

Public Document Pack

Tony Kershaw
Director of Law and Assurance

If calling please ask for:

Tracey Guinea on 033 022 28679
Email: tracey.guinea@westsussex.gov.uk

www.westsussex.gov.uk

County Hall
Chichester
West Sussex
PO19 1RQ
Switchboard
Tel no (01243) 777100



18 March 2019

Planning Committee

A meeting of the committee will be held at **10.30 am** on **Tuesday, 26 March 2019** at **County Hall, Chichester**.

Tony Kershaw
Director of Law and Assurance

Agenda

Indicative Timetable

PART I		
Item 1	10:30 – 10:40	Declarations of Interests
Item 2		Minutes of the last meeting of the Committee
Item 3		Urgent Matters
Item 4		Part II Matters
Item 5	10:40 – 11.40	Planning Application: Regulation 3 WSCC/049/18/LY Lyminster – creation of a 1.1 km highway
Item 6	11.40 – 12.40	Planning Applications: Minerals – WSCC/044/18/SR Sandgate Park Quarry
Item 7	12.40 – 12.50	Update on Mineral, Waste and Regulation 3 Planning Applications
Item 8		Report of Delegated Action
Item 9		Date of Next Meeting
PART II		
Item 10		Exclusion of Press and Public
Item 11		Part II Minutes

PART I

1. Declarations of Interest

Members and officers must declare any pecuniary or personal interest in any business on the agenda. They should also make declarations at any stage such as an interest becomes apparent during the meeting. Consideration should be given to leaving the meeting if the nature of the interest warrants it. If in doubt please contact Democratic Services before the meeting.

2. Minutes of the last meeting of the Committee (Pages 5 - 10)

The Committee is asked to agree the minutes of Part I of the meeting held on 5 February 2019 (cream paper).

3. Urgent Matters

Items not on the agenda which the Chairman of the meeting is of the opinion should be considered as a matter of urgency by reason of special circumstances.

4. Part II Matters

Members are asked to indicate at this stage if they wish the meeting to consider bringing into Part I any items of the Part II agenda.

5. Planning Applications: Regulation 3 (Pages 11 - 44)

Report by Head of Planning Services.

To consider and determine the following application:

WSCC/049/18/LY	Creation of a 1.1km highway, with shared cycleway and footway, Pegasus crossing, viaduct, culvert, wetland areas, balancing pond and swales, street lighting and associated works on Land East of Lyminster village & between Toddington Nurseries & A284 Lyminster Road, Lyminster, Littlehampton.
----------------	---

6. Planning Applications: Minerals (Pages 45 - 82)

Report by Head of Planning Services.

To consider and determine the following application:

WSCC/044/18/SR	Continuation of working the mineral (sand extraction), but with an enhanced restoration scheme for nature conservation and informal recreation involving the importation of 1.8 million tonnes of inert material over a period of eleven years. Sandgate Park Quarry, Water Lane, Sullington, Storrington, West Sussex, RH20 4AS.
----------------	---

7. Update on Mineral, Waste and Regulation 3 Planning Applications (Pages 83 - 88)

Report by Strategic Planning, County Planning Manager.

To note the schedule of County Matter applications and the schedule of applications submitted under the Town and Country Planning General Regulations 1992 – Regulation 3.

8. **Report of Delegated Action** (Pages 89 - 90)

Report by Strategic Planning, County Planning Manager.

To note the report of applications approved subject to conditions under the Town and Country Planning Act 1990 and Regulation 3 of the Town and Country Planning General Regulations 1992 since the Planning Committee meeting on 5 February 2019.

9. **Date of Next Meeting**

The next meeting of the Planning Committee will be held at 10.30 a.m. on 23 April 2019.

PART II

10. **Exclusion of Press and Public**

The Committee is asked to consider in respect of the following item whether the public, including the press, should be excluded from the meeting on the grounds of exemption under Part I Schedule 12A of the Local Government Act 1972, as indicated below, and because, in all the circumstances of the case, the public interest in maintaining the exemption of that information outweighs the public interest in disclosing it.

Exempt paragraph 5: Information in respect of a claim to legal professional privilege could be maintained in legal proceedings.

11. **Part II Minutes of the Meeting held on 5 February 2019** (Pages 91 - 98)

To confirm the Part II minutes of the meeting held on 5 February 2019 (for members of the Committee only).

To all members of the Planning Committee

This page is intentionally left blank

Planning Committee

5 February 2019 – At a meeting of the Planning Committee held at 10.30 am at County Hall, Chichester.

Present: Mr Crow (Chairman)

Mrs Kitchen, Lt Cdr Atkins, Mr Barrett-Miles, Lt Col Barton, Mrs Duncton, Mr Jupp, Ms Lord, Mr S J Oakley, Mr Patel, Mr Quinn and Mrs Russell

Apologies were received from Mr Wickremaratchi

Absent:

Also in attendance: Mr Catchpole

Part I

83. Declarations of Interest

83.1 In accordance with the County Council's Code of Conduct, the following interests were declared:

- MS Lord declared a personal and prejudicial interest in planning application WSCC/045/18/HA because a family member will be attending the school from September 2019, and because she has previously spoken with the Head Teacher about the proposals.
- Mr Barrett-Miles declared a personal interest in planning application WSCC/045/18/HA because a family member attends the school.

84. Minutes of the last meeting of the Committee

84.1 That the minutes of the meeting of the Committee held on 6 November 2018 be agreed as a correct record.

85. Urgent Matters

85.1 There were no urgent matters.

86. Part II Matters

86.1 Resolved – that no Part II matters should be brought into Part I of the meeting.

87. Planning Application: Regulation 3

WSCC/045/18/HA	Outdoor Performance Area. Downlands School, Dale Avenue, Hassocks, West Sussex, BN6 8LP
-----------------------	--

87.1 Ms Lord stepped down from the Committee for the duration of the meeting in order to attend and speak as the local member.

87.2 The Committee considered a report by the Head of Planning Services, as amended by the agenda update sheet (copy appended to the signed copy of the minutes). The report was introduced by James Neave, Principal Planner, who gave a presentation on the proposals, details of the consultation and key issues in respect of the application.

87.3 Mr Mark Wignall, Head Teacher, Downlands School spoke in support of the application. Creative and performing arts are important to children's development and provide numerous skills crucial to the workforce. Due to budget cuts many schools have reduced investment in this area and GCSE entries in these subjects have fallen substantially. Downlands School has already invested in music and dance and the outdoors performance area will add to this. It will be used as an all-weather social area, a new creative classroom and for performances and events in the evening. Ofsted has said "the school makes an exemplary contribution to the community" and this facility will be offered for community use. The Parish Council are supporting the project with a £10,000 grant. Residents and community groups support the proposals. There is ample on-site parking for events. Traffic movements for evening events will be lower than for school events. The nearest properties are over 150 metres away and have no line of sight. The amphitheatre will not have amplified sound. The school will do its best to maintain the old oak tree.

87.4 Ms Kirsty Lord, Member for Hassocks and Burgess Hill South spoke on the application. Downlands is an 'outstanding' school, well regarded in the local community and it takes its community remit seriously. It also takes its commitment to the arts seriously, providing new music and dance facilities. The outdoor performance area will serve a dual purpose: it can be used to deliver lessons and performances, and will also provide a social space and dining area. It will deliver a space for the growing community. The dance studio is already used by community groups. Sports facilities are already used in the evenings and at weekends on a similar timetable. Concerns about noise and light can be dealt with through the conditions proposed. The site is shielded from housing. There will be no loss of outdoor space. The Council should support schools to provide arts provision.

87.5 During the debate the Committee raised the points below and clarification was provided by the Planning Officers, where applicable:

Benefits to the school

Point raised – the proposal would provide a wonderful facility for the school and community.

Response – none required.

Siting, design and impact on trees.

Points raised – What would the impact be on the roots of the established oak tree? The Chairman clarified that the the Head

Teacher has stated that the school is committed to doing its best to maintain the oak tree.

Response – The WSCC Arboriculturist objected because the proposal would result in a significant incursion into the root protection area and this has already been compromised by other development. Owing to the poor quality of the tree survey submitted, the potential impacts upon the tree are somewhat unclear. Condition 6 – requires that an Arboricultural Method Statement must be submitted and approved before any works take place. On balance, the relocation of immature oaks and new planting would to some degree offset any negative impact on the established oak tree.

Lighting in relation to South Downs National Park

Point raised – The South Downs National Park Authority would wish to ensure that there is minimal impact from lighting on the area of the Park.

Response – Condition 5 would control the detail of any permanent lighting. Temporary lighting used for performances would be directed inwards and downwards to minimise light spill and would only be used during approved hours of use.

Consistency of hours of use with Hassocks Sports Centre

Points raised – Are the evening and weekend hours of use consistent with Hassocks Sports Centre?

Response – Condition 3 allows eight evening events at the school per calendar month, between 18:00 and 21:00 with no use on Sundays or Bank Holidays. The sport centre is open until 21:00 Monday to Saturday, and until 22:00 3 days per week and until 19:00 on Sunday. The floodlit pitch can operate until 21:00 Monday to Saturday and to 19:00 on Sundays and Bank Holiday, and the lighting must be switched off after 19.30 on Saturdays and not used at all on Sundays.

87.6 The substantive recommendation was proposed by Mr Patel and seconded by Ltd Cdr, Atkins and was put to the Committee and approved unanimously.

87.7 Resolved – That planning permission be granted subject to conditions and informatives set out in Appendix 1 of the report, as agreed by the Committee.

88. Urgent Action

Authorisation for Chichester District Council to determine part of Planning Application (SDNP/18/04918/FUL) on behalf of West Sussex County Council.

88.1 The Committee noted that Mr S. Oakley advised there are questions over achieving the delivery and quality of the relocated football pitch.

88.2 Resolved – the committee noted the Urgent Action decision published on 30 November 2018.

89. Update on Mineral, Waste and Regulation 3 Planning Applications

89.1 The Committee received and noted a report by the Head of Planning Services on applications awaiting determination (copy appended to the signed minutes) detailing the schedule of County Matter applications and the schedule of applications submitted under the Town and Country Planning General Regulations 1992 – Regulation 3.

90. Report of Delegated Action

90.1 The Committee received and noted a report by the Head of Planning Services (copy appended to the signed minutes) applications approved subject to conditions under the Town and Country Planning Act 1990 and Regulation 3 of the Town and Country Planning General Regulations 1992 since the Planning Committee meeting on 6 November 2018.

91. Date of Next Meeting

91.1 The following scheduled meeting of Planning Committee will be on Tuesday, 26 February 2019 at 10.30 a.m. at County Hall, Chichester.

92. Exclusion of Press and Public

92.1 Resolved – That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it contains information in respect of which a claim to legal professional privilege could be maintained in legal proceedings as defined in Part I of Schedule 12A of the Act by virtue of the paragraph specified under the item, and in all the circumstances of the case, the public interest in maintaining the exemption of that information outweighs the public interest in disclosing the information.

92.2 The Committee continued its discussions in Part II, for which a Part II summary is available, below. The Part II discussion took place from 11.03 a.m. to 12.54 p.m.

93. Planning Appeal

Appeal against Refusal of Application for a Recycling, Recovery and Renewable Energy Facility and Ancillary Infrastructure at the Former Wealden Brickworks, Langhurstwood Road, Horsham, West Sussex, RH12 4QD (ref. WSCC/015/18/NH)

The Committee agreed that the County Council will defend the refusal of planning permission for the reason of impacts on Landscape and Visual Amenity. The Committee agreed that the County Council will not actively defend the remaining reasons put forward for refusal.

94. Planning Appeal

Appeal against Removal of condition 10 of planning permission WSCC/33/17/WK requiring establishment of local liaison group. Unit 29, Firland Park Industrial Estate, Henfield Road, Albourne, Hassocks, BN6 9JJ (ref: WSCC/016/18/NH)

(Exempt – paragraph 5, Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings)

The Committee noted a verbal report by the County Planning Team Manager regarding an appeal to the Council against a Planning Decision.

The meeting ended at 12.54 pm

Chairman

This page is intentionally left blank

Planning Committee

26 March 2019

Regulation 3 Application

Application No. WSCC/049/18/LY

Creation of a 1.1km highway, with shared cycleway and footway, Pegasus crossing, viaduct, culvert, wetland areas, balancing pond and swales, street lighting and associated works on Land East of Lyminster village & between Toddington Nurseries & A284 Lyminster Road, Lyminster, Littlehampton

Report by Head of Planning Services

Local Member: Gary Markwell

District: Arun

Executive Summary

This report concerns a proposal by the Major Projects Team at West Sussex County Council to construct a section of highway of around 1.1km in length, on land east of Lyminster village in Arun. It would link the A284, just south of the A27 Crossbush Junction, with a new southern bypass that is being constructed as part of the North Littlehampton development. It forms part of a wider Lyminster Bypass project providing a north-south link between the A27 and Littlehampton; the southern part has been built (the Fitzalan Link) and the central part of the bypass has approval through a wider outline permission for a housing/mixed-use development.

The report provides a generalised description of the site and a detailed account of the proposed development, and appraises it against the relevant policy framework from national to local level.

The main policies of relevance to this application are policies T SP3 which safeguards the route, along with policies SD SP1, SD SP3, LAN DM1, EMP DM1, SO DM1, H SP1, D SP1, D DMA1, HWB SP1, T SP1, T DM1, HER SP1, HER DM1, HER DM2, HER DM3, ENV SP1, ENV DM4, ENV DM4, ENV DM5, Water W SP1, W DM1 W DM2, QE SP1, QE DM1, QE DM2, and QE DM3 of the Arun Local Plan (2018).

No statutory consultees have raised objections to the proposal. Both Lyminster and Crossbush Parish Council and Littlehampton Town Council support the proposal but raise various concerns.

Thirty-five representations were received in response to local consultation, 21 objective/raising concerns, and 14 in support. The key issues raised related to the lack of connection to the A27; poor design; the lack of connectivity for non-motorised users; air pollution/noise/vibration impacts; impact on dark skies; scheme is based on poor information; and being too close to dwellings. Those in support noted the benefit to Lyminster community of diverting traffic; benefit to businesses; and need for the road in light of the new housing developments.

The main material planning matters in relation to this application are:

- the principle of the development;

- acceptability in terms of impacts on the environment; and
- acceptability in terms of impact on local residents.

A request has been made to the Secretary of State for Housing, Communities and Local Government that they issue a direction requiring the County Council to refer to the application to him to determine. Following Committee's resolution, before issuing the decision on this application, the County Council must therefore await the Secretary of State's confirmation as to whether he wishes to determine the application himself.

Principle of the Development

The alignment of the Lyminster bypass has been identified through planning policy since the 1990s because of the need to provide a north-south link from the coast to the A27. The indicative route has been safeguarded from development in the Arun Local Plan 2018 because it is considered necessary to increase economic activity and support the strategic development allocated in the Plan. The bypass would improve highway capacity and journey times and divert traffic away from Lyminster village, and so is considered to be beneficial in strategic highway terms. The proposed bypass is considered to be acceptable in terms of its alignment and linkages to the surrounding road network.

Impacts on the Environment

Although the proposed bypass would introduce a large, linear feature to an area of greenfield countryside, the area is relatively constrained in visual terms by vegetation, undulating topography, and physical development including Lyminster to the west and Littlehampton to the south. The landscape impact would, therefore, be limited and softened by planting, and visual impacts would be minimal and generally transient for users of public rights of way and roads. Although there would be some ecological impact, the existing arable fields, of low ecological value, would be replaced with high quality habitat alongside the bypass, considered to provide improved habitat connectivity. A range of measures would be provided east of the bypass to maintain the water environment, including swales, attenuation ponds, and below-ground cellular storage. It is considered that subject to these measures being secured by condition, the development would not increase flood risk, or affect water quality. There would be minimal impact on heritage features, subject to archaeological features being recorded. Overall, therefore, the development is considered to be acceptable in terms of its impact on the environment.

Impact on Residents

The proposed bypass would have a positive impact on residents living along the route of the existing A284 through Lyminster village as fewer vehicles would be travelling through the village. Although, it would introduce a new road to the rear (east) of several dwellings, a 2.5m high, 317m long noise barrier would be provided to reduce the noise impact. The development would have an overall beneficial impact on air quality by moving vehicles away from Lyminster village. A Construction Management Plan would be required by condition, which would minimise noise and air quality impacts.

Conclusion

Planning permission is sought for the northern part of Lyminster bypass, extending between a point some 600m south of the A27 Crossbush Junction and the southern part of the bypass, approved under a separate consent for a mixed use development north of Littlehampton. The indicative route of the bypass has been safeguarded in planning policy and so is considered acceptable in principle, and the provision of the bypass is considered to be beneficial to highway capacity and to meet requirements for road safety. The development would include a number of mitigation measures such as wetland provision and planting that would help to ensure that the impact on the water environment, landscape, biodiversity and the historic environment would be acceptable. The bypass would divert traffic away from the existing A284 through Lyminster village, with resulting benefits in terms of noise and air quality for these residents, and studies have demonstrated that the wider residential impact would be acceptable. Overall, the scheme is considered to be acceptable in principle, and in terms of impacts on the environment and local residents.

Recommendation

That planning permission be granted subject to:

- (a) the conditions and informatives set out in **Appendix 1** of this report; and
- (b) the Secretary of State not calling-in the application.

1. Introduction

- 1.1 This report concerns a proposal by the Major Projects Team at West Sussex County Council to construct a section of highway of around 1.1km in length, on land east of Lyminster village in Arun. It would link the A284, just south of the A27 Crossbush Junction, with a new southern bypass that is being constructed as part of the North Littlehampton development. It forms part of a wider Lyminster Bypass project providing a north-south link between the A27 and Littlehampton; the southern part has been built (the Fitzalan Link) and the central part of the bypass has approval through a wider outline permission for a housing/mixed-use development.
- 1.2 The northern bypass, the subject of this application, would include a viaduct over Black Ditch waterway and a signalised 'Pegasus' crossing (i.e. suitable for horse riders as well as cyclists and walkers) where bridleway 2163 extends east-west through the site.

2. Site and Description

- 2.1 The application site extends to some 13 hectares in area and includes the carriageway itself, along with drainage attenuation areas, a maintenance track, and construction compounds and accesses.
- 2.2 The bypass would extend from the existing A284, some 600m south of the Crossbush junction on A27, south to link with Toddington Park, within the strategic North Littlehampton mixed use site (see **Appendix 2 – Site Location Plan**).

Agenda Item 5

- 2.3 The application site is within Arun District, encompassing areas of both Lyminster and Crossbush Parish and Littlehampton Town Council.
- 2.4 The proposed development site is largely flat, and primarily comprises agricultural land, bordered with hedgerows and trees. At its northern end, the road would extend along the rear (eastern) boundaries of several residential properties fronting the A284, at closest some 40m from the rear curtilage of Wolstanton, and between 45 and 70m east of Fairfields and the Old Vicarage. A spur, linking with the existing A284, would be created immediately north of Wolstanton (see **Appendix 3 – Site Plans** and **Appendix 4 - Visualisations**).
- 2.5 The application site also includes an area north of the proposed spur to allow for improvements to the existing A284 carriageway. This area is adjacent to several large properties including the Boat House and Brookfield/Brookfield Lodge on the eastern side of the road, and on the western side Cherwell, Oak Cottage and Cobweb Cottage.
- 2.6 The southern part of the application site is within flood zone 3 (i.e. 1 in 100 or greater annual probability of flooding) and includes Black Ditch extending east-west across the site. A small stream (Brookfield Stream) also crosses the northern end of the site.
- 2.7 Beyond the site to the south and south-west are Woodcote Lane House and Stables, the Littlehampton Household Waste Recycling Site (HWRS), allotment gardens, a caravan park and the Mill Lane residential area. Slightly further south of this is Toddington Lane, which runs west-east between the A284 and the A259 (Worthing Road) in the east.
- 2.8 The northern extent of the application site includes an area of the Brookfield Historic Parkscape, with Brookfield House (a Listed Building) located some 160m east of the site. Lyminster Village Conservation Area is at closest 280m-320m to the west of the site along the existing route of the A284.
- 2.9 Bridleway 2163 extends west-east across the centre of the site, linking the villages of Lyminster and Poling. To the west of the site, footpaths 2163/1 and 2165 run generally north-south around the southern edge of Lyminster village.
- 2.10 The site is located in the countryside, outside of the built-up area boundary shown on the Arun Local Plan Proposals Map, and within an identified 'gap between settlements'. Although it is not within an area designated for its landscape value, the South Downs National Park is some 750m to the north, immediately beyond the A27.

3. **Relevant Planning History**

- 3.1 This application follows a near-identical application submitted in 2015 that sought outline permission for a bypass linking the A284 and Toddington Nurseries but did not include the viaduct (ref. WSCC/049/15/LY). That application was withdrawn after legal officers confirmed that outline planning permission could not be granted for a road project.
- 3.2 There is no other planning history of relevance to the present project.

3.3 The bypass forms the northern extent of a wider scheme that would link the Crossbush roundabout on the A27 to the north, with the A259, and beyond to the already-built Fitzalan Link Road roundabout in Littlehampton.

3.4 The scheme south of the application site has outline planning permission through a wider mixed-use development approved by Arun District Council, allowing:

"Demolition of existing buildings and structures, up to 1,260 residential dwellings (out of a potential 1,460 dwelling masterplan), up to 13,000 sqm of B1 employment floorspace (including 3,000 sqm Enterprise Centre), up to 3,500 sqm of Class A local facilities, a 100 bed hotel, 60 bed care home, a new 2 Form Entry primary school, community centre, youth and leisure facilities, combined heat & power plant, extension to existing household recycling centre, landscaping, replacement and additional allotments, multi-functional green infrastructure including sports pitches (& associated changing facilities), informal open space, children's play areas, primary vehicular access from a new access from the A259 bridging over the railway line with additional access from Mill Lane & Toddington Lane." (Arun District Council ref. LU/47/11).

3.5 The detailed design of the southern section of the Lyminster bypass, to which the present scheme would connect, is required by condition. The scheme, known as the North Littlehampton development, is at various stages of implementation with some houses built and occupied.

4. **The Proposal**

4.1 Planning permission is sought to construct a section of 7.3m wide, 1.1km long single carriageway bypass, including a viaduct and Pegasus crossing, located between the A284, just south of the Crossbush roundabout on the A27, and the 'southern bypass' through the North Littlehampton development.

4.2 The new road is proposed to divert traffic away from the existing A284 that forms a narrow 'S' shape through Lyminster village and has poor lines of sight and tight bends that adversely affect road safety and traffic flow. The proposed bypass would provide a straighter, more direct north-south link between the A27 and the southern bypass, linking beyond to the A259 and Littlehampton.

4.3 The bypass would connect with the existing A284 at a T-junction some 600m south of the A27 Crossbush roundabout. The new road would have a speed limit of 40mph at the northern end to match the existing A284, increasing to 50mph on the main carriageway.

4.4 The proposed bypass would be some 1.1km long and generally 7.3m wide, with one metre wide hard shoulders on either side. It would include a 3m wide shared cycle/foot way, located on the western side of the carriageway on the northern part of the scheme, switching to the eastern side south of a proposed Pegasus crossing around the centre of the scheme. A 2.5m wide grass verge would be provided on the opposite side of the carriageway from the cycle path, with the exception of the viaduct.

4.5 The scheme includes a 225m long viaduct over Black Ditch and the surrounding floodplain in the south of the site (see **Appendix 5 – Elevations of Viaduct**).

It would be up to 4.5m in height, set on piers at 20m intervals. The viaduct would have a 1.4m high guardrail along its length to provide sufficient protection for cyclists and pedestrians.

- 4.6 North of the viaduct, the road would be on an embankment until it reaches the Pegasus crossing where it would be near existing ground levels. Beyond this to the north, it would be in a slight cutting before again being slightly raised on an embankment to the point where it meets the existing A284.
- 4.7 A new maintenance access would be provided towards the southern extent of the bypass, linking with the existing A284 via Woodcote Lane.
- 4.8 To improve road user safety, street lighting would be provided at various locations: at the northern junction of the new bypass with the existing A284; at the Pegasus crossing around the centre; and at the southern end of the scheme where it would approach a roundabout beyond the site boundary. There would be no lighting on the viaduct.
- 4.9 Noise attenuation fencing to 2.5m in height would be provided on the western side of the road, from the Pegasus crossing north to the existing A284 junction, including at the new T-junction to the north of Wolstanton.
- 4.10 Various drainage attenuation measures are proposed, including: swales at the northern end of the site and to the east of the bypass; a new attenuation pond opposite the new T-junction with the existing A284; a wetland area east of the viaduct; and underground cellular storage at the southern end of the site. Water from the road would drain into Brookfield Stream and Black Ditch via these attenuation measures to maintain water quality and the rate of discharge.
- 4.11 The existing Brookfield Stream culvert would be replaced with a larger culvert of 1.8m in height and 3.3m in width, and including ledges on either side to allow mammals to pass through.
- 4.12 The scheme would require the removal of 62 trees, six tree groups, and two hedges, as well as four partial hedges. To offset this, some 1,580m of new hedgerow would be planted, along with 1750m² of native tree belts (and 38 new individual trees), 14,920m² of wet grassland/scrub, and 6,780m² of wildflower grassland. In addition, two badger crossings would be provided, along with bat and bird boxes.
- 4.13 The bypass would be sealed with low noise surfacing, which would also extend some 200m along the existing A284 carriageway north of the proposed new junction.
- 4.14 It is anticipated that the construction of the project would take place over a 15 month period, between 0730 and 1700 Monday – Friday and between 0800 and 1300 on Saturdays. Two site compounds would be used for the construction works, located at the southern end of the site and around its centre.
- 4.15 The construction sites would be accessed from the North Littlehampton development to the south, and for the northern extent, from the A284 via bridleway 2163.

5 **Environmental Impact Assessment (EIA)**

- 5.1 The application is for an infrastructure project of more than 1.0 hectare and so it falls within Part 10(f) of Schedule 2 of the Environmental Impact Regulations 2017 relating to the 'construction of roads'. It is necessary, therefore, to consider whether the proposal has the potential for significant environmental effects and would constitute EIA development.
- 5.2 Indicative screening thresholds set out in the Annex to the Planning Practice Guidance (PPG): Environmental Impact Assessment note that new development of over 2km in length is more likely to require EIA, with the 'key issues to consider' being 'estimated emissions, traffic, noise and vibration, the degree of visual intrusion and the impact on the surrounding ecology'. In a Screening Opinion issued in November 2018, the County Council concluded that it was not considered there was the potential for significant effects on any of these features, particularly as the development would divert traffic away from residential properties and a Conservation Area, and would not significantly affect any designated or highly sensitive areas.
- 5.3 On this basis, it was concluded that the proposal does not require an Environmental Impact Assessment to be undertaken.

6. **Policy**

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the statutory 'development plan' unless material considerations indicate otherwise (as confirmed in paragraph 2 of the National Planning Policy Framework (NPPF)). For the purposes of this application, the statutory development plan is considered to comprise the Arun Local Plan 2011 – 2031 (2018).
- 6.2 The key policies in the development plan, which are material to the determination of the application, are summarised below, and their conformity or otherwise with the NPPF considered. In addition, reference is made to relevant national planning policy guidance and other policies that guide the decision-making process and which are material to the determination of the application.

Arun Local Plan 2011 - 2031 (adopted 2018)

- 6.3 The Arun Local Plan identified the need to upgrade parts of the road network to support increased use resulting from future growth, and to provide improved north-south linkages to improve connectivity to the A27 (paragraph 15.3.2). Paragraph 15.3.3 of the Plan notes that various highway improvement measures, including a bypass at Lyminster, were tested through the Arun Transport Study of Strategic Development (March 2013, and updated 2016). As a result, the 'lines' and 'indicative lines' of various schemes have been safeguarded under Policy T SP3 for highway improvements.
- 6.4 In relation to the Lyminster Bypass, Policy T SP3 states that the line of the committed scheme at the A284 Lyminster Bypass (northern section) is protected from development.
- 6.5 The supporting text for this policy (paragraph 15.3.4) states:

"A284 Lyminster Bypass - The proposed Lyminster Bypass will connect to the committed southern section which will run between Toddington Nurseries and the A259 and the Fitzalan Link. The bypass will improve north-south access from the A27 to Littlehampton by reducing the delays associated with the existing A284 Lyminster Road and the Wick level crossing. This scheme is expected to make the A284 Lyminster Road quieter and encourage walking and cycling on the route. The route will be funded through a mixture of planning obligations, the Regional Growth Fund and potential contributions from Network Rail."

- 6.6 In addition to this key policy, the relevant policies from the Arun Local Plan are: Sustainable Development (SD SP1), Gaps Between Settlements (SD SP3), Protection of Landscape Character (LAN DM1), Strategic Employment Land (EMP DM1), Soils (SO DM1), Strategic Housing, Parish and Town Council Allocations (H SP1), Design (D SP1), Aspects of Form and Design Quality (D DMA1), Health & Wellbeing (HWB SP1), Transport and Development (T SP1), Sustainable Travel and Public Rights of Way (T DM1), Historic Environment (HER SP1), Listed Buildings (HER DM1), Locally Listed Buildings or Structures of Character (HER DM2), Conservation Areas (HER DM3), Natural Environment (ENV SP1), Biodiversity Opportunity Areas (ENV DM4), Protection of Trees (ENV DM4), Development and Biodiversity (ENV DM5), Water (W SP1), Water Supply and Quality (W DM1) Flood Risk (W DM2), Quality of the Environment (QE SP1), Noise Pollution (QE DM1), Light Pollution (QE DM2), and Air Pollution (QE DM3).

National Planning Policy Framework (February 2019)

- 6.7 The NPPF, updated most recently in February 2019, sets out the government's planning policies for England and outlines how these are expected to be applied. It does not form part of the development plan but is a material consideration in determining planning applications. One of its stated intentions is to guide decision-makers as to what matters are material to the decision-making process.
- 6.8 Paragraph 102 notes that:
- "Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:*
- a) the potential impacts of development on transport networks can be addressed;*
 - b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;*
 - c) opportunities to promote walking, cycling and public transport use are identified and pursued;*
 - d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and*

e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.”

6.7 Other paragraphs of greatest relevance to the present proposal are:

Paragraph 11 (presumption in favour of sustainable development, and approving development that accords with the development plan); 38 (LPAs should approach decision making in a positive and creative way); 47 (determining applications in accordance with the development plan); 54 – 57 (use of planning conditions); 109 (development should only be prevented on highways grounds where there would be an unacceptable impact on highway safety, or residual cumulative impacts on the road network would be severe); 149 (avoiding vulnerability to climate change); 155 (avoiding inappropriate development in areas at highest risk of flooding); 160 (sequential test in flood risk assessment); 163 (development should not increase flood risk elsewhere); 165 (major development should incorporate SuDS); 170 (development should contribute to and enhance the natural and local environment); 175 (principles for considering biodiversity in determining planning applications); 178 (ground conditions); 180 (effects of pollution on health, living conditions and the natural environment); 181 (air quality);

West Sussex County Council Local Transport Plan 2011-2026 (2011)

6.14 The West Sussex County Council Local Transport Plan provides strategic direction for transport within West Sussex. Its specific objectives are to promote economic growth, to tackle climate change, to provide access to services, employment and housing and to improve safety, security and health.

6.15 One of the Plan’s key aims is to reduce congestion and improve reliability on the road network. In this area of West Sussex both the A27 and A259 are connected directly to the A284, which experiences congestion problems. Furthermore, the Plan aims to improve access to the A259 from the A27 to serve local business areas and to provide access to towns. It also aims to enable the delivery of strategic housing and commercial development supported by associated infrastructure to mitigate against impacts. The Plan also aims to promote cycling and pedestrian infrastructure and maintain the public rights of way network.

7. Consultations

7.1 **Arun District Council Planning:** Raise no objection, subject to conditions to secure tree protection measures.

7.2 **Arun District Council Environmental Health:** No objection subject to conditions to secure the noise mitigation measures set out in the acoustic report, and dust mitigation measures.

7.3 **Environment Agency:** No objection, subject to conditions requiring that the development is carried out in accordance with the Flood Risk Assessment; and requiring the submission and approval of a Construction and Environmental Management Plan to protect waterbodies and wildlife.

7.4 **Lyminster and Crossbush Parish Council:** Support and note urgency of scheme, but seek ‘mitigations’, namely: connecting the bypass directly to the

A27; investigate a route east of Brookfield; provide mitigation for acknowledged reduction in air quality for residents south of Crossbush roundabout; and seek traffic calming on existing A284. Also note survey data used in Transport Assessment is 18 months old; note high number of vehicles speeding; note high number of HGVs using road; consider EIA should have been undertaken; and validation of groundwater issues may be prudent given recent flooding issues.

- 7.5 **Littlehampton Town Council:** Support, noting the bypass is an important strategic policy objective for the Town Council. However, seek upgrade the stretch of road between the A27 Crossbush roundabout and the bypass to ensure continuity and connectivity; seek traffic calming measures on the A284.
- 7.6 **Poling Parish Council:** No response received.
- 7.7 **Highways England:** Seek a condition requiring the submission and approval of a Construction Management Plan to control and manage construction traffic and prevent dust being blown onto the A27.
- 7.8 **Network Rail:** No objection. Detailed comments provided in relation to bridge over railway [i.e. relating to the southern bypass rather than the scheme the subject of this application].
- 7.9 **WSCC Archaeology:** No objection, subject to a condition securing a Written Scheme of Investigation for archaeological investigation, recording, and reporting, to include an Action Plan for community information.
- 7.10 **WSCC Drainage:** No objection, subject to a condition requiring submission and approval of details of the maintenance and management of the Sustainable Urban Drainage System (SuDS) prior to commencement, and a surface water drainage verification report being required prior to commissioning.
- 7.11 **WSCC Highways:** No objection subject to condition securing a Construction Management Plan. Note that the scheme would be beneficial to the highway network in Lyminster and the wider Littlehampton area, and would be consistent with policy, *"providing a new primary route which would limit the effects of a significant constraint at the Wick level crossing, and overcome issues relating to the alignment of the existing route and, in part, some routes leading into it"*. Confirm that the road would provide a large number of traffic capacity benefits, particularly at the Wick Roundabout. Highlight *"reduced traffic running over a frequently closed railway crossing and past numerous junctions and accesses - including a series of tight bends in the existing alignment of the old road, will also bring with it benefits to those living there and others using it."*
- 7.12 **WSCC Arboriculturist:** No objection subject to securing compliance with Arboricultural Method Statement and a detailed landscaping plan. Notes that the removal of trees/hedgerows will have a short term impact, but significant structural planting will mitigate this. The viaduct cannot be fully integrated into the flat landscape but planting will reduce its visual impact.
- 7.13 **WSCC Ecology:** No objection subject to conditions securing the delivery of the full package of ecological mitigation, compensation and enhancement measures set out in the application, particularly the Ecological Impact Assessment, and

Design and Access Statement; a Construction Environmental Management Plan (CEMP); detailed landscaping plans; and a long-term landscape and ecology management and maintenance plan.

- 7.14 **WSCC Public Rights of Way:** No objection. Note that the highway crosses Bridleway 2163 but allows for continuous and safe use by the inclusion of a Pegasus crossing. Note the slight change in alignment of the bridleway, but would be within a future highway boundary so no Public Path Order would be required.
- 7.15 **Goodwood Aerodrome Safeguarding:** No response received.
- 7.16 **Local Member (Gary Markwell):** No response received.
- 7.17 **Chichester Harbour Conservancy:** No response received.

8. Representations

- 8.1 The application was publicised in accordance with Schedule 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 involving the erection of site notices located around the application site, an advertisement placed in the local newspaper and neighbour notification letters sent. In response, representations were received from 35 people/organisations (including Sutrans and cycle forums), with 21 objecting or raising concerns and 14 in support of the development.
- 8.2 The main issues raised in the objections/concerns are:
 - It should link directly to A27/Crossbush roundabout;
 - Lack of future-proofing / consideration of Highways England's future plans for A27;
 - Lack of provision for pedestrians/cyclists either north (narrow pavement up to Crossbush roundabout) or south (shared path on opposite side or carriageway) of the scheme;
 - Would not bypass all of Lyminster village;
 - Access and safety requirements not met, particularly at northern end of village;
 - Lack of consideration of low-light safety issues;
 - Existing speeding problems would be exacerbated;
 - Alignment of road is based on inappropriately-high design speed, and design speed inconsistently applied at proposed junction between existing A284 and proposed bypass;
 - Would make car journeys more attractive;
 - Lack of analysis of the needs of non-motorised users – lack of linkages to existing cycling infrastructure, railway stations or key walking/cycling destinations;
 - Lack of funding for scheme;
 - Air pollution, noise and vibration impacts from increased traffic;
 - Would reduce dark skies with lighting in countryside – existing A284 not lit;

- Health and wellbeing impacts on those at junction of old and new roads;
- Traffic modelling out of date;
- Inaccurate information about seriousness of traffic collisions;
- Road would be too close to dwellings.

8.3 The key points raised in support of the application are:

- Would improve existing queues and congestion which are harmful to local residents and businesses;
- Improvement to safety – numerous accidents along existing road, particularly with sharp bends in road and people driving too fast;
- Would benefit community of Lyminster village which is currently divided by a road that is near-impossible to cross;
- Essential to cater for needs of new housing developments;
- Essential to provide a link between the upgraded A259 and A27.

9. **Consideration of Key Issues**

9.1 The main material considerations in relation to this application are:

- the principle of the development;
- acceptability in terms of impacts on the environment; and
- acceptability in terms of impact on local residents.

9.2 A request has been made to the Secretary of State for Housing, Communities and Local Government that they issue a direction requiring the County Council to refer to the application to him to determine. Before issuing the decision on this application, the County Council must therefore await the Secretary of State's confirmation as to whether he wishes to determine the application himself.

Principle of the Development

9.3 As already noted, the proposed 'northern' Lyminster bypass would form part of a wider Lyminster bypass scheme to provide a north-south link between the A27 and Littlehampton. The alignment of the bypass schemes have been identified in planning policy since the 1990s and most recently have been safeguarded in the recently-adopted Arun Local Plan (2018). This acknowledges the importance of the bypass to reduce the delays experienced on the existing A284 and to encourage walking and cycling.

9.4 The Local Plan notes the need to provide good north-south linkages to improve connectivity to the A27 to support economic growth and employment (paragraph 15.3.2). The highway improvement schemes identified in the Plan, including the Lyminster Bypass, are highlighted as adding 'greater potential for increasing economic activity and job density in Arun', as well as supporting the strategic developments identified in the Plan (paragraph 15.3.4).

9.5 In their response, WSCC Highways note that the assessment of the Lyminster Bypass scheme was undertaken using the East Arun Traffic Model, which they

consider as a suitable basis for strategic assessment to take into account the growth projections over the period 2011 – 2031.

- 9.6 Given that the need for the bypass has been accepted through the recent adoption of the Local Plan, it is considered that the scheme is acceptable in principle. It is considered that there is a need for the bypass to help alleviate congestion on the existing A284, providing better north-south connectivity to the A27, and supporting economic development in the district.
- 9.7 WSCC Highways notes that the bypass would be beneficial in terms of highway capacity, would meet highway safety requirements, would improve journey times between the A27 and A259, and take through-traffic away from the existing A284 through Lyminster village. The wider scheme would include a railway bridge in place of a level crossing, improving the movement of traffic significantly at this point. On a more local scale, it would also provide access to the new mixed-use development north of Littlehampton, without vehicles having to travel through Lyminster village.
- 9.8 The scheme is, therefore, considered to be acceptable in principle in terms of its strategic highway benefits.
- 9.9 Although the principle of a link being provided between the A27 and Littlehampton has been confirmed through planning policy and an indicative route safeguarded, the exact alignment, linkages, design, mitigation and other details have not. It is these details that many representations have raised concerns about.
- 9.10 In planning terms, it is the acceptability of the application that must be considered rather than alternative schemes. Nonetheless, in this case, the detailed alignment of the road has evolved over a long period of time, taking into account environmental constraints, highway design requirements, and feedback from public consultation on the development that has been undertaken since 2014. At the southern end, it needed to link with the consented scheme. At the northern end, it needed to take into account existing dwellings, small holdings and, in particular, the Brookfield Stream culvert. It is considered that bearing these constraints in mind, the alignment of the road is acceptable in principle. Detailed considerations relating to mitigation and impacts are set out in the sections below.
- 9.11 Overall, therefore, the proposal is considered to be acceptable in terms of the principle of a route being provided in this location, as confirmed by planning policy; in terms of providing strategic highway benefits; and in terms of its alignment and linkages to the surrounding road network.
- 9.12 *The alignment of the Lyminster bypass has been identified through planning policy since the 1990s because of the need to provide a north-south link from the coast to the A27. The indicative route has been safeguarded from development in the Arun Local Plan 2018 because it is considered necessary to increase economic activity and support the strategic development allocated in the Plan. The bypass would improve highway capacity and journey times and divert traffic away from Lyminster village, and so is considered to be beneficial in strategic highway terms. The proposed bypass is considered to be acceptable in terms of its alignment and linkages to the surrounding road network.*

Impacts on the Environment

- 9.13 The proposed bypass would be a large-scale, linear feature across an area that is currently countryside and includes areas containing water features. Therefore, it has the potential to be detrimental to the environment, both temporarily during construction, and permanently, once in use.
- 9.14 There is the potential for significant visual impacts and impacts on the landscape as a result of a large, linear feature being introduced to open countryside, particularly as it would involve the removal of trees, tree groups and hedges.
- 9.15 However, as confirmed in the Landscape and Visual Impact Assessment submitted with the application, views of the site are relatively constrained by topography, vegetation, and development. The area is largely flat and relatively contained by the built development at Lyminster to the west and the rapidly-encroaching Littlehampton to the south. Vegetation, particularly along field boundaries, breaks up views from many of the public vantage points in the area as does the undulating land which falls generally away to the south. Views from the South Downs National Park are limited by distance (some 750m), vegetation, the visual barrier of the A27, and topography, with undulating fields breaking up closer views of the site.
- 9.16 Therefore, although the bypass would be a noticeable feature in the landscape, it is not considered to be dominant or to change the landscape character of the area. The impact would be softened through the provision of landscaping, including a belt of native trees east of the viaduct, individual trees at the junction with the existing A284, and wildflower, wetland and grassed areas elsewhere. Although this would not entirely mask the development from view, it would help to blend it in to the landscape.
- 9.17 The visual envelope affected by the bypass would be limited to the immediate area, notably users of the public right of way, those travelling along abutting roads, and residents that back onto the site. However, impacts on road and footpath users would be transient and an improved crossing point would be provided for those on foot/cycle/horse. The impact on dwellings backing onto the site would be mitigated by the 2.5m high acoustic fencing and, over time, planting.
- 9.18 On balance, therefore, it is considered that the development is acceptable in terms of its visual impact, and impact on the landscape.
- 9.19 The proposed bypass has the potential to affect ecological features and biodiversity by developing an area that currently contains pasture, waterbodies, scrub, trees and hedgerows. It would, therefore, result in the loss of habitat, including that relating to protected species, such as water voles, bats, and badgers.
- 9.20 However, mitigation measures would be secured to ensure that although there would be temporary impacts during construction and immediately afterward, long-term impacts are avoided and habitat introduced to provide overall biodiversity enhancement. Although large-scale physical development would be introduced, areas of arable land (considered to be of low ecological value)

would be replaced with high-quality habitat alongside the bypass to provide improved habitat connectivity. Through securing the ecological mitigation and enhancement measures, and their maintenance, the scheme is acceptable in terms of its impact on biodiversity.

- 9.21 Similarly, the scheme has the potential to affect the water environment through creating large areas of impermeable surfacing on a greenfield area, some of which is considered at high risk of flooding.
- 9.22 Surface water run-off from the bypass would drain into Brookfield Stream at the northern end of the road and Black Ditch towards the south. It would also drain via various attenuation measures located to the east of the carriageway including swales, a wetland area, balancing pond and below-ground cellular storage. These measures would restrict the rate of run-off and improve water quality. With the inclusion of these measures in the scheme, WSCC Drainage has raised no objection to the proposal, subject to conditions, 'welcoming' the inclusion of the sustainable urban drainage system (SuDS) elements in the scheme, and noting that it meets the requirements of the NPPF.
- 9.23 Subject to the imposition of the conditions requested by WSCC Drainage, the scheme is acceptable in terms of its impact on the water environment.
- 9.24 The scheme would have a positive impact on Lyminster Conservation Area and the historic features within it, including seven Listed Buildings, as traffic would be diverted from travelling through it. Furthermore, given the distance, it is not considered that the new bypass would affect the setting of the conservation area or any listed buildings.
- 9.25 The Old Vicarage and Vicarage Cottage are locally listed and located close to the junction of the new bypass with the existing A284, so there may be some impact on their setting, albeit this is already affected by the existing road. The District Council's Conservation Officer considers that, on balance, the impact would be neutral, taking into account the 'relocation' of the busy road from one side of the asset to the other and the mitigation provided by planting and the noise barrier.
- 9.26 The route of the bypass is primarily greenfield, so has the potential to contain features of archaeological interest. However, the WSCC Archaeologist has raised no objection, subject to securing a Written Scheme of Investigation to ensure the recording of any archaeological features that are found. Subject to this condition, the development would not be detrimental to any buried archaeological features.
- 9.27 Overall, the development is considered to be acceptable in terms of its impact on landscape and visual amenity, ecological features, water features, and the historic environment, subject to appropriate conditions being imposed.
- 9.28 *Although the proposed bypass would introduce a large, linear feature to an area of greenfield countryside, the area is relatively constrained in visual terms by vegetation, undulating topography, and physical development including Lyminster to the west and Littlehampton to the south. The landscape impact would, therefore, be limited and softened by planting, and visual impacts would be minimal and generally transient for users of public rights of way and roads. Although there would be some ecological impact, the existing arable fields,*

currently of low ecological value, would be replaced with high quality habitat alongside the bypass, considered to provide improved habitat connectivity. A range of measures would be provided east of the bypass to maintain the water environment, including swales, attenuation ponds, and below-ground cellular storage. It is considered that subject to these measures being secured by condition, the development would not increase flood risk, or affect water quality. There would be minimal impact on heritage features, subject to archaeological features being recorded. Overall, therefore, the development is considered to be acceptable in terms of its impact on the environment.

Impact on Local Residents

- 9.29 The scheme has the potential to affect local residents both positively and negatively.
- 9.30 There would be positive impacts for residents living along the route of the existing A284 through Lyminster, significantly reducing the amount of traffic travelling through the village, helping to improve noise and air quality in the area, and benefitting cyclists and pedestrians using the existing road. The provision of a pedestrian/cycleway along the new bypass, linked to the existing bridleway, would also help to encourage non-motorised travel in the local area.
- 9.31 However, the scheme would also introduce a new road to the rear (east) of dwellings that already front the existing A284, with an associated increase in noise. This would be mitigated by the provision a low noise surface on the road in its entirety and a 2.5m high, 317m long noise barrier to the rear (east) of the Old Vicarage, Fairfields, and Wolstanton, curving around the north of Wolstanton at the new junction.
- 9.32 Overall, the scheme is expected to result in a negligible impact in noise terms for most properties. There would be a 'moderate' (5 – 9.9dB) noise increase for 57 dwellings, all of them in the new development at Toddington Park to the south of the scheme. However, this conclusion does not take into account a noise barrier required as part of that scheme that would reduce noise to what is considered to be an acceptable level. The District Council's Environmental Health Officers have raised no concerns in this regard.
- 9.33 The Local Plan notes that properties north of the proposed junction with the existing A284 (Cherwell, Oak Cottage and Cobweb Cottage) are within a 'Noise Important Area', where mapping has shown that they are subject to some of the highest noise levels from roads, at least 76dB. As the bypass would begin south of these properties, traffic would not be diverted away from them. However, it is proposed to provide a low noise surface along this part of the road, which is expected to have some benefit.
- 9.34 Although there would be some noise impact during the construction period, particularly on dwellings immediately west of the site, it would be limited to daytime operations and over a temporary period of time. It is considered, that subject to securing a Construction Management Plan by condition, the impacts would be acceptable.
- 9.35 The bypass has the potential to result in impacts on air quality during both construction and once it is in use. During construction, there would be significant earth works with the resulting potential for dust emissions as well as

fumes from vehicles. However, it is considered that the potential impact on air quality could be effectively controlled through a Construction Management Plan.

- 9.36 During operation, the new bypass is considered to have an overall positive impact on National Air Quality Objectives relating to nitrogen dioxide and particles (PM10) because it would eliminate some exceedances along the existing A284, and in basic terms, would divert vehicles away from the residential properties in Lyminster village. There would be negligible impact in terms of the emission of particles and while there would be a 'moderate adverse' impact at three sensitive locations (north of the new junction) and 'slight adverse' impact at four locations, there would be no major adverse impacts, and varying degrees of beneficial impact at 19 locations. Overall, therefore, it is considered that the development would be beneficial in terms of its impact on the air quality of local residents, and the wider environment.
- 9.37 *The proposed bypass would have a positive impact on residents living along the route of the existing A284 through Lyminster village as fewer vehicles would be travelling through the village. Although, it would introduce a new road to the rear (east) of several dwellings, a 2.5m high, 317m long noise barrier would be provided to reduce the noise impact. The development would have an overall beneficial impact on air quality by moving vehicles away from Lyminster village. A Construction Management Plan would be required by condition, which would minimise noise and air quality impacts.*

10. Overall Conclusion and Recommendation

- 10.1 Planning permission is sought for the northern part of Lyminster bypass, extending between a point some 600m south of the A27 Crossbush Junction, and the southern part of the bypass, approved under a separate consent for a mixed-use development north of Littlehampton.
- 10.2 The indicative route of the bypass has been safeguarded in planning policy and so is considered acceptable in principle, and the provision of the bypass is considered to be beneficial to highway capacity and to meet requirements for road safety. The development would include a number of mitigation measures such as wetland provision and planting that would help to ensure that the impact on the water environment, landscape, biodiversity and the historic environment would be acceptable. The bypass would divert traffic away from the existing A284 through Lyminster village, with resulting benefits in terms of noise and air quality for these residents, and studies have demonstrated that the wider residential impact would be acceptable.
- 10.3 Overall, the scheme is considered to be acceptable in principle and in terms of impacts on the environment and local residents.
- 10.4 It is **recommended**, therefore, that planning permission be granted subject to:
- (a) the conditions and informatives set out in **Appendix 1** of this report; and
 - (b) the Secretary of State not calling-in the application.

11. Crime and Disorder Act Implications

- 11.1 There are no implications.

12. Equality Act Implications

- 12.1 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers considered the information provided by the applicant, together with the responses from consultees and the representations made by third parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

13. Human Rights Act Implications

- 13.1 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic well-being of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.
- 13.2 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The planning considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.
- 13.3 The Committee should also be aware of Article 6, the focus of which (for the purpose of this committee) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

Michael Elkington
Head of Planning Services

Background Papers: As set out in Section 6.

List of Appendices

Appendix 1 - Conditions and informatives
Appendix 2 – Site Location Plan
Appendix 3 – Site Plans
Appendix 4 - Visualisations

Contact: Jane Moseley, ext. 26948

Appendix 1 - Conditions and Informatives

GENERAL

Commencement

1. The development hereby permitted shall commence before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

Vegetation clearance

2. Vegetation clearance shall only be undertaken during late autumn/winter in any year, and shall be carried out under the supervision of an Ecological Clerk of Works unless otherwise approved in advance and in writing by the County Planning Authority.

Reason: To avoid detrimental impact on reptiles and breeding birds.

Approved Plans and Documents

3. The development hereby permitted shall not take place other than in accordance with the particulars of the application, as set out in the following approved plans and documents:

- Site Plan Sheet 1 (ref. A284LY-CAP-HGN-00-DR-C-0146, Rev P03);
- Site Plan Sheet 2 (ref. A284LY-CAP-HGN-00-DR-C-014, Rev P04);
- Combined Planning Information (Sheet 1 ref. A284LY-CAP-HGN-00-DR-C-0190 Rev. P02; Sheet 2 Ref. A284LY-CAP-HGN-00-DR-C-0191 Rev. P02; Sheet 3 Ref. A284LY-CAP-HGN-00-DR-C-0192; Sheet 4 Ref. A284LY-CAP-HGN-00-DR-C-0193 Rev. P02);
- 1725 Black Ditch Viaduct (Sheet 1 ref. A284LY-CAP-SBR-01-DR-C-0136 Rev P04; Sheet 2 ref. A284LY-CAP-SBR-01-DR-C-0137 Rev. P04; Sheet 3 ref. A284LY-CAP-SBR-01-DR-C-0138 Rev. P05);
- NPPF Flood Risk Assessment (including Appendices: ref. WSP project no. 70048270; 48270-FRA-001, November 2018);
- Landscape, Planting and Seeding Layout (Sheet 1 ref. A284LY-CAP-EXX-00-DR-L-0027 rev. P05; Sheet 2 ref. A284LY-CAP-EXX-00-DR-L-0028 rev. P05; sheet 3 ref. A284LY-CAP-EXX-00-DR-L-002 rev. P05; sheet 4 ref. A284LY-CAP-EXX-00-DR-L-0030 rev. P06);

along with the Planning Statement (WSP ref. 70022836, Rev. 2, November 2018), Ecological Impact Assessment (ref. WSP project no. 70048270, 001, November 2018), and the Arboricultural Method Statement (Appendix A to the Detailed Arboricultural Report ref. WSP project no. 70048270-E05, October 2018), save as varied by the following conditions.

Reason: To secure a satisfactory development comes forward, carried out in accordance with the details considered in approving it.

PRE-COMMENCEMENT CONDITIONS

Construction Environmental Management Plan

4. No development shall be carried out until a Construction Environmental Management Plan (CEMP), according with the mitigation/enhancement measures set out in Section 8, and Section 6 of Appendix J to the Ecological Impact Assessment (ref. WSP project no. 70048270, 001, November 2018), and the Arboricultural Method Statement (Appendix A to the Detailed Arboricultural Report ref. WSP project no. 70048270-E05, October 2018) has been submitted to and approved in writing by the County Planning Authority. The scheme shall address the management of any environmentally sensitive areas, their aftercare and maintenance, and include a plan showing how the environment, including trees, will be protected during the works.

Such a scheme shall include the following:

- a) The timing of works/vegetation removal, and how this will be undertaken to avoid ecologically-sensitive periods;
- b) Details of the location and type of protection measures to be provided for retained hedgerows, trees and woodland;
- c) Details of the location and type of protection measures, such as hedges fencing, to be provided to protect sensitive habitats from construction activities;
- d) Details of the location and type of pollution control measures to be provided to protect watercourses;
- e) Details of precautionary working methods as outlined in the great crested newt technical report (EIA Appendix J).

The approved CEMP shall be implemented in full throughout the construction of the development.

Reason: To ensure works are designed, timed and implemented to accord with paragraphs 170 and 175 of the NPPF by ensuring that the development conserves and enhances the environment by minimising impacts and providing net gains for biodiversity. Required prior to commencement to ensure that environmental sensitive areas can be protected throughout the construction period, including site clearance.

Construction Management Plan

5. No development shall be carried out until a Construction Management Plan, has been submitted to and approved in writing by the County Planning Authority (who shall consult with Highways England). The Plan shall include the following:
- a) The anticipated number, frequency and types of vehicles used during construction,
 - b) The method of access and routing of vehicles during construction,
 - c) The location of temporary contractors' compounds, including parking for site operatives and visitors, and site offices and facilities;
 - d) Details of where plant and material (including waste) will be stored, during construction, and provision for its loading and movement;
 - e) Details of construction hours;
 - f) Measures to prevent dust and debris from being blown or otherwise deposited beyond the site, particularly onto the A27, including the location of any wheel washing or other facilities; and

- g) Details of measures to minimise noise impact, in general accordance with Section 5 of the submitted Noise and Vibration Assessment, including the locations of hoardings and screens; the location of any concrete crushing plant;
- h) Details of works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders, temporary traffic management, commitment to repair any parts of the highway deemed damaged by contractors vehicles as a consequence of the construction process and street-cleaning facilities); and
- i) Details of public engagement both prior to and during construction works.

The construction of the development shall be carried out in accordance with the approved Construction Management Plan.

Reason: To ensure that construction of the highway does not result in avoidable congestion on the A27, to prevent extraneous material being deposited on the highway, to ensure that the A27 continues to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety. Required prior to commencement to ensure that the A27 and the safety of road users is protected throughout the construction of the development.

Archaeological Written Scheme of Investigation

- 6. No development shall be carried out (including any site clearance) until a Written Scheme of Investigation setting out a programme of archaeological work has been submitted to and approved by the County Planning Authority. The scheme shall include provision for field survey and recording, analysis, reporting, publishing and archiving of the results, along with a Community Information Action Plan (Archaeology). Once approved, the scheme of archaeological work shall be implemented in full, in accordance with a timetable to be agreed within the scheme.

Reason: To enable the recording of heritage assets of archaeological interest. Required prior to commencement to ensure mechanisms are in place before works begin to minimise the risk of harm to heritage assets.

PRIOR TO FIRST PUBLIC USE OF ROAD

Detailed Landscaping Scheme

- 7. Prior to the first public use of the road, a detailed scheme of landscaping for the site shall be submitted to and approved by the County Planning Authority in writing. The scheme shall specify the types, size and species of all trees and shrubs to be planted, including measures for biosecurity; details of all trees to be retained; and details of fencing/enclosure of the site, phasing and timescales for carrying out the works, and provision for future maintenance.

The approved landscape scheme shall be fully implemented in the first growing season following commencement of the development hereby permitted unless agreed by prior arrangement in writing with the County Planning Authority. Any trees or shrubs which, within a period of five years from the date of planting,

die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: to protect and enhance the character of the area and its biodiversity. Required prior to commencement to ensure that the planting provided is appropriate for the scheme and area, and will protect and enhance the character and biodiversity of the site and surrounding area.

Landscape and Ecological Management Plan

8. A Landscape and Ecological Management Plan (LEMP), in accordance with the approved Landscaping Plans (ref. Landscape, Planting and Seeding Layout (Sheet 1 ref. A284LY-CAP-EXX-00-DR-L-0027 rev. P05; Sheet 2 ref. A284LY-CAP-EXX-00-DR-L-0028 rev. P05; sheet 3 ref. A284LY-CAP-EXX-00-DR-L-002 rev. P05; sheet 4 ref. A284LY-CAP-EXX-00-DR-L-0030 rev. P06)), shall be submitted to, and approved in writing by the County Planning Authority prior to the first public use of the road. The Plan shall include:
- a) A description and evaluation of features to be managed;
 - b) Ecological trends and constraints on site that might influence its management;
 - c) The aims and objectives of management;
 - d) Prescriptions for management actions to achieve the aims/objectives;
 - e) Details of initial aftercare and long-term maintenance;
 - f) Details of ongoing monitoring and remedial measures: how (where monitoring results show that conservation aims and objectives of the LEMP are not being met) contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme;
 - g) A work schedule, including a 5 year project register, an annual work plan, and the means by which the plan will be rolled forward annually;
 - h) a full planting specification (including measures for biosecurity);
 - i) details of facilitation pruning;
 - j) a management and maintenance plan for planting and ecological mitigation/enhancement measures;

The approved LEMP shall thereafter be implemented in full.

Reason: To secure the long term management of habitat and species, and ensure that the scheme delivers the ecological enhancements which make it acceptable and in accordance with paragraph 175 of the NPPF (2019).

Drainage Verification Report

9. Prior to the first public use of the road, a Verification Report pertaining to the surface water drainage system, carried out by a Chartered Engineer, has been submitted to and approved by the County Planning Authority. The Report shall demonstrate the suitable operation of the drainage system such that flood risk is appropriately managed. The Report shall contain information and evidence (including photographs) of earthworks; details and locations of inlets, outlets

and control structures; extent of planting; details of materials utilised in construction including subsoil, topsoil, aggregate and membrane liners; full as built drawings; and topographical survey of 'as constructed' features.

Reason: to ensure that drainage of the development is appropriate and would not result in increased flooding.

SuDS System

10. Prior to the first public use of the road, full details of the maintenance and management of the SuDS system is set out in a site-specific maintenance manual which is submitted to and approved in writing by the County Planning Authority. The development shall thereafter be carried out in accordance with the approved SuDS manual.

Reason: To ensure that the SuDS scheme set out in the submission, and which made the development acceptable in terms of impact on the water environment, is implemented and maintained.

Informatives

1. Environment Agency Advice

The applicant's attention is drawn to the response of the Environment Agency dated 9 January 2018 [sic], particularly (page 3) the advice relating to the need for their prior written consent for works/structures in/under/over/within 8 metres of Black Ditch; and in relation to managing the risk to groundwater.

2. Lead Local Flooding Authority Advice

The applicant's attention is drawn to the comments labelled 'informatives' in the WSCC Drainage/LLFA Response dated 19 February 2019.

3. Temporary Works Required During Construction.

The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.

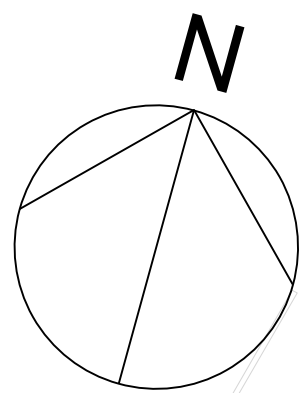
4. Temporary Developer Signage.

The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.

5. Traffic Regulation Order.

Agenda Item 5

The applicant is advised to contact the WSCC Traffic Regulation Order team (01243 642105) to obtain the necessary paperwork and commence the process associated with the proposed bypass (waiting restrictions, removal of parking bays, provision of loading bay, etc). The applicant would be responsible for meeting all costs associated with this process. The applicant should note that the outcome of this process cannot be guaranteed.



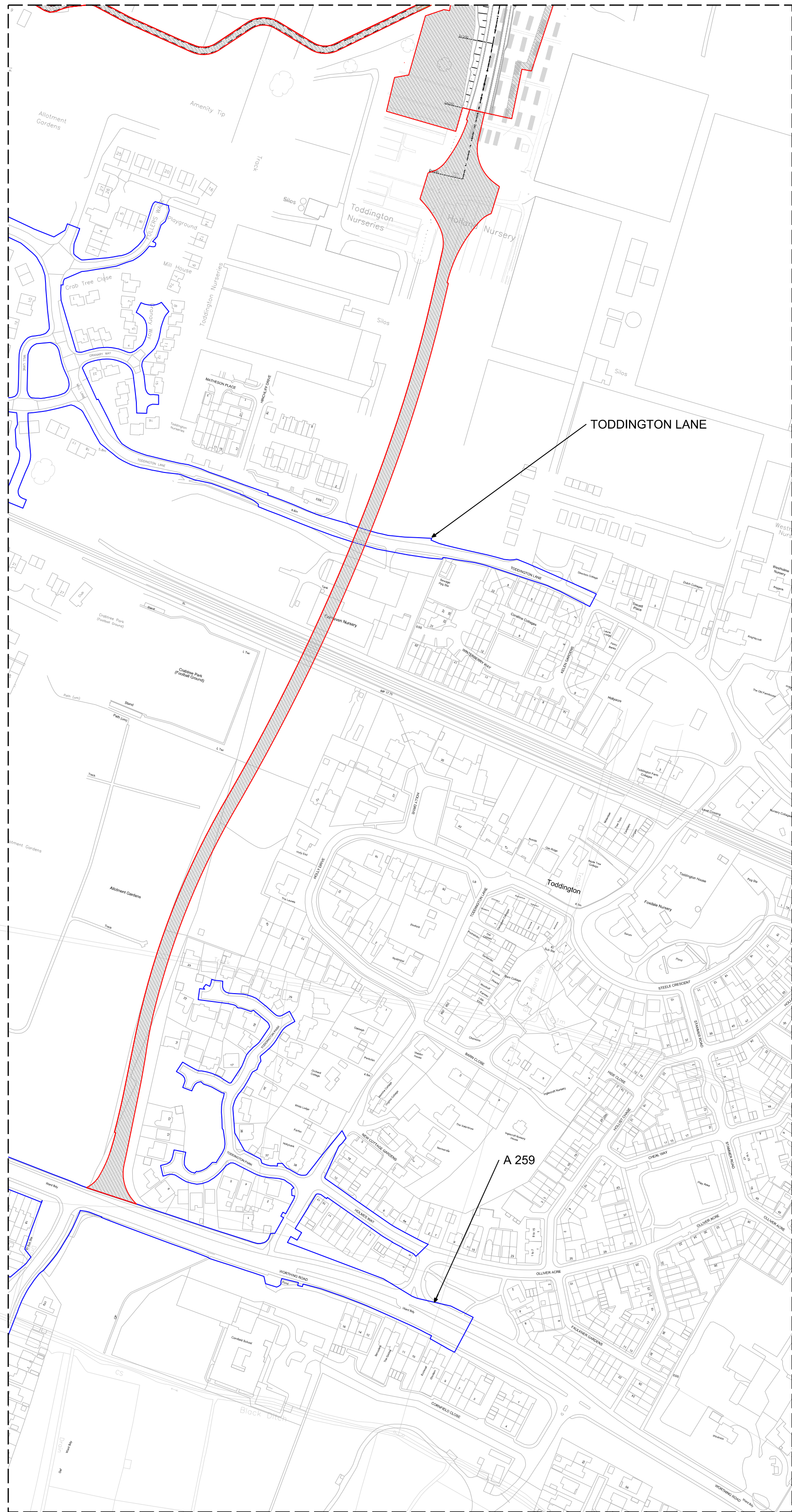
TO A27

A284 LYMINSTER ROAD

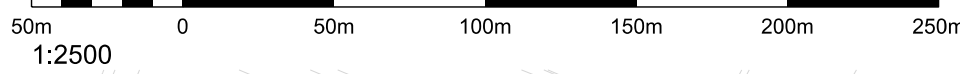
REFER TO INSET NO.1

NORTH LITTLEHAMPTON
DEVELOPMENT AREA

TO A259



INSET NO.1



- NOTES:
KEY:
- RED LINE BOUNDARY
 - TEMPORARY WORKING AREA
 - INSIDE RED LINE BOUNDARY
 - EXISTING HIGHWAY

Rev	PD	KS	AJB	UPDATED FOR PLANNING	21-NOV-18
P04	LR	KS	AJB	UPDATED FOR PLANNING	07-NOV-18
P03	LR	KS	AJB	UPDATED FOR PLANNING	25-OCT-18
P02	LR	KS	AJB	For Planning	04-OCT-18
P01	CS	KS	AJB	For Planning	19-SEP-18

Rev	PD	KS	AJB	Description	Date
-----	----	----	-----	-------------	------

Purpose of Issue	Status
For Planning	S0

Classification
Public

Client
 

Project
Lyminster Bypass

Drawing
Planning Application Location Plan

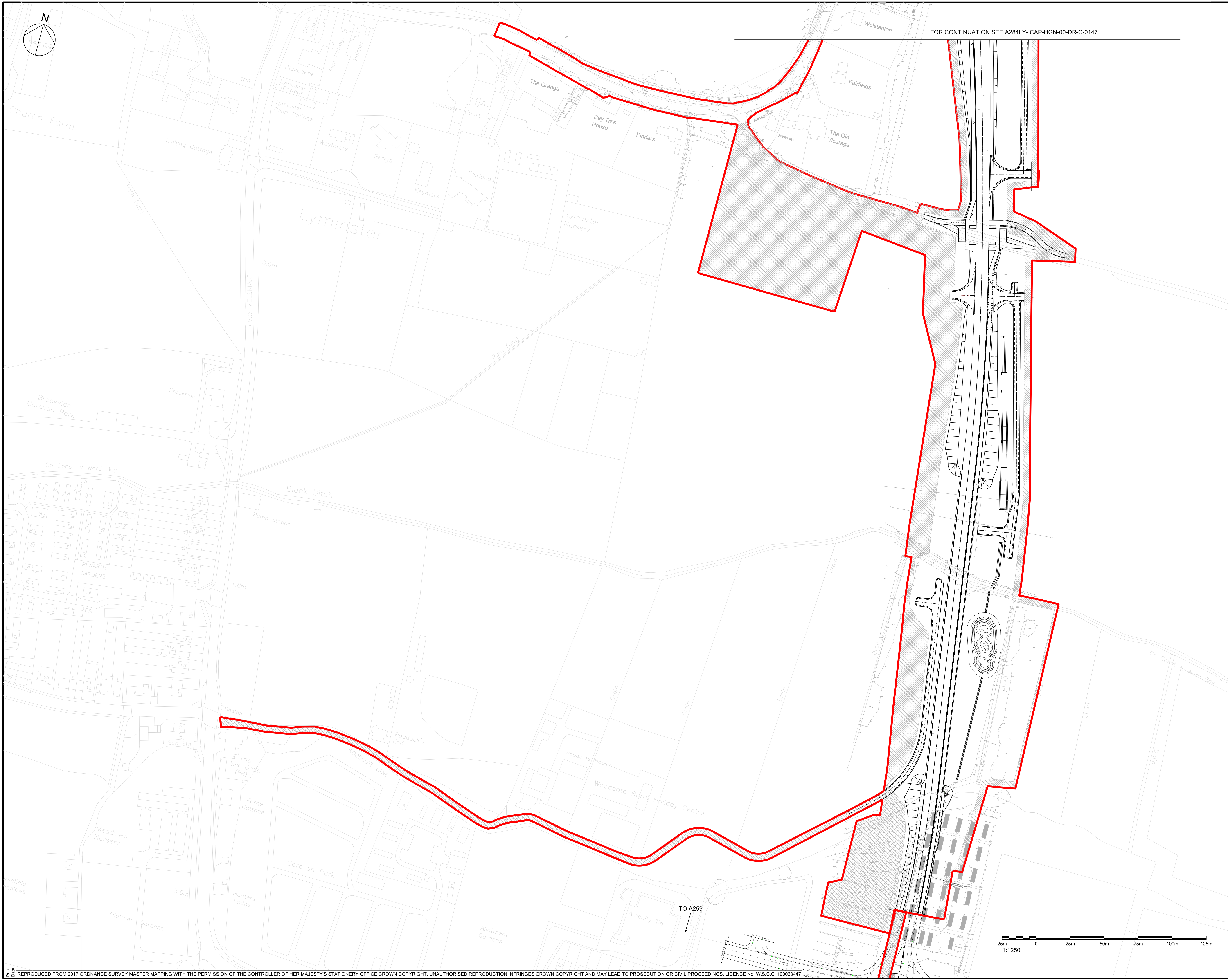
Scale @ A1	Drawn	Checked	Approved
1:2500	CS	KS	AJB

Project No.	Date
CS091519	06-AUG-18

Drawing Identifier	BS1192 Compliant
Project - Originator - Zone - Level - File Type - Role - Number	Revision
A284LY-CAP-HGN-00-DR-C-0143	P05

CAPITA
Highways
Capita House, Wood Street, East Grinstead, RH19 1UU
01342 327161
www.capitaproperty.co.uk
Capita Property and Infrastructure Ltd.

This page is intentionally left blank



NOTES:
1. SCALED AT 1:1250 DUE TO SIZE OF THE SCHEME,
AGREED WITH COUNTY PLANNING AUTHORITY

KEY:
RED LINE BOUNDARY
TEMPORARY WORKING AREA
INSIDE RED LINE BOUNDARY
EXISTING HIGHWAY

Rev	Drawn	Checkd	Appd	Description	Date
1	1	1	1	1	1
2	2	2	2	2	2
3	3	3	3	3	3
4	4	4	4	4	4
5	5	5	5	5	5
6	6	6	6	6	6
7	7	7	7	7	7
8	8	8	8	8	8
9	9	9	9	9	9
10	10	10	10	10	10
11	11	11	11	11	11
12	12	12	12	12	12
13	13	13	13	13	13
14	14	14	14	14	14
15	15	15	15	15	15
16	16	16	16	16	16
17	17	17	17	17	17
18	18	18	18	18	18
19	19	19	19	19	19
20	20	20	20	20	20
21	21	21	21	21	21
22	22	22	22	22	22
23	23	23	23	23	23
24	24	24	24	24	24
25	25	25	25	25	25
26	26	26	26	26	26
27	27	27	27	27	27
28	28	28	28	28	28
29	29	29	29	29	29
30	30	30	30	30	30
31	31	31	31	31	31
32	32	32	32	32	32
33	33	33	33	33	33
34	34	34	34	34	34
35	35	35	35	35	35
36	36	36	36	36	36
37	37	37	37	37	37
38	38	38	38	38	38
39	39	39	39	39	39
40	40	40	40	40	40
41	41	41	41	41	41
42	42	42	42	42	42
43	43	43	43	43	43
44	44	44	44	44	44
45	45	45	45	45	45
46	46	46	46	46	46
47	47	47	47	47	47
48	48	48	48	48	48
49	49	49	49	49	49
50	50	50	50	50	50
51	51	51	51	51	51
52	52	52	52	52	52
53	53	53	53	53	53
54	54	54	54	54	54
55	55	55	55	55	55
56	56	56	56	56	56
57	57	57	57	57	57
58	58	58	58	58	58
59	59	59	59	59	59
60	60	60	60	60	60
61	61	61	61	61	61
62	62	62	62	62	62
63	63	63	63	63	63
64	64	64	64	64	64
65	65	65	65	65	65
66	66	66	66	66	66
67	67	67	67	67	67
68	68	68	68	68	68
69	69	69	69	69	69
70	70	70	70	70	70
71	71	71	71	71	71
72	72	72	72	72	72
73	73	73	73	73	73
74	74	74	74	74	74
75	75	75	75	75	75
76	76	76	76	76	76
77	77	77	77	77	77
78	78	78	78	78	78
79	79	79	79	79	79
80	80	80	80	80	80
81	81	81	81	81	81
82	82	82	82	82	82
83	83	83	83	83	83
84	84	84	84	84	84
85	85	85	85	85	85
86	86	86	86	86	86
87	87	87	87	87	87
88	88	88	88	88	88
89	89	89	89	89	89
90	90	90	90	90	90
91	91	91	91	91	91
92	92	92	92	92	92
93	93	93	93	93	93
94	94	94	94	94	94
95	95	95	95	95	95
96	96	96	96	96	96
97	97	97	97	97	97
98	98	98	98	98	98
99	99	99	99	99	99
100	100	100	100	100	100

Project
Lyminster Bypass

Drawing
Site Plan
Sheet 1 Of 2

Scale @ A1	Drawn	Checked	Approved
1:1250	LR	KS	AJB
Project No.	Date		
CS091519	21-SEP-18		

Drawing Identifier	BS1192 Compliant
Project - Originator - Zone - Level - File Type - Role - Number	Revision
A284LY-CAP-HGN-00-DR-C-0146	P03

CAPITA
HIGHWAYS
Capita House, Wood Street East Grinstead, RH19 1UU
01342 327161
www.capitaproperty.co.uk
Capita Property and Infrastructure Ltd.

This page is intentionally left blank



NOTES:
1. SCALED AT 1:1250 DUE TO SIZE OF THE SCHEME.
AGREED WITH COUNTY PLANNING AUTHORITY

KEY:			
<div></div>	RED LINE BOUNDARY		
<div></div>	TEMPORARY WORKING AREA		
<div></div>	INSIDE RED LINE BOUNDARY		
<div></div>	EXISTING HIGHWAY		

Rev	Drawn	Checkd	Appd	Description	Date
104	PS	KS	KS	UPDATED ISSUED FOR PLANNING	15/06/18
103	PS	KS	KS	UPDATED ISSUED FOR PLANNING	04/06/18
102	LR	KS	KS	UPDATED ISSUED FOR PLANNING	25/07/18

Rev	Drawn	Checkd	Appd	Description	Date
Purpose of Issue					Status
For Planning					S0
Classification					Public
Client					<div><div></div><div></div></div>

Project
Lyminster Bypass

Drawing
Site Plan
Sheet 2 of 2

Scale @ A1	Drawn	Checked	Approved
1:1250	LR	KS	AJB
Project No.	Date		
CS091519	21-SEP-18		

Drawing Identifier	BS1192 Compliant
Project - Originator - Zone - Level - File Type - Role - Number	Revision
A284LY-CAP-HGN-00-DR-C-0147	P04

CAPITA

HIGHWAYS

Capita House, Wood Street, East Grinstead, RH19 1UU
01342 327161
www.capitaproperty.co.uk
Capita Property and Infrastructure Ltd.

Agenda Item 5
Appendix 3b

This page is intentionally left blank



Black Ditch

Pegasus Crossing

Viaduct

Maintenance Track

Water Treatment Pond

Floodplain

Footway/Cycleway

Lyminster Bypass

Pegasus Crossing

Existing Bridleway

Noise Fencing

Street Lights

Shared Footway/Cycleway

Lyminster Bypass





← To Lyminster
Existing A284

Noise Fencing

Street Lights

Footway/Cycleway

Attenuation Pond
and Access Track

Lyminster Bypass

Planning Committee

26 March 2019

Mineral Planning Application (County Matter)

Application No: WSCC/044/18/SR

Continuation of working the mineral (sand extraction), but with an enhanced restoration scheme for nature conservation and informal recreation involving the importation of 1.8 million tonnes of inert material over a period of eleven years

Sandgate Park Quarry, Water Lane, Sullington, Storrington, West Sussex, RH20 4AS

Report by Head of Planning Services

Local Member: Paul Marshall

District: Horsham

Executive Summary

This report concerns a proposal in relation to quarrying and restoration at Sandgate Park Quarry near Storrington. The quarry currently operates under conditions that were submitted as part of a 1998 Review of Minerals Planning (ROMP). This includes winning and working of sand until 2042 and subsequent restoration to a large, deep, steep-sided waterbody.

The current application proposes an alternative restoration scheme that would require the importation of 1.8 million tonnes of inert waste over a period of 11 years. The applicant states this scheme would be an enhancement over the existing restoration scheme, offering increased biodiversity in terms of habitat creation and species diversity, increased public access, and an improved landscape.

Sand extraction would continue to take place concurrently with the importation of restoration materials. The quarry has approximately 1.4 million tonnes of sand remaining and, at current rates, expects this to take 8–10 years.

The applicant expects the inert filling operation to increase HGV movements at the site by up to 134 movements per day (67 in and 67 out) Monday to Friday (worst case scenario). There are no restrictions on HGV movements under the extant permission for sand extraction operation. However, it is estimated that, at a high level of production (180,000 tonnes per annum), HGV movements could be up to 66 movements (33 in and 33 out) on Monday to Friday and 36 movements on Saturday (18 in and 18 out).

This report provides a generalised description of the site, sets out the planning history, and describes the proposal and the policy context within which it should be considered.

No statutory consultees have raised objection to the proposal, although some have raised a number of concerns over certain aspects and require the imposition of appropriate conditions.

Fifty-three representations have been received from local residents, including the Sandgate Conservation Society. The objections include the following issues: no justification for extending the sand extraction period; conflicts with national policy; adverse impacts on highway safety and capacity; adverse emissions from on-site operations; and HGVs causing unacceptable impacts on through noise impact and on air quality.

Consideration of Key Issues

The main material planning considerations are whether the proposal:

- meets an identified need;
- has an acceptable impact on the landscape;
- has an acceptable impact upon ecology;
- is acceptable with regard to highway capacity and road safety; and
- has an acceptable impact on local amenity and the local environment.

Identified Need

It is considered that there is a demonstrable need for the development as it would allow for the economically important sand resources on site to continue to be extracted, and the importation of inert waste would result in a scheme that is beneficial, particularly for biodiversity, habitat creation, landscape and recreational after-uses over that permitted under the approved restoration scheme.

Impact on the Landscape and Visual Amenity

The application site is situated just outside the boundary of the South Downs National Park and within a rural area designated as the Sandgate Country Park. The site is well-screened by vegetation around its perimeter, and much of the operations would take place with limited visible impact. Any temporary impacts caused during extraction and restoration operations within the locality would be temporary and would not be significant, especially when compared with activities already permitted here and within the locality. The proposed development, when restored, would result in an acceptable landform with benefits to the wider landscape and to the public, contributing positively to the Sandgate Country Park designation.

Impact on Ecology

Although there would be disruption to ecology during the excavation and infill of the site, upon completion, the proposed development would provide a range of habitat areas, secure increased habitat over the current approved restoration scheme, benefitting a greater number of species. The scheme would secure long-term ecological improvement by providing new and/or improved habitats for species and habitats. It is, therefore, considered acceptable and beneficial in terms of ecological impact.

Highway Capacity and Road Safety

The proposed development could result in a maximum of 134 additional HGV movements each weekday as a result of the infill operation, bringing the worst case total to 200 movements each weekday. However, the site is located on an advisory

lorry route that leads directly to an A-road (the A283) and east towards the A24, which forms part of the strategic lorry route network. The Highway Authority have considered the potential impacts and concluded that, subject to re-imposition of highway conditions and securing HGV routing, the proposed development would not have a significant impact and as such accords with the National Planning Policy Framework. Therefore, the proposed development is considered acceptable with regards to highway capacity and road safety.

Impact on Local Amenity and the Local Environment

The site is in close proximity to a number of dwellings. However, despite the nature of works involved in mineral extraction and restoration with imported inert waste materials, including through associated traffic movements, the imposition of conditions (to control hours of operation, noise impacts and impacts on air quality) as well as an HGV routing agreement should ensure that there are no unacceptable impacts upon amenity and the local environment. Further, the proposed amended scheme would deliver better long-term benefits for recreational users once the site is restored, with additional footpaths and public access as well as designated recreational areas that connect with the rest of Sandgate Country Park and the wider rights of way network.

Conclusion

The principle of sand extraction has long been established at this site. The continued extraction of sand would continue to contribute to the need for and supply of the economically important soft sand resource, and avoid sterilisation of a viable mineral reserve. Additionally, Policy W8 of the West Sussex Waste Local Plan supports recovery operations involving the deposition of inert waste to land where they meet various criteria. The proposed restoration of the site with inert waste meets these criteria, and so is considered to be a positive use of waste, diverting it from landfill.

Although extraction and restoration could have an adverse impact on the area, it would replace the approved extraction/restoration programme, and would be a temporary operation, albeit for up to 11 years. It is considered that the concurrent impacts of extraction and infilling on the environment, the landscape, and recreational opportunities could be controlled to an acceptable level by the application of appropriate conditions and legal agreements.

Furthermore, the proposed restoration would provide the opportunity to enhance both the landscape and ecological benefits of the site (e.g. through the creation of enhanced habitats and biodiversity mix, and ecological management), and with greater benefits to the public than the approved restoration scheme. It would also provide the opportunity to enhance public access to and within the area and provide better recreational opportunities, according better with the aspirations of the allocation of the site as a Country Park

Although the infill would require additional HGV movements, the site is located in close proximity to the A283, and so is not considered to be detrimental to highway capacity or road safety. In addition, it is considered that other impacts on local amenity, the local environment, and on the water environment, can also be controlled by condition and legal agreement.

Overall, it is considered that the proposal accords with the relevant development plan policies relating to the extraction of land-won minerals and the restoration of

minerals sites with waste, as well as other material considerations including national policy.

Recommendation

That planning permission be granted subject to:

- (a) the conditions and informatives set out in **Appendix 1** of this report; and
- (b) the completion of an updated Section 106 Agreement concerning:
 - (i) the routing of HGVs to and from the application site; and
 - (ii) the securing of all proposed permissive footpaths.

1. Introduction

- 1.1 This report concerns a planning application in relation to quarrying and restoration at Sandgate Park Quarry near Storrington. The quarry currently operates under conditions that were submitted as part of a 1998 Review of Minerals Planning (ROMP) application. This allows the winning and working of sand until 2042 and subsequent restoration to a large, deep, steep-sided waterbody.
- 1.2 The current application proposes an alternative restoration scheme that would require the importation of 1.8 million tonnes of inert waste over a period of 11 years. The applicant states this scheme would be an enhancement over the existing restoration scheme, offering increased biodiversity in terms of habitat creation and species diversity, increased public access, and an improved landscape.
- 1.3 Sand extraction would continue to take place concurrently with the importation of restoration materials. The quarry has approximately 1.4 million tonnes of sand remaining and, at current rates, expects this to take 8–10 years.

2. Site Description

- 2.1 The application site, known as Sandgate Quarry, is situated within the Parish of Storrington and Sullington in Horsham District (see **Appendix 2 - Site Location Plan**). The development site is an active sandpit that has been partially restored and comprises approximately 34 hectares of land.
- 2.2 The village centre of Storrington is situated approximately 1km to the west of the site, with the residential area known as Heath Common situated approximately 50m to the north-east. The site is situated immediately north of the A283 and immediately west of Washington Sandpit, beyond which is Hampers Lane and residential dwellings. To the west is Water Lane and to the north is grassland forming part of the Sandgate Country Park. Immediately west of Water Lane is a wooded area ('the Warren') and the former Angel's Sandpit which has been redeveloped into housing.
- 2.4 The site is accessed from Water Lane, a publicly maintained highway. Just beyond the site entrance is an area at the western end for the site containing the site office, weighbridge, and processing equipment and plant.

- 2.5 A number of residential properties are situated in close proximity to the quarry. The nearest dwellings are Wood End and Cedars, both abutting the site at its north-eastern boundary, School Cottage and Chestnut Cottage abutting to the east (west side of Water Lane), and Abbots Leigh and Sandgate Lodge abutting to the south. Other residential dwellings abut and are situated on the south side of the A283, this area falling within the South Downs National Park.
- 2.6 Sullington Warren Site of Special Scientific Interest lies to the east (300m) on the other side of Water Lane and is a heathland habitat for breeding birds, with archaeological interest. Chantry Mill SSSI lies to the south west of the site (650m) on the opposite side of Washington Road and Amberley Mount to Sullington Hill SSSI lies 2km to the south west. Sandgate Park immediately north of the site is a Site of Nature Conservation Importance (SNCI). The closest Listed Buildings are Grade II 'Jasmine Cottage' and 'School Cottage'. Both are on Water Lane, some 50m to the west of the site.

3. **Planning History**

- 3.1 Sand extraction has taken place at the application site for many years, the original planning permissions being granted in 1949. Various planning permissions have been granted since, including extensions to the site in the 1960s and 1970s. The quarry operates under the 'Schedule of Proposed Conditions' that were submitted as part of the ROMP application. This allows the winning and working of minerals until 21 February 2042, with progressive restoration undertaken throughout the course of the development. Current approved restoration for the site involves a single, large, deep, steep-sided waterbody with a permissive footpath around its perimeter.

4. **The Proposal**

- 4.1 The approved restoration involves one large, deep, steep-sided waterbody with a permissive footpath around the perimeter and areas of grassland, and narrow belts of wet heath and reeds (see **Appendix 3 – Approved Restoration Plan**). The quarry has approximately 1.4 million tonnes of mineral (sand) remaining to be worked and, based on current rates, it is expected that this will take some 8-10 years, after which it would, under the existing permission, be restored.
- 4.2 The applicant is seeking planning permission to change the approved scheme to what they have described as an 'enhanced scheme' with a different landform, increased biodiversity and improved informal recreational opportunities (see **Appendix 4 – Proposed Restoration Plan**). This would require the importation of 1.8 million tonnes of inert material to shape the void created by the sand extraction. Both operations, sand extraction and inert filling, would take place concurrently.
- 4.3 It is proposed that the inert material would be imported to the site at a rate of some 250,000-350,000 tonnes per annum and this would take some 8-11 years, depending on the availability of material. The annual rates of fill would vary and, as necessary, will be slowed to ensure that filling follows on behind extraction, thereby avoiding sterilisation of the sand.
- 4.4 Based on the extraction rate, it is envisaged that the site could be worked and restored within a period of some 11 years (from now). The site would be

restored to water, nature conservation and informal recreation. For each phase, there would be a five-year aftercare scheme.

- 4.5 Should permission be granted, the existing permission for the quarry would be superseded by the new permission that would cover both the sand extraction and inert filling. The aftercare scheme for the overall development would expire five years from the completion of infilling operations.
- 4.6 The existing sand processing plant and equipment would be retained under the new permission, if granted, including a site office and mess facilities, waste inspection ramp, steel container stores, a concrete brick built oil waste store, mortar plant (including conveyor, hopper and silos), loading ramp, stockpiles, storage bays, sand processing plant (including radial conveyors), a brick built electrical substation, and storage sheds.
- 4.7 Although the inert material would be brought into the site using the same access, it would use a separate site reception and checking area away from the sand extraction operations, located at the northern end of the existing minerals plant site. The reception area for the imported waste material would include a separate site office, waste inspection area and staff facilities and staff car park. The four existing storage containers would be moved from their current location to elsewhere within the existing plant site area. A mobile screener and crusher would be located within the sandpit extraction and fill area to create additional restoration soils from suitable inert materials brought into the site. All sand extraction and filling plant, equipment and buildings within the site would be removed once extraction and filling is complete.
- 4.8 The applicant proposes that the site would continue to operate under the same hours as already permitted, namely 07.00 to 18.00 Monday to Friday and 07.00 to 13.00 Saturdays. There would be no working on Sundays or Bank Holidays. The site has permission to maintain plant, machinery and vehicles between 18.00-19.00pm Monday to Friday and between 13.00 and 18.00 on Saturdays.
- 4.9 The proposal would result in an additional maximum of 134 movements each day on Monday to Friday (67 in and 67 out) and 74 movements on Saturday (37 in and 37 out). There are no restrictions on HGV movements under the extant permission for sand extraction operation. However, it is estimated that, at a high level of production (180,000 tonnes per annum), HGV movements could be up to 66 movements (33 in and 33 out) on Monday to Friday and 36 movements on Saturday (18 in and 18 out).

5. **Environmental Impact Assessment**

- 5.1 The proposal comprises Schedule 1 development, as defined in the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 2017 ('the EIA Regulations'). Specifically, with a site area of approximately 34 hectares, it is considered that the proposal would fall within Schedule 1, Part 19 - Quarries and open-cast mining where the surface of the site exceeds 25 hectares.
- 5.2 Therefore, by virtue of the scale and nature of the site, the proposal has the potential for significant environmental impacts. Accordingly, any application would need to be supported by an Environmental Statement (ES). The applicant submitted a formal request for a Scoping Opinion in February 2017. This is

where a developer asks the local planning authority for their formal opinion on what they consider the main effects of the development are likely to be and, accordingly, the main topics on which the ES should focus (a 'scoping opinion').

- 5.3 Based on the information provided by the developer, the County Council produced a Scoping Opinion on 6 April 2017. In providing this response, consultation was undertaken with the relevant statutory authorities, along with the relevant Parish Councils.

6. **Policy**

Statutory Development Plan

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the statutory development plan unless material considerations indicate otherwise (as confirmed in paragraph 2 of the National Planning Policy Framework (NPPF)).
- 6.2 For the purposes of the application, the following documents form the statutory development plan: the Horsham District Planning Framework (2015), the West Sussex Waste Local Plan (2014), and the West Sussex Joint Minerals Local Plan (2018).
- 6.3 The key policies in the development plan, which are material to the determination of the application, are summarised below, and their conformity or otherwise with the National Planning Policy Framework considered. In addition, reference is made to relevant national planning policy guidance and other policies that guide the decision-making process and which are material to the determination of the application.

Horsham District Planning Framework (2015)

- 6.4 The Horsham District Planning Framework (HDPF) was adopted in November 2015 and the policies should be given significant weight.
- 6.5 The relevant policies are: 1 (Sustainable Development), 2 (Strategic Development), 3 (Development Hierarchy), 7 (Economic Growth), 9 (Employment Development), 10 (Rural Economic Growth), 11 (Tourism and Cultural Facilities), 24 (Environmental Protection), 25 (Natural Environment and Landscape Character), 26 (Countryside Protection), 30 (Protected Landscapes), 31 (Green Infrastructure and Biodiversity), 32 (Quality of New Development), 33 (Development Principles), 39 (Infrastructure Provision), 40 (Sustainable Transport) and 43 (Community Facilities, Leisure and Recreation).

West Sussex Waste Local Plan (2014)

- 6.6 The Waste Local Plan (WLP) was adopted by the County Council on 11 April 2014. It covers the period to 2031 and is the most up-to-date statement of the authorities' land-use planning policy for waste. It accords with the approach taken in the NPPF and should be given significant weight when considering this application.
- 6.7 Policy W8 of the WLP relates to recovery operations involving the deposition of inert waste to land. Proposed waste development must meet the following:

- (a) the proposal results in clear benefits for the site and, where possible, the wider area;
- (b) the material to be used is only residual waste following recycling and/or recovery or it is a waste that cannot be recycled or treated;
- (c) there is a genuine need to use the waste material as a substitute for a non-waste material that would otherwise have to be used;
- (d) the material to be reused is suitable for its intended use;
- (e) the amount of waste material to be used is no more than is necessary to deliver the benefits identified under (a);
- (f) there would be no unacceptable impact on natural resources and other environmental constraints;
- (g) the proposal accords with Policy W13 (Protected Landscapes);
- (h) any important mineral reserves would not be sterilised; and
- (i) restoration of the site to a high quality standard would take place in accordance with Policy W20.

- 6.8 Policies W11–W20 relate to development management and are designed to ensure that there would be no unacceptable harm to amenity, character, and the environment or to other material considerations from waste development proposals. Of particular relevance to the proposals are: Character (Policy W11), High Quality Development (Policy W12), Biodiversity and Geodiversity (Policy W14), Air, Soil and Water (Policy W16), Flooding (Policy W17), Transport (Policy W18), Public Health and Amenity (Policy W19), Restoration and Aftercare (Policy W20) and Cumulative Impact (Policy W21).
- 6.9 Policy W21 relates to cumulative impact and seeks to ensure that an unreasonable level of disturbance to the environment and/or local communities will not result from waste management and other sites operating simultaneously and/or successively.

West Sussex Joint Minerals Local Plan (2018)

- 6.10 The West Sussex Joint Minerals Local Plan (2018) (JMLP) was adopted in July 2018. It covers the period up to 2033 and is the most up-to-date statement of the County Council's land-use planning policy for minerals. It accords with the approach taken in the NPPF and should be given significant weight when considering this application.
- 6.11 Policy M2 of the JMLP is of relevance to the present application as it relates to 'the winning of soft sand', including extensions of time to existing sites 'that contribute to ensuring a steady and adequate supply is maintained'. In this case, the site is existing and its sand reserve is already permitted and counted in West Sussex County Councils' land-bank.
- 6.12 Policy M8 of the JMLP refers to mineral processing at minerals sites. In this case, minerals processing at the site are already in operation and include washing and grading the extracted sand.
- 6.13 Policies M12–M25 relate to development management and are designed to ensure that there would be no unacceptable harm to amenity, character, and the

environment or to other material considerations from minerals development proposals. Of particular relevance to the proposals are: Character (Policy M12), Air, Soil and Water (Policy M15), Water Resources (Policy M16), Biodiversity and Geodiversity (Policy M17), Public Health and Amenity (Policy M18), Flood Risk Management (Policy M19), Transport (Policy M20), Cumulative Impact (Policy M22), Design and Operation of Minerals Development (Policy M23) and Restoration and Aftercare (Policy M24).

National Planning Policy Framework (February 2019)

- 6.14 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and outlines how these are expected to be applied. The NPPF does not form part of the development plan but is a material consideration in determining planning applications. One of its stated intentions is to guide decision-makers as to what matters are material to the decision-making process.
- 6.15 Paragraph 203 sets out the importance of minerals to support sustainable economic growth, highlighting that minerals can only be worked where they are found, and the importance of making best use of them to secure their long-term conservation.
- 6.16 The other paragraphs in the NPPF of greatest relevance to the present proposal are:

Paragraph 11 (presumption in favour of sustainable development, and approving development that accords with the development plan); 38 (positive decision making); 47 (determining applications in accordance with the development plan); 54 – 56 (use of planning conditions); 163 (ensuring flood risk is not increased elsewhere); 170 (contribute to and enhancing the natural environment), 180 (ensuring new development appropriate for location taking into account impact of pollution on health and the environment, impact of noise on health and quality of life); and 205 (consideration of mineral planning application).

Planning Practice Guidance (PPG)

- 6.17 The PPG sets out the Government's planning guidance to be read in conjunction with the NPPF. It does not form part of the development plan but is a material consideration in determining planning applications.

PPG: Minerals (March 2014)

- 6.18 Paragraph 12 sets out the relationship between planning and other regulatory regimes noting that "*the planning system controls development and the use of land in the public interest*" including ensuring development is appropriate for its location and an acceptable use of land.
- 6.19 Crucially, it notes that "*the focus of the planning system should be on whether the development itself is an acceptable use of the land and the impacts of those uses, rather than any control processes, health and safety issues or emissions themselves where these are subject to approval under regimes. Mineral planning authorities should assume that these non-planning regimes will operate effectively.*"

Agenda Item 6

- 6.20 Paragraph 13 sets out the environmental issues minerals planning authorities should address including noise, air quality, lighting, visual impact, traffic, risk of contamination to land, geological structure, flood risk, impacts on protected landscapes, surface and in some cases ground water issues, and water abstraction.
- 6.21 Paragraph 17 notes that the cumulative impact of mineral development can be a material consideration in determining planning applications.

PPG: Waste (October 2015)

- 6.22 Paragraph 5 notes that local planning authorities can ensure that human health and the environment are protected through the appropriate handling of waste, in considering individual planning applications against the criteria in Appendix B of the National Planning Policy for Waste (2014),
- 6.23 Paragraph 6 notes the obligation to consider the principles of self-sufficiency and proximity in relation to waste management. Paragraph 9 notes that driving waste up the waste hierarchy, away from disposal such as landfill, is an integral part of national policy for waste and a material consideration in decisions on waste applications.
- 6.24 Paragraphs 50 and 51 note that the planning system often needs to work with other regulatory regimes. With waste planning matters, waste planning authorities usually work with the Environment Agency and the Environmental Permitting regime, which they implement and regulate.

PPG: Air Quality (March 2014)

- 6.25 Paragraph 5 notes that air quality may be relevant to a planning application when it would significantly affect traffic, introduce new point sources of air pollution, expose people to existing sources of air pollution, give rise to potentially unacceptable impact during construction, or affect biodiversity.
- 6.26 Paragraph 9 considers how air quality and its impacts fit into development management process.

PPG: Health and Wellbeing (updated July 2017)

- 6.27 Paragraph 2 notes that the link between planning and health is long established. It encourages local planning authorities to engage with relevant organisations when carrying out their planning function. The assessment of potential pollution and other environmental hazards, which could adversely impact on human health, should be included in considering new development.
- 6.28 Paragraph 3 notes that the first point of contact on population health and well-being issues should be the Director of Public Health, who in turn liaises with Public Health England. Paragraph 4 notes that local authority planners should consider consulting the Director of Public Health on any planning applications (including at the pre-application stage) that are likely to have a significant impact on the health and wellbeing of the local population or particular groups within it. This would allow them to work together on any necessary mitigation measures.

PPG: Natural Environment (January 2016)

- 6.29 Paragraph 1 notes that planning should recognise the intrinsic character and beauty of the countryside, while paragraph 4 notes that planning decisions should be based on up-to-date information about the natural environment and characteristics of the area. Paragraph 7 notes the statutory duty to have regard to the purpose of conserving biodiversity, while paragraph 17 seeks to include biodiversity enhancement in and around development, including improved links between existing sites.

National Planning Policy for Waste (2014)

- 6.30 This national policy guidance document promotes, wherever possible, the use of waste as a resource and the movement of waste management up the 'waste hierarchy', thereby only supporting the disposal of waste as a last resort. It also sets out the approach waste authorities should take to determining applications.
- 6.31 At paragraph 7 it notes *"When determining waste planning application, waste planning authorities should....consider the likely impact on the local environment and on amenity against the criteria set out in Appendix B and the locational implications of any advice on health from the relevant health bodies. Waste planning authorities should avoid carrying out their own detailed health assessment of epidemiological and other health studies."*
- 6.32 At paragraph 7 it also notes *"When determining waste planning application, waste planning authorities should....ensure that waste management facilities are well-designed, so they contribute positively to the character and quality of the area in which they are located."*
- 6.33 Appendix B sets out key criteria for testing the suitability of waste management sites, in particular; protection of water resources, land instability, landscape and visual impacts, nature conservation, conserving the historic environment, traffic and access, air emissions including dust, odours, vermin and birds, noise, light and vibration, litter, and potential land use conflict.

EU Council Directive 2008/98/EC

- 6.34 By virtue of the Waste (England and Wales) Regulations 2011 when determining any application for planning permission that relates to waste management (regulation 18) the planning authority is required to take into account EU Council Directive 2008/98/EC which sets out the objectives of the protection of human health and the environment (article 13) and self-sufficiency and proximity (first paragraph of article 16(1), article 16(2) and (3)). Case law has confirmed that these articles are objectives at which to aim. As objectives they must be kept in mind whilst assessing the application and provided this is done, any decision in which the furtherance of the objectives are not achieved, may stand.

7. Consultations

- 7.1 **Horsham District Council (includes Planning, Environmental Health, Landscape and Parks Department):** No objection. Considers that the restoration scheme would provide a sympathetic landscape feature and, compared to the current restoration, enhanced ecological benefits. Opportunities for outdoor recreation, such as securing rights of way across the site, linking with

others in the area, including the permissive paths approved through the restoration of the adjacent Washington Sandpit site, would be secured in the restoration. Acknowledges that the site is allocated for the proposed use. However, also highlights concerns with air quality impacts during restoration operations.

- 7.2 **Storrington and Sullington Parish Council:** No objection, but highlights concerns with the increased numbers of HGV's that the development will involve. If permission is granted, recommends conditions covering HGV controls and traffic management, wheel washing, contamination measures and on-going maintenance for the site.
- 7.3 **Washington Parish Council:** No objection but request traffic management to minimise highway impacts.
- 7.4 **Environment Agency:** No objection.
- 7.5 **South Downs National Park Authority:** No comments received.
- 7.6 **Natural England:** No objection. They welcome the revised scheme, highlighting that it provides a greater extent of heathland and wet heathland, particularly the inclusion of acid grassland and heath.
- 7.7 **Health and Safety Executive:** Having considered the information provided, they did not identify any areas of potential conflict with health and safety requirement.
- 7.8 **WSCC Drainage:** No objection subject to condition securing drainage monitoring.
- 7.9 **WSCC Ecology:** No ecological objection subject to securing an Ecological Management Plan.
- 7.10 **WSCC Highways:** No objection subject to conditions for wheel washing facilities and vehicle routing.
- 7.11 **WSCC Landscape Architect:** No objection. Proposals will not have any detrimental impact upon existing trees subject to tree protection measures. Has concern regarding future maintenance.
- 7.12 **WSCC County Councillor:** No comments received.

8. **Representations**

- 8.1 The application was publicised in accordance with Schedule 3 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. In response to neighbour notification letters, the erection of site notices at the site and advertisements being placed in the local paper, fifty-three representations have been received from local residents, all objecting to the application or raising concerns.
- 8.3 The main issues raised in representations are:
 - Does not believe the development is necessary;

- Traffic movements are excessive and will cause congestion and traffic jams;
- Local area cannot support any more traffic;
- Adverse impact upon the environment and wildlife;
- Development will bring further pollution to the area;
- Proposal would generate unacceptable noise, dust and pollution;
- Pollution has not been calculated properly;
- Concrete crusher will be noisy and create dust close to properties;
- Disturbance to existing wildlife;
- Detrimental to local green open spaces, recreational area and the character of the area;
- Risks safety of pupils at local school;
- This is a waste disposal scheme, not a renovation scheme;
- Traffic information is incorrect;
- The restoration scheme does not deliver significant improvements;
- The restoration scheme's delivery cannot be secured;
- Odour would be unacceptable;
- Water Lane not suitable as HGV route;
- Does not accord with the Waste Local Plan.

9. **Consideration of Key Issues**

- 9.1 The main material planning considerations are whether the proposal:
- meets an identified need;
 - has an acceptable impact on the landscape;
 - has an acceptable impact upon ecology;
 - is acceptable with regard to highway capacity and road safety; and
 - has an acceptable impact on local amenity and the local environment.

Need for the Development

- 9.2 The principle of the use of the site for sand extraction has been established through the granting of various planning permission stretching back over 70 years. The proposed volume, depth and extent of sand to be extracted would be no greater than that currently permitted through the 1998 ROMP that allows extraction until 2042. Current estimates are that approximately 1.4million tonnes of sand are still available.
- 9.3 The NPPF (2019) highlights that it is 'essential' that there is a sufficient supply of minerals to provide the buildings, infrastructure and goods that the country needs, requiring that minerals planning authorities identify future demand and maintain sand/gravel land-banks of at least seven years. The West Sussex Annual Monitoring Report (2017) indicates that the County has an 8.4 year land-bank for soft sand. The Sandgate site extracts 120,000–180,000 tonnes/annum and so contributes significantly to the countywide sales of some 359,000tonnes per annum.

- 9.4 The contribution of the site to the overall supply of sand in the County is therefore an important consideration. On this basis, although only a small number of people are employed at the existing site, continued extraction is important to the local economy as it will maintain the supply of the soft sand important to the construction industry.

Restoration

- 9.5 In terms of restoration, Policy W8 of the WLP supports recovery operations involving the deposition of inert waste to land where they meet various criteria. For it to be concluded that the restoration of the site with inert waste is acceptable, these criteria must be satisfied. Consideration of each of these is set out below.

(a) the proposal results in clear benefits for the site and, where possible, the wider area;

- 9.6 There is currently an approved restoration scheme required by the extant ROMP for the site which in general terms would provide a large, deep, steep-sided waterbody with access around the upper edge of the site. In order to establish whether the present proposal has clear benefits, it must be considered what benefits, if any, the proposed restoration (including infill) would bring over and above the currently-required restoration. In this regard, it is considered that the benefits of the proposed revised restoration are:

- increased species biodiversity and habitat creation;
- increased public access for informal recreation; and
- improved landscape for the site and surrounding locality.

- 9.7 Overall, the proposed restoration to a higher level than is currently approved would achieve an appropriately landscaped and restored mineral working, with improved public access and greater recreational opportunities, which would also better accord with the aspirations of the Horsham District allocation of the site as a Country Park. Horsham District Council's Landscape and Horticultural Officer responded stating that *"the new restoration plan is a significant improvement on the previous one and any temporary impact from importing fill materials is justified by the more valuable habitat that will result"*.

- 9.8 It is therefore considered that the proposal meets this criterion.

(b) the material to be used is only residual waste following recycling and/or recovery or it is a waste that cannot be recycled or treated;

- 9.9 The imported inert wastes would consist of waste generated and recovered from construction, building or infrastructure projects. Any soil forming materials would be screened and used in the landscaping of the site (as opposed to the infilling). The proposal is therefore considered to accord with this criterion.

(c) there is a genuine need to use the waste material as a substitute for a non-waste material that would otherwise have to be used;

- 9.10 The development would make use of inert waste rather than 'virgin' soils for restoration. As set out above, although the approved scheme would restore the site without the importation of material, the present proposal is considered to bring forward benefits that the approved scheme would not.
- 9.11 This scheme seeks to utilise imported inert waste materials for a revised higher level restoration scheme and can be considered as 'recovery'. Accordingly, this is an example of sustainable waste management considered to accord with this criterion.

(d) the material to be reused is suitable for its intended use;

- 9.12 The proposed fill material would consist of waste generated and recovered from construction, building or infrastructure projects, mainly comprising earth, soils and sub-soils, typical materials used in land raising, engineering and restoration projects. An Environmental Permit would be required for the development which would require that incoming waste is checked by trained operatives.

(e) the amount of waste material to be used is no more than is necessary to deliver the benefits identified under (a);

- 9.13 It is considered that the applicant has satisfactorily demonstrated that the amount of fill material proposed (1,800,000 tonnes) is the minimum required to ensure the delivery of a restoration scheme with a profile that would provide the clear benefits as described above, and ensure the future restored use of the site and the wider area as part of the Sandgate Country Park designation.

(f) there would be no unacceptable impact on natural resources and other environmental constraints;

- 9.14 The proposed restoration scheme would, subject to conditions, not result in any unacceptable impact on natural resources and other environmental constraints, as set out in the considerations in the sections below. The proposal therefore accords with this criterion.

(g) the proposal accords with Policy W13 (Protected Landscapes);

- 9.15 During its time-limited operation, the proposed restoration scheme would, subject to conditional controls, not create any unacceptable impact on protected landscapes, notably the South Downs National Park, the northern boundary of which is situated to the south of the A283. The South Downs National Park Authority were consulted and no response was received. The works would be primarily below the existing ground level, and as noted above, are considered to result in a restoration that is preferable to that already approved. Therefore, the proposal accords with this criterion.

(h) any important mineral reserves would not be sterilised;

- 9.16 The applicant estimates that an accessible reserve of 1,400,000 tonnes remains on site. Although additional potential reserves may be available at depth, the applicant advises that their extraction would result in steep slopes that would likely fail Health and Safety Executive standards for quarrying operations.

- 9.17 As a result, whether or not this application is permitted, no sterilisation of extractable sand reserves would occur. Therefore, the proposal is considered to accord with this criterion.

(i) restoration of the site to a high quality standard would take place in accordance with Policy W20.

- 9.18 This is considered in relation to impacts on the landscape below in paragraphs 9.21-9.26.
- 9.19 Policy W8 of the WLP supports recovery operations involving the deposition of inert waste to land where they meet various criteria. The proposed continued extraction and restoration of the site with inert waste meets these criteria, so is considered to be justified.
- 9.20 *It is considered that there is a demonstrable need for the development as it would allow for the economically important sand resources on site to continue to be extracted, and the importation of inert waste would result in a scheme that is beneficial, particularly for biodiversity, habitat creation, landscape and recreational after-uses over that permitted under the approved restoration scheme.*

Impact upon the Landscape and Visual Amenity

- 9.21 The development has the potential to result in visual impact through: views of extraction and restoration operations; changes to the wider landscape character during operations; and a higher level restoration than is currently approved.
- 9.22 The proposed development site is a permitted sandpit that is situated within a semi-rural location to the immediate north of the South Downs National Park. It is within an area designated as the Sandgate Country Park. Therefore, the development has the potential to affect sensitive landscape features.
- 9.23 The proposal for an additional (at worst case scenario) 134 HGVs movements each weekday until 26 March 2030 has the potential to affect the visual amenity of residents and the landscape, in terms of the rural locality and sensitive landscape features, particularly the South Downs National Park. However, such movements would be along a designated lorry route (Water Lane) and a major road, namely the A283, and would not occur as a constant throughout the proposed restoration operations. Further, HGVs would be directed to/from the A24 to the east, minimising contact with the National Park designation and the village of Storrington. The increase is not considered significant in terms of the local landscape, particularly given the site's location on the A283, and the site's existing approval as an operational quarry.
- 9.24 The application site would remain well-screened by mature woodland and vegetation that would be retained, with only limited views into the site available. As the quarry is restored, views of the site would be possible from a number of vantage points around the boundary. However, the restoration works would be temporary and viewed against a working quarry that has been in operation for more than 70 years. The views would not, therefore, be significantly different to those already existing. Overall, the development is considered acceptable in

terms of its landscape and visual impact during the extraction/infill stage, taking into account the site's location on the A283, its historic quarry use, and its limited visual enveloped due to its enclosure within mature woodland.

- 9.25 The revised final restoration is considered acceptable, and an improvement, in landscape terms, over the approved scheme, with the proposed planting and land management as well as water features and recreational features that are considered to enhance the future landscape and ecological of the site within the Sandgate Country Park. The District Council's Landscape Architect highlighted that the revised masterplan is an improvement over the existing, albeit it would have a negative effect over the duration of extraction and infill.
- 9.26 *The application site is situated just outside the boundary of the South Downs National Park and within a rural area designated as the Sandgate Country Park. The site is well-screened by vegetation around its perimeter, and much of the operations would take place with limited visible impact. Any temporary impacts caused during extraction and restoration operations within the locality would be temporary and would not be significant, especially when compared with activities already permitted here and within the locality. The proposed development, when restored, would result in an acceptable landform with benefits to the wider landscape and to the public, contributing positively to the Sandgate Country Park designation.*

Impact on Ecology

- 9.27 During quarrying and infill operations, some ecological habitats would be affected. The current existing restoration scheme would provide some mitigation to compensate for the loss. The proposed restoration scheme seeks to improve on the approved restoration scheme, providing ecological enhancement, and would include a five year aftercare scheme for each phase of the development.
- 9.28 Essentially, where previously a single large water body was to be provided with planting around the perimeter, the revised scheme would provide a range of habitat areas including heathland, ponds, and grassland.
- 9.29 WSCC's Ecologist raises no objection to the scheme which, in conclusion, he says would *"deliver significant biodiversity enhancement to the quarry and surrounding area"*. In his consultation response, WSCC Ecologist states that:

"The enhanced restoration scheme will create a mosaic of priority habitats, including acid grassland, wet and dry heath, ponds and a lake, which will be of greater biodiversity value than the previously approved restoration scheme. Notably, the creation of acid grassland, and dry and wet heathland, and a collection of shallow ponds within heathland, will be of significant biodiversity gain. These are all uncommon habitats in West Sussex and listed in Section 41 of The NERC Act, 2006 as habitats of principal importance for the conservation of biodiversity in England. Furthermore, these habitats are appropriate to the locality and will complement and enhance the biodiversity of the local landscape which includes Sullington Warren Site of Special Scientific Interest (SSSI).

Although, in the previously approved scheme, the creation of a large lake would undoubtedly have been of ecological value, the extent of acid grassland and heathland was considerably less. Consequently, the overall

biodiversity value of the whole site following restoration would have been less than in the enhanced scheme. Additionally, the creation of a large artificial lake does not complement the existing semi-natural heathland habitats of the area."

9.30 WSCC's Ecologist has requested that an Ecological Management Plan be submitted prior to the commencement of works, making reference to features to be managed, ecological constraints on site that might influence management, the aims and objectives of management, appropriate management options for achieving aims and objectives, prescriptions for management options, preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period), and ongoing monitoring and remedial measures.

9.31 Horsham District Council are also in favour of the new restoration scheme with their consultation response stating that *"the new restoration plan is a significant improvement on the previous one and any temporary impact from importing fill materials is justified by the more valuable habitat that will result"*.

9.32 Natural England raise no objection to the new restoration scheme, responding that:

"We welcome the revised scheme as it provides a greater extent of heathland and wet heathland which will complement the local environment. We advise that this habitat should be maximised using native species of local provenance. Invasive species should be avoided as these could spread into the adjacent SSSI."

We particularly welcome the inclusion of acid grassland and heath. We would advise that strong habitat networks into the surrounding landscape are clearly included. The site has great potential for biodiversity gains here which should be fully explored. Priority habitats and species appropriate to the area should be the main target".

9.33 In addition, WSCC's Arboriculturalist also raises no objection, noting that existing tree should not be affected. The Arboriculturalist also highlights that strong connectivity with adjacent habitats appears to have been provided.

9.34 Overall, the application is considered to be positive in ecological terms, as noted by the County Ecologist, and would result in the creation of significant new features of ecological benefit.

9.35 *Although there would be disruption to ecology during the excavation and infill of the site, upon completion, the proposed development would provide a range of habitat areas, secure increased habitat over the current approved restoration scheme, benefitting a greater number of species. The scheme would secure long-term ecological improvement by providing new and/or improved habitats for species and habitats. It is, therefore, considered acceptable and beneficial in terms of ecological impact.*

Highway Capacity and Road Safety

9.36 The alternative restoration scheme would increase HGVs travelling to and from the site.

- 9.37 The proposal indicates rates of fill of 250,000–350,000tpa. However, this is a worst case scenario, as based on an importation rate of 250,000tpa, restoration would take some 7.5 years, or 5.5 years if material was imported at a rate of 350,000tpa. However, fill is unlikely to happen at that rate because it would sterilise sand still requiring extraction.
- 9.38 Also, the rates of fill would vary throughout the days, weeks and years depending on the void space available to be filled, operational conditions on site, and the availability of material. The table below indicates the average HGV movements that 250,000tpa, 300,000tpa and 350,000tpa could generate.

Average Annual Inert Material Import Rate (tonnes)	Average HGV loads per day for import	Average HGV movements per day for import
250,000	48	96
300,000	58	116
350,000	67	134

- 9.39 There are no current limits on HGV numbers. The current sand extraction operations, depending on sand production rates, would result in between 44 (22 in and 22 out) and 66 (33 in and 33 out) HGV movements each weekday (based on production of between 120,000 and 180,000 tonnes per annum).
- 9.40 Taken together, the proposed development could result in an average of 200 HGV movements/weekday (100 in and 100 out) from extraction and infill.
- 9.41 Concerns about highway capacity and road safety have been raised as a result of the additional impact of HGV traffic, particularly in combination with existing traffic going to and from the site on Water Lane, and existing traffic on the A283. However, over an 11-hour day, 134 HGV movements would equate to just 12 additional movements per hour, which translates into a 3% increase in overall movements along Water Lane and 0.5% increase along the A283 to the east.
- 9.42 WSCC Highways note that Water Lane is an existing advisory HGV route and have raised no concerns in relation to either highway capacity or road safety, subject to the continued imposition of highway safety controls and vehicle routing. They also note that even when avoiding peak hours (for example deliveries arriving between 9am and 5pm); this would only result in up to 16 HGV movements per hour.
- 9.43 It is proposed that a Section 106 Routing Agreement would be imposed, ensuring HGVs are directed east towards the A24 thereby ensuring no HGVs would travel north along Water Lane or through the centre of Storrington, avoiding the Air Quality Management Area (AQMA). The applicant has agreed to such a legal agreement.
- 9.44 *The proposed development could result in a maximum of 134 additional HGV movements each weekday as a result of the infill operation, bringing the worst case total to 200 movements each weekday. However, the site is located on an advisory lorry route that leads directly to an A-road (the A283) and east towards the A24, which forms part of the strategic lorry route network. The Highway*

Authority have considered the potential impacts and concluded that, subject to re-imposition of highway conditions and securing HGV routing, the proposed development would not have a significant impact and as such accords with the National Planning Policy Framework. Therefore, the proposed development is considered acceptable with regards to highway capacity and road safety.

Impact on Local Amenity and the Local Environment

- 9.45 **Noise:** The alternative restoration proposal would result in cumulative noise impact from both extraction and restoration works. As previously noted, Wood End and Cedars both abut the site at its north-eastern boundary, School Cottage and Chestnut Cottage lie to the east (on the western side of Water Lane) and Abbots Leigh and Sandgate Lodge abut the site to the south. There is, therefore, the potential for impacts on residential amenity through noise emissions, both in the nature of the works and in terms of timescale needed to complete the proposed development.
- 9.46 The current hours of operation for normal quarry operations are 07.00-18.00 Monday to Friday and 07:00-13:00 on Saturdays, with maintenance of site vehicle, plant and machinery also being able to be undertaken between 18.00-19.00 Monday to Friday and 13.00-18:00 on Saturdays and the operation of pumps or safety systems at any time. The applicant is requesting that the site continues to operate under the same hours as currently permitted.
- 9.47 The potential noise impact has been assessed, taking into account details of the plant, equipment, machinery to be used during the proposed development and their locations, and the proposed mitigation including the use of an acoustic barrier for the final stages of extraction and infilling. Subject to the mitigation measures being secured through planning conditions, the development is considered acceptable, as confirmed by the District Council's Environmental Health Officer (EHO), who is satisfied with the conclusions of the assessments that have been provided. Conditions requiring compliance with noise limits would also be included meaning that, should operations exceed such noise limits, enforcement of such matters could be investigated.
- 9.48 **Air Quality:** Mineral extraction and restoration with imported inert waste materials has the potential to cause adverse impacts on local air quality through dust emissions and emissions from traffic movements.
- 9.49 The village of Storrington, situated to the west of the proposed development is accessed by the A283. Due to the impact of traffic emissions, this village remains designated as an Air Quality Management Area (AQMA). Although the EHO is concerned about air quality impacts arising from the development, the concerns centre on assumptions about controls of HGV travelling through Storrington and the AQMA and how this can be controlled. Such concerns can be mitigated through the imposition of a Section 106 Routing Agreement that would direct HGVs towards the A24, away from the AQMA. This would avoid further impacts on air quality from traffic
- 9.50 Regarding dust impacts, the EHO is content with the mitigation measures proposed in the Air Quality Assessment, which include water suppression (including a mobile water bowser), sheeted vehicles, and stockpiles to be regularly sprayed to maintain moisture when required. No complaints relating to

air quality from current on-site operations or materials deposited on the local road network have been received by the County Council.

- 9.51 **Public Rights of Way:** The current restoration scheme shows public access from the west of the site off Water Lane through the existing access. Although the proposed restoration would allow this, it would also include access from the junction of the A283/Water lane into the site. The new footpath entrance, next to the current vehicular access, would link with the existing public right of way footpath 3506 to the west. Following completion of the restoration, this path would then divide, with a route running north and south of the site. Footpaths would also be provided at upper and lower levels around the lake and shallow ponds.
- 9.52 The revised scheme would also deliver circular routes within the former sandpit as a causeway would be constructed using the inert material from north to south across the sandpit void. This causeway would have a footpath crossing it and link up footpaths in the north of the Country Park with those in the south. This would provide different options for users of short and longer walks. Over 1,000m of additional footpath would be created.
- 9.53 On completion of the proposed restoration works, the new landform and its proposed permissive footpath network would provide connections with the existing public footpath and bridleway network and other approved potential permissive footpaths (i.e. with the adjoining Hampers Lane sandpit) within the Sandgate Country Park allocation and the locality. This would provide public access and recreational areas through it that link with those surrounding the application site's boundaries.
- 9.54 This would contribute to the formation and success of the Sandgate Country Park with the securing of all proposed permissive footpaths via a legal agreement that must be completed to the satisfaction of the County Council prior to planning permission being granted. The proposed restoration scheme is a betterment in terms of the provision of long-term beneficial recreational uses.
- 9.55 *The site is in close proximity to a number of dwellings. However, despite the nature of works involved in mineral extraction and restoration with imported inert waste materials, including through associated traffic movements, the imposition of conditions (to control hours of operation, noise impacts and impacts on air quality) as well as an HGV routeing agreement should ensure that there are no unacceptable impacts upon amenity and the local environment. Further, the proposed amended scheme would deliver better long-term benefits for recreational users once the site is restored, with additional footpaths and public access as well as designated recreational areas that connect with the rest of Sandgate Country Park and the wider rights of way network.*

Other considerations

- 9.56 The application site is situated within Flood Zone 1 under Environment Agency classification, at low risk of flooding and is considered to be suitable for all land uses.
- 9.57 The application states that the proposed drainage strategy is very similar to that of the approved restoration, which relies on capturing and storing rainfall and run-off in surface water bodies, with infiltration to ground via the restored lake.

Following further information sought by WSCC's Drainage Officer, they raise no objection to the proposal, being satisfied that the proposed drainage strategy is acceptable. A condition has been requested to periodically monitor flood water entering the site. The Environment Agency raises no objection to the proposal.

10. **Overall Conclusion and Recommendation**

- 10.1 The principle of sand extraction has long been established at this site. The continued extraction of sand would continue to contribute to the need for and supply of the economically important soft sand resource, and avoid sterilisation of a viable mineral reserve. Additionally, Policy W8 of the WLP supports recovery operations involving the deposition of inert waste to land where they meet various criteria. The proposed restoration of the site with inert waste meets these criteria, and so is considered to be a positive use of waste, diverting it from landfill.
- 10.2 Although extraction and restoration could have an adverse impact on the area, it would replace the approved extraction/restoration programme, and would be a temporary operation, albeit for up to 11 years. It is considered that the concurrent impacts of extraction and infilling on the environment, the landscape, and recreational opportunities could be controlled to an acceptable level by the application of appropriate conditions and legal agreements.
- 10.3 Furthermore, the proposed restoration would provide the opportunity to enhance both the landscape and ecological benefits of the site (e.g. through the creation of enhanced habitats and biodiversity mix, and ecological management), and with greater benefits to the public than the approved restoration scheme. It would also provide the opportunity to enhance public access to and within the area and provide better recreational opportunities, according better with the aspirations of the allocation of the site as a Country Park
- 10.4 Although infill would require additional HGV movements, the site is located in close proximity to the A283, and so is not considered to be detrimental to highway capacity or road safety. In addition, it is considered that other impacts on local amenity, the local environment, and on the water environment, can be controlled by condition and legal agreement.
- 10.5 Overall, it is considered that the proposal accords with the relevant development plan policies relating to the extraction of land-won minerals and the restoration of minerals sites with waste, as well as other material considerations including national policy.
- 10.6 It is **recommended**, therefore, that planning permission be granted subject to the conditions and informatives set out in **Appendix 1** of this report and the completion of a Section 106 Agreement concerning the routeing of HGVs to and from the application site and the securing of all proposed permissive footpaths.

11. **Resource Implications and Value for Money**

- 11.1 This is not a material planning consideration and cannot, therefore, be considered in determining this application. There will be no requirement for additional resources unless the decision is challenged and there is a requirement to defend the County Council's position at any subsequent appeal.

12. Equality Duty

- 12.1 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act 2010. Officers considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

13. Risk Management Implications

- 13.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the determination of planning applications must be made in accordance with the policies of the development plan unless material considerations indicate otherwise. If this is not done, any decision could be susceptible to an application for Judicial Review.

14. Crime and Disorder Act Implications

- 14.1 This decision has no implications in relation to crime and disorder.

15. Human Rights Act Implications

- 15.1 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.
- 15.2 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.
- 15.3 The Committee should also be aware of Article 6, the focus of which (for the purpose of this committee) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

Agenda Item 6

Michael Elkington
Head of Planning Services

Background Papers

As set out in Section 6

List of Appendices

Appendix 1 - Conditions and Informatives

Appendix 2 - Site Location Plan

Appendix 3 - Approved Restoration Plan

Appendix 4 - Proposed Restoration Plan

Contact: Chris Bartlett (0330) 222 6946.

Appendix 1 - Conditions and Informatives

GENERAL

Commencement

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Written notification of the date of commencement shall be sent to the Minerals Planning Authority not less than 7 days before the commencement of development.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

Cessation

2. The development hereby permitted shall cease and the land be restored in full (in accordance with Condition 3 of this permission) not later than 11 years from the commencement of the development hereby permitted.

Reason: To comply with Schedule 5 of the Town and Country Planning Act 1990.

Approved Plans

3. The proposed development shall not take place other than in accordance with the approved information and plans;
 - Site Location Plan (Drawing No. P4/182/1);
 - Inert Material Reception Area (Drawing No. P4/182/2);
 - Filling Phase Order (Drawing No. P4/182/4);
 - Extraction Phase Order (Drawing No. P4/182/5);
 - Existing Situation (Drawing no. P4/182/6);
 - Method of Working and Restoration Phases (7 plans with Drawing No. P4/182/7 showing extraction phases 12 through to 21 and Fill Phases 1 through to 8);
 - Plant Infrastructure Details – Plans and Elevations (Drawing No. P4/182/8);
 - Restoration Master Plan (Drawing No. P4/182/10 Rev A);
 - Contours of Final Fill Land Form (Drawing No. P4/182/13);
 - Acoustic and Screening Measures (Drawing No. P4/182/14); and
 - Sandgate Quarry Drainage Strategy (Document reference 66671TN1)

along with the Volume 1 – Planning Application and Planning Statement and Volume 2 – Environmental Statement and Technical Appendices, save as varied by the conditions hereafter.

Reason: To secure a satisfactory development comes forward, carried out in accordance with the details considered in approving it.

Availability of Approved Documents

4. A copy of the decision notice together with the approved plans and any subsequently approved documents shall be kept at the site office at all times and the terms and contents of them shall be made known to the supervising staff on site. These documents shall be made available to the Minerals Planning Authority upon request.

Reason: To ensure that the site operatives are conversant with the terms of the planning permission.

PRE-DEVELOPMENT CONDITIONS

5. Ecological Management and Aftercare Plan

Prior to the commencement of development, an Ecological Management and Aftercare Plan (EMAP) shall be submitted to, and approved in writing by, the Minerals Planning Authority. The Plan shall provide biodiversity and habitat management details for the five year period after completion of restoration for each phase and shall include:

- Description and evaluation of the features to be managed.
- Ecological constraints on site that might influence management.
- Aims and objectives of management.
- Appropriate management options for achieving aims and objectives.
- Prescriptions for management options.
- Preparation of a work schedule for each specified phase of the works (including an annual work plan capable of being rolled forward over a five-year period).
- Ongoing monitoring and remedial measures.

The approved Ecological Management and Aftercare Plan shall be implemented in full throughout development and the agreed 5 year management period.

Reason: To ensure the long term management of habitats, species and other biodiversity features. Required prior to commencement to ensure that the scheme is robust and will protect and enhance the biodiversity and habitats of the site.

Noise Management Plan

6. The development hereby permitted shall not take place, until a noise management plan detailing the measures to be taken to ensure compliance with the noise limits set at condition 12 has been submitted to and approved in advance and in writing by the Minerals Planning Authority. The plan shall include 'best practicable means' of noise prevention, reduction and minimisation (including provision for ongoing review, and dealing with noise complaints). Once approved, the plan shall be implemented in full throughout the operation of the development hereby permitted.

Reason: To ensure noise emissions from the site do not result in unacceptable impacts on sensitive receptors. Required prior to commencement to ensure mechanisms are in place before works begin to minimise the risk of harm to sensitive receptors.

Dust Management Plan

7. The development hereby permitted shall not take place, until a scheme for the suppression of dust (including provision for ongoing review, and dealing with dust complaints) has been submitted to and approved in advance and in writing by the Minerals Planning Authority. Thereafter, the approved scheme shall be implemented in full throughout the operation of the development hereby permitted.

Reason: To protect the amenities of local resident and the local environment. Required prior to commencement to ensure mechanisms are in place before works begin to minimise the risk of harm to sensitive receptors.

Vehicle Cleaning

8. The development hereby permitted shall not take place until a scheme has been submitted to and approved in advance and in writing by the Minerals Planning Authority detailing the measures to clean vehicles leaving the site to prevent earth, mud and debris arising from the development being present on the highway. Thereafter, the approved scheme shall be implemented in full throughout the operation of the development hereby permitted.

Reason: In the interests of highway safety. Required prior to commencement to ensure mechanisms are in place before works begin to ensure safety of highway users.

Flood Risk

9. Prior to the commencement of development, a schedule of examinations, together with the frequency of those examinations, to ensure that flood water entering along the southern boundary of the site is not impeded shall be submitted in advance and in writing to the Minerals Planning Authority. The schedule shall include details for during the active life of the development and once completed. Once approved, the schedule shall be implemented in full. A record of the examinations and results shall be maintained by the applicant at all times and be kept at the site office at all times. They shall be made available to the Minerals Planning Authority upon request.

Reason: To ensure flood risk at the site is maintained to acceptable standards. Required prior to commencement to ensure mechanisms are in place before works begin to minimise the risk of flood risk.

Vehicle Warning Signage

10. The development hereby permitted shall not take place until details of warning signage and road markings, instructing drivers of all vehicles entering and exiting the site of the authorised and prohibited HGV routes, and their positioning, has been submitted to and approved in advance and in writing by the Minerals Planning Authority. Once approved, the signage shall be erected prior to the commencement of development and maintained throughout the operation of the development hereby permitted.

Reason: In the interests of highway safety and of the amenities of the locality. Required prior to commencement to ensure mechanisms are in place before works begin to ensure safety of highway users and adherence with the routing agreed.

ONCE DEVELOPMENT HAS COMMENCED

Landscaping Scheme

11. Within 3 months of the commencement of the development, a landscaping scheme shall be submitted in writing to the Minerals Planning Authority for approval in writing. The scheme shall include details of species, planting sizes, planting spacing, and a detailed method statement for maintenance. Once

approved the scheme shall be implemented in full in the first planting season (November - February) following the completion of each infilling phase of the development. Any plants which die, are removed or become seriously damaged or diseased within the 5 year aftercare period shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing with the Minerals Planning Authority.

Reason: *In interests of the environment and visual amenity.*

OPERATIONAL CONDITIONS

Noise Limits (i)

12. The ambient noise level resulting from the operations on site, including that arising from both fixed and mobile plant, shall not exceed 55dB LAeq, 1 hour (free-field) at any time, as measured at the nearest noise sensitive property.

Reason: *To ensure noise emissions from the site do not result in unacceptable impacts on sensitive receptors.*

Noise Monitoring

13. Noise levels shall be monitored at three monthly intervals from the date of the commencement of development at the measurement locations highlighted in Appendix 6.2 of the Environmental Statement (titled 'Site Location Plan and Measurement Locations'). The results of the monitoring shall include LA90 and LAeq noise levels, the prevailing weather conditions, details and calibration of the equipment used for measurement and comments on other sources of noise which affect the noise climate. The monitoring shall be carried out for at least 2 separate durations during the working day and the results shall be submitted to the Minerals Planning Authority within 1 week of the monitoring being carried out. If the results indicate that the noise levels exceed those set out in Condition 12, a Noise Mitigation Scheme shall be submitted to and agreed in writing by the Minerals Planning Authority within one week of the noise monitoring results being submitted.

Reason: *To minimise the impact on local residents and the environment.*

Tree Protection

14. Existing trees on site shall be protected in accordance with BS 5837:2012 – Trees in relation to design, demolition and construction, throughout the operations of both extraction of sand and the restoration scheme.

Reason: *In the interests of the locality*

Vehicle Access

15. No vehicular access or egress to or from the site shall be obtained other than through the existing entrance from Water Lane as shown on approved plan P4/182/2.

Reason: *In the interests of highway safety and of the amenities of the locality.*

Sequence of Phasing

16. No extraction of minerals from the site or infilling of land at the site shall take place other than in accordance with the sequence of phases of operation illustrated on plans P4/182/7.

Reason: To secure a satisfactory programme of extraction in the interests of the amenity of the locality.

Removal of Buildings, Plant, Equipment and Machinery

17. All buildings, plant, equipment and machinery required in connection with the operations permitted under this planning permission shall be dismantled or demolished and removed from the site and the site thereof restored in accordance with the scheme of restoration approved under condition 3 within six months of the completion of the restoration scheme.

Reason: In the interests of the amenities of the locality.

Noise - Reversing Alarms

18. All vehicles as well as all plant and machinery that are used on site and those under the applicant's control moving to and from the site that are required to emit reversing warning noise, shall use white noise alarms as opposed to single tone 'bleeping' alarms throughout the operation of the development hereby permitted.

Reason: To protect the amenities of the local residents and the local environment.

Permitted Restoration Materials

19. Imported and any on-site materials required for the purposes of the development hereby permitted shall constitute only inert and uncontaminated waste materials.

Reason: To avoid pollution through contamination of the soil, water and/or air, in the interests of the general amenities of the locality.

Controlling Processing of Permitted Materials

20. Only processing of only inert and uncontaminated waste materials shall take place on site at any time throughout the duration of the development hereby permitted. No waste materials shall be exported off site, save for rejected waste materials that are unsuitable for restoration. A record of reject loads shall be maintained by the applicant at all times and be kept at the site office at all times. They shall be made available to the Minerals Planning Authority upon request.

Reason: To ensure the restoration of the site within agreed timescales, in the interests of the general amenities of the locality.

Submission of Topographical Surveys

21. Detailed topographical surveys, providing an update on the approved extraction and restoration works, shall be submitted every calendar year from the date of

commencement to the Minerals Planning Authority following the commencement of the development hereby permitted.

Reason: To ensure that the extraction and restoration of the site is completed to an acceptable standard within agreed timescales and in the interests of the general amenities of the locality.

External Lighting

22. No external lighting shall be installed anywhere within the site. This exclusion shall not prohibit the use of lighting on plant, equipment, machinery and vehicles required during the permitted hours of working or the installation of sensor-controlled security lighting, which shall be designed and shielded at all times to minimise light spillage beyond the site boundary.

Reason: To prevent light pollution in the interests of the amenity of the locality and of local residents.

Hours of Use

23. There shall be no sand extraction or restoration operations, including waste handling and processing, associated with the development hereby permitted, which shall include the use of plant, equipment, machinery and vehicles, outside the hours of:

- 07.00 and 18.00 on Monday to Friday inclusive; and
- 07.00 and 13.00 on Saturdays.

No sand extraction or restoration operations, including waste handling and processing operations, which shall include the use of plant, equipment, machinery and vehicles, shall take place on Sundays, Bank Holidays or Public Holidays.

The maintenance of plant, equipment, machinery and/or vehicles required within the development hereby permitted may also take place between the hours of 18:00 and 19:00 on Monday to Friday inclusive and 13:00 and 18:00 on Saturdays and the operation of pumps or safety systems may be undertaken at any time.

Reason: In the interests of the amenity of the locality and of local residents.

Enclosed Loads

24. All vehicles exporting sand and any reject waste loads from the site and delivering wastes to the site shall have their loads enclosed within the vehicle or container so as to prevent spillage or loss of materials on to the public highway and the release of emissions to air.

Reason: In the interests of highway safety and of the amenities of the locality.

Vehicular Operations and Controls

25. The site shall not be used as an operating base for any Heavy Goods Vehicles, or the repair and/or maintenance of any Heavy Goods Vehicles and plant, equipment and/or machinery which are not under the direct control of the operator and not normally used for the delivery, handling or sorting of minerals and imported wastes to or within the site.

Reason: In the interests of road safety and of the general amenities of the locality.

Record Keeping

26. No more than 1,800,000 tonnes of permitted restoration materials shall be imported into the site throughout the period of development. A record of the annual quantities (in tonnes) of extracted sand exported from the site and restoration materials (in tonnes) imported to the site shall be maintained by the applicant at all times and made available to the Minerals Planning Authority upon request.

Reason: To ensure the restoration of the site within agreed timescales to protect both local amenity and the local environment.

Permanent Cessation

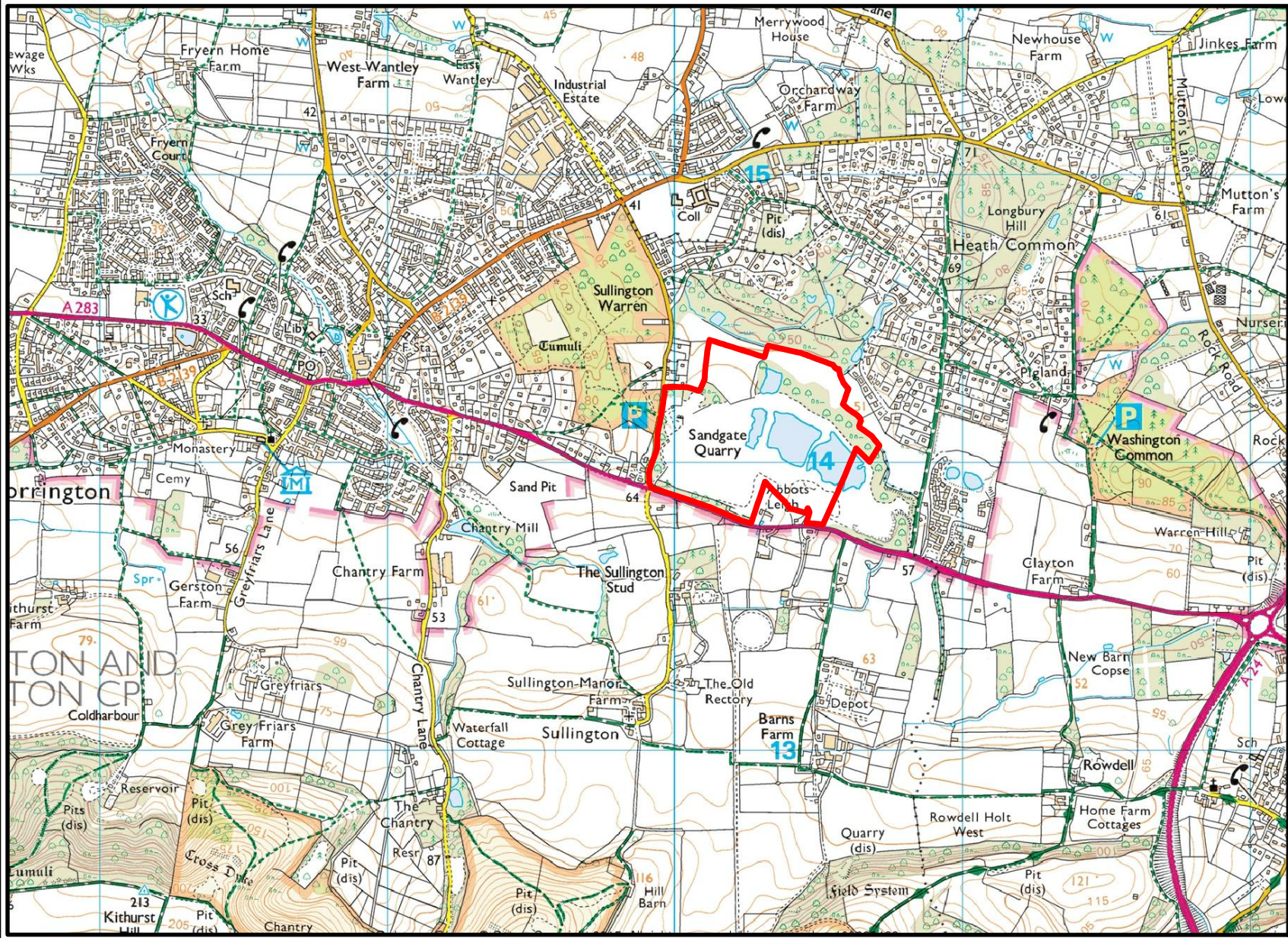
27. In the event of cessation of winning and working of minerals prior to the achievement of the completion of the scheme approved under condition 3 of this permission, which in the opinion of the Minerals Planning authority constitutes a permanent cessation within the terms of paragraph 3 of Schedule 9 of the Town & Country planning Act 1990, a revised scheme, to include details of reclamation and aftercare, shall be submitted in writing for approval of the Minerals Planning Authority within 12 months of the cessation of winning and working. Once approved by the Minerals Planning Authority, the revised scheme shall be implemented in full within one year of written approval.

Reason: To enable the Minerals Planning Authority to adequately control the development and to ensure that the land is restored to a condition capable of beneficial use.

INFORMATIVES

- A. This permission shall be read in conjunction with an agreement made under Section 106 of the Town and Country Planning Act 1990 to control HGV routing to and from the site and the securing of all proposed permissive footpaths at the application site.
- B. The applicants' attention is drawn to the response of Natural England which offers advice regarding protected species, local sites and priority habitats and species and environmental enhancement.
- C. The Environmental Health Authority, Horsham District Council, may use their powers under the Control of Pollution Act 1974 (COPA) to enforce against any nuisance (including waste disposal, water pollution, noise, atmospheric pollution and public health; and for purposes connected with the matters aforesaid) from the site. For any queries on this matter, please contact the Environmental Health Department of Horsham District Council on 01403 215641.
- D. The applicant is advised that all mineral extraction operations must be carried out in accordance with HSE requirements and the Quarry Regulations 1999. The applicant should contact the HSE prior to the commencement of the development hereby permitted to ensure that they are fully compliant with the required health and safety requirements.

- E. In determining this planning application, the Minerals Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken positively and proactively in accordance with the requirement in the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.



Application Boundary

Revisions	
Based on the Ordnance Survey Land Line Data with the permission of Her Majesty's Stationary Office, © Crown Copyright. Licence No. 100018131	
  	
Planning Department CEMEX UK Operations Limited CEMEX, 1st Floor 188 High Street, Egham TW20 9ED	
Telephone 01932 568833 Facsimile 01932 568933	
Drawn By: T Paiman	Company: CEMEX UK Operations Limited
Date: Sep 2018	Site: Sandgate
Scale: 1:20000 @ A4	Project: Enhanced Restoration Scheme
Chkd:	Title: Site Location Plan
OS Ref:	Dwg No: P4/182/1

This page is intentionally left blank



PLANTING SCHEDULE									
TREES		SIZE	NOTES	P1	P2	P3	P4	H1	H2
Acer campestre (Field Maple)	0.45-0.6m t/s								
Alnus glutinosa (Alder)	0.45-0.6m t/s		P1- P3 (Existing)	640	175	60	50	45	75
Betula pendula (Silver Birch)	0.45-0.6m t/s		planted at 2.5m c/s.				100		
Castanea sativa (Sweet Chestnut)	0.45-0.6m t/s				75		100		
Fraxinus excelsior (Ash)	0.45-0.6m t/s		P4 to be planted at 1.5m c/s	160	125	10			
Pinus sylvestris (Scots Pine)	0.45-0.6m t/s				50				
Prunus avium (Wild Cherry)	0.45-0.6m t/s			160			25		
Quercus robur (Oak)	0.45-0.6m t/s			160	25		200		
Salix alba (White Willow)	0.45-0.6m t/s				75	35			
Salix fragilis (Crack Willow)	0.45-0.6m t/s					15			
Sorbus aucuparia (Rowan)	0.45-0.6m t/s				25		275		
Tilia cordata (Small Leaved Lime)	0.45-0.6m t/s				75				
Total Trees				1120	625	120	750	45	75
SHRUBS									
Cornus sanguinea (Dogwood)	0.45-0.6m t/s		H1 and H2 to be planted at 4 plants per metre					15	25
Corylus avellana (Hazel)	0.45-0.6m t/s						250		
Crataegus monogyna (Hawthorn)	0.45-0.6m t/s				15		2200	600	1000
Ilex aquifolium (Holly)	0.45-0.6m t/s		and at 0.5m c/s in a double staggered row		15		250	20	25
Prunus spinosa (Blackthorn)	0.45-0.6m t/s		All to be protected with "Tubex" tree shelters				750	100	200
Rosa canina (Dog Rose)	0.45-0.6m t/s						250	30	50
Salix caprea (Goat Willow)	0.45-0.6m t/s					15		30	50
Salix viminalis (Osier)	0.45-0.6m t/s					15			
Total Shrubs				0	30	30	3700	795	1350
TOTAL TREES AND SHRUBS				1120	655	150	4450	840	1425

KEY :

PERMITTED AREA

ADDITIONAL LAND IN COMPANY OWNERSHIP

EXISTING VEGETATION

PROPOSED RESTORATION PLANTING

PROPOSED HEDGEROW PLANTING

EXISTING RESTORED GRASSLAND

PROPOSED ACID GRASSLAND

PROPOSED WET HEATHLAND AND MIRE

WET HEATH AND REEDS AREA

PROPOSED CONTOURS(m.A.O.D.)

POTENTIAL PERMISSIVE FOOTPATH ROUTE

POTENTIAL PERMISSIVE FOOTPATH ROUTE (Subject to creation of suitable path through existing landholding)

PROPOSED STOCKPROOF FENCING

Grass seed mix for restored slopes:

To be sown at 5g / m²
Includes species to be sown as companion grasses to prevent soil erosion during initial stages of the sward development:

25.0% *Agrostis castellana* (Highland Bent)
20.0% *Festuca rubra ssp commutata* (Chewings Fescue)
20.0% *Festuca ovina* (Sheeps Fescue)
15.0% *Festuca rubra* (Red Fescue)
10.0% *Festuca longifolia* (Hard Fescue)
5.0% *Deschampsia flexuosa* (Wavy Hair Grass)
5.0% *Molinia caerulea* (Purple Moor Grass)

Wetland Establishment:

Wetland and reed areas to establish by natural colonisation from adjacent seed sourcesto maximise biodiversity value; site already contains *Phragmites australis* and other wetland species.

Revisions

Based on the Ordnance Survey Digital Map Data with the permission of Her Majesty's Stationary Office, 117 Crown Copyright. Licence No.100018131

Planning Department
CEMEX UK Operations Limited
CEMEX House, Coldharbour Lane
Thorpe, Egham, Surrey
TW20 8TD

Telephone 01932 568833
Facsimile 01932 568933

Drawn By
Splaza

Company
CEMEX UK Operations Limited

Date
Oct 2010

Site
SANDGATE QUARRY

Scale(s) @A2
1 : 2500

Project
Review of Old Mineral Permission

Chkd

Title
RESTORATION MASTER PLAN

Site Ref.

Drawing No.
P3 / 182 / 8

This page is intentionally left blank



PLANTING SCHEDULE													
TREES		SIZE	NOTES	P1	P2	P3	P4	H1	H2	TOTAL			
Acer campestre	(Field Maple)	0.45-0.6m t/s	P1- P3 (Existing) planted at 2.5m c/s.	640	175	60	50	45	75	170			
Alnus glutinosa	(Alder)	0.45-0.6m t/s										875	
Betula pendula	(Silver Birch)	0.45-0.6m t/s							100				
Castanea sativa	(Sweet Chestnut)	0.45-0.6m t/s							100				
Fraxinus excelsior	(Ash)	0.45-0.6m t/s	P4 to be planted at 1.5m c/s	160	125	10				295			
Pinus sylvestris	(Scot's Pine)	0.45-0.6m t/s							50			50	
Prunus avium	(Wild Cherry)	0.45-0.6m t/s								25		185	
Quercus robur	(Oak)	0.45-0.6m t/s							25	200		385	
Salix alba	(White Willow)	0.45-0.6m t/s					75	35		110			
Salix fragilis	(Crack Willow)	0.45-0.6m t/s						15		15			
Sorbus aucuparia	(Rowan)	0.45-0.6m t/s					25		275	300			
Tilia cordata	(Small Leaved Lime)	0.45-0.6m t/s					75			75			
Total Trees				1120	625	120	750	45	75	2735			
SHRUBS													
Cornus sanguinea	(Dogwood)	0.45-0.6m t/s	H1 and H2 to be planted at 4 plants per metre and at 0.5m c/s in a double staggered row					15	25	40			
Corylus avellana	(Hazel)	0.45-0.6m t/s								250		250	
Crataegus monogyna	(Hawthorn)	0.45-0.6m t/s							15	2200	600	1000	3815
Ilex aquifolium	(Holly)	0.45-0.6m t/s							15	250	20	25	310
Prunus spinosa	(Blackthorn)	0.45-0.6m t/s					750	100	200	1050			
Rosa canina	(Dog Rose)	0.45-0.6m t/s	All to be protected with "Tubex" tree shelters				250	30	50	330			
Salix caprea	(Goat Willow)	0.45-0.6m t/s							15	30	50	95	
Salix viminalis	(Osier)	0.45-0.6m t/s								15			15
Total Shrubs				0	30	30	3700	795	1350	5905			
TOTAL TREES AND SHRUBS				1120	655	150	4450	840	1425	8640			

KEY :

PERMITTED AREA

ADDITIONAL LAND IN COMPANY OWNERSHIP

EXISTING VEGETATION

PROPOSED RESTORATION PLANTING

PROPOSED HEDGEROW PLANTING

EXISTING RESTORED GRASSLAND

EXPOSED SAND FACES AND ACID GRASSLAND / HEATHLAND MOSAIC

PROPOSED ACID GRASSLAND

PROPOSED WET HEATHLAND AND MIRE

WET HEATH AND REEDS AREA

PROPOSED CONTOURS (m.A.O.D.) at 2.0m Intervals

POTENTIAL PERMISSIVE FOOTPATH ROUTE

POTENTIAL PERMISSIVE FOOTPATH ROUTE (Subject to creation of suitable path through existing landholding)

PROPOSED STOCKPROOF FENCING

REMAINING QUARRY RESTORATION AREA (Imported Restoration Materials)

OPERATIONAL ANCILLARY AREA (Removal of Plant, Restoration Seeding and Planting only)

Grass seed mix for restored slopes:

To be sown at 5g / m²
Includes species to be sown as companion grasses to prevent soil erosion during initial stages of the sward development:

25.0% *Agrostis castellana* (Highland Bent)
20.0% *Festuca rubra ssp commutata* (Chewings Fescue)
20.0% *Festuca ovina* (Sheeps Fescue)
15.0% *Festuca rubra* (Red Fescue)
10.0% *Festuca longifolia* (Hard Fescue)
5.0% *Deschampsia flexuosa* (Wavy Hair Grass)
5.0% *Molinia caerulea* (Purple Moor Grass)

Wetland Establishment:

Wetland and reed areas to establish by natural colonisation from adjacent seed source to maximise biodiversity value; site already contains *Phragmites australis* and other wetland species.

Revisions

A Footpath has been updated

TP

Mar 18

Based on the Ordnance Survey Digital Map Data with the permission of Her Majesty's Stationery Office, 11 Crown Copyright. Licence No.100018131

Planning Department
CEMEX UK Operations Limited
CEMEX House, Coldharbour Lane
Thorpe, Egham, Surrey
TW20 8TD

Telephone 01932 568833
Facsimile 01932 568933

Drawn By
AW

Company
CEMEX UK Operations Limited

Date
18 Sept 2018

Site
SANDGATE QUARRY

Scale(s) @A2
1 : 2500

Project
Review of Old Mineral Permission

Chkd

Title
RESTORATION MASTER PLAN -
Utilising Imported Material

Site Ref.

Drawing No.
P4 / 182 / 10

Rev A

This page is intentionally left blank

Update on Mineral, Waste and Regulation 3 Planning Applications

Planning Committee date 26 March 2019

Report by Strategic Planning, County Planning Manager

Minerals and Waste Planning Applications

Report run on 14 March 2019

Type	Reference (Case Officer)	Applicant	Proposal	Location	Member	Date Valid	Recommended determination date	Extension Deadline Date	Period post validation	Update comments
County Matter Waste	WSCC/001/18/WE (Mr Chris Bartlett)	Landacre Trading Limited	Amendment of conditions 2, 3, 7 and 17 of planning permission WSCC/007/12/WE to allow extension of time for completion of restoration works by 18 months and variation of schemes	Hambrook Marlpit, Marlpit Lane, Hambrook, Chichester, PO18 8UL	Mr Viral Parikh	22-DEC-2017	24-MAR-2018	16-JUN-2018	64 weeks	Report complete and decision notice to be issued.
County Matter Waste	WSCC/027/18/F (Mr James Neave)	Grundon Waste Management Ltd	Proposed new access road	New Circular Technology Park (former Ford Blockworks), Ford Airfield Industrial Estate, Ford, Arundel, BN18 0HY	Mrs Jacky Pendleton	04-JUN-2018	24-SEP-2018	28-FEB-2019	40 weeks	Awaiting S106 agreement.
County Matter Mineral	WSCC/044/18/SR (Mr Chris Bartlett)	Inert Recycling Limited and CEMEX UK Operations Limited	Continuation of working the mineral (sand extraction), but with an enhanced restoration scheme for nature conservation and informal recreation involving the importation of 1.8 million tonnes of inert material over a period of eleven years	Sandgate Park Quarry, Water Lane, Washington, Pulborough, RH20 4AS	Mr Paul Marshall	15-OCT-2018	04-FEB-2019	-	21 weeks	This agenda

Type	Reference (Case Officer)	Applicant	Proposal	Location	Member	Date Valid	Recommended determination date	Extension Deadline Date	Period post validation	Update comments
County Matter Waste	WSCC/050/18/BK (Mr James Neave)	Raggio	Erection of replacement dwelling, including acoustic bunds along east, west and side boundaries.	Dan Tree Farm, London Road, Bolney, West Sussex, RH17 5QD	Mrs Joy Dennis	17-DEC- 2018	19-MAR-2019	22-MAY- 2019	12 weeks	Applicant providing further plans to address concerns raised by officers. Further consultation will be required.
County Matter Waste	WSCC/003/19/F (Mr Edward Anderson)	Wicks Farm (Biogas) Ltd	Amendment of condition 2 of planning permission WSCC/061/16/F to amend design of silage clamps	Land at, Wicks Farm, Ford Lane, Ford, Arundel, BN18 0DF	Mrs Jacky Pendleton	20-DEC- 2018	22-MAR-2019	-	12 weeks	Awaiting completion of revised S106 legal agreement.
County Matter Waste	WSCC/051/18/HA (Mr Chris Bartlett)	Christopher Marlow	Deposit of soils from adjacent housing development	Land West of, London Road, Hassocks, West Sussex	Mrs Kirsty Lord	20-DEC- 2018	22-MAR-2019	-	12 weeks	Ongoing discussion with applicant, but decision to be issued in coming weeks.
County Matter Waste	WSCC/002/19/CM (Mr Edward Anderson)	TJ Waste & Recycling Limited	Proposed Inert Waste Recycling Facility, with new building, car parking, access track and boundary treatment	Northwood Farm, Burndell Road, Yapton, Arundel, BN18 0HR	Mrs Jacky Pendleton	24-DEC- 2018	26-MAR-2019	-	11 weeks	Application withdrawn.
County Matter Waste	WSCC/004/19/RW (Mr James Neave)	Restoration to Agriculture Ltd	Extension to the restoration of the former claypit, including the remodelling of the existing landform to enable a change of use to agricultural land (permanent pasture), internal traffic management improvement measures and a proposed scheme of landscaping improvements and ecological enhancement	Rudgwick Brickworks, Lynwick Street, Rudgwick, Horsham, West Sussex, RH12 3DH	Mr Christian Mitchell	03-JAN- 2019	25-APR-2019	-	10 weeks	Applicant considering issues raised by officers and considering submitting further plans to address concerns raised by officers. Further consultation will be required.
County Matter Waste	WSCC/021/19/AR (Mr Chris Bartlett)	Paul Wilson	Infilling of a hollow to restore garden land	Fulling Mill Farmhouse, Selsfield Road, Ardingly, Haywards Heath, West Sussex, RH17 6TJ	Mr Bill Acraman	19-FEB- 2019	22-MAY-2019	-	3 weeks	Within consultation period

Type	Reference (Case Officer)	Applicant	Proposal	Location	Member	Date Valid	Recommended determination date	Extension Deadline Date	Period post validation	Update comments
County Matter Waste	WSCC/020/19/AR (Mr Chris Bartlett)	Paul Wilson	Infilling of a hollow to restore grazing land	Fulling Mill Farm, Selsfield Road, Ardingly, Haywards Heath, West Sussex, RH17 6TJ	Mr Bill Acraman	19-FEB- 2019	22-MAY-2019	-	3 weeks	Within consultation period

Regulation 3 Planning Applications

Type	Reference (Case Officer)	Applicant	Proposal	Location	Member	Date valid	Recommended determination date	Extension Deadline Date	Period post validation	Update comments
Reg 3 Major	WSCC/049/18/LY (Ms Jane Moseley)	Director of Economy, Planning and Place	Creation of a 1.1km highway, with shared cycleway and footway, Pegasus crossing, viaduct, culvert, wetland areas, balancing pond and swales, street lighting and associated works	East of Lyminster village & between, Toddington Nurseries &, A284 Lyminster Road, Lyminster, Littlehampton	Mr Gary Markwell	29-NOV- 2018	01-MAR-2019	-	15 weeks	This agenda
Reg 3 Minor	WSCC/010/19/AW (Mr Edward Anderson)	Director of Economy, Planning and Place	Retrospective application for the siting and use of 1 temporary classroom unit	Rose Green Infant School, Hawkins Close, Bognor Regis, PO21 3LW	Mrs Dawn Hall	10-JAN- 2019	08-MAR-2019	-	9 weeks	Report written; awaiting issue of decision
Reg 3 Minor	WSCC/006/19/R (Mr Edward Anderson)	Director of Economy, Planning and Place	Retrospective application for the siting and use of a double temporary classroom unit	Summerlea Community Primary School, Windsor Drive, Rustington, West Sussex, BN16 3SW	Dr James Walsh	10-JAN- 2019	08-MAR-2019	-	9 weeks	Report written, awaiting issue of decision.
Reg 3 Minor	WSCC/012/19/SQ (Mr Benjamin Marshall)	Director of Economy, Planning and Place	Removal of 2no. Existing Modular Classrooms and replacement with 2no. New Modular Classrooms	Southwater Infant School, Worthing Road, Southwater, Horsham, RH13 9JH	Mr Nigel Jupp	14-JAN- 2019	12-MAR-2019	-	8 weeks	Awaiting final consultee responses; to be determined in coming weeks.
Reg 3 Minor	WSCC/013/19/SQ (Mr Benjamin Marshall)	Director of Economy, Planning and Place	Removal of 2no. Existing Modular Classrooms and replacement with 2no. New Modular Classrooms	Southwater Junior School, Worthing Road, Southwater, Horsham, RH13 9JH	Mr Nigel Jupp	14-JAN- 2019	12-MAR-2019	-	8 weeks	Awaiting final consultee responses; to be determined in coming weeks.
Reg 3 Minor	WSCC/014/19/WT (Mr Edward Anderson)	Director of Economy, Planning and Place	Laying of a daily mile all- weather track in the playing field	Thorney Island Community Primary School, Emsworth Road, Thorney Island, Emsworth, PO10 8DJ	Mr Viral Parikh	31-JAN- 2019	29-MAR-2019	-	6 weeks	To be determined in coming weeks.

Type	Reference (Case Officer)	Applicant	Proposal	Location	Member	Date valid	Recommended determination date	Extension Deadline Date	Period post validation	Update comments
Reg 3 Minor	WSCC/016/19/S (Mr Chris Bartlett)	Director of Economy, Planning and Place	Installation of a single-storey, double temporary classroom (until September 2020)	Sompting Village Primary School, White Styles Road, Sompting, Lancing, West Sussex, BN15 0BU	Lt Col George Barton	08-FEB- 2019	06-APR-2019	-	5 weeks	Within consultation period
Reg 3 Minor	WSCC/015/19/BB (Mr Benjamin Marshall)	Director of Economy, Planning and Place	Erection of single storey temporary classroom	Shelley County Primary School, Wickhurst Lane, Broadbridge Heath, Horsham, West Sussex, RH12 3LU	Mr Christian Mitchell	08-FEB- 2019	06-APR-2019	-	5 weeks	To be determined in coming weeks.
Reg 3 Minor	WSCC/018/19/RW (Mr Edward Anderson)	Director of Economy, Planning and Place	To create a 'Mile a Day' path around the school field measuring 160m in length and 1.5m wide	Rudgwick Primary School, Tates Way, Rudgwick, Horsham, West Sussex, RH12 3HW	Mr Christian Mitchell	11-FEB- 2019	09-APR-2019	-	4 weeks	To be determined in coming weeks.
Reg 3 Minor	WSCC/017/19/LB (Mr Benjamin Marshall)	Director of Economy, Planning and Place	Installation of an all-weather multi play single lane track around the school playing field	Holy Trinity Primary School, Church Close, Lower Beeding, Horsham, West Sussex, RH13 6NS	Mrs Liz Kitchen	11-FEB- 2019	09-APR-2019	-	4 weeks	Within consultation period
Regulation 3 Minor	WSCC/019/19/CC (Mr Benjamin Marshall)	Director of Economy, Planning and Place	Install play and climbing equipment within a bonded bark bed safety surface	St Anthony's School, Woodlands Lane, Chichester, West Sussex, PO19 5PA	Mr Jeremy Hunt	13-FEB- 2019	11-APR-2019	-	4 weeks	Within consultation period
Regulation 3 Minor	WSCC/022/19/CC (Mr Edward Anderson)	Director of Economy, Planning and Place	Development of existing grassed area to provide an all- weather play surface for the children	Lancastrian Infants School, Orchard Gardens, Chichester, West Sussex, PO19 1DG	Ms Louise Goldsmith	20-FEB- 2019	18-APR-2019	-	3 weeks	Within consultation period
Regulation 3 Minor	WSCC/023/19 (James Neave)	Director of Economy, Planning and Place	Replacement of existing failed roof coverings to various roofs across the school	Weald School, Station Road, Billingshurst, RH14 9RY	Mrs Amanda J Jupp	21-FEB- 2019	18-APR-2019	-	3 weeks	Within consultation period

Type	Reference (Case Officer)	Applicant	Proposal	Location	Member	Date valid	Recommended determination date	Extension Deadline Date	Period post validation	Update comments
Regulation 3 Minor	WSCC/024/19 (James Neave)	Director of Economy, Planning and Place	Planning & Place Erection of new hall and temporary main reception	Nyewood C of E Junior School, Brent Road, Bognor Regis, West Sussex, PO21 5NW	Mr David Edwards	22-FEB- 2019	19-APR-2019	-	3 weeks	Within consultation period
Regulation 3 Minor	WSCC/026/19 (Edward Anderson)	Director of Economy, Planning and Place	A new single-storey classroom block; new reception infill extension; internal remodelling and refurbishment to existing school and external works	Shelley Primary School, Wickhurst Lane, Horsham, RH12 3LU	Mr Christian R Mitchell	27-FEB- 2019	24-APR-2019	-	2 weeks	Within consultation period
Regulation 3 Minor	WSCC/027/19 (Edward Anderson)	Director of Economy, Planning and Place	Installation of artificial grass to school playing field	Lyndhurst Infant School, 179A Lyndhurst Road, Worthing, BN11 2DG	Mr Roger J Oakley	01-MAR- 2019	26-APR-2019	-	2 weeks	Within consultation period
Regulation 3 Minor	WSCC/028/19 (Edward Anderson)	Director of Economy, Planning and Place	Installation of artificial grass and soft play surface to the school playing field	St. Margarets C Of E Primary School, Arundel Road, Littlehampton, BN16 4LP	Mrs Deborah L Urquhart	04-MAR- 2019	29-APR-2019	-	2 weeks	Within consultation period
Regulation 3 Minor	WSCC/029/19 (Chris Bartlett)	Director of Economy, Planning and Place	A new single-story classroom block; extension to the existing staff room, hall/kitchen; internal remodelling and refurbishment to existing school and external works.	Sompting Village Primary School, White Styles Rd, Sompting, BN15 0BU	Lt Col George R Barton	05-MAR- 2019	30-APR-2019	-	2 weeks	Within consultation period
Regulation 3 Minor	WSCC/031/19 (Edward Anderson)	Director of Economy, Planning and Place	Development of school field to provide an artificial grass, all weather daily mile track	North Heath Community Primary School, Erica Way, Horsham, RH12 5XL	Mr Peter C Catchpole	01-MAR- 2019	26-APR-2019	-	2 weeks	Within consultation period

Report of Delegated Action; Applications approved subject to conditions

Planning Committee date 26 March 2019

Report by Strategic Planning, County Planning Manager

Decided between: Period Start Date : '23-JAN-2019' , and Period End Date : '13-MAR-2019'

Report run on 14 March 2019

	District	Application Number	Proposal	Location
County Matter Mineral	Arun District Council	WSCC/047/18/BN	Variation of a planning condition (condition number 4) on the current permission for the site (ref: WSCC/008/18/BN) to allow the flowing of hydrocarbons 24 hours and seven days per week	Lidsey Oil Site, Lidsey Road, Bognor Regis, West Sussex, PO22 9PH
Regulation 3 Minor	Horsham District Council	WSCC/009/19/HU	Retrospective application for the siting and use of 1 temporary classroom unit	St John's Catholic Primary School, Blackbridge Lane, Horsham, West Sussex, RH12 1RR
	Mid Sussex District Council	WSCC/008/19/BH	Amendment of condition 1 of planning permission WSCC/106/13/BH to allow the continued siting and use of a double temporary classroom until September 2021	Woodlands Meed College, Birchwood Grove Road, Burgess Hill, West Sussex, RH15 0DP
		WSCC/001/19/BH	Installation of a Multi-use games area (MUGA), re-surfacing to existing early years play area and tarmac surface to planted areas	Sheddingdean Primary School, Petworth Drive, Burgess Hill, West Sussex, RH15 8JT
	Worthing Borough Council	WSCC/005/19/WB	Retrospective application for the siting and use of 1 temporary classroom unit	Lyndhurst Infant School, Lyndhurst Road, Worthing, West Sussex, BN11 2DG

	District	Application Number	Proposal	Location
	Worthing Borough Council	WSCC/007/19/WB	Retrospective application for the siting and use of 1 temporary classroom unit	Vale School, Vale Avenue, Worthing, West Sussex, BN14 0DB
		WSCC/011/19/WB	Retrospective application for the siting and use of 1 double temporary classroom unit	Durrington Infant School, Salvington Road, Salvington, Worthing, West Sussex, BN13 2JD

Document is Restricted

This page is intentionally left blank