

## LETTER OF OBJECTION

**Application No: WSCC/030/21**

Loxwood Clay Pits Limited : “Clay quarry and construction materials recycling facility, Pallinghurst Woods, Loxwood Road, Loxwood, West Sussex RH14 0RW”

**From: Mr T J Bennett, Holly Tree Lodge, 6 Oak Grove, Loxwood, West Sussex RH14 0DN**

### OBJECTION

Following the submission of additional information in respect of the above application, I register my further **objection in the strongest possible manner** and urge rejection of the application on the grounds set out below.

For the avoidance of doubt, my original points of objection still stand.

This ‘new’ information submitted by the applicant (the majority of which is irrelevant content) adds no credibility to the application, which in its entirety continues to fail in its pitiful attempt to address any of the fundamental policy, environmental or local community concerns.

#### **Need for Clay**

The case remains that the current required need for clay by West Sussex County Council is met in line with their duties within the NPPF (2021). The additional information submitted by the applicant cannot change these facts and **there is no requirement for clay extraction**

#### **Construction Recycling Facility**

The applicant has failed to provide any further information in respect of the need for this facility in association with the extraction site. No further information has been submitted to demonstrate that this is the right location, which, being a greenfield site, it clearly is not. The application **fails to comply with WSCC Waste Local Plan policies** in every respect

#### **Traffic and Transport Impact**

The applicant has failed to address any of the concerns in relation to the impact of HGV movements on local roads. Indeed, it is clear that they have **significantly understated the number of HGV’s** that will enter and exit the site. In every respect, the proposal to route HGV’s along the rural roads to the site will present a **severe danger to other road users** – drivers, pedestrians, horse riders alike. Furthermore, the recently updated Highway Code provisions will clearly not be able to be satisfied by the applicant’s HGV’s.

#### **Public Rights of Way**

I note that the applicant has withdrawn its proposal to divert FP792-1.

However, it is incredulous that having stated in the original application that this closure was required for “safety and security” purposes, they make no new proposal as to how they will ensure the safety and security of the users of this Public Right of Way.

This will include the highly intrusive impact of noise, vibration, dust and visual impact caused by the clay extraction site and the 15,000 square ft. industrial building that they are proposing to construct just a few metres from FP792-1.

Notwithstanding the above, given their revised proposal, **the applicant has failed to describe** the design of a suitable fencing barrier to secure a site that will have deep flooded pits and heavy machinery operating and will otherwise present **a serious and dangerous safety risk** to members of the public.

This is now an omission from the application. Such fencing would also of course add to the negative visual impact of the site and this needs to be taken into consideration

#### **PROW 795**

HGV's and the public would still be sharing PROW 795 (which according to WSCC extends to the full width of the track) with significant risks to public safety.

The applicant acknowledges that the public right of way constitutes the entire width of the access/footpath at this point. They appear to have no plausible means to segregate legitimate public right of way users from HGV traffic on land which they do not own. The landowner also routinely grazes cattle across this access which is a further impediment.

The applicant presents no credible mitigation of the numerous the safety issues with this compromised access, and their proposal to site "automatic gates" in various places is quite frankly ludicrous – for example, how do they propose to power these?

#### **Bridleway 3240**

Vehicle access from the layby will need to cross this bridleway directly. It is not clear how the applicant will minimise the risk to public users of the path.

#### **Economic Benefit**

The applicant makes various spurious references to the "economic benefit" that this proposal will bring to the area, but **fails to provide any substance** or credible evidence to support their statements

#### **Water Neutrality**

The applicant does not provide any evidence that the proposed operation will be water neutral. It does not supply figures setting out the amount of water which would be needed for staff nor that required for the wheel washing

#### **Environmental Impact**

The ecological and environmental consequences of an approved operation will be enormous and devastating, with a huge number of trees and animal habitats destroyed over the course of 33 years

As noted by Sussex Wildlife Trust (in their objection dated 2<sup>nd</sup> February 2022), despite the applicants amateurish attempts to "greenwash" the proposal, it still **results in a biodiversity net loss of 36.59%**.

The Habitat Regulations Assessment submitted by the applicant is inadequate and fails to address the issues it should be tackling.

For instance, it is well documented that the site is a foraging area for bats, and functionally linked with the MENS and Ebernoe Common nature reserves. However, despite the applicant's survey work being conveniently constrained in respect of its geographical extent, it still identified the European protected species Barbastelle bat on site. This notwithstanding the many other examples of wildlife that will be destroyed by this development if it is allowed to proceed.

Given that this application is fundamentally flawed in so many places, I can only surmise that this is the reason behind the developers futile and quite frankly offensive attempt to undermine the levels of objection to this proposal on the grounds of “geography”. How this logic can be applied, given that the landowner lives in Esher, and their agent is based in Shropshire is simply beyond reasoning.

We are very fortunate to live in a democratic society, hence, WSCC and the Planning Committee must take close and careful note of the strength of opposition to this horrific proposal, as evidenced by the c5,000 people signed a petition and approximately 1,500 personal objections to the initial application.

For the reasons stated above I again confirm my strongest possible **OBJECTION to this application**

Mr T J Bennett