

Application No: WSCC/018/14/NH  
**COUNTY MATTER**

**TOWN AND COUNTRY PLANNING ACT 1990  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT  
PROCEDURE) (ENGLAND) ORDER 2010**

To Britaniacrest Recycling Ltd  
c/o SLR Consulting Ltd  
Langford Lodge  
109 Pembroke Road  
Clifton  
Bristol  
BS8 3EU

In pursuance of their powers under the above mentioned Act and Orders, West Sussex County Council hereby notify you that they **PERMIT** the following development, that is to say:-

**Proposed Waste Transfer Facility to handle inert and non-inert waste with associated open air inert waste recycling operations, landscape improvements and vehicle parking at Former Wealden Brickworks (Site HB), Langhurstwood Road, Horsham, West Sussex, RH12 4QD**

to be carried out in accordance with your application and plans (as modified by the under-mentioned conditions if any) submitted to this Council on 17 March 2014 (and in accordance with the relevant correspondence a copy of which is attached \*) and subject to the conditions specified hereunder:-

**GENERAL**

**Commencement**

1. The development hereby permitted shall commence 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.*

Date 01/07/14 Signed   
Strategic Planning Manager .....

**\*N.B.** The reasons for imposing the above conditions are as specified after the conditions.  
The words in brackets do not apply unless a copy of the relevant correspondence is attached.  
Your copy of the application, determined as above, is returned herewith for your records.

**Continuation Sheet**

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**Approved Plans and Documents**

2. The development hereby permitted shall not take place other than in accordance with the particulars of the application, the approved plans and documents:
- Drawing No. 003 Rev 1 'Proposed Site Layout';
  - Drawing No. 005 'Proposed Elevations';
  - Drawing No. 007 'Existing Elevations of Small Building in Yard';
- and supporting information, save as varied by the conditions hereafter.

*Reason: To secure a satisfactory development.*

**Availability of Approved Plans and Documents**

3. A copy of the decision notice, approved plans and documents and any subsequently approved documents shall be kept on site at all times and the terms and contents of them shall be made known to the supervising staff on site. These documents shall be made available to the County Planning Authority upon request.

*Reason: To ensure that the site operatives are conversant with the terms of the planning permission in the interests of amenity and the environment.*

**PRE-DEVELOPMENT CONDITIONS****Surface Water Drainage Scheme**

4. No development shall be carried out until a scheme of surface water drainage has been submitted to and approved in advance and in writing by the County Planning Authority. The scheme shall include:
- baseline flows in accordance with C697;
  - design for 1:100 year return period;
  - inclusion of 30% peak run-off and 20% additional volume for climate change;
  - consideration of overland flows (pluvial impacts); and
  - provision for the implementation of a surface water regulation system; and
  - inclusion of pollution/siltation control measures.

Thereafter, the surface water drainage details shall be implemented in full as approved throughout development hereby permitted.

*Reason: To accord with paragraphs 103 and 120 of the NPPF (2012) to ensure that impacts through flooding and pollution are not caused.*

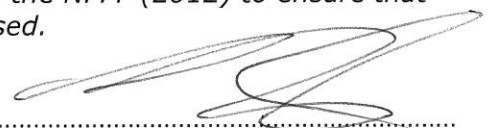
**Foul Water Drainage Scheme**

5. No development shall be carried out until a scheme of foul water drainage has been submitted to and approved in advance and in writing by the County Planning Authority. Thereafter, the foul water drainage details shall be implemented in full as approved throughout development hereby permitted.

*Reason: To accord with paragraphs 103 and 120 of the NPPF (2012) to ensure that impacts through flooding and pollution are not caused.*

Date 01/07/14

Signed  
Strategic Planning Manager .....

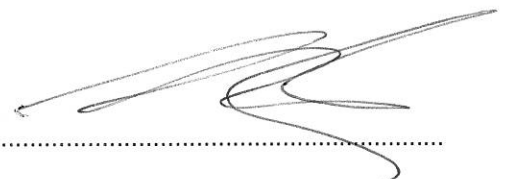


**Continuation Sheet****Contamination/Pollution Scheme**

6. The development hereby permitted shall not be commenced (including site clearance work and demolition works) until a scheme to deal with any contamination of land and/or pollution of controlled waters has been submitted to and approved in advance and in writing by the County Planning Authority and until the measures approved in that scheme have been implemented. The scheme shall include all of the following measures unless the County Planning Authority dispenses with any such requirement in writing:
- a) A desk-top study carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required).
  - b) If identified as being required following the completion of the desk-top, a site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use.
  - c) Thereafter, a written method statement detailing the remediation requirements for land contamination and/or pollution of controlled waters affecting the site shall be submitted and approved by the County Planning Authority (CPA), and all requirements shall be implemented and completed to the satisfaction of the CPA. No deviation shall be made from this scheme without the express written agreement of the CPA. If during redevelopment contamination not previously considered is identified, then the CPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing with the CPA.
  - d) A full closure report shall be submitted to and approved by the County Planning Authority (CPA). The report shall provide verification that the required works regarding contamination and/or pollution have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results, at intervals to be agreed with the CPA, shall be included in the closure report to demonstrate that the required remediation has been fully met.

*Reason: To accord with paragraphs 109, 120 and 121 of the NPPF (2012) to prevent the contamination of land, air and water resources.*

Date 01/07/14 Signed  
Strategic Planning Manager .....



**Continuation Sheet****Construction Management Plan**

7. No development shall be carried out, including any works of demolition, until a Construction Management Plan has been submitted to and approved in advance and in writing by the County Planning Authority. Thereafter, the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:
- the anticipated number, frequency and types of vehicles used during construction;
  - the method of access and routing of vehicles during construction;
  - the parking of vehicles by site operatives and visitors;
  - the loading and unloading of plant, materials and waste;
  - the storage of plant and materials used in construction of the development;
  - the erection and maintenance of security hoarding;
  - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
  - details of public engagement both prior to and during construction works.

*Reason: To accord with paragraph 120 of the NPPF (2012) in the interests of highway safety and the amenities of the locality.*

**Materials/Finishes**

8. No development shall be carried out until a schedule of materials and finishes (including samples) to be used for the external walls, roofs, chimney stack, personnel doors, roller shutter doors of the proposed waste transfer building and the materials and finishes of the proposed weighbridge and office booth has been submitted to and approved in advance in writing by the County Planning Authority. The approved materials and finishes shall thereafter be implemented prior to the development hereby permitted being brought into use, and maintained in full throughout the operational life of the development hereby permitted.

*Reason: To accord with paragraphs 56 and 57 of the NPPF (2012) to ensure good design in the interests of amenity and to ensure a development of a quality finish.*

**Fencing and Gates**

9. Prior to the commencement of development hereby permitted a scheme of all new perimeter fencing (including details of railway trespass fencing) and any gates shall be submitted to and approved in advance and in writing by the County Planning Authority. The scheme shall include details of location, style, and finishes of the fences/gates to be used. Thereafter, all fencing shall be erected in accordance with the approved scheme prior to the commencement of any other construction at the site and thereafter maintained in accordance with the approved scheme throughout the operation of the development.

*Reason: To accord with paragraphs 56 and 57 of the NPPF (2012) to ensure good design, security, protection of the adjoining mainline railway and in the interest of amenity.*

Date 01/07/14

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Strategic Planning Manager 

**Continuation Sheet****External Lighting Scheme**

10. Prior to the commencement of development a scheme detailing all proposed external lighting shall be submitted to and approved in advance and in writing by the County Planning Authority. The scheme shall include details of the number, location and type of external lighting to be installed and used. All external lighting shall be angled, directed or cowled so as to prevent light spillage in an upward direction or cause nuisance outside the site. Furthermore, all lighting shall be timer controlled to avoid night time periods, with the exception of motion activated security lighting. The approved scheme shall thereafter be implemented and maintained in full throughout the operation of the development hereby permitted.

*Reason: To accord with paragraph 125 of the NPPF to ensure that light pollution is not caused to local amenity.*

**Construction Environmental Management Scheme (Noise and Dust)**

11. No development shall be carried out (including any demolition and site clearance) until a Construction Environmental Management Scheme has been submitted to and approved in advance and in writing by the County Planning Authority. The scheme shall provide details on the following matters:

- the measures to control and minimise noise producing activities in accordance with the principles of BS 5228:2009 'Code of practice for noise and vibration control on construction and open sites'; and
- the measures to control and minimise dust producing activities.

Thereafter, the scheme shall be implemented and adhered to as approved throughout the entire construction period of the development hereby permitted.

*Reason: To accord with paragraphs 120 and 123 of the NPPF (2012) in the interests of highway safety and the amenities of the locality.*

**Bird Hazard Management Plan**

12. No development shall be carried out (including any demolition and site clearance) until a Bird Hazard Management Plan has been submitted to and approved in advance and in writing by the County Planning Authority. The plan shall include details of:

- monitoring of the site to ensure that no large accumulations of birds occur; and
- management of any flat/shallow pitched roofs on buildings within the site which may be attractive to nesting, roosting and loafing birds.

The Bird Hazard Management Plan shall be implemented as approved, upon completion of the roof and shall remain in force for the life of the operation of the development hereby permitted.

*Reason: To minimise the development's attractiveness to birds which could endanger the safe movement of aircraft and the operation of London Gatwick Airport.*

Date ..... 01/07/14 .....

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Strategic Planning Manager ..... 



**Continuation Sheet**

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**Archaeology**

13. No development shall be carried out (including any demolition and site clearance) until an industrial archaeological and historical record of the existing buildings has been carried out in accordance with a specification and timetable to be submitted to and approved in advance and in writing by the County Planning Authority. Thereafter, the approved record shall be carried out in full.

*Reason: To accord with paragraph 141 of the NPPF (2012) in order to ensure that original features of heritage assets within the existing factory building are recorded before their removal or alteration.*

**Vegetation Clearance/Tree Protection**

14. Prior to the commencement of development hereby permitted a scheme of vegetation and tree removal/tree protection shall be submitted for approval in advance and in writing by the County Planning Authority. The scheme shall include;
- the extent and methodology of any tree/vegetation/hedgerow pruning (which shall be minimised as far as possible);
  - the construction methods for permanent fence installation and access surfacing to minimise the potential impact upon tree roots and landscape features;
  - details of tree protection methods during construction in accordance with BS 5837:2012 'Trees in Relation to Design, Demolition and Construction'; and
  - the timing of works to ensure the protection of potential nesting birds (no works to remove trees and/or shrubs should be undertaken between September and the end of February in any one year unless otherwise advised by an appropriately qualified ecologist and approved in advance and in writing by the County Planning Authority).

Thereafter the approved the scheme shall be carried out in full throughout the entire construction period of the development hereby permitted.

*Reason: To accord with paragraph 109 of the NPPF (2012) in the interests of ecology, biodiversity and environment of the development.*

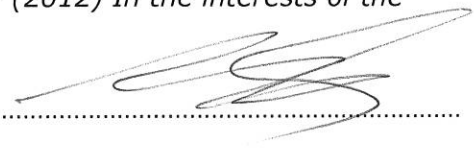
**Landscape Scheme**

15. Prior to the commencement of the development hereby permitted, a landscape scheme shall be submitted for approval in advance and in writing by the County Planning Authority. The scheme shall include details of species (according with the National Plant Specification), planting sizes, soil amelioration, details of the proposed acoustic bunding, planting spacing, replacement planting for any trees/vegetation damaged, becoming diseased, dying or removed within 5 years following planting and an ongoing management and maintenance scheme. The approved scheme shall be implemented in full in the first planting season (Nov-Feb) following the commencement of the development. Once approved, the scheme shall be implemented in full within the approved timescales.

*Reason: To accord with paragraph 109 of the NPPF (2012) In the interests of the environment of the development.*

Date 01/07/14

Signed  
Strategic Planning Manager .....



**Continuation Sheet**

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**Rail Safety Scheme**

16. No development shall be carried out (including any demolition and site clearance) until a scheme detailing the proposed development's design and construction methods to be used are safe, appropriate and sympathetic to development adjoining operational railway infrastructure. Thereafter, the scheme shall be implemented and adhered to as approved throughout the entire construction period of the development hereby permitted.

*Reason: To ensure the protection of the adjoining mainline railway infrastructure during construction works.*

**PRIOR TO USE****Vehicular Parking**

17. No part of the development hereby approved shall be brought into use until the proposed HGV parking spaces, car parking areas and cycle parking spaces (as identified on the Drawing No. 003 Rev 1 'Proposed Site Layout') have been provided within the site in accordance with final details of finishes to be submitted to and approved in advance in writing by the County Planning Authority. The approved parking areas shall thereafter be retained at all times for their designated use throughout the operation of the development hereby permitted.

*Reason: In the interests of highway safety and the amenities of the locality.*

**Noise Management Plan**

18. Prior to the commencement of development a noise management plan detailing the measures to be taken to ensure 'best practicable means' of noise prevention, reduction and minimisation (including provision for ongoing review, and dealing with noise complaints), shall be submitted for approval in advance and in writing by the County Planning Authority. Thereafter, the approved plan shall be implemented in full throughout the operation of the development hereby permitted and made known to the supervising staff on site.

*Reason: To accord with paragraphs 109, 120 and 123 to protect the amenities of the local population.*

**CONTROLLING CONSTRUCTION****Hours of Construction and Deliveries**

19. Construction (including any demolition and site clearance) of the development hereby permitted, involving the use of plant/machinery/equipment/vehicles and the deliveries of construction materials/plant/machinery/equipment being received by or despatched shall only take place between the hours of:

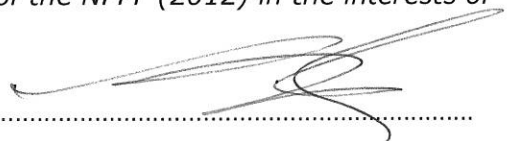
- 07.30 and 18.00 on Monday to Friday inclusive;
- 07.30 and 13.00 on Saturdays; and

not at any time on Sundays, Bank Holidays or Public Holidays.

*Reason: To accord with paragraphs 109 and 123 of the NPPF (2012) in the interests of the amenity of the locality and of local residents.*

Date ..... 01/07/14 .....

Signed  
Strategic Planning Manager .....



**Continuation Sheet****Unsuspected/Unidentified Contamination**

20. In the event that any unsuspected/unidentified contamination is discovered during the provision or renewal of services and any works of demolition, alteration and construction associated with the development hereby permitted (not addressed by Condition 6 above), works should cease until a remediation strategy detailing the measures to deal with the contamination has been submitted to and approved in advance and in writing by the County Planning Authority. Thereafter, the approved remediation strategy shall be implemented in full.

*Reason: To accord with paragraphs 109, 120 and 121 of the NPPF (2012) to ensure that pollution impacts through contamination are not caused.*

**OPERATIONAL CONDITIONS****Hours of use**

21. There shall be no waste handling and processing operations associated with the development hereby permitted, which shall include the use of plant, vehicles and machinery, outside the hours of:

- 07.30 and 17.00 on Monday to Friday inclusive; and
- 07.30 and 13.30 on Saturdays.

No waste handling and processing operations, which shall include the use of plant, vehicles and machinery, shall take place on Sundays, Bank Holidays or Public Holidays.

The existing former factory building (Material Recycling Facility (as identified on the Drawing No. 003 Rev 1 'Proposed Site Layout') shall remain open between the hours of 13:00 and 18:00 on Saturdays for site management/site organisation purposes only.

*Reason: To accord with paragraphs 109, 120 and 123 of the NPPF (2012) in the interests of the amenity of the locality and of local residents.*

**HGV Numbers**

22. No more than 123 HGVs (delivering wastes to the site) shall enter the site between the hours of 07.00-16.30 and no more than 123 HGVs (removing wastes or materials from the site) shall exit the site between the hours of 07.00-18.00 on Mondays to Fridays inclusive; and

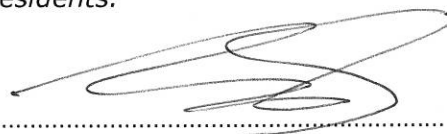
No more than 60 HGVs (delivering wastes to the site or removing wastes or materials from the site) shall enter or exit the site between the hours of 07.00-13.30 on Saturdays.

No HGVs (delivering wastes to the site or removing wastes or materials from the site) shall enter or exit the site on Sundays, Bank Holidays or Public Holidays.

*Reason: To accord with paragraphs 109, 120 and 123 of the NPPF (2012) in the interests of the amenity of the locality and of local residents.*

Date ..... 01/09/14 .....

Signed  
Strategic Planning Manager .....





**Continuation Sheet**

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**Operational Noise Control**

23. No plant, equipment, machinery or vehicle shall be used on the site unless fitted and operated at all times with silencing measures to a standard not less than the up to date manufacturer's UK standard specification.

*Reason: To accord with paragraphs 109, 120 and 123 of the NPPF (2012) in the interests of the amenities of the locality.*

**Reversing Warning Noise**

24. All plant, equipment, machinery and vehicles that are used on site and under the applicant's control within the development hereby permitted that are required to emit reversing warning noise, shall use white noise alarms as opposed to single tone 'bleeping' alarms.

*Reason: To accord with paragraphs 109, 120 and 123 of the NPPF (2012) in the interests of the amenities of the locality so as to minimise the adverse impact of noise generated by the operations on the local community.*

**Odour Control**

25. The existing former factory building used for the transfer, sorting, storage, treatment and processing of waste materials (Material Recycling Facility (as identified on the Drawing No. 003 Rev 1 'Proposed Site Layout') shall ensure that all doors shall remained closed as far as is reasonably practicable during these operations.

*Reason: To accord with paragraphs 109, 120 and 123 of the NPPF (2012) to minimise odour emissions in the interests of the amenities and environment of the locality.*

**Storage of Imported Wastes and Processed Materials**

26. No waste materials imported to the development hereby permitted or sorted and treated waste materials (in accordance with Condition 25 above), shall be stored anywhere other than within the confines of the existing former factory building (Material Recycling Facility (as identified on the Drawing No. 003 Rev 1 'Proposed Site Layout') or within the covered storage bays (as identified on the Drawing No. 003 Rev 1 'Proposed Site Layout') at any time.

*Reason: To accord with paragraphs 109, 120 and 123 of the NPPF (2012) in the interests of amenity and environment of the locality.*

**Enclosed Loads**

27. All vehicles delivering wastes to the site or removing materials from the site shall have their loads enclosed so as to prevent spillage or loss of materials on the public highway and the release of emissions to air.

*Reason: To accord with paragraphs 109, 120 and 123 of the NPPF (2012) in the interests of road safety and of the amenities of the locality.*

Date .....01/07/14.....

Signed .....  
Strategic Planning Manager .....

**Continuation Sheet****Vehicular Operations and Controls**

28. The site shall not be used as the operating base or storage area for vehicles, plant, machinery or equipment not required for the operations approved under this permission.

*Reason: To accord with paragraphs 109, 120 and 123 of the NPPF (2012) in the interests of road safety and of the amenities of the locality.*

**Quantities of Waste and Record Keeping**

29. No more than 200,000 tonnes of waste shall be managed at the site in any one year. A record of the annual quantities (in tonnes) of wastes delivered to the site and the consequent numbers of goods vehicle movements generated in any one year shall be maintained by the applicant at all times and made available to the County Planning Authority upon request.

*Reason: To accord with paragraphs 109 and 123 of the NPPF (2012) to enable the County Planning Authority to monitor the level of traffic generated by the permitted use and ensure adequate control of the development so as to protect both local amenity and the local environment.*

**Liaison Group**

30. The Waste Transfer Facility, hereby approved, shall not be brought into use until a scheme for the establishment of a local liaison group has been submitted to and approved in advance and in writing by the County Planning Authority. The submitted scheme shall include the objectives of the committee, its membership, the frequency and location of meetings and arrangements for the publication of minutes. The local liaison group shall meet thereafter in accordance with the approved scheme.

*Reason: In the interests of the local amenities of the area.*

**INFORMATIVES**

- A. The attention of the applicant is drawn to the detailed comments of the response from WSCC's Archaeologist (dated 17 April 2014) relating to their recommendations on the protection of industrial archaeology and the heritage value of the former brickworks site factory building.
- B. The attention of the applicant is drawn to the detailed comments of the letter from London Gatwick Airport (dated 23 April 2014) relating to their recommendations on aviation safeguarding.
- C. The attention of the applicant is drawn to the detailed comments of the letter from Sussex Police (dated 02 May 2014) relating to their recommendations on crime prevention and security.

Date ..... 01/07/14 .....

Signed  
Strategic Planning Manager ..... 

**Continuation Sheet**

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- D. The applicant is advised that should protected species be present on site work must stop and Natural England be informed. A licence may be required from Natural England before works can re-commence, Natural England will advise.
- E. In determining this planning application, the County Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken positively and proactively in accordance with the requirement in the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012.

This information is only intended as a summary of the reasons for the grant of planning permission. For further details on the decision please see the report by contacting County Planning, West Sussex County Council or visiting the website at <http://www.westsussex.gov.uk/ePlanning>

Date .....01/07/14.....

Signed  
Strategic Planning Manager .....

YOUR ATTENTION IS DIRECTED TO THE FOLLOWING NOTES.

THEY ARE FOR INFORMATION ONLY AND DO NOT PRETEND TO SET OUT THE WHOLE OF THE LAW ON THE SUBJECT. IT WOULD BE WELL FOR YOU TO CONSULT YOUR SOLICITOR IF YOU ARE IN ANY DOUBT.

**TOWN AND COUNTRY PLANNING ACT 1990**

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**1 Appeals to the Secretary of State**

- (a) If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- (b) If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get online at [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk) or by writing to the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.
- (c) The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- (d) The Secretary of State need not consider an appeal if it seems that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- (e) In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.

**2 Purchase Notices**

- (a) If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- (b) In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town and Country Planning Act 1990.

- 3** Further correspondence about this application should quote the reference number at the top right hand corner of the form.