

Transcript of Item WSCC/015/18/NH heard at West Sussex County Council
Planning Committee on Tuesday, 19 June 2018 held at County Hall, Chichester.
Meeting start time 10.30 a.m.

KEY

Committee Members

DC – Duncan Crow, Chairman, Planning Committee
LK – Liz Kitchen, Vice-chairman, Planning Committee
NA – Noel Atkins, Planning Committee Member
ABM - Andrew Barrett-Miles, Planning Committee Member
GB – George Barton, Planning Committee Member
JD – Joy Dennis, Substitute Planning Committee Member
NJ – Nigel Jupp, Planning Committee Member
AP –Ashvin Patel, Planning Committee Member
SM – Sean McDonald, Substitute Planning Committee Member
BQ – Brian Quinn, Planning Committee Member
JR – Jacquie Russell, Planning Committee Member
SO – Simon Oakley Planning Committee Member

Officers

JM – Jane Moseley, County Planning Team Manager
SD – Sam Dumbrell, Senior Planning Officer
TD – Tim Dyer, Environment and Heritage Team Leader, Landscape Architect
KK – Katie Kam, Solicitor
TG – Tracey Guinea, Democratic Services Officer, clerk to the Committee

Speakers

RT – Ray Turner, Chairman, North Horsham Parish Council
NC – Norman Clarke, No Incinerator for Horsham
DJ – David Johnson, Sussex Branch of the Campaign to Protect Rural England
DS – Dan Smyth, RPS Group
KR – Keith Riley, Britaniacrest Recycling Ltd
PC – Peter Catchpole, Local Member, Member for Holbrook

Webcast – from welcome and introductions, starting at 00:55

- DC 1. Well, good morning everybody and welcome to this meeting of the Planning Committee. May I welcome members of the public in the gallery and members of this Committee to this meeting. And can I also welcome people who are watching us live on the internet, as this meeting is being webcast. We are going to be webcast[ing] until the second planning application is heard, so both applications will be live on the internet.
2. I just need to run through some housekeeping matters. May I remind attendees that should the fire alarm sound (there is no planned testing) that you should make your way out of the doors at the rear of the building and you will be escorted from the Chamber. All attendees will be escorted. Should members of the public need to go to the loo, they are just at the bottom of the stairs, through the doors at the bottom. In order to prevent any disruption to the meeting, could I ask that everyone keeps their mobile phones on silent for duration, but should you have a Blackberry, can I ask that you turn that off completely because apparently they can interfere with hearing aids, so that we ask that they are switched off.
3. [I] also need to state that any disorderly conduct would not be tolerated, so therefore, if a member of the public were to interrupt the proceedings and behave in a disorderly manner at any time, I can, after a warning, request your removal from room, and in extreme circumstance, which hopefully will not happen, I can instruct that the public gallery be cleared and the meeting take place without the public present.
4. Can I advise that this is a meeting held in public with defined protocols for the numbered of speakers permitted to speak. It is not an open public meeting with unrestricted rights to speak.
5. We have apologies for absence from Janet Duncton, Sujan Wickremaratchi and from Kirsty Lord. And can I welcome two substitutes to the meeting: Mrs Joy Dennis and Mr Sean McDonald.
6. Agenda item one is declarations of interest. Can I also advise members and indeed the public speakers that you will need to press your microphone when you are going to actually speak. So any declarations of interest to declare? Mrs Kitchen?
- LK 7. Yes Chairman, I have. First of all I declare that I am a member of Horsham District Council. And I have also been advised to say that I have attended two meetings on this behalf; one was a Britaniacrest one in the Millennium Hall in Roffey and the other one was a meeting of concerned people that was in St. Mark's Church. I was at both those meetings.
- DC 8. Any other members? Mr Jupp?
- NJ 9. Thank you, Chairman. I also declare an interest, being a member of Horsham District Council for Billingshurst and Shipley.

- DC 10. Thank you. I am also...I am going to put forward a block declaration that we've all been lobbied. If any member of the Committee hasn't been lobbied if you would like to indicate, otherwise I will take it that we'll do a blanket declaration of lobbying for all the members of the Committee.
11. OK, thank you.
12. You can, of course, declare any interests at any point during the meeting, should anything else become apparent as well.
13. OK, item two is the minutes of the meeting held on 24th of April which are on the cream papers from pages three to 11. Are members of the Committee who were here happy to approve those minutes as a true and accurate record? *[visual check that Committee have agreed/nodded agreement]*. Thank you very much.
14. Item three is urgent matters of which there are none, so we'll go on to the substantive items, which is the planning application. I am reversing the order of these planning applications, so that the one that has the most public interest is being held first. So we're going to take the energy from waste application first which is the item 4(b).
15. Therefore, can I introduced...I will ask you to introduce yourselves, officers; I will go from my far right *[far left actually indicated]*. Sam?
- TD 16. My name is Tim Dyer. I am the Environment and Heritage Team Manager and also the Principal Landscape Architect for West Sussex County Council.
- SD 17. Good Morning. Sam Dumbrell, Senior Planner, West Sussex County Council.
- JM 18. Morning. I'm Jane Moseley, the County Planning Manager.
- KK 19. Katie Kam, Solicitor
- DC 20. Perhaps I should have said that I'm Duncan Crow, Chairman of the Committee.
21. To my right is Mrs Liz Kitchen, the Vice-Chairman of the Committee.
- TG 22. Tracey Guinea, Clerk to the Committee.
- DC 23. Thank you very much.
24. Just before we go into the application can I ask...just want to say that I recognise that that many people will have strong opinions on this application but it is the responsibility of the Committee to decide purely on the merits, in accordance with planning laws and policies.
25. Now, Jane Moseley, County Planning Manager, you're going to introduce the report?

- JM 26. Thank you Chairman. Good morning Chairman, members of the Committee. My name's Jane Moseley. As I said I am the County Planning Team Manager.
27. And today I will be presenting a proposal for an application for an application for planning permission for a recycling, recovery and renewable energy facility which the applicants have called a 3Rs facility, along with ancillary infrastructure.
28. The proposal is to create energy from waste through thermal treatment with the facility accepting up to 230,000 tonnes per annum which the site currently accepts.
29. I would note, to start with, that overnight we've had further challenge from UKWIN regarding the R1 status issue which I'll discuss later in the presentation in some detail and it's on your update sheet.
30. I also note we've been handed a piece of paper this morning advising that a local resident has requested the Secretary of State to call in the application. We've contacted the Planning Inspectorate about 10 minutes ago but they're unable to confirm the status of this. So we carry on with this decision as far as I am aware.
31. Right. Turning first to the site location. The site is located within Horsham District in North Horsham parish. It's located around 900 metres north of the built boundary of Horsham. Warnham is 1.3 kilometres to the south-west of the site and the site is accessed via Langhurstwood Road to the east, which links to the A264 to the south. The site, as I've said, is outside the built-up area of Horsham, as defined in their local plan. It's a brown-field site which was previously in brick-work use but is now in waste use. The site is allocated in the West Sussex Waste Local Plan for the provision of a built waste facility in West Sussex to provide a strategic site. The site extends to 3.8 hectares, is located within the wider Brookhurst Wood facility which contains a landfill and mechanical biological treatment waste facility as well as a brickworks.
32. This is an aerial photo showing the site in a bit more detail. As I've said it's located in the Brookhurst Wood facility; you can see the landfill and the MBT facility located to the north and east respectively. You can see Langhurstwood Road to the east of the site. As I've said it's currently...the site is currently in waste transfer station use. It's got planning permission, as members will agree from the regular applications that come to Committee, for 230,000 tonnes per year throughput. The landfill to the north and north-east of the site is currently only importing waste for restoration which is to be finalised by 2023. Members asked on site, so I've found out, the final restoration height of the landfill will be 85 metres above ground level. It possibly means nothing but I've got some further details on that later on. The mechanical biological treatment plant, which I'll call the MBT from now on, accepts black bagged waste from around the county which goes for further treatment. The railway

corridor between Horsham and Dorking is to the immediate west of the site. You can see on this slide there's ancient woodland strips shown in green, public rights of way shown in purple. Graylands Copse scheduled monument is shown hatched, is around 380 metres to the east of the site. And the nearest resident properties are located to the east on Langhurstwood Road and to the west of the site on Station Road, which I think members will have seen on the site visit.

33. As well as the existing development members will hopefully be aware that there's an approved development to the north of Horsham. This shows the land use parameter plan; this is a slightly different one the one that's in your Planning Committee papers: it's the same...it does show the same uses, but it's in brighter blotches, basically. So as per paragraph 2.7 of the Committee report, the development was given outline planning permission in March 2018 for up to 2, 750 dwellings, along with other uses. So the green area is green infrastructure, planting and the like. The orange areas are residential use and the pink is commercial use. I would note the new road layouts, so Langhurstwood Road will be closed off to the south where it connects with the A264, will be closed off. And a new roundabout will be installed just south of Brookhurst Wood which will divert traffic to a new roundabout, around to the south-east of the A264.
34. So turning to the proposal. They're proposing a recycling, recovery and renewable energy facility; a three R facility, which will produce energy from waste through thermal treatment. The site will manage up to 230,000 tonnes of non-inert waste per year, as is presently the case, so there's no change in the amount of waste that will be dealt with at the site each year...or which can be dealt with at the site each year. Of the 230,000 tonnes of waste, an estimated 50,000 tonnes of waste would be diverted for recycling. The remainder, 180,000 tonnes will be thermally treated, with 18 megawatts exported to the grid each year and 3 megawatts for use on site. This is enough to power around 43,000 homes. The existing buildings on site would be cleared and the building outlined, shown on the slide, would be built on site. In basic terms, waste lorries would come into the site from the east and go to the south west corner of the building where they deposit waste into the tipping hall where it would be mechanically sorted with recyclable stored in bays in the north-eastern corner. So it will go through further processing of the waste to pull out any leftover metals and plastics and things that can be recycled before the residual waste would be transferred to a bunker, where it will be mixed and would go into a waste processing hall for shredding and further screening of recyclables...sorry, to take out recyclables. It would then be loaded into a hopper where it would be fed onto a grate for further treatment in a boiler hall. It would be on a moving grate to maximise the amount of oxygen fed into the process. All the waste handling and storage would take place in a building, in a fully sealed environment, with the exception of the recyclables being stored in the north-eastern corner.
35. The application is a revised submission, following the withdrawal of a similar application in July 2017. Officers recommended refusal of

that application on the grounds of unacceptable impacts on landscape and visual amenity and a failure to demonstrate that the noise impact would be acceptable. So the applicant has sought to address these issues with this application.

36. This shows the previous designs, which were considered by officers in our recommendation of refusal. In the top right corner this is the application that we recommended for refusal. The lower drawing shows the height reductions for comparison, so the original application in 2016 was 48.75 metres in height, which was then reduced during the application process to 43 and a half metres ... and the final consideration. The 43 and a half metre building was what was recommended for refusal and was ultimately withdrawn before it went to Committee. The applicant is now proposing a 36.9 metre high building, which you can see the shape of in the lower picture, with a curved shape. As you can see it would be dug-in 9 metres to provide the bunker and 3.65m lowered in the eastern part of the site.
37. This slide shows the main building elevation with the 95 metre high stack, so this is when viewed from the north. So when viewed from the north of the site you can see the 95 metre high stack on the eastern end. I would note, 95 metres is above ground level, so it's not above the height of the building, it's from ground level and that has not been decreased throughout the process, that has remained the same height. It is the worst case scenario though. Sorry...the stack height takes into account the need to disperse emissions to ensure the ground level concentrations of the emissions are acceptable. The building is 39.5 metre in height at max...maximum. It's a curvilinear building with square elements protruding, as you can see. It will be clad in a range of autumnal colours with translucent panels show in light grey.
38. So this is a visualisation, as viewed from the south-western corner of the site, which is by the railway corridor, which is around where, I guess, members stood on site the other day. You can see the tipping hall to the western corner of the picture. The highest elements you can see there are the boiler halls and the bunker where the waste would be deposited and the boiler-hall where the waste would be combusted. The height of the building has been defined by the boiler height and the need for the bunker sorting. It's HGV and car parking the front.
39. So just a few slides showing what the existing site looks like. This is a view across the site across to the north. I would draw members' attention to the update sheet, where it's a minor...in paragraph 2.3 of the Committee report on page 33, I've said the site currently includes a large former brickworks building of some 6m in height, but it's actually 15 metres in height at maximum, so I think it's about 12 metres in front where you can see on the picture there, but it slopes up at the back to about 15 metres.
40. This is view across to the *[interrupted by the Chairman, inaudible apart from "carry on, carry on, please"]*...this is a view across towards the MBT facility beyond which you can see the tree line along

Langhurstwood Road. The MBT facility was sunk into the ground when it was built to aid the screening of the site. It is around 21 metres in height.

41. This is a view south towards the brickworks factory.
42. And this is along the western site boundary, so you can see the railway corridor. And you can see the wooded area beyond the railway corridor, which is also in the ownership of Britaniacrest.
43. And this just shows another picture of the existing waste transfer building, which is around 15m in height with a stack of around 27m in height.
44. So turning to consultees and representations. As you can see, various Parish Councils in the area have objected including North Horsham Parish Council and Warnham Parish Council, so the immediate local Parish Councils have both raised objections, including that the building is too large and visually intrusive, the development would result in impacts on health and conflict with development plan policy.
45. Horsham District Council have not objected, but seek conditions regarding HGV numbers, requiring high quality finish and landscape improvements and seek measures to mitigate noise impact. They also seek assurance that air quality would be protected through the Environmental Permitting process, which the Environment Agency have confirmed on that on each point it would be.
46. Neither West Sussex County Council's, nor Horsham District Council's Landscape Architects have raised objections, agreeing that the information submitted confirms that the majority of the built development would sit below the tree line from the majority of viewpoints.
47. Members will presumably be aware that a large number of representations have been received from members of the public - 1,189 in total, of which 1,167 raised objections. We've also had a petition signed by 4,532 people. The key issues raised relate to issues including impacts on air quality, human health, the environment, historic features, the local roads, landscape and visual impacts, lack of need for the facility, that it would discourage recycling, the cumulate impacts and that it is too close to the North Horsham development. 12 representations in support consider the facility would make use of waste, there's a need for waste capacity, it would be visually acceptable and would create employment.
48. So turning to the key issues. Firstly in terms of the Waste Local Plan, the site is allocated under Policy W10. But, firstly, I would highlight the update sheet, it's probably a good time to turn to that. In paragraph 4.25 of the report it was...I incorrectly stated that the Environment Agency would control the efficiency of the facility, which they would not; they would monitor it and require that it is as efficient as possible but they would not control it. I, therefore,

proposed that I add a clarification to paragraph 9.3 of the report on page 49 in relation to this issue and regarding the R1 issue, which has been raised by UKWIN which is UK Without Incineration Network. Essentially, the issue relates to whether the facility would be defined as recovery or disposal, so if it's recovery the facility moves the management of waste up the waste hierarchy. If its disposal then it would not and it would be less acceptable. The representation from UKWIN challenges whether the proposal would be beneficial in terms managing the waste...the management of waste up the waste hierarchy. They note that this would only be the case if the facility had R1 status. So a condition, they think, should be attached to the permission if granted requiring R1 status is achieved and is shown to be achieved. R1 status essentially requires that a given status of efficiency is achieved, so that rather than just burning to get rid of it, which is disposal, a given amount of energy is recovered. We did add an R1 condition on to the permission at the Ford gasification facility in response to pressure from UKWIN requiring that this was the case. This required that prior to the gasification plant being brought into use, the applicant submitted verification that it had achieved R1 status from the Environment Agency at the design stage of the process. However, as I've set out in the note, the Environment Agency is responsible for measuring levels of efficiency in energy from waste facilities and can confirm whether a plant should have R1 status. The operators are required, through the Permitting process, to recover as much energy as they can and, of course, it's in the operator's interests financially that they do so. It's also of note that R1 status can only be achieved once the plant has been operating, so they can only get R1 status once they've got historic operating data. The condition used for the Ford facility requires that the possibility of R1 is designed in, but does not require that the facility necessarily operates as a recovery facility, and it would be inappropriate for this to be part of the planning process.

49. More importantly, in planning policy and national guidance, including our own Waste Local Plan, recovery is not defined in relation to efficiency, it's just recovered...sorry, its defined in terms of an energy from waste facility; so a facility that does recover energy from waste is, by our own definition, considered to be recovery, without to how efficient they are. It is not, therefore, appropriate or useful to add a condition that requires that R1 status has been achieved.
50. So turning to the other issues raised in relation to the Waste Local Plan, the key point is the site is allocated in the Waste Local Plan and the principle of the use is, therefore, considered acceptable, subject to meeting the development principals for the allocation as set out in the Waste Local Plan. It is considered, in brief, that it does address these, as set out in the report, in that it would bring forward a comprehensive redevelopment of the site, with negligible impact on flora and fauna. The site's industrial architecture would be recorded and this would be required by condition. The water environment would be protected for the amenity of residents and businesses would be protected. There would be no adverse impact on London Gatwick Airport. And, that rail transportation has been considered as an option. So it is, overall, therefore considered to accord with the

Waste Local Plan Policy W10.

51. In terms of the design and landscape and visual impact this was a key consideration and was a reason for officers recommending refusal of the previous application. As members will be aware the building would be of significant scale, it will be 35.9 metres in height with a 95 metre stack and it would have a visible plume at times. However, the applicants demonstrated there would be limited visibility of the building due to topography and vegetation. There would be some views from medium distances, but this would largely be screened, albeit the stack would be widely visible. The impact of the stack, however, is not considered significant in terms of landscape and visual impact but with a narrow width of 2 and a half metres and coloured grey, and so would not, in the main, be seen in combination with the building. It is anticipated that there would be a plume and this would be seen on around 23 days of the year, which would add to the impact, but [it] would be relatively rare. There would be no detriment to the designated areas including the High Weald or Surrey Hills Areas of Outstanding Natural Beauty, or to any nearby historic features. So it's, therefore, considered to be acceptable in terms of the impact on design and landscape and visual impacts.
52. In terms of highway capacity and road safety there's no change proposed to the number of HGVs that can access the site under the current planning permission. So there'd be a maximum number of 142 HGVs entering and leaving the site each weekday, which is 284 HGV movements per day, with a maximum of 70 on Saturdays, so 140 HGV movements. And, there would be fewer HGV movements that this during the construction process. The local Highway Authority has raised no objection. It is, therefore, considered acceptable in terms of the impact on highway safety...sorry, highway capacity and road safety.
53. In terms of impacts on residential amenity members will note there was a potential for noise impact, which was a reason given for officers' recommendation of the reason for refusal of the previous application, but the applicant has now provided information showing there would be and imperceptible increase in noise levels, particularly as most operations would be enclosed within the building. There would be no increase in HGVs, so there'd be no associated increase in noise from vehicle movements. Dust and odour could be adequately contained through measures such as fast open shutter doors and operating the building under negative pressure and prioritising the processing of malodorous waste. A Construction and Environmental Management Plan would address the issues of dust emissions and other emissions during the construction process. So that, overall, it is considered acceptable in terms of impacts on resident amenity.
54. In terms of public health many representations have noted concerns over the impact of the facility on air quality. However, the Environment Agency, Public Health England and Horsham District Council's Environmental Health Officer have raised no objection. It is noted that emissions to air are regulated through the Environmental

Permitting process, managed by the Environment Agency. This would require the operator to prepare a human health assessment and to demonstrate ongoing compliance with European and national limits for compliance with air quality. There are considered to be sufficient controls through the Environmental Permitting process to ensure the development would not result in unacceptable impacts on air quality or, as a result, human health. I would note for members that this is quite an important point, that we can't duplicate the regulation, and we shouldn't duplicate the regulation, provided by another authority. So this is managed by the Environment Agency and we need to accept that they can do their job adequately through their processes.

55. Finally, in terms of cumulative impact the potential cumulative impacts alongside the North of Horsham development were raised in a number of representations. However, the development would result...not result in any additional HGV movements over those approved for the site in 2015, so there'd be no additional cumulative impact in terms of HGV movements over what was already the case and this would have been considered by Horsham District Council for when they issued the permission for the North of Horsham development. There'd be no increase in noise impacts and the operations would be enclosed. Therefore, there'd be better noise and odour controls. And construction impacts would be controlled through the construction and environmental management plan.

56. It is, therefore, recommended that planning permission be granted, subject to the conditions set out at appendix 1 of the report on page 65.

57. Thank you Chairman.

DC 58. Thank you very much.

59. We're now going to move to the public speakers. We have six speakers. There are going to be three speakers who are registered to speak in objection to the application. Two speakers who have registered to speak in support of the application and we've also got the local member, Mr Peter Catchpole who will also be speaking.

60. Can I also request that everybody present ensures that everyone who is addressing this Committee is allowed to do so without interruption.

61. And following the presentation officers will be asked to provide points in clarification on the content of the submissions and the Committee will then debate and determine the application.

62. First speaker is Councillor Ray Turner from North Horsham Parish Council. And all speakers, excepting the local member, have up to five minutes and the time should be displayed. So we'll start when you press your button please.

RT 63. Thank you Chairman.

64. Well, as you said I represent North Horsham Parish Council in regard to this application and I'm here to express the Council's views. But I would also add that this overall approach, this approach that I'm going to outline, of the impact of this development is supported by Warnham Parish Council.
65. North Horsham Parish Council strongly objects to this application. Principally, because it feels that the design, height, size and mass of the proposed building will have a severe, lasting and totally detrimental effect on the local landscape. It feels that it is unsightly and entirely out of keeping with area and will irreparably harm the residents in the vicinity currently enjoy. The proposed buildings are significantly higher than anything in the surrounding area and certainly, in the Parish's view, damage the distinctiveness and attractiveness of the northern, eastern...north-eastern approaches to the historic market town of Horsham [and] indeed have a wider detrimental effect on the views over and from High Weald Area of Outstanding Natural Beauty, including the conspicuousness of vapour fumes that will inevitably emanate from the stack, especially in periods of colder weather.
66. The Parish has serious concerns in relation to air quality where it feels there is insufficient long-term evidence of the potential harmful effects associated with the incineration of waste. Members of the community have expressed their concerns to the Parish Council at a well-attended public forum regarding these potential health risks from breathing these emissions, and the Parish Council understands and acknowledges these fears that have been voiced.
67. Whilst the Parish Council opposed the major development of some 2,750 homes, three schools, a range of community facilities, retail outlets and a business park north of the A264, it has accepted the decision of Horsham District Council to grant outline planning approval and is now seeking to work with developers to pursue the best outcome for existing and new residents. This major strategic development will be adjacent to the proposed incineration plant and the Parish Council considers that this form of land use and the consequential cumulative effects of noise, light and other potential sources of pollution, extending to 24 hours a day, would have a severely detrimental effect on the quality of life of both the new and existing residents of the Parish. Of concern is the potentially unknown effect on those children and young people attending the new schools that will be built on this development.
68. The Parish Council has, over the years, expressed concern at the possible adverse impact of the increase in heavy goods vehicle movements in the area and there appears to be no information on the effect on the environment of vehicle movements associated with this application. Whilst it's acknowledged that vehicle journeys arising from the proposed facility are not planned to exceed those allowed within the existing planning conditions there would, in reality, be an actual increase beyond that currently experienced. It is also noted, in accordance with the outline planning conditions for

North of Horsham development, access to site would be through a residential road following the blocking off, as has already been mentioned, of Langhurstwood Road at its junction with the A264. The Parish Council is of the view that [the] potential increase in diesel powered HGVs is not compatible with providing a good quality of life with the minimal level of environmental pollution for the residents of the new homes.

69. The generation of litter from the existing recycling and refuse tipping operations, particularly on the A264, is already an issue of considerable local concern with rubbish being blow from lorries approaching the site. It is feared that an increase in activity arising from the proposed facility will increase this nuisance. In conclusion, Chairman, the North Horsham Parish Council is deeply opposed to this application due to its devastating impact on the local landscape and environment and would simply request, in the strongest of terms, that it be rejected by the County Council.

70. Thank you, Chairman.

DC 71. Thank you very much.

72. Our next speaker is Mr Norman Clarke from the Langhurstwood Residents Association [*inaudible from Mr Clarke*]. Oh. Ahh. 'No Incinerator for Horsham'. Thank you, my apologies. You're still Mr Clarke, aren't you? Yeah. OK. Thank you. Start when you're ready.

NC 73. Thank you Chairman.

74. No Incinerator for Horsham has researched incineration, reviewed this application and submitted detailed written evidence on our concerns. We remain opposed based on several issues and want to focus on three key aspects today.

75. Firstly, there is no clarity of what this development is and its appropriateness in terms of the waste hierarchy. This is described as recycling, recovery and renewable energy but only 20% will be recycled. Britaniacrest currently boasts a 95% diversion from landfill rate, so this is not an improvement. On recovery, [there is] no assessment of whether recovery status can be achieved or this is purely disposal. This is a material consideration that County Planning are obliged to make. If a decision is taken that this may be an R1 recovery facility then an R1 planning condition should be imposed, as it did for the Circular Technology Park at Ford. Renewable energy from renewable sources includes only non-fossil sources. Only 40% of the waste meets this definition. If the Committee is unsure then clarification is needed. Consultees have pointed out applicant mathematical errors, mainly for carbon dioxide and NOX. How can the Committee assess whether this development meets local and national plans and policies in relation to carbon emissions, air quality and climate change if the accuracy of the data is questionable? This has implications on health and cannot be left unanswered, and this is the responsibility of the Committee and not the Environment Agency.

76. Secondly, the Waste Planning Authority should not assume that because an area hosts other waste disposal facilities that it is appropriate to add to these. Engagement with the local communities affected will help in these considerations. 1,189, that is nearly 99% of respondents, objected and a further 4,532 petition signatures collected. We urge you to give significant weight to the legitimate concerns of the community. The overwhelming view is that this application has changed very little from the previous one which was recommended for refusal. The building height is still some 36 metres, that is 12 storeys, and shoehorns the oversized building onto a small site. This will be out of keeping with anything else in Horsham and will indeed set a precedent for future planning applications. The 95m [*inaudible*] chimney cannot be mitigated. It will be sited close to a significant residential area including some 2,750 new homes. The stack and plume is industrial in nature and will reduce the intrinsic value and fundamental character and appeal of Horsham and the surrounding areas. This development will no more blend into to West Sussex countryside than an ocean liner in the desert.
77. There will be further loss of amenity to those who reside close to the site. Existing waste business with suitable technology and measures in place do not sufficiently minimise odours, flies, noise, litter spillage and dust and there is no effective redress.
78. There are compliance issues with the existing planning conditions.
79. No consideration has been made for pedestrians or cyclists using Langhurstwood Road.
80. The site operating and construction hours do not support residents' rights to rest and make use of their outdoor space without disturbance. The proposed conditions are unclear and ignore the recommendations to amend these in the residents' favour. These do not go far enough and appear to increase disturbance on Saturday afternoons. To quote the developer's own architect "we will only notice the extra noise and light during the night"; thank you very much for that!
81. Thirdly, what is the benefit of the Sussex facility versus the impact to Horsham. The incinerator might solve a shortfall in waste management provisions but the developer openly plans to import waste from across six counties. This is in contravention with WSCC's Waste Local Plan. The driving force for these proposals is profit rather than the interests of West Sussex residents. Linked to this, traffic impact. Due to traffic permissions for this incinerator was sought in 2015 to remove a key point of contention early. The data was old and incomplete in 2015. It is now older, incomplete and not comprehensive enough. Surely reassessment is vital before making a decision that will impact unaware communities both across and beyond West Sussex.
82. In summary, whilst there are benefits from the plans, such as profits for the developer and the potential for West Sussex needs for waste

to be met and other counties not to have to deal with unpopular waste plants, the dis-benefits to West Sussex are far greater. A disposal solution, which is no better than landfilling, impact on the environment in an unquantified way, deterioration of a desirable town which was voted 19th in Top Places to Live in in the UK in 2017 and increased loss of amenities to locals, we seek support from County to refuse this planning application or at the very least the deficiencies in the planning report to be addressed before this application is made.

83. Thank you.

DC 84. Thank you very much.

85. And our final speaker against the application is Mr David Johnson, who is from the Sussex Branch of the Campaign to Protect Rural England. When you're ready, sir.

DJ 86. Thank you.

87. We are, in principle, neither for nor against incineration. We support recycling and reuse and resist burning waste. But we do resist this three Rs incinerator plant. In addition to its impact on the countryside, on traffic and on new housing developments, we believe this application, its business case and particularly the supporting information on pollution and emissions, is both inadequate and faulty and may well breach the West Sussex Waste Local Plan Policy W16. Without independent scrutiny of the business case and the capacity requirements for the incinerator the people of Horsham and many communities of the south-east may suffer unnecessarily, while the owners and shareholders of Britaniacrest and Seneca benefit financially. Charles Dickens wrote in 'Our Mutual Friend' of Nicodemus Boffin, the golden dustman who became rich from the waste of others. The latest West Sussex Connections newspaper has a heading Confused About Recycling? You Won't Be. This application is about confusing members and the public about recycling. The application is for a three Rs facility, but this emphasis on the incinerator will challenge recycling targets. Current EU directives expect waste authorities to achieve 50% of waste recycled by 2020. Currently it's 44% in Sussex. The most recent directives of May raised the target to 55% by 2025 and 65% by 2035. The question - does West Sussex wish to following this trajectory for ever improving recycling or to help maximise sufficient tonnage of waste to make the economics of this incinerator viable?

88. Our opposition to the application focuses on two aspects, landscape: the issues have been raised before about the 95m chimney stack which has to be a blot on the landscape, and issues of the other buildings on the landscape [which] are not acceptable in terms of what we see as Policy W12 of the [Waste] Local Plan and high quality developments.

89. Our second point is about pollution. The information and assessment provided by the applicant are wanting. The West Sussex [Waste]

Local Plan Policy W16 Air, Soil and Water stipulates that environmental protection is a key priority in considering waste proposals. Detailed controls are exercised outside the planning system over permissions. However, an assessment of the likely environmental impacts of the proposal is required when planning applications are considered. It is not acceptable to leave this assessment merely to the Permitting stage, as proposed by the Officer. Public Health England also says that only a small number of receptors were used when modelling emissions and there's going to be [a] greater subset of modelling at the Environmental Permitting stage.

90. The main concerns in relation to potential impact on public health are emissions from the air stack during the operation of the installation. "Providing that the Planning Authority is satisfied that the installation will not contribute to a significant increase in local air pollution there is unlikely to be an impact on public health", says the Public Health England. West Sussex Local Plan states that "to ensure the imposition of environmental controls can be coordinated, necessary applications from [t] the Environment Agency should normally be submitted at the same time as the application". This has not been done. Each statutory authority is passing the buck, one to the other. West Sussex should take responsibility for what's going on here. The application should not be considered until the permit has been submitted to the EA in order to comply with the Local Plan. The risk involved with this application is so significant in terms of air pollution that it cannot be ignored. All statistics related to pollution emissions require independent verification.

91. The extent to which the incineration will discourage effective recycling has not been assessed and in order to make this incinerator economically viable, waste will be transported from a wide area from the south-east, thereby increasing traffic pollution.

92. Considering the negative cumulative impacts of the incinerator we ask that the application is refused. The role of government must be to protect and improve the health and wellbeing of its citizens. If any of its decisions threatens to worsen the quality of its air, water or soil through further toxic emissions or pollutants, councillors and officers will have failed in their duty.

DC 93. Thank you very much.

94. We're now going to move on to our two speakers in support of the application, and our first speaker is Mr Dan Smyth from the RPS Group who is agent for the application. Welcome.

DS 95. Thank you.

96. RPS has undertaken the environmental assessment for this application in accordance with our Institute and Environmental Assessment quality mark.

97. Keith Riley is going to explain why we need facilities to manage

waste, but from a planning perspective this an application for a waste management activity that includes recycling and recovery of energy from materials that cannot practically be recycled, which is approximately 50% renewable, on a site that's allocated in the Waste Local Plan for this type of activity. It should, therefore, come as no surprise, and that includes the developers of the land [to the] north of Horsham who knew about the allocation and the previous application, which they assessed in their application and considered the cumulative effects to be acceptable.

98. This is the most significant site allocated in the Waste Local Plan in terms of its scale. It has better access and is better screened than other sites and it's geographically well located. This application is for this site.
99. I got involved with this scheme soon after the previous much larger was withdrawn last year. We assembled a team of architects, landscape architects, engineers and environmental experts to redesign the facility. We took your officers' advice and we took the western High Weald woodland colour sub-palette to fit with the muted landscape colours of the winter when it will be less well screened, and we used good quality architectural design to break up the building into smaller components. In the spring we consulted on two options and have made the application for the preferred option with the curved roof. We re-evaluated the visual impact from 29 individual viewpoints and the whole of the surrounding area including land north of Horsham within the zone of theoretical visibility. You will have seen from your site visit how well screened the site is from the surrounding area. We can't make it invisible but we have done our best to minimise its height and visual impact, and in this case the form simply follows the function.
100. An occasional water vapour plume will not be out of context and would not change the significance of the visual effect.
101. There's no objection from Surrey Hills or High Weald AONBs nor from your officers, and no objection from Horsham District Council who welcome the positive design revision.
102. In terms of emissions, these have been carefully assessed following an approach that RPS have used on dozens of similar applications throughout the UK. We can be very confident the assessment is robust. We have continuously extracted monitoring with millions of data points every year from over 40 operational facilities in the UK and there are hundreds more in Europe which shows that these facilities operate well below the limits that we have assumed that they operate at in our assessment. Many of our assessments have been scrutinised by the Environment Agency for Environmental Permit applications. And the Agency will regulate this facility in operation. Operators that do not meet permit requirements are liable to lose their operating and trading licences and to be prosecuted.
103. In terms of noise we've reduced the impact over the previous

application and there's now no objection from Horsham's Environmental Health department relating to noise impacts.

104. In terms of traffic there would be no increase in HGV flows to and from the site and along Langhurstwood Road compared with what's currently consented. Britaniacrest is not proposing to modify its off-site arrangements as this proposal has no additional impact on the local network. As part of a network of operational facilities it would contribute to a reduction in waste miles travelled and the associated emissions including carbon dioxide.

105. In conclusion, this facility is sustainable development, consistent with policy in accordance with the development plan with no objection from statutory bodies; that includes WSCC Officers who recommend its approval. I encourage you to determine this application in accordance with your officers' well considered recommendation in which there is no planning basis other than which to support this application.

106. Thank you for your attention.

DC 107. Thank you.

108. And our second speaker in support of the application is Mr Keith Riley from Britaniacrest Recycling Ltd who are the applicants. Go ahead.

KR 109. Elected members, your officers have recommended acceptance of the application and I know that this has not been done lightly.

110. It has taken Britaniacrest two years to bring this application before you. We thought we were ready a year ago but we withdrew the application just prior to the members' site visit. At the time we were aware of the criticism of the proposals but I guess we hoped they would go away. That is until we read your officers' report. It became clear to us through the arguments that they made and their critique of the proposals that what was being proposed was just not good enough. I believe that the objective of the officers was, and still is, to protect the best interests of this county, taking all things into consideration and, at that time, we had not made the grade. We went back to the drawing board and responded as best we could to each of the points made and the application you have before us is as a result of that. An unfortunate thing about waste management is that there is no 'do nothing' solution. Despite great efforts to recycle as much as possible residual waste is still produced in great quantities and it has to be dealt with. Those that are responsible for dealing with it cannot just leave it lying; they have to find a solution. And this applies equally to commercial and industrial waste as it does to household waste. There are now no landfills for active waste operating in southern England other than the one in Redhill in Surrey. So one possible solution is to build more landfills. But if energy from waste is contentious, building landfills, and taking up vast areas of land to do so, is far more unpalatable. The immediate solution is to export, to send it abroad. Waste is leaving the site on a daily basis. You saw some of the vehicles during your visit on Friday.

Waste is being transported by lorry, the ship, then lorry again to countries like Germany and Holland and the road system, the environment and people of West Sussex are having to pay for it.

111. Britaniacrest appreciates that it is inevitable that some people will be affected by the development but in the location proposed we are able to minimise the number of people it will impact. We will also undertake to minimise those impacts as far as we are able and we can assure you that the impacts on those few people that are impacted will not be in respect of their health.

112. There are over 40 so called incinerator plants operating around the country including neighbouring counties such as Hampshire and East Sussex. If the stories of toxic smoke, ill health, smells and noise that are stated by some were really true it would be obvious to us all by now and we would not be making this application. Instead these plants operate without people being aware that they are even there. And if there is a concern about long-term effects on house prices just look on Rightmove website in the Basingstoke and New Forest areas, both of which have incinerators.

113. This development will be a major project for Britaniacrest and will take substantial effort and cost to realise. We do not take this on without proper consideration and take it very seriously. It would be easier to carry on doing just what we are doing but this facility is badly needed and will stand to provide a solution not only for the commercial around the county but also stand to serve the county's own waste management strategy.

114. As I've said before, there is no 'do nothing' solution. The question is, and the reason why we need your wisdom in making this decision, what is best for the community at large? I, therefore, urge you to take the advice of your officers and approve this application.

115. Thank you.

DC 116. Thank you, Mr Riley.

117. Our final speaker is... (*audience noise*) excuse me, can we have some order, please ... our final speaker is Mr Peter Catchpole who is the local member. Welcome Peter. You have unlimited time but if we ask you to do bear in mind that we have a lot to get through today. So go ahead when you're ready, Peter.

PC 118. Thank you. I appreciate that.

119. And I think the point about what is best for the community at large, which was the last point that was made is the, sort of, core of what I want to say. So thank you for Britaniacrest for making that point.

120. So over the last 18 months there have been two consultations regarding this incinerator application. The residents of north Horsham have worked hard to ensure we have the highest response I have known to a proposed development in our area. Rightly, people

are concerned about their future wellbeing and that of future generations if the incinerator comes to this area and the wholesale change of character that would be brought to our market town.

121. It would be out of keeping with its surroundings, the massive structure would overwhelm existing buildings in the surrounding area and would have significant adverse impact on views. The scale, form and design, including landscaping, would not integrate nor enhance adjoining land uses as policy W11 and W12 require. This is why over five and half thousand people have rejected these plans. Sixteen...1,167 formal objections and over four and a half thousand have signed the petition to saying no to having an incinerator in north Horsham. This overwhelming no vote is democracy at work and I ask the Planning Committee to give [it] the weight it deserves and should be fully respected.
122. Over a number of decades Horsham has been taking the burden of waste disposal, as we've heard, for all West Sussex residents. From a waste perspective Horsham has been consuming the smoke of West Sussex residents. What is not now acceptable is consuming the smoke of everyone else's commercial and industrial waste in South-East England through this market driven incinerator development which is not linked to any West Sussex or public sector service contract.
123. We heard the County Planning Manager mention the controversy, if I may put it this way, of whether this is a recovery or a disposal plant. This is of great concern to local people as the developer has submitted an application for a three Rs facility, which is suggestive of recovery or 80% in terms of waste hierarchy. But the analysis performed by many experts, and local residents with knowledge of this is that this application will be unable to meet the strict criteria for recovery or R1 status and, as a result, should be treated as a disposal application. Now, as we've heard, disposal waste processing is in line with landfilling activities and is therefore right at the bottom of the waste hierarchy. This is the least desirable and least sustainable environmentally friendly option for dealing with West Sussex waste. If the recovery...if the application is being decided on the basis of the proposal for an R1 recovery facility then I believe that we should make a condition to impose an R1 planning condition, as we did...as West Sussex did for Grundon's Circular Technology Park. This key point has been made by a number of other commentators and must be addressed before any decision is made or deferred until the Committee is clearer on this point.
124. Another point of concern for residents is the need to bring in 230,000 tonnes of commercial-industrial waste per annum to Horsham. Although West Sussex pointed [out in the] report there is an estimated 950,000 tonnes per annum of shortfall in West Sussex for commercial-industrial waste, if you deduct the material which cannot be burned (we heard a bit about that from Britaniacrest), material that could be recycled/reused, it is estimated this would leave only 89,000 tonnes per annum. By Permitting this particular development with a capacity for the equivalent of two counties worth of waste, all

about.. all to be burned, [it will] not only be in contravention of West Sussex Waste Local Plan, which is all about addressing West Sussex needs in a sustainable way, but will also encourage cross boundary waste movements through the southern counties and further afield which the applicant has referred. With this being a purely privately owned and run incinerators there is no guarantee West Sussex needs will be met as the driver will be market forces rather than local needs for a sustainable solution to waste processing.

125. There is insufficient consideration given to air quality. In the evidence put forward by the applicant it has been noted by expert opinion that key calculations are wrong and in particular the carbon dioxide and NOX calculations. The calculations would suggest a lowering of carbon in comparison with landfill are seen as inaccurate by virtue of their calculations being incorrect by a magnitude of a thousand. The current calculations, based on government guidelines, suggest this incinerator is worse than landfilling. The NO₂ calculations, again, are seen as incorrect. The permission being relied on to date has data of 2013 and with little air quality data from the actual site and the area. There are parts close to Horsham which have air quality problems, who will find it unacceptable to permit additional pollutants which could further add to the poor air quality which have not been considered at all. Crawley being one such area. Horsham District Council has also indicated that it retains some reservations about the impact of the proposed facility in terms of air quality. An air quality monitoring station should, in my opinion, be installed to monitor quality prior to any permission to develop this incinerator.
126. On the current waste site we already have four forms of pollution: from the brickworks, the Biffa waste operations, landfill gases and HGV - heavy goods vehicle, movements. This means that the area already has a cumulative level of emissions well above the zero baseline coming from these sources and to this must now be added the new emissions coming from the incinerator. We know that the road vehicles account for 80% of NOX on our roadside. We also know the north Horsham roads already have severe congestion and getting worse with constant stop-start road motions leading to pollution hotspots. To this would be added more heavy goods vehicles coming to the new incinerator across the south-east of England in order to supply the continuous source of commercial-industrial waste in order to satisfy the requirements to keep the incinerator burning. This beast will not be conforming to the proximity rule whereby the disposal of waste is made as close as possible to its source. Here, waste will need to come from all points of the compass to keep the fires burning 24/7.
127. Currently Britaniacrest are only using about 37% of the approved heavy goods vehicle allowance of 284 movements per day. This incinerator will therefore see a massive increase in heavy goods vehicles in this level...to this level, at a time when the government has set new standards about vehicle pollution in diesel engines. Surely this is the right time for a thorough review of the safety of this level of HGV movement and the added pollution that this will bring to

this area of Horsham. This level of activity was approved five years ago and thinking has moved on substantially since then, particularly as rail which is nearby at Warnham as a method of transportation has been totally ruled out.

128. The incinerator building is out of all proportion to the proposed site, which too small, and the environments in which it will be sited. At 170 metres by 107 metres and 12 storeys, or 36 metres tall, and with a chimney stack 95 metres high with an added emission plume plus an aviation light, these structures will be visible from a large number of beautiful viewpoints. Horsham District Council have commented that the height of the chimney stack in particular remains a concern and will be seen from afar. Not surprisingly the additional representative viewpoints only confirm that views of the stack will be available from close, medium and long range due to its height. The chimney stack would still be a significant physical feature in the landscape and wider countryside. They also indicate it is recognised there will always be harm arising from the stack due to its size and the impossibility of fully mitigating the effect of such a structure.
129. They still have concerns about visual impact from certain locations and also landscape impact and the potential impact of the north Horsham development.
130. The design, height, scale and overall mass of this development would therefore result in an unacceptable adverse impact on the wider landscape and character of the area. It is not sympathetic to the landscape, open spaces [or] the skyline, which will be denuded of these for six months of the year. Important rural views together with new ongoing night time light pollution. The West Sussex Landscape Architect has commented that the scale of the proposed development is such that the mitigation measures to screen the development only has limited effect. And Mole Valley said the sheer size of the facility means it will be visible from a wide range of surrounding viewpoints, particularly the chimney stack, and given the experience...the extensive visual impact of the development the Council considers that West Sussex should undertake an independent landscape assessment to gauge the potential effects on the nationally significant landscape and the character of the rural area. This building is like having a gargantuan form of Titanic, times three, dropping anchor on the middle of our rural community. How this unwelcome guest, that is totally out of keeping with its surrounding, is now to be considered acceptable in terms of its impact on landscape and visual amenity is a complete mystery to everyone in the north Horsham area.
131. The incinerator if built will impact for 3-years on the lives of local people. Traffic disruption, noise, dust little let up for them over this period with a further disruption to their lifestyles. Then when built it will be with us for at least 30-years and no matter how they try and camouflage [and] reshape this Colossus of a building it is still just and ugly oversized incinerator that does not fit into its site nor [is it] in scale or in tune to the local surroundings.

132. There is a great danger that in leaving the way planning approvals for incinerators are dealt with on the current adhoc basis to market forces that we will see the unintended consequences of an overcapacity for burning waste happening rather than incentivising waste companies to invest in recycling technology. What we do not want is an overcapacity of burning, lack of investment in recycling and being stuck with a huge ugly...with huge buildings like this proposal that we find out, too late, have no purpose but for commercial reasons, having invested a hundred and fifty million pounds in, as this case, are hungry to keep burning waste into the [20]50s and beyond. No doubt, as signalled by the government recently, we will then need a new incineration tax to stop burning and make recycling the way to go for all.
133. Local residents have raised many concerns with me about their objections to the Planning Committee...which have gone to the Planning Committee about impact these developments could have their day-to-day lives and those of their families. Concerns about the risk of pollution and long term health. Should the scheme proceed residents will see more heavy goods vehicle movements during construction. And once complete a continuous HGV activity. Some mitigation should be given to residents in reducing the operating hours as outlined in appendix 1, paragraph 14 and 16. The operational hours should, both for the building if it goes ahead, and the operation be reduced further. I suggest 7.30 a.m. to Eighteen hundred Monday to Friday and 8 a.m. to twelve noon Saturdays with no Sundays and Bank Holidays operation. If the scheme proceeds then this will, at least, go some way to help people not having heavy goods vehicles not going up and down their roads every minute of the day.
134. Increase in noise at weekend and evenings when families should be able to enjoy their leisure time without disruption. Some residents in Station Road, Warham have indicated that they will live only 200 metres from the proposed incinerator site. There's light pollution for 24 hour operation and High Weald Joint Advisory Committee have indicated they would request that external lighting is controlled through conditions.
135. Risk arising from fire at the plant and transportation of waste, such as incineration ash into the local roads, has also been a concern to residents. Public Health England make explicit that the Planning Authority should ensure that the applicant has plans in place to undertake the air quality dispersion modelling to assess larger number of receptors, confirm the on-site procedures are sufficient to prevent any off-site emissions of incineration bottom ash particles, should consider the need for the applicant to consider an accident management plan and identifies all the potential hazards in relation to all the proposed operations including fire. Surely, I would ask that all these reassurances are made clear in advance of any operation.
136. So in conclusion, with these new...with this new application very little has changed in my opinion since the recommended rejection of this

application last term...last time. It is not acceptable for visual impact on the landscape, it would be visible from a large number of viewpoints. The incinerator would impact on the character and distinctiveness of the area. It is out of keeping with the surroundings, being 170 metres by 107 metres by 36 metres high, plus a 96...5 metre chimney stack. This is...there is clear guidance on what can be claimed to be recovery versus disposal (and we've heard that earlier) and I think that should be defined clearly as R1 and a condition put to ensure that that is the case.

137. We will see importing waste from across south-east of England into Horsham will increase heavy goods vehicle activity across south-east England. Key calculations of air quality are wrong in calculating carbon dioxide and NOX. The impact on the 2,750 new homes in the North Horsham development. Increased noise for residents and light pollution. Cumulative pollution levels and a lack of recycling. This development is the wrong technology in the wrong place squeezed onto too small a site. A vision of the future of Horsham should be: welcome to Horsham, the quaint, charm of the town that has attracted national recognition as being ranked second in national newspapers [*unclear wording*] list of market towns, and not 'hello, a place that welcomes you through the north outskirts that has HGV congestion and pollution, together with the many visages of the colossal, ugly incinerator'. Over five thousand, five hundred residents have overwhelmingly rejected this application. They do not want an incinerator as a neighbour and I am sure that members on the Planning Committee would feel the same about their own communities. Good reasons have been given for saying no to this application. Therefore, I ask members of this Planning Committee to reject this application based on the sound evidence that has been presented by the three speakers against this development and the written submissions that have been made to you, that I know you will have carefully studied before coming to this meeting. Local people believe the benefits do not outweigh the local and environmental impact. This development, if approved, will impact on many generations of people in north Horsham and over the next 30-years. It will negatively impact now on the lives of thousands of residents in north Horsham, so please say no and support the residents' very real and cogently argued opposition to this development.

138. And very finally Chairman, and I know you'll be worried about me going on too long, I would just like you to ask you to ask the members of the Planning Committee to see if they would be clear about the way they're voting on this so that the transparency of the vote is clear.

139. Thank you.

DC 140. Thank you very much.

141. Thank you. That concludes our public speakers.

142. I'm now going to invite Planning Officers to clarify any specific that

have been raised by the speakers that do require any further explanation.

- JM 143. Thank you Chairman.
144. Yes, I've picked up...I mean there were quite a few points there, so I'll start on the ones I've noted down.
145. In terms of the need for the facility it's an allocated site so that's already been determined in allocating this site, so we can't...it's not a planning matter to be decided as part of this application. We have to accept that there is a need. When they allocated the site they looked at how much waste there is in the county and allocated strategic sites to manage that amount of waste, so that's already been considered in the Waste Local Plan.
146. In terms of the material that would go there it's proposed that it would be residual waste anyway, so as with the MBT facility next door, this would be waste at the end of the process, and they'll just try and extract as much...as many recyclables out of it as they can. And then deal with the residual waste through combustion.
147. In terms of air quality I've had, obviously, conversations with the Environment Agency, but through their Permitting process they check the emissions coming from the stack, so...because they're checking the stuff coming out of the stack...the emissions coming out of the stack. Having an air quality monitoring station nearby would be superfluous. They carry out their own...they require that the applicant carries out their own independent monitoring of emissions. The Environment Agency undertakes its own independent audits of the site and the processes. There's a continual monitoring of the stuff coming out of the stack. And the monitoring details...the details of the monitoring regime would be approved by the Environment Agency through the Permitting process. So there's quite a lot that goes on in the subsequent Permitting process. I'm not sure who raised it but yes, there isn't a permit application in at the moment, but that cannot be a reason for us to decline this application.
148. In terms of lighting in the conditions, in proposed condition 2 there's...I'm proposing that we approve a lighting strategy plan. This plan shows that the light spill... all the lights would be directed into the site with minimal light spill outside the site, so...
- DC 149. *(audience noise)* Can we have some order, please? [The] Officer needs to be heard. Thank you.
- JM 150. So this has been considered by various officers with knowledge of these things including the landscape officers, and considered to be acceptable. So the lights would be at...
- DC 151. *(audience noise)* I'm going to give you a warning, lady at the top, please. Please stop calling out, the Officer is speaking. And the lady in green top, please let the Officer speak as the members need to hear what she's got to say.

152. Carry on.

JM 153. These are technical drawings using accepted process to show light spill would be at acceptable levels.

154. Finally, in terms of hours I have noticed that we've got contradictory conditions, so I would draw members' attention to conditions 15 and 16 on page 70 of the report, please. On page 70 of the report we've got an HGV Numbers condition and an Hours of Use condition. The HGV Numbers condition says that HGVs can enter the site between the hours of 7 a.m. and 4.30 p.m., which is different to the hours of use condition, which restricts HGV movements to 7.30 [a.m.]. So condition 15 says they can arrive at 7 [a.m.], condition 16 says they can't arrive 'til 7.30 [a.m.]. So I would propose that we strike out the reference to the hours in the HGV Numbers condition and just...so it solely refers to HGV numbers and let the hours of use be controlled by condition 16.

155. So it would read that no more than 142 HGVs shall enter the site and no more than 142 HGVs shall exit the site on Mondays to Fridays, inclusive. So it just gets rid of the reference to between the hours of 7 [a.m.] and sixteen thirty and they're between the hours of 7 [a.m.] and eighteen hundred. And the same on the next paragraph. No more than 70 HGVs shall enter the site and no more than 70 HGVs shall exit the site on Saturdays. So just strike through the reference to hours in that condition. So apologies for that.

156. On final point of...sorry, one final point of clarity was in terms of heights above ground level. The facility itself would be around 48 metres above ordnance datum [*unclear wording*], so it would be around 48 metres. The landfill itself would be restored to about 80 metres in height, so effectively with the stack it would be 143 metres effectively. So if you imagine 43...48 metres AOD and with the stack it would 143 metres, if that makes sense.

157. Thank you Chairman.

DC 158. Thank you.

159. Now we are going to open it up for members of the Committee to ask questions and to debate. So if you could please indicate...just bear with me a moment while I make a note of who wishes to speak. OK. Thank you. We'll start with Mr Andrew Barrett-Miles, please.

ABM 160. Thank you Chairman.

161. I have a concern over the need for this plant. It's in the [Waste] Local Plan and the fact that this site has been allocated in the [Waste] Local Plan seems to say it is needed. If you turn to page 49, [paragraph] 9.3 it says "therefore, it is acceptable in principal and it would contribute toward addressing the identified shortfall of managing waste arising within West Sussex". What we've heard this morning is that a substantial amount of waste would be coming from elsewhere. Is there any way that this can be restricted because what we don't want to do is build such a facility for Sussex, for East Sussex, for Surrey, for London. I don't know whether we can restrict the source of material for this site in any way, but if we can't then I have real concerns that this is not for West Sussex, it is for the whole of the south-east of England and it is just a business venture for Britaniacrest. So that is...so I need to me satisfied on that account, to ensure that this is for West Sussex only.

162. I also have question for the Landscape Officer. What criteria did you use to say that building of 35 metres is actually OK, whereas a building of 43 metres, which I think the first one was that we...which was rejected before we even heard it. What criteria do you use, have you used? Or is it just your subjective judgement?

163. So that's my two questions, Chairman. At the moment.

DC 164. OK, so we've got two specific questions Mr Andrew Barrett-Miles. And also on the first one we also heard from one of the speakers that the import of waste was against the County Council's [Waste] Local Plan, so can we add that to the edition of Mr Barrett-Miles's question, please.

165. So Ms Moseley first, please.

JM 166. Thank you Chairman.

167. In terms of the need for the facility. Yes, I think we accept and everybody...the Waste Local Plan accepts and the policy accepts that there will be some cross-boundary movement of waste. And at the moment it is the case that West Sussex waste is going up to Surrey. So we have to accept that that happens and waste is managed on a much higher...a wider level than necessarily other things. It wouldn't be advisable to restrict the source of the waste, how far it can be drawn from. Councils have tried to do that, Planning Authorities have put conditions on in that regard in the past and they have been found to be unsound. So I wouldn't recommend us restricting the source of the waste. I think...I mean, the main thing in restricting the source of waste would be finances and the way waste companies, whether they're commercial or whether they're West Sussex's own waste movements, the cost of fuel is one of the most expensive things they have to pay for so they will always try and get waste from as close as they possibly can. Thank you.

DC 168. The point about it being in accordance with our [Waste] Local Plan,

the import of waste?

- JM 169. Yes, the import of waste is...the Waste Local Plan accepts that there's some...there will be some cross-boundary movement of waste, so it is in accordance with the Waste Local Plan to...for waste to come across boundaries. And there's also the proximity principle, so we accept that waste will come from as close to...be managed as close to source as possible which means geography rather than our own boundaries.
- DC 170. OK, thank you. *[indication from ABM wishing to speak]* Yes, please do. Yep. Yeah.
- ABM 171. I hear what you say but we have a policy which says capacity for..."identifying capacity for", "identifying capacity for managing waste arising", it says very specifically, "arising" within West Sussex, but then you're saying 'oh, no it doesn't really mean this'. I find that policy framework then a little vague and it's very difficult for us to assess whether this is needed or not for West Sussex. And, I have a problem with that, Chairman.
- DC 172. Thank you. It's more a statement than a...
173. Can I invite Mr Dyer, please on the point about the...on the landscape point that Mr Barrett-Miles made.
- TD 174. Yes. So the assessment of the landscape and visual impact is not...is not a subjective...it's not my view. The applicants have produced in their Environmental Impact Assessment a specific section of their report dedicated to the landscape and visual impact. One of the reasons that I objected to the previous version of this facility was that I didn't feel that the documentation had adequately assessed whether or not it was correct, it hadn't adequately assessed what the impact would be. And so in discussion with the applicants we did cover how they needed to bring that standard up. So the understanding of the zone of visual influence, the area that could potentially be affected by the proposals, the selection of a wider range and a higher number of viewpoints to assess the potential impact. Those were concerns and those have been addressed in the subsequent submission.
175. As far as the level of impact [is concerned], the document has to define whether impacts are significant and that is the boundary-line. And it's perhaps surprising that the level of impact that this development now has and that is down to the dropping of the height of the building. At [the] 50ish metres [that] it started out it's well above the tree-line that surrounds the site. As you've been onto the site you'll know that it's quite well...there's mature vegetation for the majority of the boundary of the site *[audience voice "...summer"]* in the summer. Well it's still there but less leaves, obviously.
- DC 176. *[to audience]* Please don't interrupt.
- TD 177. That once the ridge height of the building and the, kind of, eaves if you can call them that, on the building like that. Once that is

brought below or near to the level of the tree line then the mitigation...then the existing landscape is mitigating part of the impact. So it's accepted that you can't do that with stack because its 95 metres high and we don't have trees that big. So yes, in the applicant's Environmental Impact Assessment they have covered in great detail what level of impact there will be and it's not been found to be significant.

DC 178. Thank you. OK.

179. *[in response to an inaudible comment from Mr Barrett-Miles]* We've got a lot of speakers, Mr Barrett-Miles. Yeah. Please, please be quick.

ABM 180. I just want to get the...summarise in my mind, to be quite honest. So what you're saying is because it can be seen from less...a fewer number of points, it is less significant - whatever the word significant means - that's a really vague term that's used a lot in planning - it is now acceptable in your view, so there's a subjective in there. That applies to summer but in winter did you have an assessment of it in winter?

DC 181. Who'd like to respond please?

TD 182. The photomontages that have been produced by the applicant are, I believe, are when the trees are...wait a minute...I would just check...but the assessment is made in the document as to what the winter impacts would be. And I carried out site visits during the winter. I've walked many of the Public Rights of Way. I've looked at all the viewpoints that are covered in the report and I agree with the report so you know, there...whether the viewpoints cover it I have looked at that alongside the report.

DC 183. Thank you. We've got Mr. Quinn next, please followed by Mr Barton.

BQ 184. I thank you Mr Chairman. Thank you very much.

185. I gotta say actually I've been lobbied by people in Crawley and in my ward Broadfield as well, who are long loyal voters.

186. I had the pleasure of working at Warnham over for over three years some years ago in Station Road. Some of the time it was a displeasure with horrible odour from the landfill site.

187. I always told over these years this would be a great place for an incinerator but it would divert the waste from the landfill site. But today we have many objectors from the village and they put up a great fight against a planning application including a young Aiden Riley and, Mr Riley, I hope he's not your relation, a grandson; that would be fine. But it's not what you see, it's about what you're not seeing. Reading up last night, after the football - we did win - if the temperature of an incinerator is not regulated it will release dioxines...dioxins, which are the most toxic chemicals that has been discovered. Now, I have to bear in mind in my ward Broadfield which

is nearest the site of all the wards in Crawley just off the A23, we have the air quality management near Broadfield. And, given how poor our air quality is it would certainly cause more harm to Crawley. But, I think it will affect Horsham more than Crawley and looking at the no- objectors I just you know it's...you know...let's take it: Horsham District Council, no objection. Horsham District Council Environmental, no objection. Horsham Landscape as the *[unclear wording]* was saying, no objection. If our...Environmental Agency, no objection. Surrey Hills, Surrey County Council. But most of all, Mr Chairman, no objection from Gatwick Airport Limited. Mr Chairman I'll give way to other speakers. I may come back later. Thank you,

DC 188. Thank you very much.

189. Perhaps we could have a response also particularly with the point Mr Quinn made that it would impact on Crawley's air quality. I'd be quite interested to hear the response on that.

JM 190. Thank you, Chairman.

191. The Environment Agency... I mean... all I can say is that the Environment Agency would make sure that the air quality would not be adversely impacted.

DC 192. *[due to audience noise]* Please carry on.

JM 193. That's pretty much all there is to say. The Environment Agency are in the...the Planning Committee has dealt with this with the oil and gas type applications where we have to assume that they will do their job. We have to assume that that regulatory regime, which is separate to planning, will operate sufficiently to ensure that air quality is protected.

194. Can I just come back on the... oh, I have the stand... just in terms of cross boundary movements that is an issue that is covered off. I've now found the relevant pieces of the West Sussex Waste Local Plan. So it considers strategic cross-boundary issues in the Waste Local Plan. It notes that there's waste movements going cross boundaries with neighbouring authorities and says that there's no planning reasons identify that suggests a pattern of exportation consistent with principles of net self-sufficiency should not continue and that's what the market currently requires. So all this sort of stuff feeds into the Waste Local Plan allocations and the way the policy operates. We can...it acknowledges that there are market...that it's market-driven, that this is what happens, waste crosses over boundaries.

DC 195. Thank you.

196. Our next speaker is Mr Barton followed by Mr Atkins.

GB 197. Thank you Chairman. Just a couple of brief questions and I'd like to stay on the list for comment later.

198. On page thirty five of the papers, I'm a bit concerned, it says "the

potential impacts of the operation of the proposed three R facility must be considered against what has already been permitted and *could* come forward on the site". Does that "could come forward"...is the amount included in the 230,000 tonnes or is that in addition to, via future planning applications?

199. Second question is, in the past refusal has been partially because of the stack height. What's changed now from then when it was refused? And it would be interesting to hear from the applicant what alternatives to this stack were considered or indeed or could be applied?

200. Third question. What does a 23-days' worth of plume contain? And how easily are the two gases we're talking about, which is nitrous oxide and carbon dioxide, dispersed?

201. And finally, we talk about restrictions on HGV[s], but it's a 24-hour process on this plant. Will the vehicles, the plant vehicles, the trucks, etc., be -complete with their new alternative reversing tones - be subject to the restrictions or will they operate on-site 24/7?

DC 202. Thank you. Can we have a response, please?

JM 203. Thank you, Chairman.

204. In terms of paragraph 3.6 of the Committee report the potential impacts must be considered against what's already been permitted and could come forward at the site What that...what it means...what they've got planning permission for. It doesn't mean future applications it just means we need to take into account the fact that they've got planning permission for a 230,000 throughput, so that's the baseline . The reference to what could come forward the site means it's because they're not operating at that level at the moment; so I think as one of the speakers said they haven't got a 230,000 tonne throughput at the moment, they haven't had historically. So HGV movements are at moment below what they can as a maximum operate at.

205. In terms of the stack height, that's a...that's ...they do modelling later in the process during permit the Permitting process, at which point they will actually finalise the stack height. But that is determined in terms of the emissions that come out of the stack and the need for dispersal. And as you've said, it is nitrous oxide and CO2, which I've had explained to me in terms of it's not a hazardous on its own but if you're stuck in a small room with it, it will be hazardous, so the idea is to disperse it from the stack. *[audible audience noise]*

206. In terms of a restriction on HGVs; the hours [of] operation. They wouldn't be allowed to move have HGV movements at night so the HGVs would be restricted by that condition. So the plant would be operating at night in terms of putting material into the...sorry, into the combustion facility.. that would be ongoing throughout the night. But HGVs coming to and from the site would not be [allowed].

- DC 207. *[in response to an inaudible comment from a Committee member]* Sorry. OK. Thank You.
208. We've got Mr Atkins, followed by Mr Jupp, please.
- NA 209. Thank you. Thank you Chair.
210. Employment was mentioned. Can I ask how much employment would be envisaged by this application?
- DC 211. Do you have an answer for that?
212. *[To Mr Atkins]* We're just trying to find that out for you. Perhaps we can come back to that one, perhaps that would help. Perhaps we can bring another speaker. OK...we'll come back to on that, Mr. Atkins. We'll just try to find that one out for you.
213. Mr Jupp, please.
- NJ 214. Thank you, Chairman.
215. I'd just I'd like to stay on the list. But can I just re-clarify the existing landfill site adjacent to this proposal has not yet reached its maximum height. I think I took that from the point, and it's going to ultimately be 85 metres above ground level? And that ground level is the same ground level as you've used for the 95 metres for the stack?
- DC 216. OK. Can you clarify those points.
- JM 217. Thank you, Chairman.
218. The 95 metres from the stack, sorry, is above ground level. The 85 metres of the landfill is Above Ordnance Datum, so it's above sea level, I believe.
- NJ 219. So we're comparing apples and pears there are we?
- JM 220. Sorry, that was why I quite badly explained that in terms of a AOD levels the stack would be I think it was 234 levels...kind of.. AOD, so that's using a fixed point. It would be 95 metres above the existing ground level, I guess, is easiest way to explain it.
- NJ 221. So I'm trying to a bit of quick maths here and not succeeding. So how much higher will the stack be above the maximum height of the landfill?
- DC 222. Go on. Press your button. Ah, oh, OK.
223. *[On interruption by a member of the audience whilst Jane Moseley is trying to speak]* Excuse me. Right...I...the lady in a blue cardigan in the front row, please, you've been constantly interrupting the meeting. I'm giving you a formal warning that if you continue to interrupt the meeting, under Standing Order Item 11 I will [be]

order...instructing your removal from the meeting if you continue to interrupt.

224. Thank you. Please carry on.

JM 225. So the maximum height at the landfill that will be 85 metres AOD which is 37 metres higher than the ground level at the...where the...on the site. So the height of the stack will be 95 metres minus 37 which I'm sure you know the answer to; so it will be 58 metres taller than the height of the landfill. And, I would note the landfill form that we saw on site the other days it could be higher than what the final form of because I know at the moment they are importing restoration materials and moving it all around the site.

NJ 226. Thank you.

227. Could I ask another question whilst we're there? Could I take you on to page 70 and the HGV numbers which I know you spoke about a little while earlier. I was interested in the time by which exit from the site on the Saturday has to take place. Only a small matter, but I just thought there's a sort of level of inconsistency here, whereby during the week the HGVs have to exit an hour and a half after the last one has entered the site, but on Saturday's they've got anything up to six hours after entering the site before they can leave.. Is there not some...shouldn't we have some consistency there?

JM 228. Thank you Chairman.

229. That was the intention. That's the existing operating hours and that's what I was trying to do with the hours of use set out in condition 16, that instead of having that inconsistency that we just have simple operating hours of seven thirty until six p.m. on a Monday to Saturday, so I was proposing to strike through those hours set out in condition 15.

NJ 230. *[unclear wording]* I'm sorry. Why should we lengthen the hours of operation on the Saturday from that already...that's set out in [condition] 15, I can't see that that's very happy for our local residents.

DC 231. Can you clarify that one, please.

JM 232. Thank you Chairman.

233. We are not. The existing hours allow them to have HGV movements leaving the site until six o'clock at night. And I've spoken with the Environmental Health Officer and he has confirmed that his key concerns in terms of noise and impact on local residents, the key concern is HGVs travelling to and from the site not...rather than the site operations. So the current operations, they can have HGVs leaving the site until six o'clock at night and I'm proposing that we just carry that...those hours of HGV movements forward on this permission.

- DC 234. Are we...thank you...OK...thanks.
235. Mrs Kitchen, please.
- LK 236. Thank you Chairman.
237. It's always difficult coming after most of the questions have been asked...actually, it's horrible, I'm sitting here looking at myself from the television screen in front of me.
238. I can't in any way shape or form support this recommendation, largely for the reasons that the Parish Councils have come up with of which Parish Council I represent is also one of them. And I fully associate myself with the comments made by the local member. So being me, I'm not going to repeat them all again just to say that...but they are one two other points that I would like to make and that is the stuff...no wonder Surrey County Council didn't object because they're hoping to get rid of some of their waste.
239. Mole Valley have objected but some of you will recall it wasn't that long ago that Mill Valley won an appeal about the Clock House incinerator at Capel so that that didn't go ahead.
240. And one of the main concerns that I have over and above what's already been stated is that the noise coming from Surrey will come down the un-duelled part of the A24 and that road is absolute chaos on occasions. And my bigger worry, coming from a village as I do, is that when that road is congested they'll use the country lanes to get down to Langhurstwood, and that again is of huge concern. The amount of tipping and soil moving and everything that's going on north of Horsham at the moment is no good.
241. Another the point that hasn't been mentioned is just up the road from this site in Grayshott Woods is a...I don't quite know how..I'm going to say a herd, but that's not quite the right word, of Kites. And they come fly round, you can see them all over the place. I don't think they're going to particularly enjoy any of the nastiness that comes out of the chimney.
242. The [A]264 is already over congested and I heard that what we're going to have now is yet another roundabout. And all they're doing for these two thousand houses that are going in there is putting traffic lights at the existing roundabouts. Now can you imagine all these diesel lorries sitting at red lights spewing out diesel. And the whole...to me the whole thing is an absolute disaster and it's completely the wrong place for it. So I will not be supporting the recommendation as it stand.
- DC 243. Thank you, Mrs Kitchen.
244. We're going to go back to Mr Atkin's question about him about site employment. Do we have an answer for that?

- JM 245. Thank you Chairman.
246. Yes, the site we would employ around 38 people, [it] currently employs 12.
- NA 247. Thank you very much.
- DC 248. Thank you. Our next speaker is Mr Patel, please.
- AP 249. Thank you, Chairman.
250. I've got three questions or three points for clarification for Officers.
251. The first one is how do they work out 23-days of emission, from point 4.12 [of the Committee report]?
252. Second one was none of the pictures we have we been given shows us visible impact in winter and we had a site visit in summer, so we haven't got a clue how it looks in winter.
253. And thirdly, can the Officer assure me that the amount of HGVs will be enforced, that they will only take that...what we say about it.
- DC 254. Thank you. Some answers, please.
- JM 255. Thank you, Chairman.
256. The... in terms of the plume visibility they...there's a complicated methodology which is accepted... an accepted way of calculating it but it's confirmed that 5 percent...the plume will be visible for 5 percent of the hours of the year so that takes into account meteorological conditions and the backdrop of clear skies and cloud and wind conditions and all that sort of thing, the main variants and that. *[Inaudible]*.
- DC 257. Would you like to repeat the next one Mr Patel. *[Inaudible from Mr Patel]* Into microphone, please.
- AP 258. Why didn't we have pictures or slides which shows impact of visible...the impact in winter.
- DC 259. Winter landscape.
- TD 260. It is covered in the Environmental Impact Assessment. There are 29 photo montages, so they're pictures taken of the existing view in winter and then superimposed what the development will look like in that same view.
- JM 261. Sorry. It wasn't part of your committee report because they are 29 of them but it is part of the application that is as online.
- DC 262. And was there another question as well?
- AP 263. Enforcement of the HGVs going in and out.

- DC 264. HGVs enforcement.
- JM 265. Sorry about that. Yes, if condition 15 requires that no more than a 142 to HGVs enter and leave the site, and as with any condition we have to assume is enforceable. So we would...if they have higher numbers than that then we would be able to take enforcement action and we've also got a condition that would restrict the throughput of the site.
- DC 266. Thank you.
267. Next is Mr Oakley followed by Mrs Russell.
- SO 268. Thank you, Chairman. I've got a number of comments and points.
269. There is no doubt that the scale of this building is going to have a very significant local impact. The judgment is going to be whether that impact is of such a scale that it is unacceptable and worthy of refusal, always mindful of what criteria the Planning Inspectorate would consider if it went to appeal. And I think in landscape terms it is significant in a wider context that the statutory consultees, with regards landscape, have not objected. As to the wider landscape impacts, the local impacts, that is a planning balance that we're going to have to consider.
270. Overall the need for this site. Comments have been made about the relative merits of this means of managing waste as opposed to landfill and I do struggle to understand why this would be worse than land landfill in overall terms given the land taken impact and all the rest of it on quite frankly unallocated...we don't...we wouldn't know where additional landfill capacity would have to come [from]- those are not allocated sites, as I understand it.
271. The source of material. West Sussex does not live in a silo. We are part of the South East and the South East is being subject to considerable increase in population and development and economic activity and, therefore, we have to accept that reality. Also we have to ask whether a site that could process West Sussex's waste, in this aspect, would be viable without external import and, therefore, you wouldn't get the actual processing capacity within the county if you weren't able to prove the viability of the site.
272. With noise. I don't [*unclear wording*] Officers...what's...would there be any significant difference during the day from the current operations? And what would be the actual level of difference in noise with a night-time operation of the site? Is how significant would that be?
- DC 273. Would you like that answered now or shall we...do you want to carry on?
- SO 274. If Officers...I...would Officers prefer that they answer as I go along or would they prefer me to carry on accumulate questions and do...?

- DC 275. Well, let's not accumulate too many in any one go, I would suggest.
- SO 276. OK...we'll hold there... and er...
- JM 277. Thank you, Chairman.
278. Just quickly checking the Environmental...Statement, sorry, the overall conclusion is that the difference between existing levels and proposed levels from the facility would be imperceptible. So they have shown that they would be an unnoticeable - I guess is the word - difference in noise levels during the daytime period. These figures here that say the difference between levels would range between a drop of 8 decibels and an increase of 2 decibels, so hence the word 'imperceptible'. During night-time the levels would be between minus...a drop in three decibels and an increase in four decibels. So again, imperceptible.
- DC 279. Thank you.
280. Carry on.
- SO 281. Thank you, I think I accept those levels would be...not a significant impact.
282. Just going back to landscape. On condition 5, I would suggest that, as we have done with other large sites, that we actually increase the replanting period to 10 years. Though this is not a wider landscape screening exercise I think we do need to ensure that the local landscaping around the site is as robust as possible, especially given the size of it and we ensure that we get a robust screening by substantial trees as possible.
283. With regards emissions the..it is true that we have accept that the Environment Agency's Permitting regime will operate effectively. But as we've seen with oil and gas operation applications we do need to have sufficient confidence that that is the case. And the balance there is -as one of the speakers said - the question is do we need to wait and see whether the Permitting application to the Environment Agency and the contents of it to be...to have sufficient confidence that that regime or this proposal can comply with that. Or do we say, on the amount of evidence we got at the moment, we can safely assume that it will be OK. Again, one of these balancing things and you could say a bit chicken and the egg, but it is a case of to what degree of confidence we need to have any EA Permitting process.
- DC 284. Can we answer that point and also that the reasonableness of altering the condition 5 that he suggested as well, please.
- JM 285. Thank you, Chairman.
286. In terms of condition 5, if you want to make that change then that's probably acceptable; yes, I can't see a reason to resist that. I would note that the planting would not screen the views of...from the wider

areas

287. In terms of awaiting the outcome of the Permit before we make the decision on this, I would suggest that would be beyond the scope of the planning process. I would also suggest that the operator wouldn't go ahead with it until they have got a Permit because they aren't going to...they can't operate the facility unless they've got an Environmental Permit so they tend to await the outcome of the planning application before they go ahead with the Permit application these days. And I think that would not stand up to scrutiny, taking that approach.

DC 288. Thank you. And well...before we go to the recommendation we'll come back to a wording for the amendment for you, but if, in the meantime, you can get that wording written down.

289. Do carry on.

SO 290. Yes, it's simple amend[ment], just delete 5, insert 10 in condition 5.

DC 291. Yes, I think that sounds reasonable. Thank you.

SO 292. I mean there's a couple of other clerical amends that I'll raise with Officers, same as conditions 1 and 5 which...are...[can be] separately dealt with.

293. Yes I think we sort of...there's enough case studies elsewhere to say that we'd... [it] would be unreasonable for us to have to wait for the EA Permitting process to go through before giving permission.

294. With regards to the R1 condition, noting that we've got a rather aspirational condition 10 with regards to combined heat and power plant. Given that you find that that is an acceptable one, given that we haven't actually got a clear scheme for a CHP facility, it would seem to be inconsistent not have an R1 condition because that is giving us more weight to actioning the efficiency of this plant and where it sits in the waste hierarchy. I think UKWIN's submission to this application does make reference to a number of other applications across the country including a Secretary of State imposed condition for an R1 condition. And, therefore, I think it is entirely reasonable for us to insert a R1 condition on the lines of what is mentioned in paragraph 72 of UKWINs submission which follows the Secretary of State's imposed condition, with any minor adjustments to this site specific. Would I...I think...Officers respond on that one? It would be helpful.

DC 295. Yes. Please. Could we have a response to Mr Oakley's point on this please. How easy would that be?.

JM 296. Thank you, Chairman.

297. Yes. In terms of an R1 condition it is a finely balanced approach and I have contacted other authorities around the country to find out what approach they have taken and...I mean UKWIN have put,

obviously, the ones supporting their case forward. I've got a lot of responses saying they didn't think it was appropriate, they thought was duplication. And I think in pure planning terms that is the case, I think is duplication of responsibilities. And...but I'm fully aware in saying that we did we did so at Ford as a sort of precautionary approach, so I can't see the harm in doing it. I can see that in planning terms I think it's duplication but if members wish to put an R1 condition on then they can obviously decide to do so.

DC 298. OK. So do you think you're likely to be doing that Mr Oakley.

SO 299. Yes. I would propose that we put an R1 condition on.

DC 300. So we'll come back to that one as well.

301. Thank you.

SO 302. One thing that I'm...clarification...is that this site is proposing just connect into the Grid, National Grid for electrical power generation. Where would that connection be and are there any planning issues with regards to the route of that connection, noting the...that was the barest applications regarding the Rampian electric connection route.

DC 303. Please.

JM 304. Thank you, Chairman.

305. I...we've been advised that it would be connected up at Bolney. Those works would be undertaken under Permitted Development rights. It wouldn't be a Grampian-type situation where it be a 6 metre wide strip, or whatever it is, across a green field, it would be, as with other connections to the Grid, where it would follow paths of roads and things like that.

306. Thank you, Chairman.

DC 307. Thank you. Got many more, have we?

SO 308. Oh, yes. I've got many more. Yes.

DC 309. We've got other speakers as well, waiting, Mr...

SO 310. Yeah, but this is a major application which must be thoroughly scrutinised.

311. HGV movements. We do have to acknowledge what are the existing permitted levels. We cannot get away from that. One thing it would be helpful to understand would be, in giving us confidence that those existing permitted levels are sufficient to ensure the viability of this site and that we're not going to get applications coming back for upping the numbers. For example what would the average weight of the cargo for each HGV movement be, acknowledging that the amount of export material that would be arising from this site? Are those average numbers quite low with regards [to] the capacity of

HGVs and, therefore, is [there] plenty of flex within the numbers?
[It] Would be helpful to understand.

312. Concern. I'm going to have concern over what has been permitted with the North Horsham residential development and the re-routing of the access road down to the A24. That goes through part of a residential area. And, therefore, it seems to be there is a part of section of residential area to the west of this main access road. Now, I think the assurance that I want to have there is that the master planning approval process for North Horsham took into account the levels of permitted levels of HGV movements coming from...and to and from this site. [It] would be extremely helpful.

313. An, a final point about HGVs is that in County Highways' submission of 25th April they did suggest that conditions being put on about construction traffic management plan...construction traffic access route plans, and conditions with regard to that, as we've heard about alternative routes for operational traffic going down up potentially unacceptable roads. Is it reasonable for us to look for, as County Highways have requested, some form of traffic management and traffic access route plan?

DC 314. Thank you.

JM 315. Thank you, Chairman.

316. In terms of the North Horsham development the issue we're stuck with in planning terms is that essentially we have allowed a 230,000 throughput before the North Horsham development came forward, so we have to accept that that level of HGV movements is acceptable. There was an application...I mean...before the waste permissions came on site there was an appeal decision that allowed the use of that site, I think for B2 and B8 industrial storage distribution-type uses, which kind of set the precedent for allowing that number of HGV movements to and from the site, and that has fed on from there that this level of HGV movements is acceptable. And in making the decision on the North Horsham development they have to take into account all the existing and approved land uses and in making that assessment their own Highways Officers have to consider that as well, whether that level of vehicle movements on the roads can be accommodated. So all of that would have been taken into account and resisting it on the grounds of HGV movements, I think, would be found to be unsound, in my opinion.

317. In terms of to and from the site. Again, we're kind of...we've got existing levels of HGV movements, existing levels of throughput that remain...would remain unchanged as a result of this development, so it would be difficult to apply any sort of restriction on I'm routing as a result of this permission.

318. Thank you, Chairman.

DC 319. Thank you. Mr...

- SO 320. I will come back on that one and say that County Highways did propose that there should be conditions for Construction Management Plan. OK, the operational stuff it would be difficult but with construction management, given the scale of construction we're talking about here to minimise overall impact, I think those two regarding construction would be reasonable.
- DC 321. Thank you.
- JM 322. Thank you, Chairman.
323. Yeah, the HGV movements associated with the construction will be lower than the HGV movements associated with the operation of the site, so that's why we haven't taken that forward.
324. Thank you
- DC 325. Thank you.
326. We've next got Mrs Russell. Oh, sorry.
- SO 327. Oh, I haven't finished yet I'm afraid, Mr Chairman.
- DC 328. Well. OK.
- SO 329. Well. I'm afraid this is a major application...
- DC 330. Yes.
- SO 331. We do need to go through...
- DC 332. There are 12 members on the Committee, as well.
- SO 333. And, that's gonna be the case!
334. County Highways also said that there should be a conversation with local Highways Officers about a section 59 agreement and, therefore, I think that should be a condition as well.
335. On the lighting, could Officers just and help us understand, though the actual lights themselves would be directed inwards and downwards, to what degree would they be reflecting off the walls of this site and, therefore, have a wider area impact.
336. With regards to conditions 14 to 19, in the reasons you've used current NPPF paragraphs. What happens if and when the current NPPF is superseded? What happens to those reasons? How can we make sure that they are future-proofed, with regard that?
- DC 337. That's three more questions, so I will stop there with those ones, please.
- JM 338. If I could just come back on the Construction Management Plan query. Condition 7 on page 67 of report pretty much covers, I think,

most issues that Councillor Oakley's raised.

339. And again...yeah... in response to our County Highways requesting construction be controlled there is really only one route(s) in and out of site to the [A264]and that will be the one that would be used. And, again, that's subject to that being, if approved, obviously, would become come in as a condition and be subject to scrutiny by the County Highways Officer.

DC 340. What I'd like to like to do is bring in members of the Committee who haven't spoken and then come back to you, Mr Oakley, please, if that's OK because there are members who want to have a second go but there are some members who haven't had a first opportunity. I will call in Mrs. Russell, followed by Mrs Dennis and more will go round again.

JR 341. Thank you, Chairman. I'll be very brief.

342. Firstly, it's just a couple of comments. I've got to be honest when I read that the application site was going to be for the local need I really did think it was going to be for the local need. I didn't think it was going to be incorporating Surrey or possibly London or whatever, particularly as there is a site in New Haven and, I believe, we've got one in Ford. So I'm really...I'm a bit uncomfortable with that, actually and I tend to agree with Councillor Barrett-Miles .

343. Moving on to the size of the site, it is big. And reading in the report and having looked at the Newhaven site, I'm just wondering why it's so big when the Newhaven site is some 27metres as opposed to the 35.9 [metres] and it has a 65 metre stack as opposed to the proposed 95 metre stack, yet it has an output of 248,000 tonnes and I kind of wonder why it needs to be so big.

344. The other thing was nobody's mentioned rail and, you know, I'm wondering why it's been, kind of, thought that in theory there is there is the scope for using rail but it's considered it's not economically viable at this stage and I'm just, kind of, wondering what investigations had been undertaken? And also it said that there may be the possibility of rail under review for the duration of the operation. Well, when would they be intending to review that possibility?

345. That's me done. Thanks.

DC 346. Can we have responses to those questions, particularly the one about the size of the facility against the throughput of waste? That would be quite interesting.

JM 347. Thank you, Chairman.

348. On the scale of the facility, I mean, firstly I would say we have to consider the application before us and whether it's acceptable in its own right. The Newhaven facility was...it was next to the South Downs National Park. So a lot of effort and money went into making

sure the...it wasn't as visual...visible as it possibly could have been, so it was sunk down into the ground by quite a long way, at that time. So I think that's why the...that's what the difference is. I think the actual scale of the facility, as far as I'm aware, apart from the height, otherwise is comparable.

349. In terms of the rail issue this has been an ongoing consideration. I think Biffa and various other operators always tried to figure out how they can get things brought in by rail. I think from their perspective [it] would be hugely beneficial but it's very difficult to work out in terms of fitting the rail movements in with all the other movements going up and down the track. We haven't...we've... required that they investigate that as part of the application but we're well aware that it is a stumbling block.

DC 350. Thank you, Jane. Mrs Dennis, please.

JD 351. Thank you. I'm grateful to my colleagues other comments. They seem to have ticked off most of my questions and probably Simon might come up with some more later.

352. I just want to say a number of...make a couple of comments really more than anything. Apart from the fact that I have some concerns about the traffic routing, the pollutant monitoring. I understand at Newhaven currently...it's roughly averaging about 90 percent of its emissions levels. I mean that means that some days it's down, some it's considerably over. And whether rubbish...you know...is it a local need or even, sort of, the cross-border need. I understand the Hampshire incinerator currently is some under capacity so is there really this need for it. But I'd really like to comment, very finally, I like some of my other colleagues, did quite a bit of research since visit to the site. And I picked up the Environment, Food and Rural Affairs Committee report...31st January this year when Professor Ian Boyd, who is the DEFRA Chief scientific adviser, was asked to speak and discuss his report that he has...it's providing a very important part of the evidence base for the government's forthcoming Resource and Waste strategy due out this half of the year. And it's called From Waste Resource Productivity that emphasised "the importance of moving away from incineration and landfill and towards more efficient and sustainable uses of resources". I could go into some detail but I can see that there's no appetite for that but what I would say is that [at] the end of it ECROM's [EFRA's] chair, Neil Parish MP, compared incineration with diesel as an option that was "once promoted as being environmentally friendly but that is now being seen increasingly as a misstep that is bad for the environment". I think that's probably how I'd like to end it.

DC 353. Thank you.

354. Any comments on that? Or have you got anything to...?

355. OK, we'll go round again. I've got...Mr Barrett-Miles if you've like to come back? You indicated earlier on that wanted to. Do you wish to come back?

- ABM 356. The only thing I'd like to say is the position I had to start with on the need for this, I still maintain, and I will raise a reason for refusal on that basis.
- DC 357. OK, thank you.
358. OK. Any other...can I go back to Mr Oakley. Any other speakers who wish to indicate? OK. Bear with...while I make...create a new list. Mr Oakley, Mr Jupp, Mr. Mr Barton.
359. We'll kick off with Simon?
- SO 360. Yes, If Officers just respond to my point about section 59, lighting and the NPPF paragraphs. That's a start.
- JM 361. Thank you, Chairman.
362. In terms of a section 59 agreement, that relates to extraordinary HGV vehicle movements and the damage that they would do to the road. So in my view you wouldn't be justified given that we've accepted that HGV numbers would be as proposed. So there's no increase, so I don't think that we could consider that it's extraordinary.
363. In terms of reference to the NPPF in the reasons...that just...we just have to accept that that's the case at the time the decision was made. We can only make decisions on the basis of existing policy, existing guidance, existing legislation. We can't then amend that as we go along because as you know we operate with permissions that are from the eighties and nineties. And that's just the way the way it is.
364. In terms of the reflection of lights off walls, I will hand over to our... to my Landscape Architect colleague. Thank you. *[to Tim Dyer, in order to provide clarification for the reason the matter is being handed to him to respond to]* In terms of Councillor Oakley [who] raised concerns over whether there'd be greater impact from lighting as a result of it reflecting off the wall of the facility.
- DC 365. Can we have a comment please Mr Dyer *[wording unclear]*.
- TD 366. I can't honestly say whether that's part of the assessment because the assessment is to do with where the slight spill is, as I understand it, rather than rather than reflective. I'll have to come back to you.
- DC 367. Thank you for that. We'll try and give that some....
- JM 368. I would just...logically, the spill will be outside the site so that by the time it has hit the building and gone back out you would think that the lights would have reduced. So if we're controlling the lights, sort of, going into the site then the light coming out will be also acceptable.
- DC 369. Thank you. *[to Mr Oakley]* Do come back?

- SO 370. I would suspect that. I would suggest that many a landmark building around the country utilises reflected light to make itself prominent within the landscape. And I would suggest that the condition regarding the materials and finishes of the building is of as much light absorbing as possible, would be my suggestion on that.
- DC 371. Are you likely to be moving that or...before we take the recommendation, or... *[some cross talking with Mr Oakley]*
- SO 372. I think...if Officers think that's a reasonable one I think that would be useful to do.
- DC 373. You're on two at the moment [amendments], aren't you.
374. So can we have responses?
- JM 375. We've got a condition for that...asks for as schedule of materials and finishes for external walls, and all the rest of it, to be submitted for approval so we can control that through that. But I guess the other consideration is the photo montages which show that actually you can't see the building as...in the landscape so...certainly not from the majority of views.
376. Thank you.
- DC 377. Thank you. OK.
- SO 378. It will be very useful mitigation for winter or in the winter.
379. Mention should be made of rail movement of materials. I would suggest that given the limited capacity during the day just to shift the number of passengers that Network Rail is having to look at, you would effectively be looking at night-time movements of material into this site because of lack of capacity during the days. I wouldn't suggest that is a sustainable idea.
380. Condition 13, Archaeology, needs a touch amending to ensure that the public access record to the archaeology is not restricted just to the on-site Board. The archaeologists did say that it should be publicly accessible and, therefore, that needs amending.
381. And finally, with the drainage the...through to condition 1 [it] says that would be in accordance with the drainage strategy, however the drainage strategy includes a number of details to be...effectively, to be confirmed, for example, the details of the underground attenuation and storage structure and, therefore, you do actually need a drainage condition to make sure that those final construction details are approved.
- DC 382. Thank you.
383. Thoughts on reasonableness of drainage condition?

- JM 384. Thank you, Chairman.
385. I would just note that that hasn't been sought by our drainage officer. He considered the scheme to be acceptable.
- DC 386. Yeah. OK.
- SO 387. Yes it's high level strategy terms but the loophole you've got is that you're approving condition 1, the drainage strategy, but the drainage strategy itself does not contain all the final details of the actual scheme and, therefore, you need a condition to ensure that those final details are approved.
- DC 388. Thank you. OK. Just to... So does there need to be a response to that? Do go ahead if you wish to make one.
- SD 389. I was just going to add that the drainage scheme's a 94 page document that has sections on maintenance and actions and requirements throughout...up...during construction and post construction. And yeah, it's quite specific in its requirements and I think, as the Councillor there says, there are sections where it might say as required or to be and that would have to be discussed...ongoing discussions through...as throughout the construction or operation. But it's [a] condition that it...that [it] would all have to be followed.
- DC 390. OK. Are we done for now Mr Oakley? OK, we'll come back to you with the amendments to the conditions. Thank you.
391. And Mr Jupp, please.
- NJ 392. Thank you, Chairman.
393. Can I just ask a few questions here? There's a comment made just now about the height of the stack at Newhaven being reduced because of the possible impact on the South Downs National Park. Is there any reason why the design of this particular scheme could be not adapted to accommodate a similar reasons?
- DC 394. Can it be adapted or can we just look at what's in front of us?
- JM 395. Chairman. We...we're...I'm sorry I didn't mean that the stack had been reduced in height. The stack has to be what the height for stack has to be at. But the building itself has been reduced in height and they have demonstrated to the satisfaction of Landscape Architects and...that it can't be seen from the majority of views, that it is acceptable in those terms, so they have done what with asked them to do.
- NJ 396. Thank you.
397. Can I just ask do we have any indication of where the waste currently travelling to this site has been sourced from?

- JM 398. No, but...and that's not necessarily relevant because we don't know about their future contracts and things like that, but I would...can I just try and steer you away from this need argument because we...if we refuse an allocated site on the basis of need that is likely to be challenged on appeal because we have to accept that there is a need for this facility, for this amount of waste. We have to...that it's part of the Waste Local Plan, that we've accepted that it's an allocated site and that we need this capacity.
- NJ 399. I understand that. I'm just really pointing out a deficiency in the report on this particular aspect.
400. Could I ask another difficult question then?
401. In terms of the other waste recovery facilities, I think, in Newhaven, in Portsmouth and Ford, do we know whether or not, because let's say Newhaven in East Sussex and Portsmouth in Hampshire, do we know if any West Sussex waste travels to those units?
- DC 402. Can we have a response, please?
- JM 403. Thank you, Chairman.
404. I'm aware that West Sussex waste goes to the one by Slough in Colnbrook by the M25. I'm not aware of where all the rest of the waste in the county goes.
- NJ 405. Is it fair to assume, therefore, that West Sussex is an exporter of waste to our neighbouring counties?
- JM 406. Given that we've got no active landfills and no our energy from waste sites, yes.
- NJ 407. So...we...as my colleague said, we can't act in a silo.
408. Can I just ask about the 31 month construction period which is quoted in the document? When this construction takes place where will the current waste be diverted to?
- DC 409. Do we know that?
- JM 410. I'm unsure.
- NJ 411. It would therefore be fair to assume that it would be exported out of the county, correct?
- DC 412. Is that a reasonable assumption or is fair?
- JM 413. Not necessarily because it's a materials recycling facility, so it recycles material rather than disposes of it, so it could go to other sites around the county. Or possibly to Surrey.
- NJ 414. And finally, sorry to drag on.

415. The number of movements...HGV moves to this site was increased in June 2015, this is obv[viously]....was this done as a Committee decision or was it delegated?

JM 416. At Committee.

NJ 417. Forgive me. This predates my appointment.

418. It would be fair to assume that at this time that that was granted that the North Horsham planning application had already been submitted to Horsham and that, therefore, that was taken into account when they... When our predecessors granted that increase number of movements?

JM 419. I can see that the outline permission has a 2016 date on it. So the North Horsham application permission has a 2016 date, so it would have been around the same time and I think it was an allocated site in the Waste...in the...sorry, in their Local Plan before that.

NJ 420. Thank you.

421. So really any consideration by the Highways people and also Horsham District Council, when looking at the *[wording unclear]* the North Horsham scheme would have been taken...or been completed in preparation for this number of movements that we're talking about?

DC 422. Can we have an answer to that?

JM 423. Yes.

DC 424. Thank you.

425. We've got Mr Barton, please.

GB 426. Thank you, Chair.

427. Every time I read this report I'm taken back very briefly to page 41 and then my time is spent on page 43. On page 41, [paragraph] 6.6 points it says policy W11 Character "seeks to protect the character distinctiveness and sense of place of the different areas of the county". I would just love somebody to define 'sense of place' for me because I really don't know what it means.

428. But the sense here mystifies me, I have to say.

429. Then onto page 43, [paragraph] 6.15 it says, as are so many times in this report too many imponderables, "it may give rise to unacceptable impact during construction", 'may' give rise to.

430. On [paragraph] 9.56 says "has the potential to give rise to noise impacts both during and after construction." That is noise pollution.

431. Page 43 [paragraph] 6.17 "potential impact on air through pollution",

but not once is mentioned infestation. I was on site and I was listening to a very good presentation by the Planning Major...Manager – I hope I will get brownie points for that, Jane – it [was] a very good presentation – I spent half the time swatting flies. When the wind's in the direction two and a half thousand houses are going to get that when they put out their house household waste. We didn't look at...it doesn't mention infestation and it certainly doesn't mention rodents. Given waste, give you rats.

432. Air quality impacts says "unlikely" but it doesn't say 'will not'.
433. They're talking the talk but not walking the walk and I wonder if somebody like Grenfell Tower's, they said it's unlikely to catch fire.
434. Page 43 [paragraph] 6 19 recognise that the "intrinsic character" of the countryside will be changed, would it be change for dumps and stacks? Yes of course. Where I come from a country that was covered with slag heaps and no matter what you do to them they're still slag heaps.
435. Page 43 [paragraph] 6 18, reference to "political...particular groups", this is the one that really does, I must confess, worry me enormously. We have a duty to protect our children, whether it be nitrous oxide, popularly known as laughing gas, and I'm not laughing. Carbon dioxide, which is money for drinks, but carbon monoxide churned out by what will be, during construction, 356 vehicle passes per day, plus on-site vehicle[s]; the tugs that move around all these containers. All these movements will throw up muck into the air and there's a school a half a mile away. We have a duty to protect those kids and they are people that I will fight to the death for. Therefore, I will most certainly not be supporting this application, Chair.

DC 436. Thank you, Mr Barton.

437. There was question there about 'sense of place'. Is that something that can be...is there a defined definition? Mr Dyer?

TD 438. Thank you, Chairman.

439. Yes, the character and sense of place has...is covered by the County [Council]. We've produced our own, kind of, documents to define different areas according to their character and, in particular, sense of place. So that aspect is part of the Landscape and Visual Impact Assessment within the applicant's documents under the impacts upon character.

DC 440. OK. Thank you. Is that OK?

441. Do we have any other speakers or can we go to...did you want to comment, Jane?

- JM 442. I just want to come back on the rodents and vermin point out. That it would be controlled through the Environmental Permitting process. But also this site would be...the management of waste would be better contained than is currently the case, either on the site or on the adjacent landfill. Because rodents and vermin and things are attracted to putrescible waste, so biodegradable waste and all of that would be managed within the building and there'd controls by the Environment Agency that allow them...you can only keep malodorous and biodegradable waste on site for a given period of time; it has to be contained. So it should be improved.
- DC 443. Thank you. OK.
444. Do we have any more speakers or can we go to Mr Oakley's amendments. I think we have given this quite good airing. I think no one is indicating. So Mr Oakley can you...oh, Mr Barrett-Miles?
- ABM 445. *[a few words inaudible – too quiet/no microphone]* Mr Oakley's amendments?
- DC 446. Well, but that's on the recommendation that is for approval. But we would normally move any amendments before testing any recommendations. So just because we could put the amendments in doesn't mean that we have to take that recommendation first, but I would suggest that we get the amendments tabled, regardless of what the happens with the recommendations.
- ABM 447. So Mr. Oakley's changes to conditions, if this went to appeal they would then be within the body of our...of the planning application?
- DC 448. Let me get a view on that because what you are saying is if we were to adopt these amendments to the conditions and then have a move to a recommendation to refuse, does that still have an impact? Can we have a view on that, please? Katie?
- KK 449. I don't think they would actually because you...until a motion is formally put nothing is actually being voted on.
- DC 450. Speak into the microphone, please.
- KK 451. Until a motion is actually formally put and seconded you're not actually voting on anything so you need a formal motion. If you were to put the amendments to the conditions forward without... just now...just as in the ether...but then somebody came up with a motion to refuse and that was seconded that would be lost, the amendments to the conditions because they're not taking that forward, are you?
- DC 452. The decision of the Council would be that refusal is...would be opposition. That's right isn't it?
- KK 453. So, therefore, if somebody is putting forward a formal motion to refuse the application and its seconded that's what you...that's the motion under debate and that are what has to be considered.

- DC 454. OK. Well, Mr Oakley, are you happy for Mr Barrett Miles's recommendation for refusal to tested first and if that was to fall then to put your conditions forward, on a recommendation to approve. Yep. OK. Thank you. Okay. So Mr Barret Miles, you're going to move forward a recommendation to refuse and can you state reasons as well, please.
- ABM 455. Yes. I will stand by my reasons. Others may have other additional reasons that they want to add. I would put forward a motion to refuse this application on the basis that it does not comply with policy W10 of the West Sussex Local Plan because there has been no evidence provided that the majority of the material being processed through this plant will have arisen...will arise in West Sussex .
- DC 456. Thank you. OK.
457. Do you have a...before we look for other reasons, do we have seconder? Mr Barton? So you will second Mr Barrett-Miles's recommendation for refusal? *[couple of words that are inaudible from Mr Barton - too quiet/no microphone]*. Thank you. OK. Can we have some more reasons...or do we need to take a vote first or is it advisable to have more conditions...reasons why?
- KK 458. It would be wise to air to see if there are any more reasons *[remainder of Katie Kam's sentence inaudible due to Mr Crow speaking at the same time]*.
- DC 459. OK. So can we have some more reasons put forward, please. Mr Barton?
- GB 460. Thank you, Chairman.
461. Yeah. I think they're very clearly stated in the report. Consideration of key issues. Is [it] acceptable in terms of landscape and visual impact? No. Is it acceptable with regard to the impacts on highway capacity and road safety? No.
- DC 462. So this...can I...so this...slow you down. This is where we need to make a note of these, Mr. Barton. So you're saying that it's your....
- GB 463. I'll start again. Is [it] acceptable in terms of landscape and visual impacts? No.
- DC 464. So, another reason they've been... it's unacceptable in terms of visual impact? Yeah?
- GB 465. Mmm mmm *[affirmation]*. Second one, it's unacceptable in regard to impact on highway capacity.
- DC 466. Highway capacity impact. OK. Hmmm. I think officers may have a view on that. But OK. Carry on.
- GB 467. [it] Is unacceptable regard to impact on residential amenity. It is unacceptable with regard to impact on public health. And [it] is

unacceptable in terms of cumulative impact.

DC 468. OK. Thank you.

469. Perhaps we'll get all these reasons out first, shall we? And we'll, therefore, come back to any particular ones that may or may not be questionable. But can we have some more?

470. Mrs Kitchen?

LK 471. No, Mr Barton's covered them.

DC 472. OK? *[to Mr Barton]* Do you want to switch your mike off, please. Thank you. That's it. Great. Thank you.

473. Any other reasons or do you think you've got enough, Mr Barrett-Miles?

ABM 474. I think we've probably got more than enough...I...

DC 475. But we're happy with that? OK. So did officers wish to comment on any of those reasons for refusal before we go to a vote?

JM 476. Thank you, Chairman.

477. I would just again caution against referring to the need for the facility. It is the National Planning Policy on waste which says "when determining planning applications we should only expect applicants to demonstrate the quantitative or market need for new waste management facilities where that proposals are not consistent with an upstate local plan", so they don't need to demonstrate need because we got an up to date Waste Local Plan that has considered that there is a need for this facility. So I think we need to have great caution if we're going to take that approach and I would as...in planning terms warn against it.

478. In terms of the other issues I've set that out in my report. I don't consider it...I think I think it is acceptable in terms of landscape and visual impacts. There'd be no increase and impacts on the highway. I think that's particularly concerning because there's no change in throughput. And they've carried out studies that show that there would be no increase in impact on residential amenity, human health or cumulative impact. So I would...

DC 479. OK. Can I just come back to the individual members? Mr Barrett-Miles, I think it was you who raised the point about need, was it?

ABM 480. It was indeed, Chairman. I still stand by that because the wording of the W10 policy does say it's there for "material arising within West Sussex". I have been a bit a little bit more generous and I said...majority of it arising within West Sussex. So I think the policy is contradictory to itself and, therefore, is open to interpretation...in whatever way one chooses *[some overtalking by the Chairman during this speech, including him stating that "Ms Moseley wishes to come back"]*.

- DC 481. OK. Thank you.
- JM 482. Thank you, Chairman.
483. I can't see the reference.
- ABM 484. It's in here.
- JM 485. To...in policy W10; there's a requirement in the Waste Local Plan that we have net self-sufficiency which allows for cross boundary movements of waste. The policy...
- ABM 486. I've got [paragraph] 9.3 in your report...
- DC 487. Right.
- ABM 488. ...that mentions those words.
489. Can we have a look at paragraph 9.3?
- ABM 490. Under the title of Policy W10.
- JM 491. So hopefully members realise that I'm trying to steer you to a sound decision.
- ABM 492. I know you are. But, I disagree with you.
- DC 493. So is it...its paragraph 9 3 and 9.4. Is that right Mr Barrett-Miles?
- ABM 494. Yes, that's right.
- JM 495. But this is...So you see...paragraph 9.3...sorry, paragraph 9.3 states that we allocate a site to meet identified shortfalls and transfer, so it's recycling and recovery capacity. So that acknowledges that this site is meeting an identified need.
496. Thank you, Chairman.
- DC 497. OK, but...so you still stand by it Mr Barrett-Miles?
- ABM 498. I still stand by it, Chairman.
- DC 499. Thank you. Mr. Barton?
500. Can you switched off, please, Andrew. Andrew can you switch off your mike.
501. Mr. Barton, did you wish to comment about the highways. Did you still want to stand by that? Or?
- GB 502. Yes I do. Yes I do, Chair. Excuse me if I can't get the page quick enough.

503. But, we were...we're not talking about no difference, we're talking for 30 months a huge difference. [It] Is during the construction time is...so much damage can be caused then...so it is changed, it is more in...by way of HGV input and output.
- DC 504. OK. So, you wish to leave that in the reasons for refusal, yeah?
- GB 505. Yes, please.
- DC 506. Thank you. Have we got those reasons recorded, please? We have. So, are members clear what's being proposed; that it's being proposed recommended for refusal, proposed by Mr Barrett-Miles, seconded by Mr Barton, for reasons of need, visual impact, highways capacity, residential amenity, public health and cumulative impact. Are we happy that that that's what being proposed, first of all? Thank you. So all those in favour of the recommendation to...
507. *[to an unheard comment or indication from Mr McDonald that he wishes to speak]* Yes, please do. Mr McDonald? Speak into the microphone Mr...
- SM 508. It's just a question of the clarification. I take what Mr. Barrett-Miles is saying here is that as part of his proposal this is in breach of policy W10 of the West Sussex Waste Local Plan. Well, is it? In breach of it? And that's the question I need to ask and I needed a definitive answer because we saying that we can interpret it in different ways. *[overtalking by the Chairman, including "Well as I read it"]*. Well that's what...I can't vote....
- DC 509. Well, Mr Barrett- Miles believes it is and Ms Moseley believes it's not. Is that an accurate description?
- SM 510. Is that correct, Ms Moseley? Because we've been asked to vote on...being asked about...this is in breach of it and I'm not sure is, so I can't see how we can vote because it is not in breach of it.
- DC 511. Can you respond?
- JM 512. Thank you Chairman.
- DC 513. Is my interpretation of it correct?
- JM 514. I mean my views are set out in the report at the...sort of...of the Planning Officer views are that there's an identified need for this facility and that was considered in Waste local Plan which was put before an Inspector, and all those sorts of things, and found to be sound. So, I think we...in my view, we have to accept that there is a need for the facility.
515. The other...the impacts of the impacts are...I think...during the site visit you make up your mind in terms of the landscape and visual impact and the other things so...but in my view it is in accordance with the Waste Local Plan.

- DC 516. Thank you.
517. Mr Jupp.
- NJ 518. Can I just ask for clarification on this motion with regard to the amount of HGV movements during the construction period compared with the existing consents for HGV movements. On page 39, paragraph 4.29, I've read it as they're being 72 HGV movements each day, which is considerably less than what is currently consented. Is that right?
- DC 519. Can we have a response?
- JM 520. Thank you Chairman.
521. Yes, that is what the applicant has set out.
- NJ 522. In which case, Chairman perhaps my colleague, Mr Barton, might like to revisit his condition.
- DC 523. This is highways. Well, we've asked Mr Barton once and he hasn't wished to, but it can be requested again. Do you wish to revisit it Mr Barton? Or do you want to let it stand? In terms of the highways capacity being a reason to refuse.
- GB 524. Yes. [It] Is what I was bring bringing attention to, Chair, is a comment made in a report earlier about what could happen and still what 'could', with the amount of tonnage involved and the construction traffic, could be 356 vehicles passes a day. Leave it in.
- DC 525. OK. So, Mr Barton wishes to leave it in.
526. *[inaudible from JM– no microphone]*. Well carry on.
- JM 527. Sorry, I was just curious where that figure had come from?
528. *[inaudible from Mr Barton – no microphone]*. Well, if you're satisfied yourself...then...
- DC 529. OK. Right. I would like to go to a vote. We have a proposal from Mr Barrett-Miles, seconded by Mr Barton, a recommendation that planning permission be refused. Could members please indicate, clearly, by holding their arms aloft all those in favour of a refusal, please show.
530. OK. And all those against the recommendation to refuse, all please show.
531. So that is carried by nine votes to four that planning permission has been refused for this application.
532. *[on unheard query from KK, Solicitor]* Although this has definitely has been refused, we're checking on the numbers because there's only 12 of us here. Can we have a re-show? Those in favour of refusal

please indicate. It's seven...and those...sorry it's eight. Yes. And I think it was four, wasn't it? Can we just show again for those who were against that [in favour of the recommendation to approve]? That's four. So that has been carried by eight votes to four. Planning permission is refused. Thank you.

533. We're going to have a just a two minute adjournment to allow members of the audience who wish to leave to please do. So can I ask members to remain seated but if you do need to use the loo, use the loo out the front. Can members of the public please leave by the back door as if they're leaving now.

534. And then we will reconvene with an ex planning application very shortly.

535. Could I also ask that members of the committee do not interact with members of the public at this time.

536. Thank you.

537. End of item on webcast - 2.36:52.