Mr Richard Ford

Brett Group

Robert Brett House

Ashford Road

CANTERBURY

Kent CT4 7PP

Date: 13 December 2023

Our ref: LW/799/CM(EIA) JH/SLI

Your ref:

Dear Mr Ford

**Planning permission Ref. No: LW/799/CM(EIA) – Aggregate Processing, East Quay, Newhaven Harbour, Newhaven, BN9 0BN**

**Condition 3 – Hours of Operation**

I refer to your letter dated 22 November 2023, requesting an extension to the trial period for a variation (extension) of the permitted operating hours in respect of the above planning permission. For clarification, the approved hours for the development are set out in Condition 3 of the planning permission, as shown below:

*3. The site shall not be used for the development hereby permitted other than between the hours of 07.00 - 18.00 on Mondays to Fridays inclusive and 07.00 - 13.00 on Saturdays, except for the loading of train wagons with aggregate material, which shall take place between the hours of 06.00 - 20.00 on Mondays to Saturdays inclusive, excluding on Bank and Public Holidays. There shall be no activities outside these times except in an emergency or unless otherwise agreed in writing with the Director of Communities, Economy and Transport.*

You previously indicated that the restriction on hours of operation was impeding the supply of aggregates to the market. Consequently, to meet the demand for your products you sought, and were given, approval for a temporary relaxation of the hours of operation. The temporary period, which expired on 30 November 2023, was to alter the hours of operation for the processing and storage of sand and gravel between the extended hours of 07.00 – 20.00 Mondays to Fridays and 07.00 – 17.00 on Saturdays.

The situation has not changed, and you are now seeking a further temporary period of extended operating hours, in line with what was previously approved. It is noted that during the previous temporary period of extended operating hours, no complaints were received regarding activities taking place during the extended hours.

I have considered this further request and taken into account the nature of the works proposed and the potential impact of the works on the amenity of the local community. In accordance with the powers delegated to me and pursuant to the provisions within Condition 3 of the above planning permission, I hereby **APPROVE** the additional hours of working between the extended hours of 07.00 – 20.00 Mondays to Fridays and 07.00 – 17.00 on Saturdays for a temporary period until **31 May 2024**. After this date, the hours of operation shall revert to those specified in Condition 3, namely 07.00 - 18.00 on Mondays to Fridays inclusive and 07.00 - 13.00 on Saturdays.

For the avoidance of doubt, the approval for the temporary extended hours relates **solely** to the processing of sand and gravel and storage of these processed materials in the existing stock bays within the site boundary. It does not relate to any works being carried out in the area that was previously known as the “Stage 4” area.

Finally, please note that if at any time the activities being carried out in these extended hours give rise to justifiable complaint, or demonstrable harm to amenity, I reserve the right to withdraw this temporary amendment to the permitted working hours. Please also note that should you receive any complaints, you should notify Sarah Iles on Lewes (01273) 481631 within two working days of receiving the complaint.

Yours sincerely

**Edward Sheath**

Edward Sheath

Head of Planning and Environment

Case Officer Details:-

Mrs Sarah Iles

T: 01273 481631

E: sarah.iles@eastsussex.gov.uk

Cc: Statutory Planning Register, Lewes District Council, Your Ref LW/17/0940

Amanda Parks Technical Support Officer *condapprove.doc*