

**WSSC CONSULTATION RESPONSE:
County Planning – Minerals & Waste Planning Authority (MWPA)**

TO:	Arun District Council Case Officer: Jessica Riches
DATE:	22 October 2024
LOCATION:	Ford Airfield, Ford
SUBJECT:	F/15/24/RES: Approval of reserved matters (layout, scale, appearance and landscaping) following outline permission F/4/20/OUT for phase reserved matters 1 (North), for the erection of 340 No. residential dwellings plus associated roads, infrastructure, parking, landscaping, open space & play areas and associated works.
RECOMMENDATION:	<div> <input type="checkbox"/> Advice <input checked="" type="checkbox"/> Objection </div> <div> <input type="checkbox"/> Modification <input type="checkbox"/> No Objection </div> <div> <input checked="" type="checkbox"/> More Information <input type="checkbox"/> Refusal </div>

This reserved matters application relates to Condition 1 of F/4/20/OUT (requiring the submission of details relating to layout, scale, appearance and landscaping for each phase as defined within the Phasing Strategy under Condition 5). Whilst Condition 5 has yet to be discharged (and thus phases are yet to be approved), it relates to the northern area of the site referred to as RM1 (North).

The submission also seeks to address Conditions 18 (Ecological Protection and Enhancement Plan), 20 (Layout, Scale, Appearance and Landscaping Details), 21 (Landscape Details), 25 (Noise Impacts) and 26 (decentralised and renewable or Low-Carbon Energy).

With regard to these conditions, it is assumed this submission only seeks their part discharge for the RM1-North area only. Our comments are made on that basis.

The LPAs attention is drawn to our previous comments made in respect of the Outline application F/4/20/OUT. They should be read in conjunction with those, in particular the latest comments of 20 August 2021.

Waste Policy Background

It is essential that existing waste facilities and allocated sites are safeguarded as they make an important contribution to the management of waste arising in West Sussex.

National Planning Policy for Waste (2014), paragraph 8, sets out the role of local planning authorities when determining planning applications for non-waste development, namely to ensure that the likely impact upon existing waste facilities and allocations are acceptable, and do not prejudice the implementation and operation of such facilities. This

is reflected in Policies W2 and W10(d) of the West Sussex Waste Local Plan (2014)(the WLP), which requires that before granting permission for a non-waste development, the Local Planning Authority (LPA) must be satisfied that the proposed development would not prevent or prejudice the use of both existing and allocated waste management sites adjacent to the application site.

This is also echoed in Policy WM DM1 of the adopted Arun Local Plan, which sets out a general presumption against any development which may harm or prejudice the operation of existing and allocated waste facilities, and Policy EE3 of the Ford Neighbourhood Plan, which sets out the need for new development to ensure no conflict with existing uses and appropriate mitigation to minimise potential effects to identified to future occupants.

More generally, paragraph 182 of the NPPF notes that:

"existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed."

Waste Infrastructure Statement

F/4/20/OUT was supported by a Waste Infrastructure Statement (WIS), the final version of which was dated July 2021. It is noted that no WIS has been submitted as part of this reserved matters planning application.

A proportionate WIS should be provided for this phase (building on that provided at the outline stage) which specifically addresses potential odour, landscape screening, and noise matters relevant to the key existing waste sites/strategic waste allocations in the vicinity.

As part of this, assurances are sought that the applicant and LPA have engaged with relevant neighbouring waste infrastructure operators, and that they have been offered the opportunity to comment.

Detailed comments

Notwithstanding the above, the submitted information includes a noise and vibration assessment and details of proposed landscaping, both of which are relevant to waste infrastructure safeguarding matters.

Based on assessments provided at the outline stage, for this proposed phase of the development, the key proximate safeguarded waste facilities requiring consideration are the Metal Recycling Facility (HD Whites) at Ford Airfield Industrial Estate, and the Circular Technology Park (that contains the part implemented Grundon Waste Facility and is allocated in the WLP for built waste management facilities).

The following set out our observations/comments on the submissions relevant to waste infrastructure safeguarding matters.

Noise

It is noted that the submission also seeks to discharge condition 25 (Noise Impacts).

EHOs technical review of the noise assessment will be crucial to aid in determining whether the submitted assessments and proposed mitigation are adequate/sufficient to ensure that there would be no prejudice to the operation of existing waste sites, and to ensure new development is safeguarded from the impacts of incompatible land uses. **If EHOs are not satisfied with the information provided, WSCC as MWPA would object to the approval of this reserved matter and the (part) discharge of condition 25.**

Paragraph 4.18 of the noise assessment suggests noise level predictions have included the provision of 4m acoustic screening around Ford Airfield industrial Estate, however, this is part of a separate application. It is imperative, therefore, that this is secured.

It is unclear the extent to which the noise assessment has considered a likely worst-case scenario for noise generated by the Metal Recycling Facility, and the part implemented Grundon Waste Facility within the Circular Technology Park site (or whether this is based on monitored levels over a limited survey period?). It is crucial that any assessment of noise arising from these facilities is representative of the full extent of their permitted activities and potential future waste uses for which the Circular Technology Park Site is allocated.

The Waste Infrastructure Statement (WIS July 21) as referred to in condition 25 of F/4/20/OUT, at Figure 3, identified properties to the northwest of the Circular Technology Park that were envisaged to require noise mitigation measures to address conflicts with existing waste uses (gardens not to face industrial sources/orientation of dwellings so no habitable rooms facing industrial sources). Based on the information provided, properties at the southeast corner of this phase would seemingly fall within one of these identified areas. However, section 7 and Figure 7-1 of the noise assessment does not provide for any noise mitigation measures for these properties. This is cause for concern, and the reasons for this must be explained.

As raised in our previous responses to F/4/OUT, there remains a failure to demonstrate that conditions attached to existing waste sites (which set specified noise limits at the nearest residential receptors) would remain operable. For the existing Metal Recycling Site, Condition 7 of WSCC/012/12/F requires that the noise rating level from the waste facility at the nearest sensitive residential premises does not exceed 5dB above background. No evidence is provided that demonstrates this pre-existing condition (and thus the existing waste use) would remain operable.

Similarly, in terms of the noise relationship with the extant, part implemented, Grundon Waste Facility, the WIS concluded that several residential premises would experience noise levels in the order of 35-39dBA. Condition 28 of WSCC/096/13/F requires that the noise the rating level from the waste facility at the boundary of the nearest sensitive residential premises (not habitable rooms) does not exceed 35dBA at any time. The submitted noise assessment at Table 4-1 and paragraph 4.25 suggest a rating level of 36dB at the nearest residential properties, which would render this pre-existing condition (and thus the existing

waste use) inoperable. Accordingly, the proposed development could prejudice the use of the existing waste management sites, contrary to WLP Policy W2.

As raised in our previous responses to F/4/OUT it must be recognised that the site of the current, part implemented, Grundon Waste Facility, has planning permission for a thermal treatment plant (WSSC/096/13/F and WSSC/027/18/F). Further, the wider Circular Technology Park site is also allocated in the WLP 2014 (Policy W10) and is safeguarded for future waste uses (it is of note large areas of the site, the two northernmost hangars, are excluded from current waste planning permissions and have yet to see development proposals come forward). No evidence is provided that demonstrates the proposed layout and noise mitigation would not prevent or prejudice the future development of the existing (permitted) and allocated waste sites. Accordingly, the proposed development could prevent or prejudice the development of an allocated waste site for waste management use contrary to W10(d).

Landscaping/Screening

Landscaping proposals for this phase are contained within the submitted 'Composite Landscape Masterplan'. Within the orange line boundary for phase RM1 the subject of this application, there is limited planting aimed at specifically providing screening of adjacent waste sites. The exception is additional planting proposed at the northernmost part of the site, opposite Wicks Farm. This is welcomed and should, in conjunction with existing tree belts, aid in further screening permitted waste facilities to the north.

The applicant and LPA are encouraged to seek to ensure that any proposed landscaping maximises planting that would aid in providing screening of adjacent waste facilities and the WLP allocated site (noting that WSSC/096/13/F, if implemented in full, would include a 50m flue stack and potential future waste uses promoted by WLP allocation W10 are unknown).

Conclusion

As required by Policies W2 and W10(d) of the WLP, Policies WM DM1 and QE SP1 and Policy H SP2c (SD8) of the ADLP, and Policy EE3 of the Ford Neighbourhood Plan, any development of the site must ensure that existing and allocated waste management facilities/sites be safeguarded from inappropriate neighbouring development that could prejudice their operation and/or future development, and ensure new development is safeguarded from the impacts of incompatible land uses.

The applicant has not demonstrated that the proposed layout and noise mitigation measures would not prevent or prejudice existing and allocated waste management sites.

Therefore, WSSC request **further information** be provided to address the matters raised above. Until such time as further information has been provided, we have a **holding objection** to the to the approval of this reserved matter and the (part) discharge of condition 25.

James Neave, Principal Planner



WSSC Minerals and Waste response

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Minerals and Waste

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