

Application No: WSCC/006/18/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
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: -

Proposed removal of Condition 3 (Time Limit) from and the amendment of Condition 6 (Parking Layout) of Planning Permission WSCC/028/16/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) submitted to this Council on 29 January 2018 and subject to the conditions specified hereunder: -

Approved Plans and Documents

1. The development hereby permitted shall not take place other than in accordance with the following 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);
 - 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);

Signed
Date01 May 2018..... Head of Planning ServicesMichael Elkington.....

IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES AT APPENDIX A OF THIS FORM

Continuation Sheet

- Bird Management Plan (SLR Ref. 416.01258.00002, dated September 2014);
- Noise Management Plan (SLR ref. 416.01258.00002, September 2014);
- Dust Management Plan (SLR ref. 416.01258.00002, December 2016 : Version 1.0) and accompanying email (Christopher Herbert - Sam Dumbrell, dated 23 February 2017);

save as varied by the conditions hereafter.

Reason: To secure a satisfactory development and to ensure both local amenity and the local environment are protected from any effects arising from permitted operations.

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.

External Lighting

3. 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.

Site Layout

4. Not later than 31 July 2018, all HGV parking spaces, the weighbridge, car parking areas and cycle parking spaces (as identified on Drawing No. 003 Rev 7 'Proposed Site Layout' (dated April 2016)), shall be installed and be fit for purpose. These areas and spaces shall thereafter be retained as approved and for their designated use throughout the use of the development hereby permitted.

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

Signed

Date01 May 2018.....

Head of Planning ServicesMichael Elkington.....

Continuation Sheet

OPERATIONAL CONDITIONS**Hours of Use**

5. 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.

HGV Numbers

6. 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.

Reversing Warning Noise

7. 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.

Date01 May 2018.....

Signed
Head of Planning ServicesMichael Elkington.....

Continuation Sheet

Odour Control

8. 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

9. No waste materials imported to the development hereby permitted, or sorted and treated waste materials/products (in accordance with Condition 8 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.

Enclosed Loads

10. All vehicles associated with delivery of wastes to the site and the removal of waste/treated waste materials/products 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.

Quantities of Waste and Record Keeping

11. 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 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.

Date01 May 2018..... Signed
Head of Planning ServicesMichael Elkington.....

Continuation Sheet

Perimeter Bund and Landscaping Scheme

12. The bunding and landscaping previously approved in Landscape Mitigation (SLR ref. 012 Rev. 2, January 2016) and Landscape Scheme (SLR ref. 416.01258.00002 Version No. 2, April 2016) shall be completed not later than 31 December 2018.

The bunding shall be constructed and completed in full as approved not later than 31 July 2018 and the landscaping/planting shall be undertaken and completed in full as approved between October and December 2018. The bunding shall be constructed and completed in full as approved not later than 31 July 2018 and the landscaping/planting shall be undertaken and completed in full as approved between October and December 2018.

The County Planning Authority shall be notified in writing not later than 7 days following the commencement of and completion of these stages.

Within five years of completion of the landscaping/planting, any planting which dies, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the County Planning Authority gives written consent for any variation.

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

INFORMATIVES

- A. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework, the County Planning Authority has approached the determination of this application in a positive way, and has worked proactively with the applicant by:

- Providing pre-application advice;
- Seeking amendments early on in the application process to see if a sustainable solution can be agreed;
- Discussing issues of concern as early as possible, including those raised by consultees and third parties;
- Giving them the opportunity to provide further information/changes to overcome material impacts;
- Working with consultees

As a result, the County Planning Authority has been able to recommend the grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development.

Signed

Date01 May 2018.....

Head of Planning ServicesMichael Elkington.....

Continuation Sheet

- B. Please refer to the attached email from Network Rail (dated 07 March 2018) and their requirements on developers working in close proximity to Network Rail land and infrastructure.
- C. With regard to Condition 10, the applicant and supervising staff on site are reminded that it is their responsibility to ensure that all vehicles departing the site have their loads enclosed and contained securely, to avoid spillage of materials on to the public highway and ensure compliance with the requirements of the Highways Act 1980.

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 www.westsussex.gov.uk/planning

Date01 May 2018..... Signed
Head of Planning ServicesMichael 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 IS RECOMMENDED THAT YOU CONSULT A 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.