

From: [REDACTED]
To: [PL Planning Applications](#)
Subject: WSCC/030/21
Date: 30 August 2021 21:47:21
Attachments: [REDACTED]

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30th August 2021

County Planning
West Sussex County Council
County Hall
Chichester
West Sussex
PO19 1RH

FAO Mr Chris Bartlett

Dear Sirs,

**WSCC/030/21, Proposed clay quarry and construction materials recycling facility,
Pallinghurst Woods, Loxwood**

I have know the proposed site since the 1960's, having lived locally as a boy and explored the woods at that time. I have since lived in Rudgwick and the adjoining parish of Abinger and I have walked regularly in Pallinghurst Woods for more than fifty years. Knowing the area very well, I now write to object to the proposal on the following grounds.

1. General

The National Planning Framework (NPF) requires that sites selected for land based rural businesses, *"should be ones with the least environmental and amenity value. Development resulting in the loss or deterioration of irreplaceable Ancient Woodland (AW) should be refused.* Clearly this site has a great environmental and amenity value and it includes areas of ancient woodland. It is therefore contrary to the NPF. The proposal is also contrary to the Chichester District Local Plan and to the Loxwood Neighbourhood Plan.

2. Need for clay

The WSCC Minerals Plan 2018-2033 showed that there was more than sufficient clay for the next 25 years available. The application is therefore outside the requirements of the WSCC Minerals Plan. Additionally, Ewhurst Brickworks, just three miles away from the application site has formally stated in a current planning application that it has reserves of clay to last until 2082, a further 61 years. See: [REDACTED]

3. Transportation of raw clay

Clay is a bulky, heavy, wet, and difficult material to handle. Transporting it in its raw form to

distant sites for processing is fundamentally flawed on economic grounds and also environmental ones in terms of excess traffic, air pollution, and CO2 emissions. The preferred location for a brickworks should be at the clay extraction sites and the finished product transported off site, not the raw material. Policy M5 maintains the source should be as close as possible to the site where the clay is to be used or is well-related to the Lorry Route Network (LRN), so that local road use is minimised. The nearest Strategic Lorry Route, the A24 at Horsham, is 10 miles away, even the A281 (Local LRN) is 3 miles away on a woodland track and a narrow C road. It is not clear from the application where the clay is to go to once it is on the LRN, but there appears to be no market for it locally.

In contrast an example of good practice is the nearby Ewhurst Brickworks which has been operating for over a century and currently produces some 100,000 tonnes of clay per annum, all of which is extracted in a two month period because of the difficulties of wet weather extraction. The clay is then stored in stockyards and processed on site throughout the year, the finished products only leaving the site.

Two long established local brickworks have closed recently, Rudgwick in 2012 and Capel in 2009. Further afield the West Hoathly works closed in 2020, this being the applicants previously intended stated destination for the Loxwood clay prior to its closure. The suggestion by the applicant that a new brickworks could be set up locally to process the clay is therefore unlikely to be an economically viable one. Any suggestion that a new brickworks could be set up in Pallinghurst Woods would meet many of the objections that relate to this application, and additional ones too. There is also the matter of the availability of the necessary large mains gas supply locally and the CO2 emissions aspect of such a supply were it to become available.

4. Need for a Construction Materials Recycling Facility (CMRF)

WSSC Waste Plan, 2014, reviewed in 2019, makes clear (Policy W1) that there is no need for new processing sites (para 2.11.1), as there are five already at Ford, Climping, Chichester, Horsham, and Burgess Hill. All of these sites are much closer to the sources of waste material, a fundamental economic and environmental advantage over the remote and rural proposed site at Loxwood. The application does not therefore fall within the requirements of the WSSC Waste Plan.

5. Source of the waste

Although the application refers to the contribution the site might make to recycling waste originating in West Sussex, there are no guarantees that this will be its source. The Danish family are owners of Pallinghurst Woods and also Loxwaste Ltd., a skip hire business with bases understood to be in Kingston and Orpington. It is possible that the site will handle waste from Surrey and Kent and make no or little contribution at all to West Sussex's Waste Plan.

6. Efficiency of waste processing.

It is notable that the applicant states that the only 50% of the waste will be recycled. This is well below the industry average and indicates that only the waste that can be most easily and cheaply removed will be - the rest, whatever that is, will go to landfill and presumably have groundwater percolating through it. Any possible detrimental effects this may have will not become apparent for many years, but it should be noted that the Loxwood area is one of water stress now, without any possible contamination issues.

7. Location

WSSC Waste Plan Policy W3 refers to the location of recycling sites. It appears that a new CMRF site in an existing clay pit or quarry may be acceptable. However creating a new pit in order to bury unrecovered waste would seem not to meet the criteria. The WSSC plan indicates that a site on brownfield land, close to lorry routes, close to sources of construction waste, close to markets for recycled materials, may be permitted. The greenfield Loxwood site meets none of these criteria.

It is understood that WSSC have already stated to the applicant, "You will need to demonstrate that the use cannot be accommodated on permitted or allocated sites. Furthermore, being a

‘greenfield site’, you will also need to demonstrate that no alternative sites are available.” “In line with part (b)(iv) of policy W3, you will need to demonstrate that the site is well-located to the Strategic Lorry Route Network It is not considered that this is the case.” Although the A281 is ranked as part of the local Lorry Route Network, the nearest Strategic Route is the A24 at Broadbridge Heath. Again, this application does not meet WSCC’s Waste Plan requirements. Additionally the applicant does not appear to have considered alternative sites as is required.

8. Light pollution

The National Planning Policy Framework requires that policies and decisions should limit the impact of light pollution from artificial light on dark landscapes and nature conservation.

The photograph below was taken at dusk looking south east from the public footpath that runs north westwards along the ridge line to the west of the proposed site. The view shows Songhurst Farm to the left of centre, where workshop skylights are illuminated. Old Songhurst Farm is to the right of the photograph where an external light can be seen. No other light sources are visible in the vista which reaches as far as the South Downs on the horizon, the landmark of Chanctonbury Ring being just discernible at about 15 miles distant. The proposed site would be roughly central in the photograph in the belt of dark woodland and when illuminated would completely dominate this rural landscape. This is contrary to the NPPF.



9. Transport and traffic

There are a number of points to be considered here.

A. The application states that all the HGV traffic coming and going from the site will do so via Bucks Green. Whilst this may be the intention of the applicant, experience shows it will be extremely difficult to ensure that it takes place in practice. Reference has been made earlier to the nearby Ewhurst Brickworks, which is a very large operation and in the main appears well run by an international company with unrivalled experience in this field. However, although there is a transport plan for the works to guide vehicles to and from it on rural routes, there is a tendency for the drivers of HGV vehicles to simply enter the postcode of their destination in their satnav or phone and follow the verbal instructions given rather than any map or instructions they may be sent. Despite having a transport plan, an emailed map, and advisory signage, some HGVs of up to

44 tonnes are still using a narrow country lane just 3.3m (11ft) wide to access and leave the Ewhurst site.

It seems likely that the problem outlined above would also apply to the Loxwood proposal if permission were granted. If so it would potentially lead to scenes not dissimilar to those shown below (taken elsewhere), but on Hornshill Lane, Cooks Hill, Baynards Lane, Knowle Lane, Spy Lane etc etc because drivers will not be obliged to follow the route designated by the applicant:









Signs such as this may be erected in an attempt to prevent HGV use, but they are only advisory and widely ignored:



B. Others have written about the poor condition of the class C Loxwood Road and the following sample photographs illustrate the large number of repairs that have been required, noticeably to the outer edge of the road. The extensive repairs are indicative that the substructure and haunching at the verge is insufficient to take the weight of heavier vehicles which of necessity are using the full width of the road. The 300% increase in HGV traffic proposed is likely to require road widening with kerbstones laid with a suitable substructure to prevent the road edges from spreading and breaking up. This would greatly detract from the rural character of the road and would be inappropriate.





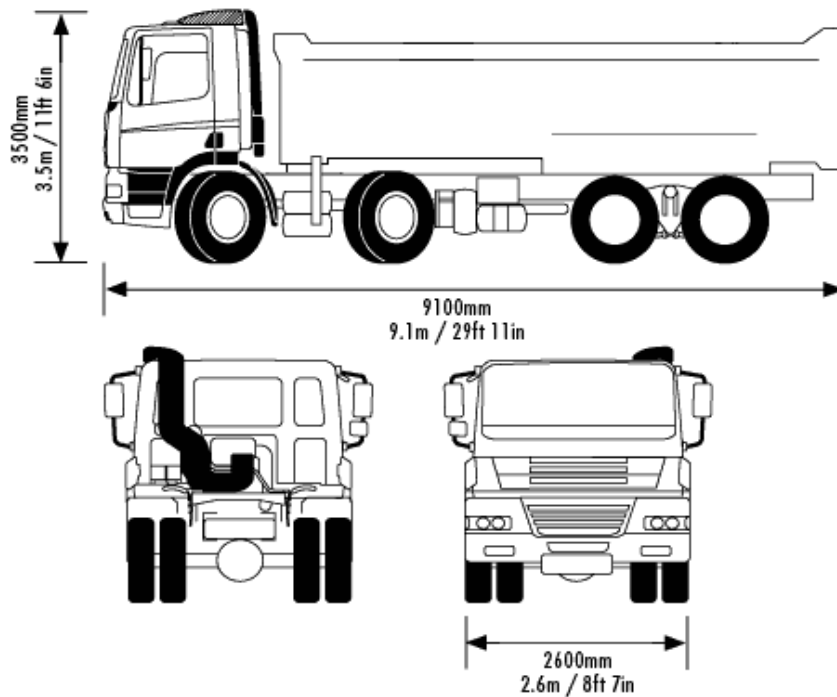




C. In its consultation response WSCC Highways has stated,

"Loxwood Road is generally at least 5.5m wide which would allow two HGVs to pass. A section of circa 80m west of Exfold Farm narrows to 5.1m, HGVs would be able to pass with care (each type 3 tipper/ HGV being a width of 2.495m) or utilise the forward visibility to pass at a wider area."

With respect to Highways, the use of "forward visibility" would presumably require one truck to reverse on the highway with highly restricted rearward vision. Additionally, not all 32 tonne trucks are 2.5 m wide, as the following drawing illustrates:



But more crucial is that the dimension quoted by Highways is for the truck body only. It does not include the mirrors which are each estimated to protrude a further 200mm beyond the bodywork. Assuming the nearside mirrors of two passing HGVs are over the verge and the drivers can pass at speed with just 200mm between the extremities of the vehicles, then the road width required is at least $2500+200+200+200+2500 = 5.6\text{m}$. This is wider than the width of the road as provided by Highways and much wider than parts of the section west of Exfold. Whilst the mirrors may be retracted at low speed, this will not take place with two HGVs approaching one another at a combined speed of about 80mph. Instead the drivers will slow and simply allow the nearside wheels to run on the verge. This will destroy the raised verges on the 5.1m wide section of the road west of Exfold.

On the more open part of the road between the Barnsfold dip and Drungwick Lane the verges are largely flush with the road surface. Here there is a serious risk of the verge collapsing if it is driven over, causing what is known as a "drop off", a vertical or near vertical drop from the edge of the tarmac. An example of this is shown below where an HGV has either veered off the road accidentally, or used the verge to allow it to pass an oncoming HGV:

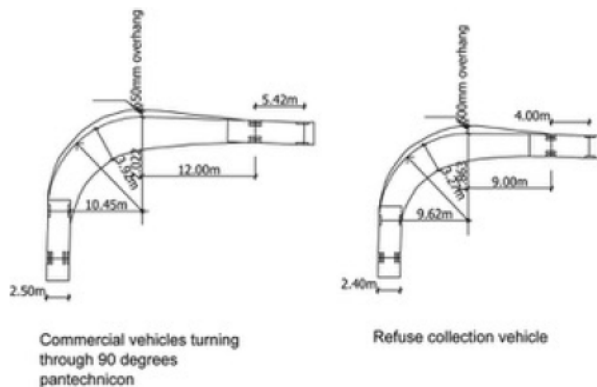


Drop offs are extremely dangerous for other road users. Locally an accident occurred on the A29 north of Clemsfold in West Sussex in which a lady lost control of her car and was seriously neurologically and orthopedically injured such that she required lifetime care. In the following legal case of *Russell v WSCC* it was established that the County Council had an obligation to maintain the verge of the highway reasonably level with it and it had failed to do so. The matter went to the appeal court and the judgement was upheld.

Drop offs are highly likely to be created through a threefold increase in HGV traffic on a rural C road that appears to have insubstantial foundations to the road edge, and which is narrower in parts than the combined width of two of the HGVs that are to use it if their off side mirrors are

allowed for. Knowingly allowing situations where drop offs would be much more likely to be created by its actions would put WSCC in a difficult position in the event of accidents occurring that were attributable to such defects.

D. It is sometimes not appreciated that the tracks of the rear wheels of a vehicle deviate from the tracks of the front ones on corners, the larger the vehicle and the sharper the bend the greater the "swept path" will be. On the relatively narrow Loxwood Road the blind corners at Exfold and the Mucky Duck, and the long radius corner at Hale, are likely to require an HGV driver to "straighten" the corner, as would turning left and left again to join the A281 towards Guildford in Bucks Green. If an oncoming large vehicle is at the same point at the same time then the drivers must change their line and the verge or pavement will have to be run over or a collision is likely to occur. See the following two diagrams for the swept paths of vehicles of different wheelbases and a photograph which illustrates the point - the driver is having to use all of the width of the country lane in order to negotiate the curves in it.



An HGV driver heading westwards towards the site on Loxwood Road will aim to run the front wheels wide on the blind left hand bends at Exfold and The Mucky Duck such that the rear wheels do not run over the verge. Conversely a driver heading away from the site towards Bucks Green will run the front wheels wide at the same two points since the rear inside wheels will cut the corner otherwise. If an oncoming HGV is met at either point the line taken may need to be widened further by the eastbound truck and tightened by the westbound one. This would potentially take an eastbound HGV very close to the access to the front door and seating area at the Mucky Duck. At the Exfold junction an eastbound HGV running wide would be likely to run across the minor road to the left and the pavement also. See photos below:



10. Leisure use of Loxwood Road

The Loxwood and Rudgwick areas are almost surrounded by long distance paths - the Way South Path, the Downs Link, and the Sussex Border Path - and these are an important part of WSCC's tourism strategy. The wider area of the site and its access road is crossed by many PROW and there are a number of very minor D Class lanes in the area. These facilities make the area very popular for outdoor leisure activities.

Leisure users can be split into four groups.

Walkers

- The Sussex Border Path is a walking trail that encircles the County. Its course is just a few metres from the proposed industrial site which would not be at all in keeping with the image that WSCC would like to project for this 150 mile long trail.
- Loxwood Road is intersected by numerous footpaths, only one of which crosses the road (west of the site entrance) all others terminate at the Loxwood Road requiring it to be walked upon.
- Two of the footpaths in the area that does have a pavement (although on the opposite side of the road) have hidden and abrupt entrances with stiles presenting an increased danger to users if traffic levels increase, see photos below:

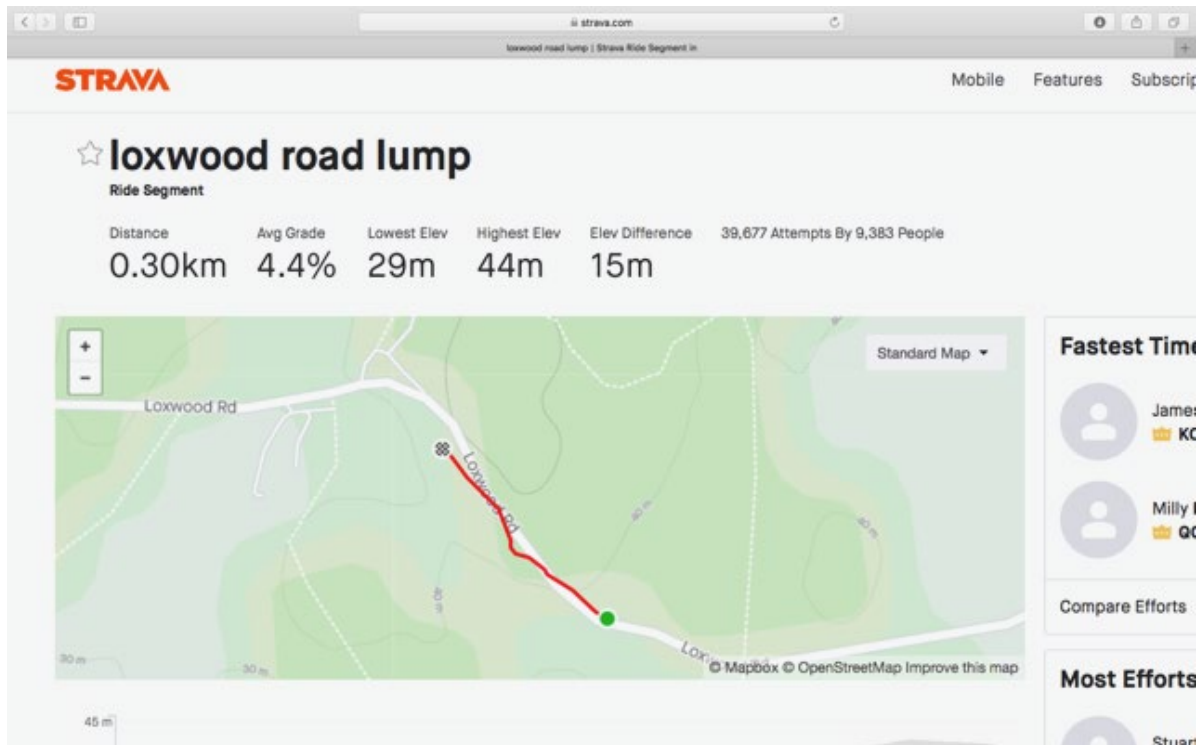




Further west, where there is no pavement, many people would have reservations about walking on the highway in the narrow and largely without verges section between the Exfold junction and the dip west of Barnsfold. An increase in HGV traffic would make this section potentially even more dangerous for there is simply no room for a pedestrian if two HGVs arrive from opposite directions.

Cyclists

- The Loxwood Road forms an important link in the network of bridleways and minor roads preferred by cyclists. The Way South path, a bridleway which largely follows the route of the old Wey and Arun Canal, connects via Drungewick Lane to Loxwood Road. Loxwood Road also connects to Hornshill Lane and thence to Cooks Hill and Baynards Lane to connect to the Downs Link (a former railway line) and also to Knowle Lane, the latter leading to Cranleigh and the very popular Surrey Hills with their numerous cycling routes.
- Drungewick Lane and Loxwood Road form part of a number of cycling circuits on various cycling apps, linking via Lynwick Street to the lanes leading to the highest point in South east England and a honeypot for cyclists, Leith Hill.
- Evidence of the popularity of Loxwood Road with cyclists can be found on line, for the short climb through the wooded part of Loxwood Road close to the site entrance is used by cyclists as a Strava Segment, with approaching 40,000 timed ascents having been made and recorded by some 9,000 cyclists. See: [REDACTED] and the screenshot data below in confirmation of this.



Riders

Equestrians make use of the same facilities that cyclists do, bridleways and very minor roads being preferred. It is understood this includes the leading of a second horse for exercise by a rider that occurs several times almost daily on the Loxwood Road in Bucks Green.

Carriage Drivers

Tismans Riding for the Disabled is a registered charity based in Tisman’s Common that was established in 1998. It provides facilities for disabled people to both ride horses and drive carriages and the use of the lanes in the area is vital to it continuing. Earlier this month some 16 carriages of a wide variety used the Loxwood Road for a driving event, since it connects with the minor roads outlined under cycling above.

All of the above leisure activities would be severely hindered by the proposed 300% increase in HGV traffic on the road, and some would cease.

In conclusion

This proposal is for a clay pit that does not appear to be necessary, but that would appear to be required in order to create a quarry in which waste, sorted to a low standard, of uncertain origin, and transported over unnecessarily long distances may be buried. The exporting of clay from the site is economically unfeasible and ecologically very poor practice. The impact of the site itself will be extremely high in a remote, tranquil and unspoilt woodland area and detrimental to wildlife and the leisure activities of many local people. In practice it appears that the route taken by vehicles accessing and leaving the site may not be controlled in the way the applicant claims, and in any event the access road is unsuitable for the increased HGV traffic proposed which would impact heavily on other users and especially leisure users. The application goes against National, County and Parish Plans and fails to comply with various policies and plans.

It is hard to find anything to commend this application and the level of public opposition to it clearly reflects that.

I object to the application and I hope that WSCC will reject it for numerous reasons, just some of which have been raised above.

Yours faithfully,

Gareth Hayton