



**EAST SUSSEX COUNTY COUNCIL**

**TOWN AND COUNTRY PLANNING ACT, 1990**

**TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)  
ORDER, 1995**

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To :- Hav-A-Skip Ltd  
C/o Peer Spanner Associates  
The Gate House  
Ringwould  
Kent  
CT14 8GH

County Ref. No. HS/404/CM  
Borough Ref. No. HS/04/282

In pursuance of their powers under the above-mentioned Act and Order, the Council as the local planning authority hereby **REFUSE PLANNING PERMISSION** for waste recycling facility, Whitworth Road, St Leonads-on-Sea in accordance with your application validated by the East Sussex County Council on 29 March 2004.

The reasons for the Council's decision to refuse permission for this development are:-

1. The application has not demonstrated that the proposal can be undertaken without an adverse highways impact and that it would not significantly worsen traffic congestion or road safety at the site access and at the Whitworth Road/Junction Road/Ridge West/A21 junctions. Accordingly the proposal is considered to be contrary to Policies TR3 (c) and (e), W9 (h) of the East Sussex and Brighton & Hove Structure Plan 1991-2011; Policy DG18 of the Hastings Local Plan 2004 and Policy WLP36 of the East Sussex and Brighton & Hove Waste Local Plan Deposit Draft 2002.
2. The application has not demonstrated that the proposal can be undertaken without adversely affecting the amenity of the surrounding area. In particular, the proposal has failed to demonstrate that the proposal would not have an unacceptable adverse impact on the surrounding amenity by virtue of noise, dust, vibration or disturbance. Accordingly, the proposal is considered to be contrary to Policies S1 (b), W9 (g) of the East Sussex and Brighton & Hove Structure Plan 1991-2011; Policies DG 1 (f) and (g), DG4 of the Hastings Local Plan 2004; Policy WLP35 of the East Sussex and Brighton & Hove Waste Local Plan Deposit Draft 2002.
3. The application has not demonstrated that the proposal represents the Best Practicable Environmental Option for the waste stream that the development

is intended to serve. Accordingly the proposal is considered to be contrary to Policies W1 (a) and W2 of the East Sussex and Brighton & Hove Structure Plan 1991-2011 and Policy WLP1 of the East Sussex and Brighton & Hove Waste Local Plan Deposit Draft 2002.

Development Plan policies of relevance to this decision are:-

East Sussex and Brighton & Hove Structure Plan 1991-2011: Policies S1 (Sustainable Development), TR3 (Accessibility), W1 (Sustainable Approach to Waste Planning), W2 (General Strategy for Waste), W3 (General Strategy for Waste), W6 (General Strategy for Waste), W9 (Strategic Development Criteria), W11 (Construction Industry Waste), W13 (Household, Commercial and Other Waste).

Hastings Local Plan 2004: Policy E2 (Existing Employment Sites), DG1 (Form, Density and Design), DG4 (Noise), DG18 (Commercial development – Traffic).

East Sussex and Brighton & Hove Waste Local Plan Deposit Draft 2002: Policies WLP1 (Plan Strategy), WLP13 (Recycling, Transfer and Materials Recovery Facilities), WLP14 (Recycling and Recovery Facilities for Construction and Demolition Waste), WLP35 (General Amenity Conditions), WLP36 (Transport Considerations).

All enquiries should be addressed to

Signed.....

  
for (Director of Transport and Environment)

Date 16.6.04

The Director of Transport and Environment  
Transport and Environment Department,  
County Hall, St Anne's Crescent  
Lewes, East Sussex BN7 1UE.

**IMPORTANT** - Please read notes attached.

Copies to: Highway Authority - f.a.o. M Amis  
Environment Agency - f.a.o. M Moffatt for information  
Mr R Wilson - Hastings Borough Council  
K Wood, Central Services, Hastings Borough Council

## **NOTIFICATION AS REQUIRED BY THE TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995**

### **Appeals to the Secretary of State**

- o If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the First Secretary of State at the office of the Deputy Prime Minister under section 78 of the Town and Country Planning Act 1990.
- o If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Planning Inspectorate at Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.
- o The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- o The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- o In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

### **Purchase Notices**

- o If either the local planning authority or the Secretary of State refuses planning permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- o In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.