



Mineral Safeguarding Assessment

**Land at LVS Hassocks, London Road
Sayers Common,
West Sussex**

December 2025



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1. Introduction

Overview

1.1 This Mineral Safeguarding Assessment ('MSA') has been prepared on behalf of Wates Developments Ltd and the Licence Trade Charity ('the Applicant') to consider the impact of the proposed development on land at LVS Hassocks, London Road, Sayers Common, West Sussex.

1.2 This submission accompanies a hybrid application for separate and severable elements comprising:

Demolition of all existing buildings bar the chapel, to be retained for use within Use Class F and:

a) *Full planning permission for the development of the north western part of the Land at LVS Hassocks so as to accommodate a new SEN School with associated access from London Road, car parking, landscaping and drainage works; and*

b) *Outline planning permission (Appearance, Landscaping, Layout and Scale Reserved) for the development of the rest of the land at LVS Hassocks so as to accommodate up to 210 dwellings (including affordable housing) with associated access, car parking, landscaping, play areas, informal outdoor space and drainage works*

1.3 The proposed site lies within a two tier local authority area, with the Mid Sussex District Council being the Local Planning Authority (LPA) and West Sussex being the upper tier Mineral Planning Authority (MPA). This MSA has therefore been produced to demonstrate compliance with relevant mineral safeguarding policy that is set out in the MPA.

1.4 The key relevant safeguarding test is set out in Policy M9 of the West Sussex Joint Minerals Local Plan (WSJMP) which states the following:

"Proposals for non-mineral development within the Minerals Safeguarded Areas (as shown on maps in Appendix E) will not be permitted unless:

(i) mineral sterilisation will not occur; or

(ii) it is appropriate and practicable to extract the mineral prior to the development taking place, having regard to the other policies in this Plan; or

(iii) the overriding need for the development outweighs the safeguarding of the mineral and it has been demonstrated that prior extraction is not practicable or environmentally feasible."

- 1.5 The following report demonstrates that the proposed Sayers Common (The “Project”) will not result in the needless sterilisation of the existing mineral resources that a highlighted as potentially being present beneath the site.

The Sayers Common Project

- 1.6 The proposed development will involve the creation of a new mixed-use site on land west of the village of Sayers Common. The proposal comprises two aspects, full detailed planning consent being sought for a replacement SEN school alongside outline planning consent for the wider development of up to 210 new dwellinghouses . The proposed development will be permanent and as such will result in the permanent sterilisation of the mineral resource understood as being present beneath the site.
- 1.7 As part of the proposals, the school will remain open in its current location whilst the replacement facility is constructed elsewhere within the wider project. Once the replacement facility is open the existing school will be removed. At all times there will be an open and active SEN school in place within the application boundary.
- 1.8 The location of the Project is shown in the attached site location plan which is included in Appendix A of this report.

Site Description

- 1.9 The Project site is located on land to the north of the village of Sayers Common, to the west of the A23. Presently the site comprises a mix of grassland, a small parcel of grazing land to the north and a LVS Hassocks school which is located roughly in the centre of the site. Access is off the B2118 to the south east, adjacent to two dwellings named The Bungalow and Kingsland Lodge.
- 1.10 The surrounding area is primarily residential in nature, with a newly constructed residential development (Nuthatch Lane, Goldcrest Drive, Heron Court) effectively extending the northern edge of the village northwards to the other side of the stream that bounds the south of the site. There is also a caravan park (Hickstead Park) to the north east of the site, separated by an area of agricultural land. there is also further employment uses and a show ground to the north and east of the site.

- 1.11 Aside from the residential use, there are several industrial units to the south west of the village on Reeds Lane, approximately 600m away from the site. It is understood these are occupied by a logistics company, a steel fabricator and a swimming pool manufacturer.
- 1.12 There are a number of watercourses in the surrounding area that are lined by deciduous trees and other landscaping which also work to divide the parcels of agricultural land that characterise the wider setting of the site. Agricultural fields are typically enclosed with a mixture of mature hedgerows and trees.
- 1.13 The location of the safeguarded mineral deposits that occur within the site are shown on drawing ICP/SC/001 (Appendix A).

Structure of this Mineral Safeguarding Assessment

- 1.14 This assessment has been prepared following a review of the available information produced by the British Geological Survey ('BGS'), West Sussex Joint Minerals Local Plan ('WSJMLP') and background papers and West Sussex Local Aggregate Assessment.
- 1.15 The rest of this assessment is structured in the following sections:
- Section 2 – Planning Policy
 - Section 3 – The Mineral Resource
 - Section 4 – Planning Policy Assessment
 - Section 5 – Conclusion

IC Planning minerals experience

- 1.16 IC Planning ('ICP') have prepared this report and have an extensive track of providing planning advice within the minerals, energy and waste sectors nationwide. The ICP team includes directors who have appeared as an expert mineral planning witnesses at a number of high profile nationally significant extraction proposals supporting their development. The team has also provided several mineral safeguarding specific Continuing Professional Development events for both the Royal Town Planning Institute (RTPI) and the Royal Institute of Chartered Surveyors (RICS).

- 1.17 Prior to working as a mineral planning consultant, members of the ICP team also worked for minerals developers identifying new sites for extraction and gaining consent for them through the planning process.
- 1.18 ICP currently represent a number of mineral operators nationwide including those who extract sand and gravel and limestone. Alongside this, ICP are also the retained minerals planning adviser for Stone Federation Great Britain who are an industry body that represents the majority of dimension building stone operators within the country.
- 1.19 The ICP team have undertaken numerous mineral safeguarding assessments nationwide for a wider variety of mixed use and renewable energy developments.

2. Planning Policy

- 2.1 The following section sets out the relevant national and local planning policies that are applicable to safeguarding mineral resources that are affected by the proposed scheme.

National Planning Policy Framework (NPPF) – December 2024

- 2.2 Chapter 17 of the NPPF entitled “Facilitating the sustainable use of minerals” provides several policy details covering a wide range of matters relating to mineral planning. Paragraph 222 outlines the overall policy approach to mineral supply, recognising that mineral resources are finite and limited:

222. It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation.

- 2.3 Following this overarching policy position statement, the NPPF then outlines the specific measures that mineral planning policies should cover in paragraph 216. In relation to the safeguarding of mineral resources, the following clarification is made in sub section c) of paragraph 223:

223. c) [Mineral Planning Authorities] safeguard mineral resources by defining Mineral Safeguarding Areas and Mineral Consultation Areas; and adopt appropriate policies so that known locations of specific minerals resources of local and national importance are not sterilised by non-mineral development where this should be avoided (whilst not creating a presumption that the resources defined will be worked);

- 2.4 The prescribed approach to mineral safeguarding is further explained within paragraph 225, which states:

225. Local planning authorities should not normally permit other development proposals in Mineral Safeguarding Areas if it might constrain potential future use for mineral working.

- 2.5 National planning policy is clear that any potentially viable mineral working should not be needlessly sterilised by permanent alternative development. The NPPF sets out the broad principles against which the local minerals policies must be set against.

West Sussex Joint Minerals Local Plan – Adopted July 2018 (reviewed March 2021)

- 2.6 The WSJMLP provides a vision and strategic objectives for sustainable minerals development, policies to help achieve these objectives, policies for the purposes of development management and finally site allocations to ensure the need for minerals is met.
- 2.7 The WSJMP reflects the policy position that is set out in the NPPF. The WSJMP acknowledges that mineral resources are finite and can only be worked where they naturally occur. The WSJMLP notes that with increased pressure on land use, economically viable minerals should be protected from permanent sterilisation where possible.
- 2.8 The WSJMP goes on to state that the sterilisation of mineral resources can occur as a result of surface development directly overlying the mineral resource, or by development that is situated on or close to the boundary of a resource.
- 2.9 The WSJMLP reflects the points by declaring that Strategic Objective 5 of the Plan is to “*safeguard potential economically viable mineral resources from sterilisation*”.
- 2.10 Policy M9 sets out the WSJMLP position in relation to assessing non minerals developments on safeguarded land which has the potential to sterilise a resource. The policy states the following:
- a) *Existing minerals extraction sites will be safeguarded against non-mineral development that prejudices their ability to supply minerals in the manner associated with the permitted activities.*
 - b) *Soft sand (including potential silica sand), sharp sand and gravel, brick-making clay, building stone resources and chalk reserves are safeguarded against sterilisation. Proposals for non-mineral development within the Minerals Safeguarded Areas (as shown on maps in Appendix E) will not be permitted unless:*
 - i. *Mineral sterilisation will not occur; or*
 - ii. *it is appropriate and practicable to extract the mineral prior to the development taking place, having regards to the other policies in this Plan; or*
 - iii. *the overriding need for the development outweighs the safeguarding of the mineral and it has been demonstrated that prior extraction is not practicable or environmentally feasible.”*

- 2.11 The supporting text to Policy M9 states that where non-mineral development is proposed, developers will need to produce an assessment to help satisfy the MPA that the requirements of policy M9 can be met.

WSJMLP – Minerals and Waste Safeguarding Guidance – Adopted March 2020

- 2.12 The above-mentioned document was produced to provide guidance to applicant in relation to the interpretation and compliance with Policy M9 of the WSJMLP. The guidance includes Mineral Safeguarding Areas (MSA) for each of the relevant mineral resources. The MSA map for brick clay, the mineral affected by the Sayers Common proposal is included in Appendix B. The Sayers Common site is directly affected by the Weald clay deposit which is the most wide spread of the clay resources across West Sussex.
- 2.13 The safeguarding guidance states that defining a MSA does not mean that there is a presumption that minerals will be worked. The MSA indicate where Policy M9 will apply and is a tool to protect the resource from potential sterilisation from non-mineral development.
- 2.14 The safeguarding guidance advises that the threshold for assessing non-mineral development within the Weald Clay formation is the highest within the guidance, with only sites above 3ha needing to be assessed. This is opposed to applications above 0.5ha as per sharp sand sites. This higher threshold reflects the relatively widespread nature of the clay resource within West Sussex.
- 2.15 The safeguarding guidance states in paragraph 2.6 that unless the MRA can prove that there is no economically viable resource present, sterilisation will occur.
- 2.16 Paragraph 2.8 of the guidance also states that the MRA should be proportional to the size of the site and the scarcity of mineral. The guidance also lists a series of details that a mineral safeguarding assessment may want to include as part of its assessment. Those details are addressed in more detail in section 4 of this report.

3. The Mineral Resource

- 3.1 The adopted WSJMLP is accompanied by a series of Mineral Safeguarding maps which identify the anticipated extent for each mineral resource. The site is within an area safeguarded for brick clay resources. A copy of this map is provided in Appendix B.
- 3.2 The full extent of the above-mentioned safeguarding areas has been overlaid with the Project's boundary and is shown on drawing ICP/SC/001 which is appended to this report in Appendix A.
- 3.3 The authors of this report are not aware of any formal expressions of interest by any minerals operators in extracting the resources indicated as being present on site.

Brick Clay Deposits in West Sussex

- 3.4 The WSJMLP states that West Sussex contains regionally important brick-making raw materials. This brick clay is split into two different resources, the Weald (which is found beneath the site) and the Wadhurst formations. Due to its broader extent and lesser demand the MSA for the Weald Clay excludes urban areas.
- 3.5 According to the British Geological Society ('BGS') the site is made up of Weald clay which is said to comprise dark grey thinly-bedded mudstones and mudstones with subordinate siltstones, fine- to medium-grained sandstones, including calcareous sandstone, shelly limestones and clay ironstones¹.
- 3.6 The WSJMLP states that there are five active brickworks within West Sussex, with their own supplies of clay, which have a total permitted reserve of 18.7mt. Three of these active brickworks have in excess of 25 years of clay reserves, one has 24 years and the brickworks at West Hoathly have less than 10 years' reserves (2016 data). In order to maintain an adequate supply of the clay, the WSJMLP sets out that the strategy is to allocate an extension to the West Hoathly brickworks.
- 3.7 The implementation of the WSJMLP is subject to annual monitoring reports which update the mineral extraction and supply data referenced within the plan. The most recent monitoring report that is publicly accessible is the period that covers the 2023/24².

¹ <https://webapps.bgs.ac.uk/lexicon/lexicon.cfm?pub=WC>

² https://www.westsussex.gov.uk/media/vkqna0d1/monitoring_report_2023to2024.pdf

- 3.8 The 2023/24 monitoring report states that the total permitted reserves of brick clay (it does not distinguish between different clay formations) has reduced since the adoption of the WSJMLP. The 2023/24 figures state that there is a total permitted reserve of 12.49mt across five sites (three active and two inactive). The monitoring report notes that Brick clay supply is not subject to an apportionment figure but still has an important role to play in West Sussex and the wider economy.
- 3.9 The monitoring report notes that Paragraph 220 of the NPPF states that MPAs should plan for maintaining a stock of permitted reserves to support the level of actual and proposed investment required for new or existing plant, and the maintenance and improvement of existing plant and equipment. For brick clay reserves this should be at least 25 years. There are estimated to be two brickworks in West Sussex with at least 25 years of reserves. Therefore, on that basis the supply of brick clay in West Sussex complies with the NPPF requirements.

4. Planning Policy Assessment

- 4.1 The following section assesses the impact of the proposal on the supply of minerals within West Sussex. Furthermore, it will set out the existing constraints on mineral extraction which is also an important material consideration. Finally, it will assess the proposal in the context of Policy M9 of the WSJMLP which is the key test for non-mineral developments on safeguarded land.

Supply of Minerals in the Region

- 4.2 Section 3 of this report provides an overview of the supply positions of the mineral identified as being present on site. The Weald formation brick clay found within the sub alluvial deposits is a resource that is in demand due to its importance in the construction market. Currently, the active brickworks have a supply of 25 years almost across the board.
- 4.3 The Weald Clay is one of the few mineral resources to occur across most of northern West Sussex and is found within the districts of Chichester, Horsham, Crawley, and Mid Sussex. The mineral resource is therefore comparatively widespread, meaning that it is reasonable to conclude that alternative opportunities for the extraction of the mineral resource outside of the red line boundary are likely to exist within the County. It is set within this context that the permanent sterilisation of the clay resource should be considered.
- 4.4 The widespread nature of the mineral deposit is recognised by the MPA's own safeguarding guidance which applies higher thresholds for sites that may sterilise the Weald brick clay resources and unlike other minerals, automatically excludes mineral deposits within urban areas.
- 4.5 Based on this information, it is clear that there is a likely adequate supply of brick clay in West Sussex in the medium term and that the loss of the small amount of safeguarded land that will result from the proposed development will therefore be inconsequential in this regard.

Existing Constraints On Mineral Extraction

- 4.6 The following section of this report highlights features in and around the site that would represent a significant constraint to any potential mineral extraction. It is important to review the existing constraints so that the level of sterilisation which would be associated with the Sayers Common scheme can be fully understood.

- 4.7 A key material consideration is whether or not it is feasible both practically and environmentally for minerals extraction to take place before works on the non-mineral development begin. In order to determine this, there are a number of existing constraints that must be taken into account.
- 4.8 The extraction of the brick clay will have the potential to result in impacts upon amenity (dust, noise, vibration and visual impact). As such, the degree to which the site is already effectively sterilised by existing receptors needs to be considered when establishing the potential temporary mineral sterilisation which would occur as a result of the Sayers Common scheme.
- 4.9 This section of the report is accompanied by Drawing ref: ICP/SC/002 (Appendix C) that has broadly highlighted the extent to which the mineral resources found on-site are already effectively sterilised. The following details and associated standoff distances from any possible mineral extraction scheme have been used:
- Residential properties – 250m standoff in all directions;
 - Schools – 250m
 - Woodlands – 15m standoff;
 - Hedgerows – 10m standoff;
 - Roads – 20m standoff;
 - Public rights of way – 10m standoff; and
 - Overhead power lines – 20m corridor.
- 4.10 It is accepted that there are no statutory standoffs required for mineral developments. The abovementioned distances are based on experience of the author's involvement with multiple mineral extraction sites nationwide.
- 4.11 In relation to the 250m distance from residential properties, this distance has been used as within that range it is more likely that the effects of noise, air quality and vibration will need to be significantly controlled and mitigated to avoid having unacceptable impacts.
- 4.12 The logic of using the 250m standoff distance is consistent with the approach outlined within West Sussex Councils Mineral Safeguarding guidance. The safeguarding guidance uses the 250m distance as a buffer zone around safeguarded minerals sites and infrastructure. Any non-minerals

development that is proposed within this 250m buffer zone needs to be assessed to ensure that it will not introduce a new receptor, or receptors, that could impinge upon the operation of that site.

- 4.13 The SPD advises that unacceptable levels of dust, noise, lighting and vibration could be experienced by receptors within that 250m distance. This is used to ensure that new non-mineral related development brought forward within the 250m buffer zone does not result in any additional mitigation being placed upon minerals operators as they would introduce new sensitive receptors. This approach is consistent with the “Agent of Change” principle which is outlined in the NPPF³.
- 4.14 It is accepted that residential receptors can be located within 250m of an active minerals operation and equally that there can be receptors beyond 250m that do experience unacceptable amenity impacts. For the purposes of this mineral safeguarding assessment, the 250m distance provides a robust indication of an acceptable proximity to a residential receptor.
- 4.15 The standoff distances noted for the hedgerows and woodlands are based on general working practices and would vary based on each section of vegetation. For the purposes of this assessment, the distance indicated on the plan is from the tree or hedgerow to any potential extraction. Ancillary mineral extraction features such as soil mounds, fencing and drainage channels would be accommodated within that distance.
- 4.16 The presence of the public highway can also constrain development. Excavation areas generally have to standoff from the public highway to ensure that the roads remain geotechnically stable and they do not present a risk to road users if a vehicle was to leave the carriageway. Typically, a 20m standoff from the public highway is observed.
- 4.17 Taking account of the above mentioned existing constraints, the extent to the mineral resources could be recovered is discussed in more detail below.
- 4.18 The main site constraint to any potential mineral extraction is the proximity of the site to the village of Sayers Common and the residential dwellings therein.
- 4.19 There are two dwellings within the site boundary which front the B2118 which are within 250m of the mineral resources found on site. There are also the properties at Hickstead Park to the east of the site that are also within 250m.

³ Paragraph 193

- 4.20 There are also dwellings immediately to the south of the site on the recently built Nuthatch Lane, Goldcrest Drive, Heron Court. In total it is estimated that there are 50-100 dwellings within a 250m radius of the site.
- 4.21 Clearly, the environmental impact of mineral extraction from this site would have a potentially detrimental impact on the living conditions of the occupants of these dwellings which would be in direct conflict with Strategic Objective 6 of the WSJMWLP which aims to ensure the amenity of residents is protected and where possible enhanced.
- 4.22 The site is crossed by a bridle way that links B2118 in the east and Stuccles Farm in the west. This bridleway, referred to as “9Hu” on the West Sussex definite rights of way map, would be retained by the proposed built development. The right of way could be diverted to allow the site to be developed, however its diversion during the extraction would need to be accommodated within the site’s design.
- 4.23 The presence of the current school in the centre of the site, even if only for the short term given the proposed replacement facility on the land to the NE, would severely restrict the potential for mineral extraction, as would the proposed replacement facility. Similarly, any extraction close to the school would have an unacceptable impact on the amenity of the attendees and staff of this school and not be compatible with this existing land use. Secondly, there would likely be significant health and safety and operational issues that would make it impracticable to operate a claypit around the school. Consequently, this constraint – both current and proposed would weigh considerably against the use of the site for mineral extraction.
- 4.24 As set out in the ‘Site Description’ section, the site is heavily landscaped as the majority of field boundaries comprise mature trees and hedgerows. These landscape features will be largely retained by the proposed development, whereas a mineral extraction scheme would require their removal. The trees are predominantly well established and of good form and as a result make a positive contribution to the surrounding landscape context. Consequently, they are very much of value in terms of the general amenity of the area and from an environmental point of view.
- 4.25 Given the field boundaries which the mature treelines follow very much divide the site into small sub-parcels, it would in reality be impossible to create a mineral extraction scheme on the site without the large-scale loss of a very high number of valuable trees. This would have a detrimental effect on the wider setting of Sayers Common and the character and appearance of the countryside more generally.

Policy M9

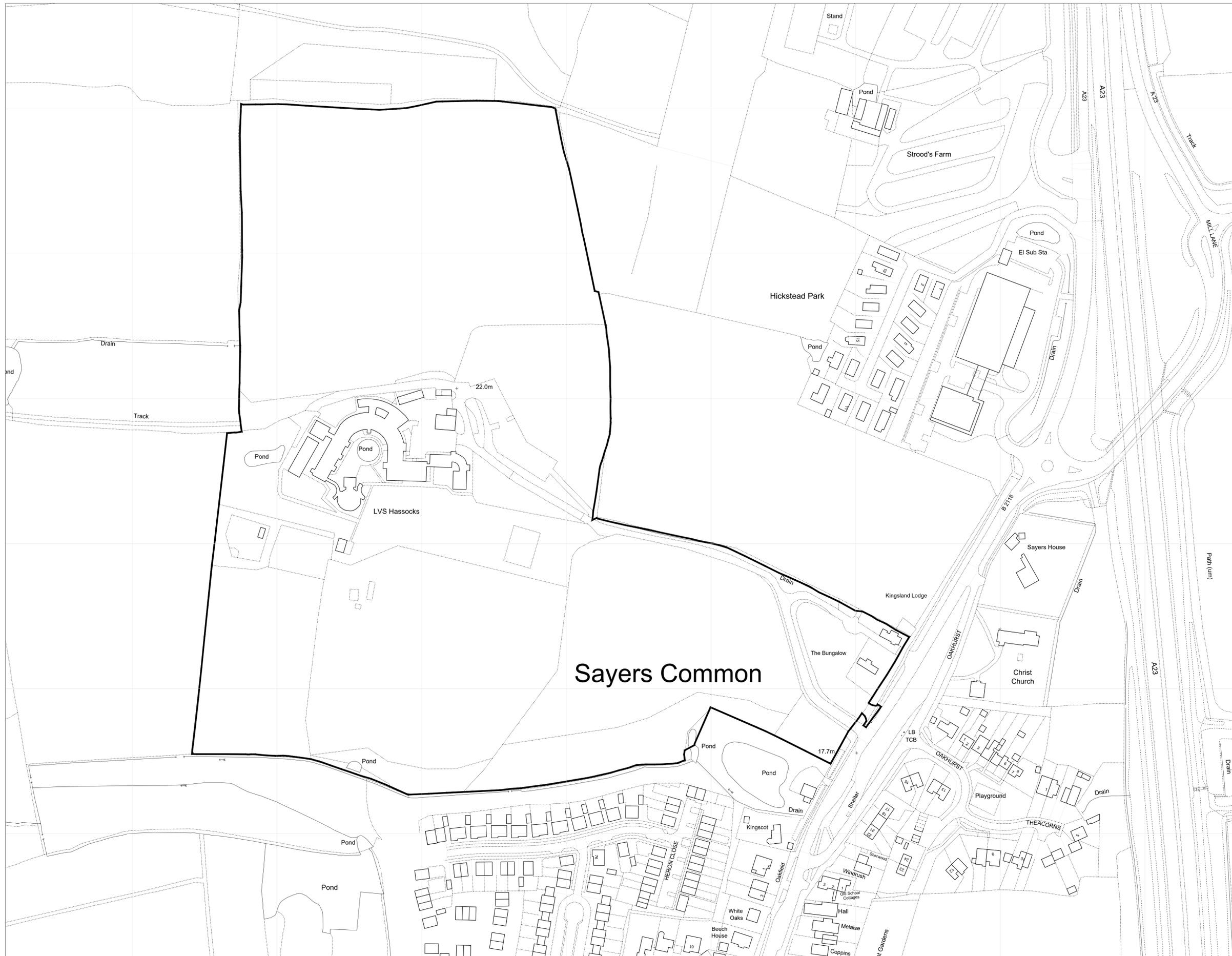
- 4.26 As already set out, the overall test for whether non-mineral development on safeguarded land is acceptable is set out in policy M9 of the WSJMLP. On this occasion the development would lead to sterilisation of the minerals as the land would have buildings permanently sited on it. Consequently, in order to be acceptable, policy M9 dictates that it must be demonstrated that the minerals will be extracted prior to development, or it is not practical or environmentally feasible for this to happen.
- 4.27 For the reasons set out above, namely a) the impact on the living conditions of nearby residents, b) the impact on the amenity of attendees and staff of the existing and proposed school within the site and c) the environmental impact of the loss of a high number of large established trees, it is considered that it is both impractical and environmentally unfeasible for the extraction of the minerals in question to take place.
- 4.28 As a result, the development of this safeguarded site is in line with the exceptions outlined in both sections ii) and iii) of policy M9 of the WSJMLP.

5. Conclusion

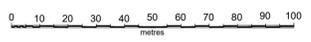
- 5.1 The report has provided a description of the site's context and current land use. The assessment has also described the nature of the Weald brick clay resource that is found on site alongside providing a description of the current supply and demand of that mineral reserve.
- 5.2 The MPA have identified in its most recent monitoring report that there is a 25-year supply of brick clay within the county of West Sussex.
- 5.3 The MPA's own guidance acknowledges that the Weald brick clay resource is widespread across the county. As a result of its widespread nature, the brick clay resource is not subject to stringent mineral safeguarding criteria when compared to other mineral resources.
- 5.4 This assessment and its accompanying plans have demonstrated that the mineral resource is already significantly sterilised by the presence of existing residential properties and a SEN school within 250m of the site, rights of way and mature landscape features such as tree lines and hedgerows.
- 5.5 The permanent loss of the remaining small parcel of safeguarded land would not have a material effect upon the long-term supply of brick clay within West Sussex.
- 5.6 The proposal is consistent with the MPA mineral safeguarding policies which are set out in both Policy M9 of the WSJMLP and the supporting Mineral Safeguarding Guidance.

Appendix A

Site Boundary Plan



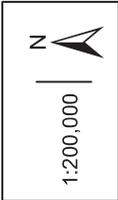
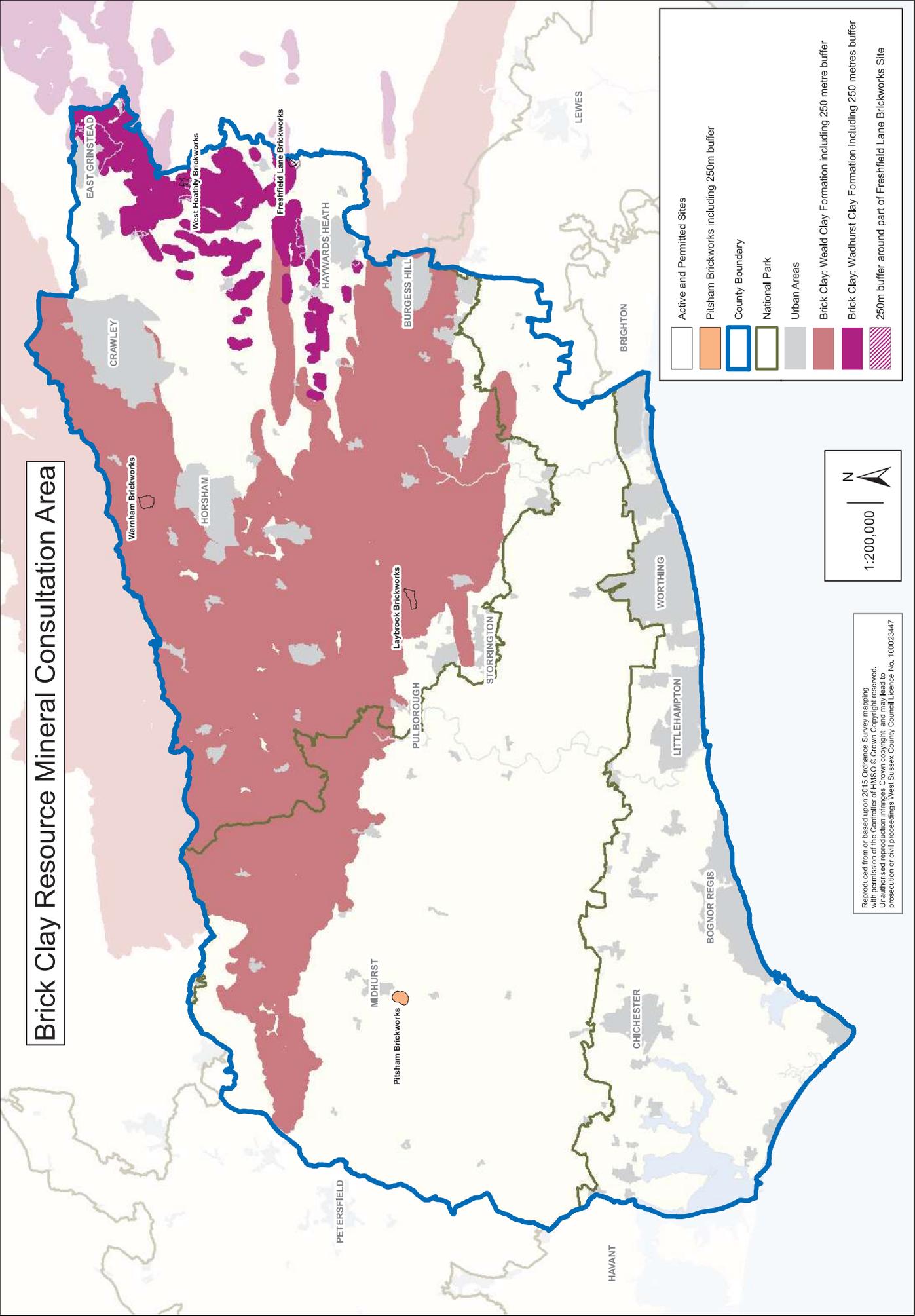
Land off Oakhurst, Sayers Common Hassocks BN6 9JA	
Site Location Plan - SC-LP-01a	
Scale 1:1250 @ A1	19 Dec 2025



Appendix B

West Sussex Brick Clay mineral Safeguarding Map

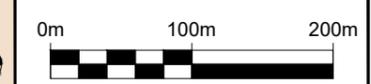
Brick Clay Resource Mineral Consultation Area



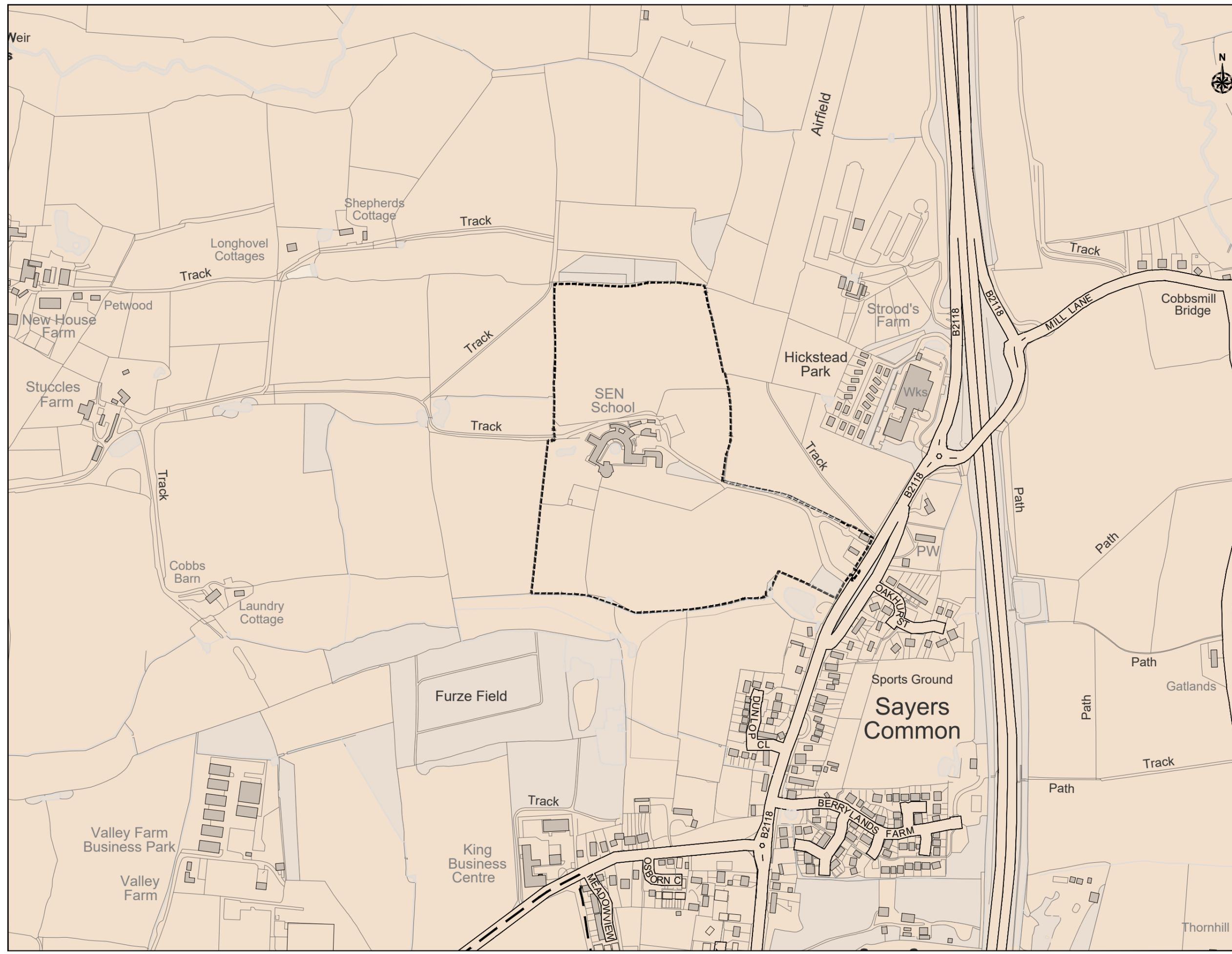
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Appendix C

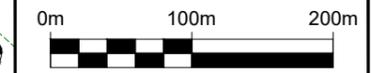
Existing Minerals Constraints Plan



LEGEND
 - - - - - SITE BOUNDARY
 BRICK CLAY

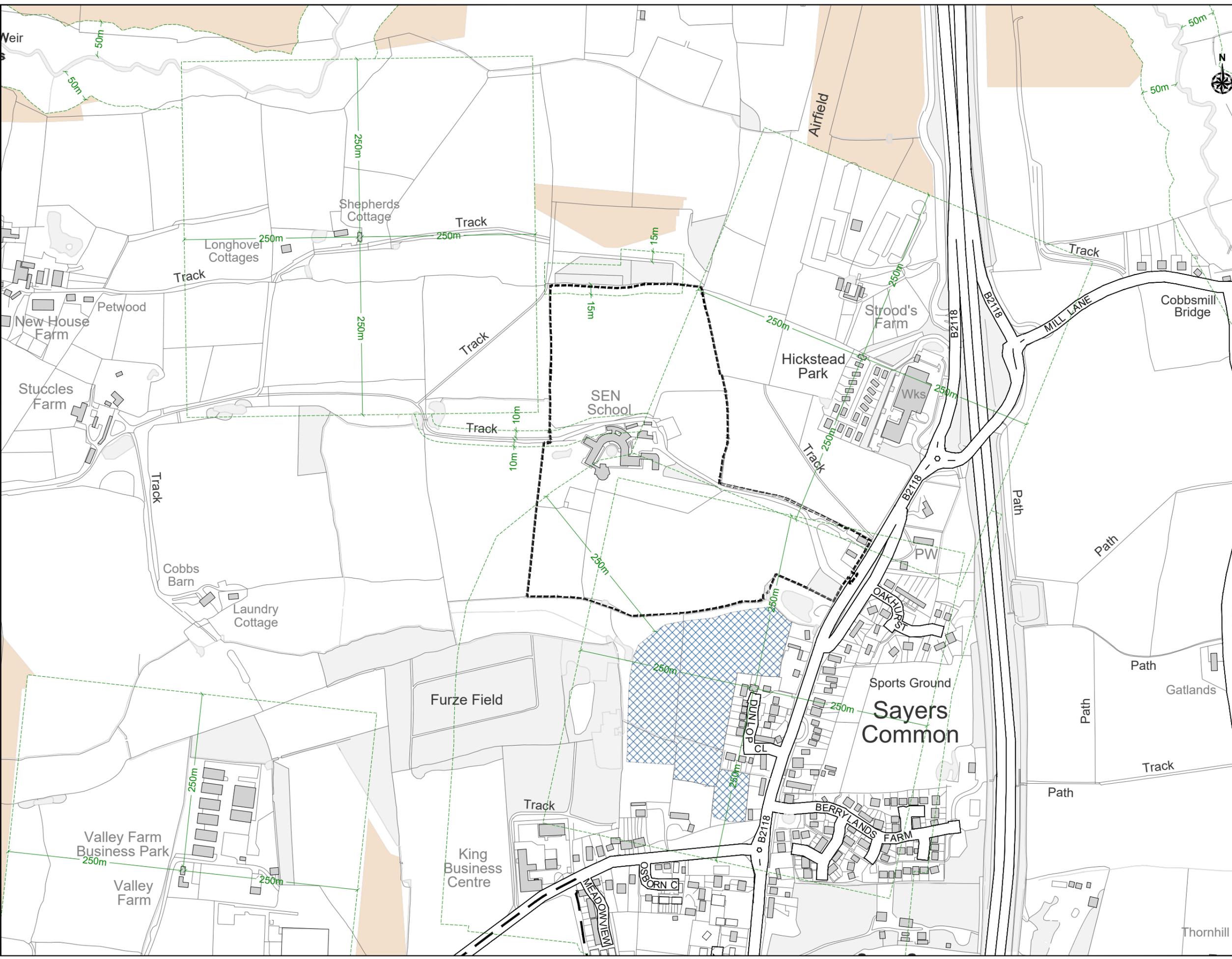


Rev	Date	Details	Chkd
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Date	Scale	Drawn	Checked
20/01/2026	1:5000 @ A3	By GTB	by ST
Approved	by ST		
<p>Drawing Status WORKING DRAWING</p>			
<p>Project Title SAYERS COMMON WEST SUSSEX</p>			
<p>Drawing Title MINERAL SAFEGUARDING PLAN</p>			
<p>Drawing Number ICP/SC/001</p>			<p>Rev -</p>



- LEGEND**
- SITE BOUNDARY
 - BRICK CLAY
 - NEW HOUSING DEVELOPMENT
 - TYPICAL STERILISED STAND OFF

- NOTE**
- MINERALS SAFEGUARDING AREAS ALREADY STERILISED BY EXISTING LANDSCAPE FEATURES
- 250m from any residential property in all directions
 - 250m from LVS Hassocks SEND School
 - Any woodlands 15m and 10m from any hedgerows
 - 20m from any roads
 - 50m from rivers.
 - 10m from any public rights of way



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20/01/2026	1:5000 @ A3	By GTB	by ST
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<p>Drawing Title</p> <p>EXISTING MINERAL EXTRACTION CONSTRAINTS PLAN</p>			
<p>Drawing Number</p> <p>ICP/SC/002</p>			<p>Rev</p> <p>-</p>