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**County Planning**

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Mr Steve Molnar  
Technical Director,  
Terence O'Rourke Ltd,  
Everdene House,  
Deansleigh Road,  
Bournemouth,  
BH7 7DU

20<sup>th</sup> November 2020

Dear Mr Molnar,

**Application Number:** WSCC/036/20  
**Address:** Ford Circular Technology Park, Ford Road, Ford, Arundel BN18 0XL.  
**Proposal:** 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, structures, parking, hardstanding and landscape works

**Town and County Planning Act 1990 (as amended)**

**The Town and Country Planning (Environmental Impact Assessment) Regulations 2017**

**Regulation 25 Further Information and Evidence Respecting Environmental Statements**

I refer to the above application and write, in accordance with Regulation 25 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, to formally request that further information be submitted to West Sussex County Council ("the Council").

The submission of the following information is seen to be essential further information in respect of the application to verify the particulars of the submitted development proposals, and to enable proper consideration of the likely environmental effects. Notwithstanding any further information that may later be deemed necessary, the following information will be required to enable the Council to determine the application. If the requested information is not supplied, then the likely conclusion would be a refusal of the application on grounds of lack of information.

The following details are listed to correspond to the comments from selected consultees and accordingly are listed under the heading of each consultee, providing a summary of the additional information requested. For complete details please see the full comment from each consultee attached with this letter. They also are available on the County Council's website at: <https://westsussex.planning-register.co.uk/Planning/Display/WSCC/036/20>. Where consultees are not listed below, this is because they have not requested additional information to enable full consideration of the environmental effects. This does not mean they have not

commented on the application and given their advice, including in some instances their grounds for objection.

You will note that there is some overlap in the information requested by different consultees, particularly in relation to the requests for additional viewpoints and visualisations. Where this is the case, I have listed each request individually, but it may be appropriate to provide the same information where two or more requests for that information has been made.

In addition, I have listed additional information that is requested in support of the planning application, but not requested under Regulation 25.

If you consider that any of the requested further information has already been submitted, please provide details of where in the submitted information it can be found.

### **Highway Authority (See full comments from WSCC Highways)**

Have requested the following additional information:

- A Stage 1 Safety Audit including a designer's response in line with Appendix F of GG119 of the Design Manual for Roads and Bridges;
- Information on how the development will support opportunities (as identified in the Walking, Cycling and Horse-Riding Assessment Report (WCHAR) to improve pedestrian/cyclist provision and in particular;
  - provision of a dedicated/ shared cycleway between the site and Ford Rail station and/or A259;
  - consideration of viability of a connection between the site and Rollaston Park/Yapton Road; and
  - Improved provision of pedestrian/cyclist facilities from the site to Ford Road;
- A sensitivity test to assess the impact of the construction vehicles of phase 3 and the Ford Market proposals currently being assessed under app ref F/5/20 by Arun District Council; and
- Details of the impact of the development on the junction of the A259 and Church Lane during the construction phase peak period and network peak should the currently proposed improvements not be implemented at the time of construction. This should include modelling of the Construction Phase 3 peak and shoulder peak prior to implementation of junction improvements.

### **Environment and Heritage (See full comments from WSCC Environment and Heritage Team)**

The Council's Environment and Heritage team have requested the following additional information:

- A Visualisation of Viewpoint VP26 from Ford Lane Adjacent to Atherington House;
- An additional Viewpoint and visualisation from the west end of Ford Church;
- A visualisation of Viewpoint VP25 from outside St Mary's church, Climping and closely adjacent medieval village earthworks;
- A Viewpoint and Visualisation VP 31, from Arundel Castle;
- A Viewpoint and Visualisation from Church Cottages and Crispin's Cottage, within the Conservation Area on the west side of Church Lane, Yapton;

- A Viewpoint and Visualisation from Tortington Priory; and
- An archaeological investigation and recording of buried remains of the canal through the application site, where it would be affected by development and a report of the investigation and recording. The scope of the archaeological investigation and recording (as mitigation) will need to be defined in relation to the density of piling, earthworks and other excavations in relation to the line of the canal.

### **Public Rights of Way (PROW) (See full comments from WSCC PROW)**

The Council's PROW team has requested the following additional information:

- Details of how the existing Public Right of Way (PROW Footpath 200 3) is to be accommodated.

### **Trees**

The Council's Tree Officer has requested the following additional information:

- To demonstrate that the scheme is deliverable and likely to be successful, particularly around the boundaries of the site, notably to the south and west, provision of a full, detailed planting specification together with details of suppliers; and
- Provision of a comprehensive Landscape and Ecological Management Plan (LEMP).

### **Landscape (See full comments from WSCC Landscape Consultant)**

The Council's Landscape Consultant has requested the following additional information:

#### Submitted Landscape Design

- Provision of a plan showing existing features, such as the offsite coniferous tree belt and public rights of way to provide context and a corrected north point;
- Provision of revised scrub planting and hedgerow mixes that are better informed by the local ecology;
- Provision of additional native tree planting, rather than reliance solely on scrub mix on the bunds;
- Additional tree and shrub planting within the two car parking areas (to north-east and south-west) to provide greater ecological enhancement, amenity and natural shading and provide some separation and enclosure for the car parks from the wider EfW site;
- Consideration should be given for the long-term prospects of the off-site coniferous tree belt and suitable advance tree-planting should be proposed to ensure a continuation of screening of sensitive views from the north;
- Provision of additional details of the flint walls;
- Provision of evidence of the former canal on the eastern boundary to give context for visitors;
- Provision of details of the construction of the pond and related planting;
- Provision of revised details of the routing of the nature trail path to providing more meaningful and appealing route for staff;

- Provision of details of proposals for the tear-drop shaped area of land to the north-west of the site including its landscaping, the access roads and their verges, given its close proximity to future housing within the Ford Strategic Housing Allocation site (Allocation SD8 in the Arun Local Plan 20011-2031);
- Provision of details of planting which should include climbers to the acoustic fence to enhance biodiversity and mitigate their appearance whilst the trees and shrubs are establishing;
- Provision of details of the colour and design of the security fence with a colour and design selected that minimises its visual impact. Gates required for access and maintenance should also be shown. It should also be ensured that sufficient gaps are left to allow species such as hedgehogs to pass through the fence and access the newly created habitat;
- Provision of details of the surfacing beyond the area of paving around the entrance foyer and the fill to be used in the gabions;

#### Landscape Implementation and Management Plan

- Submission of a soil survey to support the Landscape Implementation and Management Plan to ensure there is no on-site contamination or compaction and to ensure the long-term success of the landscape proposals;

#### Landscape and Visual Impact Assessment (LVIA) – Assessment Methodology

- There are a number of important and significant omissions in terms of the viewpoints and visualisations that need to be addressed. These are included as Appendices A and B below;

#### Landscape Baseline

- They advise that insufficient consideration has been given in the landscape baseline to recreational value or perceptual qualities (including openness and tranquillity) and the long views to the South Downs which are a highly distinctive and very apparent due to the low-lying and flat landscape with relatively few trees. They advise that the West Sussex Landscape Character Assessment highlights key characteristics of the Chichester to Yapton Coastal Plain and the Lower Arun Valley and that a more detailed and revised examination of the landscape baseline is required. Further details are set out in the comments of The County Council's Landscape Consultant, although your attention in particular is drawn to the comments relating to; the Goodwood to Arundel Wooded Estate Downland and need to pay attention to panoramic views, for example from the viewpoint at The Trundle, in planning any change in this or adjacent areas, including areas outside the National Park boundary; and there being no consideration of the potential effects on the seascape for South Marine Plan Areas (Marine Character Area 7: Selsey Bill to Seaford Head);

#### Assessment of Landscape Effects

- Further consideration needs to be given to individual elements that comprise landscape character and to the effects on key characteristics of landscape character as defined in the West Sussex Landscape Character Assessment that a development of this scale and height could have. This should include review of the existing Landscape Character Assessments as details on the comments of the County Council's landscape consultant including further detailed surveys of the application site and its immediate setting or surroundings. This should include an analysis of the extent to which the site and its immediate surroundings conform to or are different from the wider Landscape Character Assessments that exist,

and to pick up other characteristics that may be important in considering the effects of the proposal. (GLVIA 5.16);

- Re-assessment of the Landscape effects on the site (L 1) is required;
- Re-assessment of the landscape effects on the South Downs National Park (L 13) is required;
- Consideration needs to be given to night-time landscape effects including the potential effects of plume at night, with light sources reflecting on the water droplets in vapour, and its likely contribution to eroding the rural character of the area;

#### Visual Baseline

- The grouping of viewpoints requires reconsideration. Visual receptors in Conservation Areas, that are highly sensitive, should be assessed separately rather than in combination with other less sensitive receptors;
- Further consideration needs to be given to the visual impact on the future residents of Ford Strategic Housing Allocation site, who will be living in close proximity to the site with its limited onsite screening, particularly in terms of the provision of more effective screening;
- Further consideration needs to be given the impacts on the PRoW in the immediate vicinity such as 200-3 and 363, including the provision of additional viewpoints (included in Appendices A and B below);
- Some viewpoints, for example those representing views from St Andrew's Church (Viewpoint 14), should be taken from nearer to the receptor, for example in the churchyard to the front of the church where there are some open views to the site, to give a better impression of the existing view;
- For clarity the report should include those photographs which were not able to be taken due to Covid-19 and form part of 'The Landings' submission;

#### Assessment of Visual Effects

- The magnitude of visual effects needs to be reassessed (see the comments from the Council's landscape consultant) and the missing visualisations included (see Appendices A and B below). You should also take into account the advice on the evaluation of the landscape as lacking distinctiveness in undertaking the re-assessment;
- The grouping of viewpoints needs to be re-examined and regrouped reassessed (see the comments from the Council's Landscape consultant);
- Further consideration needs to be given to the impact of the proposed built form (including the stack and plume) where it breaks the horizon, including that of the South Downs or crosses the offing (the area of the sea seen below the horizon) in views from the north;
- Further consideration needs to be given to the choice of colours of the proposed built form and how they reflect the landscape character and might lessen the visual impact;

#### Visualisations Submitted

- The Council's Landscape Consultant has advised that some of the viewpoints closest to the site, where one would expect the effects to be most noticeable are

lacking visualisations, specifically viewpoint 26 (Ford Lane) and Viewpoint 36 (Rodney Crescent). These should be provided;

- They also advise that the visualisations do not show the plume which, although potentially visible on only approximately 25% of days, would still be a noticeable feature, and would draw attention to the built-form. Additional visualisations should be provided to show the plume; and
- Of the viewpoint photographs which lack visualisations attached in Appendix B below, visualisations should be provided.

#### Appendix A

##### Supplementary viewpoints and visualisations requested

Description	Reason
Close PRoW to north and west of site (366/ 363/ 200-2 Old Canal)/ 200-3/200-4/359) which will be within The Landings	Representative of local footpaths and future residents of the Ford Strategic Housing Allocation site
Close PRoW 175 to south of site which will be within The Landings)	Representative of local footpaths and future residents of the Ford Strategic Housing Allocation site
Riverside PRoW further south than VP 14	Representative of PROW users
From western side of churchyard of St Andrew's, Ford	Representative of Church visitors and PROW
Views from sea	Representative of Marine Character Area with views to South Downs

#### Appendix B

##### Supplementary Visualisations Requested

TOR Viewpoint Number	Description	Reason
5	Poling Street	Represents mid-range views in countryside to east
6	East of Littlehampton	Represents footpath users and residents in the Arun Valley
9	Night view from Nore Folly	Day time view and visualisation requested
11	Ford Lane	Representative of close views from local roads and dwellings
13	Lyminster Conservation Area	Representative of views within Conservation Area and adjacent to Grade I listed church

16	Ford airfield	Representative of residential views on Rollaston Park new dwellings on the Ford Strategic Housing Allocation site.
17	North edge of Middleton on Sea	Representative of residential views towards South Downs.
19	SDNP PROW	Representative of views from lower slopes of SDNP to north of A27 where there is intervening woodland.
21	A259 Bognor	Representative of residents, PRoW and motorists crossing the open coastal plain
25	St Mary's Climping	Representative of views within Climping. To demonstrate potential screening effect of trees
26	Ford Lane	Representative of workers, motorists, local PRoW and residents of Atherington Ho etc.
30	North of Arundel Castle	Representative of views from Arundel Park within SDNP.
31 (Landings VP11)	Arundel Castle Keep	Representative of view from Grade I listed Arundel Castle. A key view for Arundel Castle and SDNPA
32 (Landings VP10)	West of Littlehampton	Representative of residents on the west of Littlehampton looking across the Arun valley
33 (Landings VP 8)	PROW 166 south-east of Burndell/Yapton	Representative of PROW and residents
34 (Landings VP3)	Horsemere Green	Representative of effects on local residents and motorists
36	West of Rodney Crescent	Representative of neighbouring residents and PRoW

## External Consultees

### Arun District Council

#### Environmental Health - Air Quality and Emissions (See full comments from Arun District Council Environmental Health)

Arun District Council Environmental Health request the following additional information:

- An emissions mitigation statement that includes proposed mitigation measures which should equal the health damage cost, with mitigation options designed into the development in accordance with the Standard Mitigations and Table 2 of Air Quality & Emissions Mitigation Guidance for Sussex (Sussex Air Quality Partnership (2020) available at <https://sussex-air.net/ImprovingAQ/GuidancePlanning.aspx>);

- Details of the proposed improvements for cycling and pedestrian connections in accordance with Section 3.1 of the submitted Walking, Cycling and Horse Riding Assessment Report dated June 2020 by Ramboll;
- Details of the EV charge points for staff parking and vehicles used on site;
- Geographical odour modelling in the vicinity of the site to support the conclusions of the Environmental Statement along with confirmation of the OEU levels caused from the site by the operation in the worst case scenario;
- A cumulative assessment of odour impacts the biogas digester and lagoon to the north of Ford Lane, and Besmoke on Ford Lane;
- They advise that the Acoustic Report (Technical Appendix J: Noise and Vibration Assessment) June 2020 and the ES Chapter 14 need to be amended to take account of the development right across the Ford Strategic Housing Allocation site and not just the defined R5 receptor and that it should take into account the phasing of the development and include Ford Prison as a noise sensitive receptor. They advise that greater clarity needs to be provided of effect of the phasing of development on the adjacent Ford Strategic Housing Allocation site, so that the impact, particularly of the construction phase (which will be lengthy) is fully understood. Noise contours should be provided illustrating impact of the construction phase and the operation phase on the Ford Strategic Housing Allocation site;
- Revision of the Acoustic Report to explain why the entire 24-hour period on the 9<sup>th</sup> and 10<sup>th</sup> February 2020 has been excluded from the long-term noise survey, provide definition of the “relatively short duration”; and
- Provision of amended lighting details and an assessment designed in accordance with Zones E2/E3 rather than Zones E3/E4.

**Leisure and Landscape (See full comments from Arun District Council Leisure and Landscape Officer)**

Arun District Council Leisure and Landscape team request the following additional information:

- Provision a detailed of the landscaping plan and specification demonstrating how mitigation and screening and screening in relation to existing and future residents and existing and proposed sports facilities, will be provided and how the landscape setting and biodiversity improvement and enhancement will be achieved.

**Historic England (See full comments from Historic England)**

Historic England have requested the following additional information:

- An additional Viewpoint and Visualisation from the west end of Ford Church (similar to the request from WSCC Environment and Heritage and WSCC Landscape Consultant);
- A Visualisation of Viewpoint VP25 from outside St Mary’s church, Climping and closely adjacent medieval village earthworks (similar to the request from WSCC Environment and Heritage and WSCC Landscape Consultant);
- A Visualisation of Viewpoint VP26 from Ford Lane Adjacent to Atherington House;



- A Viewpoint and Visualisation from the Conservation Areas at Yapton and Lyminster;
- Provide a Viewpoint and Visualisation from Tortington Priory; and
- Provide a Viewpoint and Visualisation VP 31, from Arundel Castle and/or from other significant high points at the top of the town e.g. from St Nicolas' Church and Arundel Cathedral.

### **South Downs National Park Authority**

The South Downs National Park Authority (SDNPA) have commented that the proposal will have substantial adverse impacts on views and experiential qualities of the National Park and its setting. It will be highly visible in panoramic views of the Arun Valley/coastal plain from a National Trail (the South Downs Way) and other public rights of way across the National Park. This is acknowledged in the landscape and visual impact assessment.

Accordingly, a more explicit assessment of the impact on the South Downs National Park is required. As part of this the approach of creating a 'visually dynamic architectural landmark', needs to be justified and explained in this context. Further information is also requested regarding the consideration given to the mitigation measures to reduce the adverse impacts on the National Park and to how the development of the site could best harmonise the proposal with the landscape, including the use of material finishes and colours.

The detailed comments from the SDNPA suggest exploring further a reduction in the scale and height of the building(s) and stack and other measures to reduce the visual impact and giving further consideration to the use of 'green/living' walls.

### **Additional Information to be supplied (not requested under Regulation 25)**

In addition to the information detailed above, the County Council also requests that the following points are addressed;

- You will be aware from our recent discussions following the initial round of consultation that the application has raised significant concerns about the scale, bulk and height of the building(s) and stack and of the need for additional measures to reduce the visual impact (as is reflected in the comments of consultees set out above). We would therefore strongly advise that further consideration is given to this matter, including consideration of the overall design, with a view to minimising the height of the buildings and further mitigation achievable through the choice of colour and materials palette and extended landscaping provision (see our further comments below). This should include an explanation/demonstration that the buildings cannot be constructed below the existing ground level and alternative technology options which may enable a lower and/or smaller buildings to be designed;
- You will see from the consultation responses that there have been a number of concerns, and in some cases disagreement, with the conclusions of the Environmental Statement and supporting technical appendices. This is particularly the case in relation to the landscape and visual impact assessment and impacts on heritage. We would therefore advise that you review, amend as necessary and update the assessments in the light of the preparation and submission of the additional information listed above;
- With regard to the exterior design of the proposed buildings we would recommend that you submit an updated Design and Access Statement, particularly with regard to the final form and appearance of the development. This should demonstrate that the design has taken into account issues raised by consultees and that the opportunities that have been considered to deliver a

building that contributes positively to the character and quality of the area and promotes community acceptance of waste facilities through high quality design. This should include an explanation of why the plant has to be the size proposed, and whether a smaller capacity facility could not deliver any substantive reduction in the buildings height and scale;

- In addition to the details requested by the Council's Tree Officer, as set out above, other planting opportunities for landscaping and tree planting that have been considered, both on and off-site, should be identified. The relationship with the Ford Strategic Housing Allocation site will be particularly critical, as well as the impact on the nearby heritage assets and public rights of way, particularly to the north-west, north and east of the site;
- Clarity is requested on what, if any, landscaping provision is proposed to the northern boundary of the site and the teardrop shaped area to the northwest. This should identify what is proposed in relation to existing conifers, what if any screening at a lower level would be provided along this boundary, and how this would be maximised. Because the proximity of the Public Rights of Way network, this is an important issue in relation to public access to the area immediately around the site to the north;
- In the light of any review, amendment and updating of the assessments we would also advise that you provide an updated appraisal of how the development is seen to accord with the individual 'development principles' for the 'Site north of Wastewater Treatment Works, Ford', a requirement (W10) of the West Sussex Waste Local Plan (April 2014), Policy W10, where necessary, drawing evidence from the Environmental Statement;
- As has been raised by Arun District Council and the neighbouring developer, because of the constraints of the site and the concurrent proposals for the development on the the Ford Strategic Housing Allocation site, it is important that the applicants and the developer of the adjacent site seek to cooperate to produce proposals that work together, and incorporate adequate mitigation across the two schemes. This is required to ensure compatible development which both safeguards the amenity not only of future residents of the the Ford Strategic Housing Allocation site, on the one hand, but also the business, schools and other mixed uses proposed, and the operation of the energy recovery facility and waste sorting and transfer facility, on the other. The provision of noise, odour and lighting contours and mapping of sun light/overshadowing on the the Ford Strategic Housing Allocation site needs to be explicitly addressed, showing which, if any areas of the allocation would be affected or the use of which would be sterilised. The County Council appreciates the applicants cannot require the developer for the Ford Strategic Housing Allocation site to co-operate, but nonetheless continued communication is encouraged to ensure that where necessary suitable separation buffers and/or mitigation are investigated and clearly identified;
- Can you also please provide details of the following specific issues:
  - Confirm if there is a need for a minimum volume of residual waste to be stored on site to allow continuous generation of electricity and how is this managed?
  - Provide an updated assessment of need and the sources of waste to be managed, taking into account the latest West Sussex Joint Minerals Local Plan and Waste Local Plan: Monitoring Report 2018/19;
  - Provide an assessment of the impacts on amenity for properties and highway footpath users along the route of HGVs in the light of the changes as a result of use of larger HGVs now proposed. This point does not appear to have been addressed or is not apparent in the submitted noise and vibration assessment; and

- Give consideration to the risk of major accidents which has been raised as an issue by a number of consultees and third parties. Can you therefore please provide an assessment of potential accident risks and how these will be managed; and
- In addition to specific consultation responses referred to above, the applicants are encouraged to review all consultation responses and third party representations received in respect of the planning application (available on the WSCC website) and provide responses to the key issues raised.

Where the further information sought would require amended plans, they should be allocated a new 'revision' number and any plans to be superseded should be identified. It is also advised that the information should be presented in a single supplementary submission.

As you are aware, under the terms of a Planning Performance Agreement (PPA) it was originally envisaged that the application would be determined by January 2021. In view of the above request for further information and on the understanding the applicant will require additional time to consider how to respond to the consultation and third party responses to date, there is a need to extend the timescale for determination.

We would be grateful for your confirmation of the likely timescale necessary to allow the applicant to respond to the above request and comments received from third parties/consultees, in order that an extended target determination date can be agreed, and PPA timetable reconsidered. Can you therefore please confirm you anticipated timescale for the submission of the additional information by no later than 30<sup>th</sup> November 2020.

If you require any further clarification or if you wish to discuss the information requested, please feel free to contact me.

Yours sincerely

*Andrew Sierakowski*

Andrew Sierakowski  
Consultant Planner  
County Planning

Enc. Consultee Responses