

**From:** [REDACTED]  
**To:** [PL Planning Applications](#)  
**Subject:** WSCC/030/21 Objection submitted on 30/8/21  
**Date:** 30 August 2021 13:27:43  
**Attachments:** [REDACTED]

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30/8/21

I was bewildered and disappointed to find due to an administrative error the comment window closed early before the stated deadline of the 30/8/21. One can assume in the absence of any other indication the deadline must have been midnight tonight?

I wonder how many people, especially with it being bank holiday may have missed the deadline due to returning from holidays/mini-breaks/visiting friends or simply doing things at the last minute?

I believe due consideration should be given to extending the objection window perhaps by as much as a week?

Best regards

Wayne Schofield

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# Loxwood Clay pits & CMRF

**Wrong application, wrong location.**

Wayne Schofield, Pephurst Farm, Loxwood, Billingshurst, RH14 0RW

Any opinions expressed are my own personal views.

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Here is an example of a skip lorry driving down Loxwood Road heading West towards Drungewick Lane in the direction of the proposed entrance. Imagine a c. 500% increase in movements of similar and larger lorries. Full video below <https://www.youtube.com/watch?v=8zXetV0oqgo>

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## Introduction

We are in a climate crisis, we need to be reducing our carbon footprint, there is a 2050 target for carbon net zero. We must safeguard woodland, especially ancient and established woodland. It's ironic that there is a plan for a recycling plant that requires the removal of trees and would severely affect ancient woodland, habitats and the environment.

There are countless local and national policies this application falls short of, some of these are outlined below. I strongly encourage the planners to powerfully reject this application and dismiss further appeals too.



## Policy Considerations

### Minerals Policy

Joint Minerals Local Plan 2018 (JMLP) Policy M5, **it is my opinion that the requirements of this policy are not met**, in particular the proposed development is not well located to the Lorry Route Network(LRN).

### Demand For Clay

The WSCC Monitoring Report 2019/20 shows there is **plentiful supply of clay in West Sussex**, there is additional supply at the nearest brickworks in Ewhurst, Surrey.

The carbon footprint created by transporting clay off site is unsound both economically and environmentally. **Clay is best extracted and used on site**. There is **no proven destination for the extracted clay** apart from an indistinct desire for a small facility by the applicants; existing brickworks are consolidating and extract their clay on site.

**Without justification to extract clay, there is no justification to dig a hole and therefore undermines an argument for "restoration"**.

### Minerals Rights

The applicants **do not possess the rights to the minerals** as outlined below:

On the title plan WSX185600 Register of Title, the mineral rights are reserved by the Duke of Norfolk Estate.

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“The mines and minerals under such part of the land in this title other than the land hatched blue on the filed plan as were contained in a Deed of Enfranchisement dated 24 April 1900 and made between (1) The Most Noble Henry Duke of Norfolk (2) The Right Honourable Marmaduke Francis Herries Baron Herries and another (3) Alicia Young and (4) Adrian Young and William James Tong are excepted from the registration.”

## **Waste Recycling plant**

The Waste Local Plan outlines numerous policies where this application fails:

There is **no market need (W1)**, in fact the market has more capacity at Penfold Verrall (A24 - well located to LRN), not included in the local plan.

The site is a **greenfield site**, not in a built up area, nor brownfield, nor well related to the LRN (W3).

Additionally, the site **does not make minimal use of local roads**, like an access to the North would (W4/W18).

The recovery rate is possibly understated to reduce perceived length of the operation. **Higher rates of recycling would increase HGV movements** and the length of the operation. **Recycling rates of 50% are well below industry averages.** There aren't clear benefits to the site with deposition of inert waste.(W8)

The **tranquil woodland** area with very low background noise, criss-crossed with official/informal footpaths would be completely **altered in character** by the proposed development. (W11/W12)

It is likely that a **large amount of use would be generated from Surrey** (e.g. Dunsfold Aerodrome). A Waste recycling plant at Dunsfold would be much closer to the LRN, be near a built up area and be located on a brownfield site.

There are moves to recycle building materials at source and such a site could **quickly become outdated.**

**This is a far from optimal location, with no local demonstrable need and should be left as sanctuary for nature, tranquility and supporting well-being.**

## **Listed Buildings**

In the case **Steer v SSCLG**, “the Inspector’s decision failed to have proper regard to the damaging impact on the listed buildings and the setting and significance of heritage assets”. That “the planning system gives a wide view of ‘setting’ in relation to the protection of heritage assets, which seems consistent with current advice in the NPPF”

Approaching from the East along the A281, there are nearly twenty listed buildings in close proximity to the road.

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“The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places.”<sup>1</sup>

Living at Pephurst Farm, there is evidence in the applicants noise report appendix that we will be **affected by an increase in noise and a potential visual impact**. This is true but in my opinion understated. There is potential for a circa 500% increase in HGV traffic, in terms of noise and visual impact this is **moderate**. The listed barn much closer to the road has no foundations, like the farmhouse - I fear that vibrations from **HGVs** juddering to a halt outside and travelling past neighbouring listed properties might **undermine the fabric of the buildings**. This could be **exacerbated by the roads being damaged** by the large increase in HGV traffic.

There is further concern that **dust might be generated** from the skips themselves, from the unmade road to the proposed site and from the processing plant itself

The applicant concludes there is a “less than significant impact” on listed buildings, I believe there will be a **moderate noise, visual and dust impact**.

## **Traffic impact**

**Increased HGV traffic** would have a significant impact on local villages.

A **severe impact to users of the 506 Weald bus service**. There are limited stops along Loxwood Road, school children (including my own) are **obliged to walk up to a mile along this road without pavements** to get buses to and from school.

HGVs entering and exiting the proposed site would pose a significant highway safety issue; **visibility splays are inadequate compared to stopping distances** even with favourable cutting of local hedgerows.

The applicant suggests a lorry routing agreement will be made to avoid traffic going West of the site along the Loxwood/Station Road. It is **deeply seated human behaviour to take shortcuts**, I would expect **HGV drivers to take the shortest route to and from site which would further affect Loxwood and surrounding villages**.

**Traffic flows are not uniform** and as such many lorries could arrive on site, many at one time. How will this be managed, will the road get blocked? Will access to public parking be restricted? **No clear plan has been provided as to how will this be managed?**

## **Consultation**

I believe the consultation was **inadequate** in many ways:

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<sup>1</sup> Planning Practical Guidance (PPG - Historic England)

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It was **poorly advertised**, was **limited to a few very local postcodes** (yet like the applicants users of the woods come from much further away). A GPS tracked leaflet was reportedly distributed to the locality, I am not aware of a single person that received one. Attendees of the webinars were **asked closed questions** to garner a response, where both answers supported the application. The webinars were in my opinion one-way, a diatribe at the rising opposition: this wasn't a consultation moreover a monologue and possibly a reason there is such strong objection to the application.

**In summary, attendee numbers were limited by postcode, it was poorly advertised and asked leading questions with closed answers that shaped their responses.**

## Noise

I believe the inference made in the **noise report to be over optimistic** and make unrealistic assumptions about the way the building would be used and how the building attenuates noise. It is **exceedingly unlikely that the building will have its doors and windows closed** at all times if regular skip were lorries visiting to unload.

I see no account of the **deeply intrusive noise skip lorries (especially when empty) and their chains** make as they leave the site on the lengthly access track and Eastbound along the Loxwood road.

I was deeply saddened to see how it could affect a local family with an autistic son, who lives at the nearest property **Ivyhurst**. Their youngest son suffers from **acute anxiety** and **Hyperacusis** and as such certain loud noises cause him pain. This is a **severe implication that cannot be underestimated**.

Users of **PROWs close to the site** will have **loss of amenity** by the intrusive industrial noise at the proposed site.

## Environment

The woodlands have been a **sanctuary for our family for the many years** we have lived here. More recently during the pandemic, it's had a **positive impact on our wellbeing**. It has huge wellbeing impacts for the many woodland users, one particular person travels regularly from Weybridge.

### Parking

The parking and wheel wash area is located in **Ancient woodland** called Pephurst Wood. The applicant claims they will be able to **utilise existing concrete pad**, which I estimate to be approximately 100m<sup>2</sup> and in poor condition to accommodate the parking for all staff members and the wheel wash. Approximately 30m<sup>2</sup> is required per car with ingress and egress, so 300m<sup>2</sup> would be needed for 10 cars alone. With the addition of a security hut, a centrifugal wheel spinner and a lagoon for the waste water, **is this realistic, especially in**

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**ancient woodland?** Paragraph 3.5.4 of the WLP states that “ancient woodlands are a nationally important and threatened habitat, and their existence over hundreds of years has preserved irreplaceable ecological and historical features”.

### Public parking

The applicant intends to remodel the lay-by. There is **little consideration to the loss of public parking** this would cause, the only part of the triangle left for parking wouldn't be adequate. (View photo on page 2 for typical parking requirements.) Additionally the visual impact of remodelling the surrounding green space in the parking area would be **unacceptable**.

### The access route

The access firstly shares the bridleway 3240 in the lay-by. Currently this is shared with occasional cars, however the addition of up to **42 HGVs poses a severe risk to pedestrians, cyclists, horse riders and other users**.

These same HGVs would pass across the same bridleway 3240 again, along FP 795. WSCC warden has confirmed in their response that footpath FP795 has a right of way across the entire track for 90m, again an **unacceptable conflict with existing users**. The access has previously been used for forestry activities and the **increased use could amount to an “excessive user” in law**.

The access route then **passes through approximately 250 metres of ancient woodland**, which could damage roots, damage verges, limit animal routes and pollute the air around the trees. The track continues close to other ancient and ancient replanted areas. Furthermore, WSCC's tree policy states “4.13 There are strong protections for ancient woodland and ancient and veteran trees, which are recognised in the NPPF and accompanying guidance as being irreplaceable habitats. The Framework requires that **any development resulting in the loss or deterioration of such irreplaceable habitats should be refused**, unless there are wholly exceptional reasons and only if a suitable compensation strategy exists.

### Habitats

Whilst the applicant describes some part of the site as “recently replanted” and “scrub”, it is in fact a **rich habitat for a variety of species** and has in fact been replanted with broadleaf species that if left to grow would resemble the woodlands around it.

The part of the site to the South contains many **mature oaks**, not only do these represent an **ideal roosting habitat for bats** but they will be some of the first to be felled for the establishment of the lagoon. This woodland whilst not listed as ancient, has many **ancient woodland indicator species such as Common Spotted Orchids and Bluebells**.

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The applicants own Flora and Fauna survey (ES U) contains **a wide variety of species that would be threatened by the development.** This include a number of protected species:

- Nightingales (what a beautiful sound they make)
- Rare Barbastelle Bats
- Wood white butterflies (transect along the main access track)

**ES U provides reasons alone to avoid developing the area and arguments to preserve it.**

#### Pollution and carbon emission

It is unacceptable that there is a **diesel generator on site for an undetermined period.**

42 HGV's, onsite excavators and tracked dumpers will have **large carbon footprints.**

The **removal of the tree canopy** will further exacerbate this.

#### Suitability of location

The 1400 square metre, 8 metre tall building of industrial design would create a **severe visual impact** in an otherwise natural and tranquil environment.

Is is **unacceptable to close footpath 792-1 (northern boundary of the site)**, as a regular user it would have many impacts.

For the applicant closing it reduces the visual impact as the nearest public users are further away and makes it easier to claim there is no need to fence off the development site. However the **closure of the footpath would create an unacceptably large diversion and people may stop using the path at all.**

#### Conclusion

There are multiple reasons to decisively reject this application and the wealth of public opposition supports the fact this is the wrong application for the wrong location:

- There is **no demand for clay** identified in the latest monitoring report.
- There is **no justification for a Construction and Demolition waste recycling facility** in such a location.
- There are numerous **severe highways implications.**
- There are **unacceptable conflicts** between users of PROWS and HGV's.
- There would be a **loss amenity which promotes well-being.**
- There would be a **severe impact on the habitats** in the woodlands.
- There would be a **severe environmental impact** with a decrease in carbon absorption and an increase in emissions.
- There are **unacceptable implications for the many listed buildings along the Loxwood Road.**