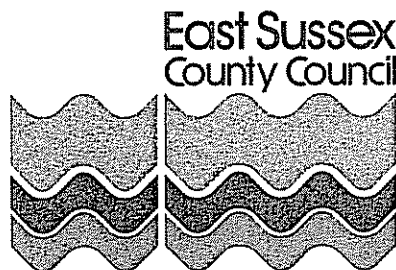


Transport and Environment

Robert E Wilkins
Director

County Hall
St Anne's Crescent
Lewes
East Sussex
BN7 1UE

Tel: 01273 481000
Fax: 01273 479536
www.eastsussex.gov.uk



Frank Rallings
Head of Planning
Rother District Council
Town Hall
BEXHILL TN39 3JX
f.a.o. Mr A Rowland

RR3

date

26.10.2005

please contact

Amanda Parks
Lewes (01273) 481846
Direct Fax (01273) 479040

our ref

RR/445/CM(EIA)
AR/AP

your ref

RR/2005/2348/CM

Dear Mr Rallings

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: RR/445/CM(EIA) – Environmental improvement works through: diversion of River Line around existing landfill; abandonment of culverts under landfill; pollution control and drainage works; provision of new lorry park and access road; rationalisation of on-site lorry parking; all together with associated works. British Gypsum Limited, Mountfield, Robertsbridge (within land edged red on applicants plan no. D100486/PA/002B).

At their meeting on 12 October 2005 the Planning & Highways Sub Committee of the Regulatory Committee on behalf of the County Council resolved to grant permission for the above mentioned application subject to conditions set out on the attached Decision Notice.

Would you please accept this letter in conjunction with the Plan(s) listed below, as formal notification of the development for the purpose of your Register of Planning Applications and Decisions.

Approved Plans/Drawings numbered :

D100486/PA/002B	D100486/PA/001B	D100486/PA/011B
D100486/PA/012B	D100486/PA/013B	D100486/PA/014B
D100486/PA/015B	D100486/PA/016B	D100486/PA/021B
D100486/PA/022B	D100486/PA/023B	D100486/PA/024B
D100486/PA/031	D100486/PA/032	D100486/PA/033
D100486/PA/034	D100486/PA/035	D100486/PA/036
D100486/PA/037	Environmental Statement	

Lighting details date stamped 2nd September 2005 (8 pages)

Yours sincerely

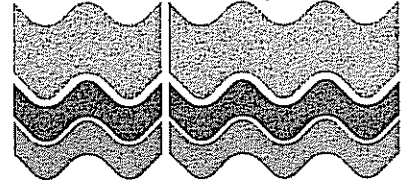
Alistair Robson
Assistant Director - Policy



INVESTOR IN PEOPLE



recycled paper



EAST SUSSEX COUNTY COUNCIL

TOWN AND COUNTRY PLANNING ACT, 1990

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

To :- British Gypsum Ltd
c/o Peter Mansell
Scott Wilson Kirkpatrick & Co Ltd
Scott House
Basing View
Basingstoke
Hampshire
RG21 4JG

County Ref. No. RR/445/CM(EIA)
District Ref. No. RR/2005/2348/CM

In pursuance of their powers under the above-mentioned Act and Order, the Council as the local planning authority hereby GRANT PLANNING PERMISSION for environmental improvement works through: diversion of River Line around existing landfill; abandonment of culverts under landfill; pollution control and drainage works; provision of new lorry park and access road; rationalisation of on-site lorry parking; all together with associated works. British Gypsum Limited, Mountfield, Robertsbridge (within land edged red on applicants plan no. D100486/PA/002B) in accordance with your application validated by the East Sussex County Council on 15 August 2005 and the plans and particulars submitted in connection therewith and subject also to due compliance with the condition(s) specified hereunder:-

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 & Country Planning Act 1990.

2. No development shall take place on the proposed new lorry park as indicated on drawing number D100486\PA\031 until a written scheme of investigation and programme of implementation of archaeological work has been submitted to and approved in writing by the Director of Transport and Environment. The development shall be carried out in accordance with the approved scheme which shall be implemented in full.

Reason: to comply with Policy EN24 of the East Sussex and Brighton & Hove Structure Plan 1991-2011

3. The development hereby approved shall be carried out wholly in accordance with the approved plans as listed on this decision notice, unless minor amendments are agreed in writing by the Director of Transport and Environment.

Reason: The development is considered of national importance and would not otherwise be permitted and it should therefore be carried out as indicated to accord with policies EN18, EN20, MIN2, MIN 4a, MIN12 of the East Sussex and Brighton & Hove Structure Plan 1991-2011, Policy 26, 27 and 31d of the East Sussex and Brighton & Hove Minerals Plan 1999

4. No waste material other than that inert waste materials originating from this development shall be deposited at the site.

Reason: This permission is granted exceptionally to meet the waste disposal needs of the stated source to comply with Policy WLP21 of the East Sussex Brighton & Hove Waste Local Plan Second Deposit April 2002

5. Before the commencement of the use of the proposed lorry park shown on drawing number D100486\PA\031 the sleeper wall shall be constructed to the north and east of the old lorry park next to the gatehouse and the surface of the area outlined in red shall be harrowed and left to re vegetate naturally.

Reason: To revitalise the ancient woodland habitat to comply with policies EN18 and EN20 of the East Sussex and Brighton & Hove Structure Plan 1991-2011 and Policy 31c of the East Sussex and Brighton & Hove Minerals Plan 1999

6. Before the commencement of works on the lorry park, or any equipment, machinery or materials are brought on to the lorry park site for the purposes of the development, a 2m high chestnut paling fence on a frame of permanent scaffold poles to BS5837, or such other agreed fence, shall be erected on the line of the canopy of trees in Crowhurst Wood on the north and south borders of the lorry park as denoted by a green line on drawing number D100486\PA\031 and from points A to B, C to D and E to F on the attached plan and shall be maintained until the development is completed and all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in adjoining ancient woodland, nor any fires lit, and the ground levels within the ancient woodland areas to the north and south of the site respectively, shall not be altered, nor shall any excavation be made, or operations carried out without the prior written consent of the Director of Transport and Environment.

Reason: To preserve the trees on the site in the interests of visual amenity and the environment and to ensure that the works shall be carried out in order to comply with policies S1(j) of the East Sussex and Brighton & Hove Structure Plan 1991-2011 and Policies.GD1(v) and DS(vi) of the Rother District Local Plan, Revised Deposit Draft 2003

7. Permission shall relate solely to the lighting details shown on drawing number D100486\PA\031 and to the submitted lighting specifications received 2 September 2005, unless otherwise agreed in writing by the Director of Transport and Environment.

Reason: To accord with condition EN 14 of the East Sussex and Brighton & Hove Structure Plan 1991-2011

8. All planting, seeding or turfing comprised in the approved landscaping scheme shall be carried out in the first planting and seeding seasons following the commencement of the development; any hedgerow planted in accordance with this condition shall thereafter be retained; any trees, shrubs, hedges or plants which within a period of 5 years from the completion of the development die, are removed, uprooted or destroyed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Director of Transport and Environment gives prior written consent to any variation.

Reason: In the interests of the visual amenity and habitat creation in compliance with Policy EN18 of the East Sussex and Brighton & Hove Structure Plan 1991-2011 Policy WLP 39 of the East Sussex and Brighton & Hove Waste Local Plan Second Deposit April 2002 and Policies DS(vi) and GD1(v) of the Rother District Local Plan, Revised Deposit Draft 2003.

9. No development shall take place until wheel washing facilities have been installed on the site in accordance with details to be submitted to and approved in writing by the Director of Transport and Environment. The facilities shall be maintained in working order at all times and shall be used by any vehicle carrying mud, dust or other debris on its wheels before leaving the site. No vehicle shall leave the site carrying mud, dust or debris.

Reason: In the interests of road safety to comply with Policy S1(d) of the East Sussex and Brighton & Hove Structure Plan 1991-2011

10. No operations shall take place in association with this development other than between the hours of 07.00 and 18.00 on Mondays to Fridays and between 07.00 and 13.00 on Saturdays and not at any time on Sundays, Bank and Public Holidays.

Reason: To safeguard the residential amenities of the occupiers of properties in the vicinity of the site.

11. Development shall not commence until a management plan for the whole of the site, especially for the areas of ancient woodland and channel and banks of the River Line, has been submitted to and approved in writing by the Director of Transport and Environment. The site shall thereafter be maintained and managed in accordance with the approved plan.

Reason: To preserve the ancient woodland on the site in the interests of visual amenity and the High Weald Area of Outstanding Natural Beauty and to comply with Policies EN 17, S1 (j) and MIN4 of the East Sussex and Brighton & Hove Structure Plan 1991-2011 and Policies DS (v) and GD1 (v) of the Rother District Local Plan, Revised Deposit Draft 2003

12. No development shall take place until a scheme for the carrying out of the development in successive phases has been submitted to and approved in writing by the Director of Transport and Environment. The scheme shall include the phasing of the development to show the works avoid the salmon and fresh water fish, bird, bat and amphibian breeding seasons.

Reason: In order to safeguard the fauna identified on the site in the Environmental Statement and to comply with Policy EN 17 of the East Sussex and Brighton & Hove Structure Plan 1991-2011

13. Before the commencement of works on this site a landscaping scheme of the whole site at the scale of 1: 2500 shall be submitted and approved in writing by Director of Transport and Environment showing:

- the areas where the waste material is to be deposited together with contours of these areas at 0.5 metre contours

- details of all trees, shrubs, hedges or other planting indicating the position of trunks or stems, the spread (shown to scale) and the species;
- written specifications (including cultivation and other operations associated with plant and grass establishment)
- schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate.
- details of the treatment and surfacing of the proposed lorry park slopes
- construction details for the formalising the existing trailer including details of the park surface, edging, drainage
- retention of the stand of trees to the east of the proposed lorry park.

Reason: To secure appropriate landscaping at the site in the interests of the amenity of the locality and the landscape character of the High Weald Area of Outstanding Natural Beauty.

14. No development of the lorry park shall take place until details of surface water drainage works have been submitted to and approved in writing by the Director of Transport and Environment. Such details shall incorporate the principles of Sustainable Urban Drainage Systems and the lorry park shall not be occupied until the works have been carried out in accordance with the approved details.

Reason: To ensure satisfactory drainage of the site and to prevent water pollution

APPROVED PLANS/DRAWINGS

D100486/PA/002B	D100486/PA/001B	D100486/PA/011B
D100486/PA/012B	D100486/PA/013B	D100486/PA/014B
D100486/PA/015B	D100486/PA/016B	D100486/PA/021B
D100486/PA/022B	D100486/PA/023B	D100486/PA/024B
D100486/PA/031	D100486/PA/032	D100486/PA/033
D100486/PA/034	D100486/PA/035	D100486/PA/036
D100486/PA/037	Environmental Statement	

Lighting details date stamped 2nd September 2005 (8 pages)

The Development Plan policies of relevance to this decision are:

East Sussex and Brighton & Hove Structure Plan 1991-2011: Policy S1 (g) protecting groundwater S1 (j) not damaging to AONB or ancient woodland, EN2 conserve and enhance AONB, EN3 protect character and quality of Areas of Outstanding Natural Beauty, EN11 protection of water resources, EN14 light pollution, EN17 protection of SNCI, EN18 creation of new habitats, EN20 (compensation for loss of habitat) EN22 (sites of archaeological interest) MIN1 (a) avoid permanent loss of valued habitats and landscapes, MIN 1(c) minimize pollution, waste and loss of water resources, MIN 2 Environmental quality of site, MIN4 (b) development in accordance with objectives of AONB, ancient woodland, SNCI.

East Sussex and Brighton & Hove Minerals Local Plan 1999 Policy1 (a) general approach to processing and related activities, Policy 26 sustainable developments at the

Robertsbridge site, Policy 27 environmental management of this site, Policy 31c and d development control criteria protecting amenity and restricting harm to the environment by traffic.

East Sussex and Brighton & Hove Waste Local Plan Second Deposit April 2002 Policies WLP3 (protection of AONB) (as modified) WLP11 (reduction, re-use and recycling of waste materials) WLP36 (transport considerations) WLP39 (design considerations and landscaping) (as modified)

Rother District Local Plan, Revised Deposit Draft 2003 Policies DS1 (vi) protecting the character and qualities of the environment, particularly the High Weald Area of Outstanding Natural Beauty and GD1 (v) development should be compatible with the conservation of the High Weald Area of Outstanding Natural Beauty.

Planning Policy Statement 7-Sustainable Development in rural areas 2004 provides advice on development affecting nationally designated areas such as AONB.

Minerals Policy Guidance 2- sets out the general considerations applicable to the determination of mineral related development and emphasises the need to ensure it is sustainable and that the operations are kept to an acceptable minimum.

Reasons for Approval

Planning application RR/396/CM (EIA) was refused primarily on the loss of ancient woodland and therefore the decision to recommend approval of this proposal reflects a balancing act. I have reviewed the site with the applicant considering the need for adequate parking and pollution arrangements on the site which will meet the standards of the Environment Agency and the Health and Safety Executive. The factory was established here because of the presence of gypsum on the site and the mining of this mineral and this mineral is of national importance. I consider that support for this proposal is in line with Policies EN18, EN20, MIN2, MIN 4a, MIN12 of the East Sussex and Brighton & Hove Structure Plan 1991-2011, Policy 26, 27 and 31d of the East Sussex and Brighton & Hove Minerals Plan 1999 and Minerals Planning Policy Statement 2. It is considered the mitigation measures and the gain of a realigned and re-sculptured river outweigh the loss of the small sections of ancient woodland.

All enquiries should be addressed to:

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

Signed:


Alistair Robson
Assistant Director - Policy
Transport and Environment Department

Date: 26 October 2005

IMPORTANT - Please read notes attached.

Copies to: Highway Authority - f.a.o. M Amis
Environment Agency - f.a.o. Erica Gray for information
Mr A Rowland - Rother District Council

NOTES

- (1) This permission does not purport to convey any approval or consent which may be required under the Town and Country Planning Act, 1990, otherwise than under Section 70-76 or which may be required under any other Acts, including any Byelaws, Orders or Regulations made under such other Acts: e.g. Building Regulations approval may be required from the relevant District/Borough Council for the construction of a building granted planning permission by East Sussex County Council.
- (2) Developers are reminded that the grant of this permission does not permit the obstruction of a right of way and that, if it is necessary to stop up or divert a public right of way to enable the development to be carried out, they should apply without delay:-
 - (a) in the case of a footpath or bridleway, to the County Council for an order under Section 257 of the Town and Country Planning Act, 1990;
 - (b) in any other case to the Secretary of State for an Order under Section 247 of the Town and Country Planning Act, 1990.
- (3) The applicant is recommended to retain this form with the title deeds of the property.
- (4) The grant of planning permission under Section 73 of the Town & Country Planning Act does not prevent the implementation of the previous planning permission, subject to the previous conditions.

IMPORTANT

Any failure to adhere to the details of the plans hereby approved or to comply with any conditions detailed in this notice constitutes a contravention of the provisions of the Town and Country Planning Act, 1990, in respect of which enforcement action may be taken.

If it is desired to depart in any way from the approved proposals, you should consult the East Sussex County Council, Development, Minerals & Waste Group, Transport & Environment Department, County Hall, St Anne's Crescent, Lewes, East Sussex BN7 1UE before carrying out the development.