

Committee            **Environment  
Development Control Sub-Committee**

Date                    **26 August 1992**

Report By            **County Planning Officer**

Proposal and  
Site Address        **Continued use or construction of Household Waste Sites under  
Regulation 5 of the Town & Country Planning General Regulations  
1976 at:-**  
**(A) Herne Road, Crowborough - 1364/CC;**  
**(B) Heathfield Depot A265, Heathfield - 1372/CC;**  
**(C) Mountfield (A2100) Near Battle - 1373/CC.**

Applicant            **Highways and Transportation Committee**

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#### RECOMMENDATION

The Sub-Committee is recommended to resolve to grant deemed planning permission in respect of applications 1364/CC, 1372/CC and 1373/CC.

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#### CONSIDERATION BY COUNTY PLANNING OFFICER

##### 1 INTRODUCTION/BACKGROUND

1.1 There are 12 existing household waste sites in operation within the County, and two which have been granted permission but have yet to be constructed (Uckfield and Heathfield).

1.2 Each of the 14 sites has deemed planning permission granted under Regulation 4 of the Town and Country Planning General Regulations 1976 which does not permit the site to be operated other than by the County Council itself.

1.3 The Environmental Protection Act 1990 requires that all deemed permissions for County Council developments restricted in this way must be revised to provide for operation by private contractors. To comply with these new Regulations the County Engineer has brought forward for consideration under Regulation 5 of the 1976 General Regulations a new full planning application in respect of each site, and individual reports on 3 locations are made below. The remaining sites will be reported at later meetings of the Development Control Sub-Committee.

1.4 In most cases, the need for a new permission may be seen as a technicality brought about by the change in law and there will be very little, if any, change to the site itself and the current method of operation. However, any special circumstances or specific issues arising from the new applications will be fully described.

## 2 INDIVIDUAL SITE REPORTS

### A. SITE AND PROPOSAL

Site Address: Herne Road, Crowborough.  
Proposal: Continued use of Household Waste site.  
Application No. 1364/CC.

2.1 This small household waste site of 460 sq. metres (0.11 acres) is located at the northern end of Herne Road, Crowborough, immediately to the west of its junction with Luxford Lane. The site, which has a separate access and egress has 6 skips arranged in a semi-circle around a mechanical compactor which compresses the household waste deposited in the skips. The site is surrounded by a close-boarded fence on three sides and the northern boundary around the site frontage has a 3 metre high hedge in addition to a palisade fence.

2.2 The surrounding area is predominantly residential; a pair of semi-detached houses is located some 12m from the site entrance, single detached dwellings exist about 18m and 22m from the northern boundary and there are three pairs of semi-detached properties between 23m and 55m from the site exit. The land immediately adjoining the southern boundary of the site is occupied by a caravan company and is used for the storage, repair and maintenance of caravans.

2.3 In this case, the applications seeks permission under Regulation 5 as described above, but is also in respect of the "renewal" of the temporary permission under which the site has operated since before 1971. The last renewal for this site was granted in May 1991 under application 796/CC/5 and has now expired.

2.4 The County Engineer does not propose a specific period for the renewal but has suggested that a 3 year extension would be appropriate from an operational viewpoint and would allow for a new alternative facility to be developed.

2.5 The site is open to the public between 08.00 - 16.15 on Mondays to Thursdays, 08.00 - 15.15 on Fridays and between 08.30 - 12.30 on Saturdays and Sundays.

### 3 HISTORY

3.1 The Crowborough Household Waste Site was established at this location before 1971 and the County Council took over its management and operation in 1976. Since that time the issue of providing a household waste facility in Crowborough has been debated on a number of occasions.

3.2 The Development Control Sub-Committee approved in October 1976 an extension of the site area, the installation of a compactor and the continued use of the site for a 7-year period. This consent was renewed by the Sub-Committee in November 1983 for a further two-year period (up to November 1985) with an Informative requesting the Highways and Transportation Committee to give priority to the identification and development of a replacement site in a more appropriate location. The continued use of the site was considered again in October 1985 when the Sub-Committee resolved to renew the temporary consent for one year only and again requested the Highways and Transportation Committee to give the highest priority to the development of a replacement facility. Again in November 1986 the Sub-Committee renewed permission for a period up to 1st April 1988 and once more requested that the alternative facility be treated as a matter of the utmost urgency.

3.3 A report by the County Engineer on alternative locations was considered by the Highways and Transportation Committee on 10 December 1986. The Committee agreed to submit a planning proposal for a site off Palesgate Lane, Crowborough. However, following objections to the proposal it was agreed not to proceed with the scheme.

3.4 In May 1988, the Environment Committee, having received a report on potential alternative sites for the household waste facility resolved to renew consent on the Herne Road site, subject to a number of operating conditions, one of which being that the use should cease on or before 1st April 1989.

3.5 On 17th April 1989 permission was granted for a further temporary period of 2 years expiring on 1st April 1991, and was again renewed last year for 12 months (application 796/CC/5). Members expressed their continuing concern about the unsuitability of the site for long term facilities and requested an interim report on the progress of identifying an alternative location which might provide a permanent solution to the problem. Progress reports were accordingly made to Members in December 1991 and on the 1st July 1992.

#### 4 CONSULTATIONS

4.1 Wealden District Council are to consider the proposal at their meeting on 25th August and their views will be reported orally.

4.2 Crowborough Town Council has expressed concern over the delay in finding a suitable alternative site. It is also considered that the facility should be made available for accepting bagged litter from recreation grounds and some twenty litter bins located around the town, which are the Town Council's responsibility. Entry to the site for disposal of this waste has been denied in the past although a temporary agreement has now been reached. It is requested that any continued use that may be agreed is conditional upon the site being made available for the acceptance of these waste collections.

4.3 The Highway Authority does not wish to restrict the grant of consent.

4.4 The National Rivers Authority objects to the application but would withdraw the objection provided that:-

- a) site drainage is re-directed from the existing surface water sewer to the foul sewer;
- b) bunding is provided to prevent oil pollution.

4.5 Southern Water Services Ltd comment that there are no surface water sewers in the vicinity of the site and that no surface water should be discharged to the foul sewer.

4.6 The County Engineer has commented that the site provides an invaluable service to the residents of Crowborough and the surrounding area and its provision is in accordance with the Policy 18 of the Waste Disposal Plan. The need to identify an alternative location is also referred to because the size and location of the site do not allow for its most efficient use. However, it is considered that improved site supervision recently has resulted in a much better standard of operation and pollution problems have been largely eliminated. Current investigations by the Waste Disposal Authority into the relocation of the facility are also referred to.

4.7 Objections to the continued use of the site have been received from the occupiers of three properties immediately opposite and close to the site, on the following grounds:-

"unreasonable disturbance from overwhelming and dangerous traffic on inadequate access roads; poor access; hazards to schoolchildren; environmental nuisance - noise, dust, fumes - detrimental to residential amenity; intrusive, ugly site - should be removed; inadequate site for quantity of waste handled; constant litter nuisance; countless 'renewals' do not end - promised relocation in 5 years from 1978."

## 5 COMMENTS/APPRAISAL

### i) Existing Site

5.1 The Crowborough Household Waste Site is an important local facility serving a large catchment area but it is generally recognised that the existing site is poorly located being in a predominantly residential area, in close proximity to a number of dwellings and with access through residential distributor roads. In addition, the site is too small in both area and capacity from a management and operational viewpoint to meet the growing public usage of the facility; this tends to increase its impact on the local area.

### ii) Progress on Alternative Location

5.2 The need to relocate this facility from an environmental planning and operational viewpoint is therefore accepted and in accordance with the Committee's instructions a large number of alternative sites has been investigated jointly by the County Engineer and my own department. These investigations have shown that in attempting to meet the operational requirements of household waste sites and the special environmental and planning criteria necessarily imposed on development of this nature, there is very little opportunity to re-locate the existing site elsewhere in the built-up area which would be acceptable in planning terms, and there is no site offering ideal conditions. Particular problems arise from the unsuitability of the town's highway network for the volume of heavy lorries and private cars likely to be generated by the development.

5.3 However, from a short list of 7 sites drawn up a detailed assessment has identified a potential alternative location adjoining land already allocated for industrial purposes in the Deposit North Wealden Local Plan. A meeting has been held with the landowners who have indicated their willingness to enter into further negotiations, and the County Engineer is considering various options for development and preparing alternative schemes for discussion. Preliminary discussions have been held with officers of Wealden District Council.

### iii) Proposed Site - Land Use

5.4 The relocation of the household waste facility to this alternative site could assist in making the adjoining allocated land more readily available for industrial development by the provision of an access and infrastructure. However, whilst the site adjoins land allocated for industrial use, this allocation does not extend to the land under consideration which is presently undeveloped and subject to the countryside policies of the County Structure Plan and the Deposit North Wealden Local Plan.

5.5 However, the North Wealden Local Plan is held at deposit stage and is currently being reviewed as part of the new District-wide Wealden Local Plan. Accordingly, and following my discussions with officers of Wealden District Council, I consider it would be premature for a formal application to be brought forward for your consideration, as it would be unlikely to receive the support of the District Council prior to this new plan being produced. A draft

plan is expected in early 1993 for public comment with the deposit stage anticipated around the autumn of 1993.

5.6 I therefore consider that the most appropriate way forward would be for the waste disposal use of the land in question to be considered as part of this Local Plan review. This could avoid objections in principle on policy grounds, subject of course to the revised allocation being approved. The main disadvantage with this course of action would be the delay in bringing forward a new application for consideration and developing the new site. It is unlikely that an alternative facility could be operational before about 3 years time, if it is decided to follow this course of action.

iv) Existing Site - Impact upon Residential Amenity

5.7 I am mindful of the fact that previous attempts to find another site have not been successful and that the process of identifying a suitable alternative has been prolonged. The site is in a predominantly residential area and the temporary permissions have acknowledged the poor location and the inadequacy of the site itself. The complaints and objections expressed by local residents are understandable and Members will no doubt wish to consider whether refusal of the application is now justified in view of the impact of the use upon residential amenity.

5.8 However, the site does provide an important local facility and essential service serving a large catchment area and its closure would inevitably mean an increased incidence of fly tipping and/or waste having to be taken to the nearest existing alternative sites at Wadhurst or Forest Row, some 7-8 miles away.

v) Available Options

- a) closure of existing site without a replacement facility being provided for approximately 3 years;
- b) granting permission for a three year temporary period to allow for development of a new site;
- c) granting permission for a further one year so that the matter can be re-assessed by Members in the light of a progress report on the negotiations in respect of the site under consideration.
- d) requesting the County Engineer to urgently progress an application (subject to satisfactory completion of negotiations on the proposed site) prior to the Local Plan review.

6 CONCLUSION

6.1 Whilst I fully acknowledge that, despite strenuous efforts over many years to find a suitable alternative site, no satisfactory conclusion has been reached, I remain of the view that it would be preferable to retain the existing site and provide an essential local service rather than withdraw the facility without an alternative site being available. I could not recommend option (a) for that reason.

6.2 It would not in my view be acceptable to proceed with option (d) contrary to the views of Wealden District Council.

6.3 I consider option (c) would be preferable to (b), so that Members may be advised of the progress made in respect of the alternative site now under consideration. Accordingly I recommend option (c) for approval.

## **B. SITE AND PROPOSAL**

Site Address: Heathfield Depot A265, Heathfield.  
Proposal: Development of a household waste site at Heathfield Depot, A26.  
Application No. 1372/CC

6.4 The application site is situated on the north-east edge of Heathfield overlooking the Rother Valley, and within the High Weald AONB.

6.5 Proposals for development of the land with a household waste site were fully reported to the Development Control Sub-Committee meeting on 31st October 1990 when deemed permission was granted subject to 8 operating conditions (application 1208/CC). Construction of the site has not yet commenced but the permission remains valid until 31st October 1995.

6.6 The current submission is in respect of the same detailed proposals and there has been no significant change in circumstances which affect the site or your consideration of the previous application. The views of statutory consultees remain the same although Southern Water have requested that an additional drainage conditions be imposed.

6.7 The observations of Wealden District Council are awaited but I would not expect any change in the view expressed previously.

6.8 Accordingly, the application under Regulation 5 can be recommended for approval, subject to the operating conditions attached to 1208/CC.

## **C. SITE AND PROPOSAL**

Site Address: Mountfield (A2100) Near Battle.  
Proposal: Continued use of household waste site.  
Application No. 1373/CC

6.9 The site is located on the eastern side of the A2100, 3 miles north of Battle, close to the railway level crossing and is within the High Weald AONB. The site is well screened from public view, by tree cover along the main road frontage and bunding around the southern and eastern boundaries, formed as part of the now completed landfill development of adjoining land.

6.10 The site has been in operation since deemed permission was granted in 1984 subject to seven operating conditions. Deemed permission under Regulation 5 is now sought to continue the existing use by private contractors; no changes in the site or operations are proposed.

6.11 There are no objections from statutory consultees. Rother District Council's observations are awaited, but I would not expect any objection to be raised to the continued use of the site.

6.12 I consider that the application under Regulation 5 can be recommended for approval subject to those conditions imposed on the original permission 814/CC which are still of relevance.

7 FORMAL RECOMMENDATION

(A) **Herne Road, Crowborough**

7.1 To resolve for the purposes of Regulation 5 (4) and 6 (2) of the Town and Country Planning General Regulation 1976, to authorise the County Planning Officer to authorise development comprising the continued use of the existing household waste site at Herne Road, Crowborough as shown edged in red on the County Engineer's Plan No. WM 9603/21 subject to the following conditions:-

- i) The use of the site for the purposes hereby permitted shall cease on or before 31st August 1993.
- ii) The compactor shall be used only during the times the site is open to the public for not more than a total of 3 hours per day and each operation of the compactor shall not exceed 30 minutes;
- iii) With the exception of the use of the compactor, no process involving the manual or mechanical breaking, dismantling or alteration of materials shall be carried out on the site;
- iv) Detailed proposals for surface water drainage of the site shall be submitted to and be subject to the approval of the County Planning Officer within one month of the date of this permission and all works approved under this condition shall be carried out within six months of the date of the approval of the detailed proposals;
- v) No surface water from the site shall be discharged to any surface water sewer.

8 INFORMATIVE

8.1 To inform the Highways and Transportation Committee of the Sub-Committee's continuing concern about the delay in bringing forward an alternative household waste site facility for Crowborough.

8.2 To request Officers of the Planning Department, the County Highways Department and the District Council to rigorously pursue, with the utmost urgency, the development of a replacement household waste facility which will provide a permanent solution to this problem.

(B) **Heathfield Depot, A26, Heathfield**

8.3 Subject to no material objections being received from Wealden District Council by 16th September 1992, to resolve for the purposes of Regulation 5 (4) and 6 (2) of the Town and Country Planning General Regulations 1976, to authorise the County Planning Officer to authorise development of a household waste site at Heathfield Depot, A26 as shown edged in red on the County Engineer's Plan No. 9673/4B subject to the following conditions:-

- i) Statutory time condition;
- ii) Detailed plans of the office building shall be submitted to and be subject to the approval of the County Planning Officer before the development is commenced;

- iii) Prior to the commencement of development, a landscaping scheme, to include earth mounding and tree/shrub planting around the boundaries of the site, shall be submitted to and be subject to the approval of the County Planning Officer. The agreed landscaping scheme shall be carried out at the first planting season after practical completion of the works, and shall make provision for the removal and clearance from the site and surrounding ditches of all salt, or other harmful materials which may cause pollution of the land;
- iv) Except with the express consent of the County Planning Officer, or in the case of an emergency, the use hereby permitted and vehicle movements in and out of the site associated with the use shall not take place except from 1st April to 30th September of each year between the hours of 7.00 - 21.00 on Mondays to Saturdays inclusive and 9.00 - 21.00 on Sundays, and from 1st October to 31st March each year between the hours of 7.00 - 19.00 Mondays to Saturdays inclusive and 9.00 - 19.00 on Sundays;
- v) This permission shall relate to use of the site as Household Waste Site only, and trade waste shall not be accepted into the site;
- vi) No machinery shall be used on the site unless it has been properly suppressed in accordance with the manufacturer's recommended standard and all such machinery shall be properly maintained to ensure that noise emissions are kept to a minimum;
- vii) Netting shall be secured over all open top bulk containers in use on the site at the end of each working day and shall be removed only during opening hours. Any containers full of waste shall remain netted until removed from the site;
- viii) The site and boundary fencing shall be properly and adequately maintained to ensure that windblown material is kept to a minimum;
- ix) The security fencing shall be constructed in metal painted black;
- x) Detailed proposals for surface water drainage of the site shall be submitted to and be subject to the approval of the County Planning Officer before the development is commenced and the site shall not be used or operated for the purposes of this permission until any such approved works have been completed to the satisfaction of the County Planning Officer.

8.4 If material objections are received from Wealden District Council the application is to be referred back to the next meeting of this Sub-Committee.

**(C) Mountfield, A2100, Near Battle**

8.5 Subject to no material objections being received from Rother District Council by 25th September 1992, to resolve for the purposes of Regulation 5 (4) and 6 (2) of the Town and Country Planning General Regulations 1976, to authorise the County Planning Officer to authorise development comprising the continued use of the existing household waste site at Mountfield, Near Battle, as shown edged in red on the County Engineer's Plan No. WD/2302/1/A subject to the following conditions:-



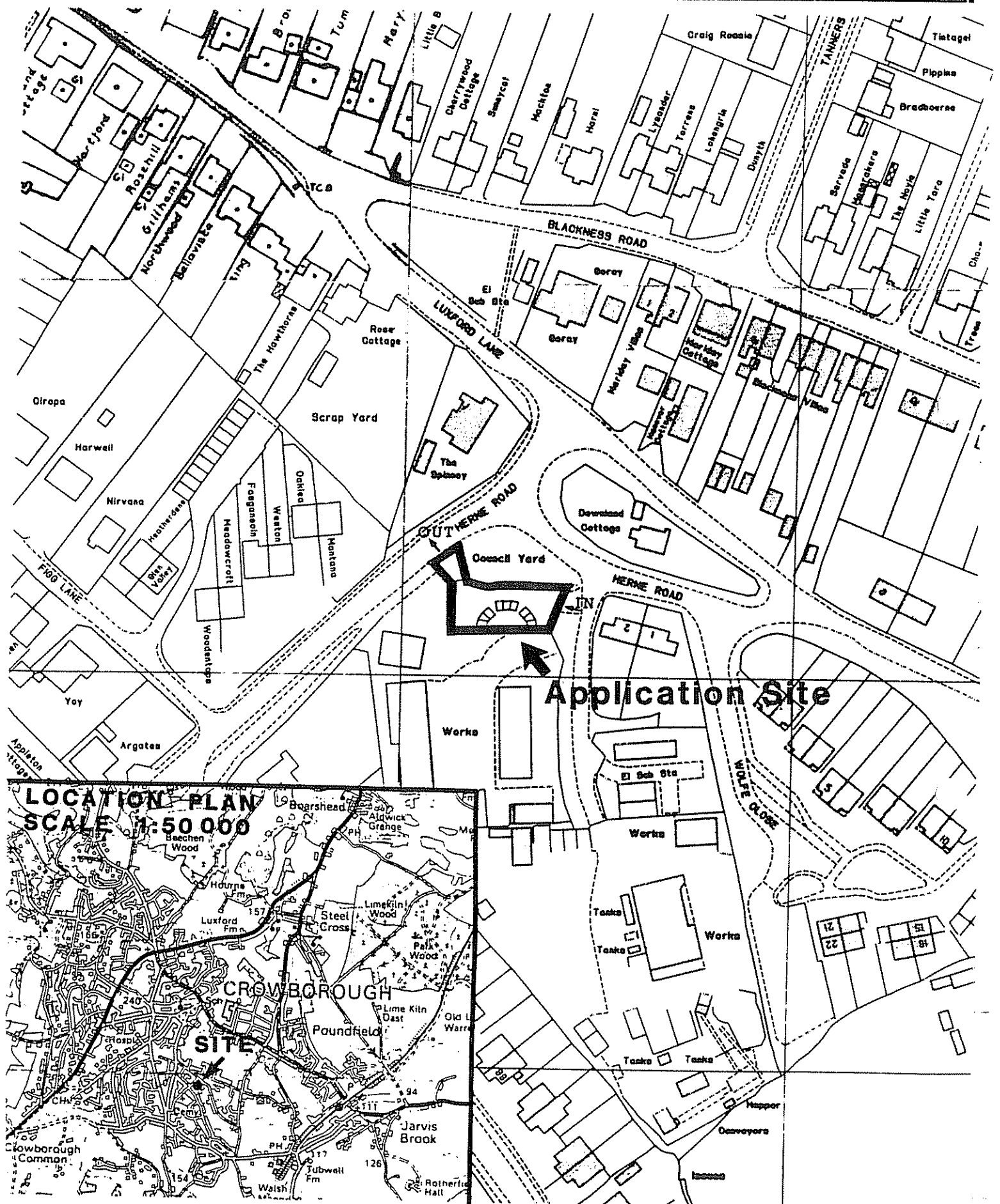
- i) The area hatched green on County Planning Officer's Plan No. 814/CC/A shall be cleared and thereafter kept free of obstruction to the visibility of drivers using the access and the adjoining road;
- ii) No trees within the application site shall be lopped, topped or felled without the prior written consent of the County Planning Officer. Any such trees that are removed, become seriously damaged or die shall be replaced in the next planting season with others of a similar specie.

8.6 If material objections are received from Rother District Council the application is to be referred back to this Sub-Committee.

9 BACKGROUND PAPERS FOR EACH APPLICATION

- (1) Planning Application and Site History.
- (2) Replies from consultees including residential neighbours.
- (3) Internal consultations.
- (4) Policy documents.

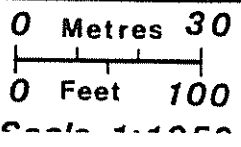
CHRIS M WILLIAMS  
County Planning Officer  
19 August 1992  
DCSUB:WSTSITES  
DGC/sec



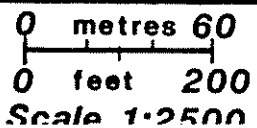
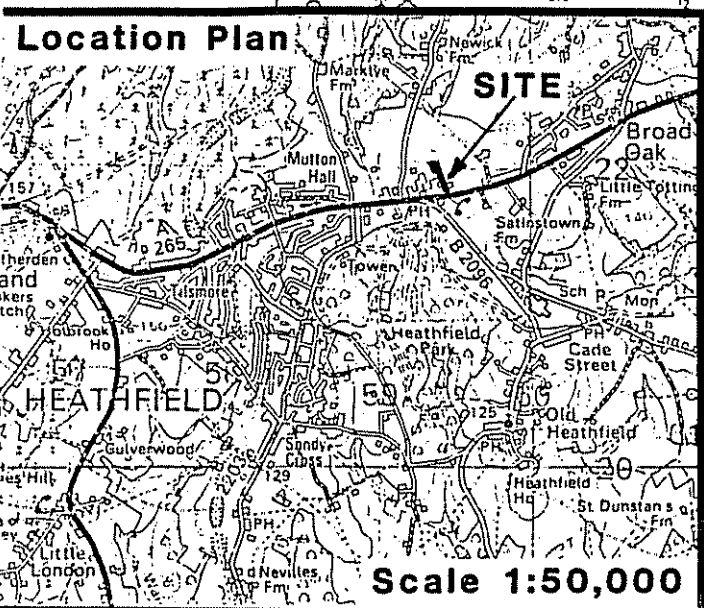
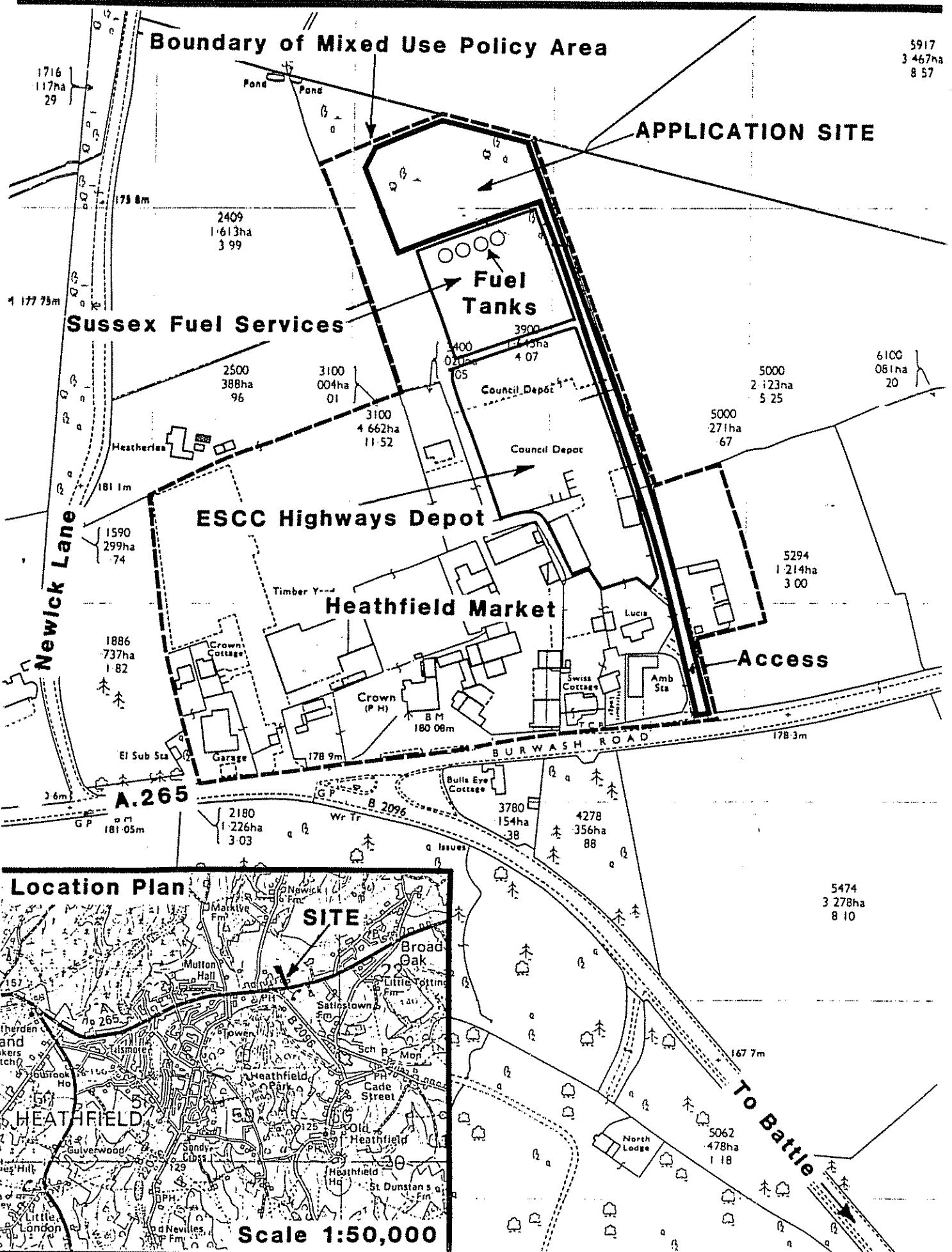
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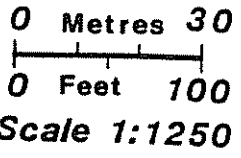
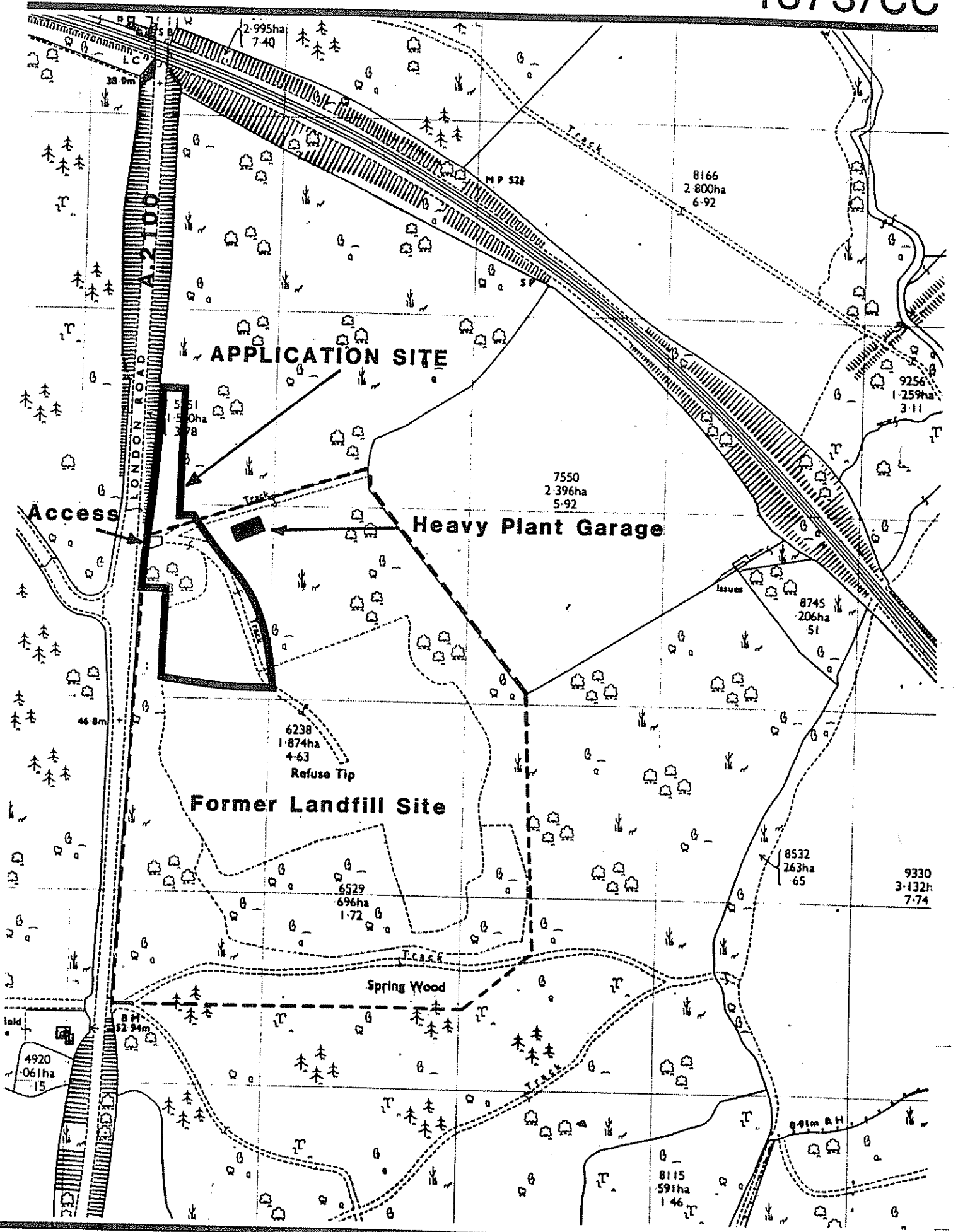
**LOCATION PLAN**  
**SCALE 1:50 000**

**CROWBOROUGH**  
**SITE**



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