



British Gypsum Ltd Robertsbridge Site,
Mountfield, Robertsbridge, East Sussex
TN32 5LA

Provision of a Strategic Desulphogypsum
(DSG) Storage Area and Associated
Development for a Period of 10 Years, with
Subsequent Restoration to Locally Occurring
Habitats and Landscape Features through
the Importation of Soils, at the Former Ready
Mixed Concrete (RMC) Site

Planning Application Supporting Statement

October 2011

Prepared for



Revision Schedule

Planning Application Supporting Statement October 2011

Rev	Date	Details	Prepared by	Reviewed by	Approved by
02	Oct 2011	Final	Jake Barnes-Gott Consultant Planner	Thomas Smith Principal Planner	Thomas Smith Principal Planner

URS Scott Wilson
6-8 Greencoat Place
London
SW1P 1PL

Tel +44 (0) 20 7798 5000
Fax +44 (0) 20 7798 5001

www.urs-scottwilson.com

Limitations

URS Scott Wilson Ltd (“URS Scott Wilson”) has prepared this Report for the use of British Gypsum (“client”) in accordance with the Agreement under which our services were performed. No other warranty, expressed or implied, is made as to the professional advice included in this Report or any other services provided by URS Scott Wilson.

Where the conclusions and recommendations contained in this Report are based upon information provided by others it is upon the assumption that all relevant information has been provided by those parties from whom it has been requested and that such information is accurate. Information obtained by URS Scott Wilson has not been independently verified by URS Scott Wilson, unless otherwise stated in the Report.

The methodology adopted and the sources of information used by URS Scott Wilson in providing its services are outlined in this Report. The work described in this Report was undertaken between July and August 2011 and is based on the conditions encountered and the information available during the said period of time.

Where assessments of works or costs identified in this Report are made, such assessments are based upon the information available at the time and where appropriate are subject to further investigations or information which may become available.

Certain statements made in the Report that are not historical facts may constitute estimates, projections or other forward-looking statements and even though they are based on reasonable assumptions as of the date of the Report, such forward-looking statements by their nature involve risks and uncertainties.

Table of Contents

Schedule of Submitted Plans	1
1. Introduction	2
1.1 Background and Scope	2
1.2 The Purpose of this Document.....	2
1.3 Referencing	2
1.4 Proposal Overview.....	3
1.5 Design and Access Statement.....	3
1.6 Environmental Impact Assessment.....	3
1.7 Consultation.....	4
1.8 The Applicant.....	4
2. The Site	5
2.1 Location and Description	5
2.2 Surroundings	5
2.3 Designated Sites	5
2.4 Historic Context	6
2.5 Relevant Planning History.....	6
2.6 Environmental Permit	6
3. Proposed Development	7
3.1 Introduction.....	7
3.2 Need.....	7
3.3 Site Preparation and Construction	7
3.4 Drainage.....	8
3.5 Delivery/Unloading/Transfer	8
3.6 Operating Hours	9
3.7 Employment.....	9
3.8 Waste Minimisation.....	9
3.9 Restoration and Aftercare	9
4. Planning Policy	11
4.1 Introduction.....	11
4.2 Policy Overview	11
4.3 Policy Analysis.....	11
5. Environmental Considerations	18
5.1 Introduction.....	18
5.2 Landscape and Visual	18
5.3 Ecology.....	19

5.4	Air Quality	19
5.5	Noise and Vibration	20
5.6	Traffic and Transport	21
5.7	Hydrology and Hydrogeology.....	21
5.8	Cultural Heritage.....	22
5.9	Environmental Permit	22
6.	Summary and Conclusions	23
	Plans	24
	Appendix A: Photographs	25
	Appendix B: Flood Risk Assessment.....	29

Schedule of Submitted Plans

Plan Number	Title
03099714.DSG.001	Site Location
03099714.DSG.002	Planning Application and Landownership Boundaries
03099714.DSG.003	Detailed Site Plan
4858/003B	Site Drainage, Surfacing and Haul Road
4858/005	Elevation and Details (Drainage and Haul Road)
4858/006	DSG Stockpile
RMC/BG/010/11	Outline Restoration Plan

1. Introduction

1.1 Background and Scope

This Supporting Statement is submitted by URS Scott Wilson on behalf of British Gypsum Ltd to East Sussex County Council (ESCC) in its capacity as Mineral Planning Authority (MPA), in support of a planning application submitted under the Town and Country Planning Act 1990 for the following at the Robertsbridge site:

- development and operation of a strategic desulphogypsum (DSG) storage area (stockpiles) for a period of 10 years with associated development (including site access road and drainage works); and
- restoration after a period of 10 years to locally occurring habitats and landscape features.

The general location of the Robertsbridge site is shown on plan **03099714.DSG.001**.

At present in the UK there is an excess capacity of DSG being produced by coal fired power stations, which often requires the material to be disposed of at landfill.

British Gypsum Ltd ('British Gypsum' or 'the Company') propose to increase usage of DSG, a form of synthetic gypsum produced as a bi-product at coal fired power stations, as a substitute for mined/virgin gypsum at its Plasterboard production factory at the Robertsbridge site. This would increase the use of secondary aggregate / recycled material in compliance with national minerals planning policy, i.e. Minerals Planning Statement 1 (MPS1).

1.2 The Purpose of this Document

This Supporting Statement accompanies the planning application and provides a description of the proposed development and an appraisal of how the application accords with the Development Plan and material considerations, including national planning policy.

This statement should be read in conjunction with other documents that form the planning application submission, which comprise:

- Planning Application Form;
- Plans; and
- Flood Risk Assessment.

In addition to the above, this statement should be read in conjunction with the management plan and landscaping scheme for the wider Robertsbridge site, submitted under requirement of planning permission RR/445/CM(EIA), granted by ESCC in 2005 (see Section 2.5 – 'Relevant Planning History' for more details).

1.3 Referencing

The proposed development relates to derelict/despoiled land known as the former Ready Mixed Concrete Site (RMC) site, situated within the western section of the wider Robertsbridge site. For the purposes of this Supporting Statement and for the avoidance of confusion the following definitions have been adopted:

- **the Robertsbridge Site** comprises the wider British Gypsum works (approximately 26ha), containing a Plasterboard manufacturing facility, associated development, the RMC site, and adjacent woodland – defined by the blue line boundary on plan **03099714.DSG.002**;

- **the RMC Site** comprises a small area of land (approximately 4.9ha) in the western section of the wider Robertsbridge site. It was previously leased to Ready Mixed Concrete (a subsidiary of Cemex) and was occupied by a coated roadstone plant (now derelict). The RMC Site is defined by the purple dashed boundary on plan **03099714.DSG.003**; and
- **the Application Site** comprises the smaller north western section of the RMC Site (approximately 1.7ha) and is subject to the proposals set out within this Supporting Statement – defined by the red line planning application boundary on plan **03099714.DSG.002** and **003**.

1.4 Proposal Overview

The proposed development can be summarised as follows:

- the storage area, comprising an impermeable hardstanding with integrated drainage system, upon which the DSG will be stockpiled to maximum capacity of 50,000 tonnes (split over two stockpiles);
- access to the storage area will be via a new purpose built haul road through the RMC Site;
- DSG will be delivered by train utilising existing infrastructure (sidings and depot) at the Robertsbridge Site under planning permission RR/93/2149 (granted in 1993), and then transferred to the Application Site utilising an internal haul road; and
- following a period of 10 years, the Application Site will be restored to habitats characteristic of the local area through the importation of soils (by road). The access road to the Application Site (through the RMC Site) will be retained, to provide access to the former Mountfield Mine shafts (for inspection) and to adjacent woodland.

British Gypsum also proposes to imminently restore the remaining (larger) part of the RMC Site (approximately 3.2ha), for which a planning application is likely to be submitted in late 2011. For the avoidance of doubt, this Supporting Statement and associated planning application relates to the DSG storage proposals and associated development only.

1.5 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 on 10th August 2006. Section 42 also inserts a new section 327A into the Town and Country Planning Act 1990 which prohibits, amongst other things, a Local Planning Authority from entertaining an application unless it is accompanied by a Design and Access Statement, where required.

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

It follows that a Design and Access Statement is not required in connection with this planning application, given that the proposals fall under the remit of engineering works.

1.6 Environmental Impact Assessment

An Environmental Impact Assessment Screening Request (Screening Report) was submitted by URS Scott Wilson to ESCC under Regulation 5 of the Town and Country Planning

(Environmental Impact Assessment) (England and Wales) Regulations 2011 ('the EIA Regs') on 30th September 2011.

The purpose of the Screening Report was to provide information about the proposed development and its potential environmental effects to enable ESCC provide a Screening Opinion, under Regulation 5 of the EIA Regs, to confirm whether or not the proposed development comprises 'EIA development' and therefore whether or not the planning application is required to be accompanied by an Environmental Statement (ES).

ESCC provided its Screening Opinion on 24th October 2011 and this stated that an ES is not required.

1.7 Consultation

The planning application is made following pre-application advice received from officers at ESCC. Andrew Thompson has provided advice in respect of a number of planning matters at the Robertsbridge Site, including the proposed development.

1.8 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 5 major manufacturing plants in the UK, including the Robertsbridge site.

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

2. The Site

2.1 Location and Description

The Robertsbridge Site is situated approximately 8km to the north of the town of Battle and to the west of the A2100, comprising 26ha in total. The site extends across a northeast to southwest axis, comprising a Plasterboard manufacturing facility, gypsum and DSG stockpiles, gypsum processing, two gypsum landfill sites, railway sidings, and the closed Mountfield Mine head (gypsum) and former RMC Site.

The RMC Site is situated within the western section of the wider Robertsbridge Site, comprising an area of despoiled land, historically utilised to access the Mountfield Mine (the mine was formally closed (concrete capped) and secured in the 1990s), and more recently occupied by a coated roadstone plant and associated infrastructure. The majority of the former coated roadstone plant has been demolished and removed from the RMC Site, although the plant foundations and some areas of hardstanding still remain.

The wider Robertsbridge Site and the RMC Site, including features therein, are shown on plan **03099714.DSG.002**.

The area of the RMC Site subject to the proposals set out within this Supporting Statement, i.e. the Application Site, comprises approximately 1.7ha and is shown on plan **03099714.DSG.003**. The Application Site comprises the former stocking and aggregate storage area associated with the coated roadstone plant, comprising an area of hardstanding constructed from flattened/compacted aggregate, asphalt and sub-base material, as shown on the photographs included as **Appendix A**.

2.2 Surroundings

The Application Site is surrounded by dense Ancient Woodland, with Limekiln Wood to the north and Snep's Wood to the southwest. In addition, Great Wood and Counsellor's Wood lie to the south and far west, with Crowhurst Wood, Millham Wood and Castle Wood lying to the far south, southeast, northeast and north of the site respectively.

The closest residential properties, on the outer limits of the village of Netherfield, are situated approximately 400m to the south of the Application Site.

There are no public footpaths or other Public Right of Way providing access to the site through the surrounding woodland.

2.3 Designated Sites

The Application Site and the wider Robertsbridge site are situated within the High Weald Area of Outstanding Natural Beauty (AONB) in the valley of the River Line and are surrounded by Ancient Woodland. Aside from the AONB, the Application Site itself is covered by no further designations, although there are further designated sites in the vicinity.

The Limekiln Wood Complex Site of Nature Conservation Interest (SNCI) forms part of the Ancient Woodland, situated to the north and west of the RMC Site. The River Line Valley Site of Special Scientific Interest (SSSI), designated as such for its geological interest, is situated within the Ancient Woodland, immediately to the south of the RMC Site.

There are no Scheduled Monuments or Listed Buildings on the Application Site or in the surrounding area.

2.4 Historic Context

Gypsum mining in Sussex can be traced back to the late 19th century when the Mountfield Mine, the former head of which (now closed and concrete capped) is situated within the RMC Site, first began operating with operations on the site including gypsum mining and its processing into plasterboard.

A second mine at Brightling was opened in 1963, as reserves at the Mountfield mine began to be depleted. Material was transported from the Brightling mine for processing, originally by an aerial ropeway spanning the 3.5 mile distance between the two mines, switching to a conveyor system in 1986.

At its height, output from the mines approached 1 million tonnes per annum (tpa). However, with the closure of the Mountfield Mine in the early 1990s, and a reduction in demand output, has dropped to approximately 150,000 tpa.

2.5 Relevant Planning History

2.5.1 DSG Importation/Storage/Handling

Planning permission was granted in 1993 for the importation of DSG by rail at the Robertsbridge Site (Ref: RR/93/2149). Planning permission was subsequently granted in 1994 for the storage of DSG on land to the southeast of the main factory (Ref: RR/94/1563/CM). The importation and storage of DSG has therefore previously been deemed acceptable at the Robertsbridge Site.

2.5.2 Management and Restoration

In 2005, British Gypsum submitted a planning application to ESCC for environmental improvements at the Robertsbridge Site. Planning permission RR/445/CM(EIA) was granted on 15th August 2005 subject to a number of conditions. Planning permission RR/445/CM(EIA) is hereinafter referred to as 'the 2005 Permission'.

Conditions 11 and 13 attached to the 2005 Permission include a requirement for, amongst other things, plans detailing specific provisions relating to landscaping and restoration of the site (including specific habitats/features to be provided by restoration). Due to unforeseen delays, the submissions were only made on 27th October 2011 and are presently being considered by ESCC.

Notwithstanding the above, all landscaping/restoration proposals for the Application Site are based on the provisions of the plans.

2.6 Environmental Permit

The Robertsbridge Site benefits from an existing Environmental Permit (Ref: EPR/PP393OKL) for the storage of DSG, which was recently varied to include the Application Site. Please refer to Section 5 for more details.

3. Proposed Development

3.1 Introduction

The proposed development comprises the construction and operation of a DSG storage area for a period of 10 years with associated development (drainage and access road). The DSG storage area itself will consist of two areas of hardstanding, upon which DSG stockpiles will be constructed. Upon cessation of DSG storage operations, the Application Site will be restored to locally occurring habitats and landscape features.

3.2 Need

The proposed development will facilitate the increased usage of DSG, a form of synthetic gypsum produced as a bi-product at coal fired power stations, as a substitute for mined/virgin gypsum at the Plasterboard production factory at the Robertsbridge site. Thus increasing the use of secondary aggregate / recycled material in compliance with national minerals planning policy, such as MPS1 (see Section 4 – ‘Planning Policy’ for more detail).

The proposal has come forward at this time because, at present in the UK, there is an excess capacity of DSG being produced by coal fired power stations. There are various reasons for this, one being that as a result of the downturn in the economy there is more DSG available than British Gypsum, amongst others, can currently use. The combination of these effects has led the Company to look at the long term strategic options for storing this material.

In addition to the above, it should also be noted that the DSG would otherwise be sent to landfill, in the absence of outlets such as the proposed development.

The remainder of this section describes the features of the proposed development in more detail.

3.3 Site Preparation and Construction

The ground at the Application Site will be scarified and re-shaped (levelled) utilising hand tools and mechanical plant. The hardstandings (or ‘DSG Pads’) and haul road will then be constructed to the specification shown on plan **4858/003B** (DSG Pads shown hatched in black). It is anticipated that this will take approximately 4 weeks.

The new section of haul road, as shown in black on plan **4858/003B**, will be 4m wide and constructed from concrete, and will adjoin the existing haul road (compacted hardstanding) to the west of the areas of the DSG Pads.

Two strategic stockpiles will be constructed upon the DSG Pads, each measuring up to 30m x 40m, with a minimum 10m standoff from the adjacent woodland. The total capacity of the combined stockpiles will be 50,000 tonnes of material (25,000 tonnes each), with an estimated 750 tonnes of material delivered daily by train over a 3 month period. The stockpiles will be constructed in layers utilising mechanical plant, to the specification shown on plan **4858/006**.

The maximum stockpile height will be 15m with the sides compacted and smooth for maximum stability. Stockpiles will be sheeted in order to mitigate fugitive dust emissions. Please see Section 5 for more detail regarding stockpile management.

During construction (and operation), as a measure to maintain separation between the Application Site and the adjacent Ancient Woodland, the spoil banks along the western and northern boundaries will be retained, as illustrated on plan **4858/003**. The Application will be de-marked by the edge of the site access road, also illustrated on plan **4858/003**.

3.4 Drainage

The DSG Pads and haul roads will be profiled to direct surface water to drain into a new drainage system (the Application naturally slopes downwards from west to east), which is designed to prevent uncontrolled emissions and comprises the following key features:

- bunded DSG Pads;
- French drains (with gullies and inspection chambers) located around the base of each stockpile on the DSG Pads;
- concrete ditch system adjacent to the new haul road;
- silt trap to remove any particulate from surface water; and
- discharge from the Application Site into the existing drainage system at the Robertsbridge site.

The above features are shown in detail on plans **4858/003B** and **4858/005**.

There will be no requirement for a foul sewerage connection, as employees will utilise existing facilities at the Robertsbridge Site.

3.5 Delivery/Unloading/Transfer

The Robertsbridge Site benefits from existing planning permission for the importation of DSG by rail (Ref: RR/53/CM) and a section of the site to the south of the main Plasterboard factory benefits from planning permission for the storage of DSG (Ref: RR/80/CM), granted by ESCC in 1993 and 1994 respectively.

DSG will continue to be transported to the Robertsbridge Site by rail (container train) from various coal fired power plants across the UK, utilising the existing rail-link/sidings and loading depot to the south of the main Plasterboard factory, as shown on plan **03099714.DSG.002** and **03099714.DSG.003**.

The delivery/unloading/transfer operations can be summarised as follows:

- the DSG is delivered by train utilising closed containers;
- the closed containers are transferred from the train at the purpose built loading depot using a cargo lifting ridge;
- the containers are then lowered onto purpose built carts or 'bogies' (with tipping function) attached to a road-going tractor unit (6 wheeled lorry units);
- the road-going tractor units then transfer the closed containers to the DSG storage area (DSG is also transferred from the storage area utilising closed containers); and
- the containers are then opened and the DSG is added (tipped) to the stockpile.

The above sequence of operations will apply to the proposed development and is existing/permitted practice at the Robertsbridge Site.

Please refer to Section 5 for more detail regarding air quality management and mitigation.

3.6 Operating Hours

The operating hours for the strategic DSG storage area will be as follows:

- Day Shift (0700 - 1500); and
- Evening Shift (1500 - 2300).

The operating hours are the same as those for the remainder of the Robertsbridge Site.

3.7 Employment

The proposed development will create 10 temporary construction jobs (for the 3 month construction period) for local people. Furthermore, the ability to strategically store DSG for the next 10 years will provide increased production security at the Robertsbridge Site and, in turn, will provide increased employment security for existing employees.

3.8 Waste Minimisation

There will be limited waste arisings from the construction of the DSG storage area and the aim is not to export any inert materials from the Application Site.

The excavation arisings will be used as backfill on the Application Site and/or tested utilised to restore the remainder of the RMC Site. Any trees and shrubs will be chipped and used as mulch around the Robertsbridge site.

3.9 Restoration and Aftercare

Following the cessation of DSG storage operations (in 10 years time), the Application Site will be restored to a combination of woodland, low-fertility grassland and heathland, in accordance with plan **RMC/BG/010/11**.

In order to facilitate the restoration, it is envisaged that there will be a requirement to import 23,000m³ of sub soils and top soil, forming 1200-1500mm and 300-400mm deep layers respectively. It is estimated that the restoration works will take approximately eight months to complete (six months will be required for earthworks, and a further two months will be required for planting and seeding).

Restoration work on site will take place during the hours of 0700–1800 Mondays to Fridays and 0700–1300 on Saturdays, with no working on Sundays or Public Holidays. Material will be brought in by road by 30 tonne Heavy Goods Vehicles (HGVs), averaging at approximately 50 two-way movements per day Monday to Friday, and 25 two-way movements on Saturday.

The above estimated vehicle movements have been calculated based on the duration of the restoration works, volume of restoration material, operating hours and the capacity of vehicles.

All imported material will comply with the site Environmental Permit, hence all material will have to meet certain criteria, or otherwise not be accepted.

In order to manage the restoration proposals, it is proposed that one year prior to the commencement of works, British Gypsum will submit the following for approval by ESCC:

- Restoration Plan (with contours) detailing the importation of soils; and
- Lorry Management Plan (if soils are to be imported by road) detailing the vehicle movements associated with soil importation and management/mitigation measures (secured by legal agreement).

It is envisaged that the above will be secured by an appropriate condition attached to any planning permission, which will be agreed between British Gypsum and ESCC.

Following completion of the restoration, the Application Site will be managed in accordance with the Robertsbridge Site management plan relating to the 2005 Permission.

4. Planning Policy

4.1 Introduction

This application for planning permission falls to be determined by ESCC (in its capacity as MPA), in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 ('PCPA 2004'). As such ESCC is required to determine the planning application in accordance with the Development Plan and other material considerations, including national planning policy.

4.2 Policy Overview

The following national planning policy documents are considered most relevant and are a material consideration:

- Minerals Planning Statement 1 (MPS1) Planning and Minerals (2006);
- Minerals Planning Statement 2 (MPS2) Controlling and Mitigating the Environmental Effects of Mineral Extraction in England;
- Planning Policy Statement 7 (PPS7) Sustainable Development in Rural Areas (2005);
- Planning Policy Statement 9 (PPS9) Biodiversity and Geological Conservation (2004); and
- Planning Policy Guidance 13 (PPS13) Transport (2005).

The Development Plan for East Sussex comprises the following:

- The South East Plan is the Regional Spatial Strategy 2009 (RSS);
- The East Sussex and Brighton & Hove Minerals Local Plan 1999 (MLP);
- The East Sussex and Brighton & Hove Waste Local Plan 2006 (WLP); and
- The Rother District Council Local Plan 2006 (LP).

Emerging Development Plan Documents (DPDs) at district and county level will form part of a new Local Development Framework (LDF) under provisions of the PCPA 2004, and upon adoption will replace the MLP, WLP and LP. ESCC and Brighton & Hove City Council are currently preparing a joint Waste and Minerals Core Strategy. Rother District Council approved the publication of its Core Strategy on 27th June 2011, which it proposes to submit to the Secretary of State for independent examination. This will be available for a statutory six week period from 19th August to 30th September 2011 for representations to be made.

For the avoidance of doubt, the emerging East Sussex Waste and Minerals Core Strategy and other DPDs are not considered to be significantly enough progressed towards adoption at this time and, on this basis, are not considered any further by this planning application.

4.3 Policy Analysis

4.3.1 Introduction

The key considerations from documents comprising the Development Plan and material considerations, as set out above, are considered with regard to the proposed development in the remainder of this section.

4.3.2 Minerals Planning Statement 1 (2006)

MPS1 provides the overarching planning policy document for all minerals related development in England. The main objectives of MPS1 with relevance to the proposed development can be summarised as follows:

- to ensure, so far as practicable, the prudent, efficient and sustainable use of minerals and recycling of suitable materials, thereby minimising the requirement for new primary extraction;
- safeguard existing, planned and potential sites for the handling, processing and distribution of substitute, recycled and secondary aggregate material (e.g. DSG);
- to secure working practices which prevent or reduce as far as possible, impacts on the environment and human health arising from the extraction, processing, management or transportation of minerals;
- to protect internationally and nationally designated areas of landscape value and nature conservation importance from minerals development, other than in the exceptional circumstances detailed in paragraph 14 of this statement; and
- to protect and seek to enhance the overall quality of the environment once extraction has ceased, through high standards of restoration, and to safeguard the long-term potential of land for a wide range of after-uses.

Compliance

The proposed development (i) facilitates the sustainable utilisation of a material that reduces the reliance upon virgin materials and would otherwise be disposed of at landfill, (ii) acknowledges the sensitive nature of local environment and includes relevant management and mitigation measures, and (iii) includes an appropriate scheme of restoration and aftercare, thus complying with relevant provisions of MPS1.

4.3.3 Planning Policy Statement 7 (2005)

PPS7 provides national planning policy guidance with regard to sustainable development in rural areas. Paragraph 21 of the document states the following with regard to, amongst other things, AONBs:

“Nationally designated areas comprising National Parks, the Broads, the New Forest Heritage Area and Areas of Outstanding Natural Beauty (AONB), have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty. The conservation of the natural beauty of the landscape and countryside should therefore be given great weight in planning policies and development control decisions in these areas.”

Compliance

Management and mitigation measures, where necessary, have been incorporated into the design of the proposed development and the restoration proposals have been formulated with specific regard to the features of the AONB. Significant care has been taken when selecting, amongst other things, habitats types and planting, so as to ensure integration with existing landscape features and biodiversity. On this basis, the proposed development complies with the above (please refer to Section 4 and 6 for further detail regarding landscape issues and restoration).

4.3.4 Planning Policy Statement 9 (2004)

PPS9 was published in 2004 and provides national planning policy guidance in respect of ecological and geological conservation. Paragraph 8 states the in following respect of SSSIs:

“Where a proposed development on land within or outside a SSSI is likely to have an adverse effect on an SSSI (either individually or in combination with other developments), planning permission should not normally be granted. Where an adverse effect on the site’s notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of SSSIs.”

Paragraph 9 states the following with regard to regional and local sites:

“Sites of regional and local biodiversity and geological interest, which include Regionally Important Geological Sites, Local Nature Reserves and Local Sites, have a fundamental role to play in meeting overall national biodiversity targets; contributing to the quality of life and the well-being of the community; and in supporting research and education. Criteria-based policies should be established in local development documents against which proposals for any development on, or affecting, such sites will be judged. These policies should be distinguished from those applied to nationally important sites.”

Paragraph 10 states the following in respect of Ancient Woodland:

“Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Once lost it cannot be recreated. Local planning authorities should identify any areas of ancient woodland in their areas that do not have statutory protection (e.g. as a SSSI). They should not grant planning permission for any development that would result in its loss or deterioration unless the need for, and benefits of, the development in that location outweigh the loss of the woodland habitat.”

Compliance

The proposed development complies with the above, given that it acknowledges sensitive ecological designations and biodiversity in the vicinity of the Application Site and has been devised based on detailed ecological surveys, such as a Phase 1 Habitat Survey (see Section 6 for more detail).

4.3.5 The South East Plan (Regional Spatial Strategy) (2009)

The RSS provides strategic guidance for local planning authorities and developers for the entire South East Region, providing a framework for development that is intended to guide documents and policies at local level:

Paragraph 10.97 states the following with regard to gypsum in the South East:

“Gypsum is exploited commercially in East Sussex and is an important raw material for the construction industry. It is used in the manufacture of plasterboard and other plaster-based products in the cement industry and in other industrial applications. Gypsum is mined and processed near Robertsbridge, where there is a plasterboard plant with a rail link and a purpose-built road access. The Robertsbridge works and its associated mine at Brightling have national importance as the only resource in southern England, with access to reserves expected to last for at least 30 years.”

Compliance

The RSS clearly acknowledges the national importance of the Robertsbridge site. The proposed development will aid the future productivity of this nationally important site; therefore, complying with the provisions of the RSS.

Policy NRM5 states the following with regarding biodiversity conservation:

“They [Local Planning Authorities] shall avoid damage to nationally important sites of special scientific interest and seek to ensure that damage to county wildlife sites and locally important wildlife and geological sites is avoided, including additional areas outside the boundaries of European sites where these support the species for which that site has been selected.”

Compliance

The proposed development acknowledges sensitive ecological designations and biodiversity in the vicinity of the RMC Site and has been devised based on detailed ecological surveys, such as a Phase 1 Habitat Survey (see Section 6 for more detail). On this basis, the proposed development complies with Policy NRM5.

4.3.6 The East Sussex and Brighton & Hove Minerals Local Plan (1999)

The MLP was prepared jointly by ESCC and Brighton & Hove City Council. The plan provides specific policies and guidance in respect of minerals related development, aiming to balance the demand for minerals against the need to protect the environment and amenity. The MLP policies have been saved until superseded by new DPDs under provision of the PCPA 2004.

Policy 12 of the MLP states the following with regard to the former coated roadstone plant which previously occupied the RMC Site:

“The minerals planning authority supports the retention of the coated roadstone plant at Mountfield. Favourable consideration would be given to proposals for improving or modernising this facility if the need could be demonstrated and the environmental and traffic impacts were acceptable. The mineral planning authority would support a switch from road to rail transport for the transfer of dry aggregate from Newhaven to Mountfield.”

Compliance

It is acknowledged that Policy 12 safeguards the former coated roadstone plant. However, this planning application should be determined by ESCC in accordance with Section 38(6) of the PCPA 2004 and, as such, ESCC is required to determine the planning application in accordance with the Development Plan and other material considerations.

Regard should be given to the following pertinent material considerations:

- **Policy 12 was formulated in 1999 when the coated roadstone plant was still operational;**
- **the plant was demolished in 2004 and the site has been derelict for the past seven years;**
- **the Application Site itself comprises the former stocking area associated with the plant, rather than the area where the main part of the plant was actually situated; and**
- **the proposed development complies with other Development Plan and national planning policies, as referred to within this section.**

In light of the above, there are material considerations which outweigh the provisions of Policy 12 and, on this basis, the proposed DSG storage area is justified.

Policy 26 of the MLP states the following:

“The mineral planning authority will support the continuation of the present gypsum mining, processing and manufacturing activities at Mountfield and Brightling. Favourable consideration will normally be given to developments which sustain these activities as follows:

- *developments associated with the extraction of gypsum;*
- *developments associated with the processing plant at the Robertsbridge Works; and*
- *the importation by rail of desulphogypsum for processing and associated manufacturing at the Robertsbridge Works.*

In all cases, development proposals will be subject to the ‘most rigorous examination’ in accordance with Government advice; the need to locate the proposed development will have to be justified... and the local environmental and traffic impacts must be acceptable.”

Compliance

The proposed development is considered to comply with the above criteria, whilst also complying with relevant policies in respect of environmental protection (see Section 5).

Policy 27 states the following with regard to the Robertsbridge site and the AONB:

“The mineral planning authority will initiate discussions with British Gypsum to secure an appropriate programme of environmental management for the area of the High Weald AONB adjoining the Robertsbridge Works”

Compliance

The proposed development complies with the management and landscaping plans relating to Condition 11 and 13 of the 2005 Permission, thus complying with Policy 27.

Policy 28 states the following with regard to transportation and the Robertsbridge site:

“The mineral planning authority supports the retention of the rail link to the Robertsbridge Works and wishes to encourage its fullest use for all appropriate importing or exporting operations associated with mining and production activities.”

Compliance

The creation of a strategic DSG storage area will facilitate further utilisation of the rail link.

Policy 34 deals with restoration proposals relating to minerals development:

“Proposals for mineral extraction, processing and associated activities should include a scheme of progressive restoration, as appropriate, and aftercare of the site to a high standard which is appropriate to its intended after-use and which can be achieved within an acceptable timescale.”

Policy 35 deals with aftercare following restoration:

“The mineral planning authorities will normally consider nature conservation, forestry, agriculture, and informal leisure use as appropriate after-uses for new mineral workings...The

inclusion of wildlife and geological features of interest into restoration schemes will be encouraged where appropriate.”

Compliance

The proposed development includes a comprehensive restoration scheme and aftercare will be undertaken in accordance with the management plan relating to Condition 11 of the 2005 Permission.

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

The WLP was produced jointly by ESCC and Brighton & Hove City Council, and was adopted as in February 2006. Following the change in planning legislation brought in by the PCPA 2004, policies in the WLP are 'saved' until they are replaced by policies developed under the new system.

Policy WLP24 deals with land improvement with inert material (e.g. soils):

“Proposals for landraising or improvement of land involving inert waste will be permitted, subject to other policies of the Plan where relevant, where it is demonstrated that:

- a) the proposal forms part of a comprehensive scheme for restoration of suitable previously developed land; or*
- b) the proposal significantly enhances other permitted development or its setting; or*
- c) the proposal would result in identifiable improvement to the use or operation of agricultural and/or forestry land; and*
- d) the resulting final landform, landscape and afteruse enhances the environment and is sympathetic to the land uses, landscape and nature conservation interests of the site and the surrounding area;*
- e) the minimum volume of inert material to achieve necessary improvements is used”*

Compliance

The restoration proposals, including the importation of soils from off-site, form part of a comprehensive scheme of restoration for the RMC Site. The restoration will provide habitats and landscape features that complement those found in the surrounding area and will allow the Application Site to be significantly improved above the existing situation. On this basis, the proposals comply with Policy WLP24.

4.3.8 The Rother District Council Local Plan (2006)

The LP sets out the vision and strategy for land use and development in the Rother District and was adopted in July 2006. It includes specific planning policies and proposals to manage development and is a material consideration in the determination of planning applications. The policies within the LP policies have been 'saved' until superseded by documents contained within the new Local Development Framework under provisions of the PCPA 2004.

Policy GD1 provides general development criteria for all development within the Rother District, some of which are relevant to the proposed development, as follows (summary):

- *it is in keeping with and does not unreasonably harm the amenities of adjoining properties;*
- *it respects and does not detract from the character and appearance of the locality;*

- *it is compatible with the conservation of the natural beauty of the High Weald Area of Outstanding Natural Beauty;*
- *it respects the topography, important views to and from the site and retains site features that contribute to the character or amenities of the area;*
- *it protects habitats of ecological value and incorporates, wherever practicable, features that enhance the ecological value of the site, with particular regard to wildlife refuges or corridors, or fully compensates for any necessary loss;*
- *it provides adequate and appropriate means for foul and surface water drainage, with suitable alleviation and mitigation measures where necessary and does not prejudice water quality;*
- *it takes account of flood risk and in the areas of flood risk, as shown on the Proposals Map, it is expected to minimise and manage the risk to flooding”*

Compliance

The DSG storage proposals incorporate necessary management and mitigation measures, and will be set in the context of the wider Robertsbridge Site. Therefore, no significant impact upon the local environment (including landscape) and/or amenity is anticipated. Following DSG storage, the site will be restored to local occurring habitats and landscape features, after which it will be managed accordingly. On this basis, the proposed development complies with Policy GD1.

5. Environmental Considerations

5.1 Introduction

During pre-application discussions with ESCC and other statutory consultees, the following environmental considerations were identified:

- landscape and visual;
- ecology;
- air quality;
- noise;
- hydrology and hydrogeology;
- transport;
- cultural heritage; and
- environmental permitting.

The above matters are addressed in this section.

5.2 Landscape and Visual

It is acknowledged that the site is located within an AONB; however, it is considered the proposed development would not have a significant impact upon the landscape and visual amenity by virtue of the following:

- the Robertsbridge Site (including the Application Site) has been a fixture of the local landscape for decades;
- the proposals would form a much smaller element of the wider site and would be viewed in the context of the existing operations (DSG storage already undertaken on the wider Robertsbridge Site);
- the Application Site is despoiled/derelict and, as a result, the proposals will not lead to the loss of any valuable landscape features;
- the Application Site is surrounded by dense woodland and is therefore screened from surrounding villages and roads (the closest residential properties are situated approximately 450m to the south/southwest and are well screened);
- the height of the stockpiles will be limited to 15m; and
- the proposed development will be temporary, albeit for 10 years, and the subsequent restoration works will return the site to habitats present in the surrounding area, such as woodland and grassland, thus having a positive effect on local landscape and visual amenity in the long-term.

In light of the above, the proposed development will have no adverse impacts in the long term and a beneficial impact on landscape character and visual amenity following restoration, through delivery of improved habitats and landscape features.

5.3 Ecology

A Phase 1 Extended habitat survey and National Vegetation Classification (NVC) exercise was carried out by Land Vision (ecological experts) in June 2011 and comprises part of the management submitted in respect of Condition 11 of the 2005 Permission.

The variety of industrial works and other operations, including disposal of spoil on banks and adjacent to old workings, has led to a varied interspersing of diverse, ancient semi-natural woodland and a mosaic of grassland habitats on the steep grassland slopes behind the factory and the edges of the conveyor, near the RMC Site. The survey also found that parts of the RMC Site are likely to provide optimal habitat for reptiles.

The Application Site and wider RMC Site are surrounded by stands of Ancient Woodland interspersed with unimproved, dry, south-facing limestone grassland and the wetter grassland and woodlands adjacent to the River Line. The woodland areas comprise varied ground flora and despite the lack of management and shading out of species, in parts still contain rare and localised species. Subsequently, parts of the surrounding woodland comprise a designated Site of Nature Conservation Interest (SNCI), although not those immediately adjacent to the Application Site.

The RMC Site itself consists of mainly asphalt surfacing, with concrete and old foundations. There are some mounds of spoil around the site periphery and within the site boundary, which have scrub and tall herb layer species colonisation. However, these are located in areas outside of the Application Site.

The RMC site is terraced, with some sloping ground and has an access road as well as dumped spoil; these areas are primarily hard surfacing with some limited vegetation or cover for wildlife, namely reptiles and amphibians. Notwithstanding this, there is very limited habitat potential for reptiles at present. This is because the proportion of hard surfacing to soft landscape is high, and there are no water bodies on the RMC Site. The likely population of reptiles and amphibians on the RMC site is thus deemed to be low.

In addition, superior habitats for reptiles and amphibians exist beyond the periphery of the RMC Site, beyond the banks of the RMC Site. These areas would be more attractive as habitat, and for foraging by reptiles; namely in Sneps Wood to the north and west and in Great wood to the south. These habitats beyond the RMC Site, offering foraging and cover are likely to have medium populations of reptiles and amphibians.

As the RMC site itself is deemed likely to have low populations of reptiles and amphibians (if any) a watching brief is proposed for during the course of the works. This will help to ensure that any reptiles and amphibians are protected and safeguarded. If found, they will be placed beyond the RMC site, in habitats with cover, until the restoration works are complete.

The mitigation proposed also includes safeguarding of all the peripheral banks of spoil on the RMC Site, which have re-vegetated. These will be retained to provide cover for any reptiles and amphibians and to provide a buffer between the proposed works and the habitats beyond the RMC Site.

5.4 Air Quality

Any particulate incidents are highly dependent upon local meteorology, with wind blowing from the particulate source to a sensitive receptor being the conditions that any significant particulate related impacts are most likely to occur. However, this would only be the case when there is an inadequate application of mitigation measures employed on the site.

The methods of handling and management techniques to be employed as part of the proposed development will be the same as those set out within the Environmental Permit, as follows:

- DSG operations suspended during extreme atmospheric conditions, such as high winds, in order to mitigate fugitive particulate;
- limiting drop heights;
- stockpile height will be managed (up to 15m);
- use of water sprays to promote crust formation;
- stockpile compacted/smoothed utilising mechanical plant to stabilise loose particulate;
- road cleaning & wheel washing to prevent dust emissions from roads;
- dampening of roads with sprays when dusty;
- following construction, DSG stockpiles will be covered using a bespoke Geo Multi-Cover (matt finish and black colour), to the same specification as supplied to landfill site operators wishing to have a removable cover system;
- the cover is waterproof and extremely robust (with reinforced edges);
- the cover comprises a number of sections with pulling straps, allowing for quick and easy access (placement/replacement);
- the sectional cover system negates the need to remove the entire cover, thus avoiding exposing large sections of the stockpile; and
- the use of a cover means that at no point is the DSG exposed to the air other than when it is tipped from the transfer vehicle.

It is considered that, subject to the mitigation set out above and adequate site management in accordance within the Environmental Permit, any impact from the proposed development with regard to particulate deposition would be low under normal atmospheric conditions and would likely produce an insignificant effect. Any impacts that do occur are most likely to take the form of very limited increased particulate soiling on vegetation during tipping operations at the boundary/margins of the RMC Site. Any deposits of this kind would be washed off the surface in precipitation events.

5.5 Noise and Vibration

The Robertsbridge site is located in a rural area with the closest residential receptors located approximately 450m to the south/southwest of the RMC Site on the edge of the village of Netherfield. The residential properties are screened by dense intervening woodland (Sneep's and Counsellor's Woods). It is considered that noise and vibration impacts will not be significant, due to the combination of distance from sensitive receptors, daytime operating hours and the temporary nature of operations.

Notwithstanding the above, BG will follow best practicable means to reduce the noise impact upon the local community including the following:

- all plant and equipment will comply with EU noise emission limits;
- 10 mph speed limit across the site;

- machines in intermittent use will be shut down in the intervening periods between work or throttled down to a minimum;
- proper use of plant with respect to minimising noise emissions and regular maintenance;
- all vehicles and mechanical plant used for the purpose of the works will be fitted with effective exhaust silencers and should be maintained in good efficient working order; and
- materials will be handled with care and be placed, not dropped.

5.6 Traffic and Transport

DSG will be transported to the site by rail (container train) from various power plants across the UK, utilising the existing rail-link/sidings to the north of the RMC Site, an operation already benefiting from planning permission. On this basis, the importation of DSG will not impact the local road network.

The restoration proposals will generate additional vehicle movement on the local highway network. However, it is considered that the additional vehicle movements are unlikely to have a significant impact upon the highway network and is further reduced by the temporary nature of the proposals. Notwithstanding this, prior to carrying out any restoration operations the Company will produce (i) a restoration scheme (with contours), detailing the importation of soils, and (ii) a lorry management plan, detailing the vehicle movements associated with soil importation and management/mitigation measures (e.g. routeing restrictions), which will be submitted to ESCC for approval.

5.7 Hydrology and Hydrogeology

5.7.1 Drainage

The main risk is comprises uncontrolled emissions of surface water from the proposed storage area. As such, the DSG Pads and haul roads will be profiled to direct surface water to drain into a new drainage system, which is designed to prevent uncontrolled emissions (please refer to Section 3.4 for more details).

There will be no requirement for a foul sewerage connection, as employees will utilise existing facilities at the Robertsbridge Site.

5.7.2 Flooding

The Application Site is located in flood risk zone 1 (low risk of flooding to the development). However, as the RMC Site area exceeds 1ha, a Flood Risk Assessment (FRA) is submitted with this Supporting Statement, primarily considering the risk of surface water flooding.

The FRA covers proposals the whole RMC Site, including (i) the DSG storage proposals and (ii) restoration of the remaining 3.2ha section of the site through the importation of soils. The FRA concludes that the proposals will not have an impact on the existing flood risk as the hardstanding area will not increase from that of the existing land use. The proposed restoration will have a beneficial impact on the flood risk, as it will become impermeable and so will reduce the surface water runoff risk to the surrounding area.

It is considered that there are no areas that require further investigation with regards the flood risk posed to or generated by the proposed developments. Please see **Appendix B** for the full FRA.

5.8 Cultural Heritage

There are no nationally designated heritage assets, e.g. Scheduled Monuments, within the Application Site or the within the immediate vicinity. The Application Site is well screened by dense woodland and there is considered to be no impact the setting of any cultural heritage assets. On this basis, any remaining risk relates to archaeology.

The history of the Application Site and wider RMC Site can be summarised as follows:

- historic maps and the East Sussex HER show the that Application Site comprised woodland until the early 1900s;
- gypsum seams were first discovered in the 1870s during the sinking of the Sub-Wealden Borehole. Original access was by vertical shaft, replaced by inclined drift in the 20th century;
- the entire RMC site, including the Application Site, was redeveloped in the late 1960s to provide a coated roadstone plant, this included excavating the ground in order to install foundations, installing drained infrastructure, scarification and provision of hardstanding, and constructing of the plant. Much of the area has therefore already been excavated;
- the RMC site was in operation as an asphalt plant for in excess of 30 years; and
- the former entrances (x2) to the Mountfield Mine that were previously located within the RMC site, were formally blocked up in the 1990s following a change in mining legislation. This included, amongst other things, removing any remaining associated infrastructure and concrete capping. There is now no access to the shafts.

The archaeological potential of the Application Site is considered limited to industrial heritage as a result of the above and, in addition, it is anticipated that any excavation forming part of the proposed development will be no more that 0.5m depth.

5.9 Environmental Permit

The Robertsbridge site benefits from an Environmental Permit (Ref: EPR/PP393OKL) for the storage of DSG, which was recently varied to include the Application Site. In compliance with United Kingdom regulations, the proposed development will be carried out in accordance with the Environmental Permit. Furthermore, the restoration operation will also be carried out in accordance with a new Environmental Permit, which will be specified to achieve all applicable environmental limits required by the permit and will be limited to handling/accepting certain categories of material.

6. Summary and Conclusions

The development of a strategic DSG storage area and associated development on land of approximately 1.7ha on an otherwise redundant part of the Robertsbridge Site is considered to comply with local, regional and national planning policy.

The proposed development will facilitate the increased and continued use of secondary aggregate at the Robertsbridge Site by allowing British Gypsum to strategically store DSG.

The sensitivity of the local environment has been acknowledged, particularly the location of the Application Site within an AONB and adjacent Ancient Woodland.

The Application Site itself, however, having previously been used as a stocking area associated with the former coated roadstone plant, is not considered to be particularly sensitive in environmental terms and the proposed operations are already undertaken elsewhere on the Robertsbridge Site.

The proposed development will be controlled by an Environmental Permit and is subject to various management methods, which will regulate those elements that may emit or produce substances that may have an impact on the environment (e.g. fugitive particulate).

The proposed development will be in operation for a period of 10 years, after which it will be fully restored to locally occurring habitats and landscape feature, thus having a positive effect on the local environment in the long term.

Plans

Appendix A: Photographs



Photograph 1: View west towards the Application Site (taken from a central point on the haul road running through the main part of the Robertsbridge Site)



Photograph 2: View southwest towards the Application Site (taken from the bank to the north of the haul road running through the main part of Robertsbridge Site)



Photograph 3: View west towards the Application Site (taken from the bank to the south of the haul road running through the Robertsbridge Site)



Photograph 4: View north across the Application Site (taken from the southern tip of the Application Site)



Photograph 5: View north across the Application Site (taken centrally within the Application Site)



Photograph 6: View northeast across the Application Site towards the main part of the Robertsbridge Site (taken from the southern section of the Application Site)



Photograph 7: View southeast along the proposed haul road (taken from the southern section of the Application Site, i.e. the area proposed for the southern DSG Pad)

Appendix B: Flood Risk Assessment