

**Application No: WSCC/077/15/NH  
COUNTY MATTER**

**TOWN AND COUNTRY PLANNING ACT 1990  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT  
PROCEDURE) (ENGLAND) ORDER 2015**

To Britaniacrest Recycling Ltd  
c/o SLR Consulting  
Treenwood House  
Rowden Lane  
Bradford on Avon  
Wiltshire  
BA15 2AU

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: -

**Variation of Condition 28 (Vehicular Operations and Controls) on Planning Permission WSCC/021/15/NH for a period of two years only 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 7 December 2015 (and in accordance with the relevant correspondence a copy of which is attached \*) and subject to the conditions specified hereunder: -

**GENERAL**

**Approved Plans and Documents**

1. 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 5 'Proposed Site Layout' (dated January 2016);
  - 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.*

Signed

Date ..... **3 Feb 2016** ..... Strategic Planning Manager ..... **Michael Elkington** .....

**\*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**

---

**Availability of Approved Plans and Documents**

2. 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.*

**Surface Water Drainage Scheme**

3. The development hereby permitted shall continue to be operated at all times in accordance with the surface water drainage scheme that was approved by the County Planning Authority within Sam Dumbrell's email dated 21/01/16 to Chris Herbert of SLR Consulting Ltd.

*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**

4. The development hereby permitted shall continue to be operated at all times in accordance with the foul water drainage scheme that was approved by the County Planning Authority within Sam Dumbrell's email dated 25/06/15 to Chris Herbert of SLR Consulting Ltd.

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

**Contamination/Pollution Scheme**

5. The development hereby permitted shall continue to be operated at all times in accordance with the assessment and conclusions that comprise the approved scheme to deal with any contamination of land and/or pollution of controlled waters that was approved by the County Planning Authority within Sam Dumbrell's email dated 30/06/15 to Chris Herbert of SLR Consulting Ltd.

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

**Construction Management Plan**

6. All construction works associated with the development hereby approved shall be carried out in accordance with the approved Construction Environmental Management Plan (ref. SLR 416.01258.00002, Rev. 1, December 2014).

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

Date ..... **3 Feb 2016** ..... Signed  
Strategic Planning Manager ..... **Michael Elkington** .....

**Continuation Sheet**

---

**Materials/Finishes**

7. Only the approved materials and finishes, as approved by the County Planning Authority within Sam Dumbrell's email dated 05/11/15 to Chris Herbert of SLR Consulting Ltd, shall be installed 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**

8. The fencing shown on approved drawing 'Proposed Security Fencing (SLR drawing 10 dated October 2014) and set out in 'Memorandum' (SLR, from John Palmer to Sam Dumbrell dated 19th December 2014) shall be installed within 3 months of the date of this decision, 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.*

**External Lighting Scheme**

9. Only the external lighting shown on drawing 'Proposed Lighting Locations (SLR drawing 009, dated October 2014) and set out in the 'Memorandum' (SLR, from John Palmer to Sam Dumbrell, dated 23.02.2015) shall be installed. Once installed it shall be maintained throughout the operation of the development hereby permitted. 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.

*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)**

10. All construction works associated with the development hereby approved shall be carried out in accordance with the approved Construction Environmental Management Plan (Noise and Dust) that was approved by the County Planning Authority within Sam Dumbrell's email dated 28/08/15 to Chris Herbert of SLR Consulting Ltd.

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

Date ..... **3 Feb 2016** ..... Signed  
Strategic Planning Manager ..... **Michael Elkington** .....

**Continuation Sheet**

---

**Bird Hazard Management Plan**

11. The Bird Management Plan (SLR Ref. 416.01258.00002, September 2014) shall be implemented in full throughout the construction and operation of the development hereby approved.

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

**Archaeology**

12. The development hereby permitted shall continue to be operated at all times in accordance with industrial archaeological and historical record of the existing buildings carried out in accordance with a specification and timetable that was approved by the County Planning Authority within Sam Dumbrell's email dated 04/01/16 to Chris Herbert of SLR Consulting Ltd.

*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**

13. Within two months of the grant of planning permission, a tree protection scheme 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 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 operation 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.*

Date ..... **3 Feb 2016** ..... Signed  
Strategic Planning Manager ..... **Michael Elkington** .....

**Continuation Sheet**

---

**Landscape Scheme**

14. Within two months of the grant of planning permission, 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.*

**Rail Safety Scheme**

15. The development hereby permitted shall continue to be operated at all times in accordance with the rail safety scheme that was approved by the County Planning Authority within Sam Dumbrell's email dated 10/03/15 to Chris Herbert of SLR Consulting Ltd.

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

**Parking Spaces and Weighbridge Layouts**

16. Within one month of the grant of planning permission, a scheme including a timetable for the installation of the proposed HGV parking spaces, weighbridge, car parking areas and cycle parking spaces (as identified on Drawing No. 003 Rev 5 'Proposed Site Layout' (dated January 2016)), including final details of finishes, shall be submitted to the County Planning Authority for approval in advance and in writing. Once approved, the scheme shall be implemented in full within one month except for the weighbridge which will be implemented two years from the date of this permission. The approved weighbridge, car parking areas and cycle parking spaces shall thereafter be retained in the approved positions. The approved HGV parking spaces shall thereafter be retained for their designated use for a period of two years only from the date of this permission.

Not later than three months after the end of that two year period, the approved HGV parking spaces shall be laid out as shown on Drawing No. 003 Rev 1 'Proposed Site Layout' (dated November 2013), approved under planning permission WSCC/021/15/NH, and retained as such thereafter.

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

Date ..... **3 Feb 2016** ..... Signed  
Strategic Planning Manager ..... **Michael Elkington** .....

## Continuation Sheet

---

### **Noise Management Plan**

17. The construction and operation of the development hereby permitted shall be carried out in accordance with the approved Noise Management Plan (ref. SLR 416.01258.00002, September 2014), the contents of which shall be 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**

18. 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.*

### **Unsuspected/Unidentified Contamination**

19. 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 5 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**

20. There shall be no operations associated with the development hereby permitted, which shall include the use of vehicles, plant, machinery or equipment, outside the hours of:

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

with the exception of the use of the existing former factory building (Material Recycling Facility (as identified on the Drawing No. 003 Rev 5 'Proposed Site Layout')

Date ..... **3 Feb 2016** ..... Signed  
Strategic Planning Manager ..... **Michael Elkington** .....

**Continuation Sheet**

---

for site management/site organisation purposes only which may take place between 13:00 and 18:00 on Saturdays.

No operations shall take place 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.*

**HGV Numbers**

21. No more than 142 HGVs shall enter the site between the hours of 07.00-16.30 and no more than 142 HGVs shall exit the site between the hours of 07.00-18.00 on Mondays to Fridays inclusive; and

No more than 70 HGVs shall enter the site between the hours 07.00-12.00 and no more than 70 HGVs shall exit the site between the hours of 07.00-18.00 (of which no more than 9 HGVs shall exit the site between 16:30-18:00) on Saturdays.

No HGVs 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.*

**Operational Noise Control**

22. No vehicles, plant, machinery or equipment, 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**

23. 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**

24. 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 5 '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.*

Date ..... **3 Feb 2016** ..... Signed  
Strategic Planning Manager ..... **Michael Elkington** .....

**Continuation Sheet**

---

**Storage of Imported Wastes and Processed Materials**

25. No waste materials imported to the development hereby permitted or sorted and treated waste materials (in accordance with Condition 24 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 5 'Proposed Site Layout' (dated January 2016)) or within the covered storage bays (as identified on the Drawing No. 003 Rev 5 '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**

26. All vehicles associated with delivery of wastes to the site and the removal of waste/treated waste 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.*

**Vehicular Operations and Controls**

27. From the grant of planning permission for a period of two years only, the site can be used as the operating base or storage area only for Waste Collection Vehicles and their containers not required for the operations approved under this permission. After that date, this use shall be discontinued.

*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**

28. No more than 230,000 tonnes of waste shall be managed at the site in any one year. A record of both the annual quantities (in tonnes) of wastes delivered to the site and the number of all goods vehicle movements entering and exiting the site in any one year, including those permitted under Condition 27 above, generated 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.*

Date ..... **3 Feb 2016** ..... Signed  
Strategic Planning Manager ..... **Michael Elkington** .....



**Continuation Sheet**

---

**INFORMATIVES**

- A. 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.
- B. 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) Order 2015.

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 ..... **3 Feb 2016** ..... Signed  
Strategic Planning Manager ..... **Michael Elkington** .....

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**

---

**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.