



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

TO:	Case Officer: Matthew Porter		
DATE:	24/04/2025		
LOCATION:	Land To the North and South of Mercer Road, Warnham, West Sussex		
SUBJECT:	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		
RECOMMENDATION:	<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:	

The application relates to the delivery of 304 new homes and supporting infrastructure on land to the north and south of Mercer Road, north of Horsham.

The application site is located close to Weinerberger Brickworks (some 80m to the north), and several established Waste Management Facilities and allocated waste sites located on the Brookhurst Wood Site. It is also located within the mineral safeguarding areas for both brick clay and building stone.

The application should therefore be assessed against Policy W2 (safeguarded Waste Infrastructure) and Policy W10 of the WSCC Waste Local Plan (2014) ('WLP') and Policies M9 (Safeguarding Minerals) and M10 (Safeguarded Minerals Infrastructure) of the WSCC Joint Minerals Local Plan (partial review 2021) ('JMLP').

Safeguarded Minerals Resources

Policy M9 (b) of the JMLP relates to the safeguarding of mineral resources.

The applicant has submitted a brief Mineral Safeguarding Statement (MSS) which concludes, as a site allocated within the Regulation 19 version of the submitted Horsham Local Plan (2023 - 2040) - Policy HA10 (HOR2), the need for non-mineral development outweighs the need for the safeguarded clay mineral resource. Further, it concludes that that prior extraction of the clay mineral resource would not be economically practicable or environmentally feasible owing to onsite and nearby environmental constraints.

Whilst any assessment of overriding need is ultimately a matter for the Local Planning Authority (LPA), the MWPA would highlight that only very limited weight can be afforded to the submitted Plan at this stage, and even if allocated, this would not negate the need to fully consider mineral safeguarding matters required by the JMLP (this is also made clear throughout the HDC Reg 19 submission e.g. paragraph 10.80).

The MSS has given no consideration to potential underlying building stone resources. No evidence or discussion to support the conclusions made regarding potential environmental constraints to mineral extraction has been provided. No qualitative or quantitative



assessment of the underlying mineral resources, nor evidence of discussion with nearby operators/users, has been provided.

Given no assessment of the underlying mineral resources has been provided, it is assumed that mineral sterilisation will occur. Insufficient evidence has been provided regarding the potential extent and economic value of underlying mineral resources, or which demonstrates prior extraction would not be practicable or environmentally feasible (either in full or via incidental extraction).

Therefore, the MWPA request a more comprehensive Mineral Resource Assessment (MRA) for all potential underlying minerals, taking into account the Minerals and Waste Safeguarding [Guidance](#).

Safeguarded Minerals and Waste Infrastructure

Minerals infrastructure

Policy M10 of the JMLP relates to the safeguarding of operational and allocated mineral infrastructure. It seeks to ensure development on, or near to, sites hosting permanent minerals infrastructure would not prevent or prejudice its operation. This is echoed by paragraph 200 of the NPPF.

Wienerberger Brickworks is safeguarded under Policy M10 as an operational minerals infrastructure site (brickworks), as identified in the 2023-2024 WSCC [AMR](#). The applicant has not provided a specific assessment of the proposed developments potential to impact on the operation of this existing minerals infrastructure.

The MWPA therefore request a Mineral Infrastructure Statement is provided (where necessary drawing upon evidence in supporting assessments). In particular, the applicants attention is drawn to paragraph 3.4 of the Minerals and Waste [Safeguarding Guidance](#), which sets out key matters which must be addressed (i.e. to also include consideration of odour, light, dust and other emissions, and evidence of engagement with neighbouring operators etc.).

It is noted that the submitted Noise and Vibration Assessment has considered the potential noise impact of the brickworks upon future residents. Concerningly, this identifies that proposed dwellings within the northern extent of the application site are likely to experience noise levels of up 25dB above background sounds levels. Although mitigation options are suggested (Section 9), insufficient evidence as has been provided to demonstrate the efficacy of such mitigation, and/or that it could be realistically delivered and maintained. It is strongly recommended that the LPA also seek the views of Environmental Health specialists on these matters.

In the absence of a Mineral Infrastructure Statement that demonstrates the proposed development would not prevent or prejudice the operation of safeguarded minerals infrastructure, and noting the above concerns regarding noise impacts, the MWPA consider the proposed development would likely prevent or prejudice the operation of safeguarded minerals infrastructure contrary to JMLP Policy M10.



Waste Sites

Policy W2 of the WLP relates to the Safeguarding of Waste Management Sites and seeks to ensure development on, or near to, sites hosting existing waste management sites, would not prevent or prejudice their operation.

The application site is located within close proximity to the Brookhurst Wood Site which contains several established waste uses, including the Brookhurst Wood Landfill Site and ancillary infrastructure/site offices/leachate and gas treatment (ref WSAC/002/24 – now in the final stages of restoration and subject to aftercare requirements); an Aggregate Treatment and Recycling Facility (ref WSAC/003/14/NH) a Mechanical and Biological Treatment Facility (MBT - ref WSAC/025/22); and a Waste Transfer Station (ref WSAC/006/18/NH).

In addition to the above established uses, extant planning permissions also exist for a large Energy from Waste (EfW) facility on the site of the current Waste Transfer Station (ref WSAC/015/18/NH allowed on appeal 27 Feb 2020 ref APP/P3800/W/18/3218965, which has been implemented through preliminary access and demolition works), and for a large area of hardstanding for the storage of Refuse Derived Fuel (RDF) and Compost Like Outputs (CLO) from the neighbouring MBT (ref WSAC/028/22 - unimplemented to date). For planning purposes, it must be assumed that these developments can come forward.

It is further noted that the parts of the site are allocated for waste uses by Policy W10 of the WLP, and which have yet to come forward. Such allocations are also safeguarded from development that would prejudice their future development by W10 (d) and thus warrant consideration.

The applicant has not provided a specific assessment of the potential impact of the proposal on the operation of existing and future waste facilities. The MWPA therefore request a Waste Infrastructure Statement is provided (where necessary drawing upon evidence in supporting assessments e.g. noise and air quality) that considers the above identified waste sites. In particular, the applicant's attention is drawn to paragraph 3.4 of the Minerals and Waste [Safeguarding Guidance](#), which sets out key matters which must be addressed (i.e. to include consideration of noise, odour, light, dust and other emissions, evidence of engagement with neighbouring operators etc.).

It is noted that the submitted Noise and vibration Assessment has seemingly considered previously approved Soil Heat Treatment and Soil Washing Facilities. The MWPA would advise that the Soil Washing and Heat Treatment facilities are not relevant, given their respective permissions were not implemented and have thus lapsed.

Notwithstanding the need to consider other existing waste facilities as identified above, the MPWA note the submitted Noise and vibration Assessment has considered noise arising from the future EfW facility, concluding that it would be audible and result in a minor adverse noise effect on future occupiers. However, it is also noted that these conclusions rely on alternative receptor locations which may not be representative of the proposed development. It is strongly recommended that the LPA seek the views of Environmental Health specialists on these matters.



Further comments

In addition to the above, it should be noted that the Brookhurst Wood site (and thus all minerals and waste development therein) is served by the same shared access onto Langhurstwood Road, which connects to the A264. As a result, this route supports HGV movements associated with existing minerals and waste development. The MWPA would therefore recommend that the potential for cumulative highways impacts of both existing and proposed minerals and waste uses are given full consideration in consultation with the Highway Authority. Further, noting the potential for uplift in HGV movements (permitted sites do not currently operate at full permitted capacity), it should be recognised that noise arising from vehicular traffic on Langhurstwood Road has the potential to be greater than is currently the case.

Conclusion

The proposed development would result in the sterilisation of minerals resources safeguarded by Policy M9 of the JMLP. Insufficient evidence has been provided regarding the potential extent and economic value of underlying mineral resources, or which demonstrates prior extraction would not be practicable or environmentally feasible (either in full or via incidental extraction).

As required by Policy W2 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 specific 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 comprehensive Mineral Resource Assessment (MRA) that considers all potential underlying minerals;
- a Mineral Infrastructure Statement (MIS); and
- a Waste Infrastructure Statement (WIS)

all to take into account WSCC Minerals and Waste [Safeguarding Guidance](#).

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)

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