

Subject:

AL/101/18/PL

Comments from Chris Bartlett – WSCC

Hi Dan,

Jane asked me to give this a quick look over.

Although the applicant states that the bund is to comprise topsoil from the adjacent site, we'd still class this as 'inert waste' and therefore should be appraised using the Waste Local Plan policies. I'm guessing that they are taking soils from the adjacent housing development site and simply placing it a bund and is therefore a development in its own right.

I would therefore suggest that the need for the application to be considered against Policy W8 of the West Sussex Waste Local Plan as it relates to the deposit of inert waste to land. The policy is supportive of such developments provided the following criteria are met:

- (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."*

You'll need to be assured that the proposal would result in 'clear benefits' (clause (a)) for the site and wider area. In this case, I can't see anywhere in the documents which explains any clear benefits. Although one of the representation letters says the bund will shield their property from dust and noise and will give them a more rural outlook, these reasons aren't considered in the applicants submission at all.

Clause (b) asks whether the material is residual following recycling and/or recovery, but nothing has been included in the submission to discuss this point.

The applicant has not demonstrated a 'genuine need' for the development (clause (c)), such that it would be undertaken without waste – i.e. if 'virgin' material (aggregate) was to be used.

Clause (e) is more complicated; it is impossible to establish whether the amount of material to be used is the minimum necessary to deliver the benefits identified, as no benefits have been identified. The applicant should be asked to justify the amount of waste they are proposing to import and the scale of the landform.

You'll also need to reassure yourself that there would be no unacceptable impact on natural resources (clause (f)), and that the restoration/aftercare of the site would be of high quality (clause (i)). No information is provided for restoration/aftercare, not even stating that the bund would be seeded with grass and no timescales or maintenance details have been provided.

In conclusion, the proposal doesn't accord with Policy W8 of the West Sussex Waste Local Plan (2014) in that it has not been shown to provide any clear benefits for either the site or wider area and would thereby be considered 'waste disposal' which has to be considered against Policy W9. It is considered that the waste could be practicably recovered or recycled, so its disposal would be contrary to Policy W9.

Hope this helps somewhat.

Chris Bartlett

Principal Planner, Planning Services

Economy, Planning and Place Directorate

West Sussex County Council, Ground Floor, Northleigh, County Hall, Chichester, West Sussex, PO19 1RQ

