

Committee: **Regulatory  
Planning Committee**

Date: **25 August 2010**

Report by: **Director of Transport and Environment**

Proposal: **Change of use from green waste composting facility to green waste composting and waste wood processing facility, together with variation of condition 2 of planning permission WD/533/CM to allow lorries with more than 8 wheels to visit the site.**

Site Address: **KPS Composting site, Lewes Road, Isfield.**

Applicant: **KPS Composting Services Ltd.**

Application No. **WD/634/CM**

Key Issues:           **I.     Waste Management  
                              II.     Development in the Countryside  
                              III.    Effect on Residential Amenity  
                              IV.    Effect on Traffic**

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Contact Officer: **Holly Bonds, Tel. No. 01273 481595**

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Local Member: **Councillor Tony Reid**

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## **SUMMARY OF RECOMMENDATIONS**

- 1. To grant planning permission subject to conditions as set out in paragraph 8.1 of the report.**

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## **CONSIDERATION BY DIRECTOR OF TRANSPORT AND ENVIRONMENT**

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

1.1 The application site is an established outdoor composting facility which receives and processes green waste to produce compost, which is then exported as a finished product. The site is located in a rural area 0.7 kilometres south of the village of Isfield and 6 kilometres north-east of Lewes. It occupies an area of over 2 hectares and is surrounded by farmland and some woodland, including areas of designated ancient woodland to the south and north.

1.2 The site is accessed from Isfield Road to the east, approximately 700 metres north of the junction with the A26. A childcare nursery is situated opposite the site entrance on Isfield Road, and the closest residential properties lie about 250 metres south of the site entrance. A public footpath runs from east to west about 80 metres north of the site.

1.3 The site occupies an irregularly-shaped plot reached by a 150 metres long access road. The access road rises gently from the Isfield Road, to the site offices and weighbridge and continues on to the tipping and turning area, and the active composting area, which are situated in the western part of the site at a higher ground level than the surrounding countryside. In the eastern part of the site there are drainage ponds and a barn used largely for the storage of compost and plant. The active composting area is surrounded by a vegetated earth bund, 2 metres high on its inner edge and up to about 7 metres high on its outer edge. There is also bunding in the eastern part of the site and along the access road.

## **2. The Proposal**

2.1 There are two strands to the current application:

2.2 The applicant seeks permission to diversify the existing operation to include the importation and processing of approximately 5,000 tonnes of clean waste wood, annually. This activity would take place in an area of 0.3 hectares in the southern part of the active composting area. The applicant anticipates the waste wood would be sourced from the County Council's household waste recycling centres, and some waste transfer stations such as the facility at Maresfield. On site, the wood would be screened and shredded by machine to form woodchip. The woodchip would be stored on site before being exported for use in chip-board manufacture.

2.3 At the same time, the applicant seeks to vary condition 2 of the site's existing planning permission. Condition 2 currently limits the total number of vehicle visits to the site per week to 100 eight-wheeler lorries and refuse collection type vehicles (200 movements) and 30 light or medium goods vehicles (60 movements). There is no proposal to increase the number of vehicle movements, but the applicant requests that the reference to "eight-wheeler" lorries is deleted, to allow 10 - 12 wheeler vehicles to visit the site. This part of the proposal is retrospective, as the applicant has confirmed that lorries with more than 8 wheels have been visiting the site for at least the past 6 years.

## **3. Site History**

3.1 Planning permission (ref. WD/335/CM) was granted in 2001 for the existing green waste composting facility, subject to conditions.

3.2 In March 2009 the site's permission was updated through an application (ref. WD/533/CM) which varied condition no. 4 and thereby increased the permitted number of weekly vehicle visits to the site from 25

lorries and 20 vans (50 lorry movements and 40 van movements), to 100 lorries and 30 vans (200 lorry movements and 60 van movements ). In addition to this permitted number of vehicle visits, the planning permission also allows up to 10 vehicles per day to remove compost from the site and return to the site (20 movements).

3.3 Planning permission (ref. WD/483/CM) was granted in 2007 for construction of a barn and retention of access tracks, enlarged access, bunds and deposited materials. In September 2009 permission (ref. WD/606/CM) was granted for a single bay extension to the barn, and in November 2009 permission (ref. WD/611/CM) was granted for an additional balancing pond for site drainage.

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

4.1 Wealden District Council - raises no objections.

4.2 Environmental Health Officer, Wealden District Council – confirms that the noise from the additional machinery at the site does not have any unusual tonal characteristics and will not cause any significant increase in noise levels. Therefore, the proposal is likely to meet the existing noise conditions on the site.

4.3 Highway Authority - notes that there has been no obvious erosion of the highway since the kerbing works in Isfield Road have been carried out and the Highway Authority is not aware of any complaints received from the public prior to the current application being submitted. Given the existing permission for 100 eight-wheeler lorries and other HGVs to visit the site, it would be difficult to object to the current application. However, due to the minor nature of the highway in the vicinity of the site, development traffic could damage the carriageway. The Highway Authority will require the applicant to reimburse their legitimate expenses in making good any such damage. Therefore, an informative is recommended to advise the applicant to contact the Area Highway Manager to arrange a photographic survey and joint inspection of the local highway network prior to the commencement of development.

4.4 Environment Agency – raises no objection to the principle of the application, but reminds the applicant of the need to ensure that any development also accords with the conditions of the site's Environmental Permit. In particular, it must be ensured that the drainage scheme still functions efficiently should the locations of storage areas, etc, be revised.

4.5 Isfield Parish Council - supports the application for the following reasons: wood recycling is a small step sideways from recycling green waste; two further jobs would be created; the company's attitude to the village is friendly and helpful, and the proposed change would assist their business. However, the Parish Council considers that all larger lorries should approach the site from the south, and there should be no exception to this. The Parish Council notes that they have nothing but praise for the help given to the community by KPS and their staff.

4.6 Ringmer Parish Council – values the worthwhile facility provided at the site, but raises concern with the impact of its location on the country lane, the awkwardness of which is recognised in the conditions (particularly condition 4: no left turn) of the existing permission. There are significant traffic hazards caused already by the high numbers of large vehicles associated with this site entering the hairpin junction of A26/ Isfield Road from all directions, resulting in awkward manoeuvres, but also speeding by vehicles approaching from the Lewes direction. This is demonstrated by the objections raised by residents of Isfield Road. The current proposals would only serve to exacerbate the existing dangerous situation and it is requested that the road geometry of these parts of both the A26 and Isfield Road is considered most carefully by County Council Highway Engineers.

4.7 Public representations – 4 letters have been received from local residents and a local landowner. 2 of these raise objections to the application, and 2 make comments. Grounds for objection are:

- Isfield Road is totally unsuitable for the size of vehicles using it at present, and the use by larger vehicles is unacceptable.
- Heavy vehicles turning into Isfield Road from the A26 cause danger and alarm to other road users, and heavy vehicles using Isfield Road cause danger and alarm to residents entering or leaving their own driveways.
- There is no speed limit and vehicles travelling south from the KPS site travel at high speeds.
- In August 2008 one of the vehicles delivering to KPS ripped down power cables and a telegraph pole, causing inconvenience to local residents.
- The proposed wood-recycling operation is likely to cause a noise nuisance; residents already put up with a fair degree of disturbance, including noise and odour.
- Larger lorries would also add to the noise, and cause a general feeling of an increasingly industrial site in a historically rural community.

Comments made by the public are:

- The Council should be satisfied that the proposed wood-processing will cause no more noise than the machinery used at present.
- The current speed limit of Isfield Road should be reduced to avoid accidents on the bends approaching the site; when two lorries or buses meet there is only just enough room to pass.
- The wood-shredder is proposed close to the nearby scheduled ancient woodland, which has high amenity and wildlife value. The woodland will thus be subject to higher noise levels than at present. However, no objection is raised to this, providing there is no increase in the hours of operation, and no relaxation or breach of the existing planning conditions regarding noise.

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

5.1 East Sussex and Brighton & Hove Waste Local Plan 2006: Policies: WLP1 (a, b, c, d, e), WLP6 (c) (Expansions or Alterations to Existing Facilities), WLP13 (Recycling, Transfer and Materials Recovery Facilities), WLP18 (Composting Facilities), WLP35 (General Amenity Considerations), WLP36 (Transport Considerations).

5.2 Wealden Local Plan 1998: Policies: GD2 (Development Boundaries), EN27 (2) (Amenity).

5.3 Non-Statutory Wealden Local Plan 2005: Policies GD2 (Development Boundaries), BE1 (7) (Amenity).

## **6. Considerations**

### **Waste Management**

6.1 The applicant considers the facility has experienced a 40% reduction in demand to treat green waste since the commencement of operations at the new indoor composting facility at Whitesmith in late 2009. Consequently, the current proposal seeks to diversify the existing composting operation to also allow the management of waste wood, to assist the business in remaining viable. It is recognised that this site has represented an important green waste management facility in the County for a number of years. The principle of the proposal is supported by Policy WLP6 (c) of the Waste Local Plan, which supports expansions or alterations to existing waste management facilities, where it is demonstrated that the development would contribute towards achieving net self-sufficiency of the Plan area in waste management facilities.

6.2 The applicant has advised that the wood managed would be limited to the "clean" waste wood stream, meaning that no wood contaminated by, for example, surface or chemical treatments, metals or plastics would be accepted. I understand that this is likely to be restricted in any case by the site's Waste Management Licence, issued by the Environment Agency, because any "unclean" wood could affect the quality of water drained from the site. Surface water from the site is drained into settlement ponds and then re-used in the composting process, and therefore, pollution of that water could adversely affect the quality of compost produced on site. Control of such pollution matters are the responsibility of the Environment Agency. Wood accepted at the site would be pre-sorted before arrival, and also visually inspected by staff on site.

6.3 The proposal is to source 5,000 tonnes of waste wood annually from the County's Household Waste Recycling Sites (HWRS) and other transfer facilities. I understand that the proposed amount appears reasonable in terms of the amount of waste wood currently managed by these facilities. At present, this material is hauled from the HWRS sites to a facility in West Sussex for processing, before being transferred to other sites for recycling. I

understand that at present, the facility at West Sussex sends about 80% of waste wood received to reprocessors in the UK, and about 20% abroad. However, the applicant has indicated in the current application that after processing on site, the woodchip produced would be transported off site, and probably abroad, to be recycled into chipboard. There is also potential for the woodchip to be used in energy recovery although this is not the applicant's intention at this point in time.

6.4 While reprocessing in the UK is likely to be more supportable than transporting the wood abroad, the decision on where to send the material after initial processing would be a commercial decision to be taken by the company. The initial processing of waste wood produced in the County at the application site is supportable in terms of the proximity principle. The application site is well-located close to the A26 primary route for access around the county. Therefore, the proposal is likely to reduce the distance travelled by road vehicles transporting wood from HWRS sites. Consequently, I do not consider it would be reasonable to refuse the current application because of where the wood may be transported after processing, and a restrictive condition could unreasonably hamper the applicant's business operation.

6.5 Current composting activities accord with the proximity principle; an existing condition limits the sources of green waste, and I understand that the majority of compost produced by the site is utilised within the Wealden and Lewes districts.

6.6 The management of waste wood as proposed, together with the continued composting of green waste, accords with Policy WLP1 (a, b, c, d and e) of the Waste Local Plan, which require proposals to have regard to the waste hierarchy and the proximity principle; contribute to the elimination of the disposal of untreated waste to land; contribute to meeting and exceeding recycling and recovery targets; include the co-location of waste facilities where appropriate, and contribute to achieving net self-sufficiency in waste management within the Plan area.

### **Development in the Countryside**

6.7 Although the composting site is outside the development boundary where Policy GD2 of the Wealden Local Plans requires new development to be strictly controlled, it is an established facility. The current proposal does not involve any physical expansion in the size of the existing facility, or any increase in its operating hours. No new buildings or structures are proposed. Although the proposed waste wood management is a different operation to composting, there are similarities in the two processes including physical space requirements and type of machinery used. Consequently, co-locating the two activities has advantages in that the site's existing infrastructure will be used.

6.8 Policy WLP1 (d) of the Waste Local Plan supports the co-location of waste facilities, where appropriate, and Policy WLP18 supports composting

facilities on appropriate rural land, provided that it is of a nature and scale in keeping with the existing landscape. The proposed waste wood management operation is considered to fall within the scope of Policy WLP13 of the Waste Local Plan, which supports recycling and transfer facilities on land within permitted waste management sites. However, due to the rural location of the site, it is important that any permission is limited to ensure that the proposed wood-processing remains an ancillary operation to the main composting activity. Therefore, a condition is recommended to limit the total amount of waste wood managed to 5,000 tonnes per annum, unless otherwise agreed. A further condition is recommended to limit the total amount of waste managed by the site, including green and wood waste, to 50,000 tonnes per annum, unless otherwise agreed. This means that should the green waste throughput return to previous levels in the future, the total amount of waste permitted to be managed by the site would remain limited as previously.

6.9 The proposed operation would not have any significant visual impact on the countryside, as it would be contained within an existing site. Furthermore, I do not consider the continued use of larger lorries would have any significant additional adverse effect on the character of the countryside location. This is because these movements form part of an already permitted level of vehicle movements, albeit of a larger vehicle size. Therefore, subject to the recommended conditions, I do not consider there is any conflict with Policy GD2 of the Wealden Local Plan.

### **Effect on Residential Amenity**

6.10 The application site is an existing composting facility with a commensurate level of activity. Existing planning conditions limit the hours of operation, the number of vehicle movements, and the level of noise from the site. There is no proposal to alter these existing controls. Vehicle movements from the delivery of waste wood and the export of wood-chip would form part of the existing permitted level of movements.

6.11 The applicant has advised that at present, various plant and machinery is used during the composting operation, including screening machines, loading shovels and tractors. Activity on site can be more or less constant during operating hours. A high-speed shredding machine is used to shred green waste, and a further shredding machine is brought to the site for a period of one day every two to three months, to process wood that is inadvertently brought to site within the green waste. Approving the current proposal would mean that the frequency of the use of a slow-speed shredding machine to process waste wood would increase to about one day every two weeks. This is on the basis that the applicant would hire the machine as required. If the applicant were to purchase a machine, wood-processing is likely to take place more frequently than this, but for shorter periods of time.

6.12 A local resident has raised concern that wood-processing could create a noise nuisance. The applicant has submitted 2 noise surveys, which have assessed the site's compliance with the existing noise condition, and whether the site would remain compliant should the current application be approved.

The surveys have concluded that at the nearest sensitive receptors (the childcare nursery and nearest residential property), the dominant source of noise is road traffic rather than the composting site, and that site activities comply with the existing noise condition. The surveys also found that the wood-processing operation and use of additional machinery, as proposed, would not cause any noticeable change to the existing level of noise.

6.13 An Officer has visited the site, together with the District Council's Environmental Health Officer, to observe the processing of wood as proposed. These observations, and noise monitoring undertaken, have corroborated the findings of the applicant's noise surveys. The wood-processing operations were found not to have any unusual tonal characteristics and are therefore unlikely to be noticeable by residents close to the site. The noisiest activity on site appears to be the use of tractors and loading shovels, rather than the mechanical processing of materials, and the current proposal is unlikely to lead to any significant increase in these activities, which already take place during composting. The proposed change of use is therefore unlikely to lead to any noticeable change to existing noise levels.

6.14 The active composting area, including the proposed area for wood-processing, is well-separated from the nearest properties, and I am not aware of any public complaints resulting from noise from site activities, outside of the consultation on planning applications. In any event, the existing noise condition serves to limit the noise from the site experienced at nearby sensitive receptors. If noise from the site were to breach these limits, the applicant would be required to alter operations to ensure compliance with the condition. As it has been found that the limit is unlikely to be breached, I consider that the existing conditions on the site will offer sufficient noise control of both the existing and proposed operations.

6.15 As lorries with more than 8 wheels have been visiting the site for some time and there is no intention to increase the total number of vehicles, I do not consider that the proposed use of larger lorries is likely to have any significant effect on noise levels. Vehicles leaving the site are discouraged from travelling north through Isfield village by a sign at the site exit, and this arrangement appears to work successfully. The applicant considers that the larger vehicles designed for haulage can be quieter than the 6 – 8 wheeled dust-carts that visit the site, which are high-g geared for stop-start work. Furthermore, because of the greater capacity of larger vehicles (up to 3 times as much as a dust cart), the use of larger vehicles can reduce the number of necessary vehicle movements. The applicant contends that larger vehicles use less fuel and produce fewer carbon emissions per tonne of waste carried than smaller vehicles. A reduction in emissions and vehicle movements could have a beneficial effect on amenity.

6.16 Providing the total vehicle numbers, hours of operation and noise levels remain limited, as at present, I do not consider the current proposal is likely to have any unacceptable effect on residential amenity. Consequently, there is no conflict with Policy WLP35 (a, b, c) of the Waste Local Plan, Policy

EN27 (2) of the Wealden Local Plan, or Policy BE1 (7) of the Non-Statutory Wealden Local Plan, which seek to protect amenity.

### **Effect on Traffic**

6.17 Concerns have been raised that the use of larger lorries could adversely affect highway safety. However, concerns appear to relate largely to the existing situation of large vehicles using Isfield Road and the junction with the A26. It should be noted that heavy vehicles are already permitted to access the site, and refusing the current application would not alter this situation. Furthermore, traffic figures analysed during the consideration of the 2009 planning application for an increase in vehicle movements at this site found that there are other HGV movements on Isfield Road unrelated to the composting site, and the road is also used by double-decker buses and other vehicles. Although Isfield Road is a minor road, it is kerbed on both sides on the stretch close to the composting site. Visibility from the site access is good and the site is a relatively short distance (700 metres) from the junction with the A26 major route.

6.18 The analysis of the earlier planning application carefully considered the effect of HGVs on both traffic and residential amenity. However, it is not considered that the numbers of wheels on the HGVs formed a significant part of that consideration. The applicant has advised that the precise wording of the condition was overlooked at the time of the previous planning application, and had the matter been noted at that time, the previous application would have sought to remove the reference to 8 wheeler lorries. The applicant has confirmed that up to about 15% of the HGVs visiting the site are of the larger size, with more than 8 wheels (this proportion was recorded in May 2009). The applicant has advised that the current proposal does not mean that the proportion of vehicles with more than 8 wheels is likely to increase above this level.

6.19 Although the use of lorries with more than 8 wheels is not currently permitted, it has been continuing for some time and there is no proposal to increase the existing level of vehicle movements. Since Isfield Road was kerbed, I am not aware of any incidents of damage to the highway network being caused by vehicles accessing the site. The Highway Authority has not raised an objection to the current application, but has recommended an informative to advise the applicant to carry out a photographic survey and joint inspection of the local road network with the local highway manager, in the interests of having a record to be used in the event of any damage to the road. I have recommended an informative to advise the applicant of the Highway Authority's comments.

6.20 On the basis that the conditions controlling the numbers of vehicle movements and the restriction on vehicles travelling through Isfield village remain unchanged, I do not consider there is any reason, in highway safety terms, to refuse the current planning application. Consequently I do not consider there is any conflict with Policy WLP36 of the Waste Local Plan

which seeks to ensure development proposals have no adverse effect on traffic.

## **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 There are 2 strands to the current proposal: (i) the diversification of existing site activities to allow the processing of waste wood on site in addition to the composting of green waste, and (ii) the deletion of the reference to “8 wheeler” lorries in the planning condition, to allow larger lorries to visit the site.

7.3 The proposed waste wood processing should assist in reducing the instances of this material travelling outside the Plan area for initial processing, in accordance with the waste hierarchy and the proximity principle. The co-location of waste facilities is supported by Development Plan Policy, and the processing of waste wood is considered to be appropriate in this location, as an ancillary activity to the existing composting operation. Subject to the retention of existing operational conditions, the proposal should not lead to any unacceptable effect on amenity.

7.4 The proposal to allow larger lorries to visit the site is retrospective, as such lorries have been visiting the site for a number of years. There is no proposal to increase vehicle movements above the number already permitted. Any effects on the local environment or traffic conditions arising from a larger lorry are not considered likely to be significantly different to the potential effects arising from an 8 wheeler lorry, and the Highway Authority has not raised an objection. Consequently, the current proposal is considered to be acceptable.

7.5 The proposal accords with Policies: WLP1 (a, b, c, d e), WLP6 (c), WLP13, WLP18, WLP35 and WLP36 of the East Sussex and Brighton & Hove Waste Local Plan 2006, Policies GD2 and EN27 (2) of the Wealden Local Plan 1998, and Policies GD2 and BE1 (7) of the Non-Statutory Wealden Local Plan 2005.

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 grant planning permission subject to the following conditions:-

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the plans listed in the Schedule of Approved Plans.

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

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

Reason: To ensure an appropriate access to the site in the interests of highway safety and to accord with Policy WLP36 (a) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

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

Reason: In the interests of amenity and highway safety, in accordance with WLP36 (c) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

5. The total number of additional vehicles (not including those controlled by condition 4 above) removing compost or woodchip from the site and returning to the site shall not exceed 10 per day (20 movements), unless otherwise agreed in writing by the Director of Transport & Environment.

Reason: In the interests of amenity and highway safety, in accordance with WLP36 (c) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

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

Reason: In the interests of public and highway safety and the rural and residential amenities of the locality, in accordance with Policies WLP35 and WLP36 of the East Sussex and Brighton & Hove Waste Local Plan 2006.

7. The ground levels of the composting site and the height and profile of the landscaping bunds shall be retained in accordance with the details on drawings numbers P411, sheets 1, 3, 4 and 5, dated 4th July 2008, which were received by the County Council on 10th September 2008,

unless otherwise agreed in writing by the Director of Transport & Environment.

Reason: For the avoidance of doubt and in the interests of conserving the landscape of the locality, in accordance with Policy EN8 of the Wealden Local Plan 1998.

8. The tree planting as illustrated on the drawing `Planting scheme Autumn 2008` received by the County Council on 28th January 2009, and subsequently implemented, shall be retained for the duration of the development. Any tree or plant as illustrated on the drawing that dies, is removed or becomes seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless otherwise agreed in writing by the Director of Transport & Environment.

Reason: To ensure the appropriate landscaping of the site in accordance with Policy WLP35 (a) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

9. Only the following wastes shall be imported and processed at the site:
  - Green and wood waste collected at household waste sites,
  - Waste from Wealden District Council's CROWN scheme
  - Green and wood waste from private contractors
  - Kerbside-collected green waste from Eastbourne Borough Council
  - Kerbside-collected green waste from Reigate and Banstead Borough Council

No other wastes shall be imported to the site except with the prior written consent of the Director of Transport & Environment.

Reason: For the avoidance of doubt and to enable the County Planning Authority to regulate and control the use of the site and to ensure waste management at the site have no unacceptable effects on the locality, in accordance with Policies WLP1 and WLP35 of the East Sussex and Brighton & Hove Waste Local Plan 2006.

10. The green waste composting facility shall operate only between the hours of 0700 and 1800 on Mondays to Fridays inclusive and 0800 and 1230 on Saturdays, and not at all on Sundays, Bank and Public Holidays except for a maximum of two deliveries per month, limited to one delivery on a Sunday, between the hours of 0800 and 1230 and for essential maintenance and emergency works unless with the prior written agreement of the Director of Transport & Environment.

Reason: In the interests of the amenity of the locality and occupiers of residential properties in the vicinity of the site, and to accord with Policy WLP35 (b) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

11. The operational noise levels from the site, measured as LAeq 1hr (freefield) at the boundaries of the nearest sensitive receptors (Oak Lodge and the Honey Pot Nursery School) and in accordance with British Standard 4142:1997, shall be at least 5 dB below the background LA90 value.

Reason: To safeguard the amenities of the occupiers of properties in the vicinity of the site in accordance with Policy WLP35 (b) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

12. No plant, machinery or vehicles shall be used on the site unless fitted with silencers maintained in accordance with the manufacturers' recommendations and specifications.

Reason: In the interests of the amenity of the locality and occupiers of residential properties in the vicinity of the site, and to accord with Policy WLP35 (c) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

13. Any machinery on site fitted with a reversing alarm shall only use a non-intrusive `white noise` reversing alarm, unless otherwise agreed in writing by the Director of Transport & Environment.

Reason: To reduce the potential for noise nuisance from the site and to protect amenity, in accordance with Policy WLP35 (c) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

14. Any waste shredder in operation on the site shall be located on the southern side of at least one windrow of material.

Reason: In the interests of protecting the amenity of users of the public footpath to the north of the site, in accordance with Policy WLP35 (d) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

15. The measures to minimise dust from site operations and vehicle movements that were approved by the County Council on 3 December 2001 shall be retained, unless otherwise agreed in writing by the Director of Transport & Environment.

Reason: In the interests of the amenity of the locality and to accord with Policy WLP35 (c) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

16. Composting shall not take place other than in the areas shown on the approved Site Plan (scale 1:500), date-stamped as received by the County Council on 21st June 2001.

Reason: For the avoidance of doubt and in the interests of the amenity of the locality and occupiers of properties in the vicinity of the site, in

accordance with Policy WLP35 (a and b) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

17. Wood processing shall not take place other than in the area indicated for this purpose on the approved Proposed Layout Plan (reference KPS/10/03) dated 10/03/10, unless with the prior written agreement of the Director of Transport & Environment.

Reason: For the avoidance of doubt and in the interests of the amenity of the locality and occupiers of properties in the vicinity of the site, in accordance with Policy WLP35 (a and b) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

18. Foul and surface water drainage shall be retained in accordance with the details approved by the County Council on 13th November 2001, unless otherwise agreed in writing by the Director of Transport & Environment.

Reason: To prevent water pollution in accordance with Policy WLP38 of the East Sussex and Brighton & Hove Waste Local Plan 2006.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no plant, building or machinery, whether fixed or movable, shall be erected, other than as expressly authorised by this permission unless with the prior written approval of the Director of Transport & Environment.

Reason: To enable the County Planning Authority to control the development and to protect the character of the countryside and to comply with Policy WLP35 (a) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

20. No material shall be stacked, stockpiled, deposited or windrowed to a height exceeding 5 metres above the hard surface of the site shown on drawing P411 dated 4th July 2008.

Reason: In the interests of visual amenity in accordance with Policy WLP35 (a) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

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

Reason: In the interests of the amenity of the locality and occupiers of residential properties in the vicinity of the site, and to accord with Policy WLP35 (b) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

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

Reason: To enable the County Planning Authority to control the development in accordance with Policy WLP35 (a) of the East Sussex and Brighton & Hove Waste Local Plan 2006.

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

Reason: To safeguard the long-term rural amenity of the locality and to comply with Policies GD2 and EN8 of the Wealden Local Plan 1998.

24. The total amount of waste imported to the site, including waste wood, shall not exceed 50,000 tonnes per annum unless with the prior written consent of the Director of Transport and Environment.

Reason: To ensure site activities have no unacceptable effect on the amenity of the locality and to accord with Policy WLP35 of the East Sussex and Brighton & Hove Waste Local Plan 2006.

25. The amount of waste wood imported to the site shall not exceed 5,000 tonnes per annum unless with the prior written consent of the Director of Transport and Environment.

Reason: To ensure the wood-processing activities remain ancillary to the composting activities on this countryside site, and to accord with Policy WLP18 of the East Sussex and Brighton & Hove Waste Local Plan 2006.

## INFORMATIVES

1. The applicant is informed of the need to ensure that the development also accords with the conditions of the site's Environmental Permit, issued by the Environment Agency.
2. The applicant is advised that the Highway Authority will require the applicant to reimburse their legitimate expenses in making good any damage to the carriageway caused by the use of traffic associated with this development. Consequently, the applicant is advised to contact the Area Highway Manager on 0345 608 0193 to discuss the potential implications of the permitted use of larger lorries.

## Schedule of Approved Plans

KPS/10/04 - Location Plan, KPS/10/02 - Existing Layout, KPS/10/03 - Proposed Layout, Site Plan scale 1:500, received by the County Council 21/6/2001, Location and Access Road Plan scale 1:2500 and 1:500, received

by the County Council 5/7/2001, P411 Sheet 1 - Site Survey, P411 Sheet 3 - Sections, P411 Sheet 4 - Sections, P411 Sheet 5 - Sections, Planting Scheme August 2008, Site surface and drainage plan, received by the County Council 18/8/2001

RUPERT CLUBB

Director of Transport & Environment  
17 August 2010

**BACKGROUND DOCUMENTS**

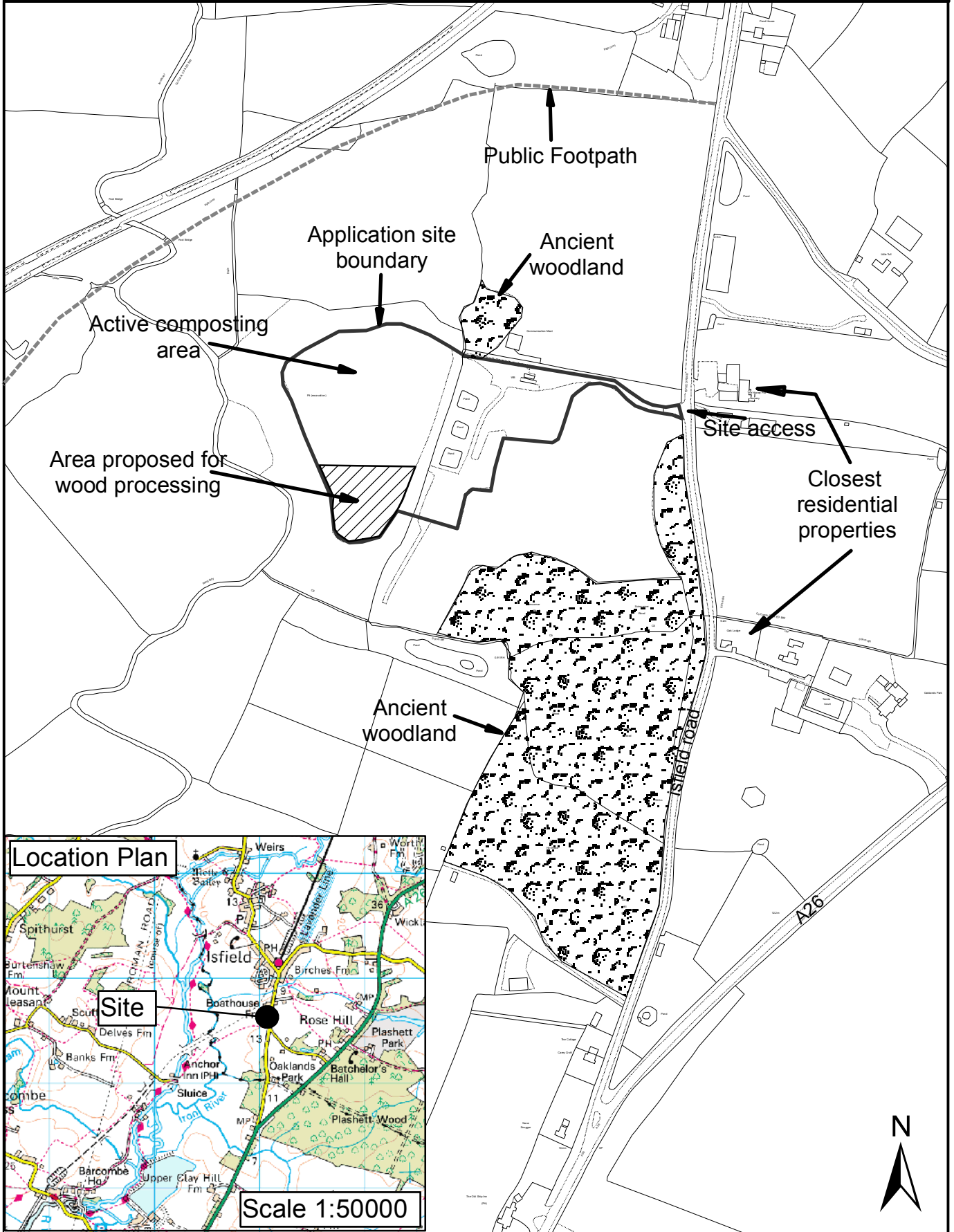
East Sussex and Brighton & Hove Waste Local Plan 2006

Wealden Local Plan 1998

Non-Statutory Wealden Local Plan 2005

Planning application files: WD/634/CM and WD/533/CM.

# WD/634/CM



Scale 1:5000

Rupert Clubb  
BEng (Hons) CEng MICE  
Director, Transport and Environment  
East Sussex County Council

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