

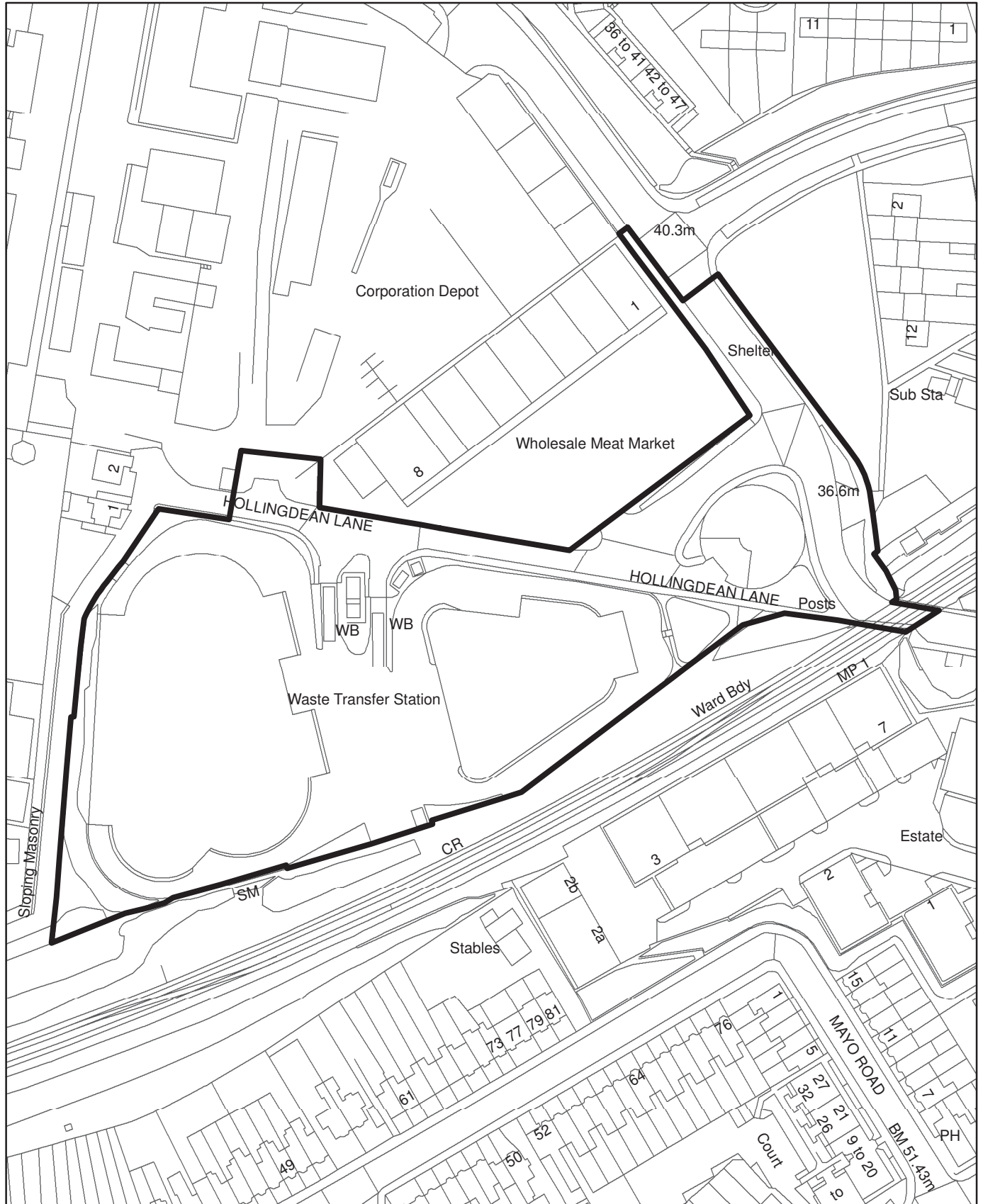
**PLANS LIST  
ITEM A**

**Veolia Environmental Services South Down  
Ltd, Hollingdean Lane, Brighton**

**BH2013/02219  
Removal or Variation of Condition**

**07 AUGUST 2013**

# BH2013/02219 Veolia Environmental Services, South Down Ltd, Hollingdean, Brighton



**Brighton & Hove  
City Council**



**Scale: 1:1,500**

<b>No:</b>	<b>BH2013/02219</b>	<b>Ward:</b>	<b>HOLLINGDEAN &amp; STANMER</b>
<b>App Type:</b>	<b>Removal or Variation of Condition</b>		
<b>Address:</b>	<b>Veolia Environmental Services South Down Ltd, Hollingdean Lane, Brighton</b>		
<b>Proposal:</b>	<b>Application for variation of conditions 3 and 4 (relate to opening hours), 5 and 6 (relate to HGV movements) and removal of condition 21 of application BH2011/03179 (Original application number BH2006/00900) to allow operational changes to the Materials Recovery Facility (MRF) and Waste Transfer Station (WTS), including 0700 - 2200 opening of the MRF and WTS Monday to Sunday including Bank Holidays and 0630 - 2200 for HGV movements Monday to Sunday including Bank Holidays.</b>		
<b>Officer:</b>	<b>Anthony Foster, tel: 294495</b>	<b>Valid Date:</b>	<b>05/07/2013</b>
<b>Con Area:</b>	<b>n/a</b>	<b>Expiry Date:</b>	<b>04 October 2013</b>
<b>Listed Building Grade:</b>	<b>n/a</b>		
<b>Agent:</b>	<b>Veolia Environmental Services, Poles Lane, Otterbourne, Winchester SO21 2EA</b>		
<b>Applicant:</b>	<b>Veolia ES (South Downs) Ltd, 210 Pentonville Road, London, N1 9JY</b>		

## 1 RECOMMENDATION

- 1.1 That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in paragraph 11 and resolves to **GRANT** planning permission subject to the Conditions and Informatives set out in section 11.

## 2 SITE LOCATION & DESCRIPTION

- 2.1 Hollingdean Waste Transfer Station (WTS) and Materials Recovery Facility (MRF) is located on the corner of Upper Hollingdean Road and Hollingdean Lane. The facility abuts the Lewes to Brighton railway line and is also adjacent to the City Clean depot. The topography of the site slopes steeply from west to east.
- 2.3 The site is overlooked by its adjoining neighbours, Downs Infants School is immediately to the North West of the site and due to the steep topography of the surrounding terrain, the school looks directly over the facility's buildings. Similarly to the south east of the site, Princes Road rises up towards to south with residential properties overlooking the site and the adjacent railway line. Although further away to the north and on the other side of Upper Hollingdean Road, residential properties on Davey Drive also partially overlook the site.
- 2.4 On the site itself there are three buildings consisting of the MRF to the west and highest part of the site, the WTS in the centre of the site and at the lowest level, the office and education facility building. Vehicular access is gained from Hollingdean Lane through a weighbridge station whereby vehicles destined for tipping manoeuvre around a central hard standing before accessing either the

MRF or the WTS. Vehicular access around the perimeter of each building has been provided for access to separate loading bays to the rear of either the WTS or the MRF.

### **3 RELEVANT HISTORY**

**BH2011/03179:** Application for variation of condition 39 of application BH2006/00900 (Construction and operation of a Materials Recovery Facility, Waste Transfer Station and Visitor Centre/Office building and ancillary infrastructure including gatehouse building and weighbridge, parking and highway revisions including creation of new access off Upper Hollingdean Road) to read: The permanent public art display hereby approved shall be carried out in strict accordance with drawings no. LD1, LP1, NTS 7, RL1, Planning Statement, “Expression of Interest”, “Shortlist Submission” “Development Details”, “Jointing/fixing Technique” “Dibond Technical Brochure” and RGB Flexible Lighting Module” received 19 October 2011 and shall be installed within 12 months of this permission. The public art display shall thereafter be permanently retained as such. Approved 18/01/2012

**BH2006/00900:** Construction and operation of a Materials Recovery Facility, Waste Transfer Station and Visitor Centre/Office building and ancillary infrastructure including gatehouse building and weighbridge, parking and highway revisions including creation of new access off Upper Hollingdean Road. Approved 19/06/2006

### **4 THE APPLICATION**

- 4.1 Planning permission is sought for the variation of condition conditions 3, 4, 5 and 6 of permission reference BH2011/03179 and the removal of condition 21. The variation of the conditions would allow for operational changes to the site to enable the City Council as the waste authority to have greater flexibility in terms of collecting waste and in addition, potentially introduce further communal recycling. The application states that the site tonnage and overall number of vehicle movements is not subject to change.
- 4.2 The site has a number of conditions of which 3, 4, 5 and 6 restrict hours of operation for the MRF, WTS, and the receipt and handling of communal bins and street cleaning loads.
- 4.3 Condition 3 of the consent currently sets out the permitted times for the receipt and removal of materials at the MRF, including the operating hours of 07:00 and 19:00 hours Monday to Friday, and 07:30 and 16:00 hours on Saturdays following a bank holiday.
- 4.4 This application seeks revised opening hours for the MRF between 07:00-22:00 Monday to Sunday including bank holidays, with no operations on Christmas Day or Boxing day unless otherwise agreed in writing with the Local Planning Authority.

- 4.5 Condition 4 of the consent sets out the permitted times for the receipt and removal of materials at the WTS, with the exception of vehicles and activities associated with the handling of street cleansing waste and communal bins, to including the operating hours of 06:30 and 18:30 hours Monday to Friday and 07:30 and 16:00 hours on Saturdays following a bank holiday.
- 4.6 This application seeks revised opening hours for the WTS between 07:00-22:00 Monday to Sunday including bank holidays, with no operations on Christmas Day or Boxing Day, other than the tipping of waste from street cleansing and litter collection.
- 4.7 Condition 5 of the consent currently sets out the permitted times for the receipt and handling of waste materials from communal bins within the WTS. The existing hours are restricted to 06:00 – 22:00 Monday to Saturdays and not at anytime on Sundays or Bank Holidays. A maximum number of 24 loads are also restricted per day.
- 4.8 Condition 6 of the consent restricts the number of loads associated with the handling of street cleansing to a maximum of 15 loads per day except where such operations are required in connection with major events and festivals.
- 4.9 This application now seeks to simplify the timing of the existing vehicle movements to 06:30-22:00 Monday to Sunday, with further restrictions in relation to the requirement for tipping between the hours of 22:00 and 06:30 where required to meet the operational needs for major events and festivals only with prior written consent from the Local Planning Authority. This mechanism currently exists within the existing permission.
- 4.10 A restriction of 8 HGV movements to the site between the hours of 19:00-22:00 per day is also requested and no HGV movement on Christmas Day and Boxing day, with the exception of waste from street cleansing and litter collection again this operation requirement currently exists.
- 4.11 Condition 21 of the consent which this application seeks to remove, is in relation to the deposition of materials at the site which was in relation to construction of the facility and is therefore no longer relevant.

## **5 PUBLICITY & CONSULTATIONS**

### **5.1 External**

**Neighbours: Eighteen (18)** letters of representation have been received from **1, 16 Wigmore Close, 20 Davey Drive, 35 Wolverstone Drive (x2), 121, 164 Dudeney Lodge, 36b, 43, 53 (x2), 68, 76 Princes Road, 17 Hollingbury Road (x2), 159 Ditchling Road, 34 Roundhill Crescent, 51 Upper Lewes Road** objecting to the application for the following reasons:

- Increase noise and disturbance over and above that which already occurs
- Odour issues resulting from the extended hours of use

- We are unable to open our windows as it is due to the noise and odour which currently exists
- It would result in an increase in dirt and dust within the area
- It would result in an increase in air pollution
- The weekend is the only days when there is a break
- The extended hours would make our lives intolerable
- The hours will impact upon the Downs School
- Allowing the extended hours would be negligent
- Increased noise and disturbance from the vehicle movements within the locality
- The quality of life of the existing residents will be greatly affected
- This goes against the original permission which was strictly controlled to ensure that the impacts were lessened
- Increased traffic congestion

5.2 **Environment Agency:** No comment

5.3 **Internal:**  
**Environmental Health:** Comment.  
Noise

I have examined the application number – 2013/02219 and with this the Veolia Hollingdean MRF/WTS, Brighton document dated July 2013 and the Clarke Saunders Associates acoustic report dated 3<sup>rd</sup> July 2013, reference : AS6783.130703.R3.3

5.4 The application seeks to make a number of changes to the existing planning consent which is 2011/03179. This would enable the City Council as the waste authority to have greater flexibility in terms of collecting waste and additionally in the potential roll out of communal recycling. The site benefits from a large number of conditions of which 3,4,5 and 6 restrict hours of operation for the Materials Recycling facility (MRF), The Waste Transfer Station (WTS) and the receipt and handling of communal bins and street cleaning loads.

5.5 It is proposed to delete these 4 and insert 3 simplified conditions merely dealing with the MRF, the WTS and all other vehicle movements, to and from the site. The application would afford seven days a week working and includes bank holidays with the exception of Christmas day and Boxing Day. It is pleasing to note that the consultants carrying out the acoustic survey work have captured two bank holidays ensuring that the survey data is in fact representative. Additionally, during the evenings throughout Monday through to Sunday, the numbers of vehicles to site would be restricted in number between 19:00 hours and 22:00 hours.

5.6 It is important to note that the application states that the site tonnage and overall number of vehicle movements will not be subject to change.

5.7 It is interesting that when examining Appendix B and specifically the table of hours, there is a description of what the MRF and WTS are actually currently

operating and what they are asking for. Broadly speaking, these are as follows and on reviewing the department's record of complaints, we do not have any evidence of a statutory noise nuisance. The table suggests that the site has already been working until 22:00 hours, without adverse comments or complaints being received.

	<b>Actual Hours</b>	<b>Proposed Hours</b>
MRF	07:00 to 16:00	06:30 – 22:00
WTS	06:00 to 22:00	07:00 – 22:00

- 5.8 Both the supporting document and acoustic report make the suggestion that there have not been any noise complaints received since 2010. This is not the case. Four complaints have been received very recently which are as follows with the first two being linked.

<b>Date</b>	<b>Complaint</b>
28.5.2013	Tipping of glass on a Sunday
30.5.2013	Veolia working outside of their permitted hours
31.5.2013	Noise intolerable
4.6.2013	Noise from the site since 13:00 hours

- 5.9 Where appropriate these complaints were discussed with site (Veolia), the local planning authority and of course the complainants. A statutory noise nuisance was not and has not been identified from site activities to date. No further complaints have been received and it is interesting to note that since this time, there have been periods of service disruption due to industrial action being taken where activities were carried out well in excess of those listed within the current application. This did not generate noise complaints.
- 5.10 In discussing complaints received, it is relevant to note that the report authors of the Clarke Saunders Associates document have been made aware of historic complaints to both environmental health but also those made by the residents' liaison group or CLG (Community Liaison Group) run by Veolia to foster direct contact with immediate residents/neighbours.
- 5.11 The report appears to capture the complex background noise climate for the area and also acknowledges that the site has many variable and intermittent noise sources that change over time. I note that site plant remains controlled by smart alarms which by their nature are designed to be less intrusive to any neighbours. As above, it is important to note that the number of vehicles and the site tonnages are not subject to change.
- 5.12 The acoustic report goes onto identify that there is little difference between weekends and weekdays, with the only observation being the lack of a morning rush-hour between 06:00 -09:00 at weekends. Bank holidays are also identified as being comparable to normal weekdays with regards to the noise profile. Comment too is made that the monitoring is indicative of the Hollingdean area

being busy until later with the suggestion that later activities should not be noticeable.

- 5.13 Noise monitoring was carried out at a number of areas and for a number of reasons. These fall into the various categories:

Type of monitor	Location	Dates
Automated Ambient	Veolia offices, relatively shielded from site	7-14 <sup>th</sup> March 2013 27 <sup>th</sup> March to 2 <sup>nd</sup> April
Manual Satellite ambient	4 locations around site	17 <sup>th</sup> April 2013 (16:45 to 20:00)
Automated Site Monitoring	Near Veolia Weighbridge	30 <sup>th</sup> May to 5 <sup>th</sup> June 2013
Manual site measurements	Around Veolia site	7 <sup>th</sup> March 2013 4 <sup>th</sup> April 2013 30 May 2013 5 <sup>th</sup> June 2013

- 5.14 In summary, from a noise perspective, I am satisfied that the applicant has had the foresight to use a professional consultancy to gather acoustic data over relevant periods including bank holidays which appears to be robust. It is suggested from the data gathered, and on clarifying matters that the number of vehicles to site will not change, nor will the permitted site tonnage. Safeguards are also proposed to protect residents in the use of a restriction of the number of HGV's permitted to the site in the evenings. I also note the intention to restrict where practicable the tipping of glass to weekdays.

5.15 Air Quality

No objection to the changes in operating hours and recommend approval on grounds of air quality.

- 5.16 The changes are not likely to be significant in compassion with the existing situation. We do not expect daily changes in ridged or articulated lorry movements along Hollingdean Road as a result of the IWF/MRF variation.

5.17 Odour

I note the intention for working more days and in theory refuse will be collected quicker and not have the opportunity to deteriorate and generate odours.

5.18 **Sustainable Transport: Comment**

The proposals do not involve any change to the permitted tonnage at the facility (BH2011/03179 Condition 1) or the overall number of vehicles. Condition 1 of BH2011/03179 states that that the unit has a capacity of a maximum of 160,000 tonnes per annum. This effectively controls the vehicle numbers allowed per annum and the vehicle numbers associated with the development have already been set. These proposals do not alter this maximum permitted tonnage. It allows greater operational flexibility and will mean that vehicle numbers are



spread over a longer period of the day and less of an impact in the traditional highway peak hours.

## **6 MATERIAL CONSIDERATIONS**

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”
- 6.2 The development plan is:
- Brighton & Hove Local Plan 2005 (saved policies post 2007);
  - East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (Adopted February 2013);
  - East Sussex and Brighton & Hove Minerals Local Plan (November 1999); Saved policies 3,4,32 and 36 – all outside of Brighton & Hove;
  - East Sussex and Brighton & Hove Waste Local Plan (February 2006); Saved Policies WLP 7 and WLP8 only – site allocations at Sackville Coalyard and Hangleton Bottom and Hollingdean Depot.
- 6.3 The National Planning Policy Framework (NPPF) was published on 27 March 2012 and is a material consideration which applies with immediate effect.
- 6.4 Due weight should be given to relevant policies in the development plan according to their degree of consistency with the NPPF.
- 6.5 The Brighton & Hove City Plan Part One (submission document) is an emerging development plan. The NPPF advises that weight may be given to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency of the relevant policies to the policies in the NPPF.
- 6.6 All material considerations and any policy conflicts are identified in the “Considerations and Assessment” section of the report.

## **7 RELEVANT POLICIES & GUIDANCE**

### The National Planning Policy Framework (NPPF)

#### East Sussex and Brighton & Hove Waste Local Plan (February 2006)

WLP8 Site-specific Allocations for Material Recovery Facilities / Waste Transfer Facilities

#### East Sussex, South Downs and Brighton & Hove Waste and Minerals Plan (February 2013)

WMP6 Safeguarding Waste Sites

WMP18 Transport - Road, Rail and Water

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WMP23a	Design Principles for Built Waste Facilities
WMP25	General Amenity
WMP26	Traffic Impacts
WMP27	Environment and Environmental Enhancement
WMP28b	Water Resources and Water Quality

### Brighton & Hove Local Plan:

TR1	Development and the demand for travel
TR4	Travel Plans
TR7	Safe development
TR8	Pedestrian routes
TR11	Safe routes to school and school safety zones
TR12	Helping the independent movement of children
TR13	Pedestrian network
TR14	Cycle access and parking
TR15	Cycle network
TR16	Potential rail freight depot
TR18	Parking for people with a mobility related difficulty
TR19	Parking standards
SU2	Efficiency of development in the use of energy, water and materials
SU3	Water resources and their quality
SU4	Surface water run-off and flood risk
SU5	Surface water and foul sewage disposal infrastructure
SU9	Pollution and nuisance control
SU10	Noise nuisance
SU11	Polluted land and buildings
SU13	Minimisation and re-use of construction industry waste
SU14	Waste management
SU15	Infrastructure
SU16	Production of renewable energy
QD1	Design – quality of development and design statements
QD2	Design – key principles for neighbourhoods
QD3	Design – efficient and effective use of sites
QD4	Design – strategic impact
QD5	Design – street frontages
QD6	Public art
QD7	Crime prevention through environmental design
QD15	Landscape design
QD16	Trees and hedgerows
QD17	Protection and integration of nature conservation features
QD18	Species protection
QD19	Greenways
QD25	External lighting
QD27	Protection of amenity
QD28	Planning obligations
HO19	New community facilities
EM1	Identified employment sites (industry and business)
NC8	Setting of the Sussex Downs Area of Outstanding Natural Beauty

HE3	Development affecting the setting of a listed building
HE6	Development within or affecting setting of Conservation Areas
HE12	Scheduled ancient monuments and other important archaeological sites

Brighton & Hove City Plan Part One (submission document)

SS1	Presumption in favour of sustainable development
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**8 CONSIDERATIONS & ASSESSMENT**

8.1 The main considerations in the determination of this application relate to the impact of the extended hours of operation upon the amenity of the adjoining occupiers and also the impact of the proposals upon the existing highways network.

**Background**

8.2 Permission was granted under planning application reference BH2006/00900 for the use of the site as a materials recovery facility and waste transfer station. The combined throughput of both facilities is restricted to 160,000 tones of waste per year.

8.3 The MRF which is located to the western boundary of the site receives separated recyclable material from kerbside collection schemes, recycling points and household waste recycling sites, such as paper, metal, cardboard, glass and plastic. It is then further separated and bulked, ready for onward transfer to processing companies for recycling.

8.4 The WTS located to the southern boundary of the site receives general household waste from collection rounds and it is then bulked for collection by HGVs who would then take it off the premises.

8.5 In 2011 a variation of condition application was approving in relation to the provision of an artistic installation at the site. This has subsequently been installed.

8.6 A full Environmental Statement (ES) was submitted as part of the original application ref BH2006/00900. The original ES concluded that the proposal would not have a significant adverse impact on the environment including in terms of traffic generation and highway safety, residential amenity, visual amenity, ecology of the site and amenity of the locality in general. This ES also assessed the development with Monday to Sunday 7 day operation between the hours of 07:00 and 22:00.

8.7 The potential impacts of the change in hours of operation have been fully considered within the original ES with the exception of the potential vehicle movements between 06:30 and 07:00. The peak delivery times to the site are likely to remain mid morning and early afternoon.

- 8.8 In terms of traffic movements there will be no increase in the volume or tonnage of waste handled by the facility, there would however be expected to be some change in the pattern of these movements which would be spread across the additional operating hours. It is not considered that this change in vehicle movements is significant enough to require a revised Environmental Impact Assessment to be submitted.

**Impact on Amenity:**

- 8.9 Policy QD27 of the Brighton & Hove Local Plan states that planning permission for any development or change of use will not be granted where it would cause material nuisance and loss of amenity to the proposed, existing and/or adjacent users, residents, occupiers or where it is liable to be detrimental to human health. Local Plan policies SU9 and SU10 seek to ensure that development which may be liable to cause pollution and/or nuisance are appropriately conditioned to ensure that the local amenity is not compromised
- 8.10 Waste and Minerals Plan Policy WMP25 seeks to protect local communities from the potential negative impacts of waste and minerals development such as those resulting from noise, dust, fumes, windblown litter, and visual intrusion.
- 8.11 The application proposes the relaxation of the condition hours of operation for the site. The MRF currently has operating hours of 07:00-19:00 Monday to Friday and 7:30-16:00 on Saturdays following a bank holiday. This is controlled by condition 3 of the consent. The WTS currently has operating hours of 06:00-22:00 Monday to Saturday with specific conditions relating to the types of waste which can be received. This is controlled by condition 4 of the consent.
- 8.12 The two existing conditions 3 and 4 currently allow the operating hours of both of facilities to be extended, over a weekend for a temporary period if agreed in writing by the Local Planning Authority.
- 8.13 Noise  
The application has been accompanied by a full acoustic report which was been assessed by the Councils Environmental Health Team who are broadly satisfied that acoustic data which has been gathered over relevant periods including bank holidays is robust. The report captures the complex background noise climate for the area and also acknowledges that the site has many variable and intermittent noise sources that change over time.
- 8.14 The submitted report identifies that there is little difference between weekends and weekdays noise levels, with the only observation being the lack of a morning rush-hour between 06:00 - 09:00 at weekends. Bank holidays have also been surveyed and identified as being comparable to normal weekdays with regards to the noise profile.
- 8.15 The Councils Environmental Health Team has considered previous issues in relation to the complaints received in relation to noise and disturbance resulting from the use of the site. Since 2010 there have been 4 (four) complaints made

in relation to the noise from the site, these were focused to the last week in May and the first week in June of this year. No further complaints have been received since this time. A review of the existing record of complaints held by Environmental Health, shows that no persistent statutory noise nuisance has been identified, resulting from existing operations at the site.

8.16 In relation to noise generated by the site, it is considered that the applicant has demonstrated that the potential increase in noise resultant from the extended hours at the site would not be significant to that which is currently experienced, subject to conditions seeking to restrict the number of vehicular movements to the site, over the weekends.

8.17 Odour

A number of objections relate to odour issues resulting from the use of the site as a WTS and MRF. The continued use of the site 7 days a week may reduce the potential for odours from being created. In theory the intention of working more days would mean refuse would be collected quicker and not have the opportunity to deteriorate and generate odours.

8.18 It should be noted that the Environment Agency as part of the Waste Management Licence, impose criteria of their own. These criteria include tonnage of waste handled, type of waste handled, record-keeping, maintenance, drainage considerations, control of mud and debris, control of odour emissions, control of noise, dust, litter, and pest infestations. The applicant has stated that best practice with regard to odour management will continue to be followed and that the facility is fitted with odour suppression equipment.

8.19 Air quality

Hollingdean Road is located within the Air Quality Management Area, The Councils Environmental Health team has reviewed the submitted supporting information and consider that the proposed changes are not likely to be significant in terms of their impact upon air quality. This is due to there being no additional vehicular movements to and from the site.

8.20 It is noted that the adjoining residents currently do not experience continued working at the site over weekends, however it is not considered that the proposed variation of conditions will result in a significant impact upon the amenity of the adjoining residents in terms of noise and disturbance, odour or air quality in accordance with policies QD27, SU9 and SU10 of the Brighton & Hove Local Plan and policy WMP25 of the Waste and Minerals Plan.

8.21 **Sustainable Transport:**

Policy TR1 requires that development proposals provide for the demand for travel they create and maximise the use of public transport, walking and cycling. The variation of condition seeks greater flexibility over vehicle movements into the site but does not propose additional vehicle movements over and above that which is conditioned. Policy WMP26 within the Waste and Minerals Plan seeks

to ensure that proposals fully address the site-specific issues related to road transport and traffic of waste or minerals developments.

- 8.22 In terms of the proposed alteration to the operating hours of the site, the Sustainable Transport team has reviewed the submitted information, and considers that as the total number of trips to the site is conditioned, and also the allowed tonnage, effectively the proposed increase in hours to allow for greater operational flexibility has the potential to result in existing vehicle numbers being spread over a longer period of the day and less of an impact in the traditional highway peak hours.
- 8.23 As such it is considered that the proposed variation of condition is in accordance with policies TR1 of the Brighton & Hove Local Plan and policy WMP26 of the Waste and Minerals Plan.

## **9 CONCLUSION**

- 9.1 The proposed variation of the conditions will not result in a significant impact on the amenity of adjacent properties or highways safety and congestion. The variation will also allow the site to continue operating in an efficient and effective manner in accordance with local plan policies in respect of a city wide approach to waste management.

## **10 EQUALITIES**

- 10.1 None identified

## **11 PLANNING OBLIGATION / CONDITIONS / INFORMATIVES**

- 11.1 Members should note that many of these conditions have simply been reapplied. They have been updated where the relevant policies have been replaced in the Development Plan.
1. The materials recovery facility and waste transfer station hereby permitted shall not exceed a combined recyclable materials and waste throughput capacity of more than 160,000 tonnes per annum and annual monitoring evidence shall be submitted to demonstrate this, and to demonstrate that the associated vehicular trips do not exceed the total stated in the Transport Assessment as approved by the Local Planning Authority under Planning reference BH2006/00900 dated 19/06/2006.  
**Reason:** The Environmental Statement submitted with the application is based on this throughput and the Local Planning Authority would wish to maintain control over future operation of the site in the interests of amenity and traffic management, to comply with policies QD27 and TR1 of the Brighton & Hove Local Plan and WMP18, WMP25 and WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.
  2. Upon first arrival at the waste transfer station building, residual waste stored within the building shall not be stored for a period of longer than 72 hours unless otherwise first agreed in writing by the Local Planning Authority.

**Reason:** In the interests of amenity, to comply with policy QD27 of the Brighton & Hove Local Plan and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.

3. The processing of recyclable materials within the Materials Recovery Facility building shall only occur between the hours of 0700 to 2200 Monday to Sunday including Bank Holidays. No operations shall take place on Christmas or Boxing Day unless first agreed in writing by the Local Planning Authority. Internal start-up and shut-down operations within the Materials Recovery Facility building shall not extend beyond 30 minutes either side of these hours

**Reason:** To protect the amenity of the occupiers of nearby residential properties and the amenity of the locality in general, to comply with policies QD27 and SU10 of the Brighton & Hove Local Plan and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.

4. Operations or activities authorised by the permission and associated with the operation of the waste transfer station shall only carried out between the hours of 0700 – 2200 Monday to Sunday including Bank Holidays. The only operations that will take place on Christmas Day and Boxing Day are the tipping of waste from street cleansing and litter collection. No other operations shall take place on Christmas Day or Boxing Day unless first agreed in writing by the Local Planning Authority.

**Reason:** To protect the amenity of the occupiers of nearby residential properties and the amenity of the locality in general, to comply with policies QD27 and SU10 of the Brighton & Hove Local Plan and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.

5. Unless first agreed by the Local Planning Authority all HGV movements for the importation or export of waste and recyclable materials shall only be carried out between the following hours: 0630 – 2200 Monday to Sunday including Bank Holidays

The following further restrictions shall apply:

(i) Street cleansing waste and litter will only be tipped between the hours of 2200 and 0630 where required to meet operational needs for major events and festivals, and only with prior written consent from the Local Planning Authority.

(ii) Between the hours of 1900 – 2200 Monday to Sunday only a maximum of 8 HGVs per day shall visit the site

(iii) There shall be no HGV movements for the importation or export of waste and recyclable materials on Christmas Day and Boxing Day (with the exception of waste from street cleansing and litter collection).

**Reason:** To protect the amenity of the occupiers of nearby residential properties and the amenity of the locality in general, to comply with policies QD27 and SU10 of the Brighton & Hove Local Plan and WMP18,

WMP25 and WMP26 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.

6. Noise associated with fixed plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1m from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5 dB(A) below the existing  $L_{A90}$  background noise level. Rating Level and existing background noise levels to be determined as per the guidance provided in BS 4142:1997.  
**Reason:** To protect the amenity of the occupiers of nearby residential properties and the amenity of the locality in general, to comply with policies QD27 and SU10 of the Brighton & Hove Local Plan and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.
7. No vehicles or machinery required for the operation of facilities in control of the operator of the development shall be used on site unless fitted with silencers maintained in accordance with the manufacturers' recommendations and specification.  
**Reason:** To protect the amenity of the occupiers of nearby residential properties and the amenity of the locality in general, to comply with policies QD27 and SU10 of the Brighton & Hove Local Plan and WLP1 and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.
8. All vehicle access doors to the Waste Transfer Station and Materials Recovery Facility shall remain closed except to enable the ingress and egress of vehicles.  
**Reason:** To protect the amenity of the occupiers of nearby residential properties and the amenity of the locality in general, to comply with policies QD27, SU9 and SU10 of the Brighton & Hove Local Plan and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.
9. No materials shall be burnt on site.  
**Reason:** To protect the amenity of the occupiers of nearby residential properties and the amenity of the locality in general, to comply with policies QD27 and SU9 of the Brighton & Hove Local Plan and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.
10. All loading, unloading, sorting and bulking activities shall occur within the Waste Transfer Station and Materials Recovery Facility buildings and no waste material shall be stored or tipped on to the ground for storage purposes, sorting or loading onto skips outside the buildings.  
**Reason:** To protect the amenity of the occupiers of nearby residential properties and the amenity of the locality in general, including visual amenity, to comply with policies QD27, SU9, SU10 and QD1 of the



Brighton & Hove Local Plan and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.

11. Unless otherwise agreed in writing, the scheme for the suppression of dust and odour from the operations shall be carried out in accordance with the details approved by Local Planning Authority by letter dated 18 February 2008 and retained as such thereafter.  
**Reason:** To protect the amenity of the occupiers of nearby residential properties and the amenity of the locality in general, to comply with policies QD27 and SU9 of the Brighton & Hove Local Plan and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.
12. Any trees, shrubs or hedges planted in accordance with the details approved by Local Planning Authority by letter dated 6 May 2008 which are removed, die, become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.  
**Reason:** To ensure there is satisfactory landscaping and highway provision to serve the development in the interests of visual amenity and to prevent pedestrian/vehicular conflict and enhance ecology, to comply with policies QD1, QD15, QD16, QD17 TR1, TR7 and TR8 of the Brighton & Hove Local Plan and WMP25 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.
13. No trees, shrubs or hedges within the site, in accordance with the details as approved by the Local Planning Authority under Application reference BH2006/00900 dated 19 June 2006, which are shown as being retained, shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation.  
**Reason:** To ensure there is satisfactory landscaping to serve the development in the interests of visual amenity and to enhance ecology, to comply with policies QD1, QD15, QD16 and QD17 of the Brighton & Hove Local Plan and WMP23a, WMP25 and WMP27 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.
14. Any plants planted in relation to the “green roof”, in accordance with the details approved by Local Planning Authority by letter dated 5 March 2007, that die or become severely damaged or seriously diseased within 5 years of planting shall be replaced with those of a similar species.  
**Reason:** To enhance and integrate nature conservation features within the site, in accordance with policy QD17 of the Brighton & Hove Local

Plan and WMP23a, WMP25 and WMP27 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.

15. Any plants planted in relation to the “green wall” in accordance with the details approved by Local Planning Authority by letter dated 6 May 2008, that die that die or become severely damaged or seriously diseased within 5 years of planting shall be replaced with a similar species.  
**Reason:** To enhance and integrate nature conservation features within the site, and to give visual interest and soften the appearance of the development, in accordance with policies QD1, QD5 and QD17 of the Brighton & Hove Local Plan and WMP23a, WMP25 and WMP27 of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.
16. The public art display shall be permanently retained as such thereafter.  
**Reason:** To give visual interest and soften the appearance of the development and to partly meet the demand for public art within the scheme, in accordance with policies QD1, QD5 and QD6 of the Brighton & Hove Local Plan and WLP35, WLP39 and WLP40 of the East Sussex and Brighton & Hove Waste Local Plan.
17. All areas where waste is stored, handled or transferred shall be underlain by impervious hardstanding with dedicated drainage to a foul sewer or sealed tank.  
**Reason:** To prevent pollution of the water environment to comply with policy SU3 of the Brighton & Hove Local Plan and WMP23a, WMP25 and WMP28b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.
18. Prior to being discharged into any watercourse, surface water sewer or soakaway all surface water drainage shall be passed through an oil bypass interceptor designed and constructed to have a capacity compatible with the site being drained. Roof water shall not pass through the interceptor.  
**Reason:** To prevent pollution of the water environment and reduce flood risk to comply with policy SU3 of the Brighton & Hove Local Plan and WMP23a, WMP25 and WMP28b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.
19. No soakaway shall be constructed in contaminated ground.  
**Reason:** To prevent pollution of groundwater to comply with policy SU3 of the Brighton & Hove Local Plan and WMP23a, WMP25 and WMP28b of the East Sussex, South Downs and Brighton & Hove Waste and Minerals Local Plan.
20. The development hereby permitted shall be carried out in accordance with the approved drawings listed below.  
**Reason:** For the avoidance of doubt and in the interests of proper planning.

PLANS LIST – 07 AUGUST 2013

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Site Location Plan	LP1		20/03/2006
Red Line Plan	RL1		20/03/2006
Site Plan	51115_Holl_MRFWTS (01)	3	20/03/2006
MRF Elevations & Sections	051115_Holl_MRFWTS (02-01)	0	20/03/2006
WTS Elevations & Sections	1115_Holl_MRFWTS (02-02)	0	20/03/2006
Office/Education Centre Building Floor plans Facades	051115_Hol_Offices (03)	4	02/06/2006
Gatehouse	051115_Holl_MRFWTS (04)	3	20/03/2006
Construction Typical Details	051115_Details(05)	3	20/03/2006
MRF Drive Through	051115_MRF (06)	3	20/03/2006
WTS HGV Circulation Path	051122_Holl_Circulation (07)	0	20/03/2006
MRF HGV Circulation Path	051122_Holl_Circulation (08)	0	20/03/2006
Sections through western embankment	51123_elev_land (11)	0	20/03/2006
Sections through Hollingdean lane cottage	051126_Holl_cottage (12)	0	20/03/2006
Schematic Drainage Layout	11650_ENV_001 Rev C		20/03/2006
Tree Removal Plan	157812M/LA/SK/003 Rev B		20/03/2006
Planting Plan	157812M/LA/SK/004 Rev C		20/03/2006
ACM Dragonfly Section detail	LD1		19/10/2011
Red Line Plan	RL1		05/07/2013

11.2 Informatives:

1. In accordance with the National Planning Policy Framework and Policy SS1 of the Brighton & Hove City Plan Part One (submission document) the approach to making a decision on this planning application has been to apply the presumption in favour of sustainable development. The Local Planning Authority seeks to approve planning applications which are for sustainable development where possible.

2. This decision to grant Planning Permission has been taken:
  - (i) having regard to the policies and proposals in the National Planning Policy Framework and the Development Plan, including Supplementary Planning Guidance and Supplementary Planning Documents:  
(Please see section 7 of the report for the full list); and
  - (ii) for the following reasons:-  
The proposed variation of the conditions will not result in a significant impact on the amenity of adjacent properties or highways safety and congestion. The variation will also allow the site to continue operating in an efficient and effective manner in accordance with local plan policies in respect of a city wide approach to waste management.