

1 November 2011 – At a meeting of the Committee held at County Hall, Chichester.

Present:

Mr Whittington (Chairman), Mr Blampied, Mr Coomber, Mrs Field, Mr Jones\*, Mrs Mockridge, Mr Quirk, Mr Rogers, Mr A R H Smith and Mr Waight.

- \*Mr Jones attended the meeting as a substitute in accordance with notice given by the Conservative Group.

Apologies:

Mrs Coleman, Mr Doyle and Mr Hellowell.

### **Declarations of Interest**

13. There were no declarations of interest.

### **Minutes**

14. Resolved – that the minutes of the meeting held on 7 June 2011 be approved as a correct record and that they be signed by the Chairman.

### **County Matter Application**

#### **Chichester District Council**

WSSC/029/11/BX

Restoration of quarry using imported materials and operation of recycling facility at Boxgrove Quarry, Tinwood Lane, Boxgrove, Chichester, PO18 0LH.

15. The Committee received a report from the Strategic Planning Manager (copy appended to the signed version of the minutes). The Strategic Planning Manager for County Development introduced the report and advised the Committee of receipt of additional information relating to the composition and location of the proposed bund to mitigate the impacts of the recycling area to the South of the site. The very late submission, the previous evening, had not allowed officers to undertake a comprehensive assessment of the detail of the information and it had not been possible to gain the comments of the landscape officer. Following an examination of the information officers did not feel that the submission contained detail of such significance to necessitate the deferral of the application for determination at a future meeting.

16. The Committee agreed that the application should proceed to determination at the current meeting.

17. Marion McQuaide, Boxgrove Action Committee, spoke in opposition to the application. The application would impact negatively upon the local residents of Boxgrove. Operations at the site dated back to the 1950s and the restoration of the site had not been undertaken in accordance with previous planning permission. The Quarry was not a preferred site in the draft Waste Plan for West Sussex and the site was above an aquifer. At 100 metres from the boundary of the SDNP the application would have an unacceptable impact upon the NP.

18. Ruth Kerslake, a local equestrian, spoke in opposition to the application. The application site was in an area of natural beauty and the tranquillity of the area would be compromised if the application was approved. The highways around the site were not adequate for the proposed operations and could not accommodate HGVs. The impact of the proposals on local amenity and recreation such as horse riding and dog walking were unacceptable.

19. Henry Potter, Boxgrove Parish Council, spoke in opposition to the application. Mr Potter referred to recent traffic surveys concerning the area that indicated a large increase in the level of HGV movements through Halnaker. The safety of pedestrians and equestrians would be compromised by the increase in movements which would also compound problems with sight lines at the junction of The Street, Boxgrove and the A285.

20. Adrian Lynham, White Young Green Environment, spoke in support of the application. The primary driver of the application was to restore the quarry and reinstate the landform. The application would help to meet a need for sites to dispose of inert waste in West Sussex. If refused the Committee would need to be satisfied that there were other adequate facilities for the disposal of inert waste in the County. The application was an opportunity to restore the site in accordance with previous permissions.

21. Mike Hall, the local member, spoke on the application. There was strong local opposition to the proposals. Boxgrove Common had begun a natural process of restoration which had resulted in the establishment of species of flora and fauna within the quarry void. It was not felt that the applicant had met the necessary tests to allow an interference with an established habitat. The proportion of waste to be recycled in the application was felt to be very low compared to other similar operations and the effectiveness of the proposed bund was doubted.

22. The Committee raised those points below in the discussion that followed:

- The requirements for restoration contained in previous permissions relating to the site.
- The consideration of other inert waste recycling and disposal and recovery sites during assessment of the need for the development and consistency with other applications.
- The recycling rate of 38% was considered very low and not credible. It was not felt that a responsible waste authority should sanction an operation with such a low rate of recycling.
- It was felt that a much greater rate of recycling would be achieved than claimed by the applicant which would prevent the completion of the restoration of the quarry within the time frame of five years. The Committee did not feel that five years was a realistic time frame for the completion of operations. The Committee was reluctant to grant permission to an application that was likely to result in the submission of a further application in the future for an extension to operations.
- The arguments provided by the applicant concerning the need for the site were not coherent or persuasive. It was not felt that the need for the development had been adequately established.
- Concerns regarding the increase in HGV movements through the village and the impact on the amenity and safety of local residents were expressed by the Committee.

23. The Strategic Planning Manager, provided clarification to the Committee which included those points set out below:

- The previous permission for mineral working ceased in 2002 and a condition required the final restoration of the site by 2004.
- An assessment of the need for the proposal took account of other inert waste recycling operations in the area. The application was primarily for a disposal operation which was low on the waste hierarchy and therefore the need for that part of the development was also questionable. Each application and site was considered individually and a clear distinction was drawn between the recovery and disposal of inert waste.

24. The officer recommendation was proposed and seconded and the Committee voted unanimously in favour of refusal of the application.

25. Resolved – That planning permission be refused for the following reasons:

- (a) there is no demonstrable need for the development; and
- (b) the proposal would have an unacceptable impact on the landscape and environment of the area.

### **Horsham District Council**

WSCC/028/11/SP

Restoration works to Knepp Mill Pond by dredging and the construction of landscape enhancement features using imported inert materials, together with the provision of public access and amenity at Knepp Castle, West Grinstead, Nr Horsham, RH13 8LJ.

26. The Committee received a report by the Strategic Planning Manager (copy appended to the signed version of the minutes). The Strategic Planning Manager informed the Committee of the distinction between inert waste disposal and recovery and the relative position of such operations on the waste hierarchy. The current application was considered to be a proposal for a genuine inert waste recovery operation and had therefore demonstrated a need which did not exist for proposed inert waste disposal operations.

27. Dr Nigel King-Tours, Chairman of Shipley Parish Council spoke in opposition to the application. The dredging of the Mill Pond was supported but the need for the bunding was questioned. The application made no reference to the provision of car parking facilities for people using the park. Concern was expressed that the development would result in the loss of productive agricultural land. The impact of the site access on local residential amenity was felt to be unacceptable. Opposition to the tor feature was expressed.

28. The Strategic Planning Manager, informed the Committee that the tor feature had been an element of a previous application which had been withdrawn. The current application did not contain a tor feature.

29. Sir Charles Burrell, the applicant, spoke in support of the application. The proposals for the dredging of the lake and construction of the bund had been a long-term aspiration of the Knepp Castle estate to reduce the noise pollution and visual impact of the A24 upon the park. The dredging of the lake was important to support the bat population in the park and reinstate the carp fishery. The dredging would also enable the return of activities such as the triathlon back to the park.

30. Mr Guy Titman, MJCA spoke in support of the application. Wide consultation had been undertaken and a public exhibition of the proposals had generated a positive response. The consultation resulted in the removal of the tor feature, a reduction of the amount of inert material to be imported and an additional right of way. Objections of the local district and parish council to the impact of noise and dust were not justified as the site was bordered by a row of bungalows. The need for the development had been established as a waste recovery operation.

31. Amanda Jupp, the local member, spoke on the application. Mrs Jupp urged the Committee to take into account the objections made by the local district and parish councils during determination of the application. The Committee was asked to consider whether inert waste should be transported onto agricultural land. The earlier application had been recommended for refusal by policy officers on the ground that the level of imported waste was excessive and the Committee was asked to assess whether it was now felt that the level of importation was acceptable [for clarification – no formal decision was made on the previous application by either the Planning Committee or by officers under delegated powers made prior to its withdrawal]. A major concern was HGVs accessing the site and turning out of the site onto the A272 close to a very busy junction. Mrs Jupp encouraged the signing of a legal agreement to limit the dredging of the lake to within a certain time frame and requested car parking provision for members of the public.

32. The Committee raised those points below in the discussion that followed:

- The Committee was divided in its assessment of the need for the development and the additional recovery capacity provided by the application. Some members of the Committee considered that the need for the development based on the recovery of waste had been established. Some members challenged the assertion in the report that the application contained proposals for genuine recovery and raised concerns regarding consistency of decision-making and the distinctions between the recovery and disposal of inert waste.
- The Committee was broadly supportive of the dredging of the lake and the environmental benefits of the application. The Committee also supported the enhancement to the historic environment provided by the proposals.
- The Committee recognised that the impact of the application on amenity would be minor and that the bund would attenuate the noise of the A24 for local residents who lived to the North of the site.
- The site access was a concern as it was in such close proximity to Buckbarn Crossroads. It was recognised that the open splay of the site access road would provide good visibility and the position of two sets of traffic lights on the A272 close to the access would help to manage the speed of passing vehicles. The Committee sought reassurance that the uneven levels between the A272 and the area for the proposed site access would be levelled.
- The Committee queried why the dredging of the lake would not be undertaken until the second year of operations.

33. The Strategic Planning Manager provided clarification to the Committee which included those points set out below:

- A consideration of the proposals and whether the application represented recovery or disposal had been undertaken. The landform that would be achieved would benefit the landscape and attenuate noise on the estate.

The application had therefore been considered to be genuine recovery and was elevated on the waste hierarchy.

- It was confirmed that the level of the access road would be constructed to a level consistent with the A272 road. Part of the hedge along the A272 would be removed to improve sight lines and increase the splay of the site entrance.
- The operations would be phased to enable construction of the access and commencement of the deposition of inert material at first. The dredging of the lake would begin during the second year of operations and provide further material to add to the bunds towards the Southern end of the site.

34. The officer recommendation was proposed and seconded by the Committee and approved, 6 in favour, 3 against and 1 abstained.

35. Resolved – That planning permission be granted subject to:

- (a) the conditions and informatives set out in Appendix 1 of the report; and
- (b) the completion of a Public Right of Way agreement.

### **Non-Material Amendments to Approved Schemes and Conditions: Quarterly Reports for July 2011 – September 2011**

36. The Committee received and noted a report by County Planning Manager on non-material amendments to approved schemes and conditions between the period July 2011 – September 2011.

### **Applications Outstanding**

37. The Committee received and noted a report by the County Planning Manager on applications outstanding (copy appended to the signed version of the minutes).

### **Report of Delegated Action**

38. The Committee received and noted a report by the County Planning Manager (copy appended to the signed version of the minutes) advising of the uses of delegated powers to grant permission for development proposals under the Town and Country Planning Act 1990 and Regulation 3 of the Town and Country Planning General Regulations 1992 since the Planning Committee meeting on 7 June 2011.

The meeting ended at 12.45 p.m.

Chairman