

Hooklands Farmhouse -Land Raising Planning, Design, Access and Water Neutrality Statement

Final

December 2023

Prepared for:
Penfold Verrall Ltd

www.jbaconsulting.com



PENFOLD VERRALL
EARTHWORKS SPECIALISTS

Document Status

Issue date	December 2023
Issued to	Mark Nunn - Penfold Verrall Ltd
BIM reference	KQG-JBAU-XX-XX-RP-EN-0002
Revision	S3 P01

Prepared by	Andrew Softley Senior Planning Consultant
-------------	--

Reviewed by	Iain Armstrong Principal Planning Consultant
-------------	---

Authorised by	Della Adams Technical Director
---------------	-----------------------------------

Carbon Footprint

The format of this report is optimised for reading digitally in pdf format. Paper consumption produces substantial carbon emissions and other environmental impacts through the extraction, production and transportation of paper. Printing also generates emissions and impacts from the manufacture of printers and inks and from the energy used to power a printer. Please consider the environment before printing.

Contract

JBA Project Manager	Andrew Softley
Address	Maybrook House, Grainger St, Newcastle upon Tyne, NE1 1LE
JBA Project Code	2023s0670

This report describes work commissioned by Penfold Verrall Limited, by an instruction dated 9th May 2023. The Client's representative for the contract was Mark Nunn of Penfold Verrall Ltd. Andrew Softley of JBA Consulting carried out this work.

Purpose and Disclaimer

Jeremy Benn Associates Limited ("JBA") has prepared this Report for the sole use of Penfold Verrall Ltd and its appointed agents in accordance with the Agreement under which our services were performed.

JBA has no liability for any use that is made of this Report except to Penfold Verrall Ltd for the purposes for which it was originally commissioned and prepared.

No other warranty, expressed or implied, is made as to the professional advice included in this Report or any other services provided by JBA. This Report cannot be relied upon by any other party without the prior and express written agreement of JBA.

The conclusions and recommendations contained in this Report are based upon information provided by others and upon the assumption that all relevant information has been provided by those parties from whom it has been requested and that such information is accurate. Information obtained by JBA has not been independently verified by JBA, unless otherwise stated in the Report.

The methodology adopted and the sources of information used by JBA in providing its services are outlined in this Report. The work described in this Report was undertaken between April and August 2023 and is based on the conditions encountered and the information available during the said period. The scope of this Report and the services are accordingly factually limited by these circumstances.

Where assessments of works or costs identified in this Report are made, such assessments are based upon the information available at the time and where appropriate are subject to further investigations or information which may become available.

JBA disclaims any undertaking or obligation to advise any person of any change in any matter affecting the Report, which may come or be brought to JBA's attention after the date of the Report.

Certain statements made in the Report that are not historical facts may constitute estimates, projections or other forward-looking statements and even though they are based on reasonable assumptions as of the date of the Report, such forward-looking statements by their nature involve risks and uncertainties that could cause actual results to differ

materially from the results predicted. JBA specifically does not guarantee or warrant any estimates or projections contained in this Report.

Unless otherwise stated in this Report, the assessments made assume that the sites and facilities will continue to be used for their current purpose without significant changes.

Where field investigations are carried out, these have been restricted to a level of detail required to meet the stated objectives of the services. The results of any measurements taken may vary spatially or with time and further confirmatory measurements should be made after any significant delay in issuing this Report.

Copyright

© Jeremy Benn Associates Limited 2024

Contents

1	Introduction	8
	1.1 Context	8
	1.2 Purpose of the report	8
	1.3 Background and need for the development	9
2	Development Site	10
	2.1 Location	10
	2.2 Access	10
	2.3 Site Description	11
3	Proposed Development	12
	3.1 Description	12
	3.2 Design	12
4	Planning History	15
	4.1 Pre-application engagement	15
	4.2 Environmental Impact Assessment (EIA) Screening	15
	4.3 Relevant planning history	16
5	Planning Policy Context	17
	5.1 Introduction	17
	5.2 National Planning Policy	17
	5.3 Local Planning Policy	19
6	Planning Policy Review and Material Considerations	22
	6.1 Introduction	22
	6.2 Principle of Development	22
	6.3 Heritage	23
	6.4 Flood Risk and Drainage	24
	6.5 Water Neutrality	25
	6.6 Transport/RSA	26
	6.7 Air Quality/Dust	27
	6.8 Noise	28
	6.9 Trees	29
	6.10 Ecology	29

7	Conclusions	32
	7.1 Conclusion	32
	List of Figures	
	Figure 2-1: Site Location	10
	Figure 3-1: Haul Road Location and Wheel Washing	13
	Figure 3-2: Compound Area	13
	Figure 3-3: View along London Road towards 2 Hooklands Lodge	14
	Figure 3-4: Land adjacent to 2 Hooklands Lodge	14
	List of Tables	
	Table 4-1: Planning History	16

Abbreviations

AIA	Arboricultural Impact Assessment
AQA	Air Quality Assessment
BS	British Standard
DA	Drainage Assessment
EclA	Ecological Impact Assessment
EIA	Environmental Impact Assessment
EN	English Nature
FRA	Flood Risk Assessment
HDBA	Heritage Desk Based Assessment
HDPF	Horsham District Planning Framework
JBA	Jeremy Benn Consulting
LPA	Local Planning Authority
NGR	National Grid Reference
NPPF	National Planning Policy Framework
NPPW	National Planning Policy for Waste
PEA	Preliminary Ecological Appraisal
PPG	Planning Policy Guidance
PRoW	Public Right of Way
RSA	Road Safety Audit
TA	Transport Assessment
WSCC	West Sussex County Council
WSWLP	West Sussex Waste Local Plan

1 Introduction

1.1 Context

JBA Consulting (JBA) has been commissioned by Penfold Verrall Limited to prepare a Planning, Design, Access and Water Neutrality Statement to support a full planning application for land raising to create noise, air quality and light pollution benefits for Hooklands Farmhouse from the A24. The land form will be raised via the recovery of inert soils that will be deposited upon the land. The scheme is submitted to West Sussex County Council (WSCC), as the relevant determining Local Planning Authority (LPA) due to this being a "waste" application.

1.2 Purpose of the report

This Planning, Design, Access and Water Neutrality Statement forms part of the planning application submission. It provides details of the development in relation to the site, setting, design and access arrangements. It assesses the proposal against relevant planning policy framework and other material considerations. This statement should be read in conjunction with the documents and drawings submitted as part of the planning application, which include:

- Heritage Desk Based Assessment
- Flood Risk Assessment and Drainage Strategy
- Need Statement
- Recovery v Disposal Statement
- Noise Assessment
- Air Quality/Dust Assessment
- Transport Assessment/RSA
- Preliminary Ecological Appraisal/Ecological Impact Assessment
- Arboricultural Report
- Water Neutrality Statement
- Construction Management Plan
- Suite of application drawings

1.3 Background and need for the development

The A24, a major A road which runs along the southeastern boundary of the site, generates light, noise and air pollution, which is causing disturbance to residents of Hooklands Farm.

Therefore, the objective of the proposed development is to protect the occupants and animals living at Hooklands Farm from pollution from the adjacent A24 by creating a buffer to the noise, light and odour emissions associated with the busy A road.

There is an overarching need for the land raising works at Hooklands Farm to address amenity concerns. As such, the proposed development would need to be carried out, whether waste or a non-waste material was used. The proposed development will help to mitigate some of the noise and air quality issues currently experienced by Hooklands Farm, which will improve amenity for the residents.

To facilitate the proposed development, 110,230m³ of inert waste will require importation to the site. The inert waste will comprise soil and mineral material from the applicant's transfer station in Horsham, of which the material mostly comes from within a 10-mile radius of the transfer station. The waste that will be used for the land-raising will be recovered from greenfield sites where new housing and industrial sites have been approved for development in the Hayward's Heath / Horsham region.

The works proposed include site preparations, the importation and working of inert material to raise the land and replanting to provide ecological enhancement.

2 Development Site

2.1 Location

The proposed location (hereafter 'the Site') is located on the north side of the A24, northeast of the village of Ashington in the Horsham District of West Sussex (NGR: TQ 14118 17422). The Site is bounded to the north/northwest by Hooklands Farm and its outbuildings, to the south by the A24 and to the east and west by further fields surrounding Hooklands Farm. The Site extends to the south-west, including a section of the old A24 (now London Road), which ends next to a residential property, No. 2 Hooklands Lodge.

2.2 Access

The Site is located on the north side of the A24, accessed directly from the A24 via a long North / Southeast orientated tree lined access drive, with fields either side, that serves Hooklands Farm and its associated farm buildings. (See figure 2-1 below).

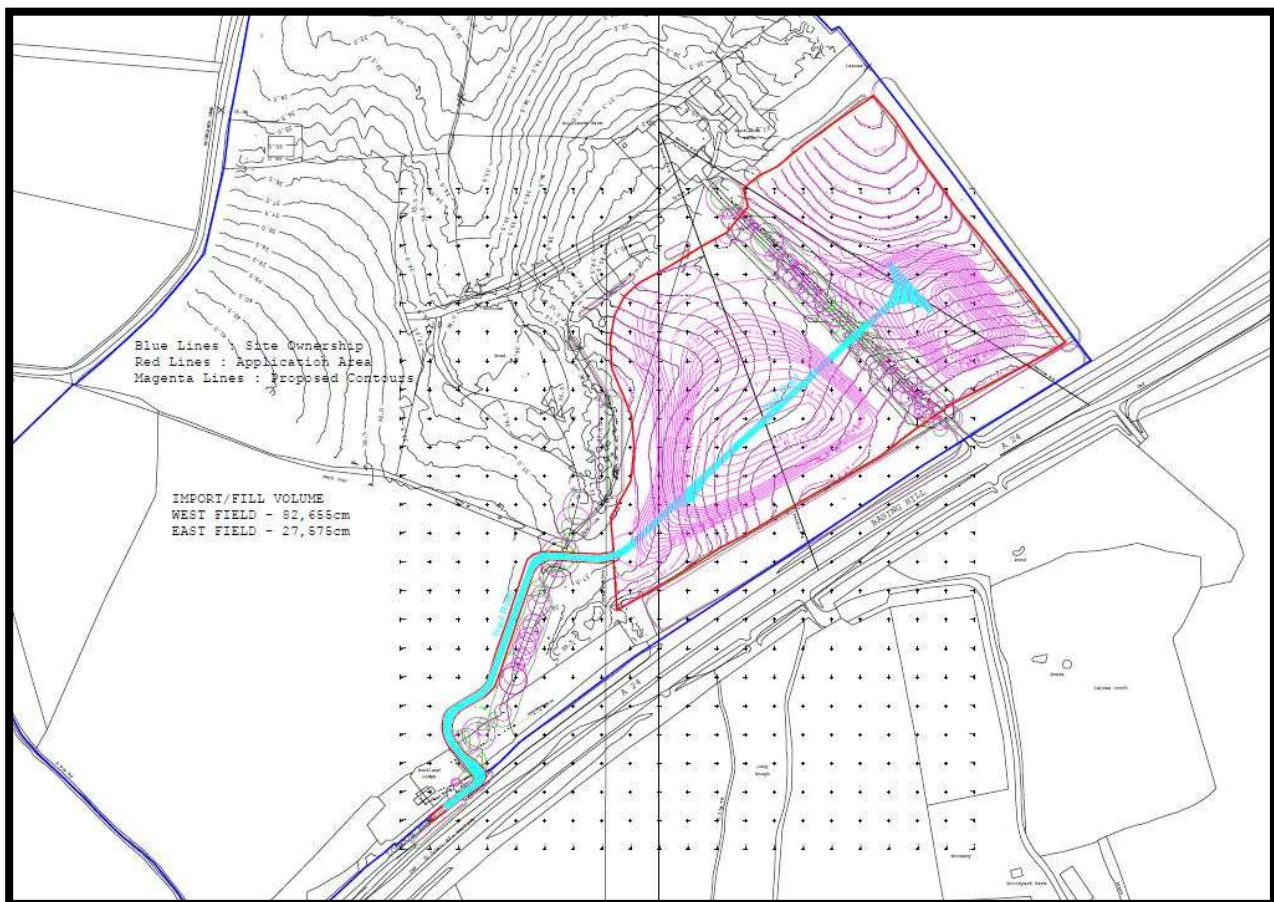


Figure 2-1: Site Location

2.3 Site Description

The Site comprises two fields to the south of Hooklands Farm, which stretch between the Farm and the A24, and an approximately 4m wide spur stretching out to the west that will link the Site to London Road. In total the Site covers approximately 4.5 hectares and consists predominately of grassland/fields, the existing hardstanding access track serving Hooklands Farm, and surrounding deciduous woodland. Currently the site is used for grazing sheep in the winter and equestrian grazing through the summer. The Site is part of an area of open countryside that forms a green buffer between Ashington and the other built up areas that are close by.

The wider landscape is comprised of agricultural land and woodland parcels, with hedgerows and treelines. The Site lies within the Lancing Brook catchment that joins River Adur near Knepp Castle, about 3.5 km north of the development, and around 1.2km to the southwest lies the village of Ashington.

3 Proposed Development

3.1 Description

The proposed development would see the importation of inert soils and mineral materials to construct two raised levels sloping towards the A24 either side of the access drive to Hooklands Farm. The proposed development covers approximately 4.5ha in extent and would require a separate temporary access haul road to be constructed to achieve a safe working environment.

Prior to the works, the topsoil on the Site and area of the temporary access haul road will be stripped and stockpiled. The topsoil from the Site will then be used to cover the new raised levels and the topsoil from the area of the temporary access haul road will be re-laid after completion.

3.2 Design

The raised levels on the Site would be an estimated maximum of 110,230 cubic metres, measuring up to 7m higher than the original ground. Following re-grading, the land will be re-planted with grass, leys and meadow flowers.

The proposed works will include the following:

- Erection of a temporary site compound and welfare unit in the south-west corner of the Site; Erection of temporary fencing to the perimeter of the Site to protect the existing tree lines; Removal of trees along the temporary haul road and across a section of Hooklands access drive;
- The construction of the temporary haul road;
- Vehicle movements during the delivery of materials for the regrading works and moving soils on site; and
- Importation of material and soil works for the regrading commencing at the northwest corner of the Site (furthest away from the temporary haul road).

The development involves land raising towards the A24 in order to create two bunds that will mitigate noise, air quality and light pollution. A temporary haul road will provide access for the erection of these two bunds, and will include a wheel washing facility (See Figure 3-1). A site compound, including staff welfare and parking of vehicles for site operatives and visitors will also be established (See Figure 3-2).

The temporary haul road is proposed to pass through fields to the west of Hooklands Farm and link into the existing old A24 road next to No 2 Hooklands Lodge (See Figures 3-3 and 3-4).



Figure 3-1: Haul Road Location and Wheel Washing

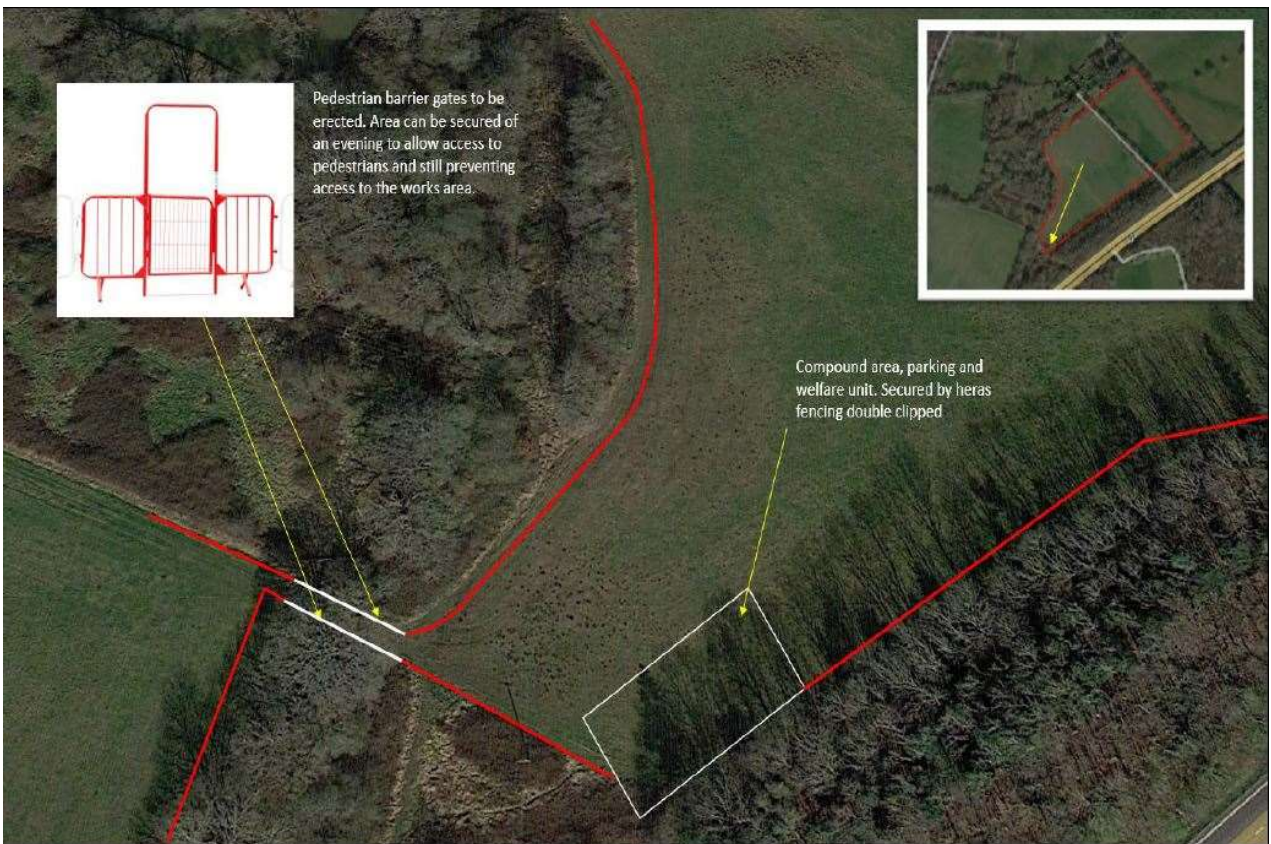


Figure 3-2: Compound Area



Figure 3-3: View along London Road towards 2 Hooklands Lodge



Figure 3-4: Land adjacent to 2 Hooklands Lodge

4 Planning History

4.1 Pre-application engagement

A planning application for the Site was submitted to WSCC on 26th October 2022. The application was made invalid, and correspondence issued by the LPA explaining what additional information was required. JBA were subsequently appointed to act on behalf of Penfold Verrall and to liaise with WCSS. Positive discussions with the LPA took place and this revised submission reflects WSCC's invalid letter and the subsequent discussions.

4.2 Environmental Impact Assessment (EIA) Screening

The proposed development is considered to fall within section 11(b)(ii) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment (EIA) Regulations 2017, as it constitutes a waste installation on an area of land greater than 0.5 hectares. The proposed development, therefore, constitutes Schedule 2 development under the EIA Regulations. As a result, the proposed development has been screened against Schedule 3 of the EIA Regulations.

Schedule 3 of the EIA Regulations considers characteristics, location, and potential impacts to determine significance on the environment. Schedule 3 of the EIA Regulations were used to assess the characteristics and potential effects of implementing the proposed development (land raising with inert soils). When assessed against these criteria, the proposed development provides more benefit than harm to the environment and the amenity of the residents, as the existing top soil will be retained and reused, the Site will be wildflower planted to provide ecological enhancement, and the inert soils would otherwise go to a traditional landfill and an alternative material sourced to address the amenity issues.

From an assessment of the types and characteristics of the potential impacts likely to arise from the proposed development, it is considered that it does not constitute EIA development. With preparation and implementation of a Construction Management Plan (CMP), and adherence to good practices, few impacts are anticipated to arise. Any potential impacts would be restricted to the immediate vicinity of the site and are not expected to be significant. Given the relatively modest scale of the proposed works, any impact upon local receptors is likely to be temporary and only during construction. Upon completion of the works, no significant adverse impacts are anticipated during operation and maintenance of the Site.

Overall, the proposed development will see the recovery of inert waste on to land that is not within any 'sensitive areas' under the EIA Regulations, which would otherwise go to traditional landfill. This planning application submission is considered to clearly demonstrate that the characteristics, location, and potential impacts of the proposed development will not have any significant environmental effects, including the provision of a CMP. Therefore, the proposed development is not considered to constitute EIA development.

4.3 Relevant planning history

Table 4-1: Planning History

App No.	Address	Description	Status
WSCC/048/20	Land to the north of CDEW Screening Site, Thistleworth Farm, Grinders Lane, Dial Post, Horsham	Retrospective application for landfilling works	Retrospective planning permission granted 20th May 2021
WSCC/015/20	Knepp Castle, West Grinstead, Horsham	Amendment to WSCC/029/18/SP to allow extension of time to 31/12/20 to carry out restoration works to Knepp Mill Pond by dredging and construction of landscape enhancement features using imported inert materials, and the provision of public access and amenity	Planning permission granted 29th April 2020
WSCC/056/14/UB	Horton Landfill Site, Henfield Road, Small Dole, Henfield	Preservation of Horton Clay Pit Site of Special Scientific Interest with imported inert materials and site restoration	Planning permission granted 5th March 2015
WSCC/033/14/BL	Land west of A29 Stane Street and 500m west of Five Oaks, Billingshurst	Engineering operation (land raising) to confer agricultural benefit	Permission granted 1st August 2014
WSCC/007/12/WE	Hambrook Marlpit, Marlpit Lane, Hambrook, Chichester	Proposed restoration of Hambrook Marl Pit and agricultural improvement scheme using imported inert materials and on-site derived materials	Planning permission granted 5th November 2013
WSCC/028/11/SP	Knepp Castle, West Grinstead, Horsham	Restoration works to Knepp Mill Pond by dredging and the construction of landscape enhancement features using imported inert materials, together with the provision of public access and amenity.	Planning permission granted 10th October 2012

5 Planning Policy Context

5.1 Introduction

There is a clear benefit to recovering the inert soils rather than sending them to a traditional landfill. Furthermore, reusing it at Hooklands will provide a clear benefit to the property and its residents by improving their amenity. This section sets out the relevant key planning policy documents.

5.2 National Planning Policy

5.2.1 National Planning Policy Framework (NPPF)

The NPPF was updated on 5 September 2023. This revised Framework replaces the previous National Planning Policy Framework published in March 2012, revised in July 2018, updated in February 2019 and revised in July 2021. The NPPF sets out the vision for sustainable development based on inter-dependent economic, social and environmental roles, of which protecting and enhancing the natural, built and historic environment is one element. The NPPF sets tests for protecting people and property from flooding which all local planning authorities are expected to follow, and for protecting the environment.

Paragraph 8c (of chapter 2) an environmental objective - states to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Paragraph 20c (of chapter 3) Strategic Policies - Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision 13 for infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat).

Paragraph 167 (of chapter 14) states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.

Chapter 15 - Conserving and enhancing the natural habitat sets out ways that planning policies and decisions should protect and enhance the natural and local environment.

Paragraph 174 (of Chapter 15) states that planning policies and decisions should contribute to and enhance the natural and local environment.

Paragraph 180 (of Chapter 15) outlines that when determining planning applications, if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.

Paragraph 194 (of chapter 15) indicates that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Paragraph 202 (of chapter 15) sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

Chapter 16 - Conserving and enhancing the historic environment outlines how planning policies and decisions should consider development that affects the historic environment (including areas of archaeological importance).

Paragraph 210b (of chapter 17) Facilitating the sustainable use of minerals - Planning policies should so far as practicable, take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply of materials, before considering extraction of primary materials, whilst aiming to source minerals supplies indigenously.

5.2.2 Planning Practice Guidance (PPG) (as amended)

In March 2014, the former Department for Communities and Local Government (DCLG) now Department for Levelling Up Housing and Communities (DLUHC), launched the Planning Practice Guidance (PPG) web-based resource. The PPG has been periodically updated since then and contains important information for users of the planning system that was previously published in separate documents and guidance notes, supporting and linking in with the provisions of the NPPF. This includes guidance on design, flood risk, the historic environment, land affected by contamination, the natural environment, noise and open space.

5.2.3 National Planning Policy for Waste (2014)

Paragraph 7 of the National Planning Policy for Waste (NPPW) relates to determining waste planning applications. The sections of key relevance to this application:

- Consider the likely impact on the local environment and amenity against the locational criteria set out in Appendix B (see below); and
- Ensure that facilities are well-designed, contributing positively to the character and quality of the area; and
- Concern themselves with implementing the strategy in the Local Plan and not control of processes which are a matter for pollution control authorities, on the assumption that such regimes are properly applied and enforced.
- Ensure that land raising or landfill sites are restored to beneficial after uses at the earliest opportunity and to high environmental standards through the application of appropriate conditions where necessary.

- Appendix B to the NPPW sets out locational criteria for testing the suitability of sites, namely the protection of water quality and resources and flood risk management; land instability; landscape and visual impacts; nature conservation; conserving the historic environment; traffic and access; air emissions including dust; odours; vermin and birds; noise, light and vibration; litter; and potential land conflict.

5.3 Local Planning Policy

5.3.1 West Sussex Waste Local Plan

The West Sussex Waste Local Plan (WSWLP) was adopted in April 2014, with a formal review taking place in 2019. The policies of the WSWLP considered relevant to this scheme are set out below:

Policy W1(c) - Need for Waste Management Policies: The recycling of inert waste will be permitted where it can be demonstrated that there is a market need, consistent with the principle of waste net self-sufficiency.

Policy W8 - Recovery Operations involving the Depositing of Inert Waste to Land: Proposals for the depositing of inert waste to unallocated land will be judged against criterion (a)-(i) in Policy W8 to determine whether they are recovery operations. Genuine recovery operations are, in principle, considered favourably, including 'bunds for visual screening'.

Policy W9 - Disposal of Waste to Land: Disposal of waste to land is the least favourable option within the waste hierarchy. Proposals must demonstrate that the waste cannot be managed at permitted sites.

Policy W11 - Character: Waste developments will be permitted provided they would not have an unacceptable impact upon the character, distinctiveness, sense of place and identities of settlements within West Sussex.

Policy W12 - High Quality Developments: Waste development will be permitted provided that they are of high quality and, where appropriate, the scale, form, and design, including landscaping are sympathetic to the surrounding area.

Policy W14 - Biodiversity and Geodiversity: Waste development will be permitted provided biodiversity and geodiversity is either protected, enhanced or appropriately mitigated where required.

Policy W15 - Historic Environment: Waste development will be permitted provided known heritage assets are either protected or enhanced and where appropriate, further investigations or surveys for any heritage assets to be lost.

Policy W16 - Air, Soil, and Water: Waste development will be permitted provided air, soil and water quality will not face unacceptable impacts.

Policy W17(a) - Flooding: i) Waste development will be permitted provided any additional flood risk will be suitably mitigated against; iii) appropriate management of surface water, including SuDS where appropriate; iv) would not impact any existing flood defences or the ability to maintain them.

Policy W18 - Transport: Waste development will be permitted provided the existing highway network is properly considered to prevent undue impact upon it, amenity, character or the environment.

Policy W19 - Public Health and Amenity: Waste development will be permitted provided lighting, noise, dust, odours and other emissions, including those arising from traffic, are controlled, the routes and amenities of public rights of way are safeguarded, or where temporary or permanent re-routeing can be justified, replacement routes of comparable or enhanced amenity value are provided.

Policy W20 - Restoration and Aftercare: Proposals involving temporary waste development will be permitted provided that they are accompanied by comprehensive schemes that a) make provision for high quality and practicable restoration, management, and aftercare; b) are appropriate for their locations, maximising benefits taking into account local landscape character, the historic environment, biodiversity, and wider environmental objectives; c) where appropriate, maximise public amenity benefits including reinstatement of, and where possible, improvement of public rights of way; d) provide for the removal of all buildings, machinery and plant when they are no longer required in connection with the principal use; and (e) ensure that that land is restored at the earliest opportunity including, where appropriate, phased, or progressive restoration.

Policy W21 - Cumulative Impact: Proposals for waste development, including the intensification of use, will be permitted provided that an unreasonable level of disturbance to the environment and/or local communities will not result from waste management and other sites operating simultaneously and/or successively. Phasing agreements may be sought to co-ordinate working, thereby reducing the cumulative impact.

5.3.2 Horsham District Planning Network

The Horsham District Planning Framework (HDPF) was adopted in November 2015 and seeks to guide development in the Plan period up to 2031. The policies of the HDPF considered relevant to this scheme are set out below:

Policy 1 - Sustainable Development states that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

Policy 11 - Tourism and Cultural Facilities states that measures which promote tourism and enhance local cultural facilities, including recreation-based rural diversification will be encouraged.

Policy 24 - Environmental Protection states that the high quality of the District's environment will be protected through the planning process.

Policy 25 - District Character and the Natural Environment states that the natural environment and landscape character of the District, including the landscape, landform and development pattern, together with protected landscapes and habitats will be protected against inappropriate development.

Policy 26 - Countryside Protection states that outside built-up area boundaries, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Any proposal must be essential to its countryside location and in addition (amongst other things) 'enable the extraction of minerals or the deposit of waste.'

Policy 31 - Green Infrastructure and Biodiversity states that development will be supported where it can be demonstrated that it maintains or enhances the existing network of green infrastructure, and will be required to contribute to the enhancement of existing biodiversity, and should create and manage new habitats where appropriate.

Policy 32 - The Quality of New Development seeks to ensure a satisfactory quality of new development and requires schemes to amongst other things, complement locally distinctive characters and heritage of the District, and contribute a sense of place in the buildings and spaces themselves and the way in which they integrate with their surroundings and the historic landscape in which they sit.

Policy 33 - Development Principles seeks for all development to comply with a number of development principles, including avoiding unacceptable harm to the amenity of occupiers/users of nearby property and land. It notes that there is a presumption in favour of the retention of existing important landscape and natural features, including for example, trees and watercourses.

Policy 34 - Heritage Assets and Managing Change within the Historic Environment states that the Council recognises that heritage assets are an irreplaceable resource, and as such the Council will sustain and enhance its historic environment through positive management and development affecting heritage assets.

Policy 38 - Flooding states development proposals will follow a sequential approach to flood risk management, giving priority to development sites with the lowest risk of flooding and making required development safe without increasing flood risk elsewhere.

Policy 40 - Sustainable Transport states there is a commitment to develop an integrated community connected by a sustainable transport system.

Policy 43 - Community Facilities, Leisure and Recreation states that the provision of new or improved community facilities or services will be supported, including where this contributes to the provision of green infrastructure.

6 Planning Policy Review and Material Considerations

6.1 Introduction

Section 38(6) of the Planning and Compulsory Purchase Act 2004 confirms that planning applications should be determined in accordance with the Development Plan unless material circumstances indicate otherwise. In this section, the planning issues raised by the proposed development are considered against the prevailing planning policy framework and the associated Development Plan.

This section also identifies any material considerations that should also be considered as part of the proposed development. In so doing, it demonstrates the planning rationale for the proposed development, and why planning permission should be granted.

Having established the site conditions, the prevailing planning policy framework and the likely effects arising from the proposed development, the main planning issues raised by this application are considered within the remainder of this section under the following headings:

- Principle of Development
- Heritage
- Flood Risk and Drainage
- Transport/RSA
- Air Quality/Dust
- Noise
- Trees
- Ecology

6.2 Principle of Development

Paragraph 7 of the NPPW is key to the consideration of the principle of the proposed development. In this case the relevant parts of paragraph 7 are:

"When determining waste planning applications, waste planning authorities should:

- consider the likely impact on the local environment and on amenity against the criteria set out in Appendix B and the locational implications of any advice on health from the relevant health bodies. Waste planning authorities should avoid carrying out their own detailed assessment of epidemiological and other health studies.
- ensure that land raising, or landfill sites are restored to beneficial after uses at the earliest opportunity and to high environmental standards through the application of appropriate conditions where necessary."

Furthermore, the Locational Criteria, as set out in Appendix B in the NPPW, relevant to this application are the protection of water quality; land instability; landscape and visual impacts; nature conservation; traffic and access; air emissions; noise, and light and vibration, and are addressed in the relevant assessments that accompany this application. This is necessary to ensure there are no unacceptable detrimental impacts from the development, and any potential adverse effects are sufficiently mitigated.

The following sections demonstrate that the proposed development is in accordance with national waste policy, and in doing so also accords with the other relevant general planning policies within the NPPF.

In terms of Policy W8 of the WLP, it concerns the recovery of operations involving the depositing of inert waste to land. Part (c) states that proposals will be permitted provided that "there is a genuine need to use the waste material as a substitute for a non-waste material that would otherwise have to be used". This supports the Strategic Objectives of the WLP as discussed below.

The WLP's second strategic objective is to enable the progressive movements of non-municipal waste up the waste hierarchy away from landfill. 'Recovery' is a step up the waste hierarchy relative to disposal where waste would be serving a useful purpose by replacing materials that would have been used regardless.

As the proposed development is intended to alleviate perceived noise and air pollution from the adjacent A24 on receptors of Hooklands Farm, Air Quality and Noise Assessments were undertaken by Temple Group. The assessments conclude the land raising would be beneficial to the residents of Hooklands Farm. It is therefore considered that the 'perceived benefits' and general experience of the farm would be improved for the residents. Furthermore, the land would be seeded with a wildflower mix to promote biodiversity, and visual amenity on the farm, as recommended in the Preliminary Ecological Appraisal for the proposed development.

The works would, therefore, effectively be carried out using non-waste, as it is serving a useful purpose, which is to preserve the perceived good quality of the local environment for residents and positively enhance visual amenity for residents.

Overall, it is considered that the principle of the development is in accordance with the relevant planning policies, which is expanded upon below and within the accompanying Need and Recovery v Disposal Assessments.

6.3 Heritage

A Heritage Desk-Based Assessment (HDBA) has been submitted with this application. The HDBA has considered the potential effects of the proposed development on archaeological and heritage assets within the study area at Hooklands Farm.

This HDBA has identified there will be no physical impact on any known designated or non-designated heritage assets as a result of the proposed scheme.

This HDBA has identified that there will be minor temporary negative impacts on the setting of the Grade II Listed Buildings, Hooklands Farmhouse and Ashington House, during the construction phase of the scheme. Impacts on the setting of these designated heritage assets may be reduced by the control of light spillage, noise and dust within the CMP.

The temporary negative impacts on the setting of Hooklands Farmhouse and Ashington House regarding the removal of vegetation are temporary. Following completion of the construction phase, the vegetation will be replanted and will eventually blend into the surrounding landscape.

This HDBA has also identified that there will be temporary negligible impacts on the setting of the Grade II Listed Buildings, Yew Tree Cottage, The Oast House, Oast House Barn and Oast Cottage during the construction phase of the scheme. No mitigation is recommended with regards to these impacts.

During operation of the scheme, there will be a permanent minor beneficial effect on the setting of Hooklands Farmhouse since the regrading of the Site will improve how the farmhouse and the surrounding landscape is experienced.

There are no current known archaeological remains indicated within the Site. There is also a low potential to encounter previously unknown buried archaeological remains within the Site, due to previous construction and ploughing activities truncating any earlier remains. Therefore, no archaeological mitigation, such as further archaeological investigations or evaluations, are considered necessary in this case.

As a result, the public benefits of the proposed development would clearly outweigh any less than significant harm that may result. The proposed development is, therefore, in accordance with the NPPF, NPPW, Policies W1(c), W11, W12, W15, W20 and W21 of the WSWLP and Policy 34 of the HDPF.

6.4 Flood Risk and Drainage

A Flood Risk Assessment (FRA) and Drainage Assessment (DA) form part of this application. The FRA and DA have considered the potential flood risk and drainage implications associated with the proposed development.

The proposed development site sits within Flood Zone 1. It is at very low flood risk from surface, fluvial, pluvial, sewer and artificial flood sources. However, as the Site exceeds 1 hectare in area an FRA is required.

The proposed development is considered as 'Water Compatible' according to the NPPF 'Flood Risk Vulnerability Classification'. As a result, there is no need to undertake sequential or exception tests to determine whether the development is acceptable.

The FRA concludes that, without mitigation, the proposed development will increase surface water flood risk because of the alterations to topography that will occur from raising the land. Therefore, the DA has considered what measures are required to mitigate the issues identified by the FRA.

The DA recommends a surface water drainage strategy comprising 4 swales to attenuate the redistributed quantities of surface water without altering their usual paths to the two brooks either side of the Site via infiltration. The indicative locations of the swales are shown within the DA and there is plenty of space to accommodate them within the site. Therefore, it is considered reasonable that the final details of the swales can be secured by a suitably worded condition.

The temporary haul road and site compound, including parking and the wheel washing facilities area will be permeable structures and thus will not alter the hydromorphic characteristics of the Site. This does, however, create the potential for contamination from spilt fuel or waste water. The submitted CMP sets out how to minimise the risks associated with the construction phase by appropriately controlling how materials, such as fuel are stored, and vehicles operated. The submitted CMP could form part of the approved documents and be conditioned accordingly, should planning permission be granted.

Given the above, the proposed development would be in accordance with the NPPF, NPPW, Policies W1(c), W11, W12, W14, W17(a), W19, W20 and W21 of the WSWLP and Policy 38 of the HDPF.

6.5 Water Neutrality

Taken from Natural England's Advice Note regarding Water Neutrality within the Sussex North Water Supply Zone: February 2022 V2: -

Water Neutrality is not currently defined in legislation but is drawn from the Gatwick Sub regional Water Cycle Study (2020)¹.

- “For every new development, total water use in the Sussex North Water Supply Zone after the development must be equal to or less than the total water-use in the region before the new development.”

‘New development’ is considered to be any relevant project requiring a public water supply from Southern Water’s Sussex North Water Supply Zone, but is likely to be dominated by large planning applications.

The proposed development will not require water abstraction during construction and will have no water requirement once in operation. Therefore, the Site will accord with the relevant guidance pertaining to the Sussex North Water Supply Zone.

¹Gatwick Sub-Region Water Cycle Study, Final Report (August 2020) JBA Consulting

6.6 Transport/RSA

A Transport Assessment (TA) has been submitted with this application. The TA considers the anticipated highways and transportation implications associated with the proposed development. It also includes an RSA exemption file note setting out why a RSA is not required.

The Site would be operational between the hours of 07:30 – 18:00 Monday – Friday and 07:30 – 13:00 on Saturdays, with no works taking place outside of these hours, or on Sundays or bank holidays.

It is projected that the proposed development will require 110,230m³ of inert material to be imported to the site, transported using rigid axle 8-wheel tipper HGVs. Therefore, it is expected that a maximum of 15,300 two-way HGV trips will be undertaken to and from the Site (approximately 7,650 loads of material). This is equivalent to a maximum of 30 – 40 daily HGV two-way movements at the Site. All HGV access to the Site is dependent upon availability, weather conditions and seasonal changes.

To suitably manage that traffic generation, a traffic routing system will be in place to direct HGV access to the Site. Signage at appropriate distances, approximately 100m apart, will be placed on along London Road warning other road users of the Site entrance for the duration of the proposed development. A haulage road will be constructed off London Road to allow vehicles to access the site, removing the requirement for HGV access directly from the adjacent A24.

To facilitate the construction of the proposed development, staff will be required to move the imported materials to the required location once delivered to the site. Based on the clients' previous experience of operating similar development sites, it is anticipated that two operators will be required on site to undertake the daily processes. These operators will also use the new haulage access lane to access and egress the Site.

Existing passing places are situated at various locations along the single-track portion of London Road, which will allow HGVs and non-site vehicles using the road to pass each other safely.

The highway accident data for the most recently available five-year road safety record for the area surrounding the site has been reviewed. Upon review, it is not considered that the data demonstrates any pre-existing patterns or trends of incidents that could be affected by the proposed development.

Furthermore, in accordance with the Design Manual for Roads and Bridges 'GG19 Road Safety Audit Revision 2' document, the details of the scheme have been examined in respect of RSA. For the reasons set out below, the scheme is considered exempt from an RSA, as there is no impact on road user behaviour for all potential road uses in this location and there will be no adverse changes to the outcome of a collision.

- The above proposed scheme seeks to extend from the existing highway for the sole use of the development site for HGVs and there are no material works proposed in the public highway, as such no audit is required.

The accessibility of the site for non-car modes of travel has also been assessed. Overall, it is considered that the site offers the potential for some journeys to be undertaken by modes other than car. In particular, this could apply to the two site operators that will be present day to day whilst the Site is operational.

Two public rights of way (PRoW 1977 and 1978) cross the Site. With regard to PRoW 1978, it is considered that the addition of signage to advise pedestrians/cyclists of the proposed development and the potential to encounter plant and vehicles, as well as signage to remind site operatives of the PRoW and potential to encounter pedestrians/cyclists at the pinch point should be sufficient. A suitable speed limit could also be agreed. In terms of PRoW 1977, it passes across the southern most of the two fields that will be reprofiled as part of the proposed development. Therefore, it is proposed to temporarily divert PRoW 1977 around the northern edge of the field for the duration of the proposed development. That away the PRoW can remain open during the construction period. This can be secured via a suitably worded condition.

Overall, based on the above assessment, it is concluded that there are no outstanding reasons why the proposed development should not be granted planning permission on highways grounds.

It is therefore considered that the proposed development would result in no material impact on the surrounding highway network.

As a result, the proposed development would be in accordance with the NPPF, NPPW, Policies W1(c), W8, W12 and W18 of the WSWLP and Policy 40 of the HDPF.

6.7 Air Quality/Dust

An Air Quality Assessment (AQA) has been submitted with this application. The AQA considers the potential benefits of the proposed development upon the amenity of Hooklands Farm and the air quality, dust and odour implications during construction.

The AQA concludes that the proposed development will have a modest positive impact upon the perceived air quality experienced by the residents of Hooklands Farm by acting to reduce visibility of the A24, and hence reduced dust and odour emissions providing improved air quality. Wildflower planting will then further improve the perceived air quality for the residents of Hooklands Farm.

The AQA has determined that the use of proper procedures and mitigation measures, such as securing the proposed development with wildflower seeding, and using inert material to avoid odorous emissions during construction, then there will be a negligible impact on air quality, dust and odour at nearby existing sensitive receptors during construction and a positive impact once operational.

With regard to the construction phase, the AQA has determined that there will be a negligible impact on air quality as a result of construction traffic and therefore its effect will not be significant. This is due to the inert material proposed for the proposed development,

the temporary nature of the construction works and the modest numbers of modern plant equipment to be used.

The dust risk assessment has identified that construction activities pose a medium dust risk. However, with the implementation of an appropriate CMP, the activities are not anticipated to result in significant effects on local receptors. This can be secured by a suitably worded planning condition.

Given the above, the proposed development would be in accordance with the NPPF, NPPW, Policies W1(c), W11, W14, W16, W18, W19, W20 and W21 of the WSWLP and Policy 24 of the HDPF.

6.8 Noise

A Noise Impact Assessment is included with this application. Unattended and attended noise measurements have been completed at the site to characterise the existing noise environment over daytime and night-time and the impact of the proposed development.

Predicted noise attenuation to the residents of Hooklands Farm provided by the land raising has been calculated in Computer Aided Noise Abatement (CadnaA) using existing and proposed ground contour data. CadnaA predicts a reduction in road traffic noise levels at Hooklands Farm of 2dB. Whilst this is a modest reduction, it still represents an improvement over the current conditions, which will mean a betterment in residential amenity for the residents of Hooklands Farm. Upon completion, the reprofiled land will be wildflower planted to create ecological enhancement, which could have an additional positive impact upon the amenity of Hooklands Farm.

Assessments of noise during the construction of the proposed development have been undertaken for on-site plant and for haul route movements. Predicted cumulative construction noise levels have then been assessed at the nearest noise sensitive receptors, which are residential dwellings on London Road. The assessment indicates that during worst case construction periods the ambient noise levels at the nearest noise sensitive receptors are predicted to rise by no more than +2dB(A). This would not represent a significant increase, as defined by British Standard BS 5228:1. This is a worst-case scenario increase, and the increased noise is not expected to be constant. Furthermore, it would only occur during the construction phase, after which the noise would cease.

Given the above, the proposed development would be in accordance with NPPF, NPPW, Policies W1(c), W11, W12, W18, W19, W20 and W21 of the WSWLP and Policy 24 of the HDPF.

6.9 Trees

A Trees Survey and Arboricultural Impact Assessment (AIA) have been submitted with this planning application. The AIA addresses the arboricultural implications associated with the proposed development.

The proposed land raising itself does not require any tree removals and is designed to avoid any surrounding tree Root Protection Areas (RPA).

The temporary haul road required to safely access the Site to undertake the land raising will require the removal of eight individual trees and one small area of scrub. Three of these trees are British Standard (BS) rated category U and the other five are BS category C. The area of scrub is C/U due to collapsed elements. All are small, young and/or poorly formed and do not contribute significantly to the setting or landscape. The six trees for removal where the haul road intersects with the existing access drive avenue to Hooklands Farm shall be replaced once construction works have been completed, to maintain the integrity of this feature and as part of ecological enhancements.

Two crossing points for the haul road will pass through two tree RPAs. Within these areas the haul road build up shall incorporate engineering features specifically designed to reduce loading and to avoid compaction and possible root damage.

The Tree Protection Plan shows robust tree protection measures, specific to the site circumstances, to ensure that retained trees are appropriately protected for the duration of the works. This can be secured by a suitably worded condition.

As a result, the proposed tree works are considered to be appropriate and accord with NPPF, NPPW, Policies W1(c), W11, W12, W14, W15, W18, W19, W20 and W21 of the WSWLP and Policies 24, 25 and 31 of the HDPF.

6.10 Ecology

A Preliminary Ecological Appraisal (PEA)/Ecological Impact Assessment (EclA) has been prepared in support of this application. The report includes:

- A desk based assessment identifying any records of protected and/or notable habitats and species, and designated nature conservation sites in the vicinity of the proposed works.
- A site survey and an assessment of the possible presence of protected or priority species, and an assessment of the likely importance of their habitat features.
- An assessment of the potential impacts of the works on the habitats and species present at the site and the surrounding areas, any how to mitigate those impacts.

The Site is not within or adjacent to any designated sites. The nearest internationally protected site at Arun Valley is approximately 10km away.

There are no statutory designated sites within 2km of the red line survey boundary. It is considered there are no direct impacts in terms of habitat loss, or isolation or fragmentation of habitats between the proposed development and the above designated sites.

The Site lies within Impact Risk Zones for protected sites within the wider area. However, the proposed development is not identified as something that could impact upon protected sites. Furthermore, the proposed development will not require groundwater abstraction and as such is considered not to negatively impact the Arun Valley site or the wider area.

The Site consists of priority habitat lowland deciduous woodland, mature treelines, hardstanding and grassland comprising neutral semi improved, marshy and improved. Further areas of priority habitat woodland exist off site but borders much of the survey boundary.

Whilst the woodland and mature treelines on site are considered to hold the most ecological value, the grassland on site also offers ecological value. A patch of early purple orchids and bluebells were recorded under the eastern treeline, between T38 and T36 and this is likely to be impacted by the new haul road. Therefore, the area of grassland can be translocated within the scheme to preserve its ecological value. It is considered this can be addressed by a suitably worded condition.

The proposed development has been designed to keep habitat woodland and treeline removal to a minimum. Furthermore, the modest size of the planned removals means the proposed development will not significantly fragment the woodland and treeline features.

One tree, T38 was assessed as having 'moderate' potential for roosting bats, albeit no evidence of any roosts was encountered. All others due to be impacted by the works are considered to have 'negligible' bat roost potential and as such, can be removed without further consideration for the species.

The woodland, treelines and offsite boundary features have suitability for commuting and foraging bats, with connectivity across the wider landscape. As the proposed development involves retaining most of these features, with only small sections to be removed, no further activity surveys are recommended.

Temporary lighting is likely to be required at times during construction of the proposed development. As such, a sympathetic construction lighting scheme shall be implemented, particularly around the boundary habitats and treeline linear feature. This will be removed once construction is finished, and once operational no lighting is proposed.

Whilst no evidence of badgers, such as setts or latrines, was identified on site at the time of the survey, it is considered likely that they use the site for commuting and foraging purposes. As such, precautionary methods of work are recommended to avoid harming any individuals that may use the site. This can be addressed by a suitably worded condition.

There are no suitable ponds for Great Crested Newts (GCN) within 500m of site. Therefore, no further surveys are required, as the proposed development should not be constrained by GCN.

Suitable hazel dormouse habitat of deciduous woodland is within the red line survey boundary. As the removal of this feature is limited to a small area, and connectivity will be maintained along the A24, no further surveys are considered necessary in this case.

Birds may use the woodland and treelines to nest within. Removal of these habitat types should avoid the bird nesting season (March – September inclusive) or be conducted under an ecological watching brief. This can be addressed by suitably worded conditions.

Owing to a lack of suitable habitat and/or connectivity, the site is not considered to be constrained by other protected/notable species such as barn owls, water voles or otters.

Recommendations for enhancements have been made within this report, aimed at improving the ecological value of both the red line survey boundary and the wider site post development. It is considered they can be secured by a suitably worded condition and as such the proposed development accords with NPPF, NPPW, Policies W1(c), W11, W12, W14, W15, W19, W20 and W21 of the WSWLP and Policies 24, 25 and 31 of the HDPF.

7 Conclusions

7.1 Conclusion

The proposed development represents a recovery operation, as it will address an identified need to improve amenity at Hooklands Farm and provide a public benefit by recovering inert soils that would otherwise go to traditional landfill. It will also result in significant ecological enhancement as part of the high-quality restoration and aftercare of the Site, which will bring environmental benefits to the local community. It will also assist WSCC to meet their waste targets by reducing the amount of material being disposed of to traditional landfill.

The technical assessments that have been prepared in support of the planning application have demonstrated that there will be no adverse impacts on biodiversity and ecology, amenity, flood risk/drainage, water neutrality, visual character, transport, noise/air quality and archaeology.

Given the above, it is considered that the proposed development is in accordance with the West Sussex Waste Local Plan and would deliver public benefits.

Offices at

Bristol
Coleshill
Doncaster
Dublin
Edinburgh
Exeter
Glasgow
Haywards Heath
Leeds
Limerick
Newcastle upon Tyne
Newport
Peterborough
Portsmouth
Saltair
Skipton
Tadcaster
Thirsk
Wallingford
Warrington

Registered Office
1 Broughton Park
Old Lane North
Broughton
SKIPTON
North Yorkshire
BD23 3FD
United Kingdom

+44(0)1756 799919
info@jbaconsulting.com
www.jbaconsulting.com
Follow us:  

Jeremy Benn
Associates Limited

Registered in England
3246693

JBA Group Ltd is
certified to:
ISO 9001:2015
ISO 14001:2015
ISO 27001:2013
ISO 45001:2018

