



Planning Submission

Planning Application for the
Variation of Condition 2 of
Planning Permission reference
WSCC/067/19

Biffa Waste Services Limited,
Brookhurst Wood Landfill Site,
Langhurstwood Road,
Horsham,
RH12 4QD.

Planning Statement

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1. Introduction

1.1 Biffa Waste Services Ltd ('Biffa') is seeking planning permission under Section 73 of the Town and Country Planning Act 1990 ('TCPA') and seeks an extension to allow for the completion of restoration. The landfilling of waste at Brookhurst ceased towards the end of 2018, as required by condition 2 of planning permission WSCC/005/16/NH and restoration materials have been imported to the site on an ongoing basis. Restoration of the site is progressive; therefore the majority of the site has been fully restored and seeded as per the requirements of the planning permission. However, as described in Section 4 of this Statement it has become apparent that the end date for restoration cannot be met and accordingly an extension is sought through this planning application.

1.2 This application is accompanied by the following:

- Completed Application Forms;
- Drawing BA0310101 "Location Plan" rev 1 dated 10th January 2020;
- Document Titled "Updated Landscape Information" including the following drawings:
 - Figure R1 "Landscape Masterplan" dated 10th February 2020;
 - Figure R2 "Landscape Masterplan with Approved Contours (2020)" dated 10th February 2020;
 - Figure R3 "Landscape Masterplan with Phasing" dated 10th February 2020;
 - Figure R4 "Landscape Masterplan Indicative Sections" dated 7th February 2020;
- Decision Notice WSCC/067/19 dated 28th February 2020.

2. Site Description

- 2.1 The site is located approximately 1km to the north of Horsham, and approximately 1.5km to the north-east of the village of Warnham. The Horsham-Dorking rail line bounds the site to the west and the A24 runs in a north-south direction approximately 400m-500m to the west of the site. The east of the site is bound by Langhurstwood Road.
- 2.2 The Brookhurst Wood Landfill site is situated within the wider Brookhurst Wood Strategic Waste Management facility comprising the activities described below:
- Brookhurst Wood Mechanical Biological Treatment ('MBT') Facility – the MBT manages household and commercial waste arising in West Sussex and mixed waste containers from household recycling sites in West Sussex;
 - Aggregates Treatment and Recycling Facility ('ATRF') – Treatment of road sweepings into separate recycling streams for re-use;
 - Haul roads and welfare facilities.

3. About Biffa Waste Services

- 3.1 Biffa is a sustainable leader in the UK's waste and recycling industry. Founded in London in 1912, Biffa employs 10,000 people and collects waste from thousands of businesses and millions of households across the UK each day.
- 3.2 By growing the collections business, building our plastic recycling capacity, and investing in energy-from-waste, Biffa is on a mission to enable the UK circular economy by changing the way businesses and people think about waste.
- 3.3 Biffa's surplus food redistribution partnership with [Company Shop Group](#), and environmental work with [BiffaAward](#) and [Waste Aid](#), also have wider benefits for the UK and beyond. Since 2002 Biffa has reduced carbon emissions by 70 per cent and aim to be net zero by 2050.
- 3.4 Biffa understands the vital role the company has to play in helping the UK to address the climate emergency and deliver sustainable growth. This involves an ambitious investment programme in green economy infrastructure and low carbon collections, alongside an ongoing commitment to sector leadership in the health, safety and wellbeing of their people.

4. Planning History

4.1 The Brookhurst Wood site has a relatively complex planning history given the duration and complexity of the operations taking place. The following documents the relevant planning history on land within the application site and on land immediately adjoining the application site:

- **WSCC/051/20** – Planning application for a Soil Washing Facility.
- **WSCC/050/19** – Planning application for a Soil Heat Treatment Facility (10th January 2020);
- **WSCC/067/19** – Amendment of restoration scheme approved through WSCC/005/16/NH to provide rich grassland rather than woodland at Brookhurst Wood Landfill Site (dated 28th February 2020);
- **WSCC/005/16/NH** – Amendment of conditions 2, 9, 47, 49, 52, 55, 60 and 61 of planning permission DC/2919/06 (NH) to extend the end date for landfilling to 31st December 2018 with restoration by 31 December 2023; amend the restoration; amend the length of aftercare, and update approved plans (dated 28th December 2017, subject to S106 agreement);
- **WSCC/036/016/NH** – Erection of 2No. carbon vessel systems and associated infrastructure (dated 16th September 2016);
- **WSCC/003/14/NH** – Installation and operation of an aggregate treatment and recycling facility (dated 17th April 2014);
- **WSCC/108/10/NH** – Construction of an electrical sub-station to enable power supply to mechanical and biological treatment facility (dated 17th March 2011);
- **WSCC/055/09/NH** – Construction and operation of a mechanical and biological treatment facility, including offices and visitor centre, and ancillary plant and infrastructure (dated 1st April 2010).

4.2 In addition, the following planning application is currently undergoing determination by WSCC:

- **WSCC/037/23** – Construction and Operation of an Open Windrow Composting (OWC) Facility

5. The Proposed Development

- 5.1 The landfilling of waste at Brookhurst Wood ceased towards the end of 2018, as required by condition 2 of planning permission WSCC/005/16/NH and restoration materials have been imported to the site on an ongoing basis. Restoration of the site is progressive; therefore, most of the site has been restored and seeded as per the requirements of the planning permission.
- 5.2 Whilst suitable restoration materials are continuing to be imported, across the waste sector the availability of suitable materials (which arise from construction projects) for restoration has become increasingly challenging for a combination of reasons. Restoration works across Biffa's landfill portfolio were severely impacted by the Covid-19 pandemic which caused restoration works to cease completely during the first three-month lockdown period. Additionally, the closure of the construction industry during this period also resulted in a drop of the availability of restoration materials and increased competition for limited materials that were being produced.
- 5.3 Since that time there has been an increase in the availability of materials between and it had been anticipated that the completion of restoration could have been achieved in accordance with the required timescales. However, over the past 12-18 months there has been a severe lack of availability of suitable restoration materials for a variety of reasons which include a downturn in construction projects, large increases in haulage costs making it harder to find material from a wider area, and changes to the way that construction projects are being undertaken resulting in more material being retained on site for a longer period.
- 5.4 Although restoration is progressing, it is evident that due to the reasons outlined above restoration will not be satisfactorily completed by 31st December 2023 as required by planning permission WSCC/067/19 and therefore an extension to the restoration end date is requested. The site cannot be left unrestored as it is a requirement of the Environmental Permit that applies to the site that restoration is completed in order fulfil our environmental management obligations, in addition to our responsibility to fulfil the requirements of the relevant planning permission.
- 5.5 It is estimated that approximately 130,000m³ of restoration material is still required which at full pace would take approximately 6 months to complete. However, in order to provide the necessary flexibility given the current circumstances Biffa is seeking a 12-month extension to the restoration period.

- 5.6 This proposal therefore seeks the following amendment to condition 2 of planning permission WSCC/067/19:

“The site shall be progressively filled to the levels shown on the plan ‘Pre-Settlement Contours’ 0007961/PA/10 (dated June 2006), and landscape restoration shall be delivered in phases as shown on the Landscape Masterplan with Phasing plan (Figure R3 - Rev 01, dated 07/02/20) and the Landscape Masterplan (Figure R1, Rev 05 dated 10/02/20). No further landfilling shall take place on the site. The restoration of the site, in accordance with Figure R1, Rev 05 dated 10/02/20 and the Updated Landscape Information (Biffa Waste services Ltd, Rev 9, dated 21/02/20), including grading with inert material and enhanced restoration works, shall be completed by 31st December 2024 or within 12 months of the cessation of delivery of waste to the site whichever is the earlier.”

5.1 Water Neutrality

- 5.1.1 In October 2021, Natural England issued a Position Statement stating that it cannot be concluded that the existing abstraction within the zone is not having an adverse impact on the Arun Valley Special Protection Area (‘SPA’), Special Area of Conservation (‘SAC’) and Ramsar sites and advises that development within the zone must not add to this impact. Development proposals within the zone area that would lead to an increase in water demand will need to demonstrate and robustly evidence ‘water neutrality’.
- 5.1.2 This planning application is seeking an extension of time to complete restoration activities that are already ongoing and approved through the grant of planning permission WSCC/067/19. Other than the time extension sought, there are no other alterations to the approved development proposed. Biffa is obligated to complete restoration in accordance with the requirements of the Environmental Permit and relevant planning permissions that are already in place, as stated in paragraph 5.4 above. Therefore there is no effect on existing water usage arising from this proposal.

6 Summary and Conclusions

- 6.1 This planning application is made under Section 73 of the Town and Country Planning Act 1990 and seeks an extension to the end date to allow for the completion of restoration. The reasons that the existing approved restoration completion date of 31st December 2023 cannot be met are described in Section 5 of this Statement.
- 6.2 This application is not seeking to amend the overall principles of restoration of the site, which have already been considered in the determination of planning permission WSCC/067/19. This application seeks an extension in order to enable the final completion of restoration to take place in accordance with the obligations set out within the approved details, which will put the site back to a beneficial after-use which secures landscape and biodiversity benefits. Therefore, this proposal will not prejudice the restoration and aftercare policies of the Development Plan that the restoration scheme has previously been determined to comply with.
- 6.3 For the reasons described in this statement, it is considered that these proposals remain consistent with the policies of the Development Plan and the proposed extension will allow for final restoration to be completed in accordance with the approved obligations set out within planning permission WSCC/067/19 and we would be grateful for planning permission to be granted for this development.