County Planning
County Hall
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APPLICATION NUMBER: WSCC/016/24
COUNTY MATTER WASTE

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

To: Douglas Edwards
Douglas J.P. Edwards
Blonks Barn
Hooklands Lane
Shipley
Horsham
West Sussex
RH13 8PY

In pursuance of their powers under the above mentioned Act and Orders, West Sussex County Council hereby notify you that they **PERMIT** the following development:

Proposed extension to existing haulage and plant maintenance depot to enable an inert waste transfer and recycling facility (Variation of Condition 2 for Proposed Installation of Wash Plant Equipment) at The Haulage Yard, Dial Post, West Sussex, RH13 8NY

to be carried out in accordance with your application and plans (as modified by the under-mentioned conditions) submitted to this Council on 16/06/2023 and subject to the conditions specified hereunder:

Conditions

GENERAL

Approved Plans and Documents

1. The development hereby permitted shall not take place other than in accordance with the particulars of the application, the approved plans and documents:

- Location Plan (Drawing No. 22-12-01 Rev A, dated May 2023);
- Proposed Site Plan (Drawing No. 22-12-02, dated May 2023);
- Elevations and Sections (Drawing No. 22-12-03, dated May 2023);
- Surface Water Drainage Strategy (dated June 2016 – drafted by Environmental Assessment Services Ltd); and
- Noise and Vibration Impact Assessment (dated August 2014 (Revised June 2015; Report Ref: SD/PENVER/Dust - drafted by Environmental Assessment Services Ltd)

and supporting information, save as varied by the conditions hereafter.

Reason: To secure a satisfactory development.

Date: 29/06/2026 Signed: **Michael Elkington**, Head of Planning Services

IT IS IMPORTANT THAT YOU READ THE NOTES IN APPENDIX A

Availability of Approved Documents

2. A copy of the decision notice, approved plans and documents and any subsequently approved documents shall be kept on site at all times and the terms and contents of them shall be made known to the supervising staff on site. These documents shall be made available to the County Planning Authority upon request.

Reason: To accord with paragraph 57 of the NPPF (Dec 2024) to ensure that the site operatives are conversant with the terms of the planning permission and the requirements of the development hereby permitted.

Pre-development Conditions

Construction and Environmental Management Plan

3. No development pursuant to this permission shall take place until a Construction and Environmental Management Plan has been submitted to and approved in advance and in writing by the County Planning Authority. The scheme shall provide details on the following matters:

- A tree protection plan which clearly identifies the exclusion zones and associated existing fencing that are proposed to be retained throughout construction activities and act as a permanent barrier (as referred in section 2.1 of the submitted CEMP, dated October 2024).
- The measures to control and minimise noise producing activities in accordance with the principles of BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites'; and
- The measures to control and minimise dust producing activities.

The approved Construction and Environmental Management Plan shall be implemented and adhered to throughout the construction of the development pursuant to this permission.

Reason: To accord with paragraphs 198 of the NPPF (Dec 2024) in the interests of the amenities of the locality.

Prior to operation conditions

Soft Landscaping

4. Within 6 months from the date of this permission, a soft landscaping scheme shall be submitted to and approved in writing by the County Planning Authority.

Thereafter, the approved plan shall be implemented in the next planting season. Any planting which dies, are removed or become seriously damaged or diseased during the construction of development or during operation of the development shall be replaced in the next planting season with others of similar size and species.

Reason: To accord with paragraphs 187 of the NPPF (Dec 2024) to enhancing the natural and local environment in the interests of local amenity and the environment.

Protection of Breeding Birds

5. Within 6 months from the date of this permission, a scheme for 3 additional bird nest boxes to be installed on site on suitable trees shall be submitted to, and approved in writing by the County Planning Authority. Once approved, the additional bird nest boxes are to be installed in the agreed locations and within an agreed timetable and thereafter maintained throughout the development hereby permitted.

Reason: To accord with paragraph 187 of the NPPF (Dec 2024) and to protect local birds and biodiversity.

External Lighting

6. Prior to the commencement of the operation pursuant to this permission, an external lighting scheme shall be submitted to, and approved in writing by, the County Planning Authority. The scheme should be designed to be bat-sensitive and submitted with a supporting ecological statement. The scheme should also include the use of lighting on plant, equipment, machinery and vehicles required during the permitted hours of working . Any installation of sensor-controlled security lighting is excluded but which shall be designed and shielded at all times to minimise light spillage beyond the site boundary.

   The approved lighting scheme shall be implemented in full, adhered to and maintained throughout the development pursuant to this permission.

   Reason: To accord with paragraph 187 and 198 of the NPPF (Dec 2024) and to protect local bats and biodiversity and to prevent light pollution in the interests of the amenity of the locality and of local residents.

Noise Management Plan

7. Prior to the commencement of the operation pursuant to this permission, a noise management plan detailing the measures to be taken to ensure 'best practicable means' of noise prevention, reduction and minimisation (including provision for ongoing review, and dealing with noise complaints), has been submitted for approval in advance and in writing by the County Planning Authority.

   The Plan shall include measures to monitor noise levels at three monthly intervals from the date of the commencement of inert waste recycling operations at the nearest and/or most appropriate property boundary at the residential dwellings that comprise 'Oaklands', situated to the west of the inert waste recycling operations. The results of the monitoring shall include noise levels as defined within BS 7445-1:2003 (Description and measurement of environmental noise. Guide to quantities and procedures), the weather conditions at the time monitoring was undertaken, details and calibration of the equipment used for measurement and comments on other sources of noise which affect the noise climate. The monitoring shall be carried out for at least 2 separate durations during the working day and the results shall be submitted to the County Planning Authority within ten calendar days of the monitoring being carried out. If the results indicate that the noise levels exceed those set out in Condition 13 below, a Noise Mitigation Scheme shall be submitted to and agreed in writing by the County Planning Authority within one week of the noise monitoring results being submitted.

   The approved noise management plan shall be implemented in full throughout the development pursuant to this permission and made known to the supervising staff on site.

   Reason: To minimise the impact of noise on local residents and the environment.

Dust Control Scheme

8. Prior to the commencement of the operation pursuant to this permission, a scheme detailing methods of controlling and suppressing dust during waste processing operations, including within waste storage areas and in association with on-site vehicular activity, has been submitted to and approved in advance and in writing by the County Planning Authority.

The approved scheme shall be implemented in full throughout the development pursuant to this permission and made known to the supervising staff on site.

Reason: To accord with paragraph 187 of the NPPF (Dec 2024) to avoid dust from giving rise to significant adverse impacts on the health and quality of life of local residents and visitors to the locality

OPERATIONAL CONDITIONS

Surface Water Drainage Scheme

9. The Surface Water Drainage Strategy (dated June 2016 – drafted by Environmental Assessment Services Ltd) shall be maintained throughout the development hereby permitted.

Reason: To accord with paragraphs 181 NPPF (Dec 2024) to ensure that impacts through flood risk are not caused through surface water effluent.

Hours of Use

10. There shall be no waste processing operations, which shall include the use of plant, equipment and machinery, outside the hours of:

- 08:00 and 18:00 Monday to Friday;

with no operations on Saturdays, Sundays, Bank or Public Holidays.

Testing and/or maintenance of plant, equipment and machinery required within the development hereby permitted shall only be carried out between the hours of 09:00 and 17:00 on Monday to Friday (excluding where those days are designated as either Bank or Public Holidays) inclusive.

Reason: In the interests of the amenity of the locality and of local residents.

Site Operations and Environmental Controls

11. Throughout the duration of the waste recycling operations hereby permitted:

- No vehicle, plant or machinery shall be operated on the recycling facility unless fitted with silencing equipment to a standard not less than the manufacturer's standard U.K. specification for the equipment;
- Any plant, equipment, machinery and vehicles operated on the recycling facility, containing warning alarms and within the operators control, shall use white noise alarms as apposed to single tone 'bleeping' alarms.
- No vehicles, plant, machinery or equipment shall be parked or maintained on the site other than those directly required for the operation of the recycling facility;
- The recycling facility shall not be artificially illuminated, other than by intruder activated security lighting (and approved and according with Condition 6 above), except during the permitted hours of working and no lighting fitment shall be installed or at any time operated on the site from which the source of light is directly visible from the public highway or residential properties having views toward the site; and
- No surface water, sand, mud or debris shall be discharged onto the public highway.

Reason: To protect the amenities of local residents and in the interests of road safety.

Quantities of Waste and Record Keeping

12. No more than 75,000 tonnes per annum of inert waste materials shall be imported to the waste recycling facility hereby permitted. A record of the quantities (in tonnes) of waste delivered to the recycling facility and HGV movements shall be maintained by the applicant at all times and made available to the County Planning Authority upon request.

Reason: To accord with paragraphs 187 and 198 of the NPPF (Dec 2024) to enable the County Planning Authority to monitor the level of traffic generated by the permitted use and ensure adequate control of the development so as to protect both local amenity and the local environment.

Maximum Noise Level

13. The noise level resulting from the inert waste recycling operations (in accordance with Condition 7 above) shall not exceed 56dB LAeq, 1 hour at any time, as measured and, if necessary, calculated at the nearest and/or most appropriate property boundary at the residential dwellings that comprise 'Oaklands'. The LAeq,1 hour (free-field) noise level shall not exceed the existing LA90,1 hour noise level for the area (as referred to in the eas Ltd's Noise and Vibration Impact Assessment August 2014 (Revised June 2015; Report Ref: SD/PENVER/Dust)) by more than 10dB at the monitoring points referred to above.

Reason: To ensure noise emissions from the site do not result in unacceptable impacts on sensitive receptors.

HGV Arrival and Departure Hours

14. No HGVs associated with the use hereby permitted shall enter or leave the site except between the hours of 06:30 and 18:30 Mondays to Fridays inclusive, and none shall enter or leave the site on any Saturday, Sunday, Bank holiday or Public Holiday.

Reason: To accord with paragraphs 198 of the NPPF (Dec 2024) in the interests of the amenity of the locality and of local residents.

INFORMATIVES

A. This permission shall be read in conjunction with an agreement made under Section 106 of the Town and Country Planning Act 1990 to control HGV routeing to and from the site.

B. The Environmental Health Authority, Horsham District Council, may use their powers under the Control of Pollution Act 1974 (COPA) to enforce against any nuisance (including waste disposal, water pollution, noise, atmospheric pollution and public health; and for purposes connected with the matters aforesaid) from the site. For any queries on this matter, please contact the Environmental Health Department of Horsham District Council on 01403 215641.

C. The County Planning Authority has acted positively and proactively in determining the planning application by identifying issues of concern and considering whether planning conditions could be used to satisfactorily address them. As a result, the County Planning Authority has been able to grant planning permission, in accordance with the presumption in favour of sustainable development as set out within the National Planning Policy Framework.

D. **Biodiversity Net Gain** - Based on the information provided (1) this permission is considered to be one which will not require the approval of a biodiversity gain plan

before development is begun because the following statutory exemptions or transitional arrangements are considered to apply:

- Application made under section 73 of the Town and Country Planning Act 1990 and

  (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or

  (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

** "original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.*

- Development below the de minimis threshold, meaning development which:

  (i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

  (ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

Commencing development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in enforcement action for breach of planning control.

This information is only intended as a summary of the reasons for the grant of planning permission. For further details on the decision, please see the report by contacting County Planning at West Sussex County Council or visiting the website at www.westsussex.gov.uk/planning.

Date: 29/06/2026 Signed: **Michael Elkington**, Head of Planning Services

APPENDIX A: TOWN AND COUNTRY PLANNING ACT 1990

YOUR ATTENTION IS DIRECTED TO THE FOLLOWING NOTES.

THEY ARE FOR INFORMATION ONLY AND DO NOT PRETEND TO SET OUT THE WHOLE OF THE LAW ON THE SUBJECT. IT IS RECOMMENDED THAT YOU CONSULT A SOLICITOR IF YOU ARE IN ANY DOUBT.

1 Appeals to the Secretary of State

(a) If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

(b) Appeals should be made online via Appeal a planning decision. If someone does not have access to the internet and needs help completing the appeal digitally, they should contact the Planning Inspectorate customer service team on 0303 444 5000 who will provide details of support options available. Before making an appeal, you may find it helpful to review guidance and watch a video explaining the appeals process at Make an appeal to the Planning Inspectorate and associated guidance.

(c) The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

(d) The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

(e) If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

2 Purchase Notices

(a) If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

(b) In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town and Country Planning Act 1990.

3 Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and

(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be West Sussex County Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.

2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.

3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and

(i) the original planning permission to which the section 73 planning permission relates[1] was granted before 12 February 2024; or

(ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

(i) the application for planning permission was made before 2 April 2024;

(ii) planning permission is granted which has effect before 2 April 2024; or

(iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

(i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

(ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or

[1] "Original planning permission means the permission to which the section 73 planning permission relates" means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions are section 73 planning permissions.

to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

(i) consists of no more than 9 dwellings;

(ii) is carried out on a site which has an area no larger than 0.5 hectares; and

(iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

4.6 Development forming part of, or ancillary to, the high-speed railway transport network (High Speed 2) comprising connections between all or any of the places or parts of the transport network specified in section 1(2) of the High-Speed Rail (Preparation) Act 2013.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission ("the earlier Biodiversity Gain Plan") there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

(i) do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and

(ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

The effect of Paragraph 19 of Schedule 7A to the Town and Country Planning Act 1990

If the permission which has been granted has the effect of requiring or permitting the development to proceed in phases, the modifications in respect of the biodiversity gain condition which are set out in Part 2 of the Biodiversity Gain

(Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 apply.

In summary: Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun (the overall plan), and before each phase of development may be begun (phase plans).