Mr Ben Hook

Manager – Strategy & Planning

Rother District Council

Town Hall

BEXHILL

TN39 3JX Fao Mr S Koper

 date

 22 July 2022

please contact our ref your ref

Amanda Parks RR/867/CM RR/2022/1466CM

Lewes (01273) 481846 AP

Direct Fax (01273) 479040

Dear Mr Hook,

**town and country planning ACT 1990**

**RR/867/CM - Variation of Conditions 1 and 2 (re: importation of high-grade gypsum) of planning permission RR/756/CM British Gypsum Robertsbridge Plant, Mountfield, Robertsbridge, East Sussex TN32 5LA (Within land edged red on applicants plan no. BRI/168)**

Under the powers delegated to me by the Governance Committee on 3 July 2012, I have issued a Written Notice dated 22 July 2022 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:

Supporting Statement, BRI/168 - Location Plan, dated May 2022

Yours sincerely

*Edward Sheath*

Edward Sheath

Head of Planning & Environment

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

Mr Elvins Saint-Gobain Construction Products UK Ltd (trading as British Gypsum)



**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 Elvins | County Ref. No. RR/867/CM |
|  | Saint-Gobain,Construction Products UK Ltd (trading as British Gypsum)Geological & Mining DepartmentGotham Road, East LeakeLoughborough, Leicestershire,LE12 6JQ | District Ref. No.: - RR/2022/1466CM |

In pursuance of the powers delegated to me by the Governance Committee on behalf of the County Council on 3 July 2012 I hereby GRANT PLANNING PERMISSION for Variation of Conditions 1 and 2 (re: importation of high-grade gypsum) of planning permission RR/756/CM British Gypsum Robertsbridge Plant, Mountfield, Robertsbridge, East Sussex TN32 5LA in accordance with your application validated by the East Sussex County Council on 7 July 2022 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 document and plan listed in the Schedule of Approved Plans.

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

2. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification) and the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the permitted buildings shall be used only for the purpose of manufacture of wall plasters, plasterboard and associated products from converted gypsum rock, rail imported desulphogypsum or high-grade gypsum and back-hauled high-grade gypsum and for the storage of materials and products in connection therewith.

Reason: In the interests of amenity, in accordance with Policy WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

3. No desulphogypsum shall be imported into the site other than by rail. No high-grade gypsum shall be imported to the site other than by rail or on a back-haul basis using only heavy goods vehicles that are collecting cement rock from the Robertsbridge Works site for transfer elsewhere.

Reason: In the interests of protecting amenity and minimising the use of vehicles for transporting materials, in accordance with Policies WMP25 and WMP18 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013, respectively.

4. Notwithstanding the requirements of Conditions 2 and 3, the importation by road of high-grade Spanish gypsum without back-hauling is permitted until 30 September 2022 only, unless otherwise agreed in writing with the Director of Communities, Economy and Transport.

Reason: To ensure that planning controls do not represent a barrier to the supply of Spanish gypsum to the Robertsbridge Works in accordance with the Government's Ministerial Statement, dated 10 December 2021.

5. The screen of trees on the north-western side of the plaster mill and plasterboard factory buildings shall be retained and managed in accordance with the details set out and approved in the letter from East Sussex County Council to Arborweald Environmental Planning Consultancy, dated 22 October 2018.

Reason: In the interests of visual amenity and protecting the landscape of the High Weald AONB, in accordance with Policies WMP25 and WMP27 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013.

6. The existing private access road which connects the Robertsbridge Works to the A2100 shall continue to be used by all vehicles transporting materials to and from the Works.

Reason: In the interests of road safety and in protecting amenity, 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

Supporting Statement, BRI/168 - Location Plan, dated May 2022

The policies relevant to this decision are:

East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan 2013: Policies: WMP12 (Provision of gypsum); WMP18 (Transport – Road, Rail and Water); WMP24a (Climate change); WMP25 (General amenity); WMP26 (Traffic impacts).

National Planning Policy Framework (NPPF) 2021: Parts 9 (Promoting sustainable transport) and 17 (Facilitating the sustainable use of minerals).

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:** *Edward Sheath*

Edward Sheath

Head of Planning & Environment

**Date: 22 July 2022**

**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 S Koper – 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