

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

<b>TO:</b>	Case Officer: Nicola Pettifer
<b>DATE:</b>	31/10/2025
<b>LOCATION:</b>	Land To The West of Shoreham Road, Small Dole, West Sussex
<b>SUBJECT:</b>	DC/25/1019   Outline planning application for up to 45 dwellings (including affordable homes) with all matters reserved apart from access.
<b>RECOMMENDATION:</b>	<div> <input type="checkbox"/>Advice <input type="checkbox"/>More Information </div> <div> <input type="checkbox"/>Objection <input type="checkbox"/>Consulted in Error </div> <div> <input type="checkbox"/>No Objection <input checked="" type="checkbox"/>No Objection Subject to: </div>

Thank you for consulting the Minerals and Waste Planning Authority (MWPA) with regard to the application for outline planning permission for 45 dwellings on 5.45ha of land to the west of Shoreham Road, Small Dole.

The application site is located within the mineral safeguarding consultation area for Brick Clay (Weald Clay) and Soft Sand, and meets the threshold for consultation (i.e. more than 10 dwellings/greater than 3ha in site area). Accordingly, the proposed development should be considered against Policy M9 (b) of the West Sussex Joint Minerals Local Plan (revised 2021), which reads as follows:

*Policy M9 – Safeguarding Minerals*

*(b) Soft sand (including potential silica sand), sharp sand and gravel, brick making clay, building stone resources, and chalk reserves specified in the Annual Monitoring Report will be safeguarded against sterilisation. Proposals for non-mineral development within the MSAs (as shown on maps in Appendix E) will not be permitted unless:*

- (i) mineral sterilisation will not occur; or*
- (ii) it is appropriate and practicable to extract the mineral prior to the development taking place, having regards to the other policies in this Plan; or*
- (iii) the overriding need for the development outweighs the safeguarding of the mineral and it has been demonstrated that prior extraction is not practicable or environmentally feasible.*

The applicant has submitted a Mineral Safeguarding Assessment (MSA) as part of their application. The MSA broadly concludes that the mineral resource underlying the application site would be unsuitable for prior extraction. The MSA suggests multiple reasons for this, including; the proximity of nearby residential receptors and the potential impacts that the prior extraction the mineral resource would impose on their amenity; the abundance of brick clay within the wider county; the location of the site in relation to the SDNP, and unsuitability of the site for soft sand extraction, and; damage/loss of ecological



features around the site that would otherwise be retained as part of the non-mineral development.

The MSA does not provide any evidence of preliminary investigations of the potential quality and/or quantity of the mineral resource underlying the site. While it is appreciated that the application site is within the mineral safeguarding consultation buffer zone (i.e. an area that may contain outcrops of the known mineral resource or access to the identified mineral resource areas), the understanding of the potential mineral resource underlying the site, if any, is limited at this stage.

The applicant has referred to a 250m buffer zone for nearby neighbouring receptors and states that the presence of such neighbours has indirectly sterilised the site for any potential mineral extraction. The 250m buffer zone around known mineral resource areas used by the MWPA is applied to ensure that any planning application within the proximity of the resource duly considers the potential compatibility between the developments (via the agent of change principle) and allows consideration of the potential indirect sterilisation of the access to the resource. In this case, the applicant reasons that a 250m buffer is necessary in order to protect the amenity of nearby residents, although no evidence has been submitted to suggest that the amenity impacts arising from the temporary prior extraction process would exceed those caused by the construction of the non-mineral development.

That said, given the application site's location within the mineral safeguarding consultation buffer zone and the relatively minor scale of the site, it is unlikely that any significant deposits of the safeguarded mineral resource would be recoverable from the site prior to the commencement of the non-mineral development (especially when implementing the 250m standoff as proposed).

Therefore, the MWPA would offer no objection to the proposed development, subject to the LPA being satisfied that the overriding need for the non-mineral development outweighs the safeguarding of the mineral resource, and that it has been sufficiently demonstrated that prior extraction is practicable or environmentally feasible (Policy M9 (b) iii).

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