.

## **8. Planning Assessment**

### **Purpose of development**

The Waste and Minerals Plan supports, in principle, proposals for the development of waste management facilities where they contribute to the implementation of the waste hierarchy (Policy WMP3b) and are located in Areas of Focus (Policy WMP7a). Policy WMP2 states that small-scale waste management facilities for local needs should not be precluded from the National Park and should meet the requirements of Policy WMP7a. Policy WMP23b requires that proposals should be supported by details of how the development would operate. The site is within an industrial estate which is identified in the Waste and Minerals Sites Plan Schedule of Suitable Industrial Estates for waste management facilities.

The applicant currently operates, on an authorised basis, from premises on the Avis Way Industrial Estate in Newhaven, a short distance from the application site. However, as a result of an increase in demand of the service provided, together with a lack of space at the existing site, the applicant is seeking alternative premises to enable it to increase capacity. This would allow more opportunities for processing, thereby improving recycling rates and the management of waste further up the waste hierarchy, in accordance with Policy WMP3b. The application sets out how the development would operate, which also complies with Policy WMP23b.

The application site would also allow enough space for the applicant to consolidate its skip storage, which it currently manages from a depot in West Sussex. The applicant wishes to remain Newhaven-based and has chosen a site which is within an Area of Focus, thereby supported by Policy WMP7a and one which is located in an industrial estate considered suitable for waste management facilities. The site is well located in relation to much of the applicant's supply-chain, as well as being in close proximity to partner waste facilities within the town. The development is relatively small-scale and would serve local needs both within and outside the National Park, thereby according with Policy WMP2.

As such, the proposal is supported, in principle, by waste management policies in the Waste and Minerals Plan.

### **Effect on South Downs National Park & landscape**

Policy WMP2 of the Waste and Minerals Plan is described above but essentially it requires that waste development in the SDNP should demonstrate that it contributes to the sustainable development of the area. Policy WMP27a seeks to conserve and enhance the local character and environment of the Plan Area. The NPPF requires that the planning system should contribute to and enhance the natural and local environment by, inter alia, protecting and enhancing valued landscapes. Policy WMP23a requires development to complement the planned scale and built form of the local area and take account of local landscape character and distinctiveness.

A section of the northern part of the site is within the SDNP. The purposes of the SDNP are (1) to conserve and enhance the natural beauty, wildlife and cultural heritage of the area; and (2) to promote opportunities for the undertaking and enjoyment of the special qualities of the Park by the public. In pursuing these purposes, there is also a duty to foster the economic and social well-being of local communities within the National Park.

The development is for a change of use from storage and distribution to a WTS. The existing building and hard surfaced areas would be retained and the development would not involve extensions to them. The entire site is of an established industrial character, including the northern part within the SDNP, where it is proposed to locate storage bays (standing at about 2.5 metres in height), material stockpiles and plant for the storage and processing of soils and hardcore. The storage and processing facility is located here because it represents a discrete part of the site which benefits from an existing hard surfaced area. This would allow for appropriate separation from other activities within the site. It also means that the processing operation would be at the greatest distance from within the site to the nearest residential properties, at some 65 metres, and would be effectively screened from views outside the site to the west and north within the wider National Park as a result of the adjoining boundary vegetation.

The SDNP countryside to the north of the site is separated by a plantation of trees and shrubs and by hedgerows on the western and northern boundaries. The trees were planted about 15 years ago as an environmental enhancement to screen the built up edge of the industrial estate and create a defined edge to the built up area. These have matured to provide an effective physical and visual barrier between the industrial estate and the wider SDNP countryside, including from the public footpath along the eastern bank of the River Ouse. Further compensatory planting associated with the ERF is being undertaken to the north west.

There are views across the site from the adjacent residential areas of South Heighton and from the railway. These views are of established industrial uses and the site would be seen against a background of industrial buildings, including the ERF, on the other side of the railway. Views into the site from the A26 are partially screened by roadside trees and shrubs.

The proposed change of use would have a negligible impact on the character of the surrounding urban area and SDNP landscape thereby having no significant effect on views into the site and on visual amenity. The trees and shrubs along the northern and western boundaries and on the boundary with the A26 are important for screening activities and buildings on the site. However, although they are outside the site ownership boundary and the control of the applicant, they should be unaffected by the change of use, although the hedgerow on the eastern side of the site would require appropriate cutting back to allow sufficient visibility for drivers exiting the site.

The change of use is unlikely to impact on the root protection areas of the trees as the areas are already hardstanding and no structures requiring footings are proposed. Nevertheless, they should be protected during works to develop the site in accordance with the relevant British Standard and a condition is proposed to this effect. Moreover, the proposed concrete wall dividers would be placed at least 2 metres from the boundary fencing to provide additional protection to vegetation

and a condition is included to ensure this is undertaken. Although the applicant does not intend to carry out any pruning works to trees, any such works in the future should accord with the relevant British Standard and an Informative has also been proposed to address this point.

### **Effect on amenity**

Policy WMP25 of the Waste and Minerals Plan requires proposals to have no unacceptable adverse effect on amenity for those likely to be affected by the development and for there to be no significant impact on air quality or the acoustic environment, and for adequate controls to be secured regarding dust, litter, noise and odour. Saved Policy ST3 of the Lewes District Local Plan requires development to, inter alia, respect the amenities of adjoining properties.

The application site is within the New Road Industrial Estate, which adjoins the A26 Trunk Road to the east and the Lewes-Newhaven railway line to the west. It is also in close proximity to the Avis Way Industrial Estate, which extends to the south-east on the opposite side of the A26, and the industrial area of North Quay Road to the south-west on the opposite side of the railway line. While the application site is at the northern boundary of the New Road Industrial Estate, it nevertheless forms part of the wider industrial area in this part of Newhaven.

The proposal is primarily for a change of use from storage and distribution to a WTS, although the site has previously been used as a general industrial B2 use. Consequently, industrial activities, storage and use of heavy goods vehicles (HGVs) would have regularly occurred at the site in the past. Although the current proposal is for a WTS, some of its activities would be similar to those under the previous B8 and B2 uses and so would not represent a significant change in the use of the site.

Newhaven Town Council and South Highton Parish Council have noted that the development could affect the amenity of neighbouring businesses and local residents, and, two adjoining businesses to the application site have raised concerns regarding the potential effects of noise and dust.

The context of the site is an industrial estate next to a busy road (A26 Trunk Road) with the average ambient noise levels at the nearest residential properties in New Road being considerably above the background noise level (the level exceeded for 90% of the time, which tends to reduce the effect of peak noises such as passing traffic). While it is likely that occasional intermittent peak noises from the development might be discernible at the nearest residential properties, it is unlikely that they would greatly affect the overall acoustic character of the area, due to noise from vehicles using the A26. Consequently, it is unlikely that there would be a resulting unacceptable effect on amenity. Notwithstanding this, to reduce the potential effect, mitigation measures can be applied and it is recommended that conditions are included requiring the applicant to implement the submitted noise management plan and to seek compliance with a rating level. As well as seeking to protect residential amenity, the applicant is also mindful of reducing noise from operations which could affect the amenity of occupiers within the adjoining commercial units, particularly Units 1 & 2. This could be achieved by placing concrete wall dividers and material stockpiles on the northern side of the Units, thereby providing a barrier to absorb noise. Overall, the measures to



safeguard amenity accord with Policy WMP25 of the Waste and Minerals Plan and Saved Policy ST3 of the Lewes District Local Plan.

In relation to potential dust emissions, the EA's Environmental Permit will control emissions. Despite this, the applicant has set out how any dust would be reduced and measures would include closing the roller shutter doors on the building while the lorries are unloading waste, using a mist spray dust suppression system within the building, and, using a spray and hose for the screening operation in the northern part of the site and across the remainder of the yard. These measures are considered to be acceptable in reducing the potential for dust to escape from the site and accord with policies to protect amenity.

In terms of any potential odour emissions, it is not envisaged that any materials would be imported that would give rise to mal-odour. However, if such material was imported, it would be managed separately from other waste and swiftly removed from site to an authorised treatment facility.

No new external lighting is proposed. The existing lighting attachments, which are confined to the buildings and boundary fence outside the National Park, would be retained. These involve fixed halide luminaires, which are described by the applicant as being highly directional, thereby resulting in minimal spillage. While this is considered to be acceptable, a condition is proposed requiring details of any new external lighting to be submitted for approval so as to minimise any effects on neighbours or the National Park.

### **Highway and traffic matters**

Policy WMP26 of the Waste and Minerals Plan requires that development should provide for appropriate access arrangements for the volume and nature of traffic generated by the proposal, that no unacceptable safety hazards would be generated for other road users, that the level of traffic generated would not exceed the capacity of the local road network and that there are suitable arrangements for on site vehicle manoeuvring, parking and loading/unloading areas.

The application site shares an access with an adjoining business, AMC Cars, to gain access to and from New Road (A26). The road is the main route into Newhaven and this part of the south coast, from the A27 to the north. On a typical busy week day, the applicant estimates there would be nearly 60 commercial vehicle movements to and from the site, involving 8 movements from four 30 tonnes grab lorries, 24 movements from four 22 tonnes skip lorries, 24 movements from four vans and two movements from a third party 'RoRo' skip lorry. As the access is onto a Trunk Road, Highways England is the appropriate body to deal with highway issues and has not raised any objections. It has noted that the applicant's estimations of trip generation are considered to be acceptable. However, Highways England advises that the applicant should provide appropriate signage and markings at the entrance to the site to discourage drivers from parking vehicles at the junction with the A26 and to ensure that the visibility splays are maintained for safety reasons.

The site allows enough room for waiting vehicles before the weighbridge to ensure queuing into the road does not occur and the access allows for vehicles exiting the site to the north without encroaching onto the far carriageway. While Highways England does not require the works to be undertaken to the entrance, it is

considered expedient to include its advice as proposed Informatives. Subject to this, the proposal is considered to be acceptable on highways grounds.

### **Flood risk & drainage**

Policy WMP28a of the Waste and Minerals Plan requires, inter alia, that proposals adequately provide for the implications of flood risk and have appropriate measures in place to reduce surface water run-off.

General industrial uses, including uses for waste treatment, are classified as 'less vulnerable' in the NPPF. The proposal is for a change of use with no works to include significant new structures or an increase in the extent of the impermeable external surface. Although the site is within a Flood Zone 3, as designated by the EA due to its location within the tidal floodplain of the River Ouse, the risk to life is considered to be minimal. Any extreme flood event would be subject to an advanced warning by the EA, and staff would be trained to manage the site in the event of a flood.

A network of minor watercourses is present within the industrial estate, with one running beneath the site in a culvert. Inspection access is maintained for the EA via an existing gate at the northern end of the site. The application site benefits from having an impermeable ground slab and sealed drainage system with all surface water being discharged into the existing foul drainage system.

## **9. Conclusion**

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.

The proposal is for a change of use from storage and distribution to a waste transfer station within an established industrial estate in Newhaven. The applicant currently operates from nearby premises but is seeking a larger site to consolidate his skip waste and processing operations, together with skip storage, which would allow for the more efficient management of material further up the waste hierarchy. The site is within an Area of Focus and an industrial estate, which is considered suitable to accommodate waste management facilities. The access arrangements are also considered to be acceptable, although the applicant is advised by Highways England to include appropriate signage and road markings at the entrance for safety reasons.

A section of the northern part of the site is within the boundary of the National Park. However, the proposal would have no adverse effect on the wider designated area of the National Park due to the adjoining boundary vegetation. Consequently, it is considered that there would be no detrimental impact on the purposes of the National Park. The proposal would also have no adverse effect on the tidal floodplain or increase the risk of flooding.

The site adjoins the A26 Trunk Road and noise levels in the locality are affected by vehicle traffic. Although it is likely that some noise from the application site might be discernible from nearby residential properties, it would be unlikely to change the overall character of the acoustic environment and lead to an adverse effect on amenity. Conditions are proposed which will reduce any potential effects

both to local residents and occupiers of nearby industrial units. There would also be no adverse effects from potential dust emissions, odour or artificial lighting.

The proposal is considered to be acceptable and complies with Policies WMP2, WMP3b, WMP7a, WMP23a, WMP23b, WMP25, WMP26, WMP27a and WMP28a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Saved Policy ST3 of the Lewes District Local Plan 2003 and the NPPF.

In determining this planning application, the County Council has worked with the 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.

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

## 10. Recommendation

It is recommended that the application be approved subject to the conditions set out below

1. The development hereby permitted shall be carried out in accordance with the following plans:

Plan Type	Reference	Version	Date on Plan	Status
Plans -	LOCATION PLAN	16615-PL01	22.10.2015	Approved
Plans -	PROPOSED PLANS	16615-PL03	22.10.2015	Approved
Plans -	EXISTING PLANS	16615-PL04	22.10.2015	Approved
Plans -	PROPOSED/ EXISTING ELEVATIONS	16615-PL05	22.10.2015	Approved
Plans -	PROPOSED SITE PLAN	16615-PL02 Rev B	25.01.2016	Approved
Plans -	LOCATION PLAN - VISIBILITY LINE	16615-PL06 Rev B	21.12.2015	Approved

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

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

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

3. The use hereby permitted shall not be carried out other than between the hours of 06.30 and 17.30 on Mondays to Fridays inclusive and between the hours

of 06.30 and 13.00 on Saturdays and at no time on Sundays, Public and Bank Holidays, except for works of essential maintenance or which are to respond to an emergency.

Reason: To safeguard the amenities of the occupiers of properties in the vicinity of the site and to accord with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

4. Notwithstanding the terms of Condition 3, no plant or equipment required for processing waste materials outside the buildings shall be used except between the hours of 08.00 and 16.00 on Mondays to Fridays inclusive and between the hours of 08.00 and 12.00 on Saturdays, and, at no time on Sundays, Public and Bank Holidays.

Reason: To safeguard the amenities of occupiers of nearby properties and to accord with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

5. The noise management practices set out at Table 5 at Part 6 of the Environmental Noise Impact Assessment Technical Report (Doc. ref. 23434 R1) by Sound Solution Consultants, dated 10th December 2015, shall be implemented in full during the permitted hours of operation.

Reason: To safeguard the amenities of occupiers of nearby properties and to accord with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

6. The rating level of noise from the site shall not exceed 53 dBLAeq, 1hr at any time when measured or calculated opposite the site at No. 1 New Road, Newhaven and in accordance with BS 4142:2014.

Reason: To safeguard the residential amenities of occupiers of properties in the vicinity of the site and to accord with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

7. Before the commencement of the use of the site as a waste transfer station the modular pre-cast concrete wall dividers shall be placed at the northern part of the site in the positions shown on the Proposed Site Plan (ref. 16615-PL02 RevB) and shall be no less than 2 metres from the boundary of the site, unless otherwise agreed in writing with the Director of Communities, Economy and Transport.

Reason: To safeguard the trees and shrubs adjoining the boundary of the site in the interests of the landscape of the South Downs National Park and the amenities of occupiers of nearby properties and the locality generally and to accord with Policies WMP25 and WMP27a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

8. Before the commencement of the use of the site as a waste transfer station, measures shall be incorporated at the site to protect the trees and shrubs adjoining the northern, north-western and eastern boundaries of the site in accordance with BS 5837:2012 Trees in Relation to Design, Demolition and Construction.

Reason: To safeguard the trees and shrubs adjoining the boundary of the site in the interests of the landscape of the South Downs National Park and the amenities of occupiers of nearby properties and the locality generally and to accord with Policies WMP25 and WMP27a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

9. No new external lighting, including floodlights, shall be installed or used at the site other than in accordance with details first submitted to and approved in writing by the Director of Communities, Economy and Transport at East Sussex County Council. The approved details shall be implemented in full.

Reason: To safeguard the amenities of occupiers of nearby properties and the interests of the South Downs National Park and to accord with Policies WMP25 and WMP27a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

### **Informatives**

1. The applicant is advised by Highways England to sign and road mark the entrance to the site in accordance with the guidance given in the Traffic Signs Manual Chapter 5 and provide road markings which would discourage vehicles parking within the junction. This is to ensure that all vehicles required to enter and egress the site are able to do so safely and unimpeded.
2. The applicant is advised by Highways England to ensure that the visibility splays remain clear and free from parked vehicles so that inter-visibility between vehicles on the A26 New Road and those leaving the site is maintained at all times to facilitate safe turning movements for all vehicles.

3. The Applicant's attention is drawn to the provisions of:-

BS 3998:2010 Tree Work Recommendations in the carrying out of any pruning to trees and shrubs adjoining the site boundary.

### **11. Crime and Disorder Implications**

None.

### **12. Human Rights Implications**

None.

### **13. Equalities Act 2010**

No implications.

Tony Cook, Head of Planning and Environment (ESCC) for  
Tim Slaney  
Director of Planning  
South Downs National Park Authority

Case Officer Details

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