

TO: PLANNING & REGULATORY COMMITTEE

DATE: 9 September 2009

BY: PLANNING MANAGER

DISTRICT(S) GUILDFORD BOROUGH COUNCIL

ELECTORAL DIVISION(S):

Horsleys

Mr Barker

PURPOSE: FOR DECISION

GRID REF: 503674 156605

TITLE: MINERALS AND WASTE APPLICATION GU09/1061

SUMMARY REPORT

Papercourt Farm, Papercourt Lane, Ripley, Woking GU23 6DT

Retrospective permission for use of land for the importation, temporary storage and processing of green waste materials in association with a landscape maintenance and tree surgery business including the retention of existing portacabin buildings, stockpiles and storage bays, equipment, fencing, access gates, landscape bunding, hardcore surfacing, landscaping and parking area.

Papercourt Farm is located off Papercourt Lane approximately 1.5km to the west of the village of Ripley, 800 metres to the north of the village of Send and 3.6km to the southeast of the centre of Woking. The site is approximately 0.61ha in size and is located within rural farmland within the Metropolitan Green Belt bordered by agricultural fields to the north, northeast, and east with farm buildings associated with Papercourt Farm to the west and southwest and Papercourt Lane to the south. The A3 Motorway is located approximately 1.8km to the southeast of the site.

The applicant is seeking retrospective planning permission to use the land for the importation, temporary storage and processing of green waste materials in association with a landscape maintenance and tree surgery business on a site of 0.61ha.

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

Development Plan policies seek to protect the local environment and the amenities of local residents from the adverse effects of development. It is considered that the applicant has failed to demonstrate very special circumstances. Another significant issue raised by this proposal is that of traffic and road capability. The County Highway Authority (CHA) have raised objection as they consider the proposal to have an adverse impact on the local highway network, which Officers state is unable to cope with such a use. There are no objections subject to conditions from the Borough Council or on technical grounds in respect of noise. The Environment Agency had no objection in principle to the proposal.

Officers consider that in the absence of very special circumstances and taking into account the strong objection from CHA the site is not suitable for this type of use and cannot be supported.

The recommendation is to REFUSE the application and endorse the commencement of enforcement action on the site.

APPLICATION DETAILS

Applicant

Advanced Tree Services

Date application valid

3 July 2009

Period for Determination

2 October 2009

Amending Documents

N/A

SUMMARY OF PLANNING ISSUES

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

	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
Green Belt	No	33 – 48
Environment and Amenity	Yes	49 – 60
Traffic and Highways	No	61 - 68

ILLUSTRATIVE MATERIAL

Site Plan

Plan

Aerial Photographs

Aerial

Site Photographs

Figure

BACKGROUND

Site Description

- 1 Papercourt Farm is located off Papercourt Lane approximately 1.5km to the west of the village of Ripley, 800 metres to the north of the village of Send and 3.6km to the southeast of the centre of Woking. The site is approximately 0.61ha in size and is located at the eastern end of the former Papercourt Farm yard/building complex area within rural farmland bordered by agricultural fields to the north, northeast, and east with farm buildings associated with Papercourt Farm to the west and southwest and Papercourt Lane to the south. The River Wey navigation lies 350 metres to the northwest with the River Wey a further 300 metres beyond. The A3 is located approximately 1.8km to the south of the site.
- 2 The proposed site is not classified as being at risk of flooding by the Environment Agency however it does lie in close proximity (100 metres south) to an area of Zone 3 (greater than 1 in 100) flood risk. The Papercourt SSSI lies within 200m of the site, to the southwest and is listed for its unimproved grassland, marshland, and areas of open water.

Planning History

- 3 There is no specific planning history for the application site although Papercourt Farm in general has been the subject of numerous applications over the years since the agricultural function of the farm ceased.
- 4 The applicant has been operating from the site since 2003 and since that time their operations of importation/storage/chippings/splitting and mixing of green waste material have been carried out.
- 5 SCC Enforcement Officers by chance came across the development in May 2008. Following a site meeting between SCC and the site operator it was explained that the site is used for the receipt of green waste material which is then chipped/shredded with the bulk of the material sold off as a bio fuel. Some mixing of material with imported manure occurs prior to the material being taken off site.
- 6 SCC officers explained that this use required the benefit of planning permission as this is considered waste development. Accordingly, for the continued use of the land a successful retrospective planning permission will be required. This application was submitted to SCC on 24 June 2009.

THE PROPOSAL

- 7 This is a retrospective planning application for use of the land for the importation, temporary storage and processing of green waste materials in association with a landscape maintenance and tree surgery business on a site of 0.61ha.
- 8 Essentially, green waste (chipped wood and tree logs) is bought to the site where the logs are split and the woodchip is stored. Occasionally chipped wood waste is mixed to create soil enhancer. The wood chip product is primarily sold off as bio-fuel to Slough Heat and Power, with the material collected by HGV once or twice a week. Wood chipping takes place on site for approximately 10 – 20 minutes per day. The soil enhancer is reused by themselves for landscaping purposes. The split logs are sold direct to clients through the landscape maintenance operations.

- 9 The site contains buildings, equipment and storage facilities associated with these operations. Towards the northwest side of the site are two portacabins used as ancillary office spaces to run these operations from. The portacabins are approximately 8m x 2.5m x 2.6 m high and 10m x 2.5m x 2.6 m high.
- 10 Along the northern side of the site are 5 wooden storage bays used for the products associated with the landscape maintenance business, such as manure, soil conditioner, split logs and play bark. These materials are brought into the site and used in associated with ATS landscaping and tree surgery business. The power screen trommel (615LL) is located along the southern boundary of the site to the east of the entrance.
- 11 The eastern side of the site contains the stockpiles of waste woodchip. There is also a stockpile of topsoil. The stockpile of topsoil is approximately 3m high; the stockpile of chipped wood is approximately 4 m high and the pile of logs approximately 2m high.
- 12 Towards the centre of the site is an area used for storage of equipment and for also for log splitting. There is a secure metal container and some temporary timber structures which will be knocked down and the hardstanding base areas (approximately 9m x 5m) retained. The equipment currently stored in the structures will be stored off site. There is also a bunded diesel fuel pump located on a 30cm deep concrete base.
- 13 Occasionally the waste chipped wood that is brought back onto the site (up to 5%) is mixed with imported soil improver and sold off as a mulch/soil enhancer for landscaping purposes. This soil improver is delivered onto site every 2-3 months (3/4 deliveries per year). This is a seasonal operation primarily active between March and September using an on site power screen trommel (615LI) which averages out at once or twice a month for 10 – 20 minutes (maximum of 24 times per annum).
- 14 The larger waste logs that are brought back onto the site are split using a Power Take Off (PTO) log splitter and these logs are then sold directly to clients through the landscape maintenance business. No customers come to the site to buy waste by-products. The log splitter is used for approximately 1 hour every other day. The waste wood material is stored on site, usually for a maximum of two weeks (if Slough Heat and Power does not operate). There is not long term storage of waste. Exported tonnage is approximately 640 tonnes per year.
- 15 Ancillary operation to the waste wood includes the storage and sale of railways sleepers, which are delivered once a year.
- 16 The immediate access to the site is within the Papercourt Farm complex. The access is gated with double palisade-galvanised gates (approximately 8m wide and 2.5m high). This access is approached off Papercourt Lane and then along an internal access road within Papercourt Farm. The applicant asserts that all traffic going to and from the site does so via the B2215 and B367, which enables access via Polesdon Lane and Tannery Lane, rather than Papercourt Lane.
- 17 The number of vehicles associated with the gardening and tree surgeon businesses entering the site is minimal, and the majority of activity occurs between 06:45 – 07:15 and 15:45 - 16:15. Hours of operation are proposed as being 06.45 to 16.30 hours Monday to Friday with no working on Saturdays, Sundays or Bank Holidays.
- 18 There is a total of 4 people working permanently on site in the office portacabins and approximately 32 tree surgeons. There are a total of 12 vehicles (lorries and vans) bringing waste material to the site and these will typically only be once a day when the vehicles have a full load (usually around 16:00 hours). These vehicles are parked on the site overnight, but moved off site when the teams go out in the morning. The vehicles park in an area in front of the portacabins.

CONSULTATIONS AND PUBLICITY

District Council

20 Guildford Borough Council: Raised no objection to the proposal provided that the following conditions are applied to any permission granted:

- The premises shall be used for a woodchipping and landscaping business only and for no other purpose (including any other purpose in Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 2006, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification;
- Any operations that create audible noise at the curtilage of the nearest residential premises shall only be carried out between the hours of 07.00 and 18.00 hours Monday to Saturday and at no time on Sundays and Bank Holidays. Deliveries and operation of commercial vehicles on site (including fork lift trucks) shall only occur during the above stated hours;
- All plant, machinery and equipment operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated such that the noise emitted does not increase the ambient equivalent continuous noise level greater than 3 dB (LAeq, 10min) at any nearby residential property or noise sensitive premises. A correction factor of 5 dB(A) must be included to account for any particular tonal quality. (Note: Tonal noise shall be considered in one-third octave spectra, where the level of any one-third octave band exceeds the level of the adjacent bands by 5 dB or more).

Consultees (Statutory and Non-Statutory)

21 County Highway Authority : Object to the proposal and recommend that it be refused for the following transport reasons:

1. The development increases the vehicular movement from the substandard site highway access onto Papercourt Lane where there is inadequate visibility for emerging vehicles to oncoming main road traffic contrary to the highway safety and compatibility objectives of PPG13 – Transport, Surrey Waste Plan 2008 Policy DC3(x) and Surrey Local Transport Plan 2006-11 Objective 3 ‘Improving Road Safety & Security, and;
2. The development increases the vehicular movement along Papercourt Lane and Tannery Lane which has substandard carriageway widths and alignments to be able to satisfactorily accommodate additional vehicular movement, particularly lorry movement contrary to the highway safety and compatibility objectives of PPG13 – Transport, Surrey Waste Plan 2008 Policy DC3(x) and Surrey Local Transport Plan 2006-11 Objective 3 ‘Improving Road Safety & Security.

CHA Officers further comment that the submitted planning statement has, in their view:

- Underestimated the number of vehicle movements associated with the site by around one third with the tree surgeon car-share scheme presumably an informal scheme that may or may not be perpetuated in the future. The applicant has also not counted the 4 office workers in their calculations. Therefore, Officers believe there are 36 x 2 daily movements (in and out) which if multiplied by 80% (which is typically the % of people who drive to work in this sort of employment location) gives a figure of 58 movements which when added to the 29 or so other movements per day gives a figure closer to 90 movements per day, and not 60 as submitted.

22 Natural England

: No comments to make on the proposal.

23 Environment Agency

: No objection in principle however the following should be taken into consideration:

- The site should have registered paragraph 21 (1) exemption under schedule 3 to the Waste Management Licensing Regulations 1994 (as amended). This allows up to 1000 tonnes per week of bark, plant matter and certain wood wastes to be processed to reduce bulk and assist handling prior to recovery or reuse;
- Paragraph 21 (2) allows up to 1000 tonnes of those wastes to be processed to reduce bulk and assist handling prior to recovery or reuse;
- This activity also needs to meet the relevant objectives set out in schedule 4 of the Environmental Permitting (England and Wales) Regulations 2007 which state that waste is recovered or disposed of without endangering human health and without using processes or methods which could harm the environment and in particular without:
 - Risk to water, air, soil or animals or
 - Causing nuisance through noise or odours;
 - Adversely affecting the countryside or places of special interest.

If any of these objectives are not being met this exemption can be deregistered by the Environment Agency. The applicant should consider controls for dust, noise, and odours from the site that may affect sensitive receptors.

- The application states that the green waste will be processed and removed off site. The site is not permitted to compost and does not have a paragraph 12 exemption registered.

However, if it is identified that the chipped green waste is being composed in a controlled process the Environment Agency would consider this to be composting and may take enforcement action.

- The areas used for processing green waste should have a dedicated sealed drainage system. Any proposed discharge from this area may need consent from the Environment Agency. Such consent may not be granted.

Surface water drainage from other parts of the site should be separated from the processing area drainage. The applicant should consult the Environment Agency to discuss drainage proposals.

These should form informatives on any planning permission granted.

24 County Landscape Architect : No objection to the proposal subject to a detailed boundary plan for boundary enhancement being required that includes details of new fencing and a detailed planting plan indicating the proposed species mix (indicated % and numbers represented by each species), species sizes, planting methodology, and maintenance proposals.

This should form a condition of any planning permission granted.

25 County Rights of Way Officer: No comments to make.

26 County Noise Consultant : Has been on site and measured the noise of the log splitter and trommel. The CNC recommends that appropriate noise limits when measured at, or recalculated as at, any noise sensitive location (at least 3.5m from a noise reflecting surface) should be:

- o For the trommel 48 LAeq (30 min) for up to 1 hour per week.
- o For any other operation on the site the limit of 45 Lea (30 min) should apply.

This should form a condition of any permission granted.

27 Thames Water : No objection.

Parish/Town Council and Amenity Groups

28 Ripley Parish Council : Comment that the Parish Council supports local businesses and this operation seems like an appropriate use of the farmyard.

Summary of publicity undertaken and key issues raised by public

29 The application was publicised by the posting of 2 site notices and an advert was placed in the local newspaper. A total of 7 owner/occupiers of neighbouring properties were directly notified by letter.

30 To date 2 written representations have been received, 1 of which was in support of the application. The other letter raised issues concerning noise and in particular reversing beepers and the early start times, particularly on the weekends.

PLANNING CONSIDERATIONS

31 The County Council as Waste Planning Authority has a duty under Section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine this application in accordance with the development plan unless material considerations indicate otherwise. It is also necessary to assess the application against relevant policies and guidance set at the National, Regional and Local levels.

- 32 The current proposal is seeking retrospective planning permission for use of the land for the importation, temporary storage and processing of green waste materials in association with a landscape maintenance and tree surgery business. The main issue when assessing the application relates to its impact on the road network. The effect of the development on the Green Belt, and the amenity of the local community in terms of noise will also be considered.

Green Belt

Government Guidance

Planning Policy Guidance Note 2 - Green Belts

South East Plan May 2009

Policy SP5 – Green Belts

Policy W7 - Waste Management Capacity Requirements

Policy W17 - Location of Waste Management Facilities

Surrey Waste Plan 2008

Policy CW6 – Development in the Green Belt

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

Guildford Borough Local Plan 2003

Policy G11 – The Corridor of the River Wey and the Guildford and Goldalming Navigations

Policy RE2 – Development Within the Green Belt

- 33 The site at Papercourt Farm is located within the Metropolitan Green Belt. Government policy on Green Belt is set out in Planning Policy Guidance Note 2 (PPG2) 'Green Belts'. Paragraph 3.13 of PPG2 states that *'when re-development of land occurs in the Green Belt, it should as far as possible contribute to the achievement of the objectives for the use of land in Green Belts'*. The use of land should accord with the objectives set out in PPG2, that is, the provision to include the enhancement and retention of attractive landscapes, access to the open countryside and to secure nature conservation interests.
- 34 Paragraph 1.4 of the guidance outlines that the most important attribute of the Green Belt is its openness and states that *"the fundamental aim of Green Belt policy is to prevent urban sprawl through keeping land permanently open"* to ensure that development occurs in locations allocated in development plans. Paragraph 3.2 of the guidance note states that *"inappropriate development is, by definition, harmful to the Green Belt. It is for the applicant to show why permission should be granted"*. There is a presumption against development other than for a small range of uses deemed to be compatible with the objectives of the Green Belt. Where a proposal does not fall within any of the categories of development, which can be considered appropriate in the Green Belt *"very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations"*. Waste related development is not a use within those considered appropriate and very special circumstances therefore need to be demonstrated.
- 35 The South East Plan May 2009 Policy SP5 (Green Belts) states that the existing broad extent of Green Belts in the region is appropriate and will be retained and supported and the opportunity should be taken to improve their land-use management and access as part of initiatives to improve the rural urban fringe. However, in order to meet regional development needs in the most sustainable locations, selective reviews of Green Belt boundaries are required. The proposed development location is not however within these identified areas.
- 36 Policy CW6 (Development in the Green Belt) of the Surrey Waste Plan 2008 states that there will be a presumption against inappropriate waste related development in the Green Belt except in very special circumstances. Very special circumstances to justify inappropriate development of waste management facilities in the Green Belt will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly

outweighed by other considerations. Policy WD2 (Recycling, Storage, Transfer, Materials Recovery and Processing Facilities (Excluding Thermal Treatment)) deals specifically with these types of developments and states that development will be granted provided it meets the key development criteria and where very special circumstances can be demonstrated in accordance with the provisions of Policy CW6 for Development in the Green Belt.

- 37 Guildford Borough Local Plan 2003 Policy RE2 (Development Within the Green Belt) states that it is the Borough's intention to maintain the Green Belt's open nature and planning permission will not be granted for inappropriate development which is, by definition, harmful to the Green Belt. Policy G11 (The Corridor of the River Wey and the Guildford and Godalming Navigations) states that development within this corridor will be permitted provided it protects or improves the special character of the River Wey and in particular its visual setting, amenities and ecological value.
- 38 The character of the area surrounding the application site is typical of rural and agricultural Surrey and consists of irregular fields divided by hedgerows. Papercourt Farm has already been altered since the agricultural function of the farm ceased and now houses several industrial/commercial uses across a number of building groups as well as storage areas for caravans and other vehicles. In general, however, the setting and surrounds remains of an open and pleasant character.

Very Special Circumstances

- 39 National Guidance concerning the Green Belt (contained in PPG2) notes that a material change in the use of the land will be inappropriate development unless openness is maintained and the proposal does not conflict with the purposes of including land in the Green Belt. The site as a whole is not immediately apparent from Papercourt Lane and it would be possible to not even register the site from the west, south or east. The site is however, visible from the River Wey Navigation (Wey South Path), which is relatively open and flat landscape. Operations will have an impact on Green Belt openness, however Officers consider this to be limited due to the scale and nature of the proposal. Additionally, in the context of the immediate area, which is characterised by a range of industrial and commercial uses with associated buildings, it is not considered that the site causes undue harm to the Green Belt or any other harm by way of openness.
- 40 It is for the applicant to demonstrate that very special circumstances exist which outweigh the harm caused to the Green Belt and any other harm. The Surrey Waste Plan 2008 recognises that the County has limited industrial and urban land which would be suitable for such development and states that in exceptional circumstances where there are sufficient very special circumstances, it may be possible to justify waste related development in the Green Belt.
- 41 Policy CW6 (Development in the Green Belt) of the Surrey Waste Plan 2008 states that the following 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.
- 42 In the supporting statement submitted with the application, the applicant considers that very special circumstances do exist in this case. The factors which may contribute to very special circumstances are considered below.
- 43 In the hierarchy of sites for waste related development, sites within the urban area should be the first to be considered. This is followed by sites in the countryside beyond the Green

Belt and finally within the Green Belt itself. It is a requirement for applications for sites in these latter two categories that they are accompanied by a survey of sites within the urban area for any potential alternatives. When considering proposals within the urban area the main requirement is to show that the proposals will not have an adverse impact on adjoining development and land uses.

- 44 The applicant has submitted an alternative site assessment report (dated June 2009), which looked at 26 sites within 10 mile radius of the application site. The report concluded that there was no realistic alternative option for the provision of a storage and recycling facility within this area. The report states that finding an alternative site would be problematic as the business relies entirely on the availability of open land. Some of the sites have been discounted due to their apparent poor access. Officers consider that many of these sites have better highway access than the application site.
- 45 Officers do not consider that it has been demonstrated that there is no alternative site for this use. Therefore, the proposal is not in accordance with these elements of the development plan policies. Officers therefore consider that the proposal would conflict with The South East Plan May 2009 Policy W17 (Location of Waste Management Facilities) as priority should be given to safeguarding and expanding existing waste management sites with good transport connections. Officers consider that this site is neither a previously permitted established waste management site nor have good transport connections.
- 46 With regard to need and the wider environmental and economic benefits of sustainable waste management, The South East Plan May 2009 Policy W7 (Waste Management Capacity Requirements) states that there is an immediate and acute shortfall in the capacity required to achieve the ambitious targets that have been set for recycling, composting and other forms of recycling. There are few sites of this nature within Surrey and a site that is collected and processing green waste to then be sent to Slough Heat and Power for bio-fuel would make a small but helpful contribution to managing Surrey's waste more sustainably. The applicant has stated that the site also employs up to 32 staff and therefore serves an important function in the local economy. Whilst it is true that the site is an established site processing green waste, it is also an unauthorised use on a site without the prior benefit of planning permission. Whilst Officers consider that the applicant has demonstrated a need for the development, it is considered to be in an inappropriate location
- 47 The proposal would not result in any large buildings or machinery and the well screened nature of the site to the east, south and west results in Officers considering the development is adequately hidden from view on these sides. To the north there are views to/from the River Wey Corridor however, in the wider site context the development is situated adjacent to a cluster of industrial and commercial uses and it is this Officers view that the visual amenity of this area will not be further adversely impacted upon by this development.
- 48 Officers therefore conclude that whilst there are significant benefits arising from the proposal with regard to recycling and the provision of local capacity, the characteristics of the site, being accessed off narrow country lanes, is such that it is not an acceptable location for such an activity. Furthermore, Officers consider that it has not been adequately demonstrated that no other alternative sites are available. Accordingly, Officers do not consider that very special circumstances have been proven which clearly outweigh the harm to the Green Belt.

Environment and Amenity

National Guidance

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

- 49 Development Plan policies seek to protect the local environment and the amenities of local residents from the adverse affects of development. Policy DC3 (General Considerations) of the Surrey Waste Plan 2008 states that the visual and landscape impact of the development on the site and surrounding land including townscape, any adverse effects on neighbouring amenity including noise, vibration, dust, and transport impact, traffic generations, the suitability of the highway network in the vicinity and any adverse impacts on open spaces are all factors that must be considered in the determination of a planning proposal.
- 50 Guildford Borough Local Plan 2003 (GBLP) Policy G1(3) (Protection of Amenities Enjoyed by Occupants of Buildings) seeks to ensure that the proposed development does not adversely affect adjoining development or its occupants.
- 51 The waste related development issues relevant to the current application are visual impact, noise and traffic generation. These are considered below.

Visual Impact

- 52 There is good screening to the east, south and west of the site with the site well hidden from Papercourt Farm by an embankment and dense hedging. There are views to the north-east but this is of boundary fencing and a bund. There is an existing boundary fence which the County Landscape Officer considers to be visually poor. If planning permission were to be granted a condition of this permission would require a detailed scheme for boundary enhancement including details of new fencing and a detailed planting scheme to further reduce the visual impact of the development.
- 53 There are views to/from the River Wey Corridor, which is an important factor. However, Officers consider that as the site is so closely associated with the adjacent commercial and industrial uses of Papercourt Farm in general this does not register as an isolated development. There is a post and wire boundary fence along this northern boundary with some evidence of recent planting that would become more established and act as a better screen of the site over time.

Noise

- 54 Government guidance in the form of Planning Policy Statement 10 (PPS 10) (Planning for Sustainable Waste Management) states in paragraph 29 that waste planning authorities when considering planning applications for waste management facilities, should consider likely impacts on the local environment and on amenity, and refers to Annex E of the guidance. Within Annex E are a number of locational criteria, which it states waste management authorities should consider in determining the suitability of sites. Section j (Noise and vibration) within this annex states that *considerations will include the proximity to sensitive noise receptors...intermittent and sustained operating noise may be a problem if not kept to acceptable levels and particular if night time working is involved.*
- 55 Policy NRM10 (Noise) of the South East Plan 2009 states that noise can have a serious effect on the quiet enjoyment of property and places, reducing quality of life. It continues that development must take this in to account and be in accordance with guidance set out in Planning Policy Guidance Note 24 (PPG24) (Planning and Noise) which also states that

noise can have a significant effect on the environment and on the quality of life enjoyed by individuals and communities. The impact of noise is a material consideration in the determination of planning applications.

- 56 In addition to the requirements of Surrey Waste Plan 2008 Policy DC3 (General Considerations) Surrey had produced 'Guidelines for Noise Control, Minerals and Waste Disposal, 1994' which set the standards that the County Council will expect from development to protect the surrounding area and the people living and working within it. These guidelines are applied to all minerals and waste applications.
- 57 The applicant has stated in their submission that the closest residential dwelling is some 350m to the east, however, this is not the case, with the nearest residential dwelling being around 150m to the east.
- 58 The County Noise Consultant (CNC) has visited the site and taken noise measurements for the log splitter and trommel. Both the log splitter and trommel are of some age and are not as quiet as they could be. However, as the trommel is only used on average once or twice a month (a maximum of 24 times per year) for around 10-20 minutes (which can be controlled via a condition on any permission granted) it meets the CNC's noise criterion for the trommel of 48LAeq it is considered acceptable. The CNC states that if the trommel were to be used more than for 1 hour per week the operators would need to look at either higher bunds, or a smaller bund in combination with a fence.
- 59 The log splitter is used for around one hour every day and also just meets the required 45LAeq and the CNC comments that attention to the tractor (such as a new exhaust and silencer) could reduce this noise impact somewhat.
- 60 Officers consider that the noise produced as a result of operations is not sufficient to cause an adverse impact on the local area however, if permission were minded to be granted, noise limits on the operations would be placed on the permission of:

Noise limits when measured at, or recalculated as at, any noise sensitive location (at least 3.5m from a noise reflecting surface) should be:

*For the trommel: 48LAeq (30min) for up to 1 hour per week;
For any other operation on the site 45LAeq (30min).*

Traffic and Highways

National Guidance

Planning Policy Guidance 13 (PPG13) - Transport

The South East Plan May 2009

Policy T1 – Manage and Invest

Surrey Waste Plan 2008

Policy DC3 – General Considerations

Guildford Borough Local Plan 2003

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

Surrey Local Transport Plan 2006-07 to 2010-11

- 61 Government Policy on transport is set out in Planning Policy Guidance Note 13 (PPG13) (Transport). The objectives of this policy are to integrate planning and transport at national, regional, strategic and local level to promote more sustainable choices both for carrying people and for moving freight.
- 62 Policy T1 (Manage and Invest) of the South East Plan 2009 states that proposals should include measures to minimise negative environmental impacts of transport and, where possible, enhance the environment and communities through such interventions.

- 63 Surrey Waste Plan 2008 Policy DC3 (General Considerations) advises that traffic generation, access and suitability of the highway networks in the vicinity including access to and from the highway need to be addressed and not have adverse effects on the surrounding area. Policy G1(2) (Transport Provision, Access, Highway Layout and Capacity) of the Guildford Borough Local Plan 2003 states that satisfactory access and highway layout is to be provided and the traffic generated by the development is to be compatible with the local road network. Where appropriate, the development will be expected to pay for, or contribute towards, improvements to the highway network to meet highway standards.
- 64 Surrey Local Transport Plan 2006-07 to 2010 –11 states as its third objective that Surrey needs to improve road safety and security and reduce the number of people killed or seriously injured on Surrey's road.
- 65 Concerns have been raised with regards to the narrow carriageway widths and alignments of both Papercourt Lane and Tannery Lane to be able to satisfactorily accommodate additional vehicular movement and in particular lorry movement. CHA Officers have objected to this proposal on these grounds citing gross inadequacies of the site highway access and the lanes leading to/from the site.
- 66 CHA Officers also question whether the estimated number of vehicle movements associated with the site is correct, and comment that the number seems to have been underestimated by around a third. Officers consider that the tree surgeon car-share scheme operated to reduce staff travel to/from work by 50% is presumably an informal scheme that may or may not be perpetuated in the future. Officers are also not convinced that access to the site being purely via Tannery Lane/Polesdon Lane to the B368 can be guaranteed or adequately controlled by a planning condition, which would be difficult to enforce.
- 67 The CHA Officer comments that typically around 80% of people drive to work in this sort of employment location and the 4 permanent full time staff have not been counted in the traffic table submitted with the application. Therefore, this would result in 72 movements per day (36 x 2) multiplied by 80% (58 movements) plus the lorry/van movements which equate to 24 plus around 5 other movements averaged throughout the week and year to give an average number of movements at closer to 90 per day, up from the 60 movements submitted by the applicant.
- 68 Due to the inadequacies of both Papercourt Lane, where there is insufficient visibility for emerging vehicles to oncoming main road traffic, and the substandard carriageway widths and alignments of both Papercourt Lane and Tannery Lane, Officers consider that the proposal is not compatible with the local highway network and will prejudice highway safety for other road users. Officers consider that the surrounding roads serving the application site are simply not designed for the type of vehicles and traffic generated by this type of development and therefore the proposal is not in accordance with the development plan.

HUMAN RIGHTS IMPLICATIONS

- 69 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.
- 70 In this case, it is the officer's view that the scale of any impact is not considered sufficient to engage Article 8 or Article 1 of Protocol 1 and any impact can be mitigated by conditions. As such, this proposal is not considered to interfere with any Convention right.
-

CONCLUSION

- 71 The applicant seeks retrospective planning permission to use the land for the importation, temporary storage and processing of green waste materials in association with a landscape maintenance and tree surgery business on a site of 0.61ha.
- 72 The proposed waste development is inappropriate development in the Green Belt and therefore the application falls to be considered as a Departure from the provisions of the Development Plan. A significant issue raised by this proposal is the acceptability of the local road network serving the site. The County Highway Authority (CHA) has raised a strong objection as officers consider the proposal to have an adverse impact on the local highway network, which officers state is unable to cope with such a use.
- 73 Officers consider that the applicant has failed to demonstrate that very special circumstances exist which clearly outweigh the harm caused by the development to the Green Belt by virtue of its inappropriateness and when also taking into account CHA's strong objection, the site is not suitable for this type of use and therefore a refusal in this instance is recommended.
- 74 Given the above and if Members are minded to accept the officer's recommendations, officers will act under delegated powers to pursue enforcement action against this currently unauthorised use from the site.

RECOMMENDATION

The recommendation is to REFUSE the application and commence enforcement proceedings for the following reasons:

Grounds for Refusal:

- 1 The development constitutes inappropriate development in the Green Belt and the applicant has failed to demonstrate that there are sufficient very special circumstances which clearly outweigh the harm caused to the Green Belt by virtue of its inappropriateness and is therefore contrary to PPG2 – Green Belt, The South East Plan May 2009 Policy SP5, Surrey Waste Plan 2008 Policy CW6 and Guildford Borough Local Plan 2003 Policy RE2.
- 2 The development increases the vehicular movement from the substandard site highway access onto Papercourt Lane where there is inadequate visibility for emerging vehicles to oncoming main road traffic contrary to the highway safety and compatibility objectives of PPG13 – Transport, Surrey Waste Plan 2008 Policy DC3(x) and Surrey Local Transport Plan 2006-11 Objective 3 'Improving Road Safety & Security, and;
- 3 The development increases the vehicular movement along Papercourt Lane and Tannery Lane which has substandard carriageway widths and alignments to be able to satisfactorily accommodate additional vehicular movement, particularly lorry movement contrary to the highway safety and compatibility objectives of PPG13 – Transport, Surrey Waste Plan 2008 Policy DC3(x) and Surrey Local Transport Plan 2006-07 to 21010-11 Objective 3 'Improving Road Safety & Security.

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

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

The South East Plan May 2009

Policy SP5 – Green Belts
Policy T1 – Manage and Invest
Policy NRM10 - Noise
Policy W7 - Waste Management Capacity Requirements
Policy W17 - Location of Waste Management Facilities

Surrey Waste Plan 2008:

Policy CW6 – Development in the Green Belt
Policy WD2 – Recycling, Storage, Transfer, Materials Recovery and Processing Facilities
(Excluding Thermal Treatment)
Policy DC3 – General Considerations

Guildford Borough Local Plan 2003:

Policy G1(2) Transport Provision, Access, Highway Layout and Capacity
Policy G1(3) Protection of Amenities Enjoyed by Occupants of Buildings
Policy G11 – The Corridor of the River Wey and the Guildford and Godalming Navigations
Policy RE2 – Development Within the Green Belt

CONTACT

Ceinwen Gould

TEL. NO.

020 8541 7534

BACKGROUND PAPERS

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

Government Guidance

Planning Policy Guidance Note 2 (PPG2) - Green Belts
Planning Policy Statement 10 (PPS10) – Planning for Sustainable Waste Management
Planning Policy Guidance 13 (PPG13) - Transport
Planning Policy Guidance 24 (PPG24) – Planning and Noise

The Development Plan

The South East Plan May 2009
Surrey Waste Plan 2008

Guildford Borough Local Plan 2003

Other Documents

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

Surrey Local Transport Plan – Surrey County Council - 2006-07 to 21010-11
