

TO: PLANNING & REGULATORY COMMITTEE

DATE: 20 October 2010

BY: ACTING PLANNING MANAGER

DISTRICT(S) GUILDFORD BOROUGH COUNCIL

ELECTORAL DIVISION(S):
Worplesdon
Mr Sutcliffe

PURPOSE: FOR DECISION

GRID REF: 493989 151948

TITLE: MINERALS AND WASTE APPLICATION GU10/1501

SUMMARY REPORT**Sanitrox, Chapel Farm, Guildford Road, Normandy, Guildford, Surrey, GU3 2AU**

The continued use of the existing materials recovery facility without compliance with conditions 3 and 4 of planning approval GU09/2057 dated 26th March 2010 to allow the processing of waste using fixed and mobile plant and machinery at the site and variation of condition 5 of planning approval GU09/2057 dated 26th March 2010 to allow the storage of waste within the building and covered bays (marked 'new fines bay' and 'new hardcore bay') on drawing CS/028312/B/PL/003 Rev B.

The site is located to the east of the A323 (Guildford Road), lies to the east of Normandy and is approximately 8.4kms to the northwest of Guildford. The site is approximately 0.3ha in size and has good vegetation screening along the Guildford Road frontage. To the north of the site are open agricultural fields, to the west is Guildford Road with open fields beyond, to the south is the access road serving the site, with Chapel Farm Cottage beyond. To the east of the site is a scrap yard operated by Aldershot Car Spares with Chapel Farm Residential Mobile Home Park located beyond this and also to the south of the site. This site is accessed off a private access road leading onto Guildford Road, which also serves Aldershot Car Spares.

The proposed waste development is inappropriate development in the Green Belt and therefore the application falls to be considered as a Departure from the provisions of the Development Plan. The main issues to be considered in this application are whether the proposal is suitable in the Green Belt and whether very special circumstances have been shown which clearly outweigh any harm to the Green Belt. Issues relating to visual amenity, noise, dust, and traffic will also be carefully considered.

The proposal would constitute inappropriate development within the Green Belt however Officers consider that given the extant consent on the site and the limited changes proposed, that the proposal would result in a limited impact on the openness or visual amenity of the Green Belt. The site is already in an industrial use with permitted built structures within which the proposed waste use would operate. Officers consider that there are factors which amount to very special circumstances which clearly outweigh the harm due to inappropriateness and any other harm such that an exception to policy can be made.

Officers are satisfied that subject to the suggested conditions, the proposal would not give rise to adverse impacts in terms of noise on the surrounding neighbouring residents. Officers also consider that subject to conditions the proposal would not result in an adverse impact in terms of dust, odour or traffic movements.

The recommendation is PERMIT subject to conditions.

APPLICATION DETAILS

Applicant

Full Circle Recycling

Date application valid

29 July 2010

Period for Determination

28 October 2010

Amending Documents

Letter from Capita Symonds dated 06 October 2010

SUMMARY OF PLANNING ISSUES

This section identifies and summarises the main planning issues in the report. The full text should be considered before the meeting.

	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
Green Belt	No	22 – 31
Amenity and Environment	Yes	32 – 47
Highways and Traffic	Yes	48 - 50

ILLUSTRATIVE MATERIAL

Site Plan

Plan

Aerial Photographs

Aerial

Site Photographs

Figure 1: View of existing workshop building facing east

Figure 2: View of existing workshop building facing east

Figure 3: Site office (Penrhyn Bungalow) with site entrance facing south

Figure 4: Site entrance facing north

Figure 5: Shared access from Guildford Road facing north

Figure 6: Shared access with application building in the background facing north

Figure 7: View of rear of Sanitrox site taken from Normandy Auto Salvage facing west

BACKGROUND

Site Description

1. The 0.3ha application site is situated in a rural location within the Metropolitan Green Belt. It lies to the east of the A323 (Guildford Road), to the east of Normandy, and is located between the towns of Woking (located approximately 9.7kms to the north-east), Guildford (located approximately 8.4kms to the southeast) and Aldershot (located approximately 6.4kms to the southwest of the site). The site is accessed off a private access road leading onto Guildford Road. This access also serves Aldershot Car Spares. To the north of the site are open agricultural fields, to the west is Guildford Road with open fields beyond, to the south is the access road serving the site, with Chapel Farm Cottage beyond (served by a different access). To the east of the site is a scrap yard operated by Aldershot Car Spares with Chapel Farm Residential Mobile Home Park located beyond this and also to the south of the site.
2. The surrounding countryside does not have any landscape designation but the Pirbright Ranges Special Area of Conservation, Special Protection Area and Site of Special Scientific Interest lie some 1200m to the north and west and between them and the application site are two Sites of Nature Conservation Interest some 400 - 500m away.

Planning History

3. A Certificate of Lawfulness for an Existing Use or Development was issued by Guildford Borough Council (GBC) in July 1971 (ref: GU/R457/5/71Nor). The land was certified for use as/for:
 1. Storage and breaking up scrap motor vehicles;
 2. Storage and repair (including body repairs) to motor vehicles;
 3. Timber merchants business including the manufacture fencing, portable buildings, car and farm trailers and the retailing of timber.
4. Only the first and second uses are still relevant to the application site. At the time of issue approximately one third of the application site was being used for residential purposes (Penrhyn bungalow).
5. In December 1987 planning permission ref: 86/P/00030 was issued by GBC for the erection of new workshop for hire vehicle maintenance with restroom and offices for Sanitrix Ltd. In January 1996 planning permission ref: 95/P/01519 was issued by GBC to extend the existing workshop used for service and repair of heavy goods vehicles. In October 1996 planning permission ref: 96/P/01021 was issued by GBC for a change of use of the Penrhyn bungalow from a residential use to an office use (B1).
6. In March 2010 planning permission ref: GU09/2057 was granted for the use of the application site as a materials recovery facility for the receipt and processing of up to 30,000 tonnes per annum of non-hazardous skip wastes with alterations to the existing workshop including raising the roof height of the lower part of the building to match that of the higher part, replacement of two smaller workshop roller shutter doors with taller versions to match the existing taller doors, removal of the two centre roller shutters replaced with walling to match existing elevation, erection of an acoustic screen attached to the western elevation of the workshop, installation of waste processing plant within the workshop, two bays formed from precast concrete section walls, the provision of a weighbridge, the resurfacing of external areas and the installation of a sealed drainage system and the maintenance of Full Circle and Associates' vehicles within a single bay workshop, the storage of those vehicles and the storage of empty skips awaiting hire and erection of two 2.5m high acoustic barriers/fences. In August 2009 a similar application (Ref: GU09/1247) was withdrawn.

9. The applicant argues that with the wall in place and with the imposition of the suggested condition, the existing noise levels would not be exceeded when using fixed and mobile plant and machinery. The machinery proposed includes: a feed hopper, trommel screen, lights blower and cage, manual picking station, overband magnet, fines bay and hardcore bay. The mobile plant excepted to be a modern small wheel 360 materials handler with a waste grab.
10. The applicant also proposes to vary condition 5 of planning approval GU09/2057 in order to allow the storage of waste within the building as well as the covered bays (marked 'new fines bay' and 'new hardcore bay') on drawing CS/028312/B/PL/003 Rev B. Permission was granted to allow storage of waste within the building only. The applicant now proposes to store waste in the two storage bays which were granted planning permission under the previous application (GU09/2057) at either side of the main storage building. The covered bays would be used for the storage of inert wastes reclaimed from the incoming waste. The fines bay would contain waste materials below a certain size that pass through the trommel screen. The other bay will receive hard materials such as concrete and bricks. Both bays will be covered to prevent dust and prevent wetting. The applicant originally intended that these areas be used for storage purposes as they are an integral part of the mechanical waste separation process and are designed to receive certain fractions from the separation process.
11. It is not proposed to increase the amount of waste processed or increase the number of vehicle movements. All other terms of the original planning permission are to remain.

CONSULTATIONS AND PUBLICITY

District Council

- | | | |
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| 12. | Guildford Borough Council | Increase in activities on the site which may cause further harm to the openness of the Green Belt. Objections in respect to the impact on neighbouring amenity. |
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Consultees (Statutory and Non-Statutory)

- | | | |
|-----|---|---|
| 13. | The Environment Agency | Application deemed to be of low environmental risk or relates to conditions which were not recommended by the EA. |
| 14. | County Noise Consultant | If wall is to remain then satisfied that the appropriate noise limits of the Guidelines should be complied with. |
| 15. | Environmental Health Officer, Guildford Borough Council | The presence of the boundary wall will have minimal impact on the noise at Chapel Farm Cottage and noise from the facility will |

impact on nearby residential properties. Procedures need to be in place which specify how compliance with levels is to be confirmed. Noise levels in replacement condition difficult to enforce. The storage of waste outside the building should be subject to dust control measures as specified in the Site Management System.

16. Environmental Consultant

Changes to the conditions will continue to provide control of dusts and odour to a level causing no significant adverse effects subject to a formalised Site Management System, Dust Action Plan and appropriate planning conditions.

Parish/Town Council and Amenity Groups

17. Normandy Parish Council

Residential properties will be severely affected from noise pollution both by plant and increase in HGV vehicles. Additional pollution by increased production. Dust pollution. Inappropriate for the increased activity in the Green Belt.

Summary of publicity undertaken and key issues raised by public

18. The application was publicised by the posting of 2 site notices and an advert was placed in the local newspaper. A total of 68 of owner/occupiers of neighbouring properties were directly notified by letter. 8 letters of representation have been received raising the following objections:

- Intensify the use of the site would be detrimental to neighbouring residents and the surrounding area by production of higher volume of traffic, noise pollution, dust etc.
- Inappropriate development in the Green Belt
- Similar site less than a mile away on the same road
- Why is company not forced to demolish and remove unapproved buildings – Officer note: comments relate to Normandy Auto Salvage and not the application site
- Against non-rural development in the Green Belt
- To allow the expansions would seem that class mobile home residential parks as inferior housing
- Has the smell of the recycling plant been measured? Can sometimes be very ripe
- Proposal will exacerbate smell and vermin problems
- Extra noise, dust, pollution, lighting and vehicular movements close to residential area would greatly impact on people living close to development
- Object due to impact on infrastructure and the neighbourhood
- Does not accord with the provisions of the development plan in the area

- Development should be in an industrial area and roads and lanes not suitable for trucks
- Campaign to Protect Rural England (CPRE) do not agree with request to reduce conditions and for the site to handle and store waste. The planning reform places stronger emphasis on protection and enhancement of Green Belt and local decision-making. Site not detailed within the Surrey Waste Plan. Lead to further intensification of activity involving more HGV usage. Inappropriate in this location.

PLANNING CONSIDERATIONS

19. The County Council as Waste Planning Authority has a duty under Section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine this application in accordance with the development plan unless material considerations indicate otherwise.
20. It is also necessary to assess the application against any relevant policies and guidance set at the European and National levels. In this case the statutory development plan consists of the Surrey Waste Plan 2008 and the Guildford Borough Local Plan 2003.
21. The proposal raises a number of issues. The site is located in the Green Belt where the recycling of waste is inappropriate development, requiring very special circumstance to clearly outweigh the harm to the Green Belt and any other harm. The impact on local amenity with respect to visual amenity, noise and dust arising from the operations on the site, will all need to be considered; together with the traffic impact of the proposals on the road network.

GREEN BELT

National Guidance

Planning Policy Guidance 2 – Green Belts (PPG2)

Planning Policy Statement 10 – Planning for Sustainable Waste Management (PPS10)

Surrey Waste Plan 2008

Policy CW6 - Development in the Green Belt

Policy WD2 – Recycling, Storage, Transfer, Materials Recovery and Processing Facilities (Excluding Thermal Treatment)

Guildford Borough Local Plan 2003

Policy RE2 - Development Within the Green Belt

22. The Sanitrox site at Chapel Farm is located within the Metropolitan Green Belt. Government policy on Green Belt is set out in Planning Policy Guidance Note 2 (PPG2) 'Green Belts'. Paragraph 3.13 of PPG2 states that '*when re-development of land occurs in the Green Belt, it should as far as possible contribute to the achievement of the objectives for the use of land in Green Belts*'. The use of land should accord with the objectives set out in PPG2, that is, the provision to include the enhancement and retention of attractive landscapes, access to the open countryside and to secure nature conservation interests.
23. Paragraph 1.4 of the guidance outlines that the most important attribute of the Green Belt is its openness and states that "*the fundamental aim of Green Belt policy is to prevent urban sprawl through keeping land permanently open*" to ensure that development occurs in locations allocated in development plans. Paragraph 3.2 of the guidance note states that "*inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted*". There is a presumption against development other than for a small range of uses deemed to be compatible with the objectives of the Green Belt. Where a proposal does not fall within any of the categories of development, which can be considered appropriate in the Green Belt "*very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations*".

Waste related development is not a use within those considered appropriate and very special circumstances therefore need to be demonstrated.

24. Planning Policy Statement 10 (PPS10) 'Planning for Sustainable Waste management' forms part of the national waste management plan for the UK and sets out key planning objectives for sustainable waste management. With regard to the Green Belt all planning authorities should, to the extent appropriate to their responsibilities, prepare and deliver planning strategies that *“protect Green Belts but recognise the particular locational needs of some types of waste management facilities when defining detailed Green Belt boundaries and, in determining planning applications, that these locational needs, together with the wider environmental and economic benefits of sustainable waste management, are material considerations that should be given significant weight in determining whether proposals should be given planning permission.”*
25. Policy CW6 (Development in the Green Belt) of the Surrey Waste Plan 2008 contains a presumption against inappropriate waste related development in the Green Belt except in very special circumstances. Considerations that may contribute to very special circumstances are considered to be the lack of suitable non-Green Belt sites; the need to find locations well related to the source of waste arisings; the characteristics of the site; and, the wider environmental and economic benefits of sustainable waste management, including the need for a range of sites. Policy WD2 (Recycling, Storage, Transfer, Materials Recovery and Processing Facilities (Excluding Thermal Treatment)) deals specifically with these types of developments and states that development will be granted provided it meets the key development criteria and where very special circumstances can be demonstrated in accordance with the provisions of Policy CW6 for Development in the Green Belt.
26. Under Guildford Borough Local Plan 2003 Policy RE2 (Development within the Green Belt) states that planning permission will not be granted for inappropriate development which is, by definition, harmful to the Green Belt.
27. The immediate area around the development site contains a cluster of activities with three mobile home parks, an auto car yard and a farm business all located adjacent to one another. The wider setting is more typical of the rural open countryside of Surrey.

Very Special Circumstances

28. It is for the applicant to demonstrate that very special circumstances exist which outweigh the harm caused to the Green Belt and any other harm. The Surrey Waste Plan 2008 recognises that the County has limited industrial and urban land which would be suitable for such development and states that in exceptional circumstances where there are sufficient very special circumstances, it may be possible to justify waste related development in the Green Belt.
29. There is extant planning permission on the site which was granted in March 2010 for a materials recovery facility for the receipt and processing of up to 30,000 tonnes of non-hazardous skip waste (Ref: GU09/2057). Therefore the principle of the development has already been established on this site for some form of waste related activity. Under this previous application, factors were put forward that were accepted as very special circumstances. Officers considered that there was a demonstrable need for the development and that the survey of alternative sites undertaken by the applicant demonstrated that the application site was the most appropriate site in terms of the size and location. The site is already in an industrial use with permitted built structures within which the proposed waste use would operate. These matters have not changed.
30. This current application now seeks to remove 2 conditions to allow for the processing of waste by using fixed and mobile plant and machinery. It also proposes to vary condition

5 to allow for inert waste to be stored within the covered bays at either end of the building. The proposal does not involve a material change in use or an increase in the amount of waste that is processed. The proposal would also not result in the increase in the size of any of the buildings previously permitted with all other elements of the original application remaining unchanged. There would however be some limited additional loss of openness with the planning unit by virtue of the external handling and storage of waste.

31. The site is already in an industrial use with permitted built structures within which a waste use operates. The proposed changes would not intensify the use or increase activities on the site but would mean more activity takes place outside the building. Notwithstanding the additional impact on openness, Officers are satisfied that the matters put forward with regard to the extant permission remain valid and amount to Very Special Circumstances which would clearly outweigh the harm to the Green Belt and any other harm. The proposal would have no additional impact on the visual amenities of the Green Belt compared with the extant permitted use.

AMENITY AND ENVIRONMENT

National Guidance

Planning Policy Statement 10 (PPS10) – Planning for Sustainable Waste Management

Planning Policy Guidance 24 (PPG24) – Planning and Noise

Surrey Waste Plan 2008

Policy DC3 – General Considerations

Guildford Borough Local Plan 2003

Policy G1(3) Protection of Amenities Enjoyed by Occupants of Buildings

Surrey County Council Guidelines for Noise Control Minerals and Waste Disposal 1994

32. Development Plan policies seek to protect the local environment and the amenities of local residents from the adverse affects of development. Policy DC3 (General Considerations) of the Surrey Waste Plan 2008 states that the visual and landscape impact of the development on the site and surrounding land including townscape, any adverse effects on neighbouring amenity including noise, vibration, dust, and transport impact, traffic generations, the suitability of the highway network in the vicinity and any adverse impacts on open spaces are all factors that must be considered in the determination of a planning proposal. Guildford Borough Local Plan 2003 Policy G1(3) (Protection of Amenities Enjoyed by Occupants of Buildings) seeks to protect occupants from unneighbourly development in terms of noise, vibration, pollution, dust and smell.
33. The waste related development issues relevant to the current application are visual impact, noise, dust and highways and traffic. These are considered below.

Visual Impact

34. Officers do not consider that the proposal would have visual impact implications beyond the immediate setting as the site is well screened in all directions. The site frontage (to Guildford Road) is bounded by tall Leylandii trees resulting in the site only being visible from certain angles to traffic travelling east. This thick screening is also found along the northern boundary. To the east the site is bordered by the adjoining car yard and to the south there is a tall hedgerow adjacent to the Penrhyn bungalow.
35. The nearest residential dwellings are located approximately 30m away to the southeast, with the adjoining vehicle car yard in the intervening space. There is no clear view of the proposal from the street scene or surrounding area given the considerable tree screening on the boundaries.
36. Officers consider that due to the existing development at the site, and the existing structures within the compound area, the proposal is not providing a new feature in the

landscape. It is the Officer's view that the visual amenity of this area would not be unacceptably impacted upon by this development.

Noise

37. Government guidance in the form of Planning Policy Statement 10 (PPS 10) (Planning for Sustainable Waste Management) states in paragraph 29 that waste planning authorities when considering planning applications for waste management facilities, should consider likely impacts on the local environment and on amenity, and refers to Annex E of the guidance. Within Annex E are a number of locational criteria, which it states waste management authorities should consider in determining the suitability of sites. Section j (Noise and vibration) within this annex states that *considerations will include the proximity to sensitive noise receptors...intermittent and sustained operating noise may be a problem if not kept to acceptable levels and particular if night time working is involved.*
38. In addition to the requirements of Surrey Waste Plan 2008 Policy DC3 (General Considerations) Surrey had produced 'Guidelines for Noise Control, Minerals and Waste Disposal, 1994' which set the standards that the County Council will expect from development to protect the surrounding area and the people living and working within it. These guidelines are applied to all minerals and waste applications.
39. The situation on this site has changed since the previous approval in March 2010 due to a recent appeal decision at Normandy Auto Salvage (Aldershot Car Spares). This appeal allowed the retention of an existing 3.2m wall on the eastern boundary between SanitruX and Normandy Autos. When assessing the previous application, it was not possible for the wall to be a material consideration as it did not have planning permission which is why more stringent conditions were placed on the previous decision in terms of the processing the waste. Now that the boundary wall is lawful, it can be taken into consideration when assessing the impact of the development at SanitruX on the neighbouring dwellings.
40. The Environmental Health Officer (EHO) at Guildford Borough Council along with a number of neighbouring residents have raised concern in terms of the noise impacts as a result of the proposed development. The EHO considers that the presence of the boundary wall will have minimal impact on the noise climate at Chapel Farm. The County Noise Consultant (CNC) has been consulted on the application and advises that with the 3.2m wall at Normandy Auto Salvage remaining, the predicted noise levels just meet the required limit.
41. The CNC advises that when a noise barrier is too far from the source it becomes less effective until at midway between the source and receptor it is least effective. The wall is very close to the receptor which can be equally effective as being close to the source. The wall is 3.5m high and reaches to just above the top of the mobile homes windows. The predictions showed that the wall was effective in reducing noise and should give a little more than 5dBA reduction. The noise levels at Chapel Farm would be higher as a result of the influence of the traffic noise and the pre-existing noise is also higher. The CNC advises that if the wall remains, he is satisfied that the appropriate noise limits of the guidelines should be complied with and he agrees with the proposed wording of the condition and advises that the wall is an effective barrier so far as the mobile homes are concerned.
42. Officers are aware that the wall is not located within the application site. However, the proposed condition would ensure that should acceptable noise levels be exceeded or the wall removed, the activity causing the breach would be required to cease operating immediately. This would protect the surrounding properties should the wall be removed in the future.

43. Given the above and from the advice of the Noise Consultant, Officers are satisfied that the proposed conditions and the processing of waste by the use of fixed and mobile plant and machinery within the building would be acceptable and would not result in any further adverse impact to the neighbouring properties amenities.

Dust and Odour

44. The dust assessment submitted with the previous application still applies as do the proposed mitigation measures. These are detailed below as taken from the previous application:
- *A concrete wall which has been constructed along the eastern boundary of the site with the vehicle scrap yard*
 - *Construction of a 2.5m acoustic barrier along the southern boundary of the site (adjacent to Chapel Farm Cottage, the closest residential receptor)*
 - *The location of the waste reception zone and processing plant within the envelope of a building*
 - *A hard surfaced internal paved area and external paving, which will be swept to prevent the generation of dust by vehicle movements*
 - *Vinyl finger curtains be used to provide enclosure during operational hours; and*
 - *Where processed waste is required to be stored outside of the main building, it will only be stored in bins, sheeted/covered where appropriate*
45. The dust assessment states that there will be an internal dust suppression system which can be used to provide additional mitigation when required. The previous application stated that the site is likely to include a Spectrum Pacific dust or odour control system. The County Environmental Consultant recommends that the use of this system should be restricted to providing additional temporary dust/odour control during abnormally dusty or odorous episodes only and reliance should not be placed on this control technique.
46. Additional dust mitigation measures including site management techniques, wetting and washing techniques, direct clean-up, barrier techniques and monitoring, have been included and are recommended to be included in the Site Management System (SMS) which will be required as part of the Environmental Permit under the Environmental Permitting Regulations (EPR).
47. The Air Quality Consultant advises that the Air Quality and Noise Preliminary Assessment submitted with the previous application, considered mitigation measures which would be adopted for the storage of processed waste outside of the main building and the effects of dust and odour at the nearest sensitive receptors. The consultant expects that the proposal and changes to the conditions will continue to provide control of dusts and odour to a level causing no significant adverse effects. The consultant recommends that a Dust Action Plan is adopted as part of the Site Management System which should be agreed by the County Planning Authority. They also advise that the implementation of specific control and mitigation measures are ensured by incorporating them into planning conditions. Subject to this and the imposition of conditions, Officers consider that the proposal would not result in adverse impacts in terms of dust or odour emissions.

HIGHWAYS AND TRAFFIC

National Guidance

Planning Policy Guidance 13 (PPG13) - Transport

Surrey Waste Plan 2008

Policy DC3 – General Considerations

Guildford Borough Local Plan 2003

Policy G1 (2) Transport Provision, Access, Highway Layout and Capacity

48. Government Policy on transport is set out in Planning Policy Guidance Note 13 (PPG13) (Transport). The objectives of this policy are to integrate planning and transport at national, regional, strategic and local level to promote more sustainable choices both for carrying people and for moving freight.
49. Surrey Waste Plan 2008 Policy DC3 (General Considerations) advises that traffic generation, access and suitability of the highway networks in the vicinity including access to and from the highway need to be addressed and not have adverse effects on the surrounding area. Policy G1(2) (Transport Provision, Access, Highway Layout and Capacity) of the Guildford Borough Local Plan 2003 states that satisfactory access and highway layout is to be provided and the traffic generated by the development is to be compatible with the local road network. Where appropriate, the development will be expected to pay for, or contribute towards, improvements to the highway network to meet highway standards.
50. The proposal would not alter or increase the approved vehicular movements and would not result in any greater impact than currently existing. As such the proposal would accord with development plan policy in this regard.

HUMAN RIGHTS IMPLICATIONS

51. The Human Rights Act Guidance for Interpretation, contained in the Preamble to the Agenda is expressly incorporated into this report and must be read in conjunction with the following paragraph.
52. In this case, it is the Officer's view that the scale of any impact is not considered sufficient to engage Article 8 or Article 1 of Protocol 1 and any impact can be mitigated by conditions. As such, this proposal is not considered to interfere with any Convention right.

CONCLUSION

53. The proposal would constitute inappropriate development within the Green Belt however Officer's consider that given the extant consent on the site and the limited changes proposed, that the proposal would result in only a limited additional impact on the openness of the Green Belt. The site is already in an industrial use with permitted built structures within which the waste use operates. Officer's therefore conclude that there are factors which amount to very special circumstances which clearly outweigh the harm due to inappropriateness and any other harm such that an exception to policy can be made.
54. Officer's are satisfied that the proposed changes to the conditions would still ensure strict control over the development even with the inclusion of processing by mobile and fixed plant and machinery. The proposal should not give rise to adverse impacts in terms of noise to the surrounding neighbouring residents given the proposed conditions and presence of the boundary wall at Normandy Auto Salvage. Officer's also consider that subject to conditions the proposal would not result in an adverse impact in terms of dust, odour or traffic movements.

RECOMMENDATION

The recommendation is PERMIT subject to conditions.

Conditions:

has been submitted to and approved in writing by the County Planning Authority. Only the approved details of the statement hereby approved shall be implemented during the construction period.

8. No authorised operations or activities shall be carried out, and no lights illuminated, except between the following times:

0730-1800 Mondays to Fridays
0730-1300 Saturdays

Neither shall any servicing, maintenance or testing of plant be carried out between 1800 and 0730 hours nor shall any other operation or activity take place on a Sunday or any public holiday.

9. No construction operations or activities authorised or required by this permission shall be carried out except between the following times:

0730 - 1700 hours Mondays to Fridays excluding Public Holidays
0730 - 1300 hours Saturdays

There shall be no construction working on Sundays or Public Holidays.

10. All loads entering and leaving the application site shall be sheeted.
11. Notwithstanding any provision to the contrary under Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent Order, no plant, building or machinery whether fixed or moveable other than that specifically outlined by this decision shall be erected on the application site external to the materials recovery/recycling building without the prior written approval of the County Planning Authority in respect their siting, design, specification and appearance of the installation, such details to include the predicted levels of noise emission and their tonal characteristics of any plant or machinery.
12. No flood lighting or any form of external lighting, including security lighting other than that explicitly approved by this permission, shall be installed on the site without the prior written approval of the County Planning Authority.
13. Prior to the commencement of the development hereby permitted, a Dust Action Plan for the development hereby permitted shall be submitted to and approved in writing by the County Planning Authority. The Dust Action Plan shall specify appropriate additional procedures, including control and mitigation measures and modifications to site operations, to manage dust emissions taking account of: actual and forecast meteorological conditions such as rainfall, wind direction and wind speed; and routine visual observations of dust emissions. The Dust Action Plan shall specify procedures, to investigate and take appropriate action on any: exceedence of agreed trigger levels related to the risk factors described in Minerals Policy Statement 2 Annex 1 Dust; any elevated levels from routine visual checks on site of fugitive dust emissions from the process; or receipt of complaints of dust nuisance.
14. The Dust Action Plan shall be implemented in accordance with the details approved pursuant to Condition 13 above.
15. The dust mitigation measures outlined in paragraphs 2.4.9 - 2.4.37 of the planning statement submitted with application GU09/2057 shall be undertaken and adhered to on the commencement of the development hereby permitted.

16. The odour mitigation measures outlined in paragraphs 2.4.38 - 2.4.45 of the planning statement submitted with application GU09/2057 shall be undertaken and adhered to on the commencement of the development hereby permitted.

Reasons:

1. To comply with Section 91 (1)(a) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and in the interests of proper planning.
3. In the interests of residential amenity in accordance with Policy G1(3) of the Guildford Borough Local Plan 2003 and Policy DC3 of the Surrey Waste Plan 2008.
4. In the interests of residential amenity in accordance with Policy G1(3) of the Guildford Borough Local Plan 2003 and Policy DC3 of the Surrey Waste Plan 2008.
5. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy G1(2) of the Guildford Borough Local Plan 2003 and Policy DC3 of the Surrey Waste Plan 2008.
6. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy G1(2) of the Guildford Borough Local Plan 2003 and Policy DC3 of the Surrey Waste Plan 2008.
7. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy G1(2) of the Guildford Borough Local Plan 2003 and Policy DC3 of the Surrey Waste Plan 2008.
8. To safeguard the environment and local amenity in accordance with Surrey Waste Plan 2008 Policy DC3.
9. To safeguard the environment and local amenity in accordance with Surrey Waste Plan 2008 Policy DC3.
10. In the interests of local amenity and to accord with Surrey Waste Plan 2008 Policy DC3.
11. To enable the County Planning Authority to exercise control over the development and to minimise its impact on the amenities of the local area, and local environment in accordance with Surrey Waste Plan 2008 Policy DC3.
12. To reduce the impact on visual amenities of the locality to comply with Surrey Waste Plan 2008 Policy DC3.
13. In the interests of local amenity and to comply with Surrey Waste Plan 2008 Policy DC3.
14. To allow a review of the effectiveness of control mechanisms and allow necessary action to be taken if the dust mitigation practices need to be modified in accordance with Surrey Waste Plan 2008 Policy DC3.
15. In the interests of local amenity and to comply with Surrey Waste Plan 2008 Policy DC3.
16. In the interests of local amenity and to comply with Surrey Waste Plan 2008 Policy DC3.

Informatives:

1. 1. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Control Division of Surrey County Council.

2. 2. The permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license must be obtained from the Highway Authority Local Transportation Service before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
3. 3. The applicant is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.

**THE TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE)
(ENGLAND) (AMENDMENT) ORDER 2003**

Reasons for the grant of planning permission and development plan policies/proposals relevant to the decision.

The reasons for the grant of planning permission are as follows:

- 1 The development does not accord with policy CW6 of the Surrey Waste Plan 2008 and policy RE2 of the Guildford Borough Local Plan 2003 however the very special circumstances of this proposal outweigh these policy constraints in the development plan and there are no material considerations which indicate otherwise;
- 2 it is considered that the development will provide the following benefits; a waste handling facility where there is a demonstrable need; and
- 3 any other harm can be adequately mitigated by the measures proposed in the application and the conditions subject to which planning permission is granted.

The proposal has been considered against the following development plan policies/ provisions:

Surrey Waste Plan 2008:

Policy CW6 - Development in the Green Belt

**Policy WD2 – Recycling, Storage, Transfer, Materials Recovery and Processing Facilities
(Excluding Thermal Treatment)**

Policy DC3 – General Considerations

Guildford Borough Local Plan 2003:

Policy RE2 - Development Within the Green Belt

Policy G1(3) Protection of Amenities Enjoyed by Occupants of Buildings

Policy G1 (2) Transport Provision, Access, Highway Layout and Capacity

CONTACT

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BACKGROUND PAPERS

The deposited application documents and plans, including those amending or clarifying the proposal, responses to consultations and representations received as referred to in the report and included in the application file and the following:

Government Guidance

Planning Policy Guidance 2 – Green Belts (PPG2)

Planning Policy Guidance 13 (PPG13) - Transport

Planning Policy Statement 10 (PPS10) – Planning for Sustainable Waste Management

Planning Policy Guidance 24 (PPG24) – Planning and Noise

The Development Plan

The Surrey Waste Plan 2008

The Guildford Borough Local Plan 2003
