

LAUREL TREE FRUIT FARMS

Great Reed, Laurel Tree Farm, Boar's Head, East Sussex TN6 3GR

19th June 2012

East Sussex County Council
Planning Department
County Hall
St Anne's Crescent
Lewes
East Sussex
BN7 1UE

For the attention of Mr. Jeremy Patterson

**DIRECTOR OF ECONOMY,
TRANSPORT AND ENVIRONMENT**

19 JUN 2012

ALLOCATED TO.....
REFERENCE NO. *WD/180/CM*

Dear Sirs,

**West Pit @ Laurel Tree Farm, Boar's Head, TN6 3GR
Application to Vary Conditions 4 & 9 of Planning Consent
Reference WD/180/CM dated 27th November 1997**

Please find enclosed the following:

1. Application for Variation of Conditions following Grant of Planning Permission duly completed relating to Conditions 4 & 9 of the Planning Permission granted by East Sussex County Council on 27th November 1997
2. Cheque for £170 by way of application fee.

By way of background and explanation for this application, it was the original intention of the applicants to infill the disused sandstone quarry, known as the West Pit at Laurel Tree Farm, with clean subsoil and top soil of a similar profile to that which would have been excavated to achieve the same surrounding landscape contour, prior to the applicants planting woodland trees.

While operations were commenced in 1998, despite many approaches to the Environment Agency, the applicants were unable to concede that the grant of a full waste disposal licence would be necessary having regard to (a) the limited size of the application site and (b) the burden of expenditure that a full waste disposal licence would entail for the operators. Indeed, the applicants have been unable to engage a suitable contractor to work the site under the conditions relevant to the grants of a full waste disposal licence.

More recently, the Environment Agency has been asked by the applicants to consider the grant of a Recovery Permit and a detailed draft waste recovery plan was submitted by the applicants, with that in view, in the autumn of 2011. While the depth of the bulk of the West Pit would be relatively shallow, having regard to the depth of the pit along its eastern face (between 5 – 6 metres), the Environment Agency indicated that the volumes of clean soil to be used would exceed those normally considered for "recovery" purposes. They did, however, suggest that they would look more favourably on an application which used inert materials other than clean soil.

Condition 4 of the Planning Permission requires that, "Material incorporated into the landfill shall be confined solely to clean soil".

The applicants now wish to progress an application to the Environment Agency for a Standard Permit to infill the West Pit under SR2010 – Use of Waste for Reclamation, Restoration or Improvement of Land (up to 50,000 tonnes). In this case it shall be permissible for the applicants to complete infill of the West Pit using stone/construction & demolition waste with soils. Such soils would be of a sufficient depth to enable the applicants to plant woodland trees on the same contour as those surrounding the existing site.

For that reason, were the County Council to agree, it would be necessary for Condition 4 of the original planning permission to be varied, to permit the use of inert materials other than clean soil.

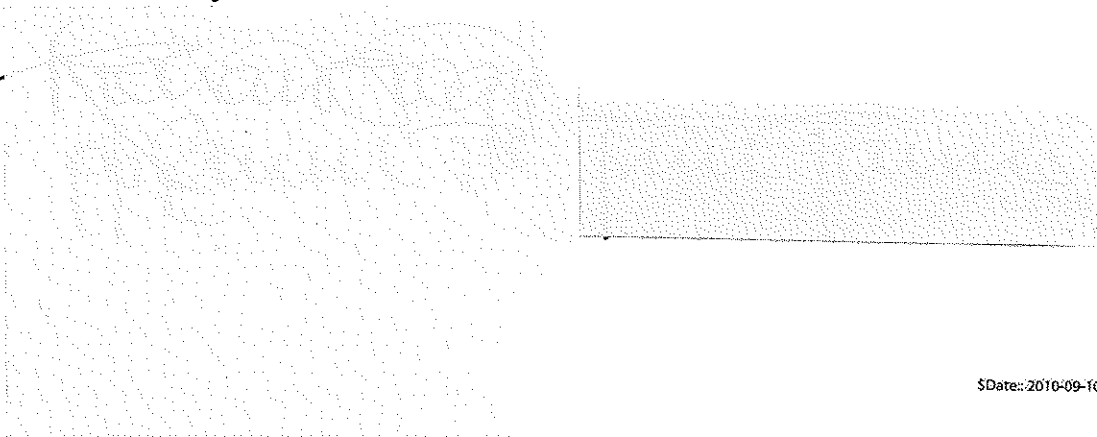
Condition 9 of the Planning Permission requires, "Materials used in the construction of the section of temporary surfaced access leading to the site shall be removed upon completion of the development and the land reinstated to its former condition".

The intended temporary section of track or surfaced access was installed in 1998 and upgraded in 2006. Removal of this track would serve no particular purpose, as it is now well integrated into the farm's general operation and is well used to lead farm machinery and crops to and from two orchards adjacent to it. Notwithstanding the operation of the West Pit, the track serves the long term needs of the particular orchards through which it passes.

Again, were the County Council to agree, the applicants would welcome the removal of this condition.

We look forward to hearing from you in regard to the progress of our application.

Yours faithfully





Richard Stogdon
Laurel Tree Fruit Farms

Encls.

Application Form + Cheque.