

Case Officer's Report (Delegated Decision)

County Matter Waste Planning Application

Description of the Proposal: Erection of a replacement portal framed building for the repair, maintenance and storage of vehicles, plant and equipment, along with the installation of a sealed tank.

Site Address: Burleigh Oaks Farm Waste Transfer & Recycling Centre, East Street, Turners Hill, Crawley, RH10 4PZ

Application No: WSCC/006/24

Local Member: Bruce Forbes

Local Council: Mid Sussex District Council

Site Location and Description

Burleigh Oaks Farm is located to the north of East Street in Turners Hill, at the end of a long access road, with the site used as a waste transfer and recycling centre. The site includes a number of buildings, including on the southern side a predominantly open building, to which this application relates. The building is single storey, with a lean to roof and is metal clad.

The application site is designated as being within the countryside and there is a Public Right of Way that runs along the southern boundary of the site.

Relevant Planning History

TH/033/90	Erection of replacement building for the repair, maintenance and storage of vehicles, plant and equipment (Granted MSDC)
TH/39/95	Certificate of Lawful Use for a Waste Transfer Station issued in March 1996 by WSCC (Granted)
TH/40/96	Permission for the erection of a building and lockable storage containers granted in April 1997 by WSCC (Granted)
TH/35/97	Permission for the continued use of the existing lawful waste recycling facility granted in March 1998 by WSCC (Granted)
TH/2158/06	Amendment of condition 2,3 and 6 of appeal decision DCLG Ref. No. APP/P3800/A/04/1153454 (A) and conditions 1,2 and 6 of DCLG Ref. No APP/P3800/A/04/1153454 (B) allowed by The Planning Inspectorate on 14th July 2005, so as to allow for the deposit, storage and recycling of

waste electrical and electronic equipment (WEEE)
(Granted)

TH/842/07 Erection of a building to accommodate a boardroom, ancillary offices, staff kitchen and canteen, and toilets; modification to existing car parking layout and extension to the same facility, along with landscaping works granted in June 2007 (Granted)

DM/21/2248 A commencement of a development which occurred through the demolition of an existing partially destroyed building along with the removal and clearance of debris from the application site; together with the digging of three trenches and the formation of three individual concrete padstones to create foundations associated with the south-western elevation of the replacement building granted in August 2021 (Granted MSDC)

Proposed Development

Planning permission is sought to replace the existing building with a new portal framed building for the repair, maintenance and storage of vehicles, plant and equipment associated with waste recycling operations. The existing building is at the end of its life and has been wind damaged resulting in the demolition of sections of the rear elevation.

The proposed building would be approximately 22.6 metres wide by 36.8 metres deep. The pitched roof would measure 6.8 metres to the ridge and 6.15m to the eaves. It would have a 1.2 metre dwarf wall, with dark green coated metal sheeting above. The same sheeting is to be used for the roof.

Environmental Impact Assessment

Does not fall within Schedule 1 or 2 of the EIA Regulations. No EIA required.

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 ('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)

- Policy W2: Safeguarding Waste Management Sites;
- Policy W3: Location of Built Waste Management Sites;

- Policy W11: Character;
- Policy W12: High Quality Developments;

Mid Sussex District Plan 2014 – 2031

- DP1 – Sustainable economic development;
- DP12 - Protection and enhancement of the countryside;
- DP13: Preventing Coalescence;
- DP26 - Character and design;

National Planning Policy Framework (NPPF) (Dec 2023)

- Paragraph 8 – Roles of the planning system;
- Paragraph 11 – Presumption in favour of sustainable development;
- Paragraph 38 – LPAs should approach decisions on proposed development in a positive and creative way, seeing to approve sustainable development where possible;
- Paragraph 47 – 50 – Applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise;
- Paragraph 187 – Existing businesses/facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established.

Consultations

Mid Sussex District Council (inc EHO): No objection subject to conditions covering working and delivery hours.

Turners Hill Parish Council: No objection.

Nature Space: No objection, no likely impact on great crested newts or their habitats.

WSCC Highways: No objection.

WSCC Fire and Rescue: No objection subject to a condition securing fire appliance access to the onsite ponds.

Bruce Forbes (County Councillor): No response received.

Representations

One received raising no objection.

Consideration of Key Issues

The main material considerations in relation to this application are:

- need for the development;
- impacts on residential amenity and on the local environment.

Need for the Development

The proposed development comprises a replacement portal framed building for the repair, maintenance and storage of vehicles, plant and equipment, along with the installation of a sealed tank in association with waste operations.

The submitted application statement sets out that the replacement building is required due to the current condition of the existing building, which has suffered wind damage and is coming to the end of its useful life. It identifies that there was a building located on the site prior to the existing structure.

The existing building is already in use for associated waste purposes through historic permissions and as a result, it is considered that the principle of the use is already established and consequently that the development complies with the requirements set out within Policy W3. This weighs positively for the proposed development and attracts substantial weight in in the planning balance.

Impacts on Residential Amenity and Local Environment

This building would be located to the south of the group of existing buildings at Cox Skips recycling depot, an established waste operator.

The building would be erected on the same footprint as the existing building, therefore, in terms of amenity, given the similarities between the existing and proposed buildings, it is not considered to result in any adverse impacts to the outlook or privacy of surrounding buildings.

The District Council Environmental Health Officer has advised that the acoustic report submitted with the application indicates that the impact of the development will be low. As such, they raise no objection to the proposal and recommend conditions to control noise during the construction phase.

With regard to the local environment, the proposal sits within an existing group of buildings. As such, whilst the site is located within the countryside, it would not form an isolated building in the wider landscape. The proposed building would be similar in size and design to the existing building and would be no taller. It be finished in metal, above a brick, dwarf wall, and would be a simple, functional design that would be appropriate to its location and purpose.

The proposed development would be an improvement over the existing, dilapidated structure and form a betterment for an existing built waste management facility.

The proposal is therefore not considered to introduce any built features that would cause a significant impact upon the amenity of the neighbouring residential receptor. As a result, the proposed development would not be considered to have any significant impacts upon residential amenity or the local environment and would therefore comply with development policies W11 and W12 of the WLP (2014) and Policy DP12 and DP26 of the Mid-Sussex District Plan (2014). Accordingly, this can be attributed moderate weight in the planning balance.

Other Considerations

No other material considerations.

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 the grant of planning permission, would be warranted.

In favour of the proposal, the need for the development carries substantial weight, the impact upon residential amenity carries moderate weight and the impact upon the local environment carries moderate weight. There are no considerations that weigh against the scheme. Therefore, on balance, it is considered that the benefits of the proposal significantly 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 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.

Date of Report: 12/06/2024	Case Officer's Name: Chris Bartlett
--------------------------------------	---

	Case Officer's Signature: 
Date of Review: 13/06/2024	Reviewer's Name: Andrew Sierakowski
	Reviewer's Signature: 

Appendix 1: Conditions and Informative

Conditions

Commencement

1. The development to which this permission relates shall be begun not later than the expiration of 3 years from the date of this permission.

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

Approved Plans

2. The development shall not take place other than in accordance with the approved plans:
 - Location Plan (Licence number 100022432);
 - Site Plan (Licence number 100022432);
 - Ground Floor Plan (Drg No 13 Rev A);
 - Roof Plan with Elevations (Drg No 13); and
 - Planning Statement (January 2023)save as varied by the conditions hereafter.

Reason: To secure a satisfactory development.

Construction and Deliveries

3. Works of demolition and construction, including the use of plant and machinery necessary for implementation of this consent, including deliveries or collection of plant, equipment or materials for use during the demolition and construction phases, shall be limited to the following times:
 - 08.00 and 18.00 Monday to Friday; and
 - 08.00 to 13.00 Saturdays.

No operations whatsoever as authorised by this planning permission shall occur on Sundays, Bank or Public Holidays.

Reason: In the interests of public amenity and the local environment.

Usage

4. The site shall only be used for the storage, maintenance and repair of a maximum of 3 skip lorries and the storage of empty skips associated therewith, and the storage, maintenance and repair of plant and equipment.

Reason: In the interests of public amenity and the local environment.

Fire and Rescue

5. Prior to the use and occupation of the replacement building, a plan shall be submitted to and approved by the Waste Planning Authority setting out details for access to and the ongoing maintenance of access to the on-site ponds for fire appliances. Once approved, the plan shall be adhered to in perpetuity of the building's lifespan.

Reason: *To ensure sustained firefighting capabilities*

Informative

- 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.