

Application No: **WSCC/104/13/SR**
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:-

The continuation of mineral extraction for a two year period and the importation of inert material over a five year period only, to enable the restoration of mineral working at Washington Sandpit for the long term benefit of the Sandgate Country Park at Washington Sand Pit, Hampers Lane, Sullington, West Sussex, RH20 4AF

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 9 December 2013 (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 be begun before the expiration of three years from the date of this permission. Written notification of the date of commencement shall be sent to the County Planning Authority not less than 7 days before the commencement of development.

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

Cessation

2. The development hereby permitted shall cease and the land be restored in full (in accordance with Condition 12 of this permission) not later than 5 years from the commencement of the development hereby permitted.

Reason: To comply with Schedule 5 of the Town and Country Planning Act 1990.

Date 01/05/15 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.

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Approved Plans

3. The proposed development shall not take place other than in accordance with the approved information and plans; Drawing No. 002 'Planning Boundary' (dated October 2013), Drawing No. WP L/15 B 'Restoration Scheme' (dated 14/05/2014), Drawing No. WP L16 'Phasing Plan' (dated 14/05/2014) and Drawing No. WP L/19 Rev 1 'Isopachytes Between Base of Extraction and Restoration' (dated July 2014) and supporting information, save as varied by the conditions hereafter.

Reason: To secure a satisfactory development.

Availability of Approved Documents

4. A copy of the decision notice together with the approved plans and any subsequently approved documents shall be kept at the site office 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.

PRE-DEVELOPMENT CONDITIONS

Site Levels and Sections

5. The development hereby permitted shall not take place until up to date details of site levels and longitudinal and latitudinal sections through the site, including existing and proposed ground levels (based on Ordnance Datum), to show how the restoration works shall be set into the ground relative to the volumes of extracted sand and imported material required, have been submitted to and approved in advance and in writing by the County Planning Authority.


Reason: To comply with Schedule 5 of the Town and Country Planning Act 1990 to secure a satisfactory development through ensuring that the quarry is worked and restored safely in appropriate timescales.

Noise Management Plan

6. The development hereby permitted shall not take place, including site clearance works, until 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) has been submitted to and approved 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.

Reason: To accord with paragraphs 109, 120 and 123 of the NPPF (2012) to protect the amenities of the local population and the local environment.

Date 01/05/15

Signed
Strategic Planning Manager 

Continuation Sheet

Dust Management Plan

7. The development hereby permitted shall not take place, including site clearance works, until a scheme for the suppression of dust (including provision for ongoing review, and dealing with dust complaints) has been submitted to and approved in advance and in writing by the County Planning Authority. Thereafter, the approved scheme shall be implemented in full throughout the operation of the development hereby permitted.

Reason: To accord with paragraphs 120 and 123 of the NPPF (2012) to protect the amenities of the local population and the local environment.

Vehicle Cleaning

8. The development hereby permitted shall not take place, including site clearance works, until a scheme has been submitted to and approved in advance and in writing by the County Planning Authority detailing the measures to clean vehicles leaving the site to prevent earth, mud and debris arising from the development being present on the highway. Thereafter, the approved scheme shall be implemented in full throughout the operation of the development hereby permitted.

Reason: In the interests of highway safety.

Surface Water Drainage Scheme

9. The development hereby permitted shall not take place, including site clearance works, 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:
- design for 1:100 year return period;
 - inclusion of 30% peak run-off and 20% additional volume for climate change;
 - infiltration rates and groundwater levels shall be determined by site investigation and/or testing during the winter period;
 - inclusion of a suitable freeboard above the seasonal high groundwater table (minimum 1m unless otherwise advised by the County Planning Authority); and
 - consideration of overland flows (pluvial impacts); and
 - surface water drainage management for implementation during the phased sand extraction and phased restoration operations (to ensure that suitable drainage infrastructure is present to maintain flow conveyance for the upstream catchment, including suitable on-site storage and attenuation measures, to ensure downstream impacts through flooding are not increased).

Thereafter, the surface water drainage details shall be implemented in full as approved throughout the operation of the 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 01/05/15

Signed
Strategic Planning Manager 

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Hydrogeological Risk Assessment

10. The development hereby permitted shall not take place until a Hydrogeological Risk Assessment (HRA) has been submitted to and approved in advance and in writing by the County Planning Authority. Thereafter, the development shall be implemented in accordance with the recommendations and mitigation measures identified in the approved HRA throughout the operation of the development hereby permitted.

Reason: To accord with paragraphs 103, 109, 120 and 121 of the NPPF (2012) to ensure the protection of water quality and water resources and prevent flood risk.

Extraction and Restoration Method Statement

11. The development hereby permitted shall not take place until an Extraction and Restoration Method Statement has been submitted to and approved in advance and in writing by the County Planning Authority. The submitted statement must include details of:

- (a) the method of sand extraction and restoration operations;
- (b) the method of controlling & discharging groundwater during sand extraction and restoration operations; and
- (c) measures to be undertaken and implemented relating to pollution prevention to protect groundwater and surface waters.

Thereafter, the approved Extraction and Restoration Method Statement shall be implemented in full throughout the operation of the development hereby permitted within the agreed timetable.

Reason: To accord with paragraphs 109, 120 and 121 of the NPPF (2012) and in order to protect and prevent unacceptable risk of contamination of groundwater and surface water, on site operations and controlling groundwater and its discharge will need to be carefully considered.

Restoration and Aftercare Scheme

12. The development hereby permitted shall not take place until sand extraction and restoration details, according with Drawing No. WP L/15 B 'Restoration Scheme' (dated 14/05/2014), Drawing No. WP L16 'Phasing Plan' (dated 14/05/2014) and Drawing No. WP L/19 Rev 1 'Isopachytes Between Base of Extraction and Restoration' (dated July 2014), depicting the concurrent and progressive sand extraction and sequenced restoration operations within years 1 and 2, following commencement, and the progressive restoration operations within years 3, 4 and 5, following commencement, have been submitted to and approved in advance and in writing by the County Planning Authority.

The submission shall include:

- (a) the location within the site and extent of sand extraction and proposed restoration for each year;
- (b) a timetable for the implementation/completion of phased extraction and restoration for each year;

Date 01/05/18 Signed Strategic Planning Manager

Continuation Sheet

- (c) the location and proposed heights of stockpiles of extracted sand and imported waste materials for each year;
- (d) the levels of the site on completion of the excavation works, grading and soil re-spreading shown on a plan (1:1250 to 1:2500 in scale) for each year;
- (e) the schedules of seeding and planting, including the species and spacing of any plants and habitats, and their management (in accordance with Policy AL19 of the Horsham District Site Specific Allocations of Land (2007) and the Land Use Consultants Sandgate Country Park Study (2010), for a period of 10 years following the completion of restoration;
- (f) the details with plans of aftercare showing the steps to be taken, with timescales, for each phase of the site's progressive restoration to be restored to a standard suitable for sustaining the seeding and planting for amenity and conservation purposes in (e), for a period of 10 years following the completion of restoration;
- (g) the measures to be taken to integrate and incorporate the restoration and aftercare works with neighbouring sites within the wider Sandgate Country Park, for a period of 10 years following the completion of restoration;
- (h) the measures to be taken to incorporate features of ecological interest into the restoration and how such features would be managed in the long term, for a period of 10 years following the completion of restoration; and
- (i) the measures to be taken to provide areas for recreational benefit and public and vehicular access and how these would be integrated within the wider Sandgate Country Park area and the existing public right of way, public transport and public highway networks, for a period of 10 years following the completion of restoration, subject to ongoing review and to the satisfaction of the County Planning Authority.

Thereafter, the approved detailed restoration/aftercare schemes shall be implemented in full within the agreed timetable throughout the operation of the development hereby permitted (and where necessary in accordance with the Quarry Regulations 1999).

Reason: To accord with paragraphs 109 and 120 of the NPPF (2012) to ensure that the quarry is worked and restored in appropriate timescales in the interests of the general amenities of the locality.

Vehicle Warning Signage and Road Markings

13. The development hereby permitted shall not take place until details of warning signage and road markings, instructing drivers of all vehicles entering and exiting the site of the authorised and prohibited HGV routes, that priority must be given at all times to users of Hampers Lane, and their positioning has been submitted to and approved in advance and in writing by the County Planning Authority. Once approved, the signage shall be erected and the markings laid out prior to the commencement of development and maintained throughout the operation of the development hereby permitted.

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

Date 01/05/15 Signed
Strategic Planning Manager 

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OPERATIONAL CONDITIONS

HGV Access

14. The means of all HGV access to and from the site shall be via the existing site access to and from the A283 only as indicated on approved plan Drawing No. 002 'Planning Boundary' (dated October 2013).

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

Works Restriction in Former Landfilled Area of Site

15. Notwithstanding the provisions of Condition 12 and Condition 18, no work including tree planting likely to cause a disturbance of the landfilled materials previously deposited in the south-east corner of the site (and described in sections 1.2.1 and 2.6.4 (a) of the ARC report submitted to the County Planning Authority on 06 October 1993) in support of planning permission SG/37/93 (granted 05 July 1994)) shall be carried out unless the details of the proposed works have been submitted to and approved in advance and in writing by the County Planning Authority. Any work in this area shall be carried out in accordance with the approved details.

Reason: To accord with paragraphs 109, 120, 122 and 123 of the NPPF (2012) to avoid pollution through contamination of soil and controlled waters.

Removal of Buildings, Plant, Equipment and Machinery

16. All buildings, plant, equipment and machinery required on site in pursuance of sand extraction operations, within years 1 and 2 of the development hereby permitted, shall be dismantled or demolished and removed from the site and the site thereof restored in accordance with the scheme of restoration approved under Condition 12 within six months of the permanent cessation of sand extraction.

Reason: In the interests of the amenities of the locality.

Southerly Working Limit

17. No extraction of sand or disturbance of the land surface other than for the execution of any approved restoration measures required by Conditions 12 and 15 shall be undertaken within a distance of 15 metres of the southern boundary of the site adjacent to the A283.

Reason: To secure the stability of the A283 road and provide a landscaped screening margin to the site in the interests of highway safety and the amenities of the locality.

Sand Extraction Depth

18. No sand shall be extracted below a depth of 30 metres A.O.D.

Reason: To accord with paragraphs 109, 120, 122 and 123 of the NPPF (2012) so as to avoid pollution through contamination of the soil and controlled waters and to secure a satisfactory development.

Date 01/05/15 Signed
Strategic Planning Manager

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Noise - Silencing Measures

19. No plant, machinery, equipment or vehicle shall be used on the site unless fitted and operated at all times throughout the operation of the development hereby permitted with silencing measures to a standard not less than the manufacturer's current UK standard specification.

Reason: To accord with paragraphs 109, 120 and 123 of the NPPF (2012) to protect the amenities of the local population and the local environment.

Noise - Reversing Alarms

20. All vehicles as well as all plant and machinery that are used on site and those under the applicant's control moving to and from the site that are required to emit reversing warning noise, shall use white noise alarms as opposed to single tone 'bleeping' alarms throughout the operation of the development hereby permitted.

Reason: To accord with paragraphs 109, 120 and 123 of the NPPF (2012) to protect the amenities of the local population and the local environment.

Permitted Restoration Materials

21. Imported and any on-site materials required for the purposes of the development hereby permitted shall constitute only inert and uncontaminated waste materials.

Reason: To accord with paragraphs 109, and 120-123 of the NPPF (2012) to avoid pollution through contamination of the soil, water and/or air and to ensure the restoration of the site within agreed timescales in the interests of the general amenities of the locality.

Controlling Processing of Permitted Materials

22. Only processing of only inert and uncontaminated waste materials shall take place on site at any time throughout the duration of the development hereby permitted. No waste materials shall be exported off site, save for rejected waste materials that are unsuitable for restoration. A record of reject loads shall be maintained by the applicant at all times and be kept at the site office at all times. They shall be made available to the County Planning Authority upon request.

Reason: To accord with paragraphs 109 and 120-123 of the NPPF (2012) to ensure the restoration of the site within agreed timescales in the interests of the general amenities of the locality.

No Crushing Operations

23. No mechanical crushing of inert and uncontaminated waste materials shall take place at any time on site.

Reason: To accord with paragraphs 109, 120, 122 and 123 of the NPPF (2012) to ensure the restoration of the site within agreed timescales in the interests of the general amenities of the locality.

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Strategic Planning Manager

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Submission of Topographical Surveys

24. Detailed topographical surveys, providing an update on the approved extraction and restoration works, shall be submitted every 6 months to the County Planning Authority following the commencement of the development hereby permitted.

Reason: To ensure that the extraction and restoration of the site is completed to an acceptable standard within agreed timescales and in the interests of the general amenities of the locality.

External Lighting

25. No external lighting shall be installed anywhere within the site. This exclusion shall not prohibit the use of lighting on plant, equipment, machinery and vehicles required during the permitted hours of working or the installation of sensor-controlled security lighting, which shall be designed and shielded at all times to minimise light spillage beyond the site boundary.

Reason: To accord with paragraph 125 of the NPPF (2012) to prevent light pollution in the interests of the amenity of the locality and of local residents.

Hours of Use

26. There shall be no sand extraction or restoration operations, including waste handling and processing, associated with the development hereby permitted, which shall include the use of plant, equipment, machinery and vehicles, outside the hours of:
- 08.00 and 18.00 on Monday to Friday inclusive; and
 - 08.00 and 13.00 on Saturdays.

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

Testing and/or maintenance of plant, equipment, machinery and/or vehicles required within the development hereby permitted shall only be carried out between the hours of 09:00 and 17:00 on Monday to Friday (excluding where those days are designated as either Bank or Public Holidays) inclusive.

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

27. (a) During years 1 and 2 following commencement, no more than 45 HGVs shall enter or exit the site between the hours of 08.00-18.00 on **Monday to Friday** inclusive; and
- No more than 20 HGVs shall enter or exit the site between the hours of 08.00-13.00 on **Saturdays**.

Date01/05/15.....

Signed
Strategic Planning Manager

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(b) During years 3, 4 and 5 following commencement, no more than 27 HGVs shall enter or exit the site between the hours of 08.00-18.00 on **Monday to Friday** inclusive; and

No more than 13 HGVs shall enter or exit the site between the hours of 08.00-13.00 on **Saturdays**.

No HGVs shall enter or exit the site on Sundays, Bank Holidays or Public Holidays throughout the five year period.

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.

Enclosed Loads

28. All vehicles exporting sand and any reject waste loads from the site and delivering wastes to the site shall have their loads enclosed within the vehicle or container so as to prevent spillage or loss of materials on to 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 highway safety and of the amenities of the locality.

Vehicular Operations and Controls

29. The site shall not be used as an operating base for any Heavy Goods Vehicles, or the repair and/or maintenance of any Heavy Goods Vehicles and plant, equipment and/or machinery which are not under the direct control of the operator and not normally used for the delivery, handling or sorting of minerals and imported wastes to or within the site.

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

Record Keeping

30. No more than 477,000 tonnes of permitted restoration materials shall be imported into the site throughout the period of development. A record of the annual quantities (in tonnes) of extracted sand exported from the site and restoration materials (in tonnes) imported 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 the restoration of the site within agreed timescales to protect both local amenity and the local environment.

Date 01/05/15

Signed
Strategic Planning Manager

Continuation Sheet

INFORMATIVES

- A. This permission shall be read in conjunction with an agreement made under Section 106 of the Town and Country Planning Act 1990 to control HGV routing to and from the site, the securing of all proposed permissive footpaths and public car parking area and the rescinding of the rights held by the applicant under planning permission WSCC/086/13/SR at the application site.
- B. The attention of the applicant is drawn to the comments of the attached letter from the Environment Agency (dated 11 February 2014) in relation to the protection of controlled waters and the Environmental Permitting regime. It should be read in conjunction with Conditions 9 and 10 of the permission.
- C. The applicant is advised that should protected species be present 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.
- D. The Environmental Health Authority, Horsham District Council, may use their powers under the Control of Pollution Act 1974 (COPA) to enforce against any nuisance (including waste disposal, water pollution, noise, atmospheric pollution and public health; and for purposes connected with the matters aforesaid) from the site. For any queries on this matter, please contact the Environmental Health Department of Horsham District Council on 01403 215641.
- E. The applicant is advised that all mineral extraction operations must be carried out in accordance with HSE requirements and the Quarry Regulations 1999. The applicant should contact the HSE prior to the commencement of the development hereby permitted to ensure that they are fully compliant with the required health and safety requirements.
- F. The attention of the applicant is drawn to sections 1.2.1 and 2.6.4 (a) of the ARC report ARC report submitted to the County Planning Authority on 06 October 1993) in support of planning permission SG/37/93 (granted 05 July 1994)). It should be read in conjunction with Condition 15 of the permission.
- G. 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>

Date01/05/15..... 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

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.