

Committee: **Regulatory
Planning and Highways Sub Committee**

Date: **17 October 2001**

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

Proposal: **Continued use of existing waste management facility incorporating sorting and grading of waste with a trommel and processing of hardcore with a crusher and temporary storage of resulting secondary aggregate on site. Ancillary storage of skips and parking of lorries. Use of land for storage of plant in connection with hire business.**

Site Address: **Hazelbank, London Road, Maresfield**

Applicant: **Mr. A. Mitchell**

Application No.: **WD/327/CM**

Key Issues: **i. Scale of Development
ii. Noise**

SUMMARY OF RECOMMENDATIONS

To grant planning permission subject to conditions.

CONSIDERATION BY DIRECTOR OF TRANSPORT AND ENVIRONMENT

1. The Site

1.1 The application site encompasses an existing skip hire and waste transfer operation that is situated on the A22 approximately 1.5 km (1 mile) to the north of Maresfield. The site occupies an open countryside location but is outside the southern edge of the High Weald Area of Outstanding Natural Beauty.

1.2 The surrounding land to the north-east and south-east is open pastureland. On the north western side the site adjoins a densely wooded area known as Old Forge Pit which separates the site from the rear gardens of the residential properties in Old Forge Lane. This wooded area, which is partially within the applicant's ownership slopes steeply away from the site and forms a visual barrier between the site and the dwellings. The distance between the site boundary and the boundary of the nearest residential property is some 60 metres.

1.3 The site is set back some 50 metres from the A22 and is served by a private access road. This siting away from the highway together with the woodland in the area of Old Forge Pit and the higher field level to the south-east provide a well screened location.

2. The Proposal

2.1 At present, the site is operating outside the scope of the existing planning permission and this application seeks to regularise the situation. The key element is the use of a trommel (mechanical sorter) and a crusher. At present, neither machine should be used on site under the terms of the existing permission, which limits site activity to the transfer of wastes. The application must also extend the permission to allow for the storage of the

secondary aggregate that is produced by the crusher. In addition, the application seeks to reorganise the internal layout of the site and includes the extension of the existing soil bay

3. Site History

3.1 The key planning permissions on the site are:

WD/87/2540 – Wealden District Council granted planning permission in 1987 for the storage of skips and skip lorries.

WD/88/2247 – Wealden District Council granted planning permission in 1988 for a workshop.

WD/90/3158(CM) – Waste transfer operations associated with skip hire. Temporary permission granted in 1991.

WD/23/CM – Use of site as waste transfer station. Approved 1993.

WD/69/CM – New loading plinth. Approved 1994.

4. Consultations

4.1 Wealden District Council (Planning) – No objection to the continued use of the site but request conditions to control noise levels. There should be no change to the previous hours of operation or number of vehicle movements.

4.2 Wealden District Council (Environmental Health) – The Environmental Health Officer has confirmed that subject to appropriate conditions the application is acceptable.

4.3 Environment Agency – No objection is raised to the principle of the use. Consideration could be given to prevention of flooding by measures that prevent material falling from the site into the nearby watercourse.

4.4 Highway Authority – No objections although the Highway Authority would not wish to see the aggregate sold directly to the public from the site.

4.5 Southern Water – No objections.

4.6 A total of 15 local residents were notified of the application. To date 4 letter of objection have been received. The key areas of concern are noise, hours of operation and the general intensification of the use.

5. Considerations

Policy

5.1 The proposal is considered to accord with policies W9 and W11 of the East Sussex and Brighton and Hove Structure Plan 1999, which seek to locate waste management proposals in appropriate locations and to reduce the amount of construction industry waste to landfill.

5.2 The Waste Local Plan is currently at the First Deposit stage and therefore policies carry limited weight. However, they do follow on from the approach established in the Structure Plan and policies WLP1, WLP5, WLP13, WLP14 and WLP17 are designed to ensure that recycling and recovery units are provided and in suitable locations. As the proposal represents the retention of an existing waste facility and therefore helps to meet the overall waste strategy and local plan waste management aspirations, the proposal is in general accord with these policies. Policies WLP35-39 are also relevant in that they seek to

ensure that proposals do not have any adverse impacts through such factors as noise, traffic and drainage.

5.3 The appropriateness of this development is determined by its impact on the amenity of the area and its ability to be accommodated physically within the site.

Scale of Development

5.4 The existing site is relatively small and this places a limit on the scale of operations that can take place without causing undue harm to the surrounding area. A key consideration of this application is therefore whether the changes proposed would streamline the operations or intensify them to such an extent that there will be adverse impacts upon the surrounding area. In particular, the impact on highway safety and/or on neighbouring residents will be of greatest concern.

5.5 The Highway Authority have indicated that the scheme as proposed is acceptable and a condition limiting the number of vehicle movements and the prevention of retail sales from the site should be attached to any permission. The issue of noise is discussed in detail below.

5.6 The application also proposes a reorganisation and rationalisation of the internal layout of the site. Part of the works involves the reinstatement of existing bunding, which has been remodelled and used as a haul road. In addition, an area of banking around the entrance to the yard has previously been removed and is now proposed for reinstatement. Although the site is compact, it is considered that if the trommel and crusher are deemed acceptable, then their introduction will improve the overall efficiency of the site without detriment to the surrounding area.

Noise & Disturbance

5.7 The principal impact upon neighbouring residential properties would be that of noise. This issue has been an area of concern with each successive application. Accordingly, it has been necessary for the applicants to prepare a noise survey in support of their proposal. The County and District Council's have undertaken a subsequent monitoring exercise of the site during normal operating conditions.

5.8 It was agreed with the applicants that certain modifications be made to the equipment such as baffling the hopper and applying a bitumen based paint that would reduce the resonance of the steel hopper prior to the monitoring exercise. Noise readings were then taken from around the site and have been assessed.

5.9 The mitigation measures produced a significant improvement in noise levels emitted from the crushing machine. Low frequencies benefited from the attenuation works and the overall effect was a significant improvement. Accordingly, it is considered that subject to certain conditions, the machinery can operate on site without causing a noise nuisance to neighbouring properties.

5.10 Although no formal complaints have been received during the time the crusher and trommel have been on site, officers were aware of the concerns expressed in the letters of representation and were keen to ensure that mitigation measures at this stage reduced the likelihood of complaints in the future.

6. Conclusions

6.1 The site is an established waste management facility and is considered to provide a useful contribution to the reduction and recycling of waste in this part of the County. Accordingly, planning policies would support the development of the site, subject to the scheme not having adverse impacts upon the surrounding area. It is clear from the

responses of the Highway Authority and the Environmental Health Officer that the site can operate successfully without undue harm to the neighbours. Accordingly, a positive recommendation is made.

7. Formal Recommendation

7.1 The Sub-Committee is recommended to grant planning permission subject to the following conditions:

1. Within one month of the date of this permission the site shall be laid out and all excavation and reinstatement works completed in accordance with the approved plan (reference AM/01/1A) received by the County Planning Authority on 30 March 2001. The site shall thereafter be retained and used only in accordance with the approved layout plan with no processing, storage or transfer of waste outside the agreed areas.

Reason: For the avoidance of doubt and to protect the amenity of the surrounding area.

2. No more than one mechanical crusher and one trommel (mechanical sorter) shall be operated on the site at any one time. No other form of mechanical sorting, grading or crushing shall take place on site.

Reason: For the avoidance of doubt and to protect the amenity of the surrounding area.

3. No activity or operation shall take place on site other than between the hours of 07.30 and 17.30 on Monday to Friday inclusive and the hours of 08.00 and 13.00 on Saturdays and at no time on Sunday, Public and Bank Holidays.

Reason: To protect the amenity of the surrounding area and neighbours.

4. The crusher and the trommel (mechanical sorter) shall not operate other than between the hours of 0800 to 17.30 Monday to Friday and 0800-1300 hours on Saturday and at no time on Sundays, Public and Bank Holidays unless with the prior written consent of the Director of Transport and Environment.

Reason: To protect the amenity of the surrounding area and neighbours.

5. During operational hours the level of noise emitted as a result of any activity or operation at the site hereby permitted shall not exceed 5dB(A) above background levels at the nearest property without the prior written agreement of the Director of Transport and Environment.

Reason: To protect the amenity of the surrounding area and neighbours.

6. Any crusher or trommel (mechanical sorter) shall be subject to a noise attenuation scheme prior to being used on site. The scheme shall comprise a rubber lining to all of the hopper/feeder and the exterior of the hopper/feeder shall be painted with a bitumen-based product to reduce the resonance of the hopper/feeder. The noise attenuation scheme shall be fully maintained to prevent it deteriorating and becoming less effective in the reduction of noise.

Reason: To protect the amenity of the surrounding area and neighbours.

7. The number of daily vehicle movements associated with the development hereby permitted shall not exceed 60 skip lorry movements per day (i.e. 30 into the site and 30 out of the site) and 30 other vehicle movements per day (i.e. 15 into the site and 15 out of the site) unless with prior written consent of the Director of Transport and Environment.

Reason: In the interests of highway safety.

8. The site shall not be used for the sale of any waste material stored or deposited on the site or retail sales of any material crushed, processed or sorted on site nor for the sale of any other material, articles or goods.

Reason: For the avoidance of doubt and in the interests of highway safety.

9. No material or skips shall be deposited or stacked on site to a height exceeding 5 metres above the ground level of the site.

Reason: In the interests of the amenity of the area.

10. The site shall not be used for any purpose other than for the incorporating sorting and grading of waste with a trommel (mechanical sorter) and processing of hardcore with a crusher and temporary storage of resulting secondary aggregate on site, the ancillary storage of skips and parking of lorries and the use of land for storage of plant in connection with hire business and for no other purposes whatsoever.

Reason: For the avoidance of doubt.

11. A 2 metre high solid fence along the northwestern boundary of the site shall be retained and so maintained at all times.

Reason: In the interests of the amenity of the area.

12. Within 2 months of the date of this permission a scheme to control the emission of dust shall be submitted to and approved in writing by the Director of Transport and Environment. The approved scheme shall be fully implemented and thereafter maintained.

Reason: To protect the amenity of the surrounding area.

13. No burning of waste, including the use of braziers, shall take place on site.

Reason: For the avoidance of doubt.

The Development Plan policies of relevance to this decision are:

East Sussex and Brighton and Hove Structure Plan 1999: Policies W9 and W11.

East Sussex and Brighton and Hove Waste Local Plan Deposit Draft 2000: Policies WLP1, WLP5, WLP13, WLP14 and WLP17.

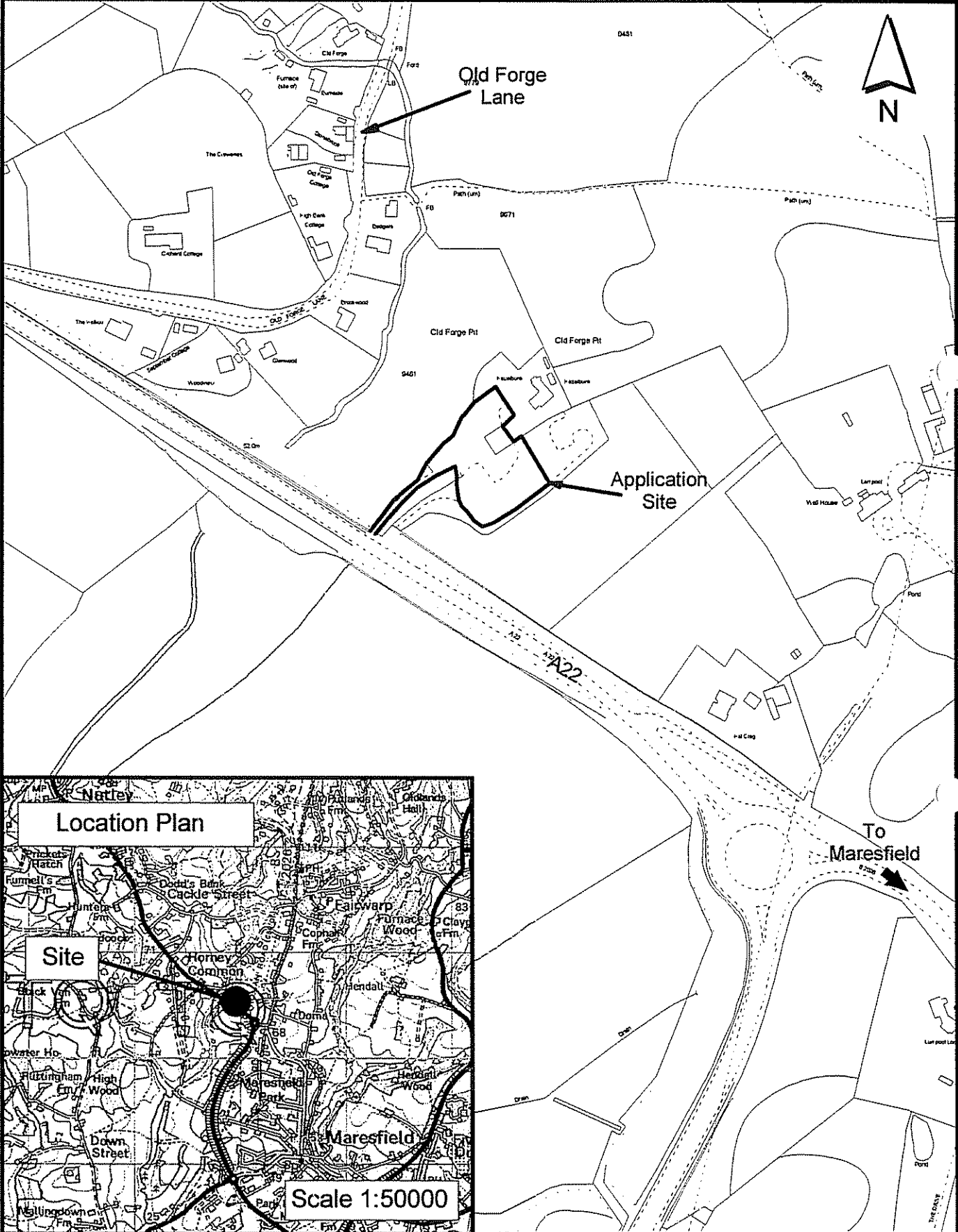
BOB WILKINS
Director of Transport and Environment
10 October 2001
P&HSUB:P17October-WD327CM

Contact Officer: Stewart Glassar Tel. No. 01273 481595
Local Member: Councillor Reid

BACKGROUND DOCUMENTS

Planning Application Files: WD/327/CM, WD/23/CM, WD/69/CM.

WD/327/CM

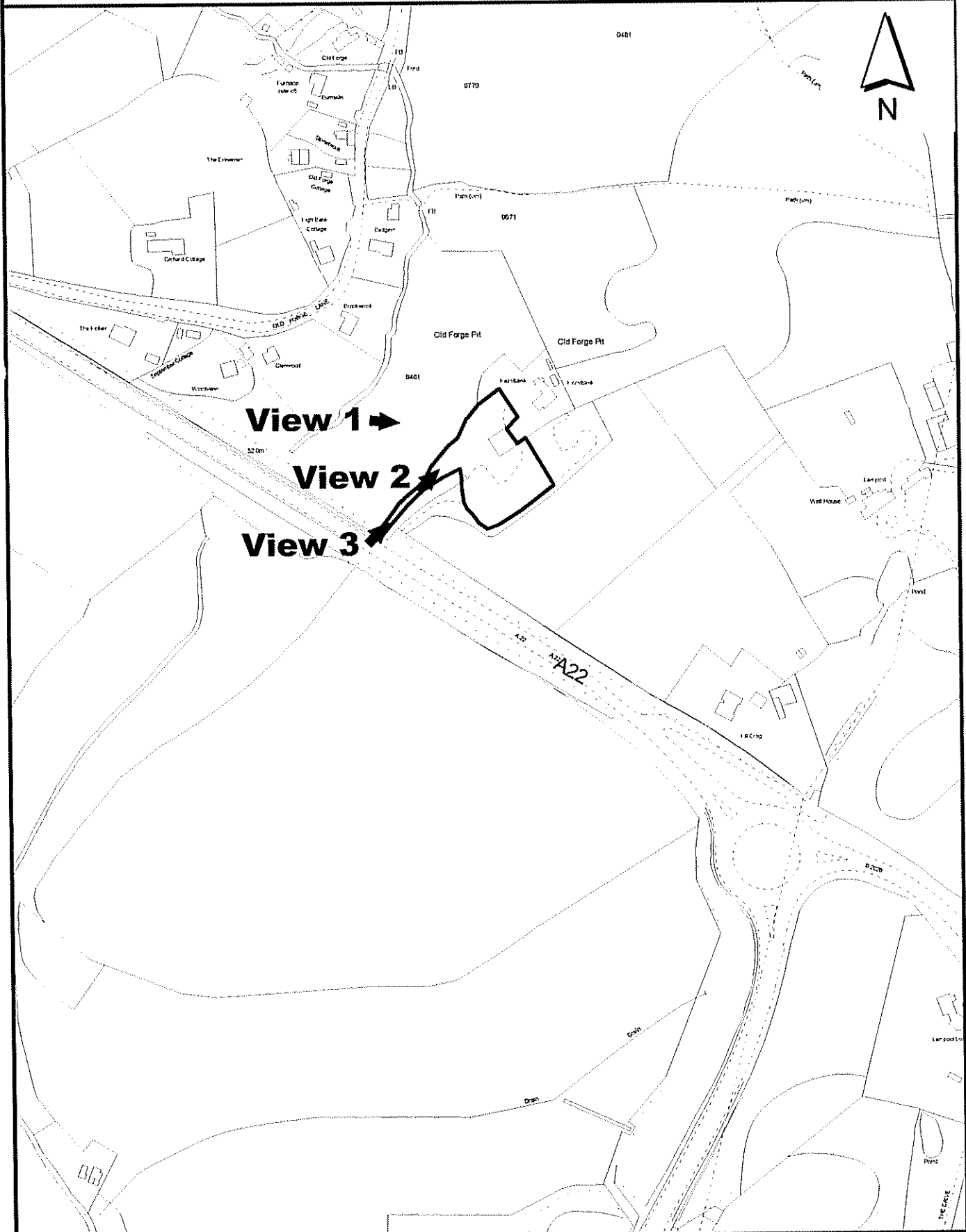


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Agenda item 7 WD/327/CM
Hazelbank, London Road, Maresfield



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