

TO: PLANNING & REGULATORY COMMITTEE **DATE:** 18 NOVEMBER 2014
BY: PLANNING DEVELOPMENT CONTROL TEAM
 MANAGER
DISTRICT(S) MOLE VALLEY DISTRICT COUNCIL **ELECTORAL DIVISION(S):**
 Leatherhead & Fetcham East
 Mr. Hall

PURPOSE: FOR DECISION **GRID REF:** 515466 158272

TITLE: WASTE APPLICATION REF. MO/2014/0069/SCC

SUMMARY REPORT

Pachesham Golf Centre, Oaklawn Road, Leatherhead, Surrey, KT22 0BP

The importation, deposit and engineering of 127,520 tonnes (79,000m³) of Environment Agency approved inert waste materials on 4.52ha of land so as to: remodel the existing driving range outfield; create a 3,500m³ irrigation storage pond as part of a strategy to improve the quality of the facility and provide rainwater harvesting scheme; reshape the existing banking around the proposed irrigation pond; and form a new bunker and tee complex with associated ecological improvements over a period of 12 - 24 months and involving 18,217 HGV movements.

The application site is located on land designated Metropolitan Green Belt and within the district of Mole Valley in close proximity to Leatherhead and Fetcham. It is situated immediately south of the M25 motorway and east of the A245 Randalls Road/Woodlands Road where it meets the junction of Oaklawn Road from which the golf centre is accessed. Oaklawn Road connects to the A244 Oxshott Road to the north which in turn connects to junction 9 of the M25 motorway.

The application site is characterised by intensively managed common golf course features including vehicle parking; tees; a practice range; fairways and semi-rough areas with some 'out-of-play' long grasses, scrub and trees; amenity grassland with occasional shrub areas, young plantation trees; and hedgerows. It also includes a former shooting range located on the eastern boundary of the golf centre.

Teazles Wood Site of Nature Conservation Importance, which includes a stand of Ancient Semi Natural Woodland, bounds the application site to the north and east. The site is not within or adjacent to a Conservation Area nor are there any Listed Buildings within close proximity. There are no special landscape designations applicable to the area nor do any public rights of way cross the golf centre or application site. It does however lie within an area of archaeological potential with at least one nearby Iron Age/Romano-British settlement. The application site is located on land with the lowest probability of flooding.

The proposed development would involve the importation, deposit and engineering of 79,000m³ inert waste materials on 4.52ha of land so as to: remodel the existing driving range outfield; create a 3,500m³ irrigation storage pond; reshape the existing banking around the proposed irrigation pond; and form a new bunker and tee complex with associated ecological improvements over a period of 12 - 24 months and involving 18,217 HGV movements. The development would also include a new temporary construction vehicle access off Oaklawn Road.

Possible harms arising from the proposed development in the form of waste management; traffic; noise; dust; landscape and visual amenity; flooding; ecology and biodiversity; and heritage assets have been discussed in detail in their respective sections of this report. Officers consider that any harm arising from the development in these respects can be adequately mitigated and compensated for by the imposition of planning conditions on any planning permission granted. Similarly, no statutory or technical consultees have objected to the proposal.

So as to restore the application site following completion of engineering operations the applicant is proposing to plant 3,503 woodland tree and shrub species, 182 linear metres of hedgerow comprising 1,271 hedgerow tree and shrub species, 460 wetland plant species, and a range of grasses and wildflowers over some 4,234m² in total. The afteruse of the application site would remain as outdoor recreational and leisure in the form of a golf centre. The golf centre would remain open to the public during the course of the development.

Although Officers acknowledge that the development seeks to enhance an existing outdoor sport and leisure land use and improve derelict land, the nature and scale of the development would not preserve the openness of the Green Belt. This adverse impact would be compounded by the movement and operation of HGVs, plant and machinery where previously there were none. However, Officers consider that this adverse impact would be limited to the duration of the works which would last a maximum of 24 months following which the land would be restored and the openness of the Green Belt fully restored in the context of the existing land use. Officers do not consider that the restored application site would adversely affect the openness of the Green Belt despite its modified contours. Whilst the proposed improvements may give rise to increased levels of activity at the golf centre, Officers do not consider that this would amount to intensification of the land use such that there would be any material change in use or any significant loss in openness.

Officers consider that there is a clear need to provide sustainable waste management facilities in Surrey. In this respect the proposal would facilitate the sustainable management of construction, demolition and excavation waste arising in the County and from London in such a way that it achieves a substantial improvement in the quality of the application site. This substantial improvement would bring about wider qualitative and operational benefits. Having regard to the development's limited impact on openness, and considering the absence of significant adverse environmental or amenity effects, it is concluded that the harm arising out of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the grant of planning permission subject to conditions.

The recommendation is to GRANT planning permission Ref. MO/2014/0069 subject to conditions.

APPLICATION DETAILS

Applicant

Pachesham Golf Centre

Date application valid

23 December 2013

Period for Determination

25 November 2014

Amending Documents

Letter dated 26 February 2014 from Weller Designs Ltd.
Letter dated 15 May 2014 from Weller Designs Ltd.
Planning Statement Version 4 dated 15 May 2014
Design and Access Statement Version 4 dated 15 May 2014
Landscape Management Plan Version 2 dated April 2014
Email dated 6 June 2014 from Weller Designs Ltd.
Pachesham Park Waste Statement Revision 4 dated 23 May 2014
Heritage Assessment dated October 2013 (addendum)
Extended Phase 1 Habitat and Protected Species Survey Addendum dated 28 July 2014
Drawing Ref. G18966/SK1 Construction Access dated April 2014
Drawing Ref. G18966/SK2 Proposed and Existing Access with Proposed Signage dated 16 April 2014 (information)
Drawing Ref. G18966/SK2 Proposed and Existing Access with Proposed Signage dated 16 April 2014 (preliminary)
Drawing Ref. Track Plot 1 Left Turn In – Based on Existing Access date stamped 22 May 2014
Drawing Ref. Track Plot 5 Right Turn Out of Course Heading North date stamped 22 May 2014
Drawing Ref. 100.02 Revision B Proposed Grading Works dated 15 May 2014
Drawing Ref. 100.03 Revision B Landscape Plan dated 15 May 2014
Drawing Ref. 100.04 Revision B Cross Sections dated 15 May 2014
Drawing Ref. 100.05 Revision B Proposed Clearing/Transplanting Plan dated 15 April 2014
Drawing Ref. 100.06 Revision B Contractors Details Plan dated 15 May 2014
Drawing Ref. 100.07 Revision B Application Site Plan dated 15 May 2014
Drawing Ref. 100.08 Revision A Phasing Plan and Course Layout During Construction dated 15 May 2014
Email dated 16 June 2014 from Weller Designs Ltd.
Drawing Ref. 100.20 Final Grading Plan – Contours Only dated 27 July 2014
Drawing Ref. 100.03 Revision C Landscape Plan dated 27 July 2014
Drawing Ref. 100.04 Revision C Cross Sections dated 27 July 2014
Environment Agency, West Thames, SE Region Surface Water Pro Forma dated 17 February 2014
Drawing Ref. G18966/SK2A Proposed and Existing Access with Proposed Signs dated 16 April 2014
Letter dated 3 September 2014 from Environmental Business Solutions
Extended Phase 1 Habitat and Protected Species Survey dated 17 December 2012
Letter dated 29 October 2014 from Environmental Business Solutions
Email dated 30 October 2014 from Weller Designs Ltd.

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
Waste Management Considerations	Yes	89 - 154
Highways, Traffic and Access	Yes	155 - 175
Air Quality	Yes	176 - 187
Noise	Yes	188 - 201
Visual and Landscape Impacts	Yes	202 - 217
Ecology and Biodiversity	Yes	239 - 260
Heritage Assets	Yes	261 - 271
Metropolitan Green Belt	No	272 - 300

ILLUSTRATIVE MATERIAL

Site Plan

Figure 12 : Drawing Ref. 100.02 Rev B Proposed Grading Works dated 15 May 2014
Figure 13 : Drawing Ref. 100.03 Revision C Landscape Plan dated 27 July 2014
Figure 14 : Drawing Ref. 100.04 Revision C Cross Sections dated 27 July 2014
Figure 15 : Drawing Ref. 100.05 Revision B Proposed Clearing/Transplanting Plan dated 15 April 2014
Figure 16 : Drawing Ref. 100.06 Revision B Contractors Details Plan dated 15 May 2014
Figure 17 : Drawing Ref. G18966/SK2A Proposed and Existing Access with Proposed Signs dated 16 April 2014

Aerial Photographs

Aerial 1 – Pachesham Golf Centre
Aerial 2 – Pachesham Golf Centre

Site Photographs

Figure 1 : Existing Access to Golf Centre
Figure 2 : Approximate location of proposed temporary access
Figure 3 : Proposed temporary access point
Figure 4 : Existing track and wire fence adjacent to driving range
Figure 5 : Fairway of hole 1
Figure 6 : Tree complex of hole 3
Figure 7 : South-eastern toe of disused shooting range
Figure 8 : SNCI adjacent to driving range
Figure 9 : Existing driving range
Figure 10 : Indicative condition of driving range outfield
Figure 11 : Indicative condition of disused shooting range

BACKGROUND

Site Description

1. Pachesham Park Golf Centre is located within the district of Mole Valley about 2km northwest of the centre of Leatherhead and some 2.5km to the northeast of the centre of Fetcham. It is situated immediately south of the M25 motorway and east of the A245 Randalls Road/Woodlands Road where it meets the junction of Oaklawn Road from which the golf centre is accessed. Oaklawn Road connects to the A244 Oxshott Road to the north which in turn connects to junction 9 of the M25 motorway.
2. The application site measures 4.52ha in total¹ and falls entirely within the confines of the golf centre. It is located within the Metropolitan Green Belt characterised by typical urban land uses on the fringes of southwest London. These land uses include dwellings, common recreational land, shopping centres, care homes, a sewage works and educational institutions.
3. The application site itself is characterised by intensively managed common golf course features including vehicle parking; tees; a practice range; fairways and semi-rough areas with some 'out-of-play' long grasses, scrub and trees; amenity grassland with occasional shrub areas, young plantation trees; and hedgerows. It also includes a former shooting range located on the eastern boundary of the golf centre. This feature comprises raised bare earth and ruderal plant species. An established unmade track runs from the car park of the golf centre along the north-eastern boundary of the driving range providing vehicular access to the disused shooting range area. This track is segregated from the driving range by existing steel wire fencing.
4. The topography of the area in which the application site is situated is relatively flat with a shallow valley defining land to the southeast. The highest point of the application site is 46.6m Above Ordinance Datum ("AOD") in the northeast, on the raised artificial banking associated with the former shooting range, and the lowest point is 34m AOD in the northwest, at the foot of the driving range bays.
5. Teazles Wood Site of Nature Conservation Importance ("SNCI"), which is characterised by a mixture of oak and ash over hazel; maple; and hawthorn, bounds the application site to the north and east. This SNCI includes a stand of Ancient Semi Natural Woodland which is located approximately 170m from the eastern boundary of the application site.
6. Epsom and Ashted Commons Site of Special Scientific Importance ("SSSI"), which is owned and managed as a public open space by Epsom and Ewell Borough Council², is situated some 1.1km to the northwest of the application site. This SSSI is of archaeological interest; it supports a wide diversity of habitat types on the undulating terrain of London Clay; it carries four nationally rare invertebrates and several others which are uncommon in Surrey; and considering the range of habitats which make up the SSSI, it also promotes a rich community of breeding birds.

¹ The application site area equates to 16% of the total area of the golf centre

² Formally consulted about the proposal for this specific reason

7. The application site is not within or adjacent to a Conservation Area nor are there any Listed Buildings within close proximity. There are no special landscape designations applicable to the area nor do any public rights of way cross the golf centre or application site. It does however lie within an area of archaeological potential with at least one nearby Iron Age/Romano-British settlement. For this reason the proposed development may have an impact upon any surviving archaeological remains which may lie within the confines of the application site.
8. The application site is located within Flood Zone 1³. The nearest watercourse to the application site is a minor unnamed stream that flows via a culvert and ditches through the western half of the site. The nearest flood zones are the River Mole approximately 500 metres to the southwest and the River Rye approximately 500 metres to the southeast.
9. The nearest sensitive receptors to the application site are the dwelling of Hawthorn Court which lies about 160m to the west of the application site's western boundary, Padesham Equestrian Centre which is situated approximately 190m to the southwest, and the care home of Dorincourt which is located northeast of the application site's vehicular access off Oaklawn Road. Tyrwhitt House, another care home, is located some 400m to the north of the application site's vehicular access point whilst Queen Elizabeth's Training College is situated about 370m to the northeast of the application site beyond the M25 motorway.
10. There are a number of other land uses surrounding the golf course including: several dwellings, a sewage works and Brock Willow farm beyond A245 Woodlands Road at a distance of some 400 to 500m; West Hill School and Therfield School the nearest buildings of which are situated about 370 and 580m from the southernmost extent of the application site; and the Tesco superstore located about 400m from the eastern boundary of the application site beyond Teazles Wood.

Planning History

11. Mole Valley District Council ("the District Council") submits that the golf course has a long planning history as an established golf course since the late 1980's:

Reference	Description	Decision
MO/94/0564	<i>Retention of 2 existing illuminated signs each measuring 3.5m² at entrance of Golf Centre.</i>	Granted subject to conditions.
MO/94/1136	<i>Erection of 1 no. non-illuminated sign: a 'V' board, each side measuring 2.4m x 1.2m (2.8m² in area) on the corner of Woodlands Road and Oaklawn Road at a height of 3m above ground level.</i>	Granted subject to conditions.
MO/94/0252	<i>Construction of 4 No golf holes, incorporating tees, fairway and green, incidental landscaping and drainage works, creation of two pedestrian accesses onto Oaklawn Road, creating a larger 9 hole Padesham Golf Course.</i>	Granted subject to conditions.

³ Land with the lowest probability of flooding

MO/96/0686	<i>Display of non-illuminated 'V' board, each side being 3m² in area on corner of Woodlands Road and Oaklawn Road.</i>	Granted subject to conditions.
MO/98/1716	<i>Erection of a single storey building of approximately 64sqm to house an indoor video teaching facility.</i>	Granted subject to conditions.
MO/2000/1405	<i>Temporary retention of two mobile homes until the completion of the staff accommodation permitted under planning permission MO/88/1579.</i>	Granted subject to conditions.
MO/2000/1796	<i>Display of two illuminated signs at entrance to Golf Club.</i>	Granted subject to conditions.
MO/2004/0105	<i>Two storey extension to clubhouse building comprising machinery and equipment storage on ground floor and clubroom together with 2 No staff flats, on first floor. Revised design to unimplemented part of scheme permitted under MO/88/1579.</i>	Application withdrawn.
MO/2004/0911	<i>Two storey extension to clubhouse building comprising machinery & equipment storage and training room on ground floor together with 2 staff flats on first floor - revised design to unimplemented part of scheme permitted under MO/88/1579. Also, two storey extension to driving range, to provide reception, office and greenstaff accommodation. Revised design of scheme submitted under MO/04/0105.</i>	Granted subject to conditions.
MO/2008/0483	<i>Change of use of car park from leisure to leisure/business/office use between the hours of 7am and 8pm Monday to Friday for a period of 18 months.</i>	Granted subject to conditions.
MO/2008/1673	<i>Redesign of golf course (holes 3 and 4) and practice ground. Creation of irrigation lagoon on disused shooting range.</i>	Application withdrawn.

THE PROPOSAL

12. The importation, deposit and engineering of 127,520 tonnes (79,000m³) of Environment Agency approved inert waste materials⁴ on 4.52ha of land so as to: remodel the existing driving range outfield; create a 3,500m³ irrigation storage pond as part of a strategy to improve the quality of the facility and provide rainwater harvesting scheme; reshape the existing banking around the proposed irrigation pond; and form a new bunker and tee complex with associated ecological improvements over a period of 12 - 24 months and involving 18,217 HGV movements.

Driving Range Outfield Remodelling

13. The applicant explains that golf centre's driving range is an important part of the business which provides one of the most extensive golf practice and teaching facilities in Surrey. However, the quality of the driving range outfield is not considered to be commensurate with the remainder of the centre's facilities. The applicant considers that three aspects of the driving range outfield need to be addressed so as to improve the quality of the driving range outfield and therefore maintain the golf centre's standing within the surrounding market. These improvements would be undertaken on approximately two thirds of the driving range and comprise: (a) improvement of its drainage characteristics; (b) improvement of ball containment; and (c) creation of an exceptional target range outfield.
14. The applicant asserts that one of the most important aspects of running a successful driving range is to ensure that the outfield drains effectively all year round. Badly draining outfields result in balls sinking into the ground, otherwise known as 'plugging', and can lead to long periods throughout the year when ball collection is difficult if not impossible, often resulting in periods of closure or expensive and time consuming hand picking. The quality of the playing surface will also suffer with bare and muddy patches, puddles and periods when the grass cannot be cut. The quality of the presentation and upkeep of the outfield is very important to the golf centre in maintaining its popularity as a business. It is explained that whilst the front third of the range outfield drains reasonably well, the remainder does not. The golf course and driving range sit on heavy clay based soils and sub-soils which are prone to drainage problems during wet weather and throughout winter months. Consequently, the golf centre has an ongoing programme of tackling drainage concerns around the course and range with the application site being of particular and major concern.
15. Examples provided by the applicant in these respects is that between March and November 2013 the driving range was regularly closed beyond its 0900 hours opening time so that golf balls that had sunken into the clay could be retrieved by hand by staff who would start collecting at 0500 hours. It is estimated that some 20,000 golf balls could not be retrieved over this period due to them 'plugging' into the clay. The applicant submits that this is adversely affecting the sustainability of the golf centre in terms of a continual loss of revenue⁵; inconvenience of regular customers and students; ongoing cost of replacing golf balls; and extra staff costs. The applicant asserts that the ground conditions of the driving range did not recover satisfactorily over 2014 with large areas of uneven ground causing frequent damage to machinery and the collapse of the existing ground drainage.

⁴ It should be noted that the development proposed would require an Environmental Permit from the Environment Agency in order for it to proceed. Accordingly, should the development proceed in light of the grant of Environmental Permit, any waste materials imported would be approved by the Environment Agency by virtue of that permit

⁵ It is estimated that the drop in driving range income was between 15 – 18%

16. Further, the applicant states that the range is not long by modern standards and since its opening in 1989 advances in golf club technology has seen the average shot distance increase significantly. Consequently, an increasing number of balls are therefore reaching the end of the range up against the existing ball stopping netting. There have also been incidences where, with the wind direction from the northwest, balls have cleared the netting. This is presenting increasing issues with the efficiency of ball collection and safety. By introducing gentle banking to the rear of the driving range outfield in combination with existing ball stopping netting, the majority of practice balls would be contained in an area where ball harvesting machines can easily and efficiently collect them.
17. Accordingly, the applicant considers that the most practical and efficient approach to solving the drainage problems experienced would be to use a combination of remodelling of the driving range outfield to create more positive falls⁶ and the installation of sub-surface piped drainage towards sustainable natural drainage features. The applicant submits that the increased slope angle will generally improve the lateral migration of water towards swales to be located strategically across the outfield⁷. 'Gully pots' connected to the proposed drainage pipe network would then quickly and efficiently remove excess water to proposed rainfall harvesting sumps and/or the existing drainage ditch outlet point.
18. In combination with the proposed drainage improvements the proposed remodelling would also provide an opportunity to greatly enhance the practice experience of users of the range. The proposed remodelling works are also therefore intended to provide realistic targets and sand bunkers at key distances across the driving range outfield. Nine separate targets have been designed to mimic nine holes on a golf course with the different distances providing the user with a systematic approach to practicing or learning.
19. Currently the driving range is relatively flat, uninteresting and ascetically bland with three small targets. Its contours⁸ range from 35m AOD at the foot of the range bays in the west to 36m AOD in the middle rising to reach 40m AOD at its highest point in the west. The proposed contours would introduce a gentle and continual climb of height from 35m AOD at the foot of the range bays in the west to 39m AOD in the middle rising to 42m AOD at its highest point in the east. Gentle and flowing undulations would be focused around the 9 target and bunkers tapering down towards the north and south.
20. Drawings Ref. 100.02 Rev B – Proposed Grading Works dated 15 May 2014 and Ref. 100.04 Revision C Cross Sections dated 27 July 2014 illustrate the proposed remodelling works to the existing driving range outfield.

Water Storage Pond and Rainwater Harvesting Scheme

21. The applicant states that in the context of a broadly accepted process of global warming, golf course proprietors are all too aware of the growing concern over water supply and the potentially serious impact of restricted supply on the maintenance of their courses, especially in the south east of England. The applicant submits that the imposition of drought orders is likely to be a recurring situation in the future and water supply companies will have the power to prohibit the use of mains water (and other forms of supply) to irrigate golf courses.

⁶ Between 5% and 8%

⁷ North-eastern boundary and partly around the short game area

⁸ From west to east

22. In this context the applicant explains that the golf centre relies solely on the supply of mains potable water to maintain and enhance its existing facilities. The centre is permitted to take a maximum of 36m³ of water per day from the mains system. In order to sustain nine greens and tees at the lowest level of presentation before the grass dies 30m³ of water is required per day and further water is required for maintaining the driving range outfield during dry periods. However, it takes over 23 hours for the existing water storage tanks to recharge and therefore the full 36m³ of water is never available.
23. Accordingly, it is the applicant's contention that the golf centre's irrigation system is operating at its absolute limit with little reserve capacity to allow for period of low rainfall. Consequently, the golf centre resorts to a very selective approach in irrigating the course which ultimately impacts on the maintenance and quality of the facility and in turn the business as a whole.
24. Having regard to the above it is the applicant's intention to reduce the golf centre's dependency on potentially unreliable water supply by finding a more sustainable source and having a means by which to store that sustainable supply for irrigation purposes. The applicant asserts that by establishing an irrigation pond it would be possible for the golf centre to build up a body of sustainable water over the winter months which can then be used to irrigate the golf course during the dry summer months. Not only would this provide the golf centre with the necessary backup water to keep the course in good condition but it would also alleviate the pressures on the respective water company to provide summer mains supply of water to the local area.
25. As described in "Driving Range Outfield Remodelling" above, it is proposed that the remodelled driving range outfield is designed to capture excess rainfall runoff for use in the proposed irrigation system. Through the appropriate grading of the ground contours and the installation of subsurface drainage pipes, excess water would be directed toward temporary storage chambers to be situated toward the front of the driving range before being pumped to the proposed irrigation pond.
26. The irrigation pond is to be located to the north east of the application site on the disused shooting range. The applicant considers that a number of factors make this location ideal. The pond site would be on the highest part of the golf centre which means that it is not close to groundwater or online of any existing stream or ditch. The elevated location also means that supply of water to the proposed irrigation network can be gravity fed, thereby reducing the need for pumping whilst also improving water pressure to the network. The pond would also be partly enclosed by surrounding woodland thereby reducing the rate of evaporation during the summer months.
27. The pond is designed to store 3,500m³ of water which the applicant considers sufficient for the purposes of the golf centre. It would not be an ornamental pond and would have no bearing on the strategy of the golf centre in terms of its playing or teaching facilities. Accordingly, the pond and the surrounding area⁹ is proposed to be set aside as a wildlife haven.
28. The applicant also explains that the banking to the rear of the old shooting range has been progressively slumping to the southeast. This is evident from the current position of the tow of the banking which is now well beyond its original end point¹⁰. There are also a number of large cracks in the banking which indicate movement of the soil. The applicant stated that the instability of the banking was brought to attention of the golf centre three years ago¹¹ by the owner of the land¹² onto which the banking has slipped.

⁹ The general extent of the existing disused shooting range and its perimeter banking

¹⁰ The point at which the field boundary fence between the golf centre and the neighbouring land owners field meet

¹¹ Circa 2010

29. It is submitted that the instability of the bank has come about as a result of two factors: (a) its clay composition and (b) the severity of the slope as originally constructed¹³ which are inherently unstable. Accordingly, the proposal to establish a water storage pond includes the reshaping of the shooting range banking¹⁴ so as to provide stability and to form a more gently sloping bank which would be more visually attractive especially as the proposed planting matures.
30. The irrigation pond is illustrated on Drawings Ref. 100.02 Rev B – Proposed Grading Works dated 15 May 2014 and Ref. 100.04 Revision C Cross Sections dated 27 July 2014.

New Golf Course Features

31. Pachesham Golf Centre includes a 9-hole golf course. The proposed remodelling of the driving range outfield and the establishment of a water storage pond presents the applicant with an opportunity to improve some features relating to two existing golf course holes¹⁵. Holes 1, 2, 3 and 4 lie to the south and west of driving range outfield and the disused shooting range.
32. The peripheral banking associated with the re-shaping of the driving range outfield is proposed to be extended on toward the left edge of the first hole. The applicant asserts that this would significantly improve the aesthetics of the hole by framing the left side of the fairway. At present there is a large open space of amenity grass in front of the first tee which makes for a rather confusing and directionless opening hole. Accordingly, the gentle running of the banking down from the driving range outfield to the edge of the fairway, and the addition of a fairway bunker and tree planting, would greatly improve the aesthetics and playability of the first hole.
33. Similarly, the applicant explains that the banking running off the back of the remodelled driving range outfield provides an opportunity to create a new raised third tee complex¹⁶. It is explained that at present the existing tee complex is not high enough to enable a clear sight of the fairway landing area, which is located over a sharp drop. It is submitted that this does not only limit the aesthetics of the third hole but more importantly it does not allow a clear view of golfers up ahead from the teeing area. The applicant considers that this has safety implications with the potential for shots to be hit from the tee before those up ahead have moved out of range.
34. The proposed golf course features are illustrated on Drawing Ref. 100.02 Rev B – Proposed Grading Works dated 15 May 2014 and Ref. 100.04 Revision C Cross Sections dated 27 July 2014.

General

35. The proposed engineering works would require the alteration of existing ground levels by an average of 1.5m in height with the highest being up to 4m in one area at the proposed water storage pond. This maximum height is influenced by existing topography of the disused shooting range and the requirements of the design of the pond. In the interests of maintenance no bank would in general exceed 1 in 3 with the majority of slopes being between 1 in 5 and 1 in 6.

¹² From whom Pachesham Golf Centre lease the land

¹³ 1 in 1 and 1 in 2 angles

¹⁴ 1 in 5 to 1 in 12 angles

¹⁵ Holes 1 and 3

¹⁶ To be raised by about 3m in height

36. Some vegetation clearance would be required in order to facilitate the development. Drawing Ref. 100.05 Rev B – Proposed Clearing/Transplanting Plan dated 15 April 2014 illustrates the areas of proposed clearing. Vegetation clearing is required between the left edge of the third hole and the banking of the disused shooting range. Those trees of a suitable size would be transplanted to new locations around the golf course. A small area of scrub¹⁷ would need to be removed for the proposed temporary construction egress point off Oaklawn Road. In respect of the works proposed for the driving range outfield a section of broken hedgerow along with a section of laylandii would be removed.
37. A new temporary construction vehicle access point off Oaklawn Road is proposed as part of the development upon the advice of the County Highway Authority. Details of this temporary access are illustrated on Drawing Ref. G18966/SK2 Proposed and Existing Access with Proposed Signage dated 16 April 2014 (information). Upon completion of the development this temporary access would be removed and the area replanted with native species¹⁸.
38. The proposal would involve the movement of about 18,220 HGVs to and from the application site which equates to 9,110 HGV loads over the course of 12 to 24 months. These HGV movements would be associated with the importation of 79,000m³ of inert waste material. An additional 20 HGV movements would take place in respect of the delivery of construction materials¹⁹.
39. The development would involve the use of 1 x dozer, 1 x dump truck, 1 x mini digger, 1 x tractor, and 1 x back actor²⁰. A wheel-spinner with wheel-bath would also be located on site so as to keep the public highway clean, and the occasional use of a road sweeper would be employed. Additionally, four areas within the application site would be used to temporarily store soil²¹ to be used in the engineering works proposed.
40. The applicant also proposes to establish a temporary and secure fenced “contractors compound” for the duration of the development. This compound would include a portacabin for office facilities; an incidental waste storage area; vehicle parking for staff; a bunded fuel storage area; and a portacabin for mess facilities. The details of this compound are shown on Drawing Ref. 100.06 Revision B Contractors Details Plan dated 15 May 2014.
41. Temporary fencing²² would be erected around existing vegetation to afford protection from construction works. Where the haulage routes within the application site come close to pedestrian areas a system of traffic calming measures would be put in place including warning signs for both lorry operatives and members of the public and the temporary erection of Heras fencing.
42. During the development the golf centre would remain open to the public. For a limited time it would be necessary to play hole 1 from a temporary forward tee while heavy machinery is operated to the left of the hole. Similarly, whilst heavy machinery is operating behind the greens of holes 2 and 4, temporary greens would be provided for a short period. Hole 3 would need to be played from a forward tee whilst its new complex is being built. The front of the driving range outfield would remain operational albeit that a temporary net would be installed at a distance of about 70m from the covered bays.

¹⁷ Predominantly blackthorn and hawthorn

¹⁸ Hawthorn, blackthorn, field maple, holly, dog rose

¹⁹ E.g. drainage pipe, rootzone sand, seed, irrigation pipe, pumps, plants, and lagoon liner

²⁰ Plant which includes an excavation bucket

²¹ Up to 2m in height

²² Typical 2m high Heras fencing

- 43. In addition to the inclusion of perimeter shelving and undulations in the pond base which are designed to provide a range of aquatic and marginal habitats, the area surrounding the pond would be given over to native shrub and tree planting²³ which would ultimately act as a buffer between the golf centre and the existing woodland to the north and east. Interspersed within these areas would be glades of grassland and wildflower planting designed to encourage insect and reptile species and habitats.
- 44. In total the applicant is proposing to plant 3,503 woodland tree and shrub species²⁴, 182 linear metres of hedgerow comprising 1,271 hedgerow tree and shrub species²⁵, 460 wetland plant species²⁶, and a range of grasses and wildflowers²⁷ over some 4,234m² in total. These enhancements are shown on Drawing Ref. 100.03 Revision C Landscape Plan dated 27 July 2014.
- 45. The applicant has submitted a 15 year Landscape Management Plan which seeks not only to protect existing and proposed landscape features but also enhance them through management of their transition over the longer term with the objective of increasing biodiversity of the golf centre. This plan is focused on: (1) existing and proposed grasslands; (2) the proposed water storage pond and its margins; (3) existing ponds; (4) new tree and shrub plantations; (5) existing woodland; (6) existing and proposed hedgerows; and (7) golf course features.
- 46. The proposal includes a 15m standoff area (buffer zone) between the application site where the development is to take place and the boundary of Teazle Wood SNCI in accordance with advice from the Natural England and the County’s Ecologist.
- 47. The proposed development will be required to be managed and controlled in accordance with the requirements of the Environment Agency²⁸.

CONSULTATIONS AND PUBLICITY

Consultees (Statutory and Non-Statutory)

- 48. Mole Valley District Council - No objection subject to conditions
- 49. Epsom and Ewell Borough Council - No objection
- 50. The Environment Agency - No objection
- 51. County Highway Authority - No objection subject to conditions
- 52. County Noise Consultant - No objection
- 53. County Planning Policy Manager - No objection
- 54. County Air Quality Consultant - No objection

²³ With the exception of ash species due to ash dieback disease

²⁴ Oak, aspen, field maple, hazel, hawthorn, blackthorn, holly, dog rose

²⁵ Hawthorn, blackthorn, hazel, field maple, holly, dog wood

²⁶ Sweet flag, flowering rush, bog arum, marsh marigold, meadow sweet, yellow flag iris, water violet, brooklime

²⁷ Fine-leaved sheeps fescue, crested dogstail, sheeps fescue, common bent, red fescue, highland bent, smooth tare, rough hawkbit, yellow oat grass, downy oat grass, burnt saxifrage, common knapweed, common birds-foot trefoil, grass vetching, blue fleabane, hairy St johns wort, meadow buttercup

²⁸ By way of an Environmental Permit issued and regulated by the Environment Agency

- | | | |
|------------------------------------|---|------------------------------------|
| 55. County Arboriculturalist | - | No views received |
| 56. County Landscape Architect | - | No objection |
| 57. County Ecologist | - | No objection subject to conditions |
| 58. County Archaeologist | - | No objection subject to condition |
| 59. County Drainage Engineer | - | No objection subject to condition |
| 60. Natural England | - | No objection |
| 61. Surrey Wildlife Trust | - | No objection subject to conditions |
| 62. Sutton and East Surrey Water | - | No views received |
| 63. Thames Water | - | No views received |
| 64. Gatwick Safeguarding Authority | - | No objection |
| 65. National Grid | - | No views received |

Parish/Town Council and Amenity Groups

- | | | |
|---|---|-------------------|
| 66. Leatherhead Residents' Association | - | Object |
| 67. Leatherhead and District Countryside Protection Society | - | Concern expressed |

Summary of publicity undertaken and key issues raised by public

68. The application was publicised by the posting of one site notice along Oaklawn Road outside the entrance to the Golf Centre and one notice in the centre's club house. An advert was placed in the Surrey Mirror on 30 January 2014 and four owner/occupiers of neighbouring properties were directly notified by letter. Moreover, given the nature and scale of the proposal several mineral operators²⁹ in Surrey were also notified about the proposal in writing.
69. In total there have been five objections to the proposal from members of the public and other interested parties. In respect of members of the public, three individuals have objected or otherwise raised concerns with two individuals writing more than one letter each. One of the public objectors is the leader of the Save Teazle Wood campaign/Friends of Teazle Wood. Of the five mineral operators notified about the proposal two have objected or otherwise raised concerns. In this context, a summary of the misgivings expressed by members of the public and other interested parties is provided below:

Sustainable Waste Management

- The demand for suitable sites for waste management should only be considered after Mole Valley's Green Belt boundary review has been concluded

²⁹ J&J Franks (Reigate Road Quarry, Betchworth); Cemex UK Operations (Land at Coldharbour Lane, Thorpe); Cappagh (Addlestone Quarry, New Haw); Brett Aggregates (Land West of Queen Mary Reservoir, Staines and Home Farm, Shepperton); and SITA UK (Runfold South Quarry, Runfold)

- The proposal involves a major waste disposal operation
- The Council should given full consideration to the effect of inert waste deposited on the land in question
- The proposal would have an impact on the markets of J&J Franks and in turn the restoration of Reigate Road Quarry
- Cemex could not support any development that would delay or impede the completion of a historic sand and gravel operation and approved restoration scheme. The proposed development seeks a similar volume of waste and time period necessary to complete Coldharbour Land and therefore it is considered that it could have a direct impact. It is therefore requested that the planning authority consider the strategic implications of this development upon existing permitted inert landfill operations and ensure there would be no detrimental impact on the ability to complete extant permissions

Highways, Traffic and Access

- The traffic and nuisance implications of 23,418 HGV movements on a busy commuter road into Leatherhead, near to homes, an equestrian centre and the cemetery would inflict an unacceptable toll on local residents and road users, and place a further strain on existing infrastructure
- 18, 217 HGV movements still represent significant additional traffic on a busy commuter road into Leatherhead
- The number of HGV movements stated will have a significant negative impact in terms of noise, pollution, road safety and travel disruption on local residents and road users
- The access roads concerned are narrow and already under pressure; they are heavily used as commuter routes to various business parks, and as access routes to the crematorium and Leatherhead Community Recycling Centre and waste transfer station
- If local people are concerned about movement of lorries then there should be a proviso about what times of day those lorries should be permitted to approach the site i.e. no lorries should be allowed at any time during the morning or evening rush hour along Oxshott Road, Oaklawn Avenue or Woodlands Road for starters

Noise

- The constant beeping sound and engine noise made by the operation of heavy earth moving machinery delivering and then shifting the material around the site would result in considerable noise nuisance and air pollution from diesel fumes

Landscape and Visual Impacts

- The operation of heavy earth moving machinery delivering and then shifting the material around the site will result in considerable visual disturbance

Ecology and Biodiversity

- Teazole Wood SNCI was purchased by the Friends of Teazole Wood in July 2012 in order to *“protect, manage and conserve [it] in line with best ecological practice, enabling light (to the extent that may be ecologically advisable, as ascertained through expert consultation), community access for the purposes of well-being, education and conservation”*
- Surveys are currently underway to record and monitor the various aspects of Teazole Wood, including its flora and fauna
- Surveys by the Surrey Bat Group are due to start this year, for example, as are continuations of bird, amphibian, reptile and butterfly surveys, and a badger survey is anticipated in the near future
- Many species within Teazole Wood are endangered and vulnerable

- The remodelling of an adjacent landscape with imported waste materials as well as the disruption associated with the process itself (noise, dust, pollution and direct injury to wildlife and habitat), will definitely impact on Teazle Wood
- The offsetting of the destruction of certain trees and hedgerows by “*compensatory planting*” is unsatisfactory
- The notion that the removal of established flora can simply be replaced by some native planting is misguided
- Teazle Wood contains an Ancient Woodland and Natural England is concerned about threats to such woodland from nearby changes to landscape

Heritage Assets

- The Golf Centre is located in a historically important part of Leatherhead
- There is a Scheduled Ancient Monument³⁰ just metres to the south of the golf centre site
- Raising and remodelling of the landscape would seriously damage any chances of future investigation of this interesting and significant landscape
- It is noted that the West Sussex Archaeology Assessment of the proposed works states on page 9 that “*The level of impact is likely to adversely affect any archaeological remains surviving within the site.*” and I ask that this assessment is considered very carefully indeed prior to making any decisions

Metropolitan Green Belt

- Proposals (Refs. MO89/521 MO90/0660) for infilling Forty Acre Field using waste material was sensibly refused by the County Council on Green Belt grounds and therefore policy must be applied with the same rigour
- A waste management facility constitutes inappropriate development in the Green Belt and requires very special circumstances to outweigh the presumption against such development
- There is no overriding need or justification for the development proposed
- To grant planning permission will require a departure from the current planning policy
- I do not see how the provision of rainwater harvesting scheme and associated “*ecological improvements*” can amount to the very special circumstances required to outweigh the harm of this inappropriate development
- As the site is Green Belt land it is assumed that the application must automatically be rejected

General

- To deviate from the current recreational use of this land would set a harmful precedent especially when there is an oversupply of golf courses in the county and many are looking for innovative waste to boost their revenue
- It would be all too easy for the landowner to argue in a few years time that the golf centre is no longer economically viable. Then it is down the slippery slope from open green space to a brownfield site ripe for built development

Leatherhead Residents' Association

70. The residents' association states that the proposal would turn the golf centre into a temporary waste disposal site which would be inappropriate development in the Green Belt. They suggest that the driving range would be effectively closed during the 12 – 24 month period and that none of the holes on the golf course would be remodelled. Accordingly, it is asserted that there will be no significant improvements to the facility.

³⁰ The Mounts (List Entry Number: 1012996)

- 71. It is submitted that the present golf centre is unobtrusive in the landscape and maintains the open, fairly flat, rural nature of the area, and that the resulting artificial hills would always make it look exactly what it is – a landscaped waste facility – which is completely unacceptable. The residents’ association is of the view that the application site is attractive, open land not needing improvement and that the proposal would be detrimental to the landscape. It is also suggested that the irrigation pond could be created without the importation of large amounts of inert waste.
- 72. Concerns have also been expressed about the implications for Teazle Wood SNCI as a result of major changes to the contours of the driving range specifically in relation to the water flow to or from this wood. The 15m wide buffer zone between land raising activities and the woodland proposed by the applicant is not considered sufficient to prevent changes to water flows. It is also suggested that inert waste material would affect the quality of water by changing the pH to the detriment of the woodland. Reference is also made to a Scheduled Ancient Monument³¹ and the need for a full archaeological survey before and material is deposited on the application site.
- 73. The residents’ association also raises concern about the addition of significant traffic on already very congested roads and therefore requests that HGV movements are limited to between 0930 hours and 1630 hours Monday to Friday should permission be granted.

Leatherhead and District Countryside Protection Society

- 74. The society raises similar concerns to those expressed by members of the public and the Leatherhead Residents’ Association. They consider the development to be a waste disposal operation which is inappropriate development in the Green Belt, and request that thorough investigation of the likely impacts arising from the proposal must be undertaken in respect of heritage assets and Teazle Wood SNCI. Concern has also been expressed in terms of the substantial numbers of HGVs to be involved in the proposal.

THE DEVELOPMENT PLAN AND MATERIAL PLANNING CONSIDERATIONS

- 75. Surrey County Council, as the County Planning Authority (“CPA”), has a duty under Section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the Development Plan unless material considerations indicate otherwise.
- 76. Section 70(2) of the Town and Country Planning Act 1990 (“the 1990 Act”) requires the CPA to have regard to (a) the provisions of the Development Plan, so far as material to the application, (b) any local finance considerations, so far as material to the application, and (c) any other material considerations. At present in relation to the development proposed the Development Plan comprises the Surrey Waste Plan 2008 (“SWP”) and the saved policies of the Mole Valley Local Plan 2000 (“MVLN”) and policies of the Mole Valley Core Strategy 2009 (“MVCS”).

³¹ Pachesham Magna (No. 12748)

77. The National Planning Policy Framework (“the Framework”) was adopted in March 2012. This document provides national guidance to local planning authorities in making decisions in respect of planning applications. The Framework is intended to make the planning system less complex and more accessible by summarising national guidance which replaces numerous planning policy statements and guidance notes, circulars and various letters to Chief Planning Officers. The guidance document is based on the principle of the planning system making an important contribution to sustainable development, which is seen as achieving positive growth that strikes a balance between economic, social and environmental factors.
78. The Development Plan remains the cornerstone of the planning system. Planning applications which comply with an up to date Development Plan should be approved whilst refusals should only be on the basis of conflict with the Development Plan and other material considerations.
79. The Framework states that policies in local plans should not be considered out of date simply because they were adopted prior to publication of the Framework. However, the policies in the Framework are material considerations which planning authorities should take into account. Due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework - the closer the policies are to the policies in the Framework, the greater the weight they may be given.
80. As required by s70(2)(c) the 1990 Act, the CPA must have regard to “*any other material considerations*” when determining planning applications. Accordingly, considering the nature and scale of the proposal Officers consider that the following European and National policy documents are material planning considerations in so far as the proposal is concerned:
- Directive 2008/98/EC of The European Parliament and of The Council³²
 - Waste Management Plan for England³³
 - National Planning Policy for Waste³⁴
 - Policy MC17 of the Surrey Minerals Plan Core Strategy 2011³⁵
81. The Framework does not contain policies relating to waste management. Instead national waste management policies are contained within the Waste Management Plan for England 2013 (“WMP”) and the National Planning Policy for Waste (“NPW”) respectively.
82. The WMP is a high level document which is non–site specific. It provides an analysis of the current waste management situation in England, and evaluates how it will support implementation of the objectives and provisions of Directive 2008/98/EC of The European Parliament and of The Council which provides the legislative framework for waste management in England and Wales. The WMP supersedes the previous waste management plan for England³⁶.

³² Discussed in the “Sustainable Waste Management” section of this report

³³ Department for Environment, Food and Rural Affairs, December 2013

³⁴ Department for Communities and Local Government, October 2014

³⁵ The relevance of which is discussed in paragraphs 89 to 154 below

³⁶ The Waste Strategy 2007

83. The WMP explains how we deal with our waste is important for our society. It affects the availability of materials and energy needed for growth as well as our climate change and environmental objectives. It goes on to detail that the Government's commitment in this respect is focused on the sustainable use of materials and on improving services to householders and businesses, while delivering environmental benefits and supporting economic growth. It also advocates working towards moving beyond our current throwaway society to a "zero waste economy" in which material resources are reused, recycled or recovered wherever possible and only disposed of as the option of last resort. This means reducing the amount of waste we produce and ensuring that all material resources are fully valued – financially and environmentally – both during their productive life and at "end of life" as waste.
84. The WMP envisages that the resulting benefits of such sustainable waste management will be realised in a healthier natural environment and reduced impacts on climate change as well as in the competitiveness of our businesses through better resource efficiency and innovation – a truly sustainable economy.
85. The NPW sets out detailed waste planning policies. It should be read in conjunction with the Framework, the WMP and, in this case, National Policy Statements for Waste Water³⁷ and Hazardous Waste, or any successor documents. All local planning authorities should have regard to its policies when discharging their responsibilities to the extent that they are appropriate to waste management.³⁸
86. In determining planning applications the NPW advocates that local planning authorities should (a) in cases where waste management facilities are not consistent with an up-to-date Local Plan, consider the extent to which the capacity of existing operational facilities would satisfy identified need; (b) expect applicants to demonstrate that waste disposal facilities not in line with the Local Plan will not undermine the objectives of the Local Plan through prejudicing movement up the waste hierarchy; (c) consider the likely impact on the local environment and on amenity against the criteria set out in Appendix B of the NPW and the location implications of any advice on health from the relevant health bodies. Planning authorities should avoid carrying out their own detailed assessment of health studies; (d) ensure that waste management facilities in themselves are well-designed, so that they can contribute positively to the character and quality of the area in which they are located; (e) ensure that land raising or landfill sites are restored to beneficial after uses at the earliest opportunity and to high environmental standards through the application of appropriate conditions where necessary; and (f) concern themselves with implementing the planning strategy in the Local Plan and not with the control of processes which are a matter for the pollution control authorities. Waste planning authorities should would on the assumption that the relevant pollution control regime will be properly applied and enforced.³⁹
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³⁷ Sets out Government policy for the provision of major waste water infrastructure and therefore not relevant in the circumstances

³⁸ Paragraph 1 of the NPW

³⁹ Paragraph 7 of NPW

ENVIRONMENTAL IMPACT ASSESSMENT

87. In June 2012 Surrey County Council screened the proposal under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (“the EIA Regulations”). This screening exercise was undertaken on the basis that the development entailed the deposit of some 147,635m³. Although the scheme at this time significantly exceeded⁴⁰ the stated thresholds in the EIA Regulations it was also considered in relation to any significant effects it may have in relation to its scale and duration; noise impact; dust; discharges to water; and visual intrusion. These areas were assessed in line with the EIA Regulations and government guidance and it was concluded that no likely significant effects would occur. Accordingly, the County did not recommend that the proposal constituted EIA development for which an Environmental Statement is required. It should be noted that the proposal has been subsequently amended to include the deposit of 79,000m³ with a consequent reduction in HGV movements to 18,220 over 12 to 24 months.

PLANNING CONSIDERATIONS

88. Given the nature, scale and location of the proposed development Officers consider that the following planning matters are material to whether the proposed development accords with the Development Plan: (a) waste management issues; (b) highways, traffic and access considerations; (c) impact on air quality; (d) environmental noise; (e) landscape and visual implications; (f) flood risk and drainage matters; (g) ecology and biodiversity; (h) impact heritage assets; and (i) Green Belt considerations.

SUSTAINABLE WASTE MANAGEMENT

National Guidance

Waste Management Plan for England 2013

National Planning Policy for Waste 2014

Development Plan Policies

Surrey Waste Plan 2008

Policy CW4 – Waste Management Capacity

Policy CW5 – Location of Waste Facilities

Policy WD7 – Disposal by Landfilling, Landraising, Engineering or Other Operations

Policy WD8 – Landfilling, Landraising and Engineering or Other Operations

Surrey Minerals Plan Core Strategy 2011

Policy MC17 – Restoring Mineral Workings

Mole Valley District Local Plan 2000

Policy RE12 – Development of Golf Courses

Policy Context

89. The term “waste” is defined in Section 336 of the 1990 Act as, “*Anything that is waste within the meaning of Article 3(1) of the 2008 Waste Framework Directive*”. Article 3(1) of Directive 2008/98/EC of The European Parliament and of The Council, otherwise known as the Waste Framework Directive (“WFD”), defines “waste” as, “*Any substance or object which the holder discards or intends or is required to discard.*”

⁴⁰ Waste facility greater than 0.5ha and 1ha; and involves more than 50,000 tonnes of waste per year

90. Once a substance or object has been discarded and is waste, something usually needs to be done to it for it to cease to be waste. This can range from something relatively minor to quite extensive processing, comprising one or more recovery operations. It may be necessary for waste to undergo a series of recovery operations before it ceases to be waste.⁴¹
91. The term “waste management” is not defined in the 1990 Act but Article 3(9) of WFD says it means the *“collection, transport, recovery and disposal of waste, including the supervision of such operations and the after-care of disposal sites, and including actions taken as a dealer or broker.”*
92. Annex I of the WFD defines what is meant by “disposal” operations. Here it is stated that the deposit or permanent storage of waste on land is a disposal operation. Disposal operations are primarily aimed at getting rid of waste. Any benefit that results as a secondary consequence will not affect the nature of the operation⁴².
93. “Recovery” is defined in Article 3(15) of the WFD as, *“...any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfill a particular function, or waste being prepared to fulfill that function, in the plant or in the wider economy.”* Accordingly, the principal objective of a recovery operation is to ensure that the waste serves a useful purpose by replacing other substances which would have had to be used for that purpose and thereby conserving natural resources.
94. Submission of a substance to a recovery operation will involve the discarding of the substance as any other interpretation would mean that recovery operations would not be subject to regulation. The effect of classifying something as waste is not to prevent it being recovered by being used in some way - it is to prevent that operation taking place without the necessary precautions also being taken to protect the environment and human health.
95. In England, the waste hierarchy is both a guide to sustainable waste management and a legal requirement, enshrined in law through the Waste (England and Wales) Regulations 2011 (“the 2011 Regulations”). The hierarchy gives top priority to waste prevention, followed by preparing for re-use, then recycling, other types of recovery (including energy recovery), and last of all disposal.
96. The WMP advocates that the dividends of applying the waste hierarchy will not just be environmental but explains that we can save money by making products with fewer natural resources, and we can reduce the costs of waste treatment and disposal. Landfill or incineration should usually be the last resort for waste whilst waste can and should be recovered or recycled whenever possible.
97. Similarly, the NPW is a strong advocate for the application and promotion of the waste hierarchy. But it also emphasises, at paragraph 1, the importance of (a) ensuring that waste management is considered alongside other spatial planning concerns, such as housing and transport; (b) recognising the positive contribution that waste management can make to the development of sustainable communities; (c) providing a framework in which communities and businesses are engaged with and take more responsibility for their own waste, including by enabling waste to be disposed of; and (d) helping to secure the re-use, recovery or disposal of waste without endangering human health and without harming the environment.

⁴¹ Paragraphs G2.6 of the Guidance on the legal definition of waste and its application (DEFRA, 2012)

⁴² Paragraph G3.64 of the Guidance on the legal definition of waste and its application (DEFRA, 2012)

98. The NPW explains that where proposals are consistent with an up to date Development Plan, the CPA should not require applicants for new or enhanced waste management facilities to demonstrate a quantitative or market need for their proposal.
99. The Surrey Waste Plan 2008 (“SWP”) explains at paragraph B30 that the County Council remains committed to achieving net self-sufficiency, enabling appropriate development that implements the waste hierarchy and ensuring that the County delivers its contribution to regional waste management. Consequently, policy CW4 of the SWP requires planning permissions to be granted to enable sufficient waste management capacity to be provided to:
- I. manage the equivalent of the waste arising in Surrey, together with a contribution to meeting the declining landfill needs of residual wastes arising in and exported from London
 - II. achieve the regional targets for recycling, composting, recovery and diversion from landfill by ensuring a range of facilities is permitted.
100. Paragraph B32 goes on to state that a range of facilities, type, size and mix will be required, located on a range of sites to provide sustainable waste management infrastructure in Surrey. In this respect paragraph B36 of the SWP explains that the approach taken in respect of the location of waste management facilities is that, generally, waste management facilities should be suited to development on industrial sites and in urban areas. However, it recognises that opportunities for waste management facilities in urban areas are limited, so land beyond needs to be considered. Here priority is given to the reuse of previously developed, contaminated, derelict and disturbed land; redundant farm buildings and their curtilages; mineral workings and land in waste management use, before Greenfield sites and Green Belt sites.
101. Accordingly, policy CW5 of the SWP explains that proposals for waste management facilities on unallocated sites will be considered in accordance with the following principles:
- I. priority will be given to industrial/employment sites, particularly those in urban areas, and to any other suitable urban sites and then to sites close to urban areas and to sites easily accessible by the strategic road network
 - II. priority will be given over greenfield land to previously developed land, contaminated, derelict or disturbed land, redundant agricultural buildings and their curtilages, mineral workings and land in waste management use
 - III. Areas of Outstanding Natural Beauty, Areas of Great Landscape Value, and sites with or close to international and national nature conservation designations should be avoided
 - IV. the larger the scale of the development and traffic generation, the more important is a location well served by the strategic road network or accessible by alternative means of transport
102. Further, the SWP explains that landfill and landraising development is seen as only acceptable for waste that has been demonstrated as reasonably and practicably unable to be reused, recycled, or processed to recover materials or energy. This check is part of the mechanism for encouraging the management of waste further up the hierarchy.

- 103. Landfill is commonly used to fill voids left by mineral working and to achieve restoration of the site. Landraising developments are not as common. Whilst landraising activities are often considered inappropriate, such development can be beneficial. Examples include regrading a steep slope to bring land into agricultural use.⁴³
- 104. Landfill and landraising activities can also restore previously derelict and disturbed land, to enable a more positive and beneficial use. Examples of more positive and beneficial uses include public-park or nature reserve. Policy WD7 requires such landfill and landraising schemes to result in not just small changes but that the disposal activity makes a fully beneficial contribution with substantial improvement to the quality of the land. Proposals will be expected to limit the quantity of deposited waste to the minimum necessary.⁴⁴
- 105. It is important to husband landfill void and in considering the need for development involving landfilling or landraising SCC will have regard both to the remaining capacity of existing and other permitted landfill and landraising facilities in the County.⁴⁵
- 106. Inert wastes are often used in engineering and other operations such as the construction of landscape or noise mitigation bunds. These works might be linked to new development and so may make good use of the resultant spoil. In these circumstances these are likely to be sustainable benefits gained from using the spoil in a project close by, rather than transporting it to a more distant facility.⁴⁶ However, it is important that mineral workings are properly restored within the County and this should not be prejudiced by the lack of suitable material.⁴⁷
- 107. In this context policy WD7 of the SWP is clear that planning permission will only be granted for waste disposal by landraising or engineering operations provided:
 - I. the waste to be disposed of cannot practicably and reasonably be reused, recycled or processed (to recover materials; produce compost, soil conditioner, inert residues) or may otherwise be required for the restoration of mineral workings; and
 - II. the proposed development is both essential for and involves the minimum quantity of waste necessary for (a) the purpose of restoring current or former mineral workings sites; or (b) facilitating a substantial improvement in the quality of the land; or (c) facilitating an appropriate afteruse; or (d) improving land damaged or disturbed as a result of previous or existing uses and where no other satisfactory means exists to secure the necessary improvement; or (e) the engineering or other operations.
 - III. the proposed development does not prejudice the satisfactory restoration of mineral working sites in the locality, having regard to the supply and availability of appropriate waste materials.

In granting planning permission for landraising developments, or engineering or other operations, conditions may be imposed limiting both the types and quantities of waste to be deposited in order to conserve for waste that cannot be reused, recycled or processed (to recover materials; produce compost, soil conditioner, inert residues)

⁴³ Paragraph C29 of the SWP
⁴⁴ Paragraph C30 of the SWP
⁴⁵ Paragraph C34 of the SWP
⁴⁶ Paragraph C35 of the SWP
⁴⁷ Paragraph C36 of the SWP

108. Notwithstanding the above, to ensure that the potential benefits of landraising and engineering works are maximised, such proposals must include consideration of the final use of land, including proposals for a high quality of restoration and long term management plans for the restored site. The finished levels of a restored site may be higher than adjoining land. However, they will still be expected to incorporate high quality standards of restoration of the site that are appropriate to the surrounding landscape.⁴⁸
109. Consequently, policy WD8 of the SWP states that proposals for landraising development, and engineering or other operations were appropriate, should: (a) incorporate finished levels that are compatible with the surrounding area and any likely settlement. The finished levels should be the minimum required to ensure the satisfactory restoration of the land for an agreed afteruse; (b) include proposals for aftercare; and (c) make provision where practical for appropriate habitat creation for biodiversity benefit.
110. Officers are also cognisant that a number of mineral workings in Surrey have failed to keep pace with approved restoration timetables due to, in part, an apparent lack of suitable restoration materials such as those proposed to be imported as part of the proposal. The most recent examples of this being: land at Coldharbour Lane (Ref. RU.12/0872⁴⁹) and Runfold South Quarry (Ref. WA/2012/1652⁵⁰).
111. These failures have resulted planning applications being presented to Surrey County Council's Planning and Regulatory Committee for extended timetables for restoration. In these cases mineral operators have argued that they are finding it difficult to source sufficient quantities of suitable restoration materials. The reasons given by mineral operators for the lack of sufficient quantities of restoration material are based upon a combination of the depressed economic environment, an increase in the diversion of waste from landfill, and an increase in the number of aggregate recycling facilities.
112. A number of operators have received planning permission for aggregate recycling facilities in recent years in order to attract residual inert waste materials suitable for restoration due the difficulty in sourcing suitable materials for recycling. One operator based in northwest Surrey explained to the CPA in May 2013 that they were experiencing difficulties sourcing suitable material for aggregates recycling and restoration whilst another, who had recently acquired the ownership of a large unrestored mineral working in the same area, explained to the CPA in August 2013 that suitable restoration material was proving difficult to source. Officers consider that the proposal subject to this report may exacerbate this situation by diverting a further 79,000m³ of suitable restoration material away from mineral workings in Surrey.
113. For these reasons Officers consider that the proposal has the potential to prejudice the satisfactory implementation of Policy MC17 of the Surrey Minerals Plan Core Strategy 2011 which requires that the restoration of mineral workings be completed at the earliest opportunity. This policy approach is consistent with Government guidance set out in the Framework which requires that the CPA provide for restoration and aftercare of mineral workings at the earliest opportunity and to high environmental standards.⁵¹

⁴⁸ Paragraph C38 of the SWP

⁴⁹ Planning permission for continued back filling with inert material and restoration of land to agriculture until December 2015

⁵⁰ Planning permission for the continued extraction of sand and the subsequent restoration of the land to agriculture by infilling with inert waste materials and temporary diversion of public footpath 121, without compliance with condition 4 of appeal decision APP/B3600/A/06/2020101 dated 1 August 2007 for a further period of seven years until 31 December 2019

⁵¹ Paragraph 143 of the Framework

114. Officers consider this approach to be justified given the need to enhance the character of land taken for mineral working in order to benefit communities who have been adversely affected by mineral working activity, as well as the environment in which they live, and to ensure that a valuable asset will be passed on to future generations. Consequently, delays in the completion of restoration at mineral sites have high environmental costs including ongoing visual impact from associated infrastructure in the local landscape and increased HGV movements as well as other impacts on local amenity for the extended duration of the mineral working.

The Development

115. The materials to be used to facilitate the development proposed would arise from construction, demolition and excavation sites within a 30 mile radius⁵² of the application site including central London. These waste materials would be permanently deposited on the application site without undergoing any physical or other changes. It is unlikely that these materials would be replacing a natural or primary resource for the purposes of the proposal.

116. The nature and scale of the proposal means that it would involve the collection and transport of these materials including the supervision of such operations and the after-care of the application site once works are complete.

117. The waste materials would be engineered so as to raise the ground levels of the application site for the principal reasons of remedying drainage problems associated with the driving range outfield, establishing a sustainable rainwater harvesting storage and irrigation scheme, and enhancing the aesthetics of the application site. Accordingly, Officers consider that the proposal amounts to waste management facility concerned with the disposal of inert waste arising in Surrey and London.

118. As a consequence, the proposed development would result in the provision of a new and temporary waste management facility in the County. This facility would assist with the management of inert construction, demolition and excavation waste arising in Surrey and the Capital.

119. Given the strong emphasis on the application of the waste hierarchy in the development industry and the economics of reuse, recycling or recovery of waste materials over its disposal to landfill, Officers consider that a significant proportion of the inert waste material to be deposited on the application site is unlikely to be suitable for reuse, recycling or recovery for reasons including its provenance and proximity to sites where these activities are undertaken; physical characteristics; and composition. Reuse or recycling of inert waste (on or off-site) is generally much cheaper than disposal which attracts a financial penalty in the form of a landfill tax.

120. In this respect it is acknowledged that the proposal would not promote the reuse, recycling or recovery of waste over its disposal in accordance with the waste hierarchy. However, it would nevertheless enable waste that cannot otherwise be treated as such, to be disposed of safely under the supervision of the Environment Agency and in accordance with the NPW.

121. Although Officers contend that the proposal concerns the disposal of waste it nevertheless also involves engineering operations for the purposes of landraising as opposed to landfilling. In this respect it should also be noted that the publication of the Framework resulted in the abolition of the South East Plan 2009 in which the regional landfill targets referred to in policy CW4 of the SWP were outlined.

⁵² Foresite ID Waste Statement dated 23 May 2014

122. Having regard to paragraphs 115 to 121 above Officers consider that the proposal satisfies the policy CW4 of the SWP.
123. The CPA considers that the application site falls within the category of “previously developed land” as defined by Annex 2 of the Framework in that permanent structures and associated fixed infrastructure occupy part of the golf centre and remain in use for purposes ancillary to the golf course and driving range. The former shooting range is considered to be unused derelict land.
124. The application site is not located within the Surrey Hills Area of Outstanding Natural Beauty or an Area of Great Landscape Value. It is however located, setting aside the 15m standoff between the SNCI and the area where works are to take place, adjacent to a SNCI the impact of which is assessed in paragraphs 239 to 260 below.
125. In respect of the strategic road network the application site is well related to the urban areas of Leatherhead and Fetcham and, by virtue of its proximity to the M25, other urban areas in Surrey and Greater London. Due to the nature and scale of the proposed development and the absence of alternative suitable transport infrastructure in respect of its location, the application site can only realistically be served by vehicular transport.
126. In this context, Officers consider the application site to be very well located to the strategic road network. The application site would be accessed via the M25, Oxshott Road (A244) and Oaklawn Road (and vice versa) which the County Highway Authority (“CHA”) considers suitable, subject to conditions, for the size and volume of the vehicles to be used. This direct route to and from junction 9 of the M25 is 1.1 miles in length and passes by largely undeveloped land compared to alternative routes.
127. Taking into account the contents of the above paragraphs and considering that, for the purposes of policy CW5 of the SWP, the proposal is site specific in that it seeks to remedy a number of issues relating to the application site on which the development is to take place, Officers consider that subject to its impact on the adjacent SNCI, the proposal satisfies the aforementioned policy.
128. In relation to limb I of policy WD7 of the SWP Officers have already explained that a significant proportion of the inert waste material to be deposited on the application site is unlikely to be suitable for reuse, recycling or recovery for economic reasons. It is however acknowledged that some of the waste to be deposited will be so suitable. Nevertheless this should be expected, and it is required by virtue of policy WD7 and WD8 given the need for good quality restoration soils and other inert materials which would facilitate a substantial improvement in the quality of the application site.
129. For these reasons Officers consider that a planning condition should be imposed on any permission granted prohibiting the use of processing plant such as screeners, blenders or crushers on site. This would prevent the manufacture of specific grades of materials on the application site for the duration of works thereby requiring the applicant to source inert materials fit for their specific purpose.
130. Limb II of policy WD7 requires that the applicant demonstrate that the proposed development is both essential for and involves the minimum quantity of waste necessary for (a) facilitating a substantial improvement in the quality of the land; or (b) improving land damaged or disturbed as a result of previous or existing uses and where no other satisfactory means exists to secure the necessary improvement; or (c) the engineering or other operations. In the context of the requisite volume of waste materials, limb III of policy WD7 explains further that the proposal should not prejudice

the restoration of mineral workings in the locality having regard to the supply and availability of waste materials.

131. In this respect the applicant has explained that the remodelling of parts of holes 1 and 3 have been designed to provide a visually appealing and interesting outdoor sport facility which would benefit the users of the facility and the environment in general⁵³. Similarly, the driving range outfield is to be remodelled to provide an enhanced practice experience for users of the range⁵⁴. However, the principal reasons for the proposal are to remedy the drainage problems associated with the driving range outfield and to provide a sustainable rainwater harvesting, storage and irrigation scheme⁵⁵ for the golf centre as a whole.
132. The District Council have stated that from visiting the application site it is apparent that the existing site conditions imply there is a reasonable requirement for the proposed drainage works. Having also visited the application site and witnessed the condition of the driving range in particular Officers concur with this view. The applicant has also provided an example of where the poor drainage of the driving range outfield has adversely impacted the sustainability of the golf centre as a whole⁵⁶.
133. The applicant submits that failed attempts have been made to rectify the identified drainage problems using a network of trenched field drains set in gravel and sand. Indeed, the golf centre has an ongoing programme of tackling drainage concerns around the course and range with the application site being of particular concern. However the porosity of the clay soil combined with the flat topography of the driving range has rendered much of this piped drainage obsolete. Moreover, there is little lateral migration of surface water towards the piped drainage with only rainfall landing on, or very close to this network, being transferred from the driving range outfield. The existing pipe network could be set at very close intervals across the outfield but the applicant considers that this would be both impractical, a significant maintenance issue due to silt accumulation, and as such prohibitively expensive. For these reasons Officers consider that the applicant has demonstrated that satisfactory alternatives to remedying the drainage problems experienced have been adequately explored.
134. Notwithstanding the above, Officers are in no doubt that in the context of climate change, harvesting and storing of winter rain on the application site for irrigation purposes in the summer would sever the golf course's reliance on mains water supply. Officers consider that this would be environmentally and economically sustainable for both the applicant and society in general. Indeed the applicant has submitted supporting literature published⁵⁷ by the British and International Golf Greenkeepers Association and the Environment Agency⁵⁸ to this effect.
135. It is also notable that policy REC12 of the Mole Valley Local Plan 2000 recognises that golf courses use considerable volumes of water and requires that proposals for new courses include arrangements for the storage of water on site to allow for winter abstraction only. Accordingly, Officers consider that the provision of proposed arrangements for such facilities on existing golf courses should be supported.

⁵³ See paragraphs 31 to 34 above

⁵⁴ See paragraph 13 to 20 above

⁵⁵ See paragraphs 21 to 30 above

⁵⁶ See paragraph 15 above

⁵⁷ Drought A Special Report, BIGGA

⁵⁸ Assessing optimum irrigation water use: additional agricultural and non-agricultural sectors, Science Report: SC040008/SR1

- 10
136. In general the applicant's Flood Risk Assessment concludes that the proposed water storage pond would be able to store the majority of any incident rainfall on the application site. Provision has also been made for swales to permit attenuation and infiltration of any increase in runoff. The County's Drainage Engineer and the Environment Agency have not raised objection to the proposal subject to conditions. However, the District Council has asked that the CPA ensure that the capacity of and supply of water to the proposed storage pond would be sufficient for the purposes proposed. Accordingly, Officers propose to secure such information by way of planning condition which would require submission of a detailed surface water drainage, storage and irrigation scheme to the CPA for approval before any development commences.
137. In respect of enhanced driving range and golf course experience to be provided by the development Officers can only assess this in the context of policy WD7 subjectively in relation to the impact the remodelling is likely to have on existing landscape character having regard to the current use of the application site. In this context the proposed contour changes are briefly discussed in paragraphs 13 to 20 and 31 to 34 above and shown in more detail on Drawings Ref. 100.02 Revision B Proposed Grading Works dated 15 May 2014 and Ref. 100.04 Revision B Cross Sections dated 15 May 2014.
138. The applicant has considered "cut and fill" operations as an alternative to importing waste materials to undertake the remodelling works. However this has been discounted as a satisfactory alternative as there is very little "out of play" space on the 9-hole golf course where large excavations could take place without significant damage to the existing course. In any event it is not considered that such excavations, where they could possibly take place within the confines of the golf course, would provide sufficient volumes of suitable materials for the purposes required. The heavy clay sub-soil associated with the golf centre is prone to low infiltration rates giving rise to drainage problems as currently experienced with the driving range outfield. Whereas construction, demolition and excavation waste tends to comprise a mixture of soils and solid objects of varying sizes providing improved drainage characteristics. Moreover, unlike the proposed development⁵⁹, such operations would also be financially impracticable to the golf course business as a whole given the significant disruption they would cause to usability of the facility whilst works are ongoing.
139. The County's Landscape Architect ("CLA") has assessed the proposal and considers that it is supported by a comprehensive landscape scheme and management plan which would result in improved landform around the unsympathetic shooting range and otherwise provide for an improved golf course experience without compromising the character of the local landscape. On this basis the CLA has not objected to the proposal.
140. The storage pond development would also benefit the local environment over time by encouraging greater diversity and number of invertebrates thereby encouraging populations of reptiles and amphibians. It would also provide an ideal foraging habitat for bats and larger mammals. Once completed the pond would be set aside as a wildlife haven and will not play a role in the recreational aspects of the golf course or driving range. Although a number of young tree groups would be lost to the development, Officers consider that these losses would be adequately compensated for by the planting of numerous native trees, the creation of rides and glades and the re-wilding of fairway edges to create, in conjunction with the biodiversity benefits relating to the pond, a net benefit to the golf centre and surrounding land. The County's Ecologist and Surrey Wildlife Trust have not objected to the proposal.

⁵⁹ See paragraph 42 above

- 141. Having regard to the preceding paragraphs and subject to the imposition of planning conditions to secure implementation of the Landscape Management Plan amongst other measures, Officers consider that the proposed development would result in a substantial improvement in the quality of the application site as a direct result of improved drainage conditions of the driving range outfield; sustainable rainwater harvesting, storage and irrigation; enhanced playing and teaching facilities; and enhanced biodiversity and landscape. The logical indirect benefits being the greater financial sustainability of the golf centre. Officers also consider that the applicant has demonstrated that there are no satisfactory alternatives to achieving this substantial improvement in the quality of the application site.
- 142. In January 2013 the applicant submitted planning application Ref. 2013/0008 to the CPA which sought permission to remodel the golf centre and establish a water storage lagoon for irrigation purposes using about 147,635m³ of inert waste material. Upon submission of this application it was deemed 'invalid' by the CPA for a number of reasons. This prompted the applicant to engage in detailed and prolonged discussions with Officers as to the nature, scope and range of the proposal and the information necessary to support the associated planning application. At this time the CPA emphasised the requirements of policy WD7 specifically in relation to the volume of waste materials proposed to be deposited as part of the scheme. In December 2013 the proposal was re-submitted to the CPA. The revised proposal at this time continued to seek permission to remodel the golf centre and establish a water storage lagoon. However the applicant intended to use 105,377m³ of inert waste material to realise the proposal, about 30% less than originally projected.
- 143. Five mineral operators in Surrey were notified about the proposal only two of which have provided the CPA with a response. J&J Franks Ltd. stated that the large volume of material required over a limited period of time would have an impact on their markets and in turn the restoration of Reigate Road Quarry. Cemex raised concerns that any deviation of existing waste streams to alternative developments could have a detrimental impact on the completion of restoration of land at Coldharbour Lane, which recently sought an extension of time to complete landfill/restoration operations until December 2015. Cemex also commented that the proposed development seeks a similar volume of waste and time period necessary to complete Coldharbour Lane and therefore stated that it could have a direct impact on their restoration project.
- 144. However, as a direct result of negotiations between the applicant and the County's Ecologist and Landscape Architect, the applicant reduced the overall volume of inert waste material to be used to achieve the proposed development by an additional 26,377m³. This represents a further 25% reduction in the volume of inert waste material proposed to be imported. J&J Franks Ltd. and Cemex were both subsequently notified about this change. Cemex have responded reiterating their concerns.
- 145. In this respect the applicant has submitted a Waste Statement in support of the proposal. This statement explains that the estimation of excavation waste in the market place is notoriously difficult. Nevertheless the applicant estimates that 885,500m³ of construction, demolition and excavation waste ("CDEW") is available in Surrey each year, of which around 55% would be suitable for the proposed development. The applicant goes on to try and determine the effect of the proposal on the restoration of mineral workings. The applicant refers to 6.9 million m³ of inert landfill capacity remaining in Surrey in 2010 based on data produced by the Environment Agency. Assuming the annual availability of CDEW is 885,500m³, the applicant states that remaining void would be extinguished by 2016 without the addition of further capacity. On this basis, the applicant considers there to be sufficient waste to achieve the construction timeframe of 12-24 months without prejudicing any current mineral restoration schemes.

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146. The EA's Waste Data Interrogator indicates that 2,268,802 tonnes⁶⁰ of CDEW was managed in Surrey in 2012; however the true figure is likely to be higher because the EA only record CDEW managed at sites operated under the guise of an Environmental Permit. However, a significant proportion of the total CDEW managed in Surrey is sent to sites where the material is recovered or recycled thereby making it unsuitable for landfill and landraising developments, whilst a significant proportion of the remainder of CDEW managed is sent for disposal at non-inert landfills in Surrey⁶¹. This significantly reduces the availability of CDEW for mineral workings requiring restoration and schemes for landraising such as the proposed development.
147. Accordingly, as the restoration of land at Coldharbour Lane is required to be completed before 2016 the proposal clearly has the potential to delay the timely restoration of this mineral working contrary to policy MC17 of the Surrey Minerals Plan Core Strategy 2011 ("SMS"). But consideration should not just be limited to land at Coldharbour Lane. The most recent data supplied by the EA states that there were 5.89 million m³ of inert landfill capacity remaining in Surrey in 2012. This indicates that inert void space in Surrey would be exhausted by 2019 three years later than estimated by the applicant. This is based on the unrealistic assumption that no new inert landfill capacity would come forward over this same period. However, given the significant volume of CDEW sent to non-inert landfill in Surrey it is unlikely that the remaining void space would be filled until the middle of the next decade.
148. Officers acknowledge that large volumes of CDEW are managed in Surrey based upon the significant volume of CDEW imported from London and elsewhere. Consequently, any impact the proposal may have in isolation on the restoration of mineral workings in the locality is considered unlikely to be significant. Officers consider that the significant reduction in the volume of inert waste proposed to be deposited by the applicant and the limited duration of the development significantly mitigate any adverse impact on the restoration of local mineral workings. In the circumstances, Officers do not consider that there are grounds to reject the proposal on this issue alone. The wider benefits of the proposal discussed above are considered to mitigate any limited harm that may arise. The County's Planning Policy Manager has not objected to the proposal. Accordingly, Officers do not consider that the proposal would undermine the proper implementation of policy CS17 of the Surrey Minerals Plan Core Strategy 2011.
149. Having regard to the preceding paragraph, considering the significant downward revision of the volume of inert waste materials to be used to facilitate the proposed development, and taking into account the views of the CLA in respect of the development's landscape impact, Officers consider it reasonable to accept that the volume of inert waste proposed to be used to achieve the substantial improvement in the quality of the application site is the minimum requisite.
150. Accordingly, in view of the contents of paragraphs 128 to 149 above, Officers consider that the proposal satisfies policy WD7 of the SWP subject to conditions.
151. Policy WD8 of the SWP states that proposals for landraising development should (i) incorporate finished levels that are compatible with the surrounding area and any likely settlement. The finished levels should be the minimum required to ensure satisfactory restoration of the land for an agreed afteruse; (ii) include proposals for aftercare and securing long term management of the restored site; (iii) make provision wherever practical for appropriate habitat creation for biodiversity benefit.

⁶⁰ 1,324,251 tonnes arising in Surrey and 944,551 tonnes imported from elsewhere

⁶¹ For example 631,000 tonnes in 2011 and 793,000 in 2012

- 152. The current use of the application site is for outdoor recreational sporting activities i.e. a golf course and driving range. This use would remain once the development proposed has been completed and the affected land restored. Indeed the proposal seeks to enhance this land use by providing improved drainage characteristics of the driving range; a sustainable rainwater harvesting, storage and irrigation scheme; and a more aesthetically pleasing facility. The proposal involves the importation of 79,000m³ of which 5% accounts for any likely settlement. It also includes provision for a comprehensive 15 year management of the restored landscape following completion of the development which includes improvements in biodiversity with an increase in woodland cover, and a range of wetland features and the addition of wildflower planting. The County’s Ecologist, Landscape Architect, Planning Policy Manager and Drainage Engineer have not raised objection to the proposal. Similarly, the Environment Agency, Natural England and Surrey Wildlife Trust do not oppose the development.

- 153. In this context the contours and gradients proposed have been modified and Officers consider that these aspects of the development fit the surrounding landscape with its gentler slopes and more flowing landforms. The CLA considers that the proposal would bring about an enhanced landscape in respect of the disused shooting range. The revised proposal has removed features with sharp changes of direction and slope, and the remaining topographical changes have been reduced in scale and use much gentler slopes. For example section G1 shows a reduction in the change in height proposed from 6m down to 3m. In this respect Officers consider that the corresponding gentler slopes compare more favourably to the natural grade of the application site.

- 154. The CLA considers that the proposal can be seen in the context of improving a golf course experience and operations without compromising the character of the local landscape. Having regard to the preceding paragraphs Officers consider that the proposal satisfies policy WD8 of the SWP.

HIGHWAYS, TRAFFIC AND ACCESS

National Guidance

National Planning Policy Framework 2012
National Planning Policy for Waste 2014

Development Plan Policies

Surrey Waste Plan 2008
Policy DC3 – General Considerations
Mole Valley District Core Strategy 2009
Policy CS18 – Transport Options and Accessibility
Mole Valley District Local Plan 2000
Saved Policy MOV2 – Movement Implications of Development

Policy Context

- 155. The Framework is clear that development should only be refused or prevented on transportation grounds where the residual cumulative impact of development is severe.

- 156. This guidance also advocates, at paragraph 32, that all development that would generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment and that decisions should take account of whether (a) opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, (b) safe and suitable access to the site can be achieved for all people, and (c) improvements can be undertaken within the transport network.

157. The NPW states that in testing the suitability of sites the CPA should consider the factors listed in the Annex B and bear in mind the envisaged waste management facility in terms of type and scale. In terms of highways, traffic and access, criteria F of Annex B explains that considerations will include the suitability of the road network and the extent to which access would require reliance on local roads.
158. The SWP also requires information to be submitted in relation to transportation. Paragraph D12 states that consideration of traffic generation characteristics should incorporate an assessment of the level and type of traffic generated and the impact of that traffic, suitability of the access and the highway network in the vicinity of the site including access to and from the primary road network.
159. Accordingly, policy DC3 of the SWP requires that applicants demonstrate, by the provision of adequate supporting information, that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources. The policy goes on to state that the supporting information should include, where appropriate, an assessment of traffic generation, access and suitability of the highway network, and mitigation measures to minimise or avoid material adverse impact and compensate for any loss.
160. Policy CS18 of the MVCS states that travel options and access will be given significant weight in considering development proposals and that such proposals should be consistent with, and contribute to the implementation of, the Surrey Local Transport Plan.
161. Policy MOV2 of the MVLP states that development will normally only be permitted where it can be demonstrated that it is or can be made compatible with the transport infrastructure and the environmental character of the area, having regard to all forms of traffic generated by that development. In particular, proposals for major development will only be permitted where it can be demonstrated that in order to accommodate the traffic generated by that development appropriate measures are made to obviate the environmental impact, and there is appropriate provision for (a) off-street vehicular parking, (b) suitable servicing arrangements, (c) vehicular access and egress and movement within the site, (d) capacity of the transport network and in the vicinity of the development, (e) access and egress to be obtained, or improved, to and from the primary route and distributor networks, and (f) pedestrians and cyclists.
162. This policy goes on to state that where a particular part of the highway network already endures high traffic flows significantly above its operation and environmental capacity, then only small-scale development, which leads to little or no new traffic generation, will be permitted. The cumulative effects of existing and committed development on the operational capacity and environmental character of congested areas as a whole will be taken into account in the determination of development proposals. The provision of new accesses onto principal traffic routes will not normally be permitted where access can only be gained from those networks.
163. The Surrey Transport Plan 2014 has four objectives namely: (1) to facilitate end-to-end journeys for residents, business and visitors by maintaining the road network, delivering public transport services and, where appropriate, providing enhancements thereby facilitating effective transport; (2) to improve the journey time reliability of travel in Surrey thereby facilitating reliable transport; (3) to improve road safety and the security of the travelling public in Surrey thereby facilitating safe transport; and (4) to provide an integrated transport system that protects the environment, keeps people healthy and provides for lower carbon transport choices thereby facilitating sustainable transport.

The Development

164. The golf centre is located on the south side of Oaklawn Road which runs roughly north to south between Oxshott Road/Leatherhead Road (A244) and Randalls Road/Woodlands Road (A245) respectively.
165. Oaklawn Road has an average but largely constant width of 6m and is a conventional two way road with limited pedestrian footways and occasional sensitive land uses. It is subject to national speed limits for its entire length. There are no bus stops and the road is unlit until the approaches to its junctions with Randalls Road and Oxshott Road. The junction of Oaklawn Road and Randalls Road is a conventional 'Y' shape priority type junction with good all round visibility. The junction with Oxshott Road is formed by a three armed roundabout of 30m diameter and similarly affords good all round visibility.
166. The golf centre has a single access point in the form of a priority junction with Oaklawn Road. The access runs directly to the centre's car park and facilities. This car park is part formal and part informal in terms of its layout and can accommodate approximately 60 to 65 vehicles. The golf centre's access enjoys good visibility in both directions along Oaklawn Road with vegetation to both sides of the access maintained to allow visibility at all times.
167. The peak traffic flows along Oaklawn Road are conventional in that they are between 0800 to 0900 hours and 1700 to 1800 hours. A 12-hour traffic count was undertaken by the applicant on Friday 13 September 2013 between 0700 and 1900 hours. This count revealed that some 6,362 vehicles traversed Oaklawn Road (3,071 in a northerly direction and 3,291 in a southerly direction) with 257 of these vehicles accessing the golf centre. In addition to undertaking a traffic count, Oaklawn Road was also observed over the course of two days (13 and 14 September). At these times no congestion or excessive queuing was observed on Oaklawn Road in the conventional peaks on any section of the road including the approaches to the junctions with Randalls Road. It was also noted that there was insignificant pedestrian activity in the vicinity of the site.
168. The proposal would require the importation of 79,000m³ of inert waste over the course of 12 – 24 months. This would equate to some 18,217 HGV movements or 9,108 HGV loads. In this respect there are two routes available to construction traffic that are both suitable for the size of vehicles to be used and the quality of the road network. The first being to the north via Oaklawn Road and Oxshott Road to the M25 and the second via the A245 through Leatherhead and onto the M25 to the south.
169. Whilst both routes offer good quality roads where HGVs are easily accommodated, the route to the south⁶² passes through residential and commercial areas that are subject to heavy traffic and significant pedestrian activity. The route to the north is shorter⁶³ more direct and passes through mostly an undeveloped area.
170. Accordingly, the northern route from the site to the M25 and wider strategic highway network is clearly more direct and has the least impact on residential and commercial properties and other road users. It is also half the length of the southern route when measured from first contact with junction 9 of the M25.

⁶² 2.2 miles in distance to the M25

⁶³ 1.1 miles in distance to the M25

171. The applicant is proposing to facilitate HGV access to the golf centre using a temporary purpose built access point to the north of the existing access off Oaklawn Road, whilst at the same time proposing to allow HGVs leave the centre via the existing access point to the golf centre. This would effectively create a 'one-way-system' for HGV access and egress. Moreover, the applicant is proposing to erect a number of temporary road signs to warn road users of the construction activity taking place within the golf centre. The proposed access arrangements are shown on Drawing Ref. G18966/SK2A Proposed and Existing Access with Proposed Signs dated April 2014.
172. The District Council has not objected to the development on highways, traffic and access grounds. However the Council expects the CPA to ensure that vehicle movements do not pass through Leatherhead in approach and that the preferred route as shown in Appendix F to the applicant's Transport Statement be the subject of a planning condition if consent be granted.
173. The County Highway Authority has assessed the proposal having regard to the quality of the surrounding road network, traffic flows along this network, and the volume of associated HGVs. In this respect no objection has been raised in relation to the development subject to a range of conditions including: (a) the construction of the temporary access and provision of visibility zones in accordance with the above mentioned drawing; (b) removal of this temporary access in a manner to be approved by the CPA; (c) the means of access to and from the application site be via Oaklawn Road and Oxshott Road only i.e. to the north; (d) no more than 94 daily HGV movements (47 loads) to the application site and maintenance of accurate records to this effect; (e) no HGVs to arrive or depart the application site between the hours of 0800 and 0900 hours and 1700 and 1800 hours Monday to Saturday and maintaining accurate records to this effect; (f) the submission of a Method of Construction Statement including details of (i) parking for vehicles of site personnel, operatives and visitors; (ii) loading and unloading of vehicles; (iii) storage of plant and materials; (iv) programme of works (including measures for traffic management); and (v) provision of boundary hoarding behind any visibility zones; and (g) provision of measures to keep the public highway clean and prevention of the creation of a dangerous surface on the public highway.
174. However, in respect of (e) above, Officers consider that it would be appropriate, given the nature of the proposal and the general industry standard, to prohibit vehicular access and any other form of work in relation to the development on Saturdays after 1300 hours. On this basis, should planning permission be granted Officers would restrict the hours of operation accordingly.
175. Having regard to paragraphs 164 to 174 above Officers consider that, subject to conditions, the proposal would not significantly adversely affect the local highway network such that it would inconvenience or undermine the safety of other highway users. For these reasons Officers do not consider the residual cumulative impact of the development would be severe. On this basis Officers consider that the proposal satisfies policy DC3 of the SWP, policy CS18 of the MVCS and policy MOV2 of the MVLP.

AIR QUALITY

National Guidance

National Planning Policy Framework 2012

National Planning Policy for Waste 2014

Development Plan Documents

Surrey Waste Plan 2008

Policy DC3 – General Considerations

Mole Valley Local Plan 2000

Policy ENV22 – General Development Control Criteria

Policy Context

176. Paragraph 109 of the National Planning Policy Framework (“the Framework”) states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from levels of air pollution.
177. Paragraph 122 of the Framework goes on to advise that when considering development proposals the CPA should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. The CPA should assume that these regimes will operate effectively.
178. Paragraph 124 of the Framework discusses air quality specifically in relation to Air Quality Management Areas but it does confirm that the cumulative impacts on air quality from individual sites in local areas should be considered. In this respect the Framework’s practice guidance states that it is important that the potential impact of new development on air quality is taken into account in planning where the national assessment indicates that relevant limits have been exceeded or are near the limit. Air quality can also affect biodiversity and odour and dust can adversely affect local amenity.
179. The NPW states that in testing the suitability of sites the CPA should consider the factors listed in the Annex B and bear in mind the envisaged waste management facility in terms of type and scale. criteria G of Annex B explains that in respect of air quality, considerations will include the proximity of sensitive receptors, including ecological as well as human receptors, and the extent to which adverse emissions can be controlled through the use of appropriate and well-maintained and managed equipment and vehicles.
180. Policy DC3 of the SWP requires that applicants demonstrate, by the provision of adequate supporting information, that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources. The policy goes on to state that the supporting information should include, where appropriate, an assessment air quality impacts.
181. Policy ENV22 of the MVLP states that where the principle of proposed development accords with other policies of the Development Plan a design and layout will be required which does not significantly harm the amenities of the occupiers of neighbouring properties by adverse environmental impacts.

The Development

182. The proposal includes the importation of 79,000m³ of inert waste by way of 18,217 HGV movements over a period of 12 to 24 months and the subsequent deposit, handling and engineering of the waste material. Accordingly, the proposal has the potential to adversely affect local air quality through vehicle emissions and dust generation.
183. In this respect the applicant has stated that the importation process and the construction activity will be strictly managed and controlled through a Construction Management Plan so as to prevent adverse impacts arising in terms of air quality. This management plan would be submitted to the CPA for approval commencement of the development.
184. The County's Air Quality Consultant ("AQC") has assessed the proposal on the basis of some 23,418 HGV movements over the same 12 to 24 month period. The advice provided is that these vehicle movements would be less than the threshold of 200 HGV movements per day in accordance with the Environmental Protection UK air quality impact assessment criterion⁶⁴. Accordingly, the AQC has therefore concluded that there would be no significant impact to local air quality with regards to construction traffic and related emissions. This conclusion has been formed on the assumption that the material to be imported is transported to the application site in a steady manner over the entire period and there are no periods of intense HGV activity which would result in more than 200 HGV movements on any given day. Having regard to the County Highway Authority's proposed condition limiting HGV movements associated with the development to no more than 94 per day Officers consider that this threshold would not be surpassed.
185. In respect of dust emissions, the AQC has confirmed that the measures outlined in section 6.12 of the applicant's Design and Access Statement are appropriate for the construction works proposed and should therefore form part of any Construction Management Plan submitted to the CPA for approval prior to commencement of the development.
186. Accordingly, in addition to the information requirements detailed by the County Highway Authority in respect of the Construction Management Plan⁶⁵ Officers would also require the applicant to provide detailed measures to prevent dust emissions arising from the deposit, handling and engineering of waste materials to the CPA for approval before the development commences.
187. Having regard to the preceding paragraphs Officers do not consider, subject to conditions, that the proposal would give rise to unacceptable dust or vehicle emissions such that it would significantly adversely affect local amenity. Accordingly, Officers consider that the proposal satisfies policy DC3 of the SWP and policy ENV22 of the MVLP.

⁶⁴ EPUK (2010), Development Control: Planning for Air Quality (2010 Update), p14.

⁶⁵ See paragraph 174 above

NOISE

National Guidance

National Planning Policy Framework 2012

National Planning Policy for Waste 2014

Development Plan Documents

Surrey Waste Plan 2008

Policy DC3 – General Considerations

Mole Valley Local Plan 2000

Policy ENV22 – General Development Control Criteria

Policy Context

188. Paragraph 109 of the Framework states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of noise pollution. Paragraph 120 of the Framework states that in order to prevent unacceptable risks from pollution, planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account.
189. Paragraph 122 of the Framework advocates that in ensuring that the site is suitable for its new use local planning authorities should focus on whether the development itself is an acceptable use of the land and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. It goes on to state that the CPA should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.
190. Paragraph 123 of the Framework states that planning decisions should aim to: (a) avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development, and (b) mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise.
191. Paragraph 144 of the Framework specifically relates to decision making on planning applications for minerals development. It states that in determining planning applications for minerals development the CPA should ensure that the impacts of unavoidable noise are controlled, mitigated or removed at source.
192. Annex B criteria J of the NWP requires, in respect of noise emissions, that consideration be given to the proximity of sensitive receptors. The operation of large waste management facilities in particular can produce noise affecting both the inside and outside of buildings, including noise and vibration from goods vehicle traffic movements to and from a site. Intermittent and sustained operating noise may be a problem if not properly managed particularly if night-time working is involved.
193. Policy DC3 of the SWP requires that applicants demonstrate, by the provision of adequate supporting information, that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources. The policy goes on to state that the supporting information should include, where appropriate, an assessment of noise impacts.

194. As with air quality, policy ENV22 of the MVLP states that where the principle of proposed development accords with other policies of the Development Plan a design and layout will be required which does not significantly harm the amenities of the occupiers of neighbouring properties by adverse environmental impacts.

The Development

195. In similarity with the air quality implications of the development the proposal has the potential to adversely affect local amenity by way of noise arising from the importation of waste materials and its subsequent deposit, handling and engineering. However, it should be borne in mind that the application site is situated immediately south of the M25 motorway and east of the A245 Randalls Road/Woodlands Road. Accordingly, this is an area which is affected by significant noise from the strategic highway network.
196. Having regard to the indicative traffic flows along Oaklawn Road⁶⁶ the County's Environmental Noise Consultant ("ENC") has calculated that the HGVs movements associated with the proposal would raise noise levels along Oaklawn Road by 1.1 LAeq.
197. Normally any increase below 1 LAeq is considered not particularly significant. Accordingly, the calculated increase of 1.1 LAeq is considered to be marginal in terms of noise although residents may notice the additional HGV movements and express their concerns as a noise issue. In this respect the ENC does not consider the 24 month (maximum) period over which the development is to take place insignificant and therefore it is considered that the development would cause some minor noise impact for the land uses along the haulage route (Oaklawn Road and the A244 Oxshott Road).
198. In respect of the deposit, handling and engineering of the waste materials on the application site the ENC considers that it is only Hawthorne Court that may be affected by noise but at worst the noise of plant and machinery would be below 50 LAeq for a limited period (i.e. the operational times of the development) and therefore not a problem for an area where noise from the M25 is significant.
199. Officers consider that the noise implications of the development can be mitigated and controlled by the imposition of planning conditions on any planning permission granted including limiting groundworks, and thereby the use of heavy plant and machinery, to the hours of 0800 and 1700 hours Monday to Friday and 0800 to 1300 hours on Saturdays, with no groundworks on Sundays and holidays; and requiring all plant and machinery which use reversing signals to be fitted with white noise signals as opposed to reversing beepers. Further, Officers would also seek to prohibit the use of processing plant i.e. screeners, crushers etc. on the application site.
200. Moreover, the County Highway Authority has requested that a condition be imposed on any permission granted prohibiting HGV access to the development between the hours of 0800 and 0900 hours and 1700 and 1800 hours Monday to Saturday. However, Officers consider that it would be appropriate to prohibit working after 1300 hours on Saturdays. Accordingly, such conditions would be imposed on any permission granted accordingly.

⁶⁶ See paragraph 167 above

201. Considering paragraphs 195 to 200 above Officers do not consider that the proposal would give rise to unacceptable levels of noise which would significantly adversely affect local amenity and therefore Officers consider that the proposal satisfies the requirements of policy DC3 of the SWP and policy ENV22 of the MVLP.

LANDSCAPE AND VISUAL IMPACT

National Guidance

National Planning Policy Framework 2012

National Planning Policy for Waste 2014

Development Plan Documents

Surrey Waste Plan 2008

Policy DC3 – General Considerations

Mole Valley Core Strategy 2009

Policy CS13 – Landscape Character

Mole Valley Local Plan 2000

Policy ENV22 – General Development Control Criteria

Policy Context

202. Paragraph 109 of the Framework requires that the planning system contribute to and enhance the natural and local environment by protecting and enhancing landscapes whilst paragraph 111 encourages the effective use of land by re-using land that has been previously developed (brown field land), provided that it is not of high environmental value.
203. In terms of landscape and visual impact Annex B criteria C of the NPW explains that considerations will include will include (i) the potential for design-led solutions to produce acceptable development which respects landscape character; (ii) the need to protect landscapes or designated areas of national importance (National Parks, the Broads, Areas of Outstanding Natural Beauty and Heritage Coasts) (iii) localised height restrictions.
204. Policy DC3 of the SWP requires that applicants demonstrate, by the provision of adequate supporting information, that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources. The policy goes on to state that the supporting information should include, where appropriate, an assessment visual and landscape impacts.
205. Policy CS13 of the MVCS requires that all new development respect and, where appropriate, enhance the character and distinctiveness of the landscape character area in which it is proposed. It advocates landscape enhancement works, where required, to avoid adverse impacts associated with new developments.
206. Policy ENV22 of the MVLP states that where the principle of proposed development accords with the Development Plan a design and layout will be required which is (a) appropriate to the site in terms of its scale, form and appearance and external building materials; (b) does not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking or its overshadowing or overpowering effect; (c) respects the character and appearance of the locality; (d) has regard to attractive features of the site such as trees, hedges, walls or buildings that contribute to the character of the locality; and (e) provides any necessary screening and landscaping suitable to the character of the locality.

The Development

207. The application site is situated with the Thames Basin Lowlands Landscape Character Area ("CA") which cuts across Surrey from the east to west lying between the Thames Basin Heaths to the north and the North Downs to the south. The gently undulating landscape lies over London Clay and is low-lying in the north, gradually rising towards the dip slope of the North Downs in the south. The River Mole winds through a broad, flat bottomed valley with gently sloping sides.
208. Surrey County Council's "The future of Surrey's Landscape and Woodlands"⁶⁷ explains that this landscape is a gently undulating, large scale landscape of heath and grass downland commons which is partly rural and partly urban in character. It goes on to describe its key characteristics as: much of the farmland is becoming degraded; wooded commons, the results of natural regeneration, give the landscape a moderately wooded appearance; the farmed landscape is small scale and enclosed with small to medium sized, irregular rectangular fields divided by hedges with mature hedgerow trees; hedgerows also provide enclosure with road corridors. It also acknowledges golf courses within this landscape provide opportunities for leisure and recreation.
209. The application site is predominantly enclosed with existing established vegetation and topography offering only restricted views of the area where works are to take place. The application site is unlikely, save for fleeting glimpses of the driving range outfield from cars on Oaklawn Road, to be able to be seen from the surrounding road network. There are no public rights of way which cross the golf centre or application site.
210. The proposal includes the remodelling of the about two thirds of the driving range outfield, parts of holes 1 and 3, and the creation of a water storage pond on the disused shooting range. These proposals are illustrated on Drawings Ref. 100.02 Revision B Proposed Grading Works dated 15 May 2014; Ref. 100.03 Revision C Landscape Plan dated 27 July 2014; and Ref. 100.04 Revision C Cross Sections dated 27 July 2014.
211. The driving range outfield is to be remodelled to increase the fall across its surface to allow for rainwater harvesting and to provide exciting new target features. This would require the formation of a 'wedge' with the high point at the back of the outfield (east) and the low point at the range bays (west). The back of the range would be raised between 1.5 and 2 metres sloping down to key into the existing ground level at a point approximately 70 metres from the front of the range bays. Generally the profile of the driving range would have a 5% slope across its surface with the peripheral banks running down at a maximum of 1 in 4.
212. The remodelling of hole 1 relates to the fairway edge and the out of play area to the left of the hole. A length of mounding from the tee to the end of the existing hedgerow is also proposed. This will include banking of between 1 in 3 and 1 in 4 slopes. Beyond that more expansive banking is proposed with slopes running down from the edge of the range outfield at approximately 1 in 12 to the edge of the first fairway. At the base of the banking a new bunker complex will be formed. Hole 3 would have a new tee complex constructed. This will be raised above the existing ground level by 2 metres.

⁶⁷ Surrey County Council, 1997

- 213. The proposed water storage pond would be constructed by cutting into the existing ground level of the steep artificial bank to a maximum of 2 metres, with internal batters of 1 in 4. Marginal shallows and undulations to the lagoon bottom would be created to provide variations of habitat. In order to stabilise the banking on the eastern end of the former shooting range additional banking is to be introduced. This would slope down from the top of the existing banking at between 1 in 5 and 1 in 12 toward the fairway of hole 3.
- 214. The applicant proposes to undertake a comprehensive programme of native tree, shrub, grass, and wildflower planting for the purposes of restoring the application site upon completion of remodelling works and enhance the ascetic value of the golf centre. The area surrounding the proposed pond would also be set aside as a wildlife haven. In this context the applicant has submitted a 15 year Landscape Management Plan so as to facilitate the management of these ecological and landscape enhancements⁶⁸. These management measures can be secured by way of planning conditions.
- 215. Officers consider that although the proposal would result in fundamental remodelling of the application site these modification need to be considered in relation not only the character of the wider landscape but also in relation to the current and proposed use of the land. The character of the golf centre is defined by intensively managed artificial golf course features set in the wider urban landscape character of the Thames Basin Lowlands. By remodelling the application site as proposed these fundamental landscape characteristics would remain constant.
- 216. The County’s Landscape Architect (“CLA”) has assessed the proposal and considers that it is supported by a comprehensive landscape scheme and management plan which would result in improved landform around the unsympathetic shooting range and otherwise provide for an improved golf course experience without compromising the character of the local landscape. On this basis the CLA has not objected to the proposal. The District Council, the County’s Ecologist, Natural England, and Surrey Wildlife Trust have not raised objection to the proposal on landscape grounds.
- 217. Subject to conditions therefore Officers do not consider that the proposal would significantly adversely affect local visual amenity or landscape quality. Accordingly, Officers consider that the proposal satisfies policy DC3 of the SWP, policy ENV22 of the MVLP and policy CS13 of the MVCS.

FLOODING AND DRAINAGE

National Guidance

National Planning Policy Framework 2012
National Planning Policy for Waste 2014

Development Plan Documents

Surrey Waste Plan 2008
Policy DC3 – General Considerations
Policy DC2 – Planning Designations
Mole Valley Local Plan 2000
Policy ENV22 - General Development Control Criteria
Policy ENV67 – Groundwater Quality
Mole Valley Core Strategy 2009
Policy CS20 – Flood Risk Management

⁶⁸ As shown on Drawing Ref. 100.03 Revision C Landscape Plan dated 27 July 2014 and discussed in paragraphs 43 to 45 above

Policy Context

218. The Framework asserts that planning plays a key role in helping shape places to minimise vulnerability and providing resilience to the impacts of climate change. It advocates that this is central to achieving sustainable development. The Framework also provides technical guidance on flood risk which replaces Planning Policy Statement 25 – Development and Flood Risk.
219. Paragraph 100 of the Framework states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Paragraph 103 states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere.
220. Paragraph 109 of the Framework states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Consequently, paragraph 120 of the Framework states that in order to prevent unacceptable risks from pollution, planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account.
221. Annex B criteria A of the NPW states that in testing the suitability of sites the CPA should give consideration to the proximity of vulnerable surface and groundwater or aquifers including, for land-raising proposals, geological conditions and the behaviour of surface water and groundwater; and the suitability of the proposal subject to flooding including consequent issues relating to the management of potential risk posed to water quality from waste contamination.
222. Policy DC2 of the SWP states that planning permission will not be granted for waste related development where this would endanger, or have a significant adverse impact, on the setting of land liable to flood. This policy goes on to explain that in assessing each development proposal, due regard will be paid to prevailing national policy and guidance appropriate both to the areas and features of acknowledged importance and the proposed means of dealing with waste, and that this assessment will also take into account whether any significant adverse impact identified could be controlled to acceptable levels.
223. Policy DC3 of the SWP is clear that planning permissions for waste related development will be granted provided it can be demonstrated by the provision of appropriate information to support a planning application that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources. In this particular case the information supporting the proposal must include assessment of (i) the release of polluting substances to land arising from facilities or transport, (iv) the drainage of the application site and the adjoining land and the risk of flooding, and (v) groundwater conditions and the hydrogeology of the locality.
224. Policy CS20 of the MVCS states that planning applications will be determined in accordance with the guidance contained within Planning Policy Statement 25 – Sustainable Flood Risk Management. It goes on to advocate the use of sustainable drainage systems and mimicking Greenfield run-off situations.

225. Policy ENV22 of the MVLP states that where the principle of development accords with the Development Plan a design and layout will be required which does not significantly harm the amenities of the occupiers of neighbouring properties by reason of adverse environmental impact. Policy ENV67 of the same states that development will not be permitted which in the opinion of the Council, after consultation with the Environment Agency, may have an adverse impact on the quality of groundwater.

The Development

226. The applicant has submitted a Flood Risk Assessment (“FRA”) in support of the proposal. This assessment is a “Level 2” FRA which follows on from previous work undertaken in October 2008 when a “Level 1” screening assessment was undertaken by the applicant. Following this screening assessment a walkover survey was undertaken in February 2012 so as to inspect the golf centre and the application site. The FRA includes impacts of climate change in all calculations by increasing rainfalls by 20%.
227. The existing and proposed use of the application site is for outdoor sport and recreation. This land use would be classed as “less vulnerable” in terms of flooding and is therefore suitable in areas except Flood Zone 3b. The application site lies entirely within Flood Zone 1 and therefore it is not necessary to apply the Sequential Test to the proposal. It also indicates less than a 0/1% annual exceedance probability of fluvial flooding which is equivalent to a 1 in 1000 year return period. Existing surface water drainage arrangements at the golf centre comprises natural infiltration into ground surfaces and runoff from structures being fed to a culverted ditch on the western side of the centre which in turn drains to an unnamed minor watercourse to the west.
228. The nearest watercourse to the application site is a minor unnamed stream that flows via a culvert and ditches through the western half of the site. The nearest flood zones are the River Mole approximately 500 metres to the southwest at 25m AOD and the River Rye approximately 500 metres to the southeast at 30m AOD. The National Soil Resources Institute’s Soil Map reflects the catchment characteristics of the application site as “slowly permeably seasonally wet loamy and clayey soils”. The application site is shown on the British Geological Society’s Geology of Britain Viewer as “north of the North Downs chalk over London clay formation – clay and silt”.
229. The Strategic Flood Risk Assessment prepared by the District Council in February 2009 does not indicate any historic flooding at the application site. The area “north of the North Downs where the chalk meets the clay, sand and silt of the Lambeth Group and Thames Group (London Clay)” is subject to a low risk of groundwater flooding. Accordingly, the possible source of flood risk in respect of the application site is “surface water” but then only ranked as a “possible risk”. Flood risk from rivers or failure of infrastructure is considered to be low.
230. Having regard to the above factors, and considering the development proposed, the applicant’s Flood Risk Assessment concludes that:
231. Increased gradient of land around the “short game area” within the driving range outfield may lead to a light increase in runoff and waterlogging of this part of the application site as a result of convergent runoff from remodelled areas to the north and south. Accordingly, provision has been made for a swale to permit attenuation and infiltration of any increase in runoff from this part of the application site.

232. Under normal operating conditions, there would be no runoff from the area covered by the storage pond and therefore it would have a beneficial impact on flood risk. However, provision has been made for a pond spillway in the event of a storm. It has been demonstrated that the pond/spillway system can attenuate the 1 in 100 year storm to below the Greenfield rate of runoff. The pond's outflow has also been designed to channel runoff to the centre of the site away from its boundaries.
233. The impacts of the landscaping would largely be retained within the site so there are limited impacts on receptors near the site boundary. However, landscaping adjacent to the site boundary may lead to small increases in runoff. Accordingly, a series of swales has been designed to mitigate the impacts of incremental runoff from slopes at the site's boundary.
234. The residual flood risk as a result of the development is low, as the development is unlikely to cause an increase of flooding at or downstream of the site. However, a maintenance programme should be put in place for swales and the proposed pond spillway.
235. The proposed mitigation swales are shown on Drawing Ref. 100.02 Revision B Proposed Grading Works dated 15 May 2014.
236. The County's Drainage Engineer, the Environment Agency and the District Council have not objected to the development on grounds of flooding.
237. In regard to the consequent issues relating to the management of potential risk posed to water quality from waste contamination the CPA should assume that the Environment Agency, the appropriate pollution prevention and control authority in this particular case, would operate effectively in regulating and controlling the development in these respects. Paragraph 7 of the NPW states that the CPA, in determining planning applications, should concern themselves with implementing the planning strategy in the Local Plan and not with the control of processes which are a matter for the pollution control authorities. Waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced.
238. Having regard to paragraphs 226 to 237 above, Officers consider subject to a planning condition requiring the submission of a detailed surface water drainage strategy to the CPA for approval before the development commences⁶⁹, that the proposal satisfies policies DC2 and DC 3 of the SWP, policy CS20 of the MVCS, and policy ENV67 and ENV22 of the MVLP.

ECOLOGY AND BIODIVERSITY

National Guidance

National Planning Policy Framework 2012

National Planning Policy for Waste 2014

Development Plan Documents

Surrey Waste Plan 2008

Policy DC2 – Planning Designations

Policy DC3 – General Considerations

Mole Valley Core Strategy 2009

Policy CS15 – Biodiversity and Geological Conservation

⁶⁹ As discussed in paragraph 136 above

Policy Context

239. Section 40 of the Natural Environment and Rural Communities Act 2006 (“NERC”) places a duty on Surrey County Council to consider biodiversity in the full range of their activities. It is a legal requirement that *“every public body must, in exercising its functions, have regard so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”*.
240. Notwithstanding the above, Paragraph 109 of the National Planning Policy Framework (“the Framework”) states that the planning system should contribute to and enhance the natural and local environment by: (a) protecting and enhancing valued landscapes, geological conservation interests and soils, (b) recognising the wider benefits of ecosystem services, and (c) minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
241. Paragraph 111 of the Framework advocates that planning decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value. Paragraph 118 requires that the County Planning Authority, in determining planning applications, should aim to conserve and enhance biodiversity by applying the following principles:
- If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
 - Proposed development on land within or outside a Site of Special Scientific Interest (“SSSI”) likely to have an adverse effect on a SSSI (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site’s notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of SSSI’s.
 - Development proposals where the primary objective is to conserve or enhance biodiversity should be permitted.
 - Opportunities to incorporate biodiversity in and around developments should be encouraged.
 - Planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.
242. In respect of the affects the development may have on nature conservation criteria D of Annex E to the NPW states that consideration should be given to sites of international importance for nature conservation, sites with a nationally recognised designation, Nature Improvement Areas and ecological networks and protected species.

243. Policy DC2 of the SWP makes clear that planning permission will not be granted for waste related development where this would endanger or have a significant adverse impact on the character, quality, interest or setting of Ancient Semi-natural Woodlands or Sites of Nature Conservation Importance (“SNCI”).
244. Policy DC3 of the SWP states that planning permission for waste related development will be granted provided it can be demonstrated by the provision of appropriate information to support a planning application that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources. The information supporting the planning application must include, where relevant, assessment of the following matters and where necessary, appropriate mitigation should be identified so as to minimise or avoid any material adverse impact and compensate for any loss: (xii) the loss or damage to flora and fauna and their respective habitats at the site or on adjoin land including linear or other features which facilitate dispersal of species.
245. Policy CS15 of the MVCS advocates the protection of biodiversity in accordance with European and National legislation and guidance. It states that all water courses, mature hedges and trees within development site should be, as far as practicable, retained, and that planting and other schemes that promote biodiversity will be expected as part of all development schemes.

The Development

246. In support of the proposed development the applicant has submitted an Extended Phase 1 Habitat Survey dated September 2008, an updated Extended Phase 1 Habitat and Protected Species Survey dated December 2012, a Great Crested Newt Presence/Likely Absence Survey dated July 2012, and a Tree Survey dated November 2012. The conclusions of these assessments should be read in conjunction with Drawings Ref. 100.02 Revision B Proposed Grading Works dated 15 May 2014, Ref. 100.03 Revision C Landscape Plan dated 27 July 2014, and Ref. 100.05 Revision B Proposed Clearing/Transplanting Plan dated 15 April 2014.
247. The proposed development includes the remodelling of the driving range outfield along with the creation of a water storage pond. The application site is currently and predominantly a high maintenance golf course and driving range with areas of young plantation woodland, scattered trees, rough neutral grassland and patches of scrub. The area proposed for the pond is a disused shooting range that has succeeded into scrub land. There are two ponds within 250m of the application site boundary neither of which support Great Crested Newts.
248. Teazles Wood SNCI bounds the application site to the north and east and includes a stand of Ancient Woodland which is located approximately 170m from the eastern boundary of the application site. In this respect the proposal includes a 15m wide buffer zone along the eastern boundary of the application site where no development activities are to take place including remodelling of the ground, vehicle movements and vegetation clearance. This standoff area has been provided in accordance with standing advice from Natural England in relation to Ancient Woodland. Surrey Wildlife Trust have advised that this standoff area would help protect the adjacent SNCI and therefore this zone should be temporarily fenced for the duration of the works so as to prevent encroachment. However, there is an existing fence which separates the driving range and the SNCI. This fence falls within the 15m buffer zone proposed and therefore Officers do not consider it necessary to require the applicant to install an additional fence.

249. Although a number of young tree groups would be lost to the development, the loss will be adequately compensated for by planting of numerous native trees, the creation of rides and glades and the re-wilding of fairway edges to create a net biodiversity gain to the golf centre. However, the most ecological benefit would result from the creation of the water storage pond, which over time would encourage greater diversity and mass of invertebrates and therefore encourage populations of reptiles and amphibians along with ideal foraging habitat for bats and large animals. The tree, shrub, grass, hedgerow and wildflower planting proposed is discussed in more detail in paragraphs 43 to 45 above.
250. No protected species listed under the Wildlife and Countryside Act 1981, Schedule 1 (birds), Schedule 5 (animals) and Schedule 6 (plants) were discovered on the land proposed for the development. However, bat species were detected transecting the area and badger setts have been recorded within 500m of the application site. Accordingly, mitigation measures to protect all wildlife and minimise disturbance have been proposed by the applicant in these respects. These measures take into account any trees to be retained on the application site.
251. In addition to the 15m wide buffer zone adjacent to Teazles Wood SNC, the mitigation measures proposed comprise: (a) protection of all trees to be retained to a minimum of their root protection areas by fencing to BS:5837 standards during the period of development; (b) no topsoil stripping within 3 metres of the existing security fencing along the north-eastern boundary of the application site; (c) all tree works and removal of scrub to take place outside of the bird nesting season unless a full bird survey is conducted immediately prior to commencement of works by a suitably qualified ecologist whom confirms that no birds are nesting; (d) no works to be conducted on any mature trees until a full bat roost survey has been conducted by a suitably qualified ecologist whom confirms that no bats are roosting; (e) all contractors on the application site shall be made aware of guidelines outlined in "Badgers and Development"⁷⁰; (f) any holes or tranches left open overnight to have means of escape provided such as a ramp or wide plank; (g) all materials, especially those containing lime, to be securely stored out of access of badgers; (h) no materials to be disposed of by way of burning; (i) any alternations to the boundary of the application site not to block the free movement of badgers into and out of the application site; and (i) any signs of badger presence shall be reported to a suitably qualified ecologist.
252. Surrey Wildlife Trust have assessed the proposal and raised no objection on ecological grounds. However, it has advised that the construction works should be controlled by an Ecological Construction Method Statement/Management Plan which the CPA should approve prior to the commencement of the development. This plan would control how works are undertaken so as to reduce the impact on the SNCI particularly from polluting agents such as dust, fumes, noise, water, chemical run-off and artificial lighting.
253. The trust has also raised concern that the latest ecological survey work for the application site appears to be over two years old⁷¹. Consequently it has advised the CPA to seek confirmation from the applicant that the conclusions reached in the ecology reports are still suitable to prevent adverse effects to legally protected species and the site's current biodiversity value. The County's Ecologist has also considered the issue of the age of the applicant's ecological surveys and advised that he considers that such surveys are still valid for four years in regard to low impact schemes but agrees that the applicant should check whether major changes have occurred before the development commences.

⁷⁰ English Nature, 2002, ISBN.1 85716 6140.IN7.5

⁷¹ This concern also raised by a third party objector

254. Moreover, the trust has stated that should planning permission be granted the applicant should be required to: (a) undertake all the mitigation and compensatory measures detailed in the applicant's 2012 Extended Phase 1 Habitat and Protected Species Survey report; (b) undertake all the actions detailed in the applicant's Landscape Management Plan; (c) not stock the proposed pond with fish; and (d) take particular care in sourcing trees, shrubs and plants using preferably local sources of supply from proven disease free stock. Officers consider that it would be appropriate to impose conditions and informatives on any consent granted so as to secure or advise the applicant of these measures as appropriate.
255. Considering that the CPA should concern itself with the control of development of land in the public interest rather than the control of processes which are a matter for the pollution control authorities as advised by the NPW, Officers do not consider the submission of an Ecological Construction Method Statement/Management Plan to be appropriate in the circumstances. Further, the noise and air quality implications of the development have been assessed in relation to the application site and its surroundings. Subject to conditions the implications of the development in these respects are considered to be acceptable. No artificial lighting is proposed as part of the proposal. The applicant would be required to submit a detailed surface water drainage strategy to the CPA for approval before the development commences as discussed in paragraph 136 above.
256. Moreover, the County's Ecologist agrees with Officers that as this is not a major scheme it would be appropriate to condition the mitigation and compensatory measures discussed in paragraph 251 above rather than require the submission of an Ecological Construction Method Statement/Management Plan. Accordingly, the County's Ecologist has not raised objection subject to the applicant undertaking the mitigation measures discussed. Subject to these measures the County's Ecologist does not consider that the proposal will give rise to adverse ecological impacts.
257. In respect of the age of the applicant's ecological surveys, the applicant's Ecologist revisited the application site on 25 August 2014 and has confirmed in writing⁷² that the findings of the reports remain valid and that no major changes to the application site's intended layout or habitats have occurred over the time since the reports were originally issued. Accordingly, it is the applicant's opinion that the original reports are likely to still be suitable to prevent adverse effects to legally protected species and the applicant site's biodiversity value.
258. Natural England have assessed the proposal and raised no objection. They have however advised that the proposal may provide opportunities to incorporate features into the design of the development which are beneficial to wildlife and which may enhance the character of the surrounding natural environment. Officers consider that the proposal achieves the latter⁷³, and that it would be appropriate to require the applicant by way of planning condition to provide bird nest boxes and bat roosts across the restored application site.

⁷² Letter dated 29 October 2014

⁷³ See paragraphs 202 to 217 above

259. A representative of the Friends of Teazole Wood has objected to the development for a number of reasons⁷⁴ but primarily due to the impact the development may have on the SNCI. The County's Ecologist has specifically reviewed the objection raised by this organisation. His advice in this respect is that the concerns raised contain much general advice regarding development that may impact on Ancient Woodland but it is not considered that the proposal would adversely affect the Ancient Woodland within the SNCI as the proposal includes a 15 meter standoff zone as a buffer against any development and the boundary of the SNCI in accordance with advice from Natural England. This follows the Bolnore case in West Sussex which was for a housing development with potentially greater impact than that of the proposed development.
260. Having regard to paragraphs 246 to 259 above, Officers consider that subject to conditions the proposed development satisfies the requirements of policies DC2 and DC3 of the SWP and policy CS15 of the MVCS and that any adverse effects that may arise can be adequately mitigated and compensated for in accordance with paragraph 118 of the Framework.

HERITAGE ASSETS

National Guidance

National Planning Policy Framework 2012

National Planning Policy for Waste 2014

Development Plan Documents

Surrey Waste Plan 2008

Policy DC2 – Planning Designations

Policy DC3 – General Considerations

Policy Context

261. Paragraph 128 of the Framework states that in determining applications, the CPA should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
262. Paragraph 129 of the Framework then goes onto explain that the CPA should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

⁷⁴ See paragraph 69 above

263. Accordingly, paragraph 131 of the Framework advocates that in determining planning applications, the CPA should take account of: (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and (c) the desirability of new development making a positive contribution to local character and distinctiveness.
264. Policy DC2 of the SWP states that planning permission will not be granted for waste related development where this would endanger, or have a significant adverse impact on the character, quality, interest or setting of sites of archaeological importance.
265. Policy DC3 of the SWP states that planning permission for waste related development will be granted provided it can be demonstrated by the provision of appropriate information to support a planning application that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect land or resources. In this respect the information supporting the planning application must include assessment of the loss or damage to archaeological resources and where necessary, appropriate mitigation should be identified so as to minimise or avoid any material adverse impact and compensate for any loss.

The Development

266. The proposal would involve the stripping of topsoil within the application site before inert waste materials are deposited and engineered to form the new raised contours proposed. Given that the application site lies within an area of archaeological potential the development proposed may adversely affect heritage assets with an archaeological interest.
267. The Heritage Assessment produced by the applicants archaeological consultants (West Sussex Archaeology) aims to identify and assess the significance of any heritage assets with archaeological interest that may be affected, and the potential impact of the proposal on any such assets, so enabling decisions to be made on whether and what further archaeological work is necessary.
268. The assessment is brief but acceptable to the County's Archaeologist. It highlights the application site's potential for containing archaeological assets – especially those relating to the Iron Age, and Roman and medieval periods. Given this potential, and that the proposed development will lead to the destruction of any archaeological assets that may be present, in line with the National Planning Policy Framework and Local Plan Policy for application sites over 0.4 hectares, further archaeological work is required on behalf of the applicant before the development commences.
269. In the first instance, the archaeological work required would comprise an archaeological evaluation trial trenching exercise within those areas of the site where groundworks proposed as part of the development have the potential to impact on archaeological assets. This evaluation will aim to establish rapidly what these archaeological assets are and where they may be present. The results of the evaluation will enable suitable mitigation measures to be developed in line with the advice from the County's Archaeologist. A specification for the evaluation will need to be agreed with the County's Archaeologist before any trenching can begin.

270. Given that there will already have been a degree of impact across the site during the creation of the golf course, the County's Archaeologist does not recommend that it is necessary for the archaeological work to be undertaken in advance of any planning permission; but securing the archaeological work as a condition of any planning permission is an acceptable and proportionate response. Accordingly, so as to ensure the required archaeological work is pursued satisfactorily, the following condition would be imposed any planning permission that may be granted: *"No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the Planning Authority."*
271. Having regard to paragraphs 266 to 270 above, Officers consider that the proposal, subject to the aforementioned condition, does satisfy policies DC2 and DC3 of the SWP.

METROPOLITAN GREEN BELT

National Guidance

National Planning Policy Framework 2012

National Planning Policy for Waste 2014

Development Plan Documents

Surrey Waste Plan 2008

Policy CW6 – Development in the Green Belt

Policy Context

272. Paragraph 79 of the Framework explains that the fundamental aim of Green Belt policy is to keep land permanently open, whilst paragraph 80 lists the five purposes of Green Belts: to check unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling or derelict and other urban land.
273. Paragraph 81 of the Framework requires local planning authorities to plan positively to enhance the beneficial use of the Green Belt such as looking for opportunities to provide access to and opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity or to improve damaged and derelict land. Construction of new buildings is inappropriate in the Green Belt, but an exception is made for the provision of appropriate facilities for outdoor sport and recreation as long as the openness of the Green Belt is preserved.
274. Paragraph 88 advocates that in considering any planning application the CPA should ensure that substantial weight is given to any harm to the Green Belt, and that very special circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
275. Paragraphs 89 and 90 of the Framework discuss what types of developments are 'appropriate' in Green Belt locations. Waste related development is not included in paragraphs 89 and 90 and therefore, as with previous Green Belt Policy (Planning Policy Guidance 2 – Green Belts), waste related development is 'inappropriate development' in the Green Belt. All development is considered inappropriate in the Green Belt unless falling within the categories set out in paragraphs 89 and 90 of the Framework⁷⁵.

⁷⁵ Fordent Holdings Ltd v SSCLG [2013] EWHC 2844 (Admin)

276. In this context, and taking into account that the proposal does involve engineering operations, regard must be given to paragraph 90 of the Framework which states that engineering operations are not inappropriate in the Green Belt provided they preserve the openness of it and do not conflict with the purposes of including land within it.
277. Furthermore, the Government's support for stringent protection against inappropriate development in the Green Belt has been reflected in the NPW. In contrast to the now defunct Planning Policy Statement 10 – Delivering Sustainable Waste Management, the NPW removes the reference that the CPA should give significant weight towards locational needs and wider environmental and economic benefits when considering waste planning applications in the Green Belt.
278. This means that, under national planning policy, these planning considerations should not be given more significant weight compared to others when the planning application is determined. However the proposal, which is located in the Green Belt, will still need to be considered by the CPA on its individual planning merits having regard to the Development Plan and other material considerations, with the weight to be given on particular planning considerations being for the decision maker, subject to the circumstances of each particular case.
279. In this context policy CW6 of the SWP states that there is a presumption against inappropriate waste related development in the Green Belt except in very special circumstances. Very special circumstances to justify inappropriate development in the Green Belt will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The policy outlines that the following considerations may contribute to very special circumstances: (i) the lack of suitable non-Green Belt sites; (ii) the need to find locations well related to the source of waste arisings; (iii) the characteristics of the site; and (iv) the wider environmental and economic benefits of sustainable waste management including the need for a range of sites.

The Development

280. The development would involve the importation, deposit and engineering of 79,000m³ inert waste materials on 4.52ha of land so as to: remodel the existing driving range outfield; create a 3,500m³ irrigation storage pond; reshape the existing banking around the proposed irrigation pond; and form a new bunker and tee complex with associated ecological improvements over a period of 12 - 24 months and involving 18,217 HGV movements.
281. This development is to take place on Green Belt land characterised by intensively managed common golf course features including vehicle parking; tees; a practice range; fairways and semi-rough areas with some 'out-of-play' long grasses, scrub and trees; amenity grassland with occasional shrub areas, young plantation trees; and hedgerows. It also includes a derelict shooting range located on its eastern boundary characterised by raised bare earth and ruderal plant species. An established unmade vehicular track runs along the north-eastern boundary of the land providing access to the disused shooting range area. This track is segregated from the land by existing steel wire fencing.

- 282. The development would include a new temporary construction vehicle egress point off Oaklawn Road, and it would be facilitated by the use of 1 x dozer, 1 x dump truck, 1 x mini digger, 1 x tractor, and 1 x back actor. A wheel-spinner with wheel-bath would also be located on site so as to keep the public highway clean, and the occasional use of a road sweeper would be employed. Additionally, four areas within the application site would be used to temporarily store soil up to 2 metres high so as to be used in the engineering works proposed. A temporary and secure fenced “contractors compound” would also be established for the duration of the development. This compound would include a portacabin for office facilities; an incidental waste storage area; vehicle parking for staff; a bunded fuel storage area; and a portacabin for mess facilities.
- 283. So as to restore the application site following completion of engineering operations the applicant is proposing to plant 3,503 woodland tree and shrub species, 182 linear metres of hedgerow comprising 1,271 hedgerow tree and shrub species, 460 wetland plant species, and a range of grasses and wildflowers over some 4,234m² in total. The after use of the application site would remain as outdoor recreational and leisure in the form of a golf centre and the golf centre would remain open to the public during the course of the development.
- 284. Upon completion of works the temporary vehicular egress would be removed and replanted with native species. Similarly, the temporary “contractors compound” and all other works related temporary infrastructure such as wheel spinners and office facilities would be removed from the application site. As works would have finished no plant and machinery would continue to operate on the application site.

Effect on Openness

- 285. The development proposed would introduce structures, works and activities to land where the fundamental aim of the spatial designation applicable is the very absence of such features i.e. openness. Officers acknowledge that the development seeks to enhance an existing outdoor sport and leisure land use and improve derelict land; however the features described in paragraph 282 above would not preserve the openness of the Green Belt. This adverse impact would be compounded by the movement and operation of HGVs where previously there were generally none.
- 286. However, Officers consider that any adverse impact would be limited to the duration of the works which would last a maximum of 24 months following which the land would be restored and the openness of the Green Belt fully restored in the context of the existing land use. Officers do not consider that the restored application site would adversely affect the openness of the Green Belt despite its modified contours. Additionally, any enhancement of the existing use leading to an increase in on-site activity should not give rise to any significant loss of openness. Accordingly, although the development proposed would undermine the fundamental aim of the Green Belt this would be temporary and therefore the proposal would have a limited impact on the openness of the Green Belt.
- 287. For the same reasons Officers do not consider that the proposal would compromise the objectives of the Green Belt in that due to its nature it is unlikely to contribute to the sprawl of large built-up areas; facilitate the merging of neighbouring towns into one another; encroach upon the countryside; or discourage the recycling of derelict and other urban land.

Other Harm

288. Other harm arising from the proposed development in the form of waste management; traffic; noise; dust; landscape and visual amenity; flooding; ecology and biodiversity; and heritage assets have been discussed in detail in their respective sections of this report⁷⁶. Officers consider that any harm arising from the development in these respects can be adequately mitigated and compensated for by the imposition of planning conditions on any planning permission granted. Similarly, no statutory or technical consultees have objected to the proposal. Accordingly, Officers consider that the other harm arising from the development in the context of Green Belt policy is limited.

Very Special Circumstances

289. The applicant submits that the rationale that the proposal amounts to a waste management facility which requires demonstration of very special circumstances is flawed. This assertion is made on the basis that the proposal seeks to import and deposit waste materials to enable a fully justified re-design of the application site and provision of a sustainable rainwater harvesting scheme. For these reasons the applicant does not consider that compliance with policy CW6 of the SWP is necessary. However if the applicant's assertion is not correct then there would nevertheless be very special circumstances to justify the proposal in the Green Belt. In this respect the applicant submits that the proposal meets all four of the factors listed by policy CW6 of the SWP.
290. It is stated that there is a lack of suitable waste management sites within the area. In preparing the Waste Statement submitted in support of the proposal the applicant contacted waste hauliers operating within Surrey so as to assess the current waste market. It is claimed that the average number of 20 tonne loads was reported to be 145 per haulier and that these hauliers often exported their waste out of the County due to the lack of suitable sites for recovery or disposal.
291. The applicant concludes from this assertion that, given the lack of suitable waste management site within the area and the costs associated with haulage miles, the recovery of soils for the wholly justifiable enhancement of existing sporting facility and derelict land represents the provision of a well related waste management site to the source of the arisings.
292. Further, the applicant asserts that the characteristics of the existing land use means that the proposal is entirely in keeping and does not give rise to any significant adverse issues in terms of ecology, traffic, archaeology, hydrology or other environmental and amenity issues.
293. Lastly, the applicant submits that the proposal would increase biodiversity on the application site and the imported waste would be recovered to provide a highly sustainable solution to the operational (drainage; water supply; and visual/playing attraction) and business (increased revenues and reduced costs) elements of the golfing facility.
294. Officers consider the proposal to amounts to a temporary waste management facility concerned with the disposal of inert waste for the purposes of landraising by engineering operations⁷⁷. In this respect the proposal has been assessed against policies CW4 and CW5 of the Surrey Waste Plan 2008 and found to be compliant.

⁷⁶ See 'Summary of Planning Issues' above

⁷⁷ See paragraphs 115 to 150 above

295. Nonetheless, it is acknowledged that the principal reasons for undertaking the development are for the purposes of remedying the drainage problems associated with the driving range outfield; establishing a sustainable rainwater harvesting storage and irrigation scheme; and enhancing the ascetics and qualitative condition of the application site. In this respect Officers have reasonably concluded that the development would result in the substantial improvement of the application site, that there are no satisfactory alternatives to achieving this improvement, and that the minimum volume of waste requisite would be involved, all in accordance with policy WD7 of the Surrey Waste Plan 2008. Similarly, Officers have concluded that the proposal satisfies policy WD8 of the same.
296. Officers have already explained that data provided by the EA indicates that 2,268,802 tonnes⁷⁸ of CDEW was managed in Surrey in 2012 of which 1,324,251 tonnes arose from in the County. This figure is likely to be higher due to regulatory controls and the way in which data is collected by the EA. It is also known from data supplied by the EA that there were 5.89 million m³ of inert landfill capacity remaining in Surrey in 2012. These “supply” and “demand” figures indicate that inert void space in Surrey would be exhausted by 2019. Paragraph 147 above explains why this is an unrealistic assumption. Nevertheless, there is a need to significantly improve the infrastructure provided within Surrey to manage waste without endangering human health or the environment and to enable communities to take responsibility for the waste produced⁷⁹.
297. In this context the materials to be used to facilitate the development proposed would arise from construction, demolition and excavation sites within a 30 mile radius⁸⁰ of the application site including central London. Given that the proposal would involve the disposal of waste materials, Officers have acknowledged that the proposal would not manage waste materials further up the waste hierarchy. However it has also been recognised that the proposal would enable waste that cannot be so managed to be disposed of safely under the supervision of the Environment Agency and in accordance with the waste hierarchy and the National Planning Policy for Waste.
298. Having regard to the above paragraphs Officers consider that the development would contribute to the sustainable management of waste materials arising in Surrey and London in a proximate location and in accordance with the Development Plan and the National Planning Policy for Waste albeit for a temporary period and a limited volume of materials. Accordingly, Officers consider that this factor should be afforded substantial weight in the context of very special circumstances.
299. Notwithstanding this, the proposal would also result in a substantial improvement in the quality of the application site by way of remedying the drainage problems associated with the driving range outfield which cannot be achieved in another satisfactory way; providing for a sustainable rainwater harvesting, storage and irrigation scheme; improving the ascetics of the golf centre; and enhancement of the ecological value of the golf centre through the proposed restoration and 15 year management arrangements. Officers consider that the qualitative and operational benefits in relation to an existing permitted recreation use in the Green Belt, and the absence of alternatives to securing these, should be afforded significant weight in relation to very special circumstances.

⁷⁸ 1,324,251 tonnes arising in Surrey and 944,551 tonnes imported from elsewhere

⁷⁹ Paragraph B3 of the Surrey Waste Plan 2008

⁸⁰ Foresite ID Waste Statement dated 23 May 2014

Green Belt Conclusion

300. Officers consider that there is a clear need to provide sustainable waste management facilities in Surrey. The proposal would facilitate the sustainable management CDEW arising in the County and from London in such a way that it achieves a substantial improvement in the quality of the application site. This substantial improvement would bring about wider qualitative and operational benefits at an existing recreation facility. No significant adverse environmental or amenity effects have been identified. Officers conclude that the harm arising out of inappropriateness, and the limited loss of openness, is clearly outweighed by other considerations⁸¹ so as to amount to the very special circumstances necessary to justify the grant of planning permission subject to conditions. In this respect, Officers consider that the development satisfies policy CW6 of the Surrey Waste Plan 2008.

HUMAN RIGHTS IMPLICATIONS

301. 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.
302. Officers do not consider that the proposal engages any Convention rights.

CONCLUSION

303. The development would involve the importation, deposit and engineering of 79,000m³ inert waste materials on 4.52ha of land so as to: remodel the existing driving range outfield; create a 3,500m³ irrigation storage pond; reshape the existing banking around the proposed irrigation pond; and form a new bunker and tee complex with associated ecological improvements over a period of 12 - 24 months and involving 18,217 HGV movements.
304. Harm arising from the proposed development in the form of waste management; traffic; noise; dust; landscape and visual amenity; flooding; ecology and biodiversity; and heritage assets have been discussed in detail in their respective sections of this report. Officers consider that any harm arising from the development in these respects can be adequately mitigated and compensated for by the imposition of planning conditions on any planning permission granted. Similarly, no statutory or technical consultees have objected to the proposal.
305. Although Officers acknowledge that the development seeks to enhance an existing outdoor sport and leisure land use and improve derelict land, the nature and scale of the development is such that it would not preserve the openness of the Green Belt whilst works are ongoing. However, Officers consider that this adverse impact would be limited to the duration of the works which would last a maximum of 24 months following which the land would be restored and the openness of the Green Belt fully restored in the context of the existing land use.
306. Officers consider that there is a clear need to provide sustainable waste management facilities in Surrey. The proposal would facilitate the sustainable management CDEW arising in the County and from London in such a way that it achieves a substantial improvement in the quality of the application site. The development would bring about wider qualitative and operational benefits at an existing recreational site which cannot reasonably be achieved in another satisfactory manner. There are no significant

⁸¹ The wider qualitative and operational benefits of sustainable waste management

adverse environmental or amenity effects. Officers conclude that the harm arising out of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the proposal.

RECOMMENDATION

307. Officers recommend that planning permission Ref. MO/2014/0069 be **GRANTED** subject to conditions:

Conditions:

Approved Documents

1. The development hereby permitted shall be carried out and maintained in all respects strictly in accordance with the following plans and drawings:

Drawing Ref. 100.01B Revision A Existing Site Survey dated 15 May 2014
Drawing Ref. 100.02 Revision B Proposed Grading Works dated 15 May 2014
Drawing Ref. 100.03 Revision C Landscape Plan dated 27 July 2014
Drawing Ref. 100.04 Revision C Cross Sections dated 27 July 2014
Drawing Ref. 100.05 Revision B Proposed Clearing/Transplanting Plan dated 15 April 2014
Drawing Ref. 100.06 Revision B Contractors Details Plan dated 15 May 2014
Drawing Ref. 100.07 Revision B Application Site Plan dated 15 May 2014
Drawing Ref. 100.08 Revision A Phasing Plan and Course Layout During Construction dated 15 May 2014
Drawing Ref. 100.20 Final Grading Plan – Contours Only dated 27 July 2014
Drawing Ref. G18966/101 Proposed Junction Visibility and Layout dated September 2013
Drawing Ref. G18966/102 Track Plots dated September 2013
Drawing Ref. G18966/SK2A Proposed and Existing Access with Proposed Signs dated 16 April 2014

Commencement

2. The development hereby permitted shall begin before the expiration of three years from the date of this decision. Written notification of the date of commencement shall be sent to the County Planning Authority within 7 days of such commencement.

Duration

3. The development hereby permitted shall in all respects be completed within 24 months from the date of commencement.

Permitted Development Rights

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and/or re-enacting that Order with or without modification), no plant, buildings, structures or machinery (other than those expressly authorised by this permission), whether fixed or moveable, shall be stationed, erected, or constructed on the application site without the prior written approval of the County Planning Authority.

Volume of Waste Material

5. No more than 79,000m³ of inert waste materials shall be imported to and deposited on the application site. No other types of waste materials shall be imported. Accurate records of the volumes of waste imported to the application site shall be maintained for up to 24 months at any one time and shall be made available to the County Planning Authority upon request.

Hours of Operation

6. The development hereby permitted shall only be undertaken between 0730 to 1800 hours Monday to Friday and 0800 hours to 1300 hours on Saturdays. No working shall be undertaken on Sundays or bank, public or national holidays. This condition shall not prevent emergency operations but these are to be notified in writing to the County Planning Authority within 3 working days.
7. Groundworks associated with the development hereby permitted and involving heavy plant or machinery shall only be undertaken between the hours of 0800 and 1700 hours Monday to Friday and 0800 to 1300 hours on Saturdays.
8. Vehicles associated with the importation of inert waste to the application site shall not arrive or depart the application site, or wait on Oaklawn Road, between the hours of 0800 and 0900 hours and 1700 and 1800 hours Monday to Friday. The site operator shall maintain accurate records of the number of vehicles accessing and egressing the site daily and shall make these available to the County Planning Authority upon request.

Noise

9. All plant and machinery shall be maintained in accordance with manufacturer's specifications and where reversing signals are used these shall comprise white noise signals as opposed to reversing beepers.
10. No processing plant or machinery such as screeners, crushers, chippers or blenders shall be used on the application site or in association with the development hereby permitted.

Vehicular Access

11. The means of access to and egress from the application site for vehicles associated with the importation of inert waste shall be north of the site via Oaklawn Road and Oxshott Road only. There shall be no means of vehicular access or egress from Oaklawn Road south of the application site. Vehicles associated with the importation of inert waste to the application site shall enter and leave the site from/to the north and so shall only turn left into the site and right out of the site onto Oaklawn Road.
12. Before any operations are commenced in association with the importation of inert waste to the application site, the proposed temporary construction access to Oaklawn Road shall be constructed and provided with visibility zones in accordance with Drawing Ref. 18966/SK2A Proposed and Existing Access with Proposed Signs dated 16 April 2014, all to be permanently maintained and the visibility zones kept permanently clear of any obstruction for the duration of the development hereby permitted.
13. Within three months following the completion of the development hereby permitted, the temporary construction access from the application site to Oaklawn Road shall be permanently closed and any kerbs, verge, footway, shall be fully reinstated to their former condition as recorded in the survey undertaken pursuant to Condition 14 below.

14. Before any operations which involve the movement of materials in bulk to and from the application site are commenced facilities shall be provided as must be approved by the County Planning Authority in order that the operator can make all reasonable efforts to keep the public highway clean and prevent the creation of a dangerous surface on the public highway. The approved measures shall thereafter be retained and used for the duration of the development hereby permitted.
15. Operations involving the movement of materials to the site shall not commence unless and until the applicant has undertaken a condition survey of Oaklawn Road, including the carriageway and the verges. This survey is to be repeated upon completion of the works and the applicant is to carry out any repairs to the highway adjudged to have arisen from the passage of vehicles associated to the site. Each of the surveys are to be submitted to the County Planning Authority for approval within one month of their completion.

Vehicle Movements

16. There shall be no more than 94 daily vehicle movements (47 loads) in association with the importation of inert waste to the application site. The site operator shall maintain accurate records of the number of delivery vehicles accessing and egressing the site daily and shall make these available to the County Planning Authority upon request.

Landscape Management

17. The development hereby permitted shall be undertaken in accordance with Section 3 (Management Responsibilities) of the Landscape Management Plan Version 2 dated April 2014 prepared by Weller Designs Ltd., Environmental Business Solutions Ltd., and Johns Associates.
18. The development hereby permitted shall be undertaken in accordance with Section 4 (Maintenance Schedules – New Trees and Shrubs) of the Landscape Management Plan Version 2 dated April 2014 prepared by Weller Designs Ltd., Environmental Business Solutions Ltd., and Johns Associates.
19. The development hereby permitted shall be undertaken in accordance with Section 5 (Maintenance Schedules – New Hedgerow Planting) of the Landscape Management Plan Version 2 dated April 2014 prepared by Weller Designs Ltd., Environmental Business Solutions Ltd., and Johns Associates.
20. The development hereby permitted shall be undertaken in accordance with Section 6 (Maintenance Schedules – Irrigation Lake) of the Landscape Management Plan Version 2 dated April 2014 prepared by Weller Designs Ltd., Environmental Business Solutions Ltd., and Johns Associates.
21. The development hereby permitted shall be undertaken in accordance with Section 7 (Maintenance Schedules – Semi Natural Grasslands and Wildflower Areas) of the Landscape Management Plan Version 2 dated April 2014 prepared by Weller Designs Ltd., Environmental Business Solutions Ltd., and Johns Associates.
22. The development hereby permitted shall be undertaken in accordance with Section 8 (Aftercare and Management of Existing Landscape Features) of the Landscape Management Plan Version 2 dated April 2014 prepared by Weller Designs Ltd., Environmental Business Solutions Ltd., and Johns Associates.

23. The development hereby permitted shall be undertaken in accordance with Section 9 (Management of the Golf Course) of the Landscape Management Plan Version 2 dated April 2014 prepared by Weller Designs Ltd., Environmental Business Solutions Ltd., and Johns Associates.

Ecology and Biodiversity

24. Before the completion of the development hereby permitted the applicant shall submit a scheme for the provision of bird nesting boxes and bat roosts on the application site to the County Planning Authority for approval.
25. All trees that are to be retained shall be protected to a minimum of their Root Protection Area by fencing to BS5837 standards during the period of development hereby permitted so that no top soil stripping or heavy vehicles cause damage to roots or foliage. This fencing shall be maintained during the course of the development hereby permitted.
26. No top soil stripping shall take place within 3 metres of the existing security fencing along the north-eastern boundary of the application site.
27. All tree works and removal of scrub shall be conducted outside of the bird season unless a full breeding survey is conducted immediately prior to commencement of the works by a suitably qualified ecologist whom confirms that no birds are nesting.
28. No works shall be conducted on any mature trees until a full bat roost survey has been conducted immediately prior to commencement of the works by a suitably qualified ecologist whom confirms that no bats are roosting.
29. All contractors associated with the development hereby permitted shall be made aware of guidelines outlined in 'Badgers and Development', English Nature 2002, ISBN 1 85716 6140, IN7.5.
30. Any holes or trenches left open overnight shall have a means of escape provided such as a ramp or a wide plank.
31. All materials, especially those containing lime, shall be securely stored out of access of badgers.
32. No materials shall be discarded on the application site by way of burning.
33. Any alterations to the boundary of the application site as a result of the development hereby permitted shall not block access for badgers to move freely in and out of the site.
34. Any signs of badger presence on the application site shall be reported to a suitably qualified ecologist as soon as practicably possible.
35. The irrigation lagoon hereby permitted shall not be stocked with fish.

Pre-Commencement Conditions

36. The development hereby permitted shall not commence until a Method of Construction Statement has been submitted to and approved in writing by the County Planning Authority. Only the approved details shall be implemented during the construction period. The Method of Construction Statement shall include details of:
- (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and machinery

- (c) storage of plant and materials
 - (d) programme of works including measures for traffic management
 - (e) provision of boundary hoarding behind any visibility zones
 - (d) measures to prevent dust emissions arising from the deposit, handling and engineering of waste materials
37. Prior to the commencement of development hereby permitted details of surface water drainage, storage and irrigation shall be submitted to the County Planning Authority for approval in writing. The development shall be carried out and maintained strictly in accordance with the approved details or any subsequent approved variation in perpetuity. These details shall include:
- (a) detailed drawings
 - (b) detailed layouts
 - (c) detailed specifications
 - (d) detailed calculations
 - (e) detailed maintenance measures and schedules
38. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted to the Planning Authority for approval in writing.
39. Prior to the commencement of the development hereby permitted details of the portacabin style buildings and weighbridge shall be submitted to the County Planning Authority for approval. The details shall include the dimensions and colours of the infrastructure. The details shall be implemented and maintained for the duration of the development as approved.

Reasons:

1. For the avoidance of doubt and in the interests of proper planning.
2. 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.
3. So at to comply with the terms of the application.
4. In the interests of local amenity and environment in accordance with Policy DC3 of the Surrey Waste Plan 2008.
5. So at to comply with the terms of the application.
6. In the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
7. In the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
8. In order that the development should not prejudice highway safety or cause inconvenience to other highway users in accordance with policy DC3 of the Surrey Waste Plan 2008.
9. In the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
10. So at to comply with the terms of the application and in the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.

11. In order that the development should not prejudice highway safety or cause inconvenience to other highway users in accordance with policy DC3 of the Surrey Waste Plan 2008.
12. In order that the development should not prejudice highway safety or cause inconvenience to other highway users in accordance with policy DC3 of the Surrey Waste Plan 2008.
13. In order that the development should not prejudice highway safety or cause inconvenience to other highway users in accordance with policy DC3 of the Surrey Waste Plan 2008.
14. In order that the development should not prejudice highway safety or cause inconvenience to other highway users in accordance with policy DC3 of the Surrey Waste Plan 2008.
15. In order that the development should not prejudice highway safety or cause inconvenience to other highway users in accordance with policy DC3 of the Surrey Waste Plan 2008.
16. In order that the development should not prejudice highway safety or cause inconvenience to other highway users in accordance with policy DC3 of the Surrey Waste Plan 2008.
17. So as to comply with the terms of the application and in the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
18. So as to comply with the terms of the application and in the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
19. So as to comply with the terms of the application and in the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
20. So as to comply with the terms of the application and in the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
21. So as to comply with the terms of the application and in the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
22. So as to comply with the terms of the application and in the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
23. So as to comply with the terms of the application and in the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
24. So as to enhance biodiversity in accordance with paragraph 118 of the National Planning Policy Framework 2012.
25. So at to comply with the terms of the application and in the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
26. So as to comply with the terms of the application and in the interests of the local environment and amenity in accordance with policy DC2 and DC3 of the Surrey Waste Plan 2008.
27. So as to comply with the terms of the application and in the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
28. So as to comply with the terms of the application and in the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.

29. So as to comply with the terms of the application and in the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
30. So at to comply with the terms of the application and in the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
31. So as to comply with the terms of the application and in the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
32. In the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
33. So as to comply with the terms of the application and in the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
34. So as to comply with the terms of the application and in the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
35. In the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
36. In order that the development should not prejudice highway safety or cause inconvenience to other highway users, and in the interests of the local environment and amenity, in accordance with policy DC3 of the Surrey Waste Plan 2008.
37. In the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
38. In the interests of archaeological resources in accordance with policy DC3 of the Surrey Waste Plan 2008.
39. In the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008

Informatives:

1. The County Planning Authority confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
2. The development will require an Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency. The applicant is advised to contact Chris Back Team Leader, EPR Waste as soon as possible on 03708506506 to discuss the issues likely to be raised. The Environmental Permitting Regulations make it an offence to cause or knowingly permit a groundwater activity unless authorised by an Environmental Permit which the Environment Agency will issue. A groundwater activity includes any discharge that will result in the input of pollutants to groundwater.
3. The developer should take particular care in sourcing trees, shrubs and plants using preferably local sources of supply from proven disease free stock.

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4. The permission hereby granted shall not be construed as authority to carry out works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a licence must be obtained from the Highway Authority Local Highway Service Group before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-communitysafety/flooding-advice
 5. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
 6. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or is being built. Planning consent for a development does not provide a defence against prosecution under this Act.
 7. Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity during this period and shown it is absolutely certain that nesting birds are not present.

CONTACT: Dustin Lees

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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 and Compulsory Purchase Act 2004
Town and Country Planning Act 1990
National Planning Policy Framework 2012
Waste Management Plan for England 2013
National Planning Policy for Waste 2014

The Development Plan

Surrey Waste Plan 2008
Surrey Minerals Plan Core Strategy 2011
Mole Valley Local Plan 2000
Mole Valley Core Strategy 2009

Other Documents

Directive 2008/98/EC of The European Parliament and of The Council
The future of Surrey's Landscape and Woodlands, Surrey County Council, 1997
