

Application No. WSCC/015/18/NH

**Recycling, Recovery and Renewable Energy
Facility and Ancillary Infrastructure**

**Former Wealden Brickworks
Langhurstwood Road, Horsham
West Sussex, RH12 4QD**

Applicant: Britaniacrest Recycling Ltd

Objections by Liberty Property Trust

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1. Introduction

- 1.1 DMH Stallard act on behalf of Liberty Property Trust, who are in the process of delivering the Strategic Mixed Use Allocation 'Land North of Horsham', which is immediately to the east of this proposed recycling, recovery and renewable energy facility, and ancillary infrastructure. The Land North of Horsham allocation is at the heart of the adopted Horsham District Planning Framework (HDPF 2015). We submit that this proposed facility would result in significant adverse effects on this Allocation, both on the new housing, and also the proposed high quality business park.
- 1.2 This Britaniacrest scheme would undermine the adopted HDPF policies to allocate a high quality, sustainable, mixed use community at Land North of Horsham which reflects the communities needs. This allocation has now been the subject of an outline planning application, which was granted planning permission on 1 March 2018, (Application No: DC/16/1677). It includes up to 2,750 new homes, a new high quality business park of 46,450 m², new schools, recreation and open space, local centre, all of which would be severely adversely affected by this proposed facility. In particular, there will be new housing, primary school, and new public recreation areas within 300 metres of this site, which we consider is totally unacceptable.
- 1.3 These objections focus on specific areas of serious concern, which we submit together result in overwhelming reasons for refusing this planning application. We will make reference in each case to the policies contained in the West Sussex Waste Local Plan, the Horsham District Planning Framework, and also the relevant planning guidance in the National Planning Policy Framework.
- 1.4 We also submit that the Pre-Application Public Consultation was inadequate. There was very little detail given at the Public Exhibition in January 2018 about the scheme, and scale of the buildings, and the photomontages which were on display only showed one viewpoint from within the whole of the Land North of Horsham strategic development. The Public Exhibition was held on 26 and 27 January 2018, only five weeks before the submission of this planning application. Therefore, although the Britaniacrest literature at the Exhibition sought 'comments and preferences' on the design, there has clearly been very little time allowed for consideration of representations made at that Exhibition.
- 1.5 The Britaniacrest literature at the Public Exhibition stated that they have:-

".....done our best to reduce the height and visual impact of the building so far as the technology and cost of construction allows;

.....we have developed two alternative designs to seek feed back on the opinion and preferences of the local community;

.....these two designs have reduced the building height from 48.75 metres (16 storeys) to less than 37 metres (around 12 storeys).”

However, there were no plans displayed which showed the relationship between this proposed development and the approved North Horsham Strategic Allocation. We submit that these revisions to the scheme do not resolve our fundamental planning policy objections, which are set out below.

2. Non-Compliance with Planning Policies

2.1 We submit that this planning application is not compliant with a number of planning policies, and should therefore be refused, This Section focuses on the specific policies in the relevant planning policy document, these being:-

- The West Sussex Waste Local Plan 2014
- The Horsham District Planning Framework 2015
- The National Planning Policy Framework 2012

We do not agree with the Planning Statement which accompanies the planning application, where it states that the scheme is compliant with policies in these plans (Section 6 of the Planning Statement, and in particular paragraph 6.102 and Table 4.1 ‘Summary of Adopted Development Plan Policy Compliance’). We set out in the following paragraphs those policies to which this application is not planning policy compliant.

West Sussex Waste Local Plan 2014

2.2 We recognise that this planning application site is within the area listed in **Policy W10** of the West Sussex Waste Local Plan as being acceptable in principle for the development of waste management facilities for the transfer, recycling, and/or recovery of waste. It is described as the Brockhurst Wood Site – (Policy Map 4). However, we do not consider that this provides policy support for this planning application, for a number of reasons which we will set out in the following paragraphs.

2.3 We submit that there has been a significant change in circumstance since the adoption of the Waste Local Plan, which is a material consideration for this planning application. This is the allocation of land immediately east of this site as a Strategic Mixed Use Allocation at Land North of Horsham in the adopted Horsham District Planning Framework (November 2015). As explained, in Section 1, this land has subsequently been the subject of a

planning application for a mixed use strategic development, to include up to 2,750 dwellings; business park; retail; community centre; leisure facilities; education facilities; public open space; landscaping; and related infrastructure. Horsham District Council approved this application on 1 March 2018.

- 2.4 In describing this 'allocated site', the Waste Local Plan states that the application site is allocated for waste management (Policy AL14). However, this Plan was finalised in 2014, and since that time the Land North of Horsham has been allocated as a Strategic Mixed Use Allocation. The context of this site has therefore completely changed and therefore little weight should be placed on this historic allocation.
- 2.5 It is also relevant to note that the Planning Statement which forms part of this planning application makes very little reference to the proximity of the site to the North Horsham Strategic Allocation. In describing the application site, it is not referred to at all in the 'Surrounding Land Uses', (paras 2.6 – 2.10). It is referred to under the Towns and Villages section of the Planning Statement (para 2.16), but without explaining its close proximity to the application site.
- 2.6 Paragraph 4.35 – 4.49 make reference to the relevant policies in the adopted Horsham District Planning Framework. However, its only reference to the Land North of Horsham Strategic Development is a brief description of HDPF Strategic Policy 2 in paragraph 4.40. It makes no reference to Policies SD1 to SD9, all of which relate to this strategic allocation, and would be affected by this proposed development.
- 2.7 One of the particular effects of this proposed development would be in relation to Langhurstwood Road. Policy SD9 of the HDPF proposed the closure of Langhurstwood Road left in/left out junction onto the A264, and the re-alignment of Langhurstwood Road to the east with a new roundabout junction on the A264. These works directly relate to the proposed North Horsham Strategic Development. The introduction of this additional development onto Langhurstwood Road would result in additional traffic not only using Langhurstwood Road, but also the junction with the A264. We therefore submit that, in considering this planning application, the creation of a new dedicated vehicular access from this site to the A264 should be seriously considered.
- 2.8 Even if this site is considered suitable for some form of waste management facility in principle, the scale of this application is totally unacceptable. Even the Waste Local Plan recognised that there was a need to assess the impacts on the amenity of nearby dwellings and businesses and this was before the allocation of the Strategic Mixed Use Allocation of Land North of Horsham. This is of fundamental significance to the consideration of this application.

2.9 The West Sussex Waste Local Plan 2014 recognises that even if proposed waste management facilities are acceptable 'in principle', they will still need to be considered against a number of Development Management Policies. Our submissions that this application is not policy compliant are summarised below, and will be expanded upon in the following Chapters:-

Policy W11: It will not protect or enhance the special landscape and townscape **character** of West Sussex. This is the wrong site for this scale of development, both the bulk and height of the buildings and the height of the 'stack'.

Policy W12: It will not be a **high quality development**, and will not be in scale, form or design appropriate for this location, nor be appropriate in the local context. Of particular concern is that the Design and Access Statement only shows the proposed development 'in isolation', and does not show it in the context of its local setting and, in particular, in relation to the approved North of Horsham development. Nor is there any reference to the approved North Horsham Strategic Development in the Site Location/Context in this Design Statement.

Policy W13: It will not protect the strategic objective of protecting views from the **North Downs Area of Outstanding Natural Beauty**.

Policy W14: It will not protect or enhance the **natural environment** of the County.

Policy W15: It will not protect or enhance the **historic environment** of the County.

Policy W16: It will have unacceptable impacts of **Air Quality**.

Policy W18: It will not minimise **lorry movements** and the use of local roads for the movement of waste.

Policy W19: It will harm the **health and amenity** of existing and proposed local residents, businesses and visitors.

Policy W21: The **intensification** of use on this site for waste management facilities will result in an unreasonable level of disturbance to the environment and the local community, including the new residents of the North of Horsham strategic development.

2.10 As correctly stated in the applicant's Planning Statement, policies in the adopted **Horsham District Planning Framework 2015** are also relevant to this proposal. We submit that this proposal is not compatible with the core adopted policies in the HDPF on housing, and employment space deliverability that **only** Land North of Horsham can deliver. Other relevant policies relate to conserving and enhancing the natural environment,

transport and healthy communities. We consider that this application is not compliant with these policies, which far outweigh any benefits which may result from being close (in our view far too close) to the strategic development site of Land North of Horsham. The relevant policies in the HDPF to which this application is not compliant include:

Policy 2: As this site is immediately to the west of the Land North of Horsham Strategic Allocation (Policies SD1 to SD9) it will not retain or enhance natural environmental resources, including landscapes and landscape character, biodiversity, or retain and enhance the environmental quality, including air.

Policy 24: It will not protect the **high quality of the District's environment**, in particular the emissions of air, noise, odour and light pollution.

Policy 25: It will not protect the **natural environment** and landscape character of the District.

Policy 26: The proposed development is not of a **scale** appropriate to its location outside of built-up area boundaries.

Policy 30: Certain views from **North Downs Area of Outstanding Natural Beauty**, a protected landscape, will be harmed.

Policy 31: It will have an adverse effect on sites or features for **biodiversity**. It will also harm the enjoyment of the new Green Infrastructure which will be created as part of the Land North of Horsham Strategic Development.

Policy 32: The scheme is too large for the site, in terms of bulk and height. It therefore fails to comply with this policy which requires **high quality design** for all development in the District.

Policy 33: This scheme does not comply with criteria of the **design principles** set out in this Policy. It will cause unacceptable harm to the amenity of existing and future residents near to the site. Also, even with the proposed reduction in the height of the new building its scale, massing, character and appearance does not relate sympathetically with the existing and proposed built surroundings, landscape, open space, and in particular its impact on the skyline and important views. None of the application plans or illustrative visualisations address these design requirements, which we submit would cause unacceptable harm to the amenity of the existing and future residents near to the site.

Policy 34: It will harm the **setting of heritage assets**, including views, public rights of way and landscape features.

Policy 39: It will place additional pressure on the **transport infrastructure**, which is very likely to result from the pressure to accommodate waste arising from the wider catchment, particularly from Surrey.

- 2.11 In our view **The Natural Planning Policy Framework 2012** also reinforces our submission that this planning application is not planning policy compliant. The adverse impacts would by far significantly and demonstrably outweigh the benefits of its location close to the sources of waste, and in particular its major adverse impact on the proposed Land North of Horsham Strategic Development, (**NPPF paragraph 14**). It is not compliant with the NPPF Core Planning Principle (**NPPF paragraph 17**) of seeking to secure high quality design (Paragraphs 56, 57, 60 – 67); and a good standard of amenity for all existing and future occupants of land and buildings. Also it will not contribute to conserving and enhancing the natural environment, landscape (Paragraph 115); or heritage (Paragraphs 134 and 135); or in reducing pollution. On the contrary, the scale, bulk and height of the proposed buildings and chimney will cause significant harm. This will be expanded upon in subsequent chapters of this submission.

3. Landscape

- 3.1 This planning application is contrary to the following planning policies, as they apply to landscape impact, as previously described:-
- West Sussex Waste Local Plan Policies W11; W12; W13;
 - Horsham District Planning Framework Policies 25, 26, 30.
 - National Planning Policy Framework paragraphs 14 and 17.
- 3.2 The reason why this application is contrary to landscape policies is that the buildings, structures, and the flue stack are of a size which would be clearly visible not only outside of the site itself, but a considerable distance away. In particular, we note that the building heights set out in the Planning Statement include a flue stack of 95 metres; a Bunker of 32.43 metres; a Boiler Hall of 35.92 metres; a Tipping Hall of 12.85 metres; a Turbine Hall of 25.90 metres high; and a Control Room of 18.69 metres. These buildings are also substantial in bulk as well as height, making them even more prominent in the landscape.
- 3.3 As well as the buildings, stack, and lighting, there will be an additional landscape impact from the exhaust plumes from the 95 metre high flu stack. We are concerned that there are no details of the “Plume Visibility” in the Landscape and Visual Resources Chapter of the Environmental Statement. It merely states:-

“.....when the plume is visible, it would increase the perception of the development for visual receptors within the study area, but would not make any of the effects that are likely to arise significant.”

We submit that this description of “Plume Visibility” understates the potential impact. The previous application stated (for the same stack height) that the Plume could be up to 400 metres at certain times, and this would result in giving the area a more industrial appearance. This would therefore still be the case with this application, as there is no proposed reduction in the height of the ‘stack’.

3.4 The Planning Report on the previous planning application (WSCC/062/16/NH) proposed a reason for refusal based on landscape. It stated that by virtue of the poor quality design, and the scale, mass and height of the proposed facility, including the height of the stack, the development would result in unacceptable and significant adverse impacts on: the wider landscape (including on the High Weald Area of Outstanding Natural Beauty and Surrey hills Area of Outstanding Natural Beauty); the character of the surrounding area; heritage assets; and the visual amenity of current residents and the future residents on the North Horsham development. We consider that this reason for refusal should still be made for this planning application, as we consider that the amendments to this scheme do not resolve any of these objections.

3.5 David Williams Landscape Consultancy has provided a high level review of the Landscape and Visual Impact Chapter of the Environmental Statement as follows:

Page/ Para	Issue:	Comment:
Non-Technical Summary Comments:		
3 to 10 / 2.1.11 to 2.1.53	Proposed height of structure	This section describes the development proposal but nowhere in the text does it clearly state what the height of the new structure is to be. Previous scheme roofline was about 45 – 46 metres high. The site layout appears to be same as before. By reference to the DAS (page 8) it seems the building has reduced in height by 7.55 metres which is good, and consideration of coloured materials used again which is good but the building is still about 36 metres tall with a chimney stack of 95 metres.
8 / 2.1.33 to 2.1.35	Landscape Strategy	See comments below
19 / 5.1.5 & 5.1.6	Significant effects	These paragraphs state there will be no significant landscape effects on local or wider scale

		<p>landscapes or upon receiving and surrounding landscapes. This is contradicted by para 5.1.9 which states that 'significant visual effects would be limited to a small number of local views'.</p> <p>Views are part of the character of the area so the comments made earlier by RPS are incorrect.</p>
20 / 5.1.9	Plume visibility	<p>It is not clear where Britaniacrest got their data but 5% of the hours in the year represents about 18 / 19 days assuming the chimney is not visible at night time which it would be as it would require red warning lights ($365 \times 12 = 4380 \times 5\% = 219 \text{ hrs} / 12 = 18.25 \text{ days}$).</p> <p>That is a reasonable amount of time to see a plume (an alien feature not usually seen in the open countryside).</p>
DAS and Landscape Strategy Plan		
10 / 2.8	Sufficient space to accommodate tree planting	<p>A review of the Landscape Strategy Plan indicates a lot of hedge and tree planting immediately adjoining the roads in the site and also a storage / recycling building. Page 11 illustrates suggested forest tree species which comprise large trees with spread canopies.</p> <p>The location of the proposed trees would not accord with BS 5837:2012 which now requires landscape proposals to take account of the future growth of trees and therefore trees adjoining the building will need to be moved away from the building by about 7-8m to allow for future growth without impacting on the structure. The trees adjoining circulation areas will either have to have the crown of the tree lifted above the height of any lorries (which would potentially break branches) or moved elsewhere. If moved or crown lifted, then some of the screening proposed would be significantly reduced, either way the screening of clutter as suggested would not occur.</p> <p>Also, the planting could potentially conflict with security and need for natural surveillance and security fencing proposals.</p>

		In addition, no planting is proposed along the railway boundary so views from users of the railway line and station will not be screened, the development is likely to be prominent in these views.
Chapter 5 - LVIA		
5-2 / 5.1.9	GLVIA3 method	<p>This para refers to ‘proportional approach’ to LVIA and that the chapter focuses on receptors most likely to experience significant effects.</p> <p>The proportional approach referred to in GLVIA3 relates to its use on different types of projects and trying to limit the number of visual receptors it assesses i.e. not every residential property within a given area but GLVIA3 still requires a broad range of receptors to be assessed taking account defined criteria used to select receptors.</p> <p>Therefore, I would have expected the methodology to include criteria setting out how the viewpoints were selected i.e. key representative views – public / private etc. and similar text / criteria for why certain landscape receptors were chosen. This is absent from the LVIA.</p> <p>It should be noted that the LVIA doesn’t assess the ‘Do nothing scenario’ which is relevant to the assessment matrix below.</p> <p>It should be noted that neither the LVIA or its appendices include a glossary of or definitions of terminology used in the LVIA.</p>
5-10 to 5-16	LVIA methodology	<p>The method described doesn’t follow GLVIA3 although general approach appears correct.</p> <p>In particular, the text relating to sensitivity of receptors (para 5.3.12/ 5.1.13) refers to capacity which is incorrect and should refer to susceptibility which is different to capacity. The LVIA should not deal with ‘capacity’ at all.</p> <p>Susceptibility is defined as “the ability of a defined landscape or visual to accommodate the specific proposed development without undue</p>

		<p>negative consequences” whilst sensitivity is defined as “a term applied to specific receptors, combining judgements of the susceptibility of the receptor to the specific type of change or development proposed and the value related to that receptor”.</p> <p>In most cases the susceptibility of a landscape or view is ‘high’ as the proposed development, a large scale / mass and form of the 3Rs proposal would results in undue negative consequences however small.</p> <p>Also, para 5.3.13 confuses matters as sensitivity is about value and susceptibility to specific change not just susceptibility to change.</p> <p>Value relates to “the relative value attached to different landscapes by society. A landscape may be valued by different stakeholders for whole variety of reasons”. The review of existing landscape designations is usually the starting point in understanding landscape value but value attached to undesignated landscapes also needs to be carefully considered (GLVIA3 para5.19) and GLVIA3 Box 5.1 sets out the range of factors that help in the identification of valued landscapes.</p> <p>The RPS LVIA has not considered these factors nor has it properly assessed value of the site and its surroundings / LCAs in the study area.</p> <p>The ranking used in the assessment matrix underestimate the potential significance of effects.</p> <p>This is because there is not a consistent increase in ranking. I would have expected medium sensitivity and medium change to be moderate effect and therefore high sensitivity and low change to be the same and likewise reduced sensitivity and high change to be moderate and ranking across the matrix changed to reflect this.</p>
5-19 / 5.3.33	Scoping responses	I note that Tim Dyers suggested that White Young Green be approached to agree additional viewpoints as Phil Blackshaw was the Landscape

		<p>Architect that worked on Land North of Horsham project.</p> <p>I don't recall Phil Blackshaw ever being involved in Land North of Horsham as HDC had their own Landscape Architect (Mathew Bright and Ines Watson). Therefore, Ines Watson should have been consulted.</p> <p>However, only 4 viewpoints were selected from the Public Right Of Way and appear to be advantageously positioned to avoid future views of the proposed development as housing would intervene.</p> <p>Better views could have been selected i.e. where roads crossed the PROW (i.e. picking up both pedestrian / cycle and vehicle users rather than just users of Public Open Space) and there would be westward views.</p> <p>Whilst Liberty Property Trust granted access for photos to be taken they should have been consulted as to the appropriate location / viewpoints.</p>
<p>5-26 / 5.4.1 & 54.2</p>	<p>Accuracy of ZTV</p>	<p>I find the results of the ZTV surprising in term of the wider area as I would have expected it to show the chimney being visible from a greater area given that it is a 95m structure. It refers to LiDAR data being used but to be clear and transparent (to accord with GLVIA3) the text should set out what heights of buildings and trees were used to create the visual barriers.</p>
<p>5-26 / 5.4.5</p>	<p>Acuity of the eye point</p>	<p>This is all very interesting, but the chimney is greater than 500mm wide so should be clearly visible at distances greater than 5 kilometres and more visible within 1 kilometre of the stack.</p>
<p>5-29 / 5.5.16</p>	<p>HDC Capacity Study</p>	<p>The extracts quoted are correct, but the purposes of the HDC study need to be set out to provide the context.</p> <p>The study considered land suitable for housing development and industrial development up to 12 metres in height not the scale of development</p>

		<p>proposed. Also, there is no indication of how this study informed the assessment. Just referring to the document does not address how it informed the assessment (value / susceptibility and sensitivity points).</p>
5-27 to 5-46	Baseline Conditions	<p>The description of the site and surrounding area appears to be satisfactory. However, there is no consideration of the value or susceptibility (to the specific change) of the landscapes surrounding the site or contribution the Site makes to the area. The base line refers to sensitivity but there is no explanation, justification or rationale given to how / why the sensitivity was determined or considered.</p> <p>To accord with GLVIA3 the assessment needs to follow a logical structured approach which clearly and transparently records how the assessment of and judgement on landscape and visual receptors was reached.</p>
5-46 to 5-6.20	Mitigation Measures	<p>This all appears straight forward although I have already commented on the deficiencies of the landscape proposals.</p> <p>I consider a significant number of trees proposed could not be implemented or they would require a significant amount of tree surgery in the future to avoid impacting on structures or lorry movements negating the effectiveness of the proposals.</p> <p>In short, the site area is too small to accommodate the proposed development whilst allowing sufficient room for the growth of trees to provide the landscape benefits claimed. The benefits offered by the mitigation are therefore exaggerated.</p>
5-48 to 5-61	Construction effects	<p>This all appears straight forward but there is no consideration of the likely predicted activities / changes and their consequential effects that would occur due the development such as loss of / changes to the fabric / elements / features within the Site, introduction of new temporary elements increased traffic movements or patterns or highway improvements offsite (if required) or</p>

		<p>the difference in scale / mass of the proposals compared to the existing.</p> <p>The new facility will become the dominant feature on the Site with all other structures subservient to it, so I find it difficult to conclude that the 'low/medium' change (referred to in most instances in assessing receptors) is correct.</p> <p>A similar effect would occur to the landscape character within which it is located and parts of the adjoining character areas.</p> <p>This change has not been recognised or acknowledge in the assessment. I think the assessment underestimates the magnitude of change and therefore the resultant significance of effects. See paragraph 5.8.8 – it would not affect the inherent value of the LLCA is considered to have.</p> <p>Also, there assessment is not clear or transparent how the changes manifest as magnitude of effects versus sensitivity of the receptor as required by GLVIA3.</p> <p>In terms of views great emphasis is given to the screening of the site from various vantage points but no reference is made to the winter situation although I note site visits were carried out at different times of the year. Another example of underestimating changes / effects is Para 5.7.30 which states:</p> <p><i><u>“Public footpaths 1577-2 and 1578-1 cross farmland to the south west of the A24. There would be <u>views of the high level construction activities</u> on the roof and stack of the 3Rs Facility from footpath 1577-2. The impact on the views of the high sensitivity receptors would be <u>no change or low</u> resulting in No Effect or a <u>Minor adverse effect</u>”.</u></i></p> <p>This statement is clearly incorrect as demonstrated by the ZTV which took account of local vegetation / buildings and this clearly shows that the building and stack would be visible and</p>
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		<p>therefore its construction would also be visible so there will be a change.</p> <p>This illustrates a bias in the assessment, if the roof (at 36m in height) and 95m stack are seen, there is clearly a change and therefore the magnitude of change has been underestimated and conclusion flawed. Similar examples are found elsewhere e.g. para 5.7.35.</p> <p>In terms of Land at North Horsham, the assessment this refers to (my underlining key points):</p> <p><i>“Only the most elevated construction activities would be partly visible above the vegetation..... The <u>temporary construction phase of the proposed development would cause a negligible to low change to views for the high sensitivity receptors. This would result in a Minor adverse effect”.</u></i></p> <p>And also:</p> <p>Viewpoint 3 – Public Footpath at Moathouse Farm, 1.6 km east of site (Figure 5.11)</p> <p><i>5.7.53 The construction phase of the proposed development would be almost entirely screened from view for the visual receptors travelling west along the public footpath due to the high level of mature vegetation on intervening land. The ground and lower level construction activities would be screened from view, but <u>some partial views of the highest construction activities would be available.</u> The focus of the views available would remain unaffected by the construction works on the site, which would be seen against the skyline amongst the ornamental trees at Holbrook Park. The temporary construction phase of the proposed development <u>would cause a negligible change to views west and would not form a noticeable element amongst the trees.</u> This would result in a <u>Minor adverse effect</u> upon the high sensitive receptors using this local route.</i></p> <p>Viewpoint 18 – Moated site to the east of</p>
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		<p>Langhurstwood Road (within Land North of Horsham public open space) 270 m to the east of the site (Figure 5.26)</p> <p><i>5.7.68 Views experienced by people using the Land North of Horsham public open space would have <u>views towards the site screened by new planting within the public open space</u>. As it is, the existing views of the construction activities on site would be barely discernible through the dense woodland. However, the movement and noise would be apparent. The users of the public open space will have a high sensitivity, but the proposed planting will provide further screening. <u>The impact of the construction activities is considered to be negligible and the resulting significance on views would be a <u>Minor adverse effect</u>.</u></i></p> <p>Viewpoint 19 – Southern entrance drive to Graylands, 480 m to the north east of the site (Figure 5.27) and Viewpoint 20 – Northern Entrance drive to Graylands, 560 m to the north east of the site (Figure 5.28).</p> <p><i>5.7.69 People travelling in vehicles along this entrance road are moving away from the Wealden Brickworks site. However, should vehicles stop, <u>all that people would see of the construction activities on the site would be the construction of the stack, as the lower construction work would be screened by mature woodland</u>. The magnitude of impact on these low sensitivity receptors would be <u>low</u>, resulting in a <u>Minor adverse effect</u>.</i></p> <p><i>5.7.70 Views from the northern access road are more restricted and the magnitude of the impact on receptors travelling in vehicles or walking along PRow 1573-1 would be <u>negligible</u>. The low sensitivity receptors travelling in cars would experience a <u>Negligible adverse effect</u> and the high sensitivity pedestrians would experience a <u>Minor adverse effect</u> to existing views.</i></p> <p>Viewpoint 21 – Field south of Graylands (land proposed as a cemetery within Land North of Horsham development) 610 m north east of the</p>
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		<p>site (Figure 5.29) and Viewpoint 22 – Field east of moated site (close to land proposed as allotments within Land North of Horsham development) 600 m east of the site (Figure 5.30)</p> <p><i>5.7.71 People visiting the cemetery and using the allotments would have different views to those that are currently available, as there will be significant amounts of planting associated with the cemetery and the public open space that lies to the west of the allotments. Views of the construction activities on the site would be limited to the work to construct the stack, as dense woodland prevents views of the lower construction activities. The receptors are deemed to have a high sensitivity. The magnitude of impact would be low, and people in these areas would experience a <u>Minor adverse effect on views.</u></i></p> <p>Viewpoint 23 – Footpath 1421-2 (land planned as edge of residential/landscape buffer within Land North of Horsham development) 800 m to the south east of the site (Figure 5.31)</p> <p><i>5.7.72 Views will be different to those that now exist, as there will be much more planting between the site and this viewpoint, within the western landscape buffer. However, the existing views of the construction activities would be restricted to the construction of the stack as lower construction work is screened by intervening vegetation. People using the PRoW have a high sensitivity and the magnitude of impact is considered to be low. This results in a <u>Minor adverse effect on views.</u></i></p> <p>Viewpoint 24 – Footpath 1421-2 (land planned to be a green way, adjacent to a school site within Land North of Horsham development) 740 m to the east-south east of the site (Figure 5.32)</p> <p><i>5.7.73 Views of the construction activities on the site would be of the construction of the stack only, as lower construction activities would be screened by the dense woodland either side of Langhurstwood Road. The receptors have a high</i></p>
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		<p><i>sensitivity and the magnitude of <u>impact would be low</u>. The resulting significance would be a <u>Minor adverse effect</u>.</i></p> <p>Viewpoint 25 – Footpath 1421-2 west of Morris’ Farm, 840 m to the east of the site (Figure 5.33) and Viewpoint 26 – Footpath 1421-2 north west of Morris’ Farm, 900 m to the east-north east of the site (Figure 5.34)</p> <p><i>5.7.74 Views of the construction activities on the site from these public footpaths would be of the construction of the stack only, as lower construction activities would be screened by the dense woodland either side of Langhurstwood Road. The receptors have a high sensitivity and the magnitude of <u>impact would be low</u>. The resulting significance would be a <u>Minor adverse effect</u>.</i></p> <p>I find the above statements surprising as in all instances the impact is stated as low, notwithstanding the acuity point about views and distance, the majority of views are from Land at North Horsham are within 1 kilometre. I would acknowledge that low activities will not be seen but no reference is made to lorry movements on roads etc. which would impact on Land at North Horsham</p> <p>I note that a number of the effects are ‘moderate or major adverse’ both on landscape receptors and views.</p> <p>These combined would be significant which contradicts the conclusion set out in the Non-Technical Summary.</p> <p>The above RPS assessment also does not reflect the cumulative assessment contained in the Land at North Horsham LVIA, see below, which concluded that there would be some significant effects arising from the Britaniacrest scheme.</p>
5-61 to 5-74	Operational effects	Following a review of the assessment of landscape receptors, views and representative viewpoint similar comments can be made

		<p>regarding the operational effects.</p> <p>I note that a number of the effects are ‘moderate adverse’ both on landscape receptors and views.</p> <p>These combined would be significant which contradicts the conclusion set out in the Non-Technical Summary.</p>
5-74	Assessment of Cumulative Effects	<p>This section of the LVIA does not summarize correctly the assessment contained in the Land at North Horsham Environmental Statement (LVIA). Whilst Britaniacrest has reduced slightly the scale / massing of the buildings the stack height has increased by a further 5 metres making it slightly more visible. The Land at North Horsham LVIA only considered a 90 metre height stack and concluded that (extract of relevant text – my underlining):</p> <p><i><u>“the combined magnitude of change due to the 3Rs development and proposed development on the application site will increase slightly; the cumulative effects will be localised to the locality and the impact of these changes is considered to have a minimal (Moderate to Moderate / Minor Adverse effects and not significant) on the wider landscape character.”</u></i></p> <p>Whilst in relation to views it stated:</p> <p><i><u>“.....from the network of local footpaths to the south west (Receptor No.58) there will be a noticeable change to the views due to the introduction of the 3Rs as the large scale, size and massing of the 3Rs buildings together with the tall chimney stack will be evident in some views from the footpath appearing above the tree line with a small portion of the proposed development on the application site perceived to the east resulting in moderate to substantial adverse effects primarily due to the 3Rs proposals.</u></i></p> <p><i><u>.....from receptors within or immediately adjoining the application site (VR No’s. 37, 39, 40, 41, 42, 43, 54, 55, 58, 59, 62, 63, 64, and 73) the</u></i></p>

		<p><u>magnitude of change due to the introduction of the 3Rs proposals will vary due to intervening screening vegetation and time of the year but it is predicted that the effects would range from substantial to minor adverse effects during construction and on completion of the 3Rs scheme.....</u></p> <p><u>Whilst the 3Rs proposals will result in some cumulative visual impacts initially the introduction of mitigation measures within the proposed development on the application site will assist in reducing the visual effects in the longer term but some visual significant impacts may remain.</u></p> <p><u>In longer distance views from locations to the east (Receptor No.45 and 49) near Roffey Park House / Public Footpath No.1587, the predicted visual effects due to the proposed development on the application would range from moderate / substantial to moderate adverse during construction and on completion. However, the proposed 3Rs scheme would form a noticeable new element in the landscape to the west of the application site increasing the magnitude of change experienced from users of the footpath within the High Weald AONB.</u></p> <p><u>Appropriate mitigation measures within the proposed development on the application site will significantly reduce the visual effects of the proposed residential development (resulting in beneficial effects in the longer term) but due to the large size, scale and massing of the 3Rs scheme together with its 90 metre chimney stack, limited mitigation measures are available to reduce the visual effects of the proposals on views from the High Weald AONB. As a consequence of the above, there will be some additional cumulative visual effects from these distance viewpoints."</u></p> <p>The Land at North Horsham assessment is therefore not accurately reflected in the RPS LVIA nor does not LVIA assess any other committed developments listed / shown in Appendix 4.4, some of which would be visible in some of the longer views. There is no explanation given in the</p>
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		LVIA of why these other schemes are not assessed.
Concluding Comments.		
<p>The assessment is similar to the previous assessment in terms of underestimating the scale / mass and form of the development proposed and therefore underestimating the magnitude of change and consequentially the significance of effects. If the assessment was realistic I consider there would be major – substantial effects arising from the Britaniacrest proposals (see Land at North Horsham LVIA cumulative assessment commentary).</p> <p>In addition, the assessment does not follow GLVIA3 guidelines in that:</p> <p>it does not adequately consider the value and susceptibility of receptors; it does not adequately consider the magnitude of change on receptors; and therefore it does not adequately reflect judgements concluded on effects.</p> <p>The LVIA does not clearly and transparently set out in the text the complexity of consideration and judgements made or does it provide the rationale for these judgements.</p> <p>In terms of views great emphasis is placed on screening by intervening existing features in relation to Land at North Horsham. It also refers to the screening effect of new landscaping when there are details available regarding the layout and design of individual open spaces, roads, amenity areas etc. In any event this new planting will take some time 10-15 years to establish and mature to achieve a screen, this does not seem to have been taken into account by the LVIA.</p> <p>In order to provide an accurate assessment, the RPS LVIA needs to be revised and updated to take proper account of the above and also GLVIA3 and advice on good practice for undertaking LVIA.</p>		

4. Local Roads

4.1 We submit that this planning application is contrary to the following planning policies, as they apply to impact on local roads, as previously described:

- West Sussex Waste Local Plan Policies W19 and W21;
- Horsham District Planning Framework Policies 2, 24, 33;
- National Planning Policy Framework paragraph 17.

4.2 The Planning Statement for this application states that the proposed facility will be accessed from the existing entrance point to the site (Paragraph

3.70). The Transport Scoping Note by RPS, which forms part of this planning application, describes the present vehicular access arrangements to the site in more detail. It states that “the site access road is subject to 10 mph speed limit, and is generally 6.7 metres wide. It forms the minor arm of a simple priority junction with the western side of Langhurstwood Road, which is subject to a 40 mph restricted speed limit and is a rural single carriageway road. There is no street lighting along Langhurstwood Road and there are no footways. At its southern end, Langhurstwood Road forms a junction with the eastbound carriageway of the A264 via a left-in/left-out arrangement with associated acceleration and deceleration tapers. There are no facilities provided for a right turn movement into and out of Langhurstwood Road on the A264, and so u-turns must be made at junctions to the east and west to accommodate these.

- 4.3 This proposal raises significant traffic concerns, as the proposal of the Land North of Horsham strategic development recognises the existing harmful effects of heavy lorry traffic along this road, which will inevitably be exacerbated by this proposed development. It further recognises that there is a need to improve the junction of Langhurstwood Road with the A264 by means of a new roundabout. This will result in the diversion of Langhurstwood Road through the western part of the Land North of Horsham strategic development.
- 4.4 We are very concerned that this planning application will result in an increase in the level of traffic on local roads including Langhurstwood Road, which will not only adversely affect the Land North of Horsham strategic development, but also other local roads in the vicinity of the site. As this facility would have a far greater capacity to dispose of waste than the existing operation, the catchment will inevitably cover a wider area, and will result in an increase in commercial traffic using local roads, with a resultant harmful affect.
- 4.5 If, despite our objections to this planning application (and those of many others), this scheme is permitted, we strongly submit that as a condition of any approval, Langhurstwood Road is diverted west, rather than east of its present route (prior to the 3R facility becoming operational). A new junction should be formed onto the A264 in order to divert the commercial traffic away from the Land North of Horsham strategic development, as well as from the existing residents along Langhurstwood Road, as set out in Paragraph 2.7 of this Submission.

5. Traffic Generation

- 5.1 We submit that this planning application is contrary to the following planning policies, as they apply to traffic generation, as previously described:-

- West Sussex Waste Local Plan Policies W18, W19, W21;

- Horsham District Planning Framework Policy 39;
- National Planning Policy Framework paragraphs 14 and 17.

5.2 We note that the Planning Statement states that this proposed facility will not result in any increase in operational traffic over and above that already permitted, and it is on this basis that West Sussex County Council, as Local Highway Authority, are not objecting to this planning application on highway grounds. Given this position, we would recommend that if this scheme is permitted that a planning condition or a Section 106 clause is included to control daily HGV movements.

5.3 We are very concerned that, even with a planning condition or Section 106 clause to control the number of vehicle movements, due to the size of this facility, there will be increasing pressure to ensure that it will be used to capacity. This could result in pressure to vary any planning condition to increase the amount of commercial traffic serving this facility, and also to extend the working hours, which could be difficult to resist.

5.4 At present, the Planning Statement explains that the Facility will have the capacity to receive 230,000 tonnes of waste per annum (Paragraph 3.3). This is currently the same as is currently approved for the Waste Transfer Station operations. However, there is some uncertainty as to the extent of the catchment for waste. We understand that this facility will mainly serve West Sussex, although some waste may also be derived from East Sussex, Surrey and possibly Hampshire, and this could lead to increasing demand for this facility to accommodate more waste, with the resultant need for increased traffic movements, through a variation of any planning condition. We further consider that there is also a real probability that the demand may extend as far as London.

5.5 Britaniacrest has historically applied for variations of planning conditions, one of the most recent being the application to remove a condition on the existing facility relating to vehicular operations and controls. (WSCC/077/15/NH). Though not relating to increasing traffic movements directly, it raises real concerns over the potential for increased activity at the site.

5.6 In this regard, it is of significance to read in the 'Cross Boundary Consultation from West Sussex County Council' on the previous planning application that Surrey County Council does not have sufficient residual waste treatment capacity, and is reliant on sending some of this material to 'out of county' facilities. It further states:-

"...In view of the proximity of the application site to the county boundary with Surrey, the catchment area for the proposed development will include a significant area of Surrey".

This response reinforces our real concern that there will inevitably be an increase in commercial traffic movements to feed this waste facility, with the resultant unacceptable increased pressure on the local highway network.

West Sussex County Council should also ensure that Britaniacrest have provided appropriate information to confirm that the Proposed Development will not have an impact on the Ashdown Forest and other relevant Special Areas of Conservation. It is noted that this issue has not been addressed at all within the submitted documentation.

6. Amenity

6.1 We submit that this planning application is contrary to the following planning policies, as they apply to the amenity of existing and proposed residents and businesses, including those in the Land North of Horsham strategic development, as previously described:-

- West Sussex Waste Local Plan Policies W16, W19, W21;
- Horsham District Planning Framework Policy 24;
- National Planning Policy Framework paragraphs 14 and 17.

6.2 The Waste Local Plan emphasizes in paragraph 7.13 that just because a site is allocated for waste management facilities 'in principle', it does not mean that it will automatically be granted planning permission, as each proposal will be considered on its merits. We consider that this planning application will not only cause harm to existing residents in the vicinity of the site, but also to the new residents and workers who will be within the Land North of Horsham strategic development immediately to the east of the application site.

6.3 Unacceptable impacts on new and existing residents, businesses and visitors are clearly set out in Policy W19 of the Waste Local Plan, all of which apply to this planning application. They are lighting, noise, dust, odours and other emissions, including those arising from traffic, and routes and amenities of public rights of way in the vicinity of the site.

6.4 We note that in relation to Air Quality and Odour, the Planning Statement makes no reference to the proposed North Horsham development.

6.5 It is of particular significance that the proposed stack will need to be 90 metres in height in order to disperse the pollutants. Therefore any proposed reduction in the height of the stack to reduce its significant adverse landscape impact will inevitably increase the likelihood of air pollution impacts on the new residents of the North Horsham development. We remain concerned that significant new housing as well as a primary school, community facilities and significant areas of public open space will be

located within 800 metres of the stack, and also be subject to the significant adverse environmental effect of the 'plume' from the stack.

- 6.6 In relation to noise and vibration generated from this proposed development, again the Planning Statement makes no reference to the North Horsham development. The Noise Assessment does include the North Horsham development within the Study Area, and it is included within the Future Baseline. However, it concludes that reasonable mitigation for noise from the operation of the facility is being proposed, it concludes that noise effects from the operation of the facility are expected to be 'minor adverse' at most. We are concerned that this is seriously underestimating the noise and vibration impact on the residents of the North Horsham development.
- 6.7 We note that with the previous planning application, noise impact was one of the proposed reasons for refusal. With that planning application, the County Council considered that Britaniacrest has failed to demonstrate that the noise from the operation of the proposed facility (both singularly and cumulatively with other development) would not have a significant adverse impact on current residents and the future residents of the North Horsham development. We maintain that this is still the case, and that this reason for refusal should be retained for this application.
- 6.8 The Horsham District Planning Framework includes a Concept Masterplan Map, which clearly shows the extent of new residential development and a high quality business park, which will take place close to this proposed waste facility, as well as educational, recreational and community facilities. Despite this, the Planning Statement for this planning application makes no reference to this in its Summary of Planning Policy Compliance in relation to Policy 19 of the Waste Local Plan. We consider that this reinforces our view that the planning application has not properly considered the fact that this application site is directly to the west of the most significant approved proposal for housing, employment, education, recreation and leisure within the recently adopted Horsham District Planning Framework.
- 6.9 This proposal is therefore not appropriate for this site. There are other more suitable locations within the County, which have been identified in the evidence base for the adopted Waste Local Plan. If there is a real need for this scale of facility in the County, these other sites should be the subject of serious consideration, through the review of the West Sussex Waste Local Plan.

7. Conclusions

- 7.1 We have considered all of the application documentation for this proposed recycling, recovery and renewable energy facility and associated infrastructure. We conclude that the development is not compliant with many adopted planning policies, and would cause significant harm which

would not be outweighed by any benefits of the scheme. These adverse impacts would affect both the existing residents, and those who will be living, working, being educated, and enjoying their recreation, within the Land North of Horsham strategic development immediately to the east of this application site.

- 7.2 We have identified those planning policies which are not complied with in both of the relevant adopted local plans, the West Sussex Waste Local Plan 2014, and the Horsham District Planning Framework 2015, as well as with the relevant parts of the National Planning Policy Framework and Guidance. These are extensive, and provide overwhelming reasons why this planning application should be refused.