Mr Tim Hickling MRTPI MCMI

Service Manager – Strategy & Planning

Rother District Council

Town Hall

BEXHILL

TN39 3JX Fao Mr M Cathcart

14 December 2020 our ref: RR/846/CM

 your ref: RR/2020/1698/CM

Dear Mr Hickling

town and country planning ACT 1990

RR/846/CM - Construction of vehicle service depot with associated landscaping and construction of a lorry strapping shed on a separate site.Mountfield, Robertsbridge TN32 5LA (Within land edged red on applicants plan no. 4148 Site 001)

Under the powers delegated to me by the Governance Committee on 30 January 2003, I have issued a Written Notice dated 14 December 2020 the carrying out of the above development. Planning Permission is now granted. A copy of the Written Notice is attached hereto. Therefore, in accordance with the above Act would you please accept this letter in conjunction with the plans shown as formal notification of the development for the purpose of your Register of Planning Applications and Decisions.

Approved Plan(s) numbered:

10366-BAN-00-XX-RP-C-0002 - Low/Zero Carbon Technology Report, 15294 - Flood Risk Assessment and Drainage Strategy, 20139473.602/B.0 - Robertsbridge Preliminary Ecological Appraisal, 002 - Existing Site Plan Rev G, 004 - Tracking 1 Rev G, 005 - Ground Floor Plan Rev G, SUPERSEDED 300 - Section 1 Rev D, 200728-404.07794.00195.00030 - Topography Plan, 4148 Site 000 Site Location Plan, 4148 Site 001 Site Location Plan Rev H, 200730 404 00195 00030 Robertsbridge Landscape and Visual Appraisal, 10336 Ban Zz Zz Rp C 0003 External Lighting Planning Statement, 4148 Service Depot 006 Roof Plan Rev H, 4148 Service Depot 003 Proposed Site Plan 1 200 Rev H, 4148 Strapping Shed 015 Elevations Rev C, 4148 Service Depot 008 Elevations 2 Rev H, 4148 Service Depot 007 Elevations 1 Rev H, 4148 Service Depot 300 Section 1 Rev E, 4148 Design And Access Statement Rev D

Yours sincerely

***Sarah Iles***

Sarah Iles

Team Manager Planning Policy & Development Management

T: 01273 481846

E: Development.control@eastsussex.gov.uk

Copies to: Planning Liaison Officer - Environment Agency – for Information

 Mr Newell GDM Architects - Agent



**EAST SUSSEX COUNTY COUNCIL**

**TOWN AND COUNTRY PLANNING ACT, 1990**

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015**

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To: Mr Newell, GDM Architects

GDM Architects

The Masters House

College Road

Maidstone, Kent, ME15 6YF

County Ref No. RR/846/CM

District Ref No RR/2020/1698/CM

In pursuance of the powers delegated to me by the Governance Committee on behalf of the County Council on 30 January 2003 I hereby GRANT PLANNING PERMISSION for construction of vehicle service depot with associated landscaping and construction of a lorry strapping shed on a separate site. Mountfield, Robertsbridge TN32 5LA in accordance with your application validated by the East Sussex County Council on 9 September 2020 and the plans and particulars submitted in connection therewith and subject also to due compliance with the condition(s) specified hereunder:-

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the plans listed in the Schedule of Approved Plans.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. There shall be no servicing or maintenance of HGVs other than the applicant's own fleet at the site, except for emergency repairs.

Reason: To safeguard the High Weald Area of Outstanding Natural Beauty, in accordance with Policy WMP27 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013 and Policy DEN2 of the Rother Development and Site Allocations (DaSA) Local Plan 2019, and to enable the County Planning Authority to control and regulate the use of the site.

4. No development shall take place, including any ground works or works of demolition, until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Director of Communities, Economy and Transport. Thereafter, the approved CMP shall be implemented and adhered to in full throughout the entire construction period. The CMP shall provide details regarding, but not limited to, the following matters:

• The anticipated number, frequency and types of vehicles used during construction;

• The method of access and egress and routeing of vehicles during construction;

 • The arrangements for the parking of vehicles by site operatives and visitors;

 • The loading and unloading of plant, materials and waste;

• The storage of plant and materials used in the construction of the development;

• The provision and utilisation of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway;

• Details of measures to manage flood risk, both on and off the site, during the construction of the development; and,

• Details of measures to protect the existing culverted watercourse during the construction of the development.

Reason: In the interests of highway safety and the amenities of the area, and in order to effectively manage flood risk at the site during construction, in accordance with Policies WMP26 and WMP28a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013, Policy DEN5 of the Rother Development and Site Allocations (DaSA) Local Plan 2019 and Policy EN7 of the Rother Local Plan Core Strategy 2014.

5. If, during development, previously unidentified contamination is found to be present at the site then no further development shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Director of Communities, Economy and Transport, or as otherwise agreed in writing. The remediation strategy shall thereafter be implemented as approved.

Reason: To ensure that the development does not contribute to, is not adversely affected by or put at unacceptable risk from, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with Policy WMP28b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

6. Prior to the commencement of the development hereby permitted, a detailed surface water drainage scheme shall be first submitted to and approved in writing by the Director of Communities, Economy and Transport. The surface water drainage scheme shall incorporate the following:

a. Detailed drawings and hydraulic calculations which shall take into account the connectivity of the different surface water drainage features. The calculations shall demonstrate that surface water flows can be limited to 3.5 l/s for all rainfall events, including those with a 1 in 100 (plus climate change) annual probability of occurrence.

b. The details of the outfall of the proposed drainage system and how it connects into the culverted watercourse shall be submitted as part of a detailed design including cross sections and invert levels. Further investigation into the exact location of the culverted watercourse beneath the site should also be carried out. The exact location of the culvert shall be shown on the drainage drawing.

c. The detailed design shall include information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely.

d. The detailed design of the surface water drainage system (including the underground tank) shall be informed by findings of groundwater monitoring between autumn and spring at the location of the proposed attenuation features. The design should leave at least 1m unsaturated zone between the base of the drainage structures and the highest recorded groundwater level. If this cannot be achieved, details of measures which will be taken to manage the impacts of high groundwater on the hydraulic capacity and structural integrity of the drainage system should be provided.

Reason: In order to effectively manage flood risk at the site, in accordance with Policy WMP28a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013, Policy DEN5 of the Rother Development and Site Allocations (DaSA) Local Plan 2019 and Policy EN7 of the Rother Local Plan Core Strategy 2014.

7. Prior to the commencement of the development hereby permitted, a maintenance and management plan for the entire drainage system shall be first submitted to and approved in writing by the Director of Communities, Economy and Transport, and shall thereafter remain in place for the lifetime of the development. The maintenance and management plan shall cover the following:

a. The plan shall clearly state who will be responsible for managing all aspects of the surface water drainage system, including piped drains.

b. Evidence shall be provided detailing how these responsibility arrangements will remain in place throughout the lifetime of the development.

Reason: To ensure the continued efficacy of the drainage system in managing flood risk at the site, in accordance with Policy WMP28a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013, Policy DEN5 of the Rother Development and Site Allocations (DaSA) Local Plan 2019.

8. Prior to occupation of the development hereby permitted, evidence (including photographs) showing that the drainage system has been constructed as per the final agreed detailed drainage designs shall be submitted to and approved by the Director of Communities, Economy and Transport.

Reason: In order to ensure that flood risk is effectively managed at the site, in accordance with Policy WMP28a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013, Policy DEN5 of the Rother Development and Site Allocations (DaSA) Local Plan 2019 and Policy EN7 of the Rother Local Plan Core Strategy 2014.

SCHEDULE OF APPROVED PLANS

10366-BAN-00-XX-RP-C-0002 - Low/Zero Carbon Technology Report, 15294 - Flood Risk Assessment and Drainage Strategy, 20139473.602/B.0 - Robertsbridge Preliminary Ecological Appraisal, 002 - Existing Site Plan Rev G, 004 - Tracking 1 Rev G, 005 - Ground Floor Plan Rev G, SUPERSEDED 300 - Section 1 Rev D, 200728-404.07794.00195.00030 - Topography Plan, 4148 Site 000 Site Location Plan, 4148 Site 001 Site Location Plan Rev H, 200730 404 00195 00030 Robertsbridge Landscape and Visual Appraisal, 10336 Ban Zz Zz Rp C 0003 External Lighting Planning Statement, 4148 Service Depot 006 Roof Plan Rev H, 4148 Service Depot 003 Proposed Site Plan 1 200 Rev H, 4148 Strapping Shed 015 Elevations Rev C, 4148 Service Depot 008 Elevations 2 Rev H, 4148 Service Depot 007 Elevations 1 Rev H, 4148 Service Depot 300 Section 1 Rev E, 4148 Design And Access Statement Rev D

The policies relevant to this decision are:

East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013: Policies WMP18 (Transport – Road, Rail and Water), Policy WMP24a (Climate Change), WMP26 (Traffic Impacts), WMP27 (Environment and Environmental Enhancement), WMP28a (Flood Risk) and WMP28b (Water Resources and Water Quality).

Rother Development and Site Allocations (DaSA) Local Plan 2019: Policies DEN1 (Maintaining Landscape Character), DEN2 (The High Weald Area of Outstanding Natural Beauty (AONB)), DEN5 (Sustainable Drainage) and DEN7 (Environmental Pollution).

Rother District Local Plan Core Strategy 2014: Policy RA3 (Development in the Countryside), Policy SRM1 (Towards a Low Carbon Future), Policy EN1 (Landscape Stewardship), Policy EN3 (Design Quality), Policy EN7 (Flood Risk and Development) and Policy TR3 (Access and New Development).

High Weald AONB Management Plan 2019-2024: The High Weald AONB Management Plan is a material consideration for making decisions on planning applications within the AONB and its setting.

National Planning Policy Framework: The NPPF does not change the status of the Development Plan as the starting point for decision making and constitutes guidance as a material consideration in determining planning applications. In particular, parts 14 (Meeting the challenge of climate change, flooding and coastal change) and 15 (Conserving and enhancing the natural environment) are relevant here.

### For Note

In determining this planning application, the County Council has worked with the applicant and agent in a positive and proactive manner. The Council has also sought views from consultees and neighbours and has considered these in preparing the recommendation. This approach has been taken positively and proactively in accordance with the requirement in the NPPF, and as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

**Signed: *Sarah Iles***

Sarah Iles

Team Manager Planning Policy & Development Management

**Date: 14 December 2020**

**All enquiries should be addressed to:**

Director of Communities Economy and Transport,

Communities Economy and Transport Department,

County Hall, St Anne's Crescent,

Lewes, East Sussex, BN7 1UE.

**IMPORTANT** - Please read notes attached.

Copies to: Planning Liaison Officer - Environment Agency - for information

 Mr M Cathcart – Rother District Council for Statutory Planning Register

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**NOTIFICATION AS REQUIRED BY THE TOWN AND COUNTRY PLANNING ACT 1990 (DEVELOPMENT PROCEDURE) (ENGLAND) ORDER 2010**

**Appeals to the Secretary of State**

o If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

o If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.planningportal.gov.uk/pcs.

o The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

o The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

o In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by the Secretary of State.

**Purchase Notices**

o If either the local planning authority or the Secretary of State refuses planning permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor can the owner render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

o In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase the owner’s interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

NOTES

(1) This permission does not purport to convey any approval or consent which may be required under the Town and Country Planning Act, 1990, otherwise than under Section 70-76 or which may be required under any other Acts, including any Byelaws, Orders or Regulations made under such other Acts: e.g. Building Regulations approval may be required from the relevant District/Borough Council for the construction of a building granted planning permission by East Sussex County Council.

(2) Developers are reminded that the grant of this permission does not permit the obstruction of a right of way and that, if it is necessary to stop up or divert a public right of way to enable the development to be carried out, they should apply without delay:-

 (a) in the case of a footpath or bridleway, to the County Council for an order under Section 257 of the Town and Country Planning Act, 1990;

 (b) in any other case to the Secretary of State for an Order under Section 247 of the Town and Country Planning Act, 1990.

(3) The applicant is recommended to retain this form with the title deeds of the property.

(4) The grant of planning permission under Section 73 of the Town & Country Planning Act does not prevent the implementation of the previous planning permission, subject to the previous conditions.

 **IMPORTANT**

Any failure to adhere to the details of the plans hereby approved or to comply with any conditions detailed in this notice constitutes a contravention of the provisions of the Town and Country Planning Act, 1990, in respect of which enforcement action may be taken.

If it is desired to depart in any way from the approved proposals, you should consult the East Sussex County Council’s, Planning Policy & Development Management Team, Communities Economy and Transport Department, County Hall, St Anne’s Crescent, Lewes, East Sussex BN7 1UE before carrying out the development.

Ref: Policy:dn-notes