Mr Tim Hickling MRTPI MCMI

Service Manager – Strategy & Planning

Rother District Council

Town Hall

BEXHILL,TN39 3JX

FAO Miss C York

4 February 2021 our ref: RR/848/CM

 your ref: RR/2020/2157/CM

Dear Mr Hickling

town and country planning ACT 1990

RR/848/CM - Additional plant to support increased use of local mineral from Brightling Mine at Robertsbridge WorksRobertsbridge Works, Eatenden Lane, Mountfield, TN32 SLA (Within land edged red on applicants plan no. Os Base Rev2, 00195.00027.0005.1)

Under the powers delegated to me by the Governance Committee on 30 January 2003, I have issued a Written Notice dated 4 February 2021 authorising 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:

Air Quality Assessment, Completed Minerals Related Development Supplementary Information Form, Landscape Visual Appraisal, Planning Statement , SR/3 Designations Plan, RW/2 - Application Boundary, RW/3 - Proposed Site Layout, RW/4a - Proposed Long Elevations, RW/4b - Proposed End Elevations, RW/LA/1 - Topography Plan, RW/LA/2 - Landscape Character, RW/LA/3 - Potential Visual Receptors, RW/LA/4 - Initial Photography, 00195.00027.0004.1 Site Location Os Base Zoomed In Rev2, 00195.00027.0003.1 Site Location Aerial Base Rev2, 00195.00027.0002.1 Site Location Os Base Rev2, 00195.00027.0005.1 Site Location Aerial Base Zoomed In Rev2

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

 Ms Dugdale SLR Consulting Ltd - 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 British Gypsum Ltd

C/o Ms Dugdale, SLR Consulting Ltd

Suite 5 Brindley Court

Gresley Road

Shre Business Park

Worcester, WR4 9FD

County Ref No RR/848/CM

District Ref No RR/2020/2157/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 Additional plant to support increased use of local mineral from Brightling Mine at Robertsbridge Works. Robertsbridge Works, Eatenden Lane, Mountfield, TN32 SLA in accordance with your application validated by the East Sussex County Council on 26.10.2020 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 carried out in accordance with the plans and documents listed in the Schedule of Approved Plans.

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

SCHEDULE OF APPROVED PLANS

Air Quality Assessment, Completed Minerals Related Development Supplementary Information Form, Landscape Visual Appraisal, Planning Statement , SR/3 Designations Plan, RW/2 - Application Boundary, RW/3 - Proposed Site Layout, RW/4a - Proposed Long Elevations, RW/4b - Proposed End Elevations, RW/LA/1 - Topography Plan, RW/LA/2 - Landscape Character, RW/LA/3 - Potential Visual Receptors, RW/LA/4 - Initial Photography, 00195.00027.0004.1 Site Location Os Base Zoomed In Rev2, 00195.00027.0003.1 Site Location Aerial Base Rev2, 00195.00027.0002.1 Site Location Os Base Rev2, 00195.00027.0005.1 Site Location Aerial Base Zoomed In Rev2

The policies relevant to this decision are:

East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan 2013: Policies WMP4 (Sustainable Provision of Minerals in the Plan Area), WMP12 (Provision of Gypsum), WMP18 (Transport – Road, Rail and Water), Policy WMP25 (General Amenity), WMP27 (Environment and Environmental Enhancement).

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

Rother District Local Plan Core Strategy 2014: Policies RA3 (Development in the Countryside) and EN1 (Landscape Stewardship).

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, Part 15 (Conserving and enhancing the natural environment) and Part 17 (Facilitating the sustainable use of minerals) 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: 4 February 2021**

**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

 Miss C York – Rother District Council for Statutory Planning Register

dncmgrad.doc

**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