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Your Ref: WSCC/011/21

Our Ref: F/6/21/WS

Arun District Council
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Please ask for:
Claire Potts
Strategic Development Team
Direct Line: 01903 737698

Dear Mr Neave

Ford Circular Technology Park, Ford Road, Ford, BN18 0XL

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 waste, including ancillary buildings, structures, parking, hardstanding and landscape works.

Thank you for consulting Arun District Council on the further information and clarification submitted in relation to the above application for planning permission. I can inform you that this Authority maintains an **objection** to the application.

Comments on the application generally are still as set out in our consultation response dated 2nd June 2021. As the further information sought to address comments from Environmental Health Officers, I have attached their comments to this letter.

You will also recall that Members have previously resolved that, should West Sussex County Council be minded to approve the application, a request would be made for the Secretary of State to call-in the application for his own determination, and this still stands. If you wish to discuss the contents of this letter, or if there is anything you do not understand, please contact me.

Yours sincerely

Neil Crowther
Group Head of Planning

Planning
Arun District Council

Comments on Further Information from Arun District Council Environmental Health:

Further to the recent information submitted under this application, Environmental Health still **object** to this application. Whilst it is noted that some of the points raised previously by Environmental Health have been addressed, further questions have been raised (see below) and Environmental Health still consider that it has not been demonstrated that odour and noise will not be an issue at sensitive receptors, particularly at The Landings site.

In response to Terence O'Rourke letter dated 26/7/21 ref 264101, Environmental Health comments are as follows:

10. Environmental Health agree with a condition with the times imposed.

13. paragraph 5 states "for existing receptors further from site, the screening is expected to provide up to a 1dB noise reduction. Environmental Health would query whether an **up to 1dB** noise reduction is worth commenting on, it will not be perceptible to the human ear, and as stated, may only be **up to 1dB**. The table in paragraph 13 gives reduction in dB from screening, however, in all but R5, the reduction would not be perceptible to the human ear (i.e. less than 3dB).

14. Whilst there may be no accepted methodology for criteria for the assessment of demolition/construction noise impacts to sports fields, this does not mean that such an impact would not exist. Environmental Health still request clarification of potential noise impacts, especially given how close the site will be to the existing sports field.

36. EH would suggest that this is conditioned so that the phasing of the bunds can be managed in such a way that seeks to protect existing and future residents.

37. Agree, happy with a condition for this.

38. Thank you. Environmental Health suggests that a condition be agreed to which agrees the times of day that the EDG would be tested to avoid unnecessary night-time disturbance to local residents. Alternatively, would it be possible to design the EDG container so that noise escape is designed out as far as reasonably practicable?

Air Quality comments

39. Clarify the extent to which likely vehicle movements associated with proposed new homes has been taken into account in assessment of air quality impacts.

Thank you for the clarification.

40. Clarify if air quality monitoring/modelling is based on current vehicle numbers or maximum permitted by extant permissions.

I understand that the air quality assessment has used estimated proposed development traffic based on estimated trip generation and not the maximum permitted. However, I would like to see the air quality assessment based on worst case scenarios i.e. the maximum number of vehicles permitted rather than estimates.

41. Clarify what consideration has been given to potential changes in air quality objectives and how/if the plant would address this to ensure future compliance.

Thank you for the clarification. If there are changes to air quality objectives or new objectives are introduced without consequent changes to the environmental permitting regime this

leaves Arun with the potential for breaches of air quality objectives that the ERF may be contributing to but without any formal means of reducing emissions or requiring cooperation from the ERF.

42. Section 6.93 of the report states that “the point of maximum impact occurs to the north east of the ERF on a small section of Station Road (i.e. an area where the annual mean AQAL does not apply).” Clarify why the AQAL does not apply here as there are several residential properties here around the junction with Ford Lane that have not been identified as sensitive receptors.

It is still unclear why residential properties such as Lock Cottage and no's 5 and 6 Station Road, Ford have not been identified as residential receptors and subsequently why the AQAL does not apply here, particularly as the point of maximum impact is shown on Figure 6 as being very close to if not on these properties. I also disagree that receptors R1 and R2 are closest to these properties. According to Figure 6 R3 and R4 are closer.

43. Emissions Mitigation Statement: Clarify the basis for calculation of the mitigation costs and 79 mitigation measures.

Benefits to the environment such as diversion of waste from landfill and reducing greenhouse gas emissions are large scale, global benefits which will not be felt in a big way locally whilst changes to traffic flow and emissions from the site could be. As such emissions mitigation should be included to protect *local* air quality. The emissions mitigation calculation should be based on worst case scenario traffic figures as mentioned in the response to point 40 above and should be based on the maximum permitted trip generation rate of the proposed development, not the net change from the existing use as a waste transfer station. This should be recalculated if necessary. Environmental Health would therefore expect the full figure of £23,329 (or a recalculated figure if maximum trips are not included) to be put towards emissions mitigation and measures should be costed out to demonstrate that the required spend on mitigation measures has been reached. All EV chargers should be Mode 3, 7kw chargers as a minimum.

45. Whilst it is noted that an assumption has been made that The Landings potential layout was as per the original outline application, it should be noted that the application is only outline and that assumptions made on this basis may be challenged when any final residential layout is determined. However, it is noted that this would not change the level of dust mitigation measures required during construction.

46. Please could the applicant clarify the statement “there have been no substantiated odour complaints”. To whom (i.e. which agency) , and in what time frame is the applicant referring? With reference to the paragraph referring to the ERF and WSTF having an Environmental Permit and relying on the Environment Agency to enforce this, Environmental Health would again state that compliance with an Environmental Permit does not equate to no odour or nuisance outside the boundary, and also does not equate to no impact on amenity to local residents.

47. Noted.

48. Noted.

49. This paragraph states that 'doors will be left open during busy periods of deliveries' and also 'with doors left open (which is infrequent). These two statements appear to conflict, please could the applicant clarify this further?

50. Noted.

51. Noted.

52. Noted. However L_{Max} levels may well be considered as part of any statutory nuisance complaint.

53. Point 18 refers to short term impacts of between 5 months – 3 years. Whilst this may only be a fraction of the period of operation of the ERF, Environmental Health have concerns that future residents may (reasonably) consider that short term impacts of a number of years are not acceptable.

54. 55 and 56. Noted.

57. Noted.