Mr Tim Hickling MRTPI MCMI

Service Manager – Strategy & Planning

Rother District Council

Town Hall

BEXHILL TN39 3JX

FAO Mr J Laibach



17 September 2021 our ref: RR/853/CM

 your ref: RR/2021/1482/CM

Dear Mr Hickling

town and country planning ACT 1990

RR/853/CM - Installation and operation of a sustainable leachate treatment system and integral solar PV. Robertsbridge Works, Eatenden Lane, Robertsbridge, Mountfield, TN32 5LA (Within land edged red on applicants plan no. LTS/1 )

Under the powers delegated to me by the Governance Committee on 30 January 2003, I have issued a Written Notice dated 17 September 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:

Planning Statement, LTS/1 - Site Location and Ownership Boundary, LTS/2 - Application Boundary, LTS/3 - Proposed Site Layout, LTS/4 - Typical Sections Leachate Treatment, EQ5005-E-37-01 - Solar Panel Elevation, EQ5005-E-40-04 - Inverter GRP Layout, RW/LVA/16 - Landscape Strategy

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 Mr E Clarke

Saint Gobain Construction Products

UK Ltd Trading

C/0 Ms Dugdale

SLR Consulting Ltd

Suite 5 Brindley Court

Gresley Road

Worcester, WR4 9FD

County Ref No RR/853/CM

District Ref No RR/2021/1482/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 Installation and operation of a sustainable leachate treatment system and integral solar PV. Robertsbridge Works, Eatenden Lane, Robertsbridge, Mountfield, TN32 5LA in accordance with your application validated by the East Sussex County Council on 7 June 2021 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 drawings and documents listed in the Schedule of Approved Plans.

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

3. No development shall take place until details of the surface water drainage system at the site have been submitted to the Director of Communities, Economy and Transport and approved in writing. The details of the system shall incorporate the following:

(a) Detailed drawings and hydraulic calculations. The hydraulic calculations 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 greenfield runoff rates for all rainfall events, including those with a 1 in 100 (plus climate change) annual probability of occurrence;

(b) The details of the outfall and how it connects into the watercourse, including cross sections and invert levels;

(c) Information on how surface water flows exceeding the capacity of the surface water drainage features will be managed safely; and

(d) The measures required to manage flood risk both on and off the site during the construction phase.

Reason: To ensure a robust surface water drainage system is implemented at the site to minimise the risk of flooding, in accordance with Policy WMP28a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

4. No development shall take place until a maintenance and management plan for the drainage system is submitted to the Director of Communities, Economy and Transport and approved in writing. The plan shall include the following:

1. A clear statement on who will be responsible for managing all aspects of the surface water drainage system, including piped drains; and

2. Evidence of how these responsibilities will remain in place throughout the lifetime of the development.

The plan shall be carried out in accordance with the approved details for the lifetime of the development.

Reason: To ensure the approved designed system takes into account the design standards of those responsible for maintenance, in accordance with Policy WMP28a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

5. Prior to occupation of the development evidence (including photographs) shall be submitted to the Director of Communities, Economy and Transport showing that the drainage system has been constructed in accordance with the final agreed detailed drainage designs.

Reason: To ensure that a robust surface water drainage system has been implemented, in accordance with Policy WMP28a of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

6. No development shall take place, including any ground works, until a construction management plan has been submitted to the Director of Communities, Economy and Transport and approved in writing. The plan shall include a schedule setting out a timeframe for the anticipated numbers and types of vehicles using the site and how vehicles would be managed in relation to other projects being undertaken at the Robertsbridge Works.

Reason: In the interests of highway safety and the amenities of the area, in accordance with Policies WMP25 and WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

SCHEDULE OF APPROVED PLANS

Planning Statement, LTS/1 - Site Location and Ownership Boundary, LTS/2 - Application Boundary, LTS/3 - Proposed Site Layout, LTS/4 - Typical Sections Leachate Treatment, EQ5005-E-37-01 - Solar Panel Elevation, EQ5005-E-40-04 - Inverter GRP Layout, RW/LVA/16 - Landscape Strategy

The policies relevant to this decision are:

East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013: Policies: WMP1 (Presumption in favour of sustainable development), WMP18 (Transport), WMP22 (Increased operational capacity within site boundary), WMP23b (Operation of sites), WMP24a (Climate change), WMP24b (Resource and energy use), WMP25 (General amenity), WMP26 (Traffic impacts), WMP27 (Environment and environmental enhancement), WMP28a (Flood risk) and WMP28b (Water resources and water quality).

Rother District Local Plan Core Strategy 2014: Policies OSS4 (General development considerations), EN1 (Landscape stewardship) and EN5 (Biodiversity).

Rother District Development and Site Allocations (DaSA) Local Plan 2019: Policies: DEN1 (Maintaining landscape character), DEN2 (High Weald AONB) and DEN4 (Biodiversity).

High Weald Management Plan 2019: The purpose of the Plan is to coordinate policy, investment and action to achieve the legal purpose of conserving and enhancing natural beauty within the High Weald AONB.

National Planning Policy Framework 2021: Parts 14 (Meeting the challenge of climate change, flooding and coastal change) and 15 (Conserving and enhancing the natural environment) are relevant.

### 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:** 17 September 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

 Mr J Laibach , 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