

2 September 2014

Waste Planning Application (County Matter) accompanied by an Environmental Statement

Application No: WSCC/104/13/SR

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

Washington Sand Pit, Hampers Lane, Sullington, West Sussex, RH20 4AF

Report by Executive Director of Residents' Services and Strategic Planning Manager

Local Member: Philip Circus

District: Horsham

Executive Summary

This report concerns a proposal by Britaniacrest Recycling Ltd to continue the extraction of sand, for a further two years, and the importation of 477,000 tonnes of inert waste over a period of five years to provide a revised restoration scheme (at higher final levels), aimed at providing additional recreational opportunities at Washington Sandpit.

Sand extraction has taken place at Washington Sand Pit for over 60 years. A further 84,000 tonnes is proposed to be extracted and exported by road over a two year period. Restoration of the sandpit would take place over a five year period, concurrent with sand extraction and exportation (for the first two years), involving the importation by road of 477,000 tonnes of inert waste material. Screening/grading of a small percentage, approximately 5%, of the imported materials would take place on site. Some on-site materials would also be used within the restoration programme (e.g. overburden). Restoration of the sandpit would see the site put to a beneficial afteruse with the focus for the site being on heathland restoration/creation but including recreation and amenity uses within the south-eastern corner of the wider Sandgate Country Park.

In years one and two, the proposed development would result in a maximum of 90 HGV movements per day Monday to Friday (45 in and 45 out) with a maximum of 54 HGV movements (27 in and 27 out) on Saturdays. During years three to five, they would reduce to a maximum of 54 HGV movements Monday to Friday (27 in and 27 out) and a maximum of 27 HGV movements (13.5 in and 13.5 out) on Saturdays. In addition to HGVs, the proposed development is envisaged to result in between 12 and 6 LGV movements (6 in and 6 out Monday to Friday and 3 in and 3 out on Saturdays) which would reduce during years three to five following cessation of sand extraction.

This report provides a generalised description of the site, sets out the planning history, and describes the proposal and the policy context within which it should be considered.

Horsham District Council raises no objection to the proposal subject to the imposition of appropriate conditions and HGV routing to control impacts on local amenity. Storrington & Sullington Parish Council raise no objection to the proposal. Washington Parish Council objects due to the existing restoration being compromised and the impact of traffic on the local road network. The Environment Agency, Natural England, Sussex Police and the South Downs National Park Authority have no objections to the proposal, and in some cases, subject to conditions being imposed. The County Council's Archaeologist, Drainage Advisor, Ecologist, Highways Team, Landscape Architect and Public Rights of Way Team all raise no objection to the proposal, and in some cases, subject to conditions being imposed.

10 representations from local residents, interested third parties, businesses and campaign groups/organisations mainly in objection, were received (including the Sandgate Preservation Society and Heath Common Residents Association). The objections include the following issues: impacts on the locality during the development period; highway safety and capacity; noise and air quality; traffic assessments are incorrect/inadequate; additional time for continued extraction and restoration unacceptable; industrial activities inappropriate to semi-rural setting; impact on local businesses; existing, approved restoration should be retained and wildlife protected; does not fully meet the Sandgate Park policy and restoration type requirements; and cumulative impacts. One representation from the Sandgate Conservation Society raised concerns over the applicant's restoration proposals to meet the Sandgate Park policy requirements.

Consideration of Key Issues

The main material planning considerations are whether the proposal:

- meets an identified need;
- has an acceptable impact on the landscape;
- has an acceptable impact on the water environment;
- is acceptable with regard to highway capacity and road safety; and
- has an acceptable impact on recreational and local amenity and the local environment.

Need for the Development

It is considered that there is a demonstrable need for the development as it would allow for additional economically important sand resources on site to continue to be extracted rather than sterilised through low level restoration, and would import inert waste to provide benefit particularly for recreational afteruses over that permitted under the approved restoration scheme, via WSCC/086/13/SR.

Impact on the Landscape and Visual Amenity

It is considered that any time-limited impacts caused during extraction and/or restoration operations within the locality would be temporary and would not be significant, especially when compared with activities permitted under WSCC/086/13/SR in December 2013. The proposed development, when restored, would result in a landform broadly similar to that of the approved restoration at the sandpit and would ensure that the development can take place without causing permanent detriment to the visual appearance and quality of the surrounding landscape. Existing mature planting adjoining the sandpit would be retained and

protected, ensuring that any temporary impacts to visual amenity are acceptable ones. Proposed planting and appropriate land management as well as water features and recreational features are considered to have the potential of enhancing the future landscape and ecological benefits of the site within the Sandgate Country Park.

Impact on the Water Environment

The site is situated within a groundwater sensitive area and has the potential to result in impacts on surface water drainage as the natural water table has been depressed to allow for extraction. Although the proposals do have the potential impacts on the local groundwater and surface water regime, the Environment Agency and the County Council's Drainage Officer raise no objection subject to the imposition of conditions requiring submission of a Hydrogeological Risk Assessment and submission of detailed surface water drainage scheme, both of which consider impacts during and post restoration work and would provide satisfactory mitigation.

Highway Capacity and Road Safety

The proposed development would result in a maximum of 45 HGVs on the highway each weekday and 27 HGVs on Saturdays over the five year period whereas presently no controls on HGV numbers exists albeit that HGV movements relating to sand extraction only are lower in number. The Highway Authority and Public Rights of Way Team have considered the potential impacts upon safety and capacity and concluded that, subject to conditions and the legal protection afforded to the public bridleway, the proposed development would not have a significant impact on the highway network in capacity or safety terms and as such accords with the National Planning Policy Framework. Taking into account the fall-back position for the site as a permitted sandpit (until 31 December 2015) where no controls in terms of HGV numbers exist, other development within the locality and proposed conditional controls, the proposed development is considered acceptable with regards to highway capacity and road safety.

Impact on Local Amenity and the Local Environment

The site is in close proximity to a number of dwellings and shares its access with a bridleway. However, the use of the latter would not change over the existing use, and there would long-term benefits for recreational users once the site is restored. Further, despite the nature of works involved in mineral extraction and restoration with imported inert waste materials (including through associated traffic movements), the imposition of conditions (to control hours of operation, HGV numbers, noise and dust management plans) as well as an HGV routing agreement should ensure that no unacceptable impacts upon amenity and the local environment will arise. On completion of the proposed restoration, additional footpaths and public access as well as designated recreational areas would be provided that connect with the existing rights of way network and the existing and approved areas of the Sandgate Country Park within the local area.

Conclusion

The principle of sand extraction has long been established at this site. The continued extraction of sand beyond 31 December 2015 would contribute to the continued need and supply of the economically important soft sand resource and avoid sterilisation of a viable mineral reserve. Additionally, Policy W8 of the West Sussex Waste Local Plan (WLP) supports recovery operations involving the deposition of inert waste to

land where they meet various criteria. The proposed continued extraction and restoration of the site with inert waste meets these criteria so are considered to be justified.

Although extraction and restoration could have an adverse impact on the area, it would take place for a relatively short period (over two and five years) and it is considered that the impacts of extraction on the environment, the landscape, and recreational opportunities could be moderated and controlled by the application of appropriate conditions and legal agreements. Furthermore, phased restoration as proposed would still provide the opportunity to enhance both the landscape and ecological benefits of the site (e.g. through the creation of mixed heath and grassland and improved future ecological management) but with greater benefits to the public than the approved restoration under WSCC/086/13/SR. It would also provide the opportunity to enhance informal public access to and within the area and provide recreational areas, including picnic areas, an area of on-site parking and potentially a camp site. This restoration would, through the importation and deposition of inert waste materials, provide an improved restoration with public access and greater recreational opportunities, also better accord with the aspirations of the Horsham District allocation of the site as a Country Park. In addition, it is considered that other impacts, on the water environment, on highway capacity and road safety and on local amenity and the local environment, can also be controlled by condition.

Overall, it is considered that the proposal accords with the relevant development plan policies relating to the extraction of land-won minerals and the restoration of minerals sites with waste as well as other material considerations including national policy.

Recommendation

That planning permission be granted subject to:

- (a) the conditions and informatives set out in **Appendix 1** of this report; and
- (b) the completion of a Section 106 Agreement concerning:
 - (i) the routing of HGVs to and from the application site;
 - (ii) the securing of all proposed permissive footpaths and public car parking area; and
 - (iii) the rescinding of the rights held by the applicant under planning permission WSCC/086/13/SR to extract any further sand at the application site.

1. Introduction

- 1.1 This report relates to an application for a temporary five year permission for the continuation of mineral extraction for a two year period and the simultaneous importation of inert material over a five year period, to enable the restoration of a mineral working at Washington Sandpit.

2. Site Description

- 2.1 The application site is known as Washington Sandpit, situated within the Parish of Storrington and Sullington, in Horsham District (see [Appendix 2 - Site Location Plan](#)).

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- 2.2 The village centre of Storrington is situated approximately 2km to the west of the site with the residential area known as Heath Common situated approximately 500m to the north-east. The site is situated immediately north of the A283 and immediately west of Hampers Lane (which runs north-south), beyond which is an existing dwelling and a large residential development currently being built. To the west is the active Sandgate Park Quarry sandpit and to the north is a recreation ground, beyond which are dwellings.
- 2.3 The proposed development site comprises approximately 6.5 hectares of land (see [Appendix 3 - Aerial Photograph of Washington Sandpit](#)). The site is an active sandpit which has been partially restored, though some of the restored area (in the south-western corner) has recently been disturbed by the applicant. A degree of natural regeneration has also taken place at the sandpit due to the inactivity at the pit.
- 2.4 Land to the west and east of the application site is and has been used for mineral extraction since the middle of the last century. Directly adjoining the application site's western boundary is the active Sandgate Park sandpit. Beyond this site, and immediately west of Water Lane is the former Angel's Sandpit. This site was restored with wastes prior to housing being developed on it within the last 10 years.
- 2.5 The site is accessed from its south-eastern corner via a surfaced access road from Hampers Lane, at its junction with the A283, (see [Appendix 4 - Application Site Boundary Plan](#)). Hampers Lane is a private road and public bridleway. Traffic entering and exiting the sandpit only use around a 10m section of Hampers Lane's southern extent.
- 2.6 A number of residential properties are situated in close proximity to the proposed development site. The nearest residential dwellings to the application site are Cadrona on Hampers Lane, situated approximately 12m to the east, and Chanctonbury Lodge, situated approximately 13m to the south (see [Appendix 3 - Aerial Photograph of Washington Sandpit](#)). Immediately beyond Hampers Lane and Cadrona, to the east, is the Milford Grange residential development that is currently under construction. Within the Heath Common residential area, the nearest dwelling to the site is approximately 170m away, due north. Other residential dwellings situated to the south and south-west of the proposed development site, either side of the A283, are situated between 30 and 90m away.
- 2.7 The proposed development is situated within land allocated in Horsham District's Site Specific Allocations of Land (2007), part of their adopted Local Development Framework (LDF) (2007). This allocation includes the site as part of the Sandgate Country Park, albeit only on cessation of mineral working or as soon as practical to do so. Mineral development should not prejudice this long-term aspiration even if restoration on individual sites is delayed.
- 2.8 To the south of the A283, approximately 15m to the south of the proposed development's southern boundary and along the southern side of the A283 is the South Downs National Park.

3. Planning History

- 3.1 Sand extraction has taken place at the application site for over 60 years with various planning permissions granted in the interim to consolidate consents and including extensions to increase the sandpit's life for extraction purposes and restoration deadlines. The most recent permission that consolidated site activities was granted in 2009, allowing the extraction of sand until 31 December 2013 with a 'low level' restoration (DC/2500/08 (SR)).
- 3.2 In May 2013, County Council officers observed that a restored area in the south-west of the site had been disturbed with plants removed and sand extracted by the applicant, contrary to a number of planning conditions.
- 3.3 Following further discussions with officers, extraction of sand ceased at the site whilst a variation to the approved permission was sought to regularise activities through an extended period of extraction and revised restoration requirements. Planning permission was granted for these activities in December 2013, consolidating all previous consents. This allows for the extraction of sand until 31 December 2015 with an approved restoration scheme to be completed (and aftercare commenced) by 31 December 2017 (ref, WSCC/086/13/SR) (see [Appendix 5 - Approved Restoration Scheme](#)).
- 3.4 The currently-approved restoration is mainly restricted to the re-grading of slopes including a large lake area that would merge with the approved restoration of the adjoining sandpit, once completed.

4. The Proposal

- 4.1 The proposed development seeks continued minerals extraction for a period of two years (approximately 84,000 tonnes of sand), and the importation of 477,000 tonnes of inert waste to provide a revised restoration scheme. The revised scheme would be at higher final levels, aimed at providing additional recreational opportunities in accordance with Horsham District Council Sandgate Country Park allocation (see [Appendix 6 - Sandgate Country Park Area](#)). Some on-site materials (i.e. overburden) would also be used within the restoration.
- 4.2 The proposed development seeks concurrent mineral extraction and importation of inert material for restoration for the first two years, followed by the cessation of mineral extraction and continued importation of inert material for a further three years. The applicant is, therefore, seeking a temporary five year planning permission.

Extraction

- 4.3 Mineral extraction would take place within the southern and central areas of the sandpit in two phases, starting in the south-western area of the pit, moving north-east into the pit's central area (see [Appendix 7 - Phasing Plan](#)). Extraction would be completed within a two year period with the existing sandpit dug to approximately 30m Above Ordnance Datum (AOD). The amount of sand to be extracted would be 84,000 tonnes. Extracted sand would be moved and stockpiled within the sandpit's eastern area prior to any required grading operations and loading into HGVs for export (as is currently permitted on site).

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- 4.4 Under the site's extant planning permission (WSCC/086/13/SR), sand only can also be imported to the site for processing using plant already on site for grading and sorting of extracted sand. This is not proposed within the proposed development.
- 4.5 Restoration would be phased, with each area being infilled when extraction is complete.

Restoration

- 4.6 Restoration, which would operate concurrently with mineral extraction in years 1 and 2, would start in the sandpit's south-western corner and move anticlockwise through the sandpit, moving toward the sandpit's south-eastern corner and its junction with Hampers Lane and the A283 (see [Appendix 8 - Proposed Restoration Scheme](#)).
- 4.7 Imported inert waste materials would be stockpiled in the 'Screening and Stockpile Area' within the eastern and south-eastern areas of the sandpit (see [Appendix 7 - Phasing Plan](#)). A small percentage, approximately 5%, of waste materials would be screened and sorted, where required, prior to use in the restoration of the site. Within this area, the screener plant and machinery would be moved as required to carry and deposit waste materials.
- 4.8 Between 70,000 and 110,000 tonnes of inert waste materials would be imported each year.
- 4.9 Phase 1 of the restoration would involve the infilling of the south-western corner of the sandpit with imported inert fill material once extracted. A section of the recently created sandstone face would be retained above the proposed landform.
- 4.10 Phase 2 would involve the infilling of the western edge of the sandpit with imported inert fill material. The water body, which would be created between this site and the adjoining Sandgate Park site, would be formed within this phase through the water table naturally rebounding once groundwater pumping at the neighbouring sand extraction site ceases.
- 4.11 Phase 3 would involve infilling with imported material eastward from Phase 2 towards the processing area.
- 4.12 Phase 4 would involve the buttressing of imported inert fill material against the sandpit's existing northern faces to allow levelling across the site in the area proposed for informal recreation and a campsite.
- 4.13 Phase 5 would involve the final raising of levels across the south-eastern corner of the sandpit through the deposit of imported inert fill material.
- 4.14 Restoration works, including top-soiling and planting, would be carried out progressively throughout the five year period and concurrent with the proposed mineral extraction operations during the first two years.
- 4.15 Overall, the proposed landform would result in levels of around 36mAOD in the west and 57mAOD along the sandpit's existing southern boundary. When comparing the proposed restoration ([Appendix 8](#)) with the approved restoration ([Appendix 5](#)), the main material differences are:

- Avoidance of the sterilisation of extractable sand reserves;
- Higher level restoration achieved through importation of inert waste materials;
- Lake area would be reduced in area by approximately half;
- Topography throughout the central area consisting of more gentle slopes (including land adjoining the lake area);
- Proposed picnic areas, car parking, and potential for a camp site; and
- Defined publicly accessible footpaths within the restored site that are connected with neighbouring existing and proposed public rights of way.

Hours of Operation

- 4.16 The proposed operational hours for the site would be Mondays-Fridays 08.00 to 18.00 and Saturdays 08.00 to 13.00 with no working on Sundays or Bank or Public Holidays.
- 4.17 The applicant proposes that staff would access the site from 07:00 hours Monday to Saturday and depart the site after 18:00 hours Monday to Friday and after 13:00 hours on Saturdays.

Ancillary Structures/Plant

- 4.18 A number of ancillary structures and plant would be required beyond those already on site. These include a wheel wash facility and a CAT D6T bulldozer (see [Appendix 7 - Phasing Plan](#)).

Access and Vehicular Movements

- 4.19 Access to the site is proposed via its internal roadway that provides a direct link on to Hampers Lane and the A283. The application site already benefits from a gated vehicular access point on its southern boundary (see [Appendix 4 - Application Site Boundary Plan](#)).
- 4.20 The proposed development would, over the first two years, result in a maximum of 90 HGV movements Monday to Friday (45 in and 45 out; 4-5 HGVs an hour). On Saturdays, a maximum of 40 HGV movements would take place (20 in and 20 out; 5-6 HGVs an hour).
- 4.21 During years three to five following cessation of sand extraction, these numbers would reduce to a maximum of 54 HGV movements per day Monday to Friday (27 in and 27 out; 2-3 HGVs an hour). On Saturdays, a maximum of 27 HGV movements would take place (13.5 in and 13.5 out; 2-3 HGVs an hour).

Employment

- 4.22 The applicant advises that the proposed development would create five full-time jobs.

5. Environmental Impact Assessment

- 5.1 An Environmental Statement (ES) accompanies the application. The proposal falls within Parts 2 (a) being a 'Quarry', 11 (b) being an 'Installation for the disposal of waste' and 13 (a) 'an extension to a development that is already

authorised' (i.e. an extension to an existing sandpit) of Schedule 2 of the Environmental Impact Assessment (EIA) Regulations 2011.

- 5.2 The proposed development is a Schedule 2 development and is capable of having a significant environmental effect on the environment. It is therefore considered to fall within the definition of an 'EIA development'. The applicant has voluntarily submitted an ES to allow these effects to be considered as such.

6. **Policy**

Statutory 'Development Plan'

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the statutory development plan unless material considerations indicate otherwise (as confirmed in paragraph 2 of the National Planning Policy Framework (NPPF)). For the purposes of the application, the following approved or adopted planning policy documents form the statutory development plan: the West Sussex Waste Local Plan (2014), the West Sussex Minerals Local Plan (2003), and the Horsham District Local Development Framework (2007).
- 6.2 The key policies in the development plan, which are material to the determination of the application, are summarised below, and their conformity or otherwise with the National Planning Policy Framework considered. In addition, reference is made to relevant national planning policy guidance and other policies that guide the decision-making process and which are material to the determination of the application.

West Sussex Waste Local Plan (2014)

- 6.3 The Waste Local Plan (WLP) was adopted by the County Council on 11 April 2014 and it forms part of the 'development plan'. It covers the period to 2031 and is the most up-to-date statement of the authorities' land-use planning policy for waste. It accords with the approach taken in the NPPF and should be given significant weight when considering this application.
- 6.4 Policy W8 of the WLP relates to recovery operations involving the deposition of inert waste to land. These are supported providing a number of criteria are met, and are considered in section 9 of this report. These are:
- (a) the proposal results in clear benefits for the site and, where possible, the wider area;*
 - (b) the material to be used is only residual waste following recycling and/or recovery or it is a waste that cannot be recycled or treated;*
 - (c) there is a genuine need to use the waste material as a substitute for a non-waste material that would otherwise have to be used;*
 - (d) the material to be reused is suitable for its intended use;*
 - (e) the amount of waste material to be used is no more than is necessary to deliver the benefits identified under (a);*
 - (f) there would be no unacceptable impact on natural resources and other environmental constraints;*

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- (g) the proposal accords with Policy W13 (Protected Landscapes);*
- (h) any important mineral reserves would not be sterilised; and*
- (i) restoration of the site to a high quality standard would take place in accordance with Policy W20.*

- 6.5 Policy W11 of the WLP supports waste development provided there are no unacceptable impacts on the character of the area. Policy W13 seeks to ensure that waste development located outside protected landscapes (here the South Downs National Park) does not undermine the objectives of that designation.
- 6.6 Policy W16 supports waste development provided there are no unacceptable impacts on the intrinsic quality and, where appropriate, the quantity of air, soil and water resources. Policy W17 supports waste development provided that flood risk is not increased and surface water run-off is properly controlled. Policy W18 relates to transport, supporting waste development where (in summary) transport links are adequate, where there is a safe and adequate access to the highway, there would be no adverse impact on road users and where vehicle movements are minimised.
- 6.7 Policy W19 supports waste development provided *"lighting, noise, dust odours and other emissions, including those from transport, are controlled to the extent that there will not be an unacceptable impact on public health and amenity"*; and the amenities of public rights of way are safeguarded. Policy W20 supports temporary waste development for restoration provided that it is (in summary) appropriately located provides high quality and practicable restoration, and its management and aftercare are included, ensuring benefits to local landscape character and the local environment.
- 6.8 Policy W21 seeks to prevent an 'unreasonable level of disturbance' to the environment and local communities through the cumulative impact of waste uses and other uses.

West Sussex Minerals Local Plan (2003)

- 6.9 The West Sussex Minerals Local Plan (2003) accords with the approach taken in the NPPF and can therefore be given significant weight when considering this application.
- 6.10 Policy 1 supports working practices which cause the least environmental harm, the incorporation of opportunities to conserve and enhance the environment, and appropriate afteruse. Policy 2 seeks to ensure that development does not prevent or hinder mineral extraction, where that mineral is or is likely to become economically important.
- 6.11 Policies 7 and 8 seek to ensure that temporary recycling operations cause the least environmental harm through working practices and that all plant is removed when operations cease, that restoration is completed to an appropriate standard and within an agreed timescale. Lorry routing will also be sought where necessary.
- 6.12 Policy 13 seeks to safeguard seeks to protect areas of local environmental significance. Policies 16 and 17 seek to safeguard the water environment, Policy

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19 seeks to protect residential and other amenity and Policies 20 and 22 seek appropriate restoration/reclamation at the earliest opportunity.

- 6.13 Policies 20 and 22 require appropriate and practicable reclamation to be completed as early as possible and in accordance with details depicting the progressive nature of the restoration activities.
- 6.14 Policies 29 and 33 seek to ensure that any planning permission for sand extraction must either meet a defined need and/or ensure that sterilisation of a mineral resource is avoided as a result.
- 6.15 Policy 47 notes that account will be taken of the numbers, type and routing of vehicles likely to be generated in relation to a minerals proposal, and that permission will be refused if the highway network is inadequate and any significant harm cannot be overcome. Policy 48 requires an appropriate access to the site is provided.
- 6.16 Policy 49 states that in determining an application for a new mineral working, account will be taken of the cumulative effect of minerals workings on the locality.
- 6.17 Policy 52 requires details of the siting and appearance of buildings, plant and machinery and their removal when no longer required. Policy 53 requires adequate measures for the protection of hedgerows, trees and shrubs, and the provision of bunds and planting where required to screen workings.
- 6.18 Policy 55 requires the protection and promotion of Public Rights of Way. Policy 56 seeks to ensure that the quality of surface and groundwater is protected and that mineral extraction will not adversely affect the water table, cause significant environmental damage, flooding or adversely affect water resources.
- 6.19 Policy 58 seeks to ensure that any soils stripped are handled appropriately and stored ready for use in restoration, where necessary. Policy 59 seeks to control the drainage and discharge of water within the site.
- 6.20 Policies 60 and 61 notes that conditions will be imposed requiring that acceptable maximum levels of noise are not exceeded and that dusts generated are suppressed, Policy 62 requires control over artificial lighting and Policy 63 requires conditions controlling hours of work.

Horsham District Core Strategy (2007)

- 6.21 The relevant policies are: Landscape and Townscape Character (Policy CP1), Employment Provision (Policy CP10) and Environmental Quality (Policy CP2).

Horsham District General Development Control Policies (2007)

- 6.22 The relevant policies are Countryside Protection and Enhancement (Policy DC1), Landscape Character (Policy DC2), Biodiversity and Geology (DC5), Woodland and Trees (DC6), Flooding (DC7), Development Principles (Policy DC9), Rural Economic Development (DC25) and Transport & Access (Policy DC40).

Horsham District Site Specific Allocations of Land (2007)

- 6.25 This policy document details a number of sites and areas within the District that have been identified as being suitable for future development and land usage. Policy AL19 'Sandgate Park, Sullington' seeks to secure the Sandgate Park area, in which the application site is located, for the formation of a Country Park as soon as it practical to do so, taking into account the requirements for mineral extraction (see [Appendix 5 – Sandgate Country Park Area](#)).

National Planning Policy Framework (2012)

- 6.26 The National Planning Policy Framework (NPPF) sets out the government's planning policies for England and outlines how these are expected to be applied. The NPPF does not form part of the development plan but is a material consideration in determining planning applications. One of its stated intentions is to guide decision-makers as to what matters are material to the decision-making process.
- 6.27 Paragraph 142 sets out the importance of minerals to support sustainable economic growth, highlighting that minerals can only be worked where they are found, and the importance of making best use of them to secure their long-term conservation.
- 6.28 The other paragraphs in the NPPF of greatest relevance to the present proposal are:

Paragraph 14 (presumption in favour of sustainable development, and approving development that accords with the development plan); 17 (core planning principles); 103 (ensuring flood risk is not increased elsewhere); 109 (contribute to and enhancing the natural environment), 120 (ensuring new development appropriate for location taking into account impact of pollution on health and the environment); 123 (impact of noise health and quality of life); 144 (consideration of mineral planning application); 186 (positive decision making); 196 (determining applications in accordance with the development plan); 197 (presumption in favour of sustainable development); and 203-206 (use of planning conditions).

Planning Policy Statement 10 - Planning for Sustainable Waste Management (2005, as amended 2011) (PPS10)

- 6.29 This national policy guidance document promotes, wherever possible, the use of waste as a resource and the movement of waste management up the 'waste hierarchy', thereby only supporting the disposal of waste as a last resort. It also sets out the approach waste authorities should take to determining applications, including for unallocated sites such as the application site. It notes that in determining waste applications (and allocating sites) waste authorities should:

- "(i) assess their suitability for development against each of the following criteria:*
- the extent to which they support the policies in this PPS;*
 - the physical and environmental constraints on development, including existing and proposed neighbouring land uses;*

- *the cumulative effect of previous waste disposal facilities on the well-being of the local community, including any significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential;*
- *the capacity of existing and potential transport infrastructure to support the sustainable movement of waste, and products arising from resource recovery, seeking when practicable and beneficial to use modes other than road transport.*

(ii) give priority to the re-use of previously-developed land, and redundant agricultural and forestry buildings and their curtilages.”.

EU Council Directive 2008/98/EC

6.30 By virtue of the Waste (England and Wales) Regulations 2011 when determining any application for planning permission that relates to waste management (article 18) the planning authority is required to take into account EU Council Directive 2008/98/EC which sets out the objectives of the protection of human health and the environment (article 13) and self-sufficiency and proximity (first paragraph of article 16(1), article 16(2) and (3)). Case law has confirmed that these articles are objectives at which to aim. As objectives they must be kept in mind whilst assessing the application and provided this is done, any decision in which the furtherance of the objectives are not achieved, may stand.

7. Consultations

7.1 Following initial consideration of the present application the County Council issued a request for further information under Regulation 22 of the EIA Regulations. Additional consultation was undertaken in June 2014 following receipt of the further information requested.

7.2 The following provides a summary of the most up-to-date responses to consultation. Some consultees did not respond to the later consultation and so it is assumed that their initial comments remain valid.

7.3 **Horsham District Council (Planning and Environmental Health):** No objection is raised subject to conditions restricting operations to between 08:00 and 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays only; banning the burning of waste or import of contaminated materials, and directing HGVs eastward to avoid the village of Storrington, an air quality management area.

7.4 **Storrington and Sullington Parish Council:** No objection.

7.5 **Washington Parish Council:** Objection due to current approved restoration being compromised and excessive impacts on the locality through HGV movements to and from the site, including through cumulative traffic impacts with existing development on adjacent sites.

7.6 **Environment Agency:** No objection subject to the imposition of conditions requiring submission of a hydrogeological risk assessment and a construction method statement. It was also advised that the proposed development would require an Environmental Permit to operate.

7.7 **Sussex Police:** No objection.

- 7.8 **South Downs National Park Authority:** No objection. Proposed restoration is an improvement on the existing approved restoration.
- 7.9 **Natural England:** Recognise the benefits of the proposed restoration scheme. Advice given that the County Council should consider impacts on the nearby South Downs National Park, local wildlife sites, protected species and biodiversity enhancements.
- 7.10 **Health and Safety Executive:** Advised that the cliff in the south-western/southern corner of pit was unsafe and that if it was operating presently, the HSE could issue a stop notice. This proposal could remove these safety risks provided that works were carried out in accordance with the Quarry Regulations 1999 and by a competent geotechnical person. The retention of the 15m buffer zone between the sandpit's southern boundary and the A283 should be imposed.
- 7.11 **National Trust:** No response received.
- 7.12 **WSCC Archaeology:** No implications.
- 7.13 **WSCC Drainage:** No objection although concerns raised over surface water drainage impacts within the locality. Conditions controlling surface water impacts required.
- 7.14 **WSCC Ecology:** No strategic ecological objection.
- 7.15 **WSCC Highways:** No objection subject to wheel washing facilities being installed and in use at the site prior to operations commencing and that HGVs associated with the development travel to and from the east of the application site only, to avoid the village of Storrington, an air quality management area.
- 7.16 **WSCC Landscape Architect:** No objection. Accords with proposed restoration of site to form part for the Sandgate Country Park. Phasing and implementation details of both site operations and restoration, restoration types including planting species' and the provision of detailed recreational access links to the surrounding area, including to existing and permitted links, should all be conditioned.
- 7.17 **WSCC Public Rights of Way:** No objection. Note that Hampers Lane is a public bridleway (BW2627) and its use is legally protected though HGVs have used the southernmost section of the Lane for a number of years to access the site. Priority must be given to users of the bridleway, for walkers, cyclists and horse riders. Any damage caused as result of the development should be assessed and the bridleway reinstated to its previous standard as specified by WSCC Highways.
8. **Representations**
- 8.1 The application was publicised in accordance with Schedule 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2010. In response to neighbour notification letters, the erection of five site notices at the front of the site and throughout the local area, and advertisements being placed in the local paper, eleven representations have been received from local residents, businesses and organisations.

8.2 As already noted, further consultation and advertising was undertaken in June 2014 in response to further information submitted by the applicant. No additional representations were received from third parties.

8.3 The main issues raised in representations are:

- Impacts on the locality during the development period not properly considered;
- Impact of HGVs on highway safety and capacity (particularly around Hampers Lane and the A283 junction), and amenity (noise and air quality);
- Applicant's traffic assessments are incorrect/inadequate;
- Additional time for continued extraction and restoration unacceptable;
- Industrial activities inappropriate to semi-rural setting;
- Impacts of emissions on the environment through operational and traffic noise and on air quality;
- Adverse impact on local businesses;
- Noise generation (plant & HGVs) increased beyond existing levels and would cause unacceptable harm to local residents despite mitigation proposed;
- Existing, approved restoration should be retained and wildlife protected;
- Does not fully meet the Sandgate Park policy and restoration type requirements (i.e. soils, planting, management, recreational uses etc); and
- Cumulative impacts (traffic and noise) with other development within the locality.

9. **Consideration of Key Issues**

9.1 The main material planning considerations are whether the proposal:

- meets an identified need;
- has an acceptable impact on the landscape;
- has an acceptable impact on the water environment;
- is acceptable with regard to highway capacity and road safety; and
- has an acceptable impact on recreational and local amenity and the local environment.

Need for the Development

Sand Extraction

9.2 Washington Sandpit is not allocated in the adopted West Sussex Minerals Local Plan (2003) (MLP) for the extraction of minerals and it has not been quarried consistently for decades due to a number of factors, including economic recession and a recent change of ownership.

9.3 The proposed volume, depth and extent of sand to be extracted would be no greater than that currently permitted under WSCC/086/13/SR. However, the applicant has recently advised the County Council that the extraction of sand

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reserves, currently permitted to a depth of 17m AOD, would result in steep slopes that would likely fail HSE standards for quarrying operations and render the extraction of viable sand reserves unachievable.

- 9.4 In contrast, the current application would allow the extraction of 84,000 tonnes of sand over a two year period by extracting to different depths. This is the same volume of mineral as is currently permitted by WSCC/086/13/SR, albeit the proposals would allow for a limited extended period of extraction, a two year period from the date of any consent, should it be granted (currently permitted until 31 December 2015). The contribution of sand extraction under the current proposal to the overall supply of sand in the County is an important consideration.
- 9.5 The need for land-won sand (and gravel) within West Sussex is established through the MLP (2003) and the NPPF (2012). Paragraph 142 of the NPPF (2012) also highlights that minerals can only be worked where they are found.
- 9.6 Table 1 below sets out the current permitted sand and gravel reserve in West Sussex, along with the predicted annual requirement based on the previous ten year's sales). This gives the overall shortfall in sand and gravel to be met over the new Minerals Local Plan period to 2031.

Table 1: Sand and Gravel Requirements in West Sussex 2013-2031

	Sand and Gravel Quantities (tonnes)
Permitted Reserve i.e. amount permissions have been issued for.	4, 801,400
Predicted Sand/Gravel Requirement 2013-2031	<u>9,066,600</u>
Shortfall	<u>4,265,200</u>

- 9.7 The principle of the development has already been established through the granting of planning permission for sand extraction over a number of decades, most recently through planning permission WSCC/086/13/SR last year. This consent allows sand extraction, with restoration, to take place until 31 December 2015. Although only a small number of people are employed at the existing site, continued extraction is important to the local economy as it will maintain the supply of the soft sand important to the construction industry.
- 9.8 The principle of sand extraction has long been established at this site. The continued extraction of sand beyond 31 December 2015 would contribute to the continued need and supply of the economically important soft sand resource and avoid sterilisation of a viable mineral reserve.

Restoration

- 9.9 In terms of restoration, Policy W8 of the West Sussex Waste Local (WLP) (2014) supports recovery operations involving the deposition of inert waste to land where they meet various criteria. For it to be concluded that the restoration of the site with inert waste is 'needed', these criteria must be satisfied. Consideration of each of these is set out below.

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(a) the proposal results in clear benefits for the site and, where possible, the wider area;

9.10 There is currently an approved restoration scheme required by the extant permission for the site (WSCC/086/13/SR) which in general terms would provide a 'low level' restoration to heathland and acid grassland, with lake, car park and amenity areas. In order to establish whether the proposal has clear benefits, it must be considered what benefits (if any) the proposed restoration (including fill) would bring over and above the currently required restoration. In this regard it is considered that the benefits of the proposed revised restoration are:

- Avoidance of the sterilisation of extractable sand reserves (refer to (h) below); and
- Improved recreational provision including a car park; picnic areas; publicly-accessible footpaths linking to existing and future public paths; increased gently-sloping grassland areas more useable for public recreation; additional woodland providing more shelter.

9.11 Overall, the proposed restoration to a higher-level than is currently approved would achieve an appropriately landscaped and restored mineral working with improved public access and greater recreational opportunities, which would also better accord with the aspirations of the Horsham District allocation of the site as a Country Park. Additionally, the proposed restoration would ensure that extractable mineral reserves are not sterilised.

(b) the material to be used is only residual waste following recycling and/or recovery or it is a waste that cannot be recycled or treated;

9.12 The imported inert wastes would consist of waste generated through projects involving construction projects and groundworks schemes that comprise 95% earth, soils and subsoils. Where required, around 5% of these imported wastes would be graded/sorted through screening operations on site and recovered as a suitable restoration material for use on site. The proposal is therefore considered to accord with this criterion.

(c) there is a genuine need to use the waste material as a substitute for a non-waste material that would otherwise have to be used;

9.13 The development would make use of inert waste rather than 'virgin' soils for restoration, in accordance with *Planning Policy Statement 10 - Planning for Sustainable Waste Management (2005, as amended 2011)(PPS10)*. As set out above, while the approved scheme would restore the site without the importation of material, the present proposal is considered to bring forward benefits that that approved scheme would not.

9.14 This scheme seeks to utilise imported inert waste materials for a revised higher level restoration scheme and can be considered as 'recovery'. Accordingly, this is an example of sustainable waste management considered to accord with this criterion.

(d) the material to be reused is suitable for its intended use;

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- 9.15 The proposed fill material would consist of construction project and groundworks schemes' waste, mainly comprising earth, soils and sub-soils, typical materials used in land raising, engineering and restoration projects. An Environmental Permit would be required for the development which would require that incoming waste is checked by trained operatives.

(e) the amount of waste material to be used is no more than is necessary to deliver the benefits identified under (a);

- 9.16 It is considered that the applicant has satisfactorily demonstrated that the amount of fill material proposed (477,000 tonnes) is the minimum required to ensure the delivery of a restoration scheme with a profile that would provide the clear benefits as described above, and ensure the future restored use of the site and the wider area as part of the Sandgate Country Park designation.

- 9.17 However, under the extant permission (WSCC/086/13/SR), the applicant can still extract sand (until 31 December 2015), pending planning permission being granted, should approval be given by Planning Committee, for this application. If extraction took place under the two permissions, a greater void requiring restoration could be created; this could be enforced against satisfactorily by the County Planning Authority.

- 9.18 Accordingly, there is a need to ensure that the potential for the currently permitted sand extraction and the sand extraction sought through this application, if permitted, are not carried out together rather only as set out in the present application. For this reason it is suggested that the applicant be required, via a legal agreement, to rescind any rights for sand extraction held under planning permission WSCC/086/13/SR. The proposal would then be considered to accord with this criterion.

(f) there would be no unacceptable impact on natural resources and other environmental constraints;

- 9.19 The proposed restoration scheme would, subject to conditions, not result in any unacceptable impact on natural resources and other environmental constraints. The proposal therefore accords with this criterion.

(g) the proposal accords with Policy W13 (Protected Landscapes);

- 9.20 During its time limited operation, the proposed restoration scheme would, subject to controls, not create any unacceptable impact on protected landscapes, notably the South Downs National Park, the northern boundary of which is situated to the south of the A283. Furthermore, the South Downs National Park Authority in their role as a consultee prefer this proposed restoration over that approved and accept how the type of restoration is to be carried out. The proposal would be considered to accord with this criterion.

(h) any important mineral reserves would not be sterilised;

- 9.21 As part of this application the applicant has undertaken a detailed assessment of the remaining sand reserves at the quarry and concludes that an accessible reserve of 84,000 tonnes remains on site (i.e. to a maximum depth of 30m

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AOD). Although there are potentially additional permitted reserves beyond this depth, the applicant advises that their extraction would result in steep slopes that would likely fail HSE standards for quarrying operations.

9.22 It has also become apparent, and confirmed by the applicant, that the currently approved restoration can only be achieved if no further extraction of sand takes place on site, despite the current approval (WSCC/086/13/SR) allowing for extraction to a depth of 17m AOD and until 31 December 2015. This is because, if extraction were to continue deeper as permitted, the approved restoration levels could not be achieved without significant importation of restoration materials (which is not permitted under (WSCC/086/13/SR)).

9.23 As a result, if this application is not permitted, it would result in the sterilisation of around 84,000 tonnes of extractable sand reserves. Therefore, the proposal is considered to accord with this criterion.

(i) restoration of the site to a high quality standard would take place in accordance with Policy W20.

9.24 This is considered in relation to impacts on the landscape below in paragraphs 9.27-9.34.

9.25 Policy W8 of the WLP supports recovery operations involving the deposition of inert waste to land where they meet various criteria. The proposed continued extraction and restoration of the site with inert waste meets these criteria, so is considered to be justified.

9.26 *In conclusion, it is considered that there is a demonstrable need for the development as it would allow for additional economically important sand resources on site to continue to be extracted rather than sterilised through low level restoration, and would import inert waste to provide benefit particularly for recreational afteruses over that permitted under the approved restoration scheme, via WSCC/086/13/SR.*

Impact upon the Landscape and Visual Amenity

9.27 There would be two main types of landscape and visual impact resulting from the proposal: visual impact through views of extraction and restoration operations; and changes to the landscape character during operations, and through a higher level restoration over that currently.

9.28 The proposed development site is a permitted sandpit that is situated within a semi-rural area within an area designated as the Sandgate Country Park northern boundary of the South Downs National Park lies approximately 15m to the south of the proposed development's southern boundary, along the southern side of the A283. The development therefore has the potential to affect sensitive landscape features.

9.29 However, the application site is well-screened by mature woodland and vegetation which would be retained, with only limited views available, mainly from the north and west. A small number of houses to the north have limited views of the sandpit but would not initially have views of the working area as the previous extraction of sand has left a deep depression in the landscape.

- 9.30 As the pit is restored, views of the western area of the site would be possible from a number of properties to the north/north-west and from within the adjacent Sandgate Park site. However, these works would be temporary and have been approved under the site's existing planning permission (WSCC/086/13/SR), albeit without the importation of inert waste materials and associated waste screening/grading operations.
- 9.31 Further, to minimise the visual impact of the development all buildings, machinery, plant and equipment necessary to carry out the proposed development are to be removed when no longer needed and that the land is progressively restored and phased to ensure restoration, both as early as possible and secured through condition.
- 9.32 As previously noted, the development would result in a landform and landscape that remains acceptable within the locality but would also result in a better use of the site and the wider area as part of the Sandgate Country Park designation in this area of Horsham District. Proposed planting and appropriate land management as well as water features and recreational features are considered to have the potential of enhancing the future landscape and ecological benefits of the site within the Sandgate Country Park.
- 9.33 Consultees including Horsham District Council, the WSCC Landscape Architect and the South Downs National Park Authority accept the type of restoration now proposed as being high quality and practicable in terms of its management of restoration and aftercare, and maximising benefits, thereby being of benefit to the wider landscape.
- 9.34 *The application site is situated opposite the South Downs National Park and within a semi-rural area designated as the Sandgate Country Park. The site is well-screened by vegetation around its perimeter, and much of the initial operations would take place at depth with limited visible impact. Any temporary impacts caused during extraction and/or restoration operations within the locality would be temporary and would not be significant, especially when compared with activities already permitted here and within the locality. The proposed development, when restored, would result in a landform broadly similar to that of the approved restoration but containing significant improvements in terms of benefits to the wider landscape and to the public, and contributing positively to the Sandgate Country Park designation. Existing mature planting adjoining the sandpit would be retained and protected.*

Impact upon the Water Environment

- 9.35 The application site is situated on and within a Major Aquifer and must therefore be afforded the highest level of protection.
- 9.36 The natural water table has been artificially depressed by mineral extraction sites for decades in this area of West Sussex. This allows minerals to be extracted much more easily than if submerged.
- 9.37 The application site receives and should transport and discharge surface water run-off from the A283 and other land to its south. WSCC's Drainage Officer raises concerns that this 'upstream catchment' and ensuring that 'flow conveyance' (i.e. maintaining the surface water drainage regime) has not been

fully addressed (noting that Chanctonbury Lodge, situated approximately 13m to the south, has flooded twice in recent years due to problems in this vicinity). However, WSCC's Drainage Officer is satisfied that this can be addressed through the imposition of conditions to ensure that the phasing of drainage during both extraction and restoration is addressed.

- 9.38 Similarly the EA raises no objection to the proposal subject to the imposition of conditions requiring the submission of an acceptable hydrogeological risk assessment and a construction method statement, concerning the protection of controlled waters and pollution prevention during operations. The EA also support the applicant's proposed shallower level of extraction, to 30m AOD rather than to 17m AOD
- 9.39 *The site is situated within a groundwater sensitive area and has the potential to result in impacts on surface water drainage as the natural water table has been depressed to allow for extraction. Although the proposals do have the potential impacts on the local groundwater and surface water regime, the Environment Agency and the County Council's Drainage Officer raise no objection subject to the imposition of conditions requiring submission of a Hydrogeological Risk Assessment and submission of detailed surface water drainage scheme, both of which consider impacts during and post restoration work and would provide satisfactory mitigation.*

Highway Capacity and Road Safety

- 9.40 The material difference in highways terms between the restoration permitted under WSCC/086/13/SR and this proposal is that the former does not involve the importation of materials to complete it. Presently, all HGVs associated with the site are involved with the exportation of extracted sand, albeit there is currently no extraction being carried out at the site. These numbers have not historically been controlled by condition. The present proposal would involve HGVs entering and exiting the site throughout the five year period being sought, with a greater number of HGVs being utilised during the first two years when both extraction and restoration operations are taking place.
- 9.41 The applicant has indicated that the proposed development would result in a maximum of 90 HGV movements each weekday (45 in and 45 out). On Saturdays, a maximum of 54 HGV movements would take place (27 in and 27 out). These HGV numbers would, during years three to five following cessation of sand extraction, reduce to a maximum of 54 HGV movements Monday to Friday (27 in and 27 out). On Saturdays, a maximum of 27 HGV movements would take place (13.5 in and 13.5 out).
- 9.42 The existing site access is onto the A283 by the southern end of Hampers Lane, a public bridleway through which traffic moves on to and off of the A283. It should also be noted that as part of the Milford Grange housing development (approved on appeal in 2011), changes to the A283 in this locality have been and are being carried out presently. A 2m wide raised footway with 0.5m safety strip on this side of the A283 (to the west of the Hampers Lane-A283 junction), and a widened visibility splay (requiring realignment of the grass verge) have now been installed (at the Hampers Lane-A283 junction). Other works at this junction, including its resurfacing are due to be carried out this year. The planning inspector was aware of the of the existing Washington Sandpit HGV access at this junction when determining the appeal.

- 9.43 Concerns over highway capacity and safety (including conflict with users of the bridleway) have been raised as a result of the impact of additional HGV traffic, particularly in combination with vehicles from the adjoining Milford Grange housing development, existing traffic from the Heath Common residential area and existing traffic on the A283.
- 9.44 WSCC Highways have, however, raised no concerns in relation to either highway safety or capacity, and do not require any physical improvements to the Hampers Lane-A283 junction. Further, there would be improvements to the junction as a result of the Milton Grange development that would benefit pedestrians in this area (refer to paragraph 9.43).
- 9.45 The County Council's Public Rights of Way Team have not raised an objection but advise that Hampers Lane is a public bridleway (BW2627) and its use is legally protected. They acknowledge, as do WSCC Highways that HGVs have accessed the site and used the southernmost section of the Lane for a number of years. Priority by developmental traffic must always be given to users of the bridleway, for walkers, cyclists and horse riders. Bridleway priority would be ensured through appropriate signage being required by condition at the site's access gate warning HGV drivers exiting onto Hampers Lane.
- 9.46 The only access for traffic to and from the proposed development is and would continue to be southward from the site access on to the A283 (Petworth to Shoreham Road) and subsequently on to the A24, which could be secured by condition.
- 9.47 The proposed continuation of sand extraction and restoration is, therefore, well-located to be served by the local lorry route network in accordance with policy guidance.
- 9.48 *The proposed development would result in a maximum of 45 HGVs on the highway each weekday and 27 HGVs on Saturdays over the five year period whereas presently no controls on HGV numbers exists albeit that HGV movements relating to sand extraction only are lower in number. The Highway Authority and Public Rights of Way Team have considered the potential impacts upon safety and capacity and concluded that, subject to conditions and the legal protection afforded to the public bridleway, the proposed development would not have a significant impact on the highway network in capacity or safety terms and as such accords with the National Planning Policy Framework. Taking into account the fall-back position for the site as a permitted sandpit (until 31 December 2015) where no controls in terms of HGV numbers exist, other development within the locality and proposed conditional controls, the proposed development is considered acceptable with regards to highway capacity and road safety.*

Impact on Local Amenity and the Local Environment

- 9.49 **Recreational:** As has already been noted, Hampers Lane is a public bridleway (BW2627) which runs north-south along the sandpit's eastern boundary. The application would propose to continue the use of this path, as has previously been the case, with priority given to Public Rights of Way (PROW) users. The continued use has the potential to result in impacts on PROW users.

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- 9.50 However, it is considered that the continued use of the site beyond the extant permission would not result in increased impacts over those already experienced and which could be controlled by condition and legal agreement. Further, on completion of the proposed restoration works, the new landform and its proposed permissive footpath network would provide connections with the existing public footpath and bridleway network and other approved potential permissive footpaths (i.e. with the adjoining Sandgate Park sandpit) within the Sandgate Country Park allocation and the locality. This would provide public access, including a car parking area and the potential for a camp site, and recreational areas through it that link with those surrounding the application site's boundaries.
- 9.51 This would contribute to the formation and success of the Sandgate Country Park with the securing of all proposed permissive footpaths and public car parking area controlled via a legal agreement that must be completed to the satisfaction of the County Council prior to planning permission being granted. In direct contrast, the currently approved restoration does not include any proposed permissive footpaths. The proposed restoration scheme is a betterment in terms of the provision of long-term beneficial recreational uses.
- 9.52 **Noise:** Noise-producing activities would predominantly relate to ground clearance and preparation through plant, equipment and machinery, land-shaping, mineral extraction, sand and inert waste screening, restoration works, and vehicles travelling to/from the site. As previously noted, the nearest dwellings to the site are within 12 metres so there is a high potential for impacts on residential amenity through noise emissions beyond that currently approved under WSCC/086/13/SR both in the nature of the works and in terms of time needed to complete the restoration.
- 9.53 The sandpit was dormant for a number of years, until the applicant acquired it in 2013. It is worth noting that mineral extraction rights and the need to restore the site had however been kept alive in the interim.
- 9.54 The applicant proposes hours of work of 08.00-18.00 Monday to Friday and 08:00-13:00 on Saturdays (as per the existing sandpit). These proposed hours, including HGV arrivals and departures, have been considered and accepted by Horsham District Council's Environmental Health Officer (EHO), provided that they are controlled by condition.
- 9.55 The HGV movements resulting from the development are considered by the EHO to be acceptable, especially when considered in the context of the existing vehicular traffic noise on the adjoining A283.
- 9.56 The applicant has provided details of plant, equipment, machinery to be used during the proposed development and their locations with mitigation including the use of acoustic barriers. The EHO has confirmed that this detail, along with the submission and approval of Noise Management Plan, would satisfactorily control impacts through noise. These controls would exceed those currently imposed on planning permission WSCC/086/13/SR.
- 9.57 **Air Quality:** Mineral extraction and restoration with imported inert waste materials has the potential to cause adverse impacts to local air quality, including through associated traffic movements.

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- 9.58 The EHO accepts that the applicant's proposed mitigation for the suppression of dust during both mineral extraction and restoration works would be sufficient to ensure impacts are contained within the site. These could be controlled by a condition requiring submission of a dust management plan that addresses dust control throughout the life of the development. These controls would exceed those currently imposed on planning permission WSCC/086/13/SR.
- 9.59 The village of Storrington, situated approximately 2km to the west of the proposed development is also accessed by the A283. Due to the impact of traffic emissions, this village has been designated as an Air Quality Management Area. To avoid further impacts on air quality from developmental traffic, the EHO requires that all HGVs are direct to and from the east of the application site and away from Storrington; the applicant has agreed to this. A legal agreement will need to be entered into between the County Council, the applicant and any other interested parties, and agreed before planning permission could be granted. These controls would exceed those currently imposed on planning permission WSCC/086/13/SR.
- 9.60 *The site is in close proximity to a number of dwellings and shares its access with a bridleway. However, the use of the latter would not change over the existing use, and there would long term benefits for recreational users once the site is restored. Further, despite the nature of works involved in mineral extraction and restoration with imported inert waste materials (including through associated traffic movements), the imposition of conditions (to control hours of operation, HGV numbers, noise and dust management plans) as well as an HGV routeing agreement should ensure that no unacceptable impacts upon amenity and the local environment will arise. On completion of the proposed restoration, additional footpaths and public access as well as designated recreational areas would be provided that connect with the existing rights of way network and the existing and approved areas of the Sandgate Country Park within the local area.*

10. Overall Conclusion and Recommendation

- 10.1 The principle of sand extraction has long been established at this site. The continued extraction of sand beyond 31 December 2015 would contribute to the continued need and supply of the economically important soft sand resource and avoid sterilisation of a viable mineral reserve. Additionally, Policy W8 of the West Sussex Waste Local Plan (WLP) supports recovery operations involving the deposition of inert waste to land where they meet various criteria. The proposed continued extraction and restoration of the site with inert waste meets these criteria so are considered to be justified.
- 10.2 Although extraction and restoration could have an adverse impact on the area, it would take place for a relatively short period (over two and five years) and it is considered that the impacts of extraction on the environment, the landscape, and recreational opportunities could be moderated and controlled by the application of appropriate conditions and legal agreements. Furthermore, phased restoration as proposed would still provide the opportunity to enhance both the landscape and ecological benefits of the site (e.g. through the creation of mixed heath and grassland and improved future ecological management) but with greater benefits to the public than the approved restoration under WSCC/086/13/SR. It would also provide the opportunity to enhance informal public access to and within the area and provide recreational areas, including picnic areas, an area of on-site parking and potentially a campsite. This

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restoration would, through the importation and deposition of inert waste materials, provide an improved restoration with public access and greater recreational opportunities, also better accord with the aspirations of the Horsham District allocation of the site as a Country Park.

- 10.3 In addition, it is considered that other impacts, on the water environment, on highway capacity and road safety and on local amenity and the local environment, can also be controlled by condition and legal agreement.
- 10.4 Overall, it is considered that the proposal accords with the relevant development plan policies relating to the extraction of land-won minerals and the restoration of minerals sites with waste as well as other material considerations including national policy.
- 10.5 It is **recommended**, therefore, that planning permission be granted subject to the conditions and informatives set out in **Appendix 1** of this report and the satisfactory completion of a Section 106 Agreement concerning the routing of HGVs to and from the application 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 to extract any further sand at the application site.

11. Resource Implications and Value for Money

- 11.1 This is not a material planning consideration and cannot, therefore, be considered in determining this application. There will be no requirement for additional resources unless the decision is challenged and there is a requirement to defend the County Council's position at any subsequent appeal.

12. Equality Duty

- 12.1 An Equality Impact Report has been undertaken and is attached in [Appendix 9](#). The EIR required in relation to this proposal concluded that the development would not adversely affect those with 'protected characteristics'.

13. Risk Management Implications

- 13.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the determination of planning applications must be made in accordance with the policies of the development plan unless material considerations indicate otherwise. If this is not done, any decision could be susceptible to an application for Judicial Review.

14. Crime and Disorder Act Implications

- 14.1 This decision has no implications in relation to crime and disorder.

15. Human Rights Act Implications

- 15.1 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the

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law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

- 15.2 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.
- 15.3 The Committee should also be aware of Article 6, the focus of which (for the purpose of this committee) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

Diane Ashby

Executive Director of Residents' Services

Michael Elkington

Strategic Planning Manager

Contact: Sam Dumbrell, Senior Planner, 033022 26947.

Background Papers

As set out in Section 6.

List of Appendices

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[Appendix 2 - Site Location Plan](#)

[Appendix 3 - Aerial Photograph of the Sandgate park Area](#)

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[Appendix 7 - Phasing Plan](#)

[Appendix 8 - Proposed Restoration Scheme](#)

[Appendix 9 - Equality Impact Report](#)

Appendix 1 - Conditions and Informatives

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.

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.

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.

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;
- (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

13. The development hereby permitted shall not take place until warning signage, advising 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 its positioning has been submitted to and approved in advance and in writing by the County Planning Authority. Once approved, the signage shall be erected 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.

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 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

18. 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

19. 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.

Noise - Silencing Measures

20. 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

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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

21. 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

22. 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

23. 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

24. 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.

Submission of Topographical Surveys

25. 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

26. 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

27. 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

28. **(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**.

(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

29. 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

30. 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 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

31. 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.

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

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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.