WEST SUSSEX COUNTY COUNCIL **DATE: 24th April 2009**
INFRASTRUCTURE CONSULTATION

FROM: **Local Development Division** **TO:** **Adur District Council**
FAO: **Keith Morgan**

SUBJECT: **ADC/0140/09 - Deposition of inert soils (6,000-8,000 cubic metres) to level surface and reinstate grass for horse grazing**

Riverside Cottage, Steyning Road, Shoreham-by-Sea, West Sussex

CONSULTATION DATE: **15/04/09**

RECOMMENDATION:

Advice		**Modification**		**More Information**	X
Objection		**No Objection**		**Refusal**	X

TAD contribution: £

The County Council have assessed this application in terms of the likely impact of the proposed development on Landscaping, Archaeology, Ecology and Highways and Transportation. The County Council Planning Department have also considered the application in the interest of Wastes Management / County Matters.

Please note that the County Council Planning Department consider the application may need to be re-submitted as a County Planning Matter given that the nature of the development could be considered as waste development (e.g., landfill, tipping, waste recycling, transfer stations, wastewater treatment works).

Question 23 in the Application Form identifies the development as a Waste Management Development. If the applicant considers the proposed works to be an Engineering Operation rather than a Waste Disposal operation then reasons supporting this would need to be detailed. In addition Question 14 of the Application Form is answered incorrectly, it is apparent that the proposed deposition site is within an AONB and is within or adjacent to both an SNCI and a Local Nature Reserve. Given the above, more detailed consideration needs to be given to the proposals.

The County Council suggest that the application should be withdrawn in order to determine whether it should be considered as a County (Waste) or District (Engineering) application and if necessary re-submitted to West Sussex County Council Planning Department to be considered as a waste development.

Please contact the County Planning Office to discuss in more detail, 01243 642118 (county.development@westsussex.gov.uk)

Despite the considerations above, the applicant will need to submit additional supporting information as detailed below:

In terms of Landscaping, no details have been submitted with the current application and appropriate details and assessments should be provided whether this is submitted as a District or County application. These should include an appropriate landscape assessment of the site and the surrounding area. As a minimum, topographical surveys and finished levels should be provided to consider the final levels of the site in relation to the landscape.

The landscape assessment should consider the site in terms of the AONB, SNCI and Local Nature Reserve status.

In terms of Archaeology, no details have been submitted with the current application and appropriate details and assessments should be provided whether this is submitted as a District or County application. These should include an details of any operations that have already taken place on site; any engineering works that will be required to stabilise the deposited materials and an assessment of the potential within the site for buried remains and the likely impact of the operations on any buried remains.

In terms of Ecology, as previously discussed the site lies within a designated Site of Nature Conservation Importance. The County Council Ecologist supports Southern Water's and the Environment Agency's comments and recommendations as a condition to ensure the quality of material brought on site is suitable to protect the drinking water supply will also satisfy any ecological concerns.

Therefore subject to a condition ensuring a suitable conservation grade seed mix is sown in areas abutting the waterway there is no strategic ecological objection to the proposals (please refer to PPS9 paragraphs 12 & 14 and Structure plan policy ERA2).

In terms of Highways and Transportation, the applicant will need to provide more detailed information regarding the movement of material to allow the County Council to make a full assessment of the likely implications of the proposed development.

The access to the site is from the A283 (Steyning Road), past the junction with the A283 the access road does not form part of the publicly maintainable highway. Steyning Road is classified with a National Speed Limit (60mph) and the achievable visibility splays to both the north (in excess of 215m) and south (in the region of 190m) appear to be acceptable. There is no personal injury accident history recorded in the past three years.

While it is considered that the site access is suitable, the applicant will need to provide details on the likely impact of the development on the wider highway network.

It is noted that the first 120m of the access road from the Steyning Road is designated as a Public Right of Way (Footpath 3138) and at approximately 120m, the access road is crossed by another Public Rights of Way (Footpath 3140). The following should be noted:

- The granting of planning permission does not authorise obstruction of, interference to or moving of any Public Right of Way; this can only be done with the prior consent of West Sussex County Council’s Rights of Way team.

- Safe & convenient public access is to be available at all times across the full width of the Public Right of Way. The path is not to be obstructed by vehicles, plant, scaffolding or the temporary storage of materials and/or chemicals.

- Access along the Public Right of Way by contractor's vehicles, deliveries or plant is only lawful if the applicant can prove they have a vehicular right. If the path surface is considered damaged as a result of the development then the applicant may be required to make good the surface to a standard satisfactory to West Sussex County Council's Rights of Way team.

- The Public Right of Way runs along a track leading to a site to be developed. In this situation, it is conceivable that the Public Right of Way will be affected by an increase in vehicular traffic either before or after the development is completed. Developers/landowners should ensure that public use of the Public Right of Way takes precedence over private vehicular traffic. It is a criminal offence to damage the surface of a Public Right of Way and the consent of the County Council must be sought for the route to be resurfaced even if the surface is to be improved. The applicant would be liable for any damage to the surface arising from his exercise of private access rights.

With regard to the scale of development and the likely traffic impact of the proposals, more information will be required to support the application.

The proposals are for 6000 to 8000 cubic metres of infill material. This could generate in the region of 300 – 400 one way hgv movements to transport material. Depending on whether the 6000 to 8000 cubic metres is bulk material or compacted material, there could be a greater number of traffic movements associated with the development.

In order to determine the impact of the proposed development, the applicant will need to provide more information relating to the likely vehicle movement numbers, the likely frequency of vehicle movements and the timeframe in which the proposed infill is likely to take place. The applicant will need to investigate the potential impact of this additional traffic on the local highway network.

Without this information, the County Council are not able to support the application.

Please re-consult.

Paul Jackson-Cole
Local Development