

**PLANNING AND REGULATORY COMMITTEE
SUPPLEMENTARY AGENDA**

Date: Wednesday, 20 April 2016
Time 10.30 am
Place: Ashcombe Suite, County Hall, Kingston upon Thames, Surrey KT1 2DN

Contact: Angela Guest tel: 020 8541 9075, Room 122, County Hall
Telephone: 020 8213 2662
Email: joss.butler@surreycc.gov.uk

[For queries on the content of the agenda and requests for copies of related documents]

The following papers have been updated for dispatch with the agenda. They include an additional item and subsequent items have been renumbered.

Please bring them with you to the meeting:

SUPPLEMENTARY AGENDA

- 10 MINERALS/WASTE RE15/00553/CON - EARLSWOOD (Pages 1 - 32)**
MATERIALS BULKING FACILITY, HORLEY ROAD, REDHILL,
SURREY RH1 6PN

Operation of Earlswood Materials Bulking Facility without compliance with Conditions 1 and 11 of planning permission ref: RE/P/13/01661/CON dated 13 February 2014 to amend the lighting design at the site (retrospective).

- 11 DATE OF NEXT MEETING**

The next meeting of the Planning & Regulatory Committee will be on 8 June 2016.

David McNulty
Chief Executive
Tuesday, 12 April 2016

If you would like a copy of this supplementary agenda or the attached papers in another format, eg large print or braille, or another language please either call our Contact Centre on 08456 009 009, write to Surrey County Council at County Hall, Penrhyn Road, Kingston upon Thames, Surrey KT1 2DN, Minicom 020 8541 0698, fax 020 8541 9004, or email joss.butler@surreycc.gov.uk. This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Angela Guest tel: 020 8541 9075 on 020 8213 2662.

TO: PLANNING & REGULATORY COMMITTEE

DATE: 20 April 2016

BY: PLANNING DEVELOPMENT TEAM MANAGER

DISTRICT(S) REIGATE & BANSTEAD BOROUGH
COUNCILELECTORAL DIVISION(S):
Earlswood & Reigate South
Ms Thomson

PURPOSE: FOR DECISION

GRID REF: 527664 148330

TITLE: MINERALS/WASTE RE15/00553/CON

SUMMARY REPORT**Earlswood Materials Bulking Facility, Horley Road, Redhill, Surrey RH1 6PN.****Operation of Earlswood Materials Bulking Facility without compliance with Conditions 1 and 11 of planning permission ref: RE/P/13/01661/CON dated 13 February 2014 to amend the lighting design at the site (retrospective).**

Earlswood Depot is located within the Metropolitan Green Belt approximately 2 kilometres (km) south of Redhill and approximately 3km south east of Reigate, with properties in South Earlswood immediately to the south. The site is bounded to the east by the A23, Horley Road, to the north by the Reigate and Banstead Borough Council's Depot, to the west by the Thames Water-operated Earlswood Sewage Treatment Works, to the south east by the Earlswood Community Recycling Centre (CRC (formerly the civic amenity centre)) which has its own access directly to/ from the A23 and to the south west by open land. The closest residential properties (the closest being 41 – 46 Maple Road) are on Maple Road (D1291) beyond the open land.

In February 2014 planning permission (ref: RE/P/13/01661/CON) was granted for the development of a Materials Bulking Facility (MRF) for the bulking, storage and transfer of up to 110,000 tonnes per annum of municipal solid waste; welfare/fleet administration building; weighbridge office and 2 weighbridges; a re-use building; external covered bays with hardstanding storage area; reconfigured vehicle parking providing 38 additional parking spaces; and ancillary infrastructure. This would all be accessed via the existing Earlswood Depot. A number of details pursuant to condition were then approved in May 2014. The MRF has now subsequently been built and is operational.

This application is seeking to amend three drawings pertaining to the lighting scheme for the application site. The original lighting drawings, as permitted, incorrectly show the locations of the lights within the Reigate and Banstead Council (RBBC) area of the depot site and identify proposed lighting that has not been installed. As it currently stands, the lights shown on the approved drawings do not reflect either the existing lights in the RBBC areas of the site which have not been altered as part of the redevelopment approved under permission RE/P/13/01661/CON or the lighting installed on the site as part of the MBF redevelopment. Consequently the lighting plans as permitted are out of date and incorrect and do not meet the British Standards BS-EN-12464 Part 2 for lighting and the applicant is seeking to amend this.

This amendment is to Condition 1 (the plans and drawings condition) and also Condition 11 (the lighting scheme) of RE/P/13/01661/CON.

One letter of representation has been received stating the scheme is causing light intrusion into their property. This property is some 600m south east of the application site beyond the railway line (which is on an embankment), the A23 and a business park. The County Lighting Consultant has been consulted on this application and raises no objection to the proposal stating the proposed scheme would not result in an adverse impact on residential amenity or the environment.

Development Plan policies seek to protect the local environment and the amenities of local residents from the adverse effects of development. The issues to be assessed for this particular proposal involve issues of lighting in the form of visual amenity, residential amenity and ecology. No objection has been raised by the respective consultees on these issues. Officers consider that, taking into account the mitigation measures proposed and controls through the relevant planning conditions, the development is unlikely to give rise to any significant adverse impact on amenity and the local environment.

The recommendation is to PERMIT subject to conditions

APPLICATION DETAILS

Applicant

SITA Surrey Ltd

Date application valid

5 March 2015

Period for Determination

3 September 2015

Amending/Amplifying Documents

- Email from SITA dated 9 April 2015
- Cover letter from SITA-SUEZ dated 18 November 2015
- 2013 Refresher Ecology Survey, dated 11 July 2013
- Drawing No. S-D-EWT-5.4, Revision A, Overall Site Light Spill Analysis inc RPS Report, dated 21 October 2015
- Drawing No. EWT_01.3, Proposed Site Layout – Annotated (for information only)
- Drawing No. EWT_02.5, Revision G, MBF Sections – Annotated, marked 22 May 2015 (for information only)
- Drawing No. S-EWT-D706, Rev 1, External Lighting Layout Sheet 1 of 2, dated 10 November 2015
- Drawing No. S-EWT-D707, Rev 1, External Lighting Layout Sheet 2 of 2, dated 10 November 2015
- Appendix A: Approved & Retrospective External Lighting for Southern Area of Earlswood MBF (Updated Document November 2015), dated 18 November 2015

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.

Issue	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in report
Lighting and landscape and visual impact	Yes	26 – 40
Green Belt	Yes	41 - 48

ILLUSTRATIVE MATERIAL

Site Plan

Plan 1

Aerial Photographs

Aerial 1
Aerial 2

Site Photographs

Figure 1: looking north showing the twin 400W floodlights and the PIR light on the weighbridge building

Figure 2: looking south west towards the MBF buildings northern elevation shows the PIR lighting on the welfare building (white circles)

Figure 3: looking south towards southern boundary showing the Estilo HOLOLux with Flat Glass Wall mounted at 6 metres light fixture

BACKGROUND

Site Description

1. Earlswood Depot (the application site) is located within the Metropolitan Green Belt approximately 2 kilometres (km) south of Redhill and approximately 3km south east of Reigate, with properties in South Earlswood immediately to the south. The site is bounded to the east by the A23, Horley Road, with allotment gardens (north east) and a football ground (south east) immediately beyond this, with the London Victoria to Gatwick Airport railway line behind this. To the north of the site lies Reigate and Banstead Borough Council's Depot with Earlswood Common beyond this. The Thames Water-operated Earlswood Sewage Treatment Works lies to the west of the site with open land beyond. To the south east of the Depot is Earlswood Community Recycling Centre (CRC (formerly the civic amenity centre)) which has its own access directly to/ from the A23. Beyond the CRC and the south western corner of the Depot is open land, residential properties (the closest being 41 – 46 Maple Road) and allotments with Maple Road (D1291) beyond this.
2. As outlined above, the application site comprises the whole depot area. The centre of the application site contains an operational Reigate & Banstead Borough Council (RBBC) municipal depot. The northern part of the site contains RBBC's offices, and depot services for RBBC's Parks, Highways & Neighbourhood services, and accessed from the A23. The depot also includes a vehicle servicing facility (predominantly used to MOT and service the area's local taxi fleet) and overnight parking provision for the RBBC's fleet of Refuse Collection Vehicles (RCVs). The centre of the site is surfaced with concrete hardstanding used for CRC container transfer, with a number of temporary structures.

3. In the south west of the application site is the area on which the new Material Bulking Facility has been constructed. This was previously open land covered with scrub. The land is banked in part to support the retaining walls of a new CRC to the east. Part of this open area has been landscaped with trees and shrubs in accordance with the requirements of the planning permission for the CRC to the east with trees on the site's southern boundary. The part of the application area which is the subject of this planning application includes the MRF and the central operational municipal depot area.

Planning History

4. Planning permissions for the application site, including the CRC land, extends back to the 1980s when planning permission for civic amenity operations was originally granted (Ref: RE80P/285). Since that time, planning permission (Ref: RE06/2004) was granted in January 2007 to re-design the layout of the CRC site to provide a split-level recycling facility to improve recycling provision and waste separation at the site by expanding the existing site. The permission allowed expansion both southwards and south westwards from the existing operational area to increase the total site area to 2.05 hectares. Following that there have been a number of planning permissions granted for the CRC including extending the operating hours and the installation of camera systems; alongside the approval of details. However this application does not concern the CRC site therefore no further detail is provided on the planning history of the CRC site.
5. Planning permission relevant to the application site is planning permission ref. RE/P/13/01661/CON which was granted, subject to condition, in February 2014 for the development of a Materials Bulking Facility (MRF) for the bulking, storage and transfer of up to 110,000 tonnes per annum of municipal solid waste; welfare/fleet administration building; weighbridge office and 2 weighbridges; a re-use building; external covered bays with hardstanding storage area; reconfigured vehicle parking providing 38 additional parking spaces; and ancillary infrastructure. This would all be accessed via the existing Earlswood Depot.
6. In May 2014, the following approvals were given pursuant to that permission:
 - RE14/00527/CON – Condition 17, details of a Bird Hazard Management Plan
 - RE14/00544/CON – Condition 10, details of a Dust and Odour Management Plan
 - RE14/00535/CON – Condition 6, details of a Scheme of Maintenance for Visibility Zones
 - RE14/00545/CON – Condition 22, details of a Landscape and Ecology Management Plan covering a period of 20 years (and providing for 5 yearly reviews)
 - RE14/00546/CON – Conditions 13 & 16, details of a Remediation Strategy and Gas Monitoring and Maintenance Plan
 - RE14/00577/CON – Condition 21, the submission of a Material Samples Board
 - RE14/00590/CON – Condition 8, the submission of a Construction Environmental Management Plan
7. Planning permission (ref: RE/14/00697/CON) was granted in June 2014 for the erection of three poles and the installation of cameras and associated camera equipment at the Earlswood MBF. In October 2014, planning permission (ref: RE14/00871/CON) was granted for further development at the CRC site including a staff car parking area, bin fabrication workshop area, re-use facility compound comprising a re-use building, designated yard area and 3 parking spaces and 1 loading bay space, 2 staff shelters, a replacement office and welfare portable cabin building, a pedestrian access ramp and a staff bicycle shelter. Details for a drainage design have been approved pursuant to

condition 5 of that permission.

8. In June 2015, details of a Remediation Verification Exercise Survey were submitted pursuant to Condition 14 of planning permission ref: RE/P/13/01661/CON dated 13 February 2014. This application has been validated and at the time of writing this report is undetermined.

THE PROPOSAL

9. This application is submitted under Section 73 (S73) of the Town and Country Planning Act 1990 (as amended). S73 allows planning permission to be given for development of the same description as development already permitted but subject to different conditions. As such, the development which this S73 application seeks to amend will have been judged to be acceptable in principle at an earlier date at the time that the planning permission was granted. Therefore the key issues to consider are whether the proposed variations to Conditions 1 and 11 of planning permission ref: RE/P/13/01661/CON dated 13 February 2014 would result in an adverse impact on amenity or the environment.
10. The application is seeking to vary Condition 1 (Approved Drawings) and Condition 11 (Lighting) of planning permission ref: RE/P/13/01661/CON to provide an amended lighting design at the site. The applicant is seeking to replace drawings which are conditioned under Condition 1 with the following:

<i>Currently permitted plans</i>	<i>Proposed replacement plans</i>
<ul style="list-style-type: none"> • Drawing No. EWT05, Rev 3, External Lighting Layout and ILP Obtrusive Lighting Spill Analysis, dated 21 August 2013 • Drawing No. EWT05.1, Rev 3, External Lighting Layout and ILP Obtrusive Light Spill Analysis, dated 21 August 2013 • Drawing No. EWT05.2, External Lighting Layout and ILP Obtrusive Light Spill Analysis, dated 21 August 2013 	<ul style="list-style-type: none"> • S-D-EWT-5.4, rev A “Overall Site Light Spill Analysis inc RPS Report”, 21 October 2015 • S-EWT-D706, rev 1 “External Lighting Layout Sheet 1 of 2”, 10 November 2015 • S-EWT-D707. Rev 1 “External Lighting Layout Sheet 2 of 2”, 10 November 2015

11. The applicant is seeking retrospective planning permission to replace these approved drawings with updated drawings which reflect the currently installed lighting at the site. The applicant states that the currently approved lighting scheme does not meet with the British Standard BS-EN-12464 Part 2 requirements for the area which is an average of 20 LUX with a uniformity of 0.25. It is stated that light spill at the site would not change significantly from the currently approved lighting scheme.
12. The original submitted application only sought to vary Condition 1 (Approved Drawings) of planning permission ref: RE/P/13/01661/CON. However, during the course of considering this application, Officers considered that the application proposals require that Condition 11 is also amended. The description of development was subsequently amended in January 2016. Condition 11 is as follows:

“Condition 11: *The existing lighting columns to be relocated to new positions as shown on approved plan EWT05.1 Rev 3 (External Lighting Layout and ILP Obtrusive Light Spill Analysis) shall not be fixed in their new positions*

unless a detailed lighting scheme has been submitted to and approved in writing by the County Planning Authority. At any time during the first 12 months of operation, the County Planning Authority shall be entitled to require the applicant to adjust or shield any light source that fails to conform to recommendations for environmental zone E2 in the Institute of Lighting Professionals document "Guidance Notes for the Reduction of Obtrusive Light GN01:2011.

Reason: *To enable the County Planning Authority to exercise control over the development hereby permitted and protect the amenities of local residents in accordance with the National Planning Policy Framework 2012; Surrey Waste Plan 2008 Policy DC3 and Reigate & Banstead Local Plan 2005 Policy EM3."*

CONSULTATIONS AND PUBLICITY

District Council

13. **Reigate & Banstead Borough Council** : No objection

Consultees (Statutory and Non-Statutory)

14. **Landscape Architect** : No objection

15. **County Lighting Consultant** : Had originally requested further information be provided by the applicant in April 2015. Following the receipt of further information, raises no objection

16. **The Environment Agency** : No comments to make

17. **Countryside Management & Biodiversity Manager:** No objection

Parish/Town Council and Amenity Groups

18. **Salfords & Sidlow Parish Council** : Had originally objected in April 2015 however in February 2016 reversed this decision raising no objection: request that as many lights as possible are turned off when the site is closed to reduce light pollution in the Green Belt.

19. **Reigate Society** : No comments received

Summary of publicity undertaken and key issues raised by public

20. The application was publicised by the posting of 1 site notice and an advert was placed in the local newspaper. A total of 511 of owner/occupiers of neighbouring properties and those who had commented on planning permission ref: RE/P/01661/CON dated 13 February 2014 (the planning permission which this application is seeking to vary) were directly notified by letter. In response to this notification, a total of 1 written representation was received objecting to the proposal making the following relevant comments:

- Since the lighting has been installed, I do not experience darkness at my flat and it is having an adverse impact on my sleep as well as the local wildlife. The proposed lighting should not increase light pollution.

Officer comment: the location of the representation is some 600m south east of the application site beyond the railway line and a business park. The County Lighting Consultant has reviewed the proposal, with regard to the representation received and taking in to account potential for harm on wildlife, and raises no objection to the proposal and considers the proposed lighting scheme would not result in an adverse impact on residential amenity or the environment.

PLANNING CONSIDERATIONS

21. The County Council as County 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. Section 70(2) of the Town and Country Planning Act 1990 (as amended) (1990 Act) requires local planning authorities when determining planning applications 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 this application the Development Plan consists of The Surrey Waste Plan 2008 and the
22. The National Planning Policy Framework (NPPF) was adopted in March 2012. This document provides guidance to local planning authorities in producing local plans and in making decisions on planning applications. The NPPF 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 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. The Development Plan remains the cornerstone of the planning system. Planning applications, which comply with an up to date Development Plan should be approved. Refusal should only be on the basis of conflict with the Development Plan and other material considerations.
23. The NPPF 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 NPPF 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 NPPF (the closer the policies are to the policies in the Framework, the greater the weight they may be given).
24. The Surrey Waste Plan 2008 (SWP2008) sets out the planning framework for the development of waste management facilities in Surrey. The plan is divided into four sections. The Core Strategy sets out the spatial vision for the area over the plan period together with key spatial objectives and strategic policies. The Waste Development section contains site specific proposals for the development of waste management facilities. The Waste Development Control Policies section contains a set of development control policies that apply across the whole County and apply to all waste development. The Proposals Map illustrates the areas of designation identified in the core strategy policy and the location of identified sites.
25. The Reigate and Banstead Local Plan: Core Strategy, adopted in July 2014 (RBCS2014) provides the spatial strategy for Reigate & Banstead for the next 15 years. It covers a wide range of spatial planning issues. The RBCS2014 forms part of the Development Plan that guides land-use planning in the borough. Until the Development Management Plan is adopted, policies in the Reigate and Banstead Local Plan 2005 (saved policies 2014) which have been formally saved also form part of the development plan. A list of Reigate and Banstead Local Plan 2005 (RBLP2005) saved policies are included in Appendix 3 of the RBCS2014.

LIGHTING AND LANDSCAPE AND VISUAL IMPACT

National Guidance

National Planning Policy Framework 2012 (NPPF)

National Planning Policy for Waste 2014 (NPPW)

Development Plan Policies

Surrey Waste Plan 2008 (SWP2008)

Policy DC3 – General Considerations

Reigate and Banstead Local Plan: Core Strategy 2014 (RBCS2014)

Policy CS10 – Sustainable Development

26. Paragraph 125 of the NPPF sets out that by encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. Locational criterion J (noise, light and vibration) of the NPPW sets out that, when determining planning applications, considerations will include the proximity of sensitive receptors and that potential light pollution aspects will also need to be considered. Locational Criterion C (Landscape and Visual Impacts) sets out considerations will include the potential for design led solutions to produce acceptable development which respects landscape character and the need to protect landscapes or designated area of national importance.
27. Policy DC3 of the SWP2008 sets out 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. The information supporting the planning application must include, where relevant to the development proposal, assessment of adverse effects on neighbouring amenity including glare and the visual and landscape impact of the development on the site and surrounding land.
28. Policy CS10 of the RBCS2014 sets out that the council is committed to ensuring that development will create places and spaces that are well designed. New development should be designed to minimise pollution, including light pollution.

Officer's Assessment: Lighting

29. As set out in paragraph 1 above, the application site is bounded to the east by the A23, Horley Road, with allotment gardens and a football ground immediately beyond this, with the London Victoria to Gatwick Airport railway line behind this. To the north of the site lies Reigate and Banstead Borough Council's Depot with Earlswood Common beyond this. The Thames Water-operated Earlswood Sewage Treatment Works lies to the west of the site with open land beyond while Earlswood CRC is immediately south of the application site with allotments beyond this. Officers therefore consider that the site is not situated in an intrinsically dark landscape in light of the surrounding uses which are industrial in nature. Officers consider the application site lies within Environmental Zone 3 (E3) "Suburban" in accordance with the Institute of Lighting Professional's (ILP) "Guidance Notes for the Reduction of Obtrusive Light 2012".
30. The ILP guidance outlines that obtrusive light is that which keeps you awake at night through a bedroom window and is a form of pollution. Whereas sky glow is the brightening of the sky, glare is the uncomfortable brightness of a light source and light intrusion is the spilling of light beyond the boundary of the property or area being lit. These are all forms of obtrusive light and may cause nuisance. The guidance outlines to that reduce these forms of nuisance care should be given to the luminaires chosen so that they reduce glare and spill by reducing the upward spread of light near to and above the horizontal. Alongside this, care should be given to the installation of the lighting and "*in most cases it will be beneficial to use as high a mounting height as possible*" as this allows for a lower main beam angle.

31. It is stated that the currently approved lighting scheme does not meet with the British Standard BS-EN-12464 Part 2 requirements for the area which is an average of 20 LUX with a uniformity of 0.25. The applicant sets out that the lighting scheme which has been installed on the site meets the British Standard BS-EN-12464 standards.
32. The County Lighting Consultant (CLC) reviewed the submitted details and requested additional information/clarification from the applicant regarding a number of matters including, but not limited to: the need to specify luminaire details; confirming that sky glow for the scheme meets ILP guidelines which should be less than 5%; to identify the tilt angle for luminaires; to clarify potential impacts of the scheme on wildlife and the times when these lights would be illuminated at the site.
33. In response to the CLC's comments the applicant provided a range of additional information including a letter of clarification, additional plans, a revised Appendix A, and a refresher ecological survey. In their letter of clarification, the applicant stated that Appendix B is no longer relevant to the application and should be withdrawn as there are no changes to the lighting in the northern section of the site. The applicant confirmed that sky glow for the scheme is 2.5% and that the tilt angle of all luminaires are 0° from horizontal. In response to the CLC's comments regarding the possible impacts of the proposal on some bat species, the submitted refresher ecology survey states that: *"No additional sightings of protected species or secondary evidence of protected species were found. The small empty hut on the western edge of the site (Figure 1.5) was devoid of any signs of bat entrance and is not of a construction type that is likely to be used by bats for roosting"*.
34. The CLC has considered this additional information and has stated that they are satisfied that the proposal would not result in an adverse impact on the environment or amenity in terms of light pollution. The CLC has confirmed that the appropriate environmental zone for the application site is E3. The CLC recommends that installed lights are checked to ensure that the tilt angle of luminaires is 0°. Additionally, the CLC does not accept the applicant's argument in respect of uniformity: bringing down the overall average level of illumination by correct lamp selection, will also bring down the minimum illumination, which should not affect the resultant uniformity for the scheme. The CLC does accept that if you try to reduce the average level of illumination by reducing the number of columns/ luminaires this will compromise the uniformity that they agree should be 0.2 minimum. Notwithstanding this, the CLC confirms that the proposed lighting would not have an adverse impact on local amenity or the environment.
35. The Countryside Management and Biodiversity Manager has reviewed the proposals and confirms that they are satisfied that there are unlikely to be any adverse impacts on wildlife and that no further mitigation is required.
36. With reference to concerns raised in written representations that the lighting at the site is having an adverse impact on their sleep as well as the local wildlife. The CLC is satisfied that the applicant has confirmed that sky glow is 2.5% (sky glow is defined as the brightening of the night sky [NPPG]). The CLC states that it is unlikely that the resident is receiving light intrusion, even though they do perceive light intrusion at their property. Officers note that the representation's address is based some 600m south east of the application site and between the property and the application site is a railway line with its embankment, a business park and the A23. As sky glow at the site complies with ILP guidelines, the CLC does not consider there to be an issue with sky glow.

Conclusion

37. Having considered the proposal, responses received from consultees and comments received in the written representation, Officers consider that the proposal for an amended lighting design at the site would not result in an adverse impact on residential amenity or the environment in terms of light and glare, and is in accordance with Policy DC3 of the SWP2008 and Policy CS10 of the RBCS2014, subject to conditions. Officers also consider that Condition 11 of RE/P/13/01661/CON is no longer relevant as it required the submission of a lighting scheme to come in. This scheme has come in as part of this application.

Officer's Assessment: Landscape and Visual Impact

38. In the granting of planning permission ref: RE/P/13/01661/CON for the MBF, the landscape and visual impact of the MBF and its associated development was assessed and considered to be acceptable. In considering the current proposal for an amended lighting design at the site, Officers must consider whether the proposed lighting would result in an additional adverse effect on the landscape character and visual amenities of the local.
39. The County Landscape Architect (CLA) raises no objection to the proposal on landscape character and visual amenities grounds as the proposal continues to use lighting that controls obtrusive upward light and there would be no additional lightspill in to the wider surroundings. The CLA therefore considers that there would be no additional adverse effect on the landscape and raises no objection to the proposal.

Conclusion

40. Having considered the proposal and supporting information, responses received from consultees and comments received in written representations, Officers consider that the proposal for an amended lighting scheme at the site would not result in an adverse visual and landscape impact on the site or surrounding land, in accordance with Policy DC3 of the SWP2008 and Policy CS10 of the RBCS2014, subject to conditions.

GREEN BELT

National Guidance

National Planning Policy Framework 2012 (NPPF)

Development Plan Policies

Surrey Waste Plan 2008 (SWP2008)

Policy CW6 – Green Belt

Reigate and Banstead Local Plan: Core Strategy 2014 (RBCS2014)

Policy CS3 – Green Belt

Reigate and Banstead Local Plan 2005 (saved policies 2014) (RBLP2005)

Policy Co 1 – Green Belt

41. The application site is located in the Metropolitan Green Belt. The NPPF states at paragraph 79 that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open with the essential characteristics of the Green Belt being their openness and permanence. Paragraph 80 sets out the five key purposes of the Green Belt. The relevant criteria for this application are to check the unrestricted sprawl of large built up areas and to safeguard encroachment of the countryside.
42. Paragraph 87 goes on to state that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 advises that in the consideration of proposals, that local planning authorities should ensure substantial weight is given to any harm to the Green Belt and that very

special circumstances will not exist “*unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations*”. Paragraph 90 of the NPPF states that certain forms of development are not inappropriate development in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. Waste development does not fall within the categories set out in para 90 therefore the proposal is considered to be inappropriate development in accordance with the definitions set out in the NPPF.

43. Policy CW6 of the SWP2008 states that there will be a presumption against waste related development in the Green Belt except in very special circumstances. This policy echoes the requirements of the NPPF that 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. The policy sets out considerations that may contribute to very special circumstances. Of the four considerations set out in that policy, the characteristics of the site is the only relevant consideration for this planning application as the principle of waste management development at the site has already been established through planning permission ref: RE/P/13/01661/CON.
44. Policy CS3 of the RBCS2014 seeks to maintain the Green Belt within the Borough and states that planning permission will not be granted for inappropriate development in the Green Belt unless very special circumstances clearly outweigh the potential harm to the Green Belt. RBLP2005 Policy Co1 states that in order to preserve the openness of the Green Belt, planning permission will not be granted for development that is inappropriate in the Green Belt unless justified by very special circumstances.

Officer’s Assessment and Conclusion

45. As set out in paragraph 9 above, this application is submitted under S73 of the Town and Country Planning Act 1990 (as amended). S73 allows planning permission to be given for development of the same description as development already permitted but subject to different conditions. As such, the development which this S73 application seeks to amend will have been judged to be acceptable in principle at an earlier date at the time that the planning permission was granted. The relevant argument is if the lighting would harm the visual amenities of the Green Belt and any other harm.
46. In the determination of planning permission ref: RE/P/13/01661/CON for the use of the land as a MBF harm to the Green Belt was considered by Officers and Officers concluded that very special circumstances existed that clearly outweighed the harm to the Green Belt by reason of inappropriateness, loss of openness and harm to visual amenities and any other harm to justify granting planning permission.
47. This application is seeking to amend the lighting scheme of the MBF which could impact on the visual amenity of the Green Belt and cause other harm. Taking into account existing planning permissions at the site, Officers do not consider that the proposed variations to the lighting scheme at the site represent a material change which would increase harm to the Green Belt. The proposal does not seek to increase the physical development of the site or massing of any components of the site. As such there would be no physical encroachment onto the Green Belt from the proposal nor harm to the openness of the Green Belt. As discussed in previous sections of this report, the proposed variations to the lighting scheme would not cause any other harm in terms of landscape and residential amenity; and Officers consider the proposal would not cause harm to the visual amenities of the Green Belt.

48. Therefore, Officers consider that in the absence of harm the proposal is in accordance with Policy CW6 of the SWP2008, Policy CS3 of the RBCS2014, and Policy Co1 of the RBLP2005.
-

HUMAN RIGHTS IMPLICATIONS

49. The Human Rights Act Guidance for Interpretation, found at the end of this report, is expressly incorporated into this report and must be read in conjunction with the following paragraph.
50. It is acknowledged that there would be an impact on the Green Belt caused by inappropriateness of the development and harm to openness, additionally, impacts in respect of landscape and visual impact and amenity have been assessed in the body of this report. The scale of the impacts is not considered to be sufficient to engage Article 8 or Article 1 of Protocol 1 and, if planning permission were to be granted, such impacts are capable of being mitigated by the measures incorporated into the application proposal and by planning condition. As such, this proposal is not considered to interfere with any Convention right.

CONCLUSION

51. The application site is located in the Metropolitan Green Belt where there is a presumption against inappropriate development. Key issues in determining this application include the history of the site for waste uses and planning permissions granted by the County Planning Authority. However, there still needs to be consideration of the following: compliance with the Development Plan, the protection of the Metropolitan Green Belt and the potential impact of the development on local residential, environmental and amenity interests.
52. Waste development of this type is inappropriate development in the Green Belt and therefore planning permission may only be granted where factors that amount to very special circumstances are demonstrated to justify inappropriate development and clearly outweigh the harm in terms of inappropriateness and any other harm. This application is seeking to vary Conditions 1 and 11 of planning permission ref: RE/P/13/01661/CON dated 13 February 2014 which granted planning permission for the use of the land as a Materials Bulking Facility. In assessing that application, Officers considered that very special circumstances exist that clearly outweigh the harm to the Green Belt by reason of inappropriateness and loss of openness to justify the granting of planning permission. In assessing this proposal, Officers do not consider that the proposed changes to the lighting design give rise to any harm. Therefore, Officers consider that the proposal accords with Policy CW6 of the Surrey Waste Plan 2008, Policy CS3 of the Reigate and Banstead Local Plan: Core Strategy 2014, and Policy Co1 of the Reigate and Banstead Local Plan 2005.
53. There have been no objections from technical consultees with respect to the proposed development. A resident has objected to the proposal raising concerns that lighting at the site disrupts their sleep and local wildlife. The County Lighting Consultant and the Countryside Management and Biodiversity Manager have assessed the proposal and have raised no objection subject to conditions.
54. Having considered the submitted details, concerns raised in written representations and consultation responses from consultees, Officers consider that the proposals for an amended lighting design at the site would not have a significant adverse impact on residential amenity or the environment or in accordance with Policy DC3 of the Surrey Waste Plan 2008 and Policy CS10 of the Reigate and Banstead Local Plan: Core Strategy 2014

RECOMMENDATION

The recommendation is to **PERMIT** subject to conditions:

Conditions:**Approved Documents**

1. The development hereby permitted shall be carried out in accordance with the following approved plans and drawings:

Drawing No	Title	Dated	
EWT01 Revision Q	Proposed Site layout	16-08-2013	
EWT01.4 Revision K	MBF Plans	25-10-2013	
EWT01.5 Revision B	Existing Site Layout	06-08-2013	
EWT02 Revision J	MBF Elevations	25-10-2013	
EWT02.1 Revision H	External Bulking Bays: Elevations	15-08-2013	
EWT02.2 Revision E	RBBC Welfare Building: Elevations & Section	15-08-2013	15-08-2013
EWT02.4 Revision G	Weighbridge Office Elevations	15-08-2013	
EWT02.5 Revision G	MBF Sections	15-08-2013	
EWT02.6 Revision F	Site Sections: Proposed	15-08-2013	
EWT03 Revision A	Landscape Proposals	July 2013	
EWT04	Overall Proposed Drainage	August 2013	
EWT04.1	Existing Drainage	August 2013	
EWT04.2	Proposed Drainage RBBC Area	August 2012	
EWT04.3	Proposed Drainage MBF Area	August 2012	
EWT04.4	Drainage CRC Area	August 2012	
EWT04.5	Existing Development Permeable Area	August 2013	
EWT04.6	Proposed Development Permeable Area	August 2013	
S-D-EWT-5.4, Revision A	Overall Site Light Spill Analysis inc RPS Report	21 October 2015	
S-EWT-D706, Rev	External Lighting Layout Sheet 1 of 2	10 November 2015	
S-EWT-D707.Rev 1	External Lighting Layout Sheet 2 of 2	10 November 2015	
EWT06 Revision A	Pedestrian Routes	14-08-2013	
EWT07	Site Location Plan	May 2013	
EWT 07.1 Revision 2	Red Line Planning Boundary	August 2013	
EWT08.1 Revision A	Tree Constraints Plan	August 2013	
EWT08.2 Revision A	Tree Impact Plan	August 2013	
EWT09 Revision D	Site Layout With Vehicle Tracking	15-08-2013	
EWT 12 Revision E	SITA Welfare Accommodation: Layouts & Section	15-08-2013	
EWT 12.1 Revision E	RBBC Welfare Accommodation Layout	15-08-2013	
EWT 12.2 Revision E	Weighbridge Office Plans	15-08-2013	
EWT 12.3 Revision G	External Bulking Bays: Plans	15-08-2013	
EWT 12.4 Revision E	RBBC Welfare Roof Plan	15-08-2013	
EWT 12.5 Revision B	Refuse Store Elevations & Roof Plan	14-08-2013	

Commencement

2. The development hereby permitted shall begin before the expiration of three years beginning with the date of this permission. The applicant shall notify the County Planning Authority in writing within seven working days of the commencement of development.

Restriction of Permitted Development Rights

3. Notwithstanding any provision to the contrary under Part 7(Class L) of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any subsequent Order,
 - a. No plant, building or machinery whether fixed or moveable shall be erected on the application site without the prior written approval of the County Planning Authority in respect of the location, design, specification and appearance of the installation, such details to include predicted levels of noise emission and their tonal characteristics;
 - b. no external lighting or fencing other than those permitted by this application shall be installed or erected at the application site

Operational Throughput

4. The site shall import no more than 110,000 tonnes of Municipal Solid Waste (MSW) per annum arising only in Reigate & Banstead Borough and Tandridge District. The operator shall maintain records of the tonnage of waste imported to the site, and where it arises, and shall make these records available to the County Planning Authority at any time upon request.

Hours of Operation

5. No lights shall be illuminated nor shall any operations or activities authorised or required by this permission be carried out outside the following hours: 0600 to 1830 hours Monday to Friday and Bank/Public/National Holidays; and 0600 to 1400 hours Saturday. There shall be no working on Sundays.

Access and Parking

6. Arrangements for the visibility zones at the vehicular/ pedestrian/ cycle access to Horley Road shall be kept permanently clear of any obstruction over 1.05 metres high, in accordance with the details approved by notice ref: RE14/00535/CON dated 30 May 2014
7. Space shall be laid out within the development hereby approved in accordance with the approved plans for vehicles to be parked, for the loading and unloading of vehicles and for all vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking, loading and unloading & turning areas shall be retained and maintained for their designated purposes.

Construction Environmental Management Plan

8. The development hereby permitted, including parking for vehicles of site personnel; loading and unloading of plant and materials; storage of plant and materials; programme of works (including measures for traffic management); HGV deliveries and hours of operation; vehicle routing; measures to prevent the deposit of materials on the highway; measures to prevent dust in addition to boundary air monitoring during works involving land which is suspected to be contaminated with asvbestos containing material; and measures to prevent noise, shall be carried out in accordance with the Construction Environmental Management Plan approved by notice dated 30 May 2014 under reference RE14/00590/ CON
9. The proposed Materials Bulking Facility shall not be operational unless and until the Staff Travel Statement and its measures have been implemented. The travel statement shall be permanently maintained and regularly updated.

Dust & Odour

10. The development hereby permitted shall be carried out in accordance with the details of a Dust and Odour Management Plan approved by notice dated RE14/00544/CON dated 30 May 2014

Lighting

11. No external lighting shall operate between the hours of 10pm and 6am.

Contaminated Land / Remediation

12. The development hereby permitted shall be carried out in accordance with the Remediation Strategy approved by notice RE14/00546/CON dated 30 May 2014
13. Following completion of measures identified in the approved remediation scheme required through Condition 13 above, a verification report that demonstrates the effectiveness of the remediation carried out shall be submitted to the County Planning Authority for approval in writing.
14. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, details shall be submitted to and approved in writing by the County Planning Authority for written approval, including:
- i) a survey of the extent, scale and nature of the contamination;
 - ii) an assessment of the potential risks to previously identified receptors, and;
 - iii) an appraisal of remedial and mitigation options, and proposal of the appropriate risk option(s).

In accordance with DEFRA and Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11.'

Where remediation or mitigation is necessary to bring the ground to a condition suitable for the intended use or suitably reduce the risks to identified receptors (for example, human health), a detailed scheme, shall be submitted to the County Planning Authority to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. This shall include the scope of works to be undertaken, timetable of works, objectives, site management procedures and remediation criteria.

Following completion of measures identified in the approved remediation scheme for the unexpected contamination, a verification report shall be submitted to and approved in writing by the County Planning Authority.

15. The development hereby permitted shall be carried out in accordance with the Gas Monitoring and Maintenance Plan approved by notice RE14/00546/CON dated 30 May 2014

Bird Hazard

16. The development hereby permitted shall be carried out in accordance with the Bird Hazard Management Plan approved by notice RE14/00527/CON dated 30 May 2014

Noise

17. Site attributable noise levels shall not exceed 40 LAeq for the period 0600 – 0730 Monday – Friday and before 0800 Saturdays and Bank/Public/National Holidays, and shall not exceed 52 LAeq for the remainder of daytime operational period, when measured at, or recalculated as at, 3.5m from the facade of any noise sensitive property at a height equivalent to a bedroom window up to 0730, and 1.5m during the daytime operational period.

The level of noise emitted from the site during construction shall not exceed 70 LAeq during any 30 minute period between 0800 to 1800 hours Monday to Friday and 0900 to 1300 hours on a Saturday measured at, or recalculated as at, a height of 1.2 m above ground level and 3.5 m from the facade of any residential property or other noise sensitive building that faces the site.

18. Construction hours/days shall be only: Monday to Friday: 8am-6pm, Saturday: 9am-1pm, with no working on Sundays or Bank/Public/National Holidays.
19. There shall be no glass handled outside the Materials Bulking Facility before 0730 Monday-Friday or 0800 on Saturdays and Bank/Public/National Holidays.

Materials

20. The development hereby permitted shall be carried out in accordance with the Materials Sample Board approved by notice RE14/00577/CON dated 30 May 2014

Landscape & Ecology

21. The development hereby permitted shall be carried out in accordance with the Landscape and Ecology Management Plan approved by notice RE14/00545/CON dated 30 May 2014
22. No trees, bushes and hedgerows retained on the site shall be cut down, uprooted or destroyed, and no trees retained shall be topped or lopped other than in accordance with plans and particulars submitted to and approved in writing by the County Planning Authority. If any retained tree is removed, uprooted, destroyed or dies within 5 years from the date of this permission, another tree shall be planted at the same place; and that tree shall be of such size and species, and shall be planted at such time, as shall be agreed in writing by the County Planning Authority.

Reasons:

1. To ensure the permission is implemented in accordance with the terms of the application and to enable the County Planning Authority to exercise planning control over the development so as to minimise its impact on the amenities of the local area and local environment in accordance with the National Planning Policy Framework 2012 and Surrey Waste Plan 2008 Policy DC3.
2. To accord with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004 and to enable the County Planning Authority to control the development and monitor the site to ensure compliance with the planning permission.
3. To enable the County Planning Authority to exercise control over the development hereby permitted and comply with Section 91 of the Town and Country Planning Act

1990 (as amended), the National Planning Policy Framework 2012 and Surrey Waste Plan 2008 Policy DC3.

4. To ensure that the amount of waste imported to the site does not exceed the level upon which the transportation impact was assessed, to prevent the receipt of other waste types and from waste from other local authority areas, and to enable the County Planning Authority to exercise control over the development hereby permitted and comply with Section 91 of the Town and Country Planning Act 1990 (as amended), the National Planning Policy Framework 2012 and Surrey Waste Plan 2008 Policy DC3.
5. To enable the County Planning Authority to exercise control over the development hereby permitted and protect the amenities of local residents in accordance with the National Planning Policy Framework 2012 and Surrey Waste Plan 2008 Policy DC3 and Reigate & Banstead Local Plan 2005 Policy EM3.
6. In the interest of the local environment and amenity and in order that the development should not prejudice highway safety nor cause inconvenience to other highway users to comply with the National Planning Policy Framework 2012 and Surrey Waste Plan 2008 Policy DC3.
7. In the interest of the local environment and amenity and in order that the development should not prejudice highway safety nor cause inconvenience to other highway users to comply with the National Planning Policy Framework 2012 and Surrey Waste Plan 2008 Policy DC3.
8. In the interest of the local environment and amenity and in order that the development should not prejudice highway safety nor cause inconvenience to other highway users to comply with the National Planning Policy Framework 2012 and Surrey Waste Plan 2008 Policy DC3.
9. In recognition of Section 4 `Promoting Sustainable Transport` in the National Planning Policy Framework 2012.
10. In the interest of the local environment and amenity and to comply with the National Planning Policy Framework 2012 and Surrey Waste Plan 2008 Policy DC3.
11. To enable the County Planning Authority to exercise control over the development hereby permitted and protect the amenities of local residents in accordance with the National Planning Policy Framework 2012; Surrey Waste Plan 2008 Policy DC3 and Reigate & Banstead Local Plan 2005 Policy EM3.
12. To prevent pollution of the environment in accordance with the National Planning Policy Framework 2012 and Surrey Waste Plan Policy DC3.
13. To prevent pollution of the environment in accordance with the National Planning Policy Framework 2012 and Surrey Waste Plan Policy DC3.
14. To prevent pollution of the environment in accordance with the National Planning Policy Framework 2012 and Surrey Waste Plan Policy DC3.
15. To prevent pollution of the environment in accordance with the National Planning Policy Framework 2012 and Surrey Waste Plan Policy DC3.
16. To minimise the attractiveness of the site to birds which could endanger the safe movement of aircraft and the operation of Gatwick Airport and Redhill Aerodrome to

accord with Surrey Waste Plan 2008 Policy DC3 and Circular 01/03 - Safeguarding Aerodromes, Technical Sites and Military Explosives Strategy Areas.

17. To ensure the minimum disturbance and to avoid nuisance to the locality to comply with the National Planning Policy Framework 2012; Surrey Waste Plan 2008 Policy DC3 and Reigate & Banstead Local Plan 2005 Policy EM3.
18. To ensure the minimum disturbance and to avoid nuisance to the locality to comply with the National Planning Policy Framework 2012; Surrey Waste Plan 2008 Policy DC3 and Reigate & Banstead Local Plan 2005 Policy EM3.
19. To ensure the minimum disturbance and to avoid nuisance to the locality to comply with the National Planning Policy Framework 2012; Surrey Waste Plan 2008 Policy DC3 and Reigate & Banstead Local Plan 2005 Policy EM3.
20. To enable the County Planning Authority to exercise control over the development hereby permitted and comply with Section 91 of the Town and Country Planning Act 1990 (as amended), the National Planning Policy Framework 2012; Surrey Waste Plan 2008 Policy DC3 and Reigate & Banstead Local Plan 2005 Policy EM3.
21. To enhance nature conservation interest and assist in absorbing the site into the local landscape to accord with Surrey Waste Plan 2008 Policy DC3 and the Key Development Criteria for Land at Earlswood Depot and Sewage Treatment Works, Redhill relating to Green Belt.
22. To enhance nature conservation interest and assist in absorbing the site into the local landscape to accord with Surrey Waste Plan 2008 Policy DC3 and the Key Development Criteria for Land at Earlswood Depot and Sewage Treatment Works relating to Green Belt.

Informatives:

1. No removal or cutting of vegetation including trees and shrubs shall be carried out between 1 March and 31 August inclusive in any year, unless a scheme to prevent bird nesting and a check carried out by a suitably qualified ecologist is approved in writing by the County Planning Authority in advance of such works.
2. 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-andcommunity-safety/flooding-advice.
3. When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highways Service will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developer's expense. (Note: It is preferable where possible to arrange for the adjacent highway to be included in the area edged red on the application when Circular 11/95 provides that conditions may be suitable to control this).

4. 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).
5. Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks notice. For crane queries/applications please email gal.safeguarding@gatwickairport.com The crane process is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/operations-safety/>).
6. Pollution Prevention Guidelines will be appropriate for this site and the discharge of a number of planning conditions. Please check www.netregs.gov.uk for further information.
7. This 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 Greg Davenport (0208 320 8524 / greg.davenport@environment-agency.gov.uk) to discuss the issues likely to be raised. An integral part of the Environmental Permit is an Environment Management System. This is a document that the permit holder will need to produce. The main amenity issues involved with this type of activity are odour, noise, dust / fibres / particulates / litter, deposits on road. These amenity issues should be identified in the Environment Management System with a clear description of the risks (of pollution) and the control methods that will be put in place.
8. Environment Agency guidance states that an operation of this nature will also require an Odour Management Plan. Please refer to 'How to comply with your environmental permit' (This document can be found on the Environment agency website).
9. If any controlled waste is to be removed off site, then the site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably permitted facility. The applicant is advised to refer to the Environment Agency's guidance on their website: www.environment-agency.gov.uk/subjects/waste.
10. The Environmental Protection (Duty of Care) Regulations 1991 for dealing with waste materials are applicable for any off-site movements of wastes. The developer as waste producer therefore has a duty of care to ensure all materials removed go to an appropriate permitted facility and all relevant documentation is completed and kept in line with regulations. The developer must apply the waste hierarchy in a priority order of prevention, re-use, recycling before considering other recovery or disposal options. Government Guidance on the waste hierarchy in England is at: <http://www.defra.gov.uk/publications/files/pb13530-waste-hierarchy-guidance.pdf>.
11. Excavated material arising from site remediation or land development works can sometimes be classified as waste. For further guidance on how waste is classified, and best practice for its handling, transport, treatment and disposal please see the Environment Agency's waste pages at: <http://www.environment-agency.gov.uk/business/topics/waste/default.aspx>.
12. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of

surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

13. There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.
14. A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pretreatment, separate metering, sampling access etc, may be required before the Company can give its consent. Applications should be made at <http://www.thameswater.co.uk/business/9993.htm> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.
15. Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.
16. Directly west, adjoining the proposed development sits Earlswood Sewage Treatment Works. This is a Thames Water Asset. The company will seek assurances that it will not be affected by the proposed development.
17. The County Planning Authority strongly advises the applicant that Bulk Transport Vehicles should avoid unsuitable local roads and utilise A class and higher order roads when travelling to and from the site. Recycling Collections Vehicles should similarly, where possible, utilise A class roads when making deliveries to the site.
18. Attention is drawn to the requirements of Sections 7 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the Code of Practice for Access of the Disabled to Buildings (British Standards Institution Code of Practice BS 8300:2009) or any prescribed document replacing that code.
19. 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.
20. Any works to be carried out which will affect the flow or storage of water within, or which place or alter a structure/obstruction within an ordinary watercourse will require Ordinary

Watercourse Consent. These can include permanent or temporary structures or works. An 'ordinary watercourse' is a watercourse that is not part of a main river and includes rivers, streams, ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the meaning of the Water Industry Act 1991) and passages, through which water flows. Consent within Surrey is issued by the Sustainable Drainage and Consenting Team within Surrey County Council. The team can provide information on the requirements for consent and the application procedure and is contactable by email on SuDS@surreycc.gov.uk. Please note consent cannot be issued retrospectively. Works affecting designated Main River require consent from the Environment Agency.

CONTACT

William Flaherty

TEL. NO.

020 8541 8095

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

National Planning Policy Framework 2012

National Planning Policy for Waste 2014

The Development Plan

[Surrey Waste Plan 2008](#)

Reigate and Banstead Local Plan 2005

Reigate and Banstead Local Plan: Core Strategy 2014

Other Documents

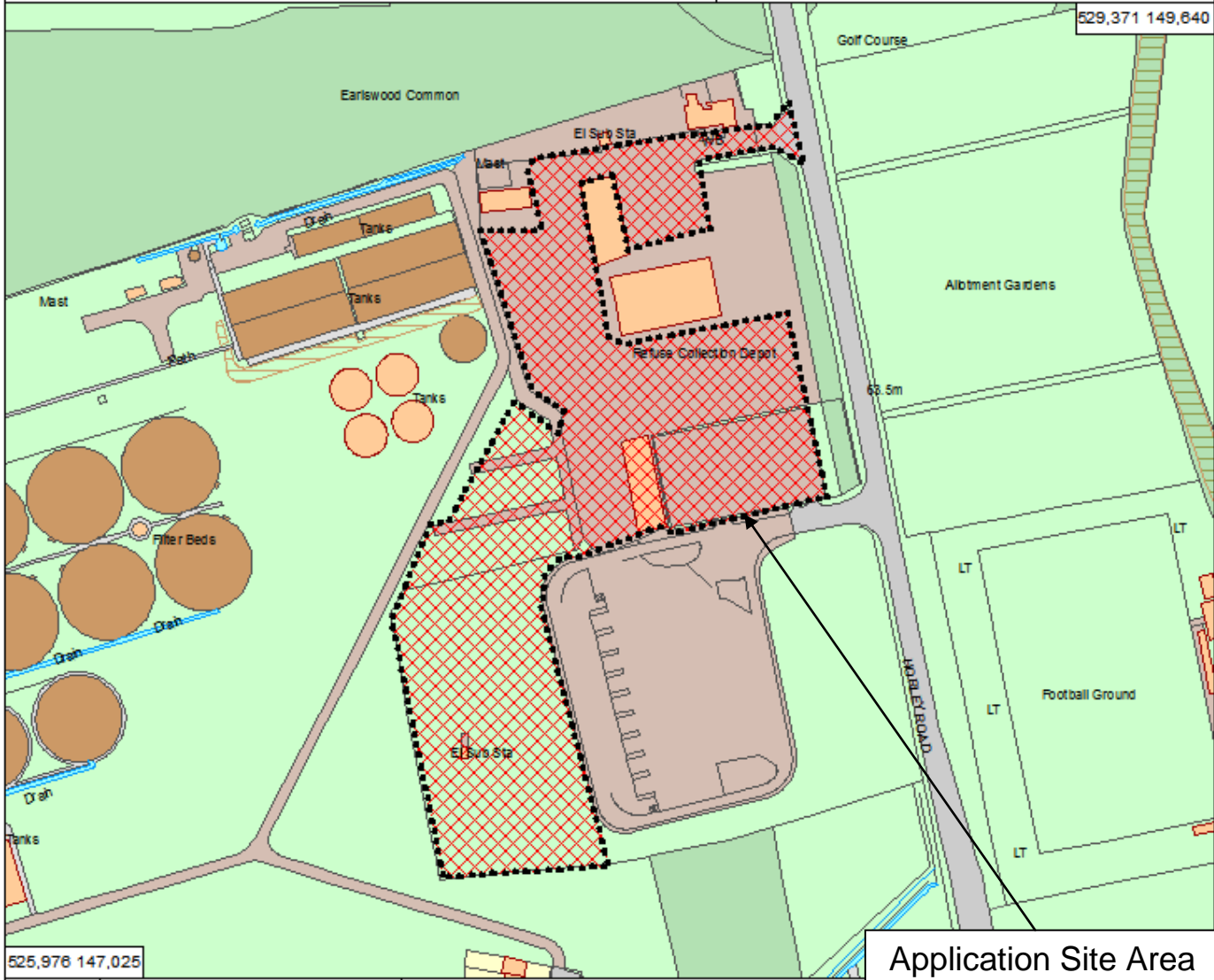
"Guidance Notes for the Reduction of Obtrusive Light", Institute of Lighting Professionals, 2012
Officers report for RE/P/13/01661/CON

This page is intentionally left blank

<p style="text-align: center;">Site Location</p> <p>Scale 1:30,123</p>	<p>Earlswood Materials Bulking Facility, Horley Road, Redhill, Surrey RH1 6PN.</p> <p>Operation of Earlswood Materials Bulking Facility without compliance with Conditions 1 and 11 of planning permission ref: RE/P/13/01661/CON dated 13 February 2014 to amend the lighting design at the site (retrospective).</p> <p>Application No(s): RE15/00553/CON</p> <p>Electoral Division(s): Earlswood & Reigate South</p>
---	--

© Crown copyright. All rights reserved Surrey County Council, 100019613, 2016

This plan is for indicative purposes only



<p>GRID NORTH</p>	<p>Ref No: SCC REF 2015/0041</p> <p>Date printed: 11/04/2016</p>	<p>0 10 20 40 60 80 100 120 140 Metres</p>	<p>Scale 1:2,250</p>
-------------------	--	--	----------------------

This page is intentionally left blank

2012-13 Aerial Photos

Aerial 1 : Earlswood Materials Bulking Facility



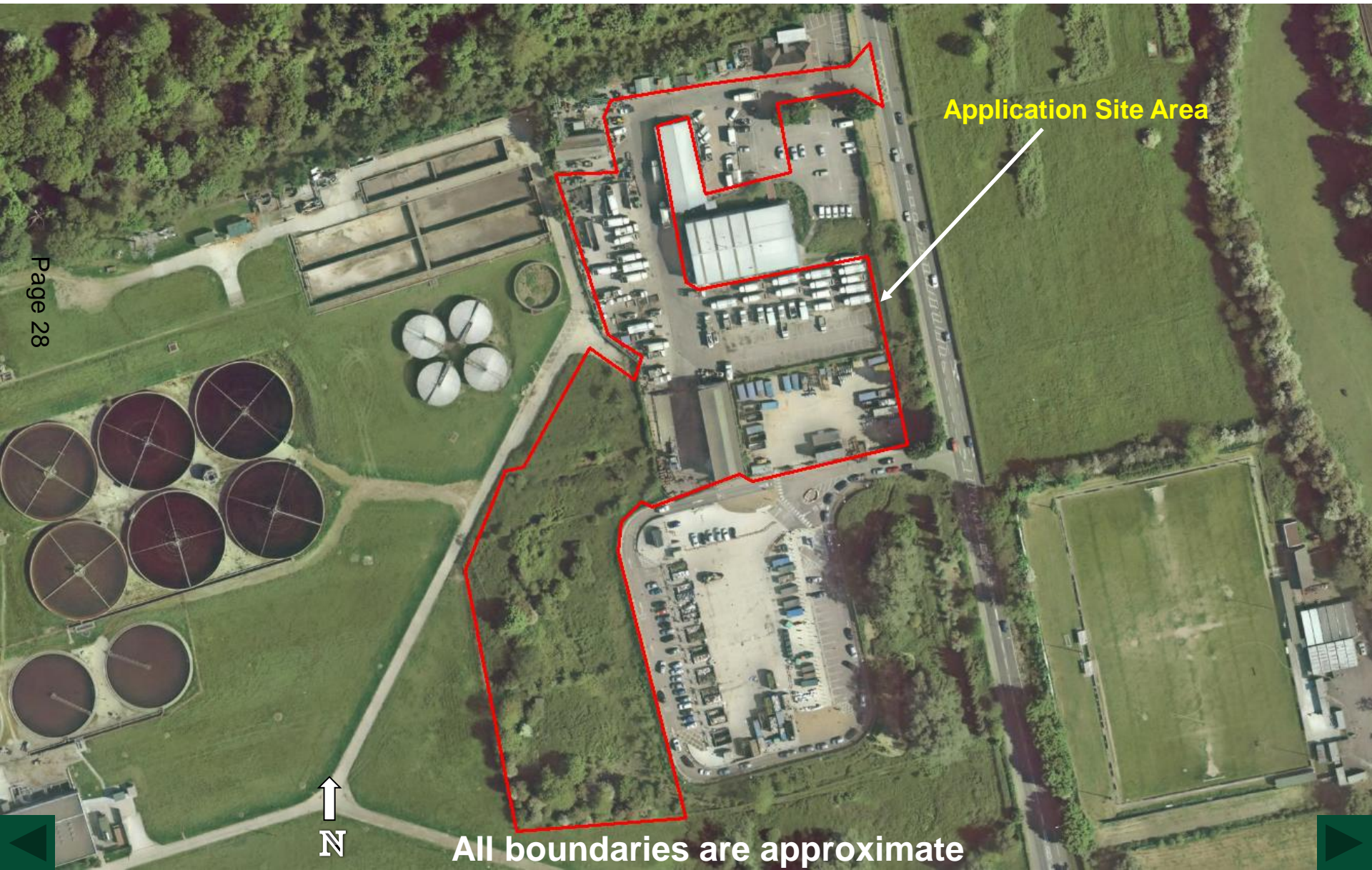
Page 27



All boundaries are approximate

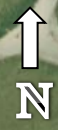
2012-13 Aerial Photos

Aerial 2 : Earlswood Materials Bulking Facility



Application Site Area

Page 28



All boundaries are approximate

Figure 1 : Looking north showing the twin 400W floodlights and the PIR light on the weighbridge building



Figure 2 : Looking south west towards the MBF buildings northern elevation shows the PIR lights on the Welfare building (white circles)



Figure 3 : Looking south towards southern boundary showing the Estilo HOLOLux with Flat Glass Wall mounted at 6 metres light fixture



This page is intentionally left blank