



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

TO:	Arun District Council Case Officer: Michael Eastham
DATE:	31/01/2022
LOCATION:	Land West of Tye Lane, Walburton
SUBJECT:	WA/127/21/OUT Outline planning application with all matters reserved, other than means of access, for the construction of up to 131 No dwellings (30% affordable homes) and amendment to boundary of garden land to serve adjoining property (resubmission following WA/68/20/OUT). This application affects the character & appearance of the Walburton Village Conservation Area & is a Departure from the Development Plan.
RECOMMENDATION:	☒ Advice ☐ Objection ☐ Modification ☒ No Objection ☐ More Information ☐ Refusal

It is understood that the application as per the subject of this response is a resubmission of a previous application for 155 dwellings (ref. WA/68/20/OUT), which was refused. Being a resubmission, this application shares the same application site, however, comprises amendments such as a reduction housing density down to 131 dwellings and amendment to the housing layout.

The Minerals and Waste Planning Authority's (MWPA) original response offered advice and no objection, subject to the LPA being satisfied that the overriding need for the development outweighed the safeguarding of the mineral resource. Given the principle for the application has not changed, and the submitted Mineral Resource Assessment (MRA) is the same as that previously submitted (but also includes the addendum to the MRA as part of the application submission), this response shall largely echo the response provided for the previous application.

Joint Minerals Local Plan (2018)

The proposed development site is located within an identified mineral safeguarding area for Sharp Sand and Gravel and, as the application site is over 0.5ha in size (approx~9ha) and proposes a residential development in excess of 10 dwellings (155), the Joint Minerals Local Plan (2018) Policy M9 and associated Safeguarding Guidance (Updated February 2020) is relevant.



The applicant has submitted a Mineral Resource Assessment that discusses the constraints that would deem prior extraction of the mineral from the site economically and environmentally unviable. This conclusion is drawn as the local residential units that abut the southern, western and northern site boundaries are identified to have already indirectly sterilised a majority of the resources on the site, leaving a remaining 4-5ha of land once a 100m buffer zone to these properties is considered. Following this, the remaining land is determined unsuitable for extraction given the supposed low quantity/quality of the safeguarded resource, as suggested by nearby borehole data, and a subsequent lack of space for on-site mineral processing.

While the MWPA would agree that the existing nearby residences would act as a constraint for extraction, there is no justification as to why a 100m buffer zone was used and the report does not indicate how temporary mineral extraction would impact upon the amenities of these residents over the construction of 131 homes. It is appreciated that prior extraction could have a limited effect the nearby conservation area, however this is not discussed within the MRA.

The report also does not assess whether incidental extraction of the safeguarded resource for use within the development/by surrounding operators would be a viable option to prevent permanent sterilisation. It is noted that the site is within a good distance of the Strategic Lorry Network (A27), and so transport of any material off-site would likely be possible where practicable.

Irrespective of the above, the superficial deposits of Sharp Sand and Gravel at the site have been assumed to be low quality given borehole data taken from some 200m to the north of the site. Further, the addendum to the MRA suggests that groundwater levels at the site would add further difficulty to extracting the safeguarded resource. That said, without first hand evidence to demonstrate mineral quality/quantity at the site (e.g. by way of digging of trial pits etc.), it is currently unknown as to the true potential quality and quantity of the resource at the application site.

Given the proposal is at Outline stage, the MWPA would suggest that the applicant conducts a more detailed assessment of the deposits within the site and their potential uses within the site or by nearby operators if a Full application is submitted. The MWPA would offer No Objection to the application subject to the above concerns being met and the determining authority being satisfied that there is an overriding need for the non-mineral development that outweighs the safeguarded resource as per Policy M9 (b) (iii) of the JMLP (2018).

Should the overriding need not be demonstrable then the MWPA would be open to discussing a condition or informative to securing prior/incidental extraction at



the site where practicable and would seek to work with the applicant in securing this.

West Sussex Waste Local Plan (2014)

There is no identified waste infrastructure within the proximity of the proposed development. The decision maker 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).

Edward Anderson

