

Report to	Planning Committee
Date	14 March 2013
By	Director of Planning
Local Authority	West Sussex County Council
Application Number	SDNP/12/02275/CW
Applicant	Betaland Limited
Application	Restoration of Golding Barn Quarry using imported inert waste to recreate pre-existing landform.
Address	Golding Barn Quarry, Henfield Road, Small Dole, Henfield, West Sussex, BN5 9XH

Recommendation: That planning permission be granted subject to the prior completion of a legal obligation and for the reasons and subject to the conditions set out in paragraph 10.1 of this report

Executive Summary

The application is submitted by Betaland Limited for the restoration of Golding Barn Quarry using imported inert waste to recreate a pre-existing landform. The application site has consent for the quarrying of chalk and since 2010 inert waste has been imported to the site to stabilise two faces of the quarry.

The application is accompanied by an Environmental Statement (EIA), and as major waste development within the National Park requires the consideration of a number of waste planning and other policy issues. Statutory consultees are not raising objections, subject to the inclusion of conditions and informatives.

The development will involve up to 10 years of activity with lorries importing waste to the site. Whilst there are some local concerns, these have been carefully considered against the benefits from the permanent cessation of chalk working at the site and the overall environmental improvement to this sensitive part of the South Downs, which can be achieved by the restoration of the site with the importation of the minimum amount of material necessary to replicate the former contours, together with an agricultural pasture after use.

The site has been the subject of a recent waste disposal operation involving the buttressing of chalk faces to the quarry with inert waste. Further major waste management uses within the South Downs National Park are not normally considered consistent with relevant waste planning policies but in this case the use of residual inert waste would be a substitute for non-waste material and the minimum quantity of material is being used to bring about the restoration of the site. It is considered that the exceptional circumstances and overall benefits support the approval of the application. Conditions are necessary to protect the amenity of the area, provide for surface water and necessary site pollution control infrastructure as well as address ecological and geological issues. A legal obligation is required to ensure the extant chalk quarrying permission is extinguished.

I. Site Description

- I.1 The application site at Golding Barn Quarry is situated about 1.5km to the east of the village of Upper Beeding and 1km south of Small Dole, on the north eastern slopes of the Adur valley. Access to the site is from the A2037 road which links Upper Beeding and Henfield. A

public bridleway (no 2753) leading to the South Downs Way is situated to the north east of the site and follows the eastern edge of the existing quarry and the site access road. The vehicular access from the public highway is shared by four residential properties and the tenants of Golding Barn industrial estate, which consists of a collection of some 26 business units of different sizes. To the east of this is Golding Barn Raceway a popular motocross practise and race facility.

- 1.2 The application site extends to approximately 4ha with around 3.7ha affected by varying stages of chalk extraction. The quarry is broadly triangular in shape with access from the north via a surfaced unadopted road. There is a substantial security gate to the site together with a small portacabin site office, weighbridge and wheel wash. To the west of the entrance there is an exposed chalk face. The remaining chalk faces to the east and south of the quarry have now been buttressed with imported inert wastes, but would have been 15-20m in height. Currently the quarry floor is about 42mAOD at its lowest point with its rim up to 70mAOD in the southeast corner. A narrow band of non excavated land follows the perimeter of the site and on the eastern side there is a small earth bund. A post and wire fence around the boundary of the site prevents access into the quarry. The western area of the quarry consists of a partly worked out quarry with some chalk stockpiles.
- 1.3 The south east corner of the site is adjacent to the Beeding Hill to New Timber Site of Special Scientific Interest. The quarry is of geological interest and has been designated as Regionally Important Geological Site (RIGS). There is a small wooded area to the north west of the site adjacent to 'Goldings' a residential property. There is a well-developed network of public rights of way within the local area. Two long-distance footpaths, the South Downs Way and Monarch's Way also cross The Downs near Golding Barn Quarry.
- 1.4 The site is situated within an area classified as a principal aquifer which because of its high fracture permeability may support water supplies within the County's most important water resource. The site falls within a source protection Zone 2 (outer zone) with Steyning public water supply boreholes located 360m to the south west.

2. Relevant Planning History

- 2.1 The quarry has existed for some time and originally included a lime works, although there are no visible remains of this. Between 1980 and 1986 there was some infilling of the site. The existing chalk quarry was granted planning permission for the winning and working of chalk under consents UB/7/48 and UB/31/89. Subsequently under the Review of Mineral Sites (ROMP) the conditions were reviewed and the site is currently being worked under the terms of a planning permission UB/18/98 which allows working to a depth of 26mAOD with the life of the quarry to 2042. Whilst there is a condition attached this planning permission to restore the site, this is related to the excavated faces and benches to a height of 47mAOD and would not permit the importation of substantial quantities of material.
- 2.2 Following a Health and Safety Executive inspection in 2007 the eastern and southern faces of the quarry were required to be supported. An application to buttress the faces with imported soil was approved under the reference DC/1320/07UB. This has required the importation of 53,000m³ of imported excavated material which had the effect of sterilising much of the quarry from further mineral extraction. The full implementation of this permission has now taken place. Conditions attached to the permission require the landscaping of the buttressed faces.

3. Proposal

- 3.1 The development involves the deposit of 361,881m³ (approximately 543,000tonnes) of inert waste over an estimated period of 10 years. Of this 301,881m³ is to be inert waste material, 48,000m³ chalk capping and 12,000m³ topsoil. The quarry is accessed via an existing 220m long tarmaced access road direct to the A 2037 road. The application indicates that the number of loads that could be delivered to the site would depend on the availability of suitable material and could vary from an average of 13.4 per day to a maximum of 50 per day. Three skips would be kept on the site to enable any non inert waste to be separated, collected and removed from the site. Six temporary car parking spaces are

shown to be provided on the site for site staff and visitors. Three staff are to be employed at the site which is proposed to operate between the hours of 07.30-18.00 Monday to Friday. No operations are proposed on Saturdays, Sundays and Bank Holidays.

- 3.2 The tipping is proposed from the base of the site to the highest point which would be 68mAOD linking back to the south east corner which is at 70mAOD. The imported inert waste is to be compacted in 200mm layers to minimise the potential for settlement. Within the site there will be a sealed reception area and hardcore haul roads. The site is to be restored with a 1m thick cap of inert material topped by a layer of locally sourced friable material (low nutrient value soils). The post restoration use is to be the subject of a higher level stewardship agreement with Natural England to create and maintain habitat links with the adjoining SSSI.
- 3.3 It is indicated that the waste would principally be drawn from the nearby heavily urbanised south coast plain from Brighton to Littlehampton. The operation is to be phased in three parts from south to north, working towards the site entrance. Each phase will be capped, finished with low nutrient qualities of topsoil and planted to bring forward the recovery of the landscape. The proposal includes a ten year ecological management plan to ensure the establishment of chalk downland grassland sward to enable it to be returned to agricultural use where it can be used for livestock grazing. The existing chalk face in the north-west corner, adjacent to an agricultural access, is to be stabilised with a geo-textile matting planted with shrubs and grass to carpet the slope and provide a habitat link to the adjacent area of established scrub woodland.
- 3.4 The applicant considers that the proposals provide the opportunity to restore the visual harm to this valued and protected landscape, meet the identified need for inert landfill capacity in the eastern part of West Sussex, create habitats complementary to the surroundings, and bring about the sites beneficial after-use for agriculture. No artificial lighting is proposed to be used except during the permitted operating hours, although no scheme is indicated of the likely nature of lighting proposed.
- 3.5 The application is accompanied by an Environmental Statement including assessments of the environmental impacts in relations to hydrology, ecology, geology, flood risk, pollution control, surface water drainage, landscape, traffic and social and community impacts.

4. Consultations

- 4.1 **Upper Beeding Parish Council:** sees no reason to recommend refusal.
- 4.2 **Environment Agency:** has drawn attention to the position of the site within a chalk formation which is classified as a principal aquifer. The site lies within a Source Protection Zone 2 with the Steyning public water supply borehole 380m to the south west of the quarry which is the same direction as the ground water flow. The site therefore lies within a very sensitive groundwater area critical to existing or future public water supplies. It is considered that planning permission should only be granted if conditions are attached to any permission requiring: a detailed Hydrological Risk Assessment with the implementation of all recommendations and mitigation; a scheme for the installation of any boreholes so that long term ground water monitoring and maintenance can take place to provide for the protection of the water environment; and a scheme relating to the storage of materials/chemicals/oil, wheel cleaning facilities and surface water management to preserve water quality.
- 4.3 **Natural England:** consider that the site is relatively concealed and remote, therefore the impacts of the proposal on the landscape will not be significant or long term as the site will be restored following the quarrying activities. They note that the application site is in close proximity to Beeding Hill to Newtimber Hill Site of Special Scientific Interest (SSSI) but given the nature and scale of this proposal it is satisfied that there is not likely to be an adverse effect on this site provided that:
 - the proposal is carried out in strict accordance with the details of the application as submitted;
 - the imposition of conditions controlling the seed mix used in the restoration; and

- monitoring of the site in the aftercare period to ensure invasive or undesirable species do not become established.
- 4.4 Whilst there is reference to the future management of the restored land under a Higher Level Stewardship (HLS) agreement, Natural England is of the view that the initial restoration and aftercare period is the responsibility of the applicant and that following this it may be possible to support the ongoing management of the site under an agri-environment scheme but there is no guarantee of this. It accepts that the presence of bats and protected birds is unlikely on the site but that conditions are necessary to protect any nesting birds and the protection of reptiles that may be on the site where any clearance of vegetation is proposed, recognising the phased approach to development.
- 4.5 **WSCC Ecologist:** raises no ecological objection to the proposed development subject to the imposition of conditions to address the potential need to translocate reptiles and the removal of vegetation and trees to avoid any impact during the bird nesting season. An informative is also suggested in respect of licensing issues should any protected species be identified from these surveys and works.
- 4.6 **West Sussex County Council (WSCC) Rights of Way:** note that the access track to this quarry, along which the HGVs will require access, is shared with private access for other properties and Public Bridleway 2753 which provides a right of way for public on foot, horseback and bicycle. Whilst there is some use by lorries at present this is likely to increase and pose a hazard to users of the bridleway. To reduce this risk and to also provide safer access for vehicles, it is recommended that there is some kind of separation of users from the lorries, for example by fencing or such like. The current position of the bridleway 2753 is indicated as running outside the north-eastern boundary of the quarry site and does not reflect the true legal line of the bridleway. No objection is raised to this application as long as this alternative used route on the north-eastern boundary remains available throughout the restoration period. Once this period expires the legal line must be made available again, ideally free of any structures and fencing. Should there be a need for any structures then an application would need to be made to WSCC PROW team.
- 4.7 **WSCC Highways Officer:** note that the existing use (ref DC/1320/07UB) involving the buttressing of the site slopes involved up to 94 loads in a single day and an average of 32 loads per day in 2010. There are no concerns raised in respect of the continued use of the access onto the A 2037 or the access road, but request that the applicant provides a plan showing the traffic routes that are promoted for those delivering to the site. They have no highway safety or capacity concerns and have no in principle highway concerns with this proposal, subject to the inclusion of a condition providing for the effective use of wheel wash facilities at the site.
- 4.8 **Horsham District Council Environmental Health Officer:** raise concern in relation to the noise from the development as the noise assessment is based on the operation of limited items of plant and a maximum of 12 HGV movements each day with operations limited between 8.00 and 18.00. It recommends conditions to protect local amenity. It is considered that because of the location of the site and the risk posed to controlled waters only inert wastes should be imported to the site.
- 4.9 **WSCC Landscape Architect:** did not support the original restoration proposals for the site because they were considered to be incongruous and not in character with the area. Revised plans have been submitted, reducing the height of the final contours along with additional clarification to support the landscape assessment work, and the cumulative impacts of the development in this part of the National Park. The amended plan is considered acceptable, subject to conditions to address the implementation and aspects of the works.
- 4.10 **Southern Water:** refer to the need to consult with the Environment Agency and the need to ensure the adequacy of the arrangements to dispose of surface water.
- 4.11 **South Downs Society:** do not object to the application but request that conditions are put in place to ensure that the work is conducted as efficiently and speedily as possible, to reduce disruption and delay, bringing forward the end result which will enhance the view

from the adjoining rights of way.

5. Representations

5.1 Seven third-party representations have been received objecting to the proposal. The representations raised the following issues:

- The noise and danger from the reintroduction of HGV movements, following a period of respite since the closure of the Horton landfill site to the north.
- A further period of disturbance and suffering from the lorry traffic associated with yet another landfill site is considered to cause blight to Henfield and the surrounding area.
- The applicant should have regard to the physical characteristics of the road network and fund traffic calming measures to reduce speed limits and improve road safety.
- Impact on local residents from the speed of traffic movements on the Henfield Road including noise and vibration.
- The existence of a substantial hazard in the local area at the junction of The Bostal with the A2037 and the need to rigorously enforce speed limits.
- The impact on bridleway (no 2752) which is considered unusable for the horse riders & cyclists who will be intimidated by the size of the vehicles & large volume of traffic contrary to the encouragement of access to the National Park.
- The impact on local lanes used as a shortcut for the lorries waste coming from the east of the County;
- The quarry should be left alone to grow over and self seed, as it is not an ugly feature on the landscape.

5.2 The Mid Sussex Area Bridleways Group objects to the application on the basis that the users of the bridleway section that will form the access to the site, and the effects on users, especially horse riders, of the section that abuts the quarry itself have not been sufficiently taken into account. An alternative possibility has been suggested to the south of the quarry.

5.3 Two letters of support have been received on the following grounds:

- The restoration of the quarry to original Downland countryside will allow many future generations to enjoy.
- The development could be a blueprint for a bigger restoration of the Old Cement Works continuing to enhance the natural outstanding beauty of the area.
- The proposal would enable this site to close some twenty years earlier than under the current planning permission, with a consequent early ending of lorry movements through Upper Beeding and Small Dole.
- However in one case there is concern over the input of waste taking place over a shorter time period and that there should be a restriction on the total number of daily HGV movements in the interests of amenity, to ensure that there should be no significant impact upon the highway network.

6. Planning Policy Context

6.1 National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of their areas;
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social well being of the local community in pursuit of these purposes.

National Planning Policy Framework and Circular 2010

6.2 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 27 March 2012. The Circular

and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks. Paragraph 116 states that planning permission for major developments within National Parks should be refused except in exceptional circumstances.

- 6.3 Planning Policy Statement 10: Sustainable Waste Management (PPS10, 2005) promotes sustainable development through driving waste management up the waste hierarchy by securing the recovery and disposal of waste without endangering human health or causing harm to the environment.
- 6.4 Paragraph 24 sets out the approach to be taken to planning applications for unallocated sites which should be *'considered favourably when consistent with (i) the policies in PPS10, including the criteria set out in paragraph 21; and (ii) the waste planning authority's core strategy'*.
- 6.5 Paragraph 21 states that *'when deciding which sites and areas to identify for waste management facilities, waste planning authorities should:*
- *assess the suitability for development against each of the following criteria:*
 - *the extent to which they support the policies of this PPS;*
 - *the physical and environmental constraints on development, including existing proposed neighbouring land uses (see Annex E);*
 - *the capacity of existing and potential transport infrastructure to support the sustainable movement of waste, as products arising from resource recovery, seeking when practicable to use modes other than road transport*
 - *give priority to the re-use of previously developed land, redundant agricultural and forestry buildings and their curtilages.*
- 6.6 Annex E of PPS10 sets out the factors which need to be considered when testing the suitability of sites for waste management including the likely impact on the local environment. The factors that are relevant to this application are: protection of water resources, visual intrusion, nature conservation, traffic and access, air emissions (including dust), noise and vibration, and recreational conflict.
- 6.7 The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

7. Planning Policy

- 7.1 The statutory development plan in this area is the South East Plan and the saved policies in the Horsham District Local Development Framework (2007), the saved policies in the West Sussex Minerals Plan (2003) and the West Sussex Waste Local Plan (Proposed Submission Draft, 2012).
- 7.2 The South East Plan was adopted on 6th May 2009. The Secretary of State for Communities and Local Government announced on 14 February 2013 the coalition government's decision to revoke the South East Plan and confirmed the order to effect this decision would be laid after the half term recess in February and would take effect 40 days thereafter. Until then the South East Plan remains part of the development plan, although the decision to revoke affects the weight to be given to the policies within it.
- 7.3 Policy C2 of the South East Plan states that the purposes of designation should be a material consideration in the making of any planning decision that would affect it.
- 7.4 The relevant Saved Policies in the Horsham Core Strategy (2007) are:
- CP1: Protection of landscape character including habitats and biodiversity.
- CP2: High quality environmental management minimising pollution, noise and light and reducing flood risk.

CP15: Maintenance of countryside character with appropriate development bringing about substantial environmental improvement with the type and amount of traffic generated not harming the rural character.

7.5 The relevant Saved Policies in the Horsham Development Control Policies Document (2007) include:-

DC1: Protection and enhancement of the countryside.

DC2: Protection of the character of the countryside.

DC4: Protection of the Sussex Downs AONB (transfers to the National Park)

DC5: Protect, conserve and enhance the biodiversity or geology and the importance of designated sites, unless there are adequate mitigation or compensation arrangements.

DC7: No increase in flood risk.

DC9: Protection of amenity, character and the landscape.

DC40: Safe and adequate means of access including cyclists, pedestrians and equestrians.

7.6 West Sussex Minerals Local Plan 2003 provides for the sustainable working of minerals which cause least harm, and opportunities to enhance the environment through proposals to reclaim land (Policy 1). Under Policy 2 proposals which hinder the extraction of minerals of economic importance will generally be resisted.

7.7 WSCC and the SDNPA are jointly preparing a West Sussex Waste Local Plan (Proposed Submission Draft 2012) to cover the period to 2031. This emerging document can now be given some weight in the consideration of relevant planning applications having been through several stages of public consultation.

W1: Self sufficiency in waste management

W9: Criteria for deposit of Inert waste to land

W11: Maintain character and identity

W12: High quality development

W13: Protected landscapes

W14: Biodiversity and Geodiversity

W16: Protection of air soil and water quality

W17: Flood protection

W18: Transport

W19: Public Health and Amenity

W20: Restoration and aftercare

W21: Cumulative impact

8. Planning Assessment

8.1 The application proposes major development within the South Downs National Park, and because of the scale of development and its sensitive location is the subject of an Environmental Assessment. In considering this application it is necessary to take account of a number of factors, including the potential to quarry chalk until the end of 2041, under an extant planning permission which has been implemented over the majority of the site. There are large quantities of chalk remaining (particularly on the western side) almost to the height of the undisturbed surrounding land. Whilst in recent years little of the chalk appears to have been worked there are significant reserves of chalk that could be excavated and exported within the terms of a current permission. The exact quantity of minerals remaining is dependent on surveys which confirm the height of the local water table. There are no controls on the amount of chalk that could be removed at any time and therefore intense traffic levels could potentially occur subject to a site noise condition being complied with.

Final restoration works to the quarry would be limited in their scope to an amenity afteruse with landscape treatment of the base and on any benches to the working faces. This application provides an opportunity to impose a single new planning permission on the site with the cessation of chalk working, except the small quantities needed for the identified restoration purposes.

- 8.2 In 2008 permission was given for the importation of inert waste to stabilise the southern and eastern quarry faces, which were deemed to be unstable following a Health and Safety Executive inspection of the site. This permission has now been fully implemented with the importation of over 50,000m³ of inert waste soils. The need to stabilise the southern and eastern faces of the site and the potential for the instability on the remaining unworked faces may be a constraint to further chalk extraction on the site.
- 8.3 The current application intends to cease any further working of chalk and import inert waste materials so that the site is restored to its former contours. The application gives rise to a number of policy issues because it involves major development with the disposal of waste in a sensitive location.

National Park Purposes and Duty

- 8.4 In determining applications in the National Park great weight should be given to whether the proposal would give effect to the purposes of the National Park through conserving and enhancing its natural beauty. In this case it is necessary to consider the proposals against the potential that no further quarrying takes place or quarrying continues until up till 2041, leaving either a fully or partially excavated void with restoration to amenity (but no backfilling), against the phased filling of the quarry over an estimated 10 years with the restoration of the site to its former contours.
- 8.5 In recent years any chalk quarrying at the site has been related to the supply of bulk quantities for road construction and similar civil engineering and construction works. By their nature these projects tend to involve substantial quantities being removed over a short space of time. Since 2009 the site has seen little in the way of chalk excavation with the focus from the end of 2010 on the importation of inert soils to buttress the unstable faces to the quarry.
- 8.6 The application proposal is to continue the importation of inert waste to allow the site to be fully restored. This will involve the continuation of lorry traffic to the site through the National Park, which will generate noise and disturbance to the local area. However, there can be seen to be a benefit from the cessation of long term quarrying and the full restoration of the site, if the latter is considered to result in an overall landscape benefit and enhancement to this part of National Park.
- 8.7 Site activity will be noticeable from the adjacent Public Right of Way and from viewpoints in the locality. A separate landscape assessment below examines whether the development results in the enhancement of the natural beauty, wildlife or cultural heritage of this part of the National Park.
- 8.8 In terms of the promotion of opportunities for the understanding and enjoyment of the special qualities of the National Park, it is considered that there would be a benefit from the development through the certainty the development would bring to the operation of the site and its future use. It will involve the cessation of quarrying together with the eventual restoration of the site with potential landscape and wildlife gains, improving the public's enjoyment of the existing recreational activities and the setting of this part of the South Downs. In these terms the development can be considered to be consistent with the National Park purposes.

Major development

- 8.9 Major development should not take place within National Parks except in exceptional circumstances if it can be demonstrated that the development is in the public interest (paragraph 116 of the NPPF, Policy W13 draft Waste Local Plan). On the basis of the nature of the application, the site's rural location, the overall amount of material proposed to be imported, the scale and nature of the development, and the fact that it is EIA

development, it is considered the proposed waste management facility has the potential to have a some impact on the natural beauty and recreational opportunities and that therefore the 'major development test' should be applied. The following assesses whether the test is met. It also considers whether the proposal accords with national and local waste policy.

Need

- 8.10 The latest Waste Forecast for West Sussex (including the SDNP) (AEAT 26/10/2012) indicates that there was around 949,000 tonnes of construction and demolition waste arising in 2010/11, of this 47% was recycled, 23% was managed in other ways and 30% was landfilled. The West Sussex Waste Local Plan (Proposed Submission Draft) estimates that there is a theoretical shortfall in new inert landfill capacity of 3.6 to 5.4 million tonnes over the Plan period (to 2031).
- 8.11 However, as a result of the implementation of the waste hierarchy the generation of inert waste from development sites is reducing, and much of the inert waste that is being produced is diverted to engineering works, such as noise attenuation bunds, golf courses or other recreational development and the restoration of mineral workings. However, there is still a theoretical shortfall over the period to 2031 and this proposal would contribute to meeting this need, providing that it is a beneficial use of the inert waste.

Accordance with waste policy

- 8.12 Developments which involve the large-scale importation of waste, such as proposed at Golding Barn, could be considered to amount to disposal operations rather than site restoration ('recovery operations'). In terms of waste landfilling, PPS10 and the emerging Waste Local Plan seeks to ensure that waste is dealt with higher up the waste hierarchy and that the disposal of waste is avoided as far as is practicable. The application of landfill tax underpins this approach and has resulted in a large reduction in the need for inert and non-inert landfill sites. The following section considers whether the proposal meets the requirements of Policy W9 of the draft Waste Local Plan, and therefore can be considered to be a beneficial use of inert waste as opposed to landfill.
- 8.13 Emerging work on the new draft West Sussex Waste Local Plan has an aspiration of 'zero waste to landfill' by 2031 and consequently there is no specific provision to be made for new inert landfill sites. Instead, Policy W9 'Depositing of Inert Waste to Land' sets out the criteria that should be used to assess any proposal that come forward for the depositing of inert waste material to land, including for the restoration of mineral workings.
- 8.14 Draft Policy W9 states that the deposit of inert waste to land will not be permitted unless the criteria in the policy are met. Criterion (b) requires that the proposal results in clear benefits for the site and the wider area. As considered elsewhere in this Report, the proposal would result in clear benefits, through the restoration of this site and return of the land to agriculture. Criterion (c) requires that the material to be used is only residual waste following recycling and treatment. The proposal would be using inert waste soils which would only be disposed of if they could not be recycled or otherwise treated. Criterion (d) requires that there is a genuine need to use the waste material as a substitute for a non-waste material. In this case, because of the amount of material required to achieve the restoration, the cost of importing a non-waste material would make the proposal unviable, therefore it is necessary to use a waste material to achieve the benefits. Criterion (e) states that the material to be used is suitable for its intended use. The inert waste to be used will be of a similar composition to the waste that has been used to stabilise the quarry slopes under the previous permission, which indicates that the further use of similar material will be suitable. Criterion (f) requires that the waste material to be used is no more than is necessary to deliver the benefits. Amendments to the final levels of the proposal have been negotiated which mean that the proposals now use the minimum amount of waste to achieve the restoration. Criteria (i – j) are considered elsewhere in the report. Weight can be given to the emerging plan, which conforms with national policy in PPS10 to avoid the landfilling of waste. Overall, it is considered that the proposal conforms with Policy W9 of the emerging Waste Local Plan.

Alternatives

- 8.15 There is currently some availability of sites with the potential to take inert waste both within and outside the National Park. Planning permission for the use of inert waste to stabilise slopes has been granted at Pendean (but has not yet commenced) and an application for the deposit of 70,000m³ of inert waste and 20,000m³ of soils at Hambrook Marlpit near Chichester has recently been approved subject to the signing off of legal agreements.

Impact on local economy and proximity to source of waste and markets

- 8.16 Part of the assessment required by the NPPF for major development in a National Park is a consideration of the impact of permitting or refusing a proposal on the local economy. The applicant claims that the development serves a local market although it appears that the markets served are to be substantially outside the National Park. There is no indication that the additional use of the site is necessary to support the current activities or significant economic benefits will derive to this part of the National Park.

Local Impacts

- 8.17 The development is proposed within a site where further significant quantities of chalk could be excavated up until 2042. There would be impacts from this activity, particularly because there are no limits on the amount of traffic within a single day. Visually such working with limited scope for final site landscaping has the potential to degrade further the environmental quality of the area with exposed chalk face to the western and northern parts of the quarry potentially becoming more visible. The likely nature of a deep excavation provides limited scope for a suitable afteruse consistent with the surrounding agricultural uses.
- 8.18 Whilst the traffic, amenity and landscape aspects are considered further below it is apparent that the proposed site restoration does have the prospect of delivering overall benefits taking account of the proposed mitigation measures, including site operation arrangements, which would be in the public interest and meet the criteria in PPS10, the NPPF major development test and Policy W13 (Protected Landscapes) of the Waste Local Plan (Proposed Submission Draft 2012).

Landscape

- 8.19 National and local planning policy supports the conservation and enhancement of the natural landscape. The application is accompanied by a landscape and visual impact assessment which has considered the setting of the site in the landscape and the potential impacts of the development. The County Landscape Assessment indicates that the site falls within the Downland Adur Valley Landscape Character Area and is a chalk landscape elevated above the floodplain of the Adur River. The site is situated on the western edge of Beeding Downs which forms part of the major Downland ridge of this part of the South Downs which separates the Low Weald from the urbanised coastal settlements. The area around the site is characterised by open chalk grassland in a strongly undulating topography with a series of deep sided dry valleys that penetrate into the Downland from the west.
- 8.20 The Horsham District Landscape Character Assessment notes the subtle curves and undulations of the landform which are readily revealed beneath a clothing of close cropped grass. Land cover comprises a mixture of chalk downland and scrub notably within the Beeding Hill to Newtimber Hill SSSI where there is significant ecological interest in terms of flora and fauna habitats. To the north of the site there is a small group of trees which continue from the entrance to the quarry along the tree lined approach road to the A2037.
- 8.21 The Beeding Downs landscape character area has a high sensitivity to change. The quarry represents a highly visible intrusion into the pattern of the landscape, because of its stark artificial form with white chalk faces. The full exposure of the quarry is readily visible from the public bridleway that is immediately adjacent to the eastern side of the quarry. There are other local footpaths and two long distance footpaths, The South Downs Way and Monarch's Way which cross the Downs near the Golding Barn quarry, in addition to public access land along the scarp slope of the Downs. Views from public highways are limited to the minor road leading to Truleigh Hill which coincides with a length of the South Downs Way. Accordingly the quarry has a substantial visual envelope mainly extending to the east

and south. Views from the north and north east of the site are much restricted and also from the west, although the quarry can be viewed from the byway crossing Windmill Hill.

- 8.22 There will be permanent large scale changes to the landscape arising from both the creation of the new landform and from the landscape restoration scheme to re-establish a native vegetation matrix. There will be some significant adverse landscape and visual impacts arising from the filling and restoration processes. These impacts will be temporary related to the site activities affecting the visual amenity of walkers, riders and cyclists who are the most likely groups to experience the changes. To contain their impacts controls on the activity, and a phased approach to tipping, to conceal activity as it moves northwards, are necessary.
- 8.23 There will be no significant adverse permanent impacts arising from the restoration scheme and substantial or very substantial permanent benefits to landscape character and visual amenity on full completion of the restoration scheme arising from the re-creation of the former landform. The restoration will not generate any indirect or cumulative landscape or visual impacts. Consequently, there are not considered to be any permanent impacts but substantial benefits to landscape character and visual amenity from the full restoration and the recreation of a naturalist landform and the re-establishment of indigenous vegetation.
- 8.24 The proposed development scheme would provide for the restoration of the site and following the submission by the applicant of modified finished site contours, the importation of the minimum amount of material necessary to a landform which is likely to replicate the undisturbed contours of a low shoulder to this part of the downland. The scheme will achieve the integration of the restored quarry within the local landscape framework and recreate the general pattern of the landform that existed prior to excavation; and re-establishing a pattern of landcover similar to that which existed prior to excavation, comprising chalk grassland with small areas of scrub vegetation. The final landscape scheme would benefit from further refinement in terms of the arrangement of some tree and shrub planting, but I am satisfied that this can be dealt with by condition.
- 8.25 Accordingly, it is considered that the proposals accord with policies which seek to protect and enhance landscapes of national importance and specifically Para 115 of NPPF; Annex E of PPS 10 (Planning for Sustainable Waste development), Horsham Core Strategy Policies CPI and CPI5 and Development Control Policies DC1; DC2 and DC4, West Sussex Mineral Local Plan Policy 21 and policies W11 & W20 of the West Sussex Waste Local Plan (Proposed submission draft 2012).

Traffic and access

- 8.26 The site has good highway access from the A 2037 which is a principal road with a national speed limit of 60mph with adequate visibility in both directions to the private site access road. The site access includes a bridleway which runs along the shared private access road.
- 8.27 The modified development proposals, including an appropriate bulking allowance (nominally 25%) recognising that loose loads restrict the potential for fully compacted loads, would equate to some 452,351 m³ of material. It is indicated that the development could be implemented within a time period of 10 years although this will be dependent on the availability of suitable inert waste and the prevailing market conditions in terms of the availability of alternative sites. Table 1 below shows the anticipated number of movements based on average HGV load size of 15m³ and a 10 year period of filling. This is compared with the existing filling operation to buttress the chalk faces and the traffic associated with the Hortion landfill to the north of the application site, which has recently closed following restoration, and HGV traffic on the A2037.

	Weekly movements (single direction).	Single weekday HGV loads
Chalk quarry permission	unrestricted	unrestricted
Buttressing consent average (2010)	318	31.8
Buttressing consent (maximum in 2010)	822	94
Current application (average over 10 year life of site)	134	13.4

Current application requested HGV limits.	500	50
Comparison with Horton Landfill to the north of site.	1508	154
A2037 peak hour HGV flow	N/A	58 movements
TABLE I: Summary of HGV movements		

- 8.28 The applicants Transport Assessment (TA) shows that over the coming 10 years HGV traffic generation to the site is likely to be less than that which has occurred in the past with the closure of the Horton landfill site. Personal injury accident information indicates that between 2005 and 2010 there were 3 slight injuries and 2 serious injuries from accidents at the site entrance from the A2037. The TA considers that because the site access has adequate visibility, width and alignment the recorded accidents relate to driver error or lack of attention, rather than the access arrangements. It is also apparent that the accidents potentially related to the access opposite which is substandard and served a restaurant business, which has since closed. It is, therefore, not considered that mitigation measures are necessary as HGV traffic movements are not expected to significantly increase over and above previous HGV vehicle movements, and decrease relative to the movements resulting from the continuation of quarrying on the site. In these terms it is considered this will benefit the character of the National Park.
- 8.29 The private access road to the site varies in width from 5.5m to 6m on straight sections to 6.5m to 6.75m on corners. The arrangement whereby the existing site access is a shared with pedestrians, horse riders and potentially cyclist is not ideal, but because of the nature of the road within a cutting, there is little practical scope to form a separate path or refuge areas. The applicants Transport Assessment includes traffic accident data for the last 5 years and indicates no accidents involving horses or pedestrians at the site access onto Henfield Road or along the length of the access road which includes the bridleway. Drivers are required to keep their speed to 10mph when using the access road. This, together with the existence of speed humps, the narrow width of the access and its natural enclosure appears to contain vehicle speeds. The bridleway appears to be reasonably well used having regard to the wear on its surface and the linkages that exist to paths that follow through to Upper Beeding and Bramber. The concerns of local residents in terms of the speed of vehicles on the A2037 is noted. This is not a concern raised by the Highway Authority and in any case Sussex Police are the regulatory authority for traffic speeds and conduct under the Road Traffic Act.
- 8.30 The applicant has acknowledged the conflict with the users of the public bridleway and has offered to cease operations on a Saturday morning. It is considered that this would be of benefit, particularly because it is likely to be a time when there may be greater use of the right of way, including families could be expected. Whilst the traffic arrangements are considered satisfactory, particularly in the context of the site planning history and unrestricted potential quarrying it is considered that there should be some limit on the number of vehicle deliveries of waste in any day to strike a balance between amenity and the desire to complete the development as quickly as possible. To contain the scale and intensity of operations I accordingly consider that there should be a limit of 50 deliveries (100 HGV movements) in any day to the site. In coming to this judgement I am mindful that the removal of chalk is unrestricted and the existing buttressing operation involving peaks of activity has not given rise to complaint. It is understood from the applicant that the majority of deliveries take place between 09:00 and 13.00 hours and that this level of traffic would be well within the capacity of the junction with the A2037.
- 8.31 Having regard to the above it is considered that the traffic and highway aspects of the proposal accord with Policy DC40 of The Horsham District Plan and Policy WI8 of the West Sussex Waste Local Plan (Proposed submission draft 2012). Controlling conditions are recommended to ensure the proposed number of HGV movements are not exceeded and the Public Bridleway is reinstated to its legal alignment across the quarry.

Amenity

- 8.32 The quarry has an extant planning permission to quarry and remove chalk which on the basis of the existing known groundwater levels could extend 30 metres below the lowest part of the site and therefore involve the substantial removal of material. More recently a permission was granted to import soils to buttress the chalk faces which included a limit on noise levels, operating hours along with other controls. I am not aware that the most recent use has given rise to complaint or concern, however because of the nature of the development and the means of access which is shared with several residential properties I consider that some controls are appropriate to protect local residential amenity including a noise limit related to the closest residential property. The proposed development will involve the importation of material over a further period estimated to be 10 years, although it could well be a shorter period depending on the availability of suitable material which to a large extent can be expected to be dependent on the prevailing economic conditions with the construction industry. If the maximum input of material were achievable on a consistent basis the infilling could be achieved in under 29 months, but the applicant considers that it is more realistic to assume an average 67 loads per week which would extend the operation to just over 9 years taking account of the agreed changes to the finished contours.
- 8.33 The applicant has undertaken an assessment of noise impacts on the nearest residential receptors including the adjacent right of way. It is apparent that ambient noise conditions are affected by vehicle movements along the A2037 and traffic movements to and from the Golding Barn business park. The applicant's noise surveys have showed that even in a worst case situation noise levels would not exceed the current site threshold limit of 55dBA. On the basis of the shared access road with the business park and the absence of controls from the existing quarrying I consider that there should be a control on noise, vehicle movements, plant being used, operating times and the artificial lighting of the site to ensure that the impacts of the use are acceptable. With these control in place it is considered that the traffic and highway aspects of the proposal accord with Policy DC40 of The Horsham District Plan and Policy W18 of the West Sussex Waste Local Plan (Proposed submission draft 2012).

Biodiversity

- 8.34 The quarry lies next to a Site of Special Scientific Interest (SSSI). A preliminary (phase 1) ecological assessment was carried out in November 2010 to identify the habitats and features present but since this is outside the normal field season some plants and animals that normally inhabit the quarry may not have been evident and a further survey of fauna was to be carried out as the site could potentially support legally protected wildlife including bats, breeding birds, reptiles and badgers. The habitats observed within the quarry are overall of moderate biodiversity value and are of quite limited extent. A wide range of largely common and widespread plant species are present. Much damage through previous importation of material and construction of benching has already been done to some of the features that would have added to its biodiversity value.
- 8.35 The bridleway and the adjoining strip of vegetation along the rim of the quarry comprise the most valuable semi-natural vegetation in the area surveyed and much of this will be retained as part of the site restoration works. The ecological information confirms that the features and habitats at Golding Barn Quarry site have the potential to support legally protected species. Further targeted surveys at appropriate times of year are needed to establish whether such species are indeed present on the site and what if any mitigation works are required as the phased works progress together with any clearance of vegetation. The County Ecologist is satisfied that this can be addressed through conditions
- 8.36 The restoration through infilling will leave little scope for the retention of any of the existing features of biodiversity value. The only viable on-site mitigation for the habitat loss caused by landfill is through appropriate habitat creation on the new land surface. The landscape restoration proposal aims to create an area of herb-rich grassland with a fringe of mixed, native scrub. The restored area will be managed by livestock grazing and returned to agricultural use but will also have biodiversity value. A degree of mitigation for loss of the remaining habitats could be achieved through restoration to an appropriate mixture of species-rich grassland and scrub habitats. Attempting to recreate the original unimproved

chalk grassland sward is unlikely to succeed so a more achievable aim of creating habitats complementary to the SSSI should be adopted. Linked to this I would recommend a 10-year aftercare to ensure that chalk grassland is achieved.

- 8.37 With these controls in place it is considered that the development will protect and enhance the biodiversity of the area in accordance with Policy DC5 of the Horsham District Plan and Policy WI4 of the West Sussex Waste Local Plan (Proposed submission draft 2012).

Flood risk, surface water drainage and pollution control

Flood risk

- 8.38 The Environment Agency's Flood Map indicates that the site is located within Flood Zone 1 and therefore has a 'low probability' of fluvial flooding, with a less than 1 in 1000 annual probability of river flooding in any year. The applicants Flood Risk Assessment has demonstrated that the proposed development would be operated with minimal risk from flooding and would not increase flood risk elsewhere and is therefore compliant with the requirements of the NPPF para.103.

Surface water drainage

- 8.39 The restoration of the site may increase the surface water runoff rate due to a reduction in the infiltration rate, particularly with the proposed capping arrangements indicated in the application. This will, therefore, increase the potential for surface water runoff from the site, necessitating the applicant to propose its collection. During the initial phase of filling surface water run off is to be contained within a series of bunds allowing natural percolation in the north-west corner of the site. Subsequently as restoration progresses a drainage layer is to be incorporated into the capping system which will discharge to a series of soakaways which will allow infiltration into the soil substrate. Ongoing monitoring and management of the surface water management system will ensure that its integrity is maintained. Overall the site poses no significant risk to surface water resources within the catchment area.

Pollution control

- 8.40 The ground beneath the site is classified as a Principal Aquifer with high leaching potential. The Chalk typically has high fracture permeability, and may support water supplies and/or river base flow on a strategic scale (it is the County's most important water supply source). The site is located within an area defined as a Source Protection Zone 2 (outer zone), which is defined by a 400 day travel time from any point at the water table to the potential source; which is the Steyning Public Water Supply boreholes located 360m to the southwest of the site.
- 8.41 The application is also accompanied by a hydrological risk assessment. This indicates that the ground water beneath the site is generally between 7.8m and 14.3m AOD leaving a 30m thickness of the unsaturated zone below the present lowest part of the site. The limit through site controls, including any site waste management licence, to inert waste will minimise the potential for leachate and pollution, preventing any threat to the water extraction zone. As a further safeguard to the sensitive location of the site, with respect to groundwater, the lower level of backfill will be constructed of a 0.5m thick layer of low permeability clays creating a precaution/protective layer. A further 0.5m thick layer of low permeability clays will be placed beneath the chalk capping across the site at the top of the fill to minimise water infiltration to the fill material, and divert the majority of runoff to the edges of the site where it can percolate through the chalk, keeping the water clean and minimising leachate generation.
- 8.42 Conditions are suggested to ensure these works are put in place, also incorporating the requirements of the Environment Agency. Subject to these matters the surface water and pollution control aspects of the planning application are considered acceptable. There will in any case be a further requirement on the developer to seek an Environment Permit from the Environment Agency to cover more detailed site operating and waste controls. Overall the proposed site development is not considered to pose a significant risk to surface water resources within the catchment area and no further mitigation measures are considered necessary.

- 8.43 Subject to the inclusion of these conditions it is considered that the surface water, flood risk and pollution control aspects of the proposals are satisfactory and accord with policies W16 and W17 of the West Sussex Waste Local Plan (Proposed submission draft 2012).

Geology

- 8.44 The quarry forms an outcrop of higher purity chalk from the middle and upper chalk formations bands which whilst remaining is largely hidden from view and will completely disappear under the application proposals. The Golding Barn site is one of 29 designated Regionally Important Geological and Geomorphological Sites (RIGS) in Sussex. RIGS are non-statutorily protected sites of regional and local importance for geodiversity. The RIGS Designation Form for Golding Barn Quarry states that with regard to Golding Barn Quarry's educational value: "This quarry has an excellent section of the Lower/Middle Chalk boundary and a zone fossil boundary. It also exhibits faces which are different compared with other nearby sites (Newtimber, Steyning, Washington), and is therefore, of great importance for palaeo-environmental studies", and that, "consideration should be given to preserve certain faces".
- 8.45 The permission for the buttressing of the chalk cliffs has already resulted in the loss of the exposed southern and eastern cliff faces completely obscuring that part of the RIGS, leaving the only remaining exposed cliff faces to the west of the entrance. Whilst the remainder of the RIGS will still exist, it would no longer be visible. Having regard to the existing buttressing works and the presence of other similar exposed chalk faces in the area it is considered that the landscape and biodiversity benefits of the proposals outweigh the loss of the remaining RIGS. A condition is recommended to allow access by geologists to record any geological features of the outcrop.

Mineral sterilisation

- 8.46 Within West Sussex chalk is extracted for the production of agricultural lime from two quarries and there are four others, including this quarry, where chalk has been extracted for bulk fill purposes, or cement manufacture as with Shoreham Cement Works. The chalk material at Golding Barn is in these terms of low economic value and in any case the use of recycled aggregates is to be preferred. The cessation of further chalk working, other than for site restoration purposes, and the sterilisation of the remaining reserves, is therefore not considered to conflict with the policies in the West Sussex Minerals Local Plan. The demand for agricultural lime can be met from other local alternative sources, and the proposals for restoration are supported by Policy 1b) of the Minerals Local Plan .

Cumulative impacts

- 8.47 This part of the National Park and the adjacent area has experienced a number of waste management developments over recent years, particularly involving the development of the Horton landfill site. The closure of the Horton landfill site and the completion of the buttressing works at the application site Golding Barn represent a change in circumstances and it is apparent that the local community welcome the lessening of vehicular traffic movements. Nevertheless, the situation at Golding Barn is that the quarry could again become active and potentially operational at an intense level with significant impacts on the environmental quality of the area. In this context there are tangible benefits to be achieved from securing the cessation of further quarrying and the full restoration of the site, bringing certainty and the conclusion of activity at the site. In these terms I am satisfied that the development does not give rise to cumulative impacts and therefore accords with para 21 of PPS 10 and Policy W21 of the West Sussex Waste Local Plan (Proposed submission draft 2012).

9. Conclusion

- 9.1 The site is an operational quarry within a sensitive and highly visible part of the South Downs National Park. The application has the twin benefit of curtailing the substantial quarrying of further quantities of chalk for export from the site and bringing about the restoration of a site which would otherwise remain as a long term scar on this part of the Downs. There will be some disturbance associated with the deposit of inert waste and the

vehicular traffic to and from the site but subject to controls it is considered that this can be contained within acceptable limits which protects the amenity of the area. There will need to be controls on different aspects of the operations to ensure the protection of the nearby public water supply and careful restoration and aftercare of the land to ensure that the site meets the policy aspirations for this part of the South Downs.

- 9.2 The beneficial use of inert waste material can be considered to accord with the objectives to manage inert waste, will fully restore what is currently a despoiled part the landscape so that there will be few visible signs of the former quarry's existence in accordance with Policy W9 of the emerging Waste Local Plan.
- 9.3 In this case the proposal is only acceptable with the exceptional and clear benefit from this development, based on the particular site conditions within this sensitive tract of landscape. With the imposition of site controls through conditions it is not considered that there will be unacceptable impacts on the amenity of the local area. The various technical issues including ecology, geology, highway safety, pollution control, surface water and flood risk are considered to be acceptably addressed. The judgement on the application relates to the current site conditions and accordingly it will be necessary to ensure through a legal obligation that the new permission extinguishes the extant mineral planning permission to ensure that the overall benefits are achieved,

10. Reason for Recommendation and Conditions

- 10.1 The reason it is recommended that the application be approved subject to the prior completion of a legal agreement is:

The restoration of the chalk quarry is considered to bring an overall benefit to this part of the South Downs National Park, including the cessation of further chalk quarry activity through a legal obligation to ensure that the new permission extinguishes the extant mineral planning permission (UB/18/98). In waste management terms the specific form of development conforms to Policy W9 of the emerging West Sussex Waste Local Plan (Proposed Submission Draft, 2012). Chalk provision can be met from other local alternative sources, therefore sterilisation is not considered prohibitive in this instance. The development is considered to be in the public interest and meet the criteria in PPS10, the NPPF major development test and Policy W13 (Protected Landscapes) of the Waste Local Plan (Proposed Submission Draft), with site restoration supported by Policy 1b) of the Minerals Local Plan. The proposals will protect and enhance a landscape of national importance and conform with Para 115 of NPPF; Annex E of PPS 10 (Planning for Sustainable Waste Development), Horsham Core Strategy Policies CPI and CPI5 and Development Control Policies DC1, DC2 and DC4; West Sussex Mineral Local Plan Policy 21 and Policies W11 & W20 of the West Sussex Waste Local Plan (Proposed Submission Draft 2012). The surface water, flood risk and pollution control aspects of the proposals are satisfactory and accord with policies W16 and W17 of the West Sussex Waste Local Plan (Proposed Submission Draft 2012). In biodiversity and geodiversity terms, the application accords with Policy W14 of the West Sussex Waste Local Plan (Proposed Submission Draft 2012) and Policy DC5 of the Horsham District Plan. The development does not give rise to cumulative impacts and therefore accords with para. 21 of PPS 10 and Policy W21 of the West Sussex Waste Local Plan (Proposed Submission Draft 2012). The traffic and highway aspects of the proposal accord with Policy DC40 of the Horsham District Plan and Policy W18 of the West Sussex Waste Local Plan (Proposed Submission Draft 2012).

Subject to the following conditions: (if approved)

Commencement and completion of development

1. The development hereby permitted shall be commenced before the expiration of 3 years from the date of this permission. The South Downs National Park Authority shall be advised in writing, not less than seven days in advance, of the date of commencement of the development. This permitted development shall be completed and all work connected therewith cease within 10 years of commencement. Written notification of

the completion of the development hereby permitted shall be sent to the South Downs National Park Authority within seven days of the work being completed.

Reason: To ensure that the site is satisfactorily restored and to enable the South Downs National Park Authority to regulate the development of the site, recognising that this planning permission, once implemented, supersedes planning permission UB/18/98.

Approved Plans

2. The development hereby permitted shall be carried out and completed in accordance with the submitted plans, specification and written particulars identified within the decision notice unless otherwise agreed in writing by the SDNPA.

Reason: To ensure that the development is carried out in accordance with the approved plans and in accordance with the NPPF, PPS10, the Horsham Local Development Framework, West Sussex Minerals Plan and Waste Sussex Waste Plan (Proposed Submission Draft).

Detailed Hydrogeological Risk Assessment

3. Prior to the commencement of development a Detailed Quantitative Hydrogeological Risk Assessment (DQHRA) shall be submitted to and approved by South Downs National Park Authority in consultation with The Environment Agency. The development shall be carried out in accordance with the recommendations and mitigation measures identified in the approved HRA throughout the duration of the development.

Reason: The protection of the water environment is a material planning consideration and development proposals, including landfilling, should ensure that new development does not harm the water environment in accordance with Policy CP2 of the Horsham District Local Plan Core Strategy and Policy WI6 of the West Sussex Waste Local Plan (Proposed draft submission). In this case the proposal poses a threat to water quality because the site lies in a Source Protection Zone 2 and lies on a Principal Aquifer.

Note: A Qualitative Hydrogeological Risk Assessment has been submitted as part of the Planning Application. The Environment Agency have reviewed the risk assessment and find the principles of the assessment acceptable. However, the application does not propose to install a robust "artificial sealing liner" and "side wall liner". In order to determine whether or not they are required, a Detailed Quantitative Risk Assessment must be produced and submitted for approval (see the Environment Agency comments on the planning application).

Groundwater protection

4. No development should take place until a scheme for the installation of new groundwater boreholes, has been submitted to and approved in writing by the South Downs National Park Authority. A long-term monitoring and maintenance method statement in respect of protection of groundwater must also be forwarded. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the South Downs National Park Authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports throughout the duration of the development.

Reason: Protection of the water environment is a material planning consideration and development proposals, including landfilling, should ensure that new development does not harm the water environment in accordance with Policy CP2 of the Horsham District Local Plan Core Strategy and Policy WI6 of the West Sussex Waste Local Plan (Proposed draft submission). In this case the proposal poses a threat to water quality because the site lies in a Source Protection Zone 2 and lies on a Principal Aquifer.

Pollution protection arrangements

5. The development hereby permitted shall not be commenced until such time as a scheme for:
 1. the storage of materials;
 2. the storage of chemicals;
 3. the storage of oil;
 4. the provision of road and wheel cleaning facilities;
 5. details of the surface water management scheme embracing the details and broad principles of the scheme shown on drawing no 3752/105 revision b.

has been submitted to, and approved in writing by, the South Downs National Park Authority. Any such scheme shall be supported, where necessary, by detailed method statements and maintenance programmes. The schemes shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or any details as may subsequently be agreed, in writing, by the South Downs National Park Authority.

Reason: Protection of the water environment is a material planning consideration and development proposals, including landfilling, should ensure that new development does not harm the water environment in accordance with Policy CP2 of the Horsham District Local Plan Core Strategy and Policy W16 of the West Sussex Waste Local Plan (Proposed draft submission). In this case the proposal poses a threat to water quality because the site lies in a Source Protection Zone 2 and lies on a Principal Aquifer.

Reptile mitigation

6. Prior to the commencement of development or any preparatory works on-site and following a reptile survey undertaken at suitable times of the year and demonstrably following best practice guidelines a detailed mitigation and translocation plan shall be receptor site will be included in the mitigation and translocation plan. Mitigation and translocation shall then be implemented in accordance with the approved details and timing of the works, unless otherwise approved in writing by the South Downs National Park Authority.

Reason: To ensure that the development meets the requirements of paragraph 99 of ODPM Circular 06/2005 where in exceptional circumstances the presence or otherwise of protected species and the extent that they may be affected by the proposed development are located before development and to adhere to West Sussex Waste Local Plan-(Proposed draft submission-2012) W14 and Policies CP1 and DC5 of the Horsham District Development Local development Framework adopted 2007.

Bird nesting and vegetation clearance

7. No removal of trees or scrub shall be carried out on site between March to August inclusive in any year, unless otherwise approved in writing by the South Downs National Park Authority. Where vegetation must be cleared during the bird breeding season (1st March to 31st July) a check for nesting birds by a suitably qualified ecologist will be required. Any vegetation containing occupied nests will be retained until the young have fledged. The location details of the compensatory nesting provision to be supplied to the South Downs National Park Authority for approval prior to their erection.

Reason: To ensure that the development meets the requirements of paragraph 99 of ODPM Circular 06/2005 where in exceptional circumstances the presence or otherwise of protected species and the extent that they may be affected by the proposed development are located before development and to adhere to West Sussex Waste Local Plan-(Proposed draft submission-2012) W14 and Policies CP1 and DC5 of the Horsham District Development Local Development Framework adopted 2007.

Site surface water drainage.

8. The proposed site perimeter infiltration trench/filter strip and settlement pond shown on drawing 3752/105Rev B shall be fully implemented in full to each part of the site

before any filling operations take place in that , or as tipping takes place within each phase to ensure that there is no increase in surface water run off from the site, unless an alternative effective scheme has been submitted and approved in writing by the South Downs National Park Authority in consultation with the Environment Agency.

Reason: To ensure that surface water runoff from the site is controlled to minimise flood risk and to ensure that the adjacent right of way remains useable in accordance with Policy CP2 of the Horsham District Local Plan Core Strategy and Policy W17 of the West Sussex Waste Local Plan (Proposed draft submission).

Site preparation

9. Before any waste materials are imported to the site under the terms of this planning permission the existing deposited materials used to buttress the chalk faces shall be reduced in height by up to 1.7m at their highest point so that the final surface profiles of material, shown on plan 3752/106 Rev B , can be incorporated into the surface finishes as part of the site restoration arrangements.

Reason: To ensure that the restoration is sympathetic to the South Downs landform in conformity with Policy DC2 and DC4 of the Horsham District Development Plan Document and Policy W14e) of the West Sussex Waste Local Plan (Proposed draft submission).

Site stockpiles

10. The existing overburden stockpiles towards the eastern and western boundaries of the site shall be incorporated into the development within 6 months of the permission being implemented.

Reason: To ensure a smooth and seamless transition between the existing and proposed landform which is sympathetic to the South Downs landscape in conformity with Policy DC2 and DC4 of the Horsham District Development Plan Document and Policy W14e) of the West Sussex Waste Local Plan (Proposed draft submission).

Vehicular access

11. The means of access and egress to the site shall be from the A2037 road only.

Reason: In the interests of highway safety.

Finished site profile and surfaces.

12. The development hereby approved shall only be carried out in complete accord with the finished profile of the site shown on plan 3752/100 rev G, save for any prior alteration agreed in writing by the South Downs National Park Authority. Each phase of working shall be restored to the final surface profile with a 1 metre layer of uncompacted chalk taken from the site, and a layer of locally sourced friable topsoil of low nutrient value and a PH level of 7 or more between 175mm and 200mm depth all in accordance with the details shown on plan 3752/106 Rev B.

Reason: To ensure that the restoration is sympathetic to the South Downs landform in conformity with Policy DC2 and DC4 of the Horsham District Development Plan Document and Policy W14e) of the West Sussex Waste Local Plan (Proposed draft submission).

Landscaping and aftercare

13. Notwithstanding the details shown on the submitted landscape restoration scheme drawing number MC277- L. 003C DATED 02. 2011 a landscape and after care scheme shall be submitted within 3 months of the date of this permission for the written approval of the South Downs National Park Authority. The approved landscape scheme shall be progressively implemented and completed in its entirety within the first planning season following the cessation of imports of inert waste materials. The submitted aftercare scheme shall show the necessary arrangements to secure chalk downland grassland suitable for grazing with aftercare over a 10 year period following the cessation of waste deposits at the site. Aftercare operations shall be carried out in

accordance with the submitted aftercare scheme unless otherwise agreed in writing with the South Downs National Park Authority

Reason: To ensure that the restoration is sympathetic to the South Downs landform in conformity with Policy DC2 and DC4 of the Horsham District Development Plan Document and Policy W14e) of the West Sussex Waste Local Plan (Proposed draft submission).

Restoration seed mix

14. The seed mix used in the restoration of the chalk grassland corridors must be of local provenance and contain both Yellow Rattle (*Rhinanthus minor*) and Horseshoe Vetch (*Hippocrepis comosa*), the full details of which shall be submitted and agreed in writing by the South Downs National Park Authority in consultation with Natural England. Any variation to this condition must be agreed in writing by the South Downs National Park Authority in consultation with Natural England.

Reason: To ensure that the restoration is sympathetic to the South Downs landform in conformity with Policy DC2 and DC4 of the Horsham District Development Plan Document and Policy W14e) of the West Sussex Waste Local Plan (Proposed draft submission).

Wheelwash

15. No materials shall be imported to the site unless an effective and operational wheel wash facility is available at the site entrance for use by all lorries at all times. The wheel wash shall be maintained in working order and used for all necessary vehicle movements so that no mud, earth, dust or other material is carried onto the private access road or the public highway.

Reason: To ensure that vehicles do not leave the site carrying earth and mud on their wheels in a quantity which cause a nuisance or hazard on the road system in the interests of road safety.

Provision of impermeable membrane

16. Before the deposit of inert waste in each phase the base of each tipping cell shall be lined with a 1m thick clay layer compacted to form an impermeable membrane.

Reason: To protect the underlying aquifer which provides important local public water supplies to ensure that new development does not harm the water environment in accordance with Policy CP2 of the Horsham District Local Plan Core Strategy and Policy W16 of the West Sussex Waste Local Plan (Proposed draft submission). In this case the proposal poses a threat to water quality because the site lies in a Source Protection Zone 2 and lies on a Principal Aquifer.

Types of waste

17. Inert waste only of the types listed in the applicant's submitted table 1 to the method statement and specification for the completion of benching and full restoration of Golding Barn quarry shall be deposited at the site.

Reason: To protect the water environment and ensure that this new development does not harm the water environment in accordance with Policy CP2 of the Horsham District Local Plan Core Strategy and Policy W16 of the West Sussex Waste Local Plan (Proposed draft submission). In this case the proposal poses a threat to water quality because the site lies in a Source Protection Zone 2 and lies on a Principal Aquifer

Compaction of imported material

18. All waste shall be compacted in a maximum of 200mm layers to reduce the potential for settlement occurring and the northern end of the site shall be formed in accordance with plan and the specific engineering arrangements set out in the gta civils ltd letter dated 13th March 2012.

Reason: To ensure that the site is properly engineered reducing the prospect of differential settlement and to protect the visual amenity of the area in conformity with Policies DC2 and DC4 of the Horsham District Development Plan Document

Use of on site chalk

19. Only chalk excavated from within the site shall be used for the capping of the site and there shall be no further export of chalk from the site.

Reason: To ensure that the site is satisfactorily restored and to enable the South Downs National Park Authority to regulate the development of the site, recognising that this planning permission, once implemented, supersedes planning permission UB/18/98.

On site storage

20. No more than three skips (solely to receive any non inert materials retrieved from within the imported and deposited waste) shall be parked or stored at the site at any time and no containers or haulage vehicles shall be stored on the site at any time.

Reason: To protect the visual amenity of the site in conformity with Policy DC2 and DC4 of the Horsham District Development Plan Document.

Dust control

21. In dry conditions the site haul road shall be dampened with the aid of a water bowser to prevent the generation of dust beyond the site boundaries.

Reason: In the interests of the amenity of the local area including residential and commercial properties.

Site phasing

22. Phasing of the site development shall be strictly in accordance with plan 3752/107 rev B with the progressive restoration of the site. Phase 3 shall not commence until and tipping on phase 2 has been completed, unless alternative phasing arrangements are agreed in writing by the South Downs National Park Authority.

Reason: To ensure that the visual impact of the development is contained throughout the period of implementation and to protect the quality and character of the landscape.

Record of vehicular movements and deliveries

23. A record of daily vehicular movements, including arrival time shall be maintained and kept at the site office at all times and made available to officers of the waste Planning Authority upon request.

Reason: To protect the amenity of the local area.

Limit on HGV movements.

24. There shall be no more than 100 HGV movements associated with the development (50 in and 50 out) during a single day and no more than 250 deliveries during site operations in any working week.

Reason: To protect the amenity of the area.

Control on site activities

25. No processing or grading of material shall take place at the site and the machinery or plant used on site as part of the restoration, shall be restricted to a 20t Komatsu D65PX Dozer and a 13.5t New Holland SK135 Excavator unless alternative items of plant and/or machinery are agreed in advance in writing by the South Downs National Park Authority.

Reason: In the interests of aural and visual amenity of the locality, including users of the Right of Way and the occupiers of residential properties.

Noise controls

26. Noise levels arising from the development hereby permitted shall, unless otherwise agreed in writing by the South Downs National Park Authority, not exceed 50dB LAeq,1 hour free-field, at the boundary of the nearest residential receptor facing the site.

Reason: In the interests of residential amenity

Site illumination

27. No artificial illumination of the site shall take place unless in accordance with a scheme agreed in writing by the South Downs National Park Authority and any such illumination shall be restricted to the permitted site operating hours.

Reason: In the interests of the visual amenity of the area.

Operating hours

28. There shall be no vehicular movements to/from the site and no operations within the site outside of the hours of 07:00 and 17:00 Monday to Friday. No vehicular movements to/from the site and no operations within the site shall take place at all outside the above mentioned hours on any weekday and on Saturdays Sundays Public and Bank Holidays.

Reason: In the interests of local amenity and the proximate residential properties.

Site stockpiles

29. There shall be no stockpiling of materials other than chalk, clay and soils needed to complete phase three in accordance with sachem approved by the South Downs National Park Authority.

Reason: To ensure that the visual impact of the development is contained throughout the period of implementation and to protect the quality and character of the landscape.

Control of pernicious weeds at the site.

30. During the restoration and aftercare period agreed under the restoration and aftercare the applicant must monitor for and control invasive or undesirable species – in particular Japanese Knotweed (*Fallopia japonica*) by removing or treating weeds and their roots in accordance with the advice provided by DEFRA.

Reason: To ensure that the development, as submitted, will not impact upon the features of special interest for which Beeding Hill to Newtimber Hill SSSI is notified.

Removal of site structures and equipment

31. On completion of the phase 3 works the site Portakabin, weighbridge, wheelwash and ancillary equipment shall be removed from the site.

Reason: To ensure that the restoration is undertaken in conformity with Policy DC2 and DC4 of the Horsham District Development Plan Document and Policy W14e) of the West Sussex Waste Local Plan (Proposed draft submission).

Removal of the haul road

32. The site haul road shown on plan 3752/107 rev B shall be progressively removed as each phase is completed and fully removed within 3 months of the cessation of all tipping within phase 3.

Reason: To protect the amenity of the local area and to provide for the satisfactory restoration of the site in conformity with Policies DC2 and DC4 of the Horsham District Development Plan Document

Reinstatement of right of way alignment

33. Within 3 months of the completion of phase 3 of the development the public bridleway 2753 shall be reinstated to its approved alignment with a post and wire fencing separating it from the remainder of the restored area.

Reason: To ensure that the legal route of Right of Way 2753 is reinstated to enable the continued enjoyment of access to this part of the South Downs by walkers, horse riders and cyclists.

Informatives:

1. That the applicant shall provide a lorry routing plan showing those routes in the vicinity of the site which are promoted as being suitable for HGV lorry traffic and shall make this plan available to the users of the facility to encourage the active use of the approved lorry routes.

2. The applicant is advised that should any protected species be discovered during clearance or any other operational activity associated with this planning permission work must stop and Natural England be informed. A licence may be required from Natural England before works can then re-commence, which Natural England will advise upon.

11. Crime and Disorder Implication

11.1 It is considered that the proposal does not raise any crime and disorder implications.

12. Human Rights Implications

12.1 This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13 Equalities Act 2010

13.1 Due regard, where relevant, has been taken to the South Downs National Park Authority's equality duty as contained within the Equalities Act 2010.

14 Proactive Working

14.1 In reaching this decision the Local Planning Authority has worked with the applicant in a positive and proactive way, in line with the NPPF. This has included the provision of pre-application advice from the SDNPA Minerals and Waste Officer with WSCC, the opportunity to provide additional information to overcome technical issues and the opportunity to amend the proposal to add additional value as identified by SDNPA Officers and consultees.

Tim Slaney
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South Downs National Park Authority

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Appendices I. Site Location Map
SDNPA Consultees Director of Planning & Legal Services.

Background Documents

Letters of representation from members of the public, observations of :Highway Authority, Natural England, WSCC Landscape Architect, WSCC Ecologist, Environment Agency, Southern Water, WSCC Public Rights of Way Team, Horsham District Council Environmental Health officer, Upper Beeding Parish Council – see website: [SDNP/12/02275/CW | Restoration of Golding Barn Quarry](https://www.southdowns.gov.uk/SDNP/12/02275/CW/Restoration%20of%20Golding%20Barn%20Quarry)

National Planning Policy Framework

Planning Policy Statement 10 (PPS10)
Horsham District Local Development Framework (2007)
West Sussex Waste Local Plan (Proposed Submission Draft 2012)
Circular 20/10



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