

Objections from [REDACTED]
PLANNING APPLICATION WSCC/030/21

Application for planning permission for a clay quarry and construction materials recycling facility in Pallinghurst Woods, Loxwood Road, Loxwood RH14 0RW.

Throughout the 1970s I lived at Lower Barnsfold, Tismans Common, the tranquil and isolated dwelling that is closest to the proposed development site in Pallinghurst Woods and which will be the most directly affected by the development, although this dwelling is hardly mentioned in the voluminous application paperwork. The cottage is just over the border in Rudgwick parish rather than Loxwood. It is accessed by a rough track from Tismans Common leading directly into Pallinghurst Woods.

I walked Pallinghurst Woods daily for all of those years and was given freedom to roam widely, so I came to know every inch of those woods, from north to south and from east to west. I knew every aspect of the area's ecology – its trees, its wildlife, its plants and fungi, its ponds and bogs, its long-abandoned claypits and so much more. In particular, I knew what was then Brickkiln Farm and its old farmhouse still standing, albeit unoccupied, on the very site now proposed for the digging of clay pits and accommodation and recycling of construction waste. I knew the house, its cellars, its well, its orchards, its domestic rubbish pits, its meadow and its history. Brickkiln and Pallinghurst Woods inspired the first of my 40 published books on rural subjects (including woodland management), in one of which I devoted a whole chapter to the lone white-haired woodsman who looked after the Pallinghurst woodland. I knew the Tilhill Forestry forester and his colleagues very well and understood their management of the woods. I knew the deer stalker, I knew the local cowman who lived on the south side of the woods on the Loxwood road, I knew the local shoot, I knew the Harrison brothers and their elderly father and their cattle that grazed Lonesomes.

I *knew* the woods, and in particular I *knew* Brickkiln Farm.

Since then I have lived for the past 40 years in a similarly isolated and tranquil cottage on the edge of a similar acreage of woodland, parts of it ancient woodland with a known history back to Roman times, and surrounded by other woodlands. For many years I was parish clerk here, and a parish councillor and chairman of the parish council, so I'm familiar with planning applications. I also organised our Rural Fair for many years, encouraging local woodland crafts to exhibit their skills (average attendance 3,000 people on the day). I was editor of the parish newsletter until last year. I wrote a detailed history of my parish, and in particular wrote about the brickworks that used to be at the heart of my village, run by a local family known to all and owned by a substantial local estate. So I know about clay pits and brick making in the days when Pallinghurst Woods was indeed actively exploited for brick-making clay. In my own village, all of the clay was dug within a few hundred yards of the brickworks and transport was by horse and cart, even up to the railway station 2 miles away for further transport of the bricks.

I have known many woodland owners in different parts of Sussex and elsewhere over the years and understand the challenges they face. But never have I come across such an exploitive aim as that of the current owner of Pallinghurst Woods, who lives nowhere near the woods and seems to have no understanding of local people or of the ecology of his own woods. Which is sad. And never have I come across such a volume and intensity of local objections to any planning application. There are already hundreds of objection letters and these surely cannot be dismissed against the wish of an absent landowner.

I have read all of the thousands of pages accompanying the planning application (and appreciate the consultancy costs involved) and have found so many factors against the application in strictly planning terms that it is hard to know where to start. The main objections have been covered by others, but my own main objections are summarised as follows.

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The application for the 8 ha site is to extract about 375,000 tonnes of clay over the next three decades on 6 ha of the site, ostensibly for brick making and possibly also contributing towards cement-making for concrete blocks. The application also includes a large waste-recycling building (40m x 35m x 8m high) to process imported construction waste (about 25,000 tonnes per annum, i.e. 750,000 t over the lifetime of the project at current rates), about half of which would be used to refill the clay pits but the balance of which would be transported out of the site again. These two industries (clay extraction on the one hand, construction materials recycling facility (CMRF) on the other) would require up to 40 lorry movements a day into and out of the site via the existing forestry track southwards to the layby on Loxwood Road, from which outgoing lorries would travel east and north up to Bucks Green to access the A281. Restoration of the clay pits would include replacement of topsoil saved from the original digging, initially to be sown with grass seed and then replanted with trees. A surface-water drainage lagoon on the site would be converted to a small 'fishing pond' for public use at the end of the three-decade project. In addition there is the stated intention to activate a 'biodiversity plan' including further plantations and habitat development elsewhere in Pallinghurst Woods. It is also stated that if the current application is not accepted, the owner is unlikely to activate the biodiversity plan.

TRANQUILLITY – a vanishing resource far more precious than clay and profit. Unfortunately the site is not in the South Downs National Park, where 'tranquillity' is very high on the list of attributes to be cherished.

HISTORY – The fact that clay used to be extracted here a hundred years ago is irrelevant to the present. The old extraction was to meet local demand. Today there is no such local demand, no local brick makers. In terms of sustainability, the clay should only be extracted adjacent to the brick-making site, to avoid unnecessary lorry movements.

SUSTAINABILITY – a concept developed since the Rio Earth Summit in 1992 that has become a basis for forest management worldwide. In the UK this concept has been broadened over the decades to include amenity (especially recreation and landscape) and, since the 1980s, to include the concept of multipurpose forestry. But multipurpose does *not* include industrial use. See also Wildlife & Countryside Act 1985 and the subsequent series of Forestry Commission guidelines about environmental issues in forestry. See also UK Forestry Standard (UKFS, Forestry Commission, 2017).

MITIGATION – a word that immediately arouses suspicion. If mitigation is necessary, there has been an inappropriate act. Without that act, there would be no need for mitigation. According to UKFS, 'mitigation means intervention or policies to reduce emissions of greenhouse gases, or otherwise stabilise their concentration in the atmosphere. One of the ways this can be achieved is by enhancing 'sinks' of greenhouse gases such as carbon dioxide ... Forests have high levels of stored carbon.' Thus the emphasis should be in maintaining the trees, not disturbing the carbon-retaining topsoil by removing it to dig clay pits ('Carbon in forest soils is particularly important, as a greater proportion is often stored in the soil than the tree biomass').

RESTORATION – restoration (like mitigation) would not be needed if the site were not despoiled in the first place. Restoration by incorporating *imported* waste is almost insulting. It should also be noted that importing such waste has the added risk of introducing problem organisms (pests and diseases).

NIGHTINGALES – a Red List species that has been under severe threat in recent years and which now depends heavily on appropriate sites in Kent and Sussex. The consultants' wildlife survey indicates the presence of at least 3 potential breeding pairs on and near the site, and others in other parts of Pallinghurst Woods. I know from personal experience that there used to be many more nightingales in these woods. In some instances, developers have claimed that they can 'mitigate' any threats to nightingales by, for example, planting new woodland elsewhere, but the new woodland would take some years to reach a state of being attractive to nightingales, by which time they could even be extinct in the UK. Another rare species in and near the site is the **Wood White** butterfly. The

applicant's 'map' of biodiversity mitigations for the Wood White, the nightingales and reptiles begs the question: why not do all of this anyway, without exploiting the site for clay pits and waste recycling? There is also an intention to removed reptiles (including slowworms) from the site and fence them out, according to consultants ProTreat (based in Shropshire, which is a long way from Pallinghurst).

TRAFFIC – The existing surfaced forestry track through the woods is used for the extraction of timber and other forestry activities. These have always been only very occasional uses. In contrast, the new LCP project introduces HGVs with many movements (up to 42) every single day except Sundays. Only Tilhill can estimate the overall percentage increase in traffic that would be involved, and presumably the forestry activities would continue as well, using the same track. The Non-Technical Summary of the application shows that HGV movements involving waste far outnumber the movements related to clay extraction, which gives lie to the implication that clay extraction is the main purpose of the application, with waste importation being almost an afterthought.

The Loxwood Road includes a bend close to the layby that impedes visibility. Incoming HGVs will be crossing the road to reach the layby. With an already rising amount of traffic using Loxwood Road anyway for other purposes, the risk of accidents must be considerable. The junction at Bucks Green with the A281 (which anyway carries a large volume of traffic) is already considered to be a dangerous area.

The West Sussex Minerals plan stresses that clay extraction should be adjacent to brick-making facilities, to avoid unnecessary transport, and also that the preferred transport is by water or by rail. Unless the applicant also intends to extend the Wey & Arun Canal, this preference will not be met.

NOISE AND LIGHTS – these will be the most intrusive factors for nearby properties such as Lower Barnsfold but also more widely. Currently 'noise' in the woods is limited to valid forestry work. Noise from the proposed development, even though stated by the applicant to be very minor, will still be intrusive in an area where it has not previously existed, especially as it will be continual (including dumpers, excavators, diesel-powered mobile plant etc on site). Lighting is also intrusive, however much it is 'mitigated' by facing downwards. The dark skies above the woods will be affected at a time when the value of dark skies is increasingly important. There is mention of electricity use on the site, initially powered onsite and eventually connecting with the local grid network. Onsite generation will inevitably generate noise as well as electricity. Connection to the local grid will mean introducing overhead cables to an area where there are none.

INDUSTRIAL use of a woodland site. The UK is committed to maintaining or *increasing* its forest area and to enhancing the social and environmental as well as economic values of forest resources. There is an overarching UK policy of a presumption *against* the conversion of forest land to other land uses.

CLIMATE CHANGE – very much in the news. Targets are to reduce total greenhouse gas emissions by at least 50% by 2025 in UK. 'For example, in construction, timber can be used in many situations instead of energy-intensive materials such as concrete ... ', so why is LCP pushing the idea of turning some of its clay into cement and thence concrete? Brick making is also energy-intensive. To veer towards carbon neutrality, the emphasis should be on woodfuel derived from sustainable forestry or from short-rotation crops such as coppice (UKFS). The consultants ProTreat state that combining a CMRF at the same site as a clay pit would provide 'environmental synergies with a lower carbon footprint and is, therefore, more sustainable than carrying out the two operations at different locations'. This is an extraordinary statement. Neither of these operations needs to take place in Pallinghurst Woods, whether alone or together.

NECESSITY – The demands for Sussex clay are already being met for at least the next 20 years; there is no need for a new clay-extraction site. Any such need should anyway be met by extracting on or very close to a site where clay products are manufactured, to avoid unnecessary transport. Nor can there be any justification for creating a site for landfill with waste of any kind. Chicken and egg: did the idea of waste-dumping come first, and the concept of clay extraction as a second thought to justify the waste-dumping?

LOCAL COMMUNITY – the webinar events included much reference by the applicant’s advisers to preventing the public from straying from official public rights of way. It would be much more productive to *encourage* local people rather than discourage them. Encourage them to take an interest by continuing to manage the whole woodland in a sustainable, carbon-neutral way, and encourage them to get involved. The UKFS states that about a third of the UK’s woodlands are in public ownership (in which role they encourage public enjoyment of the woodlands and manage the woodland in the public interest to meet environmental, economic and social benefits, and increasingly to involve local communities) and that about 30% of other woodland owners (who include for example farmers, family trusts, charitable trusts, local groups and companies as well as individuals) make special provision for public access and enjoyment in addition to statutory and permissive access. By doing so, they also encourage the public to feel a sense of shared responsibility. Perhaps a community scheme of some kind could be set up to protect Pallinghurst Woods from inappropriate intrusion, whether for industrially extracting clay, importing and recycling waste or, in the future, urbanising by house-building on the site or elsewhere in the woods. Government grants increasingly encourage woodland owners to take an interest in biodiversity and amenity for public benefit, as well as personal investment for monetary returns. The recent COVID lockdowns have shown how important it is for people to enjoy woodland environments and how such enjoyment can improve the nation’s health. The UKFS states that ‘Trees and woodlands provide a vital resource for recreation and learning, and contribute to social cohesion, health and rehabilitation.’ This is surely more important than profits accruing to a private woodland owner? It is suggested that during the lifetime of the project it could provide £10 million income to the local economy. This sum divided by the 30+ years of the project is not exactly generous per annum in view of the many disadvantages to the community in the meantime.

Finally, in the words of a forester and ecologist who knows Pallinghurst Woods very well: “In the final analysis, how can one man’s desire to make money by despoiling a wonderful piece of environmental value override the wishes of all who actually live in the area? This is the point and is the question that all those making the decision on this planning application must answer.”