

I am writing to record my objection to the application known as 'an application for planning permission for a clay quarry and construction materials recycling facility (CMRF) for CD&E wastes including the use of an existing access from Loxwood road, the extraction and exportation of clay and restoration using suitable recovered materials from the CMRF to nature conservation interest including woodland, waterbodies and wetland habitats at land within Pallinghurst Woods to the east of Loxwood in West Sussex (Planning Application WSCC/030/21).

This must be the most irresponsible and least thought-out business plan I have ever come across in my 33 years working in industry. There are a lot of platitudes and hood-winking statements that upon scrutiny fall apart. This is before you get to the ecological disaster that this site will pose to local wildlife and the wider implications to the fragile ecology under continuous threat from unwelcome house building without the investment in infrastructure – services, road, water, sewerage, and telecommunications in the South East of England. Governments come and go, the damage they wreak on the environment, however, is longer lasting.

Human activity is changing the climate in unprecedented and sometimes irreversible ways, according to recently published major UN scientific report. The landmark study warns of increasingly extreme heatwaves, droughts and flooding, and a key temperature limit being broken in just over a decade.

IPCC report key points:

- Global surface temperature was 1.09C higher in the decade between 2011-2020 than between 1850-1900.
- The past five years have been the hottest on record since 1850
- The recent rate of sea level rise has nearly tripled compared with 1901-1971
- Human influence is "very likely" (90%) the main driver of the global retreat of glaciers since the 1990s and the decrease in Arctic sea-ice
- It is "virtually certain" that hot extremes including heatwaves have become more frequent and more intense since the 1950s, while cold events have become less frequent and less severe

The report also makes clear that the warming we've experienced to date has made changes to many of our planetary support systems that are irreversible on timescales of centuries to millennia.

The oceans will continue to warm and become more acidic. Mountain and polar glaciers will continue melting for decades or centuries.

The report "is a code red for humanity".

This application for the clay works, although small, is yet another disaster that is going to be in operation for over 30 years.

From westsussex.gov.uk

Climate Change is one of the biggest challenges we will ever face in our county. Human activity has already led to 1°C of global warming from pre-industrial levels. This is resulting in damaging impacts on lives, infrastructure and ecosystems already being felt by communities across West Sussex.

The predicted impacts of climate change in West Sussex include more frequent and intense flooding, drought, episodes of extreme heat and stormier conditions. These impacts are expected to lead to:

- an increase in heat-related deaths (particularly amongst the elderly)
- damage to essential infrastructure
- reduced availability of drinking water
- increased cost of food
- disruption to supply chains and service provision
- sea level rises
- greater coastal erosion
- an impact on coastal habitats and wetlands.

Today, we are already seeing some of these changes.

As a result, we need to both reduce carbon emissions to mitigate the cause of climate change, but also adapt our infrastructure, built environment, social systems, economy and natural environment to make them resilient to the different climatic conditions which we know we will see.

Our ambition and commitment to sustainability and climate change is long standing. We were one of the first local authorities to set a carbon reduction target, and in 2011 pledged to reduce our emissions by 50%.

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The planning committee presiding over this application must think carefully about their legacy and the consequences of the environment.

Loxwood Clay Pits Limited (LCP) is a privately owned company.

The directors are listed against the following companies at Companies House:

MJND LIMITED (06779356) - Company status: Dissolved

ZAHAR LIMITED (06292955) - Company status: Dissolved

SEALAND PROJECTS LIMITED (06264092) - Company status: Active

SUD OVEST LIMITED (06077118) - Company status: Dissolved

OREAL LIMITED (05796696) - Company status: Dissolved

LOXWASTE LIMITED (10811990) - Company status: Active

PROJECT DEVELOPMENT INTERNATIONAL LIMITED (04767497) - Company status: Active

RAVENSIDE (SURBITON) RESIDENTS ASSOCIATION LIMITED (01854808) - Company status: Active

KINGSTON VALETING CENTRE LIMITED (07418263) - Company status: Dissolved
CALABREZE RESTAURANT LTD (10663238) - Company status: Liquidation
SULTAN'S SHAWARMA LTD (09711885) - Company status: Dissolved
KINGSTON VALETING CENTRE LTD (09420719) - Company status: Active

Sealand Projects Limited provide consultancy services to some of the largest ocean industry companies in the world according to their website. They are, however, registered as a small company and therefore excluded from producing audited accounts.

Loxwaste Limited is a skip hire business in Kingston Upon Thames and submits micro accounts to Companies House.

Kingston Valeting Centre submits micro accounts to Companies House, and I was unable to find if they were any good.

Reviewing the statement in the planning application “The owners have other private business interests in property, forestry, food, waste, oil, and gas, in the UK and abroad”, it is plain to see that this is their first foray into clay mining, recycling and environmental remediation, and should immediately ring alarm bells to their abilities to head up such an operation.

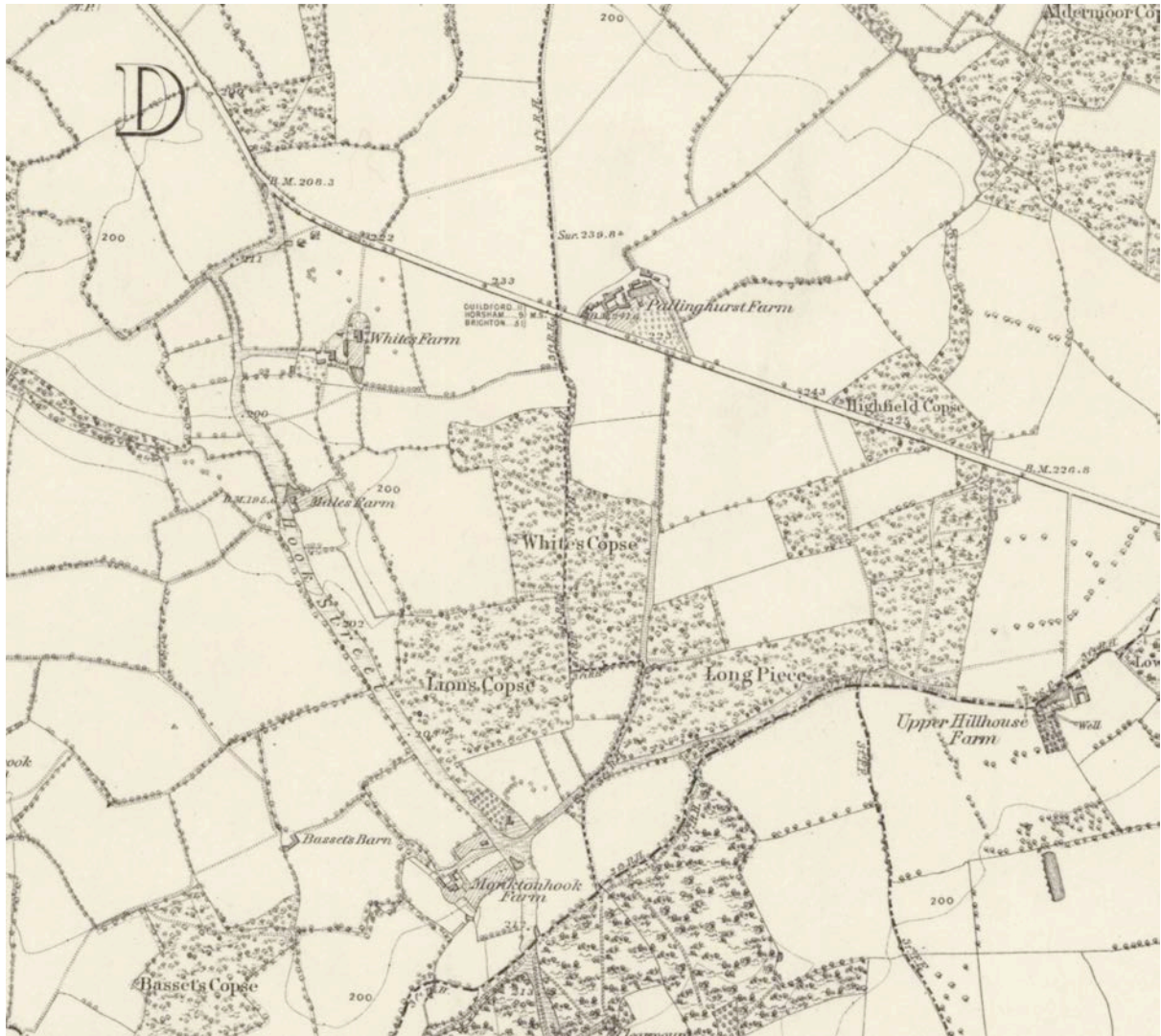
Most of their adventures have failed; dissolved or liquidated and I would find it extremely unlikely they would be able to run a successful business for the proposed 33 years this company is scheduled to exist for.

None of the companies I reviewed have the capital throughput to fund such a project as this and I would, without prejudice, state that through background checks be made to ensure fit for purpose to run such a business, and capital is set aside for the lifetime of the project.

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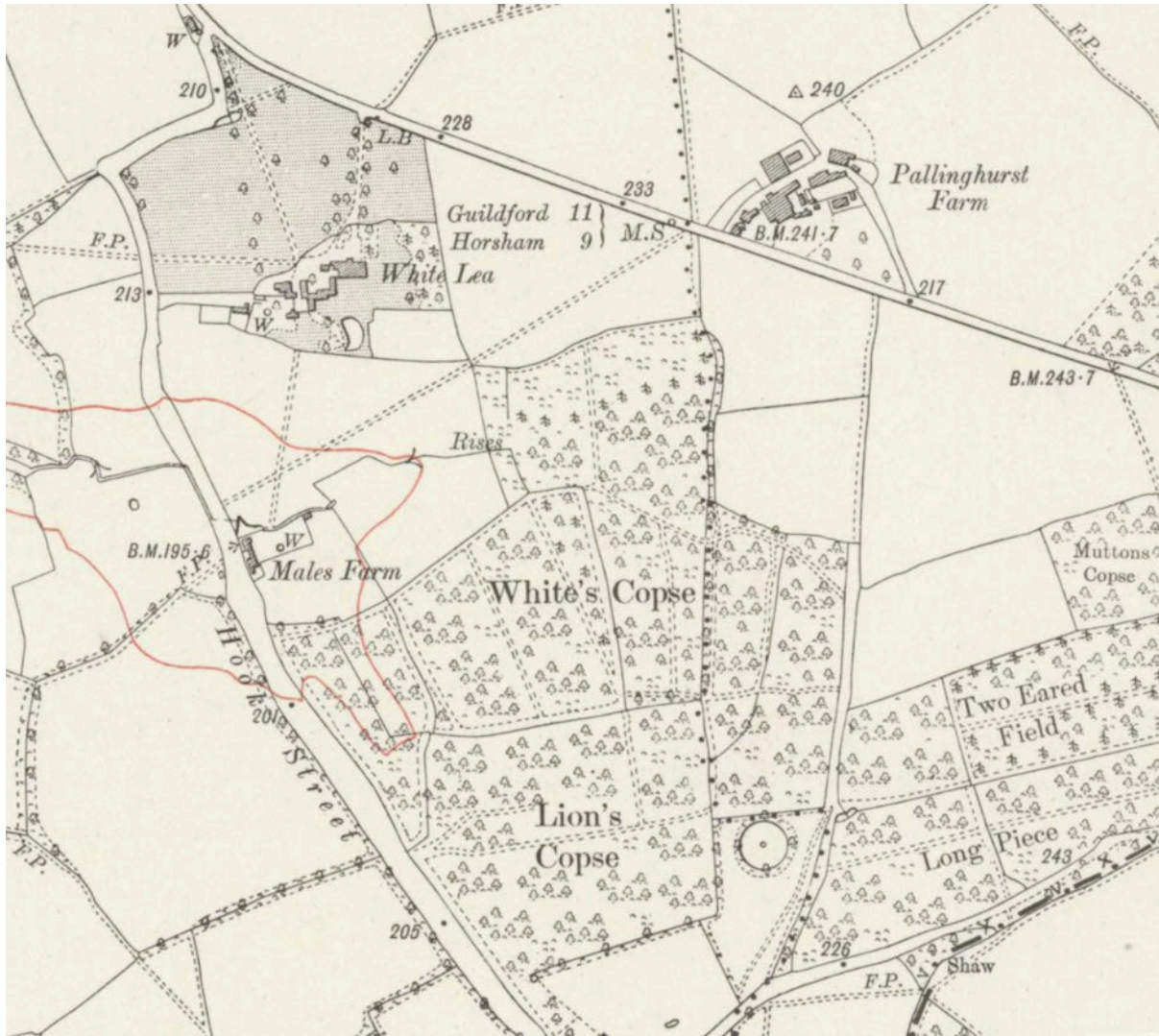
Although Loxwood Clay Pits Limited (LCP) is controlled by one of the Danhash (Nigel Ahmed) family that has owned 122 hectares (300 acres) of Pallinghurst Woods (part of the former Pallinghurst Estate), northeast of the village of Loxwood, Billingshurst, West Sussex, for the last 30 years, it would be irresponsible of WSCC to permit this application without such safeguards – the company could go bust, leaving a natural disaster in its wake.

LCP was incorporated in April 2017, with the intention of extracting clay from the periphery of Pallinghurst Woods on a small commercial scale, like the small-scale clay extraction and brick making activities that have previously taken place within the Pallinghurst Estate over 100 years ago.



Pallinghurst Farm and surrounding area 1871-1874

There is a tentative link to a cottage on the original estate called 'Brick Kiln Farm' which was mentioned in the "The Sale of Pallinghurst and the Estate, 1958-9" there is no recorded brick works. Nor is there any evidence of such workings on the Ordnance Surveys available via the Scottish National Library.



Pallinghurst Farm and surrounding area 1842 - 1952

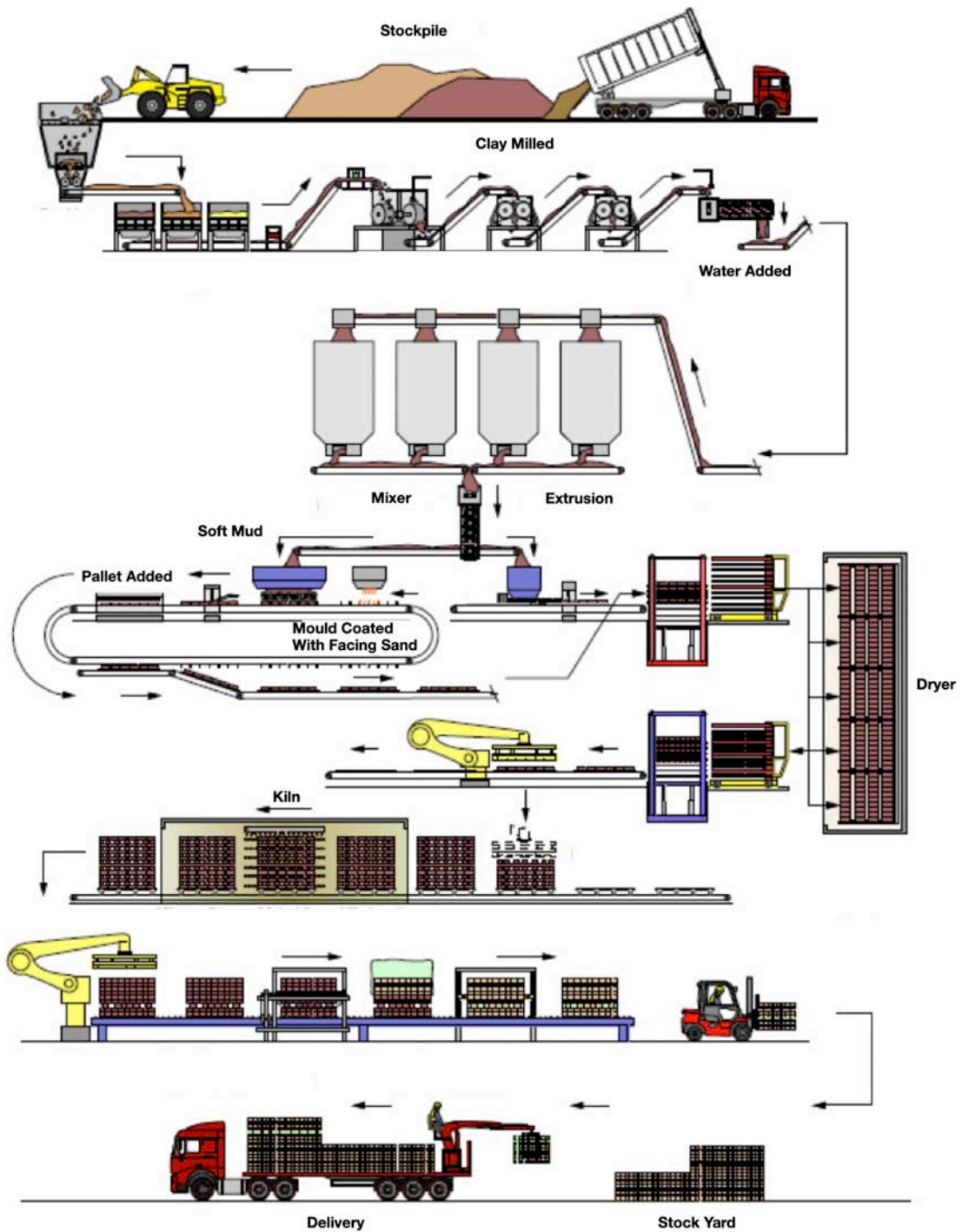
The proposed development covers an area of approximately 8 hectares and the proposals fall under Schedule 2 to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (EIA Regs).

It should be noted that the county of West Sussex is approximately 199,100 hectares in size, of which this proposal represents 0.004%. Over the lifetime of the project this site is estimated to produce of 3.5 million kgs of CO₂.

It is also mentioned that should this development going ahead, LCP would then pursue a further project elsewhere in West Sussex, for the establishment of a small-scale hand produced brick works to supply bricks to the local market, that are of a type and style that is appropriate to the local character and built environment.

As there no details provided where this site would be located, funded, etc then we can only take this statement at face value. A small-scale handmade brick does fetch more than a mass-produced brick but there is no mention of the business model here, imperial bricks, metric bricks, brick matching, tinting, slips, tiles, custom blends, and weathering, linear, pavers, etc.

Brick Making Process Overview



It would probably be more cost effective to sell the clay to an established brick works thus eliminating the need for further pollution.

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The proposed development site is approximately 1.6 km to the northeast of Loxwood, 1.5 km southeast of Alfold, 1.2 km east of Alfold Bars, 2.7 km west of Bucks Green, 1.5 km west of Tisman's Common, 3 km west of Rudgwick, and 6.4 km south of Cranleigh. The land is approximately 2 km north of the Wey and Arun Canal, which flows westwards, south of the

site, through the village of Loxwood. The site lies due south of the County Boundary between Sussex and Surrey and south of the Sussex Border Path. In fact, the northwest corner of the land in common ownership is immediately adjacent to the Sussex Border Path. The County boundary thus lies quite close to the north of the site. The A281 is 1.3km directly to the north of the site at its closest point.



Photo taken from the UK Brick Making Process available via <https://www.brick.org.uk/admin/resources/g-the-uk-clay-brickmaking-process.pdf>

The site is located within a dense area of mature mixed deciduous woodland, with some coniferous compartments. Part of the land in the central area of the development site has been replanted within the last 5 years. The site comprises semi mature shaws and trees, along the site's northern and eastern margins, with some ancient woodland near to the immediate west. These wooded areas with mature trees act as a significant visual buffer for the site. The tree species on the proposed development site are a mixture of broadleaved native trees and shrub species, including Oak and Hazel, and in the woodland beyond there are more blocks of mature mixed native broadleaved woodland which completely enclose the proposed development to all but immediate views.

The proposed development site is currently a mixture of woodland and recently replanted woodland/scrub which will need to be cleared to allow for construction of the CMRF and claypit operations. It is stated that much of the site contains little of any arboriculture significance, with area 1 being mainly scrubland with sapling trees being planted approximately 5 years ago, and area 2 being planted approximately 20 years ago. According to the historical forestry records, area 3 was planted approximately 95 years ago, though it also contains a few older individual trees.

Although the records only go back 95 years ago, historical OS maps show that the area has changed very little since the earliest cartography dating from 1842.

These areas will all be felled in phases during the life of the project in order to allow efficient development to take place whilst helping to conserve existing habitats and facilitate habitat translocation.

I cannot see how this can be done sympathetically due to the destructive nature of clearings. You cannot simply facilitate the translocation of species by herding them up and moving them to a safe space. Clearly this is an ideological statement that really is poor in the extreme.

Any useful wood resources produced as a result of this clearance will be marketed through the normal forestry channels to ensure that resources are not wasted. The development area within the land owned by the developer was chosen specifically because of the relative immaturity of the majority of trees in the plot and its peripheral location in Pallinghurst Woods, to minimise environmental, ecological and climate change impacts.

I just don't know how they have the audacity to make this statement. They're only trees <100 years so it is okay, and the work is only for one generation and a bit anyway.

Unbelievable.

The ecological work undertaken on the proposed development site has shown that the scrubland areas are populated by reptilian species, in particular slow worms. Reptile fencing (approximately 1m high) will therefore be erected around the perimeter of the site during site construction following reptile translocation by trained ecologists.

Temporary Amphibian / Reptile fencing is made of 100m rolls of heavy-duty UV stabilised polythene and is suitable for installation for up to 2 years. Semi-permanent fencing lasts for up to 5 years. "Permanent" lasts for 15 years. There is no mention here of the cyclical replacement of such materials, the size of the site they will enclose.

Polythene has a huge environmental footprint. In 2015, 25 percent of global plastic waste was incinerated. Only 8.4 percent of plastic is recycled. An average plastic grocery bag weighs 5.5 grams and 1kg of plastic is approximately 180 bags. Therefore, one bag generates about 33 grams of CO₂.

This sequential restoration approach differs from older traditional claypits, in which the whole pit is normally excavated, leaving large voids in the land, before restoration at a final stage. The staged restoration planned for this project will mean that each claypit cell will be excavated and restored to original ground levels within a period of approximately 2 years. The cells can then be overplanted, thus avoiding the more intrusive visual and landscape impacts associated with a traditional claypit.

This will not work. There may be an opportunity to replant the site cells as and when they become available but growing trees on their own is not an ecological way to kick start wildlife returning. Woodland is made up of scrub, wildflowers, insects, animals on insects, and animals feeding on animals. Dust particles, containments, human activity, and general pollution means that these replanted cells will be ecologically bereft.

The development site itself is in an undesignated landscape area with no historic, ecological, landscape or other designations. No Special Areas of Conservation (SAC), Special Protection Areas (SPA) or Ramsar sites are located within a 5km radius of the proposed development Site. No Sites of Special Scientific Interest (SSSI) are located within a 2km radius of the proposed development. Similarly, no locally designated non-statutory sites are located within a 1km radius of the proposed development. However, the proposed development does fall within a SSSI Impact Risk Zone for Chiddingfold Forest SSSI and The Mens SSSI which are located approximately 2.70km north-west and 6.50km south, respectively.

The Mens is one of the largest ancient woodlands in West Sussex and supports a significant population of barbastelle *Barbastella barbastellus*. It is eight miles south-west of Horsham and falls within the Low Weald National Character Area (NCA 121). Most of the woodland lies on Weald Clay although in some places Paludina limestone outcrops at the surface. It is a varied site with a range of woodland communities and age structures which have developed due to differences in underlying soils and past management. The site also supports outstanding invertebrate, fungi, lichen, and bryophyte assemblages.

The woodland is predominantly high forest of sessile oak *Quercus petraea* and pedunculate oak *Quercus robur*, beech *Fagus sylvatica*, holly *Ilex aquifolium* and locally, ash *Fraxinus excelsior*, birches *Betula* spp. and wild service tree *Sorbus torminalis*. Beech dominates the lighter soils over an understorey of holly and yew *Taxus baccata*. On the heavier clay soils oak-ash woodland occurs over a mixed shrub layer which includes hazel *Corylus avellana*, hawthorn *Crataegus monogyna*, crab apple *Malus sylvestris* and blackthorn *Prunus spinosa*. It is developing a near-natural high forest structure, in response to only limited silvicultural intervention over the 20th century, combined with the effects of natural events such as the 1987 great storm. Barbastelles roost within the woodland but tend to forage outside of the site, commuting along woodland corridors into the wider countryside.

The supporting habitat of this feature is considered sensitive to changes in air quality. Exceedance of these critical values for air pollutants may modify the chemical status of its substrate, accelerating or damaging plant growth, altering its vegetation structure and composition (including food-plants) and reducing supporting habitat quality and population viability of this feature. There are critical levels for ammonia (NH₃), oxides of nitrogen (NO_x) and sulphur dioxide (SO₂), and critical loads for nutrient nitrogen deposition and acid deposition. Although there are currently no critical loads or levels for other pollutants such as Halogens, Heavy Metals, POPs, VOCs or Dusts. These should be considered as appropriate on if this application is granted.

The barbastelle is a medium-sized bat unlike any other in Europe. The fur is almost black, usually with very pale or golden-brown tips to the hairs. The ears are very broad with the inner edges joined together across the forehead.

Barbastelle ecology is relatively poorly known. In Europe it is believed to be mainly an upland and forest species; in the UK it seems to prefer wooded river valleys. The species forages in mixed habitats, usually over water. Barbastelles appear to select cracks and crevices in wood for breeding, mostly in old or damaged trees, but cracks and crevices in the

timbers of old buildings may also be used. Maternity colonies may move between suitable crevices within a small area, such as a piece of woodland or a complex of buildings. Caves and underground structures may be used for hibernation. The species is very sensitive to disturbance, together with the loss of roost-sites and food resources.

The extensive loss of deciduous woodland in the UK may be a significant factor in the rarity of this species. Use of artificial fertilisers and pesticides reduces insect diversity and may lead to indirect poisoning of bats, and pesticide run-off in water can severely disrupt aquatic insect abundance. Bats foraging over wet meadows mostly prey on micromoths, therefore measures to improve the quality of water meadows for the benefit of micromoths will provide better foraging opportunities for barbastelles.

A range of management measures are required in the wider countryside to maintain and restore foraging areas and commuting routes, such as hedgerow planting and low intensity pasture and hedgerow management. In addition, Local Planning Authorities are taking account of barbastelle in decision-making.

A study in the Journal of Mammalogy studied foraging behaviour and habitat selection of barbastelle bats (*Barbastella barbastellus*) at two breeding colonies in southern England. In total, 28 adult female bats were radio tracked to determine home range use, habitat preferences, and patterns of nocturnal activity. Individual home ranges varied considerably, with bats traveling between 1 and 20 km to reach foraging areas ($X = 6.8 \text{ km} \pm 4.8 \text{ SD}$). Nonreproductive females foraged at greater distances than reproductive females, providing evidence of state-dependent foraging behaviour. The journal can be found at this address: <https://academic.oup.com/jmammal/article/93/4/1110/959700>

The planning application also misses off the equally important Ebernoe SAC, which is approximately 8.5km from the proposed site.

Ebernoe Common is an extensive complex of ancient woodland and former wood pasture in West Sussex, five miles south-east of Haslemere. The site lies on the Cretaceous Weald Clay and falls within the Low Weald National Character Area (NCA 121). The central core of the site, approximately a third of the total area, forms Ebernoe Common National Nature Reserve.

It is a varied site with a range of woodland communities and age structures which have developed due to differences in underlying soils and past management. This range of conditions together with a long continuity of woodland cover has in turn resulted in the site supporting an outstanding diversity of species: Barbastelle and Bechstein's bats, which favour ancient woodland, breed in the site because it provides suitable roosting and feeding habitats. While Bechstein's feed exclusively in the woodland, Barbastelles commute into the surrounding countryside using the woodland corridors which branch out from the site. In addition, the native trees, particularly those with old growth characteristics, support rich lichen and fungal communities, including several rare and scarce species, and the woodland complex supports a diverse breeding bird assemblage.

There are several areas of Ancient Woodland designated by Natural England within the 300 or so acres surrounding the development site, but none of these woodlands are directly affected by the proposal, and no designated ancient woodland will need to be developed or removed.

The main characteristics of the site that influenced the design are; the location on the periphery of Pallinghurst Woods, the route of the existing woodland access road, the location of the existing access to Pallinghurst Woods at the layby entrance to Loxwood Road, the location of existing infrastructure, hedgerows, treelines and woodland, the proximity of receptors to the site, the quality of the clay, the local demand for waste recovery and recycling, the hydrology and hydrogeology of the site and the lack of visibility of the site from the surrounding area.

Clay present at the development site that is suitable for the proposed uses is present on average 0.5m below ground level underlying the soil and overburden. The clay that will be extracted at the site for exportation is on average 6m thick with a maximum thickness of approximately 8m to 9m. The overlying soils will be translocated elsewhere in Pallinghurst Woods to preserve the habitats and the overburden will be excavated and retained on site for use in the restoration of the site. The extracted clay will be stockpiled for weathering and then transported off site for sale using Heavy Goods Vehicles (HGVs) up to 32 tonnes Gross Vehicle Weight (GVW). The base of the extraction will be at a level of between approximately 32m and 35m AOD.

One thing we need to consider is the dust particles that will influence the surrounding areas. No matter how diligent the containment of dust will be, there will be contamination.

Respirable dust is invisible to the human eye but can pose serious health hazards. Exposure to respirable silica dust, which is fragmented crystalline silica, can lead to silicosis, lung cancer, and COPD. As a result, OSHA has instituted regulations to reduce the permissible exposure limit (PEL) of respirable silica dust on construction sites. These new reduced PELs have been in effect since September 23, 2017, however they only protect machine operators. There are no regulations for bystanders or enforced protections for surrounding civilians. Unfortunately, the nature of respirable dust particles can put bystanders at risk of inhalation exposure far beyond the confines of the construction site.

Dust size is important in determining potential associated health hazards. Dust particles need to be smaller than 200 microns to become airborne and smaller than 10 microns to be classified as "respirable." Respirable dust can penetrate the body's natural defences and travels to the lungs which can lead to serious health hazards. Naturally, the size of the dust particle dictates how far it travels when airborne. Wind speed is another contributing factor to distance travelled: as wind speed increases, so does the distance travelled by the respirable dust particles.

The following tables demonstrate the relationship between particle size, wind speed, and distance travelled:

Table 1: 10-micron particle

Wind Speed (mph)	Distance Traveled (miles)
3.1	.55
6.2	1.1
12.4	2.3
24.8	4.6
37.3	6.9
49.7	9.2

Table 2: 5-micron particle

Wind Speed (mph)	Distance Traveled (miles)
3.1	2.2
6.2	4.5
12.4	9
24.8	18
37.3	27
49.7	36.1

The smaller the particle the further the distance the dust particle travels, especially in an environment with stronger winds. While these are average distances, this phenomenon illustrates how pertinent it is for proper engineering controls to be in place when it comes to suppressing silica dust. Failing to properly control silica dust affects not only the construction crew, but people in the surrounding areas- in some cases as far as 50 miles from the site.

As there is no groundwater present on the site, there is no potential for the base of the excavation to heave because of groundwater pressure. As the clay mineral is extracted from the site any surface water ingress to the void will be controlled by a series of sumps and trenches excavated in the base of the site as the extraction progresses. Pumps will dewater the working area into a segregated area in the surface water lagoon. Surface water run-off from rainfall on the rest of the site will be channelled to the clean section of the surface water lagoon. Where possible surface water from the lagoon will be treated and used in the mist air system to remove airborne dust from inside the CMRF building and when waste recovered materials are used to restore the claypit void. Any water discharge from the site into the adjacent controlled waters will be subject to a water discharge permit obtained from the Environment Agency.

Several reports have shown that concentrations of many pollutants are much higher in sediments of streams and lakes than in the waters with which they are associated. Clays and organic particulates are the materials chiefly responsible for such concentrations. Since clays are ubiquitous in many waters used as sources for human consumption, it is to be expected they will appear as particulate matter in some drinking waters and thus it is of interest to consider the kinds of interactions they have with dissolved materials.

Clays are very adsorptive substances. The possibility exists that clays could act as vehicles for transport of toxic compounds through adsorption in one environment, followed by release of the toxic material when the clay entered a different environment.

Without mitigation measures, the operations at the site will only be visible from rights of way close to the northern boundary of the site. The operations will have an acceptable noise impact on neighbouring properties. The large clay stockpile to the east of the CMRF will help to attenuate noise from the activities inside that building. However, noise impacts have been modelled without considering any attenuation from clay stockpiles. No bunds will be required to prevent surface water from running on to the site because the existing northern boundary bund will be left completely intact due to the minimum 15m offset from that boundary.

Overburden stripped during the clay excavation will either be stored in the clay stockpiles area or along the northern edge of cell phases 2 to 6 or on the area designated for excavation the following year. Clay stockpiles for weathering prior to exportation will not exceed 4.5m in height and the overburden stockpiles will not exceed 3m in height. The 4.5m high stockpile located on Phase 28 will only be required during the first two years.



Layered stockpile photo taken from the UK Clay Brickmaking Process booklet

Access to the claypit would be gained by a dedicated site access road beginning from the layby just east of the junction of Loxwood Road and Bridleway 3240, some 1.6km to the southeast of the proposed development site and continuing along the old forestry road through the original Pallinghurst Estate, which has been in use since the beginning of the 20th Century.

The road user and the law

It is important to note that references to 'road' generally includes footpaths, bridleways and cycle tracks, and many roadways and driveways on private land (including many car parks). In most cases, the law will apply to them but there may be additional rules for paths or rights of way.

Vehicles should not pass horses at more than 15mph and no closer than a car width. There have been far too many incidents on the road including deaths both equine and human. Many of these deaths are the result of drivers driving at an inappropriate speed and too closely.

At no point is it mentioned that access to the site will take into consideration members of the public, and the proximity to bridleways and horses. This is disaster waiting to happen as many horses are easily frightened when come across HGVs let alone 42 of them in a day.

This gravelled single lane road has been used throughout the history of the Pallinghurst Estate to remove felled trees, as part of its commercial woodland past, so is known to be capable of use by HGVs. It is proposed to widen this access road in two strategic areas to ensure it is wide enough to allow two HGVs to pass. Each of these wider sections will be 7.5m wide along a short 20m stretch of the access road.

No mention of any mitigation for widening the track to allow safe overtaking of horses if 2 HGVs pass each other.

These passing areas will be outside the areas of ancient woodland through which the road currently traverses albeit the eastern passing place will be in an area of Plantation on Ancient Woodland. LCP's appointed ecologists have recommended this location rather than a more westerly location that is frequented by wood white butterflies.

Ancient woodland takes hundreds of years to establish and is defined as an irreplaceable habitat. It's important for its:

- wildlife (which include rare and threatened species)
- soils
- recreational value
- cultural, historical and landscape value

It's any area that's been wooded continuously since at least 1600 AD. It includes:

- ancient semi-natural woodland mainly made up of trees and shrubs native to the site, usually arising from natural regeneration

- plantations on ancient woodland sites - replanted with conifer or broadleaved trees that retain ancient woodland features, such as undisturbed soil, ground flora and fungi

The NPPF states development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused. The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.

HGVs associated with the extraction of clay and the outbound movement of recyclates from the CMRF will essentially be 32 tonne GVW to transport 20 tonne loads. These vehicles will have unfettered priority along the access route from the development site to the layby entrance on Loxwood Road. HGVs associated with the importation of CD&E wastes to the CMRF will be a mixture of 18 tonne GVW rigid vehicles to transport max 10 tonne loads (for construction and demolition wastes) and 32 tonne GVW rigid vehicles for 20 tonne loads of excavation wastes. The inbound 32 tonne GVW vehicles may also be used to backload the outbound movements of clay and recyclates, thereby minimising the overall number of vehicle movements. A traffic management system will limit the inbound vehicles in transit through Pallinghurst Woods to max 2, with the inbound vehicles using the passing places to give way to the outbound vehicles that will have priority. All vehicles will be weighed in and out of the development site.

It should be noted that a Euro VI 32 tonne HGV—rigid produces 825 CO₂ grams per kilometre at 40 mph (64 km/h), and 856 CO₂ grams per kilometre at 50 mph (80 km/h). There will be 42 journeys a day, which we have no idea where they are coming from or going to. This is unacceptable pollution in a rural setting.

The CMRF building will have a 40m x 35m footprint with a height of 7m to the eaves and 8.5m to the apex. The steel frame clad building will have a 1 in 12 roof slope with a 6m wide x 5m high fast action roller shutter door to the south side of the building with an adjacent pedestrian door. The fast action roller shutter door will only be opened to allow HGVs to enter and leave the building.

The external wall, door and roof cladding will be black ash with alternate clear roof panels to maximise daylight inside the building.

The floor of the building will be a reinforced concrete slab with 4m high internal concrete push walls around the perimeter of the building. All of the process equipment will be located and operated inside the building. The noise model is based on the worst case and assumes that an internal dust extraction system operating with large electric fans will extract the dust generated inside the building for filtration in a static bag filter plant prior to recirculation and/or exhaust. However, the dust extraction and ventilation system will be replaced by a water-based Mist Air system that will completely remove dust from the atmosphere inside the building. The machinery and electric lighting will initially be powered by the electricity generator, switching to mains supply in due course. Building construction would commence

within 6 months of planning permission being issued or before clay excavation commences, whichever occurs last.

I have worked at British Ceramic Tile some years ago and can quite categorically state that the working environment will become choked with settled dust regardless of the mitigation.

The generator used to power the building ahead of a mains supply will add significantly to the CO2 emissions for the development. It is not stated how long before mains electricity will be supplied to the building.

Each gallon of diesel fuel produces, on average, 10084 g of CO2 per 15 gallons/hour.

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The proposed development falls into two distinct but synergistic operations:

- *A 6-hectare clay pit, which will provide 375,000 tonnes of clay for local building and construction needs over a 30-year period*
- *A Construction Materials Recycling Facility (CMRF) which will take in 25,000 tonnes per annum of CD&E waste for recycling back into useful aggregates and other recyclates, including the use of suitably inert materials for the restoration of the clay pit. Soils and overburden from the extraction area will also be used to restore the clay pit site.*

All of the proposed activities will be operated by LCP. Clay will be extracted from the site and phases will be restored between 0800 to 1800hrs Monday to Friday and 0800 to 1300hrs on a Saturday. Materials will only be imported into and exported from the site during the same hours Monday to Friday. The gates at the access to the site will be locked shut when the site is unmanned. There will be no working except pumping of water and essential maintenance outside the operational hours. Any temporary changes to the operational hours will be agreed in writing with the planning authority.

These hours are quite excessive for a rural setting, and this would mean that the employees of the company are basically doing a 50-hour week if they are having a 1-hour lunch break. All this for £25,252 a year or minimum wage. Although this low skilled work, some of the employees will require 'tickets' to operate machinery such as excavators and therefore it will be difficult to attract local workers.

Wherever possible, vegetation will be removed outside the months of March to August, which includes the breeding bird season. If it is necessary to remove vegetation during the breeding bird season, then all works will be preceded by a nesting survey carried out by a qualified ecologist. Prior to the felling of any trees the trees will be reassessed and where necessary bat surveys will be undertaken to check for any new roosts. If bats are identified mitigation under licence from Natural England will be carried out.

Are they proposing they do this annually, engaging with ecologists, Natural England, et al. There is no mention on the procedures they will likely take, and there would be little to stop

them ploughing on if they come across anything of significance. This is purely a lip-service statement that I cannot see them ever following.

All of the trees that will be retained on site will be protected for the duration of the works according to BS5837 as far as it is practicable. Protection measures will include the implementation of appropriate Root Protection Zones.

This will probably mean no trees will be protected, and Root Protection Zones are known to be hit and miss in their efforts.

Translocated soils will be stripped prior to the construction of clay pit haul roads and the commencement of extraction in each phase. Soil will only be stripped when the soils are in a dry and friable condition to prevent damage to the soil structure during handling. Soil handling will cease during rain or when it is likely that wind conditions will create significant airborne dust.

From June 2020 to May 2021, it rained for 174.9 days in the UK. It is not known how many days are windy but there are statistics of the average wind speeds per quarter

- 2020 Q1: 11.6 knots
- 2020 Q2: 7.8 knots
- 2020 Q3: 8.0 knots
- 2020 Q4: 8.9 knots

There is no mention for the cut off when the wind speed would be significant to stop work.

Overburden and soils will be transported using a tracked dumper or other alternative plant. The clay will be extracted using long reach excavators working from the surface of the clay or from a clay bench in the excavation. The slopes excavated around the periphery of Phases 1 to 7, 14 to 17 and 20 to 30 will be 1 to 1 with a 3m wide bench at 3m depth intervals. The excavators will be used to load the clay onto stockpiles and to load HGVs. All mobile plant used at the site will be diesel powered and fitted with appropriate silencers and noise attenuation.

Excavators are accountable for around 60% of CO2 emissions released from the construction industry alone. This is due to the sheer number of machines in operation also because they're highly inefficient.

A Volvo EC250 Excavator; weight 27 tons, 159Kw engine running EN590 diesel emits 14kg CO2 per hour – that's 700kg every week based on a 50-hour operating week, 33600kgs every year and an incredible 1,080,000kg over the lifetime of this project (30 years).

As they have not provided details of the equipment then there is no way to determine the amount of pollution the onsite machinery will produce.

HGV movements will not exceed 42 movements per day from 21 vehicles. This worst-case scenario is based on most of the movements being from 18 tonne GVW rigid vehicles. On

some days, vehicle movements may be 50% lower than this, due to the use of more 32 tonne GVW rigid vehicles.

As mentioned previously, a Euro VI 32 tonne HGV—rigid produces 825 CO2 grams per kilometre at 40 mph (64 km/h), and 856 CO2 grams per kilometre at 50 mph (80 km/h). We do not know, however, the average journey for the HGVs to calculate the amount of pollution they will produce.

If, we however, assume that the 42 journeys that are predicted to take place are an average of 16km at a best-case scenario of 64km/h per hour then this works out 346.5kg of CO2 per day, 1732.5kg per 5-day week, 83160kg per annum, 2,494,800kg of CO2 over the lifetime of this project (30 years).

It is proposed that a liaison committee is established with attendance by representatives of the local parish council, the planning authority and LCP to discuss the site operations, work undertaken since the last meeting, and work proposed. The liaison committee meetings will provide an opportunity for the local community and LCP to discuss the operations, identify any concerns and quickly resolve any issues. It is proposed that meetings are held every 6 months.

Six months is too much of a gap for site operations to be reviewed. The operators can do an awful lot of damage in six months and left unchecked they probably would for the sake of a profit.

The site should be available for inspection on an ad-hoc basis given the setting.

On the grant of planning permission, the new development site roads, the CMRF building, amenity building, adjacent container storage pad, weighbridge, new bridge and wheel wash will be constructed.

This is an awful amount of disruption and there is no mention on the amount of effort needed and the machinery that will be used to achieve this. It is assumed that this will produce significant pollution and disruption to the surrounding areas.

There will be extensive mitigation in place to compensate for the loss of the trees needing to be removed, and the habitats affected through the biodiversity net gain plan and through the mitigation recommended in the Ecological Impact Assessment (EclA) report, which are produced as appendices to the Environmental Statement and summarised in the ecology chapter in the Environmental Statement. This mitigation is possible as LCP's majority investor and his family also owns the surrounding 300 acres of woodland, which can be utilised for a variety of mitigation purposes, not just arboricultural but also ecological. This will be covered by appropriate Section 106 agreements.

It is not just a case of planting trees and thinking that is it, job done. The loss of habitat is significant and will only get to a point of some recovery after the last bucket of clay has been excavated. Invertebrates, Insets, birds, mammals, etc complete the ecological framework of any green space, not just trees. Throwing some money at through a S106 is

lazy and absolves the applicant of all responsibility for the ecological damage. It is naïve and reckless to think otherwise and one that a competent authority must see through.

Permitting this application would be an absolute ecological travesty. The public are encouraged to do the right thing reducing their consumption, moving to electric vehicles, recycle and reuse, fix and repair but permitting this application would fly in the face that the rest of us must adjust our day-to-day lives.

The words/phrases 'acceptable' or 'no unacceptable impact' appear on 25 pages in the Planning Statement but I cannot find anything remotely acceptable about this application.

This application needs to be rejected.