



WSCC CONSULTATION RESPONSE:
County Planning – Minerals & Waste Planning Authority

TO:	Arun District Council Case Officer: Raymond Cole						
DATE:	2 April 2020						
LOCATION:	Ford Airfield Market, Ford						
SUBJECT:	F/5/20/PL - Reconfiguration of Ford Market, including revised market access, hardstanding for replacement vehicular parking and associated infrastructure, landscape, ancillary and site preparation works.						
RECOMMENDATION:	<table><tr><td>☐ Advice</td><td>☒ Objection</td></tr><tr><td>☐ Modification</td><td>☐ No Objection</td></tr><tr><td>☐ More Information</td><td>☐ Refusal</td></tr></table>	☐ Advice	☒ Objection	☐ Modification	☐ No Objection	☐ More Information	☐ Refusal
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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 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 future waste management sites or infrastructure in or around the application site.

It 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.”

In this case, key existing facilities which would be safeguarded by planning policy as existing waste sites, proximate to the proposed development include:

- **New Circular Technology Park**, Ford - Permitted for a thermal treatment plant (WSCC/096/13/F), to date part implemented as a Materials Recycling Facility with a limited throughput of waste. Ford EfW has confirmed their intention to further develop the site with a likely change to technology proposed, as per the EIA Scoping Opinion issued on 13 March 2020.

This site is also allocated in the WLP 2014 (Policy W10), known as 'Site North of Waste Water Treatment Works, Ford'. A new access road and increase in HGV movements was recently approved (ref. WSCC/027/18/F).

- **Ford Materials Recycling Facility**, Ford Airfield, Ford Road, Yapton –operated by Viridor (WSCC planning permission ref. F/19/05)
- **Ford Waste Water Treatment Works**, Ford Aerodrome – Southern Water (refs. F/7/99 and WSCC/051/12/F)

In order to demonstrate that the development proposed would not prevent or prejudice the use of both existing and future waste management sites, safeguarding guidance has been prepared which states that, among other things:

For proximate development, consideration will be given to whether it can proceed without compromising the ability of the site to operate effectively or whether mitigation would reduce the sensitivity of the development to an acceptable level, in accordance with the 'agent of change' principle. Information that allows the MPA/WPA and LPA to make this assessment, should be submitted with an application and should address matters including:

- *The distance of the proposal from the safeguarded site;*
- *Any existing screening from buildings or vegetation;*
- *Identification of pre-existing conditions such as background noise, light, odours, vibration, dust and other emissions;*
- *The potential for the site to deliver suitable mitigation including the identification of the means by which the development has introduced layout, design and other mitigation measures to mitigate potential effect on and from the safeguarded site;*
- *Confirmation of pre-application consultation/engagement with the minerals or waste infrastructure operator (to demonstrate a full understanding of the existing and potential future operation of the site, including hours of operation, level of activity and likely sources of noise, light, odours, vibration, dust and other emissions);*
- *Where appropriate, a full assessment of issues such as noise and light;*
- *Statement of the overall compatibility of the development with the minerals or waste infrastructure. (para 3.3)*

It is recommended that this information should be submitted in the form of a Waste Infrastructure Statement. It is noted that no such Statement has been submitted as part of the planning application, and the matters set out above have not otherwise been covered off in the submission.



The submission fails to robustly take into account the potential impacts or compatibility with current and future waste management sites.

In particular, it is noted that the proposed development would result in the diversion of all existing market traffic to the east via an access to the highway network, which is shared with all of the above noted waste management facilities. It is further noted that the proposed development includes the provision of a new overflow car park and pedestrian facilities which could also impact upon, or be affected by, existing waste management facilities.

The LPA will need to take into account any comments of WSCC as Highway Authority with regard to highway safety and capacity; however, in waste facility safeguarding terms, it will be essential that the applicant demonstrates that any potential changes to access arrangements would not prevent or prejudice the use of the existing or allocated waste management sites. This should include consideration of the potential for conflict between market traffic and that of waste management sites, and ensure that no obstruction of access to these facilities would occur (particularly during peak market hours).

With particular regard to the Circular Technology Park (CTP), this site is allocated as a strategic waste site, and planning permission has been granted, and part implemented, for an energy recovery facility. As a result, the baseline position for any assessments must recognise and accurately reflect the realistic fall back position for the site, which will have a greater impact than the facility currently in operation, in particular with regard to the permitted volume of vehicular movements, and potential for conflict with any development sited in close proximity (e.g. visual, noise, odour, dust and air quality).

It is of note the submitted plans do not detail the existing access (and associated landscaping/drainage) to the CTP site, which is both implemented and in use. Submitted assessments do not take into account relevant EIA assessments provided in support of developments at the CTP site, or neighbouring waste sites, or controls attached to permissions thereto (e.g. routing, hours and volumes of HGV movements).

Consideration should be given to providing further mitigation (e.g. comprehensive screening planting/bunds) and any removal of trees/vegetation should be avoided or carefully considered to ensure that it would not open up wider views to existing and future waste management sites. All mitigation relied upon to demonstrate existing waste uses and their future development would not be compromised, must be clearly detailed.

The applicant is advised to directly consult the operators of the waste management sites identified above to establish any further key areas of concern.

The decision maker also should be satisfied that the proposals minimise waste generation, maximise opportunities for re-using and recycling waste, and where necessary include waste management facilities of an appropriate type and scale (Policy W23).

Conclusion

Existing and allocated waste management facilities/sites must be protected from inappropriate neighbouring development that could prejudice their efficient operation. The development proposed could impact upon the operation of three major waste management facilities, in particular by virtue of potential conflict or obstruction to their access. The submission fails to consider extant permitted development (e.g. the recently



completed and now sole access to the CTP site), compatibility therewith, or provide details of any mitigation required to ensure their efficient operation

Based on the information provided to date, the applicant has not demonstrated that the development would not prevent or prejudice the use of the existing or allocated waste management sites. Therefore, WSCC **objects** to the proposed development as it would be contrary to policies W2 and W10 of the WLP.

West Sussex Joint Minerals Local Plan (July 2018)

The site is not within areas identified as Mineral Safeguarding Areas within the West Sussex Joint Minerals Local Plan.

James Neave, Principal Planner

