

## **Case Officer's Report (Delegated Decision)**

### **County Matter - Waste Planning Application**

**Description of the Proposal:** Construction and operation of a sewer network pipe-bridge and retrospective planning permission for the temporary widening and use of a vehicle access onto the A281 Brighton Road

**Site Address:** Land to the west of Mannings Heath Wastewater Treatment Works, Gaggle Wood, Mannings Heath, Horsham

**Application No:** WSCC/042/23

**Local Member:** Nigel Jupp

**Local Council:** Horsham District Council

### **Site Location and Description**

Mannings Heath Wastewater Treatment Works (WTW) is situated on the north-west side of the village of Mannings Heath and 1.3km to the south-east of Horsham. It lies in a densely wooded area at the end of a narrow private track, with residential properties to the east. The application site forms an area of approximately 0.5 hectares (ha) comprising land both within the established WTW, and a linear corridor 550m in length to the west through agricultural land, between the WTW and the A281 (Brighton Road). It is located outside of the 'built-up area' (as defined in the Horsham District Planning Framework 2015) and thus is located within what is defined as the 'countryside'.

The proposed western access corridor (and access onto the A281) is within the High Weald National Landscape (formerly called an Area of Outstanding Natural Beauty). Woodland surrounding the WTW (Gaggle Wood) through which the application site passes, and to the north of the proposed access route (North Land Coppice) is designated as Ancient Woodland.

The application site does not fall within any heritage designated area, nor within an area at an increased risk of flooding (flood zone 1). However, to the west of the site is a small watercourse within a steep sided valley (into which the WTW discharges).

### **Relevant Planning History**

There are no recent planning approvals relevant to the proposals, however, the proposals form part of wider Southern Water scheme involving a 3.6km pipeline between the Mannings Heath WTW and Horsham for the diversion of wastewater to the larger Horsham WTW. Those proposals, the pipeline for which has been largely completed, benefit from permitted development rights (i.e. do not require planning permission) and have been 'screened' by the County Council which determined that they would not require Environmental Impact Assessment (EIA). The proposed pipe bridge and widening/use of the access onto the A281 are the only elements of this wider

proposal that require planning permission but should be considered in the context of wider permitted development works already in progress.

### **Proposed Development**

Planning permission is sought for a sewer pipe-bridge over a small stream in woodland immediately to the west of the existing WTW. Retrospective planning permission is also sought for a temporary widened access onto the A281 Brighton Road, which is required to enable access to the construction working area. The access will be reinstated following construction of the pipeline.

The proposed pipe-bridge comprises the installation of concrete pre-cast piers on the valley sides, upon which a 15m long iron pipe (16cm in diameter) would be placed to span the watercourse. At either end, the pipe would include security fanned railings and anti-climb surfacing to prevent unauthorised scaling. The pipe would connect the wider modifications at the WTW and pipeline being constructed as permitted development.

The access onto the A281 (Brighton Road) for which retrospective planning permission is sought, is already in place and has been utilised as an access for the construction of the wider pipeline route and associated construction compound (on agricultural land immediately along the A281) being undertaken as permitted development. It comprises the widening of an existing field access, extension of dropped kerbs, surfacing with compacted stone, and installation of a metal double field gate. Upon completion of the development (and wider permitted development works) the access would be reinstated to its former condition.

The application site also includes the existing established access to the WTW and a linear corridor 550m in length between the A281 and the WTW to provide access to the site of the proposed sewer pipe-bridge. This follows the route of the pipeline already under construction, and where agricultural soils have already been stripped to form a temporary haul route.

### **Environmental Impact Assessment**

The installation of sewer pipelines is not specifically identified within Schedule 2 of the EIA Regulations, however, noting caselaw suggests interpretation of Schedule 2 developments are given 'wide scope and broad purpose' (as confirmed by National Planning Practice Guidance), the proposed development is considered to fall within Part 10(I) of Schedule 2 of the EIA regulations as an 'Infrastructure Project - Installations of long-distance aqueducts.

The proposed development is located within the High Weald National Landscape, a 'Sensitive Area' as defined within the regulations, wherein all Schedule 2 development must be screened to determine the potential to result in 'significant environmental effects' such as to require EIA.

The County Council carried out a 'screening opinion' in June 2023 (ref N/23a) which considered the proposed sewer pipe-bridge, alongside wider pipeline and WTW modification works. This concluded that the proposals would not have the potential

for any significant effects on the environment within the meaning of the EIA Regulations. Therefore, EIA is not required.

### **Habitats Regulations Assessment**

Under 'The Conservation of Habitats and Species Regulations 2017 (as amended)' all planning applications that may affect the protected features of a protected European Habitat Site require consideration of whether the plan or project is likely to have significant effects on that site.

The application site falls within the Sussex North Water Supply Zone which draws its water supply from groundwater abstraction in the Arun Valley. Natural England has issued a Position Statement which states that it cannot be concluded with the required degree of certainty, that any new development that would increase the use of the public water supply in this zone, would not contribute to an adverse effect on the integrity of the Arun Valley, a Special Area of Conservation (SAC), Special Protection Area (SPA), and Ramsar site.

Habitat Regulations Assessment (HRA) screening has been undertaken, that concludes that without mitigation in place, the proposal will not have a Likely Significant Effect on the designated features of the Arun Valley site, either alone or in combination with other plans and projects. Therefore, an Appropriate Assessment is not required, and the proposals would not conflict with the County Council's obligations under the Regulations.

In coming to this opinion, it has been noted that the proposed development does not consume water result, and as such does result in any increase in mains water demand.

### **Relevant Planning and Other Policies**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the statutory development plan unless material considerations indicate otherwise (as confirmed in paragraph 2 of the National Planning Policy Framework (December 2023)('the NPPF')).

The key policies in the development plan that are material to the determination of the application, are summarised below. In addition, reference is made to relevant national planning policy and other policies that guide the decision-making process and which are material to the determination of the application.

West Sussex Waste Local Plan (2014) ('WLP'): Policies W6 (Management of Wastewater and Sewage Sludge), W11 (Character), W12 (High Quality Developments), W13 (Protected Landscapes), W14 (Biodiversity and Geodiversity), W16 (Air, Soil, and Water), W17 (Flooding), W18 (Transport), W19 (Public Health and Amenity) and W20 (Restoration and Aftercare).

Horsham District Planning Framework (2015) ('HDPF'): Policies 1(Sustainable Development), 24 (Environmental Protection), 25 (the Natural Environment and Landscape, 26 (Countryside Protection), 30 (Protected Landscapes), 31 (Green

Infrastructure and Biodiversity), 33 (Development Principles), 38 (Flooding), 39 (Infrastructure Provision), and 40 (Sustainable Transport).

Nuthurst Neighbourhood Development Plan 2015-2031 (2015) ('NNP'): Policies 1 (A Spatial Plan), and 14 (Green Infrastructure & Biodiversity).

National Planning Policy Framework (December 2023) ('NPPF'): Paragraphs 8 (Achieving sustainable development - including identifying and coordinating the provision of infrastructure), 11 (presumption in favour of sustainable development), 47 (determining applications in accordance with the development plan), 55-58 (planning conditions and obligations), 115 (highway safety), 131 (well-designed places), 173 (ensure the flood risk is not increased elsewhere), 180 (Conserving and enhancing the natural environment), 182-183 (Conserving and enhancing AONBs), 185-188 (Habitats and biodiversity - loss of ancient woodland, protection of designated sites) and 194 (planning decisions should focus on whether proposed development is an acceptable use of land, rather than the control of processes or emissions - where these are subject to separate pollution control regimes).

National Planning Policy for Waste (2014) ('NPPW'): Paragraph 7 relates to determining waste planning applications. In summary sections of key relevance to this application are; Considering the likely impact on the local environment and amenity against the locational criteria set out in Appendix B (see below); and implementing the strategy in the Local Plan and not controlling processes which are a matter for pollution control authorities, on the assumption that such regimes are properly applied and enforced.

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.

## **Consultations**

Horsham District Council: No comments received.

Horsham District Council EHO: No comments received.

Nuthurst Parish Council: No comments received.

Environment Agency: No objection.

Natural England: No objection. Refer to generic advice on considering impacts on AONB and SSSIs.

Forestry Commission: Note policy and guidance to be considered in the decision-making process.

High Weald AONB Unit: No comments received.

Naturespace 'Newt Officer': Note the proposals are unlikely to have an impact on great crested newts and/or their habitats.

WSSC Highways: No objection.

WSSC Arboriculturist: No objection subject to conditions to secure detailed measures of arboricultural and ecological protection/mitigation. Does not consider the proposals would result in the loss or deterioration of the Ancient Woodland. Damage and disturbance appear to have occurred to soils within the buffer zone of Ancient Woodland adjacent the temporary access track and the temporary access widening has resulted in a small length of hedgerow loss.

WSSC Ecology: No objection subject to the proper implementation of the proposed mitigation. There will be some limited impacts on Ancient Woodland however efforts have been made to minimise the damage and enhance the wider retained woodland.

WSSC Archaeology: No comments received.

County Councillor Nigel Jupp: No comments received.

## **Representations**

None received.

## **Consideration of Key Issues**

The main material considerations in relation to this application are:

- The need for the development/acceptability in principle
- Design and impacts on landscape and character
- Impacts on Biodiversity; and
- Impacts on neighbouring amenity

### *Need/acceptability in principle*

The WLP, NPPF and NPPW all recognise the importance of providing key waste management infrastructure as part of sustainable development. Policy W6 of the WLP provides for proposals for the management of wastewater. Where such proposals are required outside of existing WTW sites for operational purposes, they are supported in principle, provided that they are 'required to meet environmental standards or regulatory provisions'.

Owing to the confined nature of the existing Mannings Heath WTW, it is not feasible to modify it to achieve the latest required Environment Agency discharge quality requirements to satisfy the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017. In this case the proposed sewer pipe-bridge and associated construction access forms part of wider proposal being carried out under permitted development for the modification of the WTW and the construction of a

3.6km pipeline that would divert wastewater from the existing WTW to the Horsham WTW.

The proposed development would therefore aid in the delivery of improved treatment of wastewater and the quality of discharges to watercourses in accordance with environmental standards and regulatory provisions. The development is therefore acceptable in principle, in accordance with national policy and WLP Policy W6. This weighs positively for the proposed development and attracts substantial weight in the planning balance.

#### Design and impacts on landscape and character

The proposed sewer pipe-bridge would be of a utilitarian design. However, notwithstanding required security features at either end, its narrow diameter, limited span, and location within an area of dense woodland, is such that it is modest in scale and unlikely to be visible from any public vantage points. It would also result in the loss of three mature trees and coppicing/relocation of some lower storey vegetation within a maximum corridor of 10m. Any initial landscape impacts as result of tree loss/coppicing are likely to be minimal in the context of the adjacent woodland, and following reinstatement/natural regeneration, would be unlikely to lead to any noticeable gap in the woodland. It is of further note that within the same woodland south of the site, a pipe-bridge serving the WTW of a similar design/scale already exists and provides comparable context.

The proposed access and haul route fall on agricultural land, which is typically rural in character, and located within the High Weald National Landscape. Within this area, the NPPF and WLP require that great weight be afforded to conserving and enhancing the landscape and scenic beauty and seek to prevent any development that would undermine the objectives of the designation. The westerly construction access route has already been disturbed/stripped down to the subsoil and utilised as part of the ongoing permitted development pipeline works. Whilst the proposed development may lead to this haul route and construction activities being in place for an extended period (pipe-bridge works envisaged to take up to 6 months), any landscape impacts would be temporary in nature and, upon completion of the wider scheme, the stripped soils would be replaced and the land fully reinstated to its former condition.

For the widened access onto the A281 (for which retrospective consent is sought) physical works, temporary signage, small loss (approximately 2m) and reduction in height of a section of hedgerow, and intensification of use associated with construction activities, would inevitably have some negative impact on the character of the locality. However, this would be for a temporary period and viewed in the context of an A-road, and ongoing permitted development pipeline works, meaning any such impacts are limited. Upon completion of the wider scheme the access would be fully reinstated to its former condition.

Overall, the proposed development would be experienced in the context of wider pipeline works and existing WTW infrastructure. Although there would inevitably be some temporary construction related impacts, taking into account the limited scale/visibility of the pipe-bridge and reinstatement proposals for the temporary haul route/widened access, it is considered that the proposals are of an acceptable design

and any impacts on the character, landscape and scenic beauty of the area would not be significant nor undermine the objectives of the National Landscape designation. The proposals are therefore considered to accord with national policy, WLP Policies W11, W12 and W13, HDPF policies 25, 26, 30 and 33, and NNP Policy 1. The limited potential for any visual impacts or impact upon the character of the area therefore attract little weight in the planning balance.

### Impacts on Biodiversity

The proposed pipe-bridge would be located within Ancient Woodland which is recognised as both an irreplaceable habitat and a Habitat of Principle Importance (HPI). The NPPF (paragraph 186(c)) states:

*"development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons<sup>67</sup> and a suitable compensation strategy exists"*

Footnote 67 to paragraph 186 is relevant; it states: *"For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat."*

An Arboricultural Impact Assessment (AIA) and an Ecological Impact Assessment (EcIA) have been submitted detailing measures for woodland and tree protection during construction. These documents are supported by the Construction Environmental Management Plan (CEMP).

Within the area of Ancient Woodland, three trees require removal and other affected lower storey groups require coppicing or translocation (over a maximum working corridor of 10m). Within this corridor various tree protection and ecological mitigation measures are proposed including sensitive construction techniques, sensitive management of woodland indicator plant species, and habitat creation, all under the supervision of an Ecologist and/or Arboriculturist. Enhancement of the woodland is also proposed including removing invasive non-native species to promote faster recovery and encourage the diversity of Ancient Woodland flora.

The submitted CEMP includes reasonable measures to ensure the protection of protected species and biodiversity, to the satisfaction of the County Ecologist, which can be secured by condition.

Both the County Ecologist and County Arboriculturist raise no objection to the proposals subject to conditions to secure the proposed detailed measures of arboricultural and ecological protection/mitigation. Natural England have similarly raised no objection to the proposals, and the Forestry commission refer to government advice to be considered to demonstrate accordance with NPPF requirements for Ancient Woodland.

With regard to NPPF Paragraph 186(c), the scale of works proposed and limited potential for impacts, are such that it is questionable as to whether the proposals would result in the loss or deterioration of the Ancient Woodland. Even if this were considered to be the case, the proposed development comprises an infrastructure

project that would be in the public interest insofar as it seeks to improve the quality and quantity of discharges to the water environment in accordance with environmental standards and regulatory provisions (a benefit to which substantial weight is afforded). Further, the applicant has set out alternatives considered, which demonstrate the proposals are the only feasible and the least impact option and proposes mitigation to minimise any damage and measures to enhance the affected woodland in the longer term. On balance it is therefore considered that proposed development satisfies NPPF requirements regarding Ancient Woodland. Conditions are proposed to ensure all Ancient Woodland mitigation and compensation/enhancement works are secured.

The widened access onto the A281 (for which retrospective consent is sought) has resulted in the removal of a section of hedgerow being removed (approximately 2m) and is likely to require a reduction in height of the remaining roadside hedgerow to provide visibility splays. Conditions are proposed to ensure its reinstatement upon completion of the works.

The County Arboriculturist notes that the western haul route to the site falls near other areas of Ancient Woodland, and that existing temporary compound is next to a mature tree in the hedgerow bounding the A281, both of which may be having an adverse impact on buffer/root protection areas. However, these works are already in situ, forming part wider pipeline works being carried out under permitted development. As such it is considered that conditions to secure reinstatement and the inclusion of an informative highlighting the avoidance of root protection zones are appropriate.

Taking into account the above, although the proposed development may result in some short-term impacts upon biodiversity, mitigation and compensation is proposed that would ensure that this would be minimised and appropriately offset. Wholly exceptional circumstances for any potential impacts on Ancient Woodland have been demonstrated and suitable mitigation/compensation can be secured. The proposals are therefore considered to accord with national policy, WLP Policies W14, HDPF Policy 31, and NNP Policy 14. The potential for any negative impacts upon biodiversity therefore attract little weight in the planning balance in this case.

#### Impacts on neighbouring amenity

The construction of the proposed development has the potential to result in some disturbance through noise, dust and lighting impacts resulting from construction activities and associated vehicular movements.

The applicant has submitted a CEMP which includes measures to minimise any such emissions, and a communication strategy from neighbouring residents.

Once operational, the nature of the proposed development is such that it would not result in any additional odour or noise.

Any impacts upon neighbouring amenity would likely be localised, temporary in duration, and likely to affect a small number of residential properties to the east of the site.



In the context of wider works being carried out under permitted development rights and taking into account the measures proposed in the submitted CEMP (to be secured by condition) it is not considered that the proposed development would be likely to result in any unacceptable noise impact upon neighbouring amenity. The proposals are therefore considered to accord with national policy, WLP Policies W19, and HDPF Policy 33. The limited potential for any negative noise impacts upon amenity therefore attract little weight in the planning balance in this case.

### **Other Considerations**

The following material matters are considered to be neutral factors in the planning balance.

#### *Highway Safety and Capacity*

The proposed widened access onto the A281 would be temporary for a period of approximately 20 weeks to complete the proposed pipe-bridge development. Following detailed discussion with the applicant, subject to conditions to secure the access being provided as per submitted plans, hedges kept no greater than 600mm within visibility splays, and construction traffic management provisions, the Highway Authority is satisfied that the proposed access would not give rise to any unacceptable impact upon highway safety. Such provisions are to be secured by planning condition.

### **Overall Conclusion**

Overall, it is considered that the proposed development accords with the statutory development plan when read as a whole. Furthermore, there are no material considerations in this case that indicate a decision other than in line with the statutory development plan, that is, the granting of planning permission.

In favour of the proposal, the need for the development carries substantial weight. Against the scheme, any potential impact upon landscape/character, biodiversity and neighbouring amenity carries little weight. Other material matters are considered of neutral weight. Therefore, on balance, it is considered that the substantial benefits of the proposal outweigh any disbenefits and, as such, the proposed development constitutes sustainable development (as defined in paragraphs 7 and 8 of the NPPF).

### **Recommendation (Delegated Decision)**

For the reasons given above, it is recommended that planning permission is granted under delegated powers subject to the conditions set out in Appendix 1.



### **Factors taken into account**

**Crime and Disorder Act 1998:** No implications arise from this development.

**Human Rights Act 1998:** Article 8 of the European Convention safeguards the respect for family life and home whilst Article 1 of the first protocol concerns the non-interference with the peaceful enjoyment of private property. Both rights are subject to conditions and interference with these rights may be permitted if the need to do so

is proportionate. In this particular matter, the interests of those affected by the planned development have been fully considered as have the relevant considerations which may justify interference with particular rights. All of these are set out within the body of the report and are examined in the context of relevant planning considerations.

**Equality Act 2010:** The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act 2010. Officers considered the information provided by the applicant, together with the responses from consultees and representations made by third parties and determined that the proposal would not give rise to unacceptable material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

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|--------------------------------------|--|
| <b>Date of Report:</b><br>25/03/2024 | <b>Case Officer's Name:</b><br>James Neave   |
|                                      | <b>Case Officer's Signature:</b><br> |
| <b>Date of Review:</b><br>25/03/2024 | <b>Reviewer's Name:</b><br>Andrew Sierakowski  |
|                                      | <b>Reviewer's Signature:</b><br>   |

## Appendix 1: Conditions and Informatives

### Conditions

#### Commencement

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

*Reason: To comply with Section 91 of the Town and Country Planning Act 1990.*

#### Approved Plans/Information

2. The development shall not take place other than in accordance with the approved plans and information;
  - Site Location Plan (ref. 157754-FRH-XX-XX-DR-C-8000 Rev P06 dated 20/11/23);
  - Site Location Plan (ref. 751162-NGX-XX-XX-DR-Z-70001 Rev P02 dated 21/11/23);
  - Pipe Bridge Location Plan (ref. 751162-NGX-XX-XX-DR-Z-70002 Rev P02 dated 21/11/23);
  - Pipe Bridge Layout Plan (ref. 751162-NGX-XX-XX-DR-Z-70003 Rev P02 dated 20/10/23);
  - Pipe Bridge Elevation Plan (ref. 751162-NGX-XX-XX-DR-Z-70006 Rev P02 dated 20/10/23);
  - Existing and Temporary Access Plan (ref. 157754-FRH-XX-XX-DR-C-8004 Rev P02 dated 15/11/23);
  - Compound Access Plan (ref.157754-FRH-XX-XX-DR-C-8001 Rev P13 dated 14/03/24);
  - Construction Environmental Management Plan (dated 10/10/23);
  - Construction Traffic Management Plan (ref. Version 11 – CG3-HSE-400F02 dated May 2023); and
  - Departures From Standard (ref. DFS2/299)

save as varied by the conditions hereafter or any variation thereto that may be agreed in writing by the County Planning Authority.

*Reason: To secure a satisfactory development.*

#### Tree/Vegetation Retention and Protection

3. All trees, hedges and vegetation shall be retained and protected in accordance with the Arboricultural Method Statement (AMS) and accompanying Tree Protection Plans (Ref. RT-MME-159801-03 Rev B dated 17/10/23), and mitigation measures identified in the Ecological Impact Assessment (EcIA ref: 751162 Rev 1 dated November 2023– Section 4).

Prior to any works within the root protection area of retained trees/shrubs (as identified in the AMS), a pre-commencement meeting between the site construction manager, a qualified arboriculturist and ecologist shall take place and all trees/shrubs for removal, coppicing, relocation, shall be clearly marked, and working practices in accordance with the AMS and EcIA shall be clearly communicated. An invite to this meeting shall be extended to the County Arboriculturist.

Thereafter all works upon, and proximate to, retained trees, hedges and vegetation shall be carried out accordance with the Arboricultural Method Statement (ref: RT-MME-159801-03 Rev B dated 17/10/23) and Ecological Impact Assessment (EcIA ref: 751162 Rev 1), save as for any modification that may be agreed in advance in writing by the County Planning Authority.

*Reason: To ensure the preservation of trees/vegetation in the interests of biodiversity and the landscape of the locality.*

## **Ecology**

4. All ecological mitigation/management and recommendations as detailed within the Ecological Impact Assessment (EcIA ref: 751162 Rev 1 dated November 2023– Section 4) and Construction Environmental Management Plan (CEMP dated 10/10/23) shall be implemented and adhered to in full.

*Reason: To conserve protected and priority species in the interests of biodiversity.*

## **Reinstatement and Aftercare**

5. Within 3 months of the date of this decision, a reinstatement and aftercare scheme shall be submitted to and approved in writing by the County Planning Authority. The scheme shall include detailed provisions for reinstatement and restoration of the site and its subsequent aftercare/monitoring. It shall provide details as appropriate, but not necessarily be restricted to, the following matters:
  - Detailed locations for the placement of translocated trees/shrubs, coppiced stools and Ancient Woodland indicator plant species;
  - Details of soil amelioration/improvement and any seeding necessary to return the land to its use/condition before the development took place;
  - Details of hedgerow reinstatement planting (including adjacent to the A281) including planting sizes, numbers, spacing, planting rate and densities, plant protection, soil amelioration/improvement, and biosecurity;
  - Details of the timing of reinstatement works as soon as practicable following completion of construction;
  - Details of aftercare and monitoring provisions for a period of five years to include the frequency of monitoring, reporting methods, and actions

to be taken to ensure the success and optimisation of reinstatement and habitat compensation/enhancement (and replacement seeding/planting where necessary);

Thereafter the approved scheme shall be implemented and adhered to in full.

*Reason: To ensure temporary construction infrastructure is removed and land reinstated to an appropriate condition in the interests of biodiversity and landscape and to provide suitable mitigation/compensation for any impacts upon trees/hedgerows (including irreplaceable ancient woodland habitat).*

### **Access Provision (A281)**

6. The temporary access onto the A281 shall be laid out in accordance with the approved Compound Access Plan (ref.157754-FRH-XX-XX-DR-C-8001 Rev P13 dated 14/03/24) and shall be maintained and managed throughout construction in accordance with the approved Construction Traffic Management Plan (ref. Version 11 – CG3-HSE-400F02 dated May 2023) and Departures From Standard (ref. DFS2/299).

Upon completion of construction works, all temporary barriers and equipment shall be removed and the vehicular access and gates onto the A281 reinstated to their former arrangement before the development took place, as illustrated on the approved 'Existing and Temporary Access Plan' (ref. 157754-FRH-XX-XX-DR-C-8004 Rev P02 dated 15/11/23).

*Reason: In the interests of highway safety and to ensure that the access is returned to its previous rural character in interests of the landscape and character of the locality.*

### **Informatives**

- A. The County Planning Authority has acted positively and proactively in determining the planning application by identifying issues of concern and considering whether planning conditions could be used to satisfactorily address them. As a result, the County Planning Authority has been able to grant planning permission, in accordance with the presumption in favour of sustainable development as set out within the National Planning Policy Framework.
- B. The applicant's attention is drawn to the comments of the Environment Agency (dated 16 January 2024) regarding other regulations which may apply to the use of any waste materials if used on site.
- C. The applicant's attention is drawn to the comments of the County Arboriculturist (dated 05/01/23) that highlight the need to ensure that wider 'permitted development' works are carried out sensitively and identifies areas where there

is a need to ensure that identified tree protection measures/exclusion areas are adhered to.

- D. Under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.
- E. The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>

Online applications can be made at the link below, alternatively please call 01243 642105.

<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-application-form/>