

From: [Janette Taylor](#)
To: [Andrew Sierakowski](#)
Subject: WSCC/036/20 Objection
Date: 21 October 2020 14:18:37

Dear Mr Andrew Sierakowski,

RE: Demolition of existing buildings and structures and construction and operation of an energy recovery facility and a waste sorting and transfer facility for treatment of municipal, commercial and industrial wastes, including ancillary buildings, structure, parking hardstanding and landscape works at Ford Circular Technology Park, Ford Road, Ford, Arundel BN18 0XL. Application Reference – WSCC/036/20

As a concerned resident of West Sussex I would like to OBJECT to the above application on a number of grounds. I can't do this currently online as was only recently made aware. Please find attached a copy of my objection letter to the case officer at the County Council in which I set out all of my concerns.

I trust that as Councillor you have taken the time to review the applicant's submission for this monstrous and domineering building which will permanently blight the landscape in this part of West Sussex.

You will no doubt be aware that to date around 1,000 residents have objected to the application.

The South Downs National Park Authority, the Duke of Norfolk Estate, and the Arundel Castle Trust all object for similar reasons, showing that the effect would be significant from the South Downs to Arundel. None of them objected to the original application, which the applicant refers to as a 'fallback' position. This must surely reflect the unacceptable scale of the building and the scant regard of the applicant for local landscape including the South Downs National Park, and the heritage of the locality, which could not be more sensitive assets within West Sussex.

The application is pitiful, cavalier and arrogant. I hope and trust that you have already made your objection known and will be standing firmly with the local community that you represent against the application in whatever way you can. In summary, as I have detailed in my objection letter to the case officer, the proposed development is unacceptable for the following reasons:

1. PRINCIPLE OF DEVELOPMENT

Contrary to the applicant's claim, the site is not allocated for the proposed development. The applicant seeks to mislead the County Council that the site is allocated for the development proposed when it clearly is not because:

a. The site is allocated for a range of waste related development with a combined capacity of up to c.250,000 tpa. The proposal is for a facility with a capacity of 295,000 tpa and this is presumably in addition to existing consents. The applicant's pretence that this requirement is not a maximum criterion or that compliance with it is somehow optional serves only to treat the County Council and the community that you represent with arrogant contempt. It is arrant nonsense to suggest that 295,000 tpa is somehow around 250,000 tpa; 270,000 tpa of which is proposed in a single building.

Not only is that irrational and wrong, but no reasonable applicant would assert it. This cavalier and erroneous approach, with its misplaced reliance on the proposed development being allocated pervades the entire submission.

b. Notwithstanding this, by the applicant's own admission the proposed building would have significant adverse effects on designated heritage assets, landscape and visual receptors, and noise sensitive receptors. This means that the proposal does not conform with, as it is required to do by the policy allocating the site (not the proposed development itself), the other policies of the Waste Local Plan and

in particular WLP policies W12, W13, W15, and W19.

c. So it is not in accordance with the policy which allocates the site for waste development. It does not accord with any of the other strategic planning policies of the WLP. In fact, because of the applicant's erroneous approach to policy W10 they don't even bother to advance any justification why or how it does comply with this policy. So, contrary to the applicant's assertion, the site is not allocated for the proposed development nor is it acceptable in principle.

2. UNACCEPTABLE IMPACT ON HERITAGE

The proposed development by the applicant's own admission would lead to:

- substantial harm to the setting of St Andrews Church - a grade I listed building, a designated asset of the highest significance.
- Substantial harm to the setting of Place Farm - a grade II listed building, a designated heritage asset.
- Less than substantial harm to the setting of St Mary's Church - a grade I listed building, a designated asset of the highest significance.
- At least slight adverse effects to the setting of Arundel Castle - a grade I listed building, a designated asset of the highest significance; and other designated heritage assets at Arundel. I also note that The Norfolk Estate and The Arundel Castle Trust question the robustness and accuracy of the applicant's assessment.
- The assessment of effects may be far worse if a robust assessment were undertaken and the County Council should not allow the COVID-19 pandemic to be used as a device to wave through a development with potentially profound and irreversible effects on the setting of such important assets which are significant both nationally and locally.

The applicant has disregarded the requirements of national and local plan policy, the statutory duty and case law relevant to those assets, and offered no meaningful justification for doing so. The passing reference to the benefits of the development cannot rationally be ascribed the importance and weight necessary to override the harm that the applicant itself says its proposal will cause.

The Fallback Position

In referring to its 'fallback' position (the existing consent) the applicant knows by its own assessment that the fallback would result in no harm to these assets. The applicant knows that the fallback is a less harmful alternative and as such, it is unreasonable to assert that any net benefits of its proposal over and above those of the 'fallback' cannot reasonably outweigh the harm they promote; and the harm can only be unnecessary and unjustifiable. In these circumstances there cannot be any justification for the proposed development.

3. UNACCEPTABLE IMPACT ON THE SOUTH DOWNS NATIONAL PARK AND OTHER LANDSCAPE AND VISUAL RECEPTORS

By the applicant's own admission the proposed development would lead to:

- Significant adverse long term residual effects on twenty visual receptors, of which eight are assessed by the applicant to be substantial adverse. These are just those receptors the applicant has assessed and it includes visual receptors - i.e. people - accessing the South Downs National Park. There is surely no more sensitive receptor or landscape in this part of England.
- Significant adverse long term/permanent residual effects on ten landscape receptors of which four are assessed by the applicant to be substantial adverse. This includes substantial adverse residual effects to the landscape character of the South Downs National Park a protected area of the highest status and value the protection of which should be given great weight.

Seldom has an applicant had the nerve to submit such a damning assessment of their own development.

And yet in this regard, the ES is deficient and partial, and if the applicant's own assessment of the LVIA effects was not damning enough, a properly considered, fair and robust assessment would present an even worse position. The ES LVIA Chapter (like it's counterpart relating to Designated Heritage Assets) in its current form cannot, therefore, be relied upon.

Notwithstanding this, the applicant passes off the harm it identifies as if it was somehow innocuous or unavoidable, without any valid justification as to why this is so. The harm is considerable and widespread, and includes the highest possible level harm to the South Down National Park. Justification for this would require substantial overriding benefits which would need to outweigh the substantial harm both to this landscape requiring the highest possible protection, and to the other receptors.

Once again the applicant invokes the 'fallback' position. But, as with the consideration of the harm to designated heritage assets, that 'fallback' position, far from assisting the applicant, represents a far less harmful alternative and this alternative fatally undermines any possible justification for the proposed development.

In addition, this is also as a consequence of the applicant's misplaced faith in the proposed development being allocated in accordance with WLP policy W10.

They also ignore the statutory duty of the County Council (a duty that applies to you as a person holding public office) in regard to the National Park in your consideration of the application. It is, therefore, unsurprising that the South Downs National Park Authority have objected to the scheme; something which they did not do in relation to the application for the 'fallback' position.

4. UNACCEPTABLE IMPACT ON NOISE SENSITIVE RECEPTORS

In its Environmental Statement the applicant states that the proposed development would lead to significant adverse noise effects to existing residents and those proposed to live at the redevelopment of Ford Airfield. Again, despite national planning policy and the Waste Local Plan requiring such effects to be avoided altogether the applicant seeks to justify these effects on the back of its mistaken faith in the site being allocated for its proposed development, and the benefits of the proposed development. In the context of the 'fallback' position this once again ought to be surprising.

5. UNACCEPTABILITY OVERALL

Given the above, and for the reasons set out in my letter to the case officer, the application is unacceptable both in its own right and in the heritage balance because the 'fallback' position is a less harmful alternative. Far from weighing in favour of the application this actually proves fatal.

There are no further benefits which the applicant could rely upon that it has not already relied upon in the heritage balance it fails. All the further harm the proposal causes weighs even more heavily against granting permission. Even without the unacceptable effect on heritage the other harm would prove unsurmountable, particularly in respect of the harm to the South Downs National Park.

I trust therefore that the residents which you represent can count upon you to OBJECT in the strongest possible terms to the application and thereby fulfil your statutory duties to protect the setting of the designated heritage assets, and to the protection of the natural beauty of the South Downs National Park.

Yours Sincerely,

Mr R M Taylor