

Michael Elkington
Divisional Manager

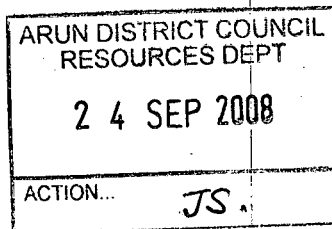
Please respond to: Mr Nick Bainton
Tel: (01243) 756846
Fax: (01243) 756862
www.westsussex.gov.uk

County Development

The Grange
Tower Street
Chichester
West Sussex
PO19 1RH
Switchboard: 01243 777100



Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF



22 September 2008

Dear Sir/Madam

THE TOWN AND COUNTRY PLANNING ACT 1990
APPLICATION MADE UNDER COUNTY MATTER WASTE APPLICATION

Application No: FG/109/08
Description: Continued use as a facility for production of compost from green waste for a temporary period of 2 years as previously approved under FG/62/03 which expired 30th June 2006
Location: Hangleton Nursery, Hangleton Lane, Ferring, West Sussex, BN12 6PP
Grid Ref: 508945 103535

I enclose for the Planning Register the Decision Notice relating to the above development which has been Granted Planning Permission.

Thank you for your assistance in dealing with this application.

Yours faithfully


Mr Nick Bainton
County Development

West Sussex County Council is the Data Controller for the purposes of the Data Protection Act 1998. This means that West Sussex County Council is responsible for making decisions about how your personal data will be processed and how it may be used.

The purpose(s) for which your data will be processed is for consultations related to Planning Applications submitted to the County Council. Details of the application and letters of complaint/objection/support will be held in a database and will be made available through the County Council website.

The data you provide may be disclosed to those within the County Council and the community of West Sussex who may have an interest in the decision taken relating to the planning application.

Security safeguards apply to both manual and Computerised held data.

If you have any queries contact the Data Protection Officer tel: 01243 777955



County Development
The Grange
Tower Street
Chichester
West Sussex PO19 1RH
Tel no: (01243) 777623



Application No: FG/109/08
COUNTY MATTER

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT
PROCEDURE) ORDER 1995

To Mr Patrick Johnston
Woodgate House
Woodgate
Chichester
PO20 3SU

In pursuance of their powers under the above mentioned Act and Orders, West Sussex County Council hereby notify you that they **PERMIT** the following development, that is to say:-

continued use as a facility for production of compost from green waste for a temporary period of 2 years as previously approved under FG/62/03 which expired 30th June 2006 at Hangleton Nursery, Hangleton Lane, Ferring, West Sussex, BN12 6PP

to be carried out in accordance with your application and plans (as modified by the under-mentioned conditions if any) submitted to this Council on 23 June 2008 (and in accordance with the relevant correspondence a copy of which is attached *) and subject to the conditions specified hereunder:-

1. The development hereby permitted shall be begun 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.

2. There shall be no departure from the submitted plans numbered 2.385/03/1A and 2.385/03/2A (both dated 3rd June 2004) and the supporting statement, Report 2.385/06/R2 (dated 30th September 2006). There shall be no departure from the submitted plans without the prior written consent of the County Planning Authority.

Reason: To secure satisfactory development.

3. No green waste shall be delivered to the site other than in vehicles the maximum gross weight of which shall not exceed 10 tonnes.

Reason: To minimise the effects of additional traffic generated as a result of this development on Hangleton Lane.

Date 22/09/08

Signed

Divisional Manager County Development

***N.B.** The reasons for imposing the above conditions are as specified after the conditions.
The words in brackets do not apply unless a copy of the relevant correspondence is attached.
Your copy of the application, determined as above, is returned herewith for your records.

IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES AT APPENDIX A OF THIS FORM



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Continuation Sheet

4. No green waste shall be delivered to the site other than between the hours of 09.00 and 18.00 on any weekdays and 09.00 and 13.00 on Saturdays. No green waste shall be delivered to the site on Sundays or Public holidays.

Reason: To minimise the effects of the operations on the amenities of the adjoining properties.

5. The noise screen previously permitted under Condition 5 of planning permission FG/62/03 shall be retained for use at all times the green waste shredder is in operation and sited on the southern side of the green waste shredding area such that the residential properties to the south and south west of the site are adequately protected from noise from the shredding machine. No green waste shall thereafter be shredded on the site other than behind the screen as approved and at any time other than within the area shown as the 'green waste shredding area' on plan 2.385/03/1A.

Reason: To satisfactorily enclose the shredding operations in order to minimise the projection of noise and spread of dust from the operations and to minimise the effects of the operations on the amenities of the adjoining properties.

6. No waste shall be shredded other than between the hours of 09.00 and 17.00 on any weekday, 09.00 and 13.00 on Saturdays and for no more than two hours in total on any one day. No shredding of waste shall be conducted on Sundays or public holidays

Reason: To minimise the effects of the operations on the amenities of adjoining properties

7. No green waste shall remain unprocessed on the site for a period in excess of forty eight hours from the time of its delivery.

Reason: To avoid the generation of odour from decomposing green waste in the interests of the amenities of neighbours to the site.

8. The quantity of green waste stored within the 'green waste storage area' identified on plan 2.385/03/1A shall at no time exceed a height of three metres.

Reason: To allow the County Planning Authority to control the development in the interest of amenity.

9. No shredded green waste shall be stored on any part of the site after shredding other than within the composting area within the covered glasshouse building shown as the 'composting area' on plan 2.385/03/1A.

Reason: To avoid generation of odour from shredded materials in the interests of the amenities of neighbours to the site.

Date 22/09/08

Signed
Divisional Manager County Development.....



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10. No green waste material, shredded green waste or composted material, other than material rejected as unsuitable for composting, shall be sold from or exported from the premises of Hangleton Nursery.

Reason: Planning permission is granted in the special circumstances of the applicant's expressed need to enhance the soils within the nursery site.

11. No use shall be made of the green waste storage area and waste shredding area unless and until these areas are provided with an impermeable surface and no surface water drainage from the composting production area, shredding area and waste storage areas shall be discharged into any water course, surface water sewer or soakaway at any time.

Reason: To protect the water environment.

12. Any facilities above ground for the storage of oils, fuels or chemicals shall be sited on an impervious base and surrounded by impervious walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund.

Reason: To protect the water environment.

13. No deliveries of waste, shredding or composting of green waste shall be conducted on the site after the 30th June 2010. Any waste, plant, structures or equipment required or used in connection with the composting of green waste shall be dismantled and removed from the site within a period of two months following the cessation of deliveries of wastes to the site.

Reason: The composting of waste at this site is required only for a temporary period.

INFORMATIVES

- A. The attention of the applicant is drawn to the contents of the attached letter from the Environment Agency dated 16th January 2007.

- B. Reasons for granting planning permission:

The proposals for the continued use of the site for composting green waste would:

1. be acceptable in terms of design, layout and scale.
2. not have an unacceptable impact on the environment/watercourses.
3. be acceptable in terms of access and any additional lorry movements.
4. not have an unacceptable impact to public amenity/neighbouring land use.

Date 22/09/08

Signed

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In making this decision account was taken of the following planning policies:

West Sussex Structure Plan 2001/2016 (Feb 2005)

Policy LOC1 - Gives priority to locating new development within towns and built up areas particularly through the reuse of previously developed land.

Policy LOC2 - Seeks to preclude development within the rural area unless it can be demonstrated to require a countryside location and should result in substantial environmental enhancement.

Policy CH1 - Development should not be permitted where it maintains and enhances the character, distinctiveness and sense of place of the County.

Policy ERA1 - Making the best use of land including the reuse of existing buildings.

Policy ERA2 - Provides for the protection of the habitats, species and geology of the County.

Policy ERA5 - Seeks to protect and where possible, enhance natural resources and assets including air, soil and water.

Policy ERA8 - provides for sufficient capacity to manage the waste that that will arise in West Sussex taking into account the need to minimise landfill and to balance environmental, social and economic needs.

Policy DEV1 - Encourages new development to be of high quality construction, layout, scale and appearance.

West Sussex Waste Local Plan, Revised Deposit Draft (July 2004)

Policy G1 - Provides for waste management facilities provided that they constitute the best practicable environmental option.

Policy G2 - Requires that proposals for waste management facilities do not detract from the character of the area.

Policy G3 - Proposals for waste management facilities should be designed to safeguard the environment.

Policy G4 - Proposals for waste management facilities will be permitted provided that they would not have an unacceptable impact on air quality, soil quality or ground and surface waters through pollution.

Policy G7 - Proposals for waste management facilities will be permitted provided public amenity is not adversely affected.

Policy U3 - Proposals for open-air composting and associated facilities will be permitted provided that they are located on suitable sites and that waste is derived from local sources.

Arun District Local Plan (2003)

Policy GEN1 - All development must take full account of the need to protect the environment so that present-day demands do not compromise the ability of future generations to meet their own needs or enjoy a high quality environment.

Policy GEN26 - Development will only be permitted where the Local Planning Authority is satisfied that it would not lead to a deterioration in the quality or potential yield of surface and ground water resources.

Policy GEN27 - Development which would have an unacceptable adverse impact on individual features or the character of the landscape will not be permitted.

Date 22/09/08

Signed

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Policy GEN34 - Development that contributes to air pollution through dust, smell, fumes, smoke, heat, radiation, gases, steam or other forms of pollution will not be permitted unless the Council decides that the health, safety and amenity of users of the site or surrounding land is not put at risk and the quality of the environment would not be damaged or put at risk.

This information is only intended as a summary of the reasons for the grant of planning permission. For further details on the decision please see the report by Contacting West Sussex County Council, Planning Services (Development Group) or visiting the website at <http://westsussex.gov.uk/ePlanningOPS>

Date 22/09/08

Signed
Divisional Manager County Development.....

A handwritten signature in black ink, appearing to be 'M. B.', written over a dotted line.

YOUR ATTENTION IS DIRECTED TO THE FOLLOWING NOTES.

THEY ARE FOR INFORMATION ONLY AND DO NOT PRETEND TO SET OUT THE WHOLE OF THE LAW ON THE SUBJECT. IT WOULD BE WELL FOR YOU TO CONSULT YOUR SOLICITOR IF YOU ARE IN ANY DOUBT.

TOWN AND COUNTRY PLANNING ACT 1990

1 Appeals to the Secretary of State

- (a) If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Office of the Deputy Prime Minister under section 78 of the Town and Country Planning Act 1990.
- (b) If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Planning Inspectorate at Tollgate House, Houlton Street, Bristol BS2 9DJ.
- (c) The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- (d) The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- (e) In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

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- (a) If either the local planning authority or the Office of the Deputy Prime Minister refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- (b) In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

3

In certain circumstances a claim may be made against the local planning authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

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Further correspondence about this application should quote the reference number at the top right hand corner of the form.