

Veolia ES South Downs Ltd

Planning Support Statement

**Pebsham Household Waste Recycling Site &
Waste and Recyclables Transfer Station**

November 2008

Document control sheet **Form IP180/B**

Client: Jacobs
 Project: Pebsham Household Waste Recycling Centre Job No: B0780600
 and Waste and Recyclables Transfer Station
 Title: Planning Support Statement

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1 Introduction

This Planning Support Statement supports the two planning applications submitted to East Sussex County Council on behalf of Veolia ES South Downs Ltd. Planning Application 1 seeks the variation of conditions attached to existing planning consent RR/498/CM. Planning Application 2 proposes development at the Pebsham Waste and Recyclables Transfer Station (WRTS) and on land to its immediate south.

Veolia ES South Downs Ltd holds the long term contract to provide an integrated municipal waste management service to East Sussex County Council and Brighton and Hove City Council. This service is dependent upon the provision of a range of new waste management facilities (supported by a network of household waste recycling sites and waste collection authority initiatives), which are designed to divert waste away from landfill and to achieve the recycling/recovery targets set out within UK and European legislation.

The application sites together with other waste management activities serving the area lie close to the south coast in a largely rural gap between Hastings and Bexhill. It is accessed via the A259 coastal road and Freshfields Road. The proposals will provide improved waste management facilities and overcome problems caused by queuing traffic on Freshfields Road.

The Planning Application 1 site comprises the existing Pebsham WRTS, including a main building and a number of portacabins. It is screened by high embankments and vegetation on three sides. Beyond the embankments there are fields to the west and south and a landfill site and sewage treatment works to the north. This site was previously in use as a waste treatment facility and has been in operation in its current use since April 2007 following the grant of planning permission in March 2007. The site covers an area of 1.7 ha.

The Planning Application 2 site incorporates an area of the WRTS that is relevant to the proposed new development as well as the area of land located immediately to the south. This part of the site comprises scrubland with some trees and experiences significant changes in level, rising several metres above the level of the WRTS. The site area covers some 1.1ha. The nearest residential properties are Pebsham Farm Cottages 200 m to the south west and Pebsham Farm 350 m to the north west. A row of houses is located on the northern side of the A259 Bexhill Road approximately 300m to the south at the junction with Freshfields Road. The urban edge of Pebsham is 500m to the west. This site together with the Application 1 site forms part of an area designated for waste uses in the East Sussex and Brighton and Hove Waste Local Plan 2006. A Countryside Park is proposed on the land surrounding (but not including) the facility and extending to the north and east.

The site boundaries for the respective planning applications and the areas given above differ from the area of 2.1 hectares used in the Environmental Statement, which uses the combined WRTS/HWRS area of 2.1 hectares.

An existing Household Waste Recycling Site (HWRS) is located adjacent to the landfill development at the northern end and to the east of Freshfields Road. This operates under a temporary planning permission, which expires on the 1st September 2011. The Consent (RR/555/CM) requires all plant, equipment, buildings and other structures to be removed and all hard surfaces broken up and removed by 30th November 2011. In granting this consent on 25th July 2008 the County Council recognised that an alternative site has been identified (the subject of the current

application) but that the temporary facilities needed to continue in place to provide an essential facility while the proposal is assessed and, subject to approval, is implemented.

2 The Proposed Development

Planning Application 1 seeks:

- Variation of conditions attached to an existing planning consent (RR/498/CM) for the change of use to a Waste and Recyclables Transfer Station (WRTS), depot and ancillary uses;

Planning Application 2 proposes:

- Minor modifications to the Waste and Recyclables Transfer Station site layout; and,
- Construction of a new Household Waste Recycling Site (HWRS) on land south of the Pebsham WRTS.

2.1 Planning Application 1 - Variations to Planning Consent Conditions

As part of its waste management contract, Veolia secured planning permission for a Waste and Recyclables Transfer Station (WRTS), depot and ancillary uses on Freshfields Road, Pebsham (RR/498/CM). On implementing this application, Veolia believes it necessary to make changes to the associated planning conditions in order to improve the operational capabilities of the facility. Whilst the facility has made a substantial contribution to the needs of the County's waste management, the proposed changes are necessary to enable Veolia to fulfil its contractual obligations to the County in a sustainable manner (see the accompanying Sustainability and Sustainable Waste Management Report) and to provide a facility reflective of modern waste management needs. The existing conditions are thought to place unnecessary limitations on the operational capacity of the site to the detriment of the overall waste management regime in the County.

The proposal will seek variation of conditions relating to quantity of waste, layout, repair and maintenance of vehicles and operating hours. The proposed variations are set out below (with the amendments shown **in Bold**) and in Appendix A.

Condition 2

(c) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification) the building shall be used only as a municipal Waste and Recyclables Transfer Station for up to **150,000 tonnes of municipal**, commercial and industrial waste per annum, **including up to 40,000 tonnes of commercial and industrial waste**, and ancillary depot and for no other purpose. **Throughput above 85,000 tonnes per annum shall only be permitted in the event of the temporary or permanent closure of the adjacent landfill site for the receipt of non-inert waste, except in the case of the recycling of commercial and industrial waste where the landfilling of recyclable material would not be a sustainable option.**

Condition 3

The site shall be laid out at all times with a turning space for vehicles and 35 parking spaces for cars provided in the parking areas identified on Drawing Number **ACS5402 402 Rev P2** and for these spaces to be thereafter retained for those uses and not to be used for any other purpose.

Condition 7

There shall be no repair or maintenance of any vehicles at the site other than **vehicles based at the site or used in connection with the operation of the Waste and Recyclables Transfer Station and the Household Waste Recycling Site.**

Condition 9

With the exception of vehicles and activities associated with the handling of street/beach cleansing waste, trade waste and the emptying of bulk bins, the use hereby permitted shall not be carried out other than between the hours of **06.00 and 20.00** on Monday to Friday inclusive and the hours of **06.00** and 16.00 on Saturdays and the hours of 09.00 and **16.00** on Sundays except for works of essential maintenance or which are to respond to an emergency. No later than one week after the carrying out of such works full details of the time, date, reason for and nature of the works shall be given in writing to the Assistant Director, Policy.

Condition 11

The site shall not be laid out and operated other than in accordance with Drawing Number **ACS5402 402 Rev P2** showing the layout of the proposed use.

Condition 14

Between the hours of **06.00** and **20.00** on Monday to Friday inclusive and **06.00** and 16.00 on Saturday the level of noise emitted from the operational site, as measured in accordance with BS 4142:1997, shall not exceed a rating level of 41 dB LAeq (1 hour) as measured at the nearest façade of Number 2 Pebsham Lane.

Condition 15

Between the hours of 09.00 and **16.00** on Sundays the level of noise emitted from the operational site, as measured in accordance with BS 4142:1997, shall not exceed a rating level of 38 dB LAeq (1 hour) as measured at the nearest façade of Number 2 Pebsham Lane.

Condition 18

No more than **55** waste collection vehicles and waste **recycling** collection vehicles, including Refuse Collection Vehicles, bulk carrier HGVs and street cleansing vehicles shall be stationed at the site at any one time.

2.2 Planning Application 1 - Reasons for Variations

Increased capacity (Condition 2)

Current consents provide for a capacity of 85,000 tpa through the WRTS. Veolia are seeking to increase this to a total of 150,000 tpa; an increase in maximum throughput of 65,000 tonnes. This would provide additional transfer capacity for municipal (contract) waste, up to a total of 110,000 tonnes, and additional capacity for commercial and industrial waste, up to a total of 40,000 tonnes. The additional capacity is only to be used in the event of the temporary or permanent closure of the adjacent landfill site for the receipt of non-inert waste, except in the case of the

recycling of commercial and industrial waste where the landfilling of recyclable material would not be a sustainable option.

The Pebsham Landfill Site is operated by Biffa, and it is understood that currently licenced non-hazardous capacity will be exhausted by the end of 2008, requiring a closure of the site, pending engineering and Environment Agency approval of new non-hazardous voidspace. A planning application (reference RR/525/CM) was approved by East Sussex County Council in September 2008, enabling an extension of the site with expected restoration by 2012. Under the revised operation of the landfill site it is anticipated that the number of vehicles accessing that site would significantly reduce, so as to at least offset the increase in vehicles accessing the WRTS₅ (refer to Transport Assessment for more details). The additional throughput at the WRTS would only be utilised for general waste in the event of closure of the adjacent landfill for the receipt of non-inert waste. The diversion of recyclable material that would otherwise be landfilled at Pebsham as referred to above would not result in increased traffic flows since vehicles would in any case be accessing the landfill site via Freshfields Road.

The increase in capacity for commercial and industrial waste at the WRTS would provide a necessary facility to handle waste displaced from the landfill and would help to minimise the environmental impacts that would otherwise occur locally from the onward transportation of such waste in smaller vehicles. It would also assist in achieving an increase in the recycling of commercial and industrial waste in line with national, regional and local policies.

Capacity for the additional throughput of waste would be provided within the existing WRTS building and operations would be subject to odour and dust suppression measures in line with those applied to the existing WRTS. Any potential traffic impact would be at least offset by the reduction or possible total cessation in traffic accessing the adjoining landfill site. Accordingly additional local waste transfer capacity will be essential both to meet the temporary landfill closure and for long term waste management provisions.

Site layout (Conditions 3 and 7)

The only change necessary to these conditions is to update the drawing number to reflect the revised layout plan.

Repair and maintenance (Condition 7)

The condition restricting vehicle maintenance to emergencies only causes operational difficulties and gives rise to unnecessary traffic movements for vehicles stationed at the site when needing routine maintenance. It is an unnecessary restriction as such activities are undertaken within an enclosed building and should not give rise to environmental or amenity problems.

Variation of hours (Conditions 9, 14 and 15)

Minor changes are proposed to the permitted hours of operation for the WRTS. These involve commencement at 0600 rather than 0630 on Mondays to Saturdays, closing at 2000 rather than 1900 on Mondays to Fridays and closing at 1600 rather than 1200 on Sundays. These minor changes will enhance the operational efficiency of the site and its potential contribution to sustainable waste management, including the servicing needs of the proposed HWRS.

The proposed exemptions to normal operating hours would facilitate the use of the site by vehicles of the Hastings Municipal Waste fleet which require access outside these hours. The proposed exception to normal hours for street and beach cleansing vehicles, bulk bin vehicles and trade waste vehicles reflects the limited times at which these operations can be carried out. The number of vehicles involved in these activities would be small and would normally be limited to no more than two return trips in any one hour outside the existing permitted hours. Further information is contained in the Environmental Statement.

Waste vehicle parking (Condition 18)

The proposed increase from 40 to 55 waste vehicles reflects the requirements of the proposed increased tonnage throughput and can be accommodated within the parking areas of the existing site.

2.3 Planning Application 2 - Minor Modifications to Waste and Recyclables Transfer Station Layout

Accompanying the changes to the conditions, some minor modifications to the site layout of the WRTS are proposed:

- New internal access around the western side of the WRTS, including a small extension to the existing building to provide an enclosed weighbridge/materials load-out bay; and,
- Access through to the new HWRS to allow bins to be serviced directly from the WRTS.

The proposals would enhance existing facilities thus improving operational capabilities and enabling Veolia to fulfil its waste management contractual obligations with East Sussex County Council. This would aid the Council's programme of increasing recycling rates.

2.4 Planning Application 2 - Construction of New Household Waste Recycling Site

It is Veolia's intention to provide a new HWRS on land immediately to the south of the WRTS, relocating the existing Hastings HWRS facility currently present to the east of Freshfields Road. This is deemed necessary as the existing facility operates under a temporary permission granted on 25th July 2008, expiring on 1st September 2011. The consent (RR/555/CM) requires that all plant, equipment, buildings and other structures shall be removed and all hard surfaces broken up and removed by 30th November 2011.

The proposals would provide an enhanced facility to replace the existing Hastings HWRS. In line with the requirements of the Integrated Waste Management Contract with East Sussex County Council and Brighton & Hove City Council, the HWRS would be constructed to a standard compatible with the recently provided facility at Crowborough. This would comprise a split level facility with provision for 12 bins at low level (same level as the existing WRTS) and a further 6 at the upper public parking area (some 1.6m higher). Areas would be available at the upper level for additional recycling material including WEEE and Fridges.

The lower bins would be serviced directly from the WRTS without the need to close the HWRS to public access. This would improve operational efficiency and also prevent the need for large vehicles to access Freshfields Road (currently service vehicles have to cross Freshfields Road to get between the HWRS and WRTS). Importantly therefore the operational conditions of the WRTS consent need to reflect this beneficial feature of the co-joined facilities. When the six upper bins need to be serviced it would be necessary to temporarily restrict public access to this area; however, such restrictions would be much less than with the existing, single level site.

The enhanced facility would contribute to the improvement of local recycling rates and assist the local authorities in meeting recycling and recovery targets. Should the existing HWRS not be replaced, the ability of the County to meet these targets could be somewhat reduced.

The current HWRS has a throughput of about 15,000 tonnes of household waste per annum. The new site would have capacity to accept greater volumes than this, to allow for future growth in recycling, although it is not anticipated that throughput would rise by more than 3,000tpa in the short to medium term. HWRS sites take a wide range of materials for reuse and recycling, including car and household batteries, cooking oil, plastic bottles, soil, hardcore, metal (including food and drink cans), TVs and computer monitors, glass bottles and jars, wood and timber, books, cassettes and CDs, green garden waste, paper (including newspapers, magazines, junk mail and scrap paper) and cardboard.

In addition to the above, the proposed HWRS design would seek to overcome the existing problem of vehicles queuing on Freshfields Road while waiting to access the site, by providing adequate circulation space within the HWRS site itself. Through high quality design and provision of a greater number of car parking spaces, the site would also allow a greater number of cars into the site at any one time, again reducing the problem of queuing traffic. The relocation of the HWRS would also enable restoration of the existing site in a way compatible with the proposed Pebsham Country Park, resulting in environmental, recreational and amenity enhancements.

The operating hours of the existing Hastings HWRS allow opening from 0700 (0730 on Sundays) until 2100 in summer and 1900 in winter. The operating hours of the new facility would vary according to seasonal and operational requirements but the HWRS is likely to be open to the public within the period 0800 to 1800 every day with the exception of Christmas, Boxing and New Years Days. There would be a need for operational access up to one hour either side of public opening hours.

A site layout plan is provided in drawing 402 and cross sections in drawing 422. The design development has been an iterative process, taking on board and designing out environmental concerns associated with the original scheme. Notably, these included loss of the tree belt which would have made the WRTS more visible from properties to the south; removal of large volumes of earth, and the need for two stream crossings. The current design allows for retention of the tree belt, requires less soil to be removed and only has one stream crossing. This has resulted in a more sustainable and environmentally sound scheme design.

The proposed development, comprising the minor modifications and new waste facility, is considered to sit well within the local landscape and is concealed from views thus reducing any visual impact on the surrounding area. Furthermore the

proposals will improve traffic safety and reduce congestion by accommodating a greater number of vehicles onsite and removing the need for works traffic to travel between two separate sites via Freshfields Road.

Whilst the proposed development of the site could have some potentially negative effects on the local environs, the Environmental Statement has identified and recommended mitigation to counteract these. The accompanying Sustainability and Sustainable Waste Management Statement suggests that the proposed development would provide a net overall benefit in sustainability terms, parallel to the key sustainability objectives demonstrated in planning policy.

A more detailed description of the proposed development is contained in the Design and Access Statement that accompanies the planning application.

3 Planning Policy Review

3.1 National Planning Policy

Planning Policy Statement (PPS) 1 ‘Delivering Sustainable Communities’ (2005) sets out the Government’s overarching planning policies on the delivery of sustainable development through the planning system and is further developed through other PPSs.

National planning policy for waste management is provided by PPS 10 ‘Planning for Sustainable Waste Management’ (2005), which sets out the context for Regional Spatial Strategies and, in turn, local planning policies. This document restates the Government’s overall policy on waste, which is to *“protect human health and the environment by producing less waste and by using it as a resource wherever possible”*.

The Statement sets key planning objectives that regional planning bodies and local planning authorities should account for in the preparation and delivery of waste policies.

In terms of the location of local waste facilities, Paragraph 20 requires waste planning authorities to consider *“a broad range of locations including industrial sites, looking for opportunities to co-locate facilities together and with complimentary activities”* in searching for sites and areas suitable for new or enhanced waste management facilities. Further to this, Paragraph 22 maintains that when proposals are consistent with an up-to-date development plan, waste planning authorities should not require applicants for new or enhanced waste management facilities to demonstrate a quantitative or market need for their proposal.

3.2 Regional Planning Policy

Given the South East Plan is still undergoing preparation, the determination of planning applications would, therefore, refer to policies in Regional Planning Guidance (RPG) 9 - Waste and Minerals (2006). It should be noted that much of these policies have been carried forward and are proposed to be adopted in the South East Plan, pending the completion of the Plan’s preparation process.

Policy W1: ‘Waste Reduction’ and Policy W6: ‘Recycling and Composting Targets’ set targets for reducing the growth of waste and for recycling municipal solid waste. These are set at 1% reduction in growth per annum until 2010 and 40% recycling by 2010 and 60% by 2025, respectively. Paragraph 10.181 acknowledges that there is:

“an immediate and acute shortfall in the capacity required to achieve the ambitious targets for recycling, and the overall diversion from landfill. There needs to be a rapid increase in management capacity and the mixture of facilities. This urgency is compounded by the long lead-time for many facilities and difficulties in obtaining planning permission”.

Policy W7: ‘Waste Management Capacity Requirements’ states that waste planning authorities should provide for an appropriate mix of development opportunities to support the waste management facilities required to achieve the targets set out in the Strategy. With reference to improving recycling rates, paragraph 10.185

contends that the rates of recycling proposed in the Strategy will only be delivered if new approaches to collection and separation of materials, and increased participation are achieved.

Policy W17 addresses the location of waste management facilities and states that “Waste Development Documents should ... give priority to safeguarding and expanding suitable sites with an existing waste management use and good transport connections.”

3.3 Local Planning Policy

In terms of waste management, local planning policies are provided by the saved policies of the Waste Local Plan. The relevant policies of each are set out below.

East Sussex and Brighton & Hove Waste Local Plan (WLP) (2006)

One of the key waste management objectives of the Plan is an increase in recycling rates as required by the Landfill Directive. The WLP aims to achieve higher rates than those set as the minimum. Paragraph 5.52 acknowledges that new facilities will be required to meet targets and to develop new methods of waste treatment to manage the Plan area’s waste for the next ten years.

The WLP requires household waste sites to be located in close proximity to population centres and easily accessible by road. Ideally, they should also be co-located with, or in close proximity to, material recovery facilities or other processing facilities to minimise the need to transport wastes from collection points to treatment plants.

The WLP acknowledges that existing waste management facilities may require some modifications to improve efficiency and output and to bring them up to date. Policy WLP 6 ‘Expansions or Alterations To Existing Facilities’ seeks to facilitate such modifications whilst protecting areas of designated importance. The policy states:

“Proposals for expansions or alterations to existing waste management facilities will be permitted, subject to other policies of the plan where relevant, where it is demonstrated that:

... b) the development is required to improve the operational efficiency of the facility...”

Policy WLP 8 ‘Site Specific Allocations for Material Recovery Facilities / Waste Transfer Facilities’, identifies “Pebsham WDF plant and adjoining land...” as having the potential to accommodate the development of material recovery facilities and transfer stations. Supporting text to Policy WLP 8 (Paragraph 6.27) states that:

“To reflect its continuing strategic role, it [Pebsham WDF Plant and adjoining land] has been identified under Policy WLP 8. However any increase in vehicle movements along the A259 would be unacceptable until the strategic road network in the area has been improved. The future of this area will need to be co-ordinated with plans for the Pebsham Countryside Park, and any redevelopment proposals for the site will be expected to assist in reducing its visual impact.”

Policy WLP 16: 'Household Waste Sites', specifically sets out the local waste planning policy for HWRS schemes. Supporting paragraph 6.49 requires careful design to ensure maximum recycling takes place and vehicle circulation is efficient within the site. Other requirements include hard standing areas, recycling bins, parking and turning spaces. The Policy states that:

"Proposals for new household waste sites will be permitted, subject to other policies of the Plan where relevant, where it is demonstrated that:

- a) They are in close proximity to or in urban areas; and*
- b) They are on land that is located within permitted or allocated industrial or waste management sites ; or*
- c) On other suitable previously developed land; or*
- d) Part of a major scheme, if of a scale appropriate to the location.*

Paragraph 6.50 asserts that the key issue relating to household waste sites in the future will centre on providing for the segregation of waste streams, including household batteries, waste electrical and electronic equipment (WEEE) and wood.

Policy WLP 35 'General Amenity Considerations' seeks to protect the interests of neighbouring land uses and policy designation from intrusive impacts such as poor design and negative environmental effects. The Policy states that:

"All proposals shall satisfy the following criteria:

- a) the development is of a scale, form and character appropriate to its locations; and*
- b) there is no unacceptable adverse effect on the standard of amenity appropriate to the established, permitted or allocated land uses likely to be affected by the development; and*
- c) adequate means of controlling noise, dust, litter, odours and other emissions are secured; and*
- d) there is no unacceptable adverse effect on the recreational or tourist use of an area, or the use of existing public access or rights of way; and*
- e) there is no unacceptable adverse effect on areas or features of demonstrable landscape, archaeological, architectural, geological, ecological, or historic importance."*

Policy WLP 36 'Transport Considerations' addresses the specific transport issues that are particularly associated with waste management facilities. The Policy states:

"Proposals will not be permitted where:

- a) access arrangements are inadequate for the volume and nature of traffic generated by the proposal;*
- b) unacceptable safety hazards for other road users, cyclists or pedestrians would be generated;*
- c) the level of traffic generated would exceed the capacity of the local road network;*
- d) an unacceptable adverse impact upon existing highway conditions in terms of traffic congestion and parking would arise;*
- e) there are inadequate arrangements for on site vehicle manoeuvring, parking and loading/unloading areas; and*
- f) adverse traffic impacts that would arise from the proposal cannot be satisfactorily mitigated by routing controls or other highway improvements."*

Policies WLP 37 and 38 refer to flood risk and surface and groundwater. Policy WLP 37 'Flood Defences, Flood Plains, and Surface Water Runoff' states:

"Planning permission will not be granted for development which would:

- a) be detrimental to the integrity of sea/tidal/fluvial defences or river channels or would impede access for future maintenance and improvements;*
- b) be within floodplains unless there is an overriding case for such development and environmentally acceptable compensatory flood mitigation measures can be provided by the developer together with a flood risk assessment ;*
- c) increase the risk of flooding, as a result of increased surface water runoff, unless appropriate alleviation/ mitigation works, such as the provision of sustainable drainage systems (SUDS), can be incorporated by the developer and approved by the local planning authority prior to works commencing. Proposals for the long-term management of such works must be submitted with any scheme;*
- d) have an adverse impact on the nature conservation and amenity value of rivers, wetlands or the marine environment."*

Policy WLP 38 'Surface and Groundwater' states:

"Planning permission will not be granted for development which would:

- a) cause unacceptable risk to the quality of surface and groundwater (including reservoirs); and*
- b) cause changes to groundwater levels, which would result in an unacceptable adverse impact upon adjoining land, the quality or potential yield of groundwater resources, river flows or natural habitats; and*
- c) result in work being undertaken below the water-table, unless the proposal includes a suitable comprehensive groundwater management scheme, running throughout and after the life of the proposal."*

Policy WLP 39 'Design Considerations' seeks a high standard of design for waste facilities. Paragraph 8.15 acknowledges that the functional nature of such facilities can result in unimaginative structures that require landscaping to make them visually acceptable. The Policy states:

"The design, siting and external appearance of proposals shall:

- a) respect the existing site topography and natural cover;*
- b) use materials and colouring appropriate to the location in which the building or plant is to be located;*
- c) incorporate appropriate landscaping as an integral part of the overall development of the site;*
- d) where appropriate, use high quality, innovative designs.*

Proposals which would have an unacceptable adverse visual effect or would have an unacceptable adverse effect on adjoining land uses by virtue of the scale and location of the development, which cannot be satisfactorily mitigated, will not be permitted."

Finally, Policy WLP 40 requires developers to compensate or offset negative effects cause by development by seeking:

“...environmental improvements and/or other benefits on the site or in the locality, to offset or compensate for any adverse impacts associated with the development.”

4 Appraising the Proposal

4.1 National Policy: Planning Policy Statements 1 and 10

In meeting the national policy requirements of PPS 10 'Planning for Sustainable Waste Management' (2005), the proposed HWRS presents the recommended opportunity for the co-location of facilities that complement each other. The co-location of the HWRS and the WRTS would enhance the operational capability of each facility whilst also gaining efficiencies in the transportation of waste between both sites.

The allocation of the site in the WLP (Policy WLP 8 of the East Sussex and Brighton & Hove Waste Local Plan 2006) to accommodate the proposed development together with the planning history of the existing temporary HWRS indicates that there is a need for such a facility.

4.2 Regional Policy: Regional Planning Guidance 9

The proposed variation of Condition 2 and the associated proposed development will lead to the increased capacity of the existing WRTS from 85,000 tpa transferred through the facility to a total of 150,000 tpa, affording an opportunity to make a greater contribution to recycling and potentially "recovery" rates (where practical and economically viable) during the period up to the commissioning of the Newhaven ERF. This would provide additional transfer capacity for municipal (contract waste), up to 110,000 tonnes and for commercial and industrial waste up to 40,000 tonnes. The proposals will contribute to the diversion of waste away from landfill in accordance with the waste hierarchy. The need for additional waste transfer capacity is emphasised by the limited amount of landfill capacity remaining in East Sussex.

The replacement of the existing Hastings HWRS with the proposed facility would provide a better designed facility which can accommodate a greater tonnage of waste, thus increasing capacity and improving operational efficiencies. The relocation will also move the facility away from the congested entrance area to the existing landfill, thereby assisting in improving Health and Safety matters compared to the existing situation. The outcome of the proposed development would be an enhanced service that diverts waste away from landfill, therefore contributing to the local authority's efforts in meeting national and local recycling and recovery targets. This accords with the policies set out in RPG9, namely Policy W1 'Waste Reduction', Policy W6 'Recycling and Composting Targets' and Policy W7 'Waste Management Capacity Requirements'.

The location of the proposed development at an existing waste management facility and on a site allocated in the development plan, and with good accessibility from urban areas, accords with the approach set out in Policy W17 of RPG9.

4.3 Local Policy: Waste Local Plan

4.3.1 General

A common theme through all levels of waste policy is that waste sites should where practical be located in close proximity to population centres and co-located with other processing facilities to minimise the transportation of wastes. The co-location of both facilities meets this aim and represents an improvement over the existing situation, where the HWRS is separated from the WRTS, requiring service vehicles to make regular trips along Freshfields Road between the sites.

4.3.2 Policy WLP 6: Expansions or Alterations to Existing Facilities

The proposals for minor modifications to the WRTS demonstrates that the operational efficiency of the facility will be improved. A new access around the rear of the WRTS, including a small extension to the west of the existing building required to enclose a new load-out weighbridge would improve circulation of vehicles around the site, and allow vehicles to be loaded and weighed undercover. A new vehicular access ramp between the WRTS and the new HWRS, to allow bins to be serviced directly from the WRTS, would also be an improvement on the current position which requires service vehicles to cross the road when moving between the two sites. These modifications are considered to comply with Policy WLP 6. Furthermore Paragraph 6.27 states that the modernisation and expansion of the existing waste facility at Pebsham would be supported by Policy WLP 6 subject to its criteria being met.

The proposed variation to Condition 11 seeks to allow the change to the Transfer Station's site layout. Without the approval of this condition, the implementation of the development proposals would not be able to proceed thus preventing the improvement of the facility's operational efficiency, which is supported by WLP 6.

4.3.3 Policy WLP 8: Site Allocations for Material Recovery Facilities/Waste Transfer Facilities

The Pebsham site for waste development is allocated for waste facility development in Policy WLP 8. The supporting text set out in Paragraph 6.27 requires the consideration of traffic impacts on the A259 and visual impacts on the proposed Countryside Park. The traffic impact of the proposal is considered in more detail under Policy WLP 36 'Transport Considerations'.

The proposed Pebsham Countryside Park has been considered as part of the supporting work for the planning application. The Environmental Statement considers the potential impacts of the proposed development on the proposed Park and suggests any necessary mitigation measures. Overall, it is judged that the proposed development could have a mixture of impacts on local recreation which would include users of the future Pebsham Countryside Park. However, the relocation of the HWRS adjacent to the WRTS supports the development of the countryside park, by consolidating the waste operations in the area from two disparate sites. This will reduce the overall spatial impact from the operations, and will also enable the existing HWRS to be restored and form a useful part of the countryside park. Furthermore, the proposed development site is shielded by steep

embankments on three sides and incorporates landscape zones, which minimise its impact on the countryside park

4.3.4 Policy WLP 16: New Household Waste Sites

Given that the proposed site is located on allocated land for Material Recovery Facilities / Waste Transfer Facilities and near to urban areas, it is considered that the proposed HWRS suitably satisfies Policy WLP 16. Furthermore, the functions of the HWRS accord with the current expectations for waste facilities, in that the proposed layout is designed to ensure efficient vehicle circulation, sufficient parking spaces and recycling bins thus encouraging maximum use of the site. The proposed HWRS would also provide for the segregation of waste streams including household batteries, waste electrical and electronic equipment (WEEE) and wood.

4.3.5 Policy WLP 35: General Amenity Considerations

In considering the proposed development against the general amenity of the area, it is deemed that the proposal meets the requirements of Policy WLP 35. In particular, the proposed minor modifications to the WRTS and the proposed HWRS's features are in keeping with the existing scale, form, character and appearance of the existing WRTS facility. The Environmental Statement considers potential impacts in more detail, but in summary it is considered that the key issues relating to biodiversity, adjoining land uses, visual and residential amenities can be mitigated by measures such as landscape planting and retention of woodland buffers.

Therefore, through appropriate mitigation it is deemed that neighbouring land uses, policy designations and the area's general amenity will not be adversely affected by the proposed development, therefore satisfying Policy WLP 35. The identified need for mitigation measures accords to Policy WLP 40 which seeks environmental improvements and/or other benefits to offset or compensate adverse impacts associated with the development.

The proposed variation to Condition 2 is proposed to seek the increased operational capacity of the Waste and Recyclables Transfer Station. No other purpose is proposed for the site therefore enabling the Waste Planning Authority to continue its control over the future use in order to protect the character and amenity of the area.

The proposed variation to Condition 7 will restrict the repair and maintenance of vehicles to those used in connection with the Transfer Station and Household Waste Recycling Site. Maintenance will take place within an existing building and it is not envisaged that there will be any adverse amenity impacts. There are existing planning conditions to control noise from the site. Furthermore the effects of these impacts are deemed to be not significant in the Environmental Statement.

The proposed variation to Condition 9 seeks minor changes to hours of operation at the WRTS site. These will enable the site to be operated more efficiently and will contribute to the more sustainable management of waste.

The proposed variation to Condition 9 also seeks to exclude vehicles and activities associated with the handling of street/beach cleansing waste, trade waste and the emptying of bulk bins from the existing Condition. The variation to this Condition will facilitate the use of the WRTS site by certain vehicles of the Hastings Municipal Fleet and trade waste vehicles which need to carry out operations outside of normal

hours. It is not envisaged that there would be more than two return trips in any one hour outside the normal permitted hours as a result of these operations.

The proposed variation to Condition 11, which seeks to allow the change to the Transfer Station's site layout, is unlikely to lead to adverse effects that may harm the general amenity of the area. This is supported and discussed in greater detail in the Environmental Statement.

The proposed variation to Conditions 14 and 15 are needed to bring these noise control conditions into line with the variation to operating hours sought under Condition 9.

The proposed variation to Condition 18 seeks to extend the number of waste collection vehicles permitted to be stationed on the Transfer Station site from 40 to 55 at any one time. With the exception of some minor adverse impacts which may be caused by the start up of engines, the stationing of the vehicles are not considered to pose a threat to local amenity and therefore complies with WLP 35.

4.3.6 Policy WLP 36: Transport Considerations

The Transport Assessment submitted with the planning application examines and explores the potential transport impacts associated with the proposed development. It is considered to comply with Policy WLP 36.

In summary, the assessment concludes that as the additional proposed capacity at the WRTS would only be used in the event that the adjacent landfill site is temporarily or permanently closed for the receipt of non-inert waste, there would be a decrease in traffic movements compared with the current situation.

The existing hazard caused by queuing traffic on Freshfields Road would be improved by the proposed access arrangements for the new HWRS, therefore making the route safer for works vehicles to travel. The safety aspect is reinforced by the design of the new HWRS which allows for safe movement of both cars and HGVs and by the co-location of the HWRS and WRTS, reducing the need for HGVs to enter Freshfields Road. Cycle and pedestrian numbers are low on this road.

Although the A259 is heavily congested, the development would not add to this and the opening of the proposed Hastings bypass is envisaged to reduce traffic levels significantly on this route in the future.

The proposed variation to Condition 3 does not seek amendment for a change to the number car parking spaces nor to the provision of a turning space for vehicles. The purpose for seeking this variation is for the renewed condition to refer to the revised layout drawing now proposed. With no material change to the parking and turning space provisions, it is considered that the criterion 'e' of WLP 36 will continue to be satisfied.

4.3.7 Policy WLP 37: Flood Defences, Flood Plains and Surface Water Runoff

The Flood Risk Assessment (FRA) which is submitted with the planning application, and compliant with Planning Policy Statement 25 (2006), identifies that the site sits in Flood Zone 2 and therefore is at a moderate risk from flooding. Although PPS 25's primary aim is to steer all development to Flood Zone 1 (areas at lower risk from flooding) waste development falls into the "Less Vulnerable" category as

defined by the Statement. This means that waste development of the proposed type is acceptable in Flood Zone 2 where reasonably alternative sites are not available. Given the site's allocation under WLP 8 'Site Specific Allocations for Material Recovery Facilities / Waste Transfer Facilities' and associated benefits of locating a new waste facility next to an existing one, it is considered that no reasonably alternative sites for this type of development are available in this instance.

The FRA goes on to report that the majority of the proposed development site is not at risk from fluvial, groundwater or tidal flooding, although the likelihood of tidal flooding may increase by 0.5% or more after 2070. Likewise the proposed development is not expected to affect groundwater levels whilst surface water runoff will be intercepted by the drainage channel along the eastern boundary of the site. The risk of overland flow therefore is low. It concludes that, in accordance with PPS 25, the proposed development is appropriate in the proposed location in terms of flood risk. The flood risk of the site is therefore in accordance with Policy WLP 37.

4.3.8 Policy WLP 38: Surface and Groundwater

It is recognised in the Environmental Statement that the proposed development could potentially affect Gorringe Stream. Mitigation measures such as preventing the build up of dust and mud deposits on haul roads during the construction phase should protect local watercourses from contamination. The most significant long-term risk associated with the operation of the proposed development is pollution of the Gorringe Stream from spillages or collection of pollutants on hard surfaces that then get mobilised by surface runoff during rainfall (hydrocarbons being of main concern). To mitigate this, the developers will collect runoff from high risk areas and discharge it as foul water. Clean surface water runoff would be attenuated in an underground storage chamber and passed through oil interceptors prior to discharge to Gorringe Stream. The access road will cross the existing drainage ditch; however flows will be maintained by a new box culvert.

4.3.9 Policy WLP 39: Design Considerations

All of the above considerations have given rise to the site's design and although it is based on the facility's function, it uses the site's natural features to reduce the impact on the surrounding area. The high embankments and existing tree cover to the north, south and west, in addition to the further proposed on-site landscaping, will help to screen the proposed development. The use of the site's varied topography, through a multi leveled development, reduces the need for major engineering works. The end result is considered to be an acceptable scheme in accordance with Policy WLP 39.

5 Conclusion

The proposed development is considered to sit comfortably within the immediate waste facility surroundings and fulfils the designated allocation set out in Policy WLP 8 of the East Sussex and Brighton & Hove Waste Local Plan 2006. The new HWRS would be co-located with the existing WRTS. This presents an opportunity to enhance their operational capabilities, which will ultimately contribute to the county's recycling targets.

The HWRS proposal makes good use of the site's physical context. The three high embankments and existing vegetation helps to screen the proposal site, whilst the split level design minimises the engineering of the site. The on-site design of the HWRS proposes an efficient layout that would accommodate a large number of vehicles and allow the internal movement of works traffic between facilities, thus improving the safety of Freshfield Road and the A259 by taking traffic off these routes.

The proposed minor modifications to the existing WRTS facility take account of the existing design and layout and are considered to be well related to the site's features without adding or detracting from them.

The proposed development and the outcomes of the variation of conditions are not considered to potentially pose any significant impacts to the area. Where slight adverse effects have been identified, mitigation will be applied. These are considered in more detail in the Environmental Statement.

The proposed development demonstrates well designed waste facilities that will allow operational efficiencies and deliver a number of benefits to the whole of East Sussex. Without the implementation of this proposal, the attainment of recycling targets would be hindered and users of the immediate local road network would remain subject to the existing road safety hazard.

Appendix A - Proposed Variation of Conditions

¶ Condition 2 → ¶

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification) the building shall be used only as a Waste and Recyclables Transfer Station, for up to ~~150,000~~ tonnes of commercial and industrial waste per annum, ~~including up to 40,000 tonnes of commercial and industrial waste~~, and ancillary depot and for no other purpose. ¶

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¶ ~~Throughput above 85,000 tonnes per annum shall only be permitted in the event of the temporary or permanent closure of the adjacent landfill site for the receipt of non-inert waste, except in the case of the recycling of commercial and industrial waste where the landfilling of recyclable material would not be a sustainable option.~~ ¶

¶ Reason: To enable the Waste Planning Authority to control the future use of the site in order to protect the character and amenity of the area, in accordance with Policy WLP35 of the East Sussex and Brighton & Hove Waste Local Plan 2006. ¶

¶ Condition 3 → ¶

The site shall be laid out at all times with a turning space for vehicles and 35 parking spaces for cars provided in the parking areas identified on Drawing Number ~~ACS5402-402-Rev P2~~ and for those spaces to be thereafter retained for those uses and not be used for any other purpose. ¶

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¶ Reason: To ensure the safety of persons and vehicles entering and leaving the access and proceeding along the highway, in accordance with Policy TR3 of the East Sussex and Brighton & Hove Waste Local Plan 2006. ¶

¶ Condition 7 → ¶

There shall be no repair or maintenance of any vehicles at the site other than ~~vehicles based at the site or used in connection with the operation of the Waste and Recyclables Transfer Station and the Household Waste Recycling Site~~. ¶

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¶ Reason: In the interests of the amenity of the locality in accordance with Policy WLP35 of the East Sussex and Brighton & Hove Waste Local Plan 2006. ¶

¶ Condition 9 → ¶

~~With the exception of vehicles and activities associated with the handling of street/beach cleansing waste, trade waste and the emptying of bulk bins, the use hereby permitted shall not be carried out other than between the hours of 06.00 and 20.00 on Monday to Friday inclusive and the hours of 06.00 and 16.00 on Saturdays and the hours of 09.00 and 16.00 on Sundays except for work of essential maintenance or which are to respond to an emergency.~~ ¶

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¶ Reason: To safeguard the amenity of the locality, in accordance with Policy WLP35 of the East Sussex and Brighton & Hove Waste Local Plan 2006. ¶

Condition-11 → ¶

The site shall not be laid out and operated other than in accordance with Drawing Number ~~ACS5402-402-Rev-P2~~ showing the layout of the proposed site. ¶

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Reason: To enable the Waste Planning Authority to control the development in the interests of the amenity of the locality, in accordance with Policy WLP35 of the East Sussex and Brighton & Hove Waste Local Plan 2006. ¶

Condition-14 → ¶

~~Between the hours of 06.00 and 20.00 on Monday to Friday inclusive and 06.00 and 16.00 on Saturday, the level of noise emitted from the operational site, as measured in accordance with BS 4142:1997, shall not exceed a rating level of 41dB LAeq (1 hour) as measured at the nearest façade of Number 2 Pebsham Lane.~~ ¶

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Reason: In the interests of the amenity of the locality, in accordance with Policy WLP35 of the East Sussex and Brighton & Hove Waste Local Plan 2006. ¶

Condition-15 → ¶

~~Between the hours of 09.00 and 16.00 on Sundays, the level of noise emitted from the operational site, as measured in accordance with BS 4142:1997, shall not exceed a rating level of 38 dB LAeq (1 hour) as measured at the nearest façade of Number 2 Pebsham Lane.~~ ¶

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Reason: In the interests of the amenity of the locality, in accordance with Policy WLP35 of the East Sussex and Brighton & Hove Waste Local Plan 2006. ¶

Condition-18 → ¶

~~No more than 55 waste collection vehicles and waste recycling collection vehicles, including Refuse Collection Vehicles, bulk carrier HGVs and street cleansing vehicles shall be stationed at the site at any one time.~~ ¶

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Reason: To enable the Waste Planning Authority to control the development in the interests of the amenity of the locality, in accordance with Policy WLP35 of the East Sussex and Brighton & Hove Waste Local Plan 2006. ¶