

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

TO:	Case Officer: Nicola Pettifer
DATE:	07/10/2026
LOCATION:	Land North of Shermanbury Road, Shermanbury Road, Partridge Green, West Sussex, RH13 8EU
SUBJECT:	DC/26/1318 Outline Application for the demolition of existing buildings and structures and the erection of up to 75 dwellings with public open space and vehicular access point from Shermanbury Road with all matters reserved except access.
RECOMMENDATION:	☐ Advice ☐ More Information ☐ Objection ☐ Consulted in Error ☐ No Objection ☒ No Objection Subject to:

The proposed development seeks outline planning permission for the redevelopment of the site for the delivery of 75 dwellings with associated infrastructure and a biodiversity area to the north. The application site comprises an area of some 5.7ha in total and is located within the Mineral Consultation Area for Brick Clay (Weald Clay) Accordingly, the application should be considered against Policy M9 of the Joint Minerals Local Plan (partial review 2021). The applicant has provided a proportionate assessment (Mineral Assessment Report, 'MAR') to discuss any underlying mineral and the potential for its prior extraction.

Policy M9 (b) of the JMLP notes that proposals for non-mineral development within these areas 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 MAR has not undertaken any preliminary investigative techniques within the site (e.g. borehole/trial pits) and instead relies on BGS data to assume the underlying brick clay resource across the site, which is expected to be some 50m in depth given the results of nearby BGS borehole data. The MAR continues to discuss how the site layout, proximity to nearby residential receptors and nearby mineral-winning operations at Laybrook (some 7.85km to the west of the site) would limit the practicability and environmental feasibility of prior extraction.



The MWPA notes the layout of the application site, including the portion of land within the northern site boundary set aside for Biodiversity Net Gain matters, as well as the presence of existing agricultural buildings to the south, resulting in a 'developed' area of approximately 3ha. Given the abundance of the Weald Clay resource across the county and the relatively small site area, the priority of the prior extraction of the Brick Clay resource in this instance is likely to be 'low'. Further, it is likely that the extraction of the mineral resource prior to the commencement of development in this area would likely reduce the feasibility of the non-mineral development to a significant degree.

Regardless, mineral sterilisation would occur as a result of the non-mineral development. Therefore, the MWPA would offer no objection to the non-mineral development, subject to the determining authority being satisfied that it meets the criteria of Policy M9 (b) iii), (iii) i.e. 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.

Kind regards,

Edward Anderson (Planner)

Tel.: 0330 2228 879

Email: edward.anderson@westsussex.gov.uk