



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

<b>TO:</b>	Case Officer: Matthew Porter		
<b>DATE:</b>	09/10/2025		
<b>LOCATION:</b>	Land To the North and South of Mercer Road, Warnham, West Sussex		
<b>SUBJECT:</b>	DC/25/0151: Redevelopment of the site to provide 304 residential units, parking, a retail unit, public car park, public open space, attenuation basins and landscaping		
<b>RECOMMENDATION:</b>	<input type="checkbox"/> Advice	<input checked="" type="checkbox"/> More Information	
	<input checked="" type="checkbox"/> Objection	<input type="checkbox"/> Consulted in Error	
	<input type="checkbox"/> No Objection	<input type="checkbox"/> No Objection Subject to:	

WSCC acting as the Minerals and Waste Planning Authority (MWPA) have previously responded to this application 24 April 2025, setting out an objection, and the requirement for further information. The following should be read in conjunction with those comments.

From a review of the additional information provided, the only new submission of relevance is a detailed Minerals Resource Assessment (MRA) (Ref: GE23245/MSAv2.3/SEP25), which is welcomed. No Mineral Infrastructure Statement (MIS) or Waste Infrastructure Statement (WIS) have been provided as requested, although it is understood that these documents are in the process of being published.

### **Safeguarded Minerals Resources**

Policy M9 (b) of the West Sussex Joint Minerals Local Plan (July 2018 - partial review March 2021) ('JMLP') relates to the safeguarding of mineral resources.

#### *Horsham Stone*

Ground investigations at the site encountered no Horsham Stone deposits, with the MRA concluding any deposits likely to be confined to north-east of the site where potential for extraction would be subject to significant physical constraints.

In this case the MWPA consider any potential serialisation of Horsham Stone would be minimal, prior extraction unlikely be practicable/feasible, and thus in accordance with Policy M9 (b).

#### *Brick Clay*

Based on ground investigations at the site, the latest MRA confirms the presence of brick clay deposits across the entire extent of the site (approximately 14 Ha). Further, it identifies clay deposits likely to be of mineral worth/viable for use in brick making, supported by evidence/interest from the neighbouring brickworks operator.

Based on a resource thickness of 3.3m, the MRA estimates that some 615,000 tonnes of brick clay could be sterilised. However, noting that the thickness of viable clay horizons



has not been accurately identified (samples/boreholes of a limited depth), there is potential for this volume to be significantly greater. Ultimately, the proposed development would result in the sterilisation of a significant volume of potentially viable Brick Clay.

The MRA concludes that it would not be practicable or environmentally feasible to extract the mineral prior to the development taking place, principally owing to there being no current need/demand for the mineral (based on the reserves indicated in the latest JMLP Annual Monitoring Report, and the nearest operator indicating no demand for some 50 years), and that extraction timeframes and resulting landform would render the proposed non-mineral development unfeasible. It is further suggested that the presence of trees/woodland and proximity railway/sensitive receptors are constraints to extraction.

As required by M9 (b)(iii), the applicant is required to demonstrate an overriding need for the development that would outweigh the safeguarding of the mineral and demonstrate that prior extraction is not practicable or environmentally feasible. In this case, it is accepted that the substantive prior extraction of the mineral would likely act as a significant impediment to the proposed development coming forward, and thus render it not practicable.

In this case, the MWPA therefore defer to the Local Planning Authority to determine whether the need proposed development would be overriding. In coming to any conclusion on this matter, the MWPA would highlight that whilst brick clay is abundant within the County and there is a limited identified need for the resource at this juncture, the significant volume of brick clay potentially sterilised, and future viability of the mineral (given its proximity to an established brickworks), is such that the need for (and benefits of) the proposed development should be substantial.

As identified at 4.7 of the MRA, as appropriate, the MWPA would support the imposition of a condition to secure details of the measures taken to maximise incidental extraction and use of any underlying mineral as a resource as far as practicable.

### **Safeguarded Minerals and Waste Infrastructure**

#### Minerals infrastructure

As set out in our comments of 24 April 2025, the proposed development falls near Wienerberger Brickworks which is safeguarded under the JMLP Policy M10 as an operational minerals infrastructure site (brickworks). Concerns were raised, in particular with regard to the potential noise relationship with proposed sensitive receptors. Such concerns have subsequently been emphasised by similar concerns raised by Environmental Health Officers (dated 09/05/25).

The applicant has not provided the requested assessment of the proposed developments potential to impact on the operation of this existing minerals infrastructure (MIS), nor addressed noise concerns.

In the absence of a Mineral Infrastructure Statement that demonstrates the proposed development would not prevent or prejudice the operation of safeguarded minerals infrastructure, the MWPA consider the proposed development would likely prevent or prejudice the operation of safeguarded minerals infrastructure contrary to Policy M10.



### Waste Sites

As set out in our comments of 24 April 2025, the proposed development falls near to the Brookhurst Wood Site which contains several established/permited/allocated waste uses safeguarded under Policies W2 and W10 of the Waste Local Plan (April 2014) ('WLP').

The applicant has not provided the requested assessment of the potential impact of the proposal on the operation of existing and future waste facilities (WIS), nor clarified concerns raised regarding receptor locations used to assess the noise relationship with the future EfW facility, contrary to Policies W2 and W10.

### Further comments

In addition to the above, as identified in our previous comments, the LPA should also consider the potential for uplift in HGV movements on Langhurstwood Road (permited sites do not currently operate at full permited capacity), and potential for associated impacts.

### Conclusion

The proposed development would result in the sterilisation of minerals resources safeguarded by Policy M9 of the JMLP. Nonetheless, in this case the MWPA defer to the Local Planning Authority to determine whether the need proposed development would be overriding in accordance with JMLP Policy M9(b). A condition to secure incidental extraction of clay as a resource should be considered, as appropriate.

As required by Policies W2 and W10 of the WLP, and Policy M10 of the JMLP any development must ensure that existing minerals infrastructure and waste management facilities/sites be safeguarded from inappropriate neighbouring development that could prejudice their operation. The applicant has not provided a robust assessment of the potential impacts that the proposed development would have on the operation of existing proximate minerals infrastructure or waste sites. Further, based on the evidence provided to date, the MWPA are concerned over the compatibility in noise terms with the existing brickworks, and thus the potential to prejudice its operation.

Therefore, the MWPA request **further information** as follows;

- a Mineral Infrastructure Statement (MIS); and
- a Waste Infrastructure Statement (WIS)

The applicant's attention is directed towards the WSCC Minerals and Waste [Safeguarding Guidance](#), which should be taken into consideration in each statement.

Until such time as further information has been provided to address the matters addressed in detail above, the MWPA have a **holding objection**.

Please could the MWPA be reconsulted once the applicant has submitted this information.

Kind regards,



Edward Anderson (Planner)

[REDACTED]

[REDACTED]