

Committee: **Regulatory  
Planning Committee**

Date: **17 September 2025**

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

Proposal: **Use of land for the importation, deposit, storage & processing for recycling and recovery of skip waste comprising construction, demolition and excavation waste, commercial and industrial, and household waste (part retrospective) including construction of new concrete hardstanding and storage bays**

Site Address: **Hole Farm, Westfield Lane Westfield TN35 4SA**

Applicant: **Mr Luke Field EcoSkip Waste & Recycling Ltd**

Application No. **RR/899/CM**

Key Issues:           i)     **Need**  
                              ii)     **Effect on the High Weald National Landscape and local landscape character**  
                              iii)    **Amenity**  
                              iv)    **Traffic impacts**  
                              v)     **Surface water drainage**

Contact Officer: **Helen Ogden, 01273 336532**

Local Member: **Councillor Carl Maynard**

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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 at Hole Farm is within the High Weald National Landscape, previously referred to as an Area of Outstanding Natural Beauty (AONB), approximately 1 kilometre south of Westfield and 1 kilometre north of Baldslow, the latter forming part of the northern development boundary of Hastings. The site is approximately 0.6 hectares in area and comprises a reasonably level, compacted hardcore surface, which is used as an existing

waste management facility. A scrap metal recycling business adjoins the site, as well as other businesses including a groundworks company.

1.2 The facility includes stockpiles of inert waste materials and storage areas for bagged recycled aggregates, timber, palleted bricks and skips for the reception of metals and plastics removed for re-use. The boundary of the site consists of dense scrubby hedgerows and mature trees. Access to the site is from the north from a private road off the A28, Westfield Lane. A gated access is also present at the south-western side of the site which allows passage into the field beyond. Public Footpath Westfield 52 is present to the south-west of the site off the A28 and tracks south-eastwards across a field into Maplehurst Wood, a Site of Special Scientific Interest, about 90 metres distant.

## **2. The Proposal**

2.1 For the purpose of providing context, the applicant initially requested and subsequently received, pre-application advice on 15<sup>th</sup> December 2023 regarding, *inter alia*, the alteration of the existing site layout plan. Following this, an application was received in October 2024 (RR/893/CM) for the variation of Conditions 1,2,4,8,9 & 12 of planning permission RR/724/CM to change, *inter alia*, the layout of the site. Following an Officer visit in January 2025 concerns were raised regarding significant breaches of the current planning permission, with particular regard to the volume, height and location of material stockpiles onsite and related adverse impacts. The applicant was issued an enforcement letter (dated 25<sup>th</sup> February) detailing the urgent need to address these issues and the subsequent enforcement action that will need to be taken, namely a breach of condition notice. The site has continued to be carefully monitored, it has been observed that whilst some measures have been taken to bring the site within reasonable parameters of the requirements of the extant permission, breaches remain albeit with no further complaints received to date.

2.2 Following pre-application advice and the subsequent planning application to vary several conditions of the extant permission, it became apparent that the nature of business being undertaken by the applicant was not in keeping with the spirit of the existing permission, particularly with regards to the introduction of skip waste to the site. As such, the applicant was advised to carefully consider the requirements of the operation, including the required layout of the site, and submit a new full planning application, accurately reflecting the current nature of the business.

2.3 This new full application is for use of land for the importation, deposit, storage and processing for recycling and recovery of skip waste comprising construction, demolition and excavation waste, commercial and industrial, and household waste (part retrospective) including construction of new concrete hardstanding and storage bays. The site already has permission for such a use, however the introduction of skips and household waste will be a new waste stream if permitted at the site.

2.4 The proposal seeks permission to change the site layout, installation of an extended new hardstanding area, surface water drainage scheme, erection

of storage bays and installation of additional machinery. The site will continue to have a throughput of 10,000 tonnes of material per annum, which will be screened and sorted for onward recycling and recovery. It is understood that of this, a maximum of 500 tonnes per annum will comprise of incidental items which may be classed as commercial, industrial and household waste. It is understood that this waste stream will be separated from other waste streams and stored separately in a designated skip within the concrete pad area, as detailed later in this report.

2.5 The existing concrete pad area to the north of the site will be extended from 312.5m<sup>2</sup> to 725m<sup>2</sup> in area, which will also include the erection of a 2.4m high wall and storage bays constructed from interlocking concrete blocks. A surface water drainage system, including silt tank, piping and storage tank, will be installed around the concrete pad.

2.6 The additional machinery to be introduced to the site includes the retrospective installation and use of a small mobile trommel screener to be located on the concrete pad and 3-way split screener in the centre of the site, again retrospective. As well as the installation and use of an air separator in the centre of the site and crusher to the south-west of the site. The use of a 360° loading shovel/excavator, as existing, will continue.

2.7 The proposal also includes the installation of a new 2m high chain-link fence and native planting along the western boundary, further details of which are included later in this report.

2.8 The Transport Statement submitted with this application details that there will be no more than 40 daily vehicle movements (20 in and 20 out). It is understood that under the extant permission (RR/724/CM) there are no restrictions in place with regards to vehicle movements.

2.9 Hours of operation will remain unchanged from the original permission (RR/700/CM) as 08:00-18:00 Monday to Friday and 08:00- 13:00 on Saturdays with no Sunday or public bank holiday working. Processing activities are currently restricted to between the hours of 09:00-16:00 Mondays to Fridays, with no activities permitted on weekends or public bank holidays. No change is sought to these processing hours. The proposal seeks to increase the number of full-time staff from 2 to 5.

2.10 An Environmental Impact Assessment Screening Opinion has been carried out, concluding that an Environmental Impact Assessment would not be required for this application.

### **3. Site History**

3.1 In October 2012 planning permission was granted for the use of land for the importation, deposit, storage and processing of construction and demolition waste (including but not limited to concrete, rubble, soils, sub-soils, metal and plastics) (retrospective), together with the construction of a noise attenuation barrier. (Ref. RR/700/CM).

3.2 In February 2014 permission was granted for the variation of Conditions 1, 2 and 5 of planning permission RR/700/CM. Variation of Condition 2 was to permit the use of an alternative crusher and variation of Condition 5 was to permit storage of material to a height of 6m and variation of Condition 1 was to deal with consequential amendments arising from Conditions 2 and 5. (RR/724/CM).

3.3 In October 2024 an application was submitted for Variation of Conditions 1,2,4,8,9 & 12 of planning permission RR/724/CM to change the layout of the site. This was withdrawn in January 2025. (RR/893/CM).

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

4.1 Rother District Council: No objection, subject to the necessary conditions as set out in previous permissions granted.

4.2 Westfield Parish Council: No response received.

4.3 High Weald AONB Officer: No response received.

4.4 Environment Agency: No objection. Guidance has been provided regarding Environmental Permits and is detailed as an informative.

4.5 NatureSpace: No objection.

4.6 Scottia Gas Network: Provided comments detailed as an informative.

4.7 County Landscape Architect: No objection.

4.8 County Environmental Advice: No objection subject to the imposition of conditions in relation to noise and dust.

4.9 Lead Local Flood Authority: No objection subject to conditions requiring the submission of further details of the proposed drainage system.

4.10 Highway Authority: No objection subject to the imposition of conditions relating to the provision of parking spaces on site and utilisation of turning spaces within the site.

4.11 Local Member: No response received.

4.12 Local Representations: 4 letters of objection have been received from neighbouring residents, the responses of which have been summarised as follows:

Traffic related impacts including potential increase in vehicle movements, impacts on users of the Highway including cyclists and pedestrians, including outside of daylight hours. Concerns were raised regarding the narrow nature of the footpath which has been described as unlit, poorly maintained and lacking

in traffic calming measures, as such it could pose a risk to members of the public particularly when trying to cross the road.

Concerns were raised regarding inappropriate parking on the accessway which has been observed to cause congestion, making it difficult for users, including horses, to pass.

Inappropriate location of a waste recycling facility in the High Weald National Landscape.

Increase in noise and dust pollution from the site, including potential air quality and health risks associated with crushing activities in particular. Noise levels during operation, transportation, and processing times were raised as a concern.

Visual impacts of stacked skips, stockpiles and diggers as well as litter. Use of pathway to the side of the site for loading concrete, having the potential to cause danger to pedestrians.

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

5.1 East Sussex South Downs and Brighton and Hove Waste and Minerals Local Plan 2013: Policies WMP3b (Turning Waste into a Resource), WMP6 (Safeguarding waste sites), WMP18 (Transport), WMP25 (General Amenity), WMP28a (Flood risk) and WMP28b (Water resources and water quality).

5.2 East Sussex South Downs and Brighton and Hove Waste and Minerals Local Plan Revised Policies 2024: Policies RV1 (Minerals and waste development affecting the South Downs National Park and High Weald Area of Outstanding Natural Beauty), RM1 (Provision of aggregates for the Plan Area) and RD1 (Environment and environmental enhancement).

5.3 East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan – Waste and Minerals Site Plan (Feb 2017): Map 39 SP-WCA/U.

5.4 Rother Local Plan Core Strategy 2014: Policies SRM2 (Water supply and wastewater management), EN1 (Landscape Stewardship), EN5 (Biodiversity and green space) and TR4 (Car Parking).

5.5 Rother District Council Development and Site Allocations Local Plan 2019: Policies DEN1 (Maintaining Landscape Character), DEN2 (High Weald AONB) and DEN7 (Environmental Pollution).

5.6 National Planning Policy for Waste (NPPW): The document identifies a series of locational criteria that should be met with regards to the location of a development such as that proposed. This includes, *inter alia*, consideration of landscape and visual impacts, nature conservation, traffic and access, air emissions including dust and odours. Each of these criteria have been considered and addressed in further detail throughout the report.

5.7 National Planning Policy Framework (2024): Chapter 2 (Achieving Sustainable Development), Chapter 6 (Building a Strong and Competitive Economy), Chapter 9 (Promoting Sustainable Transport), Chapter 14 (Climate Change and Flooding), Chapter 15 (Conserving and Enhancing the Natural Environment).

5.8 Environment Act 2021, Schedule 14: In England, developers must deliver a Biodiversity Net Gain (BNG) of 10% under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). However, it is considered that the *De Minimis* exemption applies to this application.

5.9 High Weald Management Plan (2024-2029): DS1: (preserve the dark skies of the High Weald AONB by minimising light pollution); and DS2 (protect wildlife and habitats from light pollution across the High Weald); PQ2 (protect unspoilt rural landscape with its intrinsic sense of naturalness, valued views), Planning Principle 1.

## **6. Considerations**

### Need

6.1 Policy WMP3b of the East Sussex South Downs and Brighton & Hove Waste and Minerals Plan 2013 states that development proposals should demonstrate that they will contribute to the implementation of the waste hierarchy by indicating how the waste could be managed in the priority order of the hierarchy. Policy WMP6 of the same Plan promotes the safeguarding of, *inter alia*, existing waste management sites. Policy RV1 of the East Sussex South Downs and Brighton and Hove Waste and Minerals Local Plan Revised Policies 2024 states, *inter alia*, that small scale waste management facilities for local needs are not precluded from the National Park or Area of Outstanding Natural Beauty where they meet the requirements of Policies RD1 and RW1. Policy RW1 states that the principle of development will be supported where, *inter alia*, the site is located within a broad Area of Focus indicated on the Key Diagram and within the context of this Policy supporting Strategic Objectives S01, S04 and S08 of the Waste and Minerals Plan. Policy RM1 details how the Authorities will support the provision of aggregate material over the Plan period by seeking to protect, maintain and enhance existing aggregate importation infrastructure and capacity as well as recycled and secondary production. The Site is part of a larger site that is safeguarded for waste use (SP-WCA/U) in the East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan (2017).

6.2 The principle of managing waste at the site has been established through planning permission RR/700/CM. Therefore, it has been accepted that a waste management facility for construction and demolition waste is acceptable in this location within the countryside and High Weald National Landscape, subject to relevant controls. The proposal seeks to improve the efficiency of the site through the introduction of new plant and a revised site

layout plan. The annual throughput of material is proposed to remain unchanged at 10,000 tonnes per annum (tpa). It is noted that the proposal originally sought an increase to 15,000tpa, however this was reduced following advice provided by officers suggesting that it would be unlikely such an increase would have Policy support due to, *inter alia*, the constrained nature of the site.

6.3 The extant permission states that the use of the site is limited to the importation, deposit, storage and processing of no more than 10,000 tonnes per annum of construction and demolition waste materials. The permission specifies the only waste materials to be accepted to the site include concrete, bricks, tiles and ceramics, mixtures of concrete, bricks, tiles and ceramics and soils and stones. The application seeks approval for the importation and processing of 9,500tpa of Construction and Demolition(C&D) waste with the remaining 500tpa consisting largely of household 'bulky' waste items, described by the applicant as being 'incidental to the operations' and as such, a requirement of the permission. The degree to which this waste stream is incidental to the operations is questionable and given the site is currently operating in significant breach of the extant planning permission, the permitted introduction of this new waste stream to the site raises matters that need to be considered and assessed as part of our deliberations on this application.

6.4 The applicant has submitted several supporting documents to demonstrate how any potentially adverse impacts arising from the proposal can be managed and mitigated to acceptable levels. The identification and further consideration of these impacts have been addressed in the following sections of this report.

6.5 In conclusion, it is considered that the use of the site will not change significantly as a result of this proposal. Whilst the introduction of a small amount of household waste to the site does change the nature of operations to some extent (discussed in further detail later in this report), it is considered that the scale of operations will remain largely unchanged. Improving the efficiency of the site is considered to align with the relevant policies seeking to improve the recycling and recovery of materials in line with the waste hierarchy and as such, is considered acceptable in principle subject to the imposition of conditions as discussed later in this report.

#### Effect on the High Weald National Landscape and local landscape character

6.6 Policy RD1 of the East Sussex South Downs and Brighton and Hove Waste and Minerals Local Plan Revised Policies 2024 states that development should, *inter alia*, protect and enhance designated sites, areas and features of environmental, landscape and historic importance. The policy also encourages the provision of measurable net gain in biodiversity and enhancement of natural capital where possible. Policy RV1 of the same Plan outlines, *inter alia*, that major minerals and waste development in the South Downs National Park or High Weald Area of Outstanding Natural Beauty will be refused other than in exceptional circumstances, and where it can be demonstrated to be in the public interest. Under the terms of Policy RV1, it is considered that within the context of national policy, the winning and working of minerals and waste

development generally constitutes major development. It is also stated that other minerals and waste development which is ancillary to a main minerals and waste operation (e.g. weighbridge, offices, haul road and minor amendments) would not normally be considered as major development. As the application is largely seeking to improve the efficiency of the site and does not propose an increase in throughput, the development in this case is not considered to be major. The Policy identifies that small-scale waste facilities for local needs, the definition of which is considered to fit the proposed development, are not precluded from the Area of Outstanding Natural Beauty where they meet the requirements of Policies RD1 and RW1. The Policy also suggests that proposals should provide details of, *inter alia*, any detrimental effect on the environment or landscape and the extent to which this could be moderated.

6.7 Policy EN1 of the Rother Core Strategy states that management of the high quality historic, built and natural landscape character is to be achieved using the protection and, wherever possible, enhancement of the districts nationally designated and local distinctive landscapes and landscape features, including the High Weald Area of Outstanding Natural Beauty (now known as the High Weald National Landscape). Policy EN5 of the same Plan requires the protection and enhancement of biodiversity, geodiversity and green space by, *inter alia*, seeking to protect and enhance national and locally designated sites, having due regard for their status. Policy DEN1 of the Rother District Development and Site Allocations Local Plan states that the siting, layout and design should maintain and reinforce the natural and built landscape character of the area. In addition, Policy DEN2 of the same Plan states that all development within or affecting the setting of the High Weald AONB shall conserve and seek to enhance its landscape and scenic beauty, having particular regard to the impacts on its character components, as set out in the High Weald AONB Management Plan.

6.8 As previously noted, the site lies with the High Weald National Landscape, with Maplehurst Wood, a Site of Special Scientific Interest, about 90 metres distant. To help ensure any potentially negative impacts on the local landscape character and environment are appropriately mitigated, the applicant has proposed the implementation of a planting plan (Planting Proposals, Drawing No. 01, Rev 01, dated 25.10.2024, received 03.04.2025) and landscape management plan (Landscape Works Specification and Landscape Management Plan, dated 08.03.2025, received 03.04.2025). The plans propose the introduction of native planting to the west of the site, additional planting to the outer side of the existing 5m high noise bund as well as grass seeding (species rich grass mix) to the inside of the bund. It is understood that any existing vegetation will be retained and that on-going management regimes will be in place as detailed in this document, which will help to ensure the successful establishment of the any proposed planting.

6.9 The Landscape Management Plan also details site clearance measures, including the removal of rubbish as well as a yearly maintenance schedule and protection measures including a restriction on any mechanical tools being used within 100mm of tree and plant stems. A tool store is proposed to the west of



the concrete pad, measuring 2.473m in height, 2.438m in width and 6.079m in length. An office (retrospective) and adjoining welfare unit are proposed to the north-west of the site measuring 2.4m in width and 6.15m in length and 2.0m in width and 3.5m in width respectively. Both units are considered to have minimal visual impacts on the local landscape character, owing to the relatively small size of the units and taking into consideration the context of the units within the existing character of the site. Furthermore, the proposed planting and fencing should help to screen views of the units from the wider area and are therefore, deemed acceptable.

6.10 The proposal includes the installation of 2m high chain fencing to the west of the site coloured dark green (RAL 6005). The installation of 2.4m high interlocking concrete blocks are also proposed to the north of the site on the northern, western and eastern perimeters of the concrete pad, serving to both contain waste within the boundaries of the site and provide additional screening. This will also be coloured dark green to help integrate into the landscape. Although not requiring planning permission, the proposal also seeks to repair the 2.4 high palisade fencing on the northern and southern boundaries, replacing any unrepairable areas with 2m high chain fencing where necessary.

6.11 The County Landscape Architect has advised that subject to the implementation of the proposed planting plan, the proposal would not have significant adverse effects on local landscape and visual amenity in the context of the existing site, suggesting any effects from the site are localised and do not extend beyond the boundaries of the site. The site is also largely screened from public views by dense tree and scrub belt, with only glimpsed views from the adjacent road. To further minimise any impact upon the landscape, should permission be granted, it is recommended that suitably worded conditions require that no materials or equipment are stored within 2 metres of the site boundaries, that the boundaries of the site shall, at all times, remain free of material overspill and any associated litter, and in the event that any damage to existing vegetation is observed, like for like compensatory planting will be required.

6.12 With regards to the introduction of household waste items to the site, whilst only a relatively small percentage of the total annual throughout, it is nonetheless acknowledged that if not managed properly the nature of this waste stream has the potential to create significant adverse impacts on the local landscape character and environment, particularly given the sensitive location of the site within the High Weald National Landscape. To help mitigate against any potential visual impacts, the applicant has proposed the use of a designated skip located on the concrete pad area. Any waste items classified as household waste shall only be stored in the designated skip. The location of this skip is required to remain solely within the area of the concrete pad at all times, to help prevent overspill into other areas of the site and protect visual amenity. Furthermore, the concrete pad and bays within it will be set back within the site and screened by boundary treatment. Managing the household waste in this way should ensure that any detrimental impacts from managing an additional waste stream are minimised and considered negligible. In respect of materials stored within the area of the concrete pad, the applicant is also

required by condition to ensure no material stored within the designated bays shall exceed the 2.4m height of these bays, this is also the case for any material stored on the remainder of the concrete pad. Furthermore, any material stored in the designated storage areas elsewhere on the site, as specified on the Site Layout Plan, shall not exceed 6m in height and the applicant is required to ensure the installation of marker posts which will be used for the duration of the use and immediately replaced if damaged.

6.13 The Ecological Impact Assessment (dated 15 March 2024) indicated that any habitats present within the site are of low biodiversity value, identifying that the site is regularly subject to continued usage as an active waste treatment and recycling centre. It was however also recognised that marginal features including woodland, scrub and tall herb areas have the potential to provide habitat as the site boundaries contribute to the biodiversity of the surrounding landscape. The report concluded that subject to the implementation of enhancement measures outlined in Table 7, the proposal would not have a significantly adverse impact on ecological features. Whilst it is acknowledged the proposal is exempt from BNG requirements, should permission be granted it is recommended that the applicant is required by condition to implement the enhancement measures outlined in the Ecological Impact Assessment submitted. These measures include planting of native shrub along the boundary between the active site areas and marginal woodland habitat, grassland seeding on eastern margins, however it is considered that this requirement has been captured in the proposed Planting Plan. Additional measures include the installation of log piles outside of the active footprint and approved bird and bat boxes within marginalised woodland.

6.14 Overall, whilst the introduction of a small percentage of household waste is of concern, recommending refusal cannot reasonably be justified given the proposed mitigation measures and controls in place to manage any potentially adverse impacts. With various mitigation measures in place, which can be secured through planning conditions in the event that permission is granted, there is no evidence that demonstrates that the proposal will have landscape impacts over and above those already in place from the current use. It is therefore considered that when assessed within the context of the currently permitted use, the proposal is acceptable in terms of impacts on the High Weald National Landscape.

#### Amenity

6.15 With regards to protecting local amenity, Policy WMP25 of the East Sussex South Downs and Brighton & Hove Waste and Minerals Plan 2013 requires all proposals to have no unacceptable effect on the standard of amenity. The policy continues to require no significant adverse impacts on air quality or the local acoustic environment and the provision of adequate means of controlling noise, dust, litter, odours and other emissions. Policy DEN7 of the Rother District Council Development and Site Allocations Local Plan states that proposals must demonstrate that there will be no significant adverse impacts on health, local amenities, biodiversity or environmental character as a result

of lighting, noise, odour, land contamination, hazardous or non-hazardous substances associated with the development.

6.16 With regard to noise, for the purpose of providing context, the extant permission restricts the use of equipment on site to one mobile concrete crusher, unless otherwise agreed in writing by the Director of Communities, Economy and Transport. Conditions are currently in place under the extant permission to ensure any adverse noise impacts from the site are minimised, all of which will be either amended or carried over to any new permission granted. The proposal seeks permission to introduce new noise sources to the site namely: a screener, Air Separator, 360 loading shovel/ excavator and trommel, in addition to the existing mobile crusher.

6.17 The Noise Impact Assessment submitted concluded that at the nearest noise sensitive receptor (NRS1), there is potential for adverse impacts to be felt from the use of the screener. It was therefore recommended that mitigation measures are implemented, which include fitting a polyurethane sieve plate and rubber isolators to the screener. Should permission be granted, a condition is recommended to secure these mitigation measures and also requires the regular maintenance of plant to ensure it is working optimally. Furthermore, the applicant will be required to continue to ensure the operational noise rating level shall, at all times, be no more than +5dB above the background noise levels, as determined at the nearest noise sensitive receptors. The applicant is also required by condition to ensure that any crushing or screening activity is strictly limited to the times outlined in the condition, again, detailed later in this report. To further ensure the continued mitigation of any potentially adverse noise impacts, it is recommended that the applicant is required by condition to submit the results of an independent noise survey within 3 months of the site becoming fully operational.

6.18 In terms of odour, it is acknowledged that as the proposal seeks to introduce a waste stream to the site, where there is an increased risk of odour, which will need to be adequately mitigated in order for the proposal to be deemed acceptable. The Odour Management Plan (dated 11 July) details several specific measures, monitoring practices and contingency plans to be implemented at the site. Such measures include ensuring that if any potentially odorous wastes, as specified in the document, are discovered they are to be stored in a sealed container as shown on the Site Layout Plan and removed from the site with 48 hours, or by the end of the working day if staff notice a detectable odour. The document also specifies that the residence times of waste stored in the tipping area as detailed in the Site Layout Plan shall be less than 24 hours, with all waste deposited in this area to be removed or processed before the end of the working day. Should any complaints be received the applicant is required to adhere to the procedures detailed in this document which includes completing an events log which will be kept for inspection on request by the County Council. The applicant is required by condition to adhere to the details contained within the Odour Management Plan, which will be reviewed bi-annually. Should permission be granted, a condition would be required to ensure that household waste is stored only within the designated storage skip which is to remain, at all times, within the impermeable concrete

pad area. In light of these mitigation measures, it is considered that the risk of odour adversely affecting neighbouring properties is likely to be low and therefore, the proposal can be considered acceptable in this regard.

6.19 Whilst the site does not lie within an Air Quality Management Area (AQMA) or Low Emissions Zone (LEZ), it is acknowledged that the proposed operations have potential to generate dust, which if not managed effectively, could have detrimental impacts on amenity and the surrounding environment. The site has been operating in line with a Risk Assessment submitted and subsequently approved under extant permission RR/700/CM. An updated Dust Environmental Management Plan (DEMP) has been submitted in support of this application. The document identifies potential causes of dust emissions, such as vehicle movements and loading, types of materials accepted into and subsequently stored or tipped within the site and use of plant, all of which can be affected by weather conditions. Section 4 of this document details dust management and mitigation measures to be implemented within the site including (but not limited to): suppression measures such as dust cannon; use of attenuation bunding; controls on vehicle movements; wheel washdown area; minimising drop heights; effective storage of materials and attention to weather conditions considered to have the potential to impact dust generation on site. Should permission be granted, the applicant would be required by condition to adhere to the measures contained within the DEMP.

6.20 In conclusion, it is acknowledged that the proposal has the potential to generate potentially adverse impacts on amenity including that of noise, dust and odour. However, with the existing and recommended conditions in place it is considered that any such impacts can be effectively mitigated. Notwithstanding this, the operations at the site will be subject to controls by the Environment Agency under the Environmental Permitting regime. It is therefore considered that, subject to the imposition of conditions attached to this report, the proposal is acceptable in terms of impacts on amenity.

### Traffic Impacts

6.21 Policy WMP18 of the East Sussex South Downs and Brighton & Hove Waste and Minerals Plan 2013 states that proposals should demonstrate, *inter alia*, how access to the strategic highway network is suitable and how impacts on road safety and congestion have been addressed. Policy TR4 of the Rother Core Strategy requires that the development shall, *inter alia*, have full regard to the potential for access by means other than the car, and to any safety, congestion or amenity impacts of a reliance on parking off-site whether on street or off-street.

6.22 The access track serving the site runs along the northern boundary to the A28 Westfield Lane. This section of Westfield Lane is subject to a 40mph speed limit, changing to the national speed limit approximately 7 meters to the north of the access. A footway runs along the southern side of Westfield Lane connecting to Westfield Village to the north. The Transport Statement submitted as part of this application states that the existing visibility splays are 215 meters to the north and 81 meters to the south. The Statement identifies that these

have not changed since the original permission was granted (RR/700/CM) in 2012 nor are there any proposed changes to the junction and as such considers that no further arrangements are required.

6.23 The Supporting Statement submitted as part of this application details that the operation of the site is anticipated to generate little change in terms of HGV movements, which are currently unrestricted under the extant permission. The Statement specifies an anticipated average of 13 movements per day to a maximum of 18 (9 in and 9 out) with additional movements associated with staff and other ancillary movement generating between 30 and 40 daily movements. The Transport Statement submitted as part of this application states that the type of HGVs to be used are Hippo/ bag, Skip, Grab and Roll on Roll Off (RORO) Container, totalling an average of 12.4 daily movements. The Applicant has also provided a Swept Path plan detailing the proposed movement of vehicles within the site, which is considered acceptable.

6.24 At consultation the Highways Authority raised no objection to the proposal, stating that the Authority has no major concerns that any increase in use of the access will exacerbate any existing highway safety issues. They recommended the imposition of two conditions requiring the provision of a parking area on site as well as ensuring the vehicle turning spaces as detailed in the approved Swept Path Drawing (drawing number 2555-004-07) always remains clear and free of obstruction to ensure the safety of vehicle movements.

6.25 The letters of representation received at consultation raised concerns regarding a potential increase in vehicle movements as well as any impacts on users of the highway and adjoining footpath, particularly in low light. Concerns were also raised regarding the inappropriate parking on the accessway and the potential for this to increase congestion in the area. These concerns are acknowledged, however taking into consideration the consultation response received from the Highways Authority and that little change is likely compared to existing vehicle movements with the consented use, it is considered that the proposal will not significantly increase any traffic related impacts to those already experienced with the current use of the site. Nevertheless, it is understood that the nature of some of the vehicles required to access the site will likely change as a result of the proposed skip element, potentially increasing the frequency of smaller Light Good Vehicles (LGV's) as a result. Given this, to ensure the effective mitigation of any traffic related impacts, it is recommended that the applicant is required by condition to ensure no more than 40 daily vehicle movements are recorded at the site. Highway impacts can also be mitigated by ensuring a designated vehicle washdown and inspection area is installed as per the approved Site Layout Plan submitted. With regards to the parking of vehicles along the access road, the responsibility to ensure this remains clear falls with the owner of the land and the applicant. The applicant is strongly reminded that any parking in this area should be appropriate and that the immediate access onto the highway should remain clear at all times, and informative is attached to this effect.

6.26 In conclusion, it is considered that the proposal does not give rise to any increase in adverse traffic related impacts that are over and above those resulting from the existing permitted use. Further measures, through the imposition of conditions, can further minimise adverse traffic impacts and ensure that the proposal is deemed acceptable in terms on impacts on the Highway.

#### Surface Water Drainage

6.27 Policy WMP28a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan states that development will only be permitted if it can be demonstrated that the proposal adequately provides for the implications of flood risk in that it would not increase the risk of flooding on the site or elsewhere and where possible reduce the risk of flooding overall. Policy WMP28b of the same Plan states that, *inter alia*, proposal must not cause changes to groundwater and surface water levels which would result in unacceptable impacts on adjoining land. Policy SRM2 of the Rother Core Strategy requires development to ensure the effective management of water resources, ensuring that *inter alia*, sustainable drainage systems are in place to control the quantity and rate of run off as well as improve water quality where practicable.

6.28 The site lies within Flood Zone 1 and is therefore deemed at low risk of flooding. To the south/ south east of the site lies a watercourse which flows through a SSSI, Maplehurst Wood, past the site to become Doleham Ditch before flowing to the River Brede.

6.29 The Drainage Statement (dated 10 July 2025) details the proposed surface water strategy which includes the extension of an existing concrete pad to a to the north of the site, measuring a total of 725m<sup>2</sup> in size. It is understood that this impermeable surface will be fully sealed and drained to a sealed 30,000 litre above ground storage tank, which is understood to be alarmed to notify staff when it has reached 80% capacity. At which point, the effluent will be removed to a suitably permitted site. The document also proposes the installation of a 2,500-litre silt tank to the west of the impermeable area which will capture runoff from vehicles and also help prevent runoff out of the site during periods of heavy rainfall. It is understood that the tank will be monitored daily by staff and the contents will be removed, when required, using the same tanker for the impermeable effluent. No other impermeable surfaces are proposed on the remainder of the site which will continue to drain as per the details approved under the extant permission.

6.30 The Lead Local Flood Authority has raised no objection to the proposal subject to conditions requiring the submission of detailed design for the drainage and storage of rainwater for the concrete pad, including details of the outfall of the proposed attenuation tank as well as a maintenance and management plan. Further comments considered that the proposal seeks to improve rainwater storage and therefore offers a net benefit in terms of surface water attenuation from the existing situation, which is largely reliant on infiltration.

6.31 In conclusion it is considered that the proposal will, on the whole, help to reduce runoff downstream and avoid effluent from the site entering adjoining drainage systems. The details contained within the Drainage Strategy are deemed acceptable in managing surface water run-off and conditions are recommended to ensure appropriate installation, management and maintenance of the system.

## **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 It is considered that the proposal complies with Policies WMP3b, WMP6, WMP18, WMP25, WMP28a and WMP28b of the East Sussex South Downs and Brighton and Hove Waste and Minerals Local Plan 2013; Policies RV1, RM1 and RD1 of the East Sussex South Downs and Brighton and Hove Waste and Minerals Local Plan Revised Policies 2024; Policies SRM2, EN1, EN5, and TR4 (Car Parking) of the Rother Local Plan Core Strategy 2014 and Policies DEN1, DEN2, and DEN7 of the Rother District Council Development and Site Allocations Local Plan 2019.

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 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 and documents listed in the Schedule of Approved Plans and Documents.

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

3. Within one month of the date of the permission hereby approved, the applicant is required to submit a timetable for the implementation of details contained within the schedule of approved plans and documents, for written approval to the Director of Communities, Economy and Transport. Following approval, all works shall be carried out in accordance with the details contained within this document.

The document should include, but is not limited to, details pertinent to the following:

- Installation of concrete pad
- Installation of bays and associated concrete blocks
- Installation of drainage system
- implementation of any landscaping, planting and biodiversity enhancements
- Installation of any planting
- Implementation of a wheel washing area

For the avoidance of doubt, all works required to bring the site into compliance with the Site Layout Plan shall be completed no later than 6 months following the date on which this permission is granted, unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

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

4. Prior to the use of the concrete pad area as identified on the Site Layout Plan approved under this permission (RR/899/CM) an above-ground 30,000l sealed tank shall be installed and be in operation, unless otherwise agreed in writing.

Reason: To ensure satisfactory drainage of the site in accordance with Policy WLP28b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Policy SRM2 of the Rother Local Plan Core Strategy.

5. The site shall only be used for the purposes identified in the planning application, namely the importation, deposit, storage and processing of no more than 10,000 tonnes per annum of skip waste comprising 9, 500 tonnes of construction, demolition and excavation waste and no more than 500 tonnes of incidental items which may be classed as commercial, industrial and household waste under Waste Code 20 03 07. No putrescible or hazardous waste shall be permitted at the site.

Reason: In the interests of amenity of the locality in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013 and to ensure the continued protection of the environment and amenity of the area as required under Policy RD1 of



the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan Revised Policies Document 2024.

6. The site shall, at all times, operate in accordance with the details contained within the Odour Management Plan submitted and subsequently approved under this planning permission (RR/899/CM). Any rejected waste items shall be identified and stored within the sealed container identified on the approved Site Layout Plan accompanying this permission and legally disposed of as soon as practically possible.

Reason: For the interest of minimising the risk of odour on site and in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and to ensure the continued protection of the environment and amenity of the area as required under Policy RD1 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan Revised Policies Document 2024.

7. Upon receipt, any waste items classified as household waste shall be stored in designated skip as specified on the approved Site Layout Plan only. Sorting activities shall be undertaken in accordance with the details contained within the approved Odour Management Plan submitted which requires items to be sorted and stored on the same working day and in any case no longer than 24 hours. The designated area for skip storage must remain solely within the area of the concrete pad at all times.

Reason: In accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and to ensure the continued protection of the environment and amenity of the area as required under Policy RD1 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan Revised Policies Document 2024.

8. No waste management activities including the import and export of materials by vehicles shall be undertaken at the site except between the hours of 08.00 - 18.00 on Mondays to Fridays and 08.00 - 13.00 on Saturdays and there shall be no working on Sundays, Bank or Public Holidays.

Reason: In the interests of amenity in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and to ensure the continued protection of the environment and amenity of the area as required under Policy RD1 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan Revised Policies Document 2024.

9. Notwithstanding the terms of condition 8 no crushing or screening of any sort shall take place at the site other than between the hours of 09.00 - 16.00 on Mondays to Fridays only with no working on Saturdays, Sundays, Bank and Public Holidays.

Reason: In the interests of amenity in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and to ensure the continued protection of the environment and amenity of the area as required under Policy RD1 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan Revised Policies Document 2024.

10. The tool store and office/ welfare unit shall be constructed of white coloured metal containers and installed as per the details contained within the list of scheduled plans and document and shall be located as per the approved Site Layout Plan hereby approved. No other buildings or structures shall be installed on the site unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: To ensure the continued protection of the environment and amenity of the area as required under Policy RV1 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan Revised Policies Document 2024, Policy DEN1 of the Rother District Council Development and Site Allocations Local Plan 2019 and Policy EN1 of the Rother Local Plan Core Strategy 2014.

11. The 2.4m high palisade and chain link fencing panels and interlocking concrete blocks hereby permitted shall be coloured Dark Green (RAL 6005), unless otherwise agreed in writing by the Director of Communities, Economy and Transport.

Reason: To integrate the boundary treatment into the local landscape and wider High Weald National Landscape in accordance with Policy RV1 of the East Sussex South Downs and Brighton and Hove Waste and Minerals Local Plan Revised Policies 2024, Policy DEN1 of the Rother District Council Development and Site Allocations Local Plan 2019 and Policy EN1 of the Rother Local Plan Core Strategy 2014.

12. Unless otherwise agreed in writing by the Director of Communities, Economy and Transport, no machinery or equipment shall be used at the site except for those permitted under this application, as follows:
  - One Terex Finlay 833 Screener
  - One Terex TAS-150 Air separator.
  - One Mobile Trommel
  - One Terex 833+ Crusher
  - One 360 loading shovel/ excavator - JCB JS145 (excavator) and JCB 436 (loading shovel)

Use of this machinery shall be carried out in accordance with the Noise Impact Assessment approved under this application (RR/899/CM).

Reason: In the interests of amenity in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and to ensure the continued protection of the environment and amenity of the area as required under Policy RD1 of the East Sussex,

South Downs and Brighton & Hove Waste and Minerals Plan Revised Policies Document 2024.

13. No material stored within the bays specified on the approved Site Layout Plan shall exceed the 2.4m height of these bays. Any material stored outside of the bays but within the concrete pad shall also not exceed 2.4m in height. Any material stored in the designated storage areas as specified on the Site Layout Plan shall not exceed 6m in height.

Reason: In the interests of amenity in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and to ensure the continued protection of the environment and amenity of the area as required under Policy RD1 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan Revised Policies Document 2024 Policy DEN1 of the Rother District Council Development and Site Allocations Local Plan 2019.

14. Within one month of the date of this permission hereby granted, four marker posts shall be erected within the site (in specified locations) to identify the 6 metre materials height limit imposed in the designated storage areas. Those posts shall be retained for the duration of the use hereby approved and immediately replaced if lost or damaged. The approved scheme shall be implemented in full.

Reason: To enable the identification of the approved materials height limit in the interests of amenity and the landscape of the High Weald National Landscape in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and to ensure the continued protection of the environment and amenity of the area as required under Policy RD1 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan Revised Policies Document 2024 and Policy DEN1 of the Rother District Council Development and Site Allocations Local Plan 2019.

15. Any fuel, oil, lubricant and other potential pollutants shall be handled on the site in such a manner as to prevent pollution of any watercourse, wetland or aquifer. For any liquid other than water, this shall include storage in suitable tanks and containers which shall be housed in an area surrounded by bund walls of sufficient height and construction so as to contain the equivalent of 110% of the total contents of all containers and associated pipework. The floor and walls of the bunded areas shall be impervious to both oil and water. All pipes shall vent downwards into the bund.

Reason: To protect the water environment from pollution in accordance with Policy WMP28b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

16. In alignment with the Transport Assessment approved under this permission, no more than 40 daily vehicle movements (20 in and 20 out)

will be permitted at the site, unless otherwise agreed in writing by the Director of Communities, Economy and Transport. This includes all business, staff and other ancillary movements.

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

17. Within one month of the date of this permission, a designated vehicle washdown and inspection area shall be installed as per the approved Site Layout Plan (RR/899/CM). The washdown area shall be maintained and used on vehicles for the duration of the development.

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

18. Upon commencement of the development hereby approved, the approved Dust and Emissions Management Plan (RR/899/CM) shall be implemented in full for the lifetime of the development with associated equipment being maintained to ensure that best practicable means are taken to ensure that equipment is fit for purpose and in full working order.

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

19. Prior to the changes to the development taking place a parking area shall be provided in accordance with the approved plans/details which shall have been submitted to and approved in writing by the County Planning Authority in consultation with the Highway Authority and the area shall thereafter be retained for that use.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

20. For the duration of the development, the vehicle turning spaces as detailed in approved drawing number 2555-004-07 shall remain clear and free of obstruction at all times to ensure the safety of vehicle movements.

Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway.

21. The noise rating level emitted from the site at all times shall not exceed 43 dB LAeq 1 hour (freefield) when measured in accordance with BS 4142:1997 or equivalent at the Noise Sensitive Receptor A shown in Figure 4 of the Addendum Noise Report dated August 2012 under planning permission RR/700/CM and Figure 1 of the Materials Processing Facility Noise Assessment report dated September 2013 under planning application RR/724/CM.

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

22. Any noise mitigation measures recommended in the approved Noise Impact Assessment (this includes fitting a polyurethane sieve plate and rubber isolators to the screener) shall be implemented before the new equipment is brought into operation, such measures shall be maintained at all times.

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

23. The operational noise rating level shall, at all times, be no more than +5dB above the background noise levels, as determined at the nearest noise sensitive receptors and in accordance with the latest version of BS4142'.

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

24. Within 3 months of the site becoming fully operational, the results of an independent noise survey shall be submitted to the Director of Communities, Economy and Transport for written approval. Any additional mitigation measures that the Director of Communities, Economy and Transport deems to be necessary in order to meet other relevant conditions detailed within this permission, shall be implemented with immediate effect.

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

25. Prior to the use of the extended concrete pad hereby permitted, further details relating to drainage shall be submitted to and approved in writing by the Director of Communities, Economy and Transport. The details shall include the following:-

- Detailed design for the drainage and storage of rainwater for the concrete pad shall be provided. This will need to include construction details and a plan for managing water levels in the tank such that sufficient spare capacity is maintained at all times for a design storm of 1% AEP (100 year return period) plus 45% Climate Change Allowance.

- Details of the outfall of the proposed attenuation tank and how it is drained shall be provided as part of the design.

Reason: To ensure satisfactory drainage of the site in accordance with Policy WLP28b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Policy DEN5 of the Rother District

Council Development and Site Allocations Local Plan 2019 and Policy EN7 of the Rother Local Plan Core Strategy 2014.

26. Details of the approved surface water drainage scheme as detailed in Condition 25 shall be implemented in full no later than 3 months following the date of planning permission being granted.

Reason: To ensure satisfactory drainage of the site in accordance with Policy WLP28b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Policy DEN5 of the Rother District Council Development and Site Allocations Local Plan 2019 and Policy EN7 of the Rother Local Plan Core Strategy 2014

27. A maintenance and management plan for the drainage system as per the details required under conditions 25 and 26 shall be submitted for approval before any construction commences on site and shall be implemented for the lifetime of the development.

Reason: To ensure satisfactory drainage of the site in accordance with Policy WLP28b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Policy DEN5 of the Rother District Council Development and Site Allocations Local Plan 2019 and Policy EN7 of the Rother Local Plan Core Strategy 2014.

28. The details contained within the approved Landscape Specification and Management Plan and Planting Proposals Plan (RR/899/CM) shall be implemented within the first suitable planting season following the date of this permission and maintained in full for the lifetime of the development.

Reason: to ensure the continued protection of the environment and amenity of the area and wider High Weald National Landscape as required under Policy RD1 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan Revised Policies Document 2024 as well as Policies EN1 and EN5 of the Rother Local Plan Core Strategy 2014 and Policy DEN2 of the Rother District Development and Site Allocations Plan 2019.

29. No materials or equipment shall be stored within 2 metres of the site boundaries. Furthermore, the boundaries of the site shall, at all times, remain free of material overspill and any associated litter. In the event that any damage to existing vegetation is observed, like for like compensatory planting will be required

Reason: To prevent overspill of materials into adjacent land and to ensure the continued protection of the environment and amenity of the area and wider High Weald National Landscape as required under Policy RD1 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan Revised Policies Document 2024 as well as Policies EN1 and EN5

of the Rother Local Plan Core Strategy 2014 and Policy DEN2 of the Rother District Development and Site Allocations Plan 2019.

30. Specifications and proposed locations of bird and bat boxes to be installed in accordance with the Ecological Impact Assessment hereby approved under this application, shall be submitted to the Director of Communities, Economy and Transport no later than 3 months after the date upon which permission is granted.

Reason: to ensure the continued protection of the environment and amenity of the area and in the interests of the High Weald National Landscape as required under Policy RD1 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan Revised Policies Document 2024 as well as Policies EN1 and EN5 of the Rother Local Plan Core Strategy 2014 and Policy DEN2 of the Rother District Development and Site Allocations Plan 2019

31. No artificial external lighting, including floodlighting, shall be installed or used in relation to the development hereby permitted other than in accordance with details first submitted to and approved in writing by the Director of Communities, Economy and Transport.

Reason: In the interests of amenity and the character and appearance of the area and High Weald National Landscape in accordance with Policies WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Policy OSS4 of the Rother District Council Local Plan Core Strategy 2014 as well as Policies EN1 and EN5 of the Rother Local Plan Core Strategy 2014 and Policy DEN2 of the Rother District Development and Site Allocations Plan 2019

## INFORMATIVES

1. Environmental permit

Please note that this development may require an environmental permit, a variation of an existing permit or an exception from an environmental permit from us.

Further information can be found on the gov.uk website –

<https://www.gov.uk/topic/environmental-management/environmental-permits>

The Applicant must ensure that the operations at the site are in accordance with the Environmental Permitting (England and Wales) Regulations 2016. The Applicant is advised to contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday 8am to 6pm) or by emailing [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk) for further permitting advice.

Please note that the need for an environmental permit is separate to the need for planning permission. The granting of planning permission does not necessarily lead to the granting of a permit.

2. Safe digging practices in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of the mains, pipes, services and other apparatus on site before any mechanical plant is used.
3. Applicant is reminded enforcement action will be taken will be taken in the event that the site does not comply with details agreed from the date on which the permission granted.
4. The Highway Authority expects the parking and waiting of all the vehicles utilising the site to be managed at all times to ensure that there is no waiting or delays occurring on the main carriageway and furthermore, wish for the access onto Westfield Lane be free from parked vehicles.
5. Based on the information available, this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements are considered to apply. These can be found in the relevant legislation included in Schedule 14 of the Environment Act 2021.
6. The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.
7. The permitted site operations will enable the production of recycled aggregate to be sold from the site. As such the site operator will be required to make annual returns (detailing sales production and capacity) to the minerals planning authority in respect of the Aggregate Monitoring survey. This information will then be collated and sent to the South East Aggregate Working Party on behalf of the Government.
8. 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 and Documents

2555-004-02 - Site Location Plan, Appendix 1 - Ecological Impact Assessment, Appendix 2a - Landscape Works Specification and Landscape Management Plan, Appendix 2b - Planting Proposals, Appendix 3 - Noise Impact Assessment, Appendix 5 - dust & Emissions Management Plan, Appendix 7 - Swept Path (Articulated Vehicle), Appendix 8 - Transport Assessment, Appendix 9 - Carbon Assessment, Ecoskips Supporting Statement Revised 11 June 2025 , Revised site layout plan 2555 004 03 Plp (d) A1 (002), Appendix 4 Drainage Statement V1.2 Amended 10 07 2025 (002), Appendix 6 Odour Management Plan V1.2 Amended 11 07 2025, Tool Shed 2555 004 08 Tse ( ) A4, 2555 004 09 Fencing Elevs ( ) A4

### **RUPERT CLUBB**

Director of Communities, Economy and Transport

### **BACKGROUND DOCUMENTS**

**See Electronic case file RR/899/CM**