

**THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL  
IMPACT ASSESSMENT) REGULATIONS 2011:  
REGULATION 13 – Request for a Scoping Opinion – SR/17a**

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**Proposal**

**Proposal to continue working the mineral, with an enhanced restoration scheme as shown on plan P3/182/10 involving importation of some 1.8 million tonnes of inert material with restoration to nature conservation and informal recreation over a period of eleven years**

**Applicant**

**Inert Recycling UK Ltd and CEMEX UK Operation Limited**

**Date received**

21 February 2017

**Classification of the Proposed Development and requirement for an Environmental Impact Assessment**

The proposal has not been the subject of a screening opinion, nor have the applicants requested a screening opinion, considering at the outset that an EIA would be required. West Sussex County Council (WSCC) considers that the proposal does comprise Schedule 1 development, as defined in the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 2011 ('the EIA Regulations'). Specifically, with a site area of approximately 34 hectares, WSCC considers the proposal fall within Schedule 1, part 19 - Quarries and open-cast mining where the surface of the site exceeds 25 hectares.

Therefore, by virtue of the scale and nature of the site, the proposal has the potential for significant environmental impacts. Accordingly, any application would need to be supported by an Environmental Statement (ES).

The applicant has subsequently submitted a formal request for a Scoping Opinion. This is where a developer asks the local planning authority for their formal opinion (a 'scoping opinion') on the information to be supplied in the ES. This provides clarity as to what the local planning authority considers the main effects of the development are likely to be and, accordingly, the main topics on which the ES should focus.

The following forms the Scoping Opinion of WSCC, based on the information provided by the developer on 21<sup>st</sup> February 2017. In providing this response, consultation has been undertaken with the relevant statutory authorities, along with the relevant Parish Councils.

**SCOPING OPINION**

**1. Proposal**

**1.1** The proposal is for an alternate restoration scheme which would involve importation of 1.8 million tonnes of inert material. The material brought to the site would provide a different restoration scheme. Whereas the current

permitted proposal involves restoring the sandpit with one large, deep, steep-sided waterbody with a permissive footpath around the perimeter and areas of grassland, wet heath and reeds, the proposed restoration scheme would provide a new landform consisting of shallow ponds and wet heath at the western end of the quarry, together with a new lakeside footpath running between the shallow ponds and lake.

- 1.2 The quarry has some 1.4 million tonnes of mineral remaining to be worked, and based on current rates it is expected that this will take some 8-10 years. In order to achieve the enhanced restoration scheme, 1.8 million tonnes of inert material would need to be brought onto the site to shape the void created by the sand extraction. It is proposed that this inert material would be imported to the site at a rate of some 250,000-350,000 tonnes per annum and this would take some 8-11 years, depending on the availability of material. At these rates it is envisaged that the site could be worked and restored within a period of some 11 years. The quarry currently has planning permission for working to cease by 21st February 2042. If permission is granted for such a revised scheme, the existing consent would be superseded.
- 1.3 It is envisaged that the existing access to off Water Lane will be utilised as the entrance to bring in the inert material by sheeted HGV. The material would be brought into a separate site reception and checking area from the sandpit operations and would be created in the northern end of the existing minerals plant site. The reception area for the imported waste material will include a site office, weighbridge and staff mess, overnight HGV parking, staff car park and fuel compound. The applicant state that there may be need for a mobile screener and crusher, but this would be located away from residential properties, probably within the working site area.

## **2. Location**

- 2.1 Sandgate Park Quarry lies to the east of Water Lane and north of the Washington Road (A283). Further afield, it is some 1km to the east of Storrington, and some 2km to the north west of Washington. The A24 lies approximately 2km to the east. The boundary of the South Downs National Park runs along the A283 immediately to the south of the site.
- 2.2 Sandgate Park Quarry is an existing, operational site of some 34 hectares of flat partly restored and partly worked soft sand. The southern boundary of the site is marked by an approximately 30m wide line of tall hedgerows and mature trees. Similarly the western boundary of the site along Water Lane is marked by thick boundary of tall trees and hedgerow. The eastern boundary of the site adjoins an existing quarry which is being restored – Washington/Hampers Lane Quarry. The northern boundary adjoins an area of previously restored grassland which is now managed for grazing or grown for its hay crop.
- 2.3 The main entrance to the site is off Water Lane which leads into the site office, parking, processing and stockpile area.
- 2.4 In terms of environmental designations there are a number of internationally and nationally important nature conservation designations in the vicinity of the proposal site. Immediately to west of the site, on the other side of Water Lane, lies Sullington Warren SSSI owned by the National Trust and designated as whose main habitat is dwarf shrub heathland. The site includes both wet and dry heaths and is a habitat for breeding birds and also has some archaeological

interest with a total of eight tumuli on site. Chantry Mill SSSI lies to the south-west of the site on the opposite side of Washington Road this is designated as it provides the best available exposure of the unusual "iron grit" horizon which characterises the Gault/Folkstone Beds.

- 2.5 The South Downs National Park boundary runs along the southern boundary of the A283 and is a nationally important landscape designation which is important for its landscape character value and for informal recreational opportunities.
- 2.6 There are no rights of way crossing the site, but there are a number of footpaths, and bridleways around the site and in the local vicinity. The nearest public footpaths are 2631 and 3506 which both lead onto Water Lane from the south-west. Bridleway 2627 runs on a north-south axis along Hampers Lanes, to the east of the site, beyond Washington/Hampers Lane Quarry.
- 2.7 There are residential properties to the north, west, east and south of the site. The nearest dwellings are Sandgate Lodge, off Washington Road which lies to the south of the site, properties along Water Lane, properties off Badgers Holt to the north and Hampers Lane to the east.
- 2.8 There are no rivers or streams crossing the application site. The site lies in Flood Zone 1 and is therefore at a low risk of flooding. There are a number of small historic landfills in the vicinity of Sullington, the nearest being to the east, beyond Hampers Lane and the other to the west of Water Lane – the former Angells Sandpit Landfill.
- 2.9 The site lies under the control of one landowner CEMEX UK Operations who are working the site for soft sand. If this development is permitted, then the infilling and shaping of the quarry void using inert materials would be undertaken by Inert Recycling, who would deliver the proposed changed restoration scheme.

### **3. Scope of the Environmental Statement**

- 3.1 Every Environmental Statement (ES) must provide a full factual description of the development, and consideration of the 'main' or 'significant' environmental effects to which the development is likely to give rise. The ES should, wherever possible avoid the use of jargon and be written in easily-understood language.
- 3.2 Every ES must also contain all of the information set out in Part 2 of Schedule 4 to the EIA Regulations, along with such information from Part 1 as is reasonably required to assess the effects of the project. The ES should therefore contain, as a minimum:
  - a full description of the development;
  - measures to avoid/reduce/remedy significant adverse effects;
  - data to identify and assess the main environmental effects;
  - an outline of the main alternatives and reasons for the choice made; and
  - a non-technical summary.
- 3.3 As set out in Part 1 of Schedule 4, the ES should include, as relevant, a description of the aspects of the environment likely to be significantly affected by the development, as confirmed in the following; a description of the likely significant effects on the environment resulting from the development and the

methodology used to predict them; and a description of proposed mitigation measures.

- 3.4 Any updated requirements set out in the Planning Policy Guidance: Environmental Impact Assessment should also be taken into account.
- 3.5 The following sets out the County Council's views as to what main/significant areas will need to be considered within any forthcoming ES. It does not prevent the County Council from further requests for information at a later stage under Regulation 22 of the EIA Regulations, if deemed necessary.
- 3.6 **Landscape and Visual Impact:** The site is not within an area statutorily designated for its landscape value. However, it is adjacent to public rights of way (to the west of Water Lane), and is adjacent to the South Downs National Park, so there is potential for wider landscape and visual impacts. The assessment should consider the direct and indirect effects upon the South Downs National Park and its special qualities/purposes.
- 3.7 The approach to the Landscape Character and Visual Impact, as set out in the Scoping Request, is generally considered appropriate. There should be a full Landscape and Visual Impact Assessment (LVIA) carried out and the findings of the LVIA should feed into the Landscape and Visual Impact chapter in the ES.
- 3.8 Consideration should be given to the timing, phasing and programme of implementation of both extraction and restoration. Where possible the development should seek to ensure that restoration is phased, and follows as soon as possible after extraction. Hedgerows/trees are only removed when absolutely necessary, to minimise any visual impacts to a limited area at any one time.
- 3.9 Consideration of landscape impacts should include an arboricultural survey of existing trees on site that may be affected by the proposals, detailing trees to be retained and removed, an assessment of their quality/health, position, and root protection measures. Where new working areas are to be provided it will be important to ensure that the potential impacts on trees/hedgerows resulting from these is considered in full and mitigated where necessary.
- 3.10 **Transport and Access:** In general, the approach to transport and highways as set out in your Scoping Request is considered satisfactory. A full Transport Assessment (TA) should be carried out in accordance with the relevant guidance and it is recommended that liaison take place with WSCC Highways at an early stage to inform the contents of any assessment (please see link to WSCC Highways pre-application advice <https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/pre-application-advice-for-roads-and-transport/> ) In any case, the TA should include details of traffic movements and their effects in terms of volume, size and frequency, routing, the condition of the existing highway network and its suitability in accommodating this level of activity taking into account current usage.
- 3.11 **Noise Assessment and Vibration:** The approach to considering noise and vibration set out in your Scoping Request is generally considered to be appropriate.
- 3.12 Residential properties should be identified and, in addition, consideration should be given to the potential impacts of noise upon other sensitive receptors which

may include neighbouring land uses such as businesses and public rights of way.

- 3.13 At 7.6 of the Scoping Request, it states that vehicles travelling to and from the site are likely to be the main source of noise impacts. This is clearly an important element of potential noise sources. However, the Scoping Request at 6.3 also talks about the possibility of having a need for a mobile screener and crusher on-site. Therefore this must also feature as a potential noise source. Furthermore, the increased activity at the site from extraction and importation of materials concurrently, which will also include tipping of materials, has the potential for increased noise effects. All such operations and effects need to be included in any assessment and feed into the ES.
- 3.14 Although not discussed in the Scoping Request, it is considered that vibration should be included in the noise section and scoped into the ES. Again, the increased activity at the site from extraction and importation of materials has the potential for significant environmental effects. If it is considered that potential impacts may not be severe, the ES should provide evidence of such. Any assessment should clearly set out existing and predicted vibration levels at sensitive receptors, including an assessment against relevant guidance/standards, and taking into account local topography.
- 3.15 **Ecology and Nature Conservation:** The ES will need to identify impacts on habitats and notable/protected species, both during the extraction and importation operations, and propose a package of mitigation, compensation and enhancement measures. The assessment should take into account the guidance set out in the National Planning Policy Framework (NPPF), and Natural England Standard Advice (please see attached comments of Natural England).
- 3.16 In addition to the matters raised in the Scoping Request and those of Natural England, WSCC's Ecologist raises no objection to the proposed way forward subject to the assessment of the potential impacts on non-statutory ecological receptors and that any desk-top assessment being informed by data provided by the Sussex Biodiversity Record Centre.
- 3.17 **Hydrology and Flood Risk:** The approach to considering the water environment as set out in your Scoping Request is generally considered to be appropriate. The potential impact of the development on ground and surface water quality and quantities (i.e. drainage/flood risk) should be considered and objectively assessed. In addition to those raised in the scoping report, the matters raised and discussed in the responses from the Environment Agency and WSCC as the Local Lead Flood Authority are supported by WSCC as the Planning Authority and should be taken into account and addressed appropriately (please see attached comments of the EA and WSCC Local Lead Flood Authority).
- 3.18 **Cumulative and In-Combination Impacts:** The ES should include consideration of potential cumulative impacts of the proposal alongside existing and permitted uses in the proximity of the site. An appraisal of the potential interaction of impacts should also be set out either in this chapter or in each topic chapter, acknowledging the potential for a combination of impacts to result in an impact of greater significance.
- 3.19 **Air Quality/Emissions/Dust:** The approach to considering air quality/emissions/dust as set out in your Scoping Request, and clarified in

greater detail in your email (dated 8<sup>th</sup> March 2017), is generally considered to be appropriate.

- 3.20 There will invariably be some concern over potential impacts regarding air quality, emissions and dust from the proposed development, especially as there is an Air Quality Management Area in the centre of Storrington village. Although such matters will be assessed within other sections (i.e. transport section), air quality, emissions and dust does have the potential to arise and have significant impacts from other operations including the tipping of the materials on site and the concurrent operations of extraction and infilling. Horsham District Council's response (dated 20<sup>th</sup> March 2017) is very detailed with regards to potential impacts of air quality, emissions and dust and covers a range of scenarios. Their response should be taken into account when producing the ES (please see attached comments of Horsham District Council) and consideration should be given to having a standalone section covering air quality, emissions and dust.

### **Other matters**

- 3.21 **Need:** The alternatives to the proposed development should be set out, taking into account the latest data regarding West Sussex's waste production and management, and forecast capacity, and the Waste and Minerals Local Plans, including the emerging Minerals Local Plan.
- 3.22 **Socio-Economic Impacts:** An assessment of the potential impacts of the proposed development on the community living and working within the locality should be provided.
- 3.23 **Archaeology and Cultural Heritage:** Having considered the potential archaeological impacts and liaised with WSCC's Archaeologist, there is no objection in scoping out this matter.

### **Conclusion**

- 4.1 In general terms the proposed scope if the EIA is considered acceptable. However, it is recommended that all of the above comments are taken into account and included within any supporting ES. Further, in addition to the above, the responses from consultees should be reviewed in full (attached for your consideration).
- 4.2 Given the scale of the development and potential for wide ranging effects, it is recommend, that following further development of the proposals, that further pre-application advice is sought from the County Planning Authority and likely consultees, to further inform the application submission.

*Signed:*



Chris Bartlett (Senior Planner)  
*for the Strategic Planning Manager*  
Date: 6 April 2017



Reviewed by: Sam Dumbrell  
(Senior Planner)