

www.grundon.com

ESTATES OFFICE

22nd November 2021

Application Ref.: F/4/20/OUT

Applicant: Redrow Homes Southern Counties and Wates Developments Ltd

Proposal: Outline planning application (with all matters reserved except for access) for the development of up to 1,500 dwellings (Use Class C3), 60-bed care home (Use Class C2), up to 9,000 sqm of employment floorspace (Use Classes B1), local centre of up to 2,350 sqm including up to 900 sqm retail/ commercial (Use Classes A1-A5) and 1,450 sqm community/ leisure floorspace (Use Classes D1-D2), land for a two-form entry primary school (Use Class D1), public open space, allotments, new sports pitches and associated facilities, drainage, parking and associated access, infrastructure, landscape, ancillary and site preparation works, including demolition of existing buildings and part removal of existing runway hardstanding.

Location: Land at Ford Airfield Ford

Dear Mr Crowther,

We refer to the above planning application by Redrow Homes Southern Counties and Wates Developments (the Applicant). Further to our previous objections and additional consideration of the planning application, we write to you to confirm that we maintain our OBJECTION.

The proposals for the mixed-use development at Ford Airfield in outline planning application F/4/20/OUT are to be discussed at the Arun District Council planning committee meeting on 24th November. Given the close relationship between that site and Grundon's Ford Circular Technology Park site's continued operation as a strategic waste site, we have a significant interest in the proposals for the Ford Airfield site and have written to the Council previously expressing our concerns about the proposals.

The applicant for the proposals in F/4/20/OUT is an agent of change introducing a new land use that is likely to affect the continued operation of the strategic waste site and the applicant is therefore responsible for managing the impact of that change (see the NPPF paragraph 187). As the application is proposing residential development it should consider if there could be a significant adverse effect on future occupiers of that development from any nearby pre-existing sources of potential nuisance such as (but not limited to) noise and odour. Our concern is that there is insufficient evidence that the applicant's proposals have considered this effectively.

GRUNDON WASTE MANAGEMENT LTD
Grange Lane, Beenham, Berks RG7 5PY

The agent of change (in this case the applicant for the proposals in F/4/20/OUT) will need to take into account not only the current activities of the existing waste uses in the immediate area that may cause a nuisance, but also those activities that businesses or other facilities are permitted to carry out, even if they are not occurring at the time of the application being made. In turn, it is the responsibility of the planning authority to ensure that this is robustly addressed in decision making.

We acknowledge that the report refers to the WSCC minerals and waste objection that the applicant has not demonstrated that the development could be delivered without prejudicing the operating of existing waste sites. Whilst this has been tempered in a subsequent response from WSCC by deferring to the EHO on noise and odour matters, the concern remains that the location of new homes should not place restrictions on existing site operations or permitted operations. It is clear from the response dated 11 March 2021 that WSCC continues to object to the proposed development as it would be contrary to policies W2 and W10 of the Waste Local Plan.

The agent of change principle is established in these policies. Policy W2 seeks to safeguard existing waste management sites in general, including in the context of proposals for new development on neighbouring land that may prejudice their continuing efficient operation.

W10 (d) of the Waste Local Plan is clear that the Ford Circular Technology Park site is safeguarded from any development that would prejudice its development in whole or in part for the allocated waste management uses.

Further, Arun District Council's own adopted local plan includes policy WM D1 that states that, in accordance with the West Sussex Waste Local Plan, there will be a general presumption against any development which may harm or prejudice the operation of existing and allocated waste facilities and infrastructure.

Policy EE3 of the Ford Neighbourhood Plan also seeks to ensure that new development does not conflict with existing businesses. The supporting text provides an example of new residential development being located away from existing businesses that generate noise or odour.

We have reviewed the officer's committee report and are extremely concerned that matters relating to the agent of change principle have not been adequately addressed. The phrase 'agent of change' does not appear anywhere in the report and there is no acknowledgment in the report that the applicant should be taking responsibility in this respect, nor any clarity that the agent of change principle has been taken seriously by the applicant or clear evidence that it has been fully and properly addressed in the proposals. Even Arun's own local plan policy WM D1 on this issue is not discussed in the report.

Specifically on odour, the report states that Southern Water objects that the odour assessment does not deal satisfactorily with the cumulative impact of odour from the WWTW and surrounding industrial uses and identifies inadequacies in the submitted Waste infrastructure Statement.

An updated odour assessment has been submitted and the officer's committee report says that Southern Water have not communicated their comments on this, hence it is assumed their concerns have been addressed and they no longer have an objection. We consider this to be a bold and reckless assumption which could jeopardise the safe and efficient operations of existing waste businesses in the immediate area.

It is reported that the odour assessment says that odour released from the site boundary of the Grundon site is subject to control through an environmental permit (EP) issued by the Environment Agency to be at levels below those that would be considered likely to cause pollution.

This shows a poor understanding of the position. The EP relates to the site in its current state with no residential development close to the site boundary, not a situation where there is a change (such as the proposals in F/4/20/OUT) that brings residences much closer to the boundary (approximately 139m as shown on the attached plan).

Odour levels that would not be considered likely to cause pollution could be experienced outside the site boundary in current circumstances as there are no sensitive receptors close to the boundary. If sensitive receptors are introduced much closer then this could lead to complaints that in current circumstances would not occur.

The site layout for the proposed residential development should have been designed from the outset with this in mind, to locate new homes sufficiently distant so as not to prejudice existing, permitted and future operations at the safeguarded waste site, in line with planning policy and the agent of change principle.

It is also very important to note that the EP relates only to current operations as a waste transfer facility, not the full extant planning permission at the site for a combined Materials Recycling Facility and Energy from Waste facility with significantly greater waste throughput. It should not be assumed that the permit for the fully implemented permission would be the same.

The EP seeks to ensure that Best Available Techniques are adopted to minimise impacts, so there may yet be residual impacts beyond the site boundary of Ford Circular Technology Park. This would be consistent with the terms of the EP given the distance to sensitive receptors in current circumstances.

In addition, the Ford Circular Technology Park site is allocated within the Waste Local Plan for strategic waste management use and its future development and/or intensification of use could also include potential odour and noise generating uses. As a safeguarded site, this should not be constrained by subsequent development, which itself should take this possibility into account.

As agent of change, the applicant should have carried out a comprehensive cumulative odour survey and assessment as requested by the Environmental Health Officer (EHO) with regard to the extant waste management uses and used this information to provide sufficient set back of new residences from the site boundaries of those existing waste facilities. Instead, the applicant relies only on the controls in the existing EP, which is not appropriate for the reasons set out above. There is no evidence presented in the officer's report that the odour assessment has properly addressed this issue and proven that there will be no impacts. This is a serious flaw in the analysis and the proposals.

We note that Arun District Council EHO has objected on noise and odour grounds, and that the noise objection is to be addressed by a condition. However, for odour it is suggested that an independent review of the latest odour assessment is undertaken to confirm the conclusions. The report seeks delegated authority to determine the application subject to a satisfactory outcome of the review.

We consider that the decision on the application should be deferred rather than delegate this, because what if the outcome is not 'satisfactory'? This needs to be subject to scrutiny by all interested parties.

The review should also explicitly address the issue of potential for odour from all waste management facilities in the immediate area, not just the WWTW. This includes not just current use at Ford Circular Technology Park but also the implementation of the extant permission and consideration of potential for future additional or alternative uses in line with the site's strategic allocation in the Waste Local Plan. The review should also clearly

address the fact that the applicant here is an agent of change and should take full responsibility for getting this right.

We also have the following comments on other matters and wish to draw your attention to these.

Ford market application; prematurity

We note that within the planning officer's report, the site history refers to the application reference F/5/20/PL for alterations to Ford Market being the subject of a separate officers' report.

However, the report is not on agenda for the committee, nor is it explained where this report can be found.

Given that it is also stated that the reconfiguration of the Ford market in application F/5/20/PL is a "*prerequisite to the proposals in this application*" this suggests that this application (F/4/20/OUT) should not therefore be decided before there is a decision on the Ford market application. Permission for F/5/20/PL should not be taken as a fait accompli, and as the officer's report says, the proposals it contains are a prerequisite, and as such we consider this would be an important material consideration.

From the above it would seem that in the absence of an officer's report and a decision about F/5/20/PL it would be premature to make a decision on F/4/20/OUT.

Improvements to site access to Ford Road

The reporting of the WSCC Highways comments says that the applicant has identified a scheme within land under their control which would be delivered to address the identified potential for conflict at the site access junction with Ford Road, and that there is no objection from WSCC Highways subject to "the identified s106 contributions and conditions".

However, it is not clear in the planning officers report what the s106 and conditions say about securing works to resolve this issue. The list of road improvements secured by s106 in the transport section of the report does not list the junction improvement with Ford Road. Condition 4 refers to drawing ITB13091-GA-021 (eastern access onto Ford Road) but there is nothing that seeks to ensure that the junction improvement shown in the drawing is implemented or its timing.

The drawing itself is not available on the online register and so we have not seen it. As the access affects Grundon's operations at the Ford Circular Technology Park, being the only means of vehicular access to the site, it would be expected that the drawing would have been made available to all interested parties for comment.

Condition 5 on phasing refers only to the phasing and delivery of the Ford Lane and Yapton Road accesses, not the improvement to the existing Ford Road access.

There can therefore be no confidence that the Ford Road junction improvement will be delivered as the report does not show where in the "identified s106 contributions and conditions" this is provided for. This is a serious omission.

Other comments

We note that objectors including Ford Parish Council say that there should be a joint and coordinated approach to the airfield application (F/4/20/OUT), the market application (F/4/20/OUT) and the Ford ERF application (WSCC/01/21).

GRUNDON WASTE MANAGEMENT LTD
Grange Lane, Beenham, Berks RG7 5PY

From our review of the planning officer's committee report it is not clear how and where this comment has been explicitly addressed.

Finally, we note that the report states that Historic England is not satisfied that the scope and quality of the historic environment assessment is sufficiently robust to inform the decision-making process; and that the application does not meet the requirements of the NPPF or LP policy H SP2 clause m.

It is not clear from our reading of the report how these comments from an important statutory consultee have been addressed.

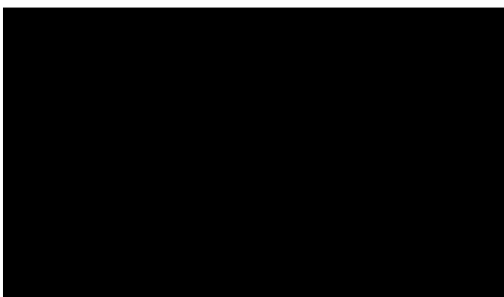
Conclusions

We are still, and have consistently remained of the view, that it is possible to deliver the scale of scheme proposed by the applicant through a carefully considered masterplan which respects a suitable buffer between residential areas and the Ford Circular Technology Park safeguarded waste site. The proposed residential dwellings should be placed at greater distance from the Ford CTP site, to reduce the likelihood for complaints from future residents and to not prejudice existing and future operational activity at the site. Since the submission of this application, we have tried on numerous occasions to proactively engage with the Applicant and Officers at Arun District Council to resolve these matters without success.

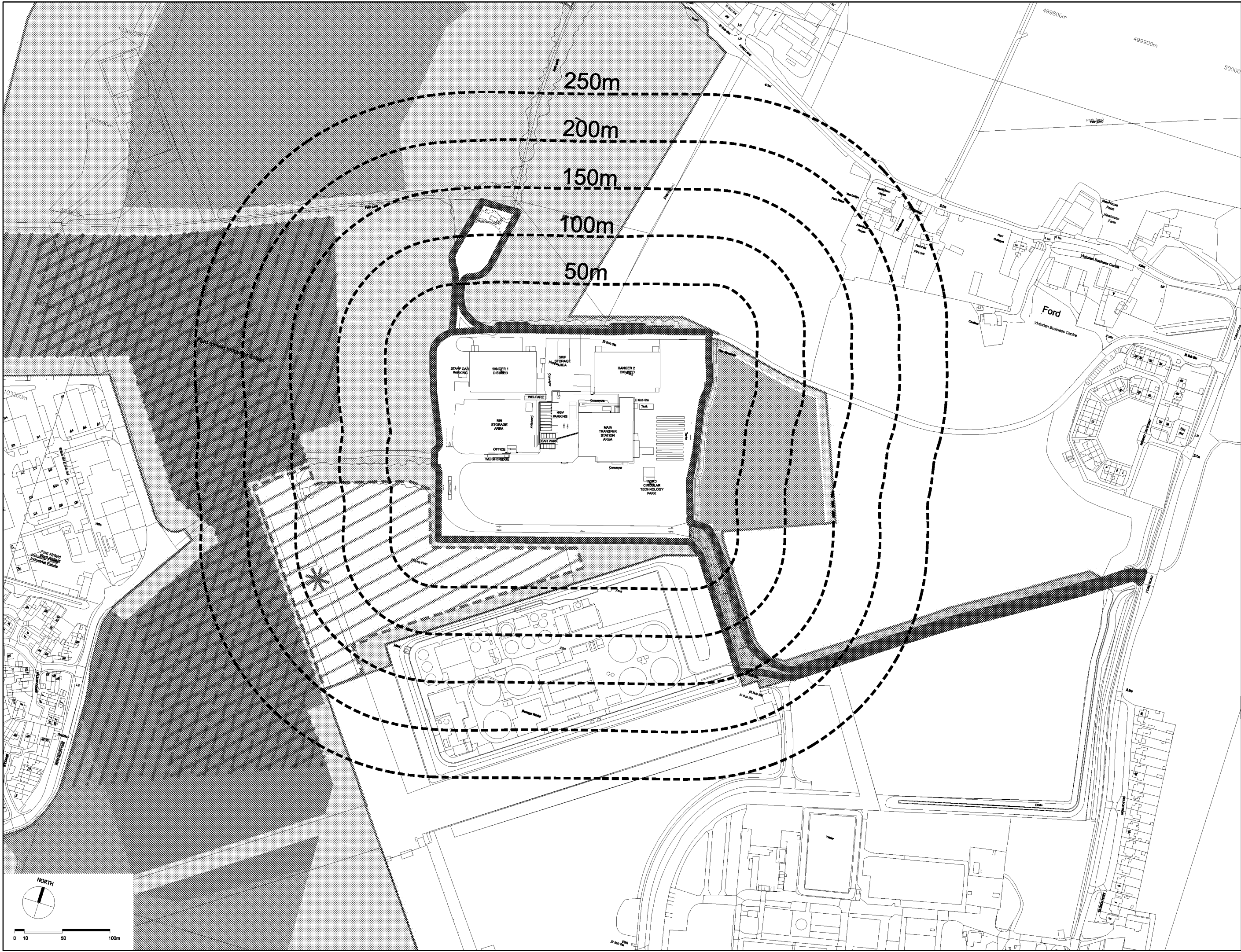
As such, and in view of the above, we maintain our objection to this development in its current form.

As you will appreciate, the determination of this planning application will have significant implications for the effective operation of this strategically important and safeguarded waste and recycling facility. If the Applicant and Planning Officers take no further action to appropriately address the matters raised in this note then I'm sure you will understand that we have no alternative but to consider the legal options available to us. We hope therefore that you will consider instructing Planning Officers to defer this planning application until these matters have been addressed and direct both the Applicant and Planning Officers to engage directly with ourselves, Southern Water and the operators of the other safeguarded waste facilities in the area.

Yours sincerely,



Philip Atkinson
Estates Director



NOTE

1. THIS DRAWING IS COPYRIGHT GSDA LTD.
2. THE CONTRACTOR MUST NOT SCALE FROM THE DRAWING. ALL DIMENSIONS TO BE TAKEN FROM DIMENSION STRINGS.
3. WHERE ANY DISCREPANCIES ARE FOUND BETWEEN DIMENSIONS THESE MUST BE BROUGHT TO THE ATTENTION OF THE ARCHITECTS FOR RESOLUTION.
4. WHERE DISCREPANCIES EXIST BETWEEN REFERENCE OR ASSEMBLY DRAWINGS & DETAIL DRAWINGS, THE LATTER TAKE PRECEDENCE.

Key

Ford Circular Technology Park

© Crown Copyright and database rights 2019
OS License no. 100019980

21/11/19	Issued for information
----------	------------------------

FOR INFORMATION

GSDA
GARRY STEWART DESIGN ASSOCIATES
200 Bourne Business Park, 5 Dairwood Lane
Bourne, Lincolnshire, LN41 2JL
T: +44 (0)1852 829139

FORD CIRCULAR TECHNOLOGY PARK

PROJECT

Land Use Densities Plan - The Landings

DRAWING

1:3500@A3 21/11/19

SCALE	DATE
1404 SK180	-

DWG. NO.	REVISION	CHECKED