

APPLICATION NUMBER: WSCC/015/22
COUNTY MATTER WASTE

TOWN AND COUNTRY PLANNING ACT 1990

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

To: Mr J Hoare,
South Coast Skips Ltd.

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:

Change of use of existing hangar building from B2/B8 industrial/storage to sui generis, installation of combined heat and power plant, receipt of up to 15,000 tonnes per year of feedstock, generation and export of up to 1.25mW electricity and 5.5mW thermal and installation of HV meter cabinet at South Coast Skip Hire, Unit H9-H10 Ford Road, Arundel, BN18 0BD

to be carried out in accordance with your application and plans (as modified by the under-mentioned conditions) submitted to this Council on 30/05/2022 and subject to the conditions specified hereunder:

CONDITIONS

Commencement

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

Approved Plans

2. The proposed development shall not take place other than in accordance with the approved plans:
 - Air Quality Assessment: (Ref. SHF.0153.001.AQ.R.002, dated September 2022);
 - Air Quality Assessment – Plume Visibility Assessment (Ref. SHF.0153.001.AQAdd1.R.001, received 07/12/2022);
 - Air Quality Assessment – Cumulative (provided by Enzygo, Dated 08/12/2022);
 - Air Quality Assessment - Supporting Statement: (provided by Enzygo, Dated 12/09/2022);

Date: 29/09/2023

Signed: **Michael Elkington**, Head of Planning Services

IT IS IMPORTANT THAT YOU READ THE NOTES IN APPENDIX A

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- Elevation Plans – Existing: (Ref. 2021.50.99/4, dated 10/05/2022);
- Elevation Plans – Proposed: (Ref. 2021.50.99/4, dated 10/05/2022);
- Flood Map for Planning: (Created 27/05/2022);
- Heritage Statement: (Ref. SU 99946 02622, V1, dated May 2022);
- Highways Parking Supporting Statement: (Dated 18/07/2022);
- Noise Assessment: (Ref. SHF.0153.001.NO.A.001, dated May 2022);
- Noise Assessment – Addendum: (dated August 2022);
- RDF Composition Statement: (Certificate No. 230983, received 05/12/2022);
- Internal CHP Plant Layout Plan: (Ref. 2021.50.98/3, dated 10/05/2022);
- RDF Transfer Plan: (Ref. 2021.50.98/7, dated 10/11/2022);
- Site/Location Plan: (Ref. 2021.50.98/2, dated 18/05/2022);
- Staff Parking and Cycle Storage Plan: (Ref. 2021.50.98/6, dated 04/07/2022), and;
- WSCC Clarification Letters: (received 10/11/2022, 14/11/2022, 05/12/2022 and 07/12/2022).

along with information submitted with the application, including the Design & Access Statement, save as varied by the conditions hereafter.

Reason: To secure a satisfactory development.

PRIOR TO COMMENCEMENT OF DEVELOPMENT

Construction Management Plan

3. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the County Planning Authority. Thereafter the approved Plan shall be implemented and adhered to in full throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,

- the anticipated number, frequency and types of vehicles used during construction,

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- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.

Reason: In the interests of highway safety and the amenities of the area.

External Design

4. Prior to the commencement of the development, details of the external finish

of the proposed development (including the flue) will be submitted to and approved in writing by the County Planning Authority. The approved design shall be implemented and maintained thereafter.

Reason: In the interest of the visual amenities of the area.

Dust Suppression Scheme

5. Prior to the commencement of this development, a Dust Suppression Scheme shall be submitted to and approved in writing by the County Planning Authority. Thereafter, the approved scheme shall be implemented in full and maintained throughout the operation of the development approved.

Reason: In the interests of the amenity of local residents, and the environment.

PRIOR TO FIRST OCCUPATION

Car Parking

6. No part of the development shall be first occupied until a scheme detailing the location and layout of car parking provisions within the application site is submitted to and approved in writing by the County Planning Authority.

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These spaces shall thereafter be retained at all times for their designated purpose.

Reason: To ensure the provision of adequate car-parking spaces for the users of the site.

Cycle Parking

7. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved in writing by the County Planning Authority. Thereafter the approved cycle parking shall be retained at all times for its designated purpose.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.

Delivery and Servicing Management Plan

8. No part of the development shall first be occupied until a Delivery and Servicing Management Plan has been submitted to and approved in writing by the County Planning Authority. The plan shall include details setting out the transport procedures relating to both deliveries of materials to the application site and the exportation of waste residuals from the site. Once approved, the scheme shall be implemented and adhered to in full.

Reason: In the interests of local business and residential amenity and the highway network.

OPERATIONAL CONDITIONS

Permitted Operational Capacity

9. No more than 15,000 tonnes of waste shall be managed at the site in any 12 month period. The operator will, within seven days of a request by the County Planning Authority, provide written records detailing the tonnages of waste processed and the number of HGV vehicle movements to and from the site for the preceding 12 months at the site.

Reason: to minimise the impact of the development on the amenity of residents and the environment.

Permitted Plant

10. Only the Combined Heat and Power plant assessed in the approved noise and air assessment, referred in Condition No. 2, shall be installed, unless other plant can be demonstrated to achieve the same or better

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emissions/noise levels and which is approved in writing by the County Planning Authority.

Reason: to ensure emissions from the proposed development operates within acceptable levels.

Permitted Feedstock

11. Only Refuse Derived Fuel sourced from the operator's adjoining Waste Transfer Station (as approved under CM/03/04), shown on approved drawings listed in Condition No. 2 will be used as feedstock in the Combined Heat and Power plant hereby approved.

Reason: to minimise the impact of the development on the local highway network.

Sheeting of Vehicles

12. All vehicles delivering or removing materials from the site shall have their loads enclosed within the vehicle or container or covered/sheeted so as to prevent spillage or loss of materials on to the public highway or local estate. The condition shall be adhered to regardless of the vehicle being full or empty.

Reason: In the interests of highway safety and of the amenities of the locality.

Permitted Delivery and Export Hours

13. No delivery or export of material associated with the development hereby permitted shall take place outside the hours of:

- 07:00 and 18:00 pm on Mondays to Fridays inclusive;
- 08:00 and 13:00 pm on Saturdays;

and not at any time on Sundays, Bank or Public Holidays, unless otherwise agreed in advance and in writing by the County Planning Authority.

Reason: In the interests of residential amenity.

Control of Material Storage Onsite

14. No waste types, other than those set out in the approved application details included in Condition No. 2 (RDF Composition), shall be imported, sorted, stockpiled or processed on the site.

Reason: In the interests of safeguarding the amenity of nearby residential

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and commercial properties.

Recording Imports and Exports

15. The site operator shall keep records, including the type and quantity, of all deliveries, including the delivery of waste for use as feedstock in the Combined Heat and Power plant, and the export of residues removed from the site, and shall make those records available to the County Planning Authority within 28 days of a written request.

Reason: To record the throughput of the site to ensure that the operations are undertaken in accordance with the approved details.

Noise Reporting

16. At the request of the County Planning Authority or following a substantiated noise complaint the operator shall employ a qualified acoustician to carry out noise monitoring to determine if the noise limits (as defined within the approved Noise Assessment as detailed within Condition 2) have been exceeded. Where an exceedance is determined, mitigation measures shall be determined and instigated in full to ensure that the levels are met. A report detailing the monitoring results, mitigation measures and any retesting shall be provided to the County Planning Authority within 4 weeks of the request being made.

Reason: To ensure the rights of control of the County Planning Authority in the interests of amenity.

Restriction of Fuel Use

17. No materials as defined by The Hazardous Waste (England and Wales) Regulations 2005 or any legislation that may supersede this legislation as hazardous waste shall be imported onto or used in the facility hereby permitted.

Reason: In the interests of safeguarding the amenity of nearby residential and commercial properties.

Control of Lighting

18. Any fixed lighting to be installed at or around the site shall be installed as per the requirements of the Institute of Lighting Professionals (Guidance Notes for the Reduction of Obtrusive Light GN01:2021) and be designed and shielded to minimise light spillage beyond the site boundary, to keep glare to a minimum and should direct light downwards, using shields, baffles or louvres wherever possible.

Reason: In the interests of safeguarding the amenity of nearby residential

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and commercial properties.

Design of the Flue

19. The height of the flue stack of the facility hereby permitted, as shown within the approved plans listed in Condition No. 2, shall not exceed 19.77m above ground level.

Reason: In the interests of safeguarding the amenity of nearby residential and commercial properties.

Decision Notice Availability

20. A copy of this decision notice together with the approved plans and any schemes and/or details subsequently approved pursuant to this permission shall be kept on site at all times and the terms and contents thereof shall be made known to supervising staff on the site.

Reason: To ensure that the site operatives are conversant with the terms of the planning permission.

21. **Electrical Connection**

No combustion of waste shall take place at the facility hereby permitted, with the exception of that required for hot commissioning, until a connection to the National Grid for the export of electricity from the facility has been installed and is available for use. The connection shall be maintained as installed throughout the lifetime of the development.

Reason: To ensure the proposal would be a recovery facility and move waste up the waste hierarchy in accordance National Policy and the Waste Local Plan (April 2014).

Combined Heat and Power

22. The development hereby approved shall be designed from the outset such as to allow for the potential future beneficial use of combined heat and power, the specific measures and specifications for which shall be submitted to and approved in writing by the County Planning Authority prior to the installation of the energy-from-waste plant. Thereafter, the plant shall be installed in accordance with the approved specifications.

Reason: To ensure that plant is designed with the potential future use of heat in the interests of maximising energy efficiency and environmental performance.

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INFORMATIVES

A. In accordance with paragraph 38 of the National Planning Policy Framework, the County Planning Authority has approached the determination of this application in a positive and creative way, and has worked proactively with the applicant by:

- Providing pre-application advice;
- Seeking amendments early on in the application process to see if a sustainable solution can be agreed;
- Discussing issues of concern as early as possible, including those raised by consultees and third parties;
- Giving them the opportunity to provide further information/changes to overcome material impacts; and
- Working with consultees

As a result, the County Planning Authority has been able to recommend the grant of planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development.

- B. The granting of any planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of the Environmental Protection Act 1990 be received. For further information please contact Arun District Council Environmental Health Department. The developer should at all time employ best practical means to minimise noise disturbance to nearby residents. All construction work practises should comply with B.S. 5228 1:2009 'Code of practice for noise and vibration control on construction and open sites'.
- C. Please note that this development may require an Environmental Permit, a variation of an existing permit or an exemption from an Environmental Permit form the Environment Agency. The applicant must ensure that the operations at the site are in accordance with the Environmental Permitting Regulations 2008. The applicant is advised to contact the EA's National Customer contact centre on 03708 506 506.
- D. The applicant's attention is drawn to the comments made by WSCC Fire and Rescue Service (F&RS) with regard to Fire Hydrants. The applicant should notify the WSCC F&RS the location of any existing fire hydrants and, where a new fire hydrant that is required to be installed, its location (including grid reference) and establish a date for the F&RS to visit the site for inspection.

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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.

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) If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get online at www.planning-inspectorate.gov.uk or by writing to the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.
- (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 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) In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.

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 Further correspondence about this application should quote the reference number at the top right hand corner of the form.