

Committee: **Regulatory  
Planning Committee**

Date: **11 September 2019**

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

Proposal: **Wood recycling operations**

Site Address: **Holley Woodshavings, Squires Farm Industrial Estate,  
Office 1, Palehouse Common, Framfield, TN22 5RB**

Applicant: **Mr Paul Holley, Holley Limited**

Application No. **WD/820/CM**

Key Issues: **(i) Management of waste wood  
(ii) Effect on amenity  
(iii) Drainage  
(iv) Highway matters**

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

Local Member: **Councillor Chris Dowling**

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## **SUMMARY OF RECOMMENDATIONS**

- 1. The Committee is recommended to refuse planning permission.**
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## **CONSIDERATION BY DIRECTOR OF COMMUNITIES, ECONOMY AND TRANSPORT**

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

1.1 The application site is approximately 0.4 of a hectare in area and is located within the applicant's open yard at the north-eastern part of Squires Farm Industrial Estate. The application site comprises the existing access and northern part of the yard, together with land to accommodate a screening bund along the eastern boundary. The remainder of the yard includes buildings and further open space with its boundaries consisting of security fencing, existing buildings and hedging. The application site also accommodates piles of materials, both baled and unbaled, and provision for parking. To the north, north-west and east, the yard is bordered by fields with intervening trees and hedgerows; a minor water course is also present to the north. Various commercial and industrial units are present within the industrial estate and the nearest residential properties to the wood processing activity are at Tewitts Farm, about 240 metres to the west and south-west and five

recently constructed houses, some 130 metres to the south-east. There are also several residential properties along Pump Lane, approximately 300 metres to the west with others located further north along the road.

1.2 Squires Farm Industrial Estate is not located within any development boundary and falls within the countryside. It is accessed from Palehouse Common Road, which joins the B2192, approximately 300 metres to the south-east. The B2192 connects to the A22 some 1.7 kilometres to the south-west at Halland. The south-eastern outskirts of Uckfield are about 3 kilometres to the north-west of the industrial estate.

## **2. Site History**

2.1 The applicant has been involved in managing processed wood products for many years, including 25 years based at Squires Farm Industrial Estate, having moved to the estate in 1994 to the current site, which was previously occupied by a company involved in the manufacture of prefabricated steel buildings. The applicant collected residues (e.g. wood shavings and sawdust) from timber mills, which were then processed, bagged and distributed. Non-bagged, bulk loads were also handled. In 1996, waste wood off-cuts were also retrieved from timber mills and brought to the site for processing using a grinding machine. Two planning permissions were granted by Wealden District Council: (i) In 1994 (ref. WD/94/0158/F), for a 'Change of use of Buildings A, B and C from B4 Industrial Use to B2 General Industrial Use on Buildings A and B and B8 Storage and Distribution Use of Building C' (in relation to the collection, baling and distribution of woodshavings); and (ii) In 1998 (ref. WD/98/1200/F), covering the adjacent open yard, for a 'Change of use of land to external use of Holley Woodshavings'.

2.2 In 2005, the company invested heavily in additional processing machinery to meet demand for the wood products. However, the recession of 2007 – 2009 resulted in the company having to significantly scale back the business so that it was reduced to only buying in bales and distributing them.

2.3 In 2012, a third party proposed to import waste wood and process it for export. However, while imports of waste increased at the site, no processing took place and the applicant was left with a substantial pile of waste wood when the third party vacated the site. Although the third party was prosecuted in 2015 / 2016 by the Environment Agency for not complying with a Waste Removal Notice and found guilty, the Court made no requirement for the persons involved to facilitate the removal of the waste wood. However, to protect the land, the County Council served an Enforcement Notice in 2016 on the applicant to require the cessation of the importation of waste wood and the removal of the deposited waste wood. Subsequently, the applicant has sought to find ways of removing the waste wood but has been unsuccessful.

## **3. The Proposal**

3.1 The proposal is for a wood recycling facility, which has been operating for a number of months. Waste wood is imported, stored and processed into

graded material for export and subsequent use in animal bedding, chipboard manufacture and fuel for biomass plant. This operation is proposed to allow for the removal of the historic waste wood comprising about 1,000 tonnes (referred to in paragraph 2.3 above), at the northern part of the site, which can, according to the applicant, be included in the processing of the freshly imported waste wood, while still meeting market product specifications. The applicant anticipates that by the end of the first operational year after any permission is granted, the historic waste wood stockpile would be exhausted.

3.2 The proposed throughput of fresh material would be up to 10,000 tonnes per annum, although it is not expected that this volume would be reached in the initial period of operations. Up to 4 (2 in, 2 out) daily HGV movements would be required to facilitate the wood processing operations. The main processing machine is a specialist wood shredder, which is served by a loading shovel, which is also used to move material around the site. A surface mounted weighbridge would also be installed. The hours of operation would be between 0700 – 1800 on Mondays to Fridays and 0800 – 1300 on Saturdays.

3.3 Part of the application site already benefits from a concrete surface where the processing takes place. It is proposed to extend the impermeable surface over the whole site in a phased manner as the historic waste wood is removed. The new impermeable surface would incorporate a contained drainage system involving the installation of a holding tank at the northern end of the site and kerbing to retain any on-site waters. It is anticipated that, on average, 3 – 4 tankers would need to enter the site per week and remove collected rain water. The proposal also includes the formation of a bund, some 2 metres in height and 6 metres in width at the eastern boundary, which would be subject to planting, to strengthen screening at this part of the site.

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

4.1 Wealden District Council raises no objections in planning terms, subject to noise and dust being adequately managed, the proposed landscape measures being implemented, the effect of the development on the Ashdown Forest being taken into account and the County Council being satisfied that it can control the effects of the development.

The Environmental Health Officer advises that the development would require a noise management plan and physical noise attenuation. Full enclosure of the operations might be required. However, it is considered that if these measures cannot be secured operations should not take place, due to the differences between the rating noise level and the background noise level as depicted in the latest noise assessment.

4.2 Framfield Parish Council supports the application, subject to noise levels being reduced, a travel plan requiring access from Eason's Green only and for there to be reasonable hours of work.

4.3 The Environment Agency raises no objections and notes that the applicant may require an Environmental Permit. It also states that it considers a sealed drainage system is an appropriate way of managing surface water at this site, due to the potential for contamination, requiring the removal by tanker.

4.4 The Lead Local Flood Authority (LLFA) (ESCC) raises no objections on the basis that it is the Environment Agency's preference for a fully sealed drainage system to manage surface water runoff from the application site, due to the potential for contamination. Despite this, the LLFA does not generally recommend such methods for surface water management, as they are usually costly and come with no guarantees that any tank / system will be fully emptied before a potential overspill event.

4.5 The Highway Authority raises no objections.

4.6 Councillor Chris Dowling, the local Member, raises concerns, regarding two matters: (i) Commercial traffic accessing and leaving the site, due to the effect on residents of Palehouse Common; and (ii) Levels of noise from the wood-chipping machine.

4.7 Local representations: Representations from the occupiers of seven properties in the locality have been received. One refers to the proposal as being acceptable in principle but notes that Palehouse Common Road is unsuitable for HGVs. The other six raise objections, which can be summarised as follows: (i) There is already a high level of noise and disruption from the site, which the proposal would increase; (ii) The processing of treated wood could release toxins into the air and water; (iii) The proposal is inappropriate leading to further degradation of the rural area and loss of amenity; (iv) The proposal is leading to anxiety and stress; (v) The proposal would adversely affect the setting of listed buildings, including at Tewitts Farm; and (vi) The proposal will increase traffic problems in Palehouse Common. One of the neighbours to the application site, at Tewitts Farm, has submitted information relating to noise from the industrial estate, including from the application site.

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

5.1 East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013: Policies: WMP3b (Turning waste into a resource), WMP7a (Sustainable locations for waste development), WMP7b (More detailed criteria for waste development), WMP25 (General amenity), WMP26 (Traffic impacts), WMP27 (Environment), WMP28a (Flood risk and drainage).

5.2 East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan, Waste and Minerals Sites Plan, Schedule of Suitable Industrial Estates 2017: I/AN, Squires Farm Industrial Estate.

### 5.3 Wealden District (Incorporating Part of the South Downs National Park) Core Strategy Local Plan 2013

The Wealden District (incorporating part of the South Downs National Park) Core Strategy Local Plan was adopted on the 19 February 2013. The Core Strategy Local Plan is the key policy document setting out a strategic vision, objectives and spatial strategy for the area up to 2027. Currently saved development management policies contained in the Wealden Local Plan 1998 remain part of the Development Plan for the area.

### 5.4 Wealden Local Plan Examination 2019

The submission version of the Wealden Local Plan (January 2019) has been published and is currently at Examination. Until this Plan is adopted, policies from The Wealden District (Incorporating Part of the South Downs National Park) Core Strategy Local Plan 2013 remain relevant and many policies from the earlier Wealden Local Plan 1998 are still 'saved', where they also remain relevant, and consistent with the NPPF, until they are superseded. In accordance with paragraph 48 of the NPPF, it is considered that, at present, policies in the Submission Plan can be afforded minimal weight in the determination of this application.

5.5 Wealden Local Plan 1998 Saved Policies: TR3 (Traffic impact of new development); EN27 (Design).

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

The NPPF sets out the Government's planning policies for England and how they should be applied. Planning law requires that applications for planning permission be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions. Parts 12 (Achieving well-designed places), 14 (including flooding) and 15 (Conserving and enhancing the natural environment) are relevant in this case.

## **6. Considerations**

### **Managing waste wood**

6.1 While the application site is not within a distinct Area of Focus under the provisions of Policy WMP7a of the Waste and Minerals Plan (although it is close to Uckfield and the A22 Areas of Focus), it is within an existing industrial estate, which accords with criteria supporting the location of waste facilities outside Areas of Focus, under Policy WMP7b of the Plan. Moreover, the Waste and Minerals Sites Plan includes a Schedule of Suitable Industrial Estates for waste management uses and Squires Farm Industrial Estate is included. This estate appears to have been in existence for many years and was originally developed on a farmstead. It comprises a number of one and two storey industrial units of differing sizes for industrial type uses, such as

motor repairs, stone masonry and freight distribution. The estate also houses a waste transfer station and a metal recycling facility.

6.2 The applicant has submitted this proposal, which would seek to address the requirements of the Enforcement Notice involving the removal of the pile of historic waste wood. After alternative options had been considered, without success, the current proposal offers an opportunity to dispose of the waste wood, as part of a new operation to import and process fresh waste wood. The processed material would then be transferred for use in different markets. As such, it represents a sustainable way of managing waste wood, particularly when compared to disposal through landfill. Allowing the importation and processing of fresh wood will enable the historic material also to be processed and then blended with the fresh material to an acceptable standard for re-use. This approach accords with the thrust of Policy WMP3b of the Waste and Minerals Plan, which seeks to manage waste as a resource.

6.3 The applicant is well established in managing wood products and has occupied the site at the Squires Farm Industrial Estate for 25 years. Although it appears little actual wood processing has taken place at the site for about 10 years, processing had been a feature of operations in previous years. The principle of the proposal to recycle waste wood is supported by policy and no 'in principle' objections have been received from the District and Parish Councils, the Environment Agency, or the Highway Authority.

### **Effect on amenity**

6.4 Policy WMP25 of the Waste and Minerals Plan requires, *inter alia*, that proposals should have no unacceptable effect on the standard of amenity appropriate to the established, permitted or allocated land uses of the local and host communities likely to be affected by the development including transport links, that there is no significant adverse impact on air quality or the local acoustic environment and that adequate means of controlling noise, dust and other emissions are secured. Saved Policy EN27 of the Wealden Local Plan requires development not to create an unacceptable adverse effect on the privacy and amenities of adjoining developments and the neighbourhood by reason of, *inter alia*, form and noise. The NPPF at Part 12 requires development to, *inter alia*, function well and add to the overall quality of the area, be sympathetic to local character and create places that promote health and well being, with a high standard of amenity for existing and future users.

6.5 The matter of noise is a very important consideration in dealing with this proposal and has proved to be a complicated one. The Squires Farm Industrial Estate includes various businesses which fall under general industrial, storage and distribution use classes and which appear to have limited planning controls regarding hours of use, vehicle movements or on noise emissions. There are also two permitted waste uses on the estate, one of which is a transfer station, which has controls on hours of use and vehicle movements but no noise controls. The other relates to an indoor scrap metal business, which has controls on hours of use. The estate is located outside of any development boundary and falls within the countryside with the

surrounding area being rural in character. Therefore, noise generated from uses within the estate can have the effect of being at odds with the rural nature of the area.

6.6 In this case, the development has been operational for some months and local residents have made representations regarding the type and duration of noise from the site and the associated impact on their amenity. The development is carried out in the open and involves the use of a wood shredder to process 'virgin' waste wood, the re-shredding of that material and the shredding of the historic waste wood. A loading shovel facilitates this use. As well as noise from the shredder, objections have been raised regarding noise from the use of the loading bucket.

6.7 The applicant submitted a Noise Impact Assessment to inform the application and a noise assessment was submitted as part of a representation made by the occupiers of Tewitts Farm, which has also contributed to the information on the local acoustic environment. However, due to there being some uncertainty regarding the level of noise from the operation in relation to neighbouring land, particularly at Tewitts Farm, a further noise assessment was undertaken on behalf of the applicant at that property with officers from both County and District authorities in attendance.

6.8 This assessment indicated that during the period of time the shredder was used to process 'virgin' waste wood in conditions that were considered to be 'worst case' (with Tewitts Farm downwind), noise was assessed at being +13 dB above the background level (i.e. when no new operations take place on site) on weekdays and +15 dB on Saturday mornings at Tewitts Farm. The secondary processing of the waste wood and that of the historic waste wood did not result in any significant increase in noise levels above the background noise level.

6.9 Although the processing of 'virgin' waste wood is an intermittent activity at the site (i.e. not continuous over lengthy periods) and the results above represent a 'worst case' in relation to wind direction (measuring downwind is standard good practice), they nevertheless are significant. The relevant British Standard (4142:2014) for assessing noise refers to a difference between the rating level and the background level of around +10 dB is an indication of a 'significant adverse impact', depending on the context. Although the prevailing wind direction from the south-west would be likely to reduce noise levels at Tewitts Farm by carrying the sound away from the property, the future incidence and duration of any winds from an easterly direction, which would carry sound towards Tewitts Farm, cannot be forecast with any certainty. Moreover, the operations at the site are not undertaken in a systematic way and processing takes place on an *ad hoc* basis, according to the requirements of the business and to market conditions. As such, placing restrictions by condition on times when the processing of 'virgin' waste wood could take place, or when it would not be able to take place due to certain weather conditions, would be unreasonable and unenforceable and would not mitigate noise impacts during still conditions. Although it is possible that the noise levels could be mitigated by a combination of on site management practices

and a physical barrier, no proposals have been submitted regarding the latter. In any event, such a barrier would need to be assessed first to establish whether it would be effective in reducing noise to an acceptable level.

6.10 The latest noise assessment identifies an increase in noise levels at Tewitts Farm during the processing of 'virgin' waste wood, which is significant and despite this type of processing being an intermittent activity, it nevertheless occurs on a regular basis during a 'processing day', as indicated in submitted representations. As such, these noise levels result in an unacceptable effect on amenity, which conflicts with Policy WMP25 of the Waste and Minerals Plan, Saved Policy EN27 of the Wealden Local Plan and the provisions of Part 12 of the NPPF.

6.11 The processing of waste wood can create dust and the applicant has submitted a Dust Management Plan to accompany the application, which identifies the causes of dust and the sensitive receptors that could be affected. It also describes the methods which would be involved in the management of dust to reduce emissions. The main principles for preventing dust emissions at the site are through avoidance, then containment followed by suppression. As well as the actual processing of wood, the Management Plan considers vehicle movements and materials storage, as well as how dust would be monitored. Although the Management Plan is considered to be acceptable if it was fully implemented, existing management practices at the site raise some concerns on how effective the future management of dust would be. This is because it is evident that dust currently escapes from the site onto adjoining land, even though a water spray has been set up to dampen dust and the northern and eastern boundaries of the site are lined with trees (which would have the effect of containing some dust). Notwithstanding this, if planning permission is granted, the generation of dust would need to be strictly controlled by condition.

6.12 The application site is contained within the existing Holley's Yard and therefore forms part of the developed area of the existing industrial estate. The machinery and piles of material are typical features in the context of the industrial area and the site is well screened on all sides by existing buildings and vegetation. Public views into the site are minimal and the proposal would not give rise to any adverse visual effect.

### **Drainage**

6.13 Policy WMP28a of the Waste and Minerals Plan requires development to reduce flood risk and incorporate measures to reduce surface water runoff. The NPPF also requires development not to increase flood risk and to be flood resistant and resilient. Sustainable drainage systems should be incorporated into development, unless there is clear evidence that this would be inappropriate.

6.14 Currently, the application site drains surface water via infiltration into the underlying soils where there is no impermeable hardstanding, with excess runoff discharged to adjoining land, primarily to the adjacent watercourse to



the north, as the site slopes down to the north. The site is within a Flood Zone 1, which identifies land as having a low risk of fluvial flooding.

6.15 The applicant has submitted a Flood Risk Assessment to inform the application and a full surface water management scheme is proposed, in line with permitting requirements. Due to the potential for contamination, all runoff from the application site is proposed to pass to a sealed system, from where it would be tankered off site, as trade waste, to a wastewater treatment works, although the location of a suitable treatment works is currently unknown. The drainage system would only be installed once the historic waste wood is removed so that the affected area can be treated with an impermeable hardstanding. The system would involve an impermeable hardstanding, which would be contoured to direct water to the northern boundary where it would be intercepted by open drainage gullies and discharged into a lined concrete tank, which would be sized to accommodate runoff to certain rainfall standards, including accounting for climate change. The tank would be set into the ground at a depth of 1.925 metres and cover an area of 120 square metres. It would have capacity for 195 cubic metres of water and accommodate a raised kerb standing at 300mm. An engineered wall/concrete upstand is also proposed around the entire perimeter of the recycling facility to prevent off-site discharges and to ensure all runoff is directed to the tank. The LLFA estimates that given an average annual rainfall of 750mm per metre square and the proposed hardstanding area at 3,865 square metres, the proposed tank (at 195 cubic metres) will need to be emptied 15 times per year. Since the capacity of a water tanker is normally 18 cubic metres, the applicant will need to arrange for an average of 167 trips per year to a wastewater treatment works.

6.16 The Environment Agency has considered the proposal and raises no objections. Although it accepts that storage and tankering of collected waste water has its own potential risks, it nevertheless considers that the proposed sealed drainage system is the most appropriate option and would require that system as part of the Environmental Permit for the site. The County Council, as LLFA, has also considered the proposal and following the response of the Environment Agency, also raises no objections. However, the LLFA raises concerns regarding this type of management regime, due to the high cost of disposal and that no guarantee can be provided that the tank will be emptied in a timely manner.

6.17 As the proposed drainage system cannot be installed before the removal of the historic waste wood, surface water will continue to drain from the site in its current form. However, the site has a low risk of flooding and the Environment Agency has not raised concerns regarding the existing drainage arrangements. If planning permission is granted, a timetable for the drainage works should be required by condition so they can be expedited once the historic waste wood is removed, thereby meeting appropriate drainage standards.

## **Highway matters**

6.18 Policy WMP26 of the Waste and Minerals Plan requires that development should have appropriate access arrangements and provision for on site vehicle manoeuvring, parking and loading / unloading. There should be no unacceptable adverse impact on existing highway conditions as a result of the traffic generated. Saved Policy TR3 of the Wealden Local Plan also requires development not to create or perpetuate unacceptable traffic conditions and that a satisfactory means of access is provided.

The proposal would result in a modest level of additional traffic being generated from the site with a daily average of 4 heavy goods vehicle (HGV) movements (2 in, 2 out), and another 4 movements for light vehicles. Tanker movements associated with the surface water drainage system would involve, on average, 3-4 loads per week.

6.19 The Parish Council, the local Member and local residents have raised concerns regarding the use of Palehouse Common Road by heavy vehicles beyond the access to the industrial estate, due to the rural nature of the road. However, the Highway Authority has considered the proposal and raised no objections. It notes that the industrial estate benefits from a private access road which is of sufficient width to accommodate 2-way traffic. Palehouse Common Road has a speed limit of 60mph and the necessary visibility requirements are in place. Moreover, the applicant has indicated that vehicles associated with the proposal use the B2192 to and from the site and not Palehouse Common Road beyond the industrial estate to the north-west and no changes to this route are proposed. However, it is unknown which route tankers would need to take to a wastewater treatment works to dispose of waste water, as a suitable facility has not been identified. If planning permission is granted, a routeing restriction might be considered appropriate along Palehouse Common Road to the north-west beyond the industrial estate, so that any tankers do not pass that way to access Uckfield.

## **Other matters**

6.20 Ashdown Forest: Wealden District Council has brought the Habitats Regulations to the attention of the County Council, regarding Ashdown Forest. The Ashdown Forest is designated as a Special Protection Area, Special Area of Conservation (SAC) and Site of Special Scientific Interest, thereby affording it the highest protection in nature conservation terms. It is important that levels of nitrogen deposition in the Forest are not increased to a level that adversely impacts the heathland that benefits from the SAC designation. One of the causes of nitrogen deposition is from vehicle emissions. Proposals should therefore consider the potential for issues relating to air quality and emissions, which may affect the heathland habitat. The level of traffic generated by the proposal is considered to be minor with no likely impact on the Forest. However, it is unclear on the potential route of any tankers which would be required to facilitate the removal of waste water from the site, as no suitable treatment works has been identified. Consequently, no assessment can currently be made of such movements on the interests of the Forest.

However, if planning permission is granted, a routeing restriction might be considered appropriate should the receiving treatment works be in a location where trips through the Forest may be taken to reach it.

6.21 Listed building: The residential property at Tewitts Farm is a grade II listed building and representations have been made stating that the development would adversely affect the building and its setting. In considering whether to grant planning permission which may affect a listed building or its setting, the Council has a statutory duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Case law has held that the desirability of preserving a listed building or its setting must be given 'considerable importance and weight'. However, the proposal is contained within the industrial estate and is over 200 metres from the listed building with intervening fields and trees between the two sites. The listed building has been restored over time by the occupiers in the knowledge of the presence of the industrial estate and a large barn has been constructed in close proximity to the listed building within Tewitts Farm. Taking these matters into account, it is not considered that the proposal would affect the listed building or its setting.

## **7. Conclusion and reasons for refusal**

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

7.2 The proposal is to retain a wood recycling operation within the Holley's yard at the Squires Farm Industrial Estate. The operation takes place in the open and involves the shredding of imported 'virgin' waste wood, the re-shredding of that wood and the shredding of on-site, historic waste wood. In principle, this type of operation within an industrial estate, can be supported, as it represents a development which is normally considered suitable within industrial areas and one which seeks to manage waste as a resource. As stated elsewhere in this report, were this development to be permitted, it would be a way of achieving compliance with the Enforcement Notice.

7.3 However, Squires Farm Industrial Estate is located within the countryside and the general area is rural in character, albeit with some residential properties nearby. The nature of the wood recycling operation can result in the generation of significant noise levels compared to the background noise levels, specifically in relation to the shredding of 'virgin' waste wood. These levels are considered to be unacceptable and several representations have been received which object to the proposal on the grounds of the noise being generated. No proposals have been submitted which would attenuate these levels to a proven acceptable level and conditions could not be imposed which would overcome the problem of noise.

7.4 There are other businesses within the estate that generate noise, which is apparent from adjacent land. However, rather than allowing an increase in noise levels from the estate, the planning authorities should be seeking to minimise emissions where they are able to do so, particularly when the levels are shown to be significant and where they have a clear impact on the amenity of residents living nearby. In this case, the development conflicts with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013, Saved Policy EN27 of the Wealden Local Plan 1998 and the relevant provisions at Part 12 of the National Planning Policy Framework 2019. Consequently, the proposal cannot be supported and it is recommended for refusal.

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

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

## **8. Recommendation**

8.1 To recommend the Planning Committee to refuse planning permission for the following reason:

1. The development can generate significant levels of noise during certain operations which have an unacceptable effect on the amenity of persons living within the locality, thereby conflicting with Policy WMP25 (a), (b) and (c) of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013, Saved Policy EN27 (2) of the Wealden Local Plan 1998 and paragraph 127 (f) of Part 12 of the National Planning Policy Framework 2019.

RUPERT CLUBB  
Director of Communities, Economy and Transport  
3 September 2019

## **BACKGROUND DOCUMENTS**

File WD/820/CM  
ESCC Enforcement Notice, dated 2 February 2016  
The Development Plan  
The National Planning Policy Framework 2019  
Wealden District Council planning permissions