

**Application No: WSCC/028/16/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 1 (amended site layout) and 25
(storage of imported wastes and processed materials) of
WSCC/077/15/NH 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 June 2016 (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.

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:
 - Proposed Site Layout (Drawing No. 003 Rev 7, April 2016);
 - Proposed Elevations (Drawing No. 005, March 2014);
 - Existing Elevations of Small Building in Yard (Drawing No. 007);

Signed

Date **2 Nov 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

- Proposed Drainage Layout (drawing SW01, October 2014) and letter from SLR (Zak Ritchie), dated 6 October 2014;
- Proposed Security Fencing (SLR drawing dated October 2014) and accompanying memorandum (John Palmer - Sam Dumbrell dated 19 December 2014);
- Proposed Lighting Locations (SLR drawing 009, dated October 2014) and accompanying memorandum (John Palmer - Sam Dumbrell, dated 23 February 2015);
- Bird Management Plan (SLR Ref. 416.01258.00002, September 2014);
- Landscape Mitigation (SLR ref. 012 Rev. 2, January 2016);
- Landscape Scheme (SLR ref. 416.01258.00002 Version No. 2, April 2016); and
- Noise Management Plan (SLR ref. 416.01258.00002, September 2014);

and supporting information, save as varied by the conditions hereafter.

Reason: To secure a satisfactory development.

Time Limited Permission

3. The development hereby permitted shall cease by 3 February 2018, by which date the site layout shown in Drawing No. 003 Rev 5 'Proposed Site Layout' (dated January 2016) attached to planning permission WSCC/021/15/NH shall have been reinstated.

Reason: in the interests of highway safety and local amenity.

Availability of Approved Plans and Documents

4. 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.

External Lighting

5. 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.

Date **2 Nov 2016** Signed
Strategic Planning Manager **Michael Elkington**

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Vehicular Parking

6. 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 7 'Proposed Site Layout' (dated April 2016)), shall be submitted to the County Planning Authority for approval in advance and in writing. Once approved, the scheme shall be implemented in full. The approved car parking areas and cycle parking spaces shall thereafter be retained in the approved positions. The approved HGV parking spaces and weighbridge shall thereafter be retained for their designated use for a period until no later than 3 February 2018.

Not later than 2 May 2018, the approved HGV parking spaces shall be laid out as shown on Drawing No. 003 Rev 1 'Proposed Site Layout' (dated November 2013) attached to planning permission WSCC/077/15/NH and retained as such thereafter.

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

Dust/Mud Management Scheme

7. Within 3 months of the date of this decision, a scheme and programme of measures for the suppression of dust and containment of mud/debris within the site, shall be submitted to and approved by the County Planning Authority. The scheme shall include inter alia:
- (a) The suppression of dust caused by the processing, movement and storage of material within the site;
 - (b) Measures to ensure that mud is not tracked on to the access road or highway; and
 - (c) Provision for monitoring and review of the scheme.

Once approved, the scheme shall be implemented in full and complied with at all times.

Reason: To protect the amenities of the locality from the effects of any dust/mud arising from the development.

OPERATIONAL CONDITIONS**Hours of use**

8. There shall be no 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

with the exception of the use of the Material Recycling Facility (as identified on the Proposed Site Layout (Drawing No. 003, Rev 7) 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.

Date **2 Nov 2016** Signed
Strategic Planning Manager **Michael Elkington**

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HGV Numbers

9. 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

10. 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

11. 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

12. All doors of the Materials Recycling Facility (as identified on the Proposed site Layout (dwg. 003 Rev 7)) shall remain closed as far as is reasonably practicable during the transfer, sorting, storage, treatment and processing of waste materials.

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

13. No waste materials imported to the development hereby permitted, or sorted and treated waste materials (in accordance with Condition 11 above), shall be stored anywhere other than within the confines of the Material Recycling Facility (as identified on the Proposed site Layout (dwg. 003 Rev 7)) or within the areas identified for 'product storage' and 'inert material awaiting process' ((as identified on the Proposed site Layout (dwg. 003 Rev 7)) 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.

Date **2 Nov 2016** Signed
Strategic Planning Manager **Michael Elkington**

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Enclosed Loads

14. 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

15. 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 until 2 May 2018. 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

16. 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 15 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.

Maintenance of Drainage

17. The drainage scheme approved in condition 1 (ref. Proposed Drainage Layout (drawing SW01, October 2014) and letter from SLR (Zak Ritchie), dated 6 October 2014) shall be maintained as approved throughout the operation of the development.

Reason: to ensure that the development does not have a detrimental impact on the water environment.

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INFORMATIVE

- A. 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 **2 Nov 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 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.