From: Jane.Moseley@westsussex.gov.uk
Sent: 10 December 2012 10:00
To: Peter Barnett
Subject: AWDM/1371/12 - EMR Kingston Wharf Acoustic Container Wall
Attachments: Planning SU 102 05.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Peter

With apologies for the delay, I write in response to EMR's application for an acoustic container wall around the southern and western boundaries of their site at Kingston Wharf, Shoreham (your ref. AWDM/1371/12).

As noted in the information submitted with the application, the use of the site for metal recycling is positive in waste management terms as it enables its management to move 'up the hierarchy', diverting material from landfill and benefitting the sustainable management of West Sussex's waste. Policy W1 of the West Sussex Waste Local Plan: Proposed Submission Draft (November 2012) supports the County being self-sufficient in the transfer, recycling and treatment of waste, and aims to take 'zero waste to landfill' in the County by 2031. This use accords with that approach.

I will leave it to your team to balance this against the future proposals for the area's regeneration.

In terms of the planning history of the site, I would note that EMR's permission for metal recycling at this site expired in 2010, as per the attached decision notice, though this has not yet been followed up by our compliance team. We will be asking EMR to submit an application to continue their use of the site (or of course to move elsewhere), which we will consult with your Council on.

Nonetheless visually I do not consider that the shipping containers are out of keeping with their surroundings which are characterised by industrial and port uses. Further, the containers provide a solid visual screen which is likely to be preferable to residents to views of a scrap metal site. There may also be benefits in terms of containment of the noise emanating from the activity, though from the material submitted they do not appear to have been fitted with material which would absorb any noise.

In terms of the proposal before you, WSCC does not wish to raise any objection.

Regards
Jane Moseley

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Think sustainably. Do you have to print? Can you double side? Do you need colour?

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This e-mail and any attachments are confidential and intended solely for the persons addressed. If it has come to you in error please reply to advise us but you should not read it, copy it, show it to anyone else nor make any other use of its content. West Sussex County Council takes steps to ensure e-mails and attachments are virus-free but you should carry out your own checks before opening any attachment.

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west sussex county council

Application No: SU/102/05
COUNTY MATTER

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

To European Metal Recycling Limited
c/o Simon Dodd
Sirius House
Park Crescent
Westbrook
Warrington
Cheshire
WA5 7NS

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, that is to say:-

Permission to utilise land for storage of scrap metal products prior to processing or shipment at Kingston/Lennards Wharf, Brighton Road, Shoreham by Sea, West Sussex, BN43 6RN

to be carried out in accordance with your application and plans (as modified by the under-mentioned conditions if any) submitted to this Council on 15 April 2005 (and in accordance with the relevant correspondence a copy of which is attached *) and subject to the conditions specified hereunder:-

1. The use hereby permitted shall be discontinued and the land restored to its former condition, or to a condition to be agreed in writing by the County Planning Authority,on or before the expiration of the period ending on 31st October 2010.

   Reason: In order not to prejudice consideration of future proposals for the area and to enable the County Planning Authority to review the special circumstances under which this permission is granted, having regard to Policies AE 7-9 and AT 4 of the Adur District Local Plan and Policy NE 6 of the adopted West Sussex Structure Plan 2001-2016.

2. Within a distance of 5 metres of the highway boundary facing the A259 Brighton Road no stored scrap metal or other salvaged materials shall exceed the height of the

Date 14th December 2006 Signed for Head of Planning Services .....

***N.B.** The reasons for imposing the above conditions are as specified after the conditions. The words in brackets do not apply unless a copy of the relevant correspondence is attached. Your copy of the application, determined as above, is returned herewith for your records.

IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES AT APPENDIX A OF THIS FORM

existing wall abuting the highway boundary. Elsewhere on site, storage heights shall be no more than 5 metres above the existing wharf level.

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

3. No development shall be carried out other than in accordance with the approved plans reference EMR Shoreham Stock Plann App dated Feb 05 and Site Plan dated 23/08/05 and supporting information submitted with the application unless otherwise approved in writing by the County Planning Authority.

Reason: For the avoidance of doubt and to maintain planning control over the site.

4. None of the operations authorised or required under this permission shall take place outside the hours of: 7.00 am and 6.00 pm from Monday to Friday inclusive; and 7.00am and 1.00 pm on Saturdays. No working whatsoever shall take place on Sundays and Bank Holidays without the prior permission of the County Planning Authority

Reason: To safeguard the amenities of residential properties in the area.

5. P No work shall be carried out on the site unless and until an effective vehicle wheel-cleaning facility has been installed in accordance with details approved by the County Planning Authority and such facility shall be retained in working order and operated at the site until the use hereby permitted is discontinued.

Reason: In the interests of road safety and to ensure that vehicles do not leave the site carrying mud, slurry or other debris on their wheels in a quantity which causes nuisance or hazard on the road system in the locality.

6. P Before the development hereby permitted is commenced details of all external floodlighting and other illumination proposed at the site shall be submitted to and approved in writing by the County Planning Authority. These details shall include: height of the floodlighting posts, intensity of the lights (specified in the lux levels), spread of light including approximate light spillage to the rear of floodlighting posts (in metres), any measures proposed to minimise the impact of the floodlighting or disturbance through glare (such as shrouding), and the times when such lights will be illuminated.

Reason: To protect the local amenities from floodlighting and other illumination.

7. P No development shall begin until a detailed scheme and programme for the suppression of dust has been submitted to and approved in writing by the County Planning Authority. Such scheme shall include: the damping system for the scrap storage areas and a programme for monitoring of emissions. The approved scheme shall be implemented in full and maintained for the duration of the development.

Reason: In order to protect the local amenities from dust.

Date 14th December 2005 Signed for Head of Planning Services .....

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8. P No development approved by this planning permission shall be commenced until details for the surface water drainage of the site have been submitted to and approved in writing by the County Planning Authority and implemented in accordance with that approval. Such details should include provision for all surface water drainage to be passed through an oil bypass interceptor designed and constructed to have a capacity compatible with the site being drained.

   Reason: To prevent pollution of water environment.

9. The storage use hereby permitted shall not commence until space has been laid out in accordance with details to be submitted and approved by the County Planning Authority for the turning, loading and unloading of vehicles and the parking for 24 cars within the site, and such space shall not thereafter be used other than for the purposes for which it is provided.

   Reason: In the interests of road safety and to accord with the approved policy.

10. No fires shall be allowed on the application site; and a method statement detailing how accidental fires shall be extinguished shall be submitted to and agreed in writing by the County Planning Authority prior to the commencement of the development hereby permitted.

    Reason: In the interests of the amenity of the surrounding area, and highway and site safety.

11. P No development shall take place until there has been submitted to and approved in writing by the County Planning Authority a plan that shows the positions, design, materials and type of restraining barriers to be erected along the southern edge of the application site.

    Reason: In the interests of safety and to prevent scrap metal from falling into Shoreham Harbour.

12. No loading or unloading of ships or boats shall take place from the application site without the written approval of the County Planning Authority.

    Reason: In the interests of the amenities of the locality.

INFORMATIVES

A. This permission authorises a change of use only and does not authorise any works or alterations that may require planning permission.

B. The applicant's attention is drawn to the comments of the Crime Prevention Design Advisor of the Sussex Police Constabulary concerning physical security at the site.

Date 14th December, 2005 Signed for Head of Planning Services S J Walbot

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C. Reason for the granting of temporary planning permission:

The development accords with Development Plan Policies and will assist the County Council in meeting its recycling targets. The grant of a temporary permission will not prejudice consideration of future proposals for the area and will not result in significant detriment to the character or amenities of the area.

The relevant policies are :-

West Sussex Structure Plan 2006-2016:
LOC1, ERA 5, ERA 8 and NE 6.

West Sussex Waste Local Plan Revised Deposit Draft (2004):
A1B, G1, G2, G6, G7, N1 and U2.

Adur District Local Plan:
AG1, AP7, AE7, AE8 and AT4.

Date 14th December 2005

Signed
for Head of Planning Services .....

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 WOULD BE WELL FOR YOU TO CONSULT YOUR SOLICITOR IF YOU ARE IN ANY DOUBT.

TOWN AND COUNTRY PLANNING ACT 1990

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 Office of the Deputy Prime Minister 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 from the Planning Inspectorate at Tollgate House, Houlton Street, Bristol BS2 9DJ.

(c) The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him 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 him.

2

(a) If either the local planning authority or the Office of the Deputy Prime Minister 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 his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

3

In certain circumstances a claim may be made against the local planning authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and County Planning Act 1990.

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