

**PLANNING AND REGULATORY COMMITTEE
NOTICE OF MEETING**

Date: Wednesday, 16 July 2014
Time 10.30 am
Place: Ashcombe Suite, County Hall, Kingston upon Thames, Surrey KT1 2DN

Contact: Cheryl Hardman or Huma Younis, Room 122, County Hall
Telephone: 020 8541 9075 or 020 8213 2725
Email: cherylh@surreycc.gov.uk

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

APPOINTED MEMBERS [12]

Keith Taylor (Chairman)	Shere;
Tim Hall (Vice-Chairman)	Leatherhead and Fetcham East;
Ian Beardsmore	Sunbury Common & Ashford Common;
Natalie Bramhall	Redhill West & Meadvale;
Carol Coleman	Ashford;
Jonathan Essex	Redhill East;
Margaret Hicks	Hersham;
George Johnson	Shalford;
Christian Mahne	Weybridge;
Ernest Mallett MBE	West Molesey;
Michael Sydney	Lingfield;
Richard Wilson	The Byfleets;

EX OFFICIO MEMBERS (NON-VOTING) [4]

David Munro	Chairman of the County Council	Farnham South;
Sally Marks	Vice Chairman of the County Council	Caterham Valley;
David Hodge	Leader of the Council	Warlingham;
Peter Martin	Deputy Leader	Godalming South, Milford & Witley;

APPOINTED SUBSTITUTES [19]

Mike Bennison	Hinchley Wood, Claygate and Oxshott;
Stephen Cooksey	Dorking South and the Holmwoods;
Tim Evans	Lower Sunbury and Halliford;
Will Forster	Woking South;
Denis Fuller	Camberley West;
Nick Harrison	Nork & Tattenhams;
Peter Hickman	The Dittons;
David Ivison	Heatherside and Parkside;
Daniel Jenkins	Staines South and Ashford West;
Stella Lallement	Epsom West;
John Orrick	Caterham Hill;
Adrian Page	Lightwater, West End and Bisley;
Chris Pitt	
Chris Townsend	Ashtead;
Fiona White	Guildford West;
Helena Windsor	Godstone;

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AGENDA

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

To receive any apologies for absence and notices of substitutions under Standing Order 40.

2 MINUTES OF THE LAST MEETING

(Pages 1 - 16)

To confirm the minutes of the meeting held on 11 June 2014.

3 PETITIONS

To receive any petitions from members of the public in accordance with Standing Order 65 (please see note 7 below).

4 PUBLIC QUESTION TIME

To answer any questions received from local government electors within Surrey in accordance with Standing Order 66 (please see note 8 below).

5 MEMBERS' QUESTION TIME

To answer any questions received from Members of the Council in accordance with Standing Order 47.

6 DECLARATIONS OF INTERESTS

To receive any declarations of disclosable pecuniary interests from Members in respect of any item to be considered at the meeting.

Notes:

- In line with the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, declarations may relate to the interest of the member, or the member's spouse or civil partner, or a person with whom the member is living as husband or wife, or a person with whom the member is living as if they were civil partners and the member is aware they have the interest.
- Members need only disclose interests not currently listed on the Register of Disclosable Pecuniary Interests.
- Members must notify the Monitoring Officer of any interests disclosed at the meeting so they may be added to the Register.
- Members are reminded that they must not participate in any item where they have a disclosable pecuniary interest.

- 7 SURREY COUNTY COUNCIL PROPOSAL EL/2014/0363: LAND AT FORMER JOHN NIGHTINGALE SCHOOL SITE, HURST ROAD, WEST MOLESEY, SURREY KT8 1QS** (Pages 17 - 74)

This is an application for the erection of a new single, one and a half and two storey Hurst Park primary school (420 places) and nursery (30 places) together with provision of 26 parking spaces, and cycle and scooter parking; access off Hurst Road; laying out of outdoor learning and play areas and sports pitches; landscape planting and ecological habitats.

The recommendation is to PERMIT the application, subject to conditions.

- 8 SURREY COUNTY COUNCIL PROPOSAL EP/13/01703/CMA: LAND AT STAMFORD GREEN PRIMARY SCHOOL, CHRISTCHURCH MOUNT, EPSOM, SURREY KT19 8LU** (Pages 75 - 106)

This is an application for a single storey classroom block extension comprising 9 new classrooms and ancillary spaces; new hard surfaced play area and games court; alterations to pedestrian routes within the site and associated external works.

The recommendation is to PERMIT the application subject to conditions.

- 9 MINERALS AND WASTE APPLICATION MO/2013/0176: SWIRES FARM, HENFOLD LANE, CAPEL, SURREY RH5 4RP** (Pages 107 - 218)

This is an application to open windrow composting facility for green waste comprising; hardstanding, landscape bund to southern boundary, weighbridge, 2 portacabin offices, portaloo and internal access road.

The recommendation is to PERMIT subject to conditions.

David McNulty
Chief Executive
Friday 4 July, 2014

MOBILE TECHNOLOGY AND FILMING – ACCEPTABLE USE

Those attending for the purpose of reporting on the meeting may use social media or mobile devices in silent mode to send electronic messages about the progress of the public parts of the meeting. To support this, County Hall has wifi available for visitors – please ask at reception for details.

Anyone is permitted to film, record or take photographs at council meetings with the Chairman's consent. Please liaise with the council officer listed in the agenda prior to the start of the meeting so that the Chairman can grant permission and those attending the meeting can be made aware of any filming taking place.

Use of mobile devices, including for the purpose of recording or filming a meeting, is subject to no interruptions, distractions or interference being caused to the PA or Induction Loop systems, or any general disturbance to proceedings. The Chairman may ask for mobile devices to be switched off in these circumstances.

It is requested that if you are not using your mobile device for any of the activities outlined above, it be switched off or placed in silent mode during the meeting to prevent interruptions and interference with PA and Induction Loop systems.

Thank you for your co-operation

Note: *This meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed. The images and sound recording may be used for training purposes within the Council.*

Generally the public seating areas are not filmed. However by entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.

If you have any queries regarding this, please contact the representative of Legal and Democratic Services at the meeting

NOTES:

1. The Chairman will adjourn the meeting for lunch from 12.45pm unless satisfied that the Committee's business can be completed by 1.15pm.
2. Members are requested to let the Regulatory Committee Manager have the wording of any motions and amendments not later than one hour before the start of the meeting.
3. Substitutions must be notified to the Regulatory Committee Manager by the absent Member or group representative at least half an hour in advance of the meeting.
4. Planning officers will introduce their report and be able to provide information or advice to Members during the meeting. They can also be contacted before the meeting if you require information or advice on any matter.
5. A record of any items handled under delegated powers since the last meeting of the Committee will be available for inspection at the meeting.
6. Members of the public can speak at the Committee meeting on any planning application that is being reported to the Committee for decision, provided they have made written representations on the application at least 14 days in advance of the meeting, and

provided they have registered their wish to do so with the Regulatory Committee Manager in advance of the meeting. The number of public speakers is restricted to five objectors and five supporters in respect of each application.

7. Petitions from members of the public may be presented to the Committee provided that they contain 100 or more signatures and relate to a matter within the Committee's terms of reference. The presentation of petitions on the following matters is not allowed: (a) matters which are "confidential" or "exempt" under the Local Government Access to Information Act 1985; and (b) planning applications. Notice must be given in writing at least 14 days before the meeting. Please contact the Regulatory Committee Manager for further advice.
8. Notice of public questions must be given in writing at least 7 days before the meeting. Members of the public may ask one question relating to a matter within the Committee's terms of reference. Questions on "confidential" or "exempt" matters and planning applications are not allowed. Questions should relate to general policy and not detail. Please contact the Regulatory Committee Manager for further advice.
9. On 10 December 2013, the Council agreed amendments to the Scheme of Delegation so that:
 - All details pursuant (applications relating to a previously granted permission) and non-material amendments (minor issues that do not change the principles of an existing permission) will be delegated to officers (irrespective of the number of objections).
 - Any full application with fewer than 5 objections, which is in accordance with the development plan and national policies will be delegated to officers.
 - Any full application with fewer than 5 objections that is not in accordance with the development plan (i.e. waste development in Green Belt) and national policies will be delegated to officers in liaison with either the Chairman or Vice Chairman of the Planning & Regulatory Committee.
 - Any application can come before committee if requested by the local member or a member of the Planning & Regulatory Committee.

The revised Scheme of Delegation came into effect as of the date of the Council decision.

HUMAN RIGHTS ACT 1998 – GUIDANCE FOR INTERPRETATION

This Guidance should be read in conjunction with the Human Rights section in the following Committee reports.

The Human Rights Act 1998 does not incorporate the European Convention on Human Rights in English law. It does, however, impose an obligation on public authorities not to act incompatibly with those Convention rights specified in Schedule 1 of that Act. As such, those persons directly affected by the adverse effects of decisions of public authorities may be able to claim a breach of their human rights. Decision makers are required to weigh the adverse impact of the development against the benefits to the public at large.

The most commonly relied upon articles of the European Convention are Articles 6, 8 and Article 1 of Protocol 1. These are specified in Schedule 1 of the Act.

Article 6 provides the right to a fair and public hearing. Officers must be satisfied that the application has been subject to proper public consultation and that the public have had an opportunity to make representations in the normal way and that any representations received have been properly covered in the report. Members of the public wishing to make oral representations may do so at Committee, having given the requisite advance notice, and this satisfies the requirements of Article 6.

Article 8 covers the right to respect for a private and family life. This has been interpreted as the right to live one's personal life without unjustified interference. Officers must judge whether the development proposed would constitute such an interference and thus engage Article 8.

Article 1 of Protocol 1 provides that a person is entitled to the peaceful enjoyment of his possessions and that no-one shall be deprived of his possessions except in the public interest. Possessions will include material possessions, such as property, and also planning permissions and possibly other rights. Officers will wish to consider whether the impact of the proposed development will affect the peaceful enjoyment of such possessions.

These are qualified rights, which means that interference with them may be justified if deemed necessary in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Any interference with a Convention right must be proportionate to the intended objective. This means that such an interference should be carefully designed to meet the objective in question and not be arbitrary, unfair or overly severe.

European case law suggests that interference with the human rights described above will only be considered to engage those Articles and thereby cause a breach of human rights where that interference is significant. Officers will therefore consider the impacts of all applications for planning permission and will express a view as to whether an Article of the Convention may be engaged.

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MINUTES of the meeting of the **PLANNING AND REGULATORY COMMITTEE** held at 10.30 am on 11 June 2014 at Ashcombe Suite, County Hall, Kingston upon Thames, Surrey KT1 2DN.

These minutes are subject to confirmation by the Committee at its meeting.

Members Present:

Mr Keith Taylor (Chairman)
Mr Tim Hall (Vice-Chairman)
Mr Ian Beardsmore
Mrs Carol Coleman
Mr Jonathan Essex
Mrs Margaret Hicks
Mr Christian Mahne
Mr Michael Sydney
Mr Richard Wilson

Apologies:

Mrs Natalie Bramhall
Mr George Johnson
Mr Ernest Mallett MBE

61/14 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies were received from Ernest Mallett, George Johnson and Natalie Bramhall. Peter Hickman attended as a substitute on behalf of Ernest Mallett.

62/14 MINUTES OF THE LAST MEETING [Item 2]

These were agreed as a true record of the last meeting.

63/14 PETITIONS [Item 3]

There were none.

64/14 PUBLIC QUESTION TIME [Item 4]

There were none.

65/14 MEMBERS' QUESTION TIME [Item 5]

There were none.

66/14 DECLARATIONS OF INTERESTS [Item 6]

There were none.

67/14 SURREY COUNTY COUNCIL PROPOSAL WA/2014/0471: LAND AT WEYDON SCHOOL, WEYDON LANE, FARNHAM, SURREY GU9 8UG [Item 12]

THIS ITEM WAS MOVED FORWARD ON THE AGENDA IN RESPONSE TO A REQUEST FROM MEMBERS OF THE PUBLIC WHO HAD REGISTERED TO SPEAK.

TWO UPDATE SHEET WERE TABLED

Declarations of interest:

None

Officers:

Nancy El-Shatoury, Principal Lawyer
 Caroline Smith, Transport Development Planning Team Manager
 Stephen Jenkins, Deputy Planning Development Manager

Speakers:

Julia Davidson, a local resident made representations in objection to the application, points raised included:

- Supports the development of the school and understands the need for the floodlights but need to strike a balance where the lighting does not intrude on neighbours.
- Asked for restrictions to be put on flood lighting so they can only be used during certain months.
- There was a need to ensure the lux level did not exceed the maximum level permitted.

Stuart Davidson, a local resident made representations in objection to the application, points raised included:

- Support the development of the school and understand the need for the floodlights but do not understand why the application for the floodlights was omitted from the first application.
- Much of the work on the floodlighting on the school pitches seems to have already started.
- It was felt that there were more lights planned for the pitch than required.

Sarah Barton, a local resident made representations in objection to the application, points raised included:

- Support the development of the school and understand the need for floodlights but felt more work could have been done to explore other lighting options.

- Light spillage from the flood lighting will have an effect on residents living close to the pitches.
- Asked for the applicant to create a schedule of when the pitches can be used to ensure the use of floodlighting is kept to a minimum.

The agents of the applicant, **Peter Brinsden and Mike Cole** addressed the Committee and raised the following points:

- Explained that Weydon School was one of the best schools in the area and therefore required world class facilities to continue its excellence.
- Local residents would also have access to facilities on site especially as there was a shortage of these facilities in the Waverley area.
- Applicant has met with residents on a number of occasions and has amended aspects of the application as a result of feedback.
- Modified the times of when the pitches can be used as a result of resident's feedback.
- A noise control management plan has been included and the lighting being used on the pitches is the most up to date lighting available.
- It was explained that 2.2 lux would be the maximum lighting used on the pitches and therefore does not affect residential amenity.

The local Member, **David Munro** addressed the committee and raised the following points:

- Ex governor of Weydon school and understands the demand for pitches in the area. This would be beneficial to both the school and the local community.
- The demand for use of the pitches will lead to an increase in traffic in the area; this will therefore need to be carefully monitored.
- Feedback from the County Lighting Consultant concludes there would be no adverse impacts from the proposed floodlighting and therefore hopes the committee will support the proposal.

Key Points raised during the discussion:

1. The report was introduced by the Deputy Planning Development Manager who explained that the original application for the Weydon school expansion was granted in 2013. The flood lighting would comprise of 8 lights on the rugby pitch and 6 for the hockey pitch, these would be in the form of 14 masts that would be 15m in height. A full light and noise impact study have been conducted with the use of the pitches being reduced to 8.30pm on weekdays. There have been a number of letters supporting and objecting to the application.
2. A member of the committee asked why such a high number of lumens for the lighting were required for the pitches especially as pitches would be used mostly during day time hours. The Deputy Planning Development Control Team Manager explained that the applicant was guided by the lighting engineer who explained the details of the minimum lumen level required. The lighting spillage level was reduced to 2 lux which complied with national guidelines.

3. There were discussions around the possibility of having varying levels of lighting during different periods of the day. It was stated that varying the lighting levels would need to be approved by the lighting engineer and any changes to the lighting masts would need to be submitted for approval.
4. Discussions took place around the number of lights used on the pitches and whether this number was necessary. The Deputy Planning Development Manager explained that officers considered the design and number of lighting columns proposed as reasonable and proportionate to the requirements of the site.
5. It was explained that in order to extend the use of hours on the sports pitches another application would need to be put to the planning department for an extension in hours of use.

Actions/Further information to be provided:

None

RESOLVED:

That pursuant to Regulation 3 of the Town and County Planning General Regulations 1992, application number WA/2014/0471 is **PERMITTED** subject to conditions and reasons stated in the report.

68/14 MINERALS/WASTE SP13/01236/SCC- QUEEN MARY RESERVOIR AND LAND WEST OF QUEEN MARY RESERVOIR (QUEEN MARY QUARRY), ASHFORD ROAD, LALEHAM, TW18 1QF [Item 7]

THE COMMITTEE DISCUSSED ITEMS 7,8 AND 9 TOGETHER.

Declarations of interest:

None

Officers:

Nancy El-Shatoury, Principal Lawyer
 Caroline Smith, Transport Development Planning Team Manager
 Stephen Jenkins, Deputy Planning Development Manager

Key Points raised during the discussion:

1. The Deputy Planning Development Manager explained that there were three applications for the Queen Mary Reservoir which is located in North West Surrey. This is a large reservoir which is located in the green belt. All three applications are Section 73 applications which seek the extension of timings. Due to a change in ownership there has been a delay to work taking place. Surrey's reserves for sand and

gravel are very low and permitting this application would be a good use of existing resources.

2. Members in principal did not have any issues with extending the application dates but felt there was no details with regards to the mobile plant which would be used till 2033. The Deputy Planning Development Manager explained that one of the conditions as part of the report was for this detail around the mobile plant to be submitted before any work could commence.
3. Members asked for clarity around where the 'as raised' gravel, referred to in the report would be coming from. The Deputy Planning Development Manager explained that the site was given permission to import 'as raised' gravel in 2009. This gravel would be coming from local developers who needed gravel processed.
4. A member of the committee asked for confirmation that works to the breakwater baffle originally granted in 2009 had been completed. The Deputy Planning Development Manager stated that any previous work would of had to been completed before the 2009 permission was implemented.
5. The Deputy Planning Development Manager explained that separate areas on the site are used for the gravel processing and the recycling.
6. It was clarified that the original date of extension for the processing plant is 2016 and the utilising of the mobile plant is to 2033.
7. Members requested that the number of HGV movements on a Saturday would be pro-rata, and this applied to all three applications (Items 7, 8 and 9).

Actions/Further information to be provided:

None

RESOLVED:

That MINERALS/WASTE SP13/01236/SCC is **PERMITTED** subject to conditions and informative and the prior completion of a variation to the 12 January 2009 S106 legal agreement to secure the long term aftercare management of the land to the west of Mary Reservoir and a bird management plan so that it applies to the current operator, Brett Aggregates and the new planning permission for reasons stated in the report.

69/14 MINERALS/WASTE SP13/01238/SCC- LAND AT QUEEN MARY RESERVOIR (QUEEN MARY QUARRY), ASHFORD ROAD, LALEHAM, TW18 1QF [Item 8]

THE COMMITTEE DISCUSSED ITEMS 7,8 AND 9 TOGETHER.

RESOLVED:

MINERALS/WASTE SP13/01238/SCC is **PERMITTED** subject to:

- planning permission being granted to planning application SP13/01236, and
- to the prior completion of a variation to the 12 January 2009 S106 legal agreement to secure the long term aftercare management of the land to the west of Mary Reservoir and a bird management plan so that it applies so that it applies to the current operator, Brett Aggregates and the new planning permission for reasons stated in the report.

70/14 MINERALS/WASTE SP13/01239/SCC- LAND AT QUEEN MARY RESERVOIR (QUEEN MARY QUARRY), ASHFORD ROAD, LALEHAM, TW18 1QF [Item 9]

THE COMMITTEE DISCUSSED ITEMS 7,8 AND 9 TOGETHER.

RESOLVED:

MINERALS/WASTE SP13/01239/SCC is **PERMITTED** subject to conditions and informatives, subject to planning permission being granted to planning application SP13/01236, and to the prior completion of a variation to the 12 January 2009 S106 legal agreement to secure the long term aftercare management of the land to the west of Mary Reservoir and a bird management plan, so that it applies to the current operator, Brett Aggregates and new planning permission for reasons stated in the report.

71/14 MINERALS AND WASTE APPLICATION TA11/1075-OXTED SANDPIT, BARROW GREEN ROAD, OXTED, SURREY, RH8 0NJ [Item 10]

THE COMMITTEE DISCUSSED ITEMS 11 AND 12 TOGETHER.

AN UPDATE SHEET WAS TABLED

Declarations of interest:

None

Officers:

Nancy El-Shatoury, Principal Lawyer
 Caroline Smith, Transport Development Planning Team Manager
 Stephen Jenkins, Deputy Planning Development Manager

Speakers:

Jovita Kaunang, a local resident made representations in objection to the application, points raised included:

- Sand martins use the area for nesting and will be affected by any change that happens on site.
- The applicant plans to infill the sandpit which will have huge ecological impacts on the birds.

- Fears that the sand martin colony will be lost even if work takes place out of nesting season.

Amanda Griffiths, a local resident made representations in objection to the application, points raised included:

- As a member of the Oxted and Limpsfield residents group, the speaker felt that more could be done in terms of road safety in the area.
- Applicant plans to carry out works on Saturdays. This would have potential negative impacts on young children taking horse riding lessons and cyclists who use the main road which will be used by HGV's going to the site.
- Asked that speed limits be put in along Barrow Green Road to ensure it is safe for road users.

The agents of the applicant, **Jessica Fleming of The Landscape Partnership and Joe Killoughery** addressed the Committee and raised the following points:

- A sand martin mitigation plan has been produced with county ecologists.
- The applicant understands the need to protect the species and has proposed an additional artificial sand martin castle which will be constructed in phase 3 of the build.
- A 2 metre high artificial nesting facility will be erected above the retaining pit face to achieve a vertical height of 4 metres.
- If the applicant cannot work on Saturdays this would push the finish date back.

The local Member, **Nick Skellett** was not able to attend. However, had the following comments:

- "I do not support any extension to workings at the sandpit until overall HGV movements coming from quarries in the division (and which use the A25 and other roads through Oxted) are managed and controlled.
- Therefore any consent that is considered must specify fewer HGV movements than previously permitted until such time as the future of the Chalkpit Lane Quarry is determined and dealt with.
- The only activity at the sandpit I support at this time is an environmentally balanced restoration programme with HGV movements as per 1) and 2) above. I do not support any new activities on this site".

Key Points raised during the discussion:

1. The report was introduced by the Deputy Planning Development Manager. He explained that original permission on the site was granted in 2007 with the applicant seeking an extension till 2022. Major delays on works were due to delays to a permit being granted and major roadwork improvements including the roundabout on the

A25. The Environment Agency has agreed to grant an Environmental Permit in respect of the applications, subject to planning permission.

2. A limit of 55 HGV trips visiting the site has been set, along with highways mitigation measures in place. A number of concerns have been raised by Surrey Bird Club and several members of the public in relation to sand martins who nest within the sandpit. The applicant plans to include an artificial nesting facility along with a 25 year landscape management plan to enhance the ecology of the area.
3. It was explained that an updated Environmental Assessment was undertaken along with the above application. Some members queried whether or not the sand martins should be viewed as a new planning consideration. It was explained that new detailed information regarding the sand martins had been received, allowing for the applicant to construct a mitigation plan.
4. It was stated that there was clear evidence that a suitable area for sand martins to dwell could be artificially created. Compensatory measures for sand martins would be adhered to as part of the conditions of the report.
5. Members raised concerns over the sand martin mitigation plan and asked if there was any guarantee sand martins would dwell in the new artificial nesting facility. The Deputy Planning Development Manager stated that no objections had been received from the Surrey Wildlife Trust and Natural England.
6. As part of the traffic calming measures the Transport Development Planning Team Manager explained that the service was looking to widen the roads to allow HGVs to pass more easily. Officers had reduced the number of traffic movements on Saturdays but suggested that stopping all HGV movements on Saturdays could lead to increased traffic movements during the week days. However, following a further review of the figures, officers felt that it could be possible to stop all HGV movements on Saturdays without necessarily increasing the time taken to restore the site.
7. It was explained that restoration of the land would be to achieve agricultural after use. The land would be used for grazing purposes rather than growing crops. Details of the structure of the agricultural restoration through infilling and management thereof have been submitted as part of the 25 year management scheme.
8. Members recognised the nature of the landscape had changed over the years with an increase in sand martins.
9. The Transport Development Planning Team Manager explained that the site in question had been in operation for years and since then there had been no personal injuries or accidents reported to the Police on Barrow Green Road. The Transport Development Planning Team Manager explained that the road in question did not meet the criteria to lower the traffic speed limit on the road.

Actions/Further information to be provided:

None

RESOLVED:

That MINERALS AND WASTE APPLICATION TA11/1075 is **DEFERRED** so further consideration can be given to the ecological aspects of the application.

72/14 MINERALS AND WASTE APPLICATION REF TA13/1653- LAND AT OXTED SANDPIT, BARROW GREEN ROAD, OXTED, SURREY RH8 9HE [Item 11]

THE COMMITTEE DISCUSSED ITEMS 11 AND 12 TOGETHER.

RESOLVED:

That MINERALS AND WASTE APPLICATION REF TA13/1653 is **DEFERRED** so further consideration can be given to the ecological aspects of the application.

73/14 DATE OF NEXT MEETING [Item 13]

The next meeting will be held on 16 July at 10.30am in the Ashcombe.

Meeting closed at 12.55pm

Chairman

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UPDATE SHEET**SURREY COUNTY COUNCIL PROPOSAL WA/2014/0471****DISTRICT(S)** WAVERLEY BOROUGH COUNCIL**Land at Weydon School, Weydon Lane, Farnham, Surrey GU9 8UG****Installation of floodlighting on two artificial surface sports pitches, together with a 2.5m acoustic fence along part of the western boundary of the site.****CONSULTATIONS AND PUBLICITY**

District Council: Waverley Borough Council has responded on the amended proposal (with the reduced hours of use) commenting *'the reduction in the hours of operation for the proposed floodlighting are welcomed. However, this Council would seek assurances from the County Council that the number of floodlights proposed are the minimum necessary in order to give the levels of luminance required for the safe and proper use of the proposed sports pitches. The Council would also ask that the County Council carefully considers whether additional acoustic and light screening is required to the boundary with properties to the south of the site in Green Lane'*

(Officer comment: The road to the south is not Green Lane but Greenfield Road. Paragraph 34 of the report sets out that the light spillage drawings submitted by the applicant indicate that spillage from the lights is cut off at the school boundary and does not intrude into neighbouring residential dwellings and the County Council's Lighting Consultant. Further light screening is therefore not considered to be necessary. The hours of use of the floodlights on the amended proposal now do not extend the hours of use of the sports pitches at the school over that which has already been approved on the original planning permission therefore there is no requirement to install additional acoustic screening other than what has already been proposed by the applicants).

Additional key issues raised by public

An additional 13 letters of support have been received making similar points to those already listed in the report.

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UPDATE SHEET

SURREY COUNTY COUNCIL PROPOSAL WA/2014/0471

DISTRICT(S) WAVERLEY BOROUGH COUNCIL

Land at Weydon School, Weydon Lane, Farnham, Surrey GU9 8UG

Installation of floodlighting on two artificial surface sports pitches, together with a 2.5m acoustic fence along part of the western boundary of the site.

Additional key issues raised by public

An additional letters of objection was received yesterday on the amended proposal which makes the following points:

- The reduced hours are noted but the proposal will still cause levels of noise and light pollution that are completely unacceptable
- Football will still be played at night after our children are asleep (officer comment: this can already occur on the site under the existing permission which permits use of the sports facilities until 20.30)
- It is of great concern that the original application for the longer hours was made on the ground of justifying costs but this has now been watered down to suit and I would cast doubt on the competency and transparency of the application (Officer comment: it is accepted that the applicant did provide background justification to seeking the longer hours of use on grounds of trying to recoup the costs of maintaining the provision. Officers did raise issues with the accuracy of the information received but the need to cover costs would not be an argument which would override the loss of residential amenity caused by a proposal and has not been used on this case to set the hours of use that are considered to be appropriate. This matter is not therefore considered significant in the determination of this application.
- I object to the amended scheme the same as I did the original

Dawn Horton-Baker

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UPDATE SHEET**Minerals and waste application TA/13/1653****Land at Oxted Sandpit, Barrow Green Road, Oxted, Surrey RH8 9HE**

Installation and retention of a bunded fuel storage, wheel wash, site reception offices, weighbridge and hardstanding and the upgrade to the site access; and temporary use of them in connection with the backfilling with inert waste material and restoration to agriculture on land at Oxted Sandpit.

Replacement of Paragraph 30

30. Although the Council does not have any Environmental Health observations to make, the Council has concerns about the impact on local users of Barrow Green Road from HGVs using the site which could add further to the environmental and highway problems in Barrow Green Road and Oxted generally. Access to Oxted Sandpit is around 350 metres north of the roundabout on the A25 and even with physical constraints at the entrance to ensure that vehicles to or from Oxted Sandpit have to use the southern section of Barrow Green Road, there is the potential for conflict between HGVs, whether travelling to and from Oxted Sandpit, and cyclists and horse riders. Barrow Green Road is part of the Surrey Cycle Network, although there is no dedicated cycle path and cyclists have to share the carriageway. Horses from the riding and livery stable north of Oxted Sandpit also use the land and have to pass the Oxted Sandpit entrance to reach the bridleway to the south.

Insertion of additional sentence into Paragraph 199

199. However, they have recommended that no infiltration of surface water drainage into the ground is permitted other than with the express written consent of the CPA, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

Insertion of additional sentence into Paragraph 201

201. However, it is recommended that the construction of new facilities are undertaken with the inclusion of a separation geotextile below any hardstanding placed thereby acting as marker between the new construction and existing ground and facilitating ground investigation prior to restoration. Further, it is recognised that the Environmental Permit will cover safe removal of items, however upon removal of temporary works and hardstanding the remaining exposed surface should be checked/inspected/tested for any potential contamination by a suitably qualified Geoenvironmental Specialist who shall produce a report for sign off by the CPA before the clean restoration soils are placed.

Insertion of Condition 16

16 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the County Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no

resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason

To ensure the availability and purity of the underground water which is within a water borehole aquifer and to protect the free flow and purity of surface water in accordance with policies DC2 and DC3 of the Surrey Waste Plan 2008.

Insertion of Condition 17

- 17 The construction of new facilities shall be undertaken with the inclusion of a separation geotextile below any hardstanding placed so as to serve as a marker layer between the new construction and the existing ground.

Reason

To ensure the availability and purity of the underground water which is within a water borehole aquifer and to protect the free flow and purity of surface water in accordance with policies DC2 and DC3 of the Surrey Waste Plan 2008.

Insertion of Condition 18

- 18 Before the placement of any restoration soils within the application site, exposed ground surfaces shall be checked/inspected/tested for any potential contamination by a suitably qualified Geoenvironmental Specialist who shall produce a report which shall be submitted to the County Planning Authority for approval. Only once this report has been approved by the County Planning Authority and mitigation and/or remediation measures have been carried out as required by the approved report shall restoration soils be placed within the application site.

Reason

To ensure the availability and purity of the underground water which is within a water borehole aquifer and to protect the free flow and purity of surface water in accordance with policies DC2 and DC3 of the Surrey Waste Plan 2008.

Insertion of Informative 9

9. The hardstanding to be established within the application site shall have an impermeable surface and any run-off must be discharged to foul sewer or a sealed tank.

Insertion of Informative 10

10. The bund should consist of materials that are impervious and chemically resistant to the fuel, and be capable of holding at least 110% of the tank volume. All pipe work, gauges and valves on the tank should also be contained within the bunded area to prevent spillages. All valves and taps should be secured when not in use.

TO: PLANNING & REGULATORY COMMITTEE **DATE:** 16 July 2014

BY: PLANNING DEVELOPMENT CONTROL TEAM
MANAGER

DISTRICT(S) ELMBRIDGE BOROUGH COUNCIL **ELECTORAL DIVISION(S):**
West Molesey
Mr Mallett

PURPOSE: FOR DECISION **GRID REF:** 512826; 168523

TITLE: SURREY COUNTY COUNCIL PROPOSAL EL/2014/0363

SUMMARY REPORT

Land at former John Nightingale School site, Hurst Road, West Molesey, Surrey KT8 1QS

Erection of new single, one and a half and two storey Hurst Park primary school (420 places) and nursery (30 places) together with provision of 26 parking spaces, and cycle and scooter parking; access off Hurst Road; laying out of outdoor learning and play areas and sports pitches; landscape planting and ecological habitats.

The site of the new Hurst Park Primary School fronts onto the south side of Hurst Road in a residential part of West Molesey. The existing Hurst Park Primary School lies to the northeast, on the opposite side of Hurst Road and backing onto the River Thames. Two vehicular access points and the main pedestrian access point would be from Hurst Road. A secondary pedestrian access is proposed from the eastern extent of Freeman Drive, within the Bishop Fox Estate, which abuts the site on the west.

The new school would provide 2 forms of entry, replacing and doubling the size of the existing Hurst Park Primary School. The school building is proposed to be located on a plateau adjacent to Hurst Road, in order to avoid floodplain land, the southern two thirds of the site being either in a medium risk or high risk areas of flooding. Nevertheless there is sufficient space between the buildings and Hurst Road for planting, which is

considered important to enhance the building and the area. The new building would comprise a combination of single and two storey accommodation. This is necessary primarily to keep the entire building, outdoor learning and play areas, the staff car park and the access area for service vehicles on the plateau, thereby providing level access to all of these components of the school.

The principle of developing the site for a new primary school is acceptable.

The development will result in a change in the traffic and parking conditions in the locality of the school, compared with the current situation. The impact would be felt most by residents living in Freeman Drive and other residential roads near to the western site boundary, where the secondary pedestrian access is proposed to be located. Officers consider that there would be sufficient capacity for parking in residential roads in the vicinity of the site, however they remain concerned about the potential adverse impact on amenity. Measures have been incorporated in the scheme to mitigate the impacts of the traffic and parking, particularly the requirement for the provision of a facility for the purposes of 'park and stride' and staff vehicle parking. Planning conditions and informatives are recommended relating to these measures.

It is considered that the design is appropriate to the context and that it would enhance the site and the area. There would be no adverse impacts in terms of visual amenity, ecology, archaeology, flooding and surface water drainage or sustainability including BREEAM requirements. Officers are satisfied that the amended scheme would build on the contribution made by existing trees and vegetation. The loss of trees and the principle of new planting are considered acceptable. It is also considered that the harm to residential amenity from traffic and noise would not be unacceptable in a school context.

Elmbridge Borough Council have raised no objection to the proposal as amended, subject to various suggested requirements and conditions.

The development is considered to satisfy relevant Development Plan and national planning policies and therefore it can be permitted.

The recommendation is to PERMIT the application, subject to conditions.

APPLICATION DETAILS

Applicant

Date application valid

23 January 2014

Period for Determination

20 March 2014

Amending Documents

Drawing No. 12261.05 / L(PA)003, Rev. P3, Proposed Roof Plan, dated 17 January 2014

email dated 7 February 2014 from the Agent, enclosing Hurst Park Planning Statement

email dated 14 February 2014 from the Agent

Transport Assessment dated March 2014

Drawing No. 12261.05 / L(PA)100, Location Plan, Rev. P4, dated 27 March 2014

Drawing No. 12261.05 / L(PA)101, Landscape Site Plan, Rev. P3, dated 27 March 2014

Drawing No. 12261.05 / L(PA)104, Existing Trees Retention & Removal Plan, Rev. P3, dated 27 March 2014

Drawing No. 12261.05 / L(PA)105, Soft Landscape Plan – Sheet 1, Rev. P3, dated 27 March 2014

Drawing No. 12261.05 / L(PA)105, Soft Landscape Plan – Sheet 2, Rev. P3, dated 27 March 2014

Drawing No. 12261.05 / L(PA)001, Proposed Ground Floor Plan, Rev. P3, dated 27 March 2014

Landscape Management Plan dated 27 March 2014

email dated 2 May 2014 from the Agent

email dated 17 June 2014 from the Agent (with attachments – SUDs / Main Drainage Maintenance Strategy and seven documents detailing micro drainage calculations for soakaways)

Drawing Number CS-064160-400, Rev. C1, Drainage Layout, dated 1 April 2014.

Drawing Number CS-064160-401, Rev. C1, Drainage Construction Details, dated 24 June 2014

Drawing Number CS-064160-402, Rev. C1, Impermeable Areas Layout, dated 24 June 2014

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
Principle of Development	Yes	33-36
Highway and Traffic Implications	Yes	37-58
Design and Visual Amenity	Yes	59-66
Impact on Residential Amenity	Yes	67-80
Ecological Considerations	Yes	81-93
Trees and Landscape Matters	Yes	94-102
Archaeology	Yes	103-108
Flooding and Surface Water Drainage	Yes	109-116
Sustainability	Yes	117-120

ILLUSTRATIVE MATERIAL

Site Plan

Plan

Aerial Photographs

Aerial

Site Photographs

Figure 1: Looking southwest from north side of Hurst Road towards western entrance to site, with Lime trees on either side

Figure 2: View to the west along Hurst Road towards western site entrance

Figure 3: Looking west along Hurst Road from western entrance to site

Figure 4: View looking east along Hurst Road from near western entrance to site

Figure 5: Junction of Hurst Road and Freeman Drive, looking southwest

Figure 6: East end of Freeman Drive, looking towards location of secondary pedestrian entrance to site

Figure 7: Looking west from south of western entrance towards location of service area and houses on Lytcott Drive

Figure 8: View looking north towards Hurst Road (with two Lime trees in centre) from plateau where building is proposed to be located

Figure 9: Looking east from plateau towards No. 436 Hurst Road and houses in Boleyn Drive

Figure 10: View to southeast from plateau towards houses in Boleyn Drive and Weldon Drive

Figure 11: Looking south from plateau towards houses in Weldon Drive

Figure 12: View looking east from plateau showing location of MUGAs and houses in Boleyn Drive

Figure 13: Looking southwest from edge of plateau to end of Freeman Drive (see Figure 6)

Figure 14: Looking south along footpath with the site on right and No. 436 Hurst Road on the left

BACKGROUND

Site Description

1. The application site lies on the south side of Hurst Road in the urban area of West Molesey. The site is located about 500m west of the existing Hurst Park Primary School, which backs on to the River Thames. The new school is proposed on an approximately 1.8ha property formerly occupied by the John Nightingale School. Since the closure of the latter school this site has been empty and has become overgrown. The ground level of the site drops by about 2m from the northern boundary to the southern one. Near to the road is a concrete 'slab' which formed a foundation for the former school buildings, with hard standing between it and the road. Together the slab and this hard standing constitute a plateau which constitutes the northern third of the site and which is within Flood Zone 1 (low risk). The middle third of the site is at a lower level and is within Flood Zone 2 (medium risk). The southern third is lower still and is located within Flood Zone 3 (high risk). There are mature and semi-mature trees and bushes along the site frontage and most of the remaining site boundaries.
2. There are two existing vehicular access points from Hurst Road. Public Footpath 3, which connects Hurst Road and Walton Road, runs along the eastern site boundary. There are residential uses abutting the east side of this footpath as well as to the south and west of the site. The residences to the south and west were built on the site of the former Bishop Fox County Secondary School. A water easement running diagonally from northwest to southeast touches the southwest corner of site. The decommissioned Molesey Reservoirs (a Site of Nature Conservation Importance) are situated about 20m to the north on the opposite side of Hurst Road. The operational Knight and Bessborough Reservoirs (a Ramsar Site and part of the South West London Waterbodies Special Protection Area) are located approximately 360m to the west on the same side of Hurst Road as the school site.
3. The new school is proposed to replace the existing Hurst Park Primary School which is located some 500m east of the current site, in a residential area on the north side of Hurst Road and south of the River Thames, on a site about 0.7ha smaller than the current site. Vehicular access is from Hurst Road and there is a further pedestrian access point from Garrick Gardens on the eastern site boundary. The building and hard play areas are located in the northern half of that site with the remainder occupied mainly by the school's playing field.

Planning History

4. There is no planning history for the former John Nightingale School site but the existing Hurst Park Primary School has a substantial planning history in its own right. The adjacent site formerly occupied by the Bishop Fox School has planning history related to its development for housing.
-

THE PROPOSAL

5. This proposal is for a 2 form of entry (2FE) primary school to replace and double the size of the existing Hurst Park Primary School which is located about 500m to the east. The building is proposed to be located mainly on the slab that supported

the former John Nightingale School and entirely on the plateau made up by the slab and adjoining hardstanding. The building would have a flat roof and walls of facing brickwork, relieved by panels of treated cedar cladding adjoining many windows, a number of large glazed areas (mainly on the front elevation, facing Hurst Road) and a horizontal brick recess running around nearly the entire building.

6. The school would have a capacity of 420 pupils and floorspace of 2279 sq m, with about 59 per cent of the floorspace contained in a single storey portion, approximately 25 per cent of the total contained in an upper storey portion of the building, and the remaining approximately 16 per cent in the 1.5 storey portion containing mainly the hall, kitchen, servery and other accommodation. The school would comprise 14 classrooms, food science room, ICT room, group rooms, library, hall, kitchen and other ancillary accommodation including a school office and reception area, other offices and a staff room. Eight classrooms (two each for Year 3, Year 4, Year 5 and Year 6 pupils), a group room and some toilets would be located on the first floor of the building, served by a lift, the remaining accommodation being on the ground floor. The development includes a nursery classroom for 30 pupils, replacing the one at the existing Hurst Park School. The single and two storey portions would be constructed 'off-site', mainly for savings of cost and in construction time, and the 1.5 storey portion would be built in a more traditional way due to its volume.
7. The school would be served by two vehicular entrances and a main pedestrian entrance from Hurst Road, using existing access points. The eastern entrance would serve the staff car park (25 bays and 2 bays for disabled users) and the other leading to the service area adjoining the kitchen. A secondary pedestrian access is proposed at the eastern end of Freeman Drive, a residential cul-de-sac which abuts the school site to the west.
8. The proposal includes extensive outdoor learning and play areas comprising hard play and learning space (including a courtyard), a fenced play area for the reception and nursery children, twin fenced but unlit multi-use games areas (MUGAs) located to the east and southeast of the building and playing fields (with space for four sports pitches and a running track) in the southern third of the site. There would also be three habitat areas, the largest being between the building and the western site boundary.
9. Various boundary treatments are proposed. Along the Hurst Road frontage there would be a 1.1m high hedge integrated with a post and wire fence. At the two vehicular entrances there would be 2.2m high dark grey metal vertical bar double gates with railings of the same height and materials on either side of the westernmost entrance. Adjoining Freeman Drive there would be a pedestrian gate and railings, again of this height and materials. Elsewhere it is proposed to retain and make good the existing boundary fencing. Internally there would be a combination of 2.2m high railings and matching pedestrian gates; 2.4m high black welded mesh fencing and gates surrounding the MUGAs; fencing of the same height, material and colour separating the service yard from the rest of the site; and 1.1m high 'pencil' fencing around the free flow play space adjacent to the Nursery and Reception classrooms overlooking the courtyard.
10. The submission has been accompanied by the following documents: Design and Access Statement, Transport Assessment, School Travel Plan, Arboricultural

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Implication Assessment & Method Statement, Landscape Management Plan, Phase 1 Habitat and Protected Species Scoping Survey, Reptile Survey Report, Flood Risk Assessment, Desk Based Archaeological Assessment, Geotechnical and Contamination Assessment Report, Borehole Investigation Findings Report, Design & Procurement BREEAM Preliminary Assessment and Construction Management Plan.

CONSULTATIONS AND PUBLICITY

District Council

11. Elmbridge Borough Council:

No objection subject to:

- (a) Securing through condition(s) the opening of the school's facilities to the wider community through a Community Use Agreement (Officer comment: Community use is not currently proposed and is a decision for the school after it becomes operational)
- (b) having a condition pertaining to hours of community use having due regard to the amenities of neighbouring residents (Officer comment: This is not needed at this time [see above])
- (c) having conditions to ensure the retention/protection of trees and other vegetation and the provision of additional landscaping (Officer comment: Trees and landscape planting are covered by Conditions 7 to 10, one requiring planting details to be the subject of a subsequent planning application)
- (d) development should be carried out in accordance with an approved Construction Management Plan (Officer comment: This is required by Condition 5)
- (e) having conditions ensuring that demolition and construction are carried out in a sustainable manner and use of sustainable urban drainage systems as proposed in the Flood Risk Assessment (Officer comment: See Conditions 12 and 13)
- (f) having a condition requiring submission, approval and implementation of a site specific Flood Warning Evacuation System (Officer comment: This is considered unnecessary since the building would be in a low risk flood zone)

(g) serious consideration be given to providing a pupil drop off and pick up facility within the site and accessed from Hurst Road (Officer comment: There is insufficient space to provide such a facility between the building and Hurst Road)

(h) increasing provision on the site for parking vehicles of staff (Officer comment: Officers consider on-site parking to be sufficient)

(i) the County Council exploring the options for 'park and stride' using local publicly accessible car parks such as those at Mole Hall and Molesey Cemetery (Officer comment: Elmbridge Borough Council have not endorsed the use of Mole Hall for this purpose, mainly for operational reasons. Molesey Cemetery is considered by Officers to be too far from the school to be practicable for such a site)

(j) giving consideration to having no pedestrian access from the Bishop Fox Estate (Officer comment: This access is justified in order to minimise on-street parking on Hurst Road. Implementation of measures in the School Travel Plan would help to reduce on-street parking in the vicinity)

(k) the County Council as Local Education Authority (LEA) give full and proper consideration to carrying out a further round of public consultation prior to submitting any revised plans (Officer comment: a further meeting was held by the LEA; this matter is not under the jurisdiction of planning.

Consultees (Statutory and Non-Statutory)

12. County Highway Authority –

Transportation Development Planning:

Proposal acceptable subject to conditions despite some concern with parking capacity on local residential roads.

13. County Ecologist:

No designated sites will be adversely affected by the development; there will be no impact on bats.

14. County Landscape Architect:

Changes recommended to

- planting scheme and maintenance regime to be addressed in a subsequent application.
15. County Arboricultural Manager: Changes recommended to planting scheme and maintenance regime to be addressed in a subsequent application.
16. County Archaeologist: Assessment is The Archaeological acceptable. A condition is recommended relating to implementation of archaeological work.
17. County Noise Consultant: Noise levels from traffic travelling to and from the site or from classrooms in summer are not considered to be significant. Use of outdoor play areas would potentially cause noise disturbance to local residents.
18. County Flood and Water Services Manager: is The principle of site drainage satisfactory subject to conditions relating to excess water being drained following a flood.
19. Environment Agency: No objection subject to finished floor levels to be set at a minimum of 10.71mAOD in accordance with

approved Flood Risk Assessment (FRA) and to implementation of a SUDs strategy as recommended in the FRA.

20. Thames Water:

No objection on grounds of water supply or sewerage infrastructure. Recommend informatives relating to access to adjacent water mains, no buildings being erected within 5m of the water mains.

21. Natural England:

SPA and Ramsar Site unlikely to be affected significantly if development is carried out strictly in accordance with submitted details. Environmental Assessment not needed.

22. Environmental Assessment Officer:

The proposal would not give rise to likely significant effects on the South

West London Waterbodies SPA and Ramsar Site. Further Assessment is not required in respect of the Habitat Regulations 2010.

Parish/Town Council and Amenity Groups

23. None

Summary of publicity undertaken and key issues raised by public

24. The application was publicised by the posting of 2 site notices. A total of 187 owner/occupiers of neighbouring properties were directly notified by letter and 46

representations were received on the original submission, 2 fully supporting the proposed development.

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25. A total of 50 representations were received on revised plans and documents. Elmbridge Borough Council forwarded 15 representations that they received on the revised plans, 11 having been already received and 4 not having been received by the County Council. These 4 are all from residents who made representations on the original submission.

General

- There is general support for the school in principle, but concerns/objections have been raised about the impacts of traffic and on-street parking, especially in the Bishop Fox Estate immediately west of the site, and inaccurate assessment of parking capacity in this estate. There is considerable opposition to the pedestrian access point between this estate and the school site and to a lesser extent to the provision of a mini-roundabout on Hurst Road the west of the site.

Traffic Impacts

- Widespread concern with danger to pedestrians and other road users in narrow roads of the Bishop Fox Estate particularly in Freeman Drive (the cul-de-sac with the pedestrian gate proposed at the end) and in Lytcott Drive which leads off Freeman Drive.
- Roads in the estate are used as a 'cut through' including by articulated lorries; the proposal will make things worse.
- How will emergency vehicles, Royal Mail vans and refuse lorries access the estate?
- Suggested replacement of pedestrian access from Freeman Drive with one either on the eastern site boundary or at the south west corner of the site enabling the use of the nearby existing car parks at Mole Hall and the recreation ground/tennis courts on Walton Road, both south of the site.
- Further suggestions of deleting the mini-roundabout, providing more on-site parking and a drop off/pick up facility alongside Hurst Road, providing a pedestrian crossing on Walton Road.
- Upgrade and use existing footpath running along the east site boundary.
- Look at traffic calming measures on Hurst Road.
- On-site parking provision is inadequate and should be increased.
- Need full traffic flow impact and road safety assessment, quantification of traffic generation, frequency of arrival of cars dropping pupils, time needed for drop-off
- Place parking restrictions in Freeman Drive.
- Mitigation measures in School Travel Plan are unrealistic.

- What plans have been made for sustainable transport and being less car dependant?

Other Matters

- School Organisation Consultation Document inviting residents to a meeting was not received until after the meeting occurred.
- Notification details of residents of planning application were misleading (not mentioning the proposed pedestrian access point from Freeman Drive).
- Applicant should look at alternative sites including expanding the Chandlers Field Primary School, High Street, West Molesey (larger site than the current one).
- Consideration should be given to retaining the existing Hurst Park Primary School and putting the additional provision on the current site.
- Development will create additional noise and pollution and general nuisance.
- Overlooking of residential properties.
- Noise and dust emanating from the site during the construction process.
- Concern with removal of mature trees near boundaries of site.
- Potential damage to a residential property from pupils using pedestrian access from Freeman Drive (request for compensation to pay for fencing).
- Noise could be an issue if the sports facilities are used on weekends and evenings.

26. Further notification was undertaken in April 2014 following amendments to some plans and receipt of the revised Transport Assessment and Landscape Management Plan. A further 47 representations were received, making the following points:-

- The amendments do not deal with the flawed assessment of parking capacity in the Bishop Fox Estate, which features narrow, winding roads with no pavements, which has narrow and winding roads with no pavements.
- Retaining pedestrian access from Freeman Drive causes safety risk and inconvenience to all road users and pedestrians; this access point should be deleted from the scheme.
- No room to turn vehicles in the narrow roads of the Bishop Fox Estate.
- There is very little roadside parking capacity on Berkeley Drive and Boleyn Drive.
- The worn surface on these two roads will be worsened.
- Damage to residents' cars and to roadside verges.
- Traffic Regulation Orders will be ineffective since they will not be enforced.
- Have an underground car park beneath school building.
- Providing a pupil drop-off and pick-up facility within the school site or along Hurst Road or in front of the existing Hurst Park Primary School would alleviate the traffic/parking problem.

- Inadequate on-site staff parking provision would exacerbate the parking situation on surrounding roads.
- Use the front of the site of the existing Hurst Park Primary School for staff parking.
- Delivery vehicles would cause congestion in the on-site staff car park.
- No consideration given to impact of parking by attendees of evening and weekend events.
- Difficulties for emergency vehicles in accessing the Bishop Fox Estate, Berkeley Drive and Boleyn Drive during drop-off and pick up times at the school.
- Safety issues from articulated lorries using roads in the Bishop Fox Estate; yellow lines are needed on bends.
- Noise including that from the traffic using the Bishop Fox Estate to access the school.
- The plans should be amended to provide pedestrian access from the footpath along the eastern site boundary.
- Improvements suggested to this footpath (more regular maintenance and lighting).
- Extending the footpath from the end of Weldon Drive to Walton Road and adding lighting and a cycling track alongside the path.
- Loss of privacy and peace for residents of this Estate.
- Have a smaller school built with existing one retained for infants or build new school elsewhere.
- More vision and a redesign are needed by the County Council.
- Lack of consultation with the local community.
- New school foisted on local residents.
- Removal of trees prior to planning permission being granted and by the people doing the removal accessing the site via the Bishop Fox Estate [Officers have passed the representations making these points to the applicant for response].
- Compensate residents in the Bishop Fox Estate for the decrease in value of their properties.

27. Subsequent neighbour notification was done in June 2014 following receipt of a further amended version of the Transport Assessment, a revised Parking Beat Survey Plan and a revised School Travel Plan. Three representations were received in response, raising the following issues:-

- The Transport Assessment is still flawed as parked cars on Freeman Drive would prevent entrance and exit to a resident's drive.
- How have the figures for parking capacity on local roads been reduced?
- The narrow and curving roads in the Bishop Fox Estate were not designed to accommodate street parking. Dangerous blind spots will be created.

- The plans have not been amended to provide a drop-off and pick-up facility in front of the school, despite this being recommended by Elmbridge Borough Council.
- There is still inadequate parking provision for staff cars; more than 60% will be parked in surrounding residential roads.
- There remains a disregard for the safety of children and residents.
- There should be no pedestrian access to the school site from Freeman Drive.
- The proposed 'park and stride' use of the car park at the existing Hurst Park Primary School site is not confirmed and is not a long term solution to the parking issue.
- How many parents will use this park and stride facility in the morning? [many parents will prefer to park as near as possible to the school].
- The use of the car parks at Mole Hall and the Grovelands Recreation Ground have also not been confirmed. There should be no reliance placed on the availability of these facilities for park and stride purposes.
- What measures will be implemented to stop vehicles parking indiscriminately?
- The car park at Mole Hall is usually busy throughout the day now that a senior citizens centre is based there.

PLANNING CONSIDERATIONS

28. 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 Elmbridge Core Strategy 2011 and the saved policies within the Replacement Elmbridge Borough Local Plan 2000.
29. 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.

30. 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 guidance contained in the NPPF is a material consideration 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).
31. In this case the main planning issues are the principle of a new primary school in this location, design and visual amenity, highway and traffic implications and impact on residential amenity. Other issues are impact on trees, ecological and landscape matters, archaeology, flooding and surface water drainage and sustainability.
32. As part of the application process the application was screened to ascertain if the construction of a new primary school would constitute Environmental Impact Assessment (EIA) development. It was concluded that the development was not likely to have significant impacts on the environment in terms of the meaning of significant in the EIA regulations and therefore the proposed development would not be classified as 'EIA development'.

PRINCIPLE OF DEVELOPMENT

Elmbridge Core Strategy 2011

Policy CS1 – Spatial Strategy

Policy CS16 – Social and Community Infrastructure

33. Policy CS1 states that new development will be directed towards previously developed land within existing built up areas, taking account of the relative flood risk of available sites. Policy CS16 encourages the provision of accessible and sustainable social and community infrastructure.
34. The site is located in the urban area of West Molesey. Although the site is presently empty, it was formerly occupied by the John Nightingale School. The applicant has provided rationale for the selection of this site compared with expanding the current Hurst Park Primary School on the north side of Hurst Road. That site is considerably smaller than the proposed site (about 1.13ha as opposed to approximately 1.8ha), providing insufficient space for doubling the size of the school from 1 FE to 2FE (a form of entry normally being 30 pupils). In terms of educational requirements there is a growing need for additional school places in East and West Molesey and more generally across Elmbridge Borough. There is a requirement for 30 more Reception age places in this specific area, on the basis of known increases in the birth rate and projected housing completions. The applicant considers it sensible to expand a good school (the existing Hurst Park School received a good rating in the OFSTED inspection carried out last year). The proposed site is large enough to support a 2FE school including sufficient formal and informal outdoor play areas. The proximity to the existing Hurst Park School (about 500m distant) makes the proposed site convenient for families with children attending the existing school.
35. The new building is proposed to be located in the northern part of the site, on the plateau most of which is occupied by a concrete slab that supported the previous school building. The new structure would be completely within Flood Zone 1 (low risk). The site has access to a main road with frequent bus service. The proposed building is expected to achieve a high level of environmental performance and to be sustainable. The floorspace of the building would be larger than that of the

previous school, with most of the increase contained in the upper storey. Consequently although the new building would have a slightly larger footprint than its predecessor, this would be balanced by a central courtyard located in a previously built area.

- 36. Officers consider that the principle of the proposed development is acceptable as it would provide accessible and sustainable community development on previously developed urban land. Consequently the proposal is considered to comply with these Development Plan policies.

HIGHWAY AND TRAFFIC IMPLICATIONS

National Planning Policy Framework (NPPF) March 2012

Chapter 4 – Promoting Sustainable Transport

Elmbridge Core Strategy 2011

Policy CS25 – Travel and Accessibility

Replacement Elmbridge Borough Local Plan 2000

Policy MOV4 – Traffic Impact of Development Proposals

Policy MOV6 – Off-Street Parking

- 37. Paragraph 32 of the NPPF states that all developments which generate significant amounts of movements should be accompanied by a Transport Statement or a Transport Assessment. Decisions should take account of the opportunities for sustainable transport modes, to provide safe and secure access for all people and to identify cost effective improvements that address significant impacts. Paragraph 36 of the NPPF states that the Travel Plan is a key tool to facilitate sustainable modes of travel and that all developments which generate significant amounts of movements should be required to provide a Travel Plan.
- 38. Core Strategy policy CS25 requires new development that generates a high number of trips to be directed to previously developed land in sustainable locations within the urban area. This policy also requires submission of a transport assessment and travel plan for all major development proposals. Local Plan Policy MOV4 states that all development proposals should minimise the impact of vehicle and traffic nuisance, particularly in residential areas and, as far as practicable, comply with current highway design standards. Policy MOV6 requires development proposals to accord with adopted motor vehicle and cycle parking standards.

Transport Assessment

- 39. As the previous buildings were removed from site some years ago and the site is vacant, there are currently no movements generated and all movements resulting from the proposed development would be new to the site. However, some of the movements generated by the nearby existing school would transfer to the current site. The catchment area of the new school is not expected to change greatly from that of the existing school. Officers consider that the methodology contained in the Transport Assessment (TA), which is based on the existing modes of travel and patterns of movement, is robust.
- 40. The TA indicates that 68% of the pupils attending the existing Hurst Park Primary School are siblings and that 68% of the children travel to that school by sustainable modes of travel (walking, cycling or using a scooter). The TA shows that 77% of pupils and 55% of staff members live within walking distance of the existing school. In comparison, the TA estimates that 73% of pupils and 58% of

staff live within walking distance of the new school. This is a small reduction in pupils but a small increase in staff as compared with the current location. It is considered that the net effect is acceptable in transportation terms.

41. The main vehicular and pedestrian access points to the school site are proposed from Hurst Road. These vehicular entrances would be only for staff, visitors and deliveries. Parents would not be able to drive into the site, insufficient space being available for a facility for parents to park or drop off and collect their children. As an alternative a lay-by on Hurst Road has been suggested in representations but the County Highway Authority consider that this would cause queuing on Hurst Road, which would lead to traffic congestion and conflicting movements, with consequent safety implications. Measures are proposed along Hurst Road, to improve highway safety. These include 'school keep clear' markings and parking restrictions.
42. A secondary access point, for pedestrians only, is proposed from Freeman Drive where it meets the western site boundary. This road, a residential cul-de-sac within the Bishop Fox Estate, joins Hurst Road to the west of the site. This pedestrian access would increase the accessibility of the school, particularly for children reaching the site on foot. The main pedestrian access is proposed from Hurst Road, including via the existing footpath that runs along the eastern boundary of the site.
43. The analysis in the TA indicates a capacity for more than 250 cars to park on residential within the wider area (that is, up to 400m from the school). Using the current modes of travel for the relocated and expanded school as with the current school, 32% (142) of the pupils would arrive by car. The actual figure is expected to be less than this, possibly as low as 71, taking account of car sharing and siblings arriving together. The County Highway Authority has advised that even assuming that 142 cars arrive, there would be sufficient parking capacity in residential roads close to the site. Officers endorse this conclusion.
44. Notwithstanding capacity issues Officers consider that there is the potential for adverse amenity impacts for local residents, especially those living in the Bishop Fox Estate close to the pedestrian access point from Freeman Drive, and other impacts including safety for residents and other road users.

Proposed School Travel Plan

45. The application proposes 25 car parking spaces for staff, this figure being dictated largely by the capacity of the site and the need to keep the building and as much hardstanding as possible on the plateau adjoining Hurst Road, in order to avoid building on land that is at risk of flooding. The TA estimates that there would be 56 members of staff when the school is fully operational. Assuming that the same proportion (88%) of staff members drive as at present, there would be a shortfall of 21 staff parking places in 2021. The County Highway Authority has advised that this situation would need to be actively managed through the School Travel Plan (STP) and that the impact on local roads would require monitoring.
46. The School Travel Plan (STP) identifies issues relating to the proposed school that also apply to the existing Hurst Park Primary School. These issues are parents dropping off and collecting pupils, many staff members travelling to work alone by car and high levels of parents parking their cars on neighbouring roads, and vehicles driving too fast along Hurst Road. The STP recommends potential mitigation measures such as encouraging car sharing, providing storage for 24 bicycles and 48 scooters, raising awareness of sustainable travel modes, providing road safety improvements on Hurst Road including a widened footway.

The County Highway Authority, endorsed by Officers, recommends that the capacity for bicycle storage be increased to 40 spaces. A planning condition is recommended to ensure this provision.

Mitigation Measures

47. A number of transport mitigation measures are proposed in conjunction with the application:-

- Road safety measures on Hurst Road with the aim of reducing traffic speeds including school warning signs, 'SLOW' markings on the carriageway, a vehicle activated sign, school keep clear 'zigzag' markings and double yellow lines.
- Footway widening on Hurst Road between the site access and Boleyn Way to 2m.
- Junction improvements at the junction of Hurst Road and Freeman Drive, specifically for pedestrians (tactile paving, traffic islands on Hurst Road, upgrading the existing pedestrian refuge on Freeman Drive).
- The provision of 48 scooter parking spaces and 24 cycle parking spaces on site [the latter now recommended to be increased to 40 spaces].
- School Travel Plan.

48. The County Highway Authority has requested that the applicant consider the following additional safety measures on Hurst Road:-

- Conversion of one or both of the proposed traffic islands to pedestrian refuge islands.
- Inclusion of 'Wig Wags' on both approaches below the School signs to create a School Zone.
- The proposed vehicle activated sign being dual aspect so that during school times it displayed the School warning triangle and outside these times the speed limit of 30 mph.
- Investigation of the scope for an additional pedestrian refuge island just west of Berkeley Drive, near the vehicle activated sign and carriageway SLOW marking, to create a School Zone and assist children and parents crossing.

49. In view of the anticipated 48 pupils needing to cross from the north side of Hurst Road to the new school (as compared with the 141 pupils who currently live south of that road and cross it to reach the existing school), Officers consider that a pedestrian crossing of Hurst Road is not justified and that having two or three pedestrian refuge islands on Hurst Road would be sufficient. Planning Officers consider that these refuge islands are adequate to provide safe crossing for pupils and their parents.

50. Officers consider that the transportation impacts of the proposed development warrant the installation of all of the mitigation measures outlined in paragraphs 47 and 48, in order to reduce the impacts of traffic.

Drop-off and Pick-up Provision

51. The County Highway Authority considers that the provision of a pupil drop-off and pick-up facility either within the site along or on the verge adjoining Hurst Road is not justified and concludes that such a facility is inappropriate in either of these locations. Officers endorse this view.

Park and Stride Provision

52. Notwithstanding the capacity for parking on local roads, the STP addresses the provision of a 'park and walk' (park and stride) scheme using existing facilities within walking distance of the site. The two sites initially proposed were the car parks at Mole Hall on the north side of Walton Road (with access from Bishop Fox Way) and at the Grovelands Recreation Ground, located on the south side of Walton Road, to the east of the site. Both of these car parks are within walking distance of the new school. The County Highway Authority recommended that both these options be actively pursued in order to reduce the impact of the school on local residents, and that agreement in principle be sought, for a temporary period, from Elmbridge Borough Council, the owner and operator of both Mole Hall and the Recreation Ground. The County Highway Authority also recommended that a safe crossing point on Walton Road would be needed should the Recreation Ground car park be used for park and stride purposes.
53. At the request of the County Planning Authority, supported by the County Highway Authority, the applicant has contacted Elmbridge Borough Council to ascertain whether the use of the car park at Mole Hall (estimated to have 57 parking spaces available) and the car park at Grovelands Recreation Ground (estimated to have 7 spaces available) as 'park and stride' facilities would conflict with existing patterns of use of these facilities and whether the Borough Council would be willing for such use to occur. The applicant has received a negative response to such use from the Borough Council. In the case of the Recreation Ground, the reasons are an insufficient number of parking spaces and a clash with people walking their dogs. In the case of Mole Hall, these same considerations apply, together with potential restriction of any future development at this site, although nothing is being proposed at present. Subsequently, Officers asked the applicant to make a final attempt with Elmbridge Borough Council to secure the use of the car parks at these two locations, on a temporary basis. However, as yet this remains unresolved.
54. The STP further states that should permission for the use of these sites not be agreed, the school car park at the existing Hurst Park Primary School is a further option that can be pursued. The STP requires the 'park and stride' use to be monitored, to determine need for provision in the longer term. The County Highway Authority suggests that the tarmac surfaced playground at the existing Hurst Park Primary School be considered in addition for park and stride use if necessary, to add to the 21 spaces in the car park.
55. Officers consider that using the car park at the existing Hurst Park Primary School would constitute a change of use and therefore would require a separate planning application. This conclusion is based on the judgement that ancillary uses such as parking can only be carried out on the same planning unit (land holding) as the primary use, which in this case is the current site. Where an ancillary use is severed from the primary one, the ancillary use becomes the primary use for the part of the site which it occupies. The primary use (education) of the existing Hurst Park Primary School site will cease once the new school is reconstructed in larger form on the current site.

Staff Parking

56. The 25 parking spaces proposed for staff are below the level of one space per member of staff. The application estimates a figure of 37 full time equivalent, comprising 17 full time and 39 part time staff. The TA estimates a trip generation figure of 48 for staff at the new school, but notes that the figure of 34 for the existing Hurst Park School is significantly higher than the 21 parked cars observed on that site on 19th March 2013. While a higher level than the 25 spaces proposed conflicts with the County Council's policy of encouraging sustainable transport, there is nonetheless the potential to adversely affect residential amenity by staff parking their vehicles on local roads where this is not managed adequately through the STP. Additional provision for staff parking could be made in association with the 'park and stride' facilities, subject to the necessary planning permission being granted.

Other Improvements

57. Local residents have suggested that improvements be made to the footpath that runs just outside the eastern boundary of the site. Officers consider that the most important such improvement is the provision of lighting to enable the footpath to be used throughout the school year. An informative is recommended to encourage these improvements. Residents have also suggested that there be a pedestrian gate from this footpath. Officers support this idea and a condition is recommended requiring the assessment of the benefits of a gate in this location and requiring it to be installed if the results of the assessment are positive.

Officer Conclusions

58. Officers consider that given the amenity and other impacts on local residents, it will be important for the school to manage these impacts as effectively as possible, through implementing and updating the STP. The provision of an off-site facility for 'park and stride' and staff parking purposes is considered necessary to mitigate the potential adverse impact on local residential amenity. Overall, Officers consider that the traffic and parking issues discussed above are dealt with satisfactorily by the imposition of conditions including the use of a 'Grampian' condition to ensure that the provision of 'park and stride' facilities prior to the occupation of the school.

DESIGN AND VISUAL AMENITY

National Planning Policy Framework (NPPF) March 2012

Paragraph 17 – Core Planning Principles

Chapter 7 – Requiring Good Design (especially paragraphs 56 and 64)

Elmbridge Core Strategy 2011

Policy CS1 – Spatial Strategy

Policy CS17 – Local Character, Density and Design

Replacement Elmbridge Borough Local Plan 2000

Policy ENV2 – Standard of Design

Policy ENV3 – Safe and Secure Environments

Policy RTT2 – Development within or conspicuous from the Thames Policy Area

59. Paragraph 17 of the NPPF contains core land use planning principles that should underpin decision-taking, including always seeking to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Paragraph 56 states that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. Paragraph 64 expands this by noting that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
60. Core Strategy Policy CS1 states that all developments must be high quality, well designed and locally distinctive. They should also be sensitive to the character and quality of the area. Local Plan Policy ENV2 states that new development should achieve a standard of design which is sensitive to the character of the surrounding area; which respects the context in terms of, inter alia, natural features and space about buildings; and forms a convenient, attractive, lively and safe environment for users and passers-by in terms of siting, layout and access arrangements. Policy ENV3 seeks to ensure that the design, use, layout and access to buildings and both public and private spaces creates an attractive environment, that provides for public safety, deters vandalism and discourages crime. Policy RTT2 states that development that is within or conspicuous from the Thames Policy Area will be permitted provided that the development complies with various criteria including having an acceptable impact in terms of design, character, scale and views; protecting, conserving and, where appropriate, enhancing the natural environment of the River; and ensuring the retention of buildings, features and land which make an important contribution to the visual and/or historic character of the River.
61. As noted above, the building would be situated on the plateau close to Hurst Road, with the two storey and 1.5 storey portions overlooking the road and the single storey sections behind (to the south). The building would have a flat roof and the variations in building height would respond to the changes in ground level. The site is large, at more than 1.8ha (more than 18,000 sq m). Considering the relatively modest size of the new building (about 2,280 sq m of floorspace), the size of the site might suggest that the building would appropriately be single storey. However, several factors have resulted in the new building being a mixture of single, 1.5 and two storeys: 1) approximately two thirds of the site is situated in a high or medium risk flood zone, the raised plateau along Hurst Road being at low risk of flooding; 2) the plateau is too small to accommodate a single storey building with the required floorspace, accessible outdoor learning and play space and a staff car park and service area having level access into the building; 3) the external space, including learning and play areas, is maximised; and 4) level access would be provided to all parts of the building (a lift providing easy access to the first floor). Keeping the new building on the plateau would have the fundamental benefit of making funds available for educational facilities that would have been spent on a major amount of groundwork.
62. The building is proposed to form a 'u' with the open end facing east. The resulting courtyard would be used as a playground containing play equipment, as a 'free-flow' play space for pupils in the adjoining two reception classrooms and as teaching space. All of the classrooms are orientated north/south, with those facing south having window louvers to control admission of sunlight and avoid glare. All the classrooms would be 7.2 metres deep, considered by the agent to be the optimum depth to allow for penetration of natural daylight into the room and allow natural ventilation. There would be no ground floor classrooms facing the road although four classrooms (serving Years 3, 4 and 5) on the first floor would do so. The western wing, which connects the two wings with the classrooms, would contain resources such as the library and ICT room. The hall,

kitchen, servery, plant and storage space would be located in the approximately 1.5 storey block forming the northwest part of the building.

63. The walls are proposed to be predominantly of rough textured St Andrews multi brick, with mainly shades of yellow and grey. The windows are arranged horizontally on both floors, with many windows having adjacent contrasting panels of dark stained timber cladding. The windows are inset in the walls, with the aluminium frames projecting from the brickwork and the cladding. A brick recess of a contrasting colour is proposed to run around the building, except for a small area on the west elevation, to relieve the bulk of the building. Further visual relief is provided by areas of ground floor height and double height glazing, allowing more light to enter the main entrance area, stairwells and the hall. There would be a low parapet on the upper storey of the two storey portion of the building and on the single storey elements. The walls of the block containing the hall would have a higher parapet to hide PV cells and plant situated on the roof.
64. The large site area enables the provision of extensive playing fields with enough space for five sports pitches and a linear running track, as well twin MUGAs with 2.4m high welded mesh surround fencing and gates. It is not proposed to hire use of the MUGAs to outside bodies. Three habitat areas are proposed, located along the western and eastern site boundaries, the largest such area being west of the building. On advice from Officers this area, which originally included a pathway connecting several small hard play areas, was amended to have a more natural appearance. Permeable concrete block paving is proposed for the courtyard, the hard play area south of the building and a path parallel to the west side of the building. Officers consider that none of the playing field and play areas, including the MUGAs, would have an adverse impact on the design or on the visual amenity of the site. In fact it is considered that the development would improve existing situation.
65. The Thames Policy Area extends northwards from the opposite side of Hurst Road. This portion of the Policy Area comprises the decommissioned Molesey Reservoirs, with an earth bund with trees and shrubs running along the road frontage. Officers consider that the proposed development would only have an impact on this Policy Area if the school buildings would be visible from it. Officers estimate that only the top portion of the two storey part of the new building and possibly of the hall and kitchen block might be visible in this context. On this basis Officers consider that the proposed development satisfies the requirements of Local Plan Policy RTT2.
66. Officers consider that the development has been carefully designed to fit the site and to provide a pleasing appearance. The building takes account of the constraints of the site and capitalises on the opportunities it provides, whilst limiting harm to the surrounding locality. As such Officers are satisfied that the proposal complies with the Development Plan policies relating to design and visual amenity.

IMPACT ON RESIDENTIAL AMENITY

National Planning Policy Framework (NPPF) March 2012
Core Planning Principles and Chapter 11 Conserving and Enhancing the Natural Environment

Elmbridge Core Strategy 2011
Policy CS17 – Local character, Density and Design

Replacement Elmbridge Borough Local Plan 2000
Policy COM4 – Provision of Education Facilities

67. The NPPF identifies that within the overarching roles that the planning system ought to play, a set of twelve core land use planning principles should underpin both plan-making and decision making. These principles include seeking to secure a good standard of amenity for all existing and future occupants of land and buildings. Paragraph 109 of chapter 11 states that the planning system should contribute to and enhance the natural and local environment by, inter alia, preventing both new and existing development from contributing to or being put at an unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability.
68. Core Strategy Policy CS17 requires new development to deliver high quality and inclusive sustainable design which maximises efficient use of urban land while responding to the positive features of individual locations and protects the amenities of those within the area. Local Plan Policy COM4 supports the expansion of education facilities subject to several criteria, including that there would not be a significant adverse impact on local residents. Policy HSG23 states that when considering proposals for non-residential development within predominantly residential areas, the council will apply the same criteria as contained in policy HSG16 which states that new development should, inter alia, avoid overlooking and an unreasonable loss of privacy or amenity.

Visual Amenity and Privacy/Overlooking

69. Development of an open site will inevitably change the outlook of the occupants of adjoining dwellings. In this case the site was previously developed for educational use. Officers consider that there is no right to an undeveloped outlook and it is accepted that there will always be a change of character when an open site is developed. The proposed location, height and orientation of the school buildings, and the retention and enhancement of vegetation, all seek to minimise possible overlooking of adjacent properties. The site adjoins two storey dwellings on the west, south and east, with the closest houses being positioned side on to the site. The block containing the hall and kitchen would be about 15m from the dwelling near the northwest corner of the site. The west elevation of this block would have high level windows and three doors (serving the kitchen, the plant room and the Caretaker's store). Other houses along the western boundary would be a minimum of 23m from this part of the building and more than 40m from the main part of the building. The closest dwelling to the east would be more than 45m from the building and the nearest house to the south would be approximately 75m from the building. The separation distance between these dwellings and the building, as well as the orientation of the houses and the nature of the facade of the hall and kitchen block, would ensure that there would be no loss of privacy or issues of overlooking. Officers consider that any odour or noise from a kitchen extractor would not be sufficient to cause amenity concerns to residents because of the distance between the kitchen and the nearest dwellings.
70. The dwelling near the northeast corner of the site would be about 8m from the northeast corner of the MUGAs. Although they would be visible from the first floor windows in the rear elevation of this house, the MUGAs would not be floodlit and therefore would only be used in daylight hours during term time. Consequently, the MUGAs are considered to have no impact on visual amenity.
71. Officers consider that there is adequate separation distance between building and residential properties. Taking this into account, together with the presence of intervening vegetation, Officers consider that the proposed development has an

acceptable impact on residential amenity arising from the location and scale of new buildings and from overlooking or loss of privacy.

Noise

72. One representation raises the matter of possible noise affecting neighbours, if the sports facilities (the playing fields and the MUGAs) are used at weekends and evenings. Elmbridge Borough Council have recommended that the new school and its facilities be made available for use by the wider community when not required for educational purposes, such use being secured through a Community Use Agreement. There is no mention in the supporting documentation of such use is intended. Officers consider that this decision rests with the school once it is operational.
73. Another representation claims that the new school would have a detrimental impact on the amenity of neighbours by virtue of overlooking, noise from pupils and staff, and noise and dust during the construction phase. Officers consider that noise from normal usage of the school would not be obtrusive because of the existing ambient noise particularly from traffic using Hurst Road. Noise and dust during construction are not considered to be a problem due to the separation distances between residential properties and the northern part of the site, where the buildings are proposed and the temporary period when construction will occur.
74. The County Noise Consultant has identified four possible sources of noise from the new school:-
- Noise arising from formal and informal outdoor activities
 - Noise within and arising from the building
 - Noise from pupils and staff when accessing the site
 - Noise from community use of the facilities outside normal school hours
 - There is no methodology, nor standards nor guidance for measuring and assessing the impact on local communities of noise emanating from existing or new schools. A degree of noise disturbance from schools is considered acceptable.
75. The outdoor activities at the school would cause the most significant noise disturbance to residents. The County Noise Consultant noted the noise from traffic on Hurst Road when calculating a background noise level of 48 LA90 to the east and west of the site. He anticipates a noise level of 60 LAeq being generated when the hard play areas are in use. Noise from the use of the MUGAs is expected to be slightly higher, at about 62 LAeq. These levels are significantly above the background noise level. The Noise Consultant considers that most residents will find this level of noise very noticeable and quite different to the present situation. Officers consider that this level could cause annoyance, although many people would be unlikely to find it objectionable.
76. Noise from traffic will be noticeable in the classrooms on the north side of the building facing Hurst Road. The Noise Consultant estimates that this level of noise would be above the level recommended for schools.
77. Noise emanating from the classrooms is likely to be audible, particularly in the summer when windows are open. This noise may sometimes be audible but with pupils being properly supervised, it is not considered significant and is not expected to be objectionable to residents.

78. Noise from staff cars and from pupils arriving from Hurst Road would have little impact because of the background noise. It is difficult to predict noise from the additional traffic expected to use roads in the Bishop Fox estate and from pupils using the pedestrian gate on Freeman Drive, but a certain amount of noise disturbance is inevitable. Although some residents may well find this annoying, the duration would be limited. Consequently, Officers find this situation acceptable.
79. Community use of facilities at the school, including the playing fields and the MUGAs is not being proposed, although it could be contemplated in the future. In that case the impacts of such use would have to be considered carefully in order to limit disturbance to a reasonable level.

Overall Assessment of Impact on Residential Amenity

80. Given the above, Officers consider that while the proposed school would give rise to harm to residential amenity from traffic and noise, the harm is not beyond that considered acceptable in a school context. Furthermore Officers do not consider the use to be unacceptable in a residential area, in this case particularly since the site was formerly in educational use. The proposal accords with the above noted Development Plan policy.

ECOLOGICAL CONSIDERATIONS

National Planning Policy Framework (NPPF) March 2012
Chapter 11 – Conserving and enhancing the natural environment

Elmbridge Core Strategy 2011
Policy CS15 – Biodiversity

81. Paragraph 118 of the NPPF states that when determining planning applications, planning authorities should aim to conserve and enhance biodiversity by applying various principles. These include the following:-
- If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
 - Proposed development on land within or outside a Site of Special Scientific Interest (SSSI) likely to have an adverse effect on an SSSI (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site's notified special interest features is likely, an exception should only be made where the benefits of the development at this site clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and on any broader impacts on the national network of SSSIs.
 - Development proposals where the primary objective is to conserve or enhance biodiversity should be permitted.
 - Opportunities to incorporate biodiversity in and around developments should be encouraged.
 - The following wildlife sites should be given the same protection as European sites; potential Special Protection Areas and possible Special Areas of Conservation; listed or proposed Ramsar sites; and sites identified, or required, as compensatory measures for adverse effects on European sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.

- 82. Core Strategy Policy CS15 seeks to ensure that new development does not result in a net loss of biodiversity and where feasible contributes to a net gain through the incorporation of biodiversity features.
- 83. The site is located approximately 340 metres east of the Knight and Bessborough Reservoirs Site of Special Scientific Interest (SSSI), which is a component of the South West London Waterbodies Special Protection Area (SPA) and Ramsar Site. On this basis the County Environmental Assessment Officer carried out a Habitats Assessment Regulations Screening to ascertain whether the development would compromise the integrity of the SPA/Ramsar Site.
- 84. The Environmental Assessment Officer has concluded that the proposed relocation and expansion of the Hurst Park Primary School is considered to be unlikely to give rise to significant environmental effects (including impacts on the integrity of the SPA/Ramsar Site), based on the scale and type of development involved and the nature of the receiving environment. Further Assessment is therefore not required in respect of the provisions of the Habitat Regulations 2010 (as amended).
- 85. Natural England have been consulted and have advised that if the development is undertaken in strict accordance with the details submitted, it is not likely to have significant effect on the interest features for which the South West London Waterbodies SPA and Ramsar Site has been classified. Natural England therefore advised that an Environmental Assessment was not required.
- 86. In terms of the ecological impacts on the application site, a Phase 1 Habitat and Protected Species Scoping Survey (ecological report) has been carried out, comprising a desktop study and a field survey to identify existing habitats within and around the site and to obtain baseline ecological information. The study reveals the statutory designated sites, the SPA/Ramsar Site and SSSI as noted above as well as the Kempton Park Reservoirs SSSI (1.6 km northwest of the site) and the Molesey Heath Local Nature Reserve (1.1 km southeast of the site). The desk study also lists Sites of Nature Conservation Importance situated within 2km of the site. The scoping survey concluded that the grassland, trees, scrub, hedge and deadwood piles on the site are considered to have no particular ecological value in themselves, but that nevertheless the site may support protected or otherwise notable species.
- 87. The ecological report recommends that removal of trees, the hedge and scrub take place outside of the bird breeding season (generally from March to August inclusive). If this is not possible, then such vegetation should be checked for the presence of nesting birds by an experienced ecologist prior to removal. Any nests found are to be left undisturbed until the chicks have fledged. Further recommendations are that a series of bird boxes be incorporated in the development, sited by a qualified ecologist, and that as many flowering plant species as possible be incorporated in the scheme in order to increase the invertebrate interest of the site, which in turn would provide foraging opportunities for reptiles and birds.
- 88. An additional recommendation in the ecological report is the placement of 0.5m by 0.5m squares of roofing felt around the site in order to determine the presence of reptiles, these squares being allowed to bed down for two weeks and then checked for reptiles seven times during suitable weather conditions. A reptile survey report submitted as part of the application noted that this procedure, followed in Spring 2013, found no reptiles.

89. The County Ecologist was consulted on the application. He concurred with the view that no designated sites would be adversely affected by the proposed development. He was concerned, however, that the ecological report did not assess potential harm to bat roosts or flight paths, despite nine species of bat being recorded within two kilometres of the site. The County Ecologist has requested information in the presence of bat roosts (if any), their status if they are found, and the species of bat(s) affected. The presence of roosts in trees proposed to be felled needs to be determined.
90. In response the Agent has noted the following: 1) the trees on the site were checked during the scoping survey and none of them were considered suitable as bat roosts; 2) in terms of bat foraging and commuting, the site was considered to be sub-optimal as the grassland was species-poor and therefore not likely to support a substantial invertebrate population; 3) in view of the urban setting of the site and the Hurst Road frontage being lit by street lights, it is likely that any bat species using the site would be already accustomed to foraging within artificially lit environments; and 4) the opportunity to provide new roosting features within the site would provide a substantial enhancement over the current situation.
91. The County Ecologist has advised that the above details regarding bats are sufficient to address the impact of the proposal on bats. He therefore considers that nothing further needs to be done regarding bat surveys or assessment.
92. Based on the ecological details provided by the applicant, Officers consider that the development would result in no loss in biodiversity but instead, a net gain. A condition is recommended concerning the removal of vegetation including trees during the bird nesting season.
93. Officers consider that the proposed development complies with the Development Plan policies relating to ecology.

TREES AND LANDSCAPE MATTERS

Elmbridge Core Strategy 2011
Policy CS14 – Green Infrastructure

Replacement Elmbridge Borough Local Plan 2000
Policy ENV11 – Landscape Considerations in the Development Process
Policy ENV12 – Retention of Trees on Development Sites

94. Local Plan Policy ENV12 resists development which results in loss of trees which make, or are capable of making, a significant contribution to character or amenity of the area. Conditions should be imposed where appropriate to protect retained trees during construction. Policy CS14 seeks to strengthen and enhance the network of green infrastructure will be enhanced by securing soft landscaping measures in new development, focusing on the use of native species. Local Plan Policy ENV11 states that new development, where possible, will incorporate a landscape scheme or design commensurate with the character and scale of the development and the locality.
95. The applicant has submitted an Arboricultural Implication Assessment & Method Statement which recommends the removal of trees including a number of groups of trees, and the planting of replacement trees and measures to protect those to be retained. The report notes that few of the trees to be felled are classed as Grade A (high quality with a life expectancy of at least 20 years), the majority being classed as Grade B (moderate quality with at least a 20 year life expectancy) or Grade 'C' or below (low quality or young trees with a stem diameter of less than 150mm). The remaining few trees are classed as U (trees in

a condition militating against their retention beyond 10 years). The groups of trees are graded B or C. the reasons for the removal of the A and B grade trees are either where the building is proposed to be located or where extensive groundworks would compromise the structural stability of the trees. In fact the area where the majority of the development is proposed has few trees, except along the Hurst Road frontage. The removal of poorer quality trees is considered to provide opportunity to improve the overall quality of the tree population by landscape planting, including shrubs, hedging and meadow planting to supplement the new trees.

- 96. The arboricultural report recommends the installation of tree protective fencing around retained trees, precautions to minimise damage to retained trees (within Root Protection Areas), involvement of the Arboricultural Consultant who prepared the report (attending a pre-commencement meeting, supervising various aspects of the works and inspection at key stages of the process).
- 97. The County Arboricultural Manager was concerned with the original scheme because it showed no evidence of considering the value of and contribution made by the existing trees on the site, notably on the frontage on Hurst Road. He considered that the desire to locate the new building entirely on the plateau occupied by the former one was given too much weight in the design process, limiting the arboricultural input, rather than treating such input as an integral part of the planning process from the outset. He expressed concern that there would be insufficient space between the building and Hurst Road to ensure the survival of new planting. His other issue was with the loss of notable trees along the road frontage, especially two semi-mature Lime trees on either side of the westernmost vehicular entrance which served the previous school. He recommended moving the building to the south.
- 98. In terms of landscape, the application includes a Landscape Site Plan and two Soft Landscape Plans, which show the form and composition of the various landscape elements. The applicant has also submitted a report titled Landscape Management Plan, which includes a maintenance regime for each landscape element (trees, hedging, woodland boundary planting, shrubs, amenity grass, wild flower meadows, walls, fences, hard surfacing etc.) for fifteen years following completion of the development.
- 99. In commenting on the initial scheme, the County Landscape Architect expressed concern with the following: 1) higher quality existing trees not being identified as a constraint to inform the design process, noting that removal and replacement seem to have been considered too soon in the process; 2) the majority of trees along Hurst Road, including two significant Lime trees, being slated for removal; 3) discrepancies between various plans and between different parts of the Arboricultural Report; 4) the habitat area between the building and the western site boundary not being sufficiently natural, having too much paving and poorly positioned trees; 5) insufficient information being provided on the implementation of the Landscape Management Plan (especially the involvement of qualified people in the review of progress, annual reporting and yearly inspections). She recommended moving the pedestrian access from Hurst Road to the east to avoid a Lime tree, so that it could be retained; looking at pushing the hall and kitchen block slightly to the south to provide more space for planting between this part of the building and Hurst Road; re-designing the habitat areas, especially the one between the building and the western site boundary; considering moving semi-mature trees using a tree spade (that is, relocating such trees on the site rather than destroying them); amending the plans and documents to agree with each other; and providing more details of the implementation of the landscape management regime.

100. Following a meeting with the Applicant and the Agents to consider the issues raised by the County Arboricultural Manager and the County Landscape Architect, an amended design was submitted which moved the car park (and the MUGAs) 5m further south to give a larger area for planting along Hurst Road, reconfigured the main pedestrian entrance to retain a Lime tree, reconfigured the service area to provide more space for the planting along the Hurst Road frontage and softening the proposed habitat area west of the building. A revised Landscape Management Plan has also been submitted, which contains a maintenance operations matrix and a landscape specification, and amends the details of implementation of the maintenance regime.
101. Although the amended plans and documents are an improvement on those originally provided, Officers are not yet fully satisfied with the details of the landscape and tree planting proposals submitted. In particular it is recommended that further improvements are needed to the mix of planting, retention of more existing planting especially in the habitat areas, planting groups or clumps of trees rather than individual species along the eastern, southern and western boundaries of the site adjoining the playing pitches and the running track. In addition more specific information is needed in the Landscape Management Plan document and a sectional drawing is required of the tree pits for the larger trees proposed to be planted along the Hurst Road frontage.
102. Officers consider that the removal of trees is acceptable and that the proposed planting is satisfactory in principle, but a condition is needed requiring the submission of a subsequent application addressing the above noted changes and providing additional details of planting and tree maintenance.

ARCHAEOLOGY

National Planning Policy Framework (NPPF) March 2012
Chapter 12 Conserving and enhancing the historic environment

Elmbridge Core Strategy 2011
Policy CS1 – Spatial Strategy

103. Paragraph 128 of the NPPF states that In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting; furthermore, where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
104. Policy CS1 of the Core Strategy states that all new developments should be sensitive to the character and quality of the area, respecting environmental and historic assets.
105. The site is more than 0.4ha in size, so the application was accompanied by a Desk-based Archaeological Assessment. This report assumes that the northern half of the site would be archaeologically at risk during the development but that there would be no significant disturbance in the southern portion. The Assessment concludes, based on evidence from the Surrey Historic Environment Record, that the archaeological potential of the site might be considered poor. However, it is noted that although little archaeological intervention has occurred in the vicinity, a number of sites (including the important example of Hurst Park) have yielded a wide range of archaeological material from various periods. It is unclear the extent to which the installation of the concrete foundation slab that supported the previous buildings has affected the archaeological potential of this

part of the site. Beyond this area, where previous development has had less impact, archaeological potential is deemed to be higher.

106. The Assessment concludes that the proposed development would be likely to destroy most, if not all, potential archaeological deposits through activities such as the excavation of trenches for foundations and services, levelling and landscaping. The Assessment recommends that, in view of the character of the site and the nature of the proposed development, further evaluation be carried out in the form of trial trenching.
107. The County Archaeologist finds the Assessment basically acceptable and concurs with the recommendations that further archaeological work is required. On his advice, the strategy for evaluation was extended further south to encompass the entire area of earthwork operations and amending the evaluation trench layout based on the findings of the Geotechnical and Contamination Assessment Report. The Assessment was amended on the basis of this additional information. The County Archaeologist has agreed the specification and methodology for the evaluation. He has advised that this now proceed and has recommended a condition.
108. Officers consider that it is necessary to attach a condition to any permission, specifying that the required archaeological work be carried in accordance with an approved Written Scheme of Investigation. Subject to such a condition Officers consider that the proposal is acceptable in terms of archaeology and complies with this Development Plan policy.

FLOODING AND SURFACE WATER DRAINAGE

National Planning Policy Framework (NPPF) March 2012
Chapter 10 – Meeting the challenge of climate change, flooding and coastal change

Elmbridge Core Strategy 2011
Policy CS26 – Flooding

109. Core Strategy Policy CS26 requires that development be located and designed to minimise the risk of flooding while not increasing such risk elsewhere. Planning permission should only be granted where a sequential test has demonstrated that the development is located in the lowest appropriate flood risk zone in accordance with PPS25 and the Elmbridge Strategic Flood Risk Assessment. Development in Flood Zones 2 or 3 should incorporate flood resistance and resilience measures in line with Environment Agency advice. New developments are required to use sustainable urban drainage systems (SUDS) to control surface water runoff.
110. PPS25 has been replaced by Chapter 10 of the NPPF and its accompanying Technical Guidance, which follows the same approach as PPS25 in relation to flood risk. Paragraph 103 of the NPPF states that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere and should only consider development appropriate in areas at a risk of flooding where informed by a site-specific Flood Risk Assessment (FRA). A site-specific FRA is required for all proposals in Flood Zones 2 and 3, and for proposals of 1ha or greater in Flood Zone 1.
111. Portions of the site are within all three flood zones, with the proposed buildings being located in Flood Zone 1, with parts of the MUGAs, the hard play area south of the buildings and the habitat area west of the buildings being in Flood Zone 2. The southern section of the site, including the most of the playing fields, is in Flood Zone 3.

112. The applicant has submitted a site specific FRA which states that locating the buildings in the low risk Flood Zone 1 means that no flood resilience or flood resistance measures are required. The report also concludes that since no construction would take place within the flood plain (that is, on land within Flood Zones 2 and 3), flood flows would not be impeded by the development and flood storage volumes would not be reduced.
113. In terms of surface water drainage the FRA notes that SUDS are an integral part of the drainage strategy for the new development, with surface water run-off generally proposed to be controlled at source (except in trafficked areas) and infiltrated into the ground. Measures such as permeable paving (for the hard play area and courtyard, the MUGAs and the pathways), soakaways and surface water attenuation have been incorporated into the design as part of the drainage strategy. The applicant has submitted the following plans relating to the drainage of the site, both during the construction phase and following completion of the development: Drainage Layout, Drainage Construction Details, Impermeable Areas Layout, and Proposed Levels Layout and Road Construction Details. SUDs / Main Drainage Maintenance Strategy and documents detailing micro drainage calculations for the proposed soakaways.
114. A further report titled Preliminary Soakaway / Permeable Paving Calculations, which is appended to the FRA, states that the surface water drainage systems for the site have been designed to ensure there would be no surcharging of water during a critical storm event of 1 in 2 years and no flooding during a critical storm event of 1 in 30 years. This appended report also assesses the flows and volumes produced during the latter storm event, up to 1 in 100 years, plus a 30 per cent allowance for climate change. This report concludes that these flows and volumes could be stored temporarily above ground without flowing from the site, noting that this approach is in accordance with the requirements of the Environment Agency.
115. The Environment Agency were consulted and indicated no objection subject to compliance with a required floor level and the implementation of a SUDs strategy. The County Flood and Water Services Manager considers the principle of the drainage proposal submitted by the applicant to be acceptable. On his request the applicant has submitted a revised version of the Drainage Layout drawing as well a document titled SUDs / Main Drainage Maintenance Strategy. He recommends a condition to ensure the effective management and maintenance of the drainage infrastructure.
116. Officers consider that subject to a condition requiring compliance with the plans and documents relating to drainage and adherence to the drainage management and maintenance regime, the development minimises the risk of flooding on the site and elsewhere, including on adjoining residential properties, and that the drainage strategy is acceptable. Consequently, Officers consider that the proposal complies with the above noted Development Plan policy.

SUSTAINABILITY

National Planning Policy Framework (NPPF) March 2012
Chapter 10 – Meeting the challenge of climate change, flooding and coastal change

Elmbridge Core Strategy 2011
CS27- Sustainable Buildings

117. Paragraph 93 of the NPPF states that planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising

vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development. Paragraph 95 states that to support the move to a low carbon future, local planning authorities should, inter alia; plan for new development in locations and ways which reduce greenhouse gas emissions, and which actively support energy efficiency improvements to existing buildings.

- 118. Core Strategy Policy CS27 states that all developments should consider the use of sustainable construction techniques that promote the reuse and recycling of building materials. All applications for new development should include a completed copy of the Council’s Climate Neutral Checklist.
- 119. A Design and Procurement BREEAM Assessment has been submitted as part of this application. This report provides a preliminary assessment of the environmental performance of the proposed building, demonstrating that the proposed school could achieve a BREEAM rating of 83.63%, which falls within the BREEAM ‘excellent’ category (that is, above the recommended ‘very good’ category). The pre-assessment covers the following areas: management, health and wellbeing, energy, transport, water, materials, waste, land use and ecology, pollution and innovation. In addition the building would have high levels of insulation and would feature natural ventilation. The classrooms would face north or south, the former experiencing more uniform daylight and no direct sunlight whilst the latter would have horizontal louvers as part of the fenestration to admit daylight whilst avoiding glare and limiting solar gain.
- 120. Officers are satisfied that the proposed development is capable of achieving at least a BREEAM ‘very good’ rating and that sustainable methods will be used where possible. The level of sustainability will be secured by a planning condition. Therefore the proposal is considered to accord with the Development Plan policy in this regard.

HUMAN RIGHTS IMPLICATIONS

- 121. 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.
- 122. In this case, the Officers’ view is that while potential impacts on amenity caused by traffic and noise are acknowledged, the scale of such impacts is not considered sufficient to engage Article 8 or Article 1 of Protocol 1. Their impact can be mitigated by conditions. As such, this proposal is not considered to interfere with any Convention right.

CONCLUSION

- 123. The proposed new school is acceptable in principle. The layout and design of the school are considered acceptable. The separation distances between the school building and the nearest houses are considered sufficient to avoid impacts from loss of privacy or overlooking. From an ecological point of view there would be no direct impacts on protected species. The development would result in the loss of trees, shrubs and scrub vegetation, but new planting would improve and enhance the site and the area both ecologically and in terms of landscape character. A condition is recommended requiring the submission of details of tree planting and maintenance. It is considered that there would be no detrimental effects on archaeology or in terms of flooding and surface water drainage.

124. The main impact will be on local residential amenity. Residents living in the immediate vicinity, especially in the Bishop Fox Estate adjoining the site on the west and from which a secondary pedestrian access is proposed, would experience the impacts of on-street parking and traffic congestion from school generated traffic at the start and end of the school day. These impacts are addressed by measures in the School Travel Plan, particularly by the requirement for a facility providing off-site parking for the purposes of 'park and stride' and staff vehicle parking. Officers consider that these impacts will be mitigated sufficiently by requirements covered in planning conditions.
125. Officers consider that the development accords with all relevant Development Plan policies.

RECOMMENDATION

That pursuant to Regulation 3 of the Town and County Planning General Regulations 1992, application no. EL/2014/0363 be permitted subject to the following conditions:

Conditions:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in all respects strictly in accordance with the following plans/drawings:

Drawing No. 12261.05 / L(PA)107, Rev. P2, Existing Site Plan, dated 17 December 2013

Drawing No. 12261.05 / L(PA)100, Rev. P4, Location Plan, dated 27 March 2014

Drawing No. 12261.05 / L(PA)101, Rev. P3, Landscape Site Plan, dated 27 March 2014

Drawing No. 12261.05 / L(PA)001, Rev. P2, Proposed Ground Floor GA Plan, dated 27 March 2014

Drawing No. 12261.05 / L(PA)002, Rev. P2, Proposed First Floor GA Plan, dated 17 December 2013

Drawing No. 12261.05 / L(PA)104, Rev. P3, Existing Trees Retention & Removal Plan, dated 27 March 2014

Drawing No. 12261.05 / L(PA)105, Rev. P2, Soft Landscape Plan - Sheet 1, dated 17 December 2013

Drawing No. 12261.05 / L(PA)106, Rev. P2, Soft Landscape Plan - Sheet 2, dated 17 December 2013

Drawing No. 12261.05 / L(PA)102, Rev. P3, Site Sections - Sheet 1, dated 9 January 2014

Drawing No. 12261.05 / L(PA)102, Rev. P3, Site Sections - Sheet 2, dated 9 January 2014

Drawing No. 12261.05 / E(PA)001, Rev. P3, Proposed Elevations Sheet 1, dated 17 January 2014
 Drawing No. 12261.05 / E(PA)002, Rev. P3, Proposed Elevations Sheet 2, dated 17 January 2014
 Drawing No. 12261.05 / E(PA)003, Rev. P3, Proposed Elevations Sheet 3, dated 17 January 2014
 Drawing No. 12261.05 / L(PA)003, Rev. P3, Proposed Roof Plan, dated 17 January 2014
 Drawing No. CS-064160-400, Rev. C1, Drainage Layout, dated 1 April 2014
 Drawing No. CS-064160-401, Rev. C1, Drainage Construction Details, dated 24 June 2014
 Drawing No. CS-064160-402, Rev. C1, Impermeable Areas Layout, dated 24 June 2014
 Drawing No. CS-064160-403, Rev. C1, Proposed Levels Layout, dated 24 June 2014
 Drawing No. CS-064160-404, Rev. C1, Road Construction Details, dated 24 June 2014
 Drawing No. CS-064160-450, Rev. T1, Earthworks Analysis, dated 20 January 2014
 Drawing No. CS-064160-002, Rev. T1, Proposed Foundation Plan - Option 2, dated 21 January 2014,
 Drawing No. CS-064160-010, Rev. T1, Proposed Foundation Details, dated 2 December 2013.

3. (a) Within 6 months of the date of the planning permission hereby granted, a scheme for park and stride and additional parking for staff vehicles at the existing Hurst Park Primary School site or a suitable alternative location, including the creation of any crossing points should they be required, shall be submitted to the County Planning Authority for approval in writing.
4. (b) The development hereby permitted shall not be occupied until the scheme for park and stride and staff vehicle parking facilities has been fully implemented in accordance with the details approved pursuant to Condition 3(a). Thereafter the approved scheme shall be fully maintained for the benefit of the development hereby permitted.
5. The development hereby permitted shall not be occupied until a scheme for speed management measures, parking restrictions and pedestrian improvements on Hurst Road and at the Hurst Road/Freeman Drive junction has been submitted to the County Planning Authority for approval in writing, and thereafter implemented in full accordance with the approved details.
6. The School Travel Plan dated January 2014 submitted with the application shall be updated prior to the occupation of the development hereby permitted and shall be fully implemented upon first occupation on the development. The Travel Plan shall thereafter be maintained, monitored, and developed to the satisfaction of the County Planning Authority. Only the approved details shall be implemented.

7. The development hereby permitted shall be carried out in all respects strictly in accordance with the Construction Management Plan - version 1 received on 23 January 2014.
8. Prior to occupation of the development hereby permitted, an additional 16 bicycle parking spaces shall be provided within the site.
9. Within 3 months of the commencement of construction of the development hereby permitted, the applicant shall assess the benefits of providing a pedestrian gate from the footpath that adjoins the eastern boundary of the site and providing lighting along this footpath. Subject to the outcome of this assessment, no gate and no lighting shall be installed until details are submitted to the County Planning Authority for approval in writing.
10. No tree felling or vegetation clearance shall take place between 1 March and 31 August in any year unless the tree or habitat has first been inspected by a qualified ecologist who has established that the clearance will not result in disturbance or destruction of an active bird's nest. If an active nest is identified as being so affected, no further works of clearance or felling shall take place until all nesting activity has concluded.
11. (a) Before any equipment, machinery or materials are brought onto the site for purposes of carrying out the development thereby permitted, protective fencing, in accordance with the details shown on the Hurst Park Tree Protection Plan as contained in the Arboricultural Implication Assessment & Method Statement dated September 2013 submitted with the application, shall be installed and shall thereafter be maintained until all equipment, machinery and surplus materials have been removed from the site. For the duration of works on the site no materials, plant or equipment shall be placed or stored within the protected area.

(b) The development shall be carried out in all respects in accordance with all other measures to protect trees during construction, as set out in the Arboricultural Implication Assessment & Method Statement dated September 2013 submitted with the application.
12. No later than six months after the commencement of the development hereby permitted, further details of the landscape planting and habitat creation schemes submitted with the application shall be submitted to the County Planning Authority for approval in writing. Such details shall include:-
 - i. Soft Landscape Plans
 - ii. Landscape Management Plan
13. a sectional drawing of the tree pits for the larger trees proposed to be planted along Hurst Road.
14. The approved landscape planting scheme shall be carried out no later than the first planting season after the first occupation of any part of the development or in accordance with a programme which has first been agreed in writing by the County Planning Authority. Thereafter the landscape planting shall be maintained for a period of five years. Such maintenance shall include the replacement of any tree or shrub which is removed, uprooted, destroyed, dies or becomes in the opinion of the County Planning

Authority seriously damaged or defective. The replacement shall be of the same species and size and in the same location as that originally planted.

15. The development hereby permitted shall not commence until all elements of the archaeological written scheme of investigation, which has been submitted to the County Planning Authority for approval in writing, have been carried out in full.
16. Prior to occupation of the development hereby permitted, the applicant shall provide and secure the approval in writing of the County Planning Authority, of the drainage maintenance management plan and requirements for the drainage solution. The management plan shall indicate who shall be responsible for its undertaking.
17. No later than 12 months of the first occupation of the building hereby permitted, an assessment shall be carried out by an accredited person confirming that the development has achieved a standard of sustainable construction that would have achieved a BREEAM rating 'very good' and that assessment has been submitted to and receipt of which acknowledged by the County Planning Authority.
18. The development hereby permitted shall be carried out in accordance with the following details of external materials, as contained in an email dated 2 May 2014:-
 - iii. Facing Brickwork - Engels Baksteen The Tatra (26155011)
 - iv. Cladding - arborClad Thermo-D Redwood (stain covering all surfaces).

Reasons:-

1. To comply with Section 91 (1)(a) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and in the interests of proper planning.
3. In the interest of the amenities of the locality pursuant to Policy MOV4 of the Replacement Elmbridge Borough Local Plan 2000 and to manage and mitigate the transportation implications of the development, thereby not prejudicing highway safety nor causing inconvenience to other highway users, pursuant to Policy CS25 of the Elmbridge Core Strategy 2011 and Policies COM4 and MOV6 of the Replacement Elmbridge Borough Local Plan 2000.
4. To manage and mitigate the transportation implications of the development, thereby not prejudicing highway safety nor causing inconvenience to other highway users, pursuant to Policy CS25 of the Elmbridge Core Strategy 2011 and Policies COM4 and MOV6 of the Replacement Elmbridge Borough Local Plan 2000.
5. To manage and mitigate the transportation implications of the development, thereby not prejudicing highway safety nor causing inconvenience to other highway users, pursuant to Policy CS25 of the Elmbridge Core Strategy 2011 and Policies COM4 and MOV6 of the Replacement Elmbridge Borough Local Plan 2000.
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7. To manage and mitigate the transportation implications of the development, thereby not prejudicing highway safety nor causing inconvenience to other highway users, pursuant to Policy CS25 of the Elmbridge Core Strategy 2011 and Policies COM4 and MOV6 of the Replacement Elmbridge Borough Local Plan 2000.
8. To manage and mitigate the transportation implications of the development, thereby not prejudicing highway safety nor causing inconvenience to other highway users, pursuant to Policy CS25 of the Elmbridge Core Strategy 2011 and Policies COM4 and MOV6 of the Replacement Elmbridge Borough Local Plan 2000.
9. To ensure that the risk of harm to protected species is minimised, pursuant to Policy CS15 of the Elmbridge Core Strategy 2011.
10. To ensure that all reasonable measures are taken to protect during construction works the trees on the site which are proposed to be retained, pursuant to Policies CS14 of the Elmbridge Core Strategy 2011 and Policy ENV12 of the Replacement Elmbridge Borough Local Plan 2000.
11. To maintain landscape character and biodiversity and to secure appropriate mitigation for loss of trees and other vegetation, pursuant to Policies CS14 and CS15 of the Elmbridge Core Strategy 2011 and Policy ENV12 of the Replacement Elmbridge Borough Local Plan 2000.
12. To maintain landscape character and biodiversity and to secure appropriate mitigation for loss of trees and other vegetation, pursuant to Policies CS14 and CS15 of the Elmbridge Core Strategy 2011 and Policy ENV12 of the Replacement Elmbridge Borough Local Plan 2000.
13. To ensure that an opportunity is afforded to examine any remains of archaeological interest which are potentially affected by the development and to ensure that adequate steps are taken for the preservation or recording of such remains pursuant to Policy CS1 of the Elmbridge Core Strategy 2011.
14. To ensure that the drainage infrastructure is effectively managed throughout its lifetime and to prevent any increased risk of flooding on and off the site, pursuant to Chapter 10 of the National Planning Policy Framework 2012 and Policy CS26 of the Elmbridge Core Strategy 2011.
15. To ensure that the development achieves a high standard of sustainability and makes efficient use of resources pursuant to Chapter 10 of the National Planning Policy Framework 2012 and Policy CS27 of the Elmbridge Core Strategy 2011.
16. In the interest of the amenities of the locality pursuant to Policy COM4 of the Replacement Elmbridge Borough Local Plan 2000.

Informatives:-

1. The applicant is advised that the County Planning Authority expects to see either a formal arrangement with Elmbridge Borough Council for the use of the car parks at Mole Hall and the Grovelands Recreation Ground or the formalisation of use of the car park at the existing Hurst Park Primary School on the north side of Hurst Road or at an alternative suitable site, for park and stride purposes, prior to the occupation of the development.

2. The Hurst Road improvements are as generally shown on Drawings 5119468/100/001, 5119468/100/002 and 5119468/100/003 - Preliminary Design General Arrangement Sheets 1, 2 & 3 as contained in Appendix D of the Transport Assessment, Version 2.0, dated March 2014, plus the incorporation of the amendments and additions recommended by the County Highway Authority in its email dated 17 June 2014.

3. The applicant is advised that the details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the County Highway Authority (Transportation Development Planning Team) of the County Council.

4. This approval relates only to the provisions of the Town and Country Planning Act 1990 and must not be taken to imply or be construed as an approval under the Building Regulations 2000 or for the purposes of any other statutory provision whatsoever.

5. The attention of the applicant is drawn to the requirements of Sections 7 and 8 of the Chronically Sick and Disabled Persons Act 1970 and to Building Bulletin 102 'Designing for disabled children and children with Special Educational Needs' published in 2008 on behalf of the Secretary of State for Children, Schools and Families, or any prescribed document replacing that note.

6. 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.

CONTACT

Nathan Morley

TEL. NO.

020 8541 9420

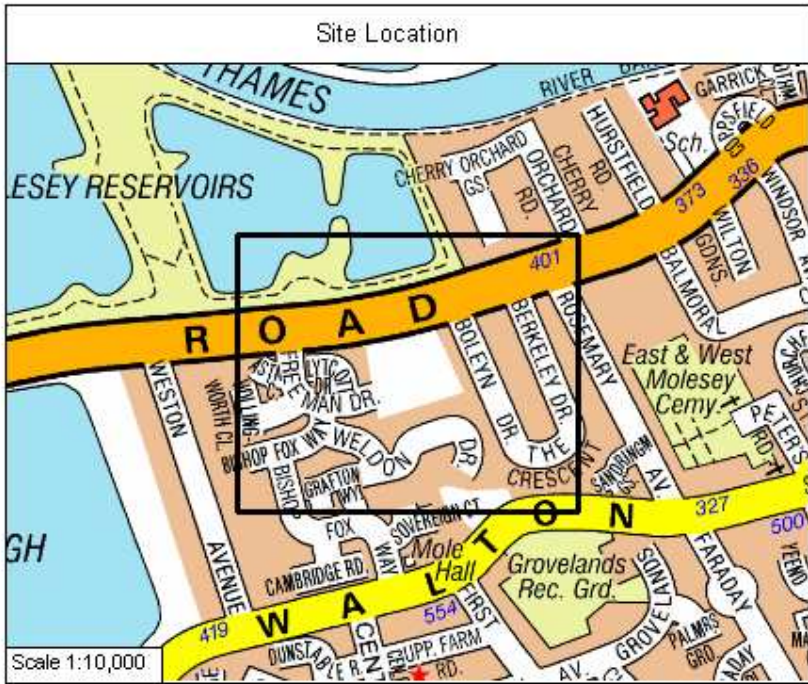
BACKGROUND PAPERS

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 (NPPF) March 2012

7

The Development Plan: The Elmbridge Core Strategy 2011 and the Replacement Elmbridge Borough Local Plan 2000



Land at former John Nightingale School site, Hurst Road, West Molesey, Surrey KT8 1QS

Erection of new single, one and a half and two storey Hurst Park Primary School (420 places) and nursery (30 places) together with provision of 26 parking spaces, and cycle and scooter parking; access off Hurst Road; laying out of outdoor learning and play areas and sports pitches; landscape planting and ecological habitats.

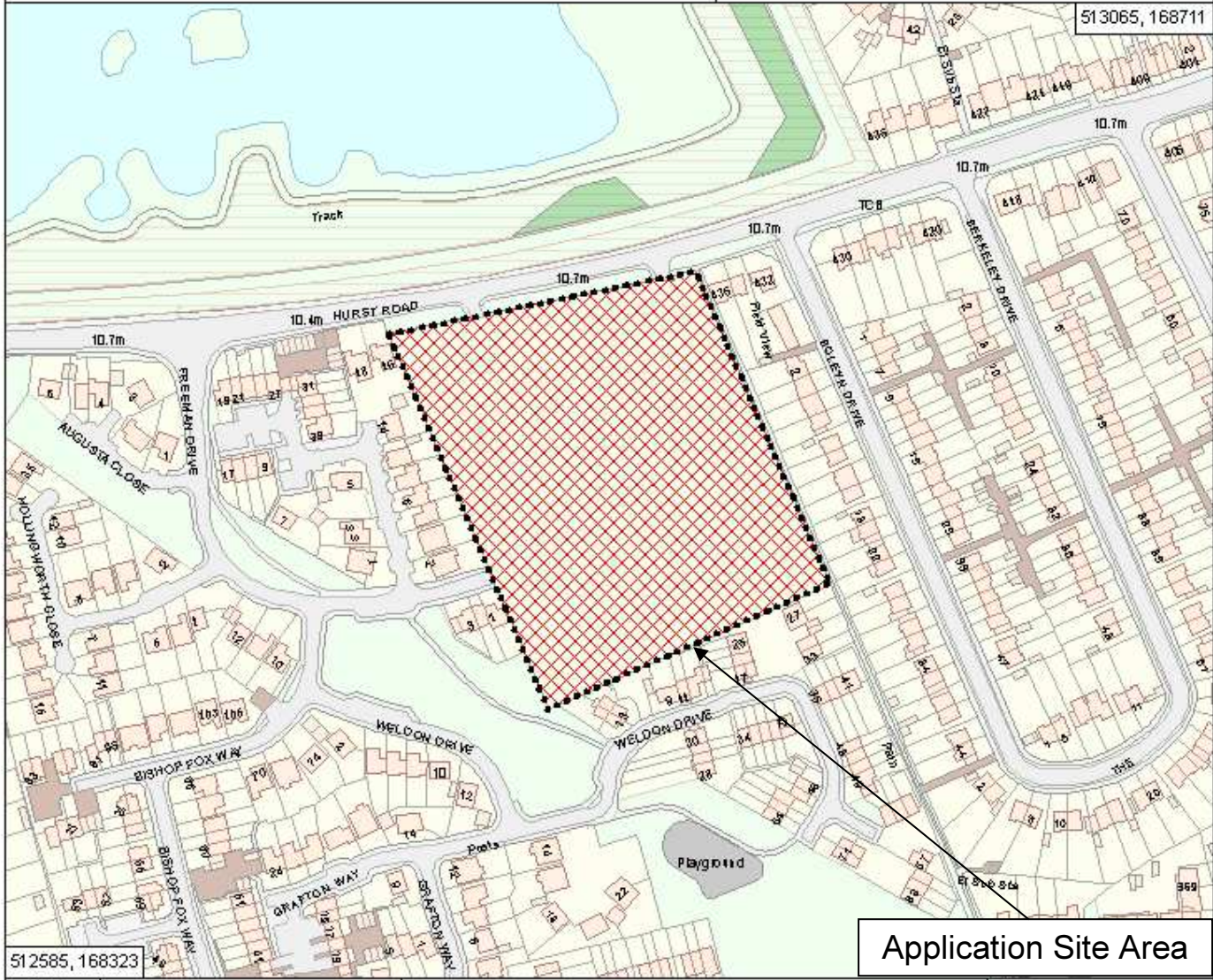
Application No(s): EL2014/0363

Electoral Division(s): West Molesey

Scale 1:10,000

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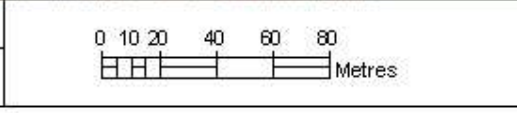
This plan is for indicative purposes only



Application Site Area

RefNo: SCC Ref 20130221

Date printed: 24/03/2014



Scale 1:2,500

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Aerial 1 : Land at former John Nightingale School site, Hurst Road, West Molesey



Aerial 2 : Land at former John Nightingale School site, Hurst Road, West Molesey



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Fig 1 : Looking southwest from north side of Hurst Road towards western entrance to site with Lime trees on either side



Fig 2 : View to the west along Hurst Road
towards western site entrance



Fig 3 : Looking west along Hurst Road from western entrance to site



Fig 4 : View looking east along Hurst Road
from near western entrance to site



Fig 5 : Junction of Hurst Road and Freeman Drive,
looking southwest



Fig 6 : East end of Freeman Drive, looking towards location of secondary pedestrian entrance to site



Fig 7 : Looking west from south of western entrance towards location of service area and houses on Lytcott Drive



Fig 8 : View looking north towards Hurst Road (with two Lime trees in centre) from plateau where building is proposed to be located



Fig 9 : Looking east from plateau towards
No. 436 Hurst Road and houses in Boleyn Drive



Fig 10 : View to southeast from plateau towards houses in Boleyn Drive and Weldon Drive



Fig 11 : Looking south from plateau towards houses in Weldon Drive



Fig 12 : View looking east from plateau showing location of MUGAs and houses in Boleyn Drive



Fig 13 : Looking southwest from edge of plateau
to end of Freeman Drive (see Figure 6)



Fig 14 : Looking south along footpath with the site on the right and No. 436 Hurst Road on the left



TO: PLANNING & REGULATORY COMMITTEE **DATE:** 16 July 2014

BY: PLANNING DEVELOPMENT CONTROL TEAM
MANAGER

DISTRICT(S) EPSOM & EWELL BOROUGH
COUNCIL

ELECTORAL DIVISION(S):

Epsom West

Ms Lallement

PURPOSE: FOR DECISION

GRID REF: 519741 161142

TITLE: SURREY COUNTY COUNCIL PROPOSAL EP/13/01703/CMA

SUMMARY REPORT

Land at Stamford Green Primary School, Christchurch Mount, Epsom, Surrey KT19 8LU

Single storey classroom block extension comprising 9 new classrooms and ancillary spaces; new hard surfaced play area and games court; alterations to pedestrian routes within the site and associated external works.

Stamford Green School is located within the Green Belt and part of the site (at the frontage) is within Flood Zone 3. The application is seeking to provide an extension to the school to increase its size from 2 forms of entry to 3 forms of entry ready for the September 2015 intake. The proposals include new build accommodation and some internal remodelling works.

The application was publicised by the posting of 2 site notices and an advert was placed in the local newspaper. A total of owner/occupiers of 93 neighbouring properties were directly notified by letter. As a result of this publicity 18 letters and a petition signed by 191 people have been received raising objections to the proposal on grounds which are summarised in the report.

Officers consider that the design and scale of the building is acceptable to the site and will not have any adverse impact on neighbouring residential dwellings. There is no significant impact on trees, some trees will be lost but these do not have significant value and can be replaced elsewhere. The proposals will not give rise to additional flooding

within a flood zone as the only works within the flood zone comprise alteration of footpaths and these can be constructed from permeable materials.

The proposal will give rise to a significant increase in vehicle movements and the impact of this on the surrounding area has been considered in detail and mitigation measures sought to alleviate the impact. The overall conclusion is that there is capacity within the local area to accommodate the increase in traffic without compromising highways safety.

The proposal will cause harm to the Green Belt by virtue of the fact that it represents inappropriate development within the Green Belt but the applicant has submitted very special circumstances which clearly outweighs the harm caused by virtue of that inappropriateness and other harm to the open character of the Green Belt. The factors which constitute very special circumstances amount to the need to provide school places in this area and the lack of alternative suitable sites within the urban area to meet the need. Officers consider that very special circumstances do therefore exist in this case to warrant and the proposal can be considered acceptable having regard to Green Belt Policy.

The recommendation is to permit the application subject to conditions.

APPLICATION DETAILS

Applicant

Estates Planning and Management

Date application valid

12 March 2014

Period for Determination

7 May 2014

Amending Documents

02/04/2014 Arboricultural Report dated 13/11/13

02/04/2014 Flood Risk Assessment dated Feb 2014

30/05/2014 Drawing 12261.03/L (90)003 rev P9 Proposed Site GA Plan dated 23/10/2013

30/05/2014 Transport Assessment dated May 2014

16/06/2014 School Travel Plan

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
DESIGN AND VISUAL AMENITY	Yes	22 - 24
RESIDENTIAL AMENITY	Yes	25 - 29
HIGHWAYS TRAFFIC AND AMENITY	Yes	30 - 37
IMPACT ON TREES	Yes	38 - 41
FLOODING	Yes	42 - 43
ARCHAEOLOGY	Yes	44 - 45
PRINCIPLE OF PROPOSED DEVELOPMENT IN THE GREEN BELT	No	46 - 50
VERY SPECIAL CIRCUMSTANCES	Yes	51 - 58

ILLUSTRATIVE MATERIAL

Site Plan

Plan

Aerial Photographs

Aerial

Site Photographs

Figure 1: Site of extension showing existing rear elevation of school and change in site level

Figure 2: Site of proposed extension

Figure 3 Existing access viewed from school site

BACKGROUND

Site Description

- 1 Stamford Green Primary School is located to the rear of houses in Christ Church Mount to the north and Manor Green Road to the east, with the main access to the school off Christ Church Mount. There are allotments to the south of the school site whilst well beyond the western boundary lies the new housing development on the former Epsom Hospital Cluster land.
- 2 The main school buildings, which are of single storey prefabricated panel construction, are located on the eastern part of the site and are set at a lower level than the school playing fields. An extensive area of school playing fields lie to the west of the school buildings with the land rising upwards to the western boundary. The western boundary is well screened with trees and bushes whilst the northern boundary is defined by a mix of close board and chain link fencing with bushes and mature trees. The southern boundary is defined by chain link fencing.
- 3 A small part of the site lies within Flood Zone 3, the remainder being within Flood Zone 1. The whole school site lies within the Green Belt.

Planning History

- 4 In July 1999, planning permission was granted (ref. 99/0799) for the construction of a pedestrian entrance and footpath.
- 5 In April 2003, replacement of an existing conservatory was considered to fall within permitted development rights.
- 6 In August 2004, permission was granted (ref. EP04/0006) for the erection of a covered outdoor teaching area of 6 metres by 17 metres and a new brick retaining wall.
- 7 In 2006 the District granted planning permission for the provision of two store sheds, raised pergola's with flower beds ball wall, covered seating area, & low retaining wall with seating alcoves (ref: 95/00726/FUL)
- 8 In February 2007 planning permission was granted (ref. EP06/1117) for the construction of a hard surfaced playground with a surrounding 2.75 metre high chain link fence.
- 9 In June 2007, a shelter in the school playground was judged to be 'permitted development'.
- 10 In 2007 planning permission was granted for a single storey cloakroom extension (ref: 07/01338)

- 11 In February 2014 the District Council granted planning permission (ref. 13/0949/FULL) for a synthetic sports pitch
-

THE PROPOSAL

- 12 The application is seeking to provide an extension to the school to increase its size from 2 forms of entry to 3 forms of entry ready for the September 2015 intake. The proposals include new build accommodation and some internal remodelling works.
- 13 The new building comprises a new teaching block to the rear of the existing school building attached to the existing school by a covered link. This would accommodate 6 new general teaching classrooms, 3 reception classrooms and studio space. The proposed linked building measures 17.5m deep at its widest point and 45m long. It would be a maximum of 4.9m high and would have a flat roof. The building would extend to 3.5m to the site boundary with adjacent residential dwellings in Christ Church Mount to the north. The external elevations of this building would be part rendered and painted and part clad with horizontal timber cladding.
- 14 The proposal also includes making improvements to the access into the school in order to segregate pupil and vehicle access and provide a safer and larger waiting area for parents within the school grounds. This involves changing the use of part of the existing rear garden to the adjacent school caretaker's house on the school frontage and requires the removal of several trees.
- 15 The proposal also includes changes to the hard surfaced areas to the rear of the school with the proposed relocation of the netball court (there will be no fencing around this court) to the southern boundary of the site where the current MUGA is located and a new smaller hard play area provided adjacent to the proposed new building which will be fenced with 2.4m weldmesh (colour to be agreed).
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CONSULTATIONS AND PUBLICITY

District Council

Epsom & Ewell Borough Council: No objection

Consultees (Statutory and Non-Statutory)

Transportation Development Planning: No objection subject to conditions

Summary of publicity undertaken and key issues raised by public

16 The application was publicised by the posting of 2 site notices and an advert was placed in the local newspaper. A total of owner/occupiers of 93 neighbouring properties were directly notified by letter. As a result of this publicity 18 letters have been received together with a petition containing 191 signatures. The petition states *'We the undersigned petition Surrey County Council to create, as part of the expansion of Stamford Green Primary School in Epsom, a zebra crossing, additional staff car park, a drop-off/pick-up area, a School Travel Plan encouraging the use of the school's West gate and an off-road cycle route via the allotments'*. The points made in the letters of objections to the proposal can be summarised as follows:-

1. The proposed development does not accord with the Development Plan as the site lies within the Green belt and the proposal is inappropriate development
2. There is severe traffic congestion in the area and this proposal will exacerbate that
3. The Travel Plan requires behavioural change which is unlikely to be successful
4. There should be more parking within the school site
5. Suitable screening should be provided on the northern boundary
6. Any increase in playground noise would be unacceptable as it is already high and prevents neighbours relaxing in their gardens
7. Drainage should not affect neighbouring properties
8. A proper pedestrian crossing should be provided as well as a formal one way system in the neighbouring road
9. The Council should think ahead and provide more local schools near to the areas of need
10. The Atkins survey of parking was undertaken on a warm sunny day when many people walked to school
11. The school should provide a drop off zone in Manor park at the back gate to encourage people coming from that direction to go there and reduce congestion the other side
12. The building is close to the northern boundary and should be moved further away to match the existing school
13. The white render is inappropriate and should be better blended with the environment
14. The building height should be reduced
15. A *green roof* would be a better solution as it would be environmentally friendly
16. There should be landscaping on the northern boundary not just for the school itself as currently proposed

17. The Construction Management Plan proposes a 7.30am start on site – it should be 8.00am
-

PLANNING CONSIDERATIONS

- 17 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”.
- 18 At present in relation to this application the Development Plan consists of the saved policies of The Epsom and Ewell District Wide Local Plan 2000 and the Epsom and Ewell Core Strategy 2007.
- 19 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.
- 20 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).
- 21 In this case the main issues are the impact of the development on the Green Belt and whether very special circumstances exist which clearly outweigh the harm due to inappropriateness and any other harm such that an exception to policy can be made. The impact that the proposed building and associated works would have on the design and visual amenity of the existing site and the surrounding area will also be considered as well and the impact upon residential amenity, transportation considerations, archaeological implications and the impact upon trees.

DESIGN AND VISUAL AMENITY

Epsom and Ewell Core Strategy 2007

Policy CS5 – Design

8

Epsom and Ewell District Wide Local Plan 2000

Policy DC 1 - General Development Control Criteria

- 22 Epsom and Ewell Sustainable Design Supplementary Planning Document June 2012
Both Core Strategy Policy CS5 and Local Plan Policies BE1 and DC1 require design to make a positive contribution to the quality of the built environment.

The existing school in this case is a flat roofed building and the proposed extension has been designed to reflect this and is proposed with a flat roof. The scale and massing of the building will remain ancillary to the larger school and is considered will relate acceptably to it. The use of render and timber panelling on the external elevations will relate well to the existing site and buildings which also have rendered external walls. The proposed new building will not be visible from outside of the school and therefore there is no requirement to consider the wider context of the area.

- 23 The proposal also includes changes on the frontage of the school site involving the relocation of the existing fence around the rear garden of the caretaker's house and the removal of trees to facilitate an improved pedestrian access into the school. This is within the school curtilage and not visible in the general street scene. The implications in respect of the trees to be removed are discussed in paragraphs 38 – 41 below but in terms of the impact on visual amenity officers consider that the proposed changes will enhance the frontage of the school and provide an improved frontage which will enhance the visual appearance of the site.

- 24 Having regard to the above officers consider that the proposal meets the requirements of the Development Plan and is acceptable in this regard.

RESIDENTIAL AMENITY

Epsom and Ewell District Wide Local Plan 2000

Policy DC 1 - General Development Control Criteria

- 25 Policy DC 1 of the Epsom and Ewell Local Plan states, inter alia, that planning permission will only be granted for development where it would not cause serious harm to the living conditions or operational efficiency of adjoining properties in relation to the impact it has on the outlook, the amount of daylight, sunlight, and privacy; and the level of noise, fumes, vibrations and general disturbance in the area.

- 26 The proposed new building comes to within 3.5m of the northern boundary of the site which abuts the rear gardens of residential dwellings in Christ Church Mount. There is a well defined close board fence along this boundary which is approximately 2m high and the rear gardens of the dwellings themselves extend to 45m. Given the distances involved and the fact that the proposed building is flat roofed with a maximum height of 4.9m officers do not consider that the proposal will have any adverse impact on the residential amenities of neighbouring properties by virtue of loss of outlook, overlooking or loss of light.

- 27 The proposal also includes changes on the frontage of the school site involving the relocation of the existing fence around the rear garden of the caretaker's house and the removal of trees to facilitate an improved pedestrian access into the school. The caretaker's house will have a reduced rear garden but will retain an acceptable level of private amenity space. The garden area will be brought within the school site and landscaped to provide an improved pedestrian access into the school. The proposals do not bring the existing parking areas any nearer to the dwelling than exists at present. Officers therefore do not consider that this element of the proposal will have any undue adverse impact on residential amenity.

- 28 The proposal also includes the relocation of an existing netball pitch from the southern boundary of the site to adjacent to the proposed building. This would comprise a hard surfaced pitch surrounded with a fence. This is on the site of open grass and raises no issues; officers consider that this aspect of the proposal is acceptable.

- 29 Having regard to the above officers consider that the proposal meets the requirements of the Development Plan and is acceptable in this regard.

HIGHWAYS, TRAFFIC AND AMENITY

Epsom and Ewell District Wide Local Plan 2000
Policy DC 1 - General Development Control Criteria
Policy CF4 - Educational facilities
Policy MV8 – Parking Standards

- 30 Policy DC 1 of the Epsom and Ewell Local Plan states, inter alia, that planning permission will only be granted for development where it would not cause serious harm to the living conditions or operational efficiency of adjoining properties in relation to the impact it has on noise, fumes, vibrations and general disturbance in the area whilst Policy CF 4 states that proposals for new educational facilities or for extensions to existing educational facilities will be permitted provided that:-
 - I. The amenities of neighbouring residents are not unduly harmed; and
 - II. There is no adverse effect on highway safety and efficiency.

- 31 The applicants have submitted a Transportation Assessment in support of this application. This examines the existing highways conditions in the area and arising from the school and identifies the additional implications arising from this proposed development. In order to examine the existing position a pupil survey was undertaken looking at modes of travel to school both existing and preferred for both pupils and staff at the school and it also identified the catchment area of the school to look at how far people travel. A review of the existing footway and cycleway networks was undertaken, as well as the frequency of bus provision. In addition a parking survey was undertaken to assess the existing demands for parking at school drop off and pick up times and the road network was examined in terms of the volume and speed of existing traffic.
- 32 The results of these assessments revealed that there is still spare parking capacity on local roads during school drop off and pick up times and this was influenced by the fact that the arrival and departure times of people is staggered over a period of around 45 minutes (as a result of morning and after school clubs). The parking review took account of available capacity at both entrances to the school, including the west gate.
- 33 In connection with an expansion from 420 pupils to 630 as proposed (though the increase would be staggered over the period 2015 to 2021) the main conclusions which are reached in the transportation assessment are:-
- Currently 49% of pupils walk to school, 8% cycle and 10% scoot, 34% access the school by car
 - In 2013/14 and 2014/15, over half of reception pupils admitted to the school live within 0.47 km of the site (source SCC School Commissioning Officer), the existing catchment of the school is very local and there is considerable scope for access by non-car means
 - A worst case scenario projected trip generation shows that the number of cars arriving at the school during peak times could increase from 101 in 2013 to 151 by 2021; there would also be additional staff journeys of around 12 vehicles
 - The parking beat survey shows that over 100 spaces are available within a 5 minute walk of the school and therefore the additional 50 cars arising from the school expansion could be accommodated on the local roads, assuming they all arrived simultaneously, and even if the number of spaces was reduced by virtue of poorly parked vehicles or sections where people did not want to park there would still be a supply in excess of requirement
 - As the school currently does not have a Travel Plan the introduction of such (and one is proposed as part of this application) could result in the reduction in the total number of vehicles visiting the school as other modes of transport are encouraged and adopted
 - The proposed anticipated increase can therefore be accommodated in highways terms.

- 34 Transportation Development Planning assessed the application and considered the representations received, including detailed representations made by the Local Councillor. TDC advised that further mitigation measures could be sought in recognition of the fact that the catchment area for the school extended to the south and west. In particular the following areas were identified and the applicant was asked to explore them further:-
- a) A proper investigation - including making approaches to Epsom and Ewell Council - into the feasibility of using an existing footpath through the allotments as an alternative access to the school from the south which would link in with a new bus route and cycle route running along the road to the south
 - b) (An analysis of the ability to make more use in the future of the existing western gate into the school to serve those pupils accessing the site from the west for example looking into whether there are any proposals on the adjoining land which would jeopardise the existing footpath link, highlighting areas where vehicles can legitimately park to drop off and ensuring that the school support the measures and actively promote this access in their Travel Plan
 - c) The provision at this stage of a draft Travel Plan which could show other possible mitigation measures that could be achieved such as car sharing and access by alternative modes of transport. One example of where this would have helped is with the amount of on-site parking for staff which is provided which is much less than the actual predicted numbers of staff.
- 35 In addition amended plans were sought showing highways works to the road outside of the school to extend the works proposed within the school gate in an appropriate fashion onto the public highway.
- 36 The applicant's response on these matters and the comments of Officers are as follows:-
- a) Epsom and Ewell Borough Council Officers have indicated via an email that they are unlikely to support the provision of a shared cycle/pedestrian link to the school through the allotments, although it is unclear why not. This seems to be based on the premise that the Borough Council is unlikely to agree to the transfer of allotment land. There is an existing track along the edge of the allotments; it is unclear why there could not be a shared use of this by the allotment holders and the school and why a land transfer is necessary. The applicant has been asked to pursue this further with the District and the school itself and the Committee will be updated on the outcome of this.
 - b) The initial parking survey did take into account Ethel Bailey Close but no other roads close to the west gate. Officer observations and photographs supplied by the applicant demonstrate that there is considerable on-street parking available to the west. The school intends to direct all parents accessing the school by car to the west gate once construction commences. Once parents start to routinely use this entrance, it is likely that some will continue to use this access even when construction ceases.

- c) The site is constrained and the staff parking has been maximised. It is not possible to provide additional parking within the site available. Staff are also included in the travel plan.
- d) The applicant has proposed a raised table adjacent to the school gates to make it easier for pedestrians to cross the access road and to slow traffic entering and exiting the site. These works will improve facilities for pedestrians at the access. The footway into the site has also been widened.

37 In view of the above, officers are satisfied that all matters other than the access through the allotments have been satisfactorily addressed. It is recommended that a condition be attached to ensure that this matter is pursued until all avenues have been exhausted.

IMPACT ON TREES

Epsom and Ewell District Wide Local Plan 2000

Policies NE5 and NE6 – Trees and Woodland.

Policy NE7 – New Development

- 38 Local Plan Policy NE5 seeks assessment of trees where they are a significant feature of a development site and promotes retention of important trees. Policy NE6 seeks measures to protect retained trees during construction. Policy NE7 requires landscaping to a high standard to retain existing features of landscape and nature conservation significance.
- 39 A full Arboricultural Assessment has been submitted with this proposal. This considers the removal of the trees on the frontage of the site as well as the implications of the development on trees outside of the school site but within rear gardens of neighbouring dwellings which back onto the site of the proposed school extension. The Assessment shows that a total of ten individual trees will be lost as a result of this proposal. These are on the frontage of the site where the proposed changes to the pedestrian access are proposed. The trees are all category C2 grade with the exception of one which is category B2 and the trees are required to be removed as they are on the direct conflict with the line of the proposed path.
- 40 Although several trees are shown to be removed in this case those trees are within the school site and are not visible from the surrounding area nor do they make any contribution to the wider amenity of the area. None of the trees to be removed are of a character or species which would warrant any amendment to the scheme to ensure their retention and officers consider that the loss of these trees is acceptable to achieve a safer pedestrian access into the site. Replacement trees will be provided in other appropriate locations across the site to mitigate against the loss for the longer term. The proposal includes measures to ensure that the roots of trees in neighbouring gardens are protected during the development of the extension of the school and officers consider

that the approach put forward is appropriate and proportional and will ensure that there will be no adverse impact on those trees.

- 41 Having regard to the above officers consider that the proposal meets the requirements of the Development Plan and is acceptable in this regard, subject to appropriate conditions to require replacement trees and ensure protection measures.

FLOODING

Epsom and Ewell Core Strategy 2007

Policy CS6 – Sustainable Development

- 42 Policy CS6 of the Core Strategy requires that proposals for development avoid increasing the risk from flooding.
- 43 A small proportion of the site lies within Flood Zone 3a (access road into school and car park and parts of the frontage of the school building) and therefore has a relatively high risk of flooding but the major proportion of the site is located within Flood Zone 1 and is therefore not at risk of flooding. A Flood Risk Assessment has been submitted with this application. This concludes that as the built development proposed lies within the parts of the site which are not affected by flooding and therefore mitigation measures will not be required. Officers generally concur with this view but it is noted that the proposed new pedestrian footway on the school frontage does lie within the Flood Zone. Whilst this is a very small area of development it is considered that it would be appropriate to attach a condition requiring this footpath to be constructed from a permeable material. Subject to this (which can be required via a condition on the planning permission) officers consider that the proposal accords with the requirements of the Development Plan in this regard.

ARCHAEOLOGY

Epsom and Ewell District Wide Local Plan 2000

Policy BE17 Archaeology

- 44 Policy BE17 of the Epsom and Ewell District Wide Local Plan 2000 states that where planning permission is granted on sites of 0.4 hectares or more methods for identifying and preserving any archaeological remains will need to be undertaken.
- 45 The County Archaeologist has commented that given that the proposed development in this case will largely be on an area of existing hard standing the proportional requirement

would be for a watching brief to be carried out as the development proceeds. Officers therefore recommend that a condition is attached to this permission requiring this and with this the proposal is acceptable and complies with Development Plan Policy.

PRINCIPLE OF PROPOSED DEVELOPMENT IN THE GREEN BELT

The National Planning Policy Framework 2012

Chapter 9, paragraph's 87 - 89: Protecting Green Belt Land

Epsom and Ewell Core Strategy 2007

Policy CS2 – Green Belt

Policy CS13 – Cultural and Community Facilities

Epsom and Ewell District Wide Local Plan 2000

Policy GB1 – Green Belt

Policy CF4 – Educational Facilities

- 46 Paragraph 87 of the National Planning Policy Framework 2012 states that as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 89 states that Planning Authorities should regard the construction of new buildings as inappropriate in the Green Belt except in specific circumstances which include 1) where the proposal would be for the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces and 2) For the extension or alteration of a building provided that it does not result in a disproportionate addition over and above the size of the original building.
- 47 Policy CS2 of the Epsom and Ewell Core Strategy states that strict control will be exercised over inappropriate development within the Green Belt as directed by Government Policy. Policy CS13 of the Core Strategy states that the upgrading of existing D1 facilities (which includes schools) will be encouraged, particularly where they address a deficiency in current provision, and where they meet the identified needs of communities both within the Borough and beyond.
- 48 Policy GB1 of the Epsom and Ewell Local Plan reiterates that the boundaries of the Green Belt in the borough will be maintained. Policy CF 4 of the Local Plan proposals for new educational facilities or for extensions to existing educational facilities will be permitted provided that:-
- I. The amenities of neighbouring residents are not unduly harmed; and
 - II. There is no adverse effect on highway safety and efficiency.
- 49 The National Planning Policy Framework also states in paragraph 89 that new buildings in the Green Belt represent inappropriate development. However several exceptions to this are then listed, one of which is the *extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.*

- 50 The proposed extension amounts to approximately 836 sq m which represents an increase of some 45% over the floor space within the existing school building. The proposed classroom block stands separate to the existing building but is joined to it by a covered link which renders it effectively an extension to the existing building. Extensions to existing buildings can be considered to be appropriate development in the Green Belt provided they do not amount to disproportionate additions over the existing building. Generally extensions above a 30% increase (though sometimes this can be extended up to 50%, depending on the circumstances in each case) are likely to be considered 'disproportionate'. In this case officers consider that the proposal is a 'disproportionate' extension' in view of the proposed increase in floor space but also because it is detached from the main building and also located on higher ground. The proposed development therefore would be considered as inappropriate development within the Green Belt. In these circumstances it is for the applicant to then demonstrate very special circumstances exist in order to justify the inappropriate development. The NPPF states that *'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. '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'* (Para 88).

Need for the development

- 51 Primary school rolls have been rising steadily over the last decade across Epsom and Ewell Borough. Overall there have been around 27% more births and an increase in the housing trajectory to include smaller developments, along with the planned expansion of the former hospital site in the northern part of the Borough. There is a clear need for additional primary school places in the North West Epsom planning area equivalent to one form of entry per year. Officers consider that it is not appropriate to create a new school to deal with the scale of the need, and that the only real option is to extend existing schools.

- 52 The North West Epsom primary place planning area is served by three existing primary schools:-

1. Southfields Park Primary
2. Epsom Primary School
3. Stamford Green Primary School

- 53 **Southfields Park Primary** is an over-subscribed school built as a one form entry school approximately ten years ago. It was intended to take children from one for the new estates on the former hospital site. The school was rated as 'Outstanding' at its last inspection in 2010 and was expanded five years ago to two forms of entry. It now has 360 pupils on roll and is growing year on year. This school cannot expand further as it occupies a compact site and does not have its own playing fields, therefore cannot currently provide suitable outdoor space to deliver the PE curriculum entitlement in line with the most recent minimum guidance.
- 54 **Epsom Primary School** is a two form entry primary school with a nursery. The school was judged as 'Good' by OFSTED at its last inspection in 2010. It currently has 427 pupils plus 50 nursery children on its roll because it has already taken additional pupils into reception classes in September 2013 in order to provide more places in the area to meet the local need. Epsom Primary School occupies a compact site in the town with very little playground or playing fields space. Although it has historically been undersubscribed in terms of parental first preference applications, it is becoming increasingly popular and has been filled up to its PAN with second preferences. The frontage of this Victorian building is listed and there are planning restrictions on what may be done on the site. For all of these reasons further permanent expansion has been discounted, although the school has temporarily agreed expand again in September 2014 to help relieve the pressure for places in the area, pending a decision on Stamford Green's expansion plans.
- 55 **Stamford Green School** is a two form entry primary school which has increasingly served the new estates as well as its immediate locality. It is an oversubscribed school rated by OFSTED as Good at its last inspection in 2010. The standard of education at the school was further endorsed in February 2013 in an Interim Assessment by OFSTED. The school has accommodation for 420 pupils at present and has its own playing field. The school roll is full at February 2014.
- 56 This current planning application has been made as Stamford Green School is willing to permanently expand in the longer term and is keen to do so with the promise of new accommodation designed to enhance the quality of the educational opportunities on offer. The staff and governors have worked with Surrey County Council and the Cluster Programme Office to agree the proposal. There are no alternative local schools in the area that could expand by the 1FE that is required and the only other option would be to build a new primary school within the planning area. However in this planning area land is scarce and it is surrounded by the Green Belt. Therefore although Stamford Green School is itself partly located within the Green Belt it is considered that expansion of this school can be considered acceptable as an exception to Green belt Policy as there is an overriding need for additional school places and this need cannot be catered for at any other site outside of the Green Belt.

Other Harm to the Green Belt

- 57 In accordance with paragraph 88 of the NPPF the impact of the development needs to be assessed in terms of any other harm to the Green Belt in addition to the inappropriateness of the proposal as discussed above in paragraph 42 above. The extent of harm to the Green Belt, and in particular the impact the proposal has on the purposes of including land in Green Belts through its impact on openness is influenced by the scale and location of the proposed development.
- 58 The whole of the school site is within the Green Belt which extends outwards towards the west and south. The residential dwellings to the north and east lie within the urban area. In respect of any harm to the open character of the Green Belt this will therefore be as it is viewed from the Green Belt to the west and the South. In this case the proposal is for a large extension to the existing school. This will be clearly visible to users of the allotment ground to the south of the site as well as partial views from residential dwellings in that area and Christ Church Road to the south. In view of the size of the proposed building and its location on higher ground to the rear of the school officers consider that it will give rise to a loss of openness and will cause harm to the Green Belt in this location. Nevertheless officers consider that the impact has been ameliorated by the design of the proposal in this case and the scale of the extension is proportionate to the need and the development cannot be located elsewhere to meet the need identified for the locality. Accordingly officers attach moderate weight to this aspect.

Whether need for additional school places constitutes very special circumstances

- 59 Officers consider that a robust case has been made by the applicants demonstrating a need to increase the number of primary school places within this area as summarised above and given the rural location, there are limited alternatives available and a new school site is not a feasible option in this area. Paragraph 72 of the NPPF also lends additional weight to this proposal; this states: *'The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:-*
- *Give great weight to the need to create, expand or alter schools; and*
 - *Work with schools promoters to identify and resolve key planning issues before applications are submitted.'*
- 60 Officers consider that the need set out above coupled with the lack of suitable alternative sites constitutes very special circumstances which would clearly outweigh the harm to the Green Belt and any other harm such that an exception to policy can be made.

Conclusions on Green Belt

- 61 The new building proposed as part of this scheme constitutes inappropriate development in the Green Belt. Officers consider that the proposal causes harm to the Green Belt by virtue of its inappropriateness but also the size of the proposed extensions also cause harm to the open character of the Green Belt in this location. Notwithstanding this, officers are satisfied that the applicant has demonstrated that there is a clear need to expand this school. It has been demonstrated that this is the most suitable site within the local area to provide this provision and that the accommodation needed cannot be located within the urban area given the specific need in this area. The proposal would provide additional school places given the shortfall in the local area. Officers consider that the very special circumstances of need for additional school places to meet the clear demand within the local area which cannot be accommodated on another site clearly outweighs the harm caused to the Green Belt including moderate harm due to the loss of openness. Officers therefore consider that the proposal can be supported as an exception to Green Belt policy.
-

HUMAN RIGHTS IMPLICATIONS

- 62 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.
- 63 In this case, the Officers' view is that while impacts on amenity caused by traffic movements at the start and end of the school day are acknowledged, the scale of such impact is not considered sufficient to engage Article 8 or Article 1 of Protocol 1. Their impact can be mitigated by conditions. As such, this proposal is not considered to interfere with any Convention right.
-

CONCLUSION

- 64 The development constitutes inappropriate development in the Green Belt. Officers consider that the very special circumstances of the need for additional school places within the area which cannot be accommodated elsewhere amount to factors which constitute very special circumstances which clearly outweigh the harm due to inappropriateness and the loss of openness. Officers are satisfied that the scale of the proposal is proportionate to the need and the harm to the Green Belt has been limited by

locating the new building close to the existing buildings coupled with the sympathetic design of the building and appropriate use of materials .

- 65 Officers consider that the development can be permitted as an exception to Green Belt policy and that otherwise potential harm can be ameliorated by the imposition of planning conditions.

RECOMMENDATION

That pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, that application EP/13/01703/CON be PERMITTED subject to the following conditions:

Conditions:-

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in all respects strictly in accordance with the following plans/drawings:

12261.03/L (PA) 001 rev P2 Location plan dated 28/02/14

12261.03/L (PA) 002 rev P2 Existing Site Plan dated 28/02/14

12261.03/L (PA) 003 rev P2 Existing Ground Floor Plan dated 28/02/14

12261.03/L (PA) 005 rev P1 Existing Elevations dated 21/11/13

12261.03/L (PA) 090 rev P4 Proposed Site Plan dated 28/02/14

12261.03/L (PA) 101 rev P7 Proposed Ground Floor GA Plan dated 28/02/14

12261.03/L (PA) 103 rev P4 Proposed Roof GA Plan dated 28/02/14

12261.03/L (PA) 106 rev P4 Proposed Elevations dated 28/02/14

12261.03/L (PA) 107 rev P4 Proposed Elevations Sheet 2 dated 28/02/14

12261.03/L (91)001 rev P3 Hard Landscape Strategy dated 03/03/14

12261.03/L (92)001 rev P2 Soft Landscape Strategy dated 26/02/14

12261.03/L (90)003 rev P9 Proposed Site GA Plan dated 23/10/2013

3. The measures set out in the Arboricultural Implication and Assessment and Method Statement by Babcock dated 13th November 2013 shall be fully implemented prior to and during the construction of the development.
4. During school term time there shall be no HGV movements to or from the site between the hours of 08.15am and 09.15 am and 2.30pm and 3.30pm.
5. The development hereby permitted shall be carried out in all respects strictly in accordance with the Construction Method Plan Issue 2 dated 3rd February 2014
6. The School Travel Plan dated June 2014 hereby approved shall be implemented on the first occupation of the development hereby permitted and shall thereafter be maintained, monitored and developed.
7. Within 6 months of the date of this permission details of the review of the School Travel Plan shall be submitted to and approved by the County Planning Authority and the approved measures shall be implemented thereafter.
8. No later than six months after the commencement of the development hereby permitted a scheme to provide replacement trees for those trees to be removed on the frontage of the site shall be submitted to and approved in writing by the County Planning Authority. Such scheme shall include the size, location and species of the proposed replacement trees and measures for the landscaping to be maintained for a period of five years. Such maintenance shall include the replacement of any tree or shrub which is removed, uprooted or destroyed or dies or becomes in the opinion of the County Planning Authority seriously damaged or defective. The replacement shall be of the same species and size and in the same location as that originally planted.
9. The proposed new footpath and paving area on the site frontage shall be constructed in permeable material.
10. The development hereby permitted shall not be occupied unless and until the revised access arrangements and raised pedestrian crossing as generally shown on drawing number 12261.03/L(90)003 Revision P9 have been designed and implemented to the satisfaction of the County Planning Authority.
11. In carrying out the development hereby permitted, no works involving groundwork's, the excavation of foundations or any other works involving the disturbance of any previously undisturbed ground shall be carried out unless the applicant has secured at his own

expense the presence of a suitably qualified archaeologist to exercise a watching brief over the works being carried out in accordance with a specification which has been agreed in writing by the County Archaeologist.

12. The applicant shall use all best endeavours to the satisfaction of the County Planning Authority to provide an additional pedestrian/cycle access via the allotments to the south of the site.
13. The development shall not be occupied until an additional scooter pod (12 parking spaces) has been provided within the site.

Reasons:-

1. To comply with Section 91 (1) (a) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and in the interests of proper planning.
3. In the interest of the visual amenity of the site and the area in accordance with Policies NE5, NE6 and NE7 of the Epsom and Ewell District Wide Local Plan 2000.
4. To manage and mitigate the transportation implications of the development pursuant to Policies DC 1, and CF4 of the Epsom and Ewell District Wide Local Plan 2000
5. To manage and mitigate the transportation implications of the development pursuant to Policies DC 1, and CF4 of the Epsom and Ewell District Wide Local Plan 2000
6. To manage and mitigate the transportation implications of the development pursuant to Policies DC 1, and CF4 of the Epsom and Ewell District Wide Local Plan 2000
7. To manage and mitigate the transportation implications of the development pursuant to Policies DC 1, and CF4 of the Epsom and Ewell District Wide Local Plan 2000
8. In the interest of the visual amenity of the area in accordance with policies NE5, NE6 and NE7 of the Epsom and Ewell District Wide Local Plan 2000.

9. That part of the site lies within a Flood Zone and permeable material will assist in alleviating the flood risk within the site in accordance with Policy CS6 of the Epsom and Ewell Core Strategy 2007.
10. To manage and mitigate the transportation implications of the development pursuant to Policies DC 1, and CF4 of the Epsom and Ewell District Wide Local Plan 2000
11. To ensure that an opportunity is afforded to examine any remains of archaeological interest which are potentially affected by the development and to ensure that adequate steps are taken for the preservation or recording of such remains pursuant to Policy BE17 of the Epsom and Ewell District Wide Local Plan 2000
12. To manage and mitigate the transportation implications of the development pursuant to Policies DC 1, and CF4 of the Epsom and Ewell District Wide Local Plan 2000
13. To manage and mitigate the transportation implications of the development pursuant to Policies DC 1, and CF4 of the Epsom and Ewell District Wide Local Plan 2000

Informatives:

1. The attention of the applicant is drawn to the requirements of Sections 7 and 8 of the Chronically Sick and Disabled Persons Act 1970 and to Building Bulletin 102 'Designing for disabled children and children with Special Educational Needs' published in 2008 on behalf of the Secretary of State for Children, Schools and Families, or any prescribed document replacing that note.
2. 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.

CONTACT

Dawn Horton-Baker

TEL. NO.

020 8541 9435

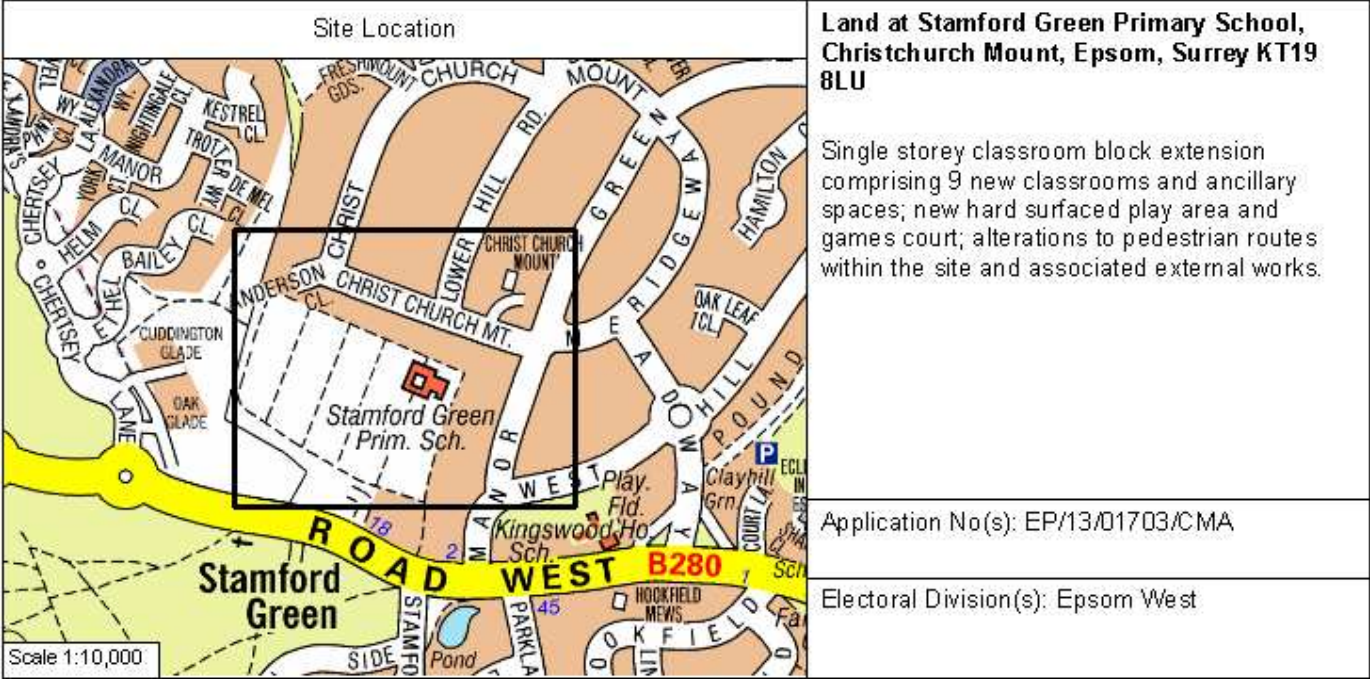
BACKGROUND PAPERS

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:

National Planning Policy Framework 2012

Epsom and Ewell Core Strategy 2007 and the Epsom and Ewell District Wide Local Plan 2000

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Land at Stamford Green Primary School, Christchurch Mount, Epsom, Surrey KT19 8LU

Single storey classroom block extension comprising 9 new classrooms and ancillary spaces; new hard surfaced play area and games court; alterations to pedestrian routes within the site and associated external works.

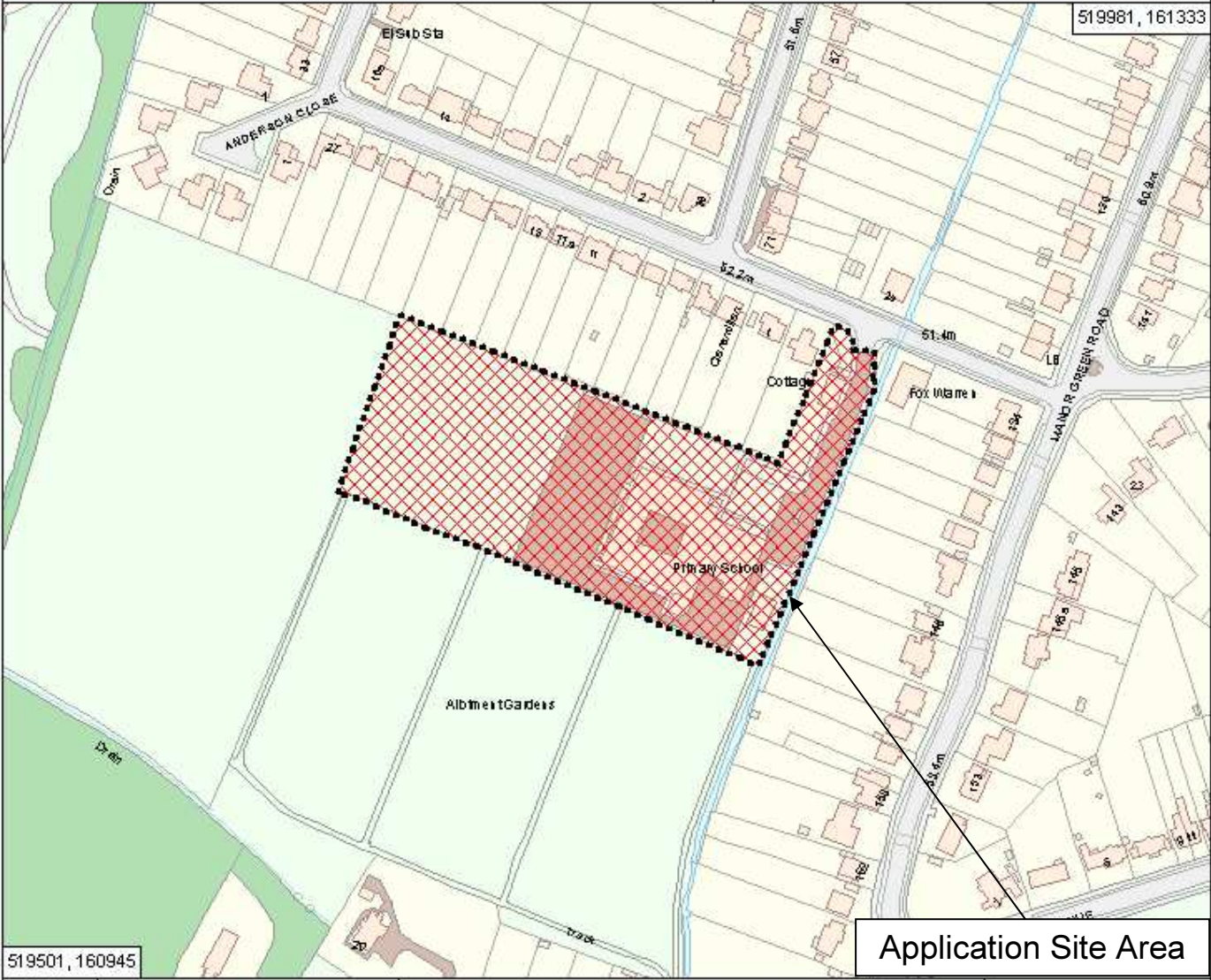
Application No(s): EP/13/01703/CMA

Electoral Division(s): Epsom West

Scale 1:10,000

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This plan is for indicative purposes only



519501, 160945

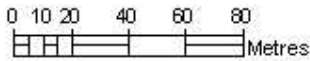
519981, 161333

Application Site Area



RefNo: SCC Ref 2014/0044

Date printed: 28/04/2014



Scale
1:2,500

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Aerial 1 : Land at Stamford Green Primary School, Christchurch Mount, Epsom



All boundaries are approximate



Aerial 2 : Land at Stamford Green Primary School, Christchurch Mount, Epsom



Fig 1 : site of extension showing existing rear elevation of school and change in site level



Application Number : EP/13/01703/CMA

Making Surrey a better place

Fig 2 : site of proposed extension showing northern boundary with residential dwellings



Fig 3 : existing access viewed from school site



Fig 4 : showing fence to caretakers house which is to be realigned



TO: PLANNING & REGULATORY COMMITTEE **DATE:** JULY 2014

BY: PLANNING DEVELOPMENT CONTROL TEAM
MANAGER

DISTRICT(S) MOLE VALLEY DISTRICT COUNCIL **ELECTORAL DIVISION(S):**

Dorking Rural

Mrs Clack

PURPOSE: FOR DECISION **GRID REF:** 519112 144675

TITLE: MINERALS AND WASTE APPLICATION MO/2013/0176

SUMMARY REPORT

Swires Farm, Henfold Lane, Capel, Surrey RH5 4RP

Open windrow composting facility for green waste comprising; hard standing, landscape bund to southern boundary, weighbridge, 2 portacabin offices, portaloo and internal access road.

The application site is situated within the Metropolitan Green Belt and amounts to some 1.7ha. It forms part of a 300ha (3,000,000m²) agricultural holding owned by Ford Farms Ltd. comprising Swires Farm and Lodge Farm. The application site is surrounded by agricultural fields delineated by well maintained agricultural tracks and established hedgerows. Several agricultural buildings and dwellings of various sizes are located to the north and west of the application site at a distance exceeding 250m. The application site is not located within the Surrey Hills Area of Outstanding Natural Beauty or an Area of Great Landscape Value.

The site is not covered by any local, national or higher level nature conservation designations. The closest Site of Special Scientific Interest to the application site is the Leith Hill Site of Special Scientific Interest some 4.1 kilometres to the west. The closest Sites of Nature Conservation Importance to the application site are the Henfold Lake Fishery SNCI some 650m

to the south and the Reffolds Copse SNCI some 860m to the south. There are no Ancient Woodlands located within 500m of the application site. The application site is located within Flood Zone 1¹. It is not subject to any other European, National, or local designations material to the proposal.

Vehicles proposing to access and egress the application site would do so via a route to and from the A24 Horsham Road by way of an existing agricultural track, Henfold Lane and Mill Road or vice versa. This route (one-way) would measure approximately 2.5km in length.

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BW No.536 runs along Ewood Lane and provides vehicular access to the field which would accommodate the application site. This vehicular access point would be stopped up by the applicant, however BW No.536 would continue to provide access to the wider field and facilitate vehicular access to the application site only at the point where it crosses the existing agricultural track off of Henfold Lane. BW No.536 would therefore remain unchanged as a result of the proposal. Public footpath No. 222, which runs north to south, crosses the existing agricultural track approximately 130m from its junction with Henfold Lane and therefore vehicles frequenting the application site would also cross the footpath.

The applicant seeks planning permission to manufacture compost on the application site for use on the associated farm holding. In addition the applicant proposes to lay the site to hard standing, site and use a weighbridge, establish and use of four car parking spaces and site and use of two portacabin style site offices² and portaloo. The proposal would also involve the permanent siting and sporadic operation of a loading shovel, excavator and shredding and screening plant.

The application site would be served by an existing agricultural track off of Henfold Lane which would form an access to its south-western boundary. In order to facilitate this new access a small section of the existing hedge would be removed and to compensate for this loss, a similar sized gap in the existing 4m high perimeter hedgerow would be filled with native hedgerow plants. Further, three oak trees are to be planted adjacent to the existing agricultural track following removal of three low quality ash trees from the same area in order to facilitate the new vehicular access point.

Compost is to be manufactured by importing green waste materials derived from local contractors (landscapers, nurseries, arboriculturalists etc.) in Mole Valley who generate this type of material as part of their day to day activities. Overall, no more than 10,000 tonnes of green

¹ Land with the lowest probability of flooding

² Each measuring 6m (l) x 3m (w) x 2.5m (h)

waste would be imported to the application site per annum. No food, kitchen or other similar putrescible waste is proposed to be imported as part of the scheme. The applicant intends producing PAS100³ compliant compost which is not to be sold on a commercial basis or carried on any public highway.

The waste management facility would be operational from 0730 hours to 1800 hours Monday to Friday and 0730 hours to 1330 hours on Saturdays. No working would be undertaken on Sundays or bank, public or national holidays. No windrow turning, shredding or screening, or importation of green waste would take place on Saturdays when the local rights of way network is at its busiest.

The waste management facility would result in the equivalent of two new full time and four new part time jobs. A site manager would be hired to oversee site operations in accordance with Environment Agency requirements and an office manager would be employed to oversee incoming vehicles and ensure quality control. The part time jobs would comprise operators for plant and machinery but only when shredding, turning and screening operations are undertaken.

Since 2011 the applicant has imported approximately 61,650 tonnes of agricultural materials to the holding generating some 12,944 vehicle movements the majority of which were HGVs. These imports are not subject to planning controls. Although the proposal would not negate the need for the applicant to continue to import lime, manure, potash and artificial fertilisers every year, the applicant would no longer need to procure other imported materials to improve the soils of Swires Farm and Lodge Farm. Accordingly, it is anticipated that the proposal would negate an average of 3,850 HGV movements to and from Swires Farm per annum.

Surrey County Council has received over 100 objections to the proposed development including letters from Friends of Holmwood Common, the National Trust, and the Ramblers' Association. Mole Valley District Council, the British Horse Society, Capel Parish Council and Holmwood Parish Council have also objected to the proposal. A significant majority of objectors have raised concern principally in relation to highways, traffic and access.

No technical objections have been raised in respect of the proposal by the County Highway Authority; Natural England; the Environment Agency; Gatwick Safeguarding; Mole Valley District Council's Environmental Health Officer; or the County's Ecologist, Landscape Architect, Rights of Way Officer and Noise Consultant.

The development has been fully assessed in relation to air quality, noise, flooding and drainage, landscape and visual impact, and ecology and biodiversity and found to be in accordance with

³ BSI PAS 100: Producing Quality Compost, Association for Organics Recycling, 2005

Development Plan policy. In these respects, and upon the advice of technical specialists, a range of conditions and informatives are proposed by Officers so as to mitigate the effects of and maintain control of the development.

According to the County Highway Authority's calculations, the development proposed would increase the overall number of LGV movements on the local highway network by 2 vehicle trips per day which represents a 4% increase in the total number of these types of vehicles, and a 0.01% increase on the total number of vehicles currently using the local highway network. This percentage increase is considered minimal by Officers and the County Highway Authority in terms of highway impact.

Officers consider that both Mill Road and Henfold Lane are wide enough for HGVs and LGVs to pass cars at free flow speeds and that both roads have an acceptable geometry to carry moderate flows of smaller goods vehicles. Moreover, the CHA have confirmed that the visibility at the access to the application site off of Henfold Lane and the junction of Mill Road and Henfold Lane meet the required safety standards.

Although Officers acknowledge that horse riders, cyclists and pedestrians utilise the local highway network as a link to the local rights of way network, Mill Road and Henfold Lane are similar in character to many rural lanes in the County where horse riders, cyclists and pedestrians are often encountered and anticipated by drivers of vehicles including HGVs and agricultural vehicles. The number and nature of accidents on the local highway network since 2008 indicates that there is not a safety issue with non vehicular users along Mill Road and Henfold Lane.

In addition to the day-to-day vehicle movements proposed, the proposal would also generate vehicle movements associated with the preparation of the application site. The construction of the composting apron would involve the importation of 3,000 tonnes of hardcore material by way of 320 HGV movements. This importation would take place outside of peak times (between 0900 and 1500 hours Monday to Friday) over a period of two to three weeks. In the context of the existing unrestricted HGV movements to and from Swires Farm, the highway impact resulting from this limited and transient aspect of the proposal is considered minimal.

There is a demonstrable need to significantly improve the sustainable waste management infrastructure provided within Surrey so as to manage waste without endangering human health or the environment and to enable communities to take responsibility for the waste that they produce. In this respect the Surrey Waste Plan 2008 is clear that the County Council remains committed to achieving net self-sufficiency, enabling appropriate development that implements the waste hierarchy and ensuring that the County delivers its contribution to regional waste management.

These are substantial benefits of the proposal, and, having regard to the limited impact on openness, and the absence of other significantly detrimental effects, it is concluded that the harm arising out of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the proposal. Officers therefore consider that the proposal should be supported by Surrey County Council.

The recommendation is to PERMIT subject to conditions.

9

APPLICATION DETAILS

Applicant

Ford Farms

Date application valid

2 October 2013

Period for Determination

25 July 2014

Amending Documents

Drawing Ref. FFL/SFC/BZ/02 - 250m Buffer Zone dated January 2013

Drawing Ref. FFL/SFC/LA/02 – Hedgerow Planting dated February 2013

EAS Ltd. Noise Impact Assessment dated October 2010 revised November 2013

Integrated Skills Ltd. Construction Management Plan dated November 2013

DM Mason Engineering Consultants Ltd. Transport Statement dated 12 December 2013

DM Mason Engineering Consultants Ltd. Transport Statement dated 9 January 2014

Integrated Skills Ltd. letter dated 9 January 2014

Integrated Skills Ltd. Addendum Ref. F0007/44330/ARC/ADD-V1 dated January 2014

Integrated Skills Ltd. Landscape and Visual Impact Assessment Version 2 dated January 2014

Drawing Ref. FFL/SFC/LAY/02 – Operational Layout dated January 2014

Chalice Consulting Ltd. Revised Tree Survey Arboricultural Impact Assessment and Method Statement dated 10 February 2014

Bioaerosol Risk Assessment dated 17 April 2014

Drawing Ref. F.048/2 - Visibility Splays dated April 2014

Drawing Ref. F.048/3 - 7.17m Rigid Vehicle Turn dated April 2014

Drawing Ref. F.048/1A - Road Marking Plan dated April 2014

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
Sustainable Waste Management	Yes	78 - 113
Highways, Traffic and Access	Yes	114 - 151
Air Quality	Yes	152 - 180
Noise	Yes	181 - 194
Landscape and Visual Impact	Yes	195 - 216
Flooding and Drainage	Yes	217 - 233
Ecology and Biodiversity	Yes	234 - 252
Metropolitan Green Belt	No	253 - 274

ILLUSTRATIVE MATERIAL

Site Plan

Drawing Ref. FFL/SFC/LOC/01 – Site Location

Drawing Ref. FFL/SFC/APP/01 – Application Boundary dated February 2013

Drawing Ref. FFL/SFC/LAY/02 – Operational Layout dated January 2014

Drawing Ref. FFL/SFC/LA/02 – Hedgerow Planting dated February 2013

Drawing Ref. F.048/1A - Road Marking Plan dated April 2014

Drawing Ref. Figure 1 – Existing Green Waste Sites dated March 2013

Aerial Photographs

Aerial 1 – Swires Farm, Henfold Lane, Capel

Aerial 2 – Swires Farm, Henfold Lane, Capel

Site Photographs

Figure 1 - Start of Existing Agricultural Track off Henfold Lane

Figure 2 - Junction of Agricultural Track and Henfold Lane looking South

Figure 3 - Junction of Agricultural Track and Henfold Lane looking North

Figure 4 - Existing Agricultural Track off Henfold Lane

Figure 5 - Gated Access to existing Agricultural Track

Figure 6 - Junction of Proposed Site Access and BW 536

Figure 7 - Proposed Vehicular Access Point to the Application Site

Figure 8 - BW 536 Leading to Existing Vehicular Access to the Application Site

Figure 9 - Eastern Boundary of the Application Site Looking due West

Figure 10 - Three Low Quality Ash Trees to be Removed and Replaced with Three Oak Trees

Figure 11 - Typical Established Unmanaged 4m high Hedgerow

BACKGROUND

Application Site Location and Description

1. The application site is situated within the Metropolitan Green Belt and amounts to some 1.7ha (17,000m²). It measures about 130m in length and width and would comprise about half of an existing rectangular shaped agricultural field surrounded on all sides by established 4m high hedgerows.
2. The application site is located within the District of Mole Valley some 5km southeast of the centre of Dorking, 4km northeast of Capel village and about 2.5km northwest of Newdigate village. The villages of South Holmwood and Beare Green lie some 2km west and 1.8km southwest of the application site respectively.
3. The application site forms part of a 300ha agricultural holding owned by Ford Farms Ltd. comprising Swires Farm and Lodge Farm. It is located on established Grade 3 agricultural land currently planted with winter wheat. The application site is surrounded by agricultural fields delineated by well maintained agricultural tracks and further established hedgerows.
4. Several associated agricultural buildings of various sizes are located to the west of the application site at a distance exceeding 250m. Beyond several dwellings and agricultural fields, Holmwood Sewage Treatment Works is situated about 305m to the northwest of the application site's northern boundary. Henfold Lakes Leisure lies some 815m to the south of the application site's south-eastern boundary. Henfold Birds of Prey forms part of Henfold Lakes Leisure.
5. The application site is not covered by any local, national or higher level nature conservation designations. The closest Site of Special Scientific Interest ("SSSI") to the application site is the Leith Hill SSSI some 4.1 kilometres to the west. The closest Sites of Nature Conservation Importance ("SNCI") to the application site are the Henfold Lake Fishery SNCI some 650m to the south and the Reffolds Copse SNCI some 860m to the south. There are no Ancient Woodlands located within 500m of the application site.
6. Several dwellings are located in proximity to the application site. Although located over 250m away (west of) from the centre of the application site and beyond agricultural buildings, Oakwood House is located some 200m to the northeast of the application site's proposed access off of Henfold Lane. Oakdene, Laurels and Oakfield Farm are situated some 375m, 455m, and 515m to the north and northwest of the same. A further six dwellings are located some 370m northwest of the site's northern boundary adjacent to Holmwood Sewage Treatment Works whilst further dwellings are located on either side of Henfold Lane in both a northerly and southerly direction.

7. The application site lies between Henfold Lane to the west and Broad Lane to the East whilst the A24 Horsham Road is located some 1.5km due west. Vehicles proposing to access and egress the application site would do so via a route to and from the A24 Horsham Road by way of an existing agricultural track, Henfold Lane and Mill Road or vice versa. This route (one-way) would measure approximately 2.5km in length. Vehicles not accessing the site via the A24 would need to navigate Henfold Lane and, when approaching from the north, a railway bridge that serves the Dorking to Horsham railway line which is located about 345m to the north of the site's access off Henfold Lane. Henfold Lane is designated part of the Surrey Cycleway.
8. Ewood Lane is designated a public bridleway ("BW No.536"). It runs in a west to east direction starting at Henfold Lane, passing through the area occupied by existing agricultural buildings and continuing to run parallel and adjacent to the application site's southern boundary. Currently, BW No.536 provides vehicular access to the field which would accommodate the application site. BW No.536 would facilitate vehicular access to the application site only at the point where it crosses the existing agricultural track off of Henfold Lane i.e. at the proposed application site's access point.
9. Public footpath No. 222 ("FP No. 222"), which runs north to south, crosses the existing agricultural track approximately 130m from its junction with Henfold Lane and therefore vehicles frequenting the application site would also cross the footpath.
10. The application site is not located within the Surrey Hills Area of Outstanding Natural Beauty ("AONB") or an Area of Great Landscape Value ("AGLV"). Land subject to these designations lie approximately 900m to the northwest of the application site's western boundary.
11. The application site is located within Flood Zone 1⁴. It is not subject to any other European, National, or local designations material to the determination of this planning application.

Planning History

12. In December 2008 a planning application (Ref. MO08/1079) was withdrawn by Olus Surrey Ltd. to establish an open windrow composting facility at Swires Farm for green waste. The proposal at this time concerned a 1.2 ha field and included concrete hard

⁴ Land with the lowest probability of flooding

standing, perimeter bunding, a weighbridge, and an internal road access. Officers prepared a report recommending that this application be refused for the following reasons:

- I. The proposal constituted inappropriate development in the Green Belt and the applicant failed to demonstrate that there were sufficient very special circumstances to justify the harm caused to the openness of the Green Belt and any other harm contrary to Surrey Structure Plan 2004 Policy LO4 – The Countryside and Green Belt and Surrey Waste Plan 2008 Policy CW6 – Green Belt.
- II. The proposal, in particular the track and bunds, would have been visually intrusive in the countryside and the alien features would have caused demonstrable harm to the character and appearance of the countryside contrary to Surrey Structure Plan Policy LO4 – The Countryside and Green Belt and Surrey Waste Plan 2008 Policy CW6.
- III. The development would have led to an increase in HGV traffic on Henfold Lane during the construction leading to conditions prejudicial to the safety of all highway users, including cyclists, pedestrians and equestrians contrary Surrey Structure Plan 2004 Policy DN2 – Movement Implications of Development, Surrey Waste Plan 2008 Policy DC3 – General Considerations and Mole Valley Local Plan 2000 Policy MOV2 – The Movement Implications of Development.
- IV. The proposal would have led to an increase in HGV traffic on public bridleway 536 and public footpath 222 during the construction leading to conditions prejudicial to the safety of vulnerable highway users, including cyclists, pedestrians and horse riders contrary Surrey Structure Plan 2004 Policy DN2 – Movement Implications of Development, Surrey Waste Plan 2008 Policy DC3 – General Considerations and Mole Valley Local Plan 2000 Policy MOV2 – The Movement Implications of Development.
- V. The operation of the facility would have resulted in an increase in noise and activity from machinery and vehicles adjacent to public bridleway 536 and likely to disturb horses leading to conditions prejudicial to the safety of equestrians contrary Surrey Structure Plan 2004 Policy DN2 – Movement Implications of Development, Surrey Waste Plan 2008 Policy DC3 – General Considerations and Mole Valley Local Plan 2000 Policy MOV2 – The Movement Implications of Development.

- VI. A Flood Risk Assessment, including surface water strategy, had not been provided to, nor assessed by, the Environment Agency contrary to Planning Policy Guidance Note 25 – Development and Flood Risk.
- VII. Insufficient noise data had been provided by the applicant in terms of the shredder contrary to Surrey Structure Plan 2004 Policy SE1 – Natural Resources and Pollution Control and Surrey Waste Plan 2008 Policy DC3 – General Considerations.

13. Subsequently, in 2012, planning application Ref. MO12/0150 sought permission for a similar open windrow composting facility at Swires Farm. However the applicant withdrew the application before Officers presented a report to Surrey County Council's Planning and Regulatory Committee with a recommendation for refusal on the following grounds:

- I. The proposal constitutes inappropriate development in the Green Belt and the applicant has failed to demonstrate that there are sufficient very special circumstances to clearly outweigh the harm to the Green Belt and any other harm and is therefore contrary to Policy CW6 of the Surrey Waste Plan 2008.
- II. The proposal, in particular the bund and track would be visually intrusive in the countryside and these alien features would cause demonstrable harm to the character and appearance of this countryside and is therefore contrary to Policy CW6 and DC3 of the Surrey Waste Plan 2008.
- III. The proposed development, if permitted, would lead to an increase in HGV traffic on Henfold Lane, a narrow rural road, which also forms part of the Surrey Cycle Network, both during and after the construction leading to conditions prejudicial to the safety of all highway users, including vulnerable cyclists, pedestrians and equestrians contrary to Policy MOV2 and RUD17 of the Mole Valley Local Plan 2000 and Policy DC3 of the Surrey Waste Plan 2008.
- IV. The proposed development, if permitted would lead to an increase in HGV traffic on Capel Bridleway 536 and Capel Public Footpath 222, both during and after the construction leading to conditions prejudicial to the safety of vulnerable highway users, including cyclists, pedestrians and equestrians, contrary to Policy MOV2 and RUD17 of the Mole Valley Local Plan 2000 and Policy DC3 of the Surrey Waste Plan 2008.

- V. The operation of the proposed development would result in an increase in noise and activity from machinery and vehicles adjacent to Capel Bridleway 536 likely to disturb horses leading to conditions prejudicial to the safety of equestrians, contrary to Policy MOV2 and RUD17 of the Mole Valley Local Plan 2000 and Policy DC of the Surrey Waste Plan 2008.
- VI. Insufficient noise data has been provided by the applicant in order to fully assess the noise implications of the proposed development and as such the proposal would there by contrary to Policy DC3 of the Surrey Waste Plan 2008.
- VII. The proposed storage pond without an overflow discharging excess water to a suitable drain would lead to the potential for flood risk on neighbouring fields and as such would be contrary to Policy DC3 of the Surrey Waste Plan 2008.
- VIII. Insufficient information has been provided by the applicant in order to fully assess the landscape implication of the proposed development, particularly in terms of the impact on the existing tree and hedgerow which could cause demonstrable harm to the character and appearance of this countryside and is therefore contrary to Policy CW6 and DC3 of the Surrey Was Plan 2008.

THE PROPOSAL

- 14. The applicant seeks planning permission to manufacture compost on the application site for use on the associated farm holding. In addition to this material change of use of agricultural land, the applicant proposes to undertake operational development including the laying of hard standing, the siting and use of a weighbridge, establishment and use of four car parking spaces and the siting and use of two portacabin style site offices and portaloo. The proposal would also involve the permanent siting and sporadic operation of a loading shovel, excavator and shredding and screening plant.
- 15. The application site would be served by an existing agricultural track off of Henfold Lane which would form an access to its south-western boundary. In order to facilitate this new access a small section of the existing hedge would be removed and to compensate for this loss, a similar sized gap in the existing 4m high perimeter hedgerow would be filled with native hedgerow plants. Further, three oak trees are to be planted adjacent to the existing agricultural track following removal of three low quality ash trees from the same area in order to facilitate the new vehicular access point.

16. Where the agricultural track crosses BW No. 536 and FP No. 222 the applicant proposes to erect three vehicular warning signs in relation to the rights of way and its users.
17. The application site would be prepared by the stripping of its top soil in order to expose the underlying clay. Any resulting soil would be used within the agricultural landholding. The application site would then be graded so as to fall to the east towards the proposed two metre deep surface water pond (2m diameter; 6m circumference) which would also be dug at this stage alongside new land drainage ditches on its western and southern boundaries. Crushed concrete followed by crushed rock would then be laid to form a hard surface which would act as the operational surface and composting apron. A new hedgerow would also be established along the western boundary of the application site so as to provide further screening in conjunction with the existing 4m high hedgerow to the west.
18. Compost windrows are to occupy the southern half of the application site whilst waste reception, shredding and screening activities are to take place along its northern boundary. The proposed site offices, weighbridge and portaloo are to be located adjacent to the site's access and along its western boundary. The site offices, one of which would be used for staff welfare facilities, would comprise green single storey portacabin style offices each measuring 6m (l) x 3m (w) x 2.5m (h). The windrows would comprise 7 rows measuring 40m (l) x 10m (w) x 3m (h).
19. Compost is to be manufactured by importing green waste materials derived from local contractors (landscapers, nurseries, arboriculturalists etc.) in Mole Valley who generate this type of material as part of their day to day activities. Overall, no more than 10,000 tonnes of green waste would be imported to the application site per annum. No food, kitchen or other similar putrescible waste is proposed to be imported as part of the scheme.
20. The waste management facility would be operational from 0730 hours to 1800 hours Monday to Friday and 0730 hours to 1330 hours on Saturdays. No working would be undertaken on Sundays or bank, public or national holidays. No windrow turning, shredding or screening, or importation of green waste would take place on Saturdays.
21. Up to ten vehicle loads of green waste would be delivered to the application site per day. These deliveries would take place by way of Light Goods Vehicles ("LGVs"), as opposed to High Gross Vehicles ("HGVs"), ranging from 2,600kg to 7,500kg gross vehicular weight. However, during the peak season (Spring to Autumn) these deliveries are likely to double to twenty loads per day.

22. Accordingly, a load of green waste would be delivered to the application site every hour per working day or every half an hour per working day during the peak season. Moreover, approximately 3,200m³ of crushed concrete would be required to be imported to facilitate preparation of the application site. This would result in 320 HGV movements (160 HGV loads) to and from the application site over a two week period. The applicant intends completing this temporary operation during the working week outside of peak traffic times (between 0900 hours and 1500 hours).
23. The waste management facility would result in the equivalent of two new full time and four new part time jobs. A site manager would be hired to oversee site operations in accordance with Environment Agency requirements and an office manager would be employed to oversee incoming vehicles and ensure quality control. The part time jobs would comprise operators for plant and machinery but only when shredding, turning and screening operations are undertaken.
24. Incoming green waste would be weighed and recorded in accordance with the requirements of the Environment Agency following which the waste will be deposited in the reception area. Principal separation of incidental waste material (i.e. plastic, metal, rubber etc.) from the green waste would take place at this juncture with the resulting material collected for disposal off-site.
25. The green waste would then be shredded following which any remaining incidental waste materials would be removed for collection and disposal off-site. Shredding is anticipated to take place once per week. Following shredding the green waste would then be formed into windrows to a height of no more than 3 metres. Windrows are likely to be turned by the excavator or the loading shovel on a weekly basis but this would be dependent upon composting conditions and therefore it may only take place once every two weeks. Before turning takes place temporary signs would be erected at either end of BW No.536 on that particular day warning users of the bridleway that machinery would be in temporary operation at the site.
26. So as to facilitate the composting process the windrows are likely to be sprayed with water (rainwater collected on the farm) by a sprinkler system (agricultural water tanker) before turning. Once the composting process has completed, usually within eight to twelve weeks, the compost would be subjected to a screening process using a screening trommel to remove oversized items and any remaining incidental waste materials. Oversized material would be reintroduced into the shredding and composing processes whilst any remaining incidental waste would be collected for disposal off-site.

27. The applicant intends producing PAS100⁵ compliant compost which would be spread on land within the applicant's agricultural holding. No compost material is to be sold on a commercial basis and no compost would be carried on any public highway.

28. PAS100 has been sponsored by the Waste and Resources Action Programme (WRAP) and developed by The Composting Association. The PAS100 standard for compost seeks to improve confidence in composted materials among buyers and specifiers, and differentiates between products that are safe, reliable and high performance. PAS100 also provides for a baseline standard for safety and consistency and is complemented by end-use specifications that set out additional limits required for different applications.

29. The applicant's agricultural land holding amounts to some 300ha of which some 232ha is in arable production and a further 40ha is agricultural grassland. The compost resulting from the proposed waste management facility would be applied at rates of 30 and 15 tonnes/ha per annum respectively. At the said rates the applicant requires a minimum of approximately 7,560 tonnes of compost to be produced from the 10,000 tonnes of green waste to be imported to the application site per annum.

CONSULTATIONS AND PUBLICITY

Consultees (Statutory and Non-Statutory)

- | | |
|--|--------------------------------------|
| 30. Mole Valley District Council | - Object |
| 31. Mole Valley Environmental Health Officer | - No objection |
| 32. The Environment Agency | - No objection subject to conditions |
| 33. County Highway Authority | - No objection subject to conditions |

⁵ BSI PAS 100: Producing Quality Compost, Association for Organics Recycling, 2005

34. Surrey County Council
Environmental Noise Consultant - No objection subject to conditions
35. Surrey County Council Air Quality
Consultant - No objection subject to conditions
36. Surrey County Council
Arboriculturalist - No views received
37. Surrey County Council Landscape
Architect - No objection
38. Surrey County Council Ecologist - No objection
39. Surrey County Council Rights of Way - No objection
40. Natural England - No objection
41. Thames Water - No views received
42. Sutton and East Surrey Water - No views received
43. British Airports Authority
Safeguarding - No objection subject to conditions

***Parish/Town Council and Amenity
Groups***

44. Capel Parish Council - Object

45. Holmwood Parish Council - Object
46. Newdigate Parish Council - No objection subject to conditions
47. British Horse Society - Object

Summary of publicity undertaken and key issues raised by public

48. The application was publicised by the posting of two site notices and an advert was placed in the Surrey Mirror on 17 October 2013. A total of 116 owner/occupiers of properties within the vicinity, and further afield, of the application site were directly notified by letter. Amendments and amplifications to the proposal have been brought to the attention of all parties originally notified or who have written to Surrey County Council expressing an interest in the development. Further opportunity for public comment has been facilitated by the County Planning Authority.
49. Surrey County Council has received over 100 objections to the proposed development including letters from Friends of Holmwood Common, the National Trust, and the Ramblers' Association. The relevant concerns expressed by objectors are summarised below:

Highways, Traffic and Access

- There have been many serious accidents at the junction of Mill Road, it has poor sight lines, and its central reservation is not large enough to accommodate long vehicles or those with trailers
- This week (*w/e 1 November 2013*) a motor cyclist was injured in a collision with a tractor along Mill Road
- It is only a matter of time before a cyclist is killed on the lanes surrounding the application site
- The traffic volume on the A24 has increased noticeably in the last two years
- Some operators tow trailers with wheels that are wider than the towing vehicle adding to the risk to oncoming traffic and when overtaking cyclists

- Mill Road was resurfaced recently and the edge has already been broken up by heavy vehicles, regular high volumes of heavy traffic will speed up this degradation
- The uneven surface of Mill Road is a danger, especially to two wheeled vehicles and after dark to all road users
- Mill Road and Henfold Lane are narrow, winding country lands, without pavements or street lighting
- Mill Road has a blind bend near the old Kuoni Travel office site and blind summits by the entrance to Holmwood Park and Mill House
- There are significant hazards in Henfold Lane either side of the proposed site entrance including several blind bends, Henfold Hill and the railway bridge
- Motor vehicles overtaking horse riders, cyclists and pedestrians at these points often meet oncoming traffic and higher volumes of traffic would increase this risk
- Mill Road, Bloackbrook Road, Chart Lane, and Henfold Lane are not constructed to carry a significant volume of commercial vehicles
- There are blind bends before and after the railway bridge and it is not only narrow but has a height limit where lorries and vans take up the middle of the road to pass under it
- For walkers, the lack of any footpaths, with poor sight lines in many places, heavy vegetation along the verges and no lighting, the roads surrounding the application site are particularly dangerous
- Speed limits on Mill Road and Henfold Lane are frequently ignored by drivers
- The local speed limit of 40mph is breached on a daily basis by road users using the lanes as a short cut to avoid congestion on the A24. This is particularly the case with vans and lorries who are often rushing to their next destination and working to tight deadlines
- The Surrey Cycleway networks are pleasant lanes for cycling, which are at a premium in the area, and should be maintained as such
- Very large farm vehicles travel across the middle of the local roads because of their width and these days at very fast speeds
- There would be a large increase in traffic for this rural area
- Since the Olympics in 2012 there has been a significant increase in the amount of cyclists using Newdigate Road, Henfold Lane, Mill Road and Blackbrook which link to the major A24 and A25 roads
- The vehicles travelling from the farm would attract a large amount of mud and mulch from the site which would be hazardous to vehicles and heighten the risk of skidding and the number of accidents
- Henfold Lane has a large amount of traffic causing noise and disturbance, together with vast amounts of cyclists who continually clog up the road
- Mill Road and Henfold Lane are barely adequate for the volume of traffic currently using them let alone an increase in both numbers and size of vehicles

- Many residents with young families walk their dogs and children along Mill Road and it will be unsafe for them
- Alternative routes through Newdigate village or via Blackbrook would inevitably be used by drivers with consequent real danger to school children and villagers etc.
- Newdigate more than Beare Green or Capel villages have most to fear here and any likely scaling or use by other composting sources dropping off or visiting if a more generally commercial operation followed would decimate that road and the surrounding residences
- There is no way to regulate through planning conditions that vehicles will come off the A24 leading to potential traffic on surrounding country lanes as drivers follow the most direct route
- The existing highway network is not suitable to accommodate the level of LGVs, drop side trucks or refuse collection vehicles traffic envisaged
- The anticipated and longer-term increase in commercial traffic on the adjacent local road network – Mill Road, Blackbrook Road, Henfold Lane – is not compatible with ensuring the safety of either the users of the Common or those people who live on or nearby the Common
- The local roads are unlit, sight lines are poor and overhanging vegetation reduces the effective width
- Permitting a deliberate increase in heavy traffic can only be viewed as irresponsible.
- Four of the car parks serving Holmwood Common exist directly onto either Blackbrook Road or Mill Road. In every case the sight-lines for exiting traffic are limited by road layout
- Deer have free run across Holmwood Common and therefore represent a further hazard to drivers as drivers are to these animals
- The number of notable black-spots are not limited to the A24/Mill Road junction, the Fourwents Pond Junction and the narrow bridge on Helnfold Lane
- During the winter months it is very hazardous to use local roads especially with the suggested hours for movement of vehicles to and from the site
- Two years ago a lady was involved in an accident in Mill Road during bad weather and had to have an arm amputated
- There have been several incidents of cars leaving the road and going into ditches and recently even in good weather a large lorry destined for Swires Farm ran off the road into a ditch
- From the south on the A24 HGVs need to cross the central reservation in order to access Mill Road, large vehicle need a wide turning space
- The A24 is always busy, queuing traffic on the access slip road could be highly dangerous

- Will drivers be familiar with the layout of the area from the A24 into Mill Road, will they know that there is a road immediately on their left. How long before a car using this road into Oakdale Estate is hit
- Our houses are positioned close to Henfold Lane, these properties were here long before articulated lorries, and therefore the scale of traffic required by this facility would thus present a risk to these buildings
- If permission is granted there can be no control over the number of vehicles attending the site and it would be easy to take delivery of 8 wheel tipper HGVs without any ones knowledge
- Lorry drivers are frequently more interested in completing their quotas than the safety of other road users
- Local roads are quite properly used by slow-moving agricultural vehicles which cannot be passed
- Visibility at the junction of Henfold Lane and Ewood Lane is poor to the bend and fast approaching vehicles are difficult to see. Due to the shade from the trees and sunlight it is much harder to spot vehicles during the Summer months and the verge and hedge width reduce the view even more
- The applicant does not own the hedgerow to the north of the junction of Henfold Lane and Ewood Lane, he has no permission to maintain it, and therefore he has no control over the visibility at this junction
- At present there is a proposal for more houses to be built in Bear Green, which will increase the amount of traffic using the A24. Has the potential increase in traffic been taken into consideration?

Visual and Landscape

- The area of the proposal is one of natural beauty and tranquillity and the introduction of the proposed facility would be a blot on the landscape
- The proposed facility is out of keeping with the surrounding area
- This is an Area of Outstanding Natural Beauty so why allow the proposal
- The area is a locally designated Area of Great Landscape Value
- Consider that the proposal in the North Downs National Park, Surrey Hills AONB and land surrounding Holmwood Common is unwarranted
- The landscape assessment is taken from the ground level and not from the level of a horse rider which invalidates the assessment
- Fourwents Pond is in an AONB where there are tight guidelines for development so why is this application being entertained?
- The bund would be an excuse for re-landscaping the area
- The views to Leith Hill and other important landmarks would be compromised by the proposal

Metropolitan Green Belt

- More traffic, especially that of a commercial nature, would be intolerable in a so called “green belt area”
- The proposal constitutes inappropriate development in the Green Belt and the application has failed to demonstrate that there are sufficient very special circumstances to justify the harm caused to the openness of the green belt and any other harm
- It is a totally unacceptable development within the Metropolitan Green Belt
- Consider the proposal in the Green Belt is unwarranted

Sustainable Waste Management

- There does not seem to be any constraint on the volume of waste that can be accepted nor any limitation on the future expansion of the operation
- Similar facilities exist to provide the proposed service and therefore the proposal would only serve to relocate various elements of an established workflow
- The volume of waste to be collected would seem to be more than the farm can use
- The location of the development is inappropriate
- The proposal is in short for a ‘dump’
- Any merits this proposal might deliver are far, far outweighed by the detrimental effects it undoubtedly would introduce on a permanent and painful basis
- The alternative site proposal is too narrow
- I agree with waste recycling but it needs to be located in the right place, the site on Henfold Lane is not it
- The application is to be applauded but it is in the wrong location due to significant vehicular access problems
- Concerned at the scale of the development and the possibility that in future even more than the proposed 10,000 tonnes of waste would be processed
- How will the type of waste dealt with at the site be controlled?
- An industrial development is inappropriate when the site is in agricultural use
- The amount of compost proposed seems far in excess of anything that can be used on the whole of the farm and concern that it could end up building up over years
- Dispute the amount of waste that can come in on 10 vehicles per day - consider it would be less at 3,000tpa
- The proposal implies a contract with Mole Valley will be entered into so does that mean all commercial waste will come to the site and what happens if the contract doesn't happen?

- The site is not the right place for a recycling plant

Air Quality

- The Health Protection Agency's paper on the risk associated with composting sites refers to a 250 metre restriction zone to protect people from hazardous substances including bioaerosols and the potentially fatal aspergillus fumigato. The proposed site would be 25 metres from the existing bridleway and users of it could receive up to 100 times the exposure to airborne substances found at 250 metres
- There would inevitably be odorous smells emanating from the facility as well as spores carried on the wind
- There would be health issues arising from the spores of waste being spread
- The smell given off by the facility would not be pleasant
- Concern about odour
- This facility would produce high levels of aspergillus fumigates the spores of which can be deadly to all birds, and in particular birds of prey in captivity are extremely susceptible to this disease and to which few survive. Allowing this proposal would be highly detrimental to Henfold Birds of Prey which borders Swires Farm

Noise

- Many horses react badly to sudden sounds
- Henfold Lakes are 540 metres from the proposed facility and therefore both anglers and caravans will be disturbed by the noise leading to a loss of revenue
- The noise generated by bird scarers is invasive
- Bird scarers would be used regularly every hour and this would destroy the peace and tranquillity of the area generally, especially for neighbouring houses and the fishing business at Henfold Lakes, as well as posing a significant danger to horses and riders using the bridle paths
- In conjunction with the road noise there is also the concern of the noise that would be created by the machinery on the proposed site. The land in this area is fairly flat and open which would allow noise to travel great distances
- Currently noise can be a problem to when heavy farm equipment is being used (reversing warning devices)

Vermin

- Green waste attracts gulls and rats which would decimate the wildlife in the area.
- The facility would encourage scavenger birds in vast numbers which would spread the risk of disease.

- The runoff into ponds etcetera would create a haven for mosquitoes with stagnant water.
- Rats would be encouraged by the composting and people living nearby would be at risk from disease carried by an ever increasing population of rats.
- Greater number of flies.

Surface Water and Flooding

- There are areas where Henfold Lane floods in the winter and has become impassable in recent years so the runoff from this facility could also affect the road

Pollution

- The toxic run off will pass along the ditch system to Henfold Lakes and after to the River Mole through the network of streams
- The proposed facility is 5 metres above the main Henfold Lakes match lake and 10 metres above two other lakes. The facility should have at least 3km of flat land around it with no access to streams or ditch systems to enable toxic run off to be diluted
- There is a very high risk of the lachate generated by the facility contaminating the adjacent Henfold Lakes which are lower than Swires Farm. The owners of Swires Farm and the authorising authority would be jointly responsible for any injurious affection caused. This would seriously compromise Henfold Lakes

Natural Environment

- The applicant's habitat survey was compiled in July 2011 and should not be used as supporting information because (a) it does not appear to have been carried out over a sufficiently long enough period to establish exactly what wild life is in the area; (b) it fails to identify that very close to the site is the Surrey Bee Keepers Apiary and Henfold Birds of Prey Sanctuary and only makes a small comment about Henfold Fisheries all of which are important wild life centres; (c) the report was compiled by ADAS who had previously acted as agents for the applicant; and (d) the report is now over two years old, this is an appreciable delay, the proposed works have changed and therefore this report is not viable as supporting information
- There is a lot of wildlife on the application site including deer, hares, fox, stoat, birds
- There may be bats in the adjacent farm buildings
- The site is close to a lot of SSSI's

Rights of Way

- There is a bridleway running through the farm that connects to another bridle path that would put horse riders and cyclists at risk
- The machinery to be used in the field will be noisy to horses using the bridleway
- Children, dogs and horses/riders are at particular risk at the local footpath and bridleway road crossing points

The National Trust

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50. In objecting to the proposal the National Trust (“the Trust”) explains that it owns and manages Holmwood Common within the Surrey Hills Area of Outstanding Natural Beauty (“AONB”) and an Area of Great Landscape Value (“AGLV”). It asserts that Holmwood Common is very well used by the local community and visitors and is becoming increasingly popular with walkers, cyclists and horse riders.
51. The trust explains that Blackbrook Road and Mill Road pass across Holmwood Common and are narrow with bends and steep slopes. Accordingly, the Trust considers that the significant volumes of traffic associated with the proposal would adversely affect the safety of users of these roads and in turn, users of Holmwood Common.
52. The Trust contends that the proposal is not small scale and references policies CW5, CW6 and WD4 of the Surrey Waste Plan 2008 and policies C13 of the Mole Valley Core Strategy 2009 and MOV2 of the Mole Valley Local Plan 2000. It asserts that the proposal is contrary to these policies and therefore the Development Plan.

Friends of Holmwood Common

53. The Friends of Holmwood Common (“the Association”) explain that they are a community organisation with the objective of conserving or assisting in the conservation of the natural beauty of the National Trust property of Holmwood Common, protecting, improving or assisting in the protection of its amenities to the benefit of the public and representing the views of its membership.
54. The Association has circulated details of the proposal to approximately 120 households in and around Holmwood Common and invited them to respond to the County Planning Authority with their views. The Association points out that a significant number of the objections made in respect of the proposal are from their members.

55. The Association objects to the proposed development on the grounds that the anticipated and longer-term increase in commercial traffic on the adjacent local road network – Mill Road, Blackbrook Road, Henfold Lane – is not compatible with ensuring the safety of either the users of the Common or those people who live on or nearby the Common.

The Ramblers' Association

56. Although not stating whether they object to the development the Ramblers' Association does express concern for the safety of walkers and other users on BW No. 536 during both construction and operational periods. The signage proposed by the applicant warning drivers of users of the bridleway and PF No. 222 is noted by the association but consider that greater consideration should be given to safety particularly close to the proposed site entrance point.

Fraud

57. In addition to the above concerns an anonymous letter has been submitted to the County Planning Authority alleging fraud and other offences on the part of the applicant and the applicant's planning agent. These allegations appear to be based upon the name used by the applicant to apply for planning permission and the incorporation status of Ford Farms Limited.
58. However, any planning permission granted in respect of the proposal would be associated with the land concerned. It would not be specific to any organisation or individual and could be transferred freely from one landowner to another without notification to or consultation with Surrey County Council or Mole Valley District Council or indeed any other individual or organisation. The planning permission sought is for a permanent material change of use of the land. Any planning permission granted on these terms would supersede the existing lawful use of the land. Any conditions imposed on any planning permission granted in respect of the proposal could be properly enforced by Surrey County Council despite whether the applicant undertakes the development or not. The landowner of the application site, and their successors in title, would be responsible for any breaches of planning control associated with any planning permission granted. Consequently, Officers do not consider that the relationship between the applicant and any other organisation, the incorporation status of the applicant, or the name of the applicant is material to the determination of the proposed development.

59. On 14 October 2013 the County Planning Authority adopted a screening opinion in respect of the proposal. This was done in accordance with Regulation 7 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (“the 2011 regulations”).
60. The screening exercise which led to this opinion concluded that the proposed development and operation of an open windrow composting facility on land at the application site is considered to be unlikely to give rise to significant environmental effects, based on the scale and type of development involved and the nature of the receiving environment.
61. Accordingly, the exercise recommended that the proposal does not constitute ‘EIA development’ for the purposes of the 2011 regulations on the basis that:
- It would not give rise to any significant pollution or nuisance
 - The application site is not subject to any local, national or higher level designations in respect of biodiversity, landscape or heritage
 - The application site is not classified as being at risk of flooding by the Environment Agency
 - The nearby Leigh Brook, which currently exhibits poor ecological status, is not likely to be significantly affected by the development
 - The use of compost on agricultural land can help to reduce the need for the use of manufactured fertilisers, and diverts organic material from landfill
 - Impacts from noise, odour, and dust would be of small magnitude and short duration, and with mitigation measures in place would not be likely to result in any significant impacts on the environment
 - The size and scale of the proposal does not exceed any of the thresholds stipulated in the relevant paragraphs of Annex 2 to Circular 02/99⁶

THE DEVELOPMENT PLAN AND MATERIAL PLANNING CONSIDERATIONS

62. Surrey County Council, as the County Planning Authority (“CPA”), has a duty under Section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning

⁶ Environmental Impact Assessment, Department for Communities and Local Government, March 1999

applications in accordance with the Development Plan unless material considerations indicate otherwise.

63. Section 70(2) of the Town and Country Planning Act 1990 ("the 1990 Act") requires the CPA, in 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 the development proposed the Development Plan comprises the Surrey Waste Plan 2008 ("SWP") and the saved policies of the Mole Valley Local Plan 2000 ("MVLN") and policies of the Mole Valley Core Strategy 2009 ("MVCS").
64. The National Planning Policy Framework ("the Framework") was adopted in March 2012. This document provides national guidance to local planning authorities in making decisions in respect of planning applications. The Framework is intended to make the planning system less complex and more accessible by summarising national guidance which replaces numerous planning policy statements and guidance notes, circulars and various letters to Chief Planning Officers. The guidance document is based on the principle of the planning system making an important contribution to sustainable development, which is seen as achieving positive growth that strikes a balance between economic, social and environmental factors.
65. The Development Plan remains the cornerstone of the planning system. Planning applications which comply with an up to date Development Plan should be approved whilst refusals should only be on the basis of conflict with the Development Plan and other material considerations.
66. The Framework states that policies in local plans should not be considered out of date simply because they were adopted prior to publication of the Framework. However, the policies in the Framework are material considerations which planning authorities should take into account. Due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework - the closer the policies are to the policies in the Framework, the greater the weight they may be given.
67. As required by s70 (2) (c) the 1990 Act the CPA must have regard to "*any other material considerations*" when determining planning applications. Accordingly, having regard to the nature and scale of the proposal the CPA considers that the following National policy documents are material to the determination of the proposal:
- Waste Management Plan for England⁷
 - Planning Policy Statement 10 – Planning for Sustainable Waste Management⁸

⁷ Department for Environment, Food and Rural Affairs, December 2013

- Updated national waste planning policy: Planning for sustainable waste management (consultation)⁹

68. The Framework does not contain policies relating to waste management. Instead national waste management policies are contained within the Waste Management Plan for England 2013 (“WMP”) and set out by Planning Policy Statement 10 - Planning for Sustainable Waste Management 2011 (“PPS10”). PPS10 is currently being updated and has been subject to public consultation.

69. The WMP is a high level document which is non-site specific. It provides an analysis of the current waste management situation in England, and evaluates how it will support implementation of the objectives and provisions of Directive 2008/98/EC otherwise referred to as the Waste Framework Directive. The WMP supersedes the previous waste management plan for England¹⁰.

70. The WMP explains how we deal with our waste is important for our society. It affects the availability of materials and energy needed for growth as well as our climate change and environmental objectives. It goes on to detail that the Government’s commitment in this respect is focused on the sustainable use of materials and on improving services to householders and businesses, while delivering environmental benefits and supporting economic growth. It also advocates working towards moving beyond our current throwaway society to a “zero waste economy” in which material resources are reused, recycled or recovered wherever possible and only disposed of as the option of last resort. This means reducing the amount of waste we produce and ensuring that all material resources are fully valued – financially and environmentally – both during their productive life and at “end of life” as waste.

71. The WMP envisages that the resulting benefits of such sustainable waste management will be realised in a healthier natural environment and reduced impacts on climate change as well as in the competitiveness of our businesses through better resource efficiency and innovation – a truly sustainable economy.

72. PPS10 provides the planning framework to enable local authorities to put forward, through local waste management plans, strategies that identify sites and areas suitable for new or enhanced facilities to meet the waste management needs of their areas. The overall objective of PPS10 is to protect human health and the environment and to encourage more sustainable waste management by moving waste up the waste

⁸ Department for Communities and Local Government, March 2011

⁹ Department for Communities and Local Government, July 2013

¹⁰ The Waste Strategy 2007

hierarchy by moving away from landfill towards more sustainable options for waste management.

73. PPS10 acknowledges that some waste proposals that come forward may not be identified within a Development Plan and as such advises that unallocated sites should be considered favourably when consistent with the policies of PPS10 including locational criteria set out in Annex E of PPS10 and the SWP.
74. Once the Updated national waste planning policy: Planning for sustainable waste management ("updated PPS10") document has been finalised, it will replace PPS10 as the national planning policy for sustainable waste management in England.
75. The updated PPS10 follows a similar structure to policies in the Framework, setting out policy which should be considered through local plan making and also when determining the planning application. Appendix A of the updated PPS10 sets out the waste hierarchy which underpins the delivery of sustainable waste development, with Appendix B setting out those factors against which the CPA should consider in assessing the suitability of sites or areas for waste development. Both appendices are largely a carryover from existing guidance in PPS10.
76. However the Government's support for stringent protection against inappropriate development in the Green Belt has been reflected in the updated PPS10. The updated policy removes the former reference in PSS10 that the CPA should give significant weight towards locational needs and wider environmental and economic benefits when considering waste planning applications in the Green Belt. This means that, under national planning policy, these planning considerations should not be given more significant weight compared to others when the planning application is determined. However the proposal, which is located in the Green Belt, will still need to be considered by the CPA on its individual planning merits having regard to the Development Plan and other material considerations, with the weight to be given on particular planning considerations being for the decision maker, subject to the circumstances of each particular case.

PLANNING CONSIDERATIONS

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

SUSTAINABLE WASTE MANAGEMENT

National Guidance

Waste Management Plan for England 2013

Planning Policy Statement 10 - Planning for Sustainable Waste Management 2011

Updated national waste planning policy: Planning for sustainable waste management 2013

Development Plan Policies

Surrey Waste Plan 2008

Policy CW4 – Waste Management Capacity

Policy CW5 – Location of Waste Facilities

Policy WD4 – Open Windrow Composting

Policy Context

78. In England, the waste hierarchy is both a guide to sustainable waste management and a legal requirement, enshrined in law through the Waste (England and Wales) Regulations 2011 (“the 2011 Regulations”). The hierarchy gives top priority to waste prevention, followed by preparing for re-use, then recycling, other types of recovery (including energy recovery), and last of all disposal (e.g. landfill).
79. The Waste Management Plan for England 2013 (“WMP”) advocates that the dividends of applying the waste hierarchy will not just be environmental but explains that we can save money by making products with fewer natural resources, and we can reduce the costs of waste treatment and disposal. Landfill or incineration should usually be the last resort for waste whilst waste can and should be recovered or recycled whenever possible.
80. Similarly, Planning Policy Statement 10 – Planning for Sustainable Waste Management (“PPS10”) is also a strong advocate of the application and promotion of the waste hierarchy. But it also explains, at paragraph 22, that Development Plans form the framework within which decisions on proposals for development are taken.
81. Accordingly, it requires that where proposals are consistent with an up to date Development Plan, the CPA should not require applicants for new or enhanced waste management facilities to demonstrate a quantitative or market need for their proposal.
82. PPS10 also requires the CPA to consider proposals favourably provided they are consistent with the criteria set out in Annex E of PPS10 and the policies of the SWP. The criteria stipulated in Annex E relate to local environmental and amenity impacts of waste management facilities.
83. As with PPS10 the updated PPS10 document carries over the requirement for the CPA to assess the likely impacts of waste management facilities on the local environment and amenity. However, it does acknowledge that modern, appropriately located, well-run and

well-regulated waste management facilities operated in line with current pollution control techniques and standards should pose little risk to human health. As a consequence the updated PPS10 document advises the CPA to focus on implementing the planning strategy in the local plan and not with the control of processes which are, as recognised by Mole Valley District Council's Environmental Health Officer, a matter for the Environment Agency in this particular case.

84. Paragraph 6 of the updated PPS10 document advocates that the CPA should refuse planning permission for waste management facilities not in line with the local plan unless the applicants can demonstrate that the facility will not undermine the local waste planning strategy through prejudicing movement up the waste hierarchy.
85. The Surrey Waste Plan 2008 ("SWP") explains at paragraph B30 that the County Council remains committed to achieving net self-sufficiency, enabling appropriate development that implements the waste hierarchy and ensuring that the County delivers its contribution to regional waste management.
86. Paragraph B32 goes on to state that a range of facilities, type, size and mix will be required, located on a range of sites to provide sustainable waste management infrastructure in Surrey.
87. Consequently, policy CW4 of the SWP requires planning permissions to be granted to enable sufficient waste management capacity to be provided to:
 - I. manage the equivalent of the waste arising in Surrey, together with a contribution to meeting the declining landfill needs of residual wastes arising in and exported from London
 - II. achieve the regional targets for recycling, composting, recovery and diversion from landfill by ensuring a range of facilities is permitted.
88. Paragraph B36 of the SWP explains that the approach taken in respect of the location of waste management facilities is that, generally, waste management facilities should be suited to development on industrial sites and in urban areas. However, it recognises that opportunities for waste management facilities in urban areas are limited, so land beyond needs to be considered. Here priority is given to the reuse of previously developed, contaminated, derelict and disturbed land; redundant farm buildings and their curtilages; mineral workings and land in waste management use, before Greenfield sites and Green Belt sites.
89. Accordingly, policy CW5 of the SWP explains that proposals for waste management facilities on unallocated sites will be considered in accordance with the following principles:
 - I. priority will be given to industrial/employment sites, particularly those in urban areas, and to any other suitable urban sites and then to sites close to urban areas and to sites easily accessible by the strategic road network
 - II. priority will be given over greenfield land to previously developed land, contaminated, derelict or disturbed land, redundant agricultural buildings and their curtilages, mineral workings and land in waste management use
 - III. Areas of Outstanding Natural Beauty, Areas of Great Landscape Value, and sites with or close to international and national nature conservation designations should be avoided

- IV. the larger the scale of the development and traffic generation, the more important is a location well served by the strategic road network or accessible by alternative means of transport

89. Paragraph C18 of the SWP explains that open windrow composting involves the raw material (usually green and/or garden waste and cardboard) being arranged outdoors in long narrow piles on a hard and preferably impermeable surface. The windrows are mixed and turned regularly for aeration, either by hand or mechanically.

90. Paragraph C19 goes on to explain that open windrow composting has quite different land use implications to other techniques. Experience in the County has shown that problems with odour nuisance can develop where there is poor management and particularly where higher levels of throughput are attempted. However, open windrow composting can also make a useful contribution to sustainable waste management. Generally, open windrow composting operations require only minimal support buildings. As such, the operations are comparable to agricultural practices and may therefore be appropriate to located in the open countryside.

91. Paragraph C20 of the SWP states that in considering any application for open windrow composting, the CPA will seek advice from the Environment Agency in regard to the appropriate distance to be maintained between the proposed facility and housing. Any proposal less than 250 metres from a sensitive receptor, such as the curtilage of a dwelling, would require a risk assessment.

92. Accordingly, policy WD4 of the SWP states that planning permission will be granted for open windrow composting with sufficient distance from any dwelling at:

- I. waste disposal landfill or land raising sites provided that it is for a temporary period commensurate with the operational life of the landfill or land raising site
- II. sites in the countryside where the land has been previously developed
- III. sites in the countryside involving small-scale composting of waste for use on agricultural land.

The Development

93. The proposal is for the establishment of a permanent waste management facility on agricultural land within the Green Belt involving the import of 10,000 tonnes of green waste material per annum. The application site is not an 'allocated site' in the Surrey

Waste Plan 2008 or any of the District Council's plans for industrial or employment land uses.

94. Compost is to be produced by way of open windrows and used as a soil improver for Swires Farm and Lodge Farm which forms the applicant's agricultural landholding. The requisite green waste would be sourced from local contractors (landscapers, arboriculturalists etc.) operating within Mole Valley. The applicant has provided copies of correspondence from 4 such contractors¹¹ who express support for the establishment of the proposed waste management facility on the basis of the absence of such a facility within the district and the economic and environmental benefits the proposal would bring about for their respective businesses.
95. The application site is not located within the Surrey Hills AONB or an AGLV. There are no international and national nature conservation land designations in close proximity to the application site.
96. The proposal does not involve the disposal of waste materials. Officers consider that the proposal amounts to a waste recycling facility. The facility would provide for the processing of green waste in order to alter its physico-chemical properties thereby allowing it to be reused as compost for agricultural land improvement purposes. No commercial sale of the compost is to take place and no compost would leave the agricultural landholding or be transported on the local highway network.
97. The applicant's agricultural land holding is situated on Weald Clay where the soils are heavy and difficult to work. The applicant asserts that using green compost as a soil improver will improve the agricultural and environmental condition of the soils including (i) an improvement in soil structure which may reduce tractor fuel bills as less draught force is required to work the soil thus reducing the carbon foot print of the farms; (ii) a reduction in the need for artificial 'bag' fertiliser; (iii) a reduced risk of soil erosion as water infiltration is improved; (iv) an improvement in soil health; (v) an increase in the natural nutrient supply from the soil from organic processes; and (vi) an overall increase in yields and productivity across the agricultural landholding over time.
98. The applicant currently imports a variety of materials to the agricultural holding every year so as to improve its soils. These imports take place by way of HGVs without any planning restrictions but are dependent upon availability, cost and chemical composition.

¹¹ Bill Kear Plant and Agricultural contractors Ltd.; Dave Ford Tree Care LLP; G4 Gardens Ltd.; Adrian Hunt Landscaping, Estate Maintenance and Fencing

These materials include gypsum, lime, farmyard manure, paper crumble, green waste, sewage sludge, stabilised cake, and potash and paper sludge.

99. The applicant states that since 2011 approximately 61,650 tonnes of such materials have been imported to the holding generating some 12,944 tractor and HGV movements. In addition the applicant imports artificial fertilisers to the agricultural holding every year which involves some 76 articulated lorry movements.

100. Although the proposal would not negate the need for the applicant to continue to import lime, manure, potash (25% of current import volumes) and artificial fertilisers every year, the applicant would no longer need to procure the other named materials¹² to improve the soils of Swires Farm and Lodge Farm. Accordingly, it is anticipated that the proposal would negate an average of 3,850 HGV movements to and from Swires Farm per annum. Consequently, there would also be clear environmental and financial benefits resulting from the proposal.

101. The applicant has undertaken an alternative site assessment exercise in support of the proposal. This document demonstrates that there are no existing sites within Mole Valley to which local contractors can take their green waste such that it would be recycled. These contractors either take their green waste to Pease Pottage, West Sussex or Mid Surrey Farm in Epsom. It also explains that Mole Valley District Council transport green waste, collected from households within the district, to Pease Pottage which is some 29 miles from Dorking. Officers have no reason to question the methodology or conclusions of the applicant's alternative site assessment. Accordingly, Officers consider that the proposal would have significant benefits to local contractors and the local environment in terms of reduced fuel costs, reduce miles travelled and reduced carbon dioxide emissions.

102. Based upon an average vehicle load of 2 tonnes, the applicant submits that importing 10,000 tonnes of green waste per annum would generate 10,000 LGV vehicle movements (5,000 trips). Over 275 working days this would equate to 36 LGV vehicle movements per day on average. Over a 10.5 hours working day, this would result in about 7 LGV vehicle movements per hour which is approximately two LGV vehicle movements every 17 minutes.

103. In addition to the day-to-day vehicle movements proposed, the proposal would also generate vehicle movements associated with the preparation of the application site.

¹² gypsum, paper crumble, sewage sludge, stabilised cake, and paper sludge

The construction of the composting apron would involve the importation of 3,000 tonnes of hardcore material by way of 320 HGV movements.

104. The highway network in the vicinity of the application site comprises the A24 Horsham Road, Mill Road and Henfold Lane.
105. The A24 is a two-lane dual carriageway road with a 50 mile per hour speed limit. Its junction with Mill Road is an at-grade priority junction with visibility splays left and right along the A24 exceed 160 metres and therefore meet safety standards. Mill Road runs eastward from the A24 at South Holmwood and is a single carriage way 40 mile per hour country road. It has a 6 metre wide carriageway with variable width verges on each side. The junction of Mill Road and Henfold Lane has visibility splays of 110 metres and 120 to the left and right respectively. Henfold Lane is a single carriageway country road with a 40 mile per hour speed limit. The application site's access lies on the east side of Henfold Lane on the outside bend of the road. It has visibility splays of at least 120 metres in both directions. Between Mill Lane and the site access the highway passes under a railway bridge with headroom of 4.25 metres and carriageway width of 5.2 metres which is marked for two lanes.
106. Accordingly, the applicant submits that both Mill Road and Henfold Lane are wide enough for goods vehicles to pass cars at free flow speeds and that both roads have an acceptable geometry to carry moderate flows of smaller goods vehicles.
107. Given the application site's location and proximity to this strategic road network Officers are satisfied that no other alternative means of access to the application site can be provided other than by way of the A24, Mill Road and Henfold Lane which measures approximately 2.5km in length.
108. Although the District Council, Capel Parish Council, Holmwood Parish Council, the British Horse Society and a significant majority of objectors to the proposed development have expressed concerns relating to the suitability of the local highway network to accommodate the development the County Highway Authority ("CHA") have not raised objection to the proposal. Newdigate Parish Council has commented that provided that proper controls are established at the outset and those controls are vigorously managed by the County Planning Authority the facility could be integrated satisfactorily into the locality.
109. The absence of objection from the CHA is subject to a number of highway and access related planning conditions including limiting the means of access to the development

by way of the A24, Mill Road and Henfold Lane; limiting the average number of vehicle movements to and from the site per day to 36; limiting the gross vehicle weight of vehicles importing green waste to the site to no more than 7.5 tonnes; the erection of a number of horse warning signs along Henfold Lane; and the provision of road markings so as to guide vehicles through the highest point of the railway bridge. The acceptability of the proposal relevant to highway and access considerations are discussed in more detail in the Highways, Traffic and Access section of this report¹³.

110. The waste hierarchy is both a guide to sustainable waste management and a legal requirement enshrined in law through the 2011 Regulations. The hierarchy gives top priority to waste prevention, followed by preparing for re-use, then recycling, other types of recovery (including energy recovery), and last of all disposal (e.g. landfill). The WMP, PPS10, the updated PPS10 document and the SWP all echo the requirements of the waste hierarchy in their respective approaches, guidance and policies in relation to sustainable waste management.
111. Although the proposal is to take place on undeveloped agricultural land which is not allocated for employment or industrial uses, the proposal would facilitate green waste arisings in the district of Mole Valley to be sustainably managed and reused as compost on the same agricultural landholding where it is produced. No commercial sales of the compost would take place. Consequently, this small scale proposal accords with the Government's approach to sustainable waste management and facilitates the movement of waste up the waste hierarchy.
112. Paragraph B3 of the SWP states that there is a need to significantly improve the infrastructure provided within Surrey to manage waste without endangering human health or the environment and to enable communities to take responsibility for the waste produced. In this respect paragraph B30 of the same is clear that the County Council remains committed to achieving net self-sufficiency, enabling appropriate development that implements the waste hierarchy and ensuring that the County delivers its contribution to regional waste management. Officers therefore consider that the proposal should be supported by the County Planning Authority and that the sustainable waste management characteristics of the proposal should be afforded significant weight in assessing the merits of the proposal in so far as Green Belt policy is concerned.
113. Accordingly, Officers consider that the proposal satisfies policies CW4, CW5 and WD4 of the Surrey Waste Plan 2008. For the purposes of Green Belt policy Officers consider that great weight should be attributed the sustainable waste management aspects of the proposal.

¹³ See paragraphs 114 to 151 below

HIGHWAYS, TRAFFIC AND ACCESS

National Guidance

National Planning Policy Framework 2012

Development Plan Policies

Surrey Waste Plan 2008

Policy DC3 – General Considerations

Mole Valley District Core Strategy 2009

Policy CS18 – Transport Options and Accessibility

Mole Valley District Local Plan 2000

Saved Policy MOV2 – Movement Implications of Development

Policy Context

114. The Framework is clear that development should only be refused or prevented on transportation grounds where the residual cumulative impact of development is severe.
115. This guidance also advocates, at paragraph 32, that all development that would generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment and that decisions should take account of whether (a) opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, (b) safe and suitable access to the site can be achieved for all people, and (c) improvements can be undertaken within the transport network.
116. Annex E of PPS10 states that in testing the suitability of sites the CPA should consider the factors listed in the annex and bear in mind the envisaged waste management facility in terms of type and scale, taking account of best available technologies (not involving excessive costs). In terms of highways, traffic and access, Factor F of Annex E explains that considerations will include the suitability of the road network and the extent to which access would require reliance on local roads.
117. The SWP also requires information to be submitted in relation to transportation. Paragraph D12 states that consideration of traffic generation characteristics should incorporate an assessment of the level and type of traffic generated and the impact of that traffic, suitability of the access and the highway network in the vicinity of the site including access to and from the primary road network.

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

123. Firstly it is important to note that Officers do not consider that the development proposed would have any significant transport implications. The application site is not within or adjacent to a Air Quality Management Area; the proposal would not lead to a 10% increase in the number of HGVs making use of the A24 Horsham Road, Mill Road or Henfold Lane; and the proposal would not give rise to 30 or more vehicle movements per hour or 100 or more vehicle movements per day. Where one or more of these criteria are met or exceeded Surrey County Council's Local List of Information Requirements for Waste Related Development requires that applicant's support their proposals with Transport Assessments.
124. In this case the applicant has submitted a Transport Statement to support the proposal. This statement includes an assessment, in the context of the proposal and existing vehicle movements relating to the applicant's agricultural land holding, of the local highway network, accident data relating to this network and the application site's access including a swept path analysis and site access survey. Based upon the conclusions drawn by this assessment the applicant has offered a range of measures which would mitigate the limited impact of the proposal in terms of the local highway network.
125. However, significant public opposition to the development in terms of highways, traffic and access has materialised since the application was registered. The public concerns raised in this respect are summarised in paragraph 49 above. Capel Parish Council, Holmwood Parish Council and the British Horse Society have also objected to the proposed development for reasons including those relating to the local highway network and the suitability of the application site's access off of Henfold Lane. In this respect the Ramblers' Association have also raised concern particularly in relation to the local rights of way network.
126. Moreover, the District Council has objected to the development on a number of grounds including (a) the construction traffic would have to travel down narrow country lanes which are unfit for purpose; (b) the operational traffic is considered inappropriate given the isolated nature of the application site and the narrowness of the country lanes; and (c) the number and frequency of the vehicles are not consistent with the character of narrow country lanes.
127. Should Surrey County Council be minded to grant planning permission for the development then the District Council have stated that (i) the County Council need to be assured that the HGVs associated with the construction traffic can be safely

accommodated on the narrow country lanes; and (ii) the County Council need to be assured that the restrictions on the use of HGVs for the delivery of green waste can be enforced.

128. In addition to members of the public, Parish Councils and the District Council, the National Trust ("the Trust") and Friends of Holmwood Common ("the Association") have also objected to the proposal based on their concerns relating to highways, traffic and site access. The Trust considers that the significant volumes of traffic associated with the proposal would adversely affect the safety of users of Blackbrook Road and Mill Road and in turn users of Holmwood Common. The Association assert that the increase in commercial traffic on Mill Road, Blackbrook Road and Henfold Lane is not compatible with ensuring the safety of either the users of the Common or those people who live on or nearby the Common. The Ramblers' Association have raised concern about the safety of users of the local rights of way network.

129. Since 2011 the applicant has imported approximately 61,650 tonnes of agricultural materials to the holding generating some 12,944 vehicle movements the majority of which were HGVs. These imports are not subject to planning controls. Although the proposal would not negate the need for the applicant to continue to import lime, manure, potash and artificial fertilisers every year, the applicant would no longer need to procure the other imported materials to improve the soils of Swires Farm and Lodge Farm. Accordingly, it is anticipated that the proposal would negate an average of 3,850 HGV movements to and from Swires Farm per annum.

130. Based upon an average vehicle load of 2 tonnes, the applicant submits that importing 10,000 tonnes of green waste per annum would generate 10,000 LGV vehicle movements (5,000 trips). Over 275 working days this would equate to 36 LGV vehicle movements per day on average. Over a 10.5 hours working day, this would result in about 7 LGV vehicle movements per hour which is approximately two LGV vehicle movements every 17 minutes.

131. According to the CHA's calculations, the development proposed would increase the overall number of LGV movements on the local highway network by 2 vehicle trips per day which represents a 4% increase in the total number of these types of vehicles, and a 0.01% increase on the total number of vehicles currently using the local highway network. This percentage increase is considered minimal by Officers and the CHA in terms of highway impact.

132. In addition to the day-to-day vehicle movements proposed, the proposal would also generate vehicle movements associated with the preparation of the application site. The construction of the composting apron would involve the importation of 3,000 tonnes

of hardcore material by way of 320 HGV movements. This importation would take place outside of peak times (between 0900 and 1500 hours Monday to Friday) over a period of two to three weeks. In the context of the existing unrestricted HGV movements to and from Swires Farm, the highway impact resulting from this limited and transient aspect of the proposal is considered minimal.

133. The highway network in the vicinity of the application site comprises the A24 Horsham Road, Mill Road and Henfold Lane.

134. The A24 is a two-lane dual carriageway road with a 50 mile per hour speed limit. Its junction with Mill Road is an at-grade priority junction with visibility splays left and right along the A24 which exceed 160 metres and therefore meet safety standards. Mill Road runs eastward from the A24 at South Holmwood and is a single carriage way 40 mile per hour country road. It has a 6 metre wide carriageway with variable width verges on each side. The junction of Mill Road and Henfold Lane has visibility splays of 110 metres and 120 to the left and right respectively. Henfold Lane is a single carriageway country road with a 40 mile per hour speed limit. The application site's access lies on the east side of Henfold Lane on the outside bend of the road. It has visibility splays of at least 120 metres in both directions. Between Mill Lane and the site access the highway passes under a railway bridge with headroom of 4.25 metres and carriageway width of 5.2 metres which is marked for two lanes.

135. The CHA consider that both Mill Road and Henfold Lane are wide enough for HGVs and LGVs to pass cars at free flow speeds and that both roads have an acceptable geometry to carry moderate flows of smaller goods vehicles. Moreover, the CHA have confirmed that the visibility at the access to the application site off of Henfold Lane and the junction of Mill Road and Henfold Lane meet the required safety standards. In respect of the junction of Mill Road and the A24 Horsham Road the CHA is currently considering proposals to improve the safety of this junction¹⁴. The applicant has provided the CHA with a unilateral undertaking to contribute over £4,000 to these improvement works. The applicant's undertaking does not form part of the proposal nor is it dependent upon whether planning permission is granted in relation to the proposal.

136. As part of the applicant's Transport Statement Surrey County Council's accident data for the period 1 January 2008 to 30 September 2013 has been presented in support of the proposal. The study area associated with this data comprises Mill Road and its junction with the A24 and Henfold Lane from its junction with Mill Road to the application site's access point off Henfold Lane.

¹⁴ Reconfiguration to manage traffic within the central reservation area to reduce potential conflict and assist drivers attempting to exit Mill Road

137. Seven accidents causing 1 fatality, 1 serious and 19 slight injuries occurred at the junction of the A24 and Mill Road. The fatal accident involved a car turning right towards Mill Road across the path of a southbound car. This accident took place during the hours of darkness in fine weather. Two accidents involved pedal cycles both causing slight injury and once accident involved a motorcycle resulting in serious injury. The remaining accidents all involved cars.
138. Two accidents occurred on Mill Road. One car skidded on ice causing serious injury whilst the other resulted in slight injury when a car struck a pedestrian.
139. Seven accidents causing 1 serious and 9 slight injuries occurred at the junction of Mill Road and Henfold Lane. One accident involved a pedal cyclist whilst 2 accidents involved motor cyclists. The pedal cyclist was struck by a LGV spinning in the road following a collision with a car resulting in slight injury. A motorcyclist travelling southbound on Blackbrook Road was struck by a car exiting Mill Road resulting in serious injury. The other motorcyclist fell from his bike resulting in slight injury. One accident at the junction was a shunt whilst a car was waiting for passing traffic and another involved a single car skidding on ice. The remaining accidents involved either a failure to give-way or entering the path of on-coming vehicles.
140. One accident occurred on Henfold Lane when a pedal cyclist fell causing serious injury. No vehicles appeared to have been involved.
141. Having regard to the fact that Henfold Lane is currently used by, amongst others, HGVs, LGVs and agricultural vehicles, and considering the applicant's current unrestricted agricultural imports, it is important to note that only one accident has occurred on Henfold Lane since 2008 and that this did not involve a goods vehicle.
142. Objectors to the proposal have consistently raised concern about the speed of vehicles making use of Henfold Lane and Mill Road; however this is beyond the control of the applicant. It is a matter for the Police to enforce highway speed restrictions not local landowners. Further, it appears that there is no evidence to suggest that drivers of LGVs, HGVs or agricultural vehicles breach speed limits any more than car drivers. Similarly objectors have raised concerns relating to the lack of footpaths and lighting, and Friends of Holmwood Common have referenced the poor sight-lines associated with the common's car parks and wild animals crossing roads, but these existing factors are also beyond the control of the applicant.

143. One objector has alleged that an HGV destined for Swires Farm recently ran off the road into a ditch but there is no evidence to suggest that this HGV was associated with Swires Farm. The accident data presented appears to suggest only one accident along Henfold Lane since 2008.
144. It should be borne in mind that the proposed waste management site would not, apart from the HGV movements associated with the site's preparation, generate any new vehicle movements. The local contractors within Mole Valley who would make use of the facility already exist. Their respective vehicles travel on roads within Mole Valley making their way to and from jobs and the nearest green waste management facilities in Epsom and Pease Pottage. Licensed drivers have the right to use the local highway network provided they do so with licensed vehicles. There are no vehicle weight or size restrictions associated with Mill Road and Henfold Lane. Although the proposed development may divert a proportion of existing vehicles movements along Mill Road and Henfold Lane the use of these roads are not restricted to local residents or users of Holmwood Common.
145. Concern has also been raised in respect of vehicles tracking mud or debris onto the local road network. However, the agricultural track leading to the application site from Henfold Lane is not a dirt track. It is metalled and therefore Officers consider it unlikely that any mud would be transferred from this track to the public highway. Moreover, it is a highways offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned vehicles or badly loaded vehicles. Should planning permission be granted for the proposal it would be brought to the attention of the applicant by way of an informative that the CHA will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders in accordance with the Highways Act 1980.
146. In respect of cyclists who make use of Henfold Lane the CHA has considered requiring the applicant to erect cyclist warning signs as part of the development but the CHA considers that, unlike signs warning drivers of rights of way network crossings, these do not appear on the County highway network as a whole and would add to street clutter.
147. One objector has raised the question of the cumulative traffic impact of housing developments which may take place within Mole Valley in the future. However, given that these developments are speculative and may not materialise Officers do not consider that this matter is material to the determination of the proposal. The District Council has not raised any concerns in this respect. Moreover, Officers and the CHA consider that the development would result in a minimal increase of LGVs on the local highway network.

148. Officers acknowledge that horse riders, cyclists and pedestrians utilise the local highway network as a link to the local rights of way network. However, Mill Road and Henfold Lane are similar in character to many rural lanes in the County where horse riders, cyclists and pedestrians are often encountered and anticipated by drivers of vehicles including HGVs and agricultural vehicles and vice versa. The number and nature of accidents on the local highway network since 2008 indicates that there is not, and has not been, a particular safety issue with non vehicular users along Mill Road and Henfold Lane. The aforementioned is also considered applicable in the case of one HGV passing another. Having regard to the applicant's Construction Management Plan and signs to be erected where the existing agricultural track crosses BW No. 536 and PF No. 222, Surrey County Council's Rights of Way Officer has not raised objection to the development.

149. The owner of Oakwood House has asserted that the applicant has no control over the hedge to the right of the agricultural track leading off Henfold Lane and therefore the applicant cannot control the visibility at this junction. However, the CHA have confirmed that this hedge does not form part of the visibility splay needed to be cleared so as to make this junction meet highway safety standards.

150. The proposal would bring about a minimal increase in traffic on the local highway network but would also negate an average of 3,850 HGV movements to and from Swires Farm per annum. However, the measures proposed by the applicant and the conditions and informatives to be imposed on any planning permission granted would adequately mitigate any adverse impacts arising from the overall increase in traffic. The measures proposed by the applicant would be incorporated into planning conditions as follows:

Planning Conditions

- Prior to the commencement of the development the proposed modified access off Henfold Lane shall be constructed and provided with visibility zones in accordance drawing number F.048/2. The modified access shall be permanently maintained and the visibility zones shall be kept permanently clear of any obstruction for the duration of the development.
- The means of access to the application site shall be from Henfold Lane via Mill Road and the A24 only. There shall be no means of vehicular access from Henfold Lane southbound or Blackbrook Road northbound.
- Vehicles associated with the import of green waste to the Swires Farm site shall enter and leave the site from/to the north and so shall only turn left into the site and right out of the site onto Henfold Lane.
- There shall be no more than an average of 18 deliveries to the application site per day during the year, which is a total of 36 movements per day, with vehicle delivery movements on any single day not exceeding 100 movements in association with the

import of green waste to the application site. The site operator shall maintain accurate records of the number of delivery vehicles accessing and egressing the site daily for up to 12 months at any one time and shall make these available to the County Planning Authority on request.

- Vehicles associated with the import of green waste to the application site shall not exceed 7.5 tonnes Gross Vehicle Weight. The site operator shall maintain accurate records of the size of vehicles accessing and egressing the site daily for up to 12 months at any one time and shall make these available to the County Planning Authority on request.
- Prior to the commencement of the development a highway improvement scheme generally in accordance with drawing number F.048/1A, to provide road markings to guide vehicles through the highest point of the railway bridge, and provide horse warning signs, shall be submitted to the County Planning Authority for approval. The approved details shall be implemented prior to the commencement of the development and maintained for the duration of the development as approved.
- No green waste materials shall be delivered to or accepted at the application site on Saturdays.
- No materials associated with the construction of the application site shall be delivered to or accepted at the site outside of 0900 to 1500 hours Monday to Friday. No associated vehicles shall wait on the public highway or at the application site's access before 0900 hours Monday to Friday.

Informatives

- 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.
- 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.
- The applicant is advised that Public Bridleway 536 and Public Footpath 222 crosses the application site and it is an offence to obstruct or divert the route of a right of way unless carried out in accordance with appropriate legislation.

151. Having regard to paragraphs 123 to 150 above, Officers consider that the development satisfies policy DC3 of the Surrey Waste Plan 2008, policy CS18 of the Mole Valley

Core Strategy 2009 and policy MOV2 of the Mole Valley Local Plan 2000. For the purposes of Green Belt policy Officers consider that the harm arising from the development in terms of highways, traffic and access would be minimal and that harm can be adequately mitigated by the imposition of planning conditions.

AIR QUALITY

National Guidance

National Planning Policy Framework 2012

Planning Policy Statement 10 - Planning for Sustainable Waste Management 2011

Updated national waste planning policy: Planning for sustainable waste management 2013

Development Plan Documents

Surrey Waste Plan 2008

Policy DC3 – General Considerations

Mole Valley Local Plan 2000

Policy ENV22 – General Development Control Criteria

Policy Context

152. Paragraph 109 of the National Planning Policy Framework (“the Framework”) states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from levels of air pollution.
153. Paragraph 122 of the Framework goes on to advise that when considering development proposals the CPA should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. The CPA should assume that these regimes will operate effectively.
154. Paragraph 124 of the Framework discusses air quality specifically in relation to Air Quality Management Areas but it does confirm that the cumulative impacts on air quality from individual sites in local areas should be considered. In this respect the Framework’s practice guidance states that it is important that the potential impact of new development on air quality is taken into account in planning where the national assessment indicates that relevant limits have been exceeded or are near the limit. Air quality can also affect biodiversity and odour and dust can adversely affect local amenity.

155. PPS10 Annex E criteria G requires that in decision making consideration should be given to the proximity of sensitive receptors and the extent to which adverse atmospheric emissions can be controlled through the use of appropriate and well-maintained and managed equipment and vehicles.
156. Policy ENV22 of the MVLP states that where the principle of proposed development accords with other policies of the Development Plan a design and layout will be required which does not significantly harm the amenities of the occupiers of neighbouring properties by adverse environmental impacts.

The Development

157. The development involves the importation and composting of green waste material. Compositing would take place in the form of open windrows and therefore the proposal has the potential to adversely affect local air quality by way of odour. However, it is important to note that the proposal does not include the compositing of any food waste or other similar domestic or commercial putrescible waste materials. For this reason Officers do not consider that the development would attract vermin or scavenger birds.
158. Given the nature of the waste material to be composted the proposal has the potential to generate bioaerosols which have the potential to adversely affect public health.
159. Additionally, the construction of the waste management facility has the potential to adversely affect local amenity and the environment by way of dust.
160. Given the minimal increase in overall vehicle movements associated with the proposal, and having regard to the fact that the application site is not located within an Air Quality Management Area, Officers do not consider that the proposal would give rise to vehicle emissions which are likely to adversely affect local amenity, public health or the environment.
161. The proposed facility would process up to 10,000 tonnes of source segregated green waste and wood waste from forestry, horticulture and agriculture, clean wood processing and green waste from gardens and parks. The application site is abuts agricultural land on all sides and there are no residential properties within 250 metres. Ewood Lane is designated a public bridleway ("BW No.536"). It runs in a west to east direction starting at Henfold Lane, passing through the area occupied by existing agricultural buildings and continuing to run parallel and adjacent to the application site's southern boundary.
162. Concerns have been raised by the public in terms of bioaerosols and by Capel Parish council in terms of odour. The Environment Agency, Mole Valley District Council's Environmental Health Officer, and the County Council's Air Quality Consultant have raised no technical objections to the proposal in these respects. In order to address the

issues of dust and bioaerosols the applicant has submitted a Construction Management Plan and a Bioaerosols Risk Assessment in support of the proposal.

Odour

163. Given that the location of the application site is beyond 250m from any dwelling, and having regard to the agricultural nature of the proposal which is to be undertaken on agricultural land, the applicant does not consider that odour is an issue which requires assessment as part of the proposal. However, the District Council's Environmental Health Officer has confirmed that composting can produce odour, which if not managed, may become a nuisance.
164. The Environmental Health Officer concurs with the applicant that the regular turning of green waste aerates the material and the presence of oxygen keeps it in a fresh condition thereby reducing unpleasant odours. The Officer has also explained that composting practice is such that if material is malodorous then the composting process is not working as efficiently as it should, and that in an aerobic process, odour will result only if the composting process is ineffective. Clearly, it is in the interest of the applicant to keep the composting operations efficient as possible by regular turning and aeration of the green waste and therefore it unlikely that unpleasant odours would be emitted from the facility.
165. Moreover, the Environmental Health Officer has explained that the composting, in terms of odour, is similar to normal farming operations which may also cause odours. For example manure spreading or applying milk waste to land can and does take place on arable agricultural land as a matter of course without any planning restrictions. The applicant has set out in detail the types and volumes of soil additives currently spread on Swires and Lodge Farms¹⁵. In this respect it is noted that objectors and Capel Parish Council have not raised concern about odour in relation to current agricultural practices undertaken on the landholding. The District Council's Environmental Health Officer also considers that the 4m hedgerows which form the boundaries of the application site would mitigate any potential odour emissions. Accordingly, the Environmental Health Officer is satisfied that if managed in accordance with the Environment Agency permit and composting is maintained in an aerobic state then odour would not become a nuisance.
166. Odour resulting from the development is to be controlled by the Environment Agency through their environmental permitting regime. Government advice advocates that the CPA should focus on whether the development itself is an acceptable use of the land

¹⁵ See DM Mason Engineering Consultants Ltd. Transport Statement dated 12 December 2013 Ref. DDM/AJB/F.048 – The Existing Soil Improver Import

rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes, and that the CPA should assume that these regimes will operate effectively.

Dust

167. Upon application the County's Air Quality Consultant reviewed the proposal and agreed with the applicant that dust effects from construction related activities were unlikely to be significant due to the large separation distance between the application site and the nearest sensitive receptors. Accordingly, the consultant raised no objection to the proposal or made any recommendations in relation to air quality during the construction phase of the proposal.

168. However, in February 2014 the Institute of Air Quality Management ("IAQM") published guidance on the assessment of the impacts of construction on air quality and the determination of their significance. In summary, the IAQM guidance methodology requires the risk of dust impacts to be derived based on the sensitivity of the area (with reference to the number of receptors within set distance bands) and the magnitude of dust emissions. Where human receptors are more than 250m from the site boundary and sensitive ecological sites are more than 50m from the site boundary, dust effects are considered to be negligible.

169. Consequently, the County's Air Quality Consultant has analysed the risk of dust effects which may arise from the development to determine whether the latest guidance changes the consultant's original view in respect of the proposal.

170. There are no residential receptors within 250m of the application site and no sensitive ecological sites within 50m of the application site. Accordingly, having regard to IAQM guidance, the sensitivity of the area for human health is low due to the absence of receptors within 250m, the agricultural setting and the fact that the sensitivity to dust of other receptors/land uses in the area (such as footpaths and bridleways) is low. Similarly, there are no sensitive ecological receptors within 50m of the application site and therefore the sensitivity of the area to dust for ecological receptors is low.

171. In respect of site preparation works (stripping of soil and laying of hard surface) the IAQM guidance indicates that the magnitude of dust emissions is likely to be medium due to the area of land not exceeding 10,000m². Where the low sensitivity of the area to dust is considered in the context of a medium or large dust emission magnitude, the risk of dust effects given in the IAQM guidance is also low.

172. Local conditions such as the presence of a physical barrier need to be taken into account when determining the risk of effects. The IAQM guidance does not provide a

specific methodology for this and allows for the person undertaking the assessment to use professional judgement for each development. In this case, the application site would be screened by an established 4m high hedge around the perimeter of the site. Accordingly, the County's Air Quality Consultant considers that it would be appropriate to reduce the risk from low to negligible.

173. The County's Air Quality Consultant welcomes the applicant's mitigation measures set out in the Construction Management Plan submitted in support of the proposal and therefore no further recommendations have been made by the consultant. Officers consider that these mitigation measures, which include damping down of operational areas during dry weather conditions with a water tanker and speed restrictions within the application site, can be secured by way of a planning condition.

Bioaerosols

174. So as to support the proposal and address concerns raised by members of the public the applicant has submitted a Bioaerosols Risk Assessment. This assessment contains a site specific risk assessment based on the well established source-pathway-receptor approach using Environment Agency methodology together with other Government guidance on such risk assessments.

175. The County's Air Quality Consultant considers that the source-pathway-receptor factors have been comprehensively considered in the applicant's assessment. Public footpath 222 and public bridleway 536 have both been included as receptors and a risk-based assessment of likely impact has been made taking into account frequency of operations, wind, and likely footpath use. The County's consultant agrees that the approach taken in this respect is suitable and the assumptions made by the assessment are reasonable.

176. The consequences of exposure, if it occurred, are assessed as being mild on the footpath and moderate on the bridleway. However, the probability of such exposure occurring is assessed as being negligible on all sections of the footpath and bridleway. Combining the consequences and probabilities, the assessment considers that residual risk at all receptors to be low and categorises them as acceptable. The County's consultant agrees that these conclusions are reasonable. On this basis, Officers consider that the residual bioaerosols effects that may arise from the development would not make the proposal an unsuitable use of land at its proposed location.

177. The applicant's assessment concludes that, *"This SSBRA [the bioserosols assessment] should be reviewed after the first year of operation, or sooner if there are any changes to the proposed site design or compost processing. It is also recommended that bioaerosol monitoring is undertaken in accordance with the AfOR Standardised Protocol to provide a better understanding of bioaerosol emissions from the site."*

178. The proposed waste management facility would operate under an Environment Agency permit, whereby on-going pollution control of many of the operations will be regulated. National planning guidance requires that the County Planning Authority works on the assumption that such pollution control regimes will operate effectively. Therefore, provided the Environment Agency considers users of the footpath and bridleway to be sensitive receptors and regulates the activities accordingly, there should be no need for the County Planning Authority to impose a condition on any planning permission granted requiring bioaerosols monitoring to validate the application’s assessment or demonstrate that effectiveness of controls.

179. Mole Valley’s Environmental Health Officer has commented that he is satisfied with the proposal in terms of bioaerosols if the facility is managed in accordance with the terms of an Environment Agency permit then composting would not pose a significant risk. The Environment Agency has not raised objection to the proposed development and confirmed that it would require an Environmental Permit to operate. The District Council, the County’s Ecologist and Natural England have not objected to the proposed development in terms of air quality.

180. Accordingly, having regard to paragraphs 157 to 179 above, Officers consider that the proposed development satisfies policy DC3 of the Surrey Waste Plan 2008 and policy ENV22 of the Mole Valley Local Plan 2000. For the purposes of Green Belt policy Officers consider that the harm arising from the development in terms of air quality is minimal and that it can be adequately controlled by planning conditions.

NOISE

National Guidance

National Planning Policy Framework 2012

Planning Policy Statement 10 - Planning for Sustainable Waste Management 2011

Updated national waste planning policy: Planning for sustainable waste management 2013

Development Plan Documents

Surrey Waste Plan 2008

Policy DC3 – General Considerations

Mole Valley Local Plan 2000

Policy ENV22 – General Development Control Criteria

Policy Context

181. Paragraph 109 of the Framework states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing

development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of noise pollution. Paragraph 120 of the Framework states that in order to prevent unacceptable risks from pollution, planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account.

182. Paragraph 122 of the Framework advocates that in ensuring that the site is suitable for its new use local planning authorities should focus on whether the development itself is an acceptable use of the land and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. It goes on to state that the CPA should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.
183. Paragraph 123 of the Framework states that planning decisions should aim to: (a) avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development, and (b) mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise.
184. Paragraph 144 of the Framework specifically relates to decision making on planning applications for minerals development. It states that in determining planning applications for minerals development the CPA should ensure that the impacts of unavoidable noise are controlled, mitigated or removed at source.
185. PPS10 Annex E criteria (j) requires consideration to be given to the proximity of sensitive receptors, type of noise, whether the noise is intermittent or sustained and keeping noise at acceptable levels when considering development proposals. The Surrey Waste Plan 2008 policy DC3 requires consideration of noise impacts from waste development proposals by the provision of appropriate information.
186. As with air quality, policy ENV22 of the MVLP states that where the principle of proposed development accords with other policies of the Development Plan a design and layout will be required which does not significantly harm the amenities of the occupiers of neighbouring properties by adverse environmental impacts.

The Development

187. The development includes the operation of screening and shredding plant, an excavator and a front end loader. Shredding and screening plant would only be operated Monday to Friday whilst LGVs would frequent the application site Monday to Saturday. Windrows would only be turned Monday to Friday. The development would also involve soil stripping for the purposes of site preparation. Accordingly, the proposal has the potential to adversely affect local amenity and the environment by way of noise.

188. So as to support the proposal the applicant conducted a Noise Impact Assessment in October 2010 which was updated in November 2013. This assessment was undertaken in relation to the proposal when it included the provision of landscape bund on the southern boundary of the application site parallel with public bridleway 536. Following consultation with the County's Landscape Architect the applicant decided to remove the landscape bund element from the proposal in the interests of landscape character and visual amenity. This resulted in the re-configuration of the application site's layout in February 2014 so that compost windrows are located along the southern boundary of the application. The final proposed site layout is shown on Drawing Ref. FFL/SFC/LAY/02 dated January 2014. The applicant produced an addendum to the associated planning statement assessing the noise implications of the revised application site layout.
189. Although raising concern about the absence of the bund in terms of noise impact, the District Council has not raised objection to the proposal on noise grounds. Similarly, the Environment Agency has not objected to the proposed development.
190. The applicant's Noise Impact Assessment concludes that the application site is located in a quiet area except for the occasional deployment of agricultural machinery. The measured daytime background noise levels are low at about 73 dB (A). However it also concludes that there would be no significant noise impact from the development at the nearest residential dwelling. The assessment recognises that there would be occasional noise impact from vehicles passing to and from the application site on the existing track but that this would not be significant compared with existing farm traffic. In respect of the bridleway which runs parallel to the site's southern boundary the assessment states that with the proposed 3m high bund there would be no significant adverse impact on horses or riders passing the site once in operation.
191. The County's Environmental Noise Consultant has assessed the proposal including the revised site layout. The noise consultant concurs with the conclusions of the applicant's noise assessment and advises that the development can meet the average noise criterion of 42 LAeq but if Officers consider it appropriate a condition could be imposed on any permission granted restricting the use of shredding and screening plant at the same time. However, the noise consultant does not consider this necessary given that deployment of this plant would only take place Mondays to Fridays and then only for a limited duration per day.
192. The County's noise consultant does not generally consider public bridleways or footpaths sensitive receptors in terms of noise. The District Council Environmental Health Officer has expressed a preference for the provision of a landscape bund on the southern boundary of the application site so as to minimise the noise impact arising from the proposal. The revised site layout replaces the 3m high landscape bund with 3m high compost windrows which would have similar effect in terms of noise mitigation. The noise consultant advises that any noise generated from the development would only affect a short length of public bridleway 536 and that the majority of horses are used to noise arising from road works and passing vehicles. Moreover, given the leading directions of the bridleway to the east and west of the application site Officers

do not consider that any noise arising from the proposal would be sudden or alarming to horses.

193. The applicant has proposed a number of mitigation measures in relation to the limited noise impact which may arise from the proposal. Officers are satisfied that these measures can be secured by way of the following planning conditions:

- The development hereby permitted shall only operate between 0730 hours to 1800 hours Monday to Friday and 0730 hours to 1330 hours on Saturdays. No working shall be undertaken on Sundays or bank, public or national holidays. No windrow turning, shredding or screening, or importation of green waste shall take place on Saturdays. This condition shall not prevent emergency operations but these are to be notified in writing to the County Planning Authority within 3 working days.
- No soil stripping works shall be undertaken on Saturdays.
- All plant and machinery shall be maintained in accordance with manufacturer's specifications and where reversing signals are used these shall comprise white noise signals as opposed to reversing beepers.

194. Considering paragraphs 187 to 193 above, Officers consider that the proposal satisfies policy DC3 of the Surrey Waste Plan 2008 and policy ENV22 Mole Valley Local Plan 2000. For the purposes of Green Belt policy Officers consider that the harm arising from the development in terms of noise would be limited and that this harm can be adequately mitigated by the imposition of planning conditions.

LANDSCAPE AND VISUAL IMPACT

National Guidance

National Planning Policy Framework 2012

Planning Policy Statement 10 - Planning for Sustainable Waste Management 2011

Updated national waste planning policy: Planning for sustainable waste management 2013

Development Plan Documents

Surrey Waste Plan 2008

Policy DC2 – Planning Designations

Policy DC3 – General Considerations

Mole Valley Core Strategy 2009

Policy CS13 – Landscape Character

Mole Valley Local Plan 2000

Policy ENV22 – General Development Control Criteria

Policy Context

195. Paragraph 109 of the Framework requires that the planning system contribute to and enhance the natural and local environment by protecting and enhancing landscapes whilst paragraph 111 encourages the effective use of land by re-using land that has been previously developed (brown field land), provided that it is not of high environmental value.
196. Annex E of PPS10 states that in testing the suitability of sites the CPA should consider the factors listed in the annex and bear in mind the envisaged waste management facility in terms of type and scale, taking account of best available technologies (not involving excessive costs). In terms of landscape and visual impact Factor C of Annex E explains that considerations will include (i) the setting of the proposed location and the potential for design-led solutions to produce acceptable development; and (ii) the need to protect landscapes of national importance such as the Surrey Hills Area of Outstanding Natural Beauty (“AONB”).
197. Policy DC2 of the SWP states that planning permission will not be granted for waste related development where this would endanger, or have significant adverse impact, on the character, quality, interest or setting of the AONB, Areas of Great Landscape Value (“AGLV”) or Ancient semi-natural woodlands. Similarly, policy DC3 of the same seeks the protection of landscapes and woodland and the provision of mitigation measures where appropriate.
198. Policy CS13 of the MVCS requires that all new development respect and, where appropriate, enhance the character and distinctiveness of the landscape character area in which it is proposed. It advocates landscape enhancement works, where required, to avoid adverse impacts associated with new developments. It recognises that the AONB is of national significance, and as such, the conservation of the natural beauty of the landscape will be a priority in this area. The policy goes on to state that development in the AGLV area will be required to be supported by evidence to demonstrate that it would not result in harm to the AONB, particularly views from and into the AONB.
199. Policy ENV22 of the MVLP states that where the principle of proposed development accords with the Development Plan a design and layout will be required which is (a) appropriate to the site in terms of its scale, form and appearance and external building materials; (b) does not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking or its overshadowing or overpowering effect; (c) respects the character and appearance of the locality; (d) has regard to attractive features of the site such as trees, hedges, walls or buildings that contribute to the character of the locality; and (e) provides any necessary screening and landscaping suitable to the character of the locality.

200. The application site is located within the Open Weald Landscape Character Area which is a gently rolling landform with, relative to other areas of Surrey, few trees or woodlands creating an open mixed farmed landscape. According to *'The future of Surrey's landscape and woodlands'*¹⁶ the key characteristics of this landscape character area are:

- Small, irregularly shaped fields are divided by a strong pattern of low square-cut hedges with regularly spaced hedgerow oaks.
- Narrow, winding lanes are also enclosed by low hedges or are sunken within hedge banks.
- Rivers are sunken below the level of the surrounding land and only apparent as a result of occasional riparian alder or willow.
- Small scattered development occurs on higher ground.
- Large scale modern development lies on the flat plain around Gatwick.
- Church towers and old farm buildings provide important focal points in short distance views.

201. The District Council has raised objection to the proposed development. Their firm view is that the development, especially the associated access, equipment and portacabins would appear in stark contrast against the rural character of the area and therefore the Council does not consider that the proposal would maintain the local landscape's open and rural appearance.

202. Natural England, The National Trust, The British Horse Society and Friends of Holmwood Common have not objected to the development on landscape or visual amenity grounds. Similarly, Capel Parish Council and Holmwood Parish Councils have not objected to the proposal on landscape or visual amenity grounds.

203. The application site is to be located on agricultural land which falls gently to the west¹⁷. It does not lie within the Surrey Hills AONB or an AGLV. The application site is not covered by any local, national or higher level nature conservation designations. The closest Sites of Nature Conservation Importance ("SNCI") are the Henfold Lake Fishery SNCI some 650m to the south and the Reffolds Copse SNCI approximately 860m to the south. There are no Ancient Woodlands located within 500m of the application site.

204. The field in which the application site is to be situated is surrounded on all sides by 4m high established and defining hedgerows. Land surrounding the field comprises further

¹⁶ Surrey County Council, 1997

¹⁷ At 72m Above Ordinance Datum ("AOD")

fields and hedgerows interlaced with well maintained agricultural tracks. The nearest residential dwelling is located over 250m to the west of the application site beyond several agricultural buildings. Holmwood Sewage works is located to the north of the application site with the A24 Horsham Road located approximately 1.6km to the west. The Dorking to Horsham railway line is located about 345m to the north of the site's access off Henfold Lane. Henfold Lane is designated part of the Surrey Cycleway.

205. Public bridleway ("BW No.536") runs in a west to east direction starting at Henfold Lane, passing through the area occupied by existing agricultural buildings and continuing to run parallel and adjacent to the application site's southern boundary. Currently, BW No.536 provides vehicular access to the field which would accommodate the application site. Public footpath No. 222 ("PF No. 222"), which runs north to south, crosses the existing agricultural track approximately 130m from its junction with Henfold Lane.
206. The proposal includes for the planting¹⁸ of an additional hedgerow so as to delineate the western boundary of the application site. This hedgerow would run the full width of the existing field so as to join up with the hedgerows which define the northern and southern boundaries of the field.
207. The existing vehicular access point to this wider field branches off public bridleway 536 and runs through the existing 4m high western perimeter hedge. This access point is to be closed by similar hedge planting as vehicle access to the application site is to be gained from the south-western corner of the wider field. Accordingly, a small section of hedgerow within the south-western corner of the wider field would be removed so as to facilitate access to the development.
208. The application site is to be laid to hard surface. The composting windrows to be located on the southern boundary of the application site would be limited to a height of no more than 3m. Green waste will be deposited along the centre of the northern boundary of the site. The two green portacabin style office buildings to be located along the western boundary of the application site would be 2.5m high. A weighbridge, portaloo and four vehicle parking spaces would be situated within the same area of the site. The proposal would also involve the permanent siting and sporadic operation of a loading shovel, excavator and shredding and screening plant along the northern boundary of the application site.
209. The proposal includes provision of a surface water pond on the eastern boundary of the application site. Given the potential for this water body to attract birds and the proximity of the application site to Gatwick Airport the appropriate safeguarding authority was consulted. Gatwick Airport's Aerodrome Safeguarding has not objected to the proposal provided details¹⁹ of the pond have been submitted to and approved by the County Planning Authority before development commences.

¹⁸ 60% hawthorn, 5% spindle, 5% dog rose, 10% field maple, 10% holly, 10% hazel

¹⁹ Pond profiles and dimensions and details of planting

210. The applicant has submitted a Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement in support of the proposal. This work was commissioned by the applicant with a view to surveying the existing trees relevant²⁰ to the proposal; obtaining professional advice in relation to the arboricultural impact of the proposal; preparing a work schedule to British Standard; and developing a tree protection strategy for the duration of the development including any demolition works.
211. The applicant's assessments recommend the removal and replacement of three low quality ash trees due to their proximity to the proposed vehicular access and limited life expectancy. These trees are to be replaced with three oak trees²¹. The assessment also recommends pruning works to two additional trees and concludes that the suggested removal of trees would not impinge on the long-term character and appearance of the locality and therefore the arboricultural impact of the proposal would be minor.
212. The applicant's method statement sets out how the applicant intends to safeguard retained trees both above and below ground and preserve soil structure around newly planted areas for the duration of the development. These measures include tree protective fencing, ground protection and sequencing and supervision. Officers are satisfied that these measures and any associated works can be secured by the imposition of planning conditions.
213. The applicant's Landscape Assessment²² seeks to demonstrate that the proposal is unlikely to have any significant effect on surrounding sensitive receptors including PF No.222 and BW No.536. It concludes that this is mainly a result of the distances between the application site and receptors, the presence of a network of field hedgerow boundaries, the positioning of the application site within a field which itself is defined by established 4m high hedgerows, and the agricultural character of the proposed waste management facility. The assessment acknowledges that the proposed vehicular access point would provide a view into the site but asserts that this view would be narrow and only available at the turning point of the bridleway where it changes direction from north to the east in one direction and from east to north in the other.
214. Having regard to the applicant's Landscape Assessment and considering the revised site layout of the application site which excludes the landscape bund, the County's Landscape Architect has not objected to the proposed development. However, should planning permission be granted in respect of the proposal the following planning conditions have been recommended:

²⁰ Trees on or immediately adjacent to the application site with a stem diameter over 75mm including large shrubs which have amenity value

²¹ 16 – 18cm girth with overall height at 4 – 4.5m

²² Updated in February 2014 to take account of the revised site layout without the landscape bund

- All existing hedges and hedgerows shall be retained unless shown on the approved drawings as being removed. All hedges and hedgerows on and immediately adjoining the application site shall be protected from damage for the duration of works on the site. This shall be to the satisfaction of the County Planning Authority and in accordance with the Arboricultural Method Statement prepared by Chalice Consulting dated 10 February 2014. Any parts of hedges or hedgerows removed without the County Planning Authority's consent or which dies or becomes diseased or otherwise damaged within 5 years following completion of the development shall be replaced as soon is reasonably practicable and in any case not later than the end of the first available planting season with plants of such size and species and in such positions as may be approved in writing by the County Planning Authority.
- Notwithstanding the details provided on Drawings Refs. FFL.SFC.LAY/02 and FFL.SFC/LA/02, no development shall take place until full details of soft landscape works including planting plans, written specifications (stating cultivation and other operations associated with plant establishment); schedules of plants noting species, plant sizes and proposed numbers, densities and an implementation programme has been submitted to and approved by the County Planning Authority in writing. The landscape works shall be carried out in accordance with the approved details.
- No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the County Planning Authority. The schedule shall include details of the arrangements for its implementation. The approved maintenance plan shall be carried out in accordance with the implementation programme.

215. Although the District Council has objected to the development on landscape and visual amenity grounds, Officers do not share their view. The application site is well screened by 4m high established hedgerows on all sides. Further established hedgerows and agricultural buildings surround the application site. The windrows proposed and the portacabins to be located within the application site would be no higher than 3m. Any view of the windrows and plant would be consistent with common agricultural materials and machinery. Although the minimal increase in vehicle movements to and from Swires Farm may be noticeable this would not have any significant affects on visual amenity or the local landscape given the unrestricted imports of agricultural materials currently associated with the landholding.

216. Having regard to paragraphs 200 to 215 above Officers consider that the proposal satisfies policies DC2 and DC3 of the Surrey Waste Plan 2008, policy CS13 of the Mole Valley District Council Core Strategy 2009 and policy ENV22 of the Mole Valley Local Plan 2000. For the purposes of Green Belt policy Officers consider the harm arising from the proposal in respect of local landscape character and visual amenity to be minimal and that this harm can be adequately mitigated by the imposition of planning conditions.

FLOODING AND DRAINAGE

National Guidance

National Planning Policy Framework 2012

Planning Policy Statement 10 - Planning for Sustainable Waste Management 2011

Updated national waste planning policy: Planning for sustainable waste management 2013

Development Plan Documents

Surrey Waste Plan 2008

Policy DC2 – Planning Designations

Policy DC3 – General Considerations

Mole Valley Local Plan 2000

Policy ENV22 - General Development Control Criteria

Policy ENV67 – Groundwater Quality

Mole Valley Core Strategy 2009

Policy CS20 – Flood Risk Management

217. The Framework asserts that planning plays a key role in helping shape places to minimise vulnerability and providing resilience to the impacts of climate change. It advocates that this is central to achieving sustainable development. The Framework also provides technical guidance on flood risk which replaces Planning Policy Statement 25 – Development and Flood Risk.
218. Paragraph 100 of the Framework states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Paragraph 103 states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere.
219. Paragraph 109 of the Framework states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.
220. Consequently, paragraph 120 of the Framework states that in order to prevent unacceptable risks from pollution, planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account.

221. In explaining the separate but complementary relationship between the land-use planning and pollution control regimes PPS10, at paragraph 27, clarifies that, *“...pollution control is concerned with preventing pollution through the use of measures to prohibit or limit the release of substances to the environment to the lowest practicable level. It also ensures that ambient air and water quality meet standards that guard against impacts to the environment and human health. The planning system controls the development and use of land in the public interest and should focus on whether development is an acceptable use of the land, and the impacts of those uses on the development and use of land.”*
222. Paragraph 32 of PPS10 provides further clarification in this respect by stating that, *“It should not be necessary to use planning conditions to control the pollution aspects of a waste management facility where the facility requires a permit from the pollution control authority. In some cases, however, it may be appropriate to use planning conditions to control other aspects of the development. For example, planning conditions could be used in respect of transport modes, the hours of operation where these may have an impact on neighbouring land use, landscaping, plant and buildings, the timescale of the operations, and impacts such as noise, vibrations, odour, and dust from certain phases of the development such as demolition and construction.”*
223. Annex E of PPS10 states that in testing the suitability of sites the CPA should consider the factors listed in the annex and bear in mind the envisaged waste management facility in terms of type and scale, taking account of best available technologies (not involving excessive costs). In terms of water resources, Factor A of Annex E explains that considerations will include the proximity of vulnerable surface and groundwater.
224. Policy DC2 of the SWP states that planning permission will not be granted for waste related development where this would endanger, or have a significant adverse impact, on the setting of land liable to flood. This policy goes on to explain that in assessing each development proposal, due regard will be paid to prevailing national policy and guidance appropriate both to the areas and features of acknowledged importance and the proposed means of dealing with waste, and that this assessment will also take into account whether any significant adverse impact identified could be controlled to acceptable levels.
225. Policy DC3 of the SWP is clear that planning permissions for waste related development will be granted provided it can be demonstrated by the provision of appropriate information to support a planning application that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources. In this particular case the information supporting the proposal must include assessment of (i) the release of polluting substances to land arising from facilities or transport, (iv) the drainage of the application site and the adjoining land and the risk of flooding, (v) groundwater conditions and the hydrogeology of the locality, and (xvi) any health impacts.

226. Policy CS20 of the MVCS states that planning applications will be determined in accordance with the guidance contained within Planning Policy Statement 25 – Sustainable Flood Risk Management. It goes on to advocate the use of sustainable drainage systems and mimicking Greenfield run-off situations.

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

The Development

228. The application site is located within Flood Zone 1 (land with the lowest probability of flooding) and on Weald Clay and therefore is not at risk of flooding at a probability of 1 in 1000 years. It is outside any area covered by a Source Protection Zone or by a Superficial or Bedrock Aquifer. Accordingly, in terms of water resources and flood risk, the development is not proposed to be located within a hydrogeologically sensitive area. However, given the surface area²³ to be occupied by the application site a Flood Risk and Drainage Assessment has been submitted by the applicant in support of the proposal.

229. Although the gentle fall of the land is to the west, the application site is to be regarded so that it falls to the east. The surface soils of the application site are largely impermeable and therefore surface water will runoff to the east without significant infiltration into the ground. The application site is to be hardsurfaced using a combination of crushed concrete and rock. Any overland surface water from the west would be directed around the application site by ditches and would not therefore enter onto the site or flow into the site's surface water drainage system.

230. The principal sources of surface water run-off would comprise rainfall over the area of the application site and effluent from the composting process. Surface water collected in the proposed surface water attenuation pond would be reused to dampen compost windrows and on agricultural fields. However, the principal method for surface water disposal would be by way of evaporation²⁴. The volume of the proposed pond is based on the 1 in 100 year 6 hour storm²⁵. Although rare, it is possible that the proposed pond may overtop under extreme conditions. It is proposed that the pond should be provided

²³ 1.7Ha

²⁴ Typically between 60 – 80% of rainfall collected

²⁵ Volume of pond to be 681m³

with appropriate overflows so that overtopping and damage to the structure is prevented. Such overflow would not present a risk of downstream pollution since it would only occur during periods of extreme rainfall when the dilution of any leachate in the pond would be very high.

231. A number of public objectors have raised concerns with regards to water pollution and leachate passing from the site to the fishing lakes to the south. However, having assessed the proposal the Environment Agency, who are responsible for regulating pollution prevention and control matters, have not objected to the proposal. The District Council's Environmental Health Officers have stated that the requirements for a drainage system for surface and foul water drainage would be covered by condition in the Environment Agency permit and will be managed in accordance with the conditions of such, therefore Mole Valley District Council is satisfied that water pollution will not be an issue in relation to the proposal. Natural England and the County's Ecologist have not raised objection to the development.
232. Notwithstanding the above, the absence of objection from the Environment Agency is subject to the applicant submitting a surface water drainage scheme to the County Planning Authority for approval before any development commences.
233. Having regard to paragraphs 228 to 232 above, Officers consider that the development satisfies policies DC2 and DC3 of the Surrey Waste Plan 2008, policy CS20 of the Mole Valley Core Strategy 2009, and policies ENV22 and ENV67 of the Mole Valley Local Plan 2000. For the purposes of Green Belt policy Officers do not consider that the development would give rise to limited harm in terms of flooding and water resources and that any such harm can be adequately mitigated by the imposition of planning conditions.

ECOLOGY AND BIODIVERSITY

National Guidance

National Planning Policy Framework 2012

Waste Management Plan for England 2013

Planning Policy Statement 10 - Planning for Sustainable Waste Management 2011

Updated national waste planning policy: Planning for sustainable waste management 2013

Development Plan Documents

Surrey Waste Plan 2008

Policy DC2 – Planning Designations

Policy DC3 – General Considerations

Mole Valley Local Plan 2000

Policy ENV22 – General Development Control Criteria

Mole Valley Core Strategy 2009

Policy CS15 – Biodiversity and Geological Conservation

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

- Planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.

238. Paragraph 144 of the Framework states that, in granting planning permission for mineral development, it should be ensured there are no unacceptable adverse impacts on the natural environment.

239. Planning Policy Statement 10 – Planning for Sustainable Waste Management 2011 (“PPS10”) requires the CPA to consider proposals favourably provided they are consistent with the criteria set out in Annex E of PPS10 and the policies of the Surrey Waste Plan 2008 (“SWP”). Similarly, the Updated national waste planning policy: Planning for sustainable waste management 2013 (“updated PPS10”) carries over the requirement for the CPA to assess the likely impacts of the proposed extension of time on the local environment.

240. Annex E of PPS10 states that in testing the suitability of sites the CPA should consider the factors listed in the annex and bear in mind the envisaged waste management facility in terms of type and scale, taking account of best available technologies (not involving excessive costs). In terms of biodiversity Factor D of Annex E explains that considerations will include any adverse effect on a site of international importance for nature conservation (SPA’s, SAC’s and RAMSAR sites) or a site with a nationally recognised designation (SSSI’s or National Nature Reserves). This position is reiterated by the updated PPS10 document.

241. Policy DC2 of the SWP makes clear that planning permission will not be granted for waste related development where this would endanger or have a significant adverse impact on the character, quality, interest or setting of Ramsar sites; SAC’s; candidate SAC’s; SPA’s; potential SPA’s; National Nature Reserves or SSSI’s; ancient semi-natural woodlands; Sites of Nature Conservation Importance (“SNCI”); local nature reserves and non-statutory nature reserves; or Biodiversity Action Plan habitat and species.

242. This policy then goes on to state that in assessing each development proposal, due regard will be paid to prevailing national policy and guidance appropriate both to the areas and features of acknowledged importance and to the proposed means of dealing with waste. The assessment will also take into account whether any significant adverse impact identified could be controlled to acceptable levels.

243. Policy DC3 of the SWP states that planning permission for waste related development will be granted provided it can be demonstrated by the provision of appropriate

information to support a planning application that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources. The information supporting the planning application must include, where relevant, assessment of the following matters and where necessary, appropriate mitigation should be identified so as to minimise or avoid any material adverse impact and compensate for any loss: (xii) the loss or damage to flora and fauna and their respective habitats at the site or on adjoin land including linear or other features which facilitate dispersal of species.

244. Policy ENV22 of the MVLP states that where the principle of development accords with the Development Plan a design and layout will be required which does not significantly harm the amenities of the occupiers of neighbouring properties by reason of adverse environmental impact. Policy CS15 of the MVCS advocates the protection of biodiversity in accordance with European and National legislation and guidance. It states that all water courses, mature hedges and trees within development site should be, as far as practicable, retained, and that planting and other schemes that promote biodiversity will be expected as part of all development schemes.

The Development

245. Phase I Habitat Survey and Protected Species Assessment The application site forms part of a 300ha (3,000,000m²) agricultural holding comprising Swires Farm and Lodge Farm. It is located on established Grade 3 agricultural land currently planted with winter wheat. The application site is surrounded by agricultural fields delineated by agricultural tracks and further hedgerows. The application site is not covered by any local, national or higher level nature conservation designations. The closest Site of Special Scientific Interest ("SSSI") to the application site is the Leith Hill SSSI some 4.1 kilometres to the west. The closest Sites of Nature Conservation Importance ("SNCI") to the application site are the Henfold Lake Fishery SNCI some 650m to the south and the Reffolds Copse SNCI some 860m to the south. There are no Ancient Woodlands located within 500m of the application site.
246. The development proposed has been supported by the submission of a Phase 1 Habitat Survey and Protected Species Assessment undertaken in June 2011. This survey comprises a desk study with regards to the presence of statutory and non-statutory sites within a 5km and 1km radius respectively and consultation with the Surrey Biological Records Centre; a Habitat Survey to establish the presence of habitats and flora in or adjacent to the application site; and a Protected Species Survey.

247. The applicant's assessment concludes that the application site is of low ecological value and that there is no evidence to suggest that protected species are present on site²⁶. Accordingly, the assessment does not advise any further ecological surveys. However, in concluding, the assessment makes a number of recommendations in respect of hedgerows and their root protection areas; retention of field margins; bird-nesting season; dirty water entering drainage ditches; and hedge removal. These measures could be secured by the imposition of planning conditions and informatives on any planning permission granted.
248. Public concern has been raised in respect of the validity and robustness of the applicant's Phase I Habitat Survey and Protected Species Assessment. It has been stated that the assessment should not be used as supporting information because (a) it does not appear to have been carried out over a sufficiently long enough period to establish exactly what wild life is in the area; (b) it fails to identify that very close to the site is the Surrey Bee Keepers Apiary and Henfold Birds of Prey Sanctuary and only makes a small comment about Henfold Fisheries all of which are important wild life centres; (c) the report was compiled by ADAS who had previously acted as agents for the applicant; and (d) the report is now over two years old, this is an appreciable delay, the proposed works have changed and therefore this report is not viable as supporting information.
249. Natural England, the Environment Agency and the District Council have raised no objection to the development proposal on the basis of ecology or biodiversity impacts.
250. The County's Ecologist has assessed the proposal and having regard to the applicant's Phase I Habitat Survey and Protected Species Assessment raised no objection to the proposal. The ecologist has stated that a Phase I Habitat Survey does not have to be carried out over a long period unlike more detailed species surveys which may require repeat visits according to the target species. As a former beekeeper with an interest in birds of prey, the County's Ecologist does not consider that the development would give rise to any adverse impacts including impacts which may affect Henfold Fisheries.
251. Moreover, advice has been sought from Natural England with regards to the age of the applicant's assessment and the validity of the data presented. Natural England recommends that surveys should not be over 2 – 3 years old for medium-high impact scheme developments. Surveys up to 4 years only may be acceptable for low impact schemes as long as the habitats have not changed significantly in that time period. The County's Ecologist considers that the proposal is a low impact scheme, confirms that protected species would not be involved and does not consider that the habitats applicable to the application site or surrounding land have changed since July 2011. Consequently, the County's Ecologist considers the applicant's assessment valid supporting information.

²⁶ With the exception that nesting birds could use the boundary hedgerows, trees, margins and field

252. Having regard to paragraphs 245 to 251 above, Officers consider that the development satisfies policies DC2 and DC3 of the Surrey Waste Plan 2008, policy ENV22 of the Mole Valley Local Plan 2000 and policy CS15 of the Mole Valley Core Strategy 2009. Any harm arising from the development in respect of ecology and biodiversity is considered by Officers to be negligible in respect of Green Belt policy.

METROPOLITAN GREEN BELT

9

National Guidance

National Planning Policy Framework 2012 and its Technical Guidance

Planning Policy Statement 10 - Planning for Sustainable Waste Management 2011

Updated national waste planning policy: Planning for sustainable waste management 2013

Development Plan Documents

Surrey Waste Plan 2008

Policy CW6 – Development in the Green Belt

Policy Context

253. Paragraph 79 of the National Planning Policy Framework (“the Framework”) explains that the fundamental aim of Green Belt policy is to keep land permanently open, whilst paragraph 80 lists the five purposes of Green Belts: to check unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling or derelict and other urban land.

254. Paragraph 81 of the Framework requires local planning authorities to plan positively to enhance the beneficial use of the Green Belt such as looking for opportunities to provide access to and opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity or to improve damaged and derelict land.

255. Paragraph 88 advocates that in considering any planning application the CPA should ensure that substantial weight is given to any harm to the Green Belt, and that very special circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

256. Paragraphs 89 and 90 of the Framework discuss what types of developments are 'appropriate' in Green Belt locations. Waste related development is not included in paragraphs 89 and 90 and therefore, as with previous Green Belt Policy (Planning Policy Guidance 2 – Green Belts), waste related development is 'inappropriate development' in the Green Belt. All development is considered inappropriate in the Green Belt unless falling within the categories set out in paragraphs 89 and 90 of the Framework²⁷.
257. PPS10 states that planning authorities should protect Green Belts but recognise the particular locational needs of some types of waste management facilities and that, in determining planning applications, these locational needs, together with the wider environmental and economic benefits of sustainable waste management, are material considerations that should be given significant weight.
258. However the Government's support for stringent protection against inappropriate development in the Green Belt has been reflected in the updated PPS10 document. The updated policy removes the reference in PPS10 that the CPA should give significant weight towards locational needs and wider environmental and economic benefits when considering waste planning applications in the Green Belt. This means that, under national planning policy, these planning considerations should not be given more significant weight compared to others when the planning application is determined. However the proposal, which is located in the Green Belt, will still need to be considered by the CPA on its individual planning merits having regard to the Development Plan and other material considerations, with the weight to be given on particular planning considerations being for the decision maker, subject to the circumstances of each particular case.
259. Policy CW6 of the Surrey Waste Plan 2008 states that there is a presumption against inappropriate waste related development in the Green Belt except in very special circumstances. Very special circumstances to justify inappropriate development in the Green Belt will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The policy outlines that the following considerations may contribute to very special circumstances: (i) the lack of suitable non-Green Belt sites; (ii) the need to find locations well related to the source of waste arisings; (iii) the characteristics of the site; and (iv) the wider environmental and economic benefits of sustainable waste management including the need for a range of sites.

The Development

²⁷ Fordent Holdings Ltd v SSCLG [2013] EWHC 2844 (Admin)

260. The development proposed comprises inappropriate waste related development in the Green Belt. It concerns the importation of 10,000 tonnes of green waste per annum, the processing of this material by way of plant and its subsequent composting by way of open windrows. Two portacabin style buildings, a weighbridge, four car parking spaces and a portaloo would be sited within the application site. The agricultural field would be laid to hard standing so as to facilitate the development. The field in which the application site is to be located is surrounded on all sides by established 4m high hedgerows. An additional hedgerow would be planted on the western boundary of the application site.

Effect on Openness

261. The development as described would have an adverse impact on the openness²⁸ of the Green Belt compared to the situation that currently exists²⁹. In addition to definitional harm by reason of inappropriateness, Officers consider that the permanent siting of site infrastructure (buildings, weighbridge, and car parking spaces, hard standing) would have the most detrimental effect in this respect.

262. However, Officers consider the characteristics of green waste and compost windrows to be comparable to other common and day-to-day materials seen on agricultural land such as stockpiles of manure and silage. In this respect the applicant has provided details of agricultural imports to the landholding since 2008 which include materials such as farmyard manure, green waste, potash, paper crumble, sewage sludge, stabilised cake, gypsum and lime. Indeed, paragraph C19 of the Surrey Waste Plan 2008 states that windrow composting operations are comparable to agricultural practices. Accordingly, Officers consider that any stockpiles of green waste and compost windrows would have a very limited impact on the openness of the Green Belt.

263. Moreover, it is also true that vehicles, plant and machinery are commonly used and seen on farms whether this be in relation to their repair, servicing or maintenance; tending of arable fields, sheep and cattle; transportation, storage and handling of goods and materials; or maintenance of agricultural tracks, hedgerows and field margins. The range of plant and machinery to be used on the application site would be similar to such agricultural plant and machinery and limited to those necessary to facilitate and affect the composting of green waste. In addition their operation would also be restricted to sporadic operation during weekdays only. Consequently, Officers consider that the plant and machinery proposed to be used as part of the development would have very limited impact on the openness of the Green Belt in this location.

²⁸ The absence of development

²⁹ An arable agricultural field defined by 4m high established hedgerows

264. Accordingly, although Officers consider that the development would have an adverse impact on the openness of the Green Belt this harm is considered to be limited for the reasons given in the preceding paragraphs.

Other Harm

265. The other harms identified throughout this report relate to highways, traffic and access; air quality; noise; landscape and visual impact; flood risk and drainage; and ecology and biodiversity. Officers have attributed weight to the conclusions reached in each of these respective sections of this report relative to Green Belt policy. Officers have also sought to outline any planning conditions which may mitigate any harm arising in these respects. It should be noted that no technical objections have been raised in respect of the proposal by the County Highway Authority; the Environment Agency; Natural England; the County's Landscape, Noise and Ecological Consultants; or the Mole Valley Environmental Health Officer.

The Lack of Suitable Non-Green Belt Sites

266. The applicant's Alternative Site Assessment has identified a number of possible alternative suitable non-Green Belt sites. Eleven alternative sites³⁰ were considered against a range of key criteria and characteristics³¹. The assessment concluded that none of the alternative sites identified would be suitable for reasons including their location within the Green Belt and the proximity of the sites to sensitive receptors. Officers consider that the applicant's assessment has demonstrated why the application site is the most suitable site amongst the 11 surveyed and rejected.

Source of Waste Arisings

267. The applicant's Alternative Site Assessment has demonstrated that there are no facilities within Mole Valley or the immediate surrounding areas to which local contractors can take their green waste for recycling purposes. These contractors currently take their green waste to Mid Surrey Farm, Epsom or Pease Pottage, West Sussex. The applicant's assessment also explains that Mole Valley District Council transport green waste, collected from households within the district, to Pease Pottage which is some 29 miles from Dorking. Officers have no reason to question the

³⁰ Dorking Community Recycling Centre, Dorking; Telephone Exchange, Puttenham; The Stable Yard, Mayford; Land at Ockham; Norley Farm, Cranleigh; Former Chalcraft Garden Centre, Dorking; Auclaye Brickworks, Capel; Rugge Farm, Beare Green; Clockhouse Brickworks, Capel; Reigate Road Quarry, Betchworth; Buckland Sandpits, Buckland.

³¹ Site area > 1ha; located outside Green Belt/AONB; proximity to housing >250m; distance to Dorking; proximity to sensitive sites SNCI/SSSI; proximity of controlled water; proximity to heritage assets; traffic and access; potential land use conflicts

methodology or conclusions of the applicant's alternative site assessment. Accordingly, Officers consider that the proposal would have significant benefits to local contractors and the local environment in terms of reduced fuel costs, reduce miles travelled and reduced carbon dioxide emissions.

Characteristics of the Site

268. The applicant's agricultural land holding amounts to some 300ha of which some 232ha is in arable production and a further 40ha is agricultural grassland. The compost resulting from the proposed waste management facility would be applied at rates of 30 and 15 tonnes/ha per annum respectively. At the said rates the applicant requires a minimum of approximately 7,560 tonnes of compost to be produced from the 10,000 tonnes of green waste to be imported to the application site per annum.
269. The applicant's agricultural land holding is situated on Weald Clay where the soils are heavy and difficult to work. The applicant asserts that using green compost as a soil improver will improve the agricultural and environmental condition of the soils including (i) an improvement in soil structure which may reduce tractor fuel bills as less draught force is required to work the soil thus reducing the carbon foot print of the farms; (ii) a reduction in the need for artificial 'bag' fertiliser; (iii) a reduced risk of soil erosion as water infiltration is improved; (iv) an improvement in soil health; (v) an increase in the natural nutrient supply from the soil from organic processes; and (vi) an overall increase in yields and productivity across the agricultural landholding over time.
270. Although the proposal would not negate the need for the applicant to continue to import lime, manure, potash and artificial fertilisers every year, the applicant would no longer need to procure other imported materials to improve the soils of Swires Farm and Lodge Farm. Accordingly, it is anticipated that the proposal would negate an average of 3,850 HGV movements to and from Swires Farm per annum.
271. The applicant intends producing PAS100 compliant compost which has been sponsored by the Waste and Resources Action Programme and developed by The Composting Association. The PAS100 standard for compost seeks to improve confidence in composted materials among buyers and specifiers, and differentiates between products that are safe, reliable and high performance. PAS100 also provides for a baseline standard for safety and consistency and is complemented by end-use specifications that set out additional limits required for different applications.
272. No compost material is to be sold on a commercial basis and no compost would be carried on any public highway.

273. The wider benefits of the proposed waste management facility are discussed in paragraphs 78 to 113 above and therefore Officer do not intend to rehearse these matters in relation to Green Belt policy. However it should be noted, having regard to the fact that there are no green waste management facilities within Mole Valley, that there is a need to significantly improve the infrastructure provided within Surrey to manage waste and to enable communities to take responsibility for waste produced by them. It is also significant that the County Council remains committed to achieving net self-sufficiency, enabling appropriate development that implements the waste hierarchy and ensuring that the County delivers its contribution to regional waste management.

Green Belt Conclusion

274. There is a clear need to provide recycling facilities in order to achieve sustainable waste management, and there are no grounds to dispute the applicant’s claim that the development is best suited to the application site where the compost would be exclusively used. This is a substantial benefit of the proposal, and, having regard to the limited impact on openness, and the absence of other significantly detrimental effects, it is concluded that the harm arising out of inappropriateness, and any other harm, is clearly outweighed by other considerations³² so as to amount to the very special circumstances necessary to justify the proposal. In this respect, Officers consider that the development satisfies policy CW6 of the Surrey Waste Plan 2008.

HUMAN RIGHTS IMPLICATIONS

275. 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.

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

CONCLUSION

³² The lack of suitable alternative non-Green Belt sites; the proximity of the application site to the source of waste arisings; the characteristics of the application site and the associated agricultural landholding; and the wider economic and environmental benefits of sustainable waste management

277. The application site is to accommodate an inappropriate waste management facility in the Green Belt where planning policies of constraint apply. The proposal includes the change of use of agricultural land and operational development including the siting and use of plant, offices, the laying of a hard surface, and a weighbridge. No more than 10,000 tonnes of green waste would be imported to the facility per annum. The proposal does not include the compositing of any food waste or other similar domestic or commercial putrescible waste materials. For this reason Officers do not consider that the development would attract vermin or scavenger birds, or be of particular concern in relation to odour.
278. This waste is to be derived from local contractors who have no other alternative than to transport their waste outside of the district and Surrey so that it is recycled. The green waste would be composted such that it can be used on the applicant's agricultural landholding as a soil improver thereby negating the importation of other types of soil improvers to the landholding by way of some 3,000 HGV movements per annum. No compost would be sold or transported on the local highway network. The development is to be regulated, in respect of pollution prevention and control matters, by the Environment Agency through their environmental permitting regime. Accordingly, the development would both promote Waste Hierarchy and drive waste up the same in accordance with European and National law and guidance. It would also provide much needed sustainable waste management infrastructure within Surrey and Mole Valley.
279. The waste management facility would be operational from 0730 hours to 1800 hours Monday to Friday and 0730 hours to 1330 hours on Saturdays. No working would be undertaken on Sundays or bank, public or national holidays. No windrow turning, shredding or screening, or importation of green waste would take place on Saturdays when the local rights of way network would most used. In any event the applicant intends erecting appropriate signage where the existing agricultural track crosses BW No. 536 and PF No. 222 warning drivers of the users of the public rights of way. Further signage at the either end of BW No. 536 would also be erected on the days when plant is to be operational warning users of the bridleway of the same. Surrey County Council's Rights of Way Officer is satisfied with the proposal and has therefore not raised objection.
280. According to the County Highway Authority's calculations, the development proposed would increase the overall number of LGV movements on the local highway network by 2 vehicle trips per day which represents a 4% increase in the total number of these types of vehicles, and a 0.01% increase on the total number of vehicles currently using the local highway network. This percentage increase is considered minimal by Officers and the County Highway Authority in terms of highway impact. The hardcore and crushed rock to be imported so as to facilitate preparation of the application site would be undertaken outside of peak traffic times and then only for a limited duration of two weeks.

281. In this respect should planning permission be granted Officers will seek to impose a condition limiting importation to no more than an average of 18 deliveries to the application site per day during the year which is a total of 36 movements per day. Another condition will be imposed limiting all imports to vehicles not exceeding 7.5 tonnes gross vehicle weight.
282. The CHA consider that both Mill Road and Henfold Lane are wide enough for HGVs and LGVs to pass cars at free flow speeds and that both roads have an acceptable geometry to carry moderate flows of smaller goods vehicles. Moreover, the CHA have confirmed that the visibility at the access to the application site off of Henfold Lane and the junction of Mill Road and Henfold Lane meet the required safety standards.
283. In this respect should planning permission be granted Officers will seek to impose a condition limiting site access and egress from/to the north only turning left into the site and right out of the site onto Henfold Lane. Further, vehicles associated with the development would be restricted to using Henfold Lane, Mill Road and the A24 Horsham Road only. Additionally, before any development commences the applicant would be required to submit a highway improvement scheme to the County Planning Authority for approval.
284. Officers consider that these measures, together with other conditions/informatives to be imposed on any permission granted, adequately address the highways, traffic and access concerns raised by the District Council, members of the public, Parish Councils and other organisations. The County Highway Authority has not objected to the development.
285. No technical objections have been raised in respect of the proposal by Natural England; the Environment Agency; Gatwick Safeguarding; Mole Valley District Council's Environmental Health Officer; or the County's Ecologist, Landscape Architect and Noise Consultant. The development has been fully assessed in relation to air quality, noise, flooding and drainage, landscape and visual impact, and ecology and biodiversity and found to be in accordance with Development Plan policy. In these respects, and upon the advice of technical specialists, a range of conditions and informatives are proposed by Officers so as to mitigate the effects of and maintain control of the development.

286. Although similar proposals³³ for green waste composting on Swires Farm have been recommended for refusal in the past, Officers consider that the applicant has adequately addressed these in relation to this proposal as set out in the respective sections of this report.

RECOMMENDATION

287. Officers recommend that planning permission Ref. MO/2013/1382 be **GRANTED** subject to the following conditions and informatives:

Conditions:

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

Drawing: FFL/SFC/LOC/01 - Site Location dated stamped 26 September 2013

Drawing: FFL/SFC/APP/01 - Application Boundary dated February 2013

Drawing: FFL/SFC/TS/01 - Tree Survey dated February 2013

Drawing: FFL/SFC/LA/02 - Hedgerow Planting dated February 2013

Drawing: FFL/SFC/LAY/02 - Operational Layout dated January 2014

Drawing: FFL/SFC/BZ/02 - 250m Buffer Zone dated January 2014

Drawing: F.048/2 - Visibility Splays dated April 2014

Drawing: 7.17m Rigid Vehicle Turn dated April 2014

Drawing: F.048/1A - Road Marking Plan dated April 2014

Drawing: TPP-CC/1143 AR2078 Rev.1 - Tree Protection Plan dated February 2014

Document: Sections 1 to 28 of Revised Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement dated February 2014

Document: Appendices 1 to 5 of Revised Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement dated February 2014

Document: Dust Management Section of Construction Management Plan dated November 2013

Document: Noise Management Section of Construction Management Plan dated November 2013

³³ Refs. MO08/1079 and MO12/0150

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and/or re-enacting that Order with or without modification), no plant, buildings, structures or machinery (other than those expressly authorised by this permission), whether fixed or moveable, shall be stationed, erected, or constructed on the application site without the prior written approval of the County Planning Authority.
3. No more than 10,000 tonnes of green waste shall be imported to the application site per annum. No other types of waste materials shall be imported other than those required to construct the application site. Accurate records of the tonnages of green waste imported to the application site shall be maintained for up to 12 months at any one time and shall be made available to the County Planning Authority upon request.
4. The development hereby permitted shall only operate between 0730 hours to 1800 hours Monday to Friday and 0730 hours to 1330 hours on Saturdays. No working shall be undertaken on Sundays or bank, public or national holidays. No windrow turning, shredding or screening, soil stripping, or importation of green waste shall take place on Saturdays. This condition shall not prevent emergency operations but these are to be notified in writing to the County Planning Authority within 3 working days.
5. No materials associated with the construction of the application site shall be delivered to or accepted at the site outside of 0900 to 1500 hours Monday to Friday and not at all on Saturdays, Sundays, Bank, National or Public Holidays. No vehicles associated with the construction of the application site shall wait on the public highway or at the application site's access before 0900 hours Monday to Friday.
6. The means of access to the application site shall be from Henfold Lane via Mill Road and the A24 only. There shall be no means of vehicular access from Henfold Lane southbound or Blackbrook Road northbound.
7. Vehicles associated with the import of green waste to the Swires Farm site shall enter and leave the site from/to the north and so shall only turn left into the site and right out of the site onto Henfold Lane.
8. There shall be no more than an average of 18 deliveries to the application site per day during the year, which is a total of 36 movements per day, with vehicle delivery movements on any single day not exceeding 100 movements in association with the

import of green waste to the application site. The site operator shall maintain accurate records of the number of delivery vehicles accessing and egressing the site daily for up to 12 months at any one time and shall make these available to the County Planning Authority on request.

9. Vehicles associated with the import of green waste to the application site shall not exceed 7.5 tonnes Gross Vehicle Weight. The site operator shall maintain accurate records of the size of vehicles accessing and egressing the site daily for up to 12 months at any one time and shall make these available to the County Planning Authority on request.
10. Prior to the commencement of the development hereby permitted the proposed modified access off Henfold Lane shall be constructed and provided with visibility zones in accordance drawing number F.048/2. The modified access shall be permanently maintained and the visibility zones shall be kept permanently clear of any obstruction for the duration of the development.
11. Prior to the commencement of the development hereby permitted a highway improvement scheme generally in accordance with drawing number F.048/1A, to provide road markings to guide vehicles through the highest point of the railway bridge, and provide horse warning signs, shall be submitted to the County Planning Authority for approval. The approved details shall be implemented prior to commencement of the development and maintained for the duration of the development as approved.
12. All plant and machinery shall be maintained in accordance with manufacturer's specifications and where reversing signals are used these shall comprise white noise signals as opposed to reversing beepers.
13. All existing hedges and hedgerows shall be retained unless shown on the approved drawings as being removed. All hedges and hedgerows on and immediately adjoining the application site shall be protected from damage for the duration of works on the site. This shall be to the satisfaction of the County Planning Authority and in accordance with the Arboricultural Method Statement prepared by Chalice Consulting dated 10 February 2014. Any parts of hedges or hedgerows removed without the County Planning Authority's consent or which dies or becomes diseased or otherwise damaged within 5 years following completion of the development shall be replaced as soon as is reasonably practicable and in any case not later than the end of the first available planting season with plants of such size and species and in such positions as may be approved in writing by the County Planning Authority.
14. Notwithstanding the details provided on Drawings Refs. FFL.SFC.LAY/02 and FFL.SFC/LA/02, no development shall take place until full details of soft landscape works including planting plans, written specifications (stating cultivation and other operations associated with plant establishment); schedules of plants noting species, plant sizes and proposed numbers, densities and an implementation programme has been submitted to

and approved by the County Planning Authority in writing. The landscape works shall be carried out in accordance with the approved details.

15. No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the County Planning Authority. The schedule shall include details of the arrangements for its implementation. The approved maintenance plan shall be carried out in accordance with the implementation programme.
16. No development shall take place until a surface water drainage scheme for the application site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the County Planning Authority. The drainage strategy should demonstrate the surface water run-off from the undeveloped site following the corresponding rainfall event. The scheme shall also include details of how the scheme shall be maintained and managed after implementation. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed
17. Prior to the commencement of the development hereby permitted the three signs shown on Drawing: FFL/SFC/LA/02 - Hedgerow Planting dated February 2013 shall be erected where the existing agricultural track crosses both public footpath No.222 and public bridleway No.536. These signs shall be maintained at these crossing points for the duration of the development.
18. The location of the compost windrows to be established on the application site shall be in accordance with Drawing: FFL/SFC/LAY/02 and shall not exceed the height of 3m from the operational surface. A height marker shall be erected adjacent to each individual windrow clearly showing this 3m height limit.
19. The development hereby permitted shall not commence until details of the run-off pond have been submitted to and approved in writing by the County Planning Authority. The submitted details shall include profiles and dimensions of the pond and any marginal planting. The details of the pond shall be implemented as approved. No subsequent alterations to the approved pond design are to take place unless first submitted to and approved in writing by the County Planning Authority.
20. Prior to the commencement of the development hereby permitted details of the portacabin style buildings and weighbridge shall be submitted to the County Planning Authority for approval. The details shall include the dimensions and colours of the infrastructure. The details shall be implemented and maintained for the duration of the development as approved.

Reasons:

1. For the avoidance of doubt and in the interests of proper planning.
2. In the interests of local amenity and environment in accordance with Policy DC3 of the Surrey Waste Plan 2008.
3. So as to comply with the terms of the application.
4. So as to comply with the terms of the applicant and in the interests of local amenity and environment in accordance with Policy DC3 of the Surrey Waste Plan 2008.
5. So as to comply with the terms of the applicant and in the interests of local amenity and environment in accordance with Policy DC3 of the Surrey Waste Plan 2008.
6. So that the development does not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy DC3 of the Surrey Waste Plan 2008.
7. So that the development does not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy DC3 of the Surrey Waste Plan 2008.
8. So that the development does not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy DC3 of the Surrey Waste Plan 2008.
9. So that the development does not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy DC3 of the Surrey Waste Plan 2008.
10. So that the development does not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy DC3 of the Surrey Waste Plan 2008.
11. So that the development does not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy DC3 of the Surrey Waste Plan 2008.
12. In the interests of local amenity and environment in accordance with Policy DC3 of the Surrey Waste Plan 2008.

13. In the interests of local amenity and environment in accordance with Policy DC3 of the Surrey Waste Plan 2008.
14. In the interests of local amenity and environment in accordance with Policy DC3 of the Surrey Waste Plan 2008.
15. In the interests of local amenity and environment in accordance with Policy DC3 of the Surrey Waste Plan 2008.
16. So as to prevent the increased risk of flooding, both on and off site in accordance with Policy DC3 of the Surrey Waste Plan 2008.
17. So as to comply with the terms of the application and in the interests of users of the local rights of way in accordance with Policy DC3 of the Surrey Waste Plan 2008.
18. 1So as to comply with the terms of the application and to maintain control over the development in accordance with Policy DC3 of the Surrey Waste Plan 2008.
19. So as to avoid endangering the safe movement of aircraft and the operation of Gatwick Airport through the attraction of birds and an increase in the bird hazard risk of the application site in accordance with Policy DC3 of the Surrey Waste Plan 2008.
20. So as to comply with the terms of the application and to maintain control over the development in accordance with Policy DC3 of the Surrey Waste Plan 2008.

Informatives:

1. The County Planning Authority confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
2. The permission hereby granted shall not be construed as authority to carry out works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a licence must be obtained from the Highway Authority Local Highway Service Group before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-communitysafety/flooding-advice

3. 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).
4. The applicant is advised that Public Bridleway 536 and Public Footpath 222 crosses the application site and it is an offence to obstruct or divert the route of a right of way unless carried out in accordance with appropriate legislation.
5. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or is being built. Planning consent for a development does not provide a defence against prosecution under this Act.

Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity during this period and shown it is absolutely certain that nesting birds are not present.

CONTACT

Dustin Lees

TEL. NO.

020 8541 7673

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

The National Planning Policy Framework 2012

Waste Management Plan for England 2013

Planning Policy Statement 10 - Planning for Sustainable Waste Management 2011

Updated national waste planning policy: Planning for sustainable waste management 2013

The Development Plan

Surrey Waste Plan 2008

Saved policies of the Mole Valley Local Plan 2000

Mole Valley Core Strategy 2009

Other Documents

Town and Country Planning Act 1990

Planning and Compulsory Purchase Act 2004

Town and Country Planning (Environmental Impact Assessment) Regulations 2011


Waste (England and Wales) Regulations 2011

Directive 2008/98/EC

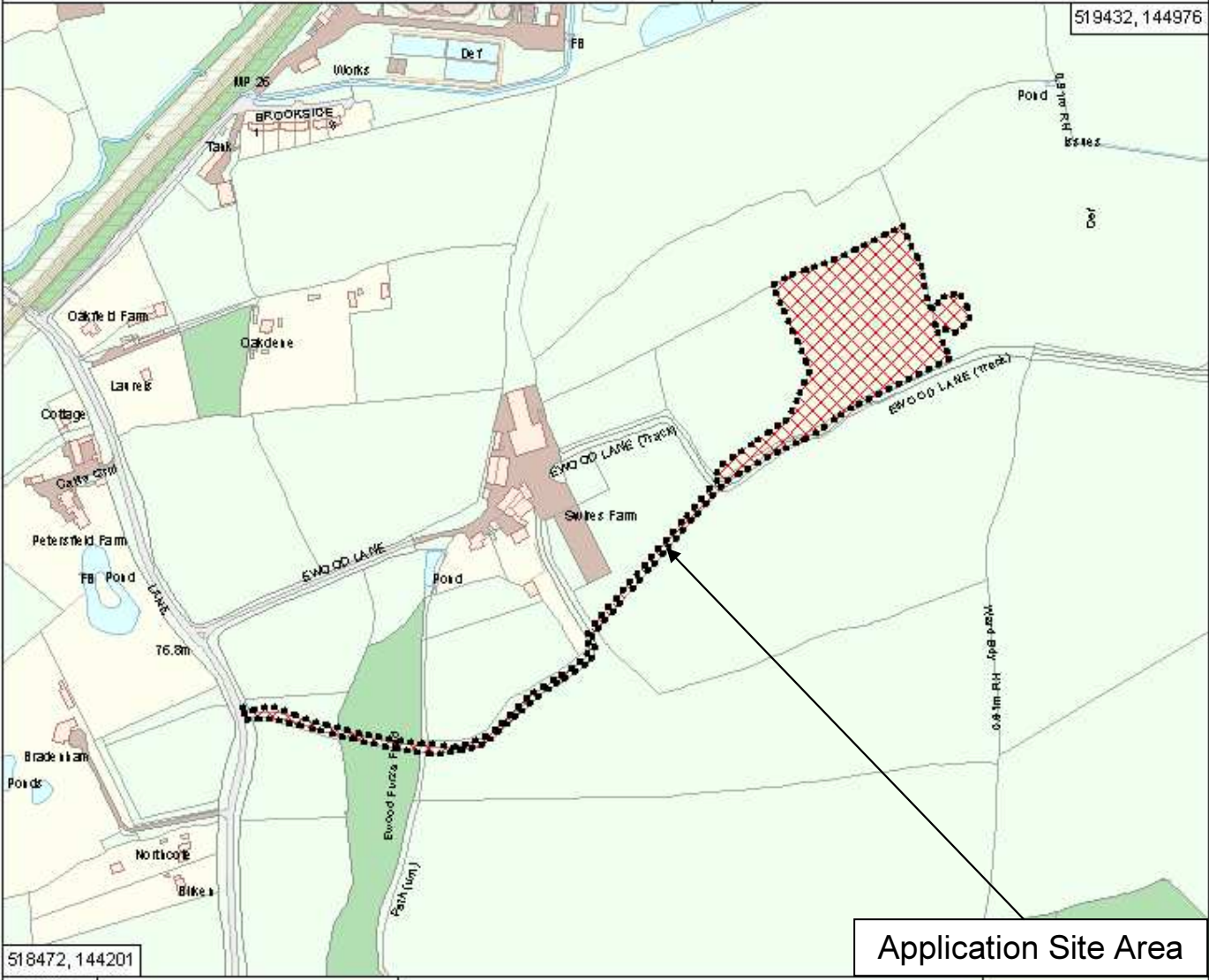
Circular 02/99


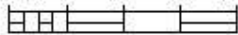
'The future of Surrey's landscape and woodlands', Surrey County Council, 1997

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<p style="text-align: center;">Site Location</p>  <p>Scale 1:50,000</p>	<p>Swires Farm, Henfold Lane, Capel, Surrey RH5 4RP</p> <p>Open windrow composting facility for green waste comprising; hardstanding, landscape bund to southern boundary, weighbridge, 2 portacabin offices, portaloos and internal access road</p>
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<p>© Crown copyright. All rights reserved Surrey County Council, 100019613, 2013</p>	<p>Application No(s): MO/2013/1382/SCC</p> <p>Electoral Division(s): Dorking Rural</p> <p style="text-align: right;">This plan is for indicative purposes only</p>
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 <p>ORD NORTH</p>	<p>Ref No: SCC Ref 2013/0176</p> <p>Date printed: 14/01/2014</p>	<p>0 20 40 80 120 160</p>  <p>Metres</p>	<p>Scale 1:5,000</p>
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Aerial 1 : Swires Farm, Henfold Lane, Capel



Aerial 2 : Swires Farm, Henfold Lane, Capel

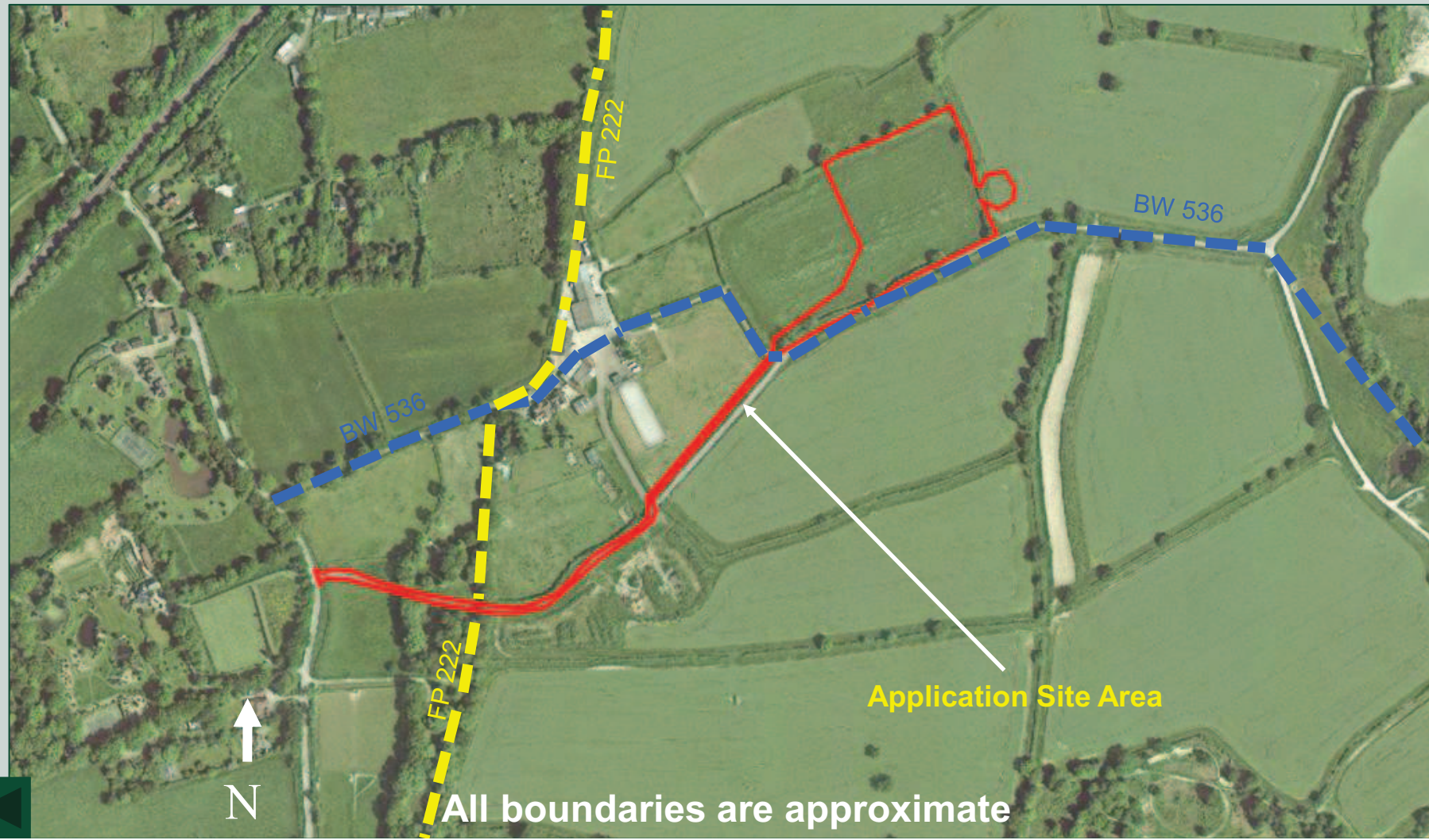


Fig 1 : Start of Existing Agricultural Track off Henfold Lane



Fig 2 : Junction of Agricultural Track
and Henfold Lane looking South



Fig 3 : Junction of Agricultural Track
and Henfold Lane looking North



Fig 4 : Existing Agricultural Track off Henfold Lane



Fig 5 : Gated Access to existing Agricultural Track



Fig 6 : Junction of Proposed Site Access and BW 536



Fig 7 : Proposed Vehicular Access Point to the Application Site



Fig 8 : BW 536 Leading to Existing Vehicular Access to the Application Site



Fig 9 : Eastern Boundary of the Application Site Looking due West



Fig 10 : Three Low Quality Ash Trees to be Removed and Replaced with Three Oak Trees





Fig 11 : Typical Established Unmanaged 4m high Hedgerow



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-  Other Land
-  Application Boundary

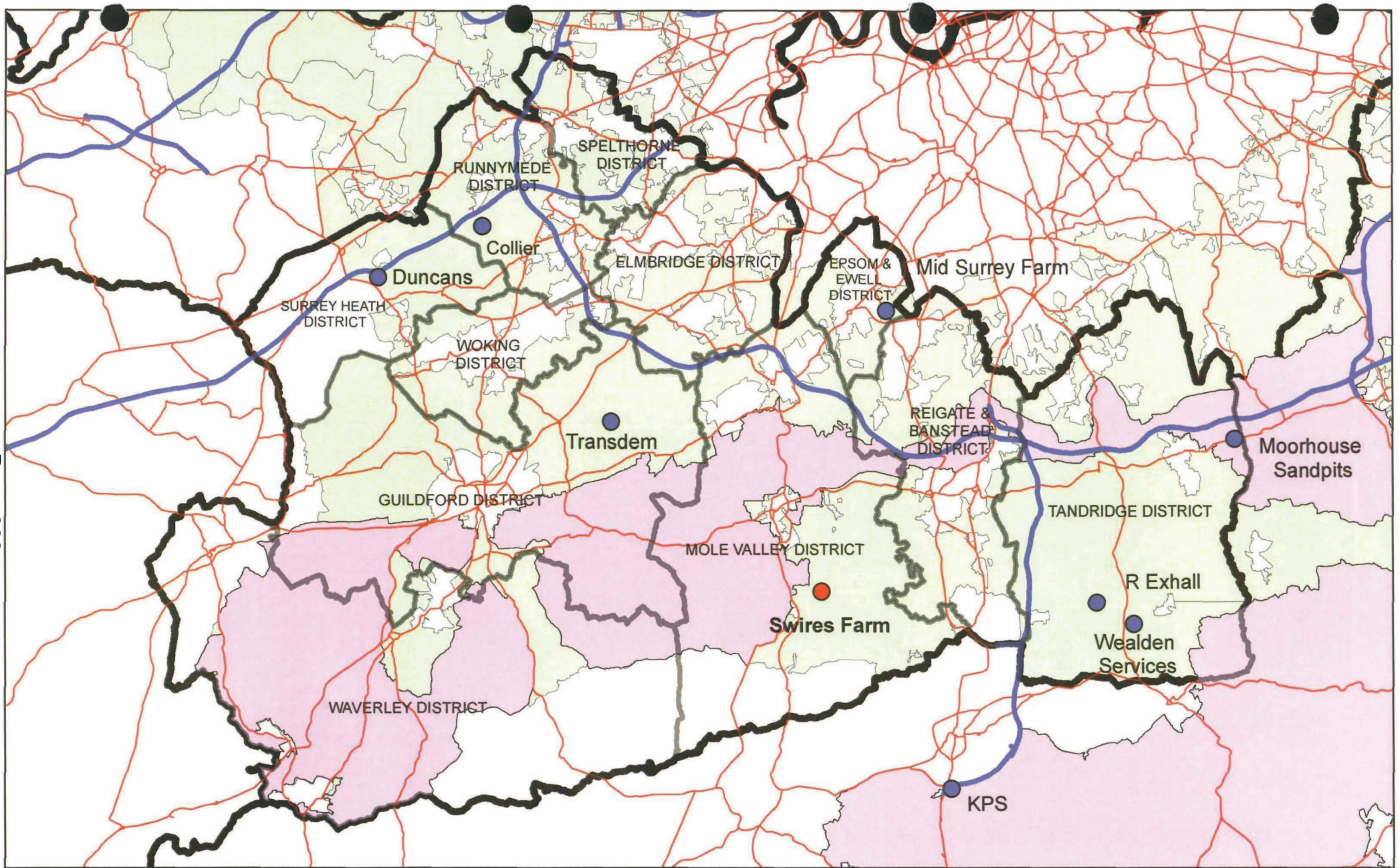
RECEIVED

26 SEP 2013

Minerals Waste & County Development

APPLICATION BOUNDARY	
Client:	Ford Farms Limited
Site:	Swires Farm
DrawingNo:	FFL/SFC/APP/01
Date:	February 2013
Scale:	1:2500

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Client - Ford Farms
 Project - Swires Farm Composting Site
 Figure 1 - Existing Green Waste Sites

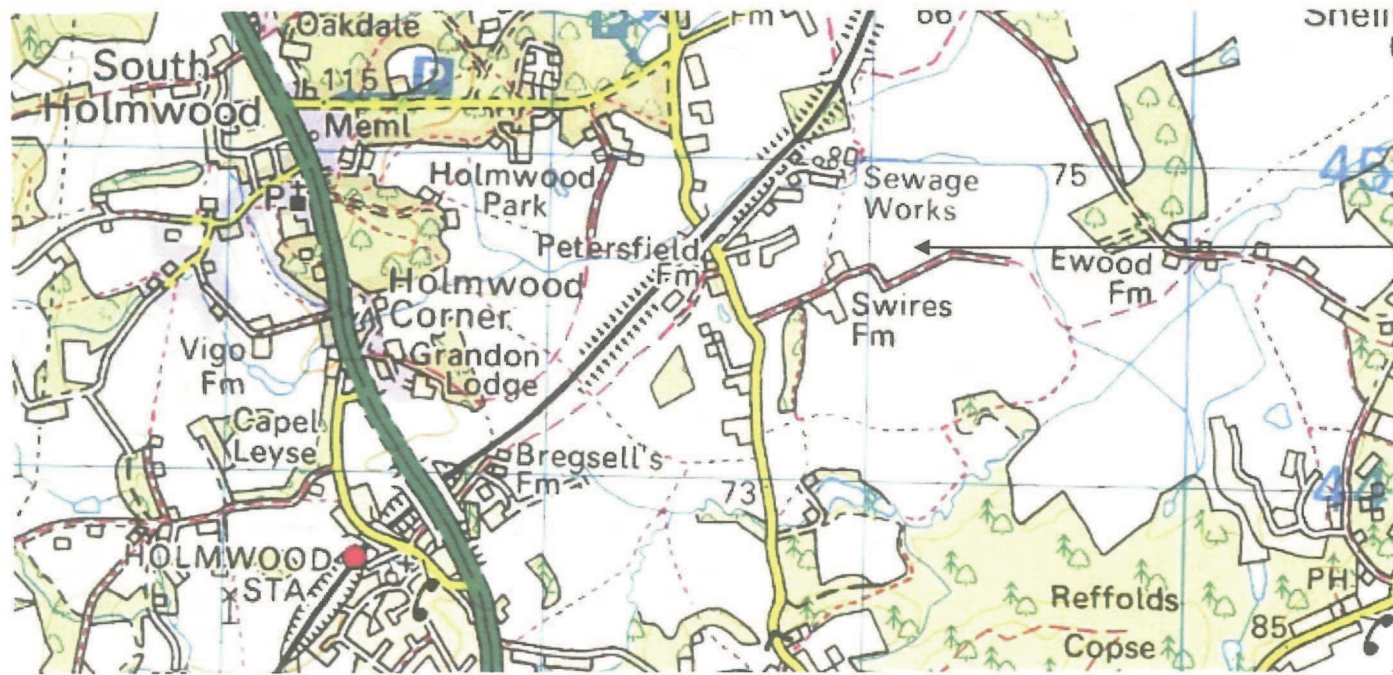
Date: March 2013

- Application Site
- Existing Sites
- AONB
- Green Belt

Integrated Skills Limited
 Bell House
 32 Bell Street
 Romsey
 Hampshire
 SO51 8GW



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The Site

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26 SEP 2013

Minerals Waste & County Development

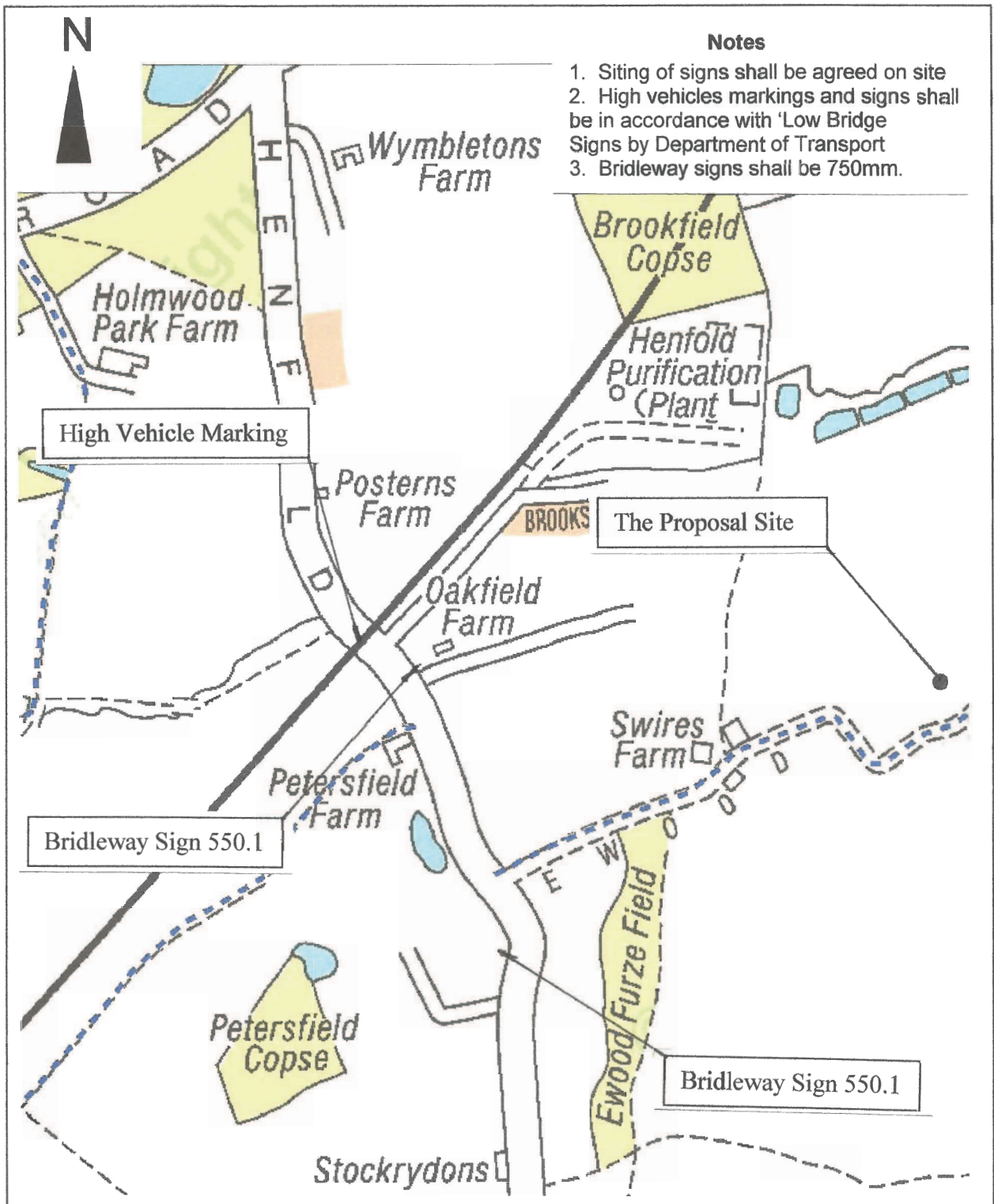
Client – Ford Farms
 Project – Swires Farm
 Site Location
 Drawing No: FFL/SFC/LOC/01
 Scale NTS @ A4



Integrated Skills Limited
 Specialists in Environmental Management

Bell House, 32 Bell Street
 Romsey, Hampshire SO51 8GW
 Tel. 02380 737 983
 E-mail ukinfo@integrated-skills.com
 Web site www.integrated-skills.com

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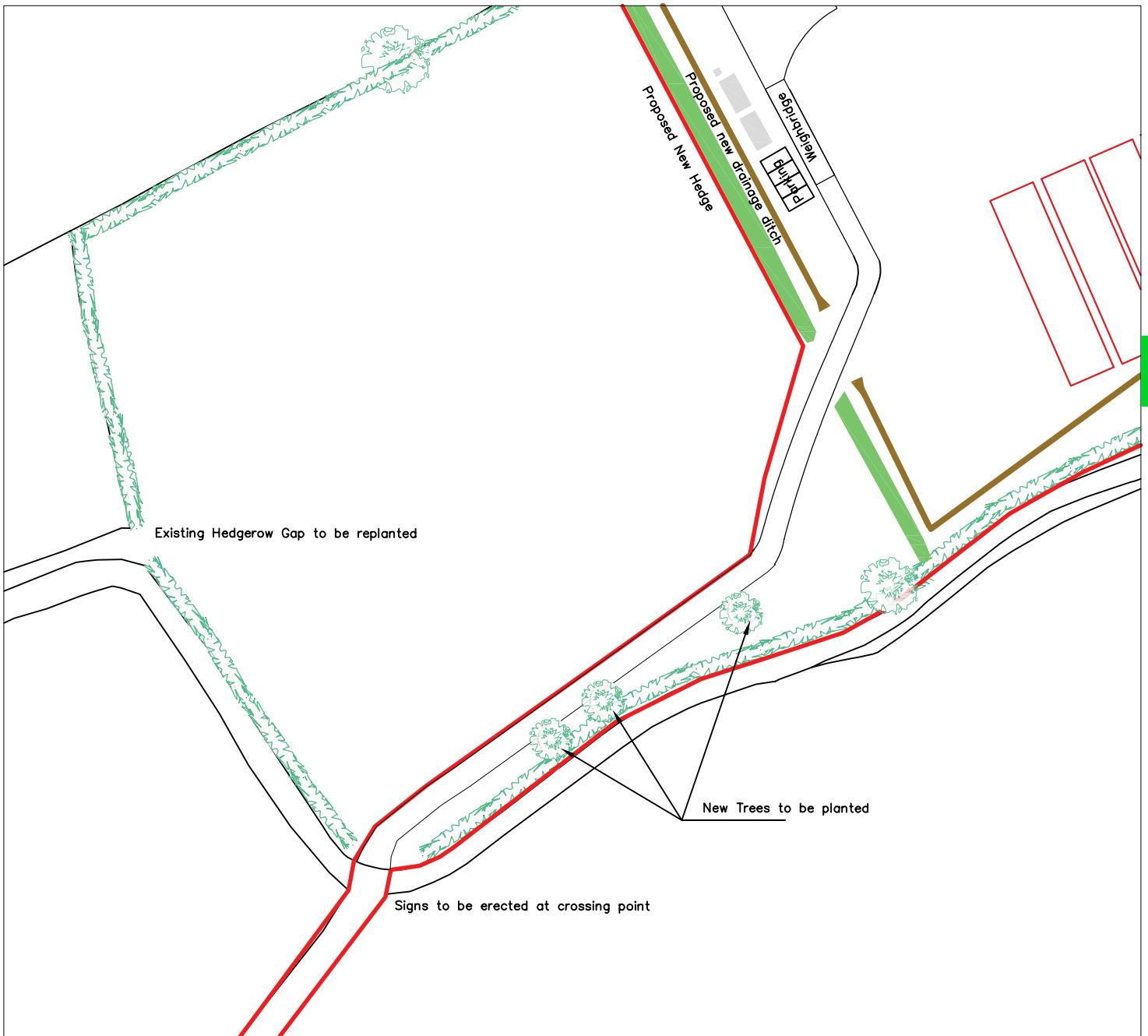


9

A April 2014 Drawing base amended, signs and markings required amended

<p>D M Mason Engineering Consultants Ltd 161 Marlborough Road, Old Town, SWINDON, SN3 1NJ 01793 611712</p>	PROJECT		Swires Farm, Capel, Dorking	
	DRAWING TITLE			Road Marking Plan
	DATE	SCALE	DRAWING No.	
	Apr, 2014	NTS	F.048/1A	
<p>Base mapping by Surrey County Council on OS Base. Reproduced from Ordnance Survey mapping. Crown copyright 2014. Licence no 100019613</p>				

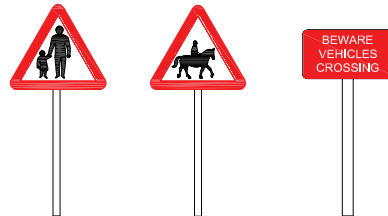
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NOTES:

New hedge to comprise of 60% hawthorn, 5% spindle, 5% dog rose, 10% field maple, 10% hazel and 10% holly .
 3No. Quercus robur 16-18 ANS 4 -4.5m overall height RB

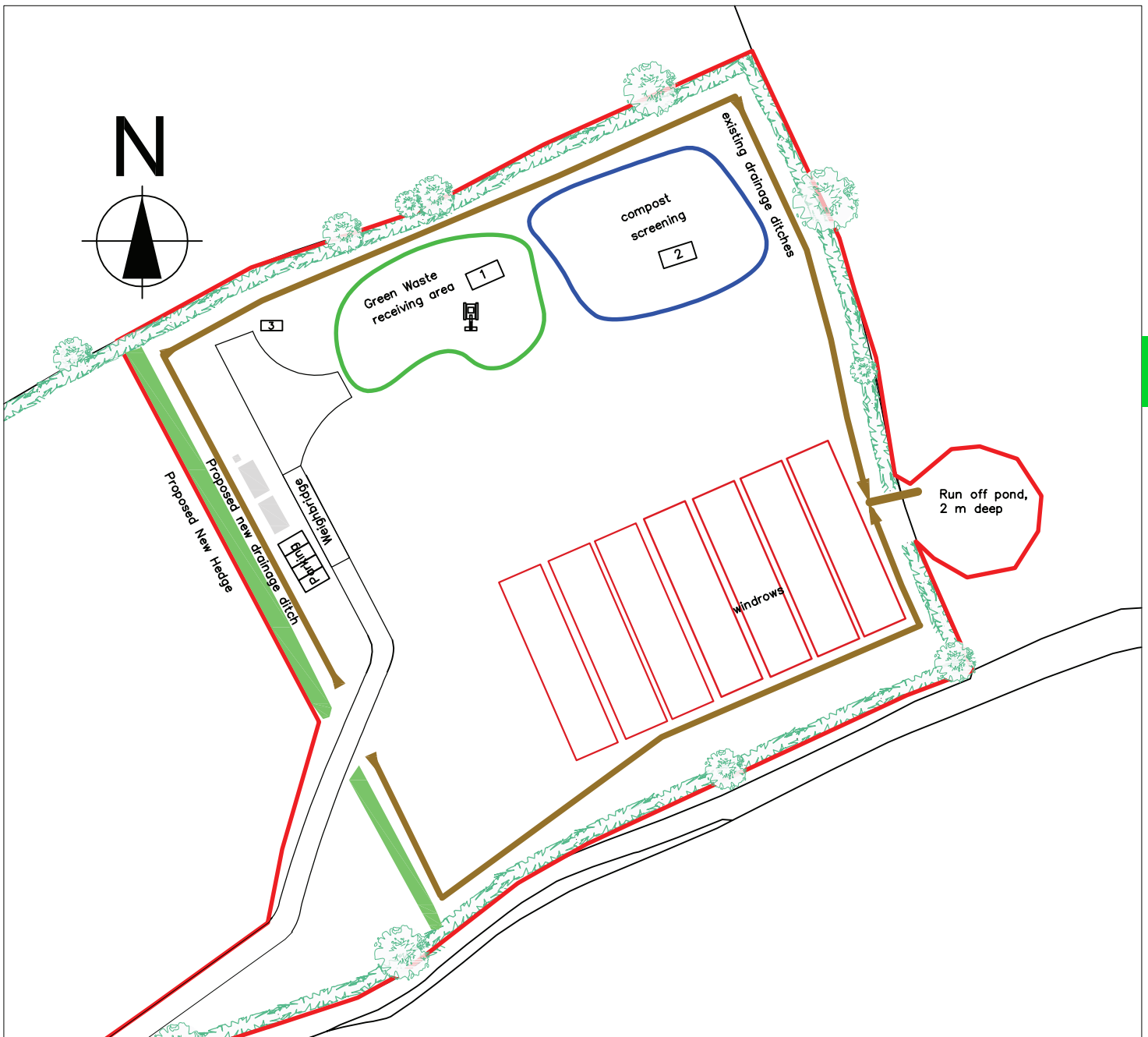
**SIGNAGE FOR CROSSING POINT
 Dft COMPLIANT**



Hedgerow Planting

Client:	Ford Farms Limited
Site:	Swires Farm
Drawing No:	FFL/SFC/LA/02
Date:	February 2013
Scale:	NTS

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NOTES:

Incoming green waste will be shredded (Item 1) prior to placement in the windrow.

Once composting complete, the material will be screened (Item 2) and stored as compost.

Any non compliant material such as plant pots will be placed in a container (Item 3).

New hedge to comprise of 60% hawthorn, 5% spindle, 5% dog rose, 10% field maple, 10% hazel and 10% holly .

OPERATIONAL LAYOUT	
Client:	Ford Farms Limited
Site:	Swires Farm
Drawing No:	FFL/SFC/LAY/02
Date:	January 2014
Scale:	1:1250

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