

West Sussex County Council
Development Control
County Hall Tower Street
Chichester
West Sussex
PO19 1RH

Our ref: HA/2021/123395/02-L01

Your ref: WSCC/028/21

Date: 03 January 2023

Dear Sir/Madam

AMENDED FRA - THE CONTINUED WINNING, WORKING AND PROCESSING OF SAND FROM THE EXISTING ROCK COMMON QUARRY, THE IMPORTATION OF INERT CLASSIFIED ENGINEERING AND RESTORATION MATERIAL, THE STOCKPILING AND TREATING OF THE IMPORTED MATERIAL, THE PLACEMENT OF THE IMPORTED MATERIAL WITHIN THE QUARRY VOID AND THE RESTORATION AND LANDSCAPING OF THE QUARRY ROCK COMMON QUARRY, THE HOLLOW, WASHINGTON, PULBOROUGH, RH20 3DA

Thank you for consulting the Environment Agency on the above application.

We have reviewed the information as submitted and set out our position below.

Environment Agency Position

Following the submission of an amended Flood Risk Assessment(FRA) we are able to **remove our objection** subject to the inclusion of the following **conditions** on any planning permission granted.

The proposed continued mineral extraction presents a risk to groundwater which is particularly sensitive in this location because the proposed development site is located upon a principal aquifer.

The Planning and Environmental Statement (June 2021) submitted in support of this planning application provides us with confidence that it will be possible to suitably manage the risks posed to groundwater resources by this development. Further detailed information will however be required before any development is undertaken. It is our opinion that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the local planning authority.

Environment Agency
Guildbourne House Chatsworth Road, Worthing, West Sussex, BN11 1LD.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

Cont/d..

In light of the above, the proposed development will be acceptable if a planning condition is included requiring submission and subsequent agreement of further details as set out below. Without this condition we would object to the proposal in line with paragraph 170 of the National Planning Policy Framework because it cannot be guaranteed that the development will not present unacceptable risks to groundwater resources.

Condition 1 of 2

The development hereby permitted may not commence until such time as a scheme for;

- i. the storage of materials;
- ii. the storage of chemicals;
- iii. the storage of oil;
- iv. the storage of hazardous materials;
- v. the proposed method of working;
- vi. the proposed phasing of development;
- vii. the proposed maintenance and after-care of the site;
- viii. future landscaping;
- ix. the provision of road and wheel cleaning facilities;
- x. proposed scheme for monitoring;

has been submitted to, and approved in writing by, the local planning authority. The scheme shall, where necessary, be supported by detailed calculations and include a programme for future maintenance. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or any details as may subsequently be agreed, in writing, by the local planning authority.

Reasons

This condition is required for the continued working of the reserves at the site to ensure that the proposed development, including mineral extraction, does not harm the water environment in line with paragraph 170 of the National Planning Policy Framework.

The proposed development presents a risk to groundwater which is particularly sensitive in this location because the proposed development site is located upon a principal aquifer.

The Planning and Environmental Statement submitted in support of this planning application provides us with confidence that it will be possible to suitably manage the risks posed to groundwater resources by this development. Further detailed information will however be required before any development is undertaken. It is our opinion that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the local planning authority.

In light of the above, the proposed development will be acceptable if a planning condition is included requiring submission and subsequent agreement of further details as set out below. Without this condition we would object to the proposal in line with paragraph 170 of the National Planning Policy Framework because it cannot be guaranteed that the development will not present unacceptable risks to groundwater resources.

Condition 2 of 2

The development hereby permitted may not commence until such time as a scheme to

i. secure de-watering of the site
ii. secure the protection of licensed and un-licensed sources of water

has been submitted to, and approved in writing by, the local planning authority. Any such scheme should include a maintenance programme of the facilities to be provided. The scheme shall be fully implemented, and subsequently maintained, in accordance with the scheme, or any changes as may subsequently be agreed, in writing, by the local planning authority.

Advice regarding Protection of Groundwater

Currently Rock Common Quarry is actively dewatered as there are significant quantities of leachate present beneath the adjacent Windmill Landfill. The Environmental Permit for this site is still in place, and this requires ongoing dewatering in this location to manage groundwater levels. Unless the operator varies this permit, we will require the operator of the adjacent site to continue to manage groundwater levels in this location. Section 6.3 of the Planning and Environmental Statement (June 2021) provides us with the confidence that a controlled reduction in dewatering can be managed although further details will be required to ensure the protection and that the proposed development, does not harm the water environment in line with paragraph 170 of the National Planning Policy Framework.

Advice to Applicant

Requirement for an Environmental permit

This site is on a principal aquifer, but it is not in any source protection zone. The application proposes to infill, using deposit for recovery. Deposit for recovery permits are likely to be more restrictive in term of material importation than for an inert landfill. Deposit for Recovery scheme are not automatically required to meet the specific criteria needed for an inert landfill. Due to their similar nature, many of the fundamental principal and safeguards though should still apply.

With regards to Inert Landfill our current guidance on “approaches to groundwater protection” states “The Environment Agency will not object in principle to such a landfill on the basis of the location position statement E1, unless the site falls within a SPZ1”. To confirm this site does not fall in a SPZ1.

We advise you to contact our National Permitting Service (preapplicationservice@environment-agency.gov.uk) at an early stage to determine **all** the permitting requirements of the proposed scheme. There is an existing discharge permit which may need to be varied and an abstraction licence may be required. In addition we advise you obtain advice upon any additional hydrogeological investigations that may be required and monitoring requirements.

Yours faithfully

Mrs Sophie Brown
Sustainable Places Planning Advisor

Direct dial 0203 0257 250
Direct e-mail planningSSD@environment-agency.gov.uk

End