

**PLANNING AND REGULATORY COMMITTEE
NOTICE OF MEETING**

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

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

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

APPOINTED MEMBERS [12]

Tim Hall (Chairman)	Leatherhead and Fetcham East;
Keith Taylor (Vice-Chairman)	Shere;
Ian Beardsmore	Sunbury Common & Ashford Common;
Mr S Cosser	Godalming North;
Carol Coleman	Ashford;
Jonathan Essex	Redhill East;
Margaret Hicks	Hersham;
Mr D Munro	Farnham South;
George Johnson	Shalford;
Ernest Mallett MBE	West Molesey;
Michael Sydney	Lingfield;
Richard Wilson	The Byfleets;

EX OFFICIO MEMBERS (NON-VOTING) [4]

Sally Marks	Chairman of the County Council	Caterham Valley;
Nick Skellett CB	Vice-Chairman of the County Council	Oxted;
David Hodge	Leader of the Council	Warlingham;
Mr P J Martin	Deputy Leader and Cabinet Member for Economic Prosperity	Godalming South, Milford & Witley;

APPOINTED SUBSTITUTES [19]

Stephen Cooksey	Dorking South and the Holmwoods;
Will Forster	Woking South;
Denis Fuller	Camberley West;
Ramon Gray	Weybridge;
Nick Harrison	Nork & Tattenhams;
Peter Hickman	The Dittons;
David Ivison	Heatherside and Parkside;
John Orrick	Caterham Hill;
Adrian Page	Lightwater, West End and Bisley;
Chris Pitt	Frimley Green and Mytchett;
Fiona White	Guildford West;
Helena Windsor	Godstone;
Chris Townsend	Ashtead;

Register of planning applications: <http://planning.surreycc.gov.uk/>

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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 - 14)

To confirm the minutes of the meeting held on 23 March 2016.

3 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.

4 PETITIONS

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

5 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).

6 MEMBERS' QUESTION TIME

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

7 SURREY COUNTY COUNCIL PROPOSAL EL/2016/0441 - CLEVES COUNTY JUNIOR SCHOOL, OATLANDS AVENUE, WEYBRIDGE, SURREY KT13 9TS

(Pages 15 - 50)

Construction of a one storey building to provide an additional 1FE to the existing School, with associated proposed landscaping, hard play and additional parking. In addition, construction of an extension to the existing dining hall and extension to separate

classroom block.

8 MINERALS/WASTE SP14/01125/SCD1 - LAND AT OAKLEAF FARM, HORTON ROAD, STANWELL MOOR, SURREY TW19 6AP (Pages 51 - 88)

The construction and use of a recycling, recovery and processing facility for construction and demolition waste on a site of approximately 9.4 hectares comprising: MRF building, site office and workshop; wheel wash and two weighbridges; lorry and car parking area; storage areas; site entrance and access road; and landscaping bunds without compliance with Condition 2 and 4 of planning permission ref: SP/14/01125/SCC dated 13/03/2015 to allow operational flexibility for the access and egress of vehicles based at the site.

9 PLANNING REVIEW - IMPLEMENTATION PLAN TASK: REVIEW OF COMMITTEE/DELEGATED REPORT FORMAT (Pages 89 - 110)

The recommendation is that the Planning and Regulatory Committee note the contents of the report and outcome of the review of the report format and endorse the revised committee/delegated report format.

10 DATE OF NEXT MEETING

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

David McNulty
Chief Executive
Thursday, 7 April 2016

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. Please liaise with the council officer listed in the agenda prior to the start of the meeting so that 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 23 March 2016 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 Tim Hall (Chairman)
Mr Keith Taylor (Vice-Chairman)
Mr Ian Beardsmore
Mr Steve Cosser
Mrs Carol Coleman
Mr Jonathan Essex
Mrs Margaret Hicks
Mr David Munro
Mr George Johnson
Mr Ernest Mallett MBE
Mr Michael Sydney
Mr Richard Wilson

73/16 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

There were no apologies for absence.

74/16 MINUTES OF THE LAST MEETING [Item 2]

The Minutes were approved as an accurate record of the previous meeting held on 24 February 2016.

75/16 PETITIONS [Item 3]

No petitions were received.

76/16 PUBLIC QUESTION TIME [Item 4]

No public questions were received.

77/16 MEMBERS' QUESTION TIME [Item 5]

No Member questions were received.

78/16 DECLARATIONS OF INTERESTS [Item 6]

7. SURREY COUNTY COUNCIL PROPOSAL SP15/01590/SCC: Grazing Land opposite Ford Close, Kingston Road, Ashford, Surrey TW15 3SL [Item 7].

Mr Ian Beardsmore, Non Pecuniary, in that this issue had been raised at Spelthorne Council meetings and he was also a Member of the Fire and Rescue Advisory Group. Advice had been sought and he would remain and take part in the meeting.

7. SURREY COUNTY COUNCIL PROPOSAL SP15/01590/SCC: Grazing Land opposite Ford Close, Kingston Road, Ashford, Surrey TW15 3SL [Item 7].

Mr Richard Wilson, Non Pecuniary, in that he was also a Member of the Fire and Rescue Advisory Group.

79/16 SURREY COUNTY COUNCIL PROPOSAL SP15/01590/SCC: GRAZING LAND OPPOSITE FORD CLOSE, KINGSTON ROAD, ASHFORD, SURREY TW15 3SL [Item 7]

Declarations of Interest:

Mr Ian Beardsmore declared a Non-Pecuniary interest in that this issue had been raised at Spelthorne Council meetings and he was also a Member of the Fire and Rescue Advisory Group. He had sought advice and would remain and take part in the meeting.

Mr Richard Wilson declared a Non Pecuniary interest in that he was also a Member of the Fire and Rescue Advisory Group.

Officers:

Alan Stones, Planning Development and Control Team Manager

Alex Sanders, Principal Planning Officer

Nancy El-Shatoury, Principal Solicitor

Caroline Smith, Transportation Development Planning Team Manager

Scott Dickson, Transportation Development Planning Officer

Speakers:

No one had requested to speak on this item.

Key points raised during the discussion:

1. The Planning Officer introduced the report and the update sheet tabled at the meeting and appended to these minutes. A revised Noise Impact Assessment had been submitted with further information which could allow for training to take place in the evenings. Condition 24 was therefore amended to reflect this. Additional noise conditions were also added in order to further protect residential amenity.
2. Several Members raised concerns about access to the site for pedestrians and vehicles. It was questioned whether there should be a formal crossing on the A308 at the roundabout and that Spelthorne Local Committee may wish to look at this. Members also requested that access to the site via the Thames Water access road be secured legally before any works take place. The Planning Officer undertook to add a condition. In response to concerns raised about the right hand turn and potential illegal access of the site, the Planning Officer drew Members' attention to the condition requiring the applicant to provide an access management plan and the highways officer stated that it might be possible to design the gap to make it difficult to make an illegal right turn.
3. A few Members raised issues of increased standing water and flooding at this site and questioned future flood proofing of the area and any proposals to mitigate this. The Planning Officer highlighted the areas where permeable materials would be used and reported that the Environment Agency advised that the station would not exacerbate the standing water issue. There would be a drainage strategy in place and a condition could be placed to ensure the access was designed with drainage to prevent water getting onto the highway. With regards to future safeguarding against flooding the Planning Officer stated that the authority took advice from the Environment Agency. She explained that the recommended condition reflected the lowest floor level

acceptable to the Agency, while the actual proposed floor level in the scheme was higher than that. Members also requested that Condition 18 be strengthened to set the finished floor level at 14.20AOD, the proposed level

4. Members requested that condition 9 be strengthened and should state that a minimum of seven trees be replanted.
5. A Member raised concerns about noise for the staff in the station to which the Planning Officer responded that this would be dealt with by building regulations.
6. In response to Members queries regarding archaeological finds both inside and outside of the trenches the Planning Officer reported that all finds needed to be recorded and made public. Under the terms of the agreed written scheme of archaeological investigation, The applicant was required to maintain communication with the archaeologist.
7. In response to a Member query regarding riparian responsibilities the Planning Officer confirmed that Surrey County Council as the owner had riparian responsibilities and had to ensure clearance of the water way.
8. In response to Member queries about the need for this station the Planning Officer explained that the current stations and their accommodation were not suitable for future use.
9. The Planning Officer responded to a query regarding contamination saying that pre-commencement conditions would deal with this.

RESOLVED:

That, subject to referral to the Secretary of State, application no. SP15/01590/SCC be **PERMITTED** subject to the revised conditions and the reasons set out in the update sheet and the following;

That condition 9 be amended to state that a minimum of 7 trees would be planted.

That an additional condition be imposed to ensure that access to the site was designed with drainage to prevent water getting onto the highway.
Reason: To reduce possible standing water/flooding of highway and maintain good drainage.

That access to the site via the Thames Water access road be secured by a condition to development until a legal agreement was in place allowing access by way of the Thames Water access road.
Reason: To ensure that the development does not go ahead unless the access strategy to the site, limiting the use of right turns across the A308 dual carriageway, can be delivered

That condition 18 be amended to state that the finished floor level should be set no lower than 14.20AOD not 13.77AOD.

That an additional informative be added that the Spelthorne Local Committee be asked to look into the possibility of improving the pedestrian crossing at the A308 junction with the Ford Bridge roundabout.

Action/further information to be provided:

None

80/16 SP/15/01184/SCC (SCC REF 2015/0146): OAKLEAF FARM WASTE RECYCLING FACILITY, OAKLEAF FARM, HORTON ROAD, STANWELL MOOR, SURREY TW19 6AF [Item 8]

Officers:

Alan Stones, Planning Development and Control Team Manager
Duncan Evans, Planning Officer
Nancy El-Shatoury, Principal Solicitor

Speakers:

No one had requested to speak.

Key points raised during the discussion:

1. Further to Minute 68/15, where the decision on this item was deferred for a site visit, the Planning Officer introduced the addendum report and informed the Committee that the area had been designated suitable for waste and recycling usage. There was a shortfall in aggregate recycling targets which the concrete crusher would assist in improving meeting those targets.
2. One Member stated that whilst they had no issue with the concrete crusher that they had issues about the whole site. Those issues included overdevelopment and inappropriate usage for green belt land.
3. Some Members that had visited the site stated that site was appropriate and well managed with good access. The owner had explained the need for the crusher, shown its intended location and explained how the crusher would increase recycling. The owner had converted the site in a proper manner and some Members thought that the quality of this site should be used as a benchmark for future applications.
4. In response to Members concerns about dust management the Planning Officer explained that there was a dust action plan for the site and the conditions laid down in 2009 would be applied. Stockpile heights of 6 m would be maintained.
5. In response to a Member query about re-instating the land, in future, to green belt and removing any hard-standing the Planning Officer reported that under Planning Policy the Council could not insist on re-instatement.

RESOLVED:

That application no. SP/15/01184/SCC (SCC Ref 2015/0146) be **PERMITTED** subject to the revised conditions and the reasons set out in the report.

Action/further information to be provided:

None

81/16 MINERALS/WASTE SP/15/00929/SCC: OAKLEAF FARM WASTE RECYCLING FACILITY, OAKLEAF FARM, HORTON ROAD, STANWELL MOOR, SURREY TW19 6AF [Item 9]

Officers:

Alan Stones, Planning Development and Control Team Manager

Duncan Evans, Planning Officer
Nancy El-Shatoury, Principal Solicitor

The discussion in relation to this item is recorded under item 8.

RESOLVED:

That application no. SP/15/00929/SCC be **PERMITTED** subject to the conditions and reasons set out in the report.

Action/further information to be provided:

None.

82/16 DATE OF NEXT MEETING [Item 10]

The next Planning and Regulatory Committee will be held on Wednesday 20 April 2016.

Meeting closed at 11.47 am

Chairman

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UPDATE SHEET**SURREY COUNTY COUNCIL PROPOSAL SP15/01590/SCC****DISTRICT(S)** SPELTHORNE BOROUGH COUNCIL**Grazing Land opposite Ford Close, Kingston Road, Ashford, Surrey TW15 3SL**

Construction of new single storey fire station with access from A308 Staines Road West, incorporating two double appliance bays, dormitories with ancillary facilities, office accommodation, operational areas and store rooms; drill tower and smoke house; proposed hard standing for training, car parking and refuelling point for appliances; associated generator and oil storage tank; retention of existing rail timber fencing on north and eastern boundary of the site and the erection of 3m high acoustic fencing on the south, west and part of the northern boundaries.

Amending Documents (Since report published)

- Noise Impact Assessment dated 11 March 2016
- DWG No: 7834.P.205 Rev P3, Planning Drawing – Hard Landscaping dated 11/03/2016

Paragraph 73, add:

The Noise Consultant has assessed the updated Noise Impact Assessment and advises that evening training in the middle and left of the training area would be acceptable but recommends conditions restricting the training hours (see condition 24), restricting the training area (see condition 24), restricting the use of the siren (see paragraph 72) and ensuring that the barrier at the front of the site to the west of the building is maintained (see condition 9 and 10). Officers are therefore satisfied that training in the evenings up until 22.00 would not result in an adverse impact upon residential amenity subject to the suggested conditions and would accord with development plan policy.

RECOMMENDATION

All conditions have been re-ordered and titles added (appended to this update sheet)

- Conditions 7, 25, 27 and 28 are additional conditions and Condition 24 has been amended to extend the training hours until 22.00 Monday – Saturday.
- Informative 9 has been added

Conditions:

IMPORTANT - CONDITION NO(S) [3,9,13,14,15,16,20,21,23] MUST BE DISCHARGED PRIOR TO THE COMMENCEMENT OF THE DEVELOPMENT.

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:

DWG No: 7834.P.100 Rev P1, Location Plan dated 01/10/15
 DWG No: 7834.P.101 Rev P1, Site Plan - As Existing dated 24/09/15
 DWG No: 7834.P.102 Rev P1, Existing Site - Design Constraints dated 24/09/15
 DWG No: 7834.P.201 Rev D, Site Plan - As Proposed dated 27/08/15
 DWG No: 7834.P.202 Rev P1, Site Plan - Environmental Issues dated 24/09/15
 DWG No: 7834.A.205 Rev BQ2 Site Constraints and Issues dated 23/09/15
 DWG No: 7834.P.205 Rev P2, Planning Drawing - Hard Landscaping dated 03/02/16
 DWG No: 7834.P.206 Rev P1, Planning - Soft Landscaping dated 22/09/15
 DWG No: 7834.P.210 Rev P1, Planning Drawing - Ground Floor Plan dated 22/09/15
 DWG No: 7834.P.211 Rev P1, Planning Drawing - Roof Plan dated 22/09/15
 DWG No: 7834.P.212 Rev P2, Planning Drawing – Elevations dated 03/02/16
 DWG No: 7834.P.213 Rev P2, Planning drawing – Cross Sections dated 03/02/16
 DWG No: 7834.P.214 Rev P2, 3D Images dated 03/02/16
 DWG No: P3206-E-00-1010 Rev C, External Lighting LUX level Plan dated 29/01/16
 DWG No: 5434/100 Rev B, Site Layout Drainage dated June 2015
 DWG No: 150446-05, Visibility Splays received 06/01/2016
 DWG No: Q10452-01 Rev C, General Arrangement Fire Tower and Smoke House dated 10/09/15

Highways

3. Prior to the commencement of the development hereby permitted, the proposed vehicular access to Kingston Road (A308) shall be constructed in accordance with the approved Motion Transport drawing no. 150446-03 Revision B. These details shall be maintained in perpetuity for the duration of the development.
4. The development hereby permitted shall not be first occupied unless and until the proposed gap in the Kingston Road A308 central reservation has been constructed and provided with wig wags and associated infrastructure in accordance with the approved Motion Transport drawing numbered 150446-03 Revision B, all to be permanently retained. The wig wag signals shall not operate for more than 50 seconds for any single event.
5. The development hereby permitted shall not be first occupied unless and until the right turn ban order has been created for the proposed gap in the central reservation, and associated signs have been provided on the ground in accordance with a revised scheme which has first been submitted to and approved in writing by the County Planning Authority. Only the approved details shall be implemented.
6. The development hereby permitted shall not be first occupied unless and until an Access Management Plan has been submitted to and approved in writing by the County Council Planning Authority. Details shall include formal training on the use of the Thames Water access road. Only the approved details shall be implemented.
7. The Thames Water Access Road shall only be used for 'on-call' staff responding to an emergency call and for Appliances returning to the Fire Station.

8. The development hereby permitted shall be carried out in strict accordance with the Framework Construction Traffic Management Plan received 10 February 2016.

Landscaping and Ecology

9. Prior to the commencement of the development hereby permitted, full details of soft landscaping works including planting plans, written specifications (stating cultivation and other operations associated with plant and grass establishment), schedules of plants noting species, plant sizes and proposed numbers/densities, details of new habitat created on site, details of treatment of site boundaries and or buffer zones around watercourses and an implementation programme has been submitted to and approved in writing by the County Planning Authority. These details shall include proposed finished levels, means of enclosure and hard surfacing materials (where appropriate). Only the approved details shall be implemented.
10. Prior to the occupation of the development hereby permitted, a Landscape and Ecology Management Plan (LEMP) shall be submitted to the County Planning Authority for approval in writing. The content of the LEMP shall include the following:
- a) Description and evaluation of all features to be managed including a compartment plan showing all landscape areas and cross sections
 - b) Ecological trends and constraints on site that might influence management
 - c) Aims and objectives of management and working method statement
 - d) Appropriate management options to achieve aims and objectives
 - e) Prescriptions for management actions
 - f) Preparation of work and/or maintenance schedule for all landscape areas both new and existing (including an annual work plan capable of being rolled forward on a five-year period)
 - g) Details of the body or organisation responsible for implementation of the plan
 - h) Ongoing monitoring and remedial measures

The LEMP shall also include details of the legal and funding mechanisms by which the long term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results of monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. Only the approved details shall be implemented.

11. The proposed development shall be carried out in strict accordance with sections 6 - 12 of the Arboricultural Method Statement submitted with the application.
12. Before any equipment, machinery or materials are brought onto the site for the purposes of carrying out the development hereby permitted, the tree protective fencing shall be erected in accordance with drawing Tree Protection Plan (DWG: TPP-02 Rev A) within Appendix 4 of the Arboricultural Method Statement submitted with the application. The tree protective fencing shall remain in situ for the duration of the construction of the development hereby permitted. For the duration of works on the site no materials, plant or equipment shall be placed or stored within the protected area.

SuDs, Drainage and Flood Risk

13. Prior to the commencement of the development hereby permitted, confirmation of ground water levels and a ground contamination report shall be submitted to and approved in writing by the County Planning Authority. The finalised drainage scheme shall then be designed in accordance with these results.

14. Prior to the commencement of the development hereby permitted, further details to demonstrate how the Sustainable Drainage System will cater for system failure or exceedance events, both on and offsite, shall be submitted to and approved in writing by the County Planning Authority. Only the approved details shall be implemented.
15. Prior to commencement of the development hereby permitted, details of the ownership and maintenance of the SuDs features shall be submitted to and approved in writing by the County Planning Authority. Only the approved details shall be implemented.
16. Prior to the commencement of the development hereby permitted, details of how the Sustainable Drainage System will be protected and maintained during the construction of the development shall be submitted to and approved in writing by the County Planning Authority. Only the approved details shall be implemented.
17. Prior to the occupation of the development hereby permitted, a verification report carried out by a qualified drainage engineer shall be submitted to and approved in writing by the County Planning Authority to demonstrate that the Sustainable Urban Drainage System has been constructed as per the agreed scheme.
18. The finished floor levels of the building hereby permitted shall be set no lower than 13.77m AOD.
19. The development shall be carried out in strict accordance with sections 3 and 4 of Flood Risk Assessment ref: 5434/2.3, dated June 2015.

Contamination

20. The development hereby permitted shall not commence unless the following details relating to ground contamination have been provided:
 - (i) A comprehensive desk-top study, carried out to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site has been submitted to and approved in writing by the County Planning Authority.
 - (ii) where any such potential sources and impact have been identified, a site investigation has been carried out to fully characterise the nature and extent of any land and/or groundwater contamination and its implications. The site investigation shall not be commenced until the extent and methodology of the site investigation have been agreed in writing with the County Planning Authority.
 - (iii) a written method statement for the remediation of land and/or groundwater contamination, affecting the site shall be agreed in writing with the County Planning Authority prior to the commencement of any remediation. The method statement shall include an implementation timetable and monitoring proposals and a remediation verification methodology. The site shall be remediated in accordance with the approved method statement, with no deviation from the statement without express written agreement with the County Planning Authority.
21. Prior to the commencement of the development hereby permitted, a written method statement outlining the mitigation of ground gas risks shall be submitted to and approved in writing by the County Planning Authority. Only the approved details shall be implemented.
22. Prior to the occupation of the development hereby permitted, and on completion of the agreed contamination remediation works, a validation report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the County Planning Authority.

Air Quality

- 23. Prior to the commencement of the development hereby permitted, a Dust Management Plan and Construction Environmental Management Plan shall be submitted to and approved in writing by the County Planning Authority. Only the approved details shall be implemented.

Noise

- 24. External training shall only take place within the 'middle' or 'left' gated training areas as shown within the MACH Acoustics Noise Impact Assessment, dated 11 March 2016 and only between the hours of 07.00 to 22.00 Monday to Friday, 08.00 to 22.00 on Saturdays and at no time on Sundays, Public, Bank or National Holidays. There shall be no training in the 'right' area as shown within the MACH Acoustics Noise Impact Assessment.
- 25. There shall be no use of the car cutting drill between the hours of 19.00 - 07.00 and at no time on Sundays, Public, Bank or National Holidays.
- 26. No testing of the vehicle audible warning devices shall be undertaken on Saturdays, Sundays, Public, Bank or National Holidays unless on the muted 'quiet mode'.
- 27. All fixed plant shall be operated to achieve a noise level of 10dB below the lowest measured background noise levels as set out within Section 6 of the MACH Noise Impact Assessment dated 11 March 2016.
- 28. No systems required in the development hereby permitted for the purpose of announcements or issuing operational alarms to staff on site shall be installed unless the details, including any measures to limit the noise impact when background noise levels are low, have first been submitted to and approved in writing by the County Planning Authority.
- 29. In carrying out the development hereby permitted, no construction activities shall take place except between the hours of 07.30 and 18.00 between Mondays and Fridays and between 8.00 and 13.00 on Saturdays. There shall be no working on Sundays or bank and public/national holidays.

Materials

- 30. The new building hereby permitted shall not be constructed above finished ground floor level unless and until details and samples of the materials to be used on the external surfaces of the development have first been submitted to and approved in writing by the County Planning Authority. Only the approved details shall be implemented.

Archaeology

- 31. The proposed development shall be carried out in strict accordance with the Written Scheme of Investigation for an Archaeological Strip, Map and Sample dated November 2015 and any further requirements of the County Archaeologist as a result of the above works.

Lighting

- 32. The angle tilt of the luminaires on the proposed lighting as shown on drawing P3206-E-00-1010 Rev C, External Lighting LUX level Plan dated 29/01/16, shall be fixed in the horizontal position.

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. To ensure that the development does not prejudice highway safety, nor cause inconvenience to other highway users, in accordance with the National Planning Policy Framework 2012 and Policy CC2 of Spelthorne Borough Council's Core Strategy and Policies DPD February 2009.
4. To ensure that the development does not prejudice highway safety, nor cause inconvenience to other highway users, in accordance with the National Planning Policy Framework 2012 and Policy CC2 of Spelthorne Borough Council's Core Strategy and Policies DPD February 2009.
5. To ensure that the development does not prejudice highway safety, nor cause inconvenience to other highway users, in accordance with the National Planning Policy Framework 2012 and Policy CC2 of Spelthorne Borough Council's Core Strategy and Policies DPD February 2009.
6. To ensure that the development does not prejudice highway safety, nor cause inconvenience to other highway users, in accordance with the National Planning Policy Framework 2012 and Policy CC2 of Spelthorne Borough Council's Core Strategy and Policies DPD February 2009.
7. To ensure that the development does not prejudice highway safety, nor cause inconvenience to other highway users, in accordance with the National Planning Policy Framework 2012 and Policy CC2 of Spelthorne Borough Council's Core Strategy and Policies DPD February 2009.
8. To ensure that the development does not prejudice highway safety, nor cause inconvenience to other highway users, in accordance with the National Planning Policy Framework 2012 and Policy CC2 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document February 2009.
9. To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and biodiversity and contribute to the character of the local area in accordance with Policy EN1 and EN8 of the Spelthorne Core Strategy and Policies DPD 2009.
10. To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and biodiversity and contribute to the character of the local area in accordance with Policy EN1 and EN8 of the Spelthorne Core Strategy and Policies DPD 2009.
11. To ensure protection of the trees in accordance with Policy EN1 and EN8 of the Spelthorne Core Strategy and Policies DPD 2009.
12. To ensure protection of the trees in accordance with Policy EN1 and EN8 of the Spelthorne Core Strategy and Policies DPD 2009.
13. To ensure that the SuDs hierarchy has been followed in accordance with the National Planning Practice Guidance, Flood Risk and Coastal Change.
14. To ensure that the proposal has fully considered system failure in accordance with Policy LO1 of the Spelthorne Core Strategy and Policies DPD 2009.
15. To ensure the drainage design meets the technical standards in accordance with Policy LO1 of the Spelthorne Core Strategy and Policies DPD 2009.

16. To ensure that the construction works do not compromise the functioning of the Sustainable Drainage System in accordance with Policy LO1 of the Spelthorne Core Strategy and Policies DPD 2009.
17. To ensure the Sustainable Drainage System complies with the technical standards in accordance with Policy LO1 of the Spelthorne Core Strategy and Policies DPD 2009.
18. To protect the development from flooding in accordance with Policy LO1 of the Spelthorne Core Strategy and Policies DPD 2009.
19. To protect the development from flooding in accordance with Policy LO1 of the Spelthorne Core Strategy and Policies DPD 2009.
20. To protect the amenities of future residents and the environment of potentially harmful substances in accordance with Policies SP6 and EN15 of the Spelthorne Borough Core Strategy and DPD 2009.
21. To protect the amenities of future residents and the environment of potentially harmful substances in accordance with Policies SP6 and EN15 of the Spelthorne Borough Core Strategy and DPD 2009.
22. To protect the amenities of future residents and the environment of potentially harmful substances in accordance with Policies SP6 and EN15 of the Spelthorne Borough Core Strategy and DPD 2009.
23. To ensure the protection of neighbouring properties in accordance with Policy EN1 of the Spelthorne Core Strategy and Policies DPD 2009.
24. To ensure the protection of neighbouring properties in accordance with Policies EN1 and EN11 of the Spelthorne Core Strategy and Policies DPD 2009.
25. To ensure the protection of neighbouring properties in accordance with Policies EN1 and EN11 of the Spelthorne Core Strategy and Policies DPD 2009.
26. To ensure the protection of neighbouring properties in accordance with Policies EN1 and EN11 of the Spelthorne Core Strategy and Policies DPD 2009.
27. To ensure the protection of neighbouring properties in accordance with Policies EN1 and EN11 of the Spelthorne Core Strategy and Policies DPD 2009.
28. To ensure the protection of neighbouring properties in accordance with Policy EN1 of the Spelthorne Core Strategy and Policies DPD 2009.
29. To ensure the protection of neighbouring properties in accordance with Policy EN1 of the Spelthorne Core Strategy and Policies DPD 2009.
30. To ensure that the external appearance of the building is satisfactory in accordance with Policy EN1 of the Spelthorne Core Strategy and Policies DPD 2009.
31. To ensure that any archaeological remains are preserved in accordance with Policy BE25 of the Spelthorne Borough Local Plan 2001.
32. To ensure the protection of neighbouring properties in accordance with Policies EN1 and EN13 of the Spelthorne Core Strategy and Policies DPD 2009.

Informatives:

1. 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.
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.
3. 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.
4. Trees and scrub are likely to contain nesting birds between 1 March and 31 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
5. The applicant is advised that under the Thames Region Byelaws 1981 and Water Resources Act, any works in, over, under or within 8 metres of a main river require flood defence consent from the Environment Agency or if the proposal is to discharge into the main river as part of the final drainage design.
6. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. 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-community-safety/flooding-advice.
7. 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).
8. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
9. The Applicant / Landowner is reminded of their rights and responsibilities of riverside ownership 'Riparian Landowner', set out in the document titled 'Living on the Edge'. This document can be viewed via the following link:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/454562/LI_T_7114.pdf.

TO: PLANNING & REGULATORY COMMITTEE **DATE:** 20 April 2016
BY: PLANNING DEVELOPMENT TEAM MANAGER
DISTRICT(S) ELMBRIDGE BOROUGH COUNCIL **ELECTORAL DIVISION(S):**
Walton South & Oatlands
Mr Samuels
Hersham
Mrs Hicks

PURPOSE: FOR DECISION **GRID REF:** 509675 164814

TITLE: SURREY COUNTY COUNCIL PROPOSAL EL/2016/0441

SUMMARY REPORT

Cleves School, Oatlands Avenue, Weybridge, Surrey KT13 9TS

Construction of a one storey building to provide an additional 1FE to the existing School, with associated proposed landscaping, hard play and additional parking. In addition the construction of an extension to the existing dining hall and separate classroom block, together with a MUGA.

The proposal has been submitted to meet an identified need for school places in the area and information on this need, and why alternative sites are not acceptable, has been submitted. The site lies within the urban area and as such there is no objection in principle to the proposed development and in accordance with Government advice the need for new school places should be given great weight in the assessment of proposals.

Officers have received 55 letters of objection mainly on grounds of impact from congestion caused by school traffic at peak times. In addition there are policy objections to the proposal in respect of the fact that it gives rise to a loss of open space and playing field land. An objection to the proposal has been received from Sport England in this regard. Officers have assessed all of the relevant issues and conclude that on balance the need for the school places outweighs these other considerations.

Therefore the recommendation is that pursuant to the provisions of the Town and Country Planning (Consultation) (England) Direction 2009, the application be forwarded to the Secretary of State and in the absence of any direction by him and pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, the application be **PERMITTED** subject to conditions

APPLICATION DETAILS

Applicant

Estates, Planning and Management

Date application valid

5 February 2016

Period for Determination

6 May 2016

Amending Documents

Playing Field Assessment and Plan received 05/04/2016 and amplified on 07/04/2016

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 (see overleaf)

Planning Issue	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
PRINCIPLE OF DEVELOPMENT AND EDUCATIONAL NEED	yes	25-36
DESIGN AND VISUAL APPEARANCE	yes	37-40
IMPACT ON RESIDENTIAL AMENITY	yes	41-46
IMPACT ON OPEN SPACE	No	47-53
IMPACT ON PLAYING FIELDS	No	54-61
IMPACT ON AREA OF HIGH ARCHAEOLOGICAL POTENTIAL	yes	62-64
TRAFFIC AND PARKING	yes	65-76
IMPACT ON TREES	yes	77-81
SUSTAINIBILITY	yes	82-83

ILLUSTRATIVE MATERIAL

Site Plan

Plan

Aerial Photographs

3 Aerials

Site Photographs

Figure 1 Existing staff car park

Figure 2 North elevation of classroom block to be extended

Figure 3 North elevation of existing classroom block to be extended

Figure 4 North elevation of existing dining room to be extended

Figure 5 Site of new classroom block and area of hedge to be partially removed to accommodate

Figure 6 Existing trees around caretaker's house

Figure 7 Partial view of existing playing field

BACKGROUND

Site Description

- 1 Cleves School is located in a residential area east of Oatlands Park between the B365 Ashley Road and Oatlands Avenue. It lies within the Urban Area. Its site is roughly triangular in shape with the school buildings located to the south of the site and playing fields to the north. The school fronts a road on two of its sides – Oatlands Avenue to the east and Oatlands Chase to the north and there is a railway line in a cutting adjacent to its southern boundary. In the surrounding area are a number of private roads where it would appear a high degree of illegal parking in connection with the school takes place at peak times (see comments made under representations). The main access to the school and to the teachers parking is from Oatlands Avenue. There are a considerable number of trees on the site predominantly along its boundaries but some also within the site.
- 2 The existing school buildings are of brick construction under pitched and tiled roofs though there are some flat roofed elements. The site lies within an Area of High Archaeological Potential associated with Bronze Age cremation urns.

Planning History

- 3 The original school was constructed in the 1960's using a modular structural system that was common throughout the county at the time. Over the past 10 year period there have been numerous alterations and additions to the existing buildings including:
 - 1995 – Single storey extension to the administration block.
 - 1998 – New detached single storey teaching block and demolition of existing classrooms.
 - 2000 – New assembly function hall with associated accommodation.
 - 2003 – Single storey front and rear extensions and new roof over courtyard to create a new dining hall.
 - 2004 – New sports hall.
 - 2006 – Single storey front extension with entrance canopy.
 - 2010 – Single storey infill extension replacing existing courtyard.
- 4 In 2006 permission was granted for a small housing development on part of the school site which is now completed.

THE PROPOSAL

- 5 The proposed development is an extension to the existing Cleves School, expanding the existing 5FE Junior School by 1FE, to become a 6FE Junior School. During the 2014 / 2015 academic year Cleves School had a Pupil Admission Number (PAN) of 150 with capacity for 600 pupils. A bulge class (an additional 30 pupils) was accommodated in September 2015, and an additional class will be added each year from 2016 until the school reaches 180 PAN with capacity for 720 pupils in September 2018. The expansion proposals therefore equate to an additional 120 pupils. The number of staff is presently 64 and there would be an additional 10 teachers in connection with this expansion (5 full time and 5 part time).

- 6 The proposal originated from Surrey County Council in response to the forecast demand for junior places in Weybridge. A public open session was held at the school on 1 July 2015 and parents and other local stakeholders received a consultation letter seeking their views. Having taken account of the local demand and the views of respondents the Governing Body approved the proposal for Cleves to expand. To facilitate this incremental increase in pupils the expansion requires the additional buildings proposed in this current planning application. The expansion of Cleves school in this way is part of a wider expansion of primary school places in Weybridge which has included two other local schools (Oatlands and Manby Lodge Infants, now both 3 FE.). A full Educational Justification Statement has been submitted with this application (see paragraphs below).
- 7 The development consists of a proposed new single storey classroom block, extension to existing dining area and an extension to an existing classroom block. The existing car park will be extended to accommodate additional teachers parking and the existing outdoor play area will be extended to create a connection between the existing and proposed buildings and provide the required additional hard play area.
- 8 The new detached classroom block would be sited just to the north of the existing school buildings and to the east of the Sports Block and it would be a single storey building under a shallow pitched roof. It would have overall dimensions of 16m by 37m and would be a maximum 4.5m high to the ridge of the shallow pitched roof. This building would provide 6 classrooms plus ancillary staff room and WCs. It would also have a small external canopy on three of its elevations. The external walls of this building will be clad in a mixture of facing brick (colour to match existing school) and white render with aluminium windows and doors under a grey Plastisol coated composite panel roof which would contain electrically operated opening roof lights.
- 9 main The proposed extension to the existing dining area is on the northern elevation of the school building and comprises a single storey addition 10m long by 6.4m wide under a pitched roof clad with a Plastisol coated composite panel roof. It would have a curtain wall of windows framed with aluminium frames along its northern elevation.
- 10 The proposed extension to the existing classroom is opposite the building proposed above and on the northern elevation of the existing school. It would comprise a u-shaped extension to the existing building to provide 2 additional classrooms. This extension would be single storey under pitched roofs designed to reflect the pitch of the existing roof of that building. The external walls would be rendered and painted white.
- 11 The extension to the existing car park would provide an additional 17 car parking spaces (expanding the car park to 55 spaces) and would require the removal of a concrete shed. One additional covered scooter parking bay is proposed with provision for 10 additional scooters. Use of the car park during core school hours will continue to be limited to staff as per the existing situation. No changes are planned to the existing accesses to the school. Informal on-site parking will continue to be used for outside-of-hours events at the school.
- 12 There would be a proposed new hard surface multi games area (MUGA) created on part of the existing playing field which would be approximately 33m wide by 36m long and would be surrounding with a 2.4 high mesh fence. There would be other additional areas of hardstanding created around the buildings described above.
- 13 The proposal was submitted with the following documents:
 Planning Statement
 Design and Access statement
 Transportation Assessment
 Framework Travel Plan

CONSULTATIONS AND PUBLICITY

Consultees (Statutory and Non-Statutory)

14	Elmbridge Borough Council	No comments yet received
15	Transportation Development Planning	No objection subject to conditions. This is a school that clearly already causes localised congestion and, it would appear, at times, has a poor relationship with its neighbours. Any increase in numbers runs the risk of exacerbating this situation without the school's proactive involvement in implementing the travel plan and reminding parents about parking courteously. The impacts largely affect amenity, rather than highway safety
16	County Archaeologist	Comments awaited
17	Sport England	Objects to the proposal as it will result in the loss of land available for playing fields

Resident Associations

18	Committee of Road Associations	No comments yet received
19	Lincoln Grove Residents Association	No comments yet received
20	Broom Way Residents Association	Object to the proposal. The Transport Assessment does not adequately consider the impact on private roads and mitigation measures are limited. Private roads should be gated to address the concern of their residents over safety though they could still be accessed by cyclists and pedestrians

Summary of publicity undertaken and key issues raised by public

21	The application was publicised by the posting of a site notices and a total of 146 owner/occupiers of neighbouring properties were directly notified by letter. As a result of this publicity a total of 56 letters have been received. 55 of these object to the proposal and 2 express support for the proposal (though one of these also makes comments). The grounds for objection can be summarised as follows:
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1. Cleves is a fantastic school but is big enough already as the impact on the surrounding area is already chaotic
2. Whilst we have no objection to the planned expansion this must be on the basis that the parent parking at school start and finish times is properly addressed
3. We would like assurances that the small piece of woodland between Oatlands Chase and Oatlands Avenue will not be developed (comment: this land is not affected by the development)
4. School buses should be considered to reduce traffic
5. Extra parking for staff is a necessity as some park in the surrounding roads presently
6. Parents frequently park their cars in the adjacent private roads causing problems for the residents
7. School related cars are parking in the local church without any authority to do so
8. Lots of local parents chose to drive when they could walk
9. Traffic in this area is dangerous and something needs to be done before someone is seriously injured or killed
10. Beechwood Avenue is private and should be gated off (see paragraph....below)
11. Pavements in the area are not properly maintained by the Council and the whole area suffers from neglect
12. Parents park in unacceptable places on road junctions and blocking sightlines making it dangerous
13. There has been a presence of rats coming from the school refuse area to Rouse Close on several occasions and expansion will make matters worse
14. Rouse Close seems to have been omitted for consideration in the Transportation Assessment
15. There are out of school times when the traffic is also bad for example on bonfire night
16. The pedestrian footpath to the south of Cleves School is not well lit at night and this will not encourage its use as part of the Golden Boot Challenge during the winter months
17. The increased traffic will affect air quality – the smell from exhaust is already obnoxious
18. The Transportation assessment makes an optimistic forecast of the additional number of trips which would be generated by the proposal
19. Transport mitigations put forward are largely dependent on human behaviours guided through encouragement and discouragement but this is not robust
20. There should be a drop of facility within the school grounds
21. The Aboricultural Assessment did not refer to the new hardstanding and its impact on the trees and wildlife in the locality
22. Suggesting pupils cycle to school when there is no safe way to do this is fanciful
23. Anyone living far enough away from the school to take a bus would be unlikely to be in the catchment area

PLANNING CONSIDERATIONS

- 22 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 recently adopted Elmbridge Local Plan Development Management Plan April 2015 (the DMP).
- 23 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.

- 24 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 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).

PRINCIPLE OF DEVELOPMENT AND EDUCATIONAL NEED

Elmbridge Core Strategy 2011

Policy CS1 – Spatial Strategy

- 25 Core Strategy Policy CS1 directs new development towards previously developed land within the existing built up areas. Paragraph 72 of the NPPF states that 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. It continues by stating that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. It states that Local Planning authorities should *inter alia* give great weight to the need to create, expand or alter schools.
- 26 In terms of need Primary School rolls have risen steadily in Elmbridge over the last decade. The highest number of births (1,890) was in 2010 and between 2005 and 2014 births have risen by approximately 25%. C Although the numbers have fallen slightly in 2012 and 2014 these children are not yet in school and the net result of the higher births and more house building over the decade has been an increased demand for school places.
- 27 Although new housing development in Weybridge is minimal the birth rate (approximately 136 children per year) and movement of families into existing housing in the town has increased the demand for primary places. Having added temporary (bulge) classes at three schools (St James Primary, Oatlands Infant and Manby Lodge Infant), and then 1FE permanent expansions at both infant schools, there is a clear and immediate need for additional junior school places in the town equivalent to one form of entry per year. Manby Lodge and Oatlands Infant Schools both now admit 90 pupils per year and this cohort needs an equivalent number of junior school places.
- 28 Education legislation states that Infant aged pupils (YR - 2) should not be taught in classes larger than 30 pupils. Therefore once numbers exceed multiples of 30 the school has to provide an additional class. It is expected that primary aged children will be offered a place within a short home to school travel distance, usually within their home planning area. It is Surrey County Council policy to offer a school place to every resident family that requests one. Sometimes it receives more applications in a planning area than they have places and therefore, to make a reasonable offer, the Council has to add a 'bulge' class at a school. For all of these reasons it is therefore sometimes necessary to provide extra places to meet these priorities, even though the combined borough PAN indicates a sufficiency of school places overall.

- 29 In the Primary Planning areas of Weybridge we identified a shortage of places both at Reception and in Year 3. The following table demonstrates this ongoing demand and supports the rationale for expanding Cleves. The forecast includes pupils coming from added new housing over the period.

Consideration of options to meet the need in the Weybridge Planning Area

- 30 The Weybridge Primary Planning Area contains 2 existing primary phase schools, 2 infant and 1 junior school. The expansion of the two other existing primary schools has been considered and the following conclusions have been made:
- 31 **St Charles Borromeo RC VA Primary** This is a popular and academically successful school that is its own admissions authority. As a denominational school it only admits catholic pupils and so expansion would attract other children from the wider deanery but would not necessarily provide places that non-Catholic Weybridge families could access. Its campus and buildings are also too small to expand; it is currently a 1 FE primary. Finally, expansion here would not solve the problem of additional junior places for pupils transferring from the two infant schools.
- 32 **St James VC Primary** This is a 2 FE primary school that has taken a junior bulge class in 2009, 2012 and 2013. Additional accommodation had to be provided to enable these extra classes and the site is now at its capacity and could not easily take an additional two more classrooms that would be needed to permanently expand the junior part of the school. The site is in a residential road with associated traffic and parking issues. The site also has a scheduled ancient monument (a Victorian grotto) which makes planning permission for significant future development unlikely.
- 33 Expansion of one or both **Manby Lodge/Oatlands Infant schools** to primary status. This option was considered and discussed early on with the area head teachers and chairs of governors of the infant schools and Cleves. Apart from the site constraints at both infant schools there were major objections from all schools to this idea. If this were to have been adopted it would have implied a major re-organisation of provision in Weybridge and would have been a costly and unpopular option locally.
- 34 Cleves is a popular and academically successful junior school which is always over-subscribed. In the 2014 admissions round it received 239 first preferences for its 150 places. It was seen to be providing an outstanding level of education at its last OFSTED inspection in July 2007 and the proposal to expand the academy meets the government's policy of Local Authorities and academies expanding popular and successful schools. In the wider context, more junior school places across Weybridge are required. Currently, there are six Reception classes across two schools and this proposal, as part of the wider reorganisation of three schools, helps to provide a matching number of junior places. It also aims to improve educational standards for all children by encouraging a developing educational partnership that will support continuity and progression between the two infant schools and Cleves.
- 35 In response to the above and a commitment from Surrey County Council for the provision to be funded from the County Council's Basic Need Capital Programme Budget Cleves School conducted a statutory public consultation on a proposal to expand the school from five to six forms of entry in 2015
- 36 In conclusion on this issue this application seeks to provide additional school places within the built up area of Weybridge for which there is a demonstrated need. Relevant policies state that the need for school places should be accorded great weight. The proposal does therefore accord with development plan policies in this regard and is acceptable.

DESIGN AND VISUAL APPEARANCE

Elmbridge Core Strategy 2011

Policy CS1 – Spatial Strategy

Policy CS17 – Local Character, Density and Design

Elmbridge Local Plan Development Management Plan 2015

Policy DM2 – Design and Amenity

Policy DM9 – Social and Community Facilities

- 37 Core Strategy Policy CS1 requires that new developments be of high quality, well designed and locally distinctive. They should be sensitive to the character and quality of the area, respecting environmental and historic assets and where appropriate introduce innovative contemporary designs that improve local character. Core Strategy Policy CS17 requires that new development delivers high quality and inclusive sustainable design which maximises efficient use of urban land whilst responding to the positive features of individual locations integrating with locally distinctive townscape and landscape.
- 38 DMP Policy DM9 requires community facilities to accord with the local character of residential areas. Policy DM2 requires that proposals should preserve or enhance the character of the area, taking account of design guidance detailed in the Design and Character SPD, with particular regard to the following attributes:
- Appearance
 - Scale
 - Mass
 - Height
 - Levels and topography
 - Prevailing pattern of built development
 - Separation distances to plot boundaries
 - Character of the host building, in the case of extensions
- 39 The existing buildings on this site are predominantly brick under tiled roofs though there are some flat roofed elements. The proposed extensions to the existing buildings to provide two additional classrooms and an extension of the dining room have been designed to reflect the scale, design and character of those existing buildings and are sympathetic to them and are therefore acceptable in this regard. The proposed new standalone classroom building picks up features from the existing school such as elements of matching brickwork and render and its scale is similar to other buildings on this site. It will not be prominent as it is set well within the site and will not therefore detract from the visual appearance of the site or the area. Though this building has a very shallow pitched roof which would be clad with a Plastisol coated grey cladding – which will be different to the majority of the school buildings on the site – officers consider that this is acceptable within the context of the school.
- 40 Officers therefore consider that the policy meets the provisions of the development Plan and is acceptable in this regard.

IMPACT ON RESIDENTIAL AMENITY

Elmbridge Local Plan Development Management Plan 2015

Policy CS17 – Local Character, Density and Design

Policy DM2 – Design and Amenity

- 41 Core Strategy Policy CS17 requires that new development delivers high quality and inclusive sustainable design which maximises efficient use of urban land whilst

responding to the positive features of individual locations and protecting the amenities of those within the area

- 42 DMP Policy DM2 requires that, to protect the amenity of adjoining and potential occupiers and users, development proposals should be designed to offer an appropriate outlook and provide adequate daylight, sunlight and privacy.
- 43 All of the elements of the proposal in this case are well within the school site and away from its boundaries. There are no issues in respect of the impact of the built form on the residential amenity of neighbours.
- 44 The proposed expansion will give rise to an increase in traffic in the local area at drop off and pick up times. The situation is already extremely difficult for local residents as indicated in the letters of objection on this application. It has to be acknowledged that the proposal will give rise to some additional degree of loss of amenity for nearby residents at peak times as an increase in pupil numbers is proposed. Though some mitigation measures are proposed as part of the application, these can only assist in trying to manage the situation they will not reduce the vehicle numbers. From survey information provided a high proportion of pupils at this school travel there by private car and though there are measures put forward in the School Travel Plan to seek to try to reduce this it is unlikely those measures will achieve maintenance of the status quo in respect of vehicle movements. This situation is one which occurs at most school sites but in respect of this school the problem is exacerbated by the existence of several private roads in the vicinity which cannot be taken into account in the assessment of available on street parking but where it would appear parents consistently park to drop off and pick up children. A number of residents have referred to the inconvenience caused by inconsiderate parking and significant vehicle numbers during the peak hours in their letters of objection.
- 45 This situation is acknowledged. However Officers are of the opinion that whilst there is a degree of increased loss of amenity to local residents the increase in this case will be a moderate one having regard to that which already occurs and the fact that is confined to short periods during weekdays only.
- 46 Officers therefore consider that the moderate adverse impact which would arise from this proposal on residential amenity would need to be balanced against the other issues relevant in this case including the need for the required school places.

IMPACT ON OPEN SPACE

Elmbridge Local Plan Development Management Plan 2015

Policy DM20 – Open Space and Views

- 47 Policy DM20 states that Local Green Space (to be identified within Settlement ID Plans) will be protected from inappropriate development unless there are very special circumstances that would clearly outweigh potential harm. Part b of the policy states that other areas of existing open space including playing fields will not be built on unless an assessment has been undertaken which clearly shows the open space to be surplus to requirements, the loss would be replaced by equivalent or better provision elsewhere or the development is for alternative sports and recreation provision the needs for which clearly outweighs the loss.
- 48 On the Elmbridge Borough Local Plan, which has now been replaced by the Elmbridge DMP, the playing fields at Cleves School were designated as Strategic Urban Open Land (SOUL). Policies in the former local plan sought to resist development on such areas. The new Elmbridge DMP fully replaces the local plan and Policy DM20 of the Elmbridge DMP is now the relevant policy. This refers to Local Green Spaces which will be identified in Settlement ID Plans. Those settlement ID Plans were prepared in 2012

and went out for public consultation in 2013 but following key changes to Government policy at that time in the NPPF work stopped on them and none have been formally adopted. On the consultation Settlement ID Plan for Weybridge a larger part of Cleves School (that is larger than the previously identified SOUL) is identified as Local Green Space which are 'spaces of significant local importance' and hence there would be a presumption against land at the school being built on.

- 49 Having regard to the emerging policy context, though the settlement ID Plan for Weybridge, which includes the Cleves School site, is emerging and has not been fully adopted it is clear that the policies in the Elmbridge DMP seek to ensure that the site remains open. This reflects the stance taken in the former Elmbridge Local Plan.
- 50 There are therefore two issues which need to be considered in the assessment of the impact on the open space/playing fields in this case, being:
- The loss of existing open space as identified in the relevant Development Plan – considered in the following paragraphs
 - The loss of existing playing field land as identified by Sport England (considered in the next section of the report under Impact on Playing Fields)
- 51 The proposed extensions to the school itself in this case are not affected by the policies but the new classroom block does extend onto land which has been identified as Local Green Space within the Elmbridge DMP, (though it is outside of the land previously identified on the Elmbridge Local Plan as Strategic Open Urban Land (SOUL). The development of the classroom block is clearly then contrary to emerging Development Plan Policy and therefore in this case this would have to be weighed against the other considerations, in particular the need for the school places.
- 52 Assessing the details of the proposal it is accepted that there are no other suitable locations within the school to provide the new classroom block and the proposed building has been sited as close to the existing school buildings as possible within a 'bay' of the playing field which is sited between the existing staff car park and the sports hall. Therefore the vast majority of the proposed designated open green space on this site will be retained and as the proposed building will be sited adjacent to the existing school buildings the impact on the open character of this site is minimised. This is also assisted by the fact that the proposed building is set back from both road frontages where the open space designation is of most relevance. In terms of the proposed MUGA this is providing alternative sports provision on an area of the site which is currently unusable and therefore officers are of the view that this can be considered acceptable having regard to Policy DM20.
- 53 Having regard to the above officers are of the view that although this proposal does not fully comply with Development Plan Policy where it relates to open space, that policy is only emerging and designations have not yet been finalised but the impact of the proposal on the overall aims of the policy has been minimised. The issue will have to be weighed in the balance against the other relevant issues including the need to provide the school places and the lack of alternative sites in the area.

IMPACT ON PLAYING FIELDS

Elmbridge Local Plan Development Management Plan 2015

Policy DM20 – Open Space and Views

- 54 Policy DM20 states that Local Green Space (to be identified within Settlement ID Plans) will be protected from inappropriate development unless there are very special circumstances that would clearly outweigh potential harm. Part b of the policy states that other areas of existing open space including playing fields will not be built on unless an assessment has been undertaken which clearly shows the open space to be surplus to requirements, the loss would be replaced by equivalent or better provision elsewhere or

the development is for alternative sports and recreation provision the needs for which clearly outweighs the loss.

- 55 The proposed new classroom block and car park extension, as well as the proposed MUGA are all within areas which currently comprise the edges of the playing field land on this site. Sport England has been consulted on the application and raise objection on grounds that the proposal will give rise to the net loss of playing field land which will not be replaced elsewhere on a like for like basis.
- 56 There are therefore two issues which need to be considered in the assessment of the impact on the playing fields in this case, being:
- The loss of existing open space as identified in the relevant Development Plan (this has been considered in the previous section of the report under Impact on Open Space)
 - The loss of existing playing field land as identified by Sport England – considered in the paragraphs below.
- 57 It is acknowledged that this application will displace land which is currently part of the school playing pitches in that the proposed MUGA and new classroom block will be sited on land forming part of the existing playing fields. However the area of land that is affected comprises the periphery of the playing field. The site of the proposed new classroom is a 'peninsular' of land which would be unusable as a pitch because of its size and shape and proximity to the school buildings and in respect of the area of the proposed MUGA this is overgrown and uneven and also in a corner very close to existing buildings.
- 58 The applicant has submitted a statement and layout plan to clarify the impact on the playing fields. This shows that and the proposed development will not have any impact on the existing playing pitches and other sports provision (which includes various size football pitches up to nine a side, rounders pitches, athletics running track, and relay circle) which are laid out on the site. The statement goes on to clarify that the proposal necessitates the loss of approx. 1000 m² of grassed area and that there is no other suitable location to accommodate the proposed development within the site. In respect of the fenced, all-weather surface, multi-use games area (MUGA) this will be approx. 1224 m² and will be marked out with formal games areas as required by the school. This MUGA will be constructed on land currently not of useable quality, either as 'soft informal and social' or as 'soft outdoor PE'. Therefore the creation of the MUGA enhances the vitality of this part of the playing fields for formal and informal recreation use. The applicant also asks that it should be noted for information that, in addition to the above, Cleves Primary School currently has a full sized sports hall of approx. 670m², with marking for various formal sports. The current overall school site area of 40083m² is in excess of the 38000m² guide site area for a 720 place 6FE junior school.
- 59 In addition to the above the applicant has demonstrated on a plan submitted with the statement that the loss of the land to this proposal would not in fact have any impact in real terms on the potential for the school to provide playing pitches as no more pitches could be accommodated with or without the inclusion of the land which would be lost.
- 60 Having regard to the above officers are of the view that though playing field land will be lost in this case, that land, given its location and magnitude, being within a school and along the edges of school playing pitches, does not have the potential to provide any additional playing pitches. There is a loss of physical area but little practical reduction to the site's utility. Officers therefore consider that its loss must be balanced against the other factors relevant in the application including the demonstrated need for school places in this area.

- 61 In conclusion on this issue the proposal does not fully comply with the provisions of the Development Plan in this case in regard to the loss of playing field land however officers consider that the practical impact of this is small and this needs to be balanced against other considerations including the demonstrated need for new school places.

IMPACT ON AREA OF HIGH ARCHAEOLOGICAL POTENTIAL

Elmbridge Local Plan Development Management Plan 2015

Policy DM 12 - Heritage

- 62 Policy DM12 states that planning permission will be granted for developments that protect, conserve and enhance the Borough's historic environment, which includes Areas of High Archaeological Potential. Proposals need to take account of the likelihood of a heritage asset with archaeological significance on the site and provide positive measures to assess their significance and enhance and understand their value.
- 63 The applicants have submitted a full Archaeological Statement which is based on a desk top assessment of the site. This concludes that the site lies within a wider area where there has been a high level of archaeological activity with particular focus on the Bronze Age. However the ground areas where the proposed buildings will be located within this site will have probably been disturbed in the past thereby removing any archaeological deposits. The report recommends a watching brief is carried out across the development of the new classroom block and car park extension.
- 64 Subject to confirmation by the County Archaeologist (on which the Committee will be updated) Planning Officers consider that the approach proposed in this case is appropriate and proportional and a condition is therefore recommended to secure an appropriate watching brief. Subject to this officers consider that the proposal complies with the Development Plan.

TRAFFIC AND PARKING

Elmbridge Core Strategy 2011

Policy CS25 – Travel and Accessibility

Elmbridge Local Plan Development Management Plan 2015

Policy DM7 – Access and Parking

- 65 Paragraph 32 of the NPPF states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment; safe and suitable access to the site should be achieved for all people. The paragraph goes on to state that 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'. Paragraph 35 states that development should be located and designed where practical to create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians. Paragraph 36 states that a key tool to facilitate sustainable transport modes will be a Travel Plan and all developments which generate significant amounts of movement should be required to provide a Travel Plan.
- 66 Core Strategy Policy CS25 directs new development generating a high number of trips to previously developed land in sustainable locations in urban areas and requires a transport assessment and travel plan for all major development proposals in order to promote the use of sustainable transport.
- 67 DMP Policy DM7 sets criteria for access and parking against which new development proposals should be judged, including, inter alia, that;

- new accesses should be acceptable in terms of amenity, capacity, safety, pollution, noise and visual impact
 - access from the highway be safe and convenient for pedestrians, cyclists and motorists
 - the impact of vehicle and traffic nuisance is minimised, especially in residential areas
 - proposed parking provision does not result in on-street parking stress to the detriment of local residential amenity
 - cycle storage and car parking be integrated into the design of development
 - car, cycle and disabled parking comply with the Borough's standards.
- 68 The application was supported by a Transport Assessment (TA) and an interim Travel Plan.
- 69 The application has been assessed by Transportation Development Control who has commented as follows: A decision has been taken to permanently expand the school from 5 forms of entry (600 pupils) to 6 forms of entry (720 pupils) which would result in an additional 120 pupils. The need for the additional places arises from forecast demand for junior places in Weybridge and two permanent 1 form entry expansions that have already taken place at infant schools in the town.
- 70 39% of pupils live within 1 km of the school, 46% live between 1 and 2 km of the school and the remaining 15% live more than 2 km from the school. Currently 69% come by car and 31% come by sustainable modes, which is higher than average for a Surrey School. On this basis, an additional 120 pupils would result in 83 of them arriving by car. There are a total of 141 legal on-street spaces within 500m of the school of which a maximum of 67 are occupied during school drop off in the morning and a maximum of 132 are occupied during school pick up in the afternoon. The existing situation in the afternoon is therefore already approaching parking capacity, without the additional pupils. The additional pupils will result in demand exceeding supply during the pick up peak 15 minutes between 3.15 and 3.30 pm. Localised congestion will be exacerbated, albeit within a concentrated area and for a short period. There are already complaints about the existing situation. Additionally, there are a number of private roads opposite the school and residents complain that parents are currently using these roads for parking and turning. It may intensify following the expansion.
- 71 An additional 17 on-site parking spaces are included as part of the proposal. On-site parking is restricted to staff and visitors only and this situation will continue. There are currently 38 spaces but existing demand is around 48. The proposed 55 spaces will accommodate the existing demand plus an additional 7 for staff employed as a result of the expansion. The proposal will give rise to an increase in staff by 5 full-time and 5 part-time. It is therefore considered that staff parking will be acceptably catered for by this proposal.
- 72 There is some physical mitigation proposed to address the impact of the proposal but this will have to be matched by the school implementing and vigorously promoting the travel plan and reminding parents not to park illegally, inconsiderately or on private roads. The anticipated proposed mitigation measures include the following:
1. Improved pedestrian crossing facilities on Oatlands Chase and Ashley Road
 2. Parking restrictions on Oatlands Chase to prevent commuter parking and to free up space for parents and other short-term users to park
 3. A new access gate into the school for pedestrians from Oatlands Chase, adjacent to the new crossing, and speed cushions to reduce traffic speeds on the section of Oatlands Chase between Ashley Road and Oatlands Avenue (note the final design of this will need to be safety audited and will be subject to the relevant traffic orders.)

4. The school also has been trying to secure permission from St Mary's Church and the Oatlands Chase public house for use of their car parks for drop off/pick up/park and stride but this has not been forthcoming. The options in this regard are therefore limited.
- 73 A Framework School Travel Plan has been submitted with the proposal which sets out objectives to increase the numbers of children coming to school by sustainable means, to encourage parents to park more considerately in surrounding roads and encourage pupils to take part in pedestrian training. The proposed measures to achieve these comprise:
- Park SMART initiative
 - Pedestrian advice training to encouraging the use of the zebra crossing
 - Take part in the Golden Boot Challenge
- 74 In summary, TDP has advised that this is a school that clearly already causes localised congestion and, it would appear, at times, has a poor relationship with its neighbours. Any increase in numbers runs the risk of exacerbating this situation without the school's proactive involvement in implementing the travel plan and reminding parents about parking courteously. The impacts largely affect amenity, rather than highway safety and as such there is no objection to the proposal from a transportation perspective, subject to conditions relating to:
- Construction Traffic Management Plan.
 - Hours of use of HGV movements
 - School Travel Plan
 - Provision of additional on-site parking
 - Provision of the off-site highways works
- 75 They have also assessed representations made on this application from local residents where it has been requested as part of this application that a gate is provided across Beechwood Avenue to prevent parents using this private road. As Highway Authority they have considered this and have concluded that a public right to pass and repass over the surface of this road has historically been established and therefore a gate cannot be erected as it would prevent legitimate public access. No rights exist for public parking however and the residents/road association can enforce this through the installation of lines or employing a private parking enforcement company. As this is a private road, the County Highway Authority has no right or ability to control parking, and for the purposes of the TA the assessment of legal parking capacity cannot include these roads.
- 76 In conclusion on this issue officers consider that the proposal does not give rise to any impact in respect of highway safety but traffic conditions do have an impact on residential amenity (considered under that section in the report). There is no objection to the proposal on highways grounds but given the degree of amenity problems which already exist in the area arising from the traffic from this school, it is considered appropriate and necessary in this case to ensure that the off-site highways works are in place prior to first occupation of the buildings.

IMPACT ON TREES

Elmbridge Core Strategy 2011

Policy CS14 – Green Infrastructure

Elmbridge Local Plan Development Management Plan 2015

Policy DM6 Landscape and Trees

- 77 Core Strategy Policy CS14 seeks to ensure that new development protects and enhances local landscape character and takes account of intrinsic character and amenity

value. It also seeks to strengthen the network of green infrastructure by safeguarding important trees and woodlands and securing provision of soft landscaping in new development focussing on native species.

- 78 DMP Policy DM6 requires that development does not result in loss of, or damage to, trees and hedgerows that are, or are capable of, making a significant contribution to the character or amenity of the area, unless in exceptional circumstances the benefits would outweigh the loss, and adequately protects existing trees including their root systems prior to, during and after the construction process.
- 79 An Arboricultural Assessment has been submitted with this application which shows that 13 individual trees, 1 group of trees and 7 hedges have been surveyed on the site during the preparation of this application. Not all of these trees are sited close to the proposed development area. 3 individual trees are shown to be removed - one in the amenity area in front of the classroom block – the other two are along the boundary with the caretaker's house. The trees for removal comprise a category B Cherry together with category C Cherry (alongside boundary with caretaker's house) and a Category C Sweet Gum tree in the amenity area. Two hedges will also require removal.
- 80 This site is well covered with trees and those that are to be removed are not prominent outside of the site and are of no particular individual merit and officers consider that their loss, together with the removal of existing hedges is acceptable. A condition requiring the replacement of those trees lost is recommended. Measures are proposed to secure the protection of the remaining trees during construction and officers consider that it is also appropriate to attach a planning condition to secure these.
- 81 Subject to appropriate conditions it is considered that the proposal accords with the development plan in this regard.

SUSTAINABILITY

Elmbridge Core Strategy 2011

Policy CS27 Sustainable Buildings

- 82 Policy CS7 of the Core Strategy requires all new developments in Elmbridge to be accompanied by their Climate Neutral Checklist and the policy goes on to state that all new developments should consider using sustainable materials.
- 83 The applicants have submitted both the required climate neutral checklist and a BREEAM pre - assessment with this application. In the BREEAM pre-assessment the broad details of the proposal are assessed (and certain assumptions made) against a number of sustainability criteria. This concludes that the proposal is capable of achieving a score of at least within the 'very good' category and the applicant has confirmed a commitment to securing a sustainable design as far as possible. Officers consider that the proposal complies with Development Plan Policy in this regard.

HUMAN RIGHTS IMPLICATIONS

- 84 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.
- 85 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 considered moderate given that it occurs for small periods and this is not considered sufficient to engage Article 8 or Article 1 of Protocol 1. As such, this proposal is not considered to interfere with any Convention right.

CONCLUSION

- 86 There is a demonstrated need for additional school places in the local area of this school and there are no acceptable alternatives to provide this elsewhere within the area. The school lies within the Urban Area and there is no objection in principle to the expansion in principle and Government Policy in the NPPF advises that proposals for the provision of new school places where there is an identified need should be given great weight.
- 87 In this case there are other issues to consider which need to be balanced against the need for the school places. The proposal would give rise to a loss of amenity to surrounding residential dwellings by virtue of the increased vehicle movements it will create in an area where there are already profound problems. This is acknowledged and Officers consider that given that this impact is confined to small periods during the day and represents a small degree over what already occurs this impact can be described as moderate. In addition to this the proposal does not fully accord with the Development Plan, in relation to existing open space and playing field land and will give rise to an actual loss of both. However Officers are of the opinion that the loss which occurs in respect of both of these issues would not give rise to any significant adverse impact in respect of the aims of the open space designations nor the provision of playing pitches in the area for reasons which have been fully explained in the relevant sections of this report.
- 88 Officers have carefully considered the relevant factors in this case and given that the need for the school places should be given great weight, consider that this outweighs the moderate loss of residential amenity which occurs and the other considerations in respect of open space/playing fields.
- 89 In conclusion Officers have considered all of the relevant issues and recommend that the application be

RECOMMENDATION

- 90 That:
1. Pursuant to the provisions of the Town and Country Planning (Consultation) (England) Direction 2009, application no. EL/2016/0441 be forwarded to the Secretary of State in view of Sport England's objection and
 2. in the absence of any direction by him and pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, the application 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:

Location plan PL003 December 2015
 Existing Floor Plan PL005 REV A December 2015
 Existing Roof Plan PL006 REV A December 2015
 Proposed Floor Plan Extension PL007 REV A December 2015
 Proposed Floor Plan PL008 REV A December 2015
 Proposed Roof Plan PL010 REV A December 2015
 Proposed Roof Plan PL010 REV A December 2015
 Existing / Proposed Elevations Dining Block PL011 REV A December 2015
 Existing/Proposed Elevations Classroom Extension PL012 REV A December
 2015
 Proposed Elevations/Sections PL013 December 2015
 Below Ground Drainage Strategy - Layout Plan PL015 P1 04.11.12
 Proposed Local Accessibility Improvements PL014 Undated
 Proposed Site Plan PL004 REV B 05/02/16
 Proposed Landscape Plan PL023 REV A 05/02/16
 Pitch Layout Drawing PL024 REV A 05/04/16

3. 3. a.) Before any equipment, machinery or materials are brought onto the site for the purposes of carrying out the development hereby permitted, protective fencing in accordance with the details contained in Appendix 4 and drawing no. TPP01 dated 27/04/2015 contained in the Arboricultural Method Statement 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 full accordance with all other measures to protect trees during construction set out in Section 5 and 6 of the above Arboricultural Method Statement.
4. Prior to the occupation of the development hereby permitted the Framework School Travel Plan shall be updated and submitted for approval to the County Planning Authority. The approved Travel Plan shall be implemented upon first occupation of the development hereby permitted and thereafter maintained, monitored and developed.
5. The development shall be implemented strictly in accordance with the 'Construction Traffic Management Plan' dated December 2015
6. In carrying out the development hereby permitted, no HGV movements to or from the site shall take place between the hours of 8.30am to 9.15am and 3.00pm to 4.00pm nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in the surrounding roads of Oatlands Avenue, Ashley Road, Oatlands Chase during these times.
7. The development shall not be occupied unless and until the additional car parking spaces have been provided in accordance with the approved plans and shall thereafter be retained for their designated purpose.

8. Prior to the commencement of the development, the proposed local accessibility improvements as generally shown on the Atkins concept design drawing PL014 comprising a new school access gate to Oatlands Chase; a raised zebra crossing on Oatlands Chase and associated footway works; speed cushions on the stretch of Oatlands Chase between Ashley Road and Oatlands Avenue; parking restrictions to prevent all day commuter parking on Oatlands Chase adjacent to the school; and an improved pedestrian crossing island on Ashley Road, shall be submitted and approved in writing by the County Planning Authority in an application on that behalf. The agreed works shall then be fully implemented prior to the occupation of the development and permanently maintained in accordance with the approved details.

9. In carrying out the development hereby permitted, no works involving groundworks, 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.

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 policy Policy CS14 of the Elmbridge Core Strategy 2011 and Policy DM6 of the Elmbridge Local Plan Development Management Plan 2015

4. To mitigate the impacts of the proposed expansion in order that the development should not prejudice highway safety not cause inconvenience to other highway users, to prevent conflict between pupils, parents and staff with construction vehicles and to protect the residential amenity of local residents, in accordance with Policy CS25 of the Elmbridge Core Strategy 2011 and Policy DM7 of the Elmbridge Local Plan Development Management Plan 2015

5. In order that the development should not prejudice highway safety not cause inconvenience to other highway users, to prevent conflict between pupils, parents and staff with construction vehicles and to protect the residential amenity of local residents, in accordance with Policy CS25 of the Elmbridge Core Strategy 2011 and Policy DM7 of the Elmbridge Local Plan Development Management Plan 2015

6. In the interests of the amenity of the residential dwellings in the vicinity of the site in accordance with Policy Policy CS25 of the Elmbridge Core Strategy 2011 and Policy DM7 of the Elmbridge Local Plan Development Management Plan 2015

7. In order that the development should not prejudice highway safety not cause inconvenience to other highway users, to prevent conflict between pupils, parents and staff with construction vehicles and to protect the residential amenity of local residents, in accordance with Policy CS25 of the Elmbridge Core Strategy 2011 and Policy DM7 of the Elmbridge Local Plan Development Management Plan 2015

8. To ensure that any archaeological presence on the site is identified, recorded and protected in accordance with Policy Policy DM 12 of the Elmbridge Local Plan Development Management Plan 2015

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. 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.
3. 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.
4. Further details of the highway requirements necessary for inclusion in any application seeking approval of details pursuant to the above conditions may be obtained from the Transportation Development Planning Division of Surrey County Council.
5. The developer is advised that as part of the detailed design of the highway works required by the above condition, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
6. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. 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-community-safety/flooding-advice.

CONTACT

Dawn Horton-Baker

TEL. NO.

020 8541 9435

BACKGROUND PAPERS

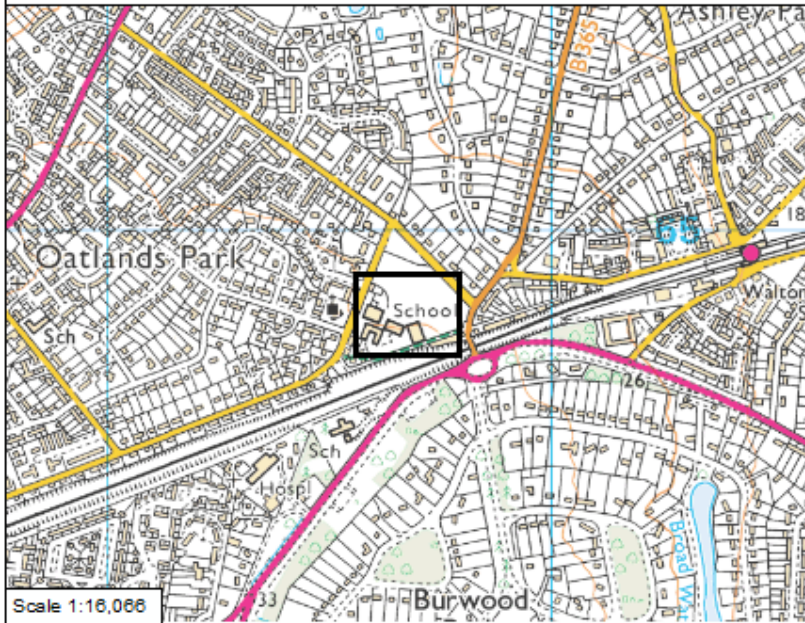
The deposited application documents and plans, including those amending or clarifying the proposal, responses to consultations and representations received as referred to in the report and included in the application file and the following:

[National Planning Policy Framework 2012](#)

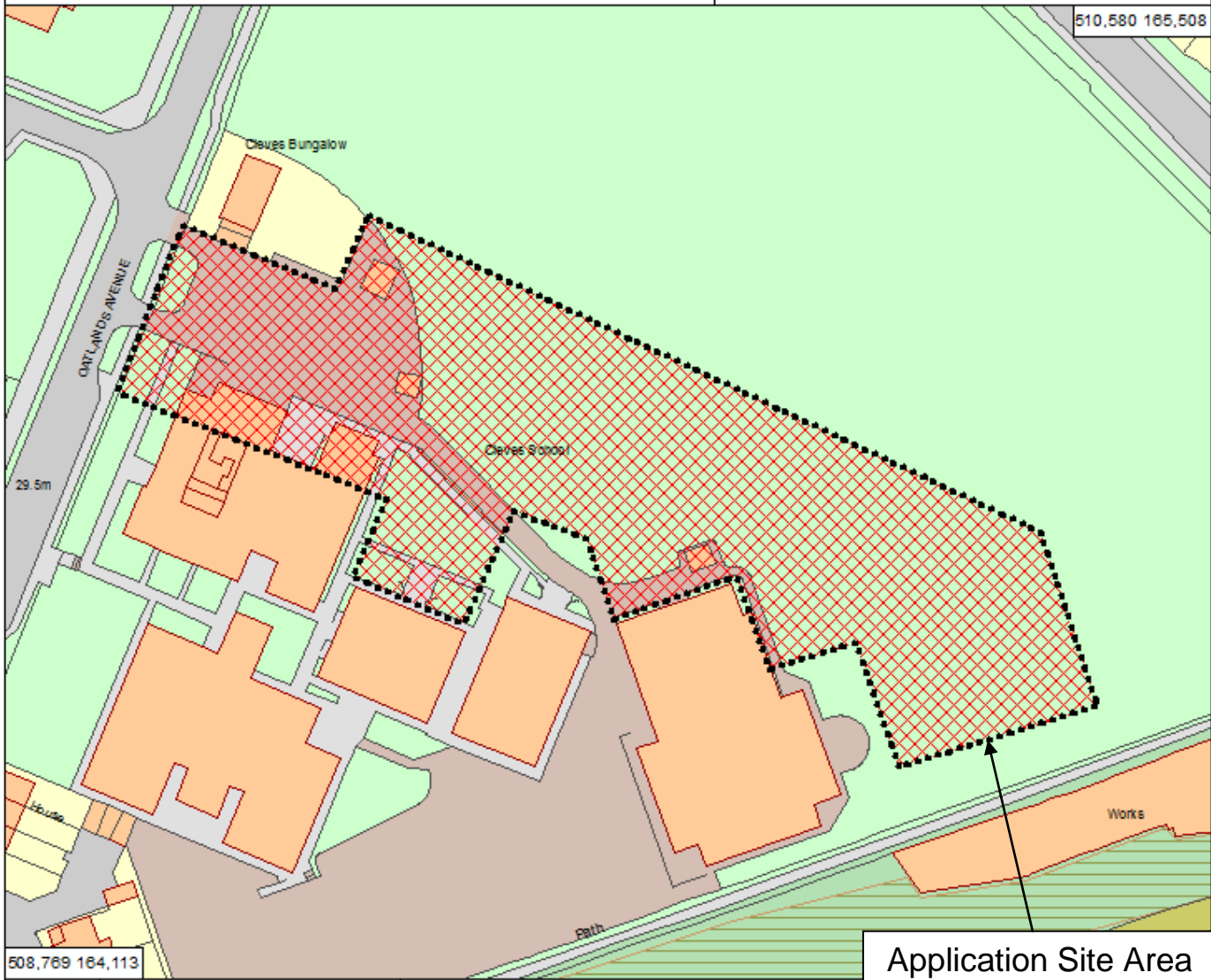
[The Development Plan](#)

Elmbridge Core Strategy 2011

Elmbridge Local Plan Development Management Plan April 2015 (the DMP).

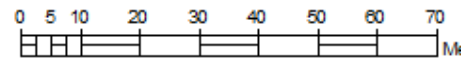
<p style="text-align: center;">Site Location</p>  <p>Scale 1:16,066</p>	<p>Cleves County Junior School, Oatlands Avenue, Weybridge, Surrey KT13 9TS</p> <p>Construction of a one storey building to provide an additional 1FE to the existing School, with associated proposed landscaping, hard play and additional parking. In addition, construction of an extension to the existing dining hall and extension to separate classroom block.</p> <p>Application No(s): EL/2016/0441</p> <p>Electoral Division(s): Walton South & Oatlands, 13982</p>
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510,580 165,508

Application Site Area

 <p>GRID NORTH</p>	<p>Ref No: SCC REF 2015/0264</p> <p>Date printed: 31/03/2016</p>	 <p>0 5 10 20 30 40 50 60 70 Metres</p>	<p>Scale 1:1,200</p>
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2012-13 Aerial Photos

Aerial 1 : Cleves County Junior School

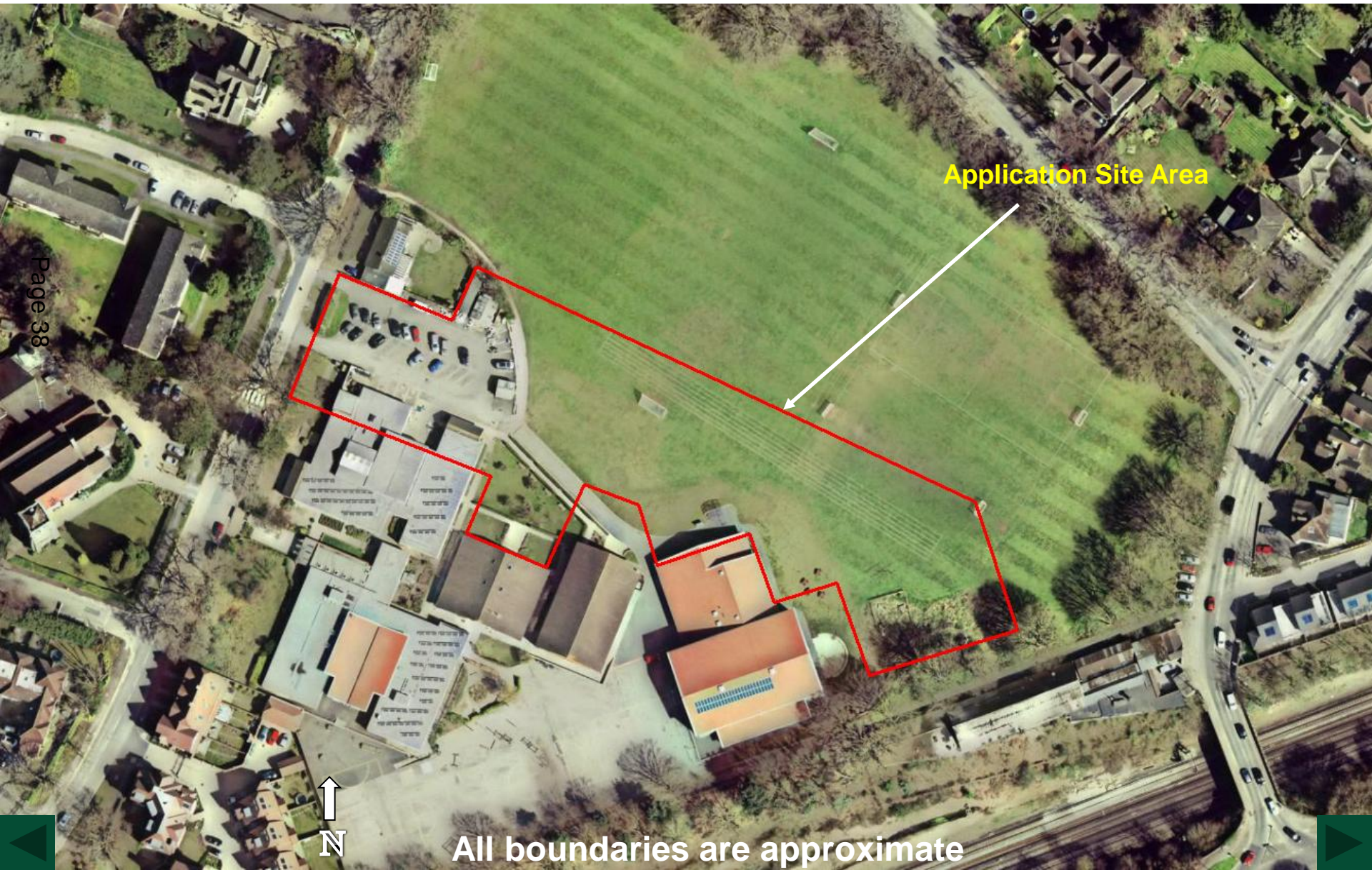


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All boundaries are approximate

Aerial 2 : Cleves County Junior School



Application Site Area

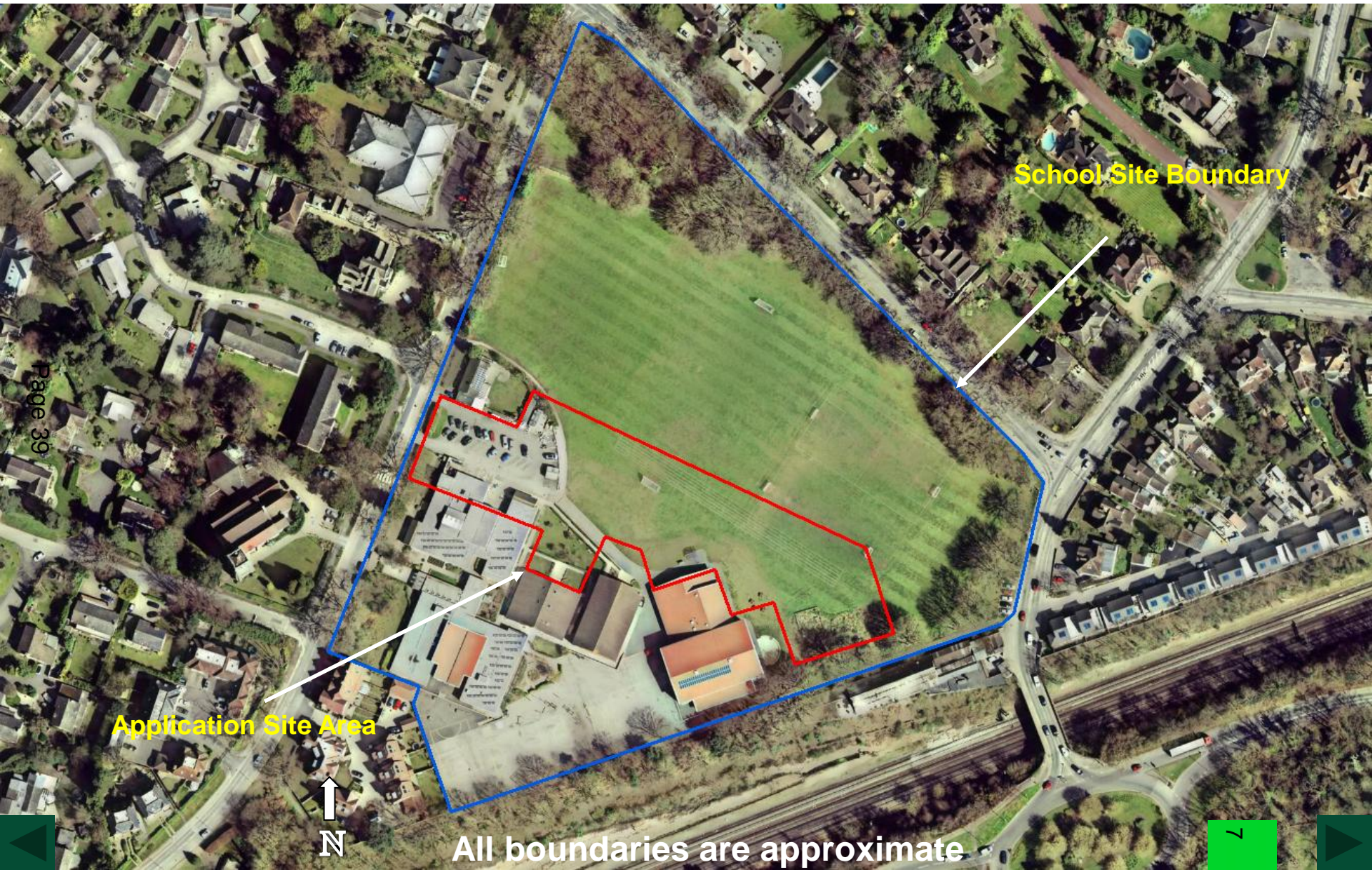
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All boundaries are approximate

2012-13 Aerial Photos

Aerial 3 : Cleves County Junior School



School Site Boundary

Application Site Area



All boundaries are approximate

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Figure 1 : Existing staff car park



Figure 2 : North elevation of Classroom block to be extended



Figure 3 : North elevation of existing Classroom block to be extended



Figure 4 : North elevation of existing dining block
to be extended



Figure 5 : Site of new classroom block and area of hedge to be partially removed to accommodate it



Figure 6 : Existing trees around caretakers house
two to be removed



Figure 7 : Partial view of school playing field





Figure 8 : General location of proposed MUGA



Figure 9 : Site of proposed classroom looking east



Figure 10 : Site of proposed new classroom block viewed from school showing hedge to be partially removed



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TO: PLANNING & REGULATORY COMMITTEE **DATE:** 20 April 2016

BY: PLANNING DEVELOPMENT TEAM MANAGER

DISTRICT(S) SPELTHORNE BOROUGH COUNCIL **ELECTORAL DIVISION(S):**
Stanwell & Stanwell Moor
Mr Evans

PURPOSE: FOR DECISION **GRID REF:** 504453 174373

TITLE: MINERALS/WASTE SP14/01125/SCD1

SUMMARY REPORT

Land at Oakleaf Farm, Horton Road, Stanwell Moor, Surrey TW19 6AP

The construction and use of a recycling, recovery and processing facility for construction and demolition waste on a site of approximately 9.4 hectares comprising: MRF building, site office and workshop; wheel wash and two weighbridges; lorry and car parking area; storage areas; site entrance and access road; and landscaping bunds without compliance with Condition 2 and 4 of planning permission ref: SP/14/01125/SCC dated 13/03/2015 to allow operational flexibility for the access and egress of vehicles based at the site.

The Oak Leaf Farm Waste Recycling Facility, an area of some 9.4ha, lies to the south of Horton Road, Stanwell Moor, approximately 1 km south east of Junction 14 of the M25 Motorway, some 500m south west off London Heathrow Airport's western perimeter and approximately 75m north of King George VI Reservoir. Access to the site is off Horton Road. The application site lies within the Metropolitan Green Belt.

The Oak Leaf Farm site is a former mineral working with a complicated planning history dating back to the 1960's and is identified in the adopted Surrey Waste Local Plan 2008 as suitable for development as a waste management facility.

In November 2009 planning permission (ref.SP08/0992) was granted to redevelop the site, allowing for the construction and use of a permanent recycling, recovery and processing facility for construction and demolition waste comprising a Materials Recovery Facility building (MRF), site office and workshop, wheel wash and two weighbridges, lorry and car parking areas, storage areas, site entrance and access road, and landscape perimeter screening bunds. In March 2015 planning permission SP/14/01125/SCC granted which varied the hours of working permitted under Ref SP08/0992 in order to allow operations involving the use of shredding machinery to be carried out inside the MRF building 24 hours per day, 7 days per week.

Under Section 73 of the Town and Country Planning Act 1990 the applicant is seeking planning permission to modify Condition 2 and 4 (hours of working) of planning permission Ref.

SP/14/01125/SCC dated 13 March 2015 to vary the hours heavy goods delivery vehicles (HGVs) are permitted to access the site.

The application site already generates vehicle movements and the waste licence of 251,000tpa issued for the site determines the overall numbers for heavy goods vehicle (HGV) traffic to the site. Under the existing planning permission, HGVs are only permitted to enter and leave the site between 07:00 hours and 18:00 hours Mondays to Fridays, and between 07:00 and 13:00 on Saturdays and not at all on Sundays or Public Holidays. Due to the changing nature of waste collection requirements the applicant is requesting operational flexibility for HGV access to the site outside these hours. Oak Leaf Farm has an operator's licence to operate 24 HGV vehicles from the application site. The proposal will involve up to 24 HGVs (preloaded) leaving the site and up to 24 HGVs (waste collections) returning to the site during the extended hours sought. This would generate up-to 48 HGV vehicle movements during the out of hours period. However these movements are not additional to the existing total movements already handled at the site which remains as existing. The proposal would mean HGV activity at the site 24 hours per day, 7 days per week. However, there will be no loading or unloading of vehicles outside the existing permitted hours of working. Other than the changes to times for vehicle access, there are no changes proposed to existing waste activities permitted at the site and which would remain undertaken during the permitted daytime working hours. No new lighting is proposed.

Local residents have raised concerns about noise and disturbance, and highway safety from the HGV movements. Spelthorne Borough Council have raised objection to the proposal on the grounds of noise and disturbance arising from the 24 hour use of the site in terms of plant, vehicle movements and lighting.

The implications of increasing the hours when HGVs may access and egress the site have been assessed against Green Belt policy and in terms of impacts to the local environment and amenity. Development Plan policies seek to protect the local environment and the amenities of local residents from the adverse effects of development. The issues assessed for this particular development proposal involves issues of highway, traffic and access, noise and air quality. No objection has been raised by the respective consultees on these issues. Officers consider that, taking into account the mitigation measures proposed and controls through the relevant planning conditions, the development is unlikely to give rise to any significant adverse impact on amenity and the local environment.

Officers consider that the proposal is acceptable and would not cause further harm to the Green Belt and the development should be capable of operation without giving rise to any adverse impact on amenity and environmental interests. Officers consider that planning permission should be granted subject to conditions and the prior completion of a deed of variation to a Section 106 Agreement.

The recommendation is, subject to the prior completion of a deed of variation of a S106 Agreement, to PERMIT subject to conditions

APPLICATION DETAILS

Applicant

Charles Morris Fertilisers Ltd

Date application valid

27 October 2015

Period for Determination

26 January 2016

Amending Documents

None

SUMMARY OF PLANNING ISSUES

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

Issue	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
Highways, Traffic & Access	Yes	38-53
Noise & Hours of Working	Yes	54-66
Air Quality	Yes	67-78
Metropolitan Green Belt	No	79-91

ILLUSTRATIVE MATERIAL

Site Plan

Plan 1

Aerial Photographs

Aerial 1

Aerial 2

Site Photographs

Figure 1 HGV parking area looking east

Figure 2 HGV parking area looking north

Figure 3 View of existing internal access haul road facing west

Figure 4 View of existing landscape screening bunds at site entrance

Application Plan

Site Plan 1163/48: Site Location Plan dated August 2015

BACKGROUND

Site Description

- 1 The application site, an area of approximately some 0.19 hectares is situated at the Oak Leaf Farm Waste Recycling Facility, off Horton Road, Stanwell Moor and is located in the Metropolitan Green Belt. The site lies approximately 1 km south east of junction 14 of the M25, some 500 metres south west off London Heathrow Airport's western perimeter and approximately 75 metres north of King George VI Reservoir. The Staines reservoirs are part of the Staines Moor SSSI and South West London Waterbodies Special Protection Area (SPA) and Ramsar Site. The site lies in the southern end of the Colne Valley Regional Park.
- 2 The main site access lies to the east of Stanwell Moor village centre, on the southern side of Horton Road opposite a garden centre which lies on the northern side, some 100 metres to the west of the A3044 Stanwell Moor Road (dual carriageway). A public right of way, known as Haws Lane forms the southern boundary of the site, and beyond this is the reservoir. A more dense area of housing lies to the west and north west of the site, beyond an area used as paddocks, within 60-120 metres of the main site perimeter boundary.

Planning History

- 3 The Oak Leaf Farm site, of nearly 10 hectares is a former mineral working and has a complicated planning history. The original consent for sand and gravel extraction was gained by way of three planning permissions granted in the 1960s which required the site to be restored to an agricultural use. The infilling of the extraction area was undertaken by Charles Morris Fertilizers who also obtained planning permission in 1966 (ref. STA.P.9214) for the storage of processed organic sludge on a smaller area of the site.
- 4 The site was being used for the unauthorised import, storage and treatment of other waste materials, which led to an Enforcement Notice being issued on 23 July 1992 in respect of these unauthorised activities. Following an appeal, the Enforcement Notice was upheld with some minor amendments and was granted a long compliance period until April 1995.
- 5 On 24 July 1996 planning permission was granted on appeal (ref. APP/B3600/A/95/256933), subject to the completion of a Section 106 legal agreement to secure the discontinuance of all uses and the completion of restoration by the end of a ten-year period (24 July 2006). In addition, this decision required the cessation of organic sludge storage and the removal of screening bunds, both of which benefited from planning permission.
- 6 Subsequently, Oak Leaf Farm is identified in the adopted Surrey Waste Local Plan 2008 as a site suitable for development as a waste management facility.
- 7 In November 2009 planning permission (ref.SP08/0992) was granted to redevelop the site as a permanent waste facility, allowing for the construction and use of the site for the recycling, recovery and processing of construction and demolition waste, comprising: a Materials Recovery Facility (MRF) building; site office and workshop; wheel wash; two weighbridges; lorry and car parking areas; storage areas; site entrance and access road; and landscaped bunds.
- 8 Attached to planning permission (ref: SP08/0992) is a Section 106 legal agreement to secure a landscape and ecology management plan and footpath upgrade, and some 32 planning conditions. Some 8 of those conditions required the submission of further schemes for approval by the County Planning Authority (CPA). These were submitted to and approved by the CPA in 2010 under the following:
 - Ref.SP10/0430 dated 3 August 2010 – for Condition 20 (Details of Bird Hazard Management Plan)
 - Ref.SP10/0390 dated 6 September 2010 – for Condition 25 (Method statement for controlling Japanese knotweed)
 - Ref.SP10/0278 dated 23 September 2010 – for Condition 24 (Scheme of landscaping, planting and maintenance) and Condition 26 (Scheme for the provision and management of a buffer zone alongside ditch)
 - Ref.SP10/0476 dated 29 September 2010 – for Condition 29 (Details of Dust Action Plan)
 - Ref.SP10/0617 dated 29 September 2010 – for Condition 28 (Details of external materials for buildings)
 - Ref.SP10/0668 dated 20 December 2012 – for Condition 13 (Method of Construction Statement)
 - Ref.SP10/0734 dated 20 December 2012 – for Condition 27 (Scheme of surface water drainage)
- 9 In 2011 a non-material amendment to the planning permission ref.SP08/0992 was sought in order to increase the base level within the compound to 21m AOD from 20m AOD. This was approved by the CPA in April 2012 (ref.SP11/00418).

- 10 More recently at the County Council's Planning and Regulatory Committee meeting of 15 October 2014 Members resolved, subject to the prior completion of a variation to the Section 106 legal agreement and subject to conditions, to permit planning application ref: SP/14/01125/SCC for changes to the permitted hours of working of the Materials Recovery Facility building (MRF) permitted under application ref.SP08/0992 so as to allow machinery within the building to operate for twenty-four hours a day, seven days a week. Following completion of a variation to the Section 106 legal agreement planning permission ref. SP/14/01125/SCC was issued on 13 March 2015.
- 11 In March 2016 Surrey County Council granted planning permission Ref. SP15/01184/SCC comprising the installation and use of a concrete crusher, located on the southern boundary of the site compound, in connection with the production of recycled aggregate at the site, and Ref. SP/15/00929/SCC comprising the concreting of 2.47ha of existing unmade surface within the site operating compound.

THE PROPOSAL

- 12 This planning application, made under Section 73 of the Town and Country Planning Act 1990 (as amended), seeks to amend two conditions of planning permission SP/14/01125SCC dated 13 March 2015. These are Conditions 2 and 4 which relate to the hours of working that control the times HGV vehicles access and egress the site.
- 13 The applicant is seeking the flexibility for HGVs to leave and access the site 24 hours per day, seven days per week. The site operators have an operator's licence to operate 24 HGV vehicles from the application site. At present HGVs are only permitted to enter and leave the site between 07:00 hours and 18:00 hours Mondays to Fridays, and between 07:00 and 13:00 on Saturdays and not at all on Sundays or Public Holidays.
- 14 The applicant states that an increasing number of contracts specify out of hours collection to reduce pressure on the road network, particularly in urban areas. The applicants are unable to tender for this sort of business and flexibility is key to that. The applicant now wishes to vary Condition 2 and Condition 4 of planning permission reference SP/14/01125/SCC (dated 13 March 2015) to allow HGV vehicles to leave and access the site outside of the hours currently permitted.
- 15 The proposal will involve up to 24 HGVs (preloaded) leaving the site and up to 24 HGVs (waste collections) returning to the site during the extended hours sought. There is an HGV parking area located within the site compound towards the northern side, west of the site entrance. HGVs arriving at the site during the out of hours would park up within the designated parking area in the site compound. Waste materials brought into the site would remain on the HGVs which would be sheeted, or in covered bins on the vehicles. The applicant also states that the unloading and loading of HGVs would take place during the existing working hours for the site, which are between 0700-1800 Monday to Fridays and 07:00-1300 Saturdays. The drivers of the HGVs would arrive or leave the site by car or bicycle.
- 16 All HGVs operating during the out of hours would access the site from the south along Stanwell Moor Road (A3044), and those leaving would travel northwards along Stanwell Moor Road. None of the out of hours HGVs would access or leave the site through Stanwell Moor Village.
- 17 The applicant does not seek to change the hours for site operations (for example waste recycling, recovery and processing operations) or type and volume of waste permitted for handling at the site. The site operates under a waste licence issued and monitored by the Environment Agency.

CONSULTATIONS AND PUBLICITY

District Council

- 18 **Spelthorne Borough Council - Planning:**
Objection
- 19 **Spelthorne Borough Environmental Health Officer:**
No objection

Consultees (Statutory and Non-Statutory)

- 20 **County Highway Authority – Transport Development Planning:**
No objection, subject to conditions
- 21 **County Noise Consultant - RPS Planning & Development Ltd:**
No objection, subject to conditions
- 22 **County Air Quality Consultant - RPS Planning & Development Ltd:**
No objection
- 23 **The Environment Agency:**
No comments to make

Parish/Town Council and Amenity Groups

- 24 **Stanwell Moor Residents' Association:**
No comments received

Summary of publicity undertaken and key issues raised by public

- 25 The application was publicised by the posting of 2 site notices and an advert was placed in the local newspaper. A total of 124 of owner/occupiers of neighbouring properties were directly notified by letter. At the time of this report, 2 letters of representation have been received raising objection to the application.

The key issues raised:

- Suffer enough noise and pollution from the site
- Amount of lorries passing homes already is unacceptable
- 24 Hour operation would not give any peace
- HGVs using the site have no respect for other road users
- Should be a S106 agreement to create a roundabout at the junction of Horton Road to divert All HGV traffic from village

Officer note

Not all issues raised are relevant to this proposal and include non-planning matters which fall to separate enforcement and regulatory regimes such as highway matters enforced by the Police. Officers acknowledge comments made in respect of a S106 agreement. Horton Road is a public highway and open to passing HGV traffic not related to the site. When planning permission for the permanent site was granted in 2009 a number of controls were imposed to control site HGV traffic which includes a planning condition limiting the amount of site related HGV movements through Stanwell Moor village.

The relevant issues to be considered for this application are issues on noise, air quality and highway and access matters which are assessed in the relevant sections of this report below.

PLANNING CONSIDERATIONS

- 26 This application is submitted under Section 73 of the Town and Country Planning Act 1990 (as amended). Section 73 of the Town & County Planning Act 1990 allows planning permission to be given for development of the same description as development already permitted but subject to different conditions.
- 27 Local planning authorities can grant permission to Section 73 applications unconditionally or subject to different conditions, or they can refuse the application if they decide the original condition(s) should continue. If granted a section 73 planning application creates a fresh planning permission and leaves the existing planning permission intact. The development, which the application under section 73 seeks to amend, will by definition have been judged to be acceptable in principle at an earlier date. Section 73 provides a different procedure for such applications from that applying to applications for planning permission, and requires the local planning authority to consider only the question of the conditions subject to which planning permission should be granted, though in doing so the authority should have regard to all material considerations and determine the application in accordance with the development plan unless material considerations indicate otherwise.
- 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 Surrey Waste Plan 2008; Spelthorne Borough Core Strategy and Policies DPD 2009, and the saved polices from the Spelthorne Borough local Plan 2001.
- 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 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).
- 31 The Government sets out its specific planning policy for waste in the National Planning Policy for Waste 2014 (NPPW) and accompany Planning Practice Guidance NPPG. The NPPW seeks to deliver England’s waste ambitions by driving waste management up the waste hierarchy, the delivery of resource efficiency through the provision of modern infrastructure and wider climate change benefits; ensuring waste management is considered alongside other spatial planning concerns such as housing and transport;

providing a framework in which communities and business take more responsibility for their own waste; helping to secure the re-use, recovery or disposal of waste without endangering human health and without harming the environment; and ensuring the design and layout of new residential and commercial development and other infrastructure complements sustainable waste management.

- 32 Paragraph 7 of the NPPW sets out six bullet points that waste planning authorities should take account of when determining planning applications. Of these bullet points, bullet point three and five are the most relevant in determining this planning application. Bullet point three requires consideration to the likely impact of a waste development proposal on the local environment and on amenity against locational criteria set out in 12 points (a to i) in Appendix B of the NPPW. Bullet point 5 states that decision makers should not be concerned with the control of processes which are a matter for the pollution control authorities, and assume that the relevant control regimes will be properly applied and enforced.

PRINCIPLE OF THE DEVELOPMENT

- 33 Oak Leaf Farm is identified in the Surrey Waste Plan 2008 Policy WD2 as a suitable site for recycling, storage, transfer, materials recovery and processing facility. Sites identified within Policy WD2 are considered to be able to contribute to regional targets for waste management and to provide levels of certainty to communities, waste collection and disposal authorities.
- 34 The principle of the development for this permanent waste management facility and the potential impacts on openness of this Green Belt location were assessed and accepted when planning permission ref.SP08/0992 was granted in November 2009. The 2009 planning permission (Ref.SP08/0992) allows for redevelopment of Oak Leaf Farm for the construction and use as a recycling, recovery and processing facility for processing construction and demolition (C&D) waste. The site has an annual waste throughout of 251,000tpa which is controlled by waste licence issued by the Environment Agency.
- 35 The 2009 planning permission comprises of a number of elements. This includes the creation of a new enlarged compound area of 9.4 ha including 6m and 8m high perimeter screening bunds. Within the sites operating compound there are buildings, processing and storage areas, and lorry and car parking and turning areas amongst other things. The site already generates HGV movements, the total numbers of which are determined by the 251,000tpa waste throughput.
- 36 A range of issues were assessed and accepted in determining planning application Ref.SP08/0992. In addition to Green Belt policy, assessment was made on matters relating to: waste management issues; traffic, transportation and access; environmental impact assessment; ecology; the landscape and visual impact; air quality and dust and noise; flooding, hydrology and hydrogeology; bird strike; lighting; and contaminated land.
- 37 This is a Section 73 application and the local planning authority is required to consider only the question of the conditions subject to which planning permission should be granted, though in doing so the authority should have regard to all material considerations and determine the application in accordance with the development plan unless material considerations indicate otherwise. The proposal seeks to vary Conditions 2 and 4 of Ref. SP/14/01125/SCC in order to allow HGVs site access outside of current permitted hours. The proposal would mean HGV activity at the site 24 hours per day 7 days per week, although the extended hours for HGVs would be for a defined number of HGV movements for up to 48 movements out of hours. It will be necessary to consider whether the out of hours HGV movements would have an unacceptable adverse effect on local environment and amenity. Officers consider that the main issues to be considered for this application are: potential impacts on the local amenity in respect of highway matters, noise and air quality.

HIGHWAYS, TRAFFIC AND ACCESS

National Guidance

National Planning Policy Framework 2012 (NPPF)

National Planning Policy for Waste 2014 (NPPW)

Surrey Waste Plan 2008

Policy DC3 General Considerations

Spelthorne Borough Core Strategy and Policies Development Plan Document 2009

Policy CC2 – Sustainable Travel

- 38 Government policy on transport is set out in part 4 ‘Promoting sustainable transport’ of the NPPF (paragraphs 29 to 41). At paragraph 32, the NPPF states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Planning decisions should take account of whether safe and suitable access can be achieved for all people, and that development should only be prevented or refused on transport grounds where its residual cumulative impacts would be severe.
- 39 Paragraph 7 of the NPPW at bullet point number 3 advises that waste planning authorities when determining waste planning applications should consider the likely impact on the local environment and on amenity against the criteria set out in Appendix B of the NPPW. In respect of traffic and access, point (f) of Appendix B advises that considerations should include the suitability of the road network and the extent to which access would require reliance on local roads.
- 40 Policy DC3 of the Surrey Waste Plan 2008 states that planning permission for waste related development will be granted provided it can be demonstrated that the traffic generation, access and the suitability of the highway network in the vicinity, including access to and from a motorway and primary route network associated with the proposal can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources.
- 41 Spelthorne Borough Council Core Strategy Policy CC2 (Sustainable Travel) provides that the Borough Council will seek to secure more sustainable travel patterns through only permitting traffic generating development where it is or can be made compatible with the transport infrastructure in the area taking account where relevant:
- number and nature of additional traffic movements, including servicing needs,
 - capacity of the local transport network,
 - cumulative impact including other proposed development,
 - access and egress to the public highway, and
 - highway safety

The Development

- 42 Oak Leaf Farm is an existing waste management facility with planning permission (Refs. SP08/0992 and SP/14/01125/SCC) for the construction and operation as a recycling facility processing construction and demolition waste. The waste recycling facility has a potential annual waste throughput of up to 251,000 tonnes per annum (tpa) which is set in the waste licence issued by the Environment Agency.
- 43 The impacts from HGV movements associated with handling up-to 251,000tpa waste throughput have been assessed and accepted under the 2009 planning permission. There are several conditions imposed on the existing planning permissions (Refs.SP08/0992 and SP/14/01125/SCC) to control HGV movements including the times when HGVs can access the site.

- 44 The applicant states that an increasing number of waste collection contracts require waste now to be collected out of hours to reduce the pressures of vehicle movements on roads, particularly in urban areas. Under the existing planning permission, HGVs are only permitted to enter and leave the site between 07:00 hours and 18:00 hours Mondays to Fridays, and between 07:00 and 13:00 on Saturdays and not at all on Sundays or Public Holidays. Due to the changing of nature of waste collection requirements the applicant is requesting operational flexibility for HGV access to the site 24 hours per day, 7 days per week.
- 45 Oak Leaf Farm has an operator's licence to operate 24 HGV vehicles from the application site. The proposal will involve up to 24 HGVs (preloaded) leaving the site and up to 24 HGVs (waste collections) returning to the site during the extended hours sought. This would generate up-to 48 HGV vehicle movements during the out of hours period. However these movements are not additional to the existing total movements already handled at the site which remains as existing, but are a change to the times when HGVs can access the site for a specified number of movements (48 movements).
- 46 All HGVs would access the site from Stanwell Moor Road (A3044) using the existing site access off Horton Road. HGVs travelling to the site would approach from the south on the A3044 and those leaving the site would travel northwards on the A3044. None of HGVs accessing the site outside of the permitted times for site operations would access or leave the site through Stanwell Moor Village. The HGVs operating during out of hours would be parked within the designated parking area within the site compound which is located towards the northern side, west of the site entrance. The drivers of the lorries would arrive or leave the site by car or bicycle.
- 47 The applicant has stated that there would be no loading or unloading of HGV vehicles during the out of hours period. The proposal would involve HGVs leaving the site preloaded, however, any loading of the vehicles would be undertaken during the existing permitted hours for site operations (i.e. 0700-1800 weekdays, 0700-1300 Saturdays). The out of hours HGVs returning to the site also involves waste collections. The applicant states that this collected waste material would remain on the parked up HGVs in either covered vehicles or in covered skip bins and the material would then be emptied into the MRF building when the permitted daytime operational hours commence (i.e. at 7am). This would be the same as the current situation where a loaded HGV were to arrive at the site close to or at 1800 hours on a weekday or 1300hours on a Saturday and then unloaded during the existing permitted hours for waste operations.
- 48 The proposal does not seek to increase the total amount of HGV traffic to the site or type and volume of waste handled at the site, or seek to change the times permitted for waste operations which would remain as existing (i.e. 0700-1800 weekdays, 0700-1300 Saturdays), notwithstanding the 24hr activities allowed to take place associate to the operation of the MRF building. However, the proposal would mean that the site would be operating HGV traffic 24 hours per day, seven days per week involving a defined number of vehicles (equating to 48 movements) during the out of hours period.
- 49 Two letters of objection from neighbouring residents have been received on the application where the key concerns raised relate to noise and HGV traffic through residential areas. Spelthorne Borough Council has raised objection to the application on the grounds from noise and disturbance from the 24 hour use of the site in terms of plant, vehicle movements and lighting. Matters on noise will be assessed in the Noise section of this report below. In respect of the other issues, this application does not propose any new lighting from that already approved under the planning permission for the site (Refs. SP08/0992 or as varied under ref SP/14/01125/SCC) and the use of any lighting would remain controlled by condition. In terms of this proposal it is necessary to be satisfied that the out of hours movements would not give rise to significant adverse impacts on highways grounds.

- 50 The County Highway Authority (CHA) has been consulted on the application. The CHA notes that there is no increase proposed to the total numbers of HGV movements already allowed for the site assessed and accepted when planning permission was granted in 2009. The CHA considers that the main issues for the proposal are environmental (i.e. such as noise disturbance), as from a highway network point of view, as the proposed additional hours would result in HGV movements outside of the busiest times these movements can be accommodated on the highway network. The CHA has recommended several conditions for the application which includes a new planning condition limiting no more than 48 HGV movements during the out of hours period, and that the existing planning condition (Condition 15 of Ref.SP08/0992 or Condition 17 of Ref. SP/14/01125/SCC) which limits the amount of vehicles through Stanwell Moor Village should remain in place for this application. The CHA concludes that there is no objection to the application on highways highway safety and capacity grounds and has recommended that planning permission should be granted subject to the recommendation of conditions.
- 51 Officers acknowledge that the proposal will give rise to up to 48 additional vehicle movements during the extended hours sought. However, the movements proposed are for changes to the times when HGVs access the site for a defined number of HGVs and the application does not seek to increase the overall HGV traffic handled at the site. The CHA has confirmed these movements can be safely accommodated on the highway network as these are outside of the busiest times of the road network. None of the other specialist consultees have objected to the proposal on highway grounds.

Highways conclusion

- 52 Having regard to the paragraphs above, Officers consider that, taking into consideration the advice of the specialist consultees the proposal would not give rise to significant adverse effects on highways grounds and that any likely highway impacts can be adequately controlled through planning conditions and the mitigation measures already in place at the site.
- 53 In conclusion Officers are satisfied that, subject to the recommendation of conditions, the proposal is acceptable for highways, traffic and access and accords with relevant development plan policies and Government policy and guidance contained in the NPPF and NPPG, and NPPW.

ENVIRONMENT AND AMENITY CONSIDERATIONS

National Guidance

National Planning Policy Framework 2012 (NPPF)

National Planning Policy for Waste 2014 (NPPW)

Surrey Waste Plan 2008

Policy DC3 General Considerations

Spelthorne Borough Core Strategy and Policies Development Plan Document 2009

Strategic Policy SP6 – Maintaining and Improving the Environment

Policy EN3 Air Quality

Policy EN11 Development and Noise

Noise

- 54 Paragraphs 109 – 125 of the NPPF advocates 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 air pollution. Accordingly, 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 should be taken account.

- 55 The NPPF requires that planning policies and decisions should aim to (a) avoid noise from giving rise to significant adverse impacts on health and quality of life as a result from new development; (b) mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions; (c) recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and (d) identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason
- 56 The NPPW at bullet point number 3, paragraph 7, advises that waste planning authorities when determining waste planning applications should consider the likely impact on the local environment and on amenity against the criteria set out in Appendix B. Under Appendix B point (j) noise and vibration, considerations will include the proximity of sensitive receptors. The operation of large waste management facilities in particular can produce noise affecting both the inside and outside of buildings. Intermittent and sustained operating noise may be a problem if not properly managed.
- 57 Policy DC3 seeks to ensure that proposals do not cause significant adverse harm to land or people from dust emissions and requires appropriate mitigation measures to be identified so as to minimise or avoid any material adverse impact. Spelthorne Borough Core Strategy and Policies Development Plan Document February 2009 Policy EN11 (Development and Noise) seeks to minimise the impacts of noise and sets out a series of criteria by which to achieve this including measures to reduce noise to acceptable levels and ensuring provision of appropriate noise attenuation measures.

The Development

- 58 As discussed in the paragraphs above, the applicant is seeking permission to allow site access for 24 HGVs based at the site (up to 48 vehicle movements) outside of the hours currently permitted which would mean HGV activity at the site 24 hours per day 7 days per week.
- 59 The Oak Leaf Farm site already has established noise limits assessed and accepted in 2009. The site has a range of measure measures to mitigate noise, including 6m and 8m high perimeter screening bunds, and there are further controls for noise limits imposed by condition on the planning permissions granted for the site (Refs SP/14/01125/SCC and SP08/0992).
- 60 Under this proposal all HGVs operating during the proposed out of hours period would access the site away from residential properties by approaching the site from the east using Stanwell Moor Road (A3044). None of the HGVs would access or leave the site through Stanwell Moor Village. HGV vehicles arriving at the site would park up within the designated parking area in the site compound. The drivers of the lorries would arrive or leave the site by car or bicycle. The applicant has stated there would be no loading or unloading of HGV vehicles during the out of hours period being sought. Other than the proposed changes associated to the change in times for HGV access, the application proposes no other changes to external activities at the site.
- 61 Spelthorne Borough Council as the local planning authority has objected to the application on the grounds of noise and two letters of objection from neighbouring residents have been received raising concerns on noise. Officers acknowledge that the proposal has the ability to generate noise and therefore it is necessary to be satisfied that the HGV

movements accessing the site during out of hours and at night time will not give rise to significant adverse impacts on noise grounds.

- 62 The applicant has submitted a detailed Noise Assessment (WBM Acoustic Consultants - Analysis of noise data, 4 August 2015) which assesses the potential noise impacts of HGVs during the proposed out of hours period.
- 63 The applicant's noise assessment and calculations assesses HGVs on the site access road during the extended hours. The noise assessment identifies that the nearest noise sensitive receptor location as being 121 Horton Road, 175m from the access road – following similar principles of the noise assessment made for previous planning applications to redevelop the site (refs.SP08/0992 as varied by SP/14/01125/SCC). The assessment calculates the maximum night time noise level from HGV movements at the nearest noise sensitive receptor (121 Horton Road) would be 55dB $L_{Amax, f}$, allowing for distance and soft ground attenuation. However, the assessment did not include correction for further noise attenuation provided by the existing 8m high screening bunds. The applicants assessment concluded that the maximum night time noise levels at the nearest noise sensitive receptor (121 Horton Road) were below the external maximum noise level suggested in the "WHO: *Guidelines for Community Noise*" and would not represent a significant impact on neighbouring residents at the nearest noise sensitive receptor.
- 64 The County Noise Consultant (CNC) has assessed the noise assessment submitted for the application. The CNC did not fully agree with the calculations provided by the applicant, identifying that the maximum site noise levels from HGVs at night time as being higher at 58 dB $L_{Amax, f}$, corrected for distance and soft ground attenuation, than the 55dB $L_{Amax, f}$ shown in the applicants noise report, although also noted that the applicants calculation did not include mitigation provided by the sites 8m high screening bund. As part of their review the CNC took into account noise attenuation provided by the 8m high site screening bund and calculated that the maximum noise levels at the receptor properties on Horton Road would be reduced to 48 dB $L_{Amax, f}$. In concluding their assessment, the CNC considers it unlikely that neighbouring residents would be able to distinguish between a normal HGV passing the site and an HGV associated with the site accessing or egressing the site, therefore there would be no significant adverse impact from the proposal. The CNC has therefore raised no objection to the application, subject to the imposition of conditions, which includes limiting the numbers of HGV movements out of hours.
- 65 As discussed in the paragraphs above the County Noise Consultant has assessed the noise impacts from the proposal and raises no objection, subject to the imposition of conditions which include further controls on the night time noise from the out of hours HGV activity. Furthermore, the County Highways Authority has confirmed that there are no grounds for objection on highway capacity and safety grounds and has recommended that planning permission should be granted subject to conditions. Officers therefore consider that, taking into consideration the advice of the specialist technical consultees, the proposal would not give rise to harmful noise impacts.

Conclusion – Noise

- 66 Having regard to the above paragraphs, Officers consider that, subject to the recommended conditions and the maintaining of existing measures for controlling noise, the proposed development can be considered acceptable on noise grounds. Officers conclude that the proposal accords with relevant development plan policies and Government policy and guidance contained in the NPPF and NPPG with regard to noise an hours of working.

Air Quality

- 67 European Union (EU) legislation on air quality forms the basis for national UK legislation and policy on air quality. The 2008 Ambient Air Quality Framework Directive sets legally binding limits for concentrations in outdoor air of major pollutants impact on public health such as particulate matter (PM10 and Pm2.5) and nitrogen dioxide (NO2). The 2008 Directive is transposed into English law through the Air Quality Standards Regulations 2010. The Environment Act 1995 provides a system under which local authorities are required to review and assess the air quality within their administrative boundaries area. Should this process identify that objectives set in the Air Quality Strategy will not be met, the local authority must declare an Air Quality Management Area.
- 68 The NPPF advocates 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 air pollution. 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 should be taken into account.
- 69 Paragraph 124 of the NPPF states that “planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas (AQMA) and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan”. At paragraph 122, the NPPF goes onto to state that local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of that use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. The local planning authority should assume that these regimes will operate effectively.
- 70 The National Planning Policy for Waste (NPPW) requires waste planning authorities when determining waste planning applications should consider the likely impact on the local environment and on amenity against the criteria set out in Appendix B and the locational implications of any advice on health from relevant from relevant health bodies. Appendix B location criteria point (g) air emissions, including dust states considerations will include the proximity of sensitive receptors, including ecological as well as human receptors, and the extent to which adverse emissions can be controlled through the use of appropriate and well-maintained equipment and vehicles.
- 71 Surrey Waste Plan 2008 (SWP 2008) Policy DC3 seeks to ensure that proposals do not cause significant adverse harm to land or people from dust emissions and requires appropriate mitigation measures to be identified so as to minimise or avoid any material adverse impact.
- 72 Policy EN3 (Air Quality) of Spelthorne Borough Council Core Strategy Development Plan Document 2009 (SBC CS DPD 2009) states the Council will seek to improve the air quality of the Borough and minimise harm from poor air quality by:
- a) supporting measures to encourage non-car based means of travel,
 - b) supporting appropriate measures to reduce traffic congestion where it is a contributor to existing areas of poor air quality,
 - c) requiring an air quality assessment where development:
 - i) is in an Air Quality Management Area, and

- ii) generates significant levels of pollution, or
- iii) increases traffic volumes or congestion, or
- iv) is for non-residential uses of 1000 m² or greater, or
- v) is for 10 or more dwellings, or
- vi) involves development sensitive to poor air quality

d) refusing development where the adverse effects on air quality are of a significant scale, either individually or in combination with other proposals, and which are not outweighed by other important considerations or effects and cannot be appropriately and effectively mitigated,

e) refusing development where the adverse effects of existing air quality on future occupiers are of a significant scale which cannot be appropriately or effectively mitigated and which are not outweighed by other material considerations.

The Development

- 73 In 2009 planning permission SP08/0992 was granted which allows for the redevelopment of Oak Leaf Farm for the construction and use of a recycling, recovery and processing facility for construction and demolition waste. The application site is located in within an Air Quality Management Area (AQMA), which covers the whole of the borough of Spelthorne and has been designated due to high annual average concentrations of nitrogen dioxide (NO₂) associated with exhaust gas emissions. As part of the planning application Ref.SP08/0992 the applicant submitted an Air Quality Assessment which included assessment of the predicted impacts on the local air quality and AQMA from HGV movements associated with handling 251,000tpa at the site.
- 74 This application is for changes to the permitted times when HGVs may access the site which were established when planning permission was granted in 2009. The application does not propose any increase to the total number of HGV movements permitted for the site which were assessed and accepted when planning permission was granted in 2009.
- 75 The County Air Quality Consultant (CAQC) has reviewed the application in view of the likely air quality impacts from the proposed changes and against current policy guidance and legislation for air quality. The CAQC has advised that the Environmental Protection UK (EPUK)/Institute of Air Quality Management (IAQM) 2015 "*Land-use Planning & Development Control: Planning for Air Quality*" document, sets out indicative criteria for determining when an air quality assessment would be required. In the case of development proposal where there is change in HGV movements within an AQMA, the indicative threshold is a change in flows that exceeds 25 per day. The proposal does not involve any increase to the total number of HGV movements handled at the site and therefore as the indicative threshold criterion would not be exceeded, the applicant would not be required to undertake an air quality assessment for the application.
- 76 The CAQC notes the out of hours HGV movements would leave the site travelling northwards on Stanwell Moor Road (A3044), and HGV movements arriving at the site, travelling from the south on Stanwell Moor Road and would not pass residential properties. The CAQC has undertaken a review of the area which indicates that there are no high sensitivity receptors in the area of the application site which is located at the junction of Horton Road and Stanwell Moor Road (A3044). The CAQC concludes that as the EPUK/IQM threshold criteria will not be exceeded for this proposal and that the out of hours HGVs will access the site via Stanwell Moor (A3044), the impacts of the proposal on air quality would not be significant. The CAQC therefore has not raised objection to the proposal.
- 77 The Environment Agency has been consulted on the application and has no comments to make on the proposal. The Spelthorne Borough Council Environmental Health Officer (EHO) has also assessed the planning application and advises that the impacts on the

local area are likely to be minimal. Therefore the Spelthorne's Pollution Control team does not have any objection to planning permission being granted in relation to air quality and dust.

Air Quality - Dust Conclusion

- 78 Officers consider that, having regard to the paragraphs above, the development proposed would not give rise to significant adverse impact to local amenity with regard to adverse impacts to air quality and dust impacts. Officers conclude that the proposal is in accordance with relevant development plan policies and Government policy and guidance contained in the NPPF and NPPG with regards to air quality – dust.

GREEN BELT

Surrey Waste Plan 2008

Policy WD2 – Recycling, storage, transfer, materials recovery and processing facilities (excluding thermal treatment)

Policy CW6 – Development in the Green Belt

Spelthorne Borough Local Plan 2001

Policy GB1 Development Proposals in the Green Belt

- 79 Paragraph 79 of the NPPF establishes the importance of Green Belts. The fundamental aim of Green Belt Policy is to prevent urban sprawl by keeping land permanently open, and that the essential characteristics of Green belts are their openness and their permanence. Paragraph 80 of the NPPF states that Green Belt serves five purposes: (a) to check the unrestricted sprawl of large built-up areas, (b) to prevent neighbouring towns merging into one another, (c) to assist in safeguarding the countryside from encroachment, (d) to preserve the setting and special character of historic towns, and (e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 80 Paragraph 87 of the NPPF 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 88 states that when considering any planning applications, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, and goes on to say that 'very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 81 Policy CW6 of the Surrey Waste Plan 2008 states that there will be a presumption against inappropriate waste related development in the Green Belt except in very special circumstances. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Policy CW6 goes on to state that the characteristics of the application site and wider environmental and economic benefits of sustainable waste management may contribute to very special circumstances.
- 82 Spelthorne Borough Local Plan 2001 Policy GB1 Development Proposals in the Green Belt advises that development in the Green Belt, which would conflict with the purposes of the Green Belt and maintaining its openness, will not be permitted.

Harm

- 83 Oak Leaf Farm is allocated in the Surrey Waste Plan 2008 (SWP 2008) Policy WD2 for most forms of waste related development including waste recycling. Development proposals for waste development identified in Policy WD2 will be granted provided that the development proposed meets key development criteria and where very special

circumstances can be demonstrated in accordance with the provisions of SWP 2008 Policy CW6 (Development in the Green Belt).

- 84 The application site is located in the Green Belt where there is a general presumption against inappropriate development. Waste management operations, including this development proposal, are not deemed compatible with the objectives of the Green Belt and maintaining openness of the Green and are considered inappropriate development.
- 85 The proposal is a Section 73 application seeking non-compliance with Conditions 2 and 4 of Ref SP/14/01125/SCC for changes to the hours of operation at this existing waste management facility in order to allow 24 HGVs based at the site the flexibility to access and egress the site outside of the permitted operational hours for vehicle movements at the site. The proposal would generate up to 48 vehicle movements during the out of hours period and would mean HGV activity at the site 24 hours per day, 7 days per week. However, these 48 vehicle movements do not represent an increase in total movements handled at the site but are changes to the times when HGV movements to the site take place.
- 86 Inappropriate development may only be permitted where very special circumstances are judged to clearly outweigh the harm caused by inappropriateness and any other harm. Where there is harm to the Green Belt the applicant will need to demonstrate very special circumstances exist in order to justify the grant of planning permission.
- 87 In the case of an application under Section 73 of the Town and Country Planning Act 1990 (as amended) the local planning authority may only consider the question of the conditions subject to which planning permission should be granted. The original planning permission remains capable of implementation and a base line for development.
- 88 In November 2009 Surrey County Council granted planning permission for the redevelopment of Oak Leaf Farm for the construction and use as a permanent recycling, recovery and processing facility for construction and demolition waste. The principles for the need for this permanent waste management facility and the potential impacts on openness in this Green Belt location were assessed and accepted when that planning permission (Ref.SP08/0992) was granted. In assessing the application Ref.SP08/0992, Officers accepted there to be a number of factors, which together constituted very special circumstances that clearly outweighed the harm to the openness to the Green Belt and any other harm such that an exception to Green Belt policy could be made. The factors include a need for recycling C&D waste and other waste streams handled at the site thereby moving this waste further up the hierarchy, contributing to county's targets for recycled aggregate and towards sustainable waste management in general, and that there is a lack of alternative sites within north west Surrey and wider catchment area for this site.
- 89 Accordingly the principle of development for a recycling, recovery and processing facility is established at this Green Belt site. The proposal to extend the hours of operation should be considered in the context of the practical consequences of imposing different conditions. The proposed extension of hours are not considered to have a material impact on the purposes of the Green Belt or its openness or to give rise to any other harm.
- 90 The potential harm from the proposed activity on the local environment and amenity with regard to noise, highway and access matters and air quality issues have been assessed above within this report.
- 91 Officers consider that the very special circumstances advanced by the applicant and accepted under the 2009 planning permission for the permanent siting and operation of this recycling facility which outweigh any potential harm to the Green Belt by reason of inappropriateness still exist and are material in the case of this proposal. Nevertheless, the proposed development does not materially affect Green Belt policy considerations.

Other Matters

- 92 In 2009, planning permission Ref:SP08/0992 was permitted on the basis that prior to the grant of that planning permission the applicant would enter into a Section 106 (S106) legal agreement to provide long-term management of the ecological and biodiversity area to the northwest of the application site and for the facilitation in upgrading the footpath to the south of the application site to a bridleway. The applicant subsequently made a Section 73 application in 2014 under Ref. SP/14/01125/SCC for changes to the type and times of equipment operated inside the MRF building permitted in 2009. That 2014 application was permitted by Surrey County Council on the basis that prior to the grant of the new planning permission a deed of variation to the S106 agreement would be agreed so that the requirements of the S106 were brought forward under the new consent. Following completion of a variation to the Section 106 legal agreement planning permission ref. SP/14/01125/SCC was issued on 13 March 2015. This is a further Section 73 application and therefore, if this application Ref.SP14/01125/SCD1 is minded to be granted a further deed of variation to the S106 will need to be agreed prior to the granting of permission so that the S106 is brought forward under any new permission reference number.

HUMAN RIGHTS IMPLICATIONS

- 93 The Human Rights Act Guidance for Interpretation, found at the end of this report, is expressly incorporated into this report and must be read in conjunction with the following paragraph.
- 94 It is acknowledged that there would be an impact on the Green Belt caused by inappropriateness of the development and harm to openness, and other harm in terms of impacts on local amenity from the impacts in respect of highways, noise and air quality. These impacts have been assessed in the body of the report. However, the scale of such impacts is not considered sufficient to engage Article 8 or Article 1 of Protocol 1 and, if planning permission were to be granted, such impacts are capable of being mitigated by the measures incorporated into the application proposal and by planning condition. There are separate mitigation measures and controls available through the Environmental Permitting regime. As such, this proposal is not considered to interfere with any Convention right.

CONCLUSION

- 95 Oak Leaf Farm is an established site with planning permission for construction and operation as a waste management recycling facility for processing construction and demolition waste. The site already generates vehicle movements for dealing with the 251,000tpa waste throughput permitted for handling at the site. Currently the times when HGVs are permitted to access the site are limited to 0700-1800 Monday to Friday and 0700-1300 on a Saturday. The applicant is seeking permission to allow HGVs access to the site outside of those hours which would mean HGV activity at the site 24 hours per day, 7 days per week, although during the out of hours period this would involve a specified number of HGV movements (48 movements). The reason for this change is that an increasing number of waste collection contracts locally to the site in North Surrey and West London are specifying out of hours collections (at night and early morning hours) when the roads are less congested.
- 96 The implications for extending the hours for HGVs access to the site involves the assessment of issues including traffic, highways and access, noise, air quality and an assessment against Green Belt policy. Objections have been received from local

residents on noise disturbance and highway safety issues and Spelthorne Borough council have raised objection on the grounds of noise and disturbance from the 24 hour use of the site in terms of plant, vehicle movements and lighting. No objections have been received from technical consultees on these matters subject to conditions where recommended. The County Highway Authority raises no objection from a highway safety and capacity point of view and has recommended planning permission should be granted subject to conditions. The County Noise Consultant is satisfied that proposal would not result in a significant adverse impact on noise grounds and has recommended conditions. The County's Air Quality Consultant has raised no objection to the proposal.

- 97 There would be no loading or unloading of HGVs during the out of hours period and no changes are proposed to the existing waste processing activities which will continue to operate under the existing permitted hours for day time operations. The proposal does not seek to increase the volume or type of waste permitted for handling at the site and there would be no increase to the total number of HGV movements. There is no new lighting proposed for this application. Any new lighting other than existing lighting already permitted for use at the site would require planning consent.
- 98 The proposal would enable the site to send out and receive HGVs to meet the changing need for waste collections outside of normal working hours. The proposal would allow the site operational flexibility to make collections at the required time and the site to function efficiently to meet current conditions. The site is well located to the source of waste arisings and the changes proposed would enable the site to collect waste which otherwise would result in an increase in waste haulage miles to waste facilities further away, afford a more efficient operation allowing the use of the site to be maximised, and the waste facility to continue to contribute to national and local objectives for sustainable waste management and the recycling of materials.
- 99 In conclusion, there are no policy objections in relation to the impacts on local amenity in terms of highways, noise and air quality and no new lighting is proposed. Where safeguards are required these can be secured through planning conditions. The principle of the development at this Green Belt site have been established when planning permission (Ref.SP08/0992) was granted in 2009. The proposal seeks to improve the operational efficiencies of the site for recycling materials, which would assist targets for sustainable waste management. Taking account of all these matters, Officers consider that planning permission should be granted subject to conditions and the prior completion of a deed of variation to a legal agreement.

RECOMMENDATION

The recommendation is subject to the prior completion of a deed of variation of a legal agreement, to PERMIT subject to conditions

Conditions:

Approved Documents

1. The development hereby permitted shall be carried out in all respects strictly in accordance with the following plans/drawings:
 - Drawing No 1163/2C Site Location Plan dated 30.05.06
 - Drawing No 1163/6N Site Layout Plan dated January 2008 (Revision N dated March 2009)
 - Drawing No 08/126/02B Proposed MRF Crushing & Bailing Building dated 30.10.08
 - Drawing No 1163/9E Bunds Sections dated September 2008 (Revision E dated 9 May 2011)
 - Drawing No 08/126/01 Proposed Office Elevations dated 30.10.08
 - Drawing No 08/126/03 Proposed Garage Elevations dated 30.10.08

- Drawing No 1163/10H Planting Plan dated March 2008 (Revision H dated 26 August 2010)
- Drawing No 1163/12 Buffer Strip Access Plan dated March 2009
- Drawing No 1163/35 Proposed variation of Condition 3 of planning permission SP08/0992 dated February 2014
- Drawing No. 1163/37B MRF Lighting Layout dated May 2014.
- Drawing No. 1163/48 Site Location Plan dated August 2015.

Hours of Working

2. With the exception of a) those HGVs referred to in Condition 3 below, and b) the 24 hour operation of shredding and sorting machinery within the MRF building and associated activities permitted under planning permission Ref. SP/14/1125/SCC dated 13 March 2015; no other authorised operations or activities permitted by planning permission ref: SP08/0992 dated 19 November 2009 shall be carried out, and no lights illuminated, except between the following times:

0700-1800 Mondays to Fridays
0700-1300 Saturdays

Neither shall any servicing, maintenance or testing of plant be carried out between 1800 and 0700 hours nor shall any other operation or activity take place on a Sunday or any public holiday. This shall not prevent the carrying out of emergency operations, but these should be notified to the County Planning Authority within 24 hours.

3. The development hereby permitted shall allow the limited site access and egress of 24 HGVs (defined as any vehicle in excess of 3.5 tonnes gross vehicle weight) based at the site and only to be parked within the designated lorry parking area shown on drawing number 1163/48 dated August 2015 outside of the hours of working specified in Condition 2 of this permission. There shall be no more than a total number of 48 HGV vehicle movements between the following times:

1800 Monday to 0700 Tuesday
1800 Tuesday to 0700 Wednesday
1800 Wednesday to 0700 Thursday
1800 Thursday to 0700 Friday
1800 Friday to 0700 Saturday, and
1300 on a Saturday to 0700 Monday morning

The operator of the site shall maintain accurate records of the number of HGV vehicles accessing and egressing the site daily between these times (including vehicle prefix) and these records shall be made available to the County Planning Authority on request.

4. There shall be no loading and unloading by delivery vehicles except between the following times:

0700-1800 Mondays to Fridays
0700-1300 Saturdays

There will be none on a Sunday or any public holiday.

5. No construction operations or activities authorised or required as approved by the planning permission Ref: SP08/0992 dated 19 November 2009 shall be carried out except between the following times:

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

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

Limitations

6. Only commercial and industrial and construction and demolition waste shall be imported onto the application site as outlined within the application documents submitted with planning permission ref: SP08/0992 dated 19 November 2009 for handling and processing at the site and within the Materials Recycling Facility (MRF) building. All other waste shall be removed from the site and disposed of at a suitably licensed landfill.
7. The operation of shredding and sorting machinery for processing commercial and industrial waste as referred in Condition 6 above shall only take place inside the MRF building as shown on plan drawing No.1163/35 Proposed Variation of Condition 3 of planning permission ref: SP08/0992 dated February 2014.
8. Concrete crushing machinery shall only be operated at the site in accordance with planning permission Ref. SP15/01184 SCC dated 7 April 2016.
9. All processed and unprocessed waste stockpiled externally at the site, shall be stored within the areas delineated on Drawing No. 1163/6N dated January 2008. Stockpile heights shall not exceed a height of 6 metres above ground level.
10. The two profile height posts erected within the stockpiling area as delineated on Plan 1163/6N to display the profile heights shall be maintained for the duration of the use hereby authorised.
11. All loads entering and leaving the application site shall be sheeted.
12. Notwithstanding any provision to the contrary under Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any subsequent Order, no plant, building or machinery whether fixed or moveable other than that specifically outlined by this permission shall be erected on the application site external to the materials recovery/recycling building without the prior written approval of the County Planning Authority in respect their siting, design, specification and appearance of the installation, such details to include the predicted levels of noise emission and their tonal characteristics of any plant or machinery.

Traffic

13. In accordance with the requirements of planning permission ref: SP08/0992 dated 19 November 2009 the former site access to the west of the main site access on Horton Road shown on plan drawing number 1163/48 dated August 2015 shall be maintained permanently closed.
14. In accordance with the requirements of planning permission ref: SP08/0992 dated 19 November 2009 no new development shall be occupied until space has been laid out within the site in accordance with plan 1163/6N dated March 2009 for vehicles to be parked and for the loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. The parking/turning area shall be used and retained exclusively for its designated purpose.
15. Before any of the operations which involve the movement of materials in bulk to or from the site are commenced, facilities shall be provided as must be approved by the County Planning Authority, in order that the operator can make all reasonable efforts to keep the public highway clean and prevent the creation of a dangerous surface on the public highway. The agreed measures shall thereafter be retained and used whenever the said operations are carried out.

16. The Method of Construction Statement approved by planning permission ref: SP10/0668 dated 20 December 2010 shall be implemented strictly in accordance with the approved details contained therein. Only the approved details shall be implemented during the construction period.
17. A sign shall be permanently maintained at the site exit advising HGV drivers to turn right out of the site and to use the vehicle route via the A3044 rather than turning left onto Horton Road and travelling through Stanwell Moor village. This sign shall not prohibit local deliveries, defined as those within Stanwell Moor, from turning left
18. There shall be no more than 8 inbound HGV movements accessing the site from Stanwell Moor per hour (90 inbound HGV movements in any one weekday/ 50 inbound HGV movements in any one Saturday) and none of these movements shall be outside of the hours of working specified in Condition 2 of this permission. The site operator shall conduct surveys of the number of HGVs accessing the site daily from Stanwell Moor for a period of five consecutive days including one Saturday, to be undertaken at no greater than two within the first year of operation (with a minimum of six months between the two surveys) and subsequent reviews at intervals thereafter to be approved by the County Planning Authority following the submission of the second survey. The surveys shall be submitted to the County Planning Authority on completion.

Rights of Way

19. The ditch as shown on Drawing 1163/6N dated March 2009 shall be cleaned and regularly maintained so as to contain any run off from the bund and prevent water flowing on to public right of way 3 Staines.

Noise and Vibration

20. The development hereby permitted shall not commence until a Night-time Noise Management Plan which shall include best practice and mitigation measures for noise management of night time HGV site traffic and associated activities as specified in the planning application, has been submitted to and approved in writing by the County Planning Authority. The Plan shall cover the hours 1800 to 0700 on any night. The scheme shall be implemented and maintained as approved.
21. With the exception of the operating of shredding and sorting machinery within the MRF building between the hours of 1700 to 0730, noise levels arising from the development shall not exceed the level of 55 LAeq (½ hour) measured at, or recalculated as at, a height of 1.2m and at least 3.5 m from the facade of the properties 121 to 149 Horton Road or 47 LAeq (½ hour) measured at, or recalculated as at, a height of 1.2m and at least 3.5 m from the facade of the noise sensitive locations at Pegasus Stables or the properties in Hithermoor Road.
22. During the hours of 1700 to 0730 hours the level of noise arising from the night time operation of the MRF building and any associated activity, when recalculated as at a height of 4 m above ground level and 3.5 m from the facade of a residential property or other noise sensitive building that faces the site shall not exceed 33 LAeq, during any 5 minute period for the properties 121 to 149 Horton Road or 28 LAeq, during any 5 minute period at Pegasus Stables.
23. During the times stated in Condition 3 of this permission, the external maximum level of noise arising from HGV movements within the site or on the access road shall not exceed 60 dB LAmax,f as a façade level or 57 dB LAmax,f as a free-field level at any residential or other noise sensitive building, assessed at a height of 1.5 m for bedrooms on the ground floor or 4.0 m for bedrooms on the first floor.

24. The level of noise arising from any operation, plant or machinery on the site in association with construction activities when measured at or recalculated as at a height of 1.2m above ground level and 3.6m from the facade of any residential property or other occupied building shall not exceed $Leq = 70dB(A)$ when measured over any 60 minute period.
25. The quietest available items of plant and machinery shall be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels.

Bird Management Plan

26. The Bird Hazard Management Plan received on 12 July 2010 approved by planning permission ref: SP10/0430 dated 3 August 2010 shall be implemented strictly in accordance with the approved details contained therein.

Lighting Scheme

27. No flood lighting or any form of external lighting, including security lighting other than that already approved, shall be installed on the site.

Ecology

28. No removal or cutting of vegetation including trees and shrubs shall be carried out on site between the 1 March and 31 August inclusive in any year, unless otherwise approved in writing by the County Planning Authority in advance of such works.

Landscaping

29. The scheme of landscaping, planting and maintenance approved by planning permission ref: SP10/0278 dated 23 September 2010 shall be implemented strictly in accordance with the approved details contained therein. All landscaping and planting in accordance with the approved scheme shall be carried out within a period of 12 months from the date on which the development of the site commenced and shall be maintained for a period of 10 years, such maintenance to include the replacement of any trees and shrubs that may die or are severely damaged with trees or shrubs of a similar size and species in the next available planting season.

Japanese Knotweed

30. The detailed method statement for the removal or eradication of Japanese Knotweed approved by planning permission ref: SP10/0390 dated 6 September 2010 shall be implemented strictly in accordance with the approved details contained therein. The development shall proceed in accordance with the approved method statement.

Flood Risk and Surface Water Drainage

31. The scheme for the provision and management of a buffer zone alongside the ditch approved by planning permission ref: SP10/0278 dated 23 September 2010 shall be implemented strictly in accordance with the approved details contained therein. Thereafter the development shall be carried out in accordance with the approved scheme.
32. The scheme to dispose of foul and surface water approved by planning permission ref: SP10/0734 dated 20 December 2010 shall be implemented strictly in accordance with the approved details contained therein.

Details of Building

33. The details of materials to be used externally on new buildings approved by planning permission ref: SP10/0617 dated 29 September 2010 shall be carried out and completed in all respects strictly in accordance with the Details of Building Materials dated 28 June 2010. No omissions or variations shall take place.

Dust

34. The Dust Action Plan Revision 2 dated 10 August 2010 approved by planning permission ref: SP10/0476 dated 29 September 2010 shall be implemented strictly in accordance with the approved details contained therein unless and until such times as a revised Dust Action Plan pursuant to Condition 35 below has been submitted to and approved by the County Planning Authority in writing.
35. No operations approved under planning permission SP/14/01125/SCC dated 13 March 2015 shall commence within the MRF building until a revised Dust Action Plan has been submitted to and approved by the County Planning Authority in writing. The revised Dust Action Plan shall specify the measures and appropriate additional procedures, including control and mitigation measures and modifications to site operations, and the details and specifications for the installation of a powered ventilation system, and a filtration/settlement unit at ground level outside the building to manage dust emissions taking account of: actual and forecast meteorological conditions such as rainfall, wind direction and wind speed; and routine visual observations of dust emissions.
36. The detail with regard to Conditions 34 and 35 above shall be implemented in accordance with the details approved, or as may be subsequently amended and approved following periodic reviews of the Plan which are to be undertaken at no greater than two year intervals in the first six years and five year intervals thereafter for the duration of the use of the site.
37. No activity hereby permitted shall cause dust to be emitted from the soil processing area and stockpiling area so as to cause nuisance or loss of amenity at sensitive receptors. Should such emissions occur the relevant activity shall be suspended until it can be resumed without causing any unacceptable emissions.
38. Notwithstanding the requirements of Conditions 34 to 37 above, the operators shall employ appropriate control and mitigation measures in accordance with Section 6 'Proposed Mitigation Measures' provided within the Air Quality Assessment October 2008 and amending information dated 18 February 2009 and approved by planning permission ref.SP08/0992 dated 19 November 2009. The scheme shall be implemented in accordance with the recommendations of the report and complied with at all times.

Reasons:

1. For the avoidance of doubt and in the interests of proper planning.
2. To enable the County Planning Authority to exercise planning control and to safeguard the environment and local amenity in accordance with Surrey Waste Plan 2008 Policy DC3.
3. To enable the County Planning Authority to exercise planning control and to safeguard the environment and local amenity in accordance with Surrey Waste Plan 2008 Policy DC3.
4. To safeguard the environment and local amenity and in order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Surrey Waste Plan 2008 Policy DC3; and Policies CC2 and CC3 of the Spelthorne Borough Core Strategy and Policies DPD 2009.

5. To enable the County Planning Authority to exercise planning control and to safeguard the environment and local amenity in accordance with Surrey Waste Plan 2008 Policy DC3.
6. To comply with the terms of the application and in the interests of the local environment and amenity, and to comply with Surrey Waste Plan 2008 Policy DC3.
7. To safeguard the environment and local amenity in accordance with Surrey Waste Plan 2008 Policy DC3.
8. To enable the County Planning Authority to exercise control over the development and to minimise its impact on the amenities of the local area, and local environment in accordance with Surrey Waste Plan 2008 Policy DC3.
9. To reduce the impact on the visual amenities of the locality to comply with Surrey Waste Plan 2008 Policy CW6 and Policy DC3.
10. In the interests of local amenity and to accord with Surrey Waste Plan 2008 Policy DC3.
11. In the interests of local amenity and to accord with Surrey Waste Plan 2008 Policy DC3.
12. To enable the County Planning Authority to exercise control over the development and to minimise its impact on the amenities of the local area, and local environment in accordance with Surrey Waste Plan 2008 Policy DC3.
13. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policies CC2 and CC3 of the Spelthorne Borough Core Strategy and Policies DPD 2009.
14. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policies CC2 and CC3 of the Spelthorne Borough Core Strategy and Policies DPD 2009.
15. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policies CC2 and CC3 of the Spelthorne Borough Core Strategy and Policies DPD 2009.
16. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policies CC2 and CC3 of the Spelthorne Borough Core Strategy and Policies DPD 2009.
17. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policies CC2 and CC3 of the Spelthorne Borough Core Strategy and Policies DPD 2009.
18. In the interests of local amenity and to accord with Surrey Waste Plan 2008 Policy DC3.
19. To protect the route of the public footpaths and bridleways and the amenities of the users and comply with Planning Policy Guidance note 13 (PPG13).
20. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Surrey Waste Plan 2008 Policy DC3.
21. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Surrey Waste Plan 2008 Policy DC3.
22. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Surrey Waste Plan 2008 Policy DC3.

23. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Surrey Waste Plan 2008 Policy DC3.
24. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Surrey Waste Plan 2008 Policy DC3.
25. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Surrey Waste Plan 2008 Policy DC3.
26. To minimise the attractiveness of flat roofs and soil stockpiles to birds which could engaged the safe movement of aircraft.
27. To reduce the impact on visual amenities of the locality to comply with Surrey Waste Plan 2008 Policy DC3.
28. In the interests of amenity and wildlife conservation to comply with Surrey Waste Plan 2008 Policy DC2 and Spelthorne Borough Core Strategy and Policies DPD 2009 Policy EN8.
29. To ensure that the landscaping is maintained to provide for the long-term visual amenities of the area/ nature conservation in accordance with Surrey Waste Plan 2008 Policy DC3 and Spelthorne Borough Core Strategy and Policies DPD 2009 Policy EN8.
30. To prevent the spread of Japanese Knotweed (*Fallopia japonica*) which is an invasive plant, which the spread of is prohibited under the Wildlife and Countryside Act 1981. To prevent its spread as a result of the development there would be the risk of an offence being committed and avoidable harm to the environment occurring.
31. To prevent the encroachment of the development on watercourses which has a potentially severe impact on their ecological value.
32. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
33. In order to retain proper planning control over the development and in the interests of safeguarding the environment and local amenity in accordance with the Spelthorne Borough Core Strategy and Policies DPD 2009 Policy EN1.
34. In the interests of local amenity and to comply with Surrey Waste Plan 2008 Policy DC3.
35. In the interests of local amenity and to comply with Surrey Waste Plan 2008 Policy DC3.
36. To allow a review of the effectiveness of control mechanisms and allow necessary action to be taken if the dust mitigation practices need to be modified in accordance with Surrey Waste Plan 2008 Policy DC3.
37. In the interests of local amenity and to comply with Surrey Waste Plan 2008 Policy DC3.
38. In the interests of local amenity and to comply with Surrey Waste Plan 2008 Policy DC3.

Informatives:

1. The Applicant's attention is drawn to the advice set out within the letter from BAA dated 15 December 2008 with regard to bird management plans.
2. It is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public

network through on or site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.

3. The London Water Ring Main or a large diameter stored water tunnel is in the area and special precautions will be required to avoid any damage that may occur as a result of the proposed development. The applicant is advised to contact Developer Services, Contact Centre on 0800 009 3921 for further information.
4. The Applicant should note that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the applicant should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation. Failure to do so may result in fines and potentially a custodial sentence.
5. The Applicant's attention is drawn to the Rights of Way memo of 10 December 2008 and the accompanying plan.
6. The Applicant is reminded that the granting of planning permission does not authorise the obstruction or interference with a public right of way.
7. The Applicant's attention is drawn to the possible need for the concrete crusher to have a permit under the Environmental Permitting Regulations 2007.
8. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Control Division of Surrey County Council.
9. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority.
10. The permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
11. When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developers expense. (Note: It is preferable where possible to arrange for the adjacent highway to be included in the area edged red on the application when Circular 11/95 provides that conditions may be suitable to control this).
12. 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).
13. The applicant is advised that Public Footpath 3 and Public Bridleway 3. runs through the application site and it is an offence to obstruct or divert the route of a right of way unless carried out in complete accordance with appropriate legislation.

14. The applicant is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
15. An HGV shall mean any goods vehicle 3.5 tonnes Gross Vehicle Weight (gvw) and above and shall include any skip vehicle, irrespective of weight.
16. 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

Duncan Evans

TEL. NO.

0208 541 9094

BACKGROUND PAPERS

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

Government Guidance

National Planning Policy Framework 2012

National Planning Policy for Waste 2014

National Planning Practice Guidance

The Development Plan

Surrey Waste Plan 2008

Spelthorne Borough Core Strategy and Policies DPD February 2009

Spelthorne Borough Local Plan 2001 (Saved Policies)

Other Documents

Planning permission Ref. SP/14/01125/SCC dated 13 March 2015, the accompanying application documents and Officers report

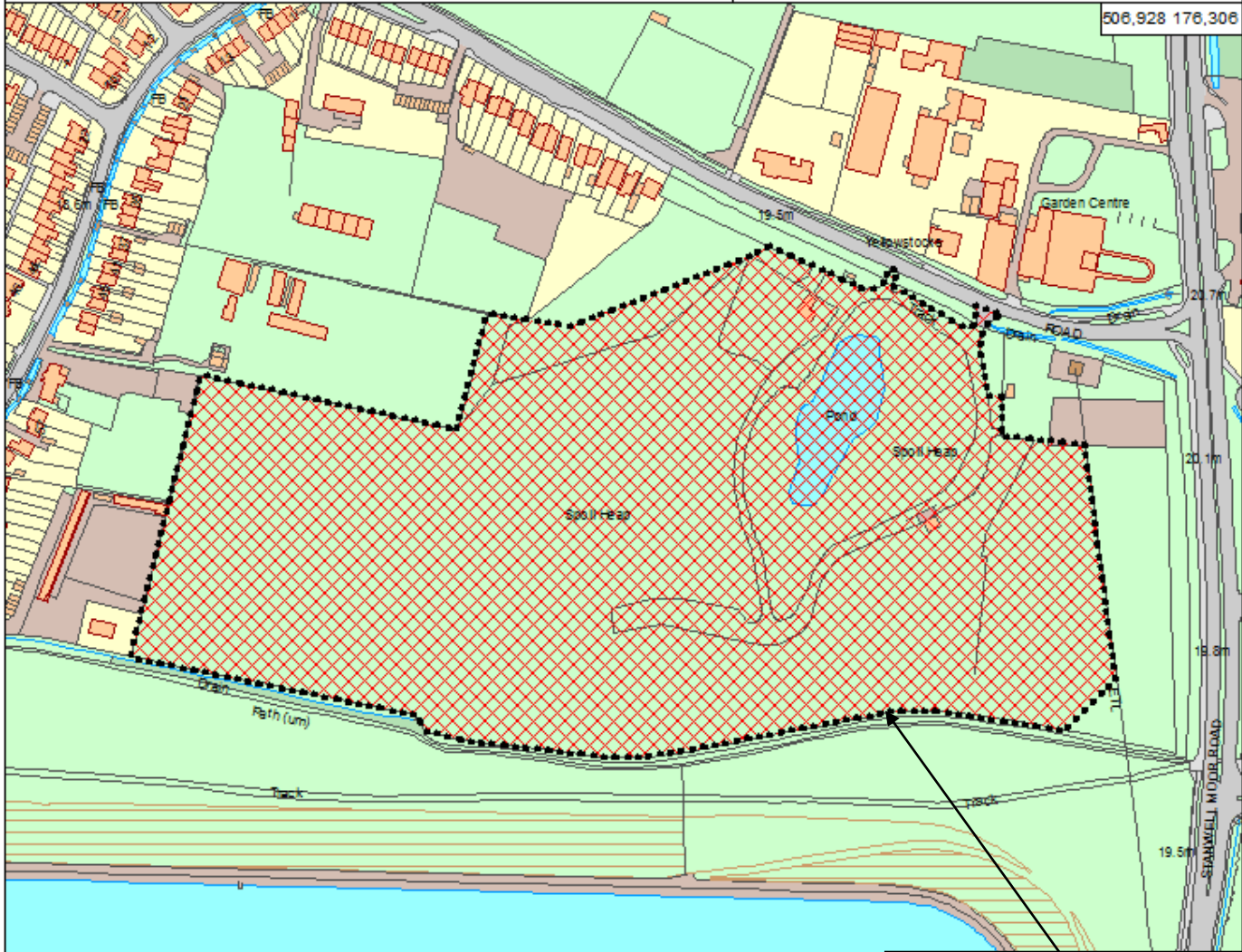
Planning permission Ref. SP08/0992 dated 19 November 2009, the accompanying application documents and Officers report

Section 106 Legal Agreement for planning Ref SP08/0992, varied by planning Ref SP/14/01125/SCC

<p style="text-align: center;">Site Location</p> <p>Scale 1:44,180</p>	<p>Land at Oakleaf Farm, Horton Road, Stanwell Moor, Surrey TW19 6AP</p> <p>The construction and use of a recycling, recovery and processing facility for construction and demolition waste on a site of approximately 9.4 hectares comprising: MRF building, site office and workshop; wheel wash and two weighbridges; lorry and car parking area; storage areas; site entrance and access road; and landscaping bunds without compliance with Condition 2 and 4 of planning permission ref. SP/14/01125/SCC dated 13/03/2015 to allow operational flexibility for the access and egress of vehicles based at the site.</p> <p>Application No(s): SP14/01125/SCD1</p> <p>Electoral Division(s): Stanwell & Stanwell Moor</p>
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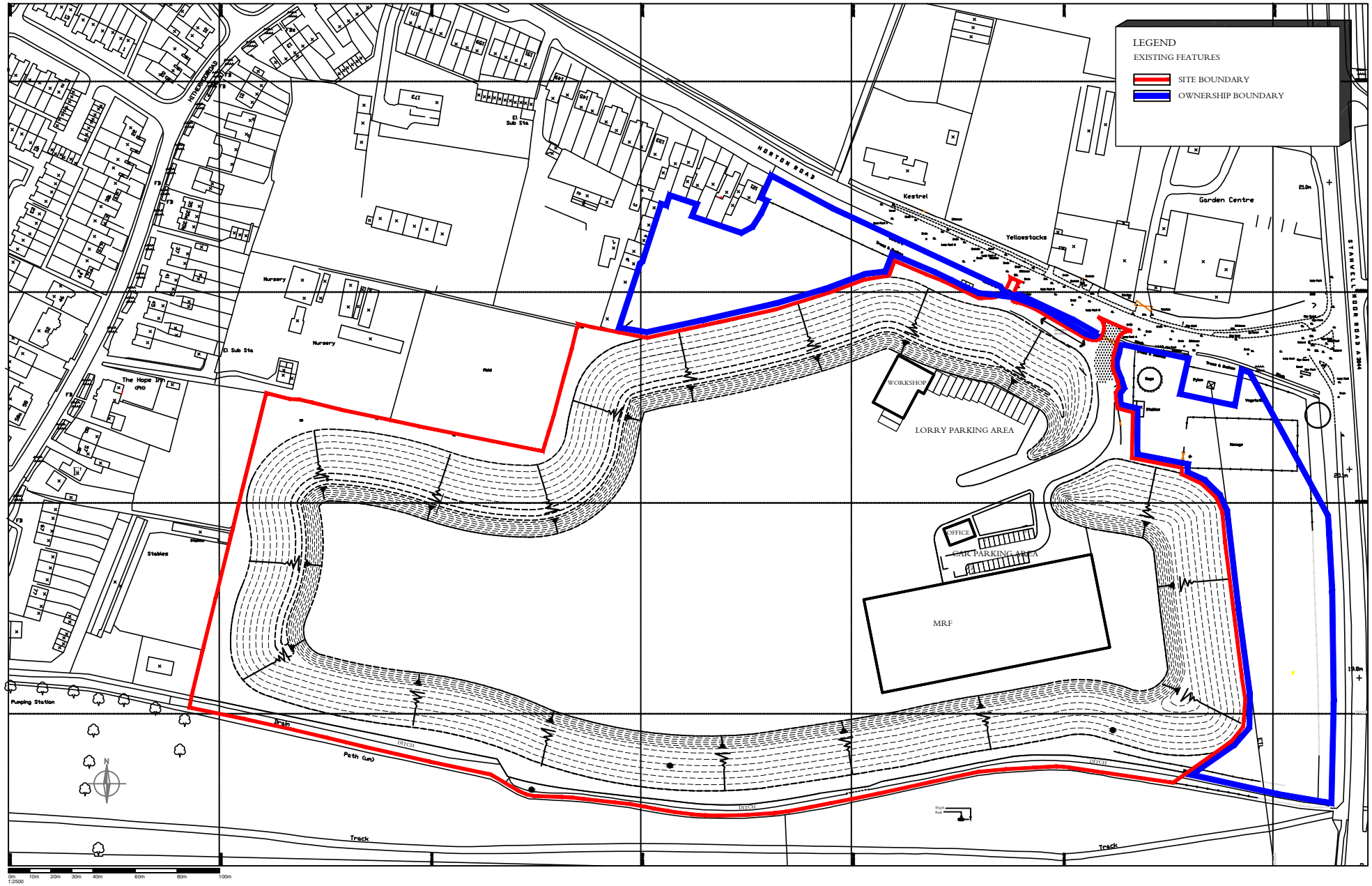
This plan is for indicative purposes only



Application Site Area

<p>GRID NORTH</p>	<p>Ref No: SCC REF 2015/0164</p> <p>Date printed: 31/03/2016</p>	<p>0 15 30 60 90 120 150 180 210 Metres</p>	<p>Scale</p> <p>1:3,300</p>
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Client
CHARLES MORRIS FERTILISERS LTD
 Project
**PROPOSED VARIATION OF CONDITION 4 OF
 PLANNING PERMISSION SP/14/01125**
OAK LEAF FARM, HORTON ROAD, STANWELL MOOR
 Drawing Title
SITE LOCATION PLAN

Drawing Status
PLANNING
 Scale
 1/2500 @ A4
 Date
 August 2015
 Drawn By
 JP
 Drawing No.
 1163/48

PARTRIDGE ASSOCIATES
 Landscape Consultancy

Unit 4 Solent Works North Close Lymington Hampshire SO41 9BU
 Tel: 01590 674699 E-mail: info@partridgeassociates.org.uk



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2012-13 Aerial Photos

Aerial 1 : Land at Oakleaf Farm



Page 83



All boundaries are approximate



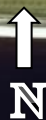
2012-13 Aerial Photos

Aerial 2 : Land at Oakleaf Farm



Application Site Area

HGV Parking Area



All boundaries are approximate

Figure 1 : HGV parking area looking east



Figure 2 : HGV parking area looking north



Figure 3 : View of existing internal access haul road facing west



Figure 4 : View of existing landscape screening bunds at site entrance



TO: PLANNING & REGULATORY COMMITTEE
 PLANNING DEVELOPMENT CONTROL TEAM
BY: MANAGER

DATE: 20 April 2016

PURPOSE: FOR INFORMATION

TITLE: **PLANNING REVIEW – IMPLEMENTATION PLAN TASK:
 REVIEW OF COMMITTEE/DELEGATED REPORT FORMAT**

SUMMARY REPORT

The 2013 review of Surrey County Council's Planning Service resulted in a number of areas being identified for improvement with the aim of ensuring the Planning Service was able to meet the challenges it faced and was as effective and efficient as possible. One area identified for improvement was the Planning and Regulatory Committee decision making process with the aim of making it more efficient and to reduce costs. The review recommended the format of committee reports be reviewed whilst ensuring the quality of information is retained.

Those determining planning applications need accurate and informative material to assist in making their decisions and reports need to contain all the necessary information and detail to enable lawful decisions to be made. The purpose of the officer report on a planning application is to set out the facts and arguments to decide a planning application and make a recommendation for the decision maker.

The current Surrey committee and delegated report templates which have been in use since 2001 have been reviewed and changes identified which aim to help reduce the time and resources involved in preparation of reports by officers and consideration by those making decisions on planning applications.

Although the basic report structure has not altered the changes proposed are aimed at improving the readability of reports and reducing the length of reports, but not at the expense of quality. The changes aim to improve efficiency and reduce costs involved in the decision making process.

The recommendation is that the Planning and Regulatory Committee note the contents of the report and outcome of the review of the report format and endorse the revised committee/delegated report format.

Introduction

- 1 The 2013 review of Surrey County Council's Planning Service aimed to ensure the service was fit for purpose in the face of ever growing expectations for speedy, transparent and judicious decision making processes, and that it provides an enhanced experience for all users. The Planning Review resulted in a number of areas being identified for improvement with the aim of ensuring the Planning Service was able to meet the challenges it faced and was as effective and efficient as possible. The areas for improvement were carried forward into an implementation plan to take forward.

- 2 One area identified for improvement was the Planning and Regulatory Committee decision making process with the aim of making it more efficient and to reduce costs. A range of actions were identified which have already been implemented including a review of the scheme of delegation¹ and case officers presenting to committee.
- 3 The Planning Review identified that officer reports were thorough but in some instances may be too thorough which increased the length of reports, with some noted as being up to 200 pages long. Surrey County Council practice is for a report to be prepared for all planning applications whether determined by the Planning and Regulatory Committee or under delegated powers. This report deals with the review of all officer reports on planning applications.
- 4 The Planning Review recommended the format of committee reports be reviewed whilst ensuring the quality of information is retained. Suggestions for this included:
 - A report template that enables shorter reports to go to committee, eg by annexing policies, having standardised text/paragraphs on issues such as Green Belt;
 - Reviewing the arrangements for displaying site information in reports to committee and the public;
 - Training for all report writers as to what makes a good committee report;
 - Getting feedback from the committee on what they would like to see improved.

Background to and purpose of officer reports on planning applications

- 5 In determining planning applications the County Council has a duty under section 70(2) of the Town and Country Planning Act 1990 and Section 38 (6) of the Planning and Compulsory Purchase Act 2004 to determine an application in accordance with the Development Plan unless material considerations indicate otherwise. The purpose of the officer report on a planning application is to set out the facts and arguments to decide a planning application and make a recommendation for the decision maker.
- 6 The content and format of officer reports is not set out in legislation² or government guidance. Case law and Ombudsman advice has determined that reports should be appropriate to the audience they are aimed at, which in the case of the committee is elected members who would have a degree of local knowledge and understanding of the planning system.
- 7 Those determining planning applications need accurate and informative material to assist in making their decisions and reports need to contain all the necessary information and detail to enable lawful decisions to be made. The style of reports will be a product of local culture and best practice. Across the country there is a wide range of practice among local planning authorities with respect to committee and delegated reports. In county councils the practice tends to be to write fuller reports.

¹ See report to 25 September 2013 Planning and Regulatory Committee (Item 10)

² The Housing and Planning Bill 2015 proposes introducing a requirement for planning reports to record details of the financial benefits which are local finance considerations (as listed in Section 70 of the Town and Country Planning Act 1990) and other finance benefits beyond local finance considerations to be listed in the planning report if they are likely to be obtained as a result of the proposed development. Government is currently consulting on proposals for the range of benefits to be listed in planning reports (DCLG Technical consultation on implementation of planning changes, February 2016).

This will be due to the smaller number of applications determined by county councils and the generally more complex type of proposals, though reports by other authorities for larger scale major development proposals can also be long and detailed.

- 8 Over time in response to the Government's Modernising Agenda which aims for greater openness and transparency in decision making and for greater public participation in planning, and legislative developments such as the Human Rights Act 1998, reports on planning applications have become more comprehensive. In addition applicants and third parties favour comprehensive written coverage of their arguments. As a result there has been a greater need for reports to be easy to read, and identify the key issues.
- 9 The 2009 Local Government Association (LGA) Probity in planning (update) guidance states reports should also have regard to the following points:
 - reports should be accurate and cover, amongst other things, the substance of any objections and the views of those consulted;
 - relevant information should include a clear exposition of the development plan; site or related history; and any other material considerations;
 - reports should have a written recommendation of action. Oral reporting (except to update a report) should be avoided and carefully minuted when it does occur;
 - reports should contain technical appraisals which clearly justify a recommendation;
 - if the report's recommendation is contrary to the provisions of the development plan, the material considerations which justify the departure must be clearly stated.

Current report format and review

- 10 The current Surrey committee report template which has been in use since 2001 is attached as **Annex 1**. The current report template includes a description of the site and surroundings; the proposal; relevant policies; material considerations; results of consultations; third party representations; evaluation of key issues setting out the pros and cons of the development; conclusion; recommendations; and relevant conditions or legal agreements/or reasons for refusal.
- 11 Delegated reports follow the same format minus the summary report, summary of planning issues table and illustrative material sections. Each delegated report includes Human Rights Guidance, which for committee items forms part of the Agenda frontsheet/preamble for each meeting.
- 12 Officers consider the current Surrey report templates and reports on planning applications adhere to the LGA guidance and contain all the necessary information and detail to enable lawful decisions to be made. However, as identified by the Planning Review, the length of reports and time and resources involved in preparing the reports and consideration by the decision maker warrant review to ensure greater efficiency in the process, but not at the expense of quality.
- 13 A project team was set up to review the report format. A survey was sent out to 601 people seeking views on the format and quality of committee reports on planning applications, see table 1 below. Those surveyed included 29 members (the committee including substitutes and local members who had addressed the

committee), applicants, agents, planning officers in District and Borough Councils, Parish and Town Councils.

Table 1 - Survey Questions

1	If you were interested in a particular Committee Report or Planning Application please specify which one in the box below.
2	Which section(s) of the report(s) did you find helpful or unhelpful?
3	Please could you explain why you found the above sections helpful or unhelpful?
4	What are your thoughts on the length of the report(s)?
5	Were the report(s) well structured and did the various sections of the report(s) follow a logical sequence?
6	Was the language used in the report(s) clear and easy to understand?
7	Did the report(s) properly represent any views and/or concerns you may have had about the development(s)?
8	Do you have any further comments or ideas on how we could further improve the reports?

- 14 Thirteen responses were received, of which five were from members. The responses are summarised in **Annex 2**.

Proposed changes to the report format

- 15 Officers do not consider it appropriate to set limits on the length of reports, but instead to seek to manage the length of the main report by using set formats and annexes/appendices. The length and detail of the officer report will be determined by the complexity of the case.
- 16 The revised committee report template is attached at **Annex 3**. The basic report structure has not altered but a number of changes made which aim to reduce the length of reports and improve the readability of report. The changes are to help reduce the time and resources involved in preparation of report and consideration by the committee. The changes should enable slightly shorter reports to be prepared and a saving in resource involved in the preparation and consideration of reports.
- 17 The main changes are:
- deletion of the summary report from committee reports.
 - planning history section - use of tables/lists and footnotes rather than text. Where relevant text to be used to expand on the detail.
 - standardise the names and roles of statutory and non statutory consultees to ensure consistency between reports.
 - standardise how views are reported (No objection/object and summarise grounds for support/objection where a consultee has made detailed comments/No comments to make/No views received (where no response has been received).
 - use of standard paragraphs in the Planning Considerations section. This comprises removing the standard introductory paragraphs from the body of committee reports which instead will form part of the Agenda preamble/frontsheet (in the way the Human Rights Guidance currently is) with standard paragraphs in the report (see **Annex 3**). Where appropriate standard paragraphs will be introduced on other issues such as Green Belt. Each individual committee report should contain all the necessary detail relevant to the planning application under consideration.
 - policy references – continue to list development plans and relevant policies but have hyperlinks to the documents in the background papers section of the report.

- informatives – review consultee requirements and references to letters and documents.
- background papers – make use of hyperlinks where possible.

CONCLUSION

- 18 The purpose of the officer report on a planning application is to set out the facts and arguments to decide a planning application and make a recommendation for the decision maker. The current Surrey committee and delegated report templates which have been in use since 2001 have been reviewed and changes identified which aim to help reduce the time and resources involved in preparation of reports by officers and consideration by those making decisions on planning applications.
- 19 Although the basic report structure has not altered a number of changes are proposed which are aimed at improving the readability of reports and reducing the length of reports, but not at the expense of quality. The changes aim to improve efficiency and reduce costs involved in the decision making process. The revised report format will be introduced at the 8 June 2016 meeting for committee reports and from 1 June 2016 for delegated reports.

RECOMMENDATION

The recommendation is that the Planning and Regulatory Committee NOTE the contents of the report and outcome of the review of the report format and ENDORSE the revised committee/delegated report format.

CONTACTS

Alan Stones **TEL. NO.** 020 8541 9426
 Susan Waters **TEL. NO.** 020 8541 9227

BACKGROUND PAPERS

- Review of Scheme of Delegation report to 25 September 2013 Planning and Regulatory Committee (Item 10)
<http://mycouncil.surreycc.gov.uk/ieListDocuments.aspx?CId=122&MId=3081&Ver=4>)
- Planning Review Close Report to the 6 January 2016 Planning and Regulatory Committee (Item 10)
<http://mycouncil.surreycc.gov.uk/ieListDocuments.aspx?CId=122&MId=4312&Ver=4>)
- The Surrey Code Of Best Practice In Planning Procedures - Surrey County Council Constitution Part 6 – Codes and Protocols Part 6 (11)
<http://mycouncil.surreycc.gov.uk/documents/s26868/Part%20611%20Code%20of%20Best%20Practice%20Planning.pdf>)
- Planning Permission, Chapter 8 (sections 8.18 to 8.23), Richard Harwood OBE QC, ISBN: 978 1 78043 491 9
- Local Government Association Probity in planning (update): the role of councillors and officers – revised guidance note on good planning practice for councillors and officers dealing with planning matters, May 2009, ISBN 978-1-84049-682-6
http://www.local.gov.uk/c/document_library/get_file?uuid=1e064236-6ba6-4ea5-8e96-db4a07c226f7&groupId=10180)

- Department for Communities and Local Government (DCLG) Technical consultation on implementation of planning changes, February 2016
(https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/507019/160310_planning_consultation.pdf)

Annexes

- Annex 1 Current committee report template**
- Annex 2 Summary of survey responses**
- Annex 3 Proposed committee report template and guidance for agenda
frontsheet**

CURRENT COMMITTEE REPORT TEMPLATE

ITEM NO

TO: PLANNING & REGULATORY COMMITTEE **DATE:**
BY: PLANNING DEVELOPMENT CONTROL TEAM
 MANAGER
DISTRICT(S) ? DISTRICT/ BOROUGH COUNCIL **ELECTORAL DIVISION(S):**

PURPOSE: FOR DECISION **GRID REF:**

TITLE: MINERALS AND WASTE APPLICATION/ SURREY COUNTY COUNCIL
 PROPOSAL

SUMMARY REPORT

The recommendation is

APPLICATION DETAILS

Applicant

Date application valid

Period for Determination

Amending Documents

(List letters, plans and documents received after application valid date)

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. [The planning issues will vary according to the location of the site and proposed development.]

	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
e.g. Procedural matters Highways and traffic Flood risk	N/A	

ILLUSTRATIVE MATERIAL

Site Plan

Plan 1, 2 etc

Aerial Photographs

Aerial 1, 2 etc

Site Photographs

Figure 1, 2 etc

BACKGROUND

Site Description and background

Planning History

THE PROPOSAL

CONSULTATIONS AND PUBLICITY

District Council

Consultees (Statutory and Non-Statutory)

Parish/Town Council and Amenity Groups

Summary of publicity undertaken and key issues raised by public

The application was publicised by the posting of ??? site notices *and an advert was placed in the local newspaper*. A total of (*insert no.*) of owner/occupiers of neighbouring properties were directly notified by letter. (Include further rounds of publicity.)

PLANNING CONSIDERATIONS

Introduction

Paragraphs which refer to requirements for determination of applications and setting out what comprises the development plan.

Then sections under main headings such as

HIGHWAYS AND TRAFFIC
ENVIRONMENT AND AMENITY
GREEN BELT

Each section starting with a list of development plan documents and policies eg:

ENVIRONMENT AND AMENITY

Surrey Minerals Plan 2011 Core Strategy Development Plan Document (SMP 2011)

Policy MC14 – Reducing the adverse impacts of mineral development

Policy MC17 – Restoring mineral workings

Policy MC18 – Restoration and enhancement

Spelthorne Borough Core Strategy and Policies Development Plan Document February 2009 (SB Core Strategy and Policies DPD 2009)

Strategic Policy SP6 Maintaining and Improving the Environment

Policy EN3 Air Quality

Policy EN4 Provision of Open Space and Sport and Recreation Facilities

Policy EN8 Protecting and Improving Landscape and Biodiversity

Policy EN11 Development and Noise

Policy LO1 Flooding

Spelthorne Borough Local Plan 2001 (saved policies) (SBLP 2001)

Policy RU11 – Sites of Nature Conservation Importance

Policy RU14 – Sites of Nature Conservation Importance

The discussion to cover different topic areas (e.g.: flood risk and drainage, noise, air quality, biodiversity, design and sustainable construction) with each setting out:

- Nature of issue
- Discussion of development plan policies and how the proposal complies/doesn't comply with policy and any material considerations
- Conclusion of issue

HUMAN RIGHTS IMPLICATIONS

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.

CONCLUSION

RECOMMENDATION

Conditions [if to permit subject to conditions]

Reasons [for conditions or refusal]

Informatives

CONTACT**TEL. NO.**

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 [insert details]

[National Planning Policy Framework 2012](#)

[Planning Practice Guidance 2014](#)

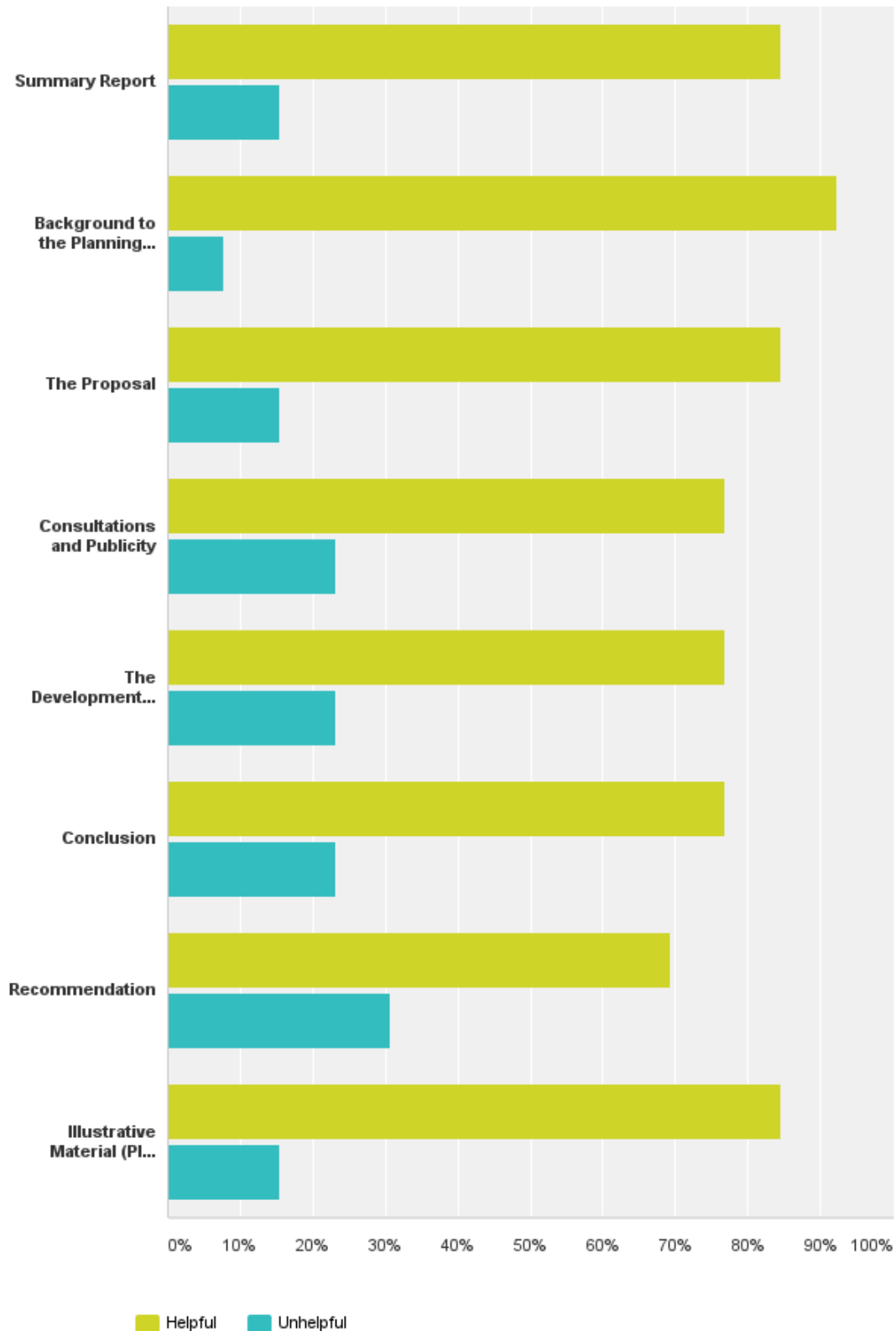
The Development Plan [insert details]

Other Documents [insert details]

SUMMARY OF SURVEY RESPONSES

Q2 Which section(s) of the report(s) did you find helpful or unhelpful?

Answered: 13 Skipped: 0



Question 3 - Please could you explain why you found the above sections helpful or unhelpful?

Positives – “Helpful”

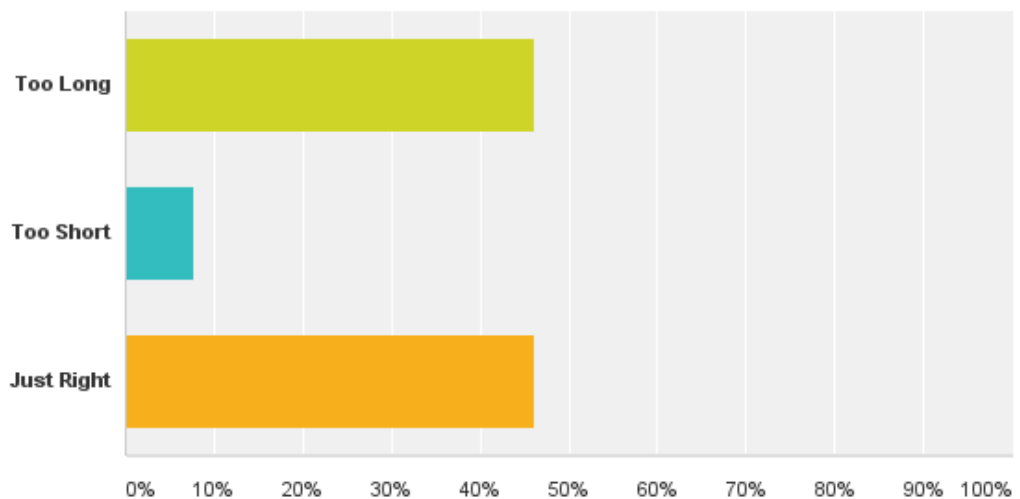
- They included all the information that was necessary The information would also be interesting to other customers.
- Enabled understanding of the proposal
- All [sections] necessary for proper consideration of the application
- Clear and pertinent.
- They were well drafted and clear.

Things to Improve – “Unhelpful”

- We need to see all of the above to understand how the Officers have reached their conclusion
- It would be useful to indicate on the illustrative plans where are from on the key map. In terms of cost if these were produced as a separate volume - just online, then it could save cost and mean that the whole report does not need to be produced in colour.
- Often the Summary is just a cut and paste not a précis. Often there is too much planning jargon, not enough narrative and explanation of options and evidence of why it should be the recommendation.

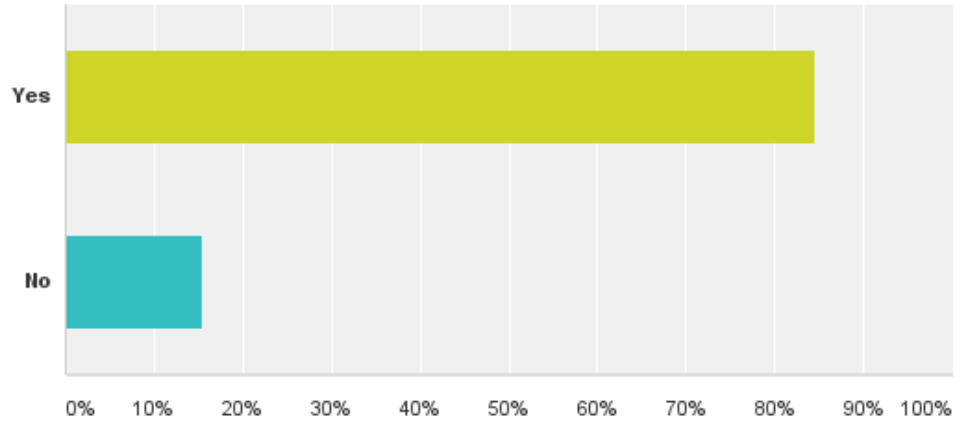
Q4 What are your thoughts on the length of the report(s)?

Answered: 13 Skipped: 0



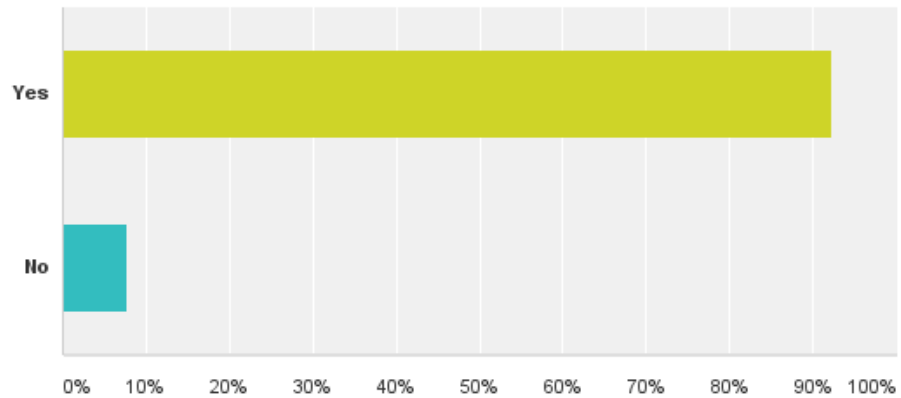
Q5 Were the report(s) well structured and did the various sections of the report(s) follow a logical sequence?

Answered: 13 Skipped: 0



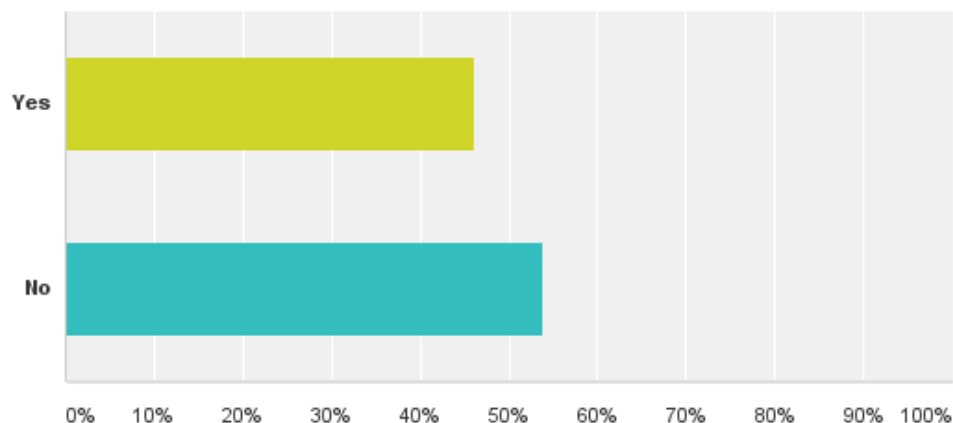
Q6 Was the language used in the report(s) clear and easy to understand?

Answered: 13 Skipped: 0



Q7 Did the report(s) properly represent any views and/or concerns you may have had about the development(s)?

Answered: 13 Skipped: 0



Question 8 - Do you have any further comments or ideas on how we could further improve the reports?

- “Ensure that the content includes all comments by consulted bodies.
- “I think they could be shorter - maybe consider the use of bullet points for the planning history section for example. There are some statements in reports that are generic like the legislation required and the fact that only material planning considerations should be taken into account. I wonder whether these could be put at the front of the report in an overall notes page”
- “A clearer format. Less technical language and more narrative. Clear consideration of all issues and views, with evidence for the recommendations.

PROPOSED COMMITTEE REPORT TEMPLATE AND GUIDANCE FOR AGENDA FRONTSHEET

ITEM NO

TO: PLANNING & REGULATORY COMMITTEE **DATE:**
BY: PLANNING DEVELOPMENT CONTROL TEAM
MANAGER
DISTRICT(S) ? DISTRICT/ BOROUGH COUNCIL **ELECTORAL DIVISION(S):**

PURPOSE: FOR DECISION **GRID REF:**

TITLE: MINERALS AND WASTE APPLICATION/SURREY COUNTY COUNCIL PROPOSAL

SUMMARY

Application site
Application proposal
The recommendation is

APPLICATION DETAILS

Applicant
Date application valid
Period for Determination
Amending Documents
(List letters, plans and documents received after application valid date)

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. [The planning issues will vary according to the location of the site and proposed development.]

Planning issue	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
e.g. Procedural matters Highways and traffic Flood risk	N/A	

ILLUSTRATIVE MATERIAL

Site Plan

Plan 1, 2 etc

Aerial Photographs

Aerial 1, 2 etc

Site Photographs

Figure 1, 2 etc

BACKGROUND

Site Description and background

Planning History

Use tables/lists and footnotes to outline the relevant planning history, and where relevant use text to expand on the detail.

THE PROPOSAL

CONSULTATIONS AND PUBLICITY

Standardise names and roles of consultees so consistency between reports in the way they are referred to.

Standardise so report as:

- No objection [subject to conditions, informatives if relevant]/Object
Where a consultee has made detailed comments report their views by summarising them rather than reporting verbatim.
- No comments to make on the proposal – use this wording where this is what the consultee has said
- No views received – use this wording when a consultee hasn't responded.]

District Council

Consultees (Statutory and Non-Statutory)

Parish/Town Council and Amenity Groups

Summary of publicity undertaken and key issues raised by public

The application was publicised by the posting of ??? site notices *and an advert was placed in the local newspaper*. A total of (*insert no.*) of owner/occupiers of neighbouring properties were *directly notified by letter*. (Include further rounds of publicity.)

Include the details of issues raised in the main report if there are only a small number of reps received and/or grounds of objection/support and issues raised. If a larger number of reps have been received and a large range of issues are raised summarise the grounds of objection/support in the report and use an annex to provide more detail.

PLANNING CONSIDERATIONS

Introduction

The guidance on the determination of planning applications contained in the Preamble/Agenda frontsheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs.

In this case the statutory development plan for consideration of the application consists of the Surrey Minerals Local Plan 2011/Surrey Waste Plan 2008/district/borough plan (insert document references and text as relevant)/Supplementary Planning Documents.

In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations. For planning applications accompanied by an Environmental Statement (ES) the environmental information contained in it will be taken into consideration and reference will be made to it. Standard paragraph for use where the application is accompanied by an Environmental Statement:

In assessing the application against development plan policy it will be necessary to determine whether the proposed measures for mitigating any environmental impact of the development are satisfactory. In this case the main planning considerations are: [insert key issues to be considered which will vary according to the location of the site and proposed development].

Then text in remainder of the planning considerations section to cover the planning considerations relevant to the application under main headings such as:

HIGHWAYS AND TRAFFIC ENVIRONMENT AND AMENITY GREEN BELT

Each section to start with a list of development plan documents and policies e.g.:

ENVIRONMENT AND AMENITY

Surrey Minerals Plan 2011 Core Strategy Development Plan Document (SMP 2011)

Policy MC14 – Reducing the adverse impacts of mineral development

Policy MC17 – Restoring mineral workings

Policy MC18 – Restoration and enhancement

Spelthorne Borough Core Strategy and Policies Development Plan Document February 2009 (SB Core Strategy and Policies DPD 2009)

Strategic Policy SP6 Maintaining and Improving the Environment

Policy EN3 Air Quality

Policy EN4 Provision of Open Space and Sport and Recreation Facilities

Policy EN8 Protecting and Improving Landscape and Biodiversity

Policy EN11 Development and Noise

Policy LO1 Flooding

Spelthorne Borough Local Plan 2001 (saved policies) (SBLP 2001)

Policy RU11 – Sites of Nature Conservation Importance

Policy RU14 – Sites of Nature Conservation Importance

The discussion to cover different topic areas (e.g. flood risk and drainage, noise, air quality, biodiversity, design and sustainable construction) with each setting out:

- Nature of issue
- Discussion of development plan policies and how the proposal complies/doesn't comply with policy and any material considerations
- Conclusion of issue (or cover in main conclusion section)

HUMAN RIGHTS IMPLICATIONS

The Human Rights Act Guidance for Interpretation, contained in the Preamble to the Agenda/Agenda frontsheet is expressly incorporated into this report and must be read in conjunction with the following paragraph.

CONCLUSION

Conclude each section in the planning considerations section if appropriate, or ensure covered in the overall conclusion section. The conclusion should set out the main reasons and considerations on which the recommendation is based and whether or not the proposal complies with development plan policy.

For applications accompanied by an Environmental Statement the report and conclusions should set out the main reasons and considerations on which the decision is based. It should also deal with the environmental impacts and measures to avoid, reduce and mitigate the main environmental effects.

RECOMMENDATION

Conditions [if to permit subject to conditions]

Reasons [for conditions or refusal]

Informatives

CONTACT

TEL. NO.

BACKGROUND PAPERS

Insert hyperlinks where available

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 [insert details]

[National Planning Policy Framework 2012](#)

[Planning Practice Guidance 2014](#)

The Development Plan [delete/insert details]

[Surrey Waste Plan 2008](#)

[Surrey Minerals Plan Core Strategy Development Plan Document \(DPD\) 2011](#)

[Surrey Minerals Plan Primary Aggregates DPD 2011](#)

[Surrey Minerals Plan Minerals Site Restoration Supplementary Planning Document \(SPD\) 2011](#)

[Aggregates Recycling Joint DPD for the Minerals and Waste Plans 2013](#)

TOWN AND COUNTRY PLANNING ACT 1990 – GUIDANCE ON THE DETERMINATION OF PLANNING APPLICATIONS

This guidance forms part of and should be read in conjunction with the Planning Considerations section in the following committee reports.

Surrey County Council as County Planning Authority (also known as Mineral or Waste Planning Authority in relation to matters relating to mineral or waste development) is required under Section 70(2) of the Town and Country Planning Act 1990 (as amended) (1990 Act) 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*”. This section of the 1990 Act must be read together with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (2004 Act), which provides that: “*If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.*”

Development plan

In Surrey the adopted development plan consists of the:

- Surrey Minerals Local Plan 2011 (comprised of the Core Strategy and Primary Aggregates Development Plan Documents (DPD))
- Surrey Waste Plan 2008 (comprised of the Core Strategy, Waste Development and Waste Development Control Policies DPDs)
- Aggregates Recycling Joint DPD for the Minerals and Waste Plans 2013 (Aggregates Recycling DPD 2013)
- Any saved local plan policies and the adopted Local Development Documents (development plan documents and supplementary planning documents) prepared by the eleven Surrey district/borough councils in Surrey
- South East Plan 2009 Policy NRM6 Thames Basin Heaths Special Protection Area (apart from a policy relating to the former Upper Heyford Air Base in Oxfordshire the rest of the plan was revoked on 25 March 2013)

Set out in each report are the development plan documents and policies which provide the development plan framework relevant to the application under consideration.

Material considerations

Material considerations will vary from planning application to planning application and can include: relevant European policy; the March 2012 National Planning Policy Framework (NPPF) and updates; the March 2014 national Planning Practice Guidance (PPG) and updates; National Planning Policy for Waste (NPPW) October 2014; Waste Management Plan for England 2013; extant planning policy statements; Government Circulars and letters to Chief Planning Officers; emerging local development documents (being produced by Surrey County Council or the district/borough council in whose area the application site lies).

National Planning Policy Framework and Planning Practice Guidance

The March 2012 [National Planning Policy Framework 2012](#) (NPPF) and subsequent updates replaced 30 Planning Policy Statements, Planning Policy Guidance Notes, Minerals Policy Statements and Minerals Policy Guidance Notes and related Practice Guides, some Government Circulars and letters to Chief Planning Officers and provides consolidated guidance for local planning authorities and decision takers in relation to decision-taking (determining planning applications) and in preparing plans (plan making).

The NPPF sets out the Government’s planning policies for England and how these are expected to be applied and the associated March 2014 [Planning Practice Guidance](#) (PPG) provides related guidance. The NPPF should be read alongside other national planning policies on

[Waste](#), [Travellers](#), [Planning for Schools Development](#), [Sustainable Drainage Systems](#), [Parking](#), and [Starter Homes](#).

At the heart of the NPPF is a presumption in favour of sustainable development which the document states “*should be seen as a golden thread running through both plan-making and decision-taking*” (paragraph 14). The NPPF makes clear the purpose of the planning system is to contribute to the achievement of sustainable development which has three dimensions: economic, social and environmental. These give rise to the need for the planning system to perform a number of mutually dependent roles: an economic role, a social role and an environmental role. The NPPF sets out 12 core land-use planning principles that should underpin both decision-taking and plan making.

The NPPF does not change the statutory principle that determination of planning applications must be made in accordance with the adopted development plan unless material considerations indicate otherwise. The NPPF is one of those material considerations. In determining planning applications the NPPF (paragraph 14) states that development proposals that accord with the development plan should be approved without delay; and where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole; or specific policies in the NPPF indicate development should be restricted.

The NPPF aims to strengthen local decision making and reinforce the importance of up to date plans. Annex 1 paragraph 215 states that in determining planning applications local planning authorities should give due weight 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). For emerging plans the NPPF (paragraph 216) states that, unless material considerations indicate otherwise, weight may also be given to relevant policies in emerging plans according to:

- *“The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
- *The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given), and;*
- *The degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).”*

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