

**PLANNING AND REGULATORY COMMITTEE  
NOTICE OF MEETING**

**Date:** Wednesday, 3 August 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](mailto: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;
Mary Angell	Woodham and New Haw;
Mr S Cosser	Godalming North;
Carol Coleman	Ashford;
Jonathan Essex	Redhill East;
Marisa Heath	Englefield Green;
Margaret Hicks	Hersham;
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]**

Ian Beardsmore	Sunbury Common & Ashford Common;
Will Forster	Woking South;
Denis Fuller	Camberley West;
Ramon Gray	Weybridge;
Nick Harrison	Nork & Tattenhams;
Peter Hickman	The Dittons;
John Orrick	Caterham Hill;
Adrian Page	Lightwater, West End and Bisley;
Chris Pitt	Frimley Green and Mytchett;
Fiona White	Guildford West;
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 - 12)

To confirm the minutes of the meeting held on 13 July 2016.

### **3 PETITIONS**

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

### **4 PUBLIC QUESTION TIME**

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

### **5 MEMBERS' QUESTION TIME**

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

### **6 DECLARATIONS OF INTERESTS**

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

Notes:

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

### **7 WO/2015/0605 - LAND AT ELM NURSERY, SUTTON GREEN ROAD, SUTTON GREEN, WOKING GU4 7QD**

(Pages 13 - 86)

Material change of use from agriculture to use involving importation, storage, processing and transfer of wood waste for biofuel. Erection of building for associated storage and welfare facilities.

- 8 **SP12/01132/SCD4 - LAND AT MANOR FARM AND QUEEN MARY QUARRY, LALEHAM** (Pages 87 - 104)

Details of a scheme to ensure that the causeway does not form a barrier on the flood plain submitted pursuant to Condition 28 of planning permission reference SP2012/01132 dated 23 October 2015.

- 9 **SP12/01132/SCD2 - LAND AT MANOR FARM AND QUEEN MARY QUARRY, LALEHAM** (Pages 105 - 116)

Details of archaeology submitted pursuant to Condition 35 of planning permission ref: SP/2012/01132 dated 23 October 2015.

10 **DATE OF NEXT MEETING**

The next meeting of the Planning & Regulatory Committee will be on 7 September 2016.

**David McNulty**  
**Chief Executive**  
22 July 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.

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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.

## **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](#) (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)."*

## **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.



**MINUTES** of the meeting of the **PLANNING AND REGULATORY COMMITTEE** held at 10.30 am on 13 July 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 Steve Cosser  
Mrs Carol Coleman  
Mr Jonathan Essex  
Mrs Margaret Hicks  
Mr Ernest Mallett MBE  
Mr Michael Sydney  
Miss Marisa Heath  
Mrs Mary Angell

**Apologies:**

Mr Richard Wilson

**107/16 MINUTES OF THE LAST MEETING [Item 2]**

The Minutes of the meeting held on were approved as an accurate record subject to the amendment given below:

That Minute 101/16, key point 5 should read: *The Principal Solicitor informed the Committee that the Wildlife and Countryside Act made it a duty that mapping should be under continuous review and that should there be new evidence of use then it was the Council's statutory obligation to review the Definitive Map.*

Further to minute 88/16, question from Earnest Mallet, the Planning Development Control Team Manager informed the Committee that the report would be going to the Wildlife Trust Board although work was still ongoing and the Committee would be kept informed of progress.

**108/16 DECLARATIONS OF INTERESTS [Item 3]**

Michael Sydney declared a personal interest for item 7, Albury Wellsite, in that he was previously Chairman of Surrey Hills Board.

**109/16 PETITIONS [Item 4]**

There were none.

**110/16 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]**

Apologies for absence were received from Richard Wilson.

**111/16 PUBLIC QUESTION TIME [Item 5]**

There were none.

**112/16 MEMBERS' QUESTION TIME [Item 6]**

There were none.

**113/16 GU15/P/02110 - ALBURY WELLSITE, ALBURY PARK, NEW ROAD, ALBURY, SURREY [Item 7]****Officers:**

Samantha Murphy, Principal Planning Officer

Alan Stones, Planning Development Control Team Manager

Nancy El-Shatoury, Principal Solicitor

**Speakers:**

No one registered to speak

**Key points raised during the discussion:**

1. The Principal Planning Officer introduced the report and the update sheet tabled at the meeting. The Chairman allowed the Members of the Committee 10 minutes to read the provided update sheet. Members were informed of what equipment would be placed on the site and where, geographically, the site was based. It was noted that a flare would be used on site for seven days, construction would complete within three to four months and the production phase would last approximately 15 years. Tankers would visit the site daily to collect the natural gas. The Principal Planning Officer highlighted that the application was not for fracking and that they had not received any technical objections.
2. It was noted that this was a good example of the benefit of a site visit as it gave Members a greater understanding of the application and would allow them to make a more accurate decision.
3. The Officers were questioned if there was still a condition on the application for the submission of a Construction and Environmental Management Plan to which the Principal Planning Officer confirmed that Condition 1 was proposed to deal with the requirement.
4. A Member of the Committee raised concerns with the widening of the road to allow parking and the impact it would have on surrounding woodlands. It was asked if any alternatives had been considered and if the passing area on the road leading to the site was absolutely necessary. The Principal Planning Officer confirmed that the road had already previously been widened and plans were not to make any more physical changes. In regards to the passing area it was explained that it was necessary to allow vehicles to pass each other. The Principal Planning Officer noted a suggestion to add website links to reports so readers could find referenced material with more ease.
5. A Member asked if any gas transport alternatives had been considered in regards to the energy efficiency of the site in which the Principal Planning Officer confirmed that a pipeline was considered, to transport the natural gas, but the laying of the pipeline would cause more ecological damage.

6. A discussion was had around the necessity of extracting the natural gas from the ground in which the Planning Development Control Team Manager confirmed to the Committee that it was a government policy to extract natural gas where possible.
7. A Member pointed out that the roads around the site were currently used by a large number of road users and the additional heavy goods vehicles (HGVs) would be insignificant.
8. A Member raised a concern that the local forestry Commission in using petrol fuelled plant or machinery could be dangerous if within the vicinity of the site. It was asked that officers take this into consideration.
9. It was queried whether the Surrey Hills Area Of Outstanding Natural Beauty (AONB) office comments had changed much between the Liquefied Natural Gas (LNG) application and the current application to which the Principal Planning Officer responded that the concern raised regarding the LNG application was for the potential for a loss in tranquillity; and whilst the AONB Office still have concerns about tranquillity they currently raised no objection.
10. A discussion was had around the times of day in which the site would be operational in which it was noted that two HGVs may enter the site per day to collect the natural gas and that it would take 10 hours for each to load. A Member highlighted that this would mean that for 20 hours a day and seven days a week the site would be operational. The Officer confirmed this but added this may not always be the case.
11. Some Members of the Committee mentioned that Surrey County Council should be leading by example in not using energy sources that could potentially harm the environment and should be looking into other sources of renewable energy. The Planning Development Control Team Manager responded by saying that government policy is to maximise the reserves of natural gas in an environmentally acceptable manner and that Members should consider this.

**Resolved:**

1. That application GU15/P/02110 be PERMITTED subject to conditions set out in the report and update sheet.
2. That an additional informative be added, to read as:  
*The applicant's attention is drawn to the need to communicate and liaise with the Forestry Commission with regards to the use of petrol fuelled plant or machinery used within the vicinity of the application site.*

**Actions/further information to be provided:**

None.

*Michael Sydney declared a personal interest in that he was previously Chairman of Surrey Hills Board.*

**114/16 APPLICATION WITHDRAWN - EL/2015/0235- WEYLANDS TREATMENT WORKS, LYON ROAD, WALTON ON THAMES, SURREY, KT12 3PU [Item 8]**

The Applicant withdrew this Application before the meeting.

The Planning Case Officer tabled an update sheet attached as Annex 2 to these Minutes. The Committee discussed the issues raised in that update sheet especially regarding the amount of wasted time that officers has spent trying to work with the Applicant.

**Resolved:**

To note that this Application had been withdrawn by the Applicant.

**115/16 ENFORCEMENT & MONITORING UPDATE REPORT [Item 9]**

**Officers:**

Ian Gray, Planning Enforcement Team Leader  
Alan Stones, Planning Development Team Manager

**Key points raised during the discussion:**

1. The Planning Enforcement Team Leader introduced the item and gave the Committee a brief update on the Enforcement and Monitoring Report.
2. It was noted that Members do not see a person's age as a relevant detail to the reports and it was asked that it is removed.
3. A discussion was had around the Alton Road Sandpit item in which it was noted that the Planning Enforcement Team would continue to monitor it closely.
4. Members discussed various individual items and were overall pleased with the updates that were provided.

**Resolved:**

1. Members were asked for the report to be noted.

**116/16 DATE OF NEXT MEETING [Item 10]**

The date of the next meeting was noted.

Meeting closed at 11.53 am

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**Chairman**

**UPDATE SHEET****MINERALS AND WASTE APPLICATION GU15/P/02110****DISTRICT(S)** GUILDFORD BOROUGH COUNCIL**Albury Park Wellsite, East of New Road, Albury Surrey**

**Retention of the Albury wellsite and access track for the production of Compressed Natural Gas (CNG) and electricity including: temporary flaring to re-establish gas flow, the installation of CNG production plant and equipment within the wellsite compound and also a tanker loading area, site office, lighting, security cameras, gas powered generator, coolers, generator control room, knock out pot and WC; and retention of a transformer unit, switch room, water tank, temporary parking area and perimeter fencing all on some 1.51 hectares for a temporary period of 15 years with restoration to commercial forestry.**

**PARAGRAPHS IN THE REPORT**

- Paragraph 79 - the final sentence of this paragraph should read: "*The proposal would not involve physically expanding the wellsite however the applicant has stated that an alternative to utilising the application site would be to construct a pipeline to an alternative site of which, substantial pipeline construction could be damaging in itself*".
- Paragraph 98 – the final sentence of this paragraph should read: "*All tanker movements and maintenance and operational works would be carried out during the daytime where possible*."
- Paragraph 111 – the second sentence of this paragraph should read: "*The flare would be used during daytime hours for those 7 days, i.e. a maximum of 168 hours*".
- Paragraph 200 – the fourth sentence of this paragraph should read: "*The Environment Agency request further information on the trajectory to be provided pursuant to condition*". The Environment Agency no longer request information on the integrity of the well as they have confirmed this aspect would be part of the Environmental Permitting regime.

**OFFICER CLARIFICATION*****Ancient Woodland***

A number of paragraphs (160, 168, 172 – 175) discuss widening of the access track to the wellsite to accommodate parking for light goods vehicles during the construction and restoration phases of the application. It should be noted that the area identified for parking provision, as shown on plan ALB-13A, has already been disturbed and is used for the placement of logs prior to their export, as part of the logging regime that is carried out in the woodland. This can be seen in Figure 3. As such there would be no physical works required to widen this track or area above that which has already occurred and was carried out as part of GU08/0483. The proposal seeks to use an area either side of the existing access track that is designated as Ancient Woodland within the Ancient Woodland Inventory, but which has already been disturbed.

***Query from Elstead Parish Council***

A query has been received from Elstead Parish Council asking whether any baseline tests of soil, water or air were done as part of the planning application or are to be done prior to works commencing on site.

Soil: the wellsite pad including the impermeable membrane and the access track to the wellsite are already in existence and there are no proposals to physically extend these. For testing of soils below at random locations through the hardstanding and membrane, this would compromise the membrane. Instead Officers propose a planning condition for the membrane to be inspected before works commence on site and if necessary, upgrade and repair the membrane before commencement of the development. Additionally Officers propose a condition

requiring the testing of soils on decommissioning of the compound to ensure there is no contamination legacy. The County Geological Consultant is of the opinion that the contamination risk to soil is being adequately managed.

Groundwater: the application site is already in existence and is covered by an impermeable membrane. Officers propose a condition for checking the integrity of the membrane prior to the commencement of the development and for any repairs or upgrades to the membrane should be it required, before work commences on site. With regards to the well integrity and risk to groundwater, this matter is within the remit of the Environment Agency. The Environment Agency will require a groundwater activity Permit to be granted prior to the commencement of operations at the application site. The Environmental Permit would look at groundwater activity such as an indirect discharge of pollutants alongside the integrity of well.

Air quality: the widely accepted air pollution background concentration maps published by Defra shows background concentrations of the relevant pollutants in the Albury site area to be low to very low. The modelled emissions to take account of the operations from the proposed development have also been shown to be well below the relevant thresholds. Further to this having reviewed the technical information submitted, the County Air Quality Consultant has not requested any air quality monitoring.

## FURTHER LETTERS OF REPRESENTATION

Six further letters of representation have been received, one from a resident who has already written in and provided comments; and five new addresses. Officers consider the concerns raised within the further letters of representation do not change the proposed recommendation for this proposal.

The letters of representation raises the following concerns:

- The proposal conflicts with national and local plan policy alongside policy on Green Belt
- The proposal is defined as 'major development' and under the National Planning Policy Framework (NPPF) para 116 proposals for major development within an Area of Outstanding Natural Beauty (AONB) should be refused except in exceptional circumstances where it can be demonstrated they are in the public interest. There are no reasonable exceptional circumstances and the proposal is not in the public interest given the legally binding climate change mitigation commitments and it is not in the local public interest.
- Object to the proposal as it is in the AONB. The area has been subjected to enough forestry destruction and the proposal will ruin the tranquillity.
- The proposal would harm ancient woodland and the NPPF says loss or deterioration of irreplaceable habitats, such as ancient woodland, has to be outweighed by benefits
- Object that the conclusion of the Officer report that all of the negative impacts can be outweighed by a national need for indigenous gas supply. The recently released DECC Committee on Climate Change report<sup>1</sup> stipulates that UK onshore gas production should only be permitted if three vital conditions are in place and none of these conditions can be met.
- Britain should be developing non-fossil energy sources instead of relying on non-renewables
- The period of gas flaring is very concerning. No detailed analysis has been produced of the gas to be flared. This is a serious omission. Flaring is incompatible with the delivery of emission reduction targets.
- There should be a detailed analysis of the effects of the exhaust emissions of this from a variety of aspects: human health, ecology, local amenity impacts and on vegetation
- The increase in vehicle movements is very concerning given the nature of their load. The roads around in AONB are totally inappropriate for these sorts of vehicle movements and the villages the HGVs will pass through are densely populated and narrow in places.

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<sup>1</sup> DECC Committee on Climate Change "Onshore petroleum the compatibility of UK onshore petroleum with meeting the UK's carbon budgets", March 2016 and the Government Response to the Committee on Climate Change Report, July 2016 (<https://www.gov.uk/government/news/committee-on-climate-change-report-and-government-response-on-the-compatibility-of-uk-onshore-petroleum-with-meeting-the-uks-carbon-budgets>)

- Leaving shale gas in the ground will mean there is no risk of damage to groundwater, no vehicular damage to local lanes, no unforeseen consequences.
- Concern with regards to the consequences of fracking
- Concern with regards to the consequences of a specific amendment to the Infrastructure Act 2015 inserting 4B Section 4A<sup>2</sup>: supplementary provision as this is to allow hydraulic fracturing to take place at normal industry level of fluid injection without any control
- That there is a duty of care towards the public

Green Belt: matters of Green Belt and the Officer assessment on this is provided within paras 273-292 of the Officers report

AONB: matters with regards to the AONB and the Officer assessment on this is provided within paras 233-272 of the Officers report

Ancient Woodland: matters with regards to ancient woodland and the Officer assessment on this is provided within paras 168-177 of the Officers report. Please note the additional Officer comments on this matter on page 1 of this Update Sheet.

Climate Change and renewables: DECC's Committee on Climate Change report published in March 2016 was required to be carried out under the Infrastructure Act 2015 to advise the Government on the compatibility of exploiting onshore petroleum reserves and meeting carbon reduction targets. The report concludes that exploitation of *shale* gas on a significant scale would not be consistent with the UK's carbon budgets and the 2050 target unless three tests are in place. These tests are:

1. The need to regulate production emissions i.e. methane, and the need for proper decommissioning
2. That any shale gas production must be a substitute for gas importation and should not result in an increase in gas consumption
3. The need to find additional abatement measures to compensate for emissions with offsetting through reductions elsewhere in the economy

The Committee focuses primarily on shale gas production but does recognise that onshore petroleum production does include conventional hydrocarbons.

The Government provided a response to the March 2016 Committee report in July 2016. The Government response states that for a successful transition to a low carbon economy, this requires clean, safe and secure supplies of natural gas in the coming year and that shale gas can be a bridge while the UK phases out old coal generation and develops energy efficiency, renewable and nuclear. The response states that "The Government therefore believes that there is a clear need to explore and test our shale resource to better understand the potential shale gas reserve". The Government sets out how they believe the three tests can be met.

Officers note the three tests set in the Committee on Climate Change report. With regard to test 1 the Government note this is a matter to be covered within the Environmental Permit. With regards to tests 2 and 3 these matters are matters for DECC to consider in the wider context to which DECC believes the three tests can be met.

Air Pollution: the NPPF states at para 122 that local planning authorities should focus on whether the development itself is an acceptable use of the land and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. The applicant provided an assessment of the air quality impacts from the flare and the gas engine in May 2016. Information on this assessment is provided in paras 110-120. On the basis of this assessment the County Air Quality Consultant concluded that the proposal can be considered an appropriate use of the land from a planning perspective. With regards to detailed make up of the gas this would be a matter for the Environment Agency under the Environmental Permitting regime.

<sup>2</sup> <http://www.legislation.gov.uk/ukpga/2015/7/section/50/enacted>

Traffic: matters of highways and transport are covered at paras 204-232 of the Officers report. There are no recorded accidents involving lorries using New Road. The proposed tankers after leaving the application site would travel down New Road to the A248 turning right towards the A25. The applicant does not propose that tankers would drive through the villages to the west including Albury, Chilworth and Shalford however these villages are on the A248 which is part of the strategic road network. The tankers would be driving to the Portsdown Hill facility just outside of Portsmouth. The most expedient route would be via the A3. The applicant has also confirmed that their current recording system has no incidents in respect of transport of hydrocarbon products either for our own HGVs or contractors HGVs during the last 6 years and anecdotal evidence goes back at least 10 years and confirms there have been no road traffic incidents involving the transport of hydrocarbon product by HGVs. The County Highway Authority have confirmed that there have been no accidents between the wellsite location and the A25 in the last 5 years.

Fracking and the Infrastructure Act 2015: It states in the Infrastructure Act 2015 that after Section 4 of the Petroleum Act 1998 that sections 4A “Onshore hydraulic fracturing: safeguards” and 4B “Section 4A: supplementary provision” should be inserted. The representation made is concerned with Section 4B however it should be noted that Section 4A sets out the safeguard measures for proposals for fracturing in England or Wales. Section 4B states:

*“Associated hydraulic fracturing” means hydraulic fracturing of shale or strata encased in shale [Officer underlining emphasis] which:*

- a) *Is carried out in connection with the use of the relevant well to search or bore for or get petroleum, and*
- b) *Involves, or is expected to involve, the injection of*
  - i. *More than 1,000 cubic metres of fluid at each stage, or expected stage, of the hydraulic fracturing, or*
  - ii. *More than 10,000 cubic metres of fluid in total’*

The representation is concerned that this provision would enable conventional wells to carry out hydraulic fracturing if such wells are to use less than 10,000 cubic metres of fluid in total.

However, what should be noted is the Officer underlined text that this part of the Infrastructure Act 2015 relates to wells drilled into shale or strata encased in shale. This application **does not seek to drill a well into shale or strata encased in shale but the Purbeck Sandstone** which is part of the uppermost Jurassic Purbeck Group which is a different geological strata to shale. This application also **does not seek to carry out new drilling** but to produce gas from an existing well which has been proven to contain economically viable reserves of gas from a conventional reservoir.

## RECOMMENDATION

Condition 9 should be moved to sit underneath the ‘Pre-commencement’ heading and become Condition 2 with all subsequent conditions renumbered up until condition 10.

Condition 4 (now newly numbers conditioned 5) should read:

*The development hereby permitted shall cease no later than 15 years from the date of the implementation of the planning permission referred to in Condition 4 above or the depletion of the reservoir, whichever is the sooner. All buildings, plant and machinery (both fixed and otherwise) and any engineering works connected therewith, on or related to the application site (including any hard surface constructed for any purpose), shall be removed from the application site and the site shall be fully restored to a condition suitable for forestry in accordance with the details set out in Conditions 42 - 44. Notwithstanding this, any plant or equipment required to make the site safe in accordance with DECC requirements at the time and agreed with the County Planning Authority, may remain in position.*

Condition 6 should read:



a) *With the exceptions of the Compressed Natural Gas (CNG) plant and CNG tanker movements and loading, no lights shall be illuminated, nor shall any operations or activities authorised or required by this permission including access by HGVs, take place other than during the hours of:*

*0800 - 1800 hours Monday - Friday  
0800 - 1300 hours Saturday*

*Apart from the exceptions referred to above and in b) below, there shall be no working at any time on Sundays, Public Holidays, Bank Holidays and National Holidays. This condition shall not prevent emergency repairs, engineering works and floodlighting being on for maintenance reasons.*

b) *The gas flaring as described in Section 5.3 of the Planning Statement "Upgrading/ Plant Installation – Well Workover and Flaring" shall take place for a one off period of no longer than seven (7) days between the hours of 08:30 – 17:00 Monday – Friday and 08:30 – 13:00 on Saturdays*

The condition heading Well Trajectory and Integrity for Condition 9 should read just *Well Trajectory*

Condition 13 should read:

*There shall be no means of access to the site, either vehicular or pedestrian, other than the existing access to New Road as identified in drawing number ALB-10A "Site Location Plan" 8 Sept 2015*

Condition 16 should read:

*Prior to the decommissioning and restoration of the site, the traffic management plan shall be updated, submitted to and approved in writing by the County Planning Authority to manage HGV movements to and from the site. The decommissioning and restoration phase of the development hereby permitted shall be carried out in accordance with the updated traffic management plan.*

Condition 23 should read:

*The rating level from the development during operation, determined in accordance with British Standard 4142:2014 'Methods for rating and assessing industrial and commercial sound', should not exceed 26 dB  $L_{Ar, 15 mins}$ , between the hours of 23:00 and 07:00 outside any bedroom at night (at the façade but as a freefield level). The noise should not contain any noticeable tonal or other acoustic features. It will be necessary to measure at locations closer to the development and predict noise at the sensitive locations by means of standard acoustic calculation methods, allowing for any non-site noise.*

Condition 36 should read:

*There shall be no widening of the access track between the end of the car parking as shown on plan ALB-13A "Access Layout and Parking" 8 Sept 2015 and the wellsite.*

Condition 39 should read:

*The perimeter drain surrounding the application site shall only be cleared and drained between the months of September to November, except in emergency situations, the reason for which shall be notified in writing to the CPA within 7 days of such an event taking place.*

Condition 42 should read:

*Restoration of the application site shall be undertaken in accordance with the "Restoration and Aftercare" document (April 2016) and drawings ALB-16B "Wellsite Restoration Plan" 8 April 2016 and ALB-17B "Access Restoration" 8 April 2016*

A new informative should be added to read:

*The definition of 'school morning' and 'school afternoon' is that during school term times which are published on the Surrey County Council website.*

A new informative should be added to read:

*The applicants attention is drawn to the potential need to obtain a Hazardous Substances Consent, or make a variation to their existing Hazardous Substances Consent SCC/HSC/2012/0001 GU12/P/01761, for the development proposal prior to operation*

Planning & Regulatory Committee 13 July 2016

## UPDATE INFORMATION SHEET

### MINERALS AND WASTE APPLICATION EL/2015/0235

DISTRICT(S) ELMBRIDGE BOROUGH COUNCIL

Weylands Treatment Works, Lyon Road, Walton on Thames, Surrey, KT12 3PU

**Development of a Waste Recycling and Recovery Park on a site of 10.74 hectares (ha), with a new access to Lyon Road (closing the Molesey Road access), comprising: (detailed/full application) a 6,705m<sup>2</sup> 6MWe Autoclave and Anaerobic Digestion (AD) Facility incorporating offices, staff welfare and an education centre, with a 25 m Stack, a bunded AD Tank Area (including 5no. AD Tanks; 2no. Upgrade/Cleanup Tanks; and 4no. Buffer Tanks), a 15 m Stack, 16 no. parking spaces, other associated infrastructure, and a 3.64 ha Restoration Area; and (outline application with all matters reserved excluding access and scale) a 6,000m<sup>2</sup> Materials Recycling Facility, a 1.38 ha Construction and Demolition Waste Recycling Area, and a 1,800m<sup>2</sup> Storage/Distribution (B8) and Light Industry (B1C) building, with associated infrastructure.**

1. This application was due to be reported to the Planning and Regulatory Committee on 13 July 2016 but was withdrawn by the applicant on 6 July 2016. The following provides a background for information.
2. This application was received on 19 December 2014 and was deemed a valid application on 20 January 2015. The application was first publicised in February 2015 and 138 letters of representation were received. A number of statutory and non-statutory consultees were consulted on the application.
3. The case officer at the time, Mr M O'Hare wrote to the applicant on 6 February requesting further information on where the waste handled would arise from and, given the site is located within the Green Belt, the Alternative Site Assessment (ASA) work. The Officer letter also requested further information on employment generation and how the green roof proposed on the Anaerobic Digestion facility would work in practice alongside the proposed photovoltaic cells.
4. A meeting was held in March 2015 between Officers and the applicant to discuss the matters raised in the 6 February 2015 letter.
5. On 7 July 2015 Mr M O'Hare wrote to the applicant again reiterating the points raised in the 6 February letter, adding comments from statutory and non-statutory consultees and requesting further information in relation to the Environmental Statement (ES) under Regulation 22 of the Environmental Impact Assessment (EIA) Regulations (England) 2011. The information sought included: air quality and the impact of heavy goods vehicles (HGVs) ; in-combination effects of the proposal with the planning application for Drake Park to the north of the application site (to Elmbridge Borough Council); and information on ground conditions.
6. In response the applicant submitted further information in October 2015 which was publicised and generated a further 111 letters of representation. The total number of representations received for this planning application was 208.
7. Mr M O'Hare then wrote to the applicant again in December 2015 seeking further clarification from the applicant with regards to: the ASA work including a proposed catchment area condition being put forward by the applicant and information to demonstrate the proposal would not significantly adversely harm Air Quality Management Areas and would provide a benefit to these designations with regard to

HGVs travelling to/ from the application site and where waste arisings proposed for the application site would originate from.

8. A meeting was held in January 2016 between Officers and the applicant to discuss the matters raised in the correspondence dated 11 December 2015. Officers were informed that the further information requested would be submitted to the County Planning Authority.
9. Between January and July 2016, Mrs S Murphy (the current case officer) wrote to the applicant eight times requesting an update to when the further information sought from the applicant would be provided and informing them of the committee dates. The further information requested in December 2015 was not forthcoming by the applicant. In the absence of any response and with due warning an Officer report including aerial photographs and plans was produced for the July Planning and Regulatory Committee.
10. The applicant formally wrote to the County Planning Authority late on 5 July 2016 requesting the application be withdrawn with immediate effect. Officers do acknowledge that the applicant thanked Officers for their work on handling the planning applicant and did apologise for the inconvenience regarding the lack of submission of the outstanding information over the past 6 months.

**TO:** PLANNING & REGULATORY COMMITTEE

**DATE:** AUGUST 2016

**BY:** PLANNING DEVELOPMENT TEAM MANAGER

**DISTRICT(S)** WOKING BOROUGH COUNCIL

**ELECTORAL DIVISION(S):**

Woking South

Mr. Forster

**PURPOSE:** FOR DECISION

**GRID REF:** 500325 154336

**TITLE:** WASTE APPLICATION REF. WO/2015/0605

## **SUMMARY REPORT**

### **Elm Nursery, Sutton Green Road, Sutton Green, Guildford, Surrey GU4 7QD**

Material change of use from agriculture to use involving importation, storage, processing and transfer of wood waste for biofuel. Erection of building for associated storage and welfare facilities.

The application site, which is located within the Metropolitan Green Belt, measures some 0.39ha and forms part of Elm Nursery which in itself comprises an area of approximately 3.1ha.

Elm Nursery is an existing and long-standing horticultural nursery which includes various buildings, structures and land-uses including several large poly-tunnels, a large greenhouse, a farm shop with a small cafe, a petting zoo, a number of demountable buildings, a car-park for some 30 to 40 cars, and a dwelling belonging to the landowner(s). During the school term-time and school holidays children from the local privately owned Willow's Forest School undertake outdoor-play activities at the nursery. The nursery also houses a number of activities and events including car boot fares, dog training and self-defense classes. The nursery is a rectangular-shaped parcel of land well-defined and enclosed by established planting along its boundaries.

The application site is located on the northern-half of the nursery adjacent to its eastern boundary which is shared with the residential curtilage of Sutton Ridge House. There is an established hedgerow some 2.3m in height between the application site and the residential curtilage.

The application site is not subject to any international, European, national or local designations with reference to nature conservation, landscape or heritage. It does however sit adjacent to the north-western corner of the Sutton Park Conservation Area. Additionally, there are two Scheduled Monuments located within 1km of the application site, the Grade II\* Registered Park and Garden at 'Sutton Place' is located some 0.25km to the south of the application site beyond Sutton Green Road and a block of woodland, and there are eight Grade II Listed Buildings located within some 0.5km of the application site.

The application site is located on land designated as having the lowest probability of flooding, whilst Sutton Green Road, from which vehicular access to Elm Nursery is gained, is classified as being at 'high' risk of surface water flooding.

The development proposed is illustrated on Drawing Ref. 301501-001 Site Layout for barn and associated structures Issue C dated 1 February 2015. It would include the erection of a building with a pitched roof measuring some 44m (length) x 9.2m (width) x 5.5m (height to the ridge)

together with a connected concrete storage pit measuring some 9.3m (length) x 9.2m (width) x 2m (height). This building is to be situated some 7m to the west of the boundary between Elm Nursery and Sutton Ridge House. An open storage area for virgin wood and a parking area for vehicles are included as part of the proposal.

The building, which would have a floor area of some 404m<sup>2</sup>, is to be used for the chipping of wood; the storage of arboricultural vehicles, equipment and wood chip; a workshop; and welfare facilities for staff. It would include measures to mitigate noise arising from chipping operations. The building has also been designed to collect and manage surface water by way of a 5,000 litre water butt/tank for re-use in the welfare facility proposed and the wider nursery for cultivation.

The development would include the equivalent of four full-time staff and operate on Monday to Friday from 0800 hours to 1700 hours and on Saturday from 0800 hours to 1300 hours. No working is proposed on Sundays or Bank, National or Public Holidays.

The chipping of wood is to take place on Monday to Friday only and then for no more than 12-hours per month over the course of 1 to 2 days. The facility's operational throughput of waste material would be limited to no more than 1,000 tonnes per annum.

Up to five cars will arrive on site between 0700 hours and 0730 hours each working day; staff would then leave the site in company vans, and return at the end of the working day before leaving in the site in their cars. Moreover, 2 or 3 articulated HGVs will also visit the site each month to collect and take away wood chip.

The applicant, Redwood Tree Services Ltd., is an established family-run business based in Bisley near Woking. It has been operating for over 29 years mainly in Surrey but also surrounding counties specialising in arboriculture, forestry, and bio-fuel. Some 90% of the work undertaken by the applicant is within 15km of Bisley between the M3 and A3 corridor. Redwood Tree Services are approved contractors with several local authorities and Parish Councils in Surrey including Guildford Borough Council, Runnymede Borough Council, Surrey Heath Borough Council and Worplesdon Parish Council. Accordingly, the development proposed is part of a wider local business which seeks to enable the sustainable management of Surrey's woodland.

The applicant intends to supply Elm Nursery's farm shop with logs, kindling, bark and wood chip for sale.

The proposed development does not include the installation or use of any form of bio-mass boiler/wood burner or any other similar equipment or the use of external artificial lighting.

The proposal includes the establishment of native screen planting on the eastern side of the proposed building adjacent to the existing hedgerow and the residential curtilage of Sutton Ridge House.

The County Planning Authority ('CPA') has received twenty-three representations in respect of the development proposed. Included within these is a single letter of support for the proposal. Consequently, twenty-two representations received by the CPA have expressed objection to the development. Although the Borough Council and the Sutton Green Association have raised objection to the development on various grounds, the CPA has not received any technical objections to the development.

The waste hierarchy is both a guide to sustainable waste management and a legal requirement enshrined in law through the Waste (England and Wales) Regulations 2011. The hierarchy gives top priority to waste prevention, followed by preparing for re-use, then recycling, other types of recovery, and last of all disposal. The Waste Management Plan 2013, National Planning Policy for Waste 2014 and the Surrey Waste Plan 2008 all echo the requirements of the waste hierarchy in their respective guidance in relation to sustainable waste management.

In these respects Officers consider that the proposal would facilitate the sustainable management of Commercial and Industrial Waste (arboricultural waste) arisings in Surrey. In doing so it would also contribute to the provision of an additional 1,000 tonnes of sustainable waste management capacity in the County. Although this volume is small-scale, the development would facilitate the movement of waste up the hierarchy by making beneficial use of waste materials predominantly arising between the M3 and A3 corridors for electricity generation and heating resulting in a healthier natural environment and reduced impacts on climate change. Officers also consider that the development proposed would support and facilitate the development and diversification of an existing land-based rural business in accordance with the National Planning Policy Framework 2012.

Sutton Green Road is a two-way unclassified road subject to a 40mph speed limit located immediately south of Elm Nursery some 130m from its nearest boundary. Sutton Green Road links to Witmoor Lane and then the A320 Guildford/Woking Road which has direct links to Woking, Guildford and the A3 which in turn connects to the M25. The application site is not within or adjacent to an Air Quality Management Area.

Although the development proposed is not an 'allocated site' in the SWP or any of the District Council's plans for industrial or employment land-uses, the application site is conveniently located in close proximity to two major urban centres of Surrey and within 15km of some 90% of the applicant's client base. Consequently the application site is easily accessible by the strategic road network and well related to the source of waste arisings concerned.

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

In this respect, and having regard to the nature and scale of the development proposed as set out by the applicant's Transport Assessment; allowing for the existing uses of the nursery and the nature and scale of the vehicle movements it presently attracts; considering the baseline two-way traffic flows along Sutton Green Road together with SCC's accident data; and taking into account the characteristics of the local highway network and its relationship to the strategic road network; Officers consider that the development proposed can be accommodated on the application site without detriment to the operation of the local highway network subject to a condition limiting the annual throughput of the same to no more than 1,000 tonnes per annum. For the same reasons Officers do not consider that the cumulative impact of the proposed development and any new development in the vicinity of the nursery would have consequences for the local highway network that could be reasonably described as severe such that planning permission should be refused.

Considering that the development would not materially increase vehicle movements along Sutton Green Road, and in the absence of an Air Quality Management designation, Officers do not consider that the proposal would give rise to vehicle emissions which are likely to adversely affect local amenity, public health or the environment.

In respect of dust and bioaerosols arising from the development, having assessed the proposal the CPA's Air Quality consultant considers that the risk of dust from the development would not be significant and that the potential for bioaerosol emissions is minimal. Should planning permission be granted for the development proposed Officers would seek to prohibit the burning of any material on the application site by the imposition of an appropriately worded condition on any such consent. Accordingly, Officers do not consider that the development, subject to such a condition, would give rise to adverse air quality which may in turn undermine local amenity or the environment.

The building proposed has been designed so as to include measures to mitigate noise arising from chipping operations. This mitigation is to be provided by way of a concrete barrier to form part of the building which is to block the transition path of noise before it reaches the three most exposed noise sensitive receptors in the locality. The concrete barrier would have a surface

density with a sound reduction coefficient to ensure considerable noise reduction and good performance in respect of noise frequency. It would comprise a “U-shaped” four-sided reinforced concrete bunker open to the west. The chipper will be stationed within this bunker with wood chip being fed directly into the enclosed part of the building.

The applicant has also committed to: (a) avoiding unnecessary noise through the misuse of tools and equipment; (b) training staff so as to minimise noise when operating machinery; (c) only allowing appropriately trained staff to operate machinery; (d) only undertaking processing operations within the designated area of the proposed building; (e) checking the integrity of the noise mitigation structure prior to any processing operations; (f) only undertaking processing operations when the wind direction is favourable to noise sensitive receptors i.e. not from the west; (g) providing 24-hours notice that processing operations are to take place by way of a public notice at the entrance to Elm Nursery including the provision of the applicant’s contact details; (h) keeping the aforementioned management practices under review; and (i) undertaking further noise monitoring after the building has been constructed so as to assess its effectiveness in terms of noise mitigation.

The CPA’s Noise Consultant has reported that, subject to the noise mitigation proposed, the sound levels from the chipper are within the margins of what would be considered to be acceptable with respect to the guidance in BS4142:2014. Accordingly, subject to a range of conditions securing the measures proposed by the applicant and additional controls, the CPA’s Noise Consultant has advised that planning consent should not be withheld on the grounds of noise effects on residential properties.

The noise conditions advised to be imposed on any consent granted over and above those measures proposed by the applicant are: (a) the rating noise arising from any operation, plant or machinery on the site, when assessed using BS4141:2014 shall not exceed a level of 5dB above the prevailing background sound level during any 30 minute period. The prevailing background sound level shall be agreed with the County Planning Authority; (b) wood chipping shall only take place between the permitted working hours of 0800 to 1700 hours Monday to Friday. No wood chipping shall take place on Saturdays, Sundays, or on any Bank, Public or Religious Holiday; and (c) details of the mitigation scheme to reduce the noise from the use of the wood chipper, including the concrete structure that will be erected and the operating location of the wood chipper in relation to this structure shall be submitted to the County Planning Authority for approval. The concrete structure will be built in strict accordance with the approved details, and the wood chipper will only operate within the agreed location or area. No wood chipping shall take place on site until the approved mitigation scheme is in place.

The applicant is proposing to manage surface water run-off by way of collection of rainfall by gutters which would direct the same into a primary 5,000 litre rainwater harvesting tank. The water collected in this tank would be used to service the welfare facilities to be located within the proposed building. Should additional holding capacity for collected rainfall be necessary the 5,000 litre tank would overflow into an existing secondary 30,000 litre water tank adjacent to the application site. This tank currently serves the horticultural/agricultural aspects of Elm Nursery. When both tanks are full they would overflow into a new soakaway within the application site. This soakaway has been designed conservatively by ignoring the rainwater harvesting tanks discussed in the preceding paragraph and will therefore has been designed to contain all run-off for up to the 1 in 100 year return period, including a 30% allowance for climate change. Accordingly, the soakaway would have a storage volume of 19,000 litres.

The Borough Council’s Flood Risk and Drainage Engineer has assessed the applicant’s surface water management proposal and raised no objection to the development subject to a condition requiring the submission of detailed drainage scheme for approval prior to the construction of the proposed building. The CPA has been advised that this condition is necessary to ensure adequate design, construction and performance of the proposed soakaway.

The development may, at both its construction and operational phases, adversely affect the Sutton Park Conservation Area by way of views towards or from the designation. Additionally,



vehicles approaching the application site from the north-east or leaving the same towards to the north-east, along Sutton Green Road, would pass through part of the conservation area. These vehicles may therefore have the potential to adversely affect the conservation area by way of increased noise or a material increase in vehicle movements along this part of the highway. Moreover, the development may also adversely affect the conservation area by way of noise arising from the processing operations proposed or the construction phase of the development.

Officers are satisfied that the construction and operational phases of the proposal would not physically harm any local heritage assets. However, for the same reasons given in the preceding paragraph Officers consider that the development may adversely affect the settings of these either individually or cumulatively.

In respect of views towards or from the conservation area Officers consider that the development would be adequately screened by existing and established planting which define the boundaries of the nursery, within the nursery and to the north and north-west of the application site, and by existing structures and buildings within the nursery and to the south and west of the application site. The applicant proposes to reinforce the existing visual screen to the east of the application site by further native planting. Notwithstanding the aforementioned, Officers consider that the building proposed to be erected is of a design which is agricultural in character representing a barn/stable like structure commonly found on agricultural land within rural Surrey. Accordingly, Officers consider that impact of the development proposed would be neutral in respect of the Sutton Park Conservation Area as it would not undermine the character or cause harm to the setting or significance of the same by way of views to and from the conservation area.

The County Highway Authority have not raised objection to the development for several reasons including their consideration that the scale of the proposal would not lead to a material increase in vehicle movements on the local highway network. Further, in addition to the fact that the nursery currently receives delivery of goods by way of HGVs including articulated vehicles, it has been demonstrated by the applicant that Sutton Green Road is presently used by HGV traffic. In total there were 526 HGVs travelling eastbound and 459 HGVs travelling westbound along Sutton Green Road between 15 January 2015 and 21 January 2015. In contrast to these numbers the proposal includes the collection of wood chip from the application site by HGV on 2 to 3 occasions per month.

Accordingly, the proposal would not introduce HGV traffic and/or traffic related noise where there is currently no such traffic or noise. Moreover, any such traffic arising from the development would not result in a material increase in the number of vehicles passing through the conservation area. Accordingly, Officers do not consider that the vehicle movements associated with the development would undermine the character of the Sutton Park Conservation Area or cause harm to the setting or significance of the same.

In respect of noise, the CPA's Environmental Noise Consultant has confirmed that, having regard to the noise mitigation measures proposed by the applicant, the sound levels from the chipper proposed to be used as part of the development are within the margins of what would be acceptable with respect to the guidance in BS 4142:2014. Accordingly, Officers have been advised that planning consent should not be withheld on the grounds of noise effects on residential properties including Sutton Ridge House.

Further, the CPA's Environmental Noise Consultant has provided predicted levels of sound arising from the proposed processing operations at various distances from its source having regard to the existing ambient sound levels which are calculated to be between 45 – 50 dB LAeq. At 10m from the proposed chipping operations the predicted sound level would be some 55 dB LAeq which represents a normal external sound level in residential area with light traffic.

Officers acknowledge that the character of the sound arising from processing operations would be different and that the development would result in an increase to ambient sound levels by

some 5dB LAeq. However, Officers do not consider that these factors would materially alter the existing noise environment such that it would have any adverse affect on the conservation area.

The noise which may arise from construction of the proposed development would be limited in duration and transient in nature. Once construction works are completed a normal external sound level for a residential area with light traffic would be reintroduced.

Accordingly, Officers do not consider that the construction phase or operational phase of the development would undermine the character of the Sutton Park Conservation Area or cause harm to the significance or setting of the same.

Surrey County Council's Historic Buildings Officers has assessed the proposal and advised Officers that, having viewed the application site/nursery from Sutton Green Road and considered the aerial view of the landscape, the building of the scale proposed will not be visible from the parkland and therefore the setting of the park/conservation area will not be materially harmed by the proposed development. Accordingly, no objection has been raised in this respect.

Consequently, for the reasons discussed in the preceding paragraphs, Officers consider that the proposal would not harm the setting or significance of any heritage assets within the vicinity of the application site.

The development is inappropriate development in the Green Belt. However, there is a clear need to provide additional waste management facilities in order to achieve sustainable waste management within the County, and Officers consider that there are no reasonable grounds to dispute the applicant's claim that the development is best suited to the application site as there are no suitable alternative non-Green Belt sites. The development is part of a wider business which seeks to enable the sustainable management of Surrey's woodland and it would support and facilitate the development and diversification of an existing land-based rural business. The wider environmental and economic benefits of the proposed waste management facility is a substantial benefit of the proposal, and, having regard to the moderate but very local impact on openness, and the absence of other harm, it is concluded that the harm arising out of inappropriateness and encroachment on the countryside, is clearly outweighed by other factors<sup>1</sup> so as to amount to the very special circumstances necessary to justify the proposal.

**The recommendation is to GRANT planning permission Ref. WO/2015/0605 subject to conditions.**

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## **APPLICATION DETAILS**

### ***Applicant***

Mr. Nick Rose of Redwood Tree Services Ltd.

### ***Date application valid***

1 May 2015

### ***Period for Determination***

17 August 2016

### ***Amending Documents***

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<sup>1</sup> The lack of suitable alternative non-Green Belt sites; the development being well related to the source of waste arisings concerned; the characteristics of the development and Elm Nursery; and the wider environmental and economic benefits of sustainable waste management

Addendum to Air Quality Statement dated September 2015  
 Noise Assessment and Management Plan dated September 2015  
 Flood Risk Assessment dated 16 December 2015  
 Email from Nick Rose dated 21 January 2016  
 Drawing Ref. 301501-001 Site Layout for barn and associated structures Issue C dated 1 February 2016  
 Drainage Technical Note dated 6 June 2016  
 Amended Alternative Site Assessment received 15 June 2016  
 Email dated 16 June 2016 from Sean Foley of Mayer Brown  
 Amended application form received 28 June 2016  
 Drawing Ref. EN:01 Site Location dated 29 April 2015 (corrected) received 1 July 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.

	<b>Is this aspect of the proposal in accordance with the development plan?</b>	<b>Paragraphs in the report where this has been discussed</b>
Waste Management	Yes	59 to 105
Highways, Traffic and Access	Yes	106 to 143
Air Quality	Yes	144 to 164
Noise	Yes	165 to 194
Flood Risk and Drainage	Yes	195 to 210
Heritage Assets	Yes	211 to 261
Metropolitan Green Belt	No	262 to 306

**ILLUSTRATIVE MATERIAL**

**Site Plan**

Drawing Ref. 301501-001 Site Layout for barn and associated structures Issue C dated 1 February 2015  
 Drawing Ref. EN:01 Site Location dated 29 April 2015

**Aerial Photographs**

Aerial 1 – Land at Elm Nursery, Sutton Green Road, Sutton Green  
 Aerial 2 – Land at Elm Nursery, Sutton Green Road, Sutton Green  
 Aerial 3 – Land at Elm Nursery, Sutton Green Road, Sutton Green

**Site Photographs**

Figure 1 - Vehicular Access to Elm Nursery  
 Figure 2 - Sutton Green Road outside Elm Nursery North East  
 Figure 3 - Sutton Green Road outside Elm Nursery South West  
 Figure 4 - Elm Nursery Internal Access Road  
 Figure 5 - Elm Nursery Parking Area with Farm Shop and Green House  
 Figure 6 - Northern Boundary of Application Site  
 Figure 7 - Southern Boundary of Application Site

Figure 8 - Eastern Boundary of Application Site

Figure 9 - Western Boundary of Application Site

Figure 10 - Eastern Boundary of the Application Site shared with Sutton Ridge House

Figure 11 - Long View from the Application Site to the North

Figure 12 - Long View from the Application Site to the South

Figure 13 - Long View from the Application Site to the West

Figure 14 - General View of Application Site

## Appendices

### Appendix 1 – Heritage Assets

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## BACKGROUND

### *Site Description and Planning History*

1. The application site, which is located within the Metropolitan Green Belt, measures some 0.39ha<sup>2</sup> and forms part of Elm Nursery which in itself comprises an area of approximately 3.1ha.
2. As its name suggests, Elm Nursery ('the nursery') is an existing and long-standing horticultural nursery which includes various buildings, structures and land-uses including several large poly-tunnels, a large greenhouse, a farm shop<sup>3</sup> with a small cafe<sup>4</sup>, a petting zoo, a number of demountable buildings, a car-park for some 30 to 40 cars, and a dwelling belonging to the landowner(s). During the school term-time children from the local privately owned Willow's Forest School visit the nursery for outdoor-play activities. The nursery also houses a number of activities and events including car boot fares, dog training and self-defense classes.
3. The nursery is a rectangular shaped parcel of land well defined and enclosed by established planting along its boundaries. Additionally, there are a number of blocks of established planting within the nursery including directly north<sup>5</sup> and north-west of the application site<sup>6</sup>. The land surrounding the nursery is primarily used for agricultural and residential purposes. The nursery itself is bounded by agricultural fields to the north, a dwelling and its curtilage to the east, Sutton Green Road to the south, and an agricultural field with associated buildings to the west with Whitmoor House beyond<sup>7</sup>.
4. The application site is located on the northern-half of the nursery adjacent to its eastern boundary which is shared with the residential curtilage of Sutton Ridge House. There is an established hedgerow some 2.3m in height between the application site and the residential curtilage. The dwelling is some 65m from the south-eastern corner of the application site. Public footpath No. 38, agricultural fields and Tadpole House<sup>8</sup> lie beyond this dwelling to the east.
5. The application site is not subject to any international, European, national or local designations with reference to nature conservation, landscape or heritage. It does however sit adjacent to the north-western corner of the Sutton Park Conservation Area. The application site is not located on land with a high archaeological potential and therefore there is no reason for Officers to consider that the application site has the potential to include heritage assets with archaeological interest.

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<sup>2</sup> Including the access track to and from Sutton Green Road

<sup>3</sup> Which has been in operation since 1982

<sup>4</sup> Uses Classes A1 (shop) and A3 (café) respectively

<sup>5</sup> A band of coniferous trees

<sup>6</sup> Mixed woodland coppice

<sup>7</sup> Some 270m distant

<sup>8</sup> Some 185m distant

6. Moreover, there are two Scheduled Monuments located within 1km of the application site - the 'Old Manor House (site of) west of Roman Catholic Church, Sutton Park'<sup>9</sup> some 0.5km to the south, and the 'Disc barrow on Whitmoor Common'<sup>10</sup> some 0.8km to the south-west.
7. Additionally the Grade II\* Registered Park and Garden at 'Sutton Place'<sup>11</sup> is located some 0.25km to the south of the application site beyond Sutton Green Road and a block of woodland on the southern side of the same. Further, there are eight Grade II Listed Buildings located within some 0.5km of the application site details of which are as follows:

Listed Building	Historic England List ID	Distance from Application Site
Whitmoor House (including cottage to the rear)	1236958	0.27 km west
Granary 15 yards south west of Whitmoor House	1236959	0.29 km west
Sutton Green House	1236803	0.34 km east
Oak House	1236805	0.38 km south
The Manor House	1236932	0.39 km south-east
Frog Lane Farmhouse	1378244	0.40 km north
The Old Post Office	1236801	0.43 km north-east
Bull Lane Cottages	1044714	0.47 km south

8. The application site's location relevant to the Sutton Green Conservation Area and the other heritage assets detailed above is shown in *Appendix 1* attached.
9. The closest boundary of the Surrey Hills Area of Outstanding Natural Beauty ('AONB') and of the Surrey Area of Great Landscape Value ('AGLV') is some 4.6km to the south of the application site.
10. The nearest Site of Special Scientific interest ('SSSI') is the Whitmoor Common SSSI, some 0.85km to the south-west, which is a component part of the Thames Basin Heaths Special Protection Area ('SPA'), and designated as a Local Nature Reserve ('LNR'). The Smarts and Prey Heaths SSSI is located some 1.4km to the north-west of the application site. The closest Sites of Nature Conservation Importance ('SNCIs') are the 'Whitmoor Pond' SNCI and the 'Poor Jack's Wood' SNCI both some 0.7km to the west of the application site beyond the A320 Guildford Road.
11. The application site is located on land designated as having the lowest probability of flooding<sup>12</sup>, whilst Sutton Green Road, from which vehicular access to Elm Nursery is gained, is classified as being at 'high' risk of surface water flooding.
12. Sutton Green Road<sup>13</sup> is located immediately south of Elm Nursery some 130m from the nearest boundary<sup>14</sup> of the application site. Sutton Green Road links to Witmoor Lane and then the A320 Guildford/Woking Road which has direct links to Woking<sup>15</sup>, Guildford<sup>16</sup> and the A3 trunk road<sup>17</sup>.

<sup>9</sup> Historic England List ID 1005933

<sup>10</sup> Historic England List ID 1011599

<sup>11</sup> Historic England List ID 1001554

<sup>12</sup> Flood Zone 1

<sup>13</sup> A two-way unclassified road subject to a 40mph speed limit

<sup>14</sup> Southern boundary

<sup>15</sup> Some 2km north of Elm Nursery

<sup>16</sup> Some 1.5km south of Elm Nursery

<sup>17</sup> Which is located some 3.5km south of the application site and provides direct access to the M25

13. The application site is not located within, or in close proximity to, any designated Air Quality Management Areas ('AQMAs'). Woking has a single AQMA designated for nitrogen dioxide emissions at Anchor Hill which is some 6km to the north-west of the application site. No AQMAs have been declared in Guildford.
14. Elm Nursery has no history of waste-related development. According to the records of Woking Borough Council ('the Borough Council') it does however have a contemporary planning history relating to matters dealt with at the district/borough level. This history includes: a retrospective application for a '*change of use of horticultural nursery to car storage area*' which was refused by the Borough Council in 2008<sup>18</sup>; and an application for '*demolition of existing shop and erection of wooden structure for use as a shop with ancillary café*' which was granted by the Borough Council in 2013<sup>19</sup>.

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## THE PROPOSAL

15. The development proposed is described by the applicant as a "*material change of use from agriculture to use involving importation, storage, processing and transfer of wood waste for biofuel and the erection of building for associated storage and welfare facilities.*"

### Context

16. The applicant's website explains that Redwood Tree Services Ltd. is an established family-run business based in Bisley near Woking. It has been operating for over 29 years mainly in Surrey but also surrounding counties specialising in arboriculture, forestry, and bio-fuel. Approximately 90% of the arboricultural work undertaken by the applicant is within 15km of Bisley and between the M3 and A3 corridors. Redwood Tree Services are approved contractors with several local authorities and Parish Council's in Surrey including Guildford Borough Council, Runnymede Borough Council, Surrey Heath Borough Council and Worplesdon Parish Council. Accordingly, the development proposed forms part of a local business which seeks to facilitate the sustainable management of Surrey's woodland.
17. Previously, and for approximately 11 years, the applicant, Mr. Rose of Redwood Tree Services Ltd., had been operating the wood storage and chipping aspects of the business from land at Ruxbury Farm, Chertsey. This site was conveniently located such that it allowed the applicant to transport wood chippings to Slough Power Station by way of tractor. In 2012 Surrey County Council granted retrospective planning permission<sup>20</sup> for the '*change of use of land at Ruxbury Farm from agriculture to a wood storage and wood chipping facility*'.
18. However in 2014 the landowner, Dr. Roger Mugford, asked that Redwood Tree Services and Mr. Rose to leave the site as he no longer considered the permitted use to be consistent with the other uses of the farm. The applicant reports that Dr. Mugford has "*an alternative vision for his property going forward.*" At the same time the biomass boiler at Slough Power Station shut down permanently. Consequently, wood chippings would be required to be collected from the land at Ruxbury Farm by way of articulated HGVs for which the vehicular access to the same is not deemed suitable. For these reasons the applicant has been forced to find an alternative site for the wood storage and chipping aspects of Redwood Tree Services.
19. Dr. Mugford has reported that he had to "*terminate Mr. Rose's tenancy because his activity was not consistent with the other uses of the farm: for farm animals, for horses*

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<sup>18</sup> Ref. PLAN/2007/1038

<sup>19</sup> Ref. PLAN/2013/0152

<sup>20</sup> Ref. RU11/1119 dated 18 January 2012

*and for the training of dogs. Mr Rose rightly states, that he is also being greatly disadvantaged by the local Slough Power Station no longer accepting wood chip. When Mr. Rose approached me 11 years ago, it was with a view to establishing only a temporary business at my farm, he being unable to find a more suitable location. He assures me that the site at Sutton Green has the potential for him to establish his business for the long term, and both access and the scale of the site are more suitable for him than here at Ruxbury Farm. I can state that Mr. Rose has always adhered to the planning restrictions which were placed upon his use of the Ruxbury Farm site, specifically he has only used the wood chipper within business hours and not at the weekend.”*

20. According to the records of the County Planning Authority ('CPA'), since 18 January 2012 the CPA received three public complaints about the applicant's previous facility at Ruxbury Farm. Two of these complaints were deemed to be unfounded and the third related to the removal of plant and machinery from the site in January 2015.

### *The Development*

21. The development proposed is illustrated on Drawing Ref. 301501-001 Site Layout for barn and associated structures Issue C dated 1 February 2015.
22. It would include the erection of a building<sup>21</sup> with a pitched roof measuring some 44m (length) x 9.2m (width) x 5.5m (height to the ridge) together with a connected concrete storage pit measuring some 9.3m (length) x 9.2m (width) x 2m (height). This building is to be situated some 7m to the west of the boundary between Elm Nursery and Sutton Ridge House. An open storage area for virgin wood and a parking area for vehicles are included as part of the proposal.
23. The building, which would have a floor area of some 404m<sup>2</sup>, is to be used for the chipping of wood; the storage of arboricultural vehicles, equipment and wood chip; a workshop; and welfare facilities for staff. The building and storage pit are to be bolted to reinforced concrete foundations so that the above-ground structures can be dismantled and moved if necessary. It would include measures to mitigate noise arising from chipping operations. The building has also been designed to collect and manage surface water by way of a 5,000 litre water butt/tank for re-use in the welfare facility proposed<sup>22</sup> and the wider nursery for cultivation. A soak away is also intended to be constructed so as to facilitate the dispersal of any surface water over-flow<sup>23</sup>.
24. The development would include the equivalent of four full-time staff<sup>24</sup> and operate on Monday to Friday from 0800 hours to 1700 hours and on Saturday from 0800 hours to 1300 hours. No working is proposed on Sundays or Bank, National or Public Holidays.
25. The facility's operational throughput of waste material<sup>25</sup> would be limited to no more than 1,000 tonnes per annum.
26. The applicant's Transport Statement explains that it is anticipated that up to five cars will arrive on site between 0700 hours and 0730 hours each working day; staff would then leave the site in company vans, and return at the end of the working day before leaving in the site in their cars. Moreover, two or three articulated HGVs will also visit the site each month to collect and take away wood chip.

<sup>21</sup> Comprising galvanised steel in bolt-together construction, painted corrugated steel sheeting and reinforced concrete panels for the wood chipping and storage areas

<sup>22</sup> Which is to include a self-recycling septic tank and a toilet

<sup>23</sup> Details of surface water management provided in Drainage Technical Note dated 6 June 2016

<sup>24</sup> Two full-time and 7 part-time employees

<sup>25</sup> Which is included within the Commercial and Industrial Waste stream

27. The applicant has explained that they currently have two bio fuel contracts with Shredco and TV Bioenergy. Low-grade bio fuel handled by Shredco is supplied to markets in France and the north of the United Kingdom whilst high-grade bio fuel is supplied to TV Bioenergy which is then distributed into the Thames Valley basin directly to users. The applicant's primary contract is with TV Bioenergy.
28. Plant and machinery proposed to be operated on the application site includes a 30-tonne log splitter, a Heizo Hack Chipper, a Valtra tractor, two bulk trailers, a forestry trailer and two small plant trailers.
29. The chipping of wood is to take place within the northern most part of the proposed building which is to comprise a four-sided reinforced concrete bunker<sup>26</sup>. The chipper will be stationed within this bunker with wood chip being fed directly into the enclosed part of the building.
30. The chipping of wood is to take place on Monday to Friday only and then for no more than 12-hours per month over the course of 1 to 2 days.
31. The applicant has also committed to: (a) avoiding unnecessary noise through the misuse of tools and equipment; (b) training staff so as to minimise noise when operating machinery; (c) only allowing appropriately trained staff to operate machinery; (d) only undertaking processing operations within the designated area of the proposed building; (e) checking the integrity of the noise mitigation structure prior to any processing operations; (f) only undertaking processing operations when the wind direction is favourable to noise sensitive receptors i.e. not from the west; (g) providing 24-hours notice that processing operations are to take place by way of a public notice at the entrance to Elm Nursery including the provision of the applicant's contact details; (h) keeping the aforementioned management practices under review; and (i) undertaking further noise monitoring after the building has been constructed so as to assess its effectiveness in terms of noise mitigation.
32. All wood to be chipped and stored on the application site would be sourced from virgin wood associated with the arboricultural activities of the applicant. Wood may be stored in the open on the application site in its virgin state for up to 12-months before being chipped.
33. Chipped wood would not be exposed to the elements during storage or kept in circumstances which would encourage anaerobic conditions to occur. Consequently, no composting activities would take place on the application site. Wood chip would not be turned, mixed or treated in any manner whilst on the application site. All wood chip would be removed from the application site on a monthly basis.
34. The applicant intends to supply Elm Nursery's farm shop with logs, kindling, bark and wood chip for sale.
35. The proposed development does not include the installation or use of any form of bio-mass boiler/wood burner or any other similar equipment.
36. No external artificial lighting is proposed as part of the development.
37. The proposal includes the establishment of native screen planting on the eastern side of the proposed building adjacent to the existing hedgerow and the residential curtilage of Sutton Ridge House.

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<sup>26</sup> 4.25m high



## CONSULTATIONS AND PUBLICITY

### ***Consultees (Statutory and Non-Statutory)***

- |     |  |  |
|-----|--|--|
| 38. | Woking Borough Council                                     | - Object   |
| 39. | The Environment Agency                                     | - No comments to make on the application as the site is located within Flood Zone 1 and is not located on a sensitive groundwater location |
| 40. | County Highway Authority                                   | - No objection subject to a condition  |
| 41. | Surrey County Council<br>Environmental Noise Consultant    | - No objection subject to conditions   |
| 42. | Surrey County Council Air Quality<br>Consultant            | - No objection   |
| 43. | Surrey County Council Landscape<br>Architect               | - No objection subject to conditions   |
| 44. | Surrey County Council Historic<br>Buildings Officer        | - No objection   |
| 45. | Woking Borough Council Drainage<br>and Flood Risk Engineer | - No objection subject to condition  |
| 46. | Thames Water   | - No comments to make  |
| 47. | Affinity Water   | - No views received  |

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

- |     |                          |          |
|-----|--------------------------|----------|
| 48. | Sutton Green Association | - Object |
|-----|--------------------------|----------|

### ***Summary of publicity undertaken and key issues raised by public***

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|-----|--|
| 49. | Upon receipt of the application the proposal was publicised by the posting of two site notices and an advert was placed in the Surrey Advertiser on 22 May 2015. Additionally, a total of eleven owner/occupiers of neighbouring properties were directly notified by letter dated 22 May 2015.  |
| 50. | The applicant submitted further information in respect of the proposal on 27 July and 8 August 2015 respectively and therefore a further consultation/notification exercise was undertaken by the CPA on 14 September 2015. This exercise included notification of twenty owner/occupiers of neighbouring properties and interested parties by letter and email.   |
| 51. | A further round of publicity was undertaken on 4 January 2016 in response to further information submitted by the applicant on 23 December 2015. This exercise included notification of twenty-six owner/occupiers of neighbouring properties and interested parties by letter and email. Similar exercises were undertaken on 20 and 25 January in response to a letter and an email submitted by the applicant on 16 and 21 January 2016 respectively. |

52. On 16 June 2016 a further consultation/notification exercise was undertaken by the CPA in relation to the applicant's Drainage Technical Note dated 6 June 2016.
53. The final round of consultation/notification took place in July 2016 and concerned corrections to the applicant's site location plan, site plan, and application form and amplifications to the applicant's Alternative Site Assessment. This exercise included notification of all interested parties by letter and email, a newspaper advertisement, and the erection of two sites notices.
54. The CPA has received twenty-three representations in respect of the development proposed. Included within these is a single letter of support for the proposal. Consequently, twenty-two representations received by the CPA have expressed objection to the development. Some of the objectors to the scheme have written to the CPA on more than one occasion. A summary of the material comments made by interested parties in these respects is provided below:

### ***Metropolitan Green Belt***

- Many of the residents of Sutton Green do not agree to this proposal and feel it would be completely inappropriate to allow this development on Green Belt land;
- Redwood's business has no need to be located in the Green Belt and is inappropriate development;
- The application must be refused on the basis that the scope of the alternative site report does not cover all the requisite areas to give a fair representation of site availability;
- The application must be refused on the basis that wrong assumptions have been made by the applicant in the alternative site report and any commercial agent of standing will confirm this;
- The application must be refused on the basis that incorrect assumptions have been made by the applicant and that certain areas have been incorrectly excluded from the alternative site search;
- It is very difficult to avoid the conclusion that the applicant does not really wish to find an alternative site to this one and is just going through a tick-box exercise to produce an Alternative Site Assessment;
- Why has the applicant's registered office address recently changed from the Arethusa Way address? This has implications for the Alternative Site Assessment as the new address is closer to Chertsey and Trumps Farm than Arethusa Way?
- The MOD is currently disposing of a large number of sites including sites in Surrey and Hampshire. By limiting the alternative site search to 15km of Bisley the applicant is able to exclude these potential sites;
- This is virgin Green Belt and 354m<sup>2</sup> is an enormous Green Belt incursion;
- Wish to object on the grounds that in order to comply with noise restrictions the applicant suggests mitigation in the form of a concrete wall 60 feet (18m) in one direction and 30 feet (9m) in the other direction and 14 feet high (4m) in the Green Belt;
- The applicant sets out various scenarios under which the proposed development should be supported, including that the development comprises the replacement of a building and that the proposal comprises the redevelopment of previously developed land. In each respect the applicant's case is fundamentally flawed and cannot be supported;
- There is an abundance of local sites that are unequivocally more appropriate for example Havering Farm, Guildford; Lucas Green Road; West End, Woking; Martyr's Lane, Woking; and Trumps Farm;
- The proposed building would display the rugged, industrial appearance which is to be expected in association with the proposed use, but such an appearance is not appropriate in the context of the site and the character of the surrounding area;
- The Green Belt was introduced after the war to protect farmland so that the United Kingdom would be less reliant on imported foods. Since I moved back into the village in 1971 the changes in agricultural production and employment have been very noticeable:

(a) Cox's Farm was dairy now horses; (b) Warehams Farms was grazing/cattle and now horses; (c) Runtly Wood Farm was dairy and now horses; (d) Ladymead Farm was general mixed farm and now sold off for horses or ornamental estate grounds; 100 Acre Field was part of Burdenshott Farm and now low level horticulture. Elm Nursery are trying to keep horticultural employment up and this diversification is in keeping with the original aims of Green Belt policy.

### **Highways, Traffic and Access**

- The proposal will cause a heavy increase in the volume of traffic and HGVs generally, accelerate road wear/damage, and lead to increased traffic disruption;
- The local roads are totally unsuitable for the damaging effect of heavy vehicles transporting timber;
- The weight of the lorries will surely begin to break up the road and it concerns me after all the Council's efforts regarding reducing flooding in the village this damage to the road and its associated structures will have a negative effect on the village;
- The entrance to the application site is positioned close to a corner considered dangerous enough that a 20mph speed limited has been in place I understand for years;
- The local residents and users of the B road through Sutton Green and Jacobs Well have enough problems passing the local bus service every 30 minutes let alone large log carrying HGVs;
- The processing of up to 1,000 tonnes of waste per annum is likely to generate more than the minimal vehicle movements as suggested within the Traffic Report;
- Surely common sense should prevail that roads such as under discussion are not designed for large commercial vehicles and local authorities should be discouraging the use of B roads for HGVs whenever possible;
- Traffic has increased since planning application Ref. 2007/1038 and HGVs will have difficulty entering and exiting the site safely as the road has bends a short distance away in both directions and there is also the matter of the safety of customers at Elm Nursery if another business starts operating from there;
- Access to the A320 is poor, as is the junction at Blanchards Hill and Sutton Green Road and Whitmore Lane;
- Sutton Green Road is very narrow and the access onto New Lane is already challenging in a domestic vehicle, it is a blind turning. This narrow road constantly in use by pedestrians will be incredibly dangerous;
- The route from Sutton Green Road into Whitmore Lane is extremely dangerous and difficult with poor visibility of traffic from Blanchards Hill;
- Crossing the road from Sutton Green Road into Whitmore Lane involves crossing the carriageway going in the other direction;
- Visibility of traffic coming down Blanchards Hill is poor and with wide articulated vehicles will make this junction difficult and dangerous;
- Despite the speed limit cars do come down Blanchards Hill very fast;
- There are no pavements or lighting and pedestrians walk from Whitmore Lane, Sutton Green Road and Blanchards Hill to access the bus stops, increased traffic and particularly HGVs will make it even more dangerous for pedestrians;
- I am concerned for the safety of my horse and myself when I ride on the road;
- In the morning there are children walking to the bus stop, and with the increasing level of traffic using Blanchards Hill and then Whitmore Lane, particularly in the morning and evenings, to get to and from the Woking to Guildford Road (A320) to avoid the congested and difficult road layout at the end of Clay Lane where it meets the A320;
- All routes out of Sutton Green are poor and the roads are narrow, the Arriva Busses already cause a significant hazard and when two busses pass side by side it simply is not wide enough so they have to slow to a halt to allow one to pass the other, or have to drive onto the verges;
- The access into Elm Nursery itself is narrow and poor being single file and this in itself could cause issues if vehicles are trying to access at the same time as other are trying to leave the site;

- The access road to Elm Nursery is on a slope adding an additional hazard;
- We have already experienced the difficulty the articulated vehicles have leaving the site, they are unable to access the highway without several attempts because there is insufficient space to manoeuvre. My wife has witnessed the vehicles having to do the equivalent of three or four point turn to get onto the highway;
- The road through the village is not only used by other HGVs but also forms part of a circuit used by HGV learner drivers – it is quite common to see these learners using Blanchard's Hill to practice their hill starts;
- The proposal includes import of 1,000 tonnes of timber per year, working on a 50-week year for ease of calculation, this means that there will be 20 tonnes of tree trunks coming through the village on either rigid or articulated HGVs furthermore just how will this timber import be monitored to ensure it doesn't exceed the stated quantity?
- In January 2008 Elm Nursery had a retrospective planning application (Plan/2007/1038) for the storage of cars refused. The Highway Agency commented "*increase use of highway with inadequate views for emerging vehicles to oncoming traffic, resulting in conditions prejudicial to highway safety*". Given the size of the HGVs used to transport these tree trunks, the increased volume of traffic over the last seven years the same argument applies today as it did then. It should also be noted that as a result of the Moor Lane development there will be a further increase in traffic passing through the village and this hasn't been factored into the discussion;
- Mention should be made about the number of cyclists coming through the village some having no idea of road safety;
- Considering the road layout (hairpin bend) and the fact that the stretch of road to be used is on the designated Woking cycle route (Mars trail) would again be detrimental to vehicles and cyclists alike, with the introduction of articulated vehicles;
- There is an unsheltered, unprotected bus stop just before Whitmore Lane that would become dangerous with the introduction of more large vehicles;
- Traffic increases annually and the large residential developments of Moor Lane and Westfield Avenue, whose residents will use the road through Sutton Green as a cut through, mean this will increase significantly in the future. Anything which will increase traffic flow further (large articulated lorries are especially unwelcome in a narrow village road) must be viewed with real concern;
- The traffic generated by the proposed development is much less than that produced by everyone in the village commuting, internet and shopping deliveries, and the additional traffic which will be generated from the Moor Lane development.

### Noise

- Inevitably the proposal will be noisy and therefore disruptive to the village;
- The noise and vibration at certain levels has the potential to damage property;
- Clearly living in the country one becomes accustomed to hearing the noise of tractors – however the concentration of chipping vehicles etc. working on site will undoubtedly create significant noise;
- The subject site will generate considerable vehicular noise as well as other on-site mechanical noise which will affect not only ourselves as the adjacent owners – but also other in the surrounding area and it is inappropriate in a rural setting;
- There is no question there is going to be a noise impact to the surrounding area and reading the relevant paperwork appertaining to the noise considerations, the Noise Statement fails to address the impact of specific equipment such as a splitter and chipper;
- The noise levels from operations and traffic will be louder than the existing background;
- It is an agricultural area and at the rear is a working cattle farm. The cattle in the field adjoining this development are farmed for beef and are therefore very often in calf. In addition there are horses. An intermittent loud noise will obviously be unexpected and may cause problems;
- By placing this plant next to fields that are grazed by a beef suckler herd and a flock of sheep as well as livestock kept on Elm Nursery you are negatively affecting three other

agricultural enterprises. I understand the herd and flock may get used to the noise of the cutting equipment but during parturition this noise could cause stress which in turn would lead to difficult calvings and lambings. It has also been shown that constant stress will affect grow rates which in turn will affect carcasses dead-weight, stress is well known to cause tainting of the meat;

- The site occupied by RTS is Ruxbury Farm, Chertsey the owner being Dr. R. Mugford Phd BSc. Dr. Mugford enjoys a worldwide reputation regarding animal behaviour, such is his reputation that HM The Queen and her corgis are among his clientele. It is therefore logical to accept that what Dr. Mugford says about animal behaviour is a factual statement. With this in mind RTS were asked to leave Ruxbury Farm for the reason given *'his activity was not consistent with the other uses of the farm: for farm animals, horses and for the training of dogs.'* In other words operations carried out by RTS were seen to be having a detrimental effect on the animals kept on this farm. Bearing this in mind Elm Nursery has a variety of animals on site, the fields bordering Elm Nursery there is a herd of beef suckler cows, a flock of sheep and we keep our two horses on land owned by Tadpole House. The noise generated by the chipper can best be described as stress factors;
- The proposal would have a damaging effect on the wildlife in the village as many wild animals and birds would simply be driven away.
- The noise from chipping, on one day a month, is considerably less than either the aircraft going to Farnborough directly over our village, ditto helicopters and planes taking off from Heathrow, let alone leaf-blowers, strimmers, chainsaws, and motor mowers from contract gardeners or local inhabitants.

### **Pollution Prevention and Control**

- The development is likely to cause environmental pollution;
- The noise, dust and pollution in a residential area is unacceptable. It is people throughout the village who would be impacted not just the adjacent property. Noise carries a long distance in this area and the prevailing winds would carry the pollution over many residential homes. For those suffering with asthma, which includes myself, this could have a severe impact on health. As I understand it there is already a small nursery school/playgroup on this site. This could have a very severe effect on these toddlers;
- We have a tennis court in our garden which we use on a regular basis and the pollution of the air would be unacceptable from a health point to of view. We allow the tennis court to be used for charitable events as well as personal use. This court has been in existence for many years and is positioned towards the rear of the garden and would be affected by smoke from any fires.

### **Flooding**

- Any increase in the impermeable area caused by the proposed building, which is lengthways along the border with Sutton Ridge House, must increase the level of flooding into the garden of Sutton Ridge House and, with the collection of surface water from the structure itself, must also cause concern as to the flooding of the root system of a magnificent Horse Chestnut tree, located within the Sutton Park Conservation Area, which may be the second largest of that species in the UK in existence today. This is totally unacceptable;
- On Easter Monday 2016 the 'left' ditch along Sutton Green Road could not contain the run-off from Elm Nursery land. The pipe, running in a culvert under the drive access to the residential property at Elm Nursery could not handle the water flow with the result that the 'left' ditch along Sutton Green Road overflowed onto the highway.

### **Air Quality**

- There is likely to be a huge amount of dust and fumes which will harm our properties and gardens;

- We have lived in Sutton Green for 5 years and Elm Nursery has only had a very infrequent and short lived one or two day bonfire. Redwood move in and we had a continuous three week bonfire. The smell was everywhere, we couldn't open our windows. At the meeting Redwood stated that only tree trunks are used for bio fuel as a uniform pellet density and size is necessary. So upon being asked what happened to the waste from branches and leaves we were told that would be disposed of on site;
- I woke up on Sunday morning to a smoky bedroom from having my window open overnight and a sore acrid tasting throat. I share a house with my mother and father. My mother is recovering from lymphoma and due to the chemotherapy she received her immune system is still poor and her sense of smell has gone so she will not be able to smell the smoke. My father is under investigation for a respiratory issue and I am concerned how this will affect him especially as he tends to my horses that are kept at Tadpole house and therefore much nearer the constant bonfire. Finally, today is a lovely warm day and we have had to keep our windows and doors shut and have been unable to place the washing on the line to dry due to the smoky atmosphere. Furthermore, the smoke from the constant bonfire will as it has with the residents affect the respiratory system of animals causing stress and illness which will in turn affect the carcasses dead weight and therefore profit.

### ***Landscape/Heritage Assets***

- The proposal will undermine the rural character of the area;
- The proposal represents a material change of use for the subject land from agriculture to commercial use in a Green Belt area which borders onto a conservation area. Sutton Green should be preserved in its current rural aspect for both the residents and visitors alike;
- The development will have a detrimental effect on the character of the village and will have a significant effect on all neighbouring properties and the surrounding area;
- The proposed development makes no positive contribution to the area and detracts from the intrinsic rural character and appearance of the area;
- There is no proposal for screening/landscaping at the rear although the site is very open; There is only a proposal for screening to the sides for the benefit of the neighbouring properties;
- To grant permission would set a precedent for a change of use from agriculture to industrial that, once established, would make it extremely difficult for the local council to deviate from;
- Sutton Green is a quiet village containing an important and historic conservation area and with many important listed buildings. It is therefore a totally inappropriate area for industrial usage to be established;
- The issue of noise, articulated lorry transport and the impingement of industrial (as opposed to agricultural land usage) on the conservation area can in no way be said to preserve or enhance the conservation area;
- Whitmoor House, which is situated about 330 metres from the application site, is Listed Grade II with historical links to Sutton Place. This property overlooks a field used for grazing which separates it from the application site and would be detrimentally affected by direct views of the proposed structure and commercial use of the subject site;
- The building proposed will stand immediately adjacent to the north western corner of the conservation area and as such could affect the area's setting in respect of any views from the north and west;
- Vehicles approaching the application site from the north east will pass through the conservation area;
- The stretch of Sutton Green Road between The Olive Tree to Sutton Ridge House is of historic significance;
- The applicant's Heritage Assessment is silent on the prevailing peaceful and tranquil character of the Sutton Park Conservation Area;

- The proposal would introduce noise into the conservation area both through articulated lorries using Sutton Green Road to access the site and from waste processing activities which would be carried out alongside the conservation area's boundary;
- The development proposed would cause less than substantial harm to Sutton Park Conservation Area but the applicant has not advanced any case for public benefits which would outweigh this;
- The subject site forms part of an area which for centuries has been open countryside and agricultural land. The Development Plan exists to protect that heritage and the rural amenity for residents of Sutton Green village. Any change of use that permits the creation of commercial activities on historically protected land should not be permitted by Surrey County Council.

### ***Human Health***

- The effect on people's health cannot be evaluated in advance for certain, but it is likely to have some adverse consequences for physical and mental health and wellbeing;
- Won't the chipping machinery be producing carbon monoxide which cannot be acceptable in a barn where people are working?

### ***The Development Plan***

- The proposed development is contrary to the permitted use under the current development plan for the subject site and surrounding area;
- Policy CW6 of the Surrey Waste Plan confirms that there will be a presumption against waste related development within the Green Belt;
- The proposed development does not accord with the provisions of the Development Plan in force;
- A change of use would undermine Woking Borough Council's enforcement of the Development Plan and create a precedent that would materially affect the Local Authority's ability to prevent further erosion of the Green Belt.

### ***General Comments***

- I believe this sort of business in the village will change the nature and 'tone' of the village to the detriment of its occupants;
- Part of the attraction of the village is being a step away from heavy commercial activity – this proposal would change that irrevocably and would be incredibly detrimental;
- The applicant has no affiliation or connection with the village – to him this is merely a business proposal – to us it is our lives, our homes, and our community;
- Whilst the majority of residents are generally incredibly supportive of Elm Nursery, whose owners are very much part of the village, I also believe that support will be damaged and in some cases withdrawn if the proposal is allowed to proceed, and it would be a pity to see that business, which is welcomed here, suffer as a result of a business plan by someone who has no ties with our village;
- Having lived in the area all my life for nearly ninety years I never thought for a moment that a situation such as this would arise in such a peaceful and tranquil area such as ours;
- Should this application be given the go ahead it will amount to a betrayal of future generations and of course present residents of Sutton Green;
- We do not want big machinery in our village, we do not want noisy machinery in our village, we do not want more traffic travel through our village;
- This is a company coming into the village to destroy our peaceful surroundings. Once one is allowed in what will the future hold for Sutton Green? More industrial waste, more buildings, noise and traffic?
- What guarantee is there that once he vacates at some future date the buildings will be removed?

- In a national newspaper it was stated that Sutton Green was considered to be one of the most desirable places to live in the country. If this planning application is approved this incredible accolade will be lost forever;
- The proposed development operating on weekends would be inappropriate as the Nursery is used by the public and the use of heavy vehicles such an area would be a health and safety issue, it should be taken into account that the access road will be used by both the public and Redwood, and the access to the application site would be straight through the car park for the Nursery, and between the nursery and the farm animals the business is promoting to encourage customers, with lots of children on site;
- It is incumbent on the residents of Sutton Green to support a hard working family providing employment in the village in a sympathetic and meaningful trade.

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## PLANNING CONSIDERATIONS

### *Introduction*

55. The guidance on the determination of planning applications contained in the Preamble/Agenda front sheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs:
56. In this case the statutory Development Plan for consideration of the application consists of the Surrey Waste Plan 2008 ('SWP'), the Woking Core Strategy 2012 ('WCS') and the associated Woking Development Management Policies<sup>27</sup> ('DMP'), and the saved policies of the Woking Borough Local Plan 1999 ('WLP').
57. In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations.
58. 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: (a) sustainable waste management, (b) highways, traffic and access, (c) air quality, (d) noise, (e) flood risk and drainage, (f) heritage assets, and (g) Metropolitan Green Belt.

## SUSTAINABLE WASTE MANAGEMENT

### ***Development Plan Policies***

#### *Surrey Waste Plan 2008*

Policy CW4 – Waste Management Capacity

Policy CW5 – Location of Waste Facilities

Policy WD4 – Open Windrow Composting

#### *Policy Context*

59. In England, the waste hierarchy is both a guide to sustainable waste management and a legal requirement, enshrined in law through the Waste (England and Wales) Regulations 2011 ('the 2011 Regulations'). The hierarchy gives top priority to waste prevention, followed by preparing for re-use, then recycling, other types of recovery<sup>28</sup>, and last of all disposal e.g. landfill.
60. The National Planning Policy Framework ('the Framework') does not contain policies relating to waste management. Instead national waste management policies are contained within the Waste Management Plan for England 2013 ('WMP') and set out by the National Planning Policy for Waste 2014 ('NPW').

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<sup>27</sup> Regulation 19 version

<sup>28</sup> Including energy recovery



61. The WMP is a high level document which is non-site specific. It provides an analysis of the current waste management situation in England, and evaluates how it will support implementation of the objectives and provisions of Directive 2008/98/EC otherwise referred to as the Waste Framework Directive ('WFD'). The WMP supersedes the previous waste management plan for England<sup>29</sup>.
62. The WMP advocates that the dividends of applying the waste hierarchy will not just be environmental but explains that we can save money by making products with fewer natural resources, and we can reduce the costs of waste treatment and disposal. Landfill or incineration should usually be the last resort for waste whilst waste can and should be recovered or recycled whenever possible.
63. The WMP envisages that the resulting benefits of such sustainable waste management will be realised in a healthier natural environment and reduced impacts on climate change as well as in the competitiveness of our businesses through better resource efficiency and innovation – a truly sustainable economy.
64. Similarly, the NPW is also a strong advocate of the application and promotion of the waste hierarchy. It sets out the Government's ambition to work towards a more sustainable and efficient approach to resource use and management; and explains that planning plays a pivotal role in delivering this country's waste ambitions through the delivery of sustainable development and resource efficiency, including provision of modern infrastructure, local employment opportunities and the wider climate change benefits, by driving waste management up the waste hierarchy.
65. Moreover, the NPW states that when determining planning applications the CPA should: (a) consider the likely impact on the local environment and on amenity against the criteria set out in Appendix B of the NPW and the location implications of any advice on health from the relevant health bodies but that the CPA should avoid carrying out their own detailed assessments in these respects; (b) ensure that waste management facilities in themselves are well-designed so that they contribute positively to the character and quality of the area in which they are located; and (c) concern themselves with implementing the planning strategy in the Local Plan and not with the control of processes which are a matter for the pollution control authorities. The CPA should work on the assumption that the relevant pollution control regime will be properly applied and enforced.
66. Appendix B of the NPW states that in determining planning applications the CPA should consider the following factors having regard to the nature and scale of the development proposed: (a) protection of water quality and resources and flood risk management; (b) land instability; (c) landscape and visual implications; (d) nature conservation; (e) conserving the historic environment; (f) traffic and access; (g) air emissions including dust; (h) odours; (i) vermin and birds; (j) noise, light and vibration; (k) litter; and (l) potential land-use conflict. These factors, where relevant to the development proposed, will be considered in the appropriate sections of this report.
67. The SWP explains at paragraph B30 that the County Council remains committed to achieving net self-sufficiency, enabling appropriate development that implements the waste hierarchy and ensuring that the County delivers its contribution to regional waste management. In this context paragraph B32 goes on to state that a range of facilities, type, size and mix will be required, located on a range of sites to provide sustainable waste management infrastructure in Surrey.
68. Consequently, policy CW4 of the SWP requires planning permissions to be granted to enable sufficient waste management capacity to be provided to: (i) manage the equivalent of the waste arising in Surrey, together with a contribution to meeting the

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<sup>29</sup> The Waste Strategy 2007

declining landfill needs of residual wastes arising in and exported from London; and (ii) achieve the regional targets for recycling, composting, recovery and diversion from landfill by ensuring a range of facilities is permitted.

69. Paragraph B36 of the SWP clarifies that the approach taken in respect of the location of waste management facilities is that, generally, waste management facilities should be suited to development on industrial sites and in urban areas. However, it recognises that opportunities for waste management facilities in urban areas are limited, so land beyond needs to be considered. Here priority is given to the reuse of previously developed, contaminated, derelict and disturbed land; redundant farm buildings and their curtilages; mineral workings and land in waste management use, before Greenfield sites and Green Belt sites.
70. Accordingly, policy CW5 of the SWP states that proposals for waste management facilities on unallocated sites will be considered in accordance with the following principles: (i) priority will be given to industrial/employment sites, particularly those in urban areas, and to any other suitable urban sites and then to sites close to urban areas and to sites easily accessible by the strategic road network; (ii) priority will be given over greenfield land to previously developed land, contaminated, derelict or disturbed land, redundant agricultural buildings and their curtilages, mineral workings and land in waste management use; (iii) AONBs, AGLVs, and sites within or close to international and national nature conservation designations should be avoided; and (iv) the larger the scale of the development and traffic generation, the more important is a location well served by the strategic road network or accessible by alternative means of transport.
71. Paragraph B38 of the SWP explains that redundant agricultural and forestry buildings, and their curtilages, can be appropriate locations for waste management facilities, contributing to a more dispersed pattern of development as recommended by the SWP's sustainability appraisal. This approach aligns with that taken by the Framework in respect of supporting a prosperous rural economy.
72. Paragraph 28 of the Framework explains that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development, and that to promote a strong rural economy local plans should: (a) support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings; (b) promote the development and diversification of agricultural and other land-based rural businesses; and (c) promote the retention and development of local services and community facilities in villages, such as local shops. In this respect paragraph 19 of the Framework clearly expresses the Government's commitment to ensuring that the planning system operates to encourage and not act as an impediment to sustainable growth and does everything it can to support sustainable economic growth which should be afforded significant weight in determining planning applications.
73. In the context of recycling, recovery and processing facilities paragraph C8 of the SWP states that these types of facilities cover a wide range of technology types that are non-exhaustive and encourage waste to be used as a resource, and to recover materials that will be put to beneficial use. Paragraph C10 goes on to explain that the recycling and processing of waste is increasingly being carried out within modern, purpose-designed buildings that can be located in urban areas and industrial estates. However, in terms of supporting sustainable communities, the location of waste management facilities within the urban fabric is preferred.
74. Consequently, policy WD2 of the SWP states that planning permissions for development involving the recycling, storage, transfer, materials recovery and processing of waste will be granted: (i) on land that is, or has been used, or is allocated in a Local Plan or Development Plan Document, or has planning permission for industrial or storage purposes; (ii) the proposed development is at one of the sites allocated by the SWP as

being appropriate for waste management provided that the development proposed meets the key development criteria and where very special circumstances can be demonstrated in accordance with the provisions of SWP policy CW6; and (iii) at existing or proposed waste management sites.

### *The Development*

75. It is apparent that the applicant can no longer use the previous permitted waste management facility established in Chertsey<sup>30</sup> and therefore an alternative site location is needed to accommodate the wood storage and chipping aspects of Redwood Tree Services.
76. Consequently, the proposal is for the establishment of a small-scale permanent waste management facility on vacant agricultural land within the Green Belt involving the importation of 1,000 tonnes of green waste per annum. Part of the application site includes land previously occupied by a wind-damaged poly tunnel which measured some 288m<sup>2</sup>.
77. The development proposed does not involve the disposal of waste materials but rather its recovery<sup>31</sup> in that green waste<sup>32</sup> would be converted into fuel for heating and/or electricity generation or otherwise sold for various purposes at the nursery.
78. The landowner has explained to the CPA that at present Elm Nursery receives on average some 20/30 pallets of logs and 10 pallets of kindling throughout the year. These goods are delivered by HGV at a rate of 3 pallets at a time and equate to an annual income of some £9,000. The landowner intends to make use of the applicant's arboricultural green waste as a substitute to logs and kindling currently imported to the nursery. In addition, the landowner intends offering bark and wood chip produced by the applicant for sale from the existing retail unit.

### *Characteristics*

79. The characteristics of arboricultural green waste are considered by Officers to be comparable in nature to other common materials found on agricultural land within the differing rural settings of Surrey. These materials include stockpiles of crushed concrete, aggregate and tarmac for track repairs, wood, wood chip, and cord timber, manure, slurry, compost and silage.
80. It is also the case that tractors, trailers, forestry vehicles, HGVs and LGVs, and plant and machinery are commonly used and seen on agricultural land in Surrey whether this be in relation to their repair, servicing or maintenance; horticultural activities; tending of arable fields and/or livestock; transportation, storage, processing and handling of goods and materials; or maintenance of agricultural tracks, woodlands, hedgerows and field margins. Indeed, the land-uses associated with Elm Nursery currently attract vehicles in the form of private motor vehicles, LGVs, HGVs and articulated HGVs. Further, being an agricultural/horticultural enterprise with a retail/cafe aspect, plant and machinery is currently used to service the needs of the nursery as would be the case for other productive land-based businesses.
81. The range of vehicles, plant and machinery to be used on the application site would be consistent with that used and seen on agricultural land in Surrey and limited to those necessary to facilitate and affect the transportation, storage, and chipping of wood and the production of bio fuel. Chipping operations would be intermittent during weekdays and then only for no more that 12-hours per month. The applicant has proposed a wide-

<sup>30</sup> See paragraphs 17 to 19 above

<sup>31</sup> Waste being put to a beneficial use

<sup>32</sup> Commercial and Industrial Waste

range of practical measures to mitigate and manage the noise arising from such operations including those set out in paragraph 31 above.

82. One objector has described the appearance of the proposed building as rugged and of an industrial appearance. Officers disagree with this interpretation. Officers consider that the building proposed to be erected is of a design which is agricultural in character representing a barn/stable like structure commonly found on agricultural land within rural Surrey. Moreover, the scale, bulk and mass of the proposed building is considered by Officers to be proportionate to the nature and scale of the use to which it is proposed to be put, existing structures and land-uses associated with the nursery<sup>33</sup>, and the neighbouring residential land-use. In respect of the latter, the applicant proposes to reinforce the existing visual screening associated with the application site<sup>34</sup> by native screen planting.
83. Similarly, SCC's Landscape Architect considers that the development proposed is not dissimilar in character to the activities already occupying Elm Nursery. She also considers that the application site's location to the rear of the nursery, having regard to the native screen planting proposed, would limit external views and that any such views would be seen in the context of the existing commercial nursery activity. SCC's Historic Buildings Officer has commented that having viewed the site from the public road and considered the aerial view of the landscape he considers that the proposed building would not materially harm the setting of the Sutton Park Conservation Area. The impact of the development in relation to Heritage Assets is discussed in more detail in paragraphs 210 to 258 below.

#### *Locational Factors*

84. Although the development proposed is not an 'allocated site' in the SWP or any of the District Council's plans for industrial or employment land-uses, the application site is conveniently located in close proximity to two major urban centres of Surrey. Consequently the application site is easily accessible by the strategic road network.
85. However, the application is located within the Metropolitan Green Belt. Accordingly, the applicant has undertaken an Alternative Site Assessment ('ASA') exercise in support of the proposal based upon SCC's guidance note '*Suggested Stages of Alternative Site Assessment and Information Sources*'. This is discussed in detail in paragraphs 289 to 299 below.

#### *The Highway Network*

86. Vehicular access to the application site would be gained via Sutton Green Road which in turn links to Witmoor Lane and then the A320 Guildford Road. The A320 Guildford Road has direct links to Woking, Guildford and the A3 trunk road. It is proposed to utilise the existing access to Elm Nursery which presently attracts private motor vehicles, LGVs, and HGVs. The submitted accident records relating to Sutton Green Road demonstrate there are no obvious road safety issues at this location. The County Highway Authority consider the access arrangements to the nursery to be acceptable in this context. Accordingly, the County Highway Authority has not raised objection to the development subject to a condition limiting the throughput of green waste to no more than 1,000 tonnes per annum<sup>35</sup>.

<sup>33</sup> A1 (shop), A3 (café), agriculture/horticulture

<sup>34</sup> Existing buildings and structures; existing mature planting; and existing boundary treatments

<sup>35</sup> See paragraphs 106 to 143 below for further discussion about highways, traffic and access

### *Waste Management Capacity*

87. The most current survey data for Commercial and Industrial Waste ('C&I') waste arisings, which includes commercial green waste, in Surrey is based on data from a national survey undertaken and published by the Department for Food and Rural Affairs ('Defra') in December 2010. This survey reported that 6,250,000 tonnes of C&I waste was generated in the South-East region from which it was estimated that total C&I waste arisings in Surrey were 628,000 tonnes.
88. Accordingly, in order to be able to report on changes in C&I waste arisings year on year, and to align with the National Planning Practice Guidance, the Environment Agency's Waste Data Interrogator ('WDI') has been used by SCC as a source for C&I waste information. The WDI provides an indication of the volume of waste managed through permitted facilities. It does not include those facilities which process waste under exemptions.
89. Consequently, using the available figure for Household, Commercial and Industrial ('HIC') waste arisings from the WDI, and the known volumes of Local Authority Collected Waste, an estimate of C&I waste arisings managed in Surrey can be calculated. Based on this method C&I waste arisings in Surrey has increased by 4% since 2013/2014. However, historical trends based on 5-years worth of data, indicates that C&I waste arisings managed through permitted facilities has decreased from 858,000 tonnes to 617,000 tonnes per annum.
90. Of this 617,000 tonnes, some 17%<sup>36</sup> is reused or recycled; some 62%<sup>37</sup> is subjected to onward transfer or other treatment, whilst the remaining 21%<sup>38</sup> is landfilled.
91. SCC is committed to providing sufficient capacity to manage the equivalent amount of waste produced within the County. To this end Surrey is technically self-sufficient. However, a large proportion of C&I waste is exported from the County for treatment due to the lack of facilities within Surrey. The reliance on capacity outside of Surrey is a concern for SCC when considering how we are meeting our requirement to be net self-sufficient. Current estimates for available capacity in Surrey include nearly 11,936,000m<sup>3</sup> of landfill<sup>39</sup> with some 1,470,000m<sup>3</sup> of treatment capacity.
92. These figures demonstrate that the available waste management capacity in Surrey is predominantly landfill which, in line with the WFD, is considered to be the least preferable option for waste management. A high proportion of Surrey's waste is being managed through reuse, recycling and recovery, however, a lack of facilities for recycling and recovery within the County means that Surrey is still reliant on landfill capacity to be considered net self-sufficient.

### *Benefits of Sustainable Waste Management*

93. The waste hierarchy is both a guide to sustainable waste management and a legal requirement enshrined in law through the 2011 Regulations. The hierarchy gives top priority to waste prevention, followed by preparing for re-use, then recycling, other types of recovery, and last of all disposal. The WMP, NPW and the SWP all echo the requirements of the waste hierarchy in their respective guidance in relation to sustainable waste management.
94. In these respects Officers consider that the proposal would facilitate the sustainable management of green waste arisings in Surrey particularly to C&I waste stream. In

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<sup>36</sup> 106,100 tonnes

<sup>37</sup> 381,000 tonnes

<sup>38</sup> 130,000 tonnes

<sup>39</sup> 5,817,000m<sup>3</sup> of non-hazardous landfill and 6,119,000m<sup>3</sup> of inert landfill

doing so it would also contribute to the provision of an additional 1,000 tonnes of sustainable waste management capacity in the County.

95. Although small-scale, the development would facilitate the movement of waste up the hierarchy by making beneficial use of waste materials predominantly arising between the M3 and A3 corridors for electricity generation and heating resulting in a healthier natural environment and reduced impacts on climate change.
96. Officers also consider that the development proposed would support and facilitate the development and diversification<sup>40</sup> of an existing land-based rural business in accordance with the Framework.
97. The proposed waste management facility, which Officers considered to be agricultural in character, is to be established on vacant agricultural land part of which was previously occupied by a poly tunnel. The application site is within the Green Belt and not allocated for employment or industrial uses. However, the waste management facility would nevertheless be located on land in close proximity to two major urban centres of Surrey and be easily accessible by the strategic road network. The County Highway Authority considers the vehicular access to Elm Nursery and Sutton Green Road to be suitable to the nature and scale of the development proposed subject to a condition limiting the facility's annual throughput of green waste.
98. The application site is not subject to any international, European, national or local designations with reference to nature conservation, landscape or heritage.
99. Moreover the development, being agricultural in character, would not be in conflict with surrounding agricultural and residential land-uses subject to environmental and amenity considerations which are discussed later in this report.
100. Although Woking Borough Council, the Sutton Green Association and objectors consider that the proposal is likely to undermine the character of Sutton Green village in general and the adjacent Sutton Park Conservation Area in particular this is not borne out by the assessments undertaken by the applicant and CPA including those from SCC's Landscape Architect and Historic Buildings Officer.
101. Accordingly, Officers consider that this relatively small-scale proposal accords with the Government's approach to sustainable waste management and supporting a prosperous rural economy.
102. Paragraph B3 of the SWP states that there is a need to significantly improve the infrastructure provided within Surrey to manage waste without endangering human health or the environment and to enable communities to take responsibility for the waste produced.
103. In this respect paragraph B30 of the same is clear that SCC remains committed to achieving net self-sufficiency, enabling appropriate development that implements the waste hierarchy and ensuring that the County delivers its contribution to regional waste management.
104. Consequently, Officers consider that the proposal should be supported by SCC and that the sustainable waste management characteristics of the proposal, including the support it would provide to Elm Nursery, should be afforded significant weight in assessing the merits of the proposal.

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<sup>40</sup> By way of rental income; substitution of suppliers/products; and expanded product range

## Conclusion

105. Having regard to paragraphs 59 to 104 above, and subject to the environmental and amenity implications of the development<sup>41</sup>, Officers consider that the proposal satisfies policies CW4, CW5 and WD2 of the Surrey Waste Plan 2008.

## HIGHWAYS, TRAFFIC AND ACCESS

### **Development Plan Policies**

*Surrey Waste Plan 2008*

Policy DC3 – General Considerations

*Woking Core Strategy 2012*

Policy CS18 – Transport and Accessibility

### *Policy Context*

106. The Framework is clear that development should only be refused or prevented on transportation grounds where the residual cumulative impact of development is severe.
107. This guidance also advocates, at paragraph 32, that all development that would generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment and that decisions should take account of whether (a) opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, (b) safe and suitable access to the site can be achieved for all people, and (c) improvements can be undertaken within the transport network.
108. Appendix B of the NPW states that in testing the suitability of sites the CPA should consider the factors listed in the appendix and bear in mind the envisaged waste management facility in terms of its nature and scale. In terms of highways, traffic and access, Criteria F of Appendix B explains that such considerations will include the suitability of the road network and the extent to which access would require reliance on local roads.
109. The SWP also requires information to be submitted in relation to transportation. Paragraph D12 states that consideration of traffic generation characteristics should incorporate an assessment of the level and type of traffic generated and the impact of that traffic, suitability of the access and the highway network in the vicinity of the site including access to and from the primary road network.
110. Accordingly, policy DC3 of the SWP requires that applicants demonstrate, by the provision of adequate supporting information, that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources. The policy goes on to state that the supporting information should include, where appropriate, an assessment of traffic generation, access and suitability of the highway network, and mitigation measures to minimise or avoid material adverse impact and compensate for any loss.
111. Policy CS18 of the WCS explains that the Council is committed to developing a well integrated community connected by a sustainable transport system which connects people to jobs, services and community facilities, and minimised impacts on biodiversity and that this is to be achieved by taking the following steps: (a) joint working with key stakeholders through the Transport for Woking Partnership to ensure that the principal objectives and overall vision of the Surrey Local Transport Plan are met; (b) locating most new development in the main urban areas, served by a range of sustainable transport modes, such as public transport, walking and cycling to minimise the need to travel and distance travelled; (c) ensuring development proposals provide appropriate

<sup>41</sup> Which are discussed throughout paragraphs 106 to 306 below

infrastructure measures to mitigate the adverse effects of development traffic and other environmental and safety impacts (direct or cumulative); and (d) requiring development proposals that generate significant traffic or have significant impact on the strategic road network to be accompanied by a travel plan, clearly setting out how the travel needs of occupiers and visitors will be managed in a sustainable manner.

112. In respect of (a) above, the Surrey Transport Plan 2014 has four objectives namely: (1) to facilitate end-to-end journeys for residents, business and visitors by maintaining the road network, delivering public transport services and, where appropriate, providing enhancements thereby facilitating effective transport; (2) to improve the journey time reliability of travel in Surrey thereby facilitating reliable transport; (3) to improve road safety and the security of the travelling public in Surrey thereby facilitating safe transport; and (4) to provide an integrated transport system that protects the environment, keeps people healthy and provides for lower carbon transport choices thereby facilitating sustainable transport.

### *The Development*

113. The proposal includes the collection of wood chip from the application site on 2 or 3 occasions each month by articulated HGVs in the control of Shredco and TV Bioenergy to which the bio fuel produced will be supplied to. In addition the applicant's Transport Statement explains that it is anticipated that up to five cars will arrive on site between 0700 hours and 0730 hours each working day<sup>42</sup>; staff would then leave the site in company vans, and return at the end of the working day before leaving in the site in their cars.
114. These vehicle movements need to be considered in the context of the existing land-uses associated with Elm Nursery which includes horticulture/agriculture and a retail shop and cafe with some 30 to 40 vehicle parking spaces. The Borough Council's planning permission relating to the retail shop and café does not restrict vehicle movements to the same<sup>43</sup>.
115. The landowner has explained to the CPA that the nursery currently receives on average some 20/30 pallets of logs and 10 pallets of kindling throughout the year. These goods are delivered by HGV at a rate of 3 pallets at a time. This equates to some 14 HGV movements per year. Additionally, other goods such as potting compost and plants are delivered to the nursery throughout the year by HGVs and LGVs.
116. The landowner has stated that logs and kindling produced on the application site as part of the development proposed would replace similar materials currently imported to the nursery by road.
117. Sutton Green Road is a two-way unclassified road subject to a 40mph speed limit located immediately south of Elm Nursery some 130m from its nearest boundary. Sutton Green Road links to Witmoor Lane and then the A320 Guildford/Woking Road which has direct links to Woking, Guildford and the A3 which in turn connects to the M25. The application site is not within or adjacent to an Air Quality Management Area.

### *Transport Statement*

118. The applicant has submitted a Transport Statement to support the proposal. This statement includes an assessment of the local highway network in the vicinity of the application site, baseline traffic flows along Sutton Green Road, and traffic accident data.

<sup>42</sup> Monday to Friday from 0800 hours to 1700 hours and on Saturday from 0800 hours to 1300 hours. No working is proposed on Sundays or Bank, National or Public Holidays

<sup>43</sup> Planning permission Ref. PLAN/2013/0152



119. In order to identify baseline traffic conditions on the surrounding local highway network a Vehicle Speed and Classification Survey was undertaken on Sutton Green Road. This survey was conducted from Thursday 15 January 2015 to Wednesday 21 January 2015. The table below summarises the results of this survey:

Survey Period	Vehicles Travelling Eastbound	Vehicles Travelling Westbound	Total Vehicle Movements
Weekday morning (0800 to 0900 hours)	94	154	248
Weekday evening (1700 to 1800 hours)	148	71	219
Daily (0700 to 1900 hours)	1,056	992	2,048

120. The baseline two-way traffic flows on Sutton Green Road total approximately 248 and 219 vehicles during the AM<sup>44</sup> and PM<sup>45</sup> peak periods, respectively, with daily flows totalling some 2,048. It should be noted that in total, there were 526 HGVs travelling eastbound along Sutton Green Road and 459 HGVs travelling westbound between 07:00 and 19:00 across the survey period.

121. Although Sutton Green Road is subject to a 40 mile per hour speed limit, the 85<sup>th</sup> percentile vehicle speed derived from the applicant’s survey was 44mph in the eastbound direction and 43mph in the westbound direction.

122. Moreover, SCC’s accident statistics for the latest available 5-year period<sup>46</sup> indicates that there were 21 accidents within the study area during the defined period. A summary of the causation factors attributed to the serious accidents in this respect are provided in the table below:

Accident Ref.	Date	Time	Severity	Location	Causation Factors
WO14040/14	25/03/2014	10:15	Serious	B380 Westfield Road at Junction with New Lane, Woking	Failed to look properly and judge other person’s path or junction restart
GU43845/09	18/09/2009	01:45	Serious	Clay Lane 50m west of Blanchards Hill, Guildford	Impaired by alcohol
GU50483/10	16/05/2010	17:50	Serious	Clay Lane, Jacobs Well, Guildford	Inexperienced or learner driver/rider and loss of control

123. The applicant’s Transport Statement explains that, having regard to the information presented in the preceding table, it is evident that the only serious accidents which

<sup>44</sup> 0800 hours to 0900 hours  
<sup>45</sup> 1700 hours to 1800 hours  
<sup>46</sup> 1 January 2009 to 31 August 2014

occurred during the defined period were as a result of driver error rather than defects associated with the highway. It goes on to advocate that this is a reasonable assumption based on SCC's data for all accidents recorded in the study period not referencing problems associated with the geometry of the road or inadequate signage.

124. For example, one accident<sup>47</sup> occurred as a result of one driver being under the influence of alcohol and colliding with a tree on the grass verge, whilst another<sup>48</sup> involved a learner/inexperienced driver losing control and hitting an oncoming vehicle. It is also material to consider that no serious accidents were recorded in the immediate vicinity of the vehicular access to Elm Nursery.
125. The applicant's Transport Statement concludes that the proposal would not have a demonstrable impact on the safety of the highway in this location and therefore it has been submitted that there is no reason why the proposal should be resisted on traffic or transportation grounds.

### *Issues and Concerns*

126. However significant public opposition to the development in terms of highways, traffic and access has materialised since the application was registered. The public concerns raised in this respect are summarised in paragraph 54 above. The Borough Council have not raised objection to the development on transport grounds whereas Sutton Green Association have raised safety concerns about the junction of Blanchards Hill/Whitmoor Lane/Sutton Green Road.
127. Officers have considered the concerns raised by interested parties in relation to the transport/highway/access implications of the development. Consequently, it is acknowledged that the nature of the highway network in the vicinity of the Elm Nursery has been designed and built to cope with smaller vehicles and volumes of traffic than much of it is currently being used for. It is also recognised that in many cases large vehicles are used on roads in Surrey that are not necessarily wide enough for them to pass traffic travelling in the opposite direction easily. This is particularly the case in rural areas, including Sutton Green, where such large vehicles may arise from land-uses ranging from light industrial to residential, agriculture/horticulture and forestry.
128. Nevertheless the existing agricultural/horticultural use at Elm Nursery together with its associated retail shop and café are likely to generate large vehicle trips at some point during their operation either through transport of goods, raw materials or for the purposes of construction/maintenance/service. Indeed, the landowner makes reference to the regular receipt of goods by way of HGV throughout the year. Consequently, whilst carriageways are narrow in the vicinity of the nursery, it is no unusual to see large vehicles already using these roads to service existing land-uses including residential dwellings and their curtilages<sup>49</sup>.
129. The proposed numbers of HGVs to access the application site amount to two or three per month which is relatively low in the context of the existing uses associated with the nursery and the existing traffic flows along Sutton Green Road. The proposed development anticipates a very low number of vehicle movements to the degree that they would be considered to be infrequent particularly considering that the roads in the vicinity of Elm Nursery are already being used by HGVs, buses and similarly sized vehicles as interested parties have testified to and the applicant's Transport Statement has demonstrated.

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<sup>47</sup> Ref. GU43845/09

<sup>48</sup> Ref. GU50483/10

<sup>49</sup> Refuse collection vehicles, busses, commercial delivery vehicles, trade vehicles etc.

130. Moreover, although the existing vehicular access to the nursery is not ideal, it is a fairly typical of accesses to agricultural/horticultural establishments i.e. narrow access points with unbound hardcore access roads. Similarly, visibility from the access is not perfect but not unexpected at this kind of location.
131. According to the County Highway Authority the 40mph speed limit along Sutton Green Road should mean that there is enough stopping sight distance for vehicles travelling at, or below the speed limit to stop in time to avoid a collision.
132. At the time of the County Highway Authority's visit to the application site it was noted that users of the vehicular access to the nursery were very cautious using the same due to the visibility particularly when exiting and turning right. Further, HGV access and articulated vehicles would have difficulty accessing and egressing the site requiring several movements to do so. However, this is currently the case with no demonstrable adverse implications. Smaller vehicles should not experience such problems. A vehicle stopping in the carriageway to allow others to access/exit the nursery is likely to occur at present in the absence of the proposed development. Whilst the aforementioned limitations are not perfect, they are not uncharacteristic of many sites in rural Surrey and should therefore not preclude development unless it can be demonstrated that the residual cumulative impact of the same would be severe.
133. The Whitmoor Lane/Blanchards Hill and Sutton Green Road junction suffers from relatively poor visibility for vehicles turning in most directions from most arms. Interested parties make specific reference to the right hand turn from Sutton Green Road into Whitmoor Lane, however this is not untypical of rural road junctions. SCC's road accident data records two accidents here. The first being caused by a vehicle swerving to avoid a fox, the second being a vehicle losing control and both being single vehicle accidents. Whilst it is true that SCC's road accident data may not be complete or infallible, it is a useful objective indicator of the safety of roads/junctions. Accordingly, it would seem that most road users who are using this junction do so in a manner that avoids accidents from occurring. It should also be borne in mind that not all traffic associated with the proposed development will exit along Sutton Green Road in the direction of Whitmoor Lane and therefore the number of vehicle trips associated with the proposal that may be utilising the same, compared to the existing traffic flow, is likely to be negligible.
134. Officers acknowledge that Blanchards Hill/Whitmoor Lane/Sutton Green Road are narrow and not ideally suited to frequent HGV access. However, whilst visiting the application site the County Highway Authority benefitted from seeing at least three HGVs using Sutton Green Road and one Arriva bus some interested parties have mentioned in their representations. Although the County Highway Authority did not witness two HGVs passing each other it was noted that cars passing larger vehicles did so without issue. It was also noted that the width of the larger vehicles could be contained within the width of the lanes of the carriageway. Notwithstanding wing mirrors and similar the County Highway Authority consider that it is possible for two large vehicles to pass each other along Sutton Green Road and for the verges to be avoided if vehicles are travelling at a slow enough speed to do so.
135. In this respect interested parties have raised concern about the speed of vehicles making use of the local highway network and the impact that the applicant's vehicles may have on the integrity of the same; however these are matters beyond the control of the applicant and the CPA. It is a matter for the Police to enforce public highway speed restrictions and landowners to control the speed of vehicles travelling along private land<sup>50</sup>.

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<sup>50</sup> Dr. Mugford raises issues of speed of the applicant's vehicles in his email of 25 April 2016

136. Further, licensed drivers have the right to use the local highway network provided they do so with licensed and road-worthy vehicles. It is also the case that there are no vehicle weight or size restrictions applicable to Sutton Green Road. Moreover, Officers note that the roads in the local area appear to have been resurfaced recently and on the whole seemed in good condition.
137. Officers acknowledge that horse riders, cyclists and pedestrians utilise the local highway network as a link to the local rights of way network and adjacent urban areas. However, Sutton Green Road is similar in character to many rural lanes in the County where horse riders, cyclists and pedestrians are often encountered and anticipated by drivers of vehicles including HGVs and agricultural vehicles and vice versa. The number and nature of accidents on the local highway network indicate that there is not, and has not been, a particular safety issue with non-vehicular users along Sutton Green Road.
138. Moreover, interested parties have raised concern about the cumulative impact of vehicle movements associated with the development at Kingsmoor Park<sup>51</sup>. In this respect Officers note that the existing use of the site for agricultural/horticultural activities with a shop and café does generate traffic including HGVs and that the Borough Council has not sought to impose any planning restrictions on the types and number of such vehicles and movements.
139. For the reasons explained in the preceding paragraphs Officers do not consider that the proposal would lead to a material increase in existing vehicle movements along Sutton Green Road or to Elm Nursery subject to a condition limiting the annual throughput of the proposed development to no more than 1,000 tonnes per annum.
140. It should also be noted again that the landowner currently receives the delivery of logs and kindling by HGV at a rate of some 1 per month whereas the proposal includes the collection of wood chip by HGV on 2 to 3 occasions per month. The landowner has stated that logs and kindling produced as part of the development would replace similar materials currently imported to the nursery by HGV. Accordingly, Officers do not consider that the cumulative impact of the proposed development and any new development in the vicinity of the nursery would have consequences for the local highway network that could be reasonably described as severe such that planning permission should be refused.
141. The Framework is clear that development should only be refused or prevented on transportation grounds where the residual cumulative impact of development is severe.
142. Having regard to the nature and scale of the development proposed as set out by the applicant's Transport Assessment; allowing for the existing uses of the nursery and the nature and scale of the vehicle movements it presently attracts; considering the baseline two-way traffic flows along Sutton Green Road together with SCC's accident data; and taking into account the characteristics of the local highway network and its relationship to the strategic road network; Officers consider that the development proposed can be accommodated on the application site without detriment to the operation of the local highway network subject to a condition limiting the annual throughput of the same to no more than 1,000 tonnes per annum. For the same reasons Officers do not consider that the cumulative impact of the proposed development and any new development in the vicinity of the nursery would have consequences for the local highway network that could be reasonable described as severe such that planning permission should be refused.

### *Conclusion*

143. Accordingly, Officers consider that the development satisfies policy DC3 of the Surrey Waste Plan 2008 and policy CS18 of the Woking Core Strategy 2012 subject to the

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<sup>51</sup> Woking Borough Council Ref. Plan/2013/0081

condition referred to in the preceding paragraph. For the purposes of Green Belt policy Officers consider that the harm arising from the development in terms of highways, traffic and access would be minimal and that this harm can be adequately mitigated by the imposition of planning conditions.

## Air Quality

### **Development Plan Documents**

*Surrey Waste Plan 2008*

Policy DC3 – General Considerations

*Woking Core Strategy 2012*

Policy CS21 - Design

*Woking Development Management Policies (Regulation 19 version)*

Policy DM5 – Environmental Pollution

Policy DM6 – Air and Water Quality

### *Policy Context*

- 144. Paragraph 109 of the Framework states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from levels of air pollution.
- 145. Paragraph 122 of the Framework goes on to advise that when considering development proposals the CPA should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. The CPA should assume that these regimes will operate effectively.
- 146. Paragraph 124 of the Framework discusses air quality specifically in relation to Air Quality Management Areas but it does confirm that the cumulative impacts on air quality from individual sites in local areas should be considered. In this respect the National Planning Policy Guidance ('PPG') states that it is important that the potential impact of new development on air quality is taken into account in planning where the national assessment indicates that relevant limits have been exceeded or are near the limit<sup>52</sup>. Air quality can also affect biodiversity and odour and dust can adversely affect local amenity.
- 147. Appendix B of the NPW states that in testing the suitability of sites the CPA should consider the factors listed in the appendix and bear in mind the envisaged waste management facility in terms of its nature and scale. In respect of air quality the NPW Appendix B Criteria G requires consideration of the proximity of sensitive receptors, including ecological as well as human receptors, and the extent to which adverse emissions can be controlled through the use of appropriate and well-maintained and managed equipment and vehicles.
- 148. Policy DC3 of the SWP requires that applicants demonstrate, by the provision of adequate supporting information, that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources. The policy goes on to state that the supporting information should include, where appropriate, an assessment air quality impacts.
- 149. Policy CS21 of the WCS requires that proposals for new development be designed to avoid significant harm to the environment and general amenity, resulting from noise, dust, vibrations, light or other releases.

<sup>52</sup> See <http://planningguidance.communities.gov.uk/blog/guidance/air-quality/why-should-planning-be-concerned-about-air-quality/>

150. Policy DM6 of the DMP requires that development that has the potential, either individually or cumulatively, for significant emissions to the detriment of air quality, particularly in Air Quality Management Areas or areas at risk of becoming an AQMA, should include an appropriate scheme of mitigation which may take the form of on-site measures or, where appropriate, a financial contribution to off-site measures.
151. Policy DM5 of the DMP explains that when assessed individually or cumulatively, development proposal should ensure that there will be no unacceptable impacts on air quality and the health and safety of the public. It goes on to explain that development which has the potential, either individually or cumulatively, for an unacceptable impact on environmental amenity by reason of pollution but is considered desirable for reasons of economic or wider social need will be expected to provide an appropriate scheme of mitigation. Development will not be permitted if mitigation cannot be provided to an appropriate standard with an acceptable design, particularly in proximity to sensitive existing uses or sites.

### *The Development*

152. The development involves the importation, storage and chipping of arboricultural green waste. Chipping operations would take place within a 4.25m four-sided concrete bunker with woodchip being fed directly into an enclosed building. Chipping operations would be limited to weekdays only and then for no more than 12-hours per month over the course of 1 to 2 days. Virgin wood would arrive at the application site by way of arboricultural and agricultural vehicles and it would leave the same in the form of wood chip having been collected by HGVs on two to three occasions per month. The plant and machinery to be operated as part of the development would include a 30-tonne log splitter, a Heizo Hack Chipper, a Valtra tractor, two bulk trailers, a forestry trailer and two small plant trailers. Virgin wood could be stored in the open within the application site for up to 12-months at a time. The annual throughput of the development would amount to no more than 1,000 tonnes per annum. Chipped wood would not be exposed to the elements during storage or kept in circumstances which would encourage anaerobic conditions to occur. Consequently, no composting activities would take place on the application site. Wood chip would not be turned, mixed or treated in any manner whilst on the application site.
153. Considering that the development would not materially increase vehicle movements along Sutton Green Road as discussed in paragraphs 113 to 142 above, and in the absence of an Air Quality Management designation, Officers do not consider that the proposal would give rise to vehicle emissions which are likely to adversely affect local amenity, public health or the environment. The CPA's Air Quality Consultant has confirmed that *"provided...there is no net increase in vehicle movements, air quality impacts associated with the emissions from vehicle movements are not expected to be significant."* Similarly, given the limited amount of chipping operations to take place as part of the development Officers do not consider the emissions from plant or machinery would adversely affect local amenity, public health or the environment.
154. However, Officers recognise that the development may have the potential to give rise to dust and bioaerosols which could adversely affect local amenity, public health and the environment. In addition to the matter of dust emissions, objectors have also raised concern about smoke arising from fires. The Environment Agency and the County Council's Air Quality Consultant have raised no technical objections to the proposal. It is also noted that the Borough Council has not objected to the development on air quality grounds.

### *Dust*

155. There is no specific guidance for the risk of dust impacts in this particular instance. However, the Institute of Air Quality Management's ('IAQM') 2014 Guidance on the

*assessment of dust from demolition and construction provides useful direction in stating that, “The operational phases of minerals (and some waste) sites share some common features with construction activities; however, mineral sites can be of a significantly larger scale. A qualitative dust assessment for a minerals site would therefore normally be expected to be at least as rigorous as once carried out in accordance with the IAQM construction dust method, reflecting the potential for minerals sites to have a greater impact than construction sites. The underlying Source-Pathway-Receptor concept used in the IAQM construction dust method is applicable to a wide range of applications, including minerals developments; however, the detailed guidance in this document (particularly on source strength and pathway distances) is specifically for construction and demolition and cannot be used, without appropriate modification, for other activities.”*

156. Accordingly, in assessing the sensitivity of the area in which chipping operations are to take place it is recognised that there are two sensitive receptors within 100m of the source emissions i.e. Sutton Ridge House and the dwelling at Elm Nursery. Both of these receptors would be classified as being ‘highly sensitive’ to dust. However, using the IAQM’s guidance the sensitivity of the area would be ‘low’ due to the number of sensitive receptors within 100m of the emissions source. Further, the magnitude of the emission source would be classified as ‘medium’ i.e. sites greater than 2,500m<sup>253</sup>. When the magnitude of the emission source (medium) is considered in the context of the sensitivity of the area (low), the risk of a dust impact would not be significant according to the IAQM guidance. Moreover, where key dust generating activities are proposed within a building then there should be no dust emissions. Accordingly, on that basis of the aforementioned the CPA’s Air Quality consultant does not consider that the risk of dust arising from the development would be significant.
157. However, this does not mean that the development should not be controlled to mitigate the impacts of any dust arising from the development should consent be granted for the same. In this case Officers would seek to impose appropriate conditions on any such consent requiring the applicant to undertake chipping and storage activities as set out in paragraphs 21 to 37 above. Issues relating to pollution and control and health and safety are matters to be considered and addressed by the appropriate regulatory organisation(s) separate to the planning regime. The NPW advises, at paragraph 7, that the CPA should concern itself with implementing the Development Plan and in this respect should work on the assumption that the relevant pollution and control regime will be properly applied and enforced.

#### *Bioaerosols*

158. All wood to be chipped and stored on the application site would be sourced from virgin wood associated with the arboricultural activities of the applicant. Wood may be stored in the open on the application site in its virgin state for up to 12 months before being chipped.
159. Chipped wood would not be exposed to the elements during storage or kept in circumstances which would encourage anaerobic conditions to occur. Consequently, no composting activities would take place on the application site. Wood chip would not be turned, mixed or treated in any manner whilst on the application site. All wood chip would be removed from the application site on a monthly basis.
160. Consequently, having assessed the proposal and the applicant’s ‘Addendum to Air Quality Statement’ dated September 2015 the CPA’s Air Quality Consultant has advised that the development’s potential for bioaerosol emissions is minimal.

#### *Fires and Smoke*

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<sup>53</sup> Chipping would only take place within a defined area of the proposed building

161. Having regard to the nature of the waste to be managed as part of the development Officers recognise that the applicant may wish to dispose of leaves, twigs, branches and any other material not suitable for chipping by way of burning. Smoke arising from such activities may have the potential to adversely affect local amenity, public health and the environment. Indeed objectors have raised concerns in these respects.
162. The burning of waste amounts to its disposal. The material likely to be disposed of by burning could otherwise be recovered to produce compost, soil conditioner or other similar materials in accordance with the NPW and the SWP. For this reason, and having regard to the potential adverse effects of smoke arising from burning, Officers consider the burning of any material as part of the development to be unacceptable.
163. Accordingly, should the development proposed gain consent Officers would prohibit the burning of any material on the application site by imposing an appropriate condition on any such decision notice. Such a condition would require the applicant to consider options for the sustainable management of residual waste generated as a result of the development.

#### *Air Quality Conclusion*

164. Having regard to paragraphs 144 to 163 above, Officers consider that the proposed development satisfies policy DC3 of the Surrey Waste Plan 2008, policy CS21 of the Woking Core Strategy 2012, and policies DM5 and DM6 of Woking Development Management Policies (Regulation 19 version). For the purposes of Green Belt policy Officers consider that the harm arising from the development in terms of air quality would be minimal and that this harm can be adequately controlled by planning conditions.

## **NOISE**

### ***Development Plan Documents***

*Surrey Waste Plan 2008*

Policy DC3 – General Considerations

*Woking Core Strategy 2012*

Policy CS21 - Design

*Woking Development Management Policies (Regulation 19 version)*

Policy DM7 – Noise and Light Pollution

### *Policy Context*

165. Paragraph 109 of the Framework states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of noise pollution.
166. Paragraph 120 of the Framework explains that in order to prevent unacceptable risks from pollution, planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account.
167. Paragraph 122 of the Framework advocates that in ensuring that the site is suitable for its new use local planning authorities should focus on whether the development itself is an acceptable use of the land and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. It goes on to state that the CPA should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.



168. Paragraph 123 of the Framework states that planning decisions should aim to: (a) avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development, and (b) mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise.
169. In respect of noise the NPW Appendix B Criteria J requires consideration of the proximity of sensitive receptors. It also states that the operation of large waste management facilities in particular can produce noise affecting both the inside and outside of buildings, including noise and vibration from goods vehicle traffic movements to and from a site. Intermittent and sustained operating noise may be a problem if not properly managed particularly if night-time working is involved.
170. The Surrey Waste Plan 2008 policy DC3 requires consideration of noise impacts from waste development proposals by the provision of appropriate information and that any such impacts should be mitigated where appropriate.
171. Policy CS21 of the WCS requires that proposals for new development be designed to avoid significant harm to the environment and general amenity, resulting from noise, dust, vibrations, light or other releases.
172. Policy DM7 of the DMP requires that noise generating forms of development or proposals that would affect noise-sensitive uses to be accompanied by a statement detailing potential noise generation levels and any mitigation measures proposed to ensure that all noise is reduced to an acceptable level. It goes on to state that development will only be permitted where mitigation can be provided to an appropriate standard with an acceptable design, particularly in proximity to sensitive existing uses or sites.

### *The Development*

173. The development proposed is illustrated on Drawing Ref. 301501-001 Site Layout for barn and associated structures Issue C dated 1 February 2015.
174. It would include the erection of a building<sup>54</sup> with a pitched roof measuring some 44m (length) x 9.2m (width) x 5.5m (height to the ridge).
175. The building would have a floor area of some 404m<sup>2</sup> and is to be used for purposes including chipping operations.
176. The building proposed has been designed so as to include measures to mitigate noise arising from chipping operations. This mitigation is to be provided by way of a concrete barrier which is to block the transition path of noise before it reaches the three most exposed noise sensitive receptors in the locality<sup>55</sup>. The concrete barrier would form the 'U-shaped' chip area shown on Drawing Ref. 301501-001 Issue C and have a surface density and a sound reduction coefficient ensuring considerable noise reduction.
177. The chipping of wood is to take place within the chip area of the proposed building which is to comprise a "U-shaped" four-sided reinforced concrete bunker<sup>56</sup> open to the west. The chipper will be stationed and operated within this bunker with wood chip being fed directly into the enclosed part of the building.

<sup>54</sup> Comprising galvanised steel in bolt-together construction, painted corrugated steel sheeting and reinforced concrete panels for the wood chipping and storage areas

<sup>55</sup> Sutton Ridge House (some 60m from noise source); Tadpole House (some 190m from noise source); and on Frog Lane outside of The Olive Tree (some 205m from noise source)

<sup>56</sup> 4.25m high

178. The development would operate on Monday to Friday from 0800 hours to 1700 hours and on Saturday from 0800 hours to 1300 hours. No working is proposed on Sundays or Bank, National or Public Holidays.
179. The chipping of wood is to take place on Monday to Friday only and then for no more than 12-hours per month over the course of 1 to 2 days.
180. The facility's operational throughput of waste material<sup>57</sup> would be limited to no more than 1,000 tonnes per annum.
181. Plant and machinery proposed to be operated on the application site includes a 30-tonne log splitter, a Heizo Hack Chipper, a Valtra tractor, two bulk trailers, a forestry trailer and two small plant trailers.
182. The applicant has also committed to: (a) avoiding unnecessary noise through the misuse of tools and equipment; (b) training staff so as to minimise noise when operating machinery; (c) only allowing appropriately trained staff to operate machinery; (d) only undertaking processing operations within the designated area of the proposed building; (e) checking the integrity of the noise mitigation structure prior to any processing operations; (f) only undertaking processing operations when the wind direction is favourable to noise sensitive receptors i.e. not from the west; (g) providing 24-hours notice that processing operations are to take place by way of a public notice at the entrance to Elm Nursery including the provision of the applicant's contact details; (h) keeping the aforementioned management practices under review; and (i) undertaking further noise monitoring after the building has been constructed so as to assess its effectiveness in terms of noise mitigation.

#### *Noise Evaluation*

183. The applicant has provided a Noise Statement in support of the proposal together with a Noise Assessment and Management Plan. The former document provides details of the proposal and potential noise impacts that may arise from the same whilst the latter proposes acoustic mitigation in this respect.
184. The relevant noise assessment in relation to the wood chipper has been carried out following methodology in BS4142:2014 '*Methods for rating and assessing industrial and commercial sound*'.
185. The background, residual and ambient sound levels have been determined from measurements at the closest residential noise sensitive receptors to the application site. The CPA's Noise Consultant is satisfied that these measurement locations are appropriate and representative for the assessment, and that the measured ambient sound levels and subsequent calculations of specific sound levels are correct.
186. Following the subjective method in BS4142:2014 a character correction of +4dB has been added to the specific sound level to account for clearly perceptible tonality from the wood chipper at the said noise sensitive receptors. The CPA's Noise Consultant considers this correction to be appropriate for the type of plant proposed to be used.
187. The applicant's Noise Assessment indicates that without mitigation, noise from wood chipping would result in a significant adverse impact at the nearest noise sensitive receptors.
188. In relation to the applicant's Noise Assessment and Management Plan, the CPA's Noise Consultant has stated that their own investigations have indicated that the mitigated levels shown in Table 5.2 are incorrect. The CPA's Noise Consultant also has concerns

<sup>57</sup> Which is included within the Commercial and Industrial Waste stream

with regard to the noise modelling undertaken in this respect. It is also the case that the applicant's Noise Assessment and Management Plan does not provide fully the information required by BS4142:2014, as described in Section 12 of the Standard<sup>58</sup>.

- 189. The Borough Council have raised objection to the development on noise grounds. It has stated that *"it is not clear from the application whether the mitigation for the noise impact from the development i.e. the proposed concrete wall structure is proposed as part of the application. If it is proposed then it is considered that this would represent inappropriate development in the Green Belt...If this noise structure is not proposed as shown in the noise assessment then there would be a significant harmful impact to neighbouring residential amenity from the noise from the proposed development. If the noise mitigation is proposed in an alternative way i.e. the northern wall of the proposed structure then there is no certainty that this wall would mitigate the significant harmful noise impact from the proposed development as this 'northern wall' has not been assessed."*
- 190. Officers consider that the proposal is clear in so far as noise mitigation is concerned. As explained in the preceding paragraphs the building proposed has been designed so as to include measures to mitigate noise arising from chipping operations. Apart from the proposed building there are no additional noise mitigation structures. The mitigation proposed is to be provided by way of a concrete barrier which would form the 'U-shaped' chip area<sup>59</sup> shown on Drawing Ref. 301501-001 Issue C. The chipper will be stationed and operated within this concrete bunker with wood chip being fed directly into the enclosed part of the building. The CPA's Noise Consultant has confirmed that the structure modelled in the applicant's Noise Assessment and Management Plan includes the 'chip area' and the area in which chipping plant is to be stationed and operated as shown on the aforementioned drawing.
- 191. Contrary to the conclusions of the Borough Council, the CPA's Noise Consultant has reported that their own investigations indicate that, subject to the noise mitigation proposed<sup>60</sup>, the sound levels from the chipper are within the margins of what would be considered to be acceptable with respect to the guidance in BS4142:2014. Accordingly, subject to a range of conditions, the CPA's Noise Consultant has advised that planning consent should not be withheld on the grounds of noise effects on residential properties.
- 192. Moreover, given the concern of some objectors the CPA has specifically asked its Noise Consultant to provide advice about the stress on livestock arising from the noise likely to be generated by the development. In this respect the CPA has been advised that existing ambient sound levels in the locality of the development are around 45 to 50 dB LAeq. This existing ambient sound is what livestock on fields around<sup>61</sup> Elm Nursery are likely to currently experience. Whereas the predicted levels of sound to arise from the development at various distances from the sound source would be:

Distance	Sound Level	Description
10m	circa 55 dB LAeq	Normal external sound level in residential area with light traffic
20m	circa 50 dB LAeq	
50m	circa 45 dB LAeq	
100m	circa 40 dB LAeq	Normal indoor daytime level in living room/office

<sup>58</sup> Reference to WHO guidance is also made which is unnecessary when we have clear guidance in appropriate British Standards

<sup>59</sup> Including the area of the building in which the chipper would be stationed and operated

<sup>60</sup> See paragraph 182 above

<sup>61</sup> North, north-east, west and north-west

193. Dr. Mugford has clarified his comments about the consistency of the applicant's previous operations with that of the other uses of Ruxbury Farm. In this respect Dr. Mugford has stated that, *"...I have a suckler herd and flock of sheep which have never shown adverse behavioural reactions or fearful responses to Mr. Rose's chipping activities: both species seem to habituate very well to the movement of tractors or his very noisy chipper. However, I cannot say the same about the reactions of dogs or horses to these stimuli. Both species can be very sensitive to noise and especially to changing or intermittent loud noises."*<sup>62</sup>
194. The northern and western boundaries of Elm Nursery would be some 65m and 70m from the relevant boundaries of the application site respectively. Fields to the east and north--east would be beyond the residential curtilage of Sutton Ridge House at distances of approximately 80m and 120m from the relevant boundaries of the application site respectively. Having regard to these distances, taking into account the existing ambient sound levels in the locality, considering the predicted levels of sound at the various distances given in the table above, and acknowledging the limited processing operations proposed, Officers do not consider that the development would adversely affect livestock in the locality of the application site by way of noise. Any livestock in fields adjacent to Elm Nursery would be at least 50m from the application site and therefore even when chipping operations are being undertaken these fields would be subjected to a noise environment which is similar to that presently experienced i.e. with no chipping operations as proposed. Accordingly, Officers do not consider that the development proposed would adversely affect livestock in the vicinity of the application site.
195. The noise conditions advised to be imposed on any consent granted are:
- 1) The rating noise arising from any operation, plant or machinery on the site, when assessed using BS4141:2014 shall not exceed a level of 5dB above the prevailing background sound level during any 30 minute period. The prevailing background sound level shall be agreed with the County Planning Authority.
  - 2) Wood chipping shall only take place between the permitted working hours of 0800 to 1700 hours Monday to Friday. No wood chipping shall take place on Saturdays, Sundays, or on any Bank, Public or Religious Holiday.
  - 3) Details of the mitigation scheme to reduce the noise from the use of the wood chipper, including the concrete structure that will be erected and the operating location of the wood chipper in relation to this structure shall be submitted to the County Planning Authority for approval. The concrete structure will be built in strict accordance with the approved details, and the wood chipper will only operate within the agreed location or area. No wood chipping shall take place on site until the approved mitigation scheme is in place.

#### Noise Conclusion

194. Considering paragraphs 165 to 193 above, and subject to the measures set out in paragraphs 21 to 37 above together with the conditions proposed by the CPA's Noise Consultant, Officers consider that the proposal satisfies policy DC3 of the Surrey Waste Plan 2008, policy CS21 of the Woking Core Strategy 2012, and policy DM7 of the Woking Development Management Policies (Regulation 19 version). For the purposes of Green Belt policy Officers consider that the harm arising from the development in terms of noise would be very limited and that this harm can be adequately mitigated by the imposition of planning conditions.

#### FLOODING AND DRAINAGE

<sup>62</sup> Dr. Mugford's email dated 25 April 2016

### **Development Plan Documents**

*Surrey Waste Plan 2008*

Policy DC2 – Planning Designations

Policy DC3 – General Considerations

Woking Core Strategy 2012

Policy CS9 – Flooding and Water Management

### *Policy Context*

195. The Framework asserts that planning plays a key role in helping shape places to minimise vulnerability and providing resilience to the impacts of climate change. It advocates that this is central to achieving sustainable development. The Framework also provides technical guidance on flood risk which replaces Planning Policy Statement 25 – Development and Flood Risk.
196. Paragraph 100 of the Framework states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Paragraph 103 states that when determining planning applications, the CPA should ensure flood risk is not increased elsewhere.
197. Paragraph 109 of the Framework states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.
198. Consequently, paragraph 120 of the Framework states that in order to prevent unacceptable risks from pollution, planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account.
199. In respect of the protection of water quality and resources and flood risk management the NPW Appendix B Criteria A requires consideration of the proximity of vulnerable surface and groundwater or aquifers and the suitability of locations subject to flooding, with consequent issues relating to the management of potential risk posed to water quality from waste contamination.
200. Policy DC2 of the SWP states that planning permission will not be granted for waste related development where this would endanger, or have a significant adverse impact on, the setting of land liable to flood. This policy goes on to explain that in assessing each development proposal, due regard will be paid to prevailing national policy and guidance appropriate both to the areas and features of acknowledged importance and the proposed means of dealing with waste, and that this assessment will also take into account whether any significant adverse impact identified could be controlled to acceptable levels.
201. Policy DC3 of the SWP is clear that planning permissions for waste related development will be granted provided it can be demonstrated by the provision of appropriate information to support a planning application that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources.
202. Policy CS9 of the WCS explains that the Council will expect development to be in Flood Zone 1 and will require all significant forms of development to incorporate appropriate sustainable drainage systems as part of any proposal. It goes on to state that a Flood

Risk Assessment will be required for development proposals within or adjacent to areas at risk of surface water flooding. Moreover, to further reduce the risk from surface water flooding, all new development should work towards mimicking Greenfield run-off situations.

### *The Development*

203. The development proposed would include the erection of a building measuring some 404m<sup>2</sup>. The application site is located on land with the lowest probability of flooding i.e. Flood Zone 1. The Environment Agency has confirmed that the application site is not located on a sensitive groundwater location and therefore has not offered any comments in respect of the proposal. However Sutton Green Road, from which vehicular access to Elm Nursery is gained, is classified as being at high risk of surface water flooding.
204. Indeed some objectors have raised concern that the development may exacerbate this flooding. Moreover, the owner/occupier of Sutton Ridge House has raised concern about the impact surface water arising as a result of the development may have on his property in general including one or more trees within his garden.
205. The applicant has submitted a Flood Risk Assessment and a Technical Drainage Note in support of the proposal. The former confirms that the application site is within Flood Zone 1 and that Sutton Green Road is at high risk of surface water flooding. The latter sets out how the development would seek to manage surface water to the satisfaction of the Borough Council's Drainage and Flood Risk Engineer.
206. In this respect the applicant is proposing to manage surface water run-off by way of a 'closed system'. This system would comprise the collection of rainfall by gutters which would direct the same into a primary 5,000 litre rainwater harvesting tank. The water collected in this tank would be used to service the welfare facilities to be located within the proposed building. Should additional holding capacity for collected rainfall be necessary the 5,000 litre tank would overflow into an existing secondary 30,000 litre water tank adjacent to the application site. This existing tank currently serves the horticultural/agricultural aspects of Elm Nursery. When both tanks are full they would overflow into a new soakaway to be constructed within the application site.
207. The proposed soakaway has been designed conservatively by ignoring the rainwater harvesting tanks discussed in the preceding paragraph and would therefore be constructed to contain all run-off associated with the proposed building for up to the 1 in 100 year return period, including a 30% allowance for climate change. Accordingly, the soakaway would have a storage volume of 19,000 litres.
208. The Borough Council's Flood Risk and Drainage Engineer has assessed the applicant's surface water management proposal and raised no objection to the development subject to a condition requiring the submission of detailed drainage scheme for approval prior to the construction of the proposed building. The CPA has been advised that this condition is necessary to ensure adequate design, construction and performance of the proposed soakaway.
209. Some objectors to the development have raised concern about the adverse impact surface water flooding may have on Sutton Green Road, their properties, and local trees. These particular concerns have been raised seemingly on the assumption that surface water arising from the development would not be appropriately managed. However, considering that the applicant is proposing to manage surface water runoff in a manner which is acceptable to the Borough Council's Flood Risk and Drainage Engineer subject to approval of further details Officers have no reason to conclude that the development would cause flooding and therefore adversely affect the local environment or the local highway network.

## *Flooding and Drainage Conclusion*

210. Having regard to paragraphs 195 to 209 above, Officers consider that the development satisfies policies DC2 and DC3 of the Surrey Waste Plan 2008 and policy CS9 of the Woking Core Strategy 2012. For the purposes of Green Belt policy Officers do not consider that the development would give rise to limited harm in terms of flooding and water resources and that any such harm can be adequately mitigated by the imposition of planning conditions.

## **Heritage Assets**

### ***Development Plan Policies***

*Surrey Waste Plan 2008*

Policy DC2 – Planning Designations

Policy DC3 – General Considerations

*Woking Core Strategy 2012*

Policy CS20 – Heritage and Conservation

Policy CS21 – Design

*Woking Development Management Policies (Regulation 19 version)*

Policy DM20 – Heritage Assets and their Settings

### *Policy Context*

211. The Framework explains at paragraph 126 that heritage assets are an irreplaceable resource that should be conserved in a manner appropriate to their significance. Accordingly, the Framework goes on to advocate at paragraph 128 that the CPA should, in determining planning applications, require the applicant to describe the significance of any heritage assets affected by a development proposal including any contribution made by their setting. In this respect the Framework recognises that such a description should be proportionate to the assets importance and *“no more than is sufficient to understand the potential impact of the proposal on their significance”*. As a minimum the relevant historic environment record should be consulted and the heritage assets assessed using appropriate expertise where necessary.
212. Paragraph 129 of the Framework goes on to explain that the CPA should also identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. The CPA should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal.
213. Paragraph 132 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a Grade II Listed Building, Park or Garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, Grade I and II\* Listed Buildings, Grade I and II\* Registered Parks and Gardens, and World Heritage Sites, should be wholly exceptional.
214. Paragraph 133 of the Framework is clear that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, the CPA should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Whilst

paragraph 134 outlines that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

215. The National Planning Policy Guidance ('PPG') provides further guidance on the assessment of heritage assets when considering planning applications. Paragraph 009 states that heritage assets may be affected by direct physical change or by change in their setting. This paragraph goes on to state that being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals.
216. Paragraph 013 of the PPG explains that setting is the surroundings in which a heritage asset is experienced. It stresses that although views to or from an asset will play an important role in the way in which an asset is experienced it is also influenced by other environmental factors such as noise. This paragraph goes on to clarify that the contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting<sup>63</sup>.
217. Accordingly, paragraph 017 of the PPG is clear that what matters in assessing whether a proposal causes substantial harm is the impact on the significance of the heritage asset which derives not just from its physical presence but also its setting. This paragraph also makes plain that it is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed<sup>64</sup>.
218. Historic England has published a series of guidance notes to assist in the determination of planning applications that could have an impact on heritage assets. These are: '*Good Practice Advice in Planning: 2 Managing Significance in Decision-Taking in the Historic Environment – July 2015*' and '*Good Practice Advice in Planning: 3 The Setting of Heritage Assets – July 2015*'. Hereafter these advice notes are referred to 'Advice Note 2' and 'Advice Note 3' respectively.
219. Advice Note 3, at paragraph 4, recognises that the extent of a setting cannot have a fixed boundary and may alter over time due to changes in circumstance. Whereas paragraph 5 explains that views can contribute to setting of heritage assets e.g. viewing points or where a view is a fundamental aspect of the design of the asset or where assets were meant to be seen by one another for aesthetic, functional, ceremonial or religious reasons.
220. Advice Note 2, at paragraph 4, explains that the first step in assessing the impact a development proposal may have on a designated heritage is to understand the significance of any affected heritage asset and, if relevant, the contribution of its setting to its significance. The significance of a heritage asset is the sum of its archaeological, architectural, historic and artistic interest.
221. Appendix B of the NPW states that in testing the suitability of sites the CPA should consider the factors listed in the appendix and bear in mind the envisaged waste management facility in terms of its nature and scale. In respect of heritage assets the NPW Appendix B Criteria E requires consideration of the potential effects on the significance of heritage assets, whether designated or not, including any contribution made by their setting.
222. Policy DC2 of the SWP advocates that planning permission will not be granted for waste related development where this would endanger, or have a significant adverse impact,

<sup>63</sup> See <http://planningguidance.communities.gov.uk/blog/guidance/conserving-and-enhancing-the-historic-environment/why-is-significance-important-in-decision-taking/>

<sup>64</sup> See <http://planningguidance.communities.gov.uk/blog/guidance/conserving-and-enhancing-the-historic-environment/why-is-significance-important-in-decision-taking/>



on the character, quality, interest or setting of, amongst other designations, Scheduled Ancient Monuments or Sites of Archaeological Importance, Listed buildings and Historic Parks and Gardens, and Conservation Areas. It goes on to state that in assessing each development proposal, due regard will be paid to prevailing national policy and guidance appropriate both to the areas and features of acknowledged importance and to the proposed means of dealing with waste. The assessment will also take into account whether any significant adverse impact identified could be controlled to acceptable levels.

223. Moreover, policy DC3 of the SWP explains that Planning permissions for waste related development will be granted provided it can be demonstrated by the provision of appropriate information to support a planning application that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect heritage assets.
224. Policy CS20 of the Woking Core Strategy states that new development must respect and enhance the character and appearance of the area in which it is proposed whilst making the best use of the land available. The heritage assets of the Borough will be protected and enhanced in accordance with relevant legislation and national guidance as set out in the National Planning Policy Framework. There will be a presumption against any development that will be harmful to a listed building. Policy DM20 of the DMP states that a proposal affecting the character or setting of heritage assets will be required to show that the works are in harmony with and, where appropriate, enhance the heritage asset and/or its setting in terms of quality of design and layout.
225. Policy CS21 of the WCS requires that proposals for new development be designed to create buildings and places that are attractive with their own distinct identity; they should respect and make a positive contribution to the character of the area in which they are to be situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land.

*Planning (Listed Buildings and Conservation Areas) Act 1990*

226. Notwithstanding the policy requirements and guidance relating to heritage assets discussed in the preceding paragraphs, s66 and s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 are material to the determination of the subject planning application.
227. In respect of listed buildings s66 requires that the CPA, in considering whether to grant planning permission for development which affects a listed building or its setting, have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
228. In respect of Conservation Areas s72 requires that the CPA, with respect to any buildings or other land in a conservation area, pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

*Sutton Green Conservation Area*

229. The application site is not subject to any international, European, national or local designations in respect of heritage assets. It is not located within a Conservation Area. However, the application site does sit adjacent to the north-western corner of the Sutton Park Conservation Area.
230. The Sutton Green Conservation Area contains numerous buildings which are nationally listed for their architectural and historic interest, together with a number of ancient monuments scheduled for their national importance. The extent of this conservation

area relative to the location of the application site is shown in Annex 1 attached to this report.

*Listed Buildings, Scheduled Ancient Monuments, and Registered Parks and Gardens*

231. Officers have identified ten heritage assets in the vicinity of the application site that may be affected (including their respective settings) by the proposal taking account of the available evidence and the advice of Surrey County Council's Historic Buildings Officer. The significance of each respective asset is set out below and their respective locations relative to the application site are shown in Annex 1 attached to this report:

*Scheduled Ancient Monument The 'Old Manor House (site of) west of Roman Catholic Church, Sutton Park' - Historic England List ID 1005933*

232. This monument is scheduled under the Ancient Monuments and Archaeological Areas Act 1979 ('the 1979 Act') as it is of national importance. It is located some 500m south of the application site beyond buildings and structures within the nursery, Sutton Green Road, the block of woodland to the south of and which runs parallel to Sutton Green Road, hedgerows, fields and buildings. It is located some 50m west of St Edward's Roman Catholic Church, Sutton Park.
233. The monument comprises the site of medieval manor house. It was designated as an ancient monument as manorial centres were important foci of medieval rural life. They served as prestigious aristocratic or seigniorial residences, the importance of their inhabitants being reflected in the quality and elaboration of their buildings. Local agricultural and village life was normally closely regulated by the Lord of the manor, and hence the inhabitants of these sites had a controlling interest in many aspects of medieval life. The monument includes a medieval manor house, believed to date to the 12<sup>th</sup> or 13<sup>th</sup> century, surviving as upstanding and buried remains.

*The 'Disc barrow on Whitmoor Common' - Historic England List ID 1011599*

234. This monument is also scheduled under 1979 Act for its national importance. It is situated approximately 800m south-west of the application site beyond buildings and structures within the nursery, Sutton Green Road, the block of woodland to the south of Sutton Green Road, Clay Lane, hedgerows, fields and buildings.
235. Disc barrows are the most fragile type of round barrow. They are funerary monuments of the Early Bronze Age with most examples dating to the period between 1400 and 1200 BCE. Disc barrows are rare nationally, with about 250 known examples, most of which are in Wessex. Their richness in terms of grave goods provides important evidence for chronological and cultural links amongst prehistoric communities over a wide area of southern England as well as providing an insight into their beliefs and social organisation.
236. Despite partial excavation, the disc barrow on Whitmoor Common survives well and is a fine example of this rare form. The barrow contains both archaeological remains and environmental evidence relating to the monument and the landscape in which it was constructed. The barrow has a central mound 15m in diameter and 0.7m high, surrounded by a flat platform, or berm, between 3m and 3.5m wide. This is contained by a ditch, 3m wide and 0.5m deep which has a causeway across it in the south-east, and an outer bank 4m wide and 0.3m high.

*The Grade II\* Registered Park and Garden at 'Sutton Place' - Historic England List ID 1001554*

237. Sutton Place is registered under the Historic Buildings and Ancient Monuments Act 1953 within the Register of Historic Parks and Gardens by English Heritage for its special historic interest.

238. The 90ha estate lies adjacent to the north-west of the A3 London to Portsmouth road and is bounded to the east and south by flood meadows through which the River Wey runs. To the west and north the estate is bounded by agricultural land including land occupied by Elm Nursery and residential dwellings. The estate occupies a plateau encircled to the north, east, and south by a drain connected with the River Wey Navigation. Burpham and Slyfield Industrial Estate lie to the south of the estate beyond the A3 and Clay Lane respectively.
239. More locally, the park and garden at Sutton Place is located some 250m south of the application site beyond buildings and structures within the nursery, Sutton Green Road, the block of woodland to the south of Sutton Green Road, and a field. Apart from an access off of Blanchards Hill, the park and garden at Sutton Place Sutton Place is largely enclosed by dense, mature, and established planting.
240. Sutton Place comprises a landscape park laid out in the late 18<sup>th</sup> century to accompany a Tudor mansion, with gardens and pleasure grounds largely laid out in the 19<sup>th</sup> and early 20<sup>th</sup> centuries. In the 1980s Sir Geoffrey Jellicoe designed features which were inserted into several of the existing garden compartments, with a lake which was laid out in the park; together these form one of his most important works.
241. The principal building within the garden is the Grade I Listed Building Sutton Place constructed between 1520 and 1540. It stands towards the centre of the estate on a plateau which is surrounded on three sides by the River Wey. This two-storey mansion is brick-built with stone and terracotta dressings, and is a fine example of Tudor domestic architecture. An irregular-shaped service wing is attached to the north-west of the building beyond which stands the U-shaped Grade II Listed Stable Block constructed in the 18<sup>th</sup> century.
242. The mansion is partly enclosed by a further area of formal and informal gardens arranged around a spinal terrace lawn which runs parallel and adjacent to the south-west front. To the south and west of these gardens lie the informal pleasure grounds, partly enclosed by a circuit walk and bounded to the south-west by the unimproved arm of the Wey.
243. The park surrounds the mansion and pleasure grounds to the north, west, and east and is largely enclosed by a drain which is connected with the River Wey system. The park is divided into northern and southern halves by two drives. The northern half is laid partly to woodland, at the eastern end, with the rest largely occupied by pasture. It is dominated by Jellicoe's serpentine lake, which was laid out in the 1980s. The lake contains two central comma-shaped islands and is backed to the north by mature trees.
244. The southern half of the park is divided into west and east sections by the house and pleasure grounds. The eastern half is largely pasture and woodland. The western half is enclosed by a belt of woodland which formerly contained the pleasure-ground circuit linking the house with the riverside path, elements of which may still exist.

Grade II Listed *Whitmoor House (including cottage to the rear)* - *Historic England List ID 1236958*

245. This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Planning Act') for its special architectural or historic interest. It is located some 270m west of the application site beyond buildings and structures within the nursery, a mature field hedgerow, and the adjacent agricultural field and associated buildings. The house comprises three sections - 16<sup>th</sup> century construction to the rear; 18<sup>th</sup> century addition to the front; and 19<sup>th</sup> century addition in similar style to the left end.

*Grade II Listed Granary 15 yards south west of Whitmoor House - Historic England List ID 1236959*

246. This building is listed under the Planning Act for its special architectural or historic interest. It is located some 290m west of the application site beyond buildings and structures within the nursery, a mature field hedgerow, the adjacent agricultural field and associated buildings, and Whitmoor House. It is a 17<sup>th</sup> century timber framed Granary with brick infill and underbuilt in brick.

*Grade II Listed Sutton Green House - Historic England List ID 1236803*

247. This building is listed under the Planning Act for its special architectural or historic interest. It is located approximately 340m east of the application site off Foxes Path, beyond Sutton Ridge House, a field, and the block of woodland east of Sutton Green Road. The building is a 16<sup>th</sup> century house encased in 18<sup>th</sup> and 20<sup>th</sup> century additions.

*Grade II Listed Oak House - Historic England List ID 1236805*

248. This building is listed under the Planning Act for its special architectural or historic interest. The building comprises a 16<sup>th</sup> century house with a 19<sup>th</sup> century addition to its rear. It is located about 380m south of the application site beyond Sutton Green Road and the block of woodland which runs parallel to the southern side of the same.

*Grade II Listed The Manor House - Historic England List ID 1236932*

249. This building is listed under the Planning Act for its special architectural or historic interest. It is an 18<sup>th</sup> century house with a 19<sup>th</sup> century parallel range behind. The Manor House is located some 390m south-east of the application site beyond Sutton Ridge House, a field, and the block of woodland on the southern side of Sutton Green Road.

*Grade II Listed Frog Lane Farmhouse - Historic England List ID 1378244*

250. This building is listed under the Planning Act for its special architectural or historic interest. The building comprises a 16<sup>th</sup> century house with a 19<sup>th</sup> century cross wing to left and extension to right. It is located some 400m north of the application site beyond the curtilage of Sutton Ridge House, mature hedgerows, and two fields.

*Grade II Listed The Old Post Office - Historic England List ID 1236801*

251. This building is listed under the Planning Act for its special architectural or historic interest. It is a 16<sup>th</sup> century timber framed house located approximately 430m north-east of the application site beyond Sutton Ridge House, a field, Frog Lane, a block of woodland, New Lane, Sutton Ridge Garage, and several residential dwellings.

*Grade II Listed Bull Lane Cottages - Historic England List ID 1044714*

252. 1 and 2 Bull Lane Cottages is a 16<sup>th</sup> century building listed under the Planning Act for its special architectural or historic interest. The building is located some 470m south of the application site beyond buildings and structures within the nursery, Sutton Green Road, the block of woodland parallel to the southern side of Sutton Green Road, fields and further planting.

*Evaluation*

253. Officers do not consider that the development would have any physical impact on the Sutton Park Conservation Area as it stands outside the same. However, given its proximity to this designation it may have the potential to undermine the prevailing

characteristics of the conservation area which Officers consider to be of a rural and agricultural nature.

254. The development may, at both its construction and operational phases, adversely affect the Sutton Park Conservation Area by way of views towards or from the designation. Additionally, vehicles approaching the application site from the north-east or leaving the same towards to the north-east, along Sutton Green Road, would pass through part of the conservation area. These vehicles may therefore have the potential to adversely affect the conservation area by way of increased noise or a material increase in vehicle movements along this part of the highway. Moreover, the development may also adversely affect the conservation area by way of noise arising from the processing operations proposed or the construction phase of the development.
255. In respect of views towards or from the conservation area Officers consider that the development would be adequately screened by existing and established planting which define the boundaries of the nursery, within the nursery and to the north and north-west of the application site, and by existing structures and buildings within the nursery and to the south and west of the application site. The applicant proposes to reinforce the existing visual screen to the east of the application site by further native planting. Notwithstanding the aforementioned, Officers consider that the building proposed to be erected is of a design which is agricultural in character representing a barn/stable like structure commonly found on agricultural land within rural Surrey<sup>65</sup>. Accordingly, Officers consider that impact of the development proposed would be neutral in respect of the Sutton Park Conservation Area as it would not undermine the character or cause harm to the setting or significance of the same by way of views to and from the conservation area.
256. The County Highway Authority have not raised objection to the development for several reasons including their consideration that the scale of the proposal would not lead to a material increase in vehicle movements on the local highway network<sup>66</sup>. Further, in addition to the fact that the nursery currently receives delivery of goods by way of HGVs including articulated vehicles, it has been demonstrated by the applicant that Sutton Green Road is presently used by HGV traffic. In total there were 526 HGVs travelling eastbound and 459 HGVs travelling westbound along Sutton Green Road between 15 January 2015 and 21 January 2015. In contrast to these numbers the proposal includes the collection of wood chip from the application site by HGV on 2 to 3 occasions per month. Accordingly, the proposal would not introduce HGV traffic and/or traffic related noise where there is currently no such traffic or noise. Moreover, any such traffic arising from the development would not result in a material increase in the number of vehicles passing through the conservation area. Accordingly, Officers do not consider that the vehicle movements associated with the development would undermine the character of the Sutton Park Conservation Area or cause harm to the setting or significance of the same.
257. In respect of noise, the CPA's Environmental Noise Consultant has confirmed that, having regard to the noise mitigation measures proposed by the applicant, the sound levels from the chipper proposed to be used as part of the development are within the margins of what would be acceptable with respect to the guidance in BS 4142:2014<sup>67</sup>. Accordingly, Officers have been advised that planning consent should not be withheld on the grounds of noise effects on residential properties including Sutton Ridge House. Further, the CPA's Environmental Noise Consultant has provided predicted levels of sound arising from the proposed processing operations at various distances from its source having regard to the existing ambient sound levels which are calculated to be between 45 – 50 dB LAeq. At 10m from the proposed chipping operations the predicted

<sup>65</sup> See paragraphs 82 to 83 above

<sup>66</sup> Subject to a condition limiting annual throughput of the facility to no more than 1,000 tonnes per annum

<sup>67</sup> Methods for rating and assessing industrial and commercial sound

sound level would be some 55 dB LAeq which represents a normal external sound level in residential area with light traffic. Officers acknowledge that the character of the sound arising from processing operations would be different and that the development would result in an increase to ambient sound levels by some 5dB LAeq. However, Officers do not consider that these factors would materially alter the existing noise environment such that it would have any adverse affect on the conservation area. The noise which may arise from construction of the proposed development would be limited in duration and transient in nature. Once construction works are completed a normal external sound level for a residential area with light traffic would be reintroduced. Accordingly, Officers do not consider that the construction phase or operational phase of the development would undermine the character of the Sutton Park Conservation Area or cause harm to the significance or setting of the same.

258. Some objectors, and by association the Borough Council, have raised concern about the impact that fires on the application site may have on the local environment and amenity. Although any impacts arising from such activities would primarily be a matter for the pollution control authorities, should planning permission be granted for the development proposed Officers would seek to prohibit the burning of any material on the application site by the imposition of an appropriately worded condition on any such consent. Accordingly, Officers do not consider that the development, subject to conditions, would give raise to adverse air quality which may in turn undermine the character of the Sutton Park Conservation Area or cause harm to the significance or setting of the same.
259. Surrey County Council's Historic Buildings Officers has assessed the proposal and advised Officers that, having viewed the application site/nursery from Sutton Green Road and considered the aerial view of the landscape, the building of the scale proposed will not be visible from the parkland and therefore the setting of the park/conservation area will not be materially harmed by the proposed development. Accordingly, no objection has been raised in this respect.
260. For the same reasons discussed in paragraphs 252 to 258 above, Officers do not consider that the development proposed would adversely affect the setting or significance of the registered park and garden, listed buildings, or ancient monuments, within the vicinity of the application site as outlined in paragraphs 230 to 251 above.

### *Conclusion*

261. Having regard to paragraphs 210 to 260 above, Officers consider that the proposal would not harm the setting or significance of the Sutton Park Conservation Area or any heritage assets within the vicinity of the application site. For these reasons Officers consider that the development proposed would preserve the setting and significance of the Sutton Park Conservation Area and any heritage assets in the vicinity of the application site. Consequently, Officers consider that the development proposed satisfies the requirements of policies DC2 and DC3 of the Surrey Waste Plan 2008, policies CS20 and CS21 of the Woking Core Strategy 2012, and policy DM20 of the Woking Development Management Policies (Regulation 19 version).

## **METROPOLITAN GREEN BELT**

### ***Development Plan Documents***

*Surrey Waste Plan 2008*

Policy CW6 – Development in the Green Belt

*Woking Core Strategy 2012*

Policy CS6 – Green Belt

*Woking Development Management Policies (Regulation 19 version)*

Policy DM13 – Buildings in the Green Belt

*Woking Local Plan 1999*

Policy GRB1 – Control of Development within the Green Belt

### *Policy Context*

262. Paragraph 79 of the Framework explains that the fundamental aim of Green Belt policy is to keep land permanently open, whilst paragraph 80 lists the five purposes of Green Belts: to check unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling or derelict and other urban land.
263. Accordingly, at paragraph 88, the Framework advocates that in considering any planning application the CPA should ensure that substantial weight is given to any harm to the Green Belt and that very special circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
264. Paragraphs 89 and 90 of the Framework discuss what types of developments are 'appropriate' in Green Belt locations. Waste related development is not included in paragraphs 89 and 90 and therefore, as with previous Green Belt Policy<sup>68</sup>, waste related development is 'inappropriate development' in the Green Belt. All development is considered inappropriate in the Green Belt unless falling within the categories set out in paragraphs 89 and 90 of the Framework<sup>69</sup>.
265. Policy CW6 of the Surrey Waste Plan 2008 states that there is a presumption against inappropriate waste related development in the Green Belt except in very special circumstances. Very special circumstances to justify inappropriate development in the Green Belt will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The policy outlines that the following considerations may contribute to very special circumstances: (i) the lack of suitable non-Green Belt sites; (ii) the need to find locations well related to the source of waste arisings; (iii) the characteristics of the site; and (iv) the wider environmental and economic benefits of sustainable waste management including the need for a range of sites.
266. Policy CS6 of the WCS explains that to ensure the Green Belt continues to serve its fundamental aim and purpose, and maintains its essential characteristics, it will be protected from harmful development. It goes on to state that within its boundaries strict control will continue to apply over inappropriate development.
267. Policy DM13 of the DMP is clear that unless very special circumstances can be clearly demonstrated, the Council will regard the construction of new buildings other than those allocated in the Site Allocations DPD as inappropriate in the Green Belt subject to exceptions set out in the Framework.

### *The Development*

268. The development proposed amounts to inappropriate development in the Green Belt.
269. It concerns the material change of use of land so as to facilitate the importation of 1,000 tonnes of green waste per annum, the processing of this material by way of plant and its subsequent storage and onwards transfer.

<sup>68</sup> Planning Policy Guidance 2 – Green Belts

<sup>69</sup> Fordent Holdings Ltd v SSCLG [2013] EWHC 2844 (Admin)

270. The proposal includes the erection of a building<sup>70</sup> with a pitched roof measuring some 44m (length) x 9.2m (width) x 5.5m (height to the ridge)<sup>71</sup> together with a connected concrete storage pit measuring some 9.3m (length) x 9.2m (width) x 2m (height)<sup>72</sup>. This structure would include the applicant's noise mitigation measures. There is no separate structure relating to noise mitigation. An open storage area for virgin wood and a parking area for vehicles within the application site also form part of the proposal. Officers do not consider that the building proposed would not replace an existing building<sup>73</sup> nor that it would be sited on 'previously developed land'<sup>74</sup> despite the applicant's submissions to this effect.
271. The development would involve the collection of wood chip from the application site on 2 or 3 occasions each month by HGVs. In addition, it is anticipated that up to five cars will arrive on site between 0700 hours and 0730 hours each working day<sup>75</sup>; staff would then leave the site in company vans, and return at the end of the working day before leaving in the site in their cars.
272. Plant and machinery proposed to be operated on the application site includes a 30-tonne log splitter, a Heizo Hack Chipper, a Valtra tractor, two bulk trailers, a forestry trailer and two small plant trailers.
273. The application site measures some 0.39ha<sup>76</sup>. Elm Nursery itself comprises an area of approximately 3.1ha. Consequently, the application site would occupy some 12% of the land which makes up the nursery.
274. The nursery presently includes various buildings, structures and land-uses including several large poly-tunnels, a large greenhouse, a farm shop<sup>77</sup> with a small cafe<sup>78</sup>, a petting zoo, a number of demountable buildings, a car-park for some 30 to 40 cars, and a dwelling belonging to the landowner(s). During the school term-time children from the local privately owned Willow's Forest School visit the nursery for outdoor-play activities. The nursery also houses a number of activities and events including car boot fairs, dog training and self-defense classes.

#### *Impact on Openness*

275. A significant majority of objectors, the Sutton Green Association, and the Borough Council have raised concern about the impact the development would have on the Green Belt. The Borough Council has objected to the development on Green Belt grounds and in this respect stated that *"it is considered that the very special circumstances put forward, including the revised alternative site assessment are not 'very special' such that they would outweigh the substantial harm to be given to the inappropriateness of the development in the Green Belt, the impact on openness and also the other harm resulting from the development..."*

<sup>70</sup> Comprising galvanised steel in bolt-together construction, painted corrugated steel sheeting and reinforced concrete panels for the wood chipping and storage areas

<sup>71</sup> Floor area of some 404m<sup>2</sup>

<sup>72</sup> Floor area of some 85m<sup>2</sup>

<sup>73</sup> The polytunnel previously located on part of the application site does not presently exist

<sup>74</sup> Annex 2 of the Framework excludes land occupied by agricultural buildings from the definition of 'previously developed land'

<sup>75</sup> Monday to Friday from 0800 hours to 1700 hours and on Saturday from 0800 hours to 1300 hours. No working is proposed on Sundays or Bank, National or Public Holidays

<sup>76</sup> Including the access track to and from Sutton Green Road

<sup>77</sup> Which has been operation since 1982

<sup>78</sup> Uses Classes A1 (shop) and A3 (café) respectively



276. Officers concur that the development would impact on the openness<sup>79</sup> of the Green Belt compared to the situation that currently exists at Elm Nursery as described in paragraph 274 above. In addition to definitional harm by reason of inappropriateness, Officers consider that the permanent siting of the proposed building and storage pit would have the most harmful effect in this respect in the immediate vicinity of the application site and on adjoining uses.
277. However, Officers consider the characteristics of green waste to be comparable to other common and day-to-day materials seen on agricultural land such as stockpiles of manure and silage. Indeed, stockpiles of logs and virgin timber are also commonly seen on agricultural land as corroborated by paragraph C19 of the Surrey Waste Plan 2008 which draws comparisons between green waste compositing and agricultural practices. For these reasons Officers consider that any stockpiles of virgin timber and logs stored in the open, which would otherwise be limited in scale, would have a very limited impact on the openness of the Green Belt in the proposed location. All woodchip to be produced by the applicant would be stored within the proposed building until it is removed from the application site.
278. It is also true that vehicles, plant and machinery are commonly used and seen on agricultural land. Indeed, it is presently the case that the Nursery receives visitors and customers in their private motor vehicles and deliveries of goods and products by way of commercial delivery vehicles including HGVs. For example the landowner has explained to the CPA that the Nursery currently receives, in addition to other goods and products, on average some 20/30 pallets of logs and 10 pallets of kindling throughout the year. These goods are delivered by HGV at a rate of 3 pallets at a time. The landowner intends to make use of the applicant's arboricultural green waste as a substitute to logs and kindling currently imported to the nursery by HGV.
279. The range of plant and machinery to be used on the application site would also be similar to agricultural plant and machinery and limited to those necessary to facilitate and affect the chipping of wood. In addition, their operation would also be restricted to sporadic operation during weekdays only.
280. Consequently, Officers consider that the plant and machinery proposed to be used as part of the development, and the nature and number of vehicle movements the development would attract, would have a limited impact on the openness of the Green Belt in the context of land, buildings and structures within the Nursery and the activities undertaken on and within the same.
281. Accordingly, although Officers conclude that the development would have an adverse impact on the openness of the Green Belt; it is considered that the combination of the proposed building and storage pit, the plant to be used and the wood and tree waste to be stored would amount to moderate harm given the nature of the use, the limited scale of the development and the location of the same within the nursery.

#### *Effect on the Purposes of the Green Belt*

282. Officers consider that the development proposed would undermine the purposes of including land within the Green Belt in so far as it amounts to a limited encroachment on the countryside albeit with a land-use directly related to the rural economy.
283. The application site is within a well-defined and enclosed plot of rural land screened established vegetated boundaries and by a number of blocks of established planting within the nursery directly to the north<sup>80</sup> and north-west of the application site including an established hedgerow some 2.3m in height to the east, and existing buildings and

<sup>79</sup> The absence of development

<sup>80</sup> A band of coniferous trees

structures to the south. The application site would occupy some 12% of the land which makes up the Nursery. The land surrounding the Nursery is predominantly used for residential and agricultural purposes.

284. Having regard to paragraphs 210 to 261 above, Officers consider that the development would preserve the setting and character of the Sutton Green Conservation Area and the identified heritage assets within the vicinity of the application site. Moreover, considering paragraphs 289 to 299 below Officers consider that the development would not undermine urban regeneration in that the applicant has demonstrated that there are no suitable alternative non-Green Belt sites including within urban areas.

#### *Other Harm*

285. The potential for other harm has been assessed earlier in this report with regard to highways, traffic and access; air quality; noise; flood risk and drainage; and heritage assets. Officers have concluded that any potential harm can be mitigated by the imposition of planning conditions.
286. The Borough Council have raised concern about the adverse impact the development may have in respect of noise and the impact it may have on the character and setting of the adjacent conservation area. The Sutton Green Association and objectors have raised concern about the development in respect of its potential adverse impact on the Sutton Green Conservation Area as well as local amenity and the environment.
287. However, as discussed throughout this report, the concerns expressed in these respects have not been borne out by the investigations and assessments undertaken by the applicant and the CPA's technical consultees including the County Highway Authority; the Environment Agency; the CPA's Landscape Architect and Listed Buildings Officer; the CPA's Noise and Air Quality Consultants; and the Borough Council's Flood Risk and Drainage Engineer.

#### *Very Special Circumstances*

288. In accordance with policy CW6 of the SWP, the applicant has promoted several factors which are considered to amount to 'very special circumstances' which clearly outweigh the harm caused to the Green Belt by reason of inappropriateness and any other harm. These factors are grouped under the headings of (1) *'the lack of suitable non-Green Belt sites'*; (2) *'the need to find locations well related to the source of waste arisings'*; (3) *'the characteristics of the site'*; and (4) *'the wider environmental and economic benefits of sustainable waste management'*.

#### *The Lack of Suitable Non-Green Belt Sites*

289. The applicant has undertaken an Alternative Site Assessment ('ASA') exercise in support of the proposal based upon SCC's guidance note *'Suggested Stages of Alternative Site Assessment and Information Sources'*.
290. The applicant's ASA seeks to identify suitable alternative non-Green Belt sites capable of providing a permanent base for the wood storage and chipping aspects of Redwood Tree Services<sup>81</sup>. The reasons for seeking a new base in this respect are set out in paragraphs 16 to 20 above.
291. In compiling this assessment the applicant has considered established businesses and industrial sites which are available for purchase or rent and other existing sites in urban areas within a defined catchment area. Sites allocated by the SWP and Hampshire

<sup>81</sup> There is no policy requirement for the applicant to assess suitable alternative Green Belt sites or any site within the Green Belt.

County Council Waste Plan as being suitable for waste management, and which fall within the defined catchment area, have also been reviewed by the applicant.

292. The applicant has demonstrated that the majority of arboricultural work carried out by the applicant is undertaken around the Woking area in general and Bisley in particular with secondary areas along and between the M3 and M25 corridors<sup>82</sup>. As such, the applicant's catchment area for the alternative site assessment exercise extended to within 15km of Bisley where the office base of Redwood Trees Services Ltd. has been for many years<sup>83</sup>. Having regard to the evidence produced by the applicant in this respect Officers consider that a search catchment area of 15km around Bisley is reasonable.
293. Other criteria for the assessment of suitable alternative non-Green Belt sites comprised the ability to establish, or already include, a small building for storage and welfare facilities between 325m<sup>2</sup> and 418m<sup>2</sup><sup>84</sup>; inclusion of an open yard of approximately 0.2ha which can be used for green waste processing and storage; and good access to the main road network. Having regard to the nature and scale of the proposal Officers consider that this additional search criteria is reasonable and proportionate.
294. In total 45 potential suitable alternative sites have been considered by the applicant.
295. Six of these are sites<sup>85</sup> allocated by the SWP as being suitable for waste management but have been discounted as none of them are considered suitable for the scale of the development proposed by the applicant in that they are all relatively considerably sized sites and cannot be disaggregated for the proposed development, and/or the development proposed would compromise the strategic aim of the allocation, and/or relevant landowner has confirmed that there is no land available for the proposed development.
296. The remaining 39 sites<sup>86</sup> assessed have also been discounted by the applicant due to them not being able to satisfy one or more of the applicant's assessment criteria as set out in paragraphs 292 and 293 above.
297. Additionally, the applicant has considered whether any sites allocated by Hampshire County Council as being suitable for waste management are fitting for the proposed development in accordance the identified assessment criteria. In this respect the applicant has confirmed that there are no suitable allocated waste sites in Hampshire within the defined catchment area.
298. The Borough Council, Sutton Green Association and some objectors to the development have raised concerns with regards to the veracity of the applicant's alternative site

<sup>82</sup> Approximately 90% of the arboricultural work undertaken by the applicant is within 15km of Bisley.

<sup>83</sup> In July 2016 the registered address of Redwood Tree Services moved some 2km from Bisley. Officers do not consider this difference in distance to be material to the applicant's defined catchment area.

<sup>84</sup> No greater area so as to prevent the loss of revenue from the purchase or lease of the building.

<sup>85</sup> Slyfield Industrial Estate, Guildford; Heather Farm, Horsell; Martyrs Lane, Woking; Former airfield, Wisley; Trumps Farm, Longcross; and Lyne Lane, Chertsey

<sup>86</sup> Cathedral Hill Industrial Estate, Guildford; Wanborough Business Centre; The Pines, Guildford; Walnut Tree Close, Guildford; Eydon House, Guildford; Enterprise Estate, Slyfield; Riverwey Industrial Estate, Peasmarsh; 5 Middleton Road, Guildford; 1c and 1d Cathedral Hill, Guildford; Henley Business Park, Pirbright; Trade City, Frimley; Albany Park, Camberley; Bridgeworks, Sunningdale; Hawley Lane, Farnborough; The Old Builders Yard, Knaphill; Goldsworth Park, Woking; Fair Oaks Airport, Old Woking; Boundary Business Centre, Woking; Woking Business Park, Woking; 11 Manor Way, Woking; Forsyth Road, Sheerwater; Kier Park, Camberley; Helix Business Park, Camberley; Brinell Building, Ash Vale; Watchmoor Trade Centre, Camberley; Compton Place, Camberley; LDL Business Centre, Ash Vale; Watchmoor Point, Camberley; 122 Hawley Lane, Farnborough; Doman Road, Yorktown; Stanhope Road, Camberley; Tuscam Trading Park, Camberley; Admiralty Park, Camberley; 5a Queens Road, Farnborough; Kings Ride, Ascot; and Invincible Road, Farnborough

assessment exercise. In this respect certain other sites have been suggested by objectors as being more suitable for the proposed development and the applicant's assessment criteria and catchment area have been criticised.

299. However, some of the alternative sites suggested by objectors are located within the Green Belt, some fall outside of the applicant's catchment area, and others have indeed been considered by the applicant as part of the ASA exercise. Further, it is plain to Officers that the applicant has surveyed the availability of suitable alternative non-Green Belt sites in accordance with clear, reasonable and justified criteria proportionate to the nature and scale of the development proposed and analysed their suitability in these respects. Officers consider it reasonable to accept this evidence and the applicant's conclusion that none of the alternative sites identified and analysed are deemed more suitable for the proposed development than the application site. It is noteworthy that alternative sites to a great extent involve other Green Belt land and that the proposed development is relocating from another Green Belt site.

#### *Source of Waste Arisings*

300. The applicant has explained that Redwood Tree Services Ltd. is an established family-run business based in Bisley near Woking. It has been operating for over 29 years mainly in Surrey but also surrounding counties specialising in arboriculture, forestry, and bio-fuel. Some 90% of the work undertaken by the applicant is within 15km of Bisley between and around the M3 and A3 corridors. Redwood Tree Services are approved contractors with several local authorities and Parish Council's in Surrey including Guildford Borough Council, Runnymede Borough Council, Surrey Heath Borough Council and Worplesdon Parish Council. Accordingly, a significant majority of the waste generated as a result of the arboricultural work undertaken by the applicant would arise in Surrey.
301. The applicant has also explained that Redwood Tree Services currently has two bio fuel contracts with Shredco and TV Bioenergy. Bio fuel handled by Shredco is supplied to markets in France and the north of the United Kingdom whilst high-grade bio fuel is supplied to TV Bioenergy which is then distributed into the Thames Valley basin directly to users. The applicant's primary contract is with TV Bioenergy.
302. Additionally, the landowner intends to make use of the applicant's arboricultural green waste as a substitute to logs and kindling currently imported to the nursery. The landowner intends offering bark and wood chip produced by the applicant for sale from the existing retail unit.
303. For these reasons, and having regard to the conclusions of the applicant's ASA exercise, Officers consider that the application site is well related to the predominant source of the waste arisings concerned.

#### *Characteristics of the Site*

304. As discussed in throughout this report, Officers consider the nature and scale of the development proposed to be comparable in character to agricultural and/or forestry activities undertaken on agricultural land in Surrey. Officers also consider that the development proposed would support and facilitate the development and diversification<sup>87</sup> of an existing land-based rural business in accordance with the Framework. For these reasons, and in the absence of technical objections to the proposal, Officers do not consider there to be a land-use conflict between the Nursery, neighbouring residential uses, and the waste management use proposed.

#### *The Wider Economic and Environmental Benefits of Sustainable Waste Management*

<sup>87</sup> By way of rental income; substitution of suppliers/products; and expanded product range

305. The wider benefits of the proposed waste management facility are discussed in paragraphs 59 to 105 above and therefore Officers do not intend to rehearse these matters in relation to Green Belt policy. However it should be noted that there is a need to significantly improve the infrastructure provided within Surrey to manage waste and to enable communities to take responsibility for waste produced by them. It is also significant that the County Council remains committed to achieving net self-sufficiency, enabling appropriate development that implements the waste hierarchy and ensuring that the County delivers its contribution to regional waste management.

### *Green Belt Conclusion*

306. There is a clear need to provide additional waste management facilities in order to achieve sustainable waste management within the County, and Officers consider that there are no reasonable grounds to dispute the applicant's claim that the development is best suited to the application site as there are no suitable alternative non-Green Belt sites. The development is part of a wider local business which seeks to enable the sustainable management of Surrey's woodland and it would support and facilitate the development and diversification of an existing land-based rural business. The wider environmental and economic benefits of the proposed waste management facility is a substantial benefit of the proposal, and, having regard to the moderate but very local impact on openness, and the absence of other harm, it is concluded that the harm arising out of inappropriateness and encroachment on the countryside, is clearly outweighed by other factors<sup>88</sup> so as to amount to the very special circumstances necessary to justify the proposal. In this respect, Officers consider that the development satisfies policy CW6 of the Surrey Waste Plan 2008, policy CS6 of the Woking Core Strategy 2012, policy DM13 of the Woking Development Management Policies (Regulation 19 version), and policy GRB1 of the Woking Local Plan 1999.

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## **HUMAN RIGHTS IMPLICATIONS**

307. 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.
308. Having regard to the contents of paragraphs 59 to 306 above Officers do not consider that the proposal engages any Convention rights.

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## **CONCLUSION**

309. This is a small-scale waste management proposal which seeks to contribute to the County's net sustainable waste management capacity. In this respect the development satisfies a significant need as set out by the Surrey Waste Plan 2008.
310. The development would recover arboricultural green waste predominantly arising in the County for the purposes of fuel for heating and/or electricity generation. The development is part of a wider business which seeks to enable the sustainable management of Surrey's woodland. Accordingly, Officers consider that the development would contribute towards a more sustainable and efficient approach to resource use/management in the County and the wider climate change agenda by driving waste management up the waste hierarchy. This is an approach strongly supported by the National Planning Policy for Waste 2014, the Waste Management Plan for England 2013, and the Surrey Waste Plan 2008.

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<sup>88</sup> The lack of suitable alternative non-Green Belt sites; the development being well related to the source of waste arisings concerned; the characteristics of the development and Elm Nursery; and the wider environmental and economic benefits of sustainable waste management

311. Additionally, the development would have cascading benefits for the landowner in that it would, by way of rental income; substitution of suppliers/products; and expanded product range, support and facilitate the development and diversification of an existing land-based rural business in accordance with paragraph 28 of the National Planning Policy Framework.
312. Although the development would include the erection of a permanent building with a floor area of some 404m<sup>2</sup>, Officers consider that this building is of a design which is agricultural in character representing a barn/stable like structure commonly found on agricultural land within rural Surrey. The nursery is a rectangular shaped parcel of land well defined and enclosed by established planting along its boundaries. Additionally, there are a number of blocks of established planting within the nursery including directly north and north-west of the application site. For these reasons Officers do not consider that the building proposed would undermine the character of the Sutton Park Conservation Area or cause harm to the setting or significance of the same by way of views to and from the conservation area. Similarly the storage of logs and wood; and arboricultural/agricultural plant and machinery on the application site would not undermine the character of the Sutton Park Conservation Area or cause harm to the setting or significance of the same.
313. Surrey County Council's Historic Buildings Officers has assessed the proposal and advised Officers that, having viewed the application site/nursery from Sutton Green Road and considered the aerial view of the landscape, the building of the scale proposed will not be visible from the parkland and therefore the setting of the park/conservation area will not be materially harmed by the proposed development. Accordingly, no objection has been raised in this respect. Similarly, the Surrey County Council's Landscape Architect has not raised objection to the development subject to conditions.
314. The range of vehicles, plant and machinery to be used on the application site would consistent with that used and seen on agricultural land in Surrey and limited to those necessary to facilitate and affect the transportation, storage, and chipping of wood and the production of bio fuel. Up to five cars will arrive on site each working day; staff would then leave the site in company vans, and return at the end of the working day before leaving in the site in their cars. Moreover, two or three articulated HGVs will also visit the site each month to collect and take away wood chip. Such vehicle movements are minimal and would not materially affect the local highway network. Chipping operations would be intermittent during weekdays and then only for no more that 12-hours per month.
315. The vehicle movements arising from the proposal need to be considered in the context of the existing land-uses associated with Elm Nursery which includes horticulture/agriculture and a retail shop and cafe with some 30 to 40 vehicle parking spaces. In this context, and having regard to the nature and scale of the development proposed as set out by the applicant's Transport Assessment; considering the baseline two-way traffic flows along Sutton Green Road together with SCC's accident data; and taking into account the characteristics of the local highway network and its relationship to the strategic road network; Officers consider that the development proposed can be accommodated on the application site without detriment to the operation of the local highway network subject to a condition limiting the annual throughput of the same to no more than 1,000 tonnes per annum. For the same reasons Officers do not consider that the cumulative impact of the proposed development and any new development in the vicinity of the nursery would have consequences for the local highway network that could be reasonable described as severe such that planning permission should be refused.
316. Further, the proposal would not introduce HGV traffic and/or traffic related noise where there is currently no such traffic or noise. Any such traffic arising from the development would not result in a material increase in the number of vehicles passing through the conservation area. Accordingly, Officers do not consider that the vehicle movements

associated with the development would undermine the character of the Sutton Park Conservation Area or cause harm to the setting or significance of the same.

- 317. The applicant has proposed a wide-range of practical measures to mitigate and manage the noise arising from chipping operations. Moreover, the CPA’s Noise Consultant has recommended the imposition of noise conditions on any consent granted. Accordingly, subject to these measures and conditions, the CPA’s Noise Consultant has advised that planning consent should not be withheld on the grounds of noise effects on residential properties. Officers acknowledge that the character of the sound arising from processing operations would be different and that the development would result in an increase to ambient sound levels by some 5dB LAeq when chipping operations are undertaken. However, Officers do not consider that such an increase for limited periods during weekdays would materially alter the existing noise environment such that it would have any adverse affect in respect of local amenity or the Sutton Green Conservation Area.
- 318. In respect of dust and bioaerosols arising from the development, having assessed the proposal the CPA’s Air Quality consultant considers that the risk of dust from the development would not be significant and that the potential for bioaerosol emissions is minimal. Should planning permission be granted for the development proposed Officers would seek to prohibit the burning of any material on the application site by the imposition of an appropriately worded condition on any such consent. Accordingly, Officers do not consider that the development, subject to such a condition, would give raise to adverse air quality which may in turn undermine the character of the Sutton Park Conservation Area or cause harm to the significance or setting of the same.
- 319. In relation to drainage and flooding the Environment Agency has confirmed that it has no comments to make about the proposal as the site is located within Flood Zone 1 and is not located on a sensitive groundwater location. Further, having considered the applicant’s surface water drainage strategy the Borough Council’s Flood Risk and Drainage Engineer is, subject to a condition, agreeable with how the development is to manage surface water and as such has not raised objection to the scheme.
- 320. There is a clear need to provide additional waste management facilities in order to achieve sustainable waste management within the County, and Officers consider that there are no reasonable grounds to dispute the applicant’s claim that the development is best suited to the application site as there are no suitable alternative non-Green Belt sites. The development is part of a wider local business which seeks to enable the sustainable management of Surrey’s woodland and it would support and facilitate the development and diversification of an existing land-based rural business. The wider environmental and economic benefits of the proposed waste management facility is a substantial benefit of the proposal, and, having regard to the moderate but very local impact on openness, and the absence of other harm, it is concluded that the harm arising out of inappropriateness and encroachment on the countryside, is clearly outweighed by other factors so as to amount to the very special circumstances necessary to justify the proposal.

**RECOMMENDATION**

321. Accordingly, Officers recommend that planning permission Ref. WO/2015/0605 be **GRANTED** subject to the following conditions:

Conditions:

**Commencement**

- 1. The development to which this permission relates shall be begun not later than the expiration of 3 years beginning with the date of this permission.

## Approved Documents

- The development hereby permitted shall be carried out in all respects in accordance with the following plans/drawings:

Drawing Ref. 301501-001 Site Layout for barn and associated structures Issue C dated 1 February 2015

Drawing Ref. EN:01 Site Location dated 29 April 2015

## Permitted Development Rights

- Notwithstanding any provision to the contrary under Schedule 2 Part 2 (Class A); Part 4 (Class A); and Part 7 (Class I, J and L); 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 shall be erected or extended on the application site without the prior written approval of the County Planning Authority in respect of the location, design, specification and appearance of the installation, such details to include predicted levels of noise emission and their tonal characteristics; and no gates, fences, walls, other means of enclosure, or hard surface shall be installed, constructed or erected at the application site.

## Hours of Operation

- The development hereby permitted shall only be undertaken between 0800 hours to 1700 hours Monday to Friday and 0800 hours to 1300 hours on Saturdays. The application site shall only be accessed by vehicles and personnel 30 minutes before the permitted operational times and shall be closed in all respects no later than 30 minutes after permitted operational times. No working shall be undertaken on Sundays or bank, public or national holidays. This condition shall not prevent emergency operations but these are to be notified in writing to the County Planning Authority within 3 working days.
- Wood chipping and splitting operations hereby permitted shall only be undertaken during permitted operational hours on Monday to Friday only and then for no more than 12-hours per month. Accurate records of wood chipping and splitting operations undertaken on the application site shall be maintained for up to 12 months at any one time and shall be submitted to the County Planning Authority on 1 March and 1 September each year for the duration of the development hereby permitted.

## Operational Throughput

- No more than 1,000 tonnes of arboricultural waste shall be imported to the application site per annum. No other types of waste materials shall be imported to the application site. Accurate records of the volumes of waste imported to the application site shall be maintained for up to 12 months at any one time and shall be submitted to the County Planning Authority on 1 March and 1 September each year for the duration of the development hereby permitted.

## Noise

- The rating noise arising from any operation, plant or machinery on the site, when assessed using BS4141:2014 shall not exceed a level of 5dB above the prevailing background sound level during any 30 minute period. The prevailing background sound level shall be agreed with the County Planning Authority.
- Details of the mitigation proposed to reduce the noise from the use of the wood chipper, including the concrete structure that will be erected and the operating location of the wood chipper in relation to this structure shall be submitted to the County Planning Authority for approval within 3 months of the date of this permission. The concrete



structure will be built in accordance with the approved details, and the wood chipper will only operate within the approved location or area. No wood chipping shall take place on site until the approved mitigation has been constructed and the building works completed. The approved mitigation scheme shall be maintained for the duration of the development hereby permitted.

### **Surface Water Drainage**

9. Prior to the construction of the building hereby permitted details of a scheme for disposing of surface water by means of a sustainable drainage system shall be submitted to and approved in writing by the County Planning Authority. The drainage scheme should demonstrate the surface water run-off generated up to and including the 1 in 100 plus climate change critical storm will not exceed the run-off from the existing site following the corresponding rainfall event, and that the proposed infiltration system will not be affected by the ingress of groundwater. The scheme shall be implemented in full in accordance with the approved details prior to completion or first occupation of the building whichever is the earlier and thereafter managed and maintained in accordance with the approved details for the duration of the development hereby permitted. The submitted details shall (a) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site through SuDS and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; (b) calculations demonstrating no on site flooding up to the 1 in 30 storm event and any flooding between the 1 in 30 and 1 in 100 plus climate change storm event will be safely stored on site ensuring no overland flow routes; and (c) detailed drainage plans showing where surface water will be accommodated on site.

### **Wood Chip**

10. No composting is to take place on the application site. Wood chip shall not be turned, mixed or treated in any manner whilst on the application site. All wood chip, and residual waste material generated as a result of the development hereby permitted (branches, leaves, twigs etc.) shall be removed from the application site on a monthly basis. Accurate records of the volumes of wood chip produced on the application site on a monthly basis, and wood chip and residual waste removed from the application site on a monthly basis, shall be maintained for up to 12 months at any one time and shall be submitted to the County Planning Authority on 1 March and 1 September each year for the duration of the development hereby permitted.

### **Screen Planting**

11. Notwithstanding the details provided on Drawing Ref. 301501-001 Site Layout for barn and associated structures Issue C dated 1 February 2015, within 3 months of the date of this permission full details of soft landscape works including planting plans; written specifications (stating cultivation and other operations associated with plant establishment); schedules of plants detailing species, plant sizes and proposed densities; and an implementation and annual maintenance programme shall be submitted to the County Planning Authority for approval. The soft landscape works shall be carried out in accordance with the approved details in the first available planting season and thereafter maintained for the duration of the development hereby permitted.

### **Building**

12. Within 3 months of the date of this permission, details (and samples as appropriate) of the colours to be used on the external surfaces of all new structures to be constructed on the application site shall be submitted to the County Planning Authority for approval. The development shall be carried out in accordance with the approved details and there shall be no replacement, or changes to the materials used externally on any structure unless they have been approved in writing in advance by the County Planning Authority.

## Stockpiles

13. No stockpile on the application site shall exceed 3m in height at any time.

## Burning

14. No material shall be burnt on the application site at any time.

## Northern Boundary of Application Site

15. Within 1 month of the date of this permission the extent of the northern boundary of the application site shall be physically delineated by way of 5 evenly-spaced wooden stakes. These stakes are to be fitted with a T-bar at a height of 3m from the natural ground level and shall be maintained for the duration of the development hereby permitted.

## 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 interests of local amenity and the environment, and so as to maintain the openness of the Green Belt in accordance with Policy DC3 and Policy CW6 of the Surrey Waste Plan 2008 respectively.
4. So as to comply with the terms of the application and in the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
5. So as to comply with the terms of the application and in the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
6. So as to comply with the terms of the application and in the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
7. In the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
8. In the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
9. To ensure that the development achieves a high standard of sustainability and to comply with the National Planning Policy Framework, policy DC3 of the Surrey Waste Plan 2008 and policies CS9 and CS16 of the Woking Core Strategy 2012.
10. So as to comply with the terms of the application and in the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
11. So as to comply with the terms of the application and in the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
12. In the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
13. In the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.

14. In the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.
15. So as to comply with the terms of the application and in the interests of the local environment and amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.

**Informatives:**

1. The County Planning Authority confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
2. Any works to be carried out which will affect the flow or storage of water within, or which place or alter a structure/obstruction within an ordinary watercourse will require Ordinary Watercourse Consent. These can include permanent or temporary structures or works. An 'ordinary watercourse' is a watercourse that is not part of a main river and includes rivers, streams, ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the meaning of the Water Industry Act 1991) and passages, through which water flows. Consent within Surrey is issued by the Sustainable Drainage and Consenting Team within Surrey County Council. The team can provide information on the requirements for consent and the application procedure and is contactable by email on [SuDS@surreycc.gov.uk](mailto:SuDS@surreycc.gov.uk). Please note consent cannot be issued retrospectively. Works affecting designated Main River require consent from the Environment Agency.
3. 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.
4. In the interests of local amenity and the environment, before any artificial external lighting is installed at the application site the details and locations of the lighting should be agreed with the County Planning Authority.
5. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or is being built. Planning consent for a development does not provide a defence against prosecution under this Act.
6. 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.

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**Sutton Green Conservation Area**



**The Old Manor House (site of) west of Roman Catholic Church, Sutton Park**



**The Disc barrow on Whitmoor Common**



**Sutton Place**



**Whitmoor House (including cottage to the rear)**



**Granary 15 yards south west of Whitmoor House**



**Sutton Green House**





**Oak House**



**Frog Lane Farmhouse**



**The Old Post Office**



**Bull Lane Cottages**



Elm Nursery : Redwood Tree Services

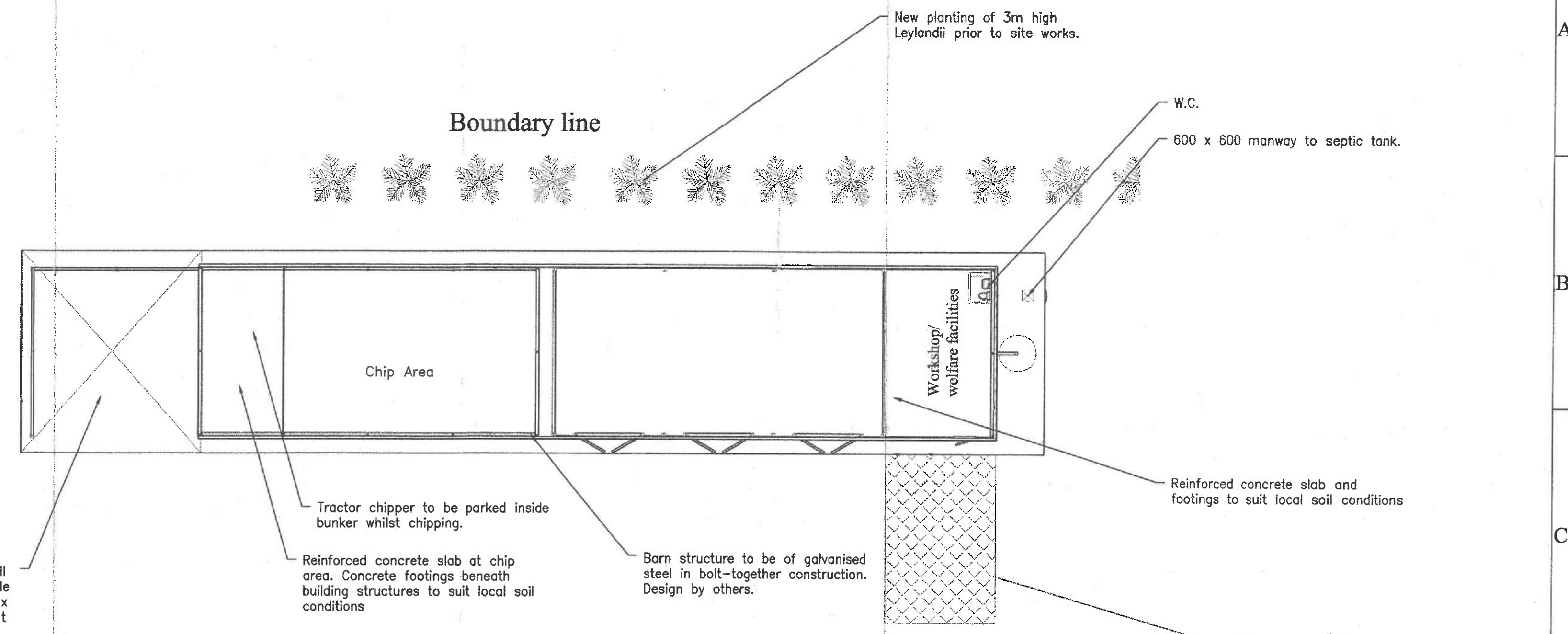
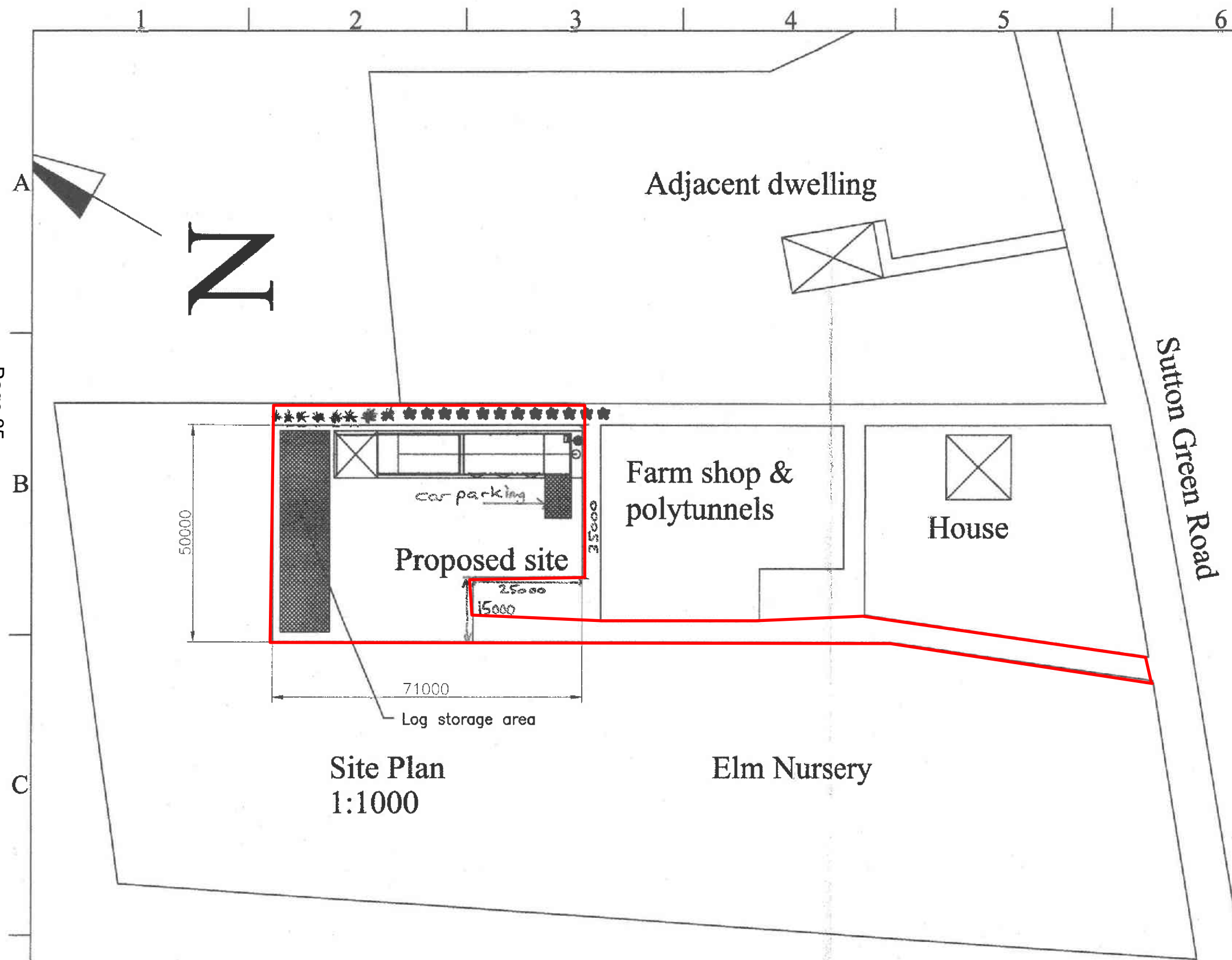


Ordnance Survey © Crown Copyright 2014. All rights reserved.  
 Licence number 100022432. Plotted Scale - 1:1250

Site location

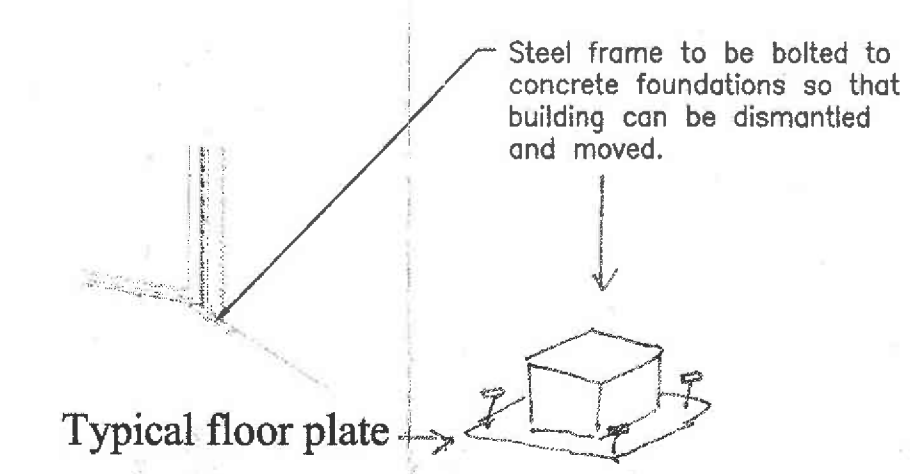
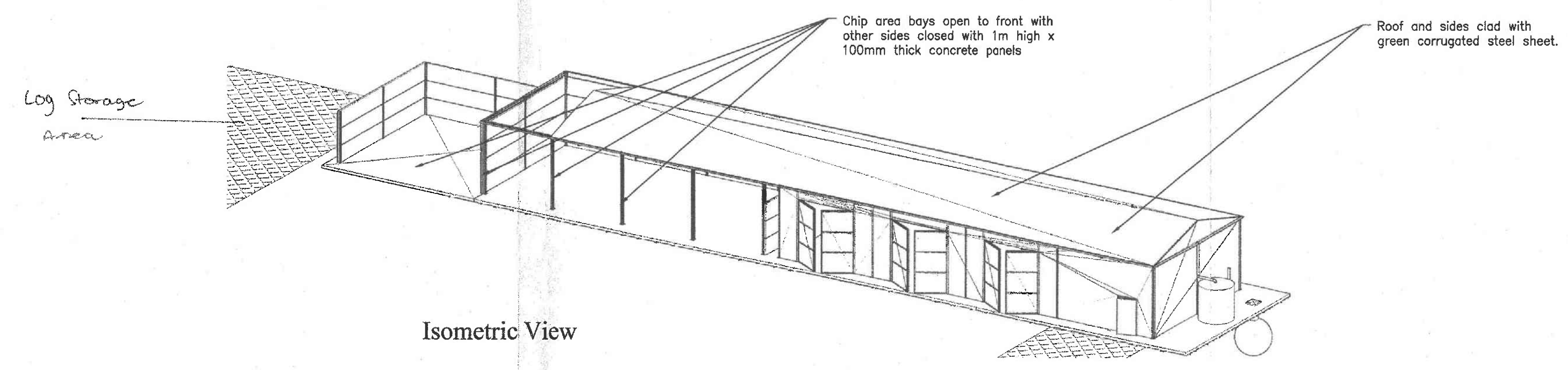
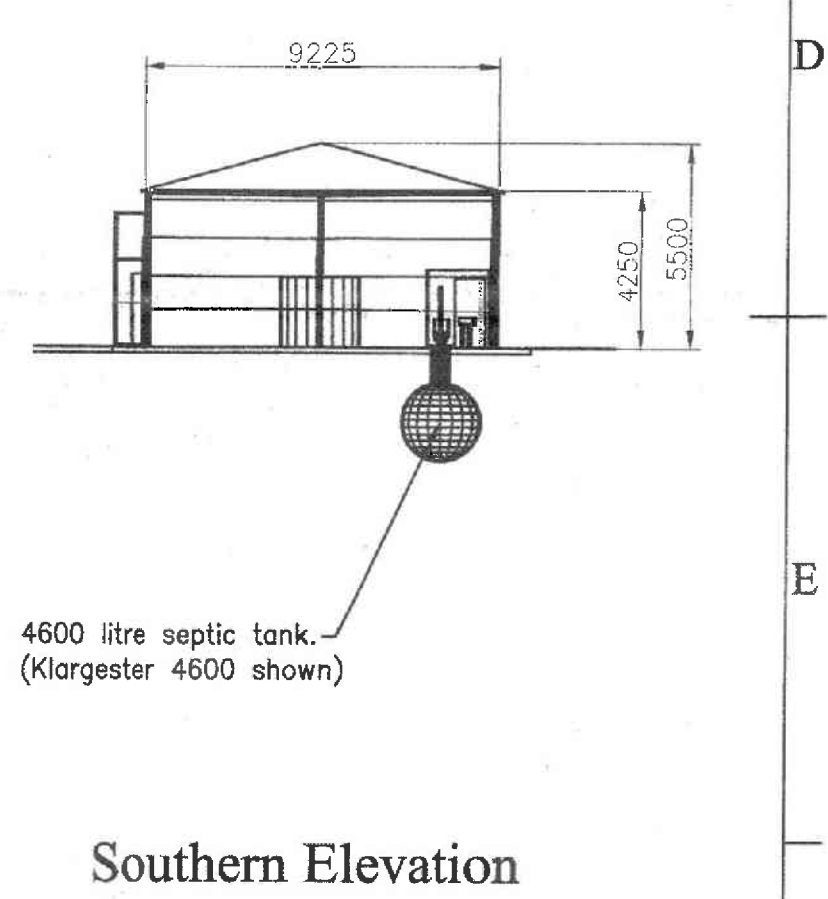
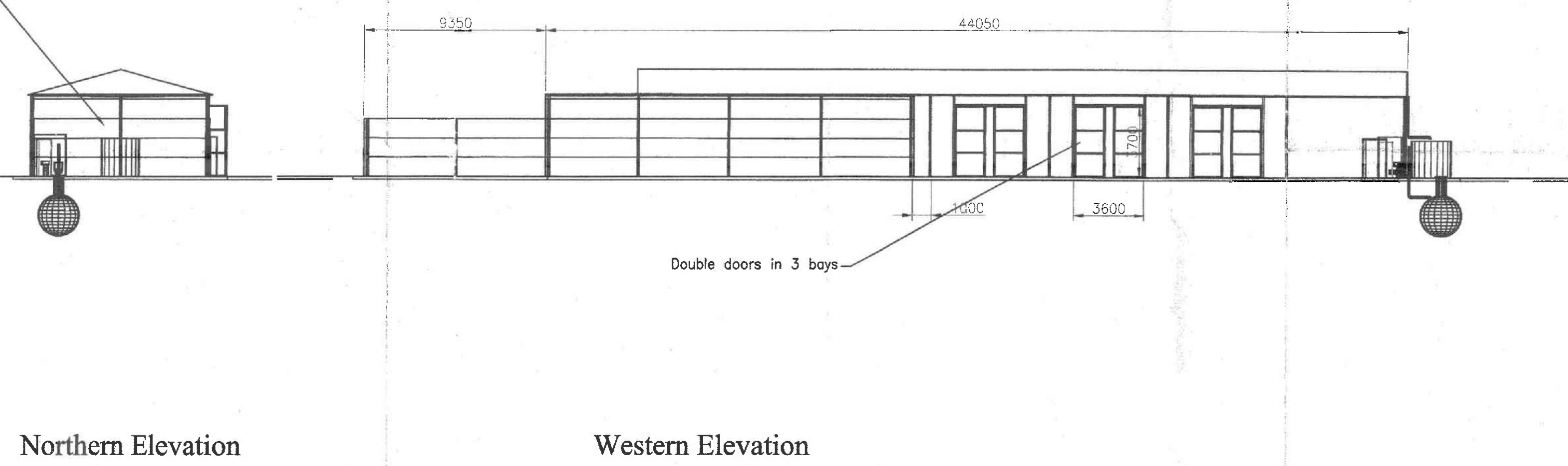
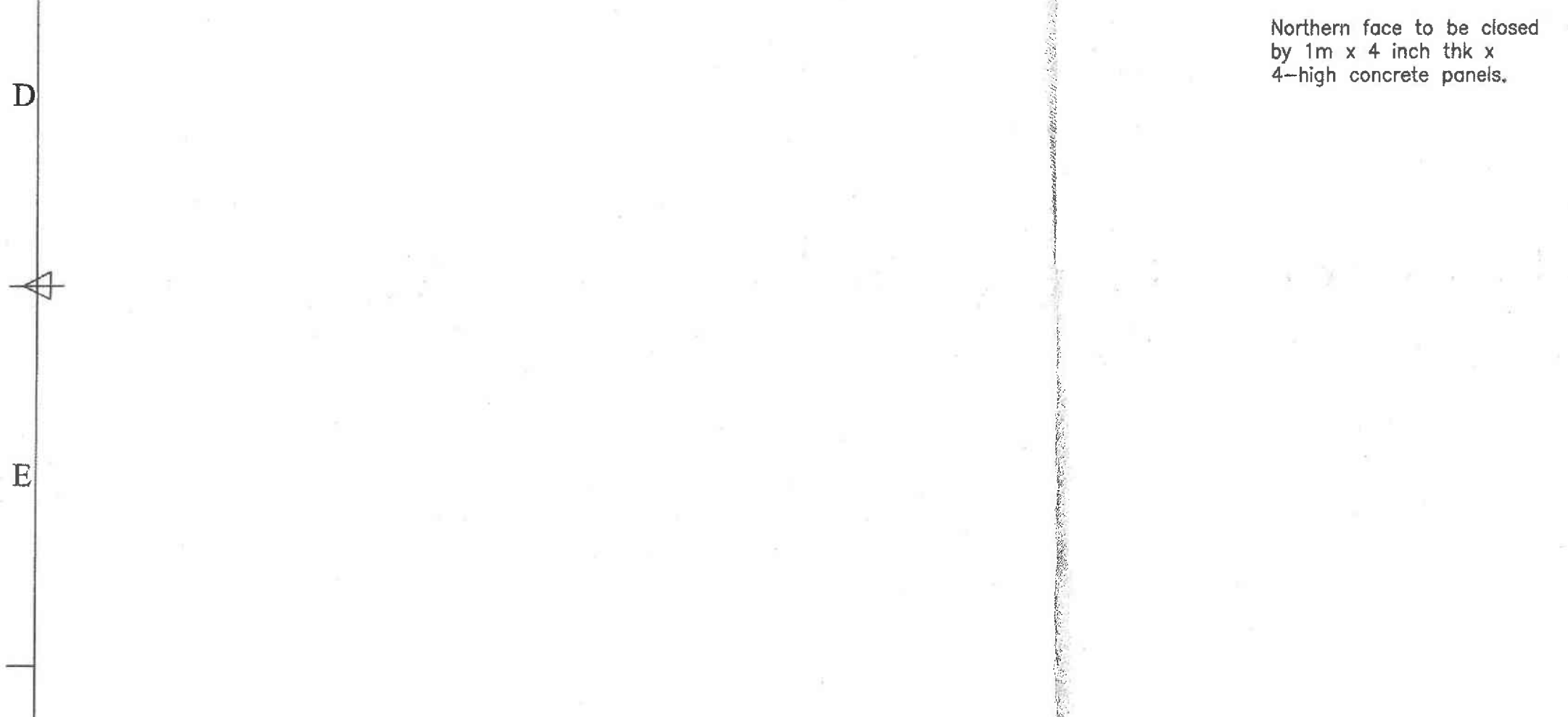
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RevNo	Revision note	Date	Signature	Checked
B	Storage moved, chip area extended, notes amended	28/10/15	TH	
C	Chip area moved, roof reduced, notes amended	19/04/16	TH	



Storage 'pit' on concrete base with 2deg fall to centre. Support structure to be of suitable RSJ & RSC positioned to take 4 inch thick x 1m high concrete panels to an overall height of 3m on 2 sides.

Tractor chipper to be parked inside bunker whilst chipping.  
Reinforced concrete slab at chip area. Concrete footings beneath building structures to suit local soil conditions.  
Barn structure to be of galvanised steel in bolt-together construction. Design by others.



West End Design Services			
Client	Drawn by	Date	Scale
Redwood Tree Services Ltd Elm Nursery Site Sutton Green Road, Guildford	TH	01/02/15	1:200
Site Layout for barn and associated structures.			
301501-001	Issue	Sheet	
	C		

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**TO:** PLANNING & REGULATORY COMMITTEE **DATE:** 3 August 2016  
**BY:** PLANNING DEVELOPMENT TEAM MANAGER  
**DISTRICT(S)** SPELTHORNE BOROUGH COUNCIL **ELECTORAL DIVISION(S):**  
**Laleham & Shepperton**  
**Mr Walsh**  
**Staines South & Ashford West**  
**Ms Turner-Stewart**  
**Ashford**  
**Mrs Coleman**  
**PURPOSE:** FOR DECISION **GRID REF:** 505414 169923

**TITLE:** MINERALS/WASTE SP12/01132/SCD4

## **SUMMARY REPORT**

### **Manor Farm, Ashford Road and land west of Queen Mary Reservoir, Laleham, Surrey**

Details of a scheme to ensure that the causeway does not form a barrier on the flood plain submitted pursuant to Condition 28 of planning permission reference SP2012/01132 dated 23 October 2015.

The Manor Farm and Queen Mary Quarry (QMQ) (land west of Queen Mary Reservoir) site, some 43.9 hectares (ha) in total, is in two parts. It comprises land at Manor Farm (some 33.4 ha), situated to the east of Staines Road (B376) and Worple Road and west of Ashford Road (B377), Laleham; and land at Queen Mary Quarry (QMQ) (including part of the existing lake and existing processing plant site) to the east of Ashford Road and west of Queen Mary Reservoir, Laleham, Staines upon Thames.

Planning permission ref SP2012/01132 was granted subject to planning conditions in October 2015 for the extraction of sand and gravel from land at Manor Farm, construction of a tunnel under the Ashford Road and a causeway across the lake at QMQ for the conveyor belt system, transport of the extracted mineral by conveyor to QMQ for processing in the existing processing plant, erection of a concrete batching plant and an aggregate bagging plant within the QMQ aggregate processing and stockpiling areas, restoration of the land at Manor Farm to landscaped lakes and a nature conservation afteruse. Some conditions require the submission and approval of more details on a range of matters; to date eight submissions have been made.

The land with planning permission at Manor Farm and QMQ is within Flood Zones 2 and 3. A specific flood risk assessment (FRA) was submitted as part of the Environmental Statement for the development. Where necessary mitigation measures were identified, which were incorporated into the planning application proposal and secured by planning conditions.

One of the potential impacts assessed in the FRA was impeding of flood water flow from the River Thames by the presence of the temporary soil bunds at Manor Farm within the floodplain and water flow in the lake from the conveyor causeway. For the bunds mitigation included phasing of the working and siting of the bunds and provision of gaps in the bunds to allow passage of floodwater, and for the causeway across the lake provision of pipes through the causeway. This report deals with a scheme required by Condition 28 detailing the pipes which would be installed through the causeway, maintenance and removal of the causeway at the end of the development to ensure the causeway does not form a barrier to water flow.

Objections have been raised by local residents concerned about increased risk from flooding in the local area and impact on residential properties from the development and need to ensure the

pipes through the causeway are adequate and maintained. Other issues raised concern monitoring and enforcement and drainage of the land at Manor Farm.

The County Geological and Geotechnical Consultant Spelthorne Borough Council both consider the submitted scheme acceptable and raise no objection to the details being approved. Officers consider the submission meets the requirements of the condition and complies with relevant development plan policies such that the details submitted pursuant to Condition 28 should be approved.

The recommendation is to **APPROVE** the submitted details.

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## **APPLICATION DETAILS**

### ***Applicant***

Brett Aggregates Ltd

### ***Date application valid***

5 April 2016

### ***Period for Determination***

31 May 2016

### ***Amending Documents***

Email dated 10 May 2016 with letter dated 27 November 2013 from the Environment Agency to Wardell Armstrong (ref WA/2012/115498/02-L01).

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## **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.

	<b>Is this aspect of the proposal in accordance with the development plan?</b>	<b>Paragraphs in the report where this has been discussed</b>
Flood risk	Yes	28 to 34

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## **ILLUSTRATIVE MATERIAL**

### **Site Plan**

Plan 1- Location Plan

Plan 2 - Extraction phases, site compound, conveyor tunnel and causeway (annotated applicant SP2012/01132 drawing no. EIA9.8 Rev B March 2012)

### **Aerial Photographs**

Aerial 1

Aerial 2

### **Site Photographs**

Figure 1: Land west of the B377 Ashford Road - location of new temporary access and conveyor tunnel.

Figure 2: View of lake at Queen Mary Quarry (route for proposed conveyor causeway).



## BACKGROUND

### Site Description

- 1 The Manor Farm and Queen Mary Quarry (QMQ) (land west of Queen Mary Reservoir) site, some 43.9 hectares (ha) in total, is in two parts. It comprises land at Manor Farm (some 33.4 ha), situated to the east of Staines Road (B376) and Worple Road and west of Ashford Road (B377), Laleham; and land at Queen Mary Quarry (QMQ) (including part of the lake and existing processing plant site) to the east of Ashford Road and west of Queen Mary Reservoir, Laleham, Staines upon Thames.

### Planning History

- 2 Planning permission ref SP2012/01132 was granted subject to 48 planning conditions on 23 October 2015 for:
 

*“Extraction of sand and gravel and restoration to landscaped lakes for nature conservation after-use at Manor Farm, Laleham and provision of a dedicated area on land at Manor Farm adjacent to Buckland School for nature conservation study; processing of the sand and gravel in the existing Queen Mary Quarry (QMQ) processing plant and retention of the processing plant for the duration of operations; erection of a concrete batching plant and an aggregate bagging plant within the existing QMQ aggregate processing and stockpiling areas; installation of a field conveyor for the transportation of mineral and use for the transportation of mineral from Manor Farm to the QMQ processing plant; and construction of a tunnel beneath the Ashford Road to accommodate a conveyor link between Manor Farm and QMQ for the transportation of mineral.”*
- 3 The permission is subject to s106 legal agreement (dated 14 October 2015) relating to long term aftercare management, (including bird management) of the land at Manor Farm and to limit the number of HGV movements in combination with planning permission refs SP07/1273 and SP07/1275 at the QMQ site to no more than 300 HGV movements (150 two way HGV movements) on any working day.
- 4 The majority of the land with planning permission at Manor Farm and parts of the land at QMQ are within a Flood Zone 3, the remainder in flood Zone 2. A site specific flood risk assessment (FRA) which assessed the site and water catchment area and identified the potential flood risk impacts to, and as a result of, the proposed development (during operations and post restoration) was undertaken for the Manor Farm development proposed under application SP2012/01132 and reported in the Environmental Statement (ES) for the development. The potential impacts on groundwater (flows and quality) were also assessed.
- 5 The ES identified that groundwater flows across the QMQ site (within the lake and through adjoining ground) site are generally in a north east to south west direction. The potential impacts could arise from alterations to the hydrogeological regime in the vicinity of the site from the removal of vegetation, soil stripping, excavation of mineral, construction of the conveyor causeway across the QMQ lake, and landform and waterbodies formed on completion of extraction. The assessment identified that as the site would not be dewatered but mineral worked wet, and with restoration to landscape lakes, the potential to impact on groundwater levels and flows is low. The potential impact from the presence of the causeway across the lake on groundwater levels and flow which was assessed and identified there would be minimal impact on levels and no impact on flows and no mitigation was required.

- 6 The FRA assessed the potential for flood risks on and from the proposal which could lead to increased risk elsewhere (off site impacts) and where necessary identified mitigation measures, which were incorporated into the planning application proposal and secured by planning conditions.
- 7 One of the potential impacts assessed in the FRA was impeding of flood water flow from the River Thames and River Ash by the presence of soil bunds within the floodplain and the causeway across the QMQ lake. The general direction of flow of flood water from the River Thames across the application site was identified as being generally from south to north across the application site. For the River Ash the flood flow routes across the QMQ site would be generally from east to west.
- 8 No mitigation was identified as necessary associated with the River Ash flood water. Mitigation within the Manor Farm part of the application site would be provided by the soil storage bunds and overburden storage aligned (generally in a north to south direction) and where necessary the bunds formed with gaps so they would cause minimal disruption to flood flow routes across the land within the application site, or overland surface water flow routes. The bunds would be temporary and either removed or adjusted on completion of each phase of working.
- 9 The causeway across the lake in QMQ would be perpendicular to the River Thames flood flow routes and the presence of the causeway has the potential to impede water flow. As mitigation pipes would be placed through the bund below the existing water level to allow flows in a south to north direction, siting the pipes below the existing water level would allow flood water to return as the flood and water levels recede.
- 10 No objection was raised by the EA on flood risk grounds subject to imposition of planning conditions relating to flood risk (including the requirement to undertake the development in accordance with the FRA and mitigation measures proposed including submission of details for approval of the pipes through the causeway across the lake). The County Geotechnical Consultant was also satisfied on flood risk matters subject to imposition of a planning condition to secure submission and approval of details of the pipes through the causeway to ensure hydraulic connection between the two sections of the lake.
- 11 As well as this application seven other applications, listed below, have been made seeking approval of details pursuant to conditions on a range of matters (some applications deal with more than one planning condition).

Application reference	Proposal
SP12/01132/SCD1	Details of noise barriers for the conveyor switch points submitted pursuant to Conditions 22 and a Bird Hazard Management Plan submitted pursuant to Condition 36 of planning permission ref: SP2012/01132 dated 23 October 2015.
SP12/01132/SCD2	Details of archaeology submitted pursuant to Condition 35 of planning permission ref: SP/2012/01132 dated 23 October 2015.
SP12/01132/SCD3	Details of Dust Action Plan and dust monitoring programme submitted pursuant to Condition 24(a) of planning permission reference SP2012/01132 dated 23 October 2015.
SP12/01132/SCD5	Details of measures to be taken and facilities to be provided to keep the public highway clean and prevent creation of a dangerous surface submitted pursuant to Condition 12(a), a Construction Management Plan submitted pursuant to Condition 15 and an updated bat survey and biodiversity

Application reference	Proposal
	mitigation strategy submitted pursuant to Condition 38 of planning permission reference SP2012/01132 dated 23 October 2015.
SP12/01132/SCD6	Details of the current and proposed design of the Worple Road access; tree and hedgerow removal, protection measures and replanting submitted pursuant to Condition 8(b)(i) of planning permission reference SP/2012/01132 dated 23 October 2015.
SP12/01132/SCD7	Details of a Groundwater Monitoring Plan submitted pursuant to Condition 32 of planning permission ref: SP2012/01132 dated 23/10/2015.
SP12/01132/SCD8	Details of the design of the temporary Ashford Road access submitted pursuant to Condition 8 (a) and vegetation survey and tree and hedgerow protection plan submitted pursuant to Condition 47 of planning permission ref: SP2012/01132 dated 23 October 2015.

## THE PROPOSAL

- 12 Condition 28 and the reason for the condition read as follows:

*Prior to commencement of development a scheme to ensure that the causeway does not form a barrier across the floodplain shall be submitted to and approved in writing by the County Planning Authority. The scheme shall include:*

- a) detailed drawings of the proposed pipes within the causeway,*
- b) calculations demonstrating that the size, location and number of pipes are sufficient to allow flood waters to pass through the causeway unhindered for all flood events up to the 1 in 100 plus climate change flood event,*
- c) measures to ensure that the pipes will be maintained as open within the causeway for the lifetime of the causeway,*
- d) measures for removal of the causeway to at least normal water level at the end of the development.*

*The development shall be carried out in accordance with the approved details.*

*Reason: To reduce the impact of flooding both on and off site, ensuring the satisfactory storage of/disposal of surface water from the site, minimising the risk of pollution of watercourses and groundwater in accordance with: Strategic Policy SP6 of the 'Spelthorne Borough Core Strategy and Policies Development Plan Document' February 2009, and Policy MC14 of the Surrey Minerals Plan 2011.*

- 13 Condition 28 requires details of a scheme to ensure that the causeway to be constructed across the lake in Queen Mary Quarry on which the conveyor belt will run does not form a barrier on the flood plain. Seven 600mm diameter pipes through the causeway are proposed to allow water in the lake to flow through the causeway. The pipes would be located evenly spaced at 10 metre intervals.
- 14 The soffit level of the pipes would be 12.10 metres above ordnance datum (mAOD) (which relates to the normal water level of the lake). The top/crest of the causeway is to be set at an elevation of 13.10mAOD which is below the 1 in 100 year (plus climate change) flood level of 13.54mAOD based on EA flood level data. In extreme flood events water would flow in the pipes and over the crest of the causeway.

- 15 The capacity of the pipes would be 290 litres per second. To limit the accumulation of silt and blockage of the pipes, the pipes would be installed so they have a nominal fall of 1:556 which equates to a self cleaning velocity of 1 metre per second (m/sec). A central manhole chamber/access point would be provided at the mid-point of each pipe to allow for ongoing maintenance throughout the duration they are in place.
- 16 The causeway (down to the levels approved for the restoration scheme for QMQ) and pipes would be removed on completion of the extraction at Manor Farm and removal of the conveyor belt system.

## **CONSULTATIONS AND PUBLICITY**

### ***District Council***

- 17 Spelthorne Borough Council: No objection.

### ***Consultees (Statutory and Non-Statutory)***

- 18 County Geological and Geotechnical Consultant: No objection.
- 19 The Environment Agency: No views received.

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

- 20 Clag2: No views received.
- 21 Laleham Residents' Association: No views received.
- 22 Manor Farm Residents Association: No views received.
- 23 Spelthorne Natural History Society: No views received.

### ***Summary of publicity undertaken and key issues raised by public***

- 24 The application was publicised by the posting of nine site notices and a total of 281 of people who had made comments on the SP2012/01132 planning application were directly notified by letter. To date written representations have been received from 15 members of the public objecting to the application.
- 25 Issues raised relevant to the submission are concerns about existing flood risk in the area and the impact of the floods of 2014, and the need to ensure flood risk to residential properties is not made worse, about the adequacy of the pipes and maintenance so they do not increase flood risk. As well as issues raised about the detail in the submission queries have been raised about soil storage bunds (noise/visual screen bunds), gaps in the soil bunding and drainage of the site and about monitoring and enforcement of the development permitted under SP2012/01132.
- 26 The other points raised object to the development permitted under ref SP2012/01132 and potential impact including in terms of traffic, noise, dust/air quality, flood risk, impact on wildlife and visual impact. These matters were all assessed and considered in the officer report to the 2 September 2015 Planning and Regulatory Committee (Item 7) at which the committee resolved to grant planning permission subject to conditions. None of the other points raised are considered to be relevant to and impact on the County Planning Authority's determination of this application.

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## PLANNING CONSIDERATIONS

### Introduction

- 27 The guidance on the determination of planning applications contained in the Preamble/Agenda front sheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs.
- 28 In this case the statutory development plan for consideration of the application consists of the Surrey Minerals Local Plan 2011 (comprised of the Core Strategy and Primary Aggregates Development Plan Documents (DPD) and Spelthorne Borough council Spelthorne Borough Local Plan 2001 Saved Policies And Proposals as at 28 September 2007 (SBLP 2001); and Spelthorne Borough Core Strategy and Policies Development Plan Document February 2009 (SBCS&P DPD 2009).
- 29 The application has been submitted to comply with the requirements of Condition 28 which was imposed to ensure the causeway and pipes in the causeway enable water to pass so the causeway does not form a barrier to the flood plain. In considering the application the acceptability of the proposal will be assessed against relevant development plan policies and material considerations.

### **Surrey Minerals Plan 2011 Core Strategy and Primary Aggregates Development Plan Documents (DPD) (SMP 2011)**

*SMP 2011 Core Strategy DPD*

Policy MC14 Reducing the adverse impacts of mineral development

### **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 L01 Flooding

- 30 SMP 2011 Core Strategy DPD Policy MC14 states that proposals for mineral working will only be permitted where a need has been demonstrated and sufficient information has been submitted to enable the authority to be satisfied that there would be no significant adverse impacts arising from the development and sets out matters to be addressed in planning applications. Included in the matters is flood risk and effect on the flow and quality of groundwater, surface water and land drainage (of the site and adjoining land). SB Core Strategy and Policies DPD 2009 Strategic Policy SP6 Maintaining and Improving the Environment seeks to maintain and improve the quality of the environment of the borough. Policy LO1 Flooding seeks to reduce flood risk and its adverse effects on people and property in Spelthorne through a range of measures including maintaining flood storage capacity within Flood Zone 3; maintaining the effectiveness of the more frequently flooded area (Zone 3b) of the floodplain to both store water and allow the movement of fast flowing water.
- 31 As outlined in paragraphs 4 to 10 of the planning history section above, without mitigation the causeway across the existing lake at QMQ has the potential to impede the flow of floodwater. No views have been received from the EA. The comments made by the EA on the SP2012/01132 planning application included information on requirements for the pipes which have been incorporated into the submission.
- 32 The submission has been reviewed by the County Geological and Geotechnical Consultant who has advised that the details are acceptable and raises no objection to the details being approved. Although no views have been received from the EA the County Geological and Geotechnical Consultant has confirmed the submission meets

the requirements. Spelthorne Borough Council considers the submitted scheme to be acceptable and has no objection to the details being approved. Officers are therefore satisfied that flood risk is adequately managed and so addresses the concerns raised by residents.

- 33 The aspects of the FRA for the SP2012/01132 development relating to soil storage bunds and site drainage referred to by objectors are not part of this submission. The arrangements for soil storage and gaps between the bunds to allow passage of flood water in the event of flooding from the River Thames form part of the flood mitigation measures for the site incorporated into the development proposals. The land at Manor Farm is in the River Thames flood plain and the gaps in the soil storage bunds are required to allow flood water to flow across the land at Manor Farm in the event of a flood and flow back to the river as the flood water recedes. There is no need for drainage pipes through the soil storage bunds.
- 34 Other issues raised by objectors relating to the submission concern monitoring and enforcement. The site would be monitored as part of the regular monitoring of mineral and waste sites. Failure to comply with the condition and approved details would mean a breach of Condition 28. Should this arise it is a matter that could be investigated and pursued by the Surrey County Council Planning Enforcement Team.

### **HUMAN RIGHTS IMPLICATIONS**

- 35 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.
- 36 The proposal involves the approval of details of a scheme to ensure that the causeway across the lake at QMQ does not form a barrier across the floodplain pursuant to Condition 28 of planning permission ref SP2012/0132 dated 23 October 2015. It is the Officer's view that the matter covered by the submission and implementation does not give rise to any potential impacts and therefore would not engage Article 8 of Article 1 of Protocol 1. As such these details are not considered to interfere with any Convention right.

### **CONCLUSION**

- 37 The scheme submitted by the applicant is acceptable and complies with the relevant development policies as listed above such that the details submitted pursuant to Condition 28 can be approved.

### **RECOMMENDATION**

**The recommendation is that the details of a scheme to ensure that the causeway across the lake at QMQ does not form a barrier across the floodplain pursuant to Condition 28 of planning permission ref: SP/2012/01132 dated 23 October 2015 contained in application ref. SP12/01132/SCD4 be APPROVED.**

### **CONTACT**

Susan Waters

**TEL. NO.**

020 8541 9227

## 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:

### **The Development Plan**

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

[Spelthorne Borough Council Core Strategy and Policies DPD February 2009](#)

### **Other documents**

- The deposited application documents and plans and Environmental Statement including those amending or clarifying the proposal, responses to consultations and representations received on the application included in the application file for application ref SP2012/01132.
  - The officer report and annexes to the 2 September 2015 Planning and Regulatory Committee (Item 7) for application ref SP2012/01132 ([2 September 2015 Planning and Regulatory Committee Agenda](#))
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Site Location



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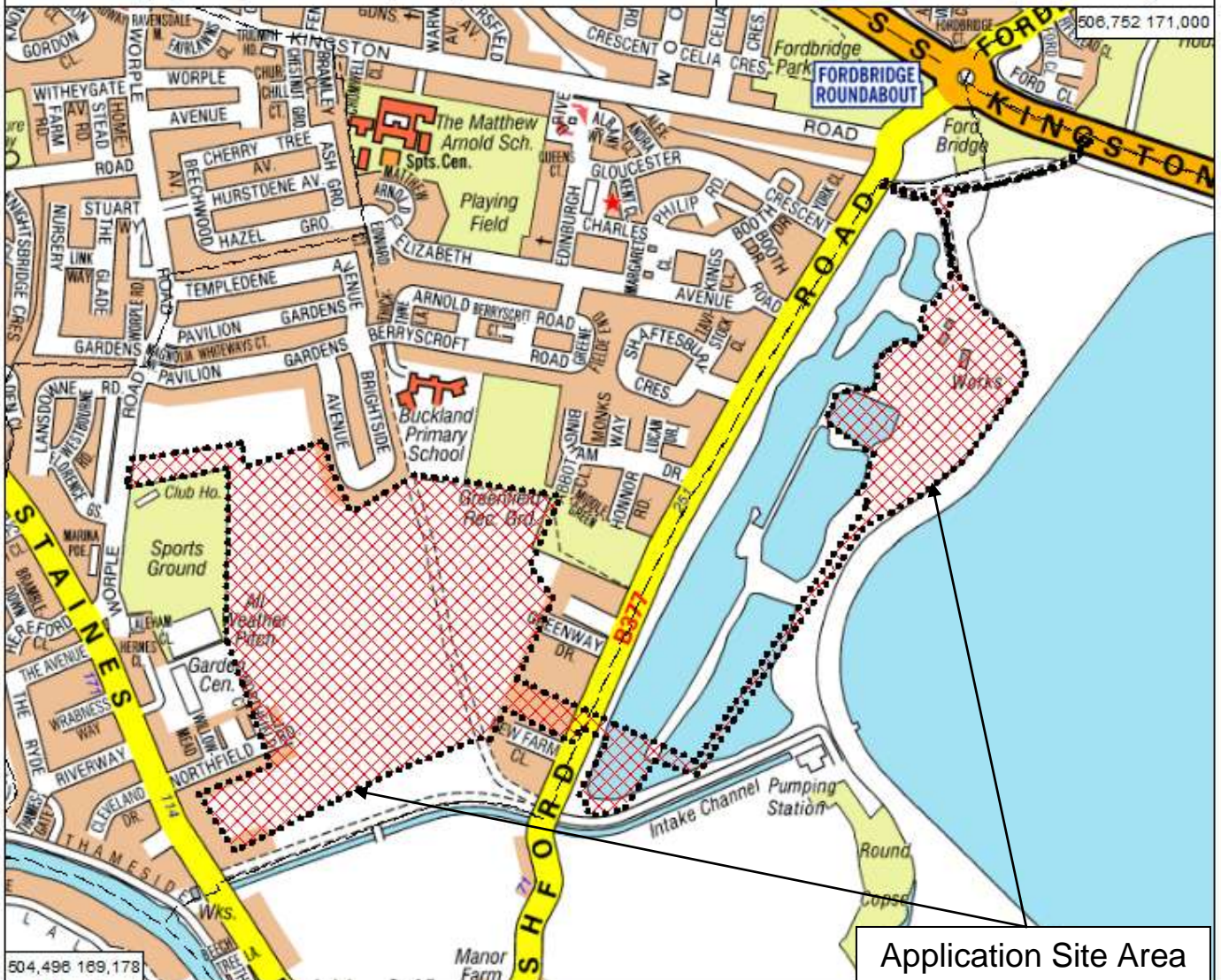
Manor Farm, Ashford Road and land west of Queen Mary Reservoir, Laleham, Surrey

Details of a scheme to ensure that the causeway does not form a barrier on the flood plain submitted pursuant to Condition 28 of planning permission reference SP2012/01132 dated 23 October 2015.

Application No(s): SP12/01132/SCD4

Electoral Division(s): Laleham & Shepperton, 42785

This plan is for indicative purposes only



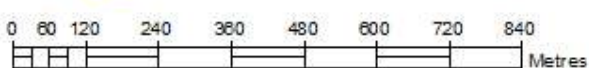
504,498 189,178

Application Site Area



Ref No: SCC REF 2016/0057

Date printed: 20/07/2016



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# 2012-13 Aerial Photos

## Aerial 1 : Manor Farm and Queen Mary Quarry (QMQ)



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# 2012-13 Aerial Photos

## Aerial 2 : Manor Farm and Queen Mary Quarry (QMQ)



Page 100

QMQ Ashford Road Access

A308 QMQ Access

Worple Road access

QMQ Processing Plant Site

Manor Farm

Application Site Area

Conveyor tunnel under Ashford Road

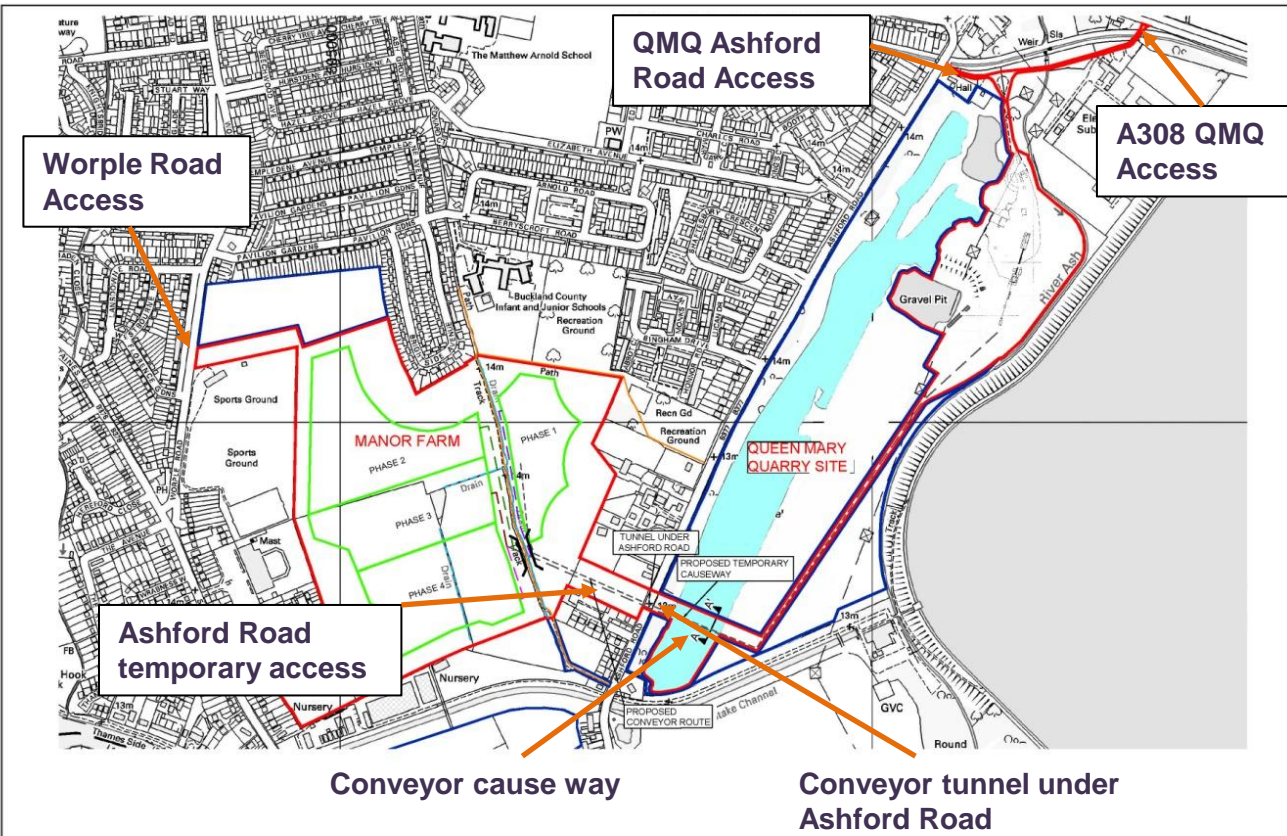
Ashford Road temporary access

Conveyor cause way



Plan 2 : Extraction phases, site compound, conveyor tunnel and causeway  
 (annotated applicant SP2012/01132 drawing no. EIA9.8 Rev B March 2012)

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DO NOT SCALE FROM THIS DRAWING

KEY

- APPLICATION SITE
- OTHER LAND UNDER APPLICANT'S CONTROL
- PUBLIC FOOTPATH
- DRAIN
- PROPOSED CONVEYOR ROUTE
- PHASE 1 CONVEYOR ROUTE
- PHASE 2 CONVEYOR ROUTE
- PHASE 3 CONVEYOR ROUTE
- PHASE 4 CONVEYOR ROUTE
- CONVEYOR TUNNEL BENEATH FP30
- PHASE BOUNDARY

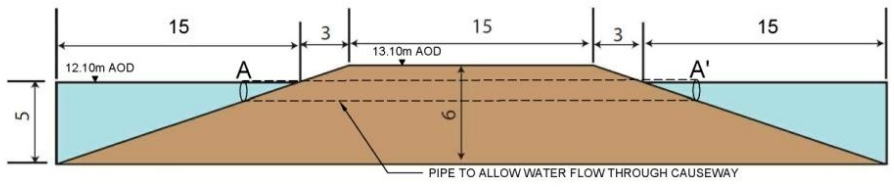
REVISION	DETAILS	DATE	DRAWN	CHECKED	APPROVED
B	Conveyor Routes Added.	23/06/12	JR	RK	SK
A	Issued as Approved	16/03/12	CS	CS	SK

CLIENT  
 Brett Aggregates Limited

PROJECT  
 Proposed Mineral Extraction from Manor Farm, Laleham

DRAWING TITLE  
 Conveyor Route Details

DRG No.	EIA9.8	SCALE	NTS	DATE	MARCH 2012
DRAWN BY	JD	CHECKED BY	CS	APPROVED BY	RK
<input type="checkbox"/> STONE-ON-TRENT (HEAD OFFICE) TEL 0945 111 7777		<input type="checkbox"/> CARDIFF TEL 029 2073 8191		<input type="checkbox"/> LEIGH TEL 01942 280101	
<input type="checkbox"/> NEWCASTLE UPON TYNE TEL 0191 232 0943		<input type="checkbox"/> SHEFFIELD TEL 0114 245 6244		<input type="checkbox"/> EDINBURGH TEL 0131 555 3311	
<input type="checkbox"/> WEST BROMBACH TEL 0121 580 0809		<input type="checkbox"/> LIVERPOOL TEL 020 7287 2872		<input type="checkbox"/> LONDON TEL 020 7287 2872	



CAUSEWAY CROSS SECTION



Figure 1 : Land west of the B377 Ashford Road - location of new temporary access and conveyor tunnel.



Figure 2 : View of lake at Queen Mary Quarry (route for conveyor causeway).



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**TO:** PLANNING & REGULATORY COMMITTEE **DATE:** 3 August 2016  
**BY:** PLANNING DEVELOPMENT TEAM MANAGER  
**DISTRICT(S)** SPELTHORNE BOROUGH COUNCIL **ELECTORAL DIVISION(S):**  
**Laleham & Shepperton**  
**Mr Walsh**  
**Staines South & Ashford West**  
**Ms Turner-Stewart**  
**Ashford**  
**Mrs Coleman**  
**PURPOSE:** FOR DECISION **GRID REF:** 505414 169922

**TITLE:** MINERALS/WASTE SP12/01132/SCD2

## SUMMARY REPORT

### **Manor Farm, Ashford Road and land west of Queen Mary Reservoir, Laleham, Surrey**

Details of archaeology submitted pursuant to Condition 35 of planning permission ref: SP/2012/01132 dated 23 October 2015.

The Manor Farm and Queen Mary Quarry (QMQ) (land west of Queen Mary Reservoir) site, some 43.9 hectares (ha) in total, is in two parts. It comprises land at Manor Farm (some 33.4 ha), situated to the east of Staines Road (B376) and Worple Road and west of Ashford Road (B377), Laleham; and land at Queen Mary Quarry (QMQ) (including part of the existing lake and existing processing plant site) to the east of Ashford Road and west of Queen Mary Reservoir, Laleham, Staines upon Thames.

Planning permission ref SP2012/01132 was granted subject to planning conditions in October 2015 for the extraction of sand and gravel from land at Manor Farm, construction of a tunnel under the Ashford Road and a causeway across the lake at QMQ for the conveyor belt system, transport of the extracted mineral by conveyor to QMQ for processing in the existing processing plant, erection of a concrete batching plant and an aggregate bagging plant within the QMQ aggregate processing and stockpiling areas, restoration of the land at Manor Farm to landscaped lakes and a nature conservation afteruse. Some conditions require the submission and approval of more details on a range of matters; to date eight submissions have been made.

The area in which the application site at Manor Farm and QMQ is situated is rich in archaeological and cultural heritage terms. This report deals with the details of a written scheme of investigation (WSI) for the implementation of a programme of archaeological work submitted to comply with the requirements of Condition 35. The WSI is required to set out how the further archaeological work detailed in the Environmental Statement for the development permitted under ref SP2012/01132 would be carried out.

The programme in the WSI includes for: the phased archaeological strip, map and record investigative fieldwork; post archaeological excavation/fieldwork assessment work and reporting; further post excavation analysis and assessment and final reporting arising out of the field work; and archiving. In determining the application it is necessary to be satisfied that the proposals are acceptable from an archaeological point of view and provide for the necessary programme of archaeological work to mitigate the impact on the archaeological interest and resource in the site.

Objections have been raised by local residents relating to the process for the archaeological investigation (who does the work and funds it), monitoring of the work and quality control, and arrangements for publication and reporting of the findings. All are matters addressed in the WSI.

The County Archaeological Officer and Spelthorne Borough Council both consider the submitted scheme to be acceptable and raise no objection to the details of the WSI being approved. Officers consider the submission meets the required professional standards and is acceptable and complies with the relevant policy in the National Planning Policy Framework (NPPF) and relevant development plan policies, such that the details submitted pursuant to Condition 35 can be approved

The recommendation is to **APPROVE** the submitted details.

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## APPLICATION DETAILS

### ***Applicant***

Brett Aggregates Ltd

### ***Date application valid***

6 April 2016

### ***Period for Determination***

1 June 2016

### ***Amending Documents***

Email dated 2 June 2016 from Agent (Mike Davies, Davies Planning).

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## 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.

	<b>Is this aspect of the proposal in accordance with the development plan?</b>	<b>Paragraphs in the report where this has been discussed</b>
Archaeology	Yes	23-31

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## ILLUSTRATIVE MATERIAL

### **Site Plan**

Plan 1- Location Plan

Plan 2 - Extraction phases, site compound, conveyor tunnel and causeway (annotated applicant SP2012/01132 drawing no. EIA9.8 Rev B March 2012)

### **Aerial Photographs**

Aerial 1

Aerial 2

### **Site Photographs**

None

## BACKGROUND

### *Site Description*

- 1 The Manor Farm and Queen Mary Quarry (QMQ) (land west of Queen Mary Reservoir) site, some 43.9 hectares (ha) in total, is in two parts. It comprises land at Manor Farm (some 33.4 ha), situated to the east of Staines Road (B376) and Worple Road, and west of Ashford Road (B377), Laleham; and land at Queen Mary Quarry (QMQ) (including part of the lake and existing processing plant site) to the east of Ashford Road and west of Queen Mary Reservoir, Laleham, Staines upon Thames.

### *Planning History*

- 2 Planning permission ref SP2012/01132 was granted subject to 48 planning conditions on 23 October 2015 for:

*“Extraction of sand and gravel and restoration to landscaped lakes for nature conservation after-use at Manor Farm, Laleham and provision of a dedicated area on land at Manor Farm adjacent to Buckland School for nature conservation study; processing of the sand and gravel in the existing Queen Mary Quarry (QMQ) processing plant and retention of the processing plant for the duration of operations; erection of a concrete batching plant and an aggregate bagging plant within the existing QMQ aggregate processing and stockpiling areas; installation of a field conveyor for the transportation of mineral and use for the transportation of mineral from Manor Farm to the QMQ processing plant; and construction of a tunnel beneath the Ashford Road to accommodate a conveyor link between Manor Farm and QMQ for the transportation of mineral.”*

- 3 The permission is subject to s106 legal agreement (dated 14 October 2015) relating to long term aftercare management, (including bird management) of the land at Manor Farm and to limit the number of HGV movements in combination with planning permission refs SP07/1273 and SP07/1275 at the QMQ site to no more than 300 HGV movements (150 two way HGV movements) on any working day.
- 4 The Environmental Statement (ES) for the SP2012/01132 development assessed the potential impact of the proposed development on archaeology and cultural heritage interests at the site and surrounding area. The assessment established that there was a moderate to high potential for the land within the Manor Farm part of the site to contain archaeological remains and further investigative field work identified a high density of archaeological features and deposits, evidence for settlement activity, dating from the early Neolithic and Middle Bronze Age onwards. (The land within the QMQ part of the application site was not included in the further investigative field work as the land had been previously disturbed by mineral working and processing activity, so destroyed in archaeological terms and excluded from the need for further assessment.)
- 5 The ES concluded the proposed extraction had the potential to impact on buried archaeological remains and required mitigation which would need to be agreed with the Surrey County Council Archaeological Officer. The County Archaeological Officer concluded a programme of archaeological work, secured by planning condition, would be appropriate mitigation. This should comprise a strip, map and sample exercise (encompassing an archaeologically controlled strip with contingent excavation and recording of any assets present) which would preserve by record and advance the understanding of the significance of any heritage asset that would be lost as a result of the development. This led to imposition of condition 35.

- 6 As well as this application seven other applications, listed below, have been made seeking approval of details pursuant to conditions on a range of matters (some applications deal with more than one planning condition).

Application reference	Proposal
SP12/01132/SCD1	Details of noise barriers for the conveyor switch points submitted pursuant to Conditions 22 and a Bird Hazard Management Plan submitted pursuant to Condition 36 of planning permission ref: SP2012/01132 dated 23 October 2015.
SP12/01132/SCD3	Details of Dust Action Plan and dust monitoring programme submitted pursuant to Condition 24(a) of planning permission reference SP2012/01132 dated 23 October 2015.
SP12/01132/SCD4	Details of a scheme to ensure that the causeway does not form a barrier on the flood plain submitted pursuant to Condition 28 of planning permission reference SP2012/01132 dated 23 October 2015.
SP12/01132/SCD5	Details of measures to be taken and facilities to be provided to keep the public highway clean and prevent creation of a dangerous surface submitted pursuant to Condition 12(a), a Construction Management Plan submitted pursuant to Condition 15 and an updated bat survey and biodiversity mitigation strategy submitted pursuant to Condition 38 of planning permission reference SP2012/01132 dated 23 October 2015.
SP12/01132/SCD6	Details of the current and proposed design of the Worple Road access; tree and hedgerow removal, protection measures and replanting submitted pursuant to Condition 8(b)(i) of planning permission reference SP/2012/01132 dated 23 October 2015.
SP12/01132/SCD7	Details of a Groundwater Monitoring Plan submitted pursuant to Condition 32 of planning permission ref: SP2012/01132 dated 23/10/2015.
SP12/01132/SCD8	Details of the design of the temporary Ashford Road access submitted pursuant to Condition 8 (a) and vegetation survey and tree and hedgerow protection plan submitted pursuant to Condition 47 of planning permission ref: SP2012/01132 dated 23 October 2015.

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## THE PROPOSAL

- 7 Condition 35 of the SP2012/01132 planning permission and the reason for the condition read as follows:

*No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the County Planning Authority.*

*Reason: To afford the County Planning Authority a reasonable opportunity to examine any remains of archaeological interest which are unearthed and decide upon a course of action required for the preservation or recording of such remains in accordance with the Policy MC14 of the Surrey Minerals Plan 2011.*

- 8 The submitted Written Scheme of Investigation (WSI) produced by the applicant's archaeological contractor, AOC Archaeology Group, sets out the methodology for an archaeological strip, map and record (and post archaeological excavation assessment work) investigation of the land with planning permission at Manor Farm. The scope of the works for the WSI had been agreed with the County Archaeological Officer. The investigation would be carried out on all areas to be excavated and other land which would experience disturbance as part of the development. This would include areas for construction of soil bunds stockpiling, site entrances and access roads, the conveyor route etc which have the potential to impact on archaeological assets.
- 9 The submission states that the work will conform to current best archaeological practice and local and national standards and guidelines. The archaeological investigation would be undertaken by a team of professional archaeologists and the site works monitored by a member of the Surrey County Council Heritage Conservation Team. Any significant variations to the methodology proposed in the WSI will be discussed and agreed in advance with the County Archaeological Officer. Implementation of the archaeological programme of works would be paid for by the applicant, Brett Aggregates Limited.
- 10 The WSI details how the phased fieldwork investigation of the site would be undertaken recorded and reported on. On completion of field work and assessment of each phase interim reports will be provided, and within six months of the completion of all the field work on site the results will be presented in a post excavation assessment report.
- 11 The post excavation assessment report will contain an updated post excavation project design for work to be carried out in the analysis stage arising out of the field work and post excavation assessment defining the objectives of the analysis phase, strategies and resources necessary to achieve them. Included will be a detailed methodology, format and timescale for a full report on the work, to be agreed with the applicant and Surrey County Council Heritage Conservation Team Archaeological Officer and made available for publication in a publicly available journal within two years of the completion of any fieldwork. This latter requirement relating to the full report and publication was an amendment to the submitted scheme added at the request of the County Archaeological Officer.
- 12 The final section of the WSI outlines how the site archive which will comprise all excavated material (artefacts, environmental samples) and written and drawn records will be consolidated, collated and ordered so they can be archived as a permanent record. Arrangements for depositing the archive in a local museum will be discussed with the landowner/developer and the museum. If the archive is deposited in a local receiving museum it will be deposited within one year of the completion of the fieldwork (if no further work is required) after which would become publically available.

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## **CONSULTATIONS AND PUBLICITY**

### ***District Council***

- 13 Spelthorne Borough Council: No objection.

### ***Consultees (Statutory and Non-Statutory)***

- 14 County Archaeological Officer: No objection.

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

- 15 Clag2: No views received.

- 16 Laleham Residents' Association: No views received.
- 17 Manor Farm Residents Association: No views received.
- 18 Spelthorne Natural History Society: No views received.

### **Summary of publicity undertaken and key issues raised by public**

- 19 The application was publicised by the posting of nine site notices and a total of 281 of people who had made comments on the SP2012/01132 planning application were directly notified by letter. To date written representations have been received from 15 members of the public objecting to the application.
- 20 Issues raised relevant to the submission are queries about the process for archaeological investigation, who will undertake and fund the investigation, the monitoring and quality control over the work and arrangements for publication and reporting of the findings.
- 21 None of the other points raised are considered to be relevant to and impact on the County Planning Authority's determination of this application. The other points raised object to the development permitted under ref SP2012/01132 and potential impact including in terms of traffic, noise, dust/air quality, flood risk, impact on wildlife and visual impact. These were all assessed and considered in the officer report to the 2 September 2015 Planning and Regulatory Committee (Item 7) at which the committee resolved to grant planning permission subject to conditions.

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## **PLANNING CONSIDERATIONS**

- 22 The guidance on the determination of planning applications contained in the Preamble/Agenda front sheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs.
- 23 In this case the statutory development plan for consideration of the application consists of the Surrey Minerals Local Plan 2011 (comprised of the Core Strategy and Primary Aggregates Development Plan Documents (DPD) and Spelthorne Borough council Spelthorne Borough Local Plan 2001 Saved Policies And Proposals as at 28 September 2007 (SBLP 2001); and Spelthorne Borough Core Strategy and Policies Development Plan Document February 2009 (SBCS&P DPD 2009).
- 24 The application has been submitted to comply with the requirements of Condition 35 which was imposed to meet the requirements of the County Archaeological Officer to ensure that a Written Scheme of Investigation was submitted setting out how the further archaeological work detailed in the Environmental Statement would be carried out. In considering the application the acceptability of the proposal will be assessed against relevant development plan policies and material considerations.

## **ARCHAEOLOGY**

### **Surrey Minerals Plan 2011 Core Strategy and Primary Aggregates Development Plan Documents (DPD) (SMP 2011)**

*SMP 2011 Core Strategy DPD*

Policy MC14 Reducing the adverse impacts of mineral development

*SMP 2011 Primary Aggregates DPD*

Policy MA2 Preferred areas for concreting supply (Preferred area J: Land at Manor Farm)

### **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

### **Spelthorne Borough Local Plan 2001 (saved policies) (SBLP 2011)**

Policy BE 24 Archaeology, Ancient Monuments and Historic Landscapes

- 25 The area in which the application site at Manor Farm and QMQ is situated is rich in archaeological and cultural heritage terms. In determining the application it is necessary to be satisfied that the proposals are acceptable from an archaeological point of view and provide for the necessary programme of archaeological work to mitigate the impact on the archaeological interest and resource in the site.
- 26 One of the core land-use planning principles in the National Planning Policy Framework (NPPF) to underpin planning decisions is to “*conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations*”. National policy on conserving and enhancing the historic environment, including archaeology is set out set out within part 12 (paragraphs 126 to 141) of the NPPF<sup>1</sup>, including information and assessment requirements, and matters local planning authorities should take account of in determining planning applications, with further guidance provided in the National Planning Policy Guidance (nPPG).
- 27 Surrey Minerals Plan 2011 Policy MC14 requires the impacts in relation to the historic landscape, sites or structure of architectural and historic interest and their settings, and sites of existing or potential archaeological interest or their settings to be considered. The policy requires sufficient information and assessment to be submitted on the loss or damage to archaeological resources such that appropriate mitigation measures can be identified so as to minimise or avoid any material adverse impact and compensate for loss. Key development requirements for the Manor Farm preferred area<sup>2</sup> require proposals to demonstrate no unacceptable impacts on the character and setting of Laleham Conservation Area and prior archaeological assessment and evaluation as the site is within an area of high archaeological potential.
- 28 Spelthorne Borough Core Strategy and Policies Development Plan Document February 2009 Strategic Policy SP6 Maintaining and Improving the Environment seeks to preserve and protect the borough’s cultural heritage and architectural and historic heritage including historic buildings and Conservation Areas. Spelthorne Borough Council Local Plan 2001 Policy BE25 states that for development proposals in areas of high archaeological potential a field evaluation should be carried out where an initial assessment has shown that important archaeological remains may exist, and that conditions should be imposed to ensure that damage to any remains is minimal or avoided.
- 29 The County Archaeological Officer has reviewed the submitted WSI, as amended (see paragraph 12 above) and considers the WSI meets the required professional standards and is acceptable. The County Archaeological Officer has also commented that the work detailed in the WSI forms the first stage of the required archaeological programme.
- 30 As such, the condition will need to be maintained and will not be finally discharged until all the fieldwork has been completed and a satisfactory final report on its results has been submitted and approved, or (should significant/ complex archaeological deposits have been revealed) when a satisfactory post-excavation assessment detailing the post-fieldwork analyses needed to arrive at a final publishable report have been agreed and adequately resourced by the applicant. Spelthorne Borough Council considers the submitted scheme to be acceptable and raise no objection to the details being approved.

<sup>1</sup> [Part 12 NPPF \(paragraphs 126 to 141\)](#)

<sup>2</sup> SMP 2011 Primary Aggregates DPD Policy MA2 Preferred areas for concreting supply ([Preferred Area J - Manor Farm](#))

- 31 Issues raised by objectors relating to monitoring of the work and reporting arrangements (see paragraph 20 above) are provided for in the submission. The work specified is the responsibility of the operator to commission and undertake. Site works would be monitored by a member of the Surrey County Council Heritage Conservation Team. Officers are satisfied that the proposals deal adequately with the objectors concerns about quality, publication and reporting of findings. Failure to comply with the condition and implement the approved WSI and archaeological programme of work would mean a breach of Condition 35. Should this arise it is a matter that could be investigated and pursued by the Surrey County Council Planning Enforcement Team.

## HUMAN RIGHTS IMPLICATIONS

- 32 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.
- 33 The proposal involves the approval of details of a WSI pursuant to Condition 35 of planning permission ref: SP2012/01132 dated 23 October 2015. It is the Officer's view that the matter covered by the submission and implementation of the archaeological programme of works will not give rise to any potential impacts and therefore would not engage Article 8 or Article 1 of Protocol 1. As such, these details are not considered to interfere with any Convention right.

## CONCLUSION

- 34 The applicant has submitted a WSI which is acceptable and complies with the relevant policy in the NPPF and relevant development plan policies as listed above such that the details submitted pursuant to Condition 35 can be approved.

## RECOMMENDATION

The recommendation is that the details of archaeology pursuant to Condition 35 of planning permission ref: SP/2012/01132 dated 23 October 2015 contained in application ref. SP12/01132/SCD2 **be APPROVED.**

## CONTACT

Susan Waters  
**TEL. NO.**  
 020 8541 9227

## 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](#)

[Planning Practice Guidance](#)

### The Development Plan

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

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

[Spelthorne Borough Council Core Strategy and Policies DPD February 2009](#)

### Other documents

- The deposited application documents and plans and Environmental Statement including those amending or clarifying the proposal, responses to consultations and representations received on the application included in the application file for application ref SP2012/01132.



- The officer report and annexes to the 2 September 2015 Planning and Regulatory Committee (Item 7) for application ref SP2012/01132 ([2 September 2015 Planning and Regulatory Committee Agenda](#))

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Site Location



Manor Farm, Ashford Road and land west of Queen Mary Reservoir, Laleham, Surrey

Details of archaeology submitted pursuant to Condition 35 of planning permission ref: SP/2012/01132 dated 23 October 2015.

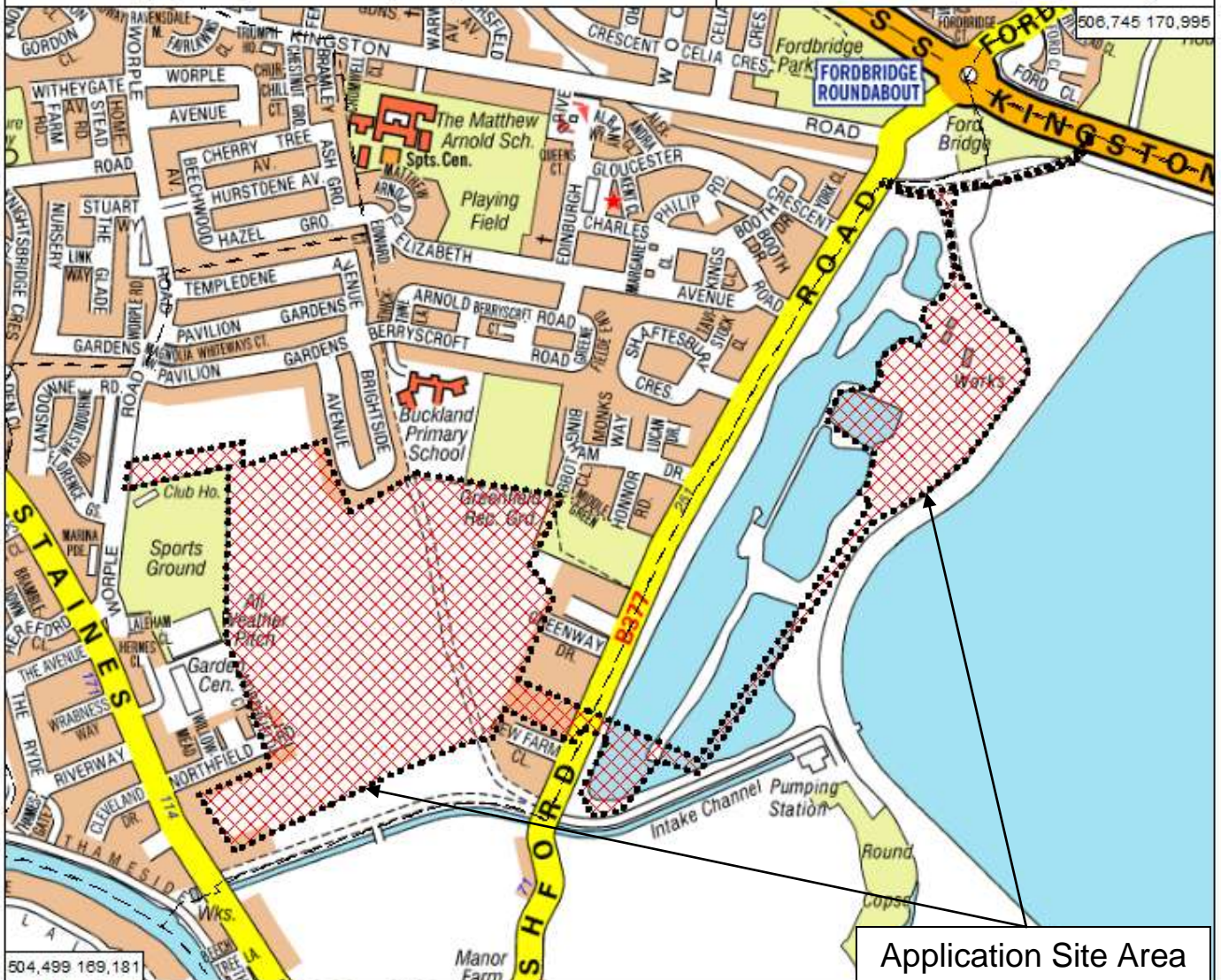
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Electoral Division(s): Laleham & Shepperton, 42785

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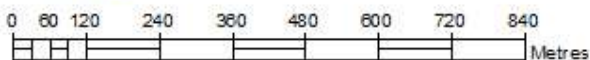


Application Site Area

504,499 189,181

Ref No: SCC REF 2016/0060

Date printed: 20/07/2016



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