County Planning
County Hall
Chichester
PO19 1RH

Tel: 01243 642118

APPLICATION NUMBER: WSCC/029/22
COUNTY MATTER MINERAL

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

To: Aggregate Industries UK Ltd
Aggregate Industries UK Ltd
Edwin Sims House
Vallis Road
FROME
BA11 3EG

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:

The continuation of the unloading, preparation and storage of mineral aggregate with concrete batching plant until the 31 August 2023. at New Wharf, Brighton Road, Shoreham-By-Sea BN43 6RN

to be carried out in accordance with your application and plans (as modified by the under-mentioned conditions) submitted to this Council on 10/08/2022 and subject to the conditions specified hereunder:

1. The use of the land, buildings and structures hereby permitted for minerals working shall cease on 31 July 2023 and the site shall be cleared of all buildings, structures and works erected pursuant to this permission on or before 31 August 2023.

Reason: In order to clear the site and as not to prejudice consideration of future proposals for the locality and to enable the Minerals Planning Authority to review the special circumstances under which this permission is granted.

2. The development shall not take place other than in accordance with the approved drawings and documents:

- Location Plan (Drawing NW/1);
- Site Plan (Drawing 20.08.12130.PL.A.001);
- Environmental Management Plan (March 2022);

save as varied by the conditions hereafter.

Date: 19/01/2023 Signed: **Michael Elkington**, Head of Planning Services

IT IS IMPORTANT THAT YOU READ THE NOTES IN APPENDIX A

3. At least seven days prior to the cessation of the use of the site for the importation and processing of aggregates, written notice shall be given to the Minerals Planning Authority.

Reason: Because the site forms part of the land identified for redevelopment, which should not be prejudiced, in accordance with paragraph 122 of the NPPF (2021).

4. The site shall at all times be operated in accordance with the approved Environmental Management Plan (March 2022), which shall be reviewed on at least an annual basis.

Reason: In the interests of the residential amenity of the surrounding area.

5. Any fuel, oil lubricant or other potential pollutant shall be handled on the site in such a manner as to prevent pollution of any watercourse or drainage system. For any such liquid other than water this shall include storage in suitable tanks and containers which shall be housed in an area or structure surrounded by bund walls of sufficient height and construction so as to contain 110% of the total contents of all containers and associated pipework. The floor and walls of the bunded area shall be impervious to both water and oil. The pipes shall vent downwards into the bund.

Reason: To minimise the risk of pollution to watercourses and drainage systems in the vicinity of the site.

6. With the exception of the unloading from dredgers of marine dredged aggregates that shall on any day take place only between the hours of 0700 and 2300 no operations authorised or required under this permission shall take place except between the hours of:

- 0700 and 1800 Mondays to Fridays;
- 0700 and Noon on Saturdays,

save that no use of the aggregate processing plant shall on any day take place before 0800 hours.

No working, including the maintenance of plant and machinery, shall take place on the site on Sundays or public holidays.

Reason: In the interests of the amenities of the locality and to minimise disturbance arising from the activity on the site and the traffic generated thereby.

7. Deliveries of aggregates to the site shall only be by sea, with the exception of additives, including cement, necessary for the process of making concrete.

Reason: To ensure the site is used primarily for the handling of materials delivered by sea and to minimise traffic movements on and off the site.

8. All vehicles and plant operating regularly from, or continuously on, the site shall be equipped with upward directed exhaust outlets.

Reason: To minimise the disturbance of dust on the site in the interest of the amenities of adjoining land users.

9. Vehicles within the operator's control, including those required to visit the site under contract that are required to emit reversing warning noise, shall use only white noise/broadband alarms rather than single tone alarms.

Reason: To protect the amenities of local residents.

10. Other than intruder activated lighting, the site shall not be artificially illuminated except during the permitted hours of working or during the course of unloading of cargo from a ship at the wharf. No lighting fitment shall be installed or at any time operated on the site from which the source of the light is directed towards a public highway or residential properties.

Reason: In the interests of highway safety and the amenity of nearby residents.

INFORMATIVES

A. The Minerals Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

CONTINUATION SHEET

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: 19/01/2023 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) 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 https://www.gov.uk/appeal-planning-decision 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.