

URS

Brightling and Mountfield Mines MR/6

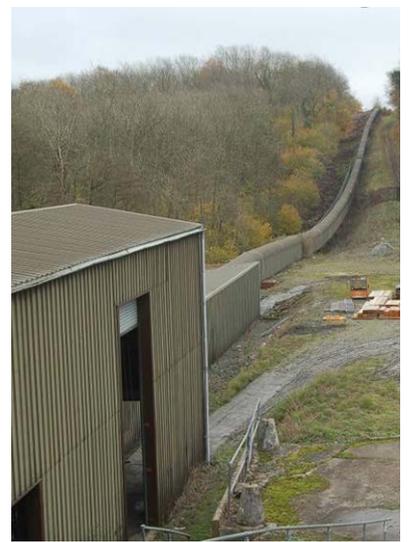
Supporting Statement
Environment Act 1995
ROMP Review

March 2013

47062840

Prepared for:
British Gypsum

UNITED
KINGDOM &
IRELAND



REVISION SCHEDULE					
Rev	Date	Details	Prepared by	Reviewed by	Approved by
1	February 2013	Draft	Sarah Martin Planning Consultant	Chris Nicoll Principal Planner Minerals and Waste	Chris Nicoll Principal Planner Minerals and Waste
2	March 2013	Final	Sarah Martin Planning Consultant	Chris Nicoll Principal Planner Minerals and Waste	Chris Nicoll Principal Planner Minerals and Waste

URS Infrastructure and Environment and UK Ltd.
 Royal Court
 Basil Close
 Chesterfield
 Derbyshire
 S41 7SL

Copyright

© This Report is the copyright of URS Infrastructure & Environment UK Limited. Any unauthorised reproduction or usage by any person other than the addressee is strictly prohibited.

CONTENTS

Application Form and Certificates Supporting Statement

APPLICATION FORM AND CERTIFICATES

SUPPORTING STATEMENT

TABLE OF CONTENTS

	APPLICATION FORM AND CERTIFICATES	5
	SUPPORTING STATEMENT.....	6
	PLANS FOR WHICH APPROVAL IS SOUGHT	10
	LIST OF ABBREVIATIONS.....	11
1	EXECUTIVE SUMMARY	12
2	INTRODUCTION.....	13
2.1	Scope and Format.....	13
2.2	Content	13
2.3	Environmental Impact Assessment	13
2.4	Design and Access Statement	14
2.5	Copies	14
2.6	Outline of the Scheme.....	14
2.7	About the Applicant.....	14
3	THE SITE AND SURROUNDINGS.....	16
3.1	References.....	16
3.2	Site Location and Access	16
3.3	Historical Context	16
3.4	Site Context and Geology	17
3.5	Adjacent Land Uses.....	17
3.6	Statutory and Non-Statutory Designations	17
3.7	Planning History	18
4	CONTROL OVER OPERATIONS.....	19
4.1	Introduction	19
4.2	Reserves and Output.....	19
4.3	Timescale (Duration)	19
4.4	Operating Hours.....	20
4.5	Access and Highways	20
4.6	Site Operations	20
4.7	Blasting.....	21
4.8	Waste.....	21
4.9	Staffing.....	21
4.10	Water Management	21
4.11	Flooding Risk	22
4.12	Woodland Management.....	22
4.13	Noise and Dust.....	23
4.14	Removal of Mine Shafts and Drifts	23
4.15	Restoration	24
4.16	Aftercare and Management Plan	24
4.17	Proposed Conditions.....	25

4.18	Environmental Permit.....	25
5	PLANNING POLICY	26
5.1	Introduction	26
5.2	Relevant Changes in Planning Policy and Material Considerations since the initial ROMP review (1998)	26
5.3	Development Plan.....	26
5.4	Material Considerations	27
5.5	Relevant Development Control Policies.....	27
5.6	Conclusions	28
6	SUMMARY AND CONCLUSIONS	29
6.1	Introduction	29
6.2	Benefits.....	29
6.3	Environmental Impact	29
6.4	Development Plan and Material Considerations	29
6.5	Conclusion	30
	PLANS	31
APPENDIX A	SCHEDULE OF CONDITIONS MR/6.	
APPENDIX B	SCHEDULE OF CONDITIONS MR6 – REVIEW AND PROPOSED CONDITIONS.....	
APPENDIX C	PHOTOPLATES.....	
APPENDIX D	BRIGHTLING MINE VISITOR’S GUIDE.....	
APPENDIX E	ENVIRONMENT AGENCY SURFACE WATER DISCHARGE CONSENTS.....	
APPENDIX F	EAST SUSSEX CC EIA SCREENING OPINION ..	

LIST OF PLANS

Reference	Title	Scale	Revision
47062840.001	Location Plan	1:50,000 (A4)	
47062840.002	Planning Boundaries and Land Ownership	1:20,000 (A1)	
47062840.003	Protected Site Designations	1:20,000 (A1)	
BR1/104/JPE	Plan 2a: Brightling Mine Surface Layout	1:2500 (A3)	
BR1/105/JPE	Plan 2b Willingford Shaft	1:1250 (A3)	
BR1/106/JPE	Plan 2c Stonehouse Shaft	1:1250 (A3)	
BR1/107/JPE	Plan 3 Brightling Mine Structures to be Removed	1:1250 (A3)	
BR1/109/JPE	Plan 5a Mine Development Plan No.4 Seam	1:10,000 (A1)	
BR1/110/JPE	Plan 5b Mine Development Plan No.1 Seam	1:10,000 (A1)	
BR1/111/JPE	Plan 6 Mountfield Mine – abandoned mine workings	1:10,000 (A1)	
BR1/112/JPE	Plan 7 Brightling Mine - Structures to be Removed	1:2500 (A3)	
47062840.007	Mountfield Mine – Restoration Master Plan	1:2500 (A3)	
47062840.009	Brightling Mine - Restoration Master Plan	1:1000 (A3)	

LIST OF ABBREVIATIONS

AONB	Area of Outstanding Natural Beauty
EIA	Environmental Impact Assessment
EA	Environment Agency
ESCC	East Sussex County Council (the MPA)
MPA	Minerals Planning Authority
ROMP	Review of Minerals Planning Permission
SNCI	Site of Nature Conservation Interest
SOS	Secretary of State
SWT	Suffolk Wildlife Trust
SSSI	Site of Special Scientific Interest

1 EXECUTIVE SUMMARY

British Gypsum have received notice from East Sussex County Council (ESCC) (acting in their capacity as Mineral Planning Authority (MPA)), to submit a Review of Old Mineral Planning Permission (ROMP) application for the determination of planning conditions under the Environment Act 1995 (the Act). The application relates to Mountfield and Brightling Mines near Robertsbridge and is the first 'periodic review' of planning permissions references (and year of issue):

- A/48/404 (1948)
- A/55/318 (1955)
- RR/79/1364 (1979)
- RR/80/182 (1980).

The conditions relating to these applications were consolidated through an 'initial' review into a schedule of conditions referenced MR/6 issued in 1998. The aim of the ROMP is to establish a modern set of planning conditions to govern future development at the mines.

There are no proposals in this review for extending the area of the mineral workings, any new buildings, or changes to existing operations. The application does provide additional details regarding the final restoration at the surface mine sites, and proposes an extension to the end date of the permission as limited by the Act (2042). As part of the review procedure this submission therefore includes British Gypsum's proposed set of operating conditions.

An application for a determination of conditions for an active mining site differs from a normal application for planning permission, in that the principle of the development is not at question. The approval is not therefore a grant of a new planning permission merely a new schedule of planning conditions i.e. the original planning permissions (referenced above) still exist, all be it the conditions attached to them have will have been updated and replaced. It can be noted that MR/6 (enclosed at Appendix A) is incorrectly titled as a planning permission, it only constitutes an approved schedule of conditions.

The planning permissions to which the ROMP relates is for underground working and some above ground infrastructure to facilitate mineral working. The Robertsbridge plaster board factory and other ancillary activities to the mine that are covered by separate planning permissions are not included in the review. Planning permissions RR/85/81 (1985) and RR/90/254 for the construction of an overland conveyor also falls outside the scope of the review.

The Site falls within the administrative area of East Sussex County Council and this application is submitted to this body for determination in its capacity as Mineral Planning Authority.

2 INTRODUCTION

2.1 Scope and Format

This Supporting Statement has been prepared in respect of a Review of Mineral Planning Permission (ROMP) application for the determination of mineral planning conditions made under the Environment Act 1995 (the Act).

The application relates to the consolidated workings of Brightling and Mountfield gypsum mines near Robertsbridge see site location plan **47062840.001**.

The surface area occupied by the two mine sites is a fraction of that permitted for extraction underground. The sub-surface boundary of the permitted mine workings are defined by the original permissions and now detailed by schedule of conditions 'MR/6' ('the Conditions') and is so identified on plan **47062840.002**.

For the purposes of the Act, the mines are considered 'active' and this application is the 'first periodic review'.

For the avoidance of doubt there are no proposals for new or additional development at the Site in this review or for significant changes to existing operations: only to provide additional details regarding the final restoration, an extension to the end date of the permission to the end date allowed by the Act, and to propose a set of modern operating conditions as British Gypsum are legally required to do under the Act. As part of this review procedure this submission therefore includes British Gypsum's proposed set of operating conditions for consideration by the MPA (see **Appendix B**).

For the purposes of this Supporting Statement – the proposed ROMP conditions and the scheme of operations/development they control (i.e. continuation of the existing activities and subsequent restoration) are hereinafter referred to collectively as 'the Scheme'.

An application for a determination of conditions for an active mining operation differs from an application for planning permission, in that the principle for development is not at question. The review procedure is designed so that the site in question is operated and restored in accordance with a modern set of operating conditions.

The Site falls within the administrative area of East Sussex County Council (ESCC) and this application is submitted to this body for determination in its capacity as Mineral Planning Authority (MPA).

A full description of the Site and the Scheme are provided in Sections 3 and 4 of this Supporting Statement.

2.2 Content

The ROMP application comprises:

- the completed application forms and certificates;
- this Supporting Statement; and
- the plans and drawings listed in the schedule in the introduction to this Supporting Statement for which approval is sought.

2.3 Environmental Impact Assessment

Following a request by URS on behalf of British Gypsum an Environmental Screening Opinion was received from ESCC dated 19 November 2012 which concluded that the submission did not constitute development requiring an Environmental Impact Assessment (EIA). This is included in Appendix ??

2.4 Design and Access Statement

A requirement for planning applications to be accompanied by a Design and Access Statement was introduced under Section 42 of the Planning and Compulsory Purchase Act 2004 and the enabling Order that took effect in August 2006.

Article 4C of the Town and Country Planning (General Development Procedure) Order 1995 (as amended) sets out the various categories of planning applications to which the above requirement does not apply. Applications for 'mining operations' are one of these exclusions.

It follows that a Design and Access Statement is not required in connection with this ROMP application.

2.5 Copies

Hard Copies of this ROMP application are available from British Gypsum at the following address at a cost of £25 per set. Electronic copies in Adobe Acrobat format on CD are available at the same address at a cost of £5 each.

Mr Jeremy Elvins
British Gypsum
Geological & Mining Services Dept.
East Leake
Loughborough
LE12 6HX

The planning application documents are available for viewing at the MPA offices, County Hall, St Anne's Crescent, Lewes, East Sussex, BN7 1UE.

2.6 Outline of the Scheme

Fundamentally the Scheme will follow existing operational practices at the Site, with no material development or intensification of operational practices already allowed by the permission.

Operations and facilities include:

- continued extraction of gypsum and anhydrite by underground pillar and stall method;
- an end date to all operations of February 2042;
- bringing gypsum and anhydrite to the surface via Brightling mine drifts only;
- underground storage and processing at Brightling mine;
- above ground processing (if necessary) at the Mountfield mine site only;
- day to day operations in accordance with schedule of conditions MR/6; and
- final restoration of the mine sites in accordance with the Restoration Master Plans submitted in this Supporting Statement, subject to details to be submitted for approval.

2.7 About the Applicant

British Gypsum is the country's leading manufacturer and supplier of gypsum-based plastering and drylining solutions. With its headquarters at East Leake in Leicestershire, the Company currently has five major manufacturing plants in the UK, including the Robertsbridge works in East Sussex.

The Robertsbridge works operates an Environmental Management System certified to BS EN: ISO 14001:2004 standard by BSI (Certificate No: EMS 550620).

2.7.1 *Land Ownership*

The extent of land ownership(surface) and planning boundaries relating to conditions MR6 is shown on plan **47062840.002**. The boundary reaches to Poundford Farm in the north-east, Dallington in the south-east, Lover Gate Farm in the south-west and Botton Hold Wood in the north-west.

2.7.2 *Local Operations, Employment and Development Context*

British Gypsum has shown strong commitment to the Brightling mine operation with major investment in the mine and in plant, including the overland conveyor. This contribution is recognised in the East Sussex Mineral Local Plan.

The mineral related operations at Robertsbridge and the Mountfield/Brightling mine constitute one of the largest industrial enterprises in East Sussex. Over 200 people are currently employed (about 17 in the mines directly), with additional contract haulage drivers. The employment opportunities provided foster both the traditional local skill set and local culture. The operations remain a very important source of employment in the Rother and Hastings area.

3 THE SITE AND SURROUNDINGS

3.1 References

For referencing purposes the following definitions have been adapted and are utilised from this point onwards and as defined on the enclosed plans:

- the Site comprises the area of the various planning permissions subject of review, as identified of plan **47062840.002** amounting to some 26km² of consent and operations of underground gypsum mining.
- the Surface Operations comprise the mine management facilities at Brightling Mine and the retained land at the abandoned and part restored Mountfield Mine, Robertsbridge.
- the Conditions i.e. consent MR/6 (see Appendix B).
- the Act the Environment Act 1995.
- Mountfield Mine the now abandoned mine site at Robertsbridge.
- Brightling Mine the surface mine site as detailed on plan **BRI/104/JPE**.
- the Overland Conveyor approved by permissions RR/85/51 and RR/90/254 that connects Brightling Mine to the Mountfield Mine site on which gypsum is transported.

3.2 Site Location and Access

The Brightling and Mountfield Mines comprise (in combination) the underground extractive element of BG's Robertsbridge gypsum works which is located 8km north of the village of Battle and west of the A2100 in the east of East Sussex as indicated on plan **47062840.001**.

Mountfield Mine is accessed by road from the A21 via the Robertsbridge works. The manufactured end products are exported by HGV from Robertsbridge works. The Robertsbridge works are also connected via a dedicated branchline to the Hastings to Royal Tunbridge Wells railway. The factory sidings are used extensively for transporting goods onto site. Brightling Mine is only accessible by road via minor roads south of Etchingham and the A625, HGV export of minerals from the site is prohibited by the existing planning conditions that govern the site operations.

The mines fall entirely within the administrative boundary of East Sussex County Council (ESCC) as MPA. The mine sites also fall within the national landscape designation of the High Weald Area of Outstanding Natural Beauty (AONB). The rolling wooded landscape undulates between the 100m and 160m above Ordnance Datum (AOD) contours and is sparsely populated.

3.3 Historical Context

Gypsum mining in Sussex can be traced back to the late 19th century when the Mountfield Mine, first began operating with operations on the site including gypsum mining and its processing into plasterboard at the Robertsbridge works. A summary of the history of the mines is enclosed at Appendix D.

As the available gypsum reserves at the Mountfield mine began to be depleted a second mine at Brightling was opened in 1963. Material was transported from Brightling mine for processing by an aerial ropeway spanning the 3.5 mile distance between the two mines. The ropeway was replaced by an overland electric conveyor system along much the same route in 1986.

At its height, output from the mines approached 1 million tonnes per annum (tpa). However, with the closure of the Mountfield Mine and a reduction in demand, due to a

switch to use of synthetic gypsum produced by the flue gas desulphurisation process at coal fired power stations, output has dropped to approximately 150,000 tpa.

Mine working ended at Mountfield Mine in 1990 and the workings were formally abandoned in 1998 (see plan **BR1/111/JPE**). The mine entrances have been filled, sealed, removed or otherwise made safe. The majority of the mine buildings at the site have been removed and the area is being restored via the importation of soil materials under a separate planning permission RR/679/CM dated 17 April 2012.

Two separate ventilation shafts at Stonehouse and Willingford are in use to aid clean air circulation of the Brightling mine workings, see plan **47062840.002** and insert detail on **Plan 2b (Willingford)** and **Plan 2c (Stonehouse)**.

3.4 Site Context and Geology

The extent of the underground extractive element of the gypsum works comprise both Brightling and Mountfield Mines, all be it that working from Mountfield has now ceased and the mine abandoned. The surface extents of the mine workings comprise only a very small proportion of the approved underground mineral workings. The underground workings presently extend to some 6.5km² of the total approved consented area of some 26km².

Mining itself is restricted within this large area to specific local districts. Two main seams have been worked No.1 and No.4 separated by calcareous shales (see Appendix D for geological section and working methods).

The mine workings lie between 100m and 300m below ground level and work gypsum/anhydrite seams at the base of the Upper Jurassic Lulworth Formation.

3.5 Adjacent Land Uses

The general area is very sparsely populated with isolated farmsteads and occasional hamlets predominating. The Robertsbridge works is the main industrial site in the area.

Brightling and Mountfield Mines are located in a rural location, in rolling hills typical of the Weald boarded by extensive tracks of mixed (mainly deciduous) woodland incised by deep valleys, falling within the designated High Weald AONB.

Locally the active surface mine at Brightling is set wholly within extensive dense woodland and comprise a series of low level buildings. With one exception there are no residential properties within 400m, and no Public Rights of Way (PRoW) within 200m. The exception is a Company owned property adjacent the access road 'Little Perrymans' some 200m from the main site. The Site location is therefore isolated in the landscape.

The area of the permission illustrated on plan **47062840.003** includes three habitat areas designated as Sites of Special Scientific Interest (SSSI); Darwell Wood, Dallingon Forest and Willingford Meadow. Due to the depth of underground working, the mines have no effect upon these designated areas.

Both Brightling and Mountfield Mines are considered by the EA to be outside areas considered at risk from flooding. The EA also do not designate any part of the mine workings as being within a Groundwater Source Protection Zone or the geology as an aquifer (Principal or Secondary).

3.6 Statutory and Non-Statutory Designations

The following designations have been identified within the consented area (see plan **47062840.003**).

- Glottenham Castle Scheduled Monument

- Darwell Wood, Dallington Forest, Willingford Meadow and River Line SSSI

3.7 Planning History

Planning permission for mining operations at Brightling and Mountfield Mines were approved via four separate consents (and year of issue):

- A/48/404 (1948)
- A/55/318 (1955)
- RR/79/1364 (1979)
- RR/80/182 (1980).

The areas of which are indicated on plan **47062840.002**.

In 1998 a consolidated schedule of planning conditions was approved by the MPA as an Initial Review under the procedures of Schedule 3 of the Act). The issued consolidated conditions (decision notice reference MR/6) now fall subject to a First Periodic Review on the 15th anniversary of the date of the Initial ROMP determination i.e. 26th March 2013. The schedule of conditions with analysis is attached as **Appendix B**.

Other development at the Site is covered by separate planning permissions and are not subject to the review, this includes the permission for the conveyor linking Brightling Mine to Mountfield Mine and thus the Robertsbridge works ref. RR/85/51 and RR/90/254.

The majority of the mine buildings at Mountfield Mine have been removed and the area is being restored along with ancillary mine area through the importation of soil materials and habitat establishment under a separate planning permission RR/679/CM dated 17th April 2012.

Planning permission was also granted on land previously forming part of Mountfield Mine for the storage of imported desulphurised gypsum (DSG) for a period of ten years permission ref. RR/678/CM dated 23rd February 2012. Restoration details for this area are to be determined at a later date by prior approval via condition.

4 CONTROL OVER OPERATIONS

4.1 Introduction

The Scheme proposes the continuation of working of the Site until the exhaustion of gypsum reserves followed by final restoration. At the present rate of output extraction will continue for at least 30 years. The Act currently requires for a revision of conditions every 15 years thus the proposed conditions and the Scheme will be reviewed at least twice before completion of operations at the current rate of production.

The proposed conditions can be seen at Appendix A and are discussed below. The conditions regulate the following issues:

- scope of the permission;
- duration of the permission;
- restoration and aftercare;
- transportation of minerals;
- blasting and vibration;
- access;
- winning and working of the mineral; and
- import of waste to the Site.

The remainder of this section describes the Scheme imposed by the proposed conditions in detail (not in the order set out above).

4.2 Reserves and Output

There are two seams which remain to be fully extracted. Number 1 and number 4 seam.

- Number 1 seam has circa 10 million tonnes of Mill Rock remaining.
- Number 4 seam has circa 5 million tonnes of Mill Rock and circa 40 million tonnes of lower grade Cement Rock remaining. Current mining operations are restricted to number 4 seam only.

Total mine output in the 1980s reached 1Mt per annum. In recent years output has fallen significantly due to the increase in alternative gypsum sources, most notably 'desulphogypsum' from coal fired power stations, a by-product of cleaning emission gases with limestone. It is likely that output levels will rise in coming years as coal fired power generation is replaced by 'greener' sources – nuclear, biomass, wind and gas fired power generation resulting in reduced availability of DSG. The reserves available are sufficient to allow continued working for at least 30 years.

MR/6 places no limit on the rate of extraction. However, the rate is physically limited by the capacity of plant and machinery employed, together with the numbers of staff employed and hours worked. The requirement to maintain safe working conditions and staffing. It is considered unlikely that the previous maximum of 1Mtpa will be exceeded in this review period.

4.3 Timescale (Duration)

The review proposes that the duration of the development is extended to 21st February 2042 (from March 2023) the final limit prescribed by the Act, in order that the remaining mineral reserve can be fully worked and reflects the status of the Site as a strategic source of gypsum for the south-east (and UK as a whole) with

extensive proven reserves remaining and little environmental impacts arising from the workings.

4.4 **Operating Hours**

The Scheme does not propose any changes to the current hours of operation.

The Permission currently limits blasting operations so that they shall not take place on Sundays or Bank/Public holidays without prior written approval of the Director of Transport and Environment.

The mine presently works a single day shift, additional shift working will be introduced if demand required.

4.5 **Access and Highways**

Brightling Mine

Brightling Mine is accessed via an unnamed road which is maintained by ESCC Highway Division, either from the village of Burwash, or via Willingford crossroads, near the Brightling Observatory. Access to the mine buildings and offices is located off this road via a private road maintained and operated by British Gypsum.

The two ventilation shafts are accessed via private access routes roads as indicated on plan **47062840.002** and Plan 2b (Willingford) and 2c (Stonehouse).

Mountfield Mine

The Site is only accessible from the main A2100 trunk road, via a private road, that is maintained by British Gypsum. This private road leads to the Robertsbridge works and the former mine site, access is controlled by site staff at the weighbridge.

All road routes will be maintained under the Scheme unless removed and restored when no longer required.

4.6 **Site Operations**

4.6.1 ***Surface Operations***

Brightling Mine

The land utilised for surface operations at Brightling Mine comprises about 2.5 hectares of forest clearing within Rounden Wood set within a local fold in topography. The majority of the development is taken up with the storage of materials used in the mine, mine offices, welfare, training and administration, car parking hard standings and similar ancillary buildings.

Mountfield Mine

Once an extensive mining operation with both vertical shafts and inclined adits, steam powered machinery and a large array brick buildings, very little remains to indicate the presence of the former mining operation. The operations are restricted to storage of processed material before loading and export off site or further processing in the Robertsbridge plant.

4.6.2 ***Underground Operations***

Brightling mine has always been worked by traditional methods of pillar and stall with regular small scale blasting to release the rock from the mine face. This mining method means that artificial methods of mine roof support are not required and the likelihood of rock fall or subsidence over the very long term is very low as the workings are geotechnically designed at a factor of safety of 3 when dry and 2 when

ultimately flooded. Both cement rock gypsum/anhydrite mix and higher quality Mill Rock gypsum are mined at Brightling.

The mined material is crushed underground near to the face and the brought through the workings to the surface by conveyor. Storage silos have been constructed underground, these feed directly onto the overland conveyor, the overland conveyor is fully enclosed above ground.

The covered overland conveyor delivers crushed mine product to the Robertsbridge/Mountfield site for loading for export (cement rock) or further processing within the Robertsbridge factory (Mill Rock).

The room and pillar method of mine working employed at the Site is a tried and tested method that retains approximately 25% mineral in situ to provide pillars of support to a grid like pattern. The size of pillars are designed based on geotechnical testing, pillar sizes increase in line with the depth of workings. The Robertsbridge mine has a very successful safety record and the risk of accident or any surface subsidence is considered very low.

The phasing of future working across the four review permissions is identified plans **BR1/109/JPE** (No.4 seam) and **BR1/110/JPE** (No.1 seam). The workings will generally progress in a westerly and southerly direction. Generally speaking no more than two separate districts will be developed at any one time.

Mine security and health and safety are the key focus of mine operations. All visitors and employees are required to undergo specific training before being allowed underground. Mine entrances are very secure and 24hr CCTV security is in operation 365 days per year.

4.7 Blasting

Blasting is undertaken after drilling of ~30 short (2 – 3m), small diameter (~50mm), horizontal holes into the advancing mine face. These holes are charged with ANFO (Ammonium nitrate mixed with fuel oil) and fired using electric detonators. The blast is fired using delays between groups of holes to reduce the maximum instantaneous charge, this results in reduced ground vibration. Blasting is normally scheduled to take place daily, the number of blasts are proportional incrementally to the mine production levels, unlike quarry blasting it is not possible to blast large tonnages in one go. The depth of the workings and small charge weights means blast vibration is rarely detectable at the surface, well below both the planning limits and levels at which even cosmetic damage would occur to properties.

4.8 Waste

No mining waste is produced by the mining process, any deminimus amount (e.g. fines from beneath conveyor belts) is retained underground. There is no need for washing or the provision of a tailings lagoon for instance. Recovery efficiency is therefore effectively 100%.

4.9 Staffing

It is envisaged that the mines will continue to provide direct employment for c17 people and a further 150 Works employees at the Robertsbridge Works.

4.10 Water Management

Brightling Mine

Brightling Mine workings are in the main worked in a dry state without substantial water ingress. Some small volumes of mine water do seep into the active workings. The water is pumped to the surface, via a pipe range through one of the adits where it

is released into an unclassified stream that flows beneath the mine office complex, joining the Socknersh stream.

The discharge for mine water is regulated by the EA and operated in accordance with Discharge Consent ref K00034. A copy of the consent is included at Appendix E..

It is anticipated that on the completion of mining the natural slow ingress of groundwater through percolation will continue, as the pillars in Brightling Mine have been designed to be stable in wet or dry conditions, this does not present a problem on cessation of working/pumping.

Mountfield Mine

Mountfield Mine has ceased and the mine has now been formally abandoned. A scheme is currently in place whereby mine water is pumped to the surface via a borehole sunk into the mine. Once the mine water reaches the surface it is discharged into the River Line.

The discharge for the mine water is regulated by the Environment Agency and operated in accordance with Discharge Consent P06248. A copy of the consent is included at Appendix E.

4.11 Flooding Risk

Both mine sites are recorded by the EA website as lying within Flood Zone 1 (flooding from rivers and sea is very unlikely with less than 0.1% or 1 in 1000 chance of flooding each year). Neither site has any known record of flooding in the past.

The planning permissions allow development over a very large extent of land. However, all but a very small percentage relates to underground working some 100-300m below ground level which are not considered to form a risk to downstream or upstream flooding due to the generally dry nature of the mining operation.

No new development is proposed either above or below ground which would interfere with natural drainage patterns prior to restoration. The restoration schemes for the two surface mine sites includes removal of all remaining hardstanding and infrastructure with only minor soil/land regrading to tidy the operational areas. As a result there is not anticipated to be any impacts on the wider land drainage system and therefore the increased risk to or from flooding as a result is considered nil.

4.12 Woodland Management

The Brightling Mine complex is situated within woodland known as Rounden Wood within the designated High Weald AONB. The land owned by British Gypsum has considerably reduced since the 1970's, nevertheless British Gypsum still seeks to actively promote and manage its woodland areas. To this end there is a continuous policy of maintaining existing woodland through active coppicing and clearance of trees and shrubs, where necessary areas are re-planted.

British Gypsum carries out woodland management schemes, which are agreed with the Forestry Commission and where appropriate the local Parish Council are also consulted.

As part of British Gypsum's commitment to managing its woodland, the revenue it receives from the sale of coppiced timber is used to finance new tree planting and carry out remedial work on existing areas.

The Mountfield Mine complex is situated within woodland known as Great Wood and Limekiln Wood.

A report of the woodland around Brightling Mine was carried out by Sussex Wildlife Trust which recommended that the woodland should constitute a Site of Nature

Conservation Importance (SNCI) (a local recognition of ecological merit rather than any statutory protection).

The land used for mineral operations falls outside of the SSSI at Mountfield, which have not been subject to any industrial operations.

4.13 Noise and Dust

The development subject of this Review consists of underground mining operations, and therefore does not result in any discernable impact in terms of noise or dust at the surface. Stockpiling of mined material off the overland conveyor at the Mountfield Mine above ground site is done in selected locations remote from residential properties, the majority of material is stockpiled undercover or fed directly into the factory.

4.14 Removal of Mine Shafts and Drifts

Mountfield Mine

The main access to Mountfield Mine, an inclined drift and a second drift provided to ventilate the mine and a means of escape, have now been filled with inert material and the entrances sealed. Three shafts, used for ventilation and water pumping, have also been filled with inert material and a 1.0m layer of concrete has been inserted around the shaft collar up to the existing surface.

The majority of the area was landscaped with imported soil materials in 2012. The remaining areas of the mine site requiring restoration are defined on plan **47062840.007**. These works will be undertaken at the cessation of the requirement to occupy these areas at some time in the future.

Brightling Mine

Upon cessation of mineral workings and prior to formal abandonment of Brightling Mine, the drifts will be backfilled with inert material and sealed at the surface with concrete. There is currently an upstand attached to each shaft, which is used to form the top of the shaft and prevent unauthorised access and debris from falling into the mine. This will be removed to below ground level and a layer of concrete inserted around the shaft collar up to 0.5m of the surface. The remaining 0.5m between the shaft collar and the surface will be filled with soil material.

Satellite Ventilation Shafts

The location of each of the active shafts are shown on plan **47062840.002**. Access to Willingford shaft is via the Forestry Commission track through Blackbrooks Wood, whilst access to the Stonehouse shaft is via an un-surfaced track off Willingford Lane. The area occupied by the shafts is very small, the ground around Willingford Lane shaft is comprised of rough scrub and grassland.

There is no other surface infrastructure within the vicinity of the shafts. Once Willingford shaft has been filled and capped the land will be restored back to woodland, by planting a mixture of indigenous native species. The land around Stonehouse shaft will be returned to grassland and woodland copse.

4.14.1 *Removal of Mine Buildings and Plant*

Brightling Mine

Within 12 months of permanent cessation of mineral working (with minor exception) all buildings and plant associated with the mine will be demolished and the resulting debris and material will be removed from the Site. The buildings to be demolished are identified on plan **BR1/107/JPE**.

The access track leads from the main highway to the mine complex will be retained. This is to provide access to the land to allow for future maintenance to the tree planting that is to be carried out and existing woodland and security inspections.

The overland conveyor will be dealt with under conditions associated with the conveyor planning consent. Restoration details are provided at 4.13 below.

Mountfield Mine

All of the main buildings and plant which were used as part of the mining operation from Mountfield Mine have now been demolished. Those that are retained are shown on **Plan No.7**, these will also be removed within 12 months of permanent cessation of working.

4.15 Restoration

Brightling Mine

Following demolition of the buildings, plant, foundations it is intended to restore the mine surface back to scrub grassland and to thereafter allow natural regeneration of the woodland by self seeding, thus ensuring local provenance and maximum biodiversity benefits through the natural succession of plant species.

The area concerned for restoration delivery and proposed seed mix is indicated on plan **47062840.009** (the same mix as previously approved for Mountfield mine).

Concrete hard standing and all detritus (reinforcing etc) above 40mm diameter (approx) will be removed and the ground tilled to an even soil surface which will be graded to natural ground contours i.e. generally sloping down from west to the east. The importation of soil to achieve restoration is not proposed.

A gate will be erected across the access road to prevent unauthorised entry but will allow access for future woodland maintenance and monitoring inspections to take place.

Mountfield Mine

A relatively small amount of Mountfield Mine requires final restoration (being that part lying outside the boundaries of separate permissions (which included restoration provision) RR/679/CM dated 17th April 2012 and RR/678/CM dated 23rd February (see Planning History). The extent of the area remaining is indicated on plan **47062840.007**.

These areas will be restored when they are no longer required for operational use or access. Concrete hard standing and all detritus (reinforcing etc) above 40mm diameter (approx) will be removed and the ground tilled to an even soil surface which will be graded to natural ground contours i.e. generally sloping down from north and west to south and east. The importation of soil to achieve restoration is not proposed.

The area concerned for restoration delivery and proposed seed mix is indicated on plan **47062840.007** (the same mix as previously approved for this area).

4.16 Aftercare and Management Plan

All re-established land will be maintained for a period of 5 years from the date of completion. Because of the natural means of habitat establishment this may be limited to twice yearly inspection only (see 5.14.3 below).

After the second full year of the aftercare period i.e. before the third planting season the success of the reestablishment will be considered with the MPA. If necessary additional seeding or planting to encourage more rapid integration will be implemented.

4.16.1 **Weed Control**

During aftercare weed control measures will be employed to control agricultural weeds, during the growing season over the restored area. This is likely to include several visits as necessary to control agricultural weeds and may incorporate chemical and/or mechanical control measures employed using good agricultural practice.

4.16.2 **Maintenance of Grassland**

During the initial establishment of the grass sward, 1-2 grass cuts will be carried out, one in early summer and one in late summer/early autumn (before the end of October) during suitable weather. Any cuts shall be to a height of between 50mm and 100mm with the arisings being raked off to a composting location.

4.16.3 **Formal Review**

At least once each year, in addition to quarterly inspections, there shall be a formal review to consider the operations which have taken place on site during the previous year and the programme of management to be aimed for during the coming year. Information will be provided on work carried out, seed mixes, plant replacements and provenance.

4.17 **Proposed Conditions**

It is a requirement of the Act that an updated Scheme of conditions must be submitted by the operator and/or owner. If no submission is received by the date stipulated by the MPA, the mineral permission ceases to have effect, although restoration and aftercare conditions still apply.

The proposed conditions for the future of operation and restoration of the Site are set out in Appendix B. Where conditions have been amended, deleted or added a justification is provided.

It is proposed that the duration of the ROMP is extended to February 2042 to allow the remaining mineral reserve to be worked.

The proposed conditions reflect the status of the Site as an active site with extensive reserves remaining, yet include no proposals to amend established working practices, which are considered to meet industry guidelines. Consequently, British Gypsum's conditions are based upon those that exist within the Permission with minor review to extend the lifetime of the ROMP and reflect the conceptual restoration scheme which is submitted as part of the planning application.

The proposed conditions have been reviewed in accordance with the guidance contained within the National Planning Policy Framework (NPPF) and its accompanying technical guidance.

4.18 **Environmental Permit**

The Robertsbridge site benefits from an Environmental Permit (Ref: EPR/PP393OKL) regulated by the Environment Agency relating to the storage of desulphogypsum. In compliance with United Kingdom regulations, the proposed development will continue to be carried out in accordance with this and other Environmental Permits as required. Approved discharge consents are listed in section 4.10.

5 PLANNING POLICY

5.1 Introduction

This ROMP application falls to be determined by ESCC (in its capacity as MPA) in accordance with Schedule 14 of the Environment Act 1995 and Mineral Planning Guidance 14.

The determination process will be undertaken with due regard to the relevant elements of the Development Plan (as they apply to ROMP procedure) and material planning considerations.

5.2 Relevant Changes in Planning Policy and Material Considerations since the initial ROMP review (1998)

Since the initial ROMP was undertaken and issued in 1998 there have been a number of changes in planning policy and material considerations which are summarised below:

Development Plan

- The East Sussex and Brighton and Hove Minerals Local Plan was published in 1999 (in 2007 the SOS issued a direction that all policies within the plan were saved until replaced by Development Plan Documents).
- The Rother Local Plan was published in 2006 (in 2007 the SOS issued a direction that all policies within the plan were saved until replaced by Development Plan Documents). An exercise to determine if 'saved' local plan policies are consistent with the NPPF has been undertaken. This was considered by Cabinet on 2nd July 2012, no local plan policy was found to be not compliant with the NPPF, but policy DS6 –Managing Housing Release, was found to be only partially compliant with the NPPF.
- Material Planning Considerations
- The National Planning Policy Framework and its accompanying guidance were published in March 2012. The NPPF supersedes the majority of National Planning Policy Statements and Guidance including Minerals Policy Statement 1 and 2, and Minerals Policy Guidance 2, 3, 5, 7, 10, 13 and 15, setting out planning policies at the national level. The additional guidance 'Technical Guidance to the National Planning Policy Framework' provides further minerals policy guidance focusing on dust, noise, stability, restoration and landbanks
- In 2009 the South East Plan was published (also known as the Regional Spatial Strategy for the South East). Section 109 of the Localism Act (2011) provides for the abolition of regional strategies. However these documents cannot be revoked until Strategic Environmental Assessments are completed. The South East Plan therefore remains part of the Development Plan until it is revoked and until such time will remain a material consideration, with decision takers affording weight on a case by case basis.

The above documents are considered further in the remainder of this section, however they do not alter the ROMP procedure.

5.3 Development Plan

The Development Plan for Robertsbridge comprises the following documents from regional, county and district level:

- The South East Plan (2009);
- The East Sussex and Brighton and Hove Minerals Local Plan (1999) Saved Policies; and

- The Rother Local Plan (2006) Saved Policies.

5.4 Material Considerations

Material considerations comprise, inter alia:

- national planning policies and guidance; and
- emerging planning policies at the national and local level.

National planning guidance on other matters of particular relevance is contained in:

- Minerals Planning Guidance 14: Environment Act 1995 Review of Mineral Planning Permissions (1995)
- The National Planning Policy Framework (2012)
- Technical Guidance to the National Planning Policy Framework (2012)

The relevant emerging Development Plan document is:

- Rother Core Strategy Submission Draft (including focussed amendments) (2012).

5.5 Relevant Development Control Policies

The most pertinent development control policies can be found within the Minerals Local Plan. The Scheme has therefore been devised with consideration to:

- Policy 1 which sets out the general principles by which minerals applications will be assessed;
- Policies 26, 27, 28 and 29 which relate specifically to Gypsum extraction;
- Policy 31 which sets out the criteria to which mineral extraction is expected to accord; and
- Policies 34 and 35 which relate to restoration and aftercare.

An assessment of the Scheme against these policies is provided below:

Policy 1

- The ROMP process does not assess the principle of development, rather seeks to ensure that the minerals extraction site is governed by a modern set of operating conditions. Therefore it is not relevant to assess the principle of development against the general principles set out in this condition. Nevertheless the ROMP scheme accords with the policies set out in the plan and constitutes an existing mineral extraction site, no further processing or manufacturing plant is sought; therefore the Scheme supports the principle which this policy seeks to promote.

Policies 26, 27, 28 and 29

- The Scheme will ensure the continued gypsum / anhydrite extraction and associated activities at Brightling and Mountfield Mines, which is specifically supported by Policy 26;
- An appropriate program of environmental management for the area of the High Weald AONB adjoining the Robertsbridge Works, the Brightling Mine and overland conveyor has been agreed with ESCC, as detailed in policy 27. This area will continue to be managed in accordance with the agreed programme;
- The Scheme will continue to have available the rail link, in line with policy 28 which encourages its fullest use.

- The Scheme does not propose any landfilling therefore policy 29 is not relevant to the Scheme.

Policy 31

- The ROMP process does not assess the principle of development, rather seeks to ensure that the minerals extraction site is governed by a modern set of operating conditions. Therefore it is not relevant to assess the principle of development against this policy.

5.6 Conclusions

Regard should be paid to the relevant Development Plan policies and material considerations (which in this case is mainly in the form of national planning policies and guidance contained within the NPPF and its accompanying technical guidance when drafting of the Scheme and conditions to control the winning and working of minerals at the Site.

It is considered that the proposed conditions listed in Appendix B, illustrate that this requirement has been met.

6 SUMMARY AND CONCLUSIONS

6.1 Introduction

This chapter draws together the main elements of the planning application and demonstrates why the Scheme should be approved by ESCC. The Supporting Statement has defined the Scheme at the Brightling and Mountfield mines for which permission is sought. It has also detailed the main development issues arising from the Scheme in relation to the Development Plan.

6.2 Benefits

The main points of conclusion arising from the Scheme can be summarised as follows:

- establish a modern set of planning conditions which reference a modern set of plans to govern the continued development of the mines.
- operational practices will remain the same as those presently adopted at the sites in terms of operation hours, typical production tonnages etc.
- the details of the final restoration of the mines are formalised in principle and agreed with ESCC.
- by the undertaking of a detailed review the scheme has been shown to be in accordance with the Development Plan and other material considerations.
- Continuation in supply of a nationally and regional important mineral product used in construction products.

6.3 Environmental Impact

The conclusion of this Supporting Statement is that the Scheme (including the mitigation measures) will have positive impacts upon community and socio economic/amenity, no impacts due to noise and dust etc with low and acceptable level of impact in terms of landscape, and biodiversity etc.

Restoration will ensure benefits to landscape, visual and ecological impact in the long-term. Therefore the scheme is considered acceptable and no additional mitigation is necessary that would require substantial change to the relevant planning conditions.

6.4 Development Plan and Material Considerations

The Scheme has been reviewed in relation to the extant policies of the Development Plan and other material considerations. The site produces gypsum / anhydrite for which there is an established regional and national demand. It thus plays an important role in the self sufficiency of the region and its ability to secure sustainable development from local sources of supply over the long term, as well as supporting the construction industry at the national level.

The Site employs over some 17 full time staff and many more in downstream and associated occupations (contract maintenance, servicing etc.). It therefore plays a substantial role in providing diverse and skilled employment to the otherwise rural agricultural based economy.

The Scheme will provide a modern set of operating conditions which reference a modern plan set, as well as providing details of the final restoration of the Site.

6.5 Conclusion

The Scheme has been shown to deliver significant and tangible benefits to the operation of the Site and the economy particularly at the local and regional level. In planning terms the approval will provide new updated planning conditions for the Site.

The Scheme has been demonstrated to be acceptable in environmental and amenity terms and accords with the policies of the Development Plan and other Material Considerations.

In conclusion the Applicant considers there to be clear and compelling reasons for the application for determination of conditons to be approved by the MPA.

PLANS

APPENDIX A SCHEDULE OF CONDITIONS MR/6.

APPENDIX B SCHEDULE OF CONDITIONS MR6 – REVIEW AND PROPOSED CONDITIONS.

Existing Planning Condition	Proposed Revised Text	Comments
	Informative: This schedule of conditions substitutes all planning conditions originating in planning permissions A/48/404, A/55/318, RR/79/1364, RR/80/182 and Initial Review conditions MR/6 dated 26 March 1998.	To correctly reference the planning permission context.
New	The development shall be carried out, except where modified by the conditions of this schedule, in accordance with the following documents: a) Application form and Supporting Statement submitted March 2013. b) Submitted Plans; 47062840.002 Planning Boundaries and Land Ownership Plan 2a Brightling Mine Surface Layout Plan 3 Brightling Mine Structures to be Removed Plan 5a Mine Development Plan No.4 Seam Plan 5b Mine Development Plan No.1 Seam Plan 7 Mountfield Mine Structures to be Removed 47062840.007 Mountfield Mine Restoration Master Plan 47062840.009 Brightling Mine Restoration Master Plan c) All schemes and programmes approved in accordance with this schedule.	To reference the approved development in a modern condition.
1) This permission shall relate to the working and winning of gypsum, anhydrite and associated minerals by underground mining only.	These conditions shall relate to the winning of gypsum, anhydrite and associated minerals by underground mining only.	None
2) The extraction of gypsum and associated minerals shall be completed on or before a date of 25 years from the date of this notice unless otherwise agreed in writing by the Director of Transport and Environment.	The mining operations authorised by this permission shall cease not later than 22 February 2042. The site shall be restored in accordance with the conditions in this schedule and shall be finally restored by 22 February 2043 or within 12 months from the permanent cessation of mining operations, whichever is the sooner.	In order to ensure that the remaining mineral can be fully extracted the time limit is extended up to 2042 (the end date allowed by the Environment Act 1995) and within in a modern permission wording. 'Unless otherwise agreed' is no longer a permitted mechanism.
3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any other order revoking and re-enacting that Order, no buildings, fixed plant, structures or machinery shall be erected on site without the prior written agreement of the Director of Transport and Environment.	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any other order revoking and re-enacting that Order, no buildings, fixed plant, structures or machinery shall be erected on site without the prior written agreement of the Mineral Planning Authority.	Change to MPA.
4) Within a period of 12 months following the completion of extraction of gypsum, all buildings, structures, plant and machinery shall be removed from the site.	Not required.	Covered by condition 2
5) Within 12 months of this notice a detailed restoration scheme shall be submitted to the Director of Transport and Environment for approval. The scheme shall detail arrangements for the restoration, for an amenity after-use, of those areas where surface operations exist at present and shall include the following matters:- a. details of planting proposals, including tree species and spacing; b. a timescale for implementation. This scheme shall be implemented within the timescale agreed.	Restoration of the site shall be undertaken in accordance with the details provided on plans: i. 47062840.007 Mountfield Mine - Restoration Master Plan ii. 47062840.009 Brightling Mine – Restoration Master Plan Restoration will be completed within 12 months of commencement.	None
6) An aftercare scheme shall be submitted to the Director of Transport and Environment not later than one year prior to the completion of the agreed restoration scheme referred to in condition 5 or at such other time as may be previously approved in writing to the Director of Transport and Environment.	An aftercare scheme shall be submitted to the Mineral Planning Authority for approval not later than one year prior to the completion of the agreed restoration scheme.	It is considered necessary to reword condition 6 as suggested in order to reflect the proposed removal of condition 5.
7) The approved aftercare scheme shall be implemented for a period of not less than five years following the date of completion, to the satisfaction of the Director of	The approved aftercare scheme shall be implemented for a period of not less than five years following the date of completion, to the satisfaction of the	It is considered that the requirement of an aftercare scheme to be implemented for a period of not less than 5 years following the date of

Transport and Environment, of the restoration scheme referred to in condition 5 above.	Director of Transport and Environment, of the restoration scheme referred to in condition 5 above.	completion, remains appropriate.
8) Within 12 months of the date of this notice a plan identifying those areas to be restored and those buildings and structures to be removed shall be submitted to the Director of Transport and Environment for approval. Those structures to be removed shall be identified by a red line and those areas to be restored shall be indicated by a blue line to be marked on a plan to a scale of 1:2500.	Delete	Not required, plan approved under condition above.
9) No minerals are to be transported from the mine to the processing plant other than by means of the existing overland conveyor.	No minerals are to be transported from Brightling mine to Mountfield mine other than by means of the existing overland conveyor.	No change.
10) Blasting operations at this site shall not take place on Sundays or Bank/Public Holidays without the prior written approval of the Director of Transport and Environment.	Blasting operations at this site shall not take place on Sundays or Bank/Public Holidays without the prior written approval of the Mineral Planning Authority.	No change
11) Ground vibration as a result of blasting operations shall not exceed a peak particle velocity of 12mm/sec when measured at the ground surface at any vibration sensitive building.	Ground vibration as a result of blasting operations shall not exceed a peak particle velocity of 12mm/sec when measured at the ground surface at any vibration sensitive building.	No change. Monitoring has seen no blasts approach this limit and no complaints.
12) There shall be no vehicular access to the mine for the purpose of carrying out this development other than by the existing access routes. These shall be maintained free of pot holes, ruts and other damage, and shall be kept clean and free of debris at all times throughout the period of mineral extraction.	There shall be no vehicular access to the mine for the purpose of carrying out this development other than by the existing access routes. These shall be maintained free of pot holes, ruts and other damage, and shall be kept clean and free of debris at all times throughout the period of mineral extraction.	There is no proposed change to the existing accesses; therefore it is considered that this condition remains appropriate.
13) The winning and working of gypsum and associated minerals shall be by underground workings and shall only be worked on the room and pillar system.	The winning and working of gypsum and associated minerals shall be by underground workings and shall only be worked on the room and pillar system.	No change.
14) No waste materials of any description shall be imported into the site. This condition shall not preclude the use of mineral wastes, or appropriate wastes from the manufacturing and processing plant at Mountfield from being used for the purpose of backfilling the void.	No waste materials of any description shall be imported into the site. This condition shall not preclude the use of mineral wastes, or appropriate wastes from the manufacturing and processing plant at Mountfield from being used for the purpose of backfilling the void.	No waste materials of any description will be imported into the site. No change.

APPENDIX C PHOTOPLATES**Photoplate 1 (Brightling Mine Surface)**

View approximately north, showing access road, overland conveyor and welfare block.



Adits

Photoplate 2 (Mountfield Mine Surface) – prior to partial restoration in 2012.

Former Mine Site

Photoplates 3 and 4 Brightling Mine South Adit Main Access (URS 2012).



Adit Entrance

Photoplates 3 and 4 Brightling Mine North Adit Conveyor Egress and Emergency Entrance (URS 2012).**Photoplate 5 Brightling Mine Main Office, Welfare Block and Car Park (URS 2012).**

Photoplate 6 Overland Conveyor and Welfare Block (URS 2012).



Photoplate 7 Mountfield Mine Site End of Overland Conveyor and Covered Storage (URS 2012).



Photoplate 8 Mountfield Mine Former Mine Site and Part Restored RMC site showing the DSG stockpile (URS 2012)



APPENDIX D BRIGHTLING MINE VISITOR'S GUIDE

APPENDIX E ENVIRONMENT AGENCY SURFACE WATER DISCHARGE CONSENTS

APPENDIX F EAST SUSSEX CC EIA SCREENING OPINION

