

**PLANNING AND REGULATORY COMMITTEE
NOTICE OF SPECIAL MEETING**

Date: Friday, 13 March 2015
Time 11.00 am
Place: Ashcombe Suite, County Hall, Kingston upon Thames, Surrey KT1 2DN

Contact: Cheryl Hardman or Rianna Hanford, Room 122, County Hall
Telephone: 020 8541 9075, 020 8213 2662
Email: cherylh@surreycc.gov.uk, rianna.hanford@surreycc.gov.uk

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

APPOINTED MEMBERS [12]

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

EX OFFICIO MEMBERS (NON-VOTING) [4]

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

APPOINTED SUBSTITUTES [19]

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

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AGENDA

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

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

2 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.

3 MINERALS/WASTE REF SP13/01553/DC4: CHARLTON LANE ECO PARK, CHARLTON LANE, SHEPPERTON, SURREY, TW17 8QA (Pages 1 - 28)

This application will consider the details of mature tree planting incorporated into an enhanced Landscape and Ecology Management Plan; and details of works (to include low level fencing and reed bed protection) to provide for the separation of the infiltration basin shown also therein, submitted pursuant to Conditions 42 and 39 respectively of planning permission SP13/01553/SCC dated 25 September 2014.

4 MINERALS/WASTE SP13/01553/DC1: CHARLTON LANE ECO PARK, CHARLTON LANE, SHEPPERTON, SURREY, TW17 8QA. (Pages 29 - 56)

This application will consider details of a Construction Environment Management Plan (CEMP), submitted pursuant to Condition 9 of planning permission SP13/01553/SCC dated 25 September 2014.

5 MINERALS/WASTE SP13/01553/DC3: CHARLTON LANE ECO PARK, CHARLTON LANE, SHEPPERTON, SURREY, TW17 8QA (Pages 57 - 74)

This application will consider details of a Dust and Odour Management Plan, submitted pursuant to Condition 36 of planning permission SP13/01553/SCC dated 25 September 2014.

6 MINERALS/WASTE REF SP13/01553/DC2: CHARLTON LANE (Pages 75 - 88)
ECO PARK, CHARLTON LANE, SHEPPERTON, SURREY, TW17
8QA

This application will consider details of a scheme for the implementation, maintenance and management of a sustainable water drainage system, submitted pursuant to Condition 21 of planning permission SP13/01553/SCC dated 25 September 2014.

7 DATE OF NEXT MEETING

The next ordinary meeting of the Planning & Regulatory Committee will be on 25 March 2015.

David McNulty
Chief Executive
Tuesday, 3 March 2015

MOBILE TECHNOLOGY AND FILMING – ACCEPTABLE USE

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

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

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

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

Thank you for your co-operation

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

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

If you have any queries regarding this, please contact the representative of Legal and

NOTES:

1. The Chairman will adjourn the meeting for lunch from 12.45pm unless satisfied that the Committee's business can be completed by 1.15pm.
2. Members are requested to let the Regulatory Committee Manager have the wording of any motions and amendments not later than one hour before the start of the meeting.
3. Substitutions must be notified to the Regulatory Committee Manager by the absent Member or group representative at least half an hour in advance of the meeting.
4. Planning officers will introduce their report and be able to provide information or advice to Members during the meeting. They can also be contacted before the meeting if you require information or advice on any matter.
5. A record of any items handled under delegated powers since the last meeting of the Committee will be available for inspection at the meeting.
6. Members of the public can speak at the Committee meeting on any planning application that is being reported to the Committee for decision, provided they have made written representations on the application at least 14 days in advance of the meeting, and provided they have registered their wish to do so with the Regulatory Committee Manager in advance of the meeting. The number of public speakers is restricted to five objectors and five supporters in respect of each application.
7. Petitions from members of the public may be presented to the Committee provided that they contain 100 or more signatures and relate to a matter within the Committee's terms of reference. The presentation of petitions on the following matters is not allowed: (a) matters which are "confidential" or "exempt" under the Local Government Access to Information Act 1985; and (b) planning applications. Notice must be given in writing at least 14 days before the meeting. Please contact the Regulatory Committee Manager for further advice.
8. Notice of public questions must be given in writing at least 7 days before the meeting. Members of the public may ask one question relating to a matter within the Committee's terms of reference. Questions on "confidential" or "exempt" matters and planning applications are not allowed. Questions should relate to general policy and not detail. Please contact the Regulatory Committee Manager for further advice.
9. On 10 December 2013, the Council agreed amendments to the Scheme of Delegation so that:
 - All details pursuant (applications relating to a previously granted permission) and non-material amendments (minor issues that do not change the principles of an existing permission) will be delegated to officers (irrespective of the number of objections).
 - Any full application with fewer than 5 objections, which is in accordance with the development plan and national policies will be delegated to officers.
 - Any full application with fewer than 5 objections that is not in accordance with the development plan (i.e. waste development in Green Belt) and national policies will be delegated to officers in liaison with either the Chairman or Vice Chairman of the Planning & Regulatory Committee.
 - Any application can come before committee if requested by the local member or a member of the Planning & Regulatory Committee.

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

HUMAN RIGHTS ACT 1998 – GUIDANCE FOR INTERPRETATION

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

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

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

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

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

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

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

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

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

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TO: PLANNING & REGULATORY COMMITTEE

DATE: 13 March 2015

BY: PLANNING DEVELOPMENT TEAM MANAGER

DISTRICT(S) SPELTHORNE BOROUGH COUNCIL

ELECTORAL DIVISION(S):
Lower Sunbury & Halliford
Mr Evans

PURPOSE: FOR DECISION

GRID REF: 508585 168572

TITLE: MINERALS/WASTE REF SP13/01553/DC4

SUMMARY REPORT

Charlton Lane Waste Management Facility, Shepperton, Surrey, TW17 8QA

Details of mature tree planting incorporated into an enhanced Landscape and Ecology Management Plan; and details of works (to include low level fencing and reed bed protection) to provide for the separation of the infiltration basin shown also therein, submitted pursuant to Conditions 42 and 39 respectively of planning permission SP13/01553/SCC dated 25 September 2014.

Officers consider that the enhanced Landscape and Ecology Management Plan would protect and enhance visual amenity in the locality and minimise impact on the openness of the remaining restored landfill. Officers also consider that the details of fencing would adequately separate users of the footpath from the infiltration basin in order to protect users of the footpath, to afford reed bed protection.

Officers have taken into account all individual representations received but are satisfied that the details submitted pursuant to Conditions 42 and 39 of planning permission reference: SP13/01553/SCC dated 25 September 2014 are adequate and that the applications comply with the National Planning Policy Framework; Surrey Waste Plan 2008 Policy DC3 and the Key Development Criteria for Charlton Lane; and Spelthorne Borough Core Strategy and Policies DPD 2009 Policy SP6, Policy EN1, Policy EN8. The details submitted pursuant to Conditions 42 and 39 of planning permission SP13/01553/SCC can therefore be approved.

The recommendation is to APPROVE the details of an enhanced Landscape and Ecology Management Plan (as shown in Figure 1: Landscape and Ecology Management Plan, Revision D dated December 2014 and Figure 4: Screening Planting to Eastern Boundary, dated December 2014), and details of low level fencing and reed bed protection contained in letter dated 22 December 2014, agent reference: 1324-01/ARB (as shown in Drawing Title: Fencing Proposals, Drawing Number 1353-01-SK009), submitted pursuant to conditions 42 and 39 of planning permission reference: SP13/01553/SCC dated 25 September 2014, contained in application reference: SP13/01553/DC4, subject to a condition.

APPLICATION DETAILS

Applicant

SITA Surrey Ltd

Date application valid

13 January 2015

Period for Determination

14 April 2015

Amending Documents

None submitted

BACKGROUND

Site Description

1. The Charlton Lane Waste Transfer Station, Civic Amenity (CA) and Materials Recovery Site (Community Recycling Centre and Transfer Site) is approximately 5.22 hectares in size and lies within the Metropolitan Green Belt. Charlton village is approximately 400m to the northwest, with Upper Halliford approximately 500m to the southeast. The site is bounded by the M3 motorway to the northwest and Charlton Lane to the south, with a golf course (former landfill site) directly beyond this. Land to the north and east of the site has been worked for minerals, restored by infilling with waste and is now used for grazing. Beyond the fields to the east runs the Shepperton to London Waterloo railway line with housing beyond. All other residential properties are some distance away from the site, apart from Ivydene Cottage, which lies immediately south.
2. Access to the site is gained off Charlton Lane to the south. The site is enclosed by fencing and is bounded by mature planting on its eastern, southern and northern boundaries. Waste activities have been taking place at the site since the late 1940's, with waste transfer and Civic Amenity facilities commencing in 1967.

Planning History

3. In 1992, planning permission (ref: SP92/0118) was granted to demolish former incinerator buildings and construct a 3,575m² covered transfer hall. Demolition was carried out, plus improvements to the site entrance, though the transfer hall was never built.
4. In 1996, planning permission (ref: SP96/0242) was granted for erection of a 2,895m² building to house waste transfer plus some civic amenity operations that were previously done uncovered over the whole site (opened in September 1997). Condition 6 of 1996 planning permission reference SP96/0242 requires that by 25 July 2016 the use of the site for waste transfer and civic amenity activities be discontinued, with buildings removed and the land reinstated to its former condition. In 1997, details were approved (ref: SP97/0260) of northern and western boundary bunds. In 1998, planning permission (ref: SP98/0056) was granted for a Materials Recovery Facility (MRF) adjacent to existing transfer hall.
5. In 2003, amended details were approved for the MRF, namely: the building's layout and elevation (ref: SP03/0432); site's parking, storage, loading, unloading, turning and lighting (ref: SP03/0434 & ref: SP03/0582). In 2004, planning permission (ref: SP03/1089) was granted for construction of four storage bays for recyclable materials and associated hardstanding / turning area at north of site.
6. In 2006, planning permission (ref: SP06/0667) was granted for the re-design of the community-recycling centre, providing split-level facility with 16 new storage containers to the north and replaced storage containers to the west of waste transfer station. In 2007, planning permission (ref: SP06/1035) was granted for two storage containers for ticket

receipts on hardstanding to the east of the weighbridge. Planning permission (ref: SP07/0090) was then granted for the design and appearance of a drop-off parking area. Planning permission (ref: SP07/1043) was granted for 2.2m high palisade boundary fence. In 2008, planning permission reference SP08/0040 was granted for an amended Community Recycling Centre (CRC) layout. Planning permission (ref: SP08/0457) was then granted for the installation of two mess room portacabin units.

7. In 2009, planning permission (ref: SP09/0161) was granted for hydrogeological risk details and contamination assessment at the CRC. Planning permission (ref: SP09/0247) was granted for a flood risk assessment and drainage details. Planning permission (ref: SP09/0246) was then granted for construction of an underground soakage / drainage scheme. However, a planning application (ref: SP09/0619) was withdrawn for the installation of two recycling bays and five portacabins, storage area for up to five containers and new fuel tank and retrospective permission for the use of land to park waste and recycling vehicles and for installation of two smoking shelters associated with the Transfer Station and Materials Recycling Facility (MRF).
8. In 2010, planning permission (ref: SP09/0894) was granted for a weighbridge comprising a new haul road, foundation of a weighbridge and a 2.3 m high pole for a traffic light system. Planning permission (ref: SP10/0089) was granted for 3x4m metal poles for a CCTV camera system and LED signs. Planning permission (ref: SP10/0375) was granted for the use of the existing access route for the CRC plus extended hours. Planning permission (ref: SP10/0378) was also granted for the use of CRC without compliance with Condition 7 of permission reference SP06/0667 dated 29 September 2006.
9. Planning permission (ref: SP10/0883) was granted on 4 March 2011 for the permanent retention of the existing waste management facility, comprising a community recycling centre, materials recycling facility with bulking bays, a waste transfer station with associated infrastructure, an improved access onto Charlton Lane and an acoustic fence adjacent to Ivydene Cottage.
10. On 15 March 2012, planning permission (ref: SP10/0947) was granted for the development of a Waste Management 'Eco Park', comprising: a Gasification Facility; Anaerobic Digestion Facility; Community Recycling Facility; Recyclables Bulking Facility; Education / Visitor Centre and Offices; Other Associated Infrastructure including Infiltration Basin and Landscaping and the diversion of Public Footpath 70 was granted by the Planning and Regulatory Committee. This followed confirmation by the Secretary of State that he did not wish to call in the application on 2 December 2011.
11. On 3 April 2012, details (ref: SP11/1147) were approved of a scheme for the construction of an acoustic fence (and for the protection of the existing vegetation along the western and northern boundary of Ivydene Cottage), a Bird Hazard Management Plan, and a Landscape and Ecology Management Plan, submitted pursuant to Conditions 3, 18 and 22 respectively of planning permission reference SP10/0883 dated 4 March 2011. On 10 September 2012, details (ref: SP11/1062) were approved for a scheme to implement the existing bulk HGV routing strategy, and a dust and odour management plan, submitted pursuant to Conditions 8 and 10 of planning permission reference SP10/0883 dated 4 March 2011.
12. On 8 November 2012, details (ref: SP12/00298) were approved of a Lighting Scheme and a written Scheme of Archaeological Investigation, submitted pursuant to Conditions 17 and 19 respectively of planning permission reference SP10/0883 dated 4 March 2011. On 12 November 2012, details (ref: SP11/1149) were approved of a Method of Construction Statement, a Parking Management Plan and a Travel Plan, submitted pursuant to Conditions 5, 7 and 9 respectively of planning permission reference SP10/0883 dated 4 March 2011. On 17 April 2013, details (ref: SP10/0883/SCD1) were approved of a full CCTV survey of the existing drainage infrastructure and a full surface water scheme, pursuant to conditions 11 and 12 of planning permission SP10/0883 dated 4 March 2011.

13. On 30 April 2013, details (ref: SP10/00947/SCD5) were approved of a Written Scheme of Investigation to secure the implementation of a programme of archaeological work, pursuant to Condition 43 of planning permission reference SP10/0947 dated 15 March 2012.
14. On 1 May 2013, the following details were approved: (ref: SP10/00947/SCD7), Condition 30: details of the provision of bird nest boxes (including the timing of their installation); (ref: SP10/00947/SCD4), Condition 31: a Bird Hazard Management Plan (to include details of the management of any flat or shallow pitched roofs of buildings on site that may be attractive to nesting, roosting and loafing birds); (ref: SP10/00947/SCD8), Condition 32: details of soft and water landscaping works; and (ref: SP10/00947/SCD9), Condition 40: a report detailing the results of a survey of the soils on the Environmental Enhancement Area to consider whether there are sufficient soils on that area to establish and sustain planting, submitted pursuant to planning permission reference SP10/0947 dated 15 March 2012. On 16 May 2013, the following details were approved: (ref: SP10/00947/SCD1), Condition 23: scheme for the construction of an acoustic fence along the western and northern boundary of Ivydene Cottage (and protection of the existing vegetation); and (ref: SP10/00947/SCD3), Condition 42: a Landscape & Ecology Management Plan, submitted pursuant to planning permission reference SP10/0947 dated 15 March 2012.
15. On 10 June 2013, details (ref: SP10/00947/SCD11) were approved of a Bulk HGV Routeing Strategy, pursuant to Condition 15 of planning permission reference SP10/0947 dated 15 March 2012. On 17 June 2013, details (ref: SP10/00947/SCD10) were approved of a Dust and Odour Management Plan, submitted pursuant to Condition 36 of planning permission SP10/0947 dated 15 March 2012.
16. On 20 June 2013, amended details were approved (ref: SP/10/00883/SCD2) of a scheme to implement the existing Bulk HGV Routeing Strategy, submitted pursuant to Condition 8 of planning permission reference SP10/0883 dated 4 March 2011. On 20 June 2013, amended details (ref: SP/10/00883/SCD4) were approved of a scheme for the construction of an acoustic fence and for the protection of the existing vegetation along the western and northern boundary of Ivydene Cottage, submitted pursuant to Condition 3 of planning permission reference SP10/0883 dated 4 March 2011.
17. On 20 August 2013, a detailed lighting scheme was approved (ref: SP10/00947/SCD13), pursuant to Condition 8 of planning permission reference SP10/0947 dated 15 March 2012. On 4 September 2013, details were approved (ref: SP10/00947/SCD12) of the external materials (including their colours) of each of the Eco Park's buildings and the stack, pursuant to Condition 35 of planning permission reference SP10/0947 dated 15 March 2012.
18. On 26 September 2013, details were approved (ref: SP10/00947/SCD2) of a scheme for the implementation, maintenance and management of a sustainable water drainage system, submitted pursuant to Condition 21 of planning permission SP10/0947 dated 15 March 2012. On 2 October 2013, details (ref: SP10/00947/SCD15) were approved of a modified access construction, pursuant to Condition 11 of planning permission ref: SP10/0947 dated 15 March 2012. On 5 December 2013, details were approved (ref: SP10/00947/SCD6) of a remediation scheme to deal with the risks associated with contamination of the site, submitted pursuant to Condition 17 of planning permission SP10/0947 dated 15 March 2012.
19. In January 2014, SITA confirmed in a letter to the County Planning Authority (CPA) that works to implement planning permission SP10/0883 had been completed, namely: the erection of an acoustic fence along the western and northern boundary of Ivydene Cottage and a widened access off Charlton Lane with internal roads connected to this improved access. As such, the Charlton Lane site is now a permanent waste management facility in the Green Belt (whereas it was previously time-limited to 25 July 2016). Because they

have identical details, the acoustic fence and widened access required to implement planning permission ref: SP10/0947 have been completed (though the internal access roads connected to the improved access pursuant to these permissions are slightly different). On 7 February 2014, details (ref: SP10/00947/SCD14) were approved of a Construction Environmental Management Plan, submitted pursuant to Condition 9 of planning permission reference SP10/0947 dated 15 March 2012. In summary, all 15 'pre-commencement' details required by planning permission reference SP10/0947 have been submitted to and approved in writing by the CPA.

20. On 25 September 2014, changes (ref: SP13/01553/SCC) were permitted to the planning conditions attached to the Charlton Lane Eco Park planning permission (ref: SP10/0947 dated 15 March 2012) in order to incorporate minor material amendments to the approved scheme comprising a revised gasification technology, 3 new sub stations, other minor material amendments to the layout, buildings, structures and ancillary elements of the scheme, and a minor reduction in the tonnage of waste that would be managed at the site.
21. Two separate Public Inquiries have taken place into the Diversion Order necessary to change the alignment of the footpath to the north of the Charlton Lane waste management facility, in order to build the proposed Eco Park. The first Public Inquiry took place on 3-5 April 2013 owing to third party objections to the Diversion Order, which had been advertised by Surrey County Council. The Inspector issued her decision on 22 May 2013 and agreed to the Diversion Order subject to modifications (principally to ensure that the diverted route coincided with that shown on the approved drawings for the Eco Park). Those modifications were re-advertised. Third party objections were again raised, resulting in a second Public Inquiry held from 28-29 January 2014. The Inspector's decision was issued on 19 March 2014, agreeing the Public Rights of Way (PROW) Diversion Order.
22. On 29 October 2014, the Environment Agency (EA) issued an Environmental Permit variation for the amended Eco Park (EA ref EPR/VP3997NK/V005).

THE PROPOSAL

23. Condition 42 of planning permission SP13/01553/SCC dated 25 September 2014 states that:

'The development hereby permitted shall not commence unless details of mature tree planting incorporated into an enhanced Landscape and Ecology Management Plan have been submitted to and approved in writing by the County Planning Authority. Thereafter, the Landscape and Ecology Management Plan in accordance with the provisions set out on the Landscape Masterplan Drawing No 1007-02-01 Rev A dated September 2013 covering a period of 25 years (and providing for 5 yearly reviews) shall be carried out strictly in accordance with the details approved in writing by the County Planning Authority by notice dated 16 May 2013 under reference SP10/00947/SCD3, in addition to the details of mature tree planting to be approved in writing by the County Planning Authority prior to the commencement of development.'

Reason: To enhance nature conservation interest and assist in absorbing the site into the local landscape to accord with the National Planning Policy Framework 2012; Surrey Waste Plan 2008 Policy DC3; Spelthorne Borough Local Plan 2001 Policy GB1 (saved policy) and Spelthorne Core Strategy and Policies DPD 2009 Policies EN1 and EN8 and the Key Development Criteria for Charlton Lane relating to visual amenity and Green Belt.'

24. Condition 39 of planning permission SP13/01553/SCC dated 25 September 2014 states that:

'Prior to the construction of the new footpath link shown on Drawing No 1007-02-01 Rev A dated September 2013, details of works (to include low level fencing and reed bed

protection) to provide for the separation of the infiltration basin shown also therein shall be submitted to and approved in writing by the County Planning Authority; and those works shall be carried out, maintained and retained in accordance with the approved details.

Reason: To protect users of the footpath and comply with Surrey Waste Plan 2008 Policy DC3 and the Key Development Criteria for Charlton Lane relating to the footpath.'

DETAILS PURSUANT TO CONDITION 42 – Enhanced LEMP

25. An addendum to the Landscape and Ecological Management Plan (LEMP) has been prepared to discharge Condition 42 of planning permission reference SP13/01553/SCC dated 25 September 2014. The addendum consists of details of mature tree planting, which together with the LEMP approved on 16 May 2013 under reference SP10/00947/SCD3 constitute the enhanced LEMP. The Addendum sets out details of the additional mature tree planting required along the eastern boundary of the Charlton Lane Eco Park.

Management Objectives

26. The submitted details set out that the management objectives for the proposed mature tree planting at Charlton Lane Eco Park are to provide landscape mitigation measures to specifically improve visual screening of the development as viewed from properties along Hawthorn Way on the other side of the railway line. The specific management objectives related to Landscape Mitigation are set out in the LEMP as being: *To create an effective visual screen along the railway boundary the screen shall hide ground level operational activity on the waste management site from view and partially screen higher levels of the development. (NB the intent is not to screen the whole development).*

Financial Resources and Responsible Personnel

27. All of the management operations outlined in the Addendum would be managed and financed by the applicant as part of the management and operation of the overall Charlton Lane Eco Park site, as previously approved in the LEMP approved by notice dated 16 May 2013 under reference SP10/00947/SCD3. The approved LEMP makes allowance for annual and five – yearly reviews of the progress of the LEMP, which may vary management operations as necessary to achieve the approved objectives.

Mature Tree Planting: Implementation and Maintenance

28. A total of 25 Extra Heavy Standard (EHS) 14 – 16 centimetre girth trees and 22 feathered trees would be planted as singles and in small groups along the railway line, along the eastern boundary of the site, in a strip of land lying outside the area within which either no or very limited planting is permitted under Network Rail safeguarding provisions. The proposed locations for tree planting are shown on Drawing: Landscape and Ecology Management Plan, Figure 1, Rev D, dated December 2014; and in greater detail on Drawing: Landscape and Ecology Management Plan, Figure 4: Screening Planting to Eastern Boundary, dated December 2014. The proposed tree species are: *Populus tremula* – Aspen (40%), *Carpinus betulus* – Hornbeam (30%) and *Acer campestre* – Field Maple (30%).
29. Existing site investigation information has been consulted to assist in determining the best planting method. It is stated that this information suggests that the planting area on the east of the site is likely to be free draining but that soil conditions may not be optimal for the establishment of larger sized trees. As a result of this, the LEMP sets out that all mature trees would be planted in prepared tree pits, but that the size of these pits would be increased from BS8545:2014 recommendations in order to provide a greater reservoir of high quality rooting medium.

30. Regarding tree pits, EHS trees would be planted in pits 1000 x 1000 x 600 millimetres deep and would be fitted with a proprietary rootball watering kit. Stakes would be used in preference to an underground guying system as it would be easier for the maintenance contractor and the annual / five yearly review body to confirm that the trees are not being strangled by the fixing system. The submission states that feathered trees, 'feathered' being a term that refers to a tree that branches from the ground upwards, establish more readily in sub-optimal conditions. As a result of this, it is stated that these trees would be planted in pits in accordance with BS8545:2014, i.e. 75 millimetres greater all round than rootball size; no watering kits or stakes would be required.
31. All trees would be mulched at the base to reduce weed competition in the early years, and that establishment maintenance would seek to ensure that the trees establish rapidly and put on vigorous growth. Trees would be watered as required to ensure thriving. EHS trees would be planted with perforated plastic pipe watering kits installed around their root balls while all trees, including feathers, would be watered to field capacity on planting and immediately prior to mulching. They would then be watered regularly as part of the establishment maintenance contract during the first two seasons after planting. The proposed maintenance schedule must be considered to be an idealised situation which may need to be adapted on the advice of the landscape contractor as ground and climatic conditions may vary significantly over the year. The annual / five yearly review group may also consider varying the maintenance schedules in light of the previous year's experience.
32. It is set out in the maintenance schedule below that in years 3 – 5 all maintenance operations would be carried out in accordance with the previously approved LEMP with the exception of any EHS trees which have been replaced due to failure. It is set out that for those EHS trees replaced due to failure, maintenance would follow years 1 & 2.

Table 1: Proposed Maintenance Schedule

YEAR 1 & 2	
TIMING	MANAGEMENT ACTIVITY
At planting	<ul style="list-style-type: none"> • Water to field capacity with clean potable water using supplied irrigation tube • If soil conditions are very dry, fill the planting pit with water prior to planting and allow to fully drain before installing the tree, then water again as above; • Note that a mains water supply is not available; the contractor would be required to bring a bowser to site for all watering operations.
Establishment maintenance visits (for 2 years following completion of mature tree planting)	<ul style="list-style-type: none"> • First visit: one month after planting, or, March (whichever is earlier); • Subsequent visits: monthly intervals until end of October; • Water to field capacity (feathers: using low pressure hosepipe directed at rootball area; EHS: via installed irrigation tube). Guide rates: Feathered trees: minimum 36 litres each; EHS trees: minimum 250 litres each. Note that additional water may be required to achieve thorough wetting of EHS due to oversized tree pit; • Periods of prolonged hot, dry, windy weather: increase watering frequency to fortnightly for the duration of the climatic conditions. Advise PM immediately if weekly may be required and await instructions; • Periods of prolonged / intense rain or flooding: cease watering. Recommence 2 weeks after adverse conditions have ceased. Check irrigation tubes prior to watering to confirm groundwater level and do not water if tubes contain water. Evidence of tree drowning: advise PM and await instructions; • Periods of high wind (at any time of year): check trees and re-firm / re-stake if necessary;

	<ul style="list-style-type: none"> • Check and firm up all trees as necessary; • Check general health of new trees including evidence of pests, diseases and damage from any cause and consider the need for application of fertiliser. Advise PM and await instructions; • Maintain planting stations weed free using a combination of hand pulling / hoeing and an appropriate non-residual herbicide (glyphosate); • Top up mulch to pits, keeping flare and stem free of mulch; • Check, re-fix and replace tree stakes and ties as necessary. All ties to be slackened in March each year and re-slackened as necessary throughout the growing season; • Remove any litter and dispose of off-site. Check for vandalism.
YEARS 3 – 5	
	<ul style="list-style-type: none"> • All maintenance operations as main Landscape & Environmental Management Plan with the exception of any EHS trees which have been replaced due to failure. For these trees, maintenance would follow Years 1 & 2, above.

33. With regards to shallow surface / groundwater flooding, it is possible that the area where the EHS and feathered trees would be planted may suffer from occasional shallow surface / groundwater flooding; and that as the land is very flat, there is the potential that these trees would drown. It is set out that tree species (and different cultivars of a particular species) exhibit varying tolerances to periodic inundation and it cannot be predicted if any of the species proposed would be more or less likely to succumb to drowning, though most trees can tolerate occasional flooding with impunity. It is therefore suggested that monitoring for evidence of drowning be included in the landscape maintenance contractor's remit.
34. Damaged or dying trees would be replaced during the next available planting season (same species and size as originally specified) on a raised bund of imported topsoil. It is stated that the height and extent of the bund would be agreed with the annual monitoring group (see section below on 'monitoring and review') and should be sufficient to raise the base of the replacement tree's rootball above the anticipated flood level. Side slopes of the bund should be as gentle as possible, consistent with levels of adjacent features such as the access track. If replanting on a bund is required, it is stated that the EHS trees should be fitted with 3no. short stakes and ties for added stability.
35. Ties would be slackened early in the season and trees / stakes re-firmed as required. The stakes / ties could be removed by cutting to ground level when it is considered that the trees are sufficiently well established (typically 2 – 5 years after planting). In addition to this, continuing management of the trees would be aimed at developing a healthy, vigorous tree with a well branched head that can contribute to visual screening of the development. The management may include application of additional fertiliser and pruning, although, in general, pruning would be avoided in favour of natural development unless the tree's health is in question.
36. All failed planting would be replaced during the next available growing season. Failed planting would continue to be replaced throughout the first five year management period. In addition to this, new trees and shrubs would be protected from rabbit damage where necessary via the use of protective fencing, tree guards or other measures as appropriate; and planting stations (500 millimetres diameter) would be maintained weed free via the use of an appropriate non residual glyphosate based herbicide, or by hand, as appropriate.

Timescales and Ongoing Monitoring and Review

37. With reference to timescales for the management of the mature trees, the LEMP states that: *'It is proposed that management of the mature trees will extend over a period of 25*

years following completion of the development; i.e. for the same time period as the LEMP. Towards the end of the first five year period, the effectiveness of the management operations would be reviewed in detail against the management objectives and a new five year schedule of management operations would be drawn up to cover years 5 – 10. It is stated that this process of review would be repeated every five years for the duration of the 25 year management period.

38. The LEMP review is an important and integral part of landscape management and it is proposed that an annual site inspection, attended by a range of key stakeholders to include Surrey County Council representatives, would be undertaken to monitor the success, or otherwise, of management operations. The annual site inspections would provide an opportunity for adjustments to be made to the frequency and timing of operations in response to observations on the ground. A more fundamental review would take place every five years.

DETAILS PURSUANT TO CONDITION 39 – Low Level Fencing and Reed bed Protection

39. Planning condition 39 requires details of works (to include low level fencing and reed bed protection) to provide for the separation of the infiltration basin. The submitted details set out that a 1.1 metre high stock mesh fence would be erected around the infiltration basin to provide for reed bed protection and the enclosure of the infiltration basin. Fencing Proposals, Drawing Number 1353-01-SK009 has been submitted with the details pursuant to condition 39, and this plan illustrates that access would be provided by a timber field gate and that lifebuoys would be positioned at 100 metre intervals.

CONSULTATIONS AND PUBLICITY

Consultees (Statutory and Non-Statutory)

District Council

- | | | | |
|-----|----------------------------------------------------|---|---------------------|
| 40. | Spelthorne Borough Council | – | No objection. |
| 41. | Spelthorne Borough Council
Environmental Health | – | No comments to make |

Consultees (Statutory and Non-Statutory)

- | | | | |
|-----|----------------------|---|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 42. | Natural England | – | No comments to make |
| 43. | County Rights of Way | | <p>An application from SITA for a temporary closure on public footpath 70 (Sunbury) was received by email on 9th January 2015. A paper copy followed in the post. It requested a temporary closure from 2 February 2015 until 6 March 2015 to carry out tree and vegetation clearance works on either side of/and overhanging the footpath. The alternative route (which doesn't have to be provided) during this closure period was the route that will be used when the path is permanently diverted when the site is developed.</p> |

Consent under delegated powers was given to make the order on 22 January 2013.

A 'will make' notice was published in the Surrey Advertiser on 23 January 2015. The order was made on 30 January 2015. A 'have made' notice was published in the Surrey Advertiser on 6 February 2015. The path was confirmed as reopened by SITA on 1 March 2015.

- | | | | |
|-----|-----------------------------|---|---------------------|
| 44. | Environment Agency | – | No comments to make |
| 45. | County Landscape Architect | – | No objection |
| 46. | County Ecologist | – | No comments to make |
| 47. | Surrey Wildlife Trust | – | No comments to make |
| 48. | BAA Safeguarding (Heathrow) | – | No objection |
| 49. | Thames Water | – | No comments to make |

Parish/Town Council and Amenity Groups

- | | | | |
|-----|-----------------------------------------|---|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 50. | Charlton Village Residents' Association | – | Object – as the proposed trees are not mature enough to provide screening; and the proposed trees are only being planted on the eastern side leaving no visual protection for the northern boundary of the site where the footpath tunnel of trees once stood, which is particularly important for the residents of Charlton Village. |
| 51. | Laleham Residents' Association | – | No comments received |
| 52. | Lower Sunbury Residents' Association | – | Object – Surrey County Council's Planning and Regulatory Committee specified 'mature' trees: the proposed trees are not mature or big enough. The trees are only going along the eastern boundary leaving the northern boundary unshielded. The proposals fail to provide any shield from the visual intrusion of the Eco Park. |
| 53. | Shepperton Residents' Association | – | Object as <i>'the Conditions refer to the planting of mature trees on the boundary of the Eco Park but those currently being planted are young trees which will not shield the Eco Park as the Conditions intend.'</i> |
| 54. | Staines Town Society | – | No comments received |

Summary of publicity undertaken and key issues raised by public

- | | |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 55. | The application was publicised by the posting of three site notices and an advert was placed in the local newspaper. A total of 1973 owner/occupiers of neighbouring properties, and those who had previously expressed an interest in the Charlton Lane Eco Park site, were directly notified by letter. To date, a total of 89 representations were received in |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

response to the posting of site notices, issuing of press notices and 1973 letters. The following relevant comments were raised relating to the LEMP (Condition 42):

- The proposed trees are not mature or big enough to provide the required screening from the construction site and Eco Park.
- The mature trees being planted would be an eyesore to the environment. The ugly stack would be visible from a large area.
- The proposed tree cover is limited to the eastern side near the railway, what of the northern side of the site which can be viewed from the footpath & Charlton Village?
- Not enough trees are being planted and the proposed trees would take too long to mature. The planning committee stated 'mature' trees, not the type of trees proposed by the applicant which have a much smaller girth than mature trees.
- There is no guarantee that failed planting would be replaced after the first five year management period: there is no condition to ensure that trees would be replaced.
- When does the obligation to water the trees end? Is this after the 5 year period?
- It is unclear how the trees would be watered. A watering / irrigation plan and method statement needs to be submitted.
- A plan must be submitted detailing how trees would be replaced and what tree types would replace them (including trunk dimensions and heights of acceptable replacements).
- Tree cover along the northern boundary has been destroyed by the applicant.
- The dead trees could simply be replaced each year rather than being taken care of.
- The tree cover would not provide sufficient screening of the Eco Park for residents.
- Has the applicant provided a method statement which guarantees that the trees would be looked after?
- It is unclear whether the trees would be watered / managed once planted.
- The trees do not sufficiently mitigate the impact on visual amenity.
- The proposed watering and replacement regimes are inadequate: the trees should be fitted with a seep hose to avoid water loss.
- The immature trees will not provide protection against fumes and have limited effectiveness in absorbing small particulates and odour.
- The landscaping plans are tokenistic and do little to absorb the visual impact of the Eco Park. Charlton Lane has been found by Surrey County Council's own review to be the "next to worst" site for the Eco Park development based upon the inability of the site to absorb the visual impact.

61. The following comments were raised relating to the details submitted pursuant to Condition 39 (details of works [to include low level fencing and reed bed protection] to provide for the infiltration basin shown also therein):

- The fencing would be inadequate to protect children from the danger of the pond.
- The fencing should be of a tighter mesh, higher and not visually obtrusive.
- The fencing would be too low and the timber field gate would be easily scaled.
- The proposal would not protect existing reedbeds.
- The fencing should be made secure

PLANNING CONSIDERATIONS

National Guidance

National Planning Policy Framework

National Planning Policy for Waste 2014

Surrey Waste Plan 2008

Policy DC3: General Considerations

Key Development Criteria (Charlton Lane)

Spelthorne Core Strategy and Policies Development Plan Document 2009

Policy SP6 - Maintaining and Improving the Environment

Policy EN1 - Design of New Development

Policy EN8 - Protecting and Improving the Landscape and Biodiversity

62. The County Council as County Planning Authority has a duty under Section 38 (6) of the Planning and Compulsory Purchase Act 2004 to determine this application in accordance with the Development Plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act 1990 (as amended) (1990 Act) requires local planning authorities when determining planning applications to *“have regard to (a) the provisions of the development plan, so far as material to the application, (b) any local finance considerations, so far as material to the application, and (c) any other material considerations”*. At present in relation to this application the Development Plan consists of the Surrey Waste Plan 2008 and the Spelthorne Core Strategy and Policies Development Plan Document (DPD) 2009 with the National Planning Policy Framework (NPPF) 2012 and the National Planning Policy for Waste (NPPW) 2014 as material considerations.
63. The National Planning Policy Framework (NPPF) was adopted in March 2012. This document provides guidance to local planning authorities in producing local plans and in making decisions on planning applications. The NPPF is intended to make the planning system less complex and more accessible by summarising national guidance which replaces numerous planning policy statements and guidance notes, circulars and various letters to Chief Planning Officers. The document is based on the principle of the planning system making an important contribution to sustainable development, which is seen as achieving positive growth that strikes a balance between economic, social and environmental factors. The Development Plan remains the cornerstone of the planning system. Planning applications which comply with an up to date Development Plan should be approved. Refusal should only be on the basis of conflict with the Development Plan and other material considerations.
64. The NPPF states that policies in Local Plans should not be considered out of date simply because they were adopted prior to the publication of the framework. However, the guidance contained in the NPPF is a material consideration which planning authorities should take into account. Due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies are to the policies in the Framework, the greater the weight they may be given).
65. Paragraph 58 (Section 7: Requiring Good Design) of the NPPF states that planning policies and decisions should aim to ensure that developments are visually attractive as a result of good architecture and appropriate landscaping.
66. The National Planning Policy for Waste (NPPW) 2014 was published on October 16 2014 replacing with immediate effect Planning Policy Statement 10: Planning for Sustainable Waste Management. The NPPW sets out detailed waste planning policies to work towards a more sustainable and efficient approach to resource use and management. The NPPW should be read in conjunction with the NPPF, the Waste Management Plan for England, National Policy Statements for Waste Water and Hazardous Waste or any successor documents. All local planning authorities should have regard to its policies when discharging their responsibilities to the extent that they are appropriate to waste management.
67. The Surrey Waste Plan (SWP) 2008 sets out the planning framework for the development of waste management facilities in Surrey. The plan is divided into four sections. The Core Strategy sets out the spatial vision for the area over the plan period together with key spatial objectives and strategic policies. The Waste Development section contains site specific proposals for the development of waste management facilities. The Waste Development Control Policies section contains a set of development control policies that apply across the whole County and apply to all waste development. The Proposals Map illustrates the areas of designation identified in the core strategy policy and the location of identified sites.

68. Policy DC3 (xii) of the SWP 2008 states that planning applications should assess the loss or damage to flora and fauna and their respective habitats at the site or on adjoining land and identify any appropriate mitigation. Policy DC3 (vii) of the SWP 2008 sets out that the assessment of the visual and landscape impact of development on a site and the surrounding land must be submitted with any proposal and this should also identify appropriate mitigation as to minimise or avoid any material adverse impact. The Key Development Criteria for Charlton Lane included in the SWP 2008 indicate that the site layout and any landscaping requirement should seek to minimise impact on the openness of the remaining restored landfill. The Key Development Criteria also indicate that a high standard of design is expected for both build development and site layout (including landscaping).
69. Relevant provisions are also set out in Policy EN1 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document (DPD), which establishes that the Borough Council requires a high standard in design and layout and the demonstration that new development will:
- a) create buildings and places that are attractive with their own distinct identity; they should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land;
 - b) achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook;
 - c) be designed in an inclusive way to be accessible to all members of the community regardless of any disability and to encourage sustainable means of travel;
 - d) incorporate landscaping to enhance the setting of the development, including the retention of any trees of amenity value and other significant landscape features that are of merit, and provide for suitable boundary treatment;
 - e) create a safe and secure environment in which the opportunities for crime are minimised;
 - f) incorporate measures to minimise energy consumption, conserve water resources and provide for renewable energy generation in accordance with Policy CC1;
 - g) incorporate provision for the storage of waste and recyclable materials and make provision for sustainable drainage systems (SUDS).
70. Spelthorne's Core Strategy and Policies DPD Policies SP6 (Maintaining and Improving the Environment) and Policy EN8 (Protecting and Improving the Landscape and Biodiversity) seek to protect and improve the landscape and biodiversity of the Borough. Policies SP6 and EN8 seek to do this through safeguarding sites of international, and national, importance; working with others to develop and secure the implementation of projects to enhance the landscape and create or improve habitats of nature conservation value; where possible ensure that new development contributes to an improvement in landscape and biodiversity and also avoids harm to features of conservation interests; and states planning permission will be refused where development would have a significant harmful impact on the landscape or features of nature conservation value.

Officer's assessment

71. Officers consider that the enhanced LEMP adequately covers the detail required by Condition 42 of planning permission reference SP13/01553/SCC, dated 25 September 2014. The use of both feathered and EHS trees would have the potential to adequately screen ground level operational activity and accord with planning policies that seek to protect visual amenity. Officers consider that an important factor in the acceptability of the enhanced LEMP is the proposed details of tree planting and the maintenance schedule which set out a range of measures to ensure that the trees would thrive. In addition to this, the enhanced LEMP set out that all failed planting would be replaced during the next

available growing season for the duration of the first five year management period to ensure that the visual screening function is maintained.

72. Residents have raised concerns about the size of the proposed planting specimens and state that these are not fit for purpose. The County Landscape Architect (CLA) is satisfied that the proposed planting is acceptable and constitutes an industry standard that complies with the reason for imposing the planning condition. Officers confirm that the recent works to remove trees along the northern boundary of the site were undertaken as part of a previous planning permission for the Charlton Lane Eco Park and are not relevant to this application. In any event, tree planting is provided for along the northern boundary of the completed Eco Park Facility as shown on Figure 1, Revision D, Landscape and Ecology Management Plan, dated December 2014 submitted with the LEMP.
73. The proposed annual inspection of the site which would be undertaken during the summer, and attended by representatives such as the County Landscape Architect, SITA and site management is an important factor in the acceptability of the enhanced LEMP. The purpose of the annual inspection is to identify management successes and failures. In addition to the annual review, a five yearly detailed review would be undertaken for the duration of the 25 year management period to review the effectiveness of management operations against management objectives. As a result of this five yearly review, a new five year schedule of management operations would be drawn up to cover the next five year management period. The annual and five yearly reviews provide the opportunity to vary the management and maintenance of the site if needed. The input of the County Landscape Architect through the annual reviews would be important to ensure the 25 year aims and objectives of the management plan are realised.
74. County Planning Officers also consider that the details of low level fencing and reedbed protection to provide for the separation of the infiltration basin shown also therein are adequate to satisfy the requirements of Condition 39 of planning permission reference: SP13/01553/SCC dated 25 September 2014.

HUMAN RIGHTS IMPLICATIONS

75. 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.
76. The proposal involves the approval of details pursuant to conditions 42 and 39 of planning permission reference: SP13/01553 dated 25 September 2014. It is the Officer's view that the scale of any potential impacts, either on their own or the cumulative effect of multiple impacts, are not considered sufficient to engage Article 8 or Article 1. As such, these details are not considered to interfere with any Convention right.

CONCLUSION

77. Officers consider that the enhanced LEMP would protect and enhance visual amenity in the locality and minimise impact on the openness of the remaining restored landfill. The details submitted would comply with the NPPF, the NPPW 2014, the SWP 2008 Policy DC3 and the Key Development Criteria for Charlton Lane relating to Green Belt, and Spelthorne Borough Core Strategy and Policies DPD 2009 Policies SP6, EN1 and EN8.
78. Officers also consider that the details of fencing would adequately separate users of the footpath from the infiltration basin in order to protect users of the footpath, to afford reed bed protection and to comply with the NPPF, NPPW 2014, SWP 2008 Policy DC3 and the Key Development Criteria for Charlton Lane relating to the footpath, and Spelthorne Borough Core Strategy and Policies DPD 2009 EN1.

79. Officers have taken into account all individual representations received but are satisfied that the details submitted pursuant to Conditions 42 and 39 of planning permission reference: SP13/01553/SCC dated 25 September 2014 are adequate and that the applications comply with the NPPF; Surrey Waste Plan 2008 Policy DC3 and the Key Development Criteria for Charlton Lane; and Spelthorne Borough Core Strategy and Policies DPD 2009 Policy SP6, Policy EN1, Policy EN8. The details submitted pursuant to Conditions 42 and 39 of planning permission SP13/01553/SCC can therefore be approved.

RECOMMENDATION

80. The recommendation is to APPROVE the details of an enhanced Landscape and Ecology Management Plan (as shown in Figure 1: Landscape and Ecology Management Plan, Revision D dated December 2014 and Figure 4: Screening Planting to Eastern Boundary, dated December 2014), and details of low level fencing and reed bed protection contained in letter dated 22 December 2014, agent reference: 1324-01/ARB (as shown in Drawing Title: Fencing Proposals, Drawing Number 1353-01-SK009), submitted pursuant to conditions 42 and 39 of planning permission reference: SP13/01553/SCC dated 25 September 2014, contained in application reference: SP13/01553/DC4, subject to the following condition.

CONDITION

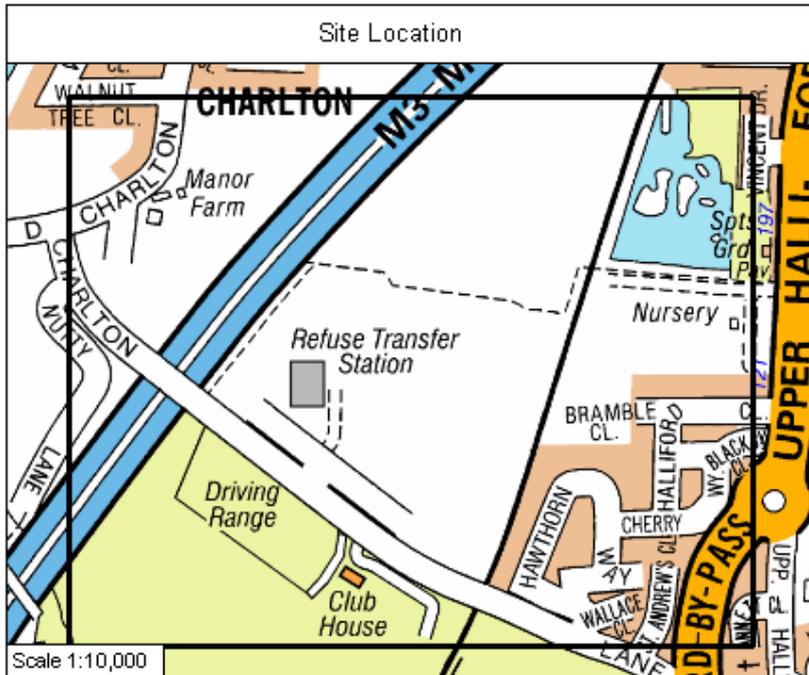
1. The enhanced Landscape and Ecology Management Plan hereby permitted shall include the details approved on 16 May 2013 under planning reference SP10/00947/SCD3.

Reason: To enhance nature conservation interest and assist in absorbing the site into the local landscape to accord with the NPPF 2012; Surrey Waste Plan 2008 Policy DC3; Spelthorne Borough Local Plan 2001 Policy GB1 (saved policy) and Spelthorne Core Strategy and Policies DPD 2009 Policies EN1 and EN8 and the Key Development Criteria for Charlton Lane relating to visual amenity and Green Belt

INFORMATIVE

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. Attention is drawn to the requirements of Sections 7 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the Code of Practice for Access of the Disabled to Buildings (British Standards Institution Code of Practice BS 8300:2009) or any prescribed document replacing that code.
3. The details of an enhanced Landscape and Ecology Management Plan hereby approved are shown in Figure 1: Landscape and Ecology Management Plan, Revision D dated December 2014 and Figure 4: Screening Planting to Eastern Boundary, dated December 2014.
4. The details of low level fencing and reed bed protection hereby approved are contained in letter dated 22 December 2014, agent reference: 1324-01/ARB, and Drawing Title: Fencing Proposals, Drawing Number 1353-01-SK009.

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Charlton Lane Waste Management Facility, Shepperton, Surrey TW17 8QA

Details submitted pursuant to conditions 9, 21, 36, 39 and 42 of planning permission ref SP13/01553/SCC dated 25 September 2014

Application No(s):

- SP13/01553/DC4
- SP13/01553/DC1
- SP13/01553/DC3
- SP13/01553/DC2

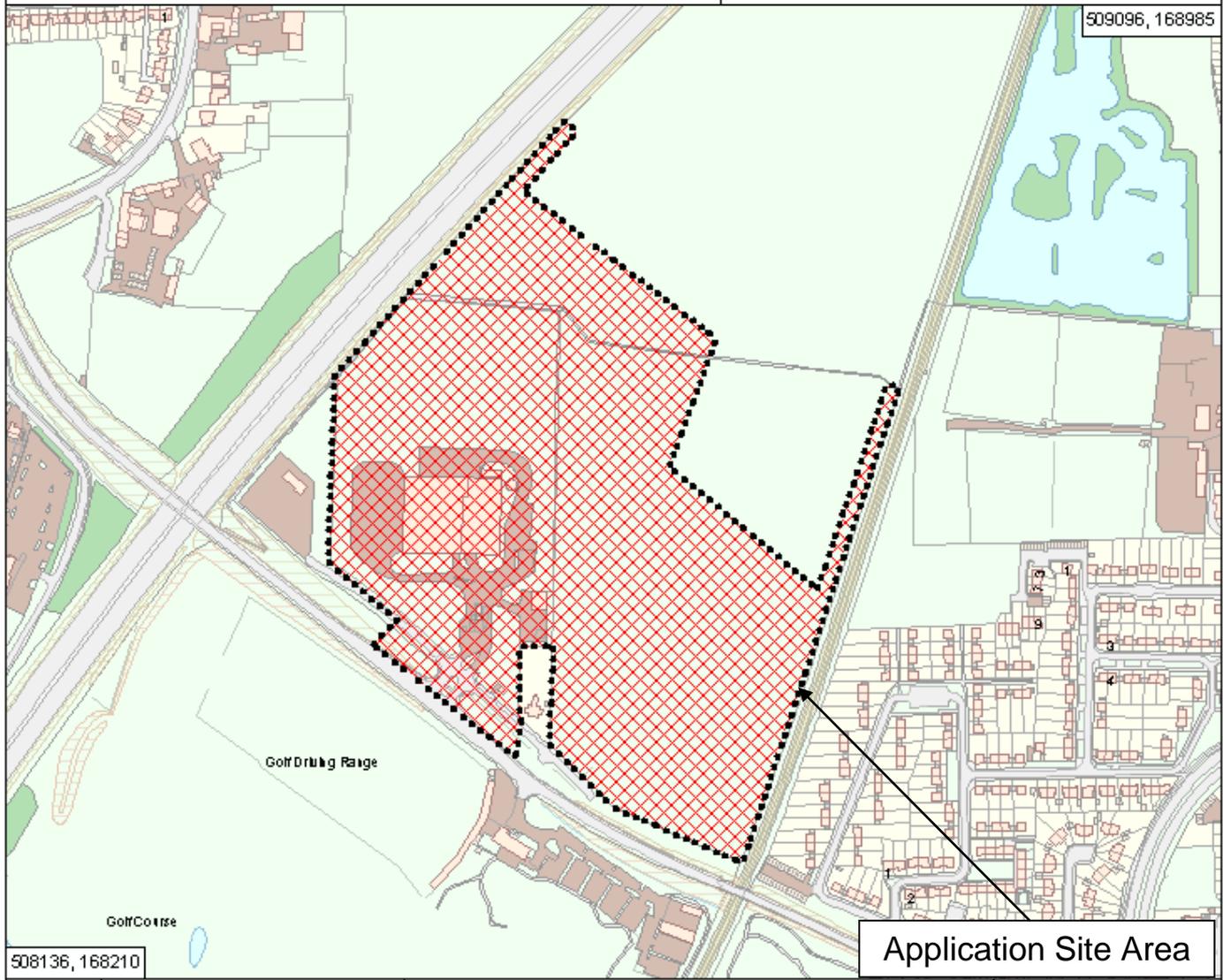
Application No(s) Please see above

Electoral Division(s): Lower Sunbury & Halliford

Scale 1:10,000

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This plan is for indicative purposes only



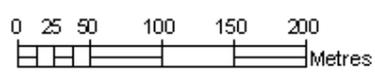
Application Site Area

508136, 168210



RefNo: SCC Ref 2013/0178

Date printed: 21/08/2014



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1:5,000

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Aerial 1 : Charlton Lane Waste Management Facility



Aerial 2 : Charlton Lane Waste Management Facility





Fig 1 : View from Ivydene's access lane looking north west



Fig 2 : View of CRC and WTS looking north within the site



Fig 3 : View of field to east of site looking north



Fig 4 : View of Scout Hut access and Site Entrance looking northwest



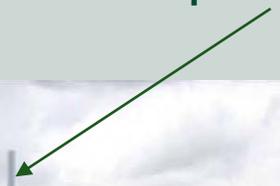
Fig 5 : Rear garden of Ivydene Cottage looking south





Fig 6 : View from footpath to the east of the site

Proposed Stack



Page 26



Fig 7 : View of proposed Eco Park from properties to the north west



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TO: PLANNING & REGULATORY COMMITTEE

DATE: 13 March 2015

BY: PLANNING DEVELOPMENT TEAM MANAGER

DISTRICT(S) SPELTHORNE BOROUGH COUNCIL

ELECTORAL DIVISION(S):
Lower Sunbury & Halliford
Mr Evans

PURPOSE: FOR DECISION

GRID REF: 508583 168576

TITLE: MINERALS/WASTE SP13/01553/DC1

Charlton Lane Waste Management Facility, Shepperton, Surrey, TW17 8QA.

Details of a Construction Environment Management Plan (CEMP), submitted pursuant to Condition 9 of planning permission SP13/01553/SCC dated 25 September 2014.

On the basis of the further amplified information received by the County Planning Authority in February 2015, and the letters of clarification received by the County Planning Authority in March 2015, the County Air Quality Consultant and the County Noise Consultant are satisfied that adequate information has been submitted, subject to conditions. The Environment Agency and the County Highways Authority raise no objection to the details with the County Landscape Architect also raising no objection, subject to conditions.

Officers have taken into account the views of residents and, having regard to the advice of specialist consultees, consider that the submitted details are adequate and accord with the National Planning Policy Framework, National Planning Policy for Waste 2014, Surrey Waste Plan 2008 Policy DC3 and the Key Development Criteria for Charlton Lane, and Spelthorne Borough Core Strategy and Policies Development Plan Document 2009 Policies CC1; CC2; SP6; EN1; EN8; EN11; EN15. The County Highway Authority raises no objection to the submitted details with the County Air Quality Consultant, the County Noise Consultant and the County Landscape Architect confirming that the submitted details are acceptable, subject to conditions. Therefore, Officers consider that this application can be approved subject to conditions.

The recommendation is to APPROVE the details of the CEMP (as shown in Construction Phase Environmental Management Plan, Revision J, Document No: HP-00-002, dated 23 February 2015; Covering letter dated 23 February 2015 from SITA Surrey Ltd; letter dated 05 March 2015 from SITA Surrey Ltd providing Noise and Vibration clarification; letter reference: P00094_PM_CEMP_150304_PGo from M+W Group UK providing Air Quality and Dust clarification; and letter dated 06 March 2015 from SITA Surrey Ltd providing Tree Protection clarification) submitted pursuant to Condition 9 of planning permission reference: SP13/01553/SCC dated 25 September 2014, contained in application reference: SP13/01553/DC1, subject to conditions.

APPLICATION DETAILS

Applicant

SITA Surrey Ltd

Date application valid

13 January 2015

Period for Determination

14 April 2015

Amending / Amplifying Documents

- Revised Construction Phase Environmental Management Plan (Revision J), Doc No: HP-00-002, dated 23 February 2015
- Covering letter dated 23 February 2015 from SITA Surrey Ltd
- Letter dated 05 March 2015 from SITA Surrey Ltd providing Noise and Vibration clarification
- Letter reference number: P00094_PM_CEMP_150304_PGo from M+W Group UK providing Air Quality and Dust clarification
- Letter dated 06 March 2015 from SITA Surrey Ltd providing clarification on Tree Protection

BACKGROUND
Site Description

1. The Charlton Lane Waste Transfer Station, Civic Amenity (CA) and Materials Recovery Site (Community Recycling Centre and Transfer Site) is approximately 5.22 hectares in size and lies within the Metropolitan Green Belt. Charlton village is approximately 400m to the northwest, with Upper Halliford approximately 500m to the southeast. The site is bounded by the M3 motorway to the northwest and Charlton Lane to the south, with a golf course (former landfill site) directly beyond this.
2. Land to the north and east of the site has been worked for minerals, restored by infilling with waste and is now used for grazing. Beyond the fields to the east runs the Shepperton to London Waterloo railway line with housing beyond. All other residential properties are some distance away from the site, apart from Ivydene Cottage, which lies immediately south.
3. Access to the site is gained off Charlton Lane to the south. The site is enclosed by fencing and is bounded by mature planting on its eastern, southern and northern boundaries. Waste activities have been taking place at the site since the late 1940's, with waste transfer and Civic Amenity facilities commencing in 1967

Planning History

4. In 1992, planning permission (ref: SP92/0118) was granted to demolish former incinerator buildings and construct a 3,575m² covered transfer hall. Demolition was carried out, plus improvements to the site entrance, though the transfer hall was never built.
5. In 1996, planning permission (ref: SP96/0242) was granted for erection of a 2,895m² building to house waste transfer plus some civic amenity operations that were previously done uncovered over the whole site (opened in September 1997). Condition 6 of 1996 planning permission reference SP96/0242 requires that by 25 July 2016 the use of the site for waste transfer and civic amenity activities be discontinued, with buildings removed and the land reinstated to its former condition. In 1997, details were approved (ref: SP97/0260) of northern and western boundary bunds. In 1998, planning permission (ref: SP98/0056) was granted for a Materials Recovery Facility (MRF) adjacent to existing transfer hall.
6. In 2003, amended details were approved for the MRF, namely: the building's layout and elevation (ref: SP03/0432); site's parking, storage, loading, unloading, turning and lighting

- (ref: SP03/0434 & ref: SP03/0582). In 2004, planning permission (ref: SP03/1089) was granted for construction of four storage bays for recyclable materials and associated hardstanding / turning area at north of site.
7. In 2006, planning permission (ref: SP06/0667) was granted for the re-design of the community-recycling centre, providing split-level facility with 16 new storage containers to the north and replaced storage containers to the west of waste transfer station. In 2007, planning permission (ref: SP06/1035) was granted for two storage containers for ticket receipts on hardstanding to the east of the weighbridge. Planning permission (ref: SP07/0090) was then granted for the design and appearance of a drop-off parking area. Planning permission (ref: SP07/1043) was granted for 2.2m high palisade boundary fence. In 2008, planning permission reference SP08/0040 was granted for an amended Community Recycling Centre (CRC) layout. Planning permission (ref: SP08/0457) was then granted for the installation of two mess room portacabin units.
 8. In 2009, planning permission (ref: SP09/0161) was granted for hydrogeological risk details and contamination assessment at the CRC. Planning permission (ref: SP09/0247) was granted for a flood risk assessment and drainage details. Planning permission (ref: SP09/0246) was then granted for construction of an underground soakage / drainage scheme. However, a planning application (ref: SP09/0619) was withdrawn for the installation of two recycling bays and five portacabins, storage area for up to five containers and new fuel tank and retrospective permission for the use of land to park waste and recycling vehicles and for installation of two smoking shelters associated with the Transfer Station and Materials Recycling Facility (MRF).
 9. In 2010, planning permission (ref: SP09/0894) was granted for a weighbridge comprising a new haul road, foundation of a weighbridge and a 2.3 m high pole for a traffic light system. Planning permission (ref: SP10/0089) was granted for 3x4m metal poles for a CCTV camera system and LED signs. Planning permission (ref: SP10/0375) was granted for the use of the existing access route for the CRC plus extended hours. Planning permission (ref: SP10/0378) was also granted for the use of CRC without compliance with Condition 7 of permission reference SP06/0667 dated 29 September 2006.
 10. Planning permission (ref: SP10/0883) was granted on 4 March 2011 for the permanent retention of the existing waste management facility, comprising a community recycling centre, materials recycling facility with bulking bays, a waste transfer station with associated infrastructure, an improved access onto Charlton Lane and an acoustic fence adjacent to Ivydene Cottage.
 11. On 15 March 2012, planning permission (ref: SP10/0947) was granted for the development of a Waste Management 'Eco Park', comprising: a Gasification Facility; Anaerobic Digestion Facility; Community Recycling Facility; Recyclables Bulking Facility; Education / Visitor Centre and Offices; Other Associated Infrastructure including Infiltration Basin and Landscaping and the diversion of Public Footpath 70 was granted by the Planning and Regulatory Committee. This followed confirmation by the Secretary of State that he did not wish to call in the application on 2 December 2011.
 12. On 3 April 2012, details (ref: SP11/1147) were approved of a scheme for the construction of an acoustic fence (and for the protection of the existing vegetation along the western and northern boundary of Ivydene Cottage), a Bird Hazard Management Plan, and a Landscape and Ecology Management Plan, submitted pursuant to Conditions 3, 18 and 22 respectively of planning permission reference SP10/0883 dated 4 March 2011. On 10 September 2012, details (ref: SP11/1062) were approved for a scheme to implement the existing bulk HGV routeing strategy, and a dust and odour management plan, submitted pursuant to Conditions 8 and 10 of planning permission reference SP10/0883 dated 4 March 2011.

13. On 8 November 2012, details (ref: SP12/00298) were approved of a Lighting Scheme and a written Scheme of Archaeological Investigation, submitted pursuant to Conditions 17 and 19 respectively of planning permission reference SP10/0883 dated 4 March 2011. On 12 November 2012, details (ref: SP11/1149) were approved of a Method of Construction Statement, a Parking Management Plan and a Travel Plan, submitted pursuant to Conditions 5, 7 and 9 respectively of planning permission reference SP10/0883 dated 4 March 2011. On 17 April 2013, details (ref: SP10/0883/SCD1) were approved of a full CCTV survey of the existing drainage infrastructure and a full surface water scheme, pursuant to conditions 11 and 12 of planning permission SP10/0883 dated 4 March 2011.
14. On 30 April 2013, details (ref: SP10/00947/SCD5) were approved of a Written Scheme of Investigation to secure the implementation of a programme of archaeological work, pursuant to Condition 43 of planning permission reference SP10/0947 dated 15 March 2012.
15. On 1 May 2013, the following details were approved: (ref: SP10/00947/SCD7), Condition 30: details of the provision of bird nest boxes (including the timing of their installation); (ref: SP10/00947/SCD4), Condition 31: a Bird Hazard Management Plan (to include details of the management of any flat or shallow pitched roofs of buildings on site that may be attractive to nesting, roosting and loafing birds); (ref: SP10/00947/SCD8), Condition 32: details of soft and water landscaping works; and (ref: SP10/00947/SCD9), Condition 40: a report detailing the results of a survey of the soils on the Environmental Enhancement Area to consider whether there are sufficient soils on that area to establish and sustain planting, submitted pursuant to planning permission reference SP10/0947 dated 15 March 2012.
16. On 16 May 2013, the following details were approved: (ref: SP10/00947/SCD1), Condition 23: scheme for the construction of an acoustic fence along the western and northern boundary of Ivydene Cottage (and protection of the existing vegetation); and (ref: SP10/00947/SCD3), Condition 42: a Landscape & Ecology Management Plan, submitted pursuant to planning permission reference SP10/0947 dated 15 March 2012.
17. On 10 June 2013, details (ref: SP10/00947/SCD11) were approved of a Bulk HGV Routeing Strategy, pursuant to Condition 15 of planning permission reference SP10/0947 dated 15 March 2012. On 17 June 2013, details (ref: SP10/00947/SCD10) were approved of a Dust and Odour Management Plan, submitted pursuant to Condition 36 of planning permission SP10/0947 dated 15 March 2012.
18. On 20 June 2013, amended details were approved (ref: SP/10/00883/SCD2) of a scheme to implement the existing Bulk HGV Routeing Strategy, submitted pursuant to Condition 8 of planning permission reference SP10/0883 dated 4 March 2011. On 20 June 2013, amended details (ref: SP/10/00883/SCD4) were approved of a scheme for the construction of an acoustic fence and for the protection of the existing vegetation along the western and northern boundary of Ivydene Cottage, submitted pursuant to Condition 3 of planning permission reference SP10/0883 dated 4 March 2011.
19. On 20 August 2013, a detailed lighting scheme was approved (ref: SP10/00947/SCD13), pursuant to Condition 8 of planning permission reference SP10/0947 dated 15 March 2012. On 4 September 2013, details were approved (ref: SP10/00947/SCD12) of the external materials (including their colours) of each of the Eco Park's buildings and the stack, pursuant to Condition 35 of planning permission reference SP10/0947 dated 15 March 2012.
20. On 26 September 2013, details were approved (ref: SP10/00947/SCD2) of a scheme for the implementation, maintenance and management of a sustainable water drainage system, submitted pursuant to Condition 21 of planning permission SP10/0947 dated 15 March 2012. On 2 October 2013, details (ref: SP10/00947/SCD15) were approved of a modified access construction, pursuant to Condition 11 of planning permission ref:

SP10/0947 dated 15 March 2012. On 5 December 2013, details were approved (ref: SP10/00947/SCD6) of a remediation scheme to deal with the risks associated with contamination of the site, submitted pursuant to Condition 17 of planning permission SP10/0947 dated 15 March 2012.

21. In January 2014, SITA confirmed in a letter to the County Planning Authority (CPA) that works to implement planning permission SP10/0883 had been completed, namely: the erection of an acoustic fence along the western and northern boundary of Ivydene Cottage and a widened access off Charlton Lane with internal roads connected to this improved access. As such, the Charlton Lane site is now a permanent waste management facility in the Green Belt (whereas it was previously time-limited to 25 July 2016). Because they have identical details, the acoustic fence and widened access required to implement planning permission ref: SP10/0947 have been completed (though the internal access roads connected to the improved access pursuant to these permissions are slightly different). On 7 February 2014, details (ref: SP10/00947/SCD14) were approved of a Construction Environmental Management Plan, submitted pursuant to Condition 9 of planning permission reference SP10/0947 dated 15 March 2012. In summary, all 15 'pre-commencement' details required by planning permission reference SP10/0947 have been submitted to and approved in writing by the CPA, though development pursuant to the Eco Park planning permission (which expires on 15 March 2015) has not yet commenced.
22. On 25 September 2014, changes (ref: SP13/01553/SCC) were permitted to the planning conditions attached to the Charlton Lane Eco Park planning permission (ref: SP10/0947 dated 15 March 2012) in order to incorporate minor material amendments to the approved scheme comprising a revised gasification technology, 3 new sub stations, other minor material amendments to the layout, buildings, structures and ancillary elements of the scheme, and a minor reduction in the tonnage of waste that would be managed at the site.
23. Two separate Public Inquiries have taken place into the Diversion Order necessary to change the alignment of the footpath to the north of the Charlton Lane waste management facility, in order to build the proposed Eco Park. The first Public Inquiry took place on 3-5 April 2013 owing to third party objections to the Diversion Order, which had been advertised by Surrey County Council. The Inspector issued her decision on 22 May 2013 and agreed to the Diversion Order subject to modifications (principally to ensure that the diverted route coincided with that shown on the approved drawings for the Eco Park). Those modifications were re-advertised. Third party objections were again raised, resulting in a second Public Inquiry held from 28-29 January 2014. The Inspector's decision was issued on 19 March 2014, agreeing the Public Rights of Way (PROW) Diversion Order.
24. On 29 October 2014, the Environment Agency (EA) issued an Environmental Permit variation for the amended Eco Park (EA ref EPR/VP3997NK/V005).

THE PROPOSAL

25. The applicant has submitted details to satisfy the requirements of Condition 9 of planning permission ref: SP13/01553/SCC dated 25 September 2014, detailed above. Condition 9 of planning permission ref: SP13/01553/SCC dated 25 September 2014 states that:

'Construction of the development hereby permitted, including the demolition of the existing buildings, shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the County Planning Authority. The CEMP shall include details of:

- a) *the programme of works;*

- b) *arrangements for liaison between contractors, the highway authority, local residents and other interested persons including the constitution of the liaison committee, its terms of reference and frequency of meetings of any liaison panel;*
- c) *measures for the control of noise and vibration, air quality and dust during construction;*
- d) *measures to minimise risks to the hydrogeology of the site by virtue of ground and earthworks (to include details of piling [subject to the requirements of Condition 20], service installation, foundation construction and dewatering);*
- e) *measures for minimising risks of pollution during construction;*
- f) *siting of any construction compounds or lay down areas;*
- g) *the number, type and size of vehicles associated with each stage of construction including any abnormal loads;*
- h) *daily HGV arrivals and departures for each stage of construction with routing details;*
- i) *construction and demolition of operating and delivery hours;*
- j) *vehicle access and on-site parking and manoeuvring;*
- k) *loading and unloading of plant and materials;*
- l) *construction traffic routing including measures to prevent HGVs accessing the site through Charlton Village;*
- m) *storage of plant and materials;*
- n) *measures to prevent materials from being deposited on the public highway;*
- o) *management of traffic entering and leaving the Community Recycling Centre including measures to avoid conflict with construction traffic or activities; and*
- p) *measures to prevent vehicles parking up outside the site before the entrance gates to it are open;*
- q) *arrangements for the prior notification in writing to the residents of Ivydene Cottage of: emergency shut down testing procedures during commissioning and steam vent testing during commissioning and regular testing during the operational period;*
- r) *a method statement for the protection of trees along the northwest boundary during the construction of the amended internal access road; and*
- s) *protection of boundary vegetation at southern boundary of the site during the construction of the 3 new electricity substations and their enclosures.*

The CEMP shall be implemented strictly in accordance with the approved details.'

DETAILS SUBMITTED PURSUANT TO CONDITION 9 – CHARLTON LANE ECO PARK CONSTRUCTION PHASE ENVIRONMENTAL MANAGEMENT PLAN (REVISION J)

Purpose of the CEMP

26. The purpose of the CEMP is to define the environmental goals for the project and describe how the key environmental issues would be managed. The document would provide the

basis for minimisation of harm to the environment during construction and indicates how key environmental risks would be identified and managed. It is set out in the CEMP that the Project Manager / Project Director is responsible for ensuring that the submitted plan is established, regularly reviewed and updated, and that the plan remains valid throughout the project duration. It is acknowledged in the CEMP that the project for which it is submitted is a technically complex, varied and lengthy construction project and the objective of the CEMP is not to cover all aspects of the project in intricate detail.

a) programme of Works

27. The CEMP sets out that it is anticipated that construction works would commence in March 2015 and continue until June 2017. Enabling works are due to commence in December 2014 and be completed by March 2015. The CEMP goes on to set out the following project milestones following the awarding of the contract to M&W Group UK:

Milestone Reference	Description	Weeks
2	Access to Site	6
	Erect Acoustic Fence	Installed
3	Construction in accordance with Phases 0 – 5 as detailed in Appendix 11.5	6 – 138
4	Pre-commissioning test (cold commissioning) (AD)	65 – 78
5	Commissioning (hot commissioning) (AD)	78 – 93
6	Operability demonstration (AD)	93 – 98
7	Pre-commissioning test (cold commissioning) (Gasifier)	92 – 104
8	Commissioning (hot commissioning) (Gasifier)	104 – 117
9	Operability demonstration (Gasifier)	117 – 122
10	Site handover	122 – 138

b) arrangements for liaison between contractors, the highway authority, local residents and other interested persons including the constitution of the liaison committee, its terms of reference and frequency of meetings of any liaison panel;

28. The CEMP sets out that the Project Manager would liaise with the Highway Authority for the County of Surrey (Surrey County Council), and if necessary Surrey Police, to ensure that site traffic is carefully managed to avoid significant disruption to the local highway network. The applicant also states that the Charlton Lane Community Liaison Group meets regularly and is formed of representatives from the local community, elected councillors, the County Council and SITA Surrey. The applicant further states that M&W Group UK would attend that group as necessary. It is also set out in the submitted CEMP that monthly focus forums would be organised which would allow clear and direct communication of up and coming significant activities including providing update(s) of the status of the project, in collaboration with the appointed sub-contractors, highway authority, local residents as well as other interested person(s) / parties.
29. It is set out in the submitted CEMP that the Charlton Lane Community Liaison Group was initially set up in June 2010 to consult and inform all interested parties during the planning stage of the Eco Park project. As planning permission has been granted subject to conditions, the group will now encourage discussion between interested parties (community representatives and stakeholders), SITA Surrey and Surrey County Council on issues relating to the construction, commissioning and operation of the Charlton Lane Eco Park and current operations at the site.
30. The submitted CEMP sets out details of the constitution of the liaison committee, its terms of reference and the frequency of meetings of any liaison panel. It is set out that the remit

of the group is to provide a dialogue between the operator, Surrey County Council and the local community and primarily exists to maintain community awareness of the project and to pass on information to the local community. The group does not have an enforcement or decision-making role. However, decision makers at SITA Surrey, SITA UK and Surrey County Council shall be made aware of the group's discussions so that they can be taken into account. It is set out that the group should continue to have a role even after construction of the Eco Park has been completed and commissioning / operations are commenced. It is set out in the submitted details that dissolution of the group would only take place given a majority vote in favour by members.

31. The applicant sets out that monthly newsletters would be distributed to local residents, including businesses within the immediate vicinity, in order to provide clear and consistent direct communication to these relevant parties. In addition to the monthly newsletters, the applicant sets out that quarterly engagement with local schools, colleges and the local scout association would also be organised along with a series of workshops including 'Question and Answer' sessions and site tours which would be organised to demonstrate open transparency throughout the construction process.

c) measures for the control of noise and vibration, air quality and dust during construction;

Noise and Vibration

32. The CEMP sets out that the permanent acoustic screen along the northern and western boundary of Ivydene Cottage has already been introduced prior to the commencement of construction works. The acoustic fence shall be permanently be retained and maintained in good condition in accordance with the details approved in writing by the County Planning Authority by notice dated 16 May 2013 (planning permission reference: SP10/00947/SCD1). This is a requirement of Condition 23 (Noise) of planning permission ref: SP13/01553/SCC dated 25 September 2014.
33. It is set out in the CEMP that Condition 24 of planning permission ref: SP13/01553/SCC states that: *'The level of noise emitted from the site during construction shall not exceed 70 LAeq during any 30 minute period between 0800 – 1700 hours Monday to Friday and 0830 – 1300 hours on a Saturday measured at, or recalculated at a height of 1.2 m above ground level and 3.5 m from the facade of any residential property or other noise sensitive building that faces the site. Construction noise at any other permitted time shall not, so measured, exceed 60 LAeq during any 30 minute period.'*
34. It is set out in the CEMP that the contractor (M&W Group UK) would control and limit noise and vibration levels, so far as is reasonably practicable, so that residential properties and other sensitive receptors are protected from the detrimental effects of noise and vibration arising from construction activities. Minimising noise and vibration would be a continuous activity throughout the construction phase works. It is set out in the CEMP that construction works would follow Best Practicable Means, as defined in Section 72 of the Control of Pollution Act 1974, to minimise noise and vibration effects. The control measures set out below would be adopted to manage and/or reduce environmental effects of noise and vibration from demolition and construction activities:
- Vehicles and mechanical plant would be maintained in a good and effective working order and operated in a manner to minimise noise emissions. The contractor would ensure that all plant complies with the relevant statutory requirements;
 - All plant would be properly silenced in accordance with the manufacturers' specifications;
 - All plant and machinery would be switched off when not in use;

- Where practicable use “white noise” reversing alarms in place of the usual “siren” style reversing alert;
 - Machines in intermittent use would be shut down in the intervening periods between works or throttled down to a minimum;
 - All onsite access routes would be kept properly maintained with a good running surface;
 - When loading or unloading, dismantling or moving materials, suitable care would be taken to reduce noise effects;
 - The construction programme would be strictly limited to the working hours permitted under the operational hours specified in the planning conditions, therefore no plant or work would be operating through the night;
 - Suitable anti-vibration mountings must be fitted where practicable to rotating and/or impacting equipment;
 - Activities and plant that generate noise and vibration would be located away from sensitive receptors;
 - Any acoustic enclosures supplied with equipment, would be closed, tight fitting and well-sealed.
35. The applicant then sets out that the construction activities that would cause the greatest noise break out are: piling (particularly by diesel hammer); breaking out with pneumatic tools; scabbling of concrete; falling ball demolition; shot-blasting and hydro-demolition. The CEMP sets out that these methods would only be used when all other practicable methods have been investigated and discounted or that their use minimises other environmental impacts. If possible the need for noisy assembly activities would be reduced by fabricating offsite.
36. It is set out in the CEMP that environmental noise monitoring would be undertaken by a specialist contractor using calibrated equipment and recorded on a daily basis. The specialist contractor would provide audiometric reports. During the initial period of mobilisation as well as site set-up, M&W Group UK would conduct this daily activity through the use of a calibrated hand-held device. It is set out that noise reports would be made available to Spelthorne Borough Council and Surrey County Council on request. The submitted CEMP includes a plan which sets out the indicative locations where noise monitoring would take place.

Air Quality and Dust

37. It is acknowledged in the submitted CEMP that the construction phase would generate dust emissions from the heavy earth moving equipment, excavators and dump trucks used for the construction of foundations, structures and related landscaping works. The applicant sets out the main operations and/or locations where dust generation may occur as: earthworks and bund formation; piling; handling and disposal of spoil; wind-blow from stockpiles of particulate material; movement of vehicles, both on and off site; and handling of loose construction materials. Where the potential for an effect on air quality exists, measures to reduce the effect would include, but are not limited to, the following practices:
- Site haul roads would be made hard surfaced as soon as practicable. A speed limit of 5mph is imposed around site. Water (recycled water wherever possible) would be used to suppress dust arising from haul roads and site activities which generate dust e.g. demolition, tipping and compaction of hardcore, crushing materials and kerb cutting;

- Stockpiles would be located in wind sheltered areas (or provide wind breaks) to minimise the potential for dust generation. Stockpiles would be kept to a minimum practicable height with gentle slopes to minimise the likelihood of wind-whipping. Stockpile surfaces would be compacted and bound. Long-term topsoil stockpiles would be grass seeded. Timescales for seeding would depend on when the stockpile is likely to be moved, but typically if a stockpile is destined to remain for 6 months, it would be seeded;
- Waste skips which contain dusty materials would be enclosed or covered by tarpaulin. If required, enclosed waste chutes would be used and the height from which materials are deposited down them would be minimised; and
- If any concrete crushing were to be undertaken onsite, notification of the mobilisation of the crusher would be submitted to Environmental Health including details of the operator, the materials to be crushed and the duration that the crusher is to be present onsite.

38. It is set out in the CEMP that in order to establish baseline dust levels, a specialist contractor would be engaged to undertake a full baseline dust survey during site operational hours prior to M&W Group UK commencing construction tasks. It is set out that it is envisaged that the pre-construction baseline survey would be undertaken in the summer of 2015. The baseline information would be collated and utilised to monitor future operations undertaken by M&W Group UK during construction phases. Trigger levels would be set and agreed by the Local Authority.

Dust Monitoring

39. Details of dust monitoring in the CEMP set out that the frequency of visual inspections would be carried out daily at minimum. The frequency of visual inspections would be dependent on the type of construction activities undertaken, as detailed in IAQM Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites dated 2011. It is stated in the CEMP that the type of dust monitoring, the duration of monitoring and the monitoring locations for establishing the baseline conditions would be agreed with the Local Authority; indicative dust monitoring locations have been included in the submitted details. On completion of the baseline survey, M&W Group UK would agree the type of dust monitoring and monitoring locations with the local authority.
40. In terms of dust monitoring locations, it is set out in the CEMP that dust monitoring locations would be maintained for the duration of the works. Dust suppression measures would be available and utilised, as advised during the construction phase of works and would typically include damping down of excavations, stockpiles and haul roads during dry and breezy weather conditions. It is set out that the results of these inspections would be recorded in the Site Dust Log and that the recorded information would include both the prevailing conditions at the time of the observation (weather and nature of construction activity) and the observation of any dust and location at which observations were made. It is stated that the Site Dust Log would be made available to the Local Authority on request.

d) measures to minimise risks to the hydrogeology of the site by virtue of ground and earthworks (to include details of piling [subject to the requirements of Condition 20], service installation, foundation construction and detwatering);

41. The CEMP sets out in respect of earthworks that the site would require re-profiling to generate a development platform. In accordance with the Site Remediation Scheme, to be approved under Condition 17 (Contamination), if an unexpected visual or olfactory ground contamination is encountered during the groundwork's, it is set out that this should be stockpiled if necessary, sampled, tested and assessed to determine whether the material could be re-used on site (with or without treatment) or whether it should be disposed of at

a suitably licensed landfill site. Verification of the remediation undertaken onsite to the appropriate standards would be demonstrated to the satisfaction of the County Planning Authority (CPA). With regard to earthworks, this would include:

- Photographs of the area in the vicinity of any Asbestos Contaminated Material (ACM) to confirm that they have been removed and to show that there are no ACMs in the soils.
 - A plan showing the extent of any excavations and where site won soils have been placed.
 - Details of any unexpected contamination encountered and how it was dealt with.
 - Confirmation that no soils with visual or olfactory evidence of contamination were found during the works (other than ACMs).
 - Records of all imported sub and top-soil for the site complete with laboratory test certificates demonstrating that the material is suitable for use in gardens.
 - A copy of the hazardous waste producer license (for asbestos disposal)
42. In terms of Condition 20 of planning permission reference: SP13/01553/SCC dated 25 September 2014, the CEMP sets out that Condition 20 requires the County Planning Authority to approve a Piling Risk Assessment prior to any piling using penetrative methods being carried out on site. This must demonstrate that the construction of the development would not mobilise existing contamination or create new pathways with risk to groundwater and will take account of the following Environment Agency Documents:
- “Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention” (Ref: NC/99/73, 2001);
 - “Piling into contaminated sites” (2002);
 - “Piling in Layered Ground: risks to groundwater and archaeology” (SC020074SR,2006).
43. The CEMP also sets out that any penetrative piling on site must adhere to the measures yet to be approved under Condition 20. In general, the piling method selected must minimise the potential to drive soil-based contamination into the deeper aquifer, or create preferential migration pathways. Groundwater monitoring would be undertaken during, and following, piling to confirm that the piling process has not impacted on groundwater quality. With reference to appendix 11.6 of the submitted CEMP, it is set out that the sector that has been designated for Site Investigation during Phase 1 and the construction of the CRC road is to locate those obstructions i.e. the historical incinerator and its foundations shown in appendix 11.9.
44. In terms of service installation, the CEMP sets out that when water pipes are being laid, all Made Ground would be removed from service trenches and backfilled with site won natural sand (or imported quarried sand) and sub-base. The CEMP also clarifies that discharges of water would only be made when given permission to do so by M&W Group UK who would apply to the environmental regulator or sewerage provider for the appropriate discharge consents: i.e. foul water sewer – effluent discharge consent required from sewerage provider; and controlled waters (from surface water drains) – discharge consent from environmental regulator.
45. The CEMP also sets out that if the discharge of water is necessary this should be to the foul sewer rather than surface water drain and that water containing silt must not be pumped directly into a river, stream or surface water drain. The contractor would either construct settlement ponds / lagoons or silt separators to remove the silt prior to discharge or discharge to foul sewer with consent from the water company. It is stated that the amount of exposed ground and stockpiles must be minimised and watercourses must be protected from runoff from exposed ground and stockpiles. The CEMP sets out that wheelwashes, road brushes and plant washing facilities must be securely constructed with no overflow and the effluent contained for proper treatment and disposal. Wheel washes must also be regularly brushed or scraped and kept free from dust and mud deposits. It is

set out that wheelwash locations would vary as construction progresses but would always be located in positions to enable and allow HGV's to routinely visit the wheel wash before leaving the site.

46. It is set out in the CEMP that water arising from or collecting in excavations is likely to become silt laden and therefore would need treatment prior to discharge. Measures would be put in place to prevent water from entering excavations, where possible. If there is a requirement to dewater excavations, this would either be discharged to surface water drains (after discharge through an oil interceptor and silt separator) or when the surface water attenuation pond has been constructed, groundwater would be discharged into the attenuation pond. Additionally, concrete lorries would be washed out into a suitably contained designated area such as a poly-lined waste skip or lagoon.

e) measures for minimising risks of pollution during construction;

47. In addition to the measures outlined in relation to section (c) of Condition 9 (measures for the control of noise and vibration, air quality and dust during construction), the CEMP sets out that the site previously contained a Household Waste Incineration plant and that a Geoenvironmental Desk Study carried out on behalf of the client does not anticipate any contamination at the site. However, by nature of the site operations, there exists a minor risk that some localised hydrocarbon contamination may be present. Therefore, if any unforeseen contamination is identified onsite, works would be stopped immediately, the area would be cordoned off and the Project Manager / client would be notified. Contractors would also be required to provide chemical spill kits appropriate to the chemicals in use. Emergency measures, including clean up and disposal would be identified and addressed in the task specific assessment. In the event of a major spillage, M&W Group UK would report the event to the environmental regulator via the Environment Agency emergency hotline.
48. The CEMP also sets out that the burning of any materials onsite would be prohibited, that all plant and equipment used onsite would be well maintained and subject to regular inspection, that all vehicles used by contractors must comply with MOT emissions standards at all times and that vehicle engines, plant and equipment must be switched off when they are not in use.

f) siting of any construction compounds or lay down areas;

49. During the construction, laydown areas would be located in the northern part of the site.

g) the number, type and size of vehicles associated with each stage of construction including any abnormal loads;

50. The applicant anticipates that the number, type and size of vehicles associated with each stage of the construction phase, including abnormal loads, would be as follows:

Area	Van	HGV	Abnormal
Ad Plant Area	20	305	2
AD Building	250	398	6
Baler Storage	376	376	2
Tank Slab	0	92	0
Steel Frame	17	36	10
CRC Building	0	278	0
Gasification	132	2552	1
External Works	50	2084	0
Infiltration	0	50	0
Site Infrastructure	0	418	0
Gasification Plant	450	252	5

h) daily HGV arrivals and departures for each stage of construction with routing details;

51. The submitted CEMP includes a graph showing the estimated number of HGV's visiting the site per project week and the average number per working day throughout the construction of the project. Officers note that there are several peaks throughout the 114 week construction phase: most notably between weeks 27 and 48. As noted above, on 5 June 2013, details were approved at the Planning & Regulatory Committee of a Bulk HGV Routeing Strategy (ref: SP10/0947/SCD11), pursuant to Condition 15 of planning permission ref: SP10/0947 dated 15 March 2012; construction vehicles would adhere to this Routeing Strategy.

i) construction and demolition operating and delivery hours;

52. The CEMP confirms that Condition 6 of planning permission ref: SP10/0947 restricts construction hours to the following: Monday to Friday 07:30 – 17:30, Saturday 07:30 – 13:30, with the site closed on Sundays, Christmas Day, Boxing Day, New Year's Day and Public, Bank and National Holidays. In addition, any piling (the methodology of which must be approved by the County Planning Authority under Condition 20 of the planning permission SP13/01553/SCC), and soil moving activities are limited to 08:00 – 17:00 hours Monday to Friday. The CEMP sets out that there would be no construction work or restoration activity carried out at any time on a Sunday, Christmas Day, Boxing Day, New Year's Day or Public, Bank and National Holidays.

(j) vehicle access and on-site parking and manoeuvring;

53. The CEMP sets out that the site boundary would be protected by security fencing or hoarding and that the works areas would be safely and securely fenced-off from adjacent client production areas or public areas. Construction traffic would not be permitted to pass through Charlton Village and access to the site would be via the A244 immediately east of the project. It is confirmed in the CEMP that at all times traffic must not block access to the Scout Hut, Ivydene Cottage and the Community Refuse Centre, all of which would remain fully operational during the works. To ensure that access is maintained to the project site, Scout Hut, Ivydene Cottage and the Community Refuse Centre, an on-site worker known as a 'banksman' would be located at the site entrance. In addition, the site logistics team would monitor all access to site routes. CCTV is located at the site entrance and this would be inspected, when required, to review activity at the site entrance.
54. The CEMP highlights the approved HGV Routing Strategy and confirms that the prescribed access route would be a condition of all supply orders and subcontracts, and that a log would be maintained including records of agreements with organisations and the drivers to demonstrate their understanding of the prescribed access route. It is set out that HGV drivers contracted to M&W Group UK found not to be following the agreed routing strategy would be reminded of the requirements to follow the agreed HGV Route. Any driver who continues to disregard the routing strategy would be formally warned. Persistent offenders would be prohibited from working on site at the discretion of the Project Manager / Site Manager. All construction traffic leaving site would pass through the wheel wash located at the east side of the site.
55. In relation to parking, it is set out in the CEMP that during the site set up phases, contractor's designated parking area would be located at the main (south) site entrance. During the construction phases of the project, contractor's designated parking area would be located next to the site compound (northeast of the site). Individual spaces would measure 2.4 metres wide x 4.8 metres deep with 6 metres of aisle space on the ground. Any vehicles observed parking / waiting within the marked restricted areas would be identified and requested by security staff to move on and / or reported to relevant authorities.

56. The banksman located at the entrance to the site and the site logistic team would be tasked with checking that no vehicles have parked up outside the site prior to opening. If vehicles are observed to attempt to lay-up they would be requested to move on by security staff. During peak operating times, M&W Group UK would have contingencies in place to allow HGV access to the site from 7:00am in order to avoid the queuing back of large vehicles onto Charlton Lane. In such instances, HGVs would be allowed to enter the site and queue on the internal site roads. In the event that vehicles are allowed to enter the site before 7:00am in order to avoid congestion on Charlton Lane, drivers would turn off their engines.

k) loading and unloading of plant and materials;

57. It is set out in the submitted CEMP that all vehicles approaching the site would be stopped and checked at the security checkpoint located at the construction site entrance. The appointed gate person would have a daily schedule of deliveries expected on any given day and if the delivery is not on the schedule the relevant management would be contacted to verify that the delivery is correct. Only authorised delivery vehicles would be allowed to enter the site. All vehicles would be inspected at the security checkpoint to ensure that there are no oil leaks or other defects that may pose a safety or environmental risk. If the delivery vehicles were to have any visible defects it would not be allowed to enter the site. After the driver has been briefed on the health and safety and other environmental procedures specific to the site, they would be asked to sign a register to agree that they would comply with the site rules.
58. It is set out that the appointed gate person would take the details of the delivery lorry such as the company it belongs to, make, registration, time of arrival and departure etc. The driver of the delivery vehicle would then be issued with a copy of the site rules and would be advised where on the site he/she has to go to and who their point of contact would be. The loading and unloading of materials would be dependent on size, shape, weight and type of load, generally this would be carried out via mechanical means i.e. crane, forklift etc. However, this would be appropriately assessed prior to delivering equipment materials to site. The driver would also be reminded that they must turn left when leaving the site and would be given a copy of the approved HGV routing plan. It is not expected that the activities described above would result in delays, nor in vehicles queuing onto the public highway. However, in the events this was to occur, unprocessed vehicles would be retained within the site boundary, rather than outside the site entrance.

l) construction traffic routing including measures to prevent HGVs accessing the site through Charlton Village;

59. As noted above, on 5 June 2013, details were approved at the Planning & Regulatory Committee of a Bulk HGV Routeing Strategy (ref: SP10/0947/SCD11), pursuant to Condition 15 of planning permission ref: SP10/0947 dated 15 March 2012. Condition 15 of planning permission ref: SP13/01553/SCC sets out that the approved Bulk HGV Routeing Strategy (including measures to prevent HGVs contracted to the site operator from travelling through Charlton Village) shall be implemented and maintained strictly in accordance with the details approved in writing by the County Planning Authority by notice dated 10 June 2012 under reference SP10/0947/SCD11. It is set out in the CEMP that construction traffic would adhere to this Routeing Strategy.

m) storage of plant and materials;

60. The CEMP sets out that when plant and machinery are delivered to the site they would undergo the same procedure when entering the site as material deliveries described above. All plant and machinery delivered to site would be unloaded within the perimeter of the site during the agreed site operational hours. No plant deliveries would be unloaded on the Public Highway. All plant and machinery would have current and thorough inspection

certification and would undergo an inspection by a suitably qualified person and the operator prior to being allowed to operate on site. Inspections of plant would be carried out by operators and recorded daily. All defects would be reported to site management. Plant and machinery would not be allowed to operate until any defects are repaired.

61. Additionally, if plant and machinery are not to be used to a prolonged period they are to be stored within the material storage compound, with a security fence erected around the perimeter of the entire site to prevent intruders entering. In addition, plant and machinery would be moved back from work fronts at the end of each shift to secure locations on site and locked in designated pull in / set down area. Where possible, plant would be fuelled within bunded areas in the designated area for material unloading and storage, and all remaining plant would be refuelled within a double skinned fuel bowser. Spill kit would be present during all refuelling. Operatives carrying out refuelling would be briefed on refuelling procedures and emergency procedures for dealing with fuel spills.

n) measures to prevent materials from being deposited on the public highway;

62. It is set out in the CEMP that a wheel wash would be located on the Eastern side of the development. The wheel washing facility would be self-contained with an integral pump house and internal settlement collection tank. The wheel wash would comprise high-pressure water hoses and a power washer hand lance. A road sweeper would be used to clean all road surfaces, including public highway and site roads, on a regular basis to remove any materials that have been deposited on them.

o) management of traffic entering and leaving the Community Recycling Centre including measures to avoid conflict with construction traffic or activities;

63. It is set out in the CEMP that the main site access arrangements to the Charlton Lane facility would remain open to traffic throughout the full duration of the construction works. It is stated in the CEMP that access to the Waste Transfer Station and Materials Recycling Facility would not be materially altered by the construction proposals, with HGV access roads unaffected by construction traffic management measures or internal site diversion routes. Inevitably, delivery of the site access construction works could be expected to have some general impact on the overall operating capacity of the access arrangements, due to the need for temporary land closure, etc. during some construction phases. Given that a significant proportion of the proposed works are effectively 'off-line' to the current site access routes access road, it is not anticipated by the applicant that delivery of the works should result in long term congestion issues or result in substantive blocking back towards the public highway.
64. It is set out in the CEMP that a manned barrier (site security) would be located at the site entrance to prevent unauthorised access by the general public into construction areas as well as controlling / coordinating construction related traffic. In addition to on-site traffic management, additional operational measures would be taken to minimise construction traffic impact, with the construction of the temporary haul road and car park forming a one way system via the existing workshop yard, and where possible encouraging construction deliveries take place outside of typical CRC peak hours of operation.

p) measures to prevent vehicles parking up outside of the site before the entrance gates to it are open;

65. It is acknowledged in the CEMP that the site operates a Parking management Plan (ref: SP11/1149) which was approved on 12 November 2012, the purpose of which is to reduce the occurrence of vehicles parking up and waiting prior to the site's opening. It is stated in the CEMP that construction traffic would observe all site rules including the site's Parking Management Plan and HGV Routing Strategy which both aim to reduce the impact of HGVs on the surrounding network. It is set out in the CEMP that drivers of vehicles identified as disobeying waiting restrictions at the site access or noted to be regularly

arriving at the site access prior to formal site opening hours would be subject to the site disciplinary process including official verbal and written warnings. Failure to obey these requirements could ultimately lead to the individuals being banned from the site by the Project Manager.

q) arrangements for the prior notification in writing to the residents of Ivydene Cottage of: emergency shut down testing procedures during commissioning; and steam vent testing during commissioning and regular testing during the operational period;

66. The CEMP sets out that Ivydene Cottage is unoccupied and is owned by Surrey County Council. All communications regarding works and their potential impact on Ivydene Cottage would be directed to Surrey County Council, as owner of this property. Communication and updates of development / construction phase(s) would be provided through Community Liaison.

r) a method statement for the protection of trees along the northwest boundary during the construction of the amended internal access road; and

67. It is set out in the CEMP that protection for the trees along the northwest boundary during construction of the internal access road, and vegetation at the southern boundary during construction of the sub-stations, would be provided by a temporary barrier during site stripping activities, which would be proceeded by the erection of the permanent palisade fence. Trees would be retained and root zones would be protected from incursion by construction plant during development. The fencing would be located a minimum of 5 metres outside the canopy, or 15 times the diameter of the trunk at breast height, whichever is the greater. Storage or discharge of any construction materials would not be permitted within the protected zone.
68. In clarification letter dated 6 March 2015 from SITA Surrey Ltd, the applicant clarifies that details of how tree protection would be managed during construction would be best dealt with collaboratively with the involvement of the County Landscape Architect, the applicant and construction managers walking the site and agreeing details which can then be subsequently considered and approved by the County Landscape Architect. The letter of clarification has been written in response to the County Landscape Architect's comments and the points of clarification have been written in discussion with Officer's. It is set out in the letter of clarification that detailed design details for individual trees and groups of trees to be retained would be provided by the applicant prior to any construction works in areas of proximity to those trees, it is set out that a 30 metre standoff zone would be maintained until such a time as:
- I. The applicant, the applicant's construction contractor and the County Landscape Architect have inspected the construction site and confirmed on the ground that:
 - The trees to be retained (as shown on previously approved plans);
 - The extent of the canopy of the trees;
 - The extent of the root protection zone identified for each retained tree or groups of trees;
 - The type of fencing and positioning of fencing to be placed around the retained trees to protect the root protection zones and canopies.
 - II. Subsequent to the site meeting and inspection, the applicant, in conjunction with the applicant's construction contractor, shall:
 - Provide a written description of the tree protection measures to be used (those being the measures discussed and agreed on site);
 - Submit procedures and details of signage to be provided, such procedures to be undertaken advising of the tree protection measures, to make all interested parties fully aware of the areas in which access and works may or may not take place;

- Provide a tree protection plan detailing the items agreed in point 'I' above;
 - Confirm the length of time protection measures are anticipated to be required;
 - Submit procedures to afford temporary access to protection exclusion zones and how that will be managed
- III. The applicant and the applicant's construction contractor can confirm that the tree protection measures and a tree protection plan would accord with guidance provided in BS5837:2012;
- IV. The applicant and the applicant's construction contractor can confirm that all protective barriers would be in accordance with BS5837:2012, which indicate barriers should be fit for the purpose of excluding construction activity and fixed or well braced to resist impact;
69. It is set out in the letter of clarification dated 06 March 2015 from SITA Surrey Ltd that the details and procedures outlined above (I – IV) must be submitted to, and approved in writing by, the County Planning Authority, prior to any construction works taking place in areas within a 30 metre standoff zone of trees, and groups of trees, to be retained.

s) protection of boundary vegetation at southern boundary of the site during the construction of the 3 new electricity substations and their enclosures.

70. It is set out in the submitted CEMP that trees, in addition to hedgerows within the direct vicinity of construction operations and heavily trafficked routes, would be protected from vehicles and plant and that to avoid damage to trees, vehicles and plant are to be kept away from trees and hedgerows and avoid root disturbance. It is then set out that protection of the vegetation at the Southern boundary of the site during construction of the sub-stations would be provided by a temporary barrier during site stripping activities, which would be proceeded by the erection of the permanent palisade fence. In addition to the details included in the submitted CEMP, clarification letter dated 06 March 2015 sets out additional details and procedures (set out above) which must be submitted to and approved in writing by the County Landscape Architect and the County Planning Authority, prior to any construction works taking place in areas within a 30 metre standoff zone of trees, and groups of trees, to be retained.

SITE WASTE MANAGEMENT PLAN

71. The Site Waste Management Plans (SWMP) Regulations (2008 Regs) require such a SWMP for construction projects that would have an estimated cost of over £300,000. If such a project is started without a site waste management plan, the client and the principal contractor are both guilty of an offence. The 2008 Regs set out that a SWMP must identify the client; the principal contractor; and the person who drafted it. The SWMP must also describe the construction work proposed, including the location of the site and the estimated cost of the project. In addition, the SWMP must record any decision taken before the SWMP was drafted on the nature of the project, its design, construction method or materials employed in order to minimise the quantity of waste produced on site.
72. The SWMP must also describe each waste type expected to be produced in the course of the project; estimate the quantity of each different waste type expected to be produced; and identify the waste management action proposed for each different waste type, including re-using, recycling, recovery and disposal. Lastly, the 2008 Regs state that the SWMP must contain a declaration that the client and the principal contractor would take all reasonable steps to ensure that all waste from the site is dealt with in accordance with the waste duty of care in section 34 of the Environmental Protection Act 1990 (1) and the Environmental Protection (Duty of Care) Regulations 1991 (2); and that materials would be handled efficiently and waste managed appropriately.

73. A SWMP has been prepared for this project and is included in the CEMP. It is set out that M&W Group UK would use an online package (known as 'SMART Waste') to record the details of the SWMP. All workers on the site would be made aware of requirements of the SWMP during induction and are would fully comply with waste management requirements. This regular information and training would be to ensure site wide engagement with the plan.
74. In light of the above-mentioned specific requirements of what a SWMP should contain, Officers consider that the applicant has submitted an adequate SWMP for the purposes of the 2008 Regs. Officers recommend an informative is attached to any approval of this application to remind the applicant of the commitments made in their submitted SWMP.

CONSULTATIONS AND PUBLICITY

District Council

75. Spelthorne Borough Council – No comments received
76. Spelthorne Borough Council
Environmental Health – Minor revisions to the CEMP suggested. (County Planning Officers shared suggestions with applicant, which were then incorporated into the CEMP Revision J)

Consultees (Statutory and Non-Statutory)

77. County Highway Authority – No Objection
78. Environment Agency – No comments to make as: *'many of the points raised in this submission are specifically covered by the Environmental Permit and other environmental legislation which we directly regulate.'*
79. County Air Quality Consultant (Dust) – No objection subject to conditions
80. County Noise Consultant – No objection subject to conditions
81. County Landscape Architect – No objection subject to conditions – detailed comments to follow

Parish/Town Council and Amenity Groups

82. Charlton Village Residents' Association – No comments received
83. Laleham Residents' Association – No comments received
84. Lower Sunbury Residents' Association – No comments received
85. Shepperton Residents' Association – General comments – trust SCC will ensure details of the conditions are fully complied with
86. Staines Town Society – No comments received

Summary of publicity undertaken and key issues raised by public

87. The application was publicised by the posting of 3 site notices and an advert was placed in the local newspaper. A total of 1973 owner/occupiers of neighbouring properties and other parties who had previously expressed an interest in the site were directly notified by letter. A total of 89 (at the time of writing) representations were received in response to the posting of site notices, issuing of press notices and 1973 letters. The following relevant comments were raised relating to the CEMP:
- The roads cannot cope with the prospected 7,000 lorry movements: this would lead to noise, vibration and pollution
 - HGVs would leave dust and filth along the roads
 - Lorries would park up ready for the site to open.
 - Dust and smoke would affect the nearby motorway
 - Too much traffic already passes through Charlton Village and the surrounding roads would be gridlocked.
 - The effect of vehicle emissions during the construction phase has not been considered in the CEMP
 - Is there an estimated annual tonnage and how many daily journeys would that mean?
 - HGVs cause the most accidents with cyclists.
 - None of the construction movements were mentioned or considered in any reports or claims used by SITA or Surrey Officers in any of the planning meetings and consultation.

PLANNING CONSIDERATIONS

National Guidance

National Planning Policy Framework
National Planning Policy for Waste 2014

Surrey Waste Plan 2008

Policy DC3: General Considerations
Key Development Criteria (Charlton Lane)

Spelthorne Core Strategy and Policies Development Plan Document 2009

Policy CC1 - Renewable Energy, Energy Conservation and Sustainable Construction
Policy CC2 - Sustainable Travel
Policy SP6 - Maintaining and Improving the Environment
Policy EN1 - Design of New Development
Policy EN8 - Protecting and Improving the Landscape and Biodiversity
Policy EN11- Development and Noise
Policy EN15 - Development on Land Affected by Contamination

88. The County Council as County Planning Authority has a duty under Section 38 (6) of the Planning and Compulsory Purchase Act 2004 to determine this application in accordance with the Development Plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act 1990 (as amended) (1990 Act) requires local planning authorities when determining planning applications to *“have regard to (a) the provisions of the development plan, so far as material to the application, (b) any local finance considerations, so far as material to the application, and (c) any other material considerations”*. At present in relation to this application the Development Plan consists of the Surrey Waste Plan 2008 and the Spelthorne Core Strategy and Policies Development Plan Document (SCS) 2009 with the National Planning Policy Framework (NPPF) 2012 and the National Planning Policy for Waste (NPPW) 2014 as material considerations.

89. The National Planning Policy Framework (NPPF) was adopted in March 2012. This document provides guidance to local planning authorities in producing local plans and in making decisions on planning applications. The NPPF is intended to make the planning system less complex and more accessible by summarising national guidance which replaces numerous planning policy statements and guidance notes, circulars and various letters to Chief Planning Officers. The document is based on the principle of the planning system making an important contribution to sustainable development, which is seen as achieving positive growth that strikes a balance between economic, social and environmental factors. The Development Plan remains the cornerstone of the planning system. Planning applications which comply with an up to date Development Plan should be approved. Refusal should only be on the basis of conflict with the Development Plan and other material considerations.
90. The NPPF states that policies in Local Plans should not be considered out of date simply because they were adopted prior to the publication of the framework. However, the guidance contained in the NPPF is a material consideration which planning authorities should take into account. Due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies are to the policies in the Framework, the greater the weight they may be given). Paragraph 122 of the NPPF sets out 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. It states that local planning authorities should assume that these regimes will operate effectively.
91. The National Planning Policy for Waste (NPPW) 2014 was published on October 16 2014 replacing with immediate effect Planning Policy Statement 10: Planning for Sustainable Waste Management. The NPPW sets out detailed waste planning policies to work towards a more sustainable and efficient approach to resource use and management. The NPPW should be read in conjunction with the NPPF, the Waste Management Plan for England, National Policy Statements for Waste Water and Hazardous Waste or any successor documents. All local planning authorities should have regard to its policies when discharging their responsibilities to the extent that they are appropriate to waste management.
92. It is set out in Section 7 (Determining Planning Applications) of the NPPW that: waste planning authorities should consider the likely impact on the local environment and on amenity against the criteria set out in Appendix B of the NPPW. Appendix B sets out a range of locational criteria which waste planning authorities should consider in the determination of planning applications. Locational criteria relevant to the current application are detailed below.
93. Locational criterion 'A' (Protection of Water Quality and Resources and Flood Risk Management) states that considerations will include the suitability of locations subject to flooding, with consequent issues relating to the management of potential risk posed to water quality from waste contamination needing particular care. Locational criterion 'F' (Traffic and Access) states that considerations would include the suitability of the road network and the extent to which access would require reliance on local roads, the rail network and transport links to ports. Criterion 'G' (Air Emissions [including dust]) sets out that considerations would include the proximity of sensitive receptors and the extent to which adverse emissions can be controlled through the use of appropriate and well maintained and managed equipment and vehicles. It is set out in Locational criterion 'J' (Noise and Vibration) that considerations will include the proximity of sensitive receptors and noise and vibration from goods vehicle traffic movements to and from the site.
94. The Surrey Waste Plan (SWP) 2008 sets out the planning framework for the development of waste management facilities in Surrey. The plan is divided into four sections. The Core Strategy sets out the spatial vision for the area over the plan period together with key

spatial objectives and strategic policies. The Waste Development section contains site specific proposals for the development of waste management facilities. The Waste Development Control Policies section contains a set of development control policies that apply across the whole County and apply to all waste development. The Proposals Map illustrates the areas of designation identified in the core strategy policy and the location of identified sites.

95. SWP 2008 Policy DC3 sets out that information expected to accompany planning applications in relation to traffic would include an assessment of the level and type of traffic that would be generated and an assessment of the impact of that traffic, the suitability of the access to the site and the highway network in the vicinity of the site including access to and from the motorway and the primary route network. Policy DC3 states that planning applications should assess the release of polluting substances to the atmosphere from facilities and transport and identify appropriate mitigation and states that the information supporting the planning application must include, where relevant to a development proposal, assessment of: the contamination of ground and surface water; the drainage of the site and adjoining land and the risk of flooding; and the groundwater conditions and the hydrogeology of the locality. Where necessary, appropriate mitigation should be identified so as to minimise or avoid any material adverse impact and compensate for any loss. Lastly, Policy DC3 states that planning applications should assess any adverse effects on neighbouring amenity including noise and vibration, dust and odour, transport impacts and identify any appropriate mitigation.
96. A Key Development Criteria for Charlton Lane included in the SWP 2008 is: *“Access to the site: any proposal should indicate how queues would be prevented from forming on the public highway and restrictions are likely to be required preventing access through Charlton Village.”*
97. Relevant provisions are also set out in Policy EN1 of Spelthorne Borough Council’s Core Strategy and Policies Development Plan Document 2009 (SCS 2009), which establishes that the Borough Council requires a high standard in design and layout and the demonstration that new development will:
- a) create buildings and places that are attractive with their own distinct identity; they should respect and make a positive contribution to the street scene and the character of the area in which they are situated, paying due regard to the scale, height, proportions, building lines, layout, materials and other characteristics of adjoining buildings and land;
 - b) achieve a satisfactory relationship to adjoining properties avoiding significant harmful impact in terms of loss of privacy, daylight or sunlight, or overbearing effect due to bulk and proximity or outlook;
 - c) be designed in an inclusive way to be accessible to all members of the community regardless of any disability and to encourage sustainable means of travel;
 - d) incorporate landscaping to enhance the setting of the development, including the retention of any trees of amenity value and other significant landscape features that are of merit, and provide for suitable boundary treatment;
 - e) create a safe and secure environment in which the opportunities for crime are minimised;
 - f) incorporate measures to minimise energy consumption, conserve water resources and provide for renewable energy generation in accordance with Policy CC1;
 - g) incorporate provision for the storage of waste and recyclable materials and make provision for sustainable drainage systems (SUDS).
98. SCS 2009 Policy EN3 provides that the Borough Council will seek to improve air quality and minimise harm from poor air quality by:
- a) *supporting measures to encourage non-car based means of travel,*

- b) *supporting appropriate measures to reduce traffic congestion where it is a contributor to existing areas of poor air quality,*
- c) *requiring an air quality assessment where development:*
 - i. *is in an Air Quality Management Area, and*
 - ii. *generates significant levels of pollution, or*
 - iii. *increases traffic volumes or congestion, or*
 - iv. *is for non-residential uses of 1000 m² or greater, or*
 - v. *is for 10 or more dwellings, or*
 - vi. *involves development sensitive to poor air quality*
- d) *refusing development where the adverse effects on air quality are of a significant scale, either individually or in combination with other proposals, and which are not outweighed by other important considerations or effects and cannot be appropriately and effectively mitigated,*
- e) *refusing development where the adverse effects of existing air quality on future occupiers are of a significant scale which cannot be appropriately or effectively mitigated and which are not outweighed by other material considerations.*

99. Policy EN11 (Development and Noise) of the SCS 2009 seeks to minimise the impacts of noise and sets out a series of criteria by which to achieve this including measures to reduce noise to acceptable levels and ensuring provision of appropriate noise attenuation measures. SPS 2009 Policy EN15 (Development on Land Affected by Contamination) sets out that the Borough Council will ensure that where development is proposed on land that may be affected by contamination, action will be taken to ensure the site is safe or will be made safe for its intended use.
100. Policy CC1 (Renewable Energy, Energy Conservation and Sustainable Construction) of the SCS 2009 sets out that the council will support the provision of renewable energy, energy efficiency and promote sustainable development generally by: encouraging high standards of sustainable construction and design.
101. Lastly, SCS 2009 Policy CC2 provides that the Borough Council will seek to secure more sustainable travel patterns through such measures as:
- Requiring all major development to be accompanied by a site specific travel plan to promote and achieve sustainable travel choices, and
 - Only permitting traffic generating development where it is or can be made compatible with the transport infrastructure in the area taking into account:
 - i. number and nature of additional traffic movements, including servicing needs,
 - ii. capacity of the local transport network,
 - iii. cumulative impact including other proposed development
 - iv. access and egress to the public highway
 - v. highway safety

Officer's Assessment

102. Officers consider that the submitted CEMP adequately covers the detail required by Condition 9 of planning permission ref: SP13/01553/SCC dated 25 September 2014. Officers consider that an important factor in the acceptability of the CEMP is the proposed measures to minimise the risks of pollution during construction and the proposed measures for the control of noise and vibration, air quality and dust during construction. In addition to the measures described above, it is acknowledged in the submitted CEMP that construction traffic would observe all site rules including the site's Parking Management Plan and HGV Routing Strategy which both aim to reduce the impact of HGVs on the surrounding highway network.

103. With reference to concerns raised in representations regarding the proposed number of lorry movements; the potential for dust and detritus to be deposited on the roads; that too much traffic already passes through Charlton Village and the surrounding roads would be gridlocked; and that lorries would park up ready for the site to open: the County Highway Authority has raised no objection to the submitted CEMP, and the details contained therein, recommending that the condition can be discharged. The traffic levels outlined in the submitted CEMP are no greater than traffic levels anticipated in the determination of planning application reference: SP13/01553/SCC, which was approved on 25 September 2014. Additionally, it is set out in the submitted CEMP that no construction traffic would be permitted to pass through Charlton Village and that access to the site would be via the A244 immediately east of the site. Officers are therefore satisfied that the submitted details adequately address highways related aspects of Condition 9.
104. Regarding concerns raised that *'none of the construction movements were mentioned or considered in any reports or claims used by SITA or Surrey Officers in any of the planning meetings and consultation'*, Officers can confirm that this is not the case. Safety concerns with regard to cyclists and HGVs are acknowledged, however these are not matters which are specific to the detail of this application.
105. The County Air Quality Consultant raises no objection to the submitted details stating that: dust and air quality complaints would be recorded under the procedures set out in the submitted CEMP and that all action taken to address any complaint would be recorded and would be made available to the Local Authority on request. The County Air Quality Consultant sets out that the operator should record what actions are taken when a complaint is recorded and that these records should be available to the County Planning Authority on request and that the applicant should ensure that visual inspections would be undertaken both on and off site. Officers are satisfied that the comments raised by the County Air Quality Consultant could be dealt with by condition. In response to concerns raised in representations about the impact of dust and pollution, the County Air Quality Consultant raises no objection to the submitted details.
106. With reference to concerns raised in representations regarding noise and vibration impacts, the County Noise Consultant raises no objection to the submitted details, stating that: *'the details submitted pursuant to Condition 9 are satisfactory with respect to noise and vibration, provided that further details regarding adopted noise limits at noise monitoring locations will be provided in due course'*. The County Noise Consultant notes that weekly reporting should continue through the period when 'significant construction works' are occurring. In response to the comments raised by the County Noise Consultant, conditions have been attached to this approval of details and the applicant's attention is drawn to an informative clarifying significant construction activities classified as 'significant construction works'.
107. In response to representations raising concerns that: dust and smoke would affect the nearby motorway; the effect of vehicle emissions during the construction phase has not been considered in the CEMP and that it is unclear about the estimated annual tonnage and how many daily journeys that would mean, these issues are not relevant to the current application and have been previously addressed in approved Charlton Lane planning permissions.
108. The County Landscape Architect sought clarification on a number of points included in the submitted details. In response to this request for clarification, the applicant submitted an amplifying letter dated 06 March 2015 providing clarification on tree protection. The submitted letter was produced through discussions between the applicant, Officers and the County Landscape Architect. The County Landscape Architect raises no objection to the submitted details, subject to conditions, with their detailed comments to be submitted to the committee via an update sheet. Officer's note that Condition 41(Landscaping) of planning permission reference: SP13/01553/SCC dated 25 September 2014, states that no trees, bushes and hedgerows retained on the site shall be cut down, uprooted or

destroyed, and no trees retained shall be topped or lopped other than in accordance with plans and particulars submitted to and approved in writing by the County Planning Authority. If any retained tree is removed, uprooted, destroyed or dies within 5 years from the date of this permission, another tree shall be planted at the same place; and that tree shall be of such size and species, and shall be planted at such time, as shall be agreed in writing by the County Planning Authority.

109. The EA has stated that they have no comments to make on the discharge of this condition as many of the points raised in the submission are specifically covered by the Environmental Permit and other environmental legislation which they directly regulate.

HUMAN RIGHTS IMPLICATIONS

110. 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.
111. The proposal involves the approval of details pursuant to Condition 9 of planning permission reference: SP13/01553/SCC dated September 2014. It is the Officer's view that the scale of any potential impacts, either on their own or the cumulative effect of multiple impacts, are not considered sufficient to engage Article 8 or Article 1. As such, these details are not considered to interfere with any Convention right.

CONCLUSION

112. Officers consider that the submitted CEMP (Revision J) and the accompanying letters of clarification are acceptable as the submitted details set out measures to: protect the local environment and amenity; to not prejudice highway safety nor cause inconvenience to other highway users and to prevent the pollution of groundwater to comply with the National Planning Policy Framework, the National Planning Policy for Waste 2014, the Surrey Waste Plan 2008 Policy DC3 and Spelthorne Core Strategy and Policies DPD 2009 Policies CC1; CC2; SP6; EN1; EN8; EN11; EN15 and the Key Development Criteria for Charlton Lane relating to access to the site.
113. Officers have taken into account all individual representations received but are satisfied that the details submitted pursuant to Condition 9 of planning permission reference: SP13/01553/SCC dated 25 September 2014 are adequate and that they comply with the National Planning Policy Framework, the National Planning Policy for Waste 2014, the Surrey Waste Plan 2008 Policy DC3 and Spelthorne Core Strategy and Policies DPD 2009 Policies CC1; CC2; SP6; EN1; EN8; EN11; EN15 and the Key Development Criteria for Charlton Lane relating to access to the site. The details submitted pursuant to Condition 9 of planning permission reference: SP13/01553/SCC can therefore be approved.

RECOMMENDATION

114. The recommendation is to APPROVE the details of the CEMP (as shown in Construction Phase Environmental Management Plan, Revision J, Document No: HP-00-002, dated 23 February 2015; Covering letter dated 23 February 2015 from SITA Surrey Ltd; letter dated 05 March 2015 from SITA Surrey Ltd providing Noise and Vibration clarification; letter reference: P00094_PM_CEMP_150304_PGo from M+W Group UK providing Air Quality and Dust clarification; and letter dated 06 March 2015 from SITA Surrey Ltd providing Tree Protection clarification) submitted pursuant to Condition 9 of planning permission reference: SP13/01553/SCC dated 25 September 2014, contained in application reference: SP13/01553/DC1, subject to the following conditions.

Conditions:**Noise**

1. Noise monitoring, as detailed in paragraph 8.6.1 of the Construction Phase Environmental Management Plan, Revision J, Doc No: HP-00-002, dated 23 February 2015, shall take place throughout the period when significant construction works are taking place. Noise reports shall be made available to Spelthorne Borough Council and Surrey County Council on a weekly basis throughout the period when significant construction works are taking place as defined in Informative 1 (below).
2. Noise limits for the monitoring locations shall be provided to Spelthorne Borough Council and Surrey County Council prior to significant construction works taking place. This shall be achieved by providing corrections for distance between the noise monitoring locations and the locations of the nearest sensitive receptors (residential properties), based upon construction plant and activities that are likely to occur on site. Predictions and associated corrections shall be made/determined in accordance with BS 5228-1:2009+A1:2014.

Air Quality and Dust

3. The operator shall record what actions are taken when a complaint is recorded and shall make these records available to the County Planning Authority on request, in addition to complying with the provisions set out in paragraph 9.2 of the Construction Phase Environmental Management Plan Revision J, Doc No: HP-00-002, dated 23 February 2015.
4. Daily visual inspections of deposited dust shall be undertaken both on and off site.

Trees and Vegetation

5. Details and methods for the protection of trees along the northwest boundary of the site during the construction of the amended internal access road shall be submitted to, and approved in writing by, the County Planning Authority prior to the commencement of any construction works within 30 metres of those trees along the northwest boundary of the site as shown on the Landscape Masterplan Drawing No. 1007-02-01 Revision A, dated September 2013, approved by planning permission SP13/01553/SCC dated 25 September 2014. All works shall take place in accordance with the details which are subsequently approved.
6. Details and methods for the protection of boundary vegetation at the southern boundary of the site during the construction of the three new electricity substations and their enclosures shall be submitted to, and approved in writing by, the County Planning Authority prior to the commencement of any development within 30 metres of the boundary vegetation between the site access and Ivydene Cottage as shown on the Landscape Masterplan Drawing No. 1007-02-01, Revision A, dated September 2013, approved by planning permission SP13/01553/SCC dated 25 September 2014. All works shall take place in accordance with the details which are subsequently approved.

Reasons:

1. To ensure the minimum disturbance and to avoid nuisance to the locality to comply with Surrey Waste Plan 2008 Policy DC3 Spelthorne Core Strategy and Policies DPD 2009 Policy EN11.
2. To protect the amenities of local residents in accordance with Surrey Waste Plan 2008 Policy DC3 and Spelthorne Core Strategy and Policies DPD 2009 Policy EN11.

3. To ensure the minimum disturbance and to avoid nuisance to the locality to comply with Surrey Waste Plan 2008 Policy DC3 Spelthorne Core Strategy and Policies DPD 2009 Policy EN11.
4. To ensure the minimum disturbance and to avoid nuisance to the locality to comply with Surrey Waste Plan 2008 Policy DC3 Spelthorne Core Strategy and Policies DPD 2009 Policy EN11.
5. To comply with Section 197 of the Town and Country Planning Act 1990, in the interests of visual amenity and to assist in absorbing the site into the local landscape to comply with Surrey Waste Plan 2008 Policy DC3; Spelthorne Core Strategy and policies DPD 2009 Policy EN8.
6. To comply with Section 197 of the Town and Country Planning Act 1990, in the interests of visual amenity and to assist in absorbing the site into the local landscape to comply with Surrey Waste Plan 2008 Policy DC3; Spelthorne Core Strategy and policies DPD 2009 Policy EN8.

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. Attention is drawn to the requirements of Sections 7 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the Code of Practice for Access of the Disabled to Buildings (British Standards Institution Code of Practice BS 8300:2009) or any prescribed document replacing that code.
3. For the purposes of conditions 1 – 4, examples of 'significant construction works' include the following construction activities: piling (particularly by diesel hammer); breaking out with pneumatic tools; scabbling of concrete; falling ball demolition; shot-blasting; and hydro-demolition.
4. It is recommended that baseline, pre-construction noise monitoring is carried out at the noise monitoring locations to determine current ambient noise levels to allow the contribution of construction noise to the future total noise levels at these locations to be determined. This monitoring, which could be continuous or samples, should provide the baseline, representative LAeq noise level at each location for the periods when permitted construction activities will be occurring.
5. The applicant's attention is drawn to the commitment made by them in the Site Waste Management Plan submitted in support of planning permission SP13/01553/SCC dated 25 September 2014, namely that SITA UK Ltd and their Agents will take reasonable steps to ensure waste duty of care is complied with, materials are handled efficiently and waste is managed appropriately, in accordance with the Site Waste Management Plan Regulations 2008.
6. The applicant's attention is drawn to Condition 41 (Landscaping) of planning permission reference: SP13/01553/SCC dated 25 September 2014, which states that no trees, bushes and hedgerows retained on the site shall be cut down, uprooted or destroyed, and no trees retained shall be topped or lopped other than in accordance with plans and particulars submitted to and approved in writing by the County Planning Authority. If any retained tree is removed, uprooted, destroyed or dies within 5 years from the date of this permission, another tree shall be planted at the same place; and that tree shall be of such size and

species, and shall be planted at such time, as shall be agreed in writing by the County Planning Authority.

- 7. The details hereby approved are contained in Construction Environmental Management Plan, Revision J, Document No: HP-00-002, dated 23 February 2015; Covering letter dated 23 February 2015; and the applicant's attention is drawn to the commitments made by them and their Agents in letter dated 05 March 2015 providing Noise and Vibration clarification; letter reference: P00094_PM_CEMP_150304_PGO providing Air Quality and Dust clarification; and letter dated 06 March 2015 from SITA Surrey Ltd providing Tree Protection clarification.

**HUMAN RIGHTS ACT 1998
GUIDANCE FOR INTERPRETATION**

The Human Rights Act 1998 does not incorporate the European Convention on Human Rights into 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.

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.

CONTACT

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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

National Planning Policy for Waste 2014

The Development Plan

Surrey Waste Plan 2008

Spelthorne Core Strategy and Policies Development Plan Document 2009

Other Documents

Planning permission reference: SP13/01553/SCC dated 25 September 2014

Planning permission reference: SP10/00947/SCD14 dated 07 February 2014

Planning permission reference: SP10/00947/SCD11 dated 10 June 2013

Planning permission reference: SP10/00947/SCD1 dated 16 May 2013

Planning permission reference: SP10/00947/SCD3 dated 16 May 2013

Planning permission reference: SP11/1149 dated 12 November 2012

Planning permission reference: SP10/0947 dated 15 March 2012

TO: PLANNING & REGULATORY COMMITTEE

DATE: 13 March 2015

BY: PLANNING DEVELOPMENT TEAM MANAGER

DISTRICT(S) SPELTHORNE BOROUGH COUNCIL

ELECTORAL DIVISION(S):
Lower Sunbury & Halliford
Mr Evans

PURPOSE: FOR DECISION

GRID REF: 508584 168573

TITLE: MINERALS/WASTE SP13/01553/DC3

SUMMARY REPORT

Charlton Lane Waste Management Facility, Shepperton, Surrey, TW17 8QA

Details of a Dust and Odour Management Plan, submitted pursuant to Condition 36 of planning permission SP13/01553/SCC dated 25 September 2014.

On the basis of the further amplified information received by the County Planning Authority in February 2015, the County Air Quality Consultant is satisfied that adequate information has been submitted. The Environment Agency and Spelthorne Borough Council also raise no objection to the details.

Officers have taken into account the views of residents and, having regards to the advice of specialist consultees, consider that the submitted details are adequate and accord with the National Planning Policy Framework, Surrey Waste Plan 2008 Policy DC3 and the Key Development Criteria for Charlton Lane, and Spelthorne Borough Core Strategy and Policies DPD 2009 Policy EN3. The County Air Quality Consultant confirms that details submitted are acceptable and Officers therefore consider that this application can be approved.

The recommendation is to APPROVE the details a dust and odour management plan (Version 4.1 dated February 2014, as amended by an email dated 25 February 2015 from SITA Surrey Ltd), pursuant to Condition 36 of planning permission ref: SP13/01553 dated 25 September 2014, contained in application ref SP13/01553/DC3.

APPLICATION DETAILS

Applicant

SITA Surrey Ltd

Date application valid

13 January 2015

Period for Determination

14 April 2015

Amending Documents

- Dust and Odour Management Plan version 4.1 dated February 2015
- Email dated 25 February 2015 from SITA UK, including their ISO 14001:2004 certificate (June 2014) and their IMS Operational Procedure All Sites, 'Sub-section 36: Amenity Management'.

BACKGROUND

Site Description

1. The Charlton Lane Waste Transfer Station, Civic Amenity (CA) and Materials Recovery Site (Community Recycling Centre and Transfer Site) is approximately 5.22 hectares in size and lies within the Metropolitan Green Belt. Charlton village is approximately 400m to the northwest, with Upper Halliford approximately 500m to the southeast. The site is bounded by the M3 motorway to the northwest and Charlton Lane to the south, with a golf course (former landfill site) directly beyond this. Land to the north and east of the site has been worked for minerals, restored by infilling with waste and is now used for grazing. Beyond the fields to the east runs the Shepperton to London Waterloo railway line with housing beyond. All other residential properties are some distance away from the site, apart from Ivydene Cottage, which lies immediately south.
2. Access to the site is gained off Charlton Lane to the south. The site is enclosed by fencing and is bounded by mature planting on its eastern, southern and northern boundaries. Waste activities have been taking place at the site since the late 1940's, with waste transfer and Civic Amenity facilities commencing in 1967.

Planning History

3. In 1992, planning permission (ref: SP92/0118) was granted to demolish former incinerator buildings and construct a 3,575m² covered transfer hall. Demolition was carried out, plus improvements to the site entrance, though the transfer hall was never built. In 1996, planning permission (ref: SP96/0242) was granted for erection of a 2,895m² building to house waste transfer plus some civic amenity operations that were previously done uncovered over the whole site (opened in September 1997). Condition 6 of 1996 planning permission reference SP96/0242 requires that by 25 July 2016 the use of the site for waste transfer and civic amenity activities be discontinued, with buildings removed and the land reinstated to its former condition. In 1997, details were approved (ref: SP97/0260) of northern and western boundary bunds. In 1998, planning permission (ref: SP98/0056) was granted for a Materials Recovery Facility (MRF) adjacent to existing transfer hall.
4. In 2003, amended details were approved for the MRF, namely: the building's layout and elevation (ref: SP03/0432); site's parking, storage, loading, unloading, turning and lighting (ref: SP03/0434 & ref: SP03/0582). In 2004, planning permission (ref: SP03/1089) was granted for construction of four storage bays for recyclable materials and associated hardstanding / turning area at north of site.
5. In 2006, planning permission (ref: SP06/0667) was granted for the re-design of the community-recycling centre, providing split-level facility with 16 new storage containers to the north and replaced storage containers to the west of waste transfer station. In 2007, planning permission (ref: SP06/1035) was granted for two storage containers for ticket receipts on hardstanding to the east of the weighbridge. Planning permission (ref: SP07/0090) was then granted for the design and appearance of a drop-off parking area. Planning permission (ref: SP07/1043) was granted for 2.2m high palisade boundary fence. In 2008, planning permission reference SP08/0040 was granted for an amended Community Recycling Centre (CRC) layout. Planning permission (ref: SP08/0457) was then granted for the installation of two mess room portacabin units.

6. In 2009, planning permission (ref: SP09/0161) was granted for hydrogeological risk details and contamination assessment at the CRC. Planning permission (ref: SP09/0247) was granted for a flood risk assessment and drainage details. Planning permission (ref: SP09/0246) was then granted for construction of an underground soakage / drainage scheme. However, a planning application (ref: SP09/0619) was withdrawn for the installation of two recycling bays and five portacabins, storage area for up to five containers and new fuel tank and retrospective permission for the use of land to park waste and recycling vehicles and for installation of two smoking shelters associated with the Transfer Station and Materials Recycling Facility (MRF).
7. In 2010, planning permission (ref: SP09/0894) was granted for a weighbridge comprising a new haul road, foundation of a weighbridge and a 2.3 m high pole for a traffic light system. Planning permission (ref: SP10/0089) was granted for 3x4m metal poles for a CCTV camera system and LED signs. Planning permission (ref: SP10/0375) was granted for the use of the existing access route for the CRC plus extended hours. Planning permission (ref: SP10/0378) was also granted for the use of CRC without compliance with Condition 7 of permission reference SP06/0667 dated 29 September 2006.
8. Planning permission (ref: SP10/0883) was granted on 4 March 2011 for the permanent retention of the existing waste management facility, comprising a community recycling centre, materials recycling facility with bulking bays, a waste transfer station with associated infrastructure, an improved access onto Charlton Lane and an acoustic fence adjacent to Ivydene Cottage.
9. On 15 March 2012, planning permission (ref: SP10/0947) was granted for the development of a Waste Management 'Eco Park', comprising: a Gasification Facility; Anaerobic Digestion Facility; Community Recycling Facility; Recyclables Bulking Facility; Education / Visitor Centre and Offices; Other Associated Infrastructure including Infiltration Basin and Landscaping and the diversion of Public Footpath 70 was granted by the Planning and Regulatory Committee. This followed confirmation by the Secretary of State that he did not wish to call in the application on 2 December 2011.
10. On 3 April 2012, details (ref: SP11/1147) were approved of a scheme for the construction of an acoustic fence (and for the protection of the existing vegetation along the western and northern boundary of Ivydene Cottage), a Bird Hazard Management Plan, and a Landscape and Ecology Management Plan, submitted pursuant to Conditions 3, 18 and 22 respectively of planning permission reference SP10/0883 dated 4 March 2011. On 10 September 2012, details (ref: SP11/1062) were approved for a scheme to implement the existing bulk HGV routing strategy, and a dust and odour management plan, submitted pursuant to Conditions 8 and 10 of planning permission reference SP10/0883 dated 4 March 2011.
11. On 8 November 2012, details (ref: SP12/00298) were approved of a Lighting Scheme and a written Scheme of Archaeological Investigation, submitted pursuant to Conditions 17 and 19 respectively of planning permission reference SP10/0883 dated 4 March 2011. On 12 November 2012, details (ref: SP11/1149) were approved of a Method of Construction Statement, a Parking Management Plan and a Travel Plan, submitted pursuant to Conditions 5, 7 and 9 respectively of planning permission reference SP10/0883 dated 4 March 2011. On 17 April 2013, details (ref: SP10/0883/SCD1) were approved of a full CCTV survey of the existing drainage infrastructure and a full surface water scheme, pursuant to conditions 11 and 12 of planning permission SP10/0883 dated 4 March 2011.
12. On 30 April 2013, details (ref: SP10/00947/SCD5) were approved of a Written Scheme of Investigation to secure the implementation of a programme of archaeological work, pursuant to Condition 43 of planning permission reference SP10/0947 dated 15 March 2012. On 1 May 2013, the following details were approved: (ref: SP10/00947/SCD7), Condition 30: details of the provision of bird nest boxes (including the timing of their

- installation); (ref: SP10/00947/SCD4), Condition 31: a Bird Hazard Management Plan (to include details of the management of any flat or shallow pitched roofs of buildings on site that may be attractive to nesting, roosting and loafing birds); (ref: SP10/00947/SCD8), Condition 32: details of soft and water landscaping works; and (ref: SP10/00947/SCD9), Condition 40: a report detailing the results of a survey of the soils on the Environmental Enhancement Area to consider whether there are sufficient soils on that area to establish and sustain planting, submitted pursuant to planning permission reference SP10/0947 dated 15 March 2012.
13. On 16 May 2013, the following details were approved: (ref: SP10/00947/SCD1), Condition 23: scheme for the construction of an acoustic fence along the western and northern boundary of Ivydene Cottage (and protection of the existing vegetation); and (ref: SP10/00947/SCD3), Condition 42: a Landscape & Ecology Management Plan, submitted pursuant to planning permission reference SP10/0947 dated 15 March 2012.
 14. On 10 June 2013, details (ref: SP10/00947/SCD11) were approved of a Bulk HGV Routeing Strategy, pursuant to Condition 15 of planning permission reference SP10/0947 dated 15 March 2012. On 17 June 2013, details (ref: SP10/00947/SCD10) were approved of a Dust and Odour Management Plan, submitted pursuant to Condition 36 of planning permission SP10/0947 dated 15 March 2012.
 15. On 20 June 2013, amended details were approved (ref: SP/10/00883/SCD2) of a scheme to implement the existing Bulk HGV Routeing Strategy, submitted pursuant to Condition 8 of planning permission reference SP10/0883 dated 4 March 2011. On 20 June 2013, amended details (ref: SP/10/00883/SCD4) were approved of a scheme for the construction of an acoustic fence and for the protection of the existing vegetation along the western and northern boundary of Ivydene Cottage, submitted pursuant to Condition 3 of planning permission reference SP10/0883 dated 4 March 2011. On 20 August 2013, a detailed lighting scheme was approved (ref: SP10/00947/SCD13), pursuant to Condition 8 of planning permission reference SP10/0947 dated 15 March 2012. On 4 September 2013, details were approved (ref: SP10/00947/SCD12) of the external materials (including their colours) of each of the Eco Park's buildings and the stack, pursuant to Condition 35 of planning permission reference SP10/0947 dated 15 March 2012.
 16. On 26 September 2013, details were approved (ref: SP10/00947/SCD2) of a scheme for the implementation, maintenance and management of a sustainable water drainage system, submitted pursuant to Condition 21 of planning permission SP10/0947 dated 15 March 2012. On 2 October 2013, details (ref: SP10/00947/SCD15) were approved of a modified access construction, pursuant to Condition 11 of planning permission ref: SP10/0947 dated 15 March 2012. On 5 December 2013, details were approved (ref: SP10/00947/SCD6) of a remediation scheme to deal with the risks associated with contamination of the site, submitted pursuant to Condition 17 of planning permission SP10/0947 dated 15 March 2012.
 17. In January 2014, SITA confirmed in a letter to the County Planning Authority (CPA) that works to implement planning permission SP10/0883 had been completed, namely: the erection of an acoustic fence along the western and northern boundary of Ivydene Cottage and a widened access off Charlton Lane with internal roads connected to this improved access. As such, the Charlton Lane site is now a permanent waste management facility in the Green Belt (whereas it was previously time-limited to 25 July 2016). Because they have identical details, the acoustic fence and widened access required to implement planning permission ref: SP10/0947 have been completed (though the internal access roads connected to the improved access pursuant to these permissions are slightly different). On 7 February 2014, details (ref: SP10/00947/SCD14) were approved of a Construction Environmental Management Plan, submitted pursuant to Condition 9 of planning permission reference SP10/0947 dated 15 March 2012. In summary, all 15 'pre-commencement' details required by planning permission reference SP10/0947 have been submitted to and approved in writing by the CPA.

18. On 25 September 2014, changes (ref: SP13/01553/SCC) were permitted to the planning conditions attached to the Charlton Lane Eco Park planning permission (ref: SP10/0947 dated 15 March 2012) in order to incorporate minor material amendments to the approved scheme comprising a revised gasification technology, 3 new sub stations, other minor material amendments to the layout, buildings, structures and ancillary elements of the scheme, and a minor reduction in the tonnage of waste that would be managed at the site.
19. Two separate Public Inquiries have taken place into the Diversion Order necessary to change the alignment of the footpath to the north of the Charlton Lane waste management facility, in order to build the proposed Eco Park. The first Public Inquiry took place on 3-5 April 2013 owing to third party objections to the Diversion Order, which had been advertised by Surrey County Council. The Inspector issued her decision on 22 May 2013 and agreed to the Diversion Order subject to modifications (principally to ensure that the diverted route coincided with that shown on the approved drawings for the Eco Park). Those modifications were re-advertised. Third party objections were again raised, resulting in a second Public Inquiry held from 28-29 January 2014. The Inspector's decision was issued on 19 March 2014, agreeing the Public Rights of Way (PROW) Diversion Order.
20. On 29 October 2014, the Environment Agency (EA) issued an Environmental Permit variation for the amended Eco Park (EA ref EPR/VP3997NK/V005).

THE PROPOSAL

21. The details submitted intend to satisfy the requirements of Conditions 36 of planning permission ref: SP13/01553/SCC dated 25 September 2014 detailed above. Condition 36 requires that development shall not commence unless a Dust and Odour Management Plan (DOMP) has been submitted to and approved in writing by the County Planning Authority. The development shall be implemented strictly in accordance with the approved details, which shall be maintained and enforced permanently thereafter.
22. The applicant (SITA) sets out that the DOMP is a working document, to be used as a reference document for operational staff on a day-to-day basis. SITA would implement the plan to ensure that all reasonable measures are taken to control odour emissions and reduce the occurrence of dust. In the event that an adverse impact is caused, prompt action would be taken to identify the source and apply corrective measures. It provides a schedule of actions that would be taken to minimise dust and odour impact and details site management procedures for the management and monitoring of dust and odour. Additionally, names and responsibilities of persons would be updated as required and the DOMP re-issued on a minimum of an annual basis. In the event that other content within the DOMP required updating (i.e. other than names), prior written approval would need to be sought for the changes from the County Planning Authority; this would take the form of an amended 'details' pursuant application for Condition 36 of planning permission ref SP13/01553/SCC. The applicant states that the DOMP was produced with reference to:
 - the Environment Agency *Horizontal Guidance Note H4: Odour Management, How to Comply with your Environmental Permit* (April 2011) (hereafter referred to as 'H4') and,
 - in accordance with Best Available Technology (BAT) as defined by the Environment Agency's *Sector Guidance Note IPPC S5.06: Guidance for the Recovery and Disposal of Hazardous and Non Hazardous Waste* (hereafter referred to as IPPC S5.06) and,
 - *Minerals Policy Statement 2: Controlling and Mitigating the Environmental Effects of Minerals Extraction in England, Annex 1: Dust* (ODPM, 2005) (hereafter referred to as MPS2) and,
 - RPS advice note to Surrey County Council titled "*Advice on expected content of Dust Action Plans (DAP) for Minerals and Waste Planning Applications*".

Dust & Odour sources

23. Potential sources of dust emissions include: Particulates from traffic emissions associated with the Waste Management Facility; Dusts from vehicles manoeuvring on hard surfaced roads; Movement of wastes; Tipping of wastes; Processing of wastes; Storage of wastes within open air bays. The odour generating sources at the facility are identified as follows:
- Putrescible component of household derived residual waste deposited at the CRC is estimated at 17% of household waste. Given the projected black bag waste collected per annum and the subsequent putrescible value it would be deemed a relatively low amount over the collection period and considered a low risk of odour generation.
 - Green Waste is deposited at the CRC by members of the public and is considered a low risk of odour generation.
 - Food Waste is a new separated waste stream to be deposited at the site through Waste Collection Authorities kerb-side collections and handled and processed at the Anaerobic Digestion Facility. This is a highly putrescible waste stream.
 - Residual Waste would be collected by Waste Collection Authorities and Trade waste customers, handled and processed at the Gasification Facility, which now includes pre-treatment processing.

Trigger Levels

24. The potential for an odour risk and the occurrence of dust would be influenced through a range of factors including weather conditions. It is therefore recommended in the DOMP that trigger levels be adopted as a threshold to indicate where increased vigilance should be made in respect of dust or odours or when enhanced mitigation measures should be adopted. As recommended by MPS2, a distinction is made in this DOMP between those measures which would be adopted all the time in day-to-day operations, termed 'base measures', and those measures which would be employed at times when the risk of an adverse impact is highest as a result of unfavourable weather or operating conditions. These latter measures are termed 'enhanced measures' and are triggered by a number of factors. The suggested trigger levels in respect of dust and odour are specified below and would be measured by the onsite weather station. Weather conditions would be recorded on the daily log of the QEMS inspection log.

Wind Speed

25. Calm, or near calm conditions, would lead to an increased risk of an odour impact due to the reduction in dispersion and atmospheric mixing. For the purpose of the odour management measures detailed within the DOMP, calm or near calm conditions are defined as 0 or 1 on the Beaufort Scale. The occurrence of such conditions would be used as a trigger level for the implementation of odour management measures detailed within this DOMP. The equivalent measured wind speed is that in the range 0 - 5.5kmph (0 – 3.45 mph). With regard to dust, wind speed is an important factor in determining whether dust would be raised, as in general, the higher the wind speed then the greater the propensity for it to generate wind blown dust when passing over exposed dusty surfaces or materials. For the purposes of the dust management measures detailed within the DOMP, the trigger level at which dust is observed leaving the site boundary or when wind speed indicates that the risk of an adverse impact from dust is elevated is set as Level 4 or above on the Beaufort scale. This is defined as: "wind raises dust and loose paper, small branches move". The equivalent measured wind speed is that in the range 0 – 5.5kmph (13 – 18 mph).

Wind Direction

26. The prevailing wind direction at the site is from the south west. The nearest properties and their orientation in relation to the site are shown in Table 1 below. The closest receptors are located at 35m and 38 m distance to the south east and west respectively. Both of these receptors are located upwind of the prevailing wind direction. The main body of residential receptors are located 250m due east of the existing waste management

Facility. The closest residential receptors downwind of the prevalent wind direction from the Charlton lane Waste Management Facility and therefore north east of the site are located circa 375m from the site. For the purposes of the DOMP, the trigger level at which wind direction indicates that the risk of an adverse impact from dust or odour is elevated is when winds are blowing from an easterly, south easterly or north westerly direction.

Table1.

Land Use	Land Use Type	Direction	Distance	Sensitivity
Ivydene Cottage	Residential	SE	35 m	High
Scout Hut	Recreational	W	38 m	Medium
Sunbury Golf Centre	Recreational	S	175 m	Medium
Hawthorn Way	Residential	E	250 m	High
Birch Grove Vincent Drive	Residential	NE	375 m	High
Charlton Road (Charlton Village)	Residential	NW	120 m	High

Temperature / Rainfall

27. At higher temperatures, the rate at which biodegradable waste becomes putrescible would typically increase; hence its odour emission rate would also increase. This may be partially offset during the day by increased dispersion due to mixing by convection. For the purposes of the DOMP, the trigger level in respect of temperature is proposed as an average day time temperature of 25° Celsius, sustained over a period of at least two consecutive days. Although not specifically referred to as a trigger level by MPS2, rainfall would also be important in determining the potential for dust to be raised in significant quantities. It is therefore suggested in the DOMP that five consecutive days with less than 0.2mm of rainfall should be adopted as a trigger level. The level of 0.2mm is suggested in MPS2 as the threshold above which dust emissions would be inhibited by wetting of dusty surface and by removal of dust particles from the atmosphere.

Controls

28. The following best practice measures would be employed when receiving biodegradable wastes at site:
- The site operators would ensure that capacity is available on-site before accepting waste. In particular, if the waste reception bays within the Anaerobic Digestion facility, the Gasification facility or the MRF are full, all inbound loads of the same waste type must be diverted until the bays are emptied. The reception hall for the Anaerobic Digestion facility is designed to hold one day's worth of organic material, the capacity is limited to this period to prevent organic material remaining in the reception hall for long periods and hence reduce odour generation. The waste tipping area within the gasification facility would have storage capacity for four days of waste. To manage the quantities of waste onsite, waste tonnages would be monitored daily on the applicant's weighbridge system to check storage volumes and monitor inbound tonnages. Time limits for waste to be permitted on site are set out in the site's Environmental Permit.
 - All deliveries of waste to the site would be in vehicles with either a sheeting system or enclosed bodies such as Refuse Collection Vehicles. This would prevent fugitive emissions of dust or odours during transport. Similarly, waste despatched from site would be contained within enclosed or sheeted bulker vehicles to minimise the potential for dust or odour emissions. Drivers of vehicles which are not appropriately sheeted

upon arrival at the site would be warned using the infringement notice system. Three such incidents would result in the driver being banned from site.

- Upon arrival loads would not be accepted unless they are weighed; sufficient storage capacity exists; the facility is adequately manned; and all documents are checked and approved, or any discrepancies resolved.
- A unique reference number (weighbridge ticket) would be applied to each load as part of the process tracking / auditing system.
- The site operators would ensure that waste delivered to the installation is accompanied by a written description of the waste.
- Visual inspection would be conducted immediately upon offloading into a dedicated reception area. Note that visual inspection would not be carried out if doing so is likely to lead to emission of odour due to the exposure to the air of enclosed or sheeted wastes.

Waste handling & storage procedures

29. Upon arrival at site, the driver of the delivering vehicle would inform the weighbridge of the load's contents. Following acceptance, the weighbridge operative would instruct the driver to proceed to the tipping area in either the gasification facility or the AD facility, depending on the nature of the load. All waste tipping at these locations would be carried out inside the relevant waste reception buildings to ensure sheltering from the wind. Within the AD facility, delivery vehicles would reverse into the reception area and the doors closed whilst waste is deposited. The building would be maintained under negative air pressure through the extraction of air by forced ventilation. This would ensure that all odours are drawn through the odour control system (described below) preventing odour release from the building. Once the doors are closed the driver would tip the load onto the reception area floor and then exit the reception hall via the fast acting door. Within the AD facility, delivered material would be manoeuvred within the reception hall using a front end loader.
30. Within the gasification facility, the driver would tip the load onto the reception area floor and then exit the reception hall via the fast acting door. Odour and dust would be controlled by draught fans located in the reception and pre-treatment areas that would extract air for use within the gasification process; this would result in a slight negative pressure within the tipping hall and pre-treatment area preventing odours, dust or litter from escaping the building. In addition the building would contain a dust suppression system; this is a sprinkler type system, which emits a very fine spray to suppress dust. Within the gasification facility, materials would be manoeuvred into a designated waste reception area using a front end loader to provide a consistent feedstock to allow the gasification plant to continually run for 24 hours a day, 7 days a week. The indoor waste reception area would include separate bays to allow various waste types to be segregated so that suitable mixes of wastes can be selected to enable a greater efficiency of the gasification process. Within the gasification facility, a 'quarantine' bay would also be provided where any non-compliant waste identified by the waste handling operatives would be stored prior to onward export from the site. Any recyclables that can be easily removed would be separated from the residual waste and transferred to the Recyclables Bulking Facility.
31. Within the MBF, recyclables would arrive in either refuse collection vehicles direct from their collection rounds, or in bulk haulage vehicles. Recyclables would also be transferred to the MRF from the CRC on site. All vehicles would weigh in (at the weighbridge) before proceeding to MRF. Vehicles would tip recyclable materials into the appropriately designated bulking bays. Residual wastes suitable for use would then be transferred to the gasification facility. In general additional general base measures to control dust applicable to waste acceptance at all facilities on site include avoiding double handling of materials and minimising the drop heights of waste when discharging (or loading).

Base measures – Infrastructure & Housekeeping

32. One of the potential sources of dust generation is the movement of vehicles (principally HGV's) over dusty hardsurfaced roads. A vehicle's weight, speed, number of wheels / axles, the type of vehicle and the type of waste being carried by that vehicle are all factors for the risk of dust generation. Control measures that shall be implemented on site to minimise the generation of dust from haulage to / from site include:
- Restrictions on HGV speed within the site to 5mph.
 - Use of a wet road sweeper on access roads and paved surfaces including the CRC; site to be swept every second day under normal conditions.
 - All roads to be hardsurfaced, no unsurfaced roads or storage areas to be used.
 - No vehicles to track over waste materials in the MRF area.
 - All loaded vehicles entering the site are sheeted or closed.
 - All vehicles leaving the site are sheeted or closed (visual inspections undertaken from the weighbridge office on an audit basis).
 - Bins for food waste are to be checked daily and any defects to be reported to supervisor/manager immediately.
 - The area around the food waste bins and receiving bay is to be cleaned daily.
 - Food waste bins would remain closed when not in use.
 - Concrete would be sealed to prevent the absorption of odour-producing residues.
33. Routine high standards of housekeeping would be maintained to reduce the occurrence of dust and odours, to include:
- Prompt clearance of all spillages.
 - Maintenance of impermeable surfaces within the building, roadways and turning areas to make good any potholes and avoid pooling of water.
 - Regular cleaning, including sweeping of building floors and removal of loose deposits.
 - Use of surfacing materials within the building that enable cleaning to be carried out as efficiently as possible.
 - Elimination of crevices, corners and potholes within the building, where waste may accumulate.
 - A regular programme of maintenance and repair on all site plant and equipment.
 - The use of the QEMS daily checklist in daily management which includes consideration of dust and odour.
34. The enhanced odour suppression system is to be deployed as necessary and stocks of de-odouriser additives kept on site. Care must be taken though that use of the de-odouriser does not make the waste or floor too wet and slippery. All maintenance or downtime of the odour suppression system would be recorded on the reverse of the QEMS checklist which forms part of the site diary. In addition, the Site Manager would ensure that any infrastructure or equipment issues that cannot be resolved within 24 hours of detection are logged on the applicant's Compliance and Audit System (COMPAS) as a manual Corrective Action Request (CAR).

Base measures – waste storage

35. The reception areas within the Waste Transfer Station, Gasification Facility and AD Facility would be clearly designated, and set well back from the door openings at the front of the respective buildings. The digestate 'cake' produced by the AD process would be stored within a dedicated storage bay where it can be periodically collected. The cake storage area is designed to hold 2 weeks worth of digested cake and is connected to the odour control system for direct air extraction. Regular inspections would be made of all waste storage areas and the pre-treatment area and any waste that is assessed to be particularly odorous would be removed in the next available load to minimise the length of time it is stored on site. It is the responsibility of the Site Manager and Supervisors to ensure that pre and post treatment waste stockpiles are well-managed and under control. If the

contracted hauliers are not able to bulk and export material, arrangements would be made with alternative providers.

Enhanced Measures

36. In response to the trigger levels identified above in relation to wind speed, wind direction, temperature or rainfall, the below enhanced measures would be deployed as necessary to reduce the likelihood of dust or odour impacts. The Site Manager or acting Site Manager (in the absence of the Site Manager) would be responsible for ensuring these enhanced measures are deployed. The use of an additional mobile odour suppressant unit (this is in addition to the fixed system) where necessary in response to trigger levels in relation to wind speed, wind direction, temperature or rainfall. Suppressant sprays would be installed within the gasification reception building and pre-treatment area and deployed when necessary to neutralise odours to lowest practicable levels in response to trigger levels in relation to wind speed, wind direction, temperature or rainfall. Roadways and other outside areas potentially giving rise to dust would be damped down to minimise their dust generating potential. A suitable water supply and equipment would be retained for use in such circumstances. Again, this enhanced measure would be deployed in response to trigger levels in relation to wind speed, wind direction, temperature or rainfall. The enhanced measure would be applied by the Site Manager (or acting Site Manager in their absence).

Monitoring

37. Site staff responsible for performing odour checks must have received appropriate 'sniff test' training which would be provided by suitably qualified staff. Baseline monitoring at Charlton Lane Eco Park consists of twice-daily onsite odour checks which are recorded on the Quality and Environmental Management System (QEMS) Daily Checklist. Whether odour is detected or not would be clearly indicated on the diary page on the reverse of the form. Site staff would ensure that they are always using an up-to-date version of the checklist. An offsite odour survey would be conducted by the Site Manager or delegated member of staff. It would be clearly indicated on the survey form whether or not odour was detected. In the event that odour is detected offsite during the external odour survey, or following a public or regulator complaint, the Site Manager or delegated member of staff must complete the detailed odour assessment form included in the Appendices. The reverse side of the form contains the assessment criteria for odour intensity, odour extent, receptor sensitivity and odour offensiveness. These criteria are derived from the Environment Agency's H4 guidance.
38. All site staff must remain vigilant for other potential odour sources and report them immediately to the Site Manager. Any other potential odour sources, for example waiting vehicles and neighbouring business, must be recorded on the diary page on the reverse of the QEMS daily checklist (see example checklist in the appendices). The monitoring detailed above may be downgraded to one odour daily check recorded on the QEMS checklist and the cessation of external odour surveys where the site has neither detected odour or received any complaints for a period of one month. This would only be done with the agreement of the regional Environment Support Manager. Should odours be detected or complaints received, the monitoring would be increased again.

Site monitoring - Dust

39. Daily visual inspections would be made by the site manager or a dedicated site operative, who is suitably trained and experienced, at the site boundary to ensure that visible dust is not being carried towards sensitive receptors. This would be included as part of the daily perimeter walk around the site. Particular attention would be paid to the site boundary that is most vulnerable to an adverse impact; the eastern boundary, adjacent to the neighbouring residential property. Daily inspections would also be made to ensure that the roadways and waste transfer areas are clean and well maintained. The results of these

assessments would be recorded in a site log. Prevailing weather conditions and processing activities being carried out on site at the time of the assessment would also be recorded. Any significant dust incidents, problems and complaints would be reported to the appropriate regulatory authority as soon as possible. For clarity off-site dust monitoring using dust gauges or Frisbees would not be undertaken during normal site operations of the Eco Park as part of the DOMP, unless a dust issue is substantiated.

40. Off-site dust monitoring would be undertaken during construction as confirmed in the Construction Environment Management Plan (condition 9 of permission SP13/01553). Similarly particulate emissions would be monitored from the main stack as part of the environmental monitoring regulated under the Eco Park's Environment Permit issued and regulated by the Environment Agency (Permit no: EPR/VP3997NK/V005).

Site Monitoring – Weather Conditions

41. A weather monitoring station would be permanently installed at the site to measure temperature, humidity, windspeed and wind direction. The Site Manager would ensure that the station is installed, serviced and calibrated by either the manufacturer or other qualified company in line with manufacturer's recommendation. The weather station electronic display panel would be visually checked on a daily basis and recorded on the QEMS daily checklist. Any malfunctions or breakdown in the weather station would be recorded on the QEMS daily checklist and remedial action taken immediately. The Site Manager would ensure that data from the weather station is downloaded on a weekly basis in order to ensure historic data is not lost. Historical records would be retained for a period of at least one year to enable retrospective reviews of weather conditions should the need arise (such as in the event of complaints being received).

Forecast Weather Conditions

42. The Site Manager would be responsible for monitoring forecast weather conditions, in particular forecast wind speed, wind direction and temperature. The potential for high risk weather conditions with reference to the trigger levels specified above would be noted. Site activities would be planned with respect to the forecast levels and where it is anticipated that trigger levels would be exceeded then enhanced measures would be adopted.

Record keeping

43. The daily QEMS checklist and associated external odour survey forms and detailed odour assessments would be kept on file at site and made available for inspection by the Environment Agency on request. Where the site receives a complaint, the QEMS daily checklist and any additional odour check forms would be scanned electronically on a weekly basis and saved in the site's drive in the applicant's central computer server. The daily checklists and any additional odour check forms would be periodically audited by the regional Environment Support Manager to ensure that all information is being recorded correctly. For dust monitoring, a daily site log would be maintained documenting the Duty Site Manager and activities taking place on site. The log book and back records would be retained on site and made available for inspection by the Regulatory Authorities on request.

Enhanced Measures

44. At times when any trigger level is exceeded or is anticipated to be exceeded, the frequency of monitoring would be increased to at least twice daily for as long as the exceedance lasts.

Complaints procedures

45. The measures outlined in this DOMP are aimed at preventing the occurrence of dust and odour emissions occurring to the extent where complaints may be made regarding odour by neighbours to the site. Nevertheless, it is recognised that having an established complaints procedure is a necessary part of the DOMP. The primary role of the dust and odour complaints procedure is to ascertain whether any dust and odour complaints are linked to the site and associated operations and, if so, to identify the cause(s) and what action may be taken to prevent or minimise the probability of recurrence. On receipt of any complaints, the standard policies and procedures as detailed in the applicant's ISO14001 Integrated Management System would be adhered to. The dust complaint form and odour assessment form would be used to record the complaint and actions taken. All completed forms would be retained in a file on site indefinitely and made available for inspection by the Regulatory Authorities, including Surrey County Council, on request. Any complaints or issues relating to the surrounding land use would be directed to the Site Supervisor for dialogue and a suitable conclusion. Where required the Site Manger can be called upon to resolve any significant concerns from the surrounding land uses.

Contingency Procedures

Source Identification

46. The routine monitoring and complaints procedure are intended to allow corrective action to be applied before a more widespread impact can be caused. Key to this would be identifying the dust or odour source(s) as quickly as possible and identifying what activity has given rise to the unacceptable monitoring result or complaint. All personnel on site, including the Site Manager, would be responsible for identifying dust and/or odour sources and reporting these to the Site Manager (or acting Site Manager in their absence). Dust or odour events may also be related to a particular set of weather conditions (for example, sustained warm, still, and dry weather), and hence recorded and forecast weather conditions would be referred to. The first step would be to investigate the monitoring result or dust/odour complaint and reference the time of the complaint to the QEMS daily checklist and diary, in particular to the nature of the operations ongoing at the time, the results of any dust or odour monitoring carried out on site and the wind and weather conditions. This would allow a broad assessment to be made of whether the site was likely to be principally responsible, or whether other sources were involved. With regard to odour, if the odour in question is still detectable at the complainant's location or property, then additional sniff testing would be made around the area to characterise the odour and its likely source. This could include "back-tracking", by walking into an odour plume on the ground, or as a desk exercise with a site map and wind direction data (recorded or observed at the time of the incident). Once the source is identified, appropriate corrective actions can be taken.

Corrective Action

47. Once the source has been identified, corrective action would be applied by the Site Manager in liaison with the regulatory authority as necessary. Where a dust or odour complaint has been received and it has been concluded, through investigation by the Site Manager that the source is not likely to be the Waste Management Facility, the details would be passed by the Site Manager, or their nominated Deputy to the Environmental Health Officer at Spelthorne Borough Council by telephone 01784 446251 between 08.00-17.30 Monday to Thursday and 08.00-17.00 Fridays or outside of office hours on 01784 451499. Or by Email: pollution.control@spelthorne.gov.uk. The ultimate corrective action should an odour or dust impact be experienced is that the site would cease the operation giving rise to the impact until corrective action can be applied. This may entail not receiving waste for a period of time and it is recognised that turning waste away from the site may simply transfer any dust or odour impact elsewhere. The site, through the control measures documented in this DOMP, would often be best equipped to handle it without causing an unacceptable impact. Cessation of operations would therefore only be adopted as a last resort. With regard to dust, it is anticipated that under normal operating conditions, this DOMP would ensure adequate control of dust. However, it is important

that adequate control is also provided in respect of abnormal emissions. Staff training would be a key aspect of ensuring that unforeseen events can be dealt with without causing an adverse impact. All site operatives would therefore be trained to deal with a range of operational emergencies. Examples might include breakdowns in mechanically operated doors in the reception building.

48. In an email dated 25 February 2015, the applicant updated their submission with a DOMP version 4.1, including their ISO 14001:2004 certificate (June 2014) and their IMS Operational Procedure All Sites, 'Sub-section 36: Amenity Management' an extract of which was provided by the applicant as follows: "*Any complaints that are received related to health, safety or environmental issues should be forwarded to the National Environment Support Manager /Senior Operational Health & Safety Managers (Processing & Logistics). These will then be dealt with as per IMS 3.36 Amenity Management.*"

CONSULTATIONS AND PUBLICITY

Consultees (Statutory and Non-Statutory)

District Council

49. Spelthorne Borough Council: No comments made.
50. Spelthorne Borough Council Environmental Health:

'... The DOMP needs to be in line with the requirements and conditions of the Environmental Permit. The Environment Agency are the regulator for odour and dust nuisance by virtue of the Environmental Permit, and so we would recommend that they should be consulted. Environmental Health could only take statutory nuisance action on odour or dust with the permission of the Secretary of State as this is covered by conditions of the permit.'

Officer's Note: The EA's 29 October 2014 Permit Variation for the Eco Park (ref: EPR/VP3997NK/V005) specifies a 'Pre-Operation' requirement that an Odour Management Plan shall be submitted to the EA for their written approval.

Consultees (Statutory and Non-Statutory)

51. County Air Quality Consultant – The DOMP contains the main elements of both a Dust Management Plan and an Odour Management Plan, no requirements for further information or clarifications following the receipt of Version 4.1 (February 2015) of the DOMP
52. Environment Agency – No comments to make on the discharge of this condition as many of the points raised in this submission are specifically covered by the Environmental Permit and other environmental legislation which the EA directly regulate.

Parish/Town Council and Amenity Groups

53. Charlton Village Residents' Association Object – the EA had to visit the site in July

2014 due to odour impact. The Eco Park will have an anaerobic digester, a potential source of unpleasant smells.

- | | | | |
|-----|--------------------------------------|---|----------------------|
| 54. | Laleham Residents' Association | – | No comments received |
| 55. | Lower Sunbury Residents' Association | | No comments received |
| 56. | Shepperton Residents' Association | – | No comments received |
| 57. | Staines Town Society | – | No comments received |

Summary of publicity undertaken and key issues raised by public

58. The application was publicised by the posting of three site notices and an advert was placed in the local newspaper. A total of 1973 owner/occupiers of neighbouring properties, and those who had previously expressed an interest in the Charlton Lane Eco Park site, were directly notified by letter. To date, a total of 89 representations were received in response to the posting of site notices, issuing of press notices and 1973 letters. The following relevant comments were raised relating to the DOMP:

- The DOMP takes no account of unfiltered biogas, including Hydrogen Sulphide, whenever the pressure relief valves open up. It would smell vile and can prove toxic at high concentrations. There is no need for gas emissions to be unfiltered.
- How will the negative pressure and odour control be maintained in the Gasifier building during Gasifier shutdowns?
- There is no mention or admission that odour would be generated by the AD Flare. It is anticipated that the flare would operate for approximately 30 days per annum during routine plant maintenance)
- Water sprays to control dust would not be effective once 7500 HGV movements start
- EA nearly closed the site down last July – a Site Warning Notice was issued
- The area is an AQMA & there needs to be tough monitoring, not hiding behind the EA.
- There would be a 'drop ash zone' – which many schools fall within
- Pressure relief valves which operate whenever there is a pressure build up will let out unfiltered gas cocktails straight into the atmosphere
- There will be dust and odour problems
- SITA were reprimanded for Dust and Odour problems in 2014.
- We will have air pollution
- The plans would be detrimental to the air quality
- Dust and Odour from the site cannot be managed safely & will be detrimental to nearby people
- What is the air quality like around similar gasifiers?
- What is current air quality like at the Charlton Site?
- Please provide a method statement of the air quality now & how the air quality will be measured when the site is in operation - What access will residents have to this data?
- What are the correct / legal limits of small particulates?
- What fines will be levied if limits are breached?
- How do residents file for compensation?
- Mosquitoes would be attracted to the water and the pond is in the middle of contaminated land
- 1 mile to the north of the site lies the Queen Mary Reservoir – fresh drinking water to London, the Eco Park has potential for water contamination through the precipitation of airborne toxins – short term and long term toxic build up need to be considered and should be addressed in the DOMP
- Our fears regarding toxin exposure need to be addressed and a rigorous process of investigation must be undertaken, consulting the EA falls far short of this

59. Officer's note on representations received: Planning application ref SP13/01553/SCC was supported by an Environmental Statement and further environmental information covering air quality issues. Additionally, the applicants obtained an Environmental Permit from the Environment Agency. The EA would 'police' the Permit for the site, which sets emission limits for the site. The ultimate sanction of shutting-down the plant would be open to the EA, as part of the separate Permit regime.

EA Site Warning Notice July 2014

60. In respect of the EA's Site Warning Notice, the CPA were sent a copy of a letter from the EA to residents dated 10 September 2014, which stated: *"In total between the 18th and 20th July 2014 we received 18 complaints from local residents about flies and odour in their properties. In their reports, they suggested that the source was the nearby Charlton Lane Eco Park. Environment Agency Officers visited the site the same afternoon and conducted a detailed inspection of the activities on site. They visited the site again on Saturday the 19th, Sunday the 20th and Friday the 25th of July...A report of our visit was issued to SITA Surrey Ltd, formally recording our findings on the 22nd of July with deadlines to ensure that the improvement works would be completed to a high standard before Friday the 25th of July. This was achieved with the company providing emails and photographs of the completed works before the deadline. A Site Warning was issued to the company following these complaints and we have required numerous improvements to the company's operating procedures to ensure this will not happen again. If the company fails to use the procedures in the future then we will not hesitate to increase our enforcement response to secure the improvements or suspend the activities on site."*
61. Officers consider that the EA's July 2014 action to secure improvements at the Charlton Lane site, following their investigation of complaints by residents, demonstrates that the EA's monitoring of the Charlton Lane site is being undertaken effectively with residents being kept readily informed. The CPA is entitled to assume that the permitting regime operated by the EA will function effectively.
62. The applicant has secured a modified permit from the EA in addition to planning permission to operate the Eco Park facility. Preventing harm to health and the environment from emissions is the main purpose of the permitting process. A permit will only be granted if the facility can show it is using the Best Available Techniques to control emissions. National Planning Policy Framework (NPPF) paragraph 122 states that local planning authorities should focus on whether a development itself is an acceptable use of land rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes, and should assume these regimes will operate effectively. Emissions from thermal waste treatment facilities will be checked, by a multilayered regime of monitoring, to ensure releases are in compliance with the limit values.

PLANNING CONSIDERATIONS

National Planning Policy Framework Surrey Waste Plan 2008

Policy DC3 General Considerations

Key Development Criteria (Charlton Lane)

Spelthorne Core Strategy and Policies Development Plan Document 2009

Policy EN3 Air Quality

63. The County Council as County Planning Authority has a duty under Section 38 (6) of the Planning and Compulsory Purchase Act 2004 to determine this application in accordance with the Development Plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act 1990 (as amended) (1990 Act) requires local planning authorities when determining planning applications to "have regard to (a) the

provisions of the development plan, so far as material to the application, (b) any local finance considerations, so far as material to the application, and (c) any other material considerations". Following the coming into force on 25 March 2013 of the order for the South East Plan's partial revocation, the Development Plan now consists of: the Surrey Waste Plan 2008 and Spelthorne Core Strategy and Policies Development Plan Document 2009.

64. In determining the application the CPA should have regard to any relevant European and National policy, the National Planning Policy Framework (NPPF), Government Circulars and any other material considerations, which could include emerging development plan policy documents. On the 27 March 2012 Government published the NPPF, which took immediate effect. The NPPF replaces 30 Planning Policy Statements, Planning Policy Guidance Notes, some Circulars and letters to Chief Planning Officers and constitutes guidance for local planning authorities and decision-takers in relation to decision-taking (determining planning applications) and in preparing plans. 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.*" 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.
65. The NPPF does not change the statutory principle referred to above 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. The NPPF includes transitional provisions for implementation of the NPPF. For 12 months from the date of publication planning authorities can continue to give full weight to relevant policies in adopted development plan documents adopted in accordance with the Planning and Compulsory Purchase Act 2004 since 2004, even if there is a limited degree of conflict with policy in the NPPF. In other cases and following the 12 month period the weight to be given to policies in the adopted development plan documents should be determined according to their degree of consistency with the NPPF. On the 27 March 2012 Government published the National Planning Policy Framework (NPPF), which took immediate effect. The NPPF replaces 30 Planning Policy Statements, Planning Policy Guidance Notes, some Circulars and letters to Chief Planning Officers and constitutes guidance for local planning authorities and decision-takers in relation to decision-taking (determining planning applications) and in preparing plans.
66. The National Planning Policy for Waste (NPPW) 2014 was published on October 16 2014 replacing with immediate effect previous Planning Policy Statement 10: Planning for Sustainable Waste Management. The NPPW sets out detailed waste planning policies to work towards a more sustainable and efficient approach to resource use and management. The NPPW should be read in conjunction with the NPPF, the Waste Management Plan for England, National Policy Statements for Waste Water and Hazardous Waste or any successor documents. All local planning authorities should have regard to its policies when discharging their responsibilities to the extent that they are appropriate to waste management.
67. Surrey Waste Plan (SWP) 2008 Policy DC3 stated that waste related development shall only be permitted where it can be demonstrated that any impacts of the development with regard to noise, fumes, vibration, dust, litter, odour and transports impacts can be controlled to achieve levels that will not significantly affect people, land, infrastructure and resources. The Key Development Criteria for Charlton Lane included in the SWP 2008 indicate that any proposal should indicate how queues would be prevented from forming on the public highway and that restrictions are likely to required preventing access through Charlton Village. The Key Development Criteria also state that as the site is within the

Spelthorne AQMA, any proposal should demonstrate how it will fit with the objectives of that designation.

68. Relevant provisions are also set out in Policy EN3 Air Quality of Spelthorne's Core Strategy Development Plan Document (DPD) 2009, which establishes that the Council will seek to improve the air quality of the Borough and minimise harm from poor air quality. Policy EN3 states this will be achieved by supporting appropriate measures to reduce traffic congestion where it is a contributor to existing areas of poor air quality, requiring an air quality assessment where development is in an AQMA, and refusing development where the adverse effects on air quality are of a significant scale, either individually or in combination with other proposals, and which are not outweighed by other important considerations or effects and cannot be appropriately and effectively mitigated.
69. As such, and on the basis of the further amplified information received by the County Planning Authority in February 2015, the CAQC is satisfied that adequate information has been submitted. The further information comprised: clarification of scope of operation; location of sensitive receptors; use of off-site monitoring; responsibility for monitoring. The Environment Agency and Spelthorne Borough Council also raise no objection to the details now submitted. Officers have taken into account the views of residents and, having regards to the advice of specialist consultees, consider that the submitted details are adequate and accord with the NPPF, Surrey Waste Plan 2008 Policy DC3 and the Key Development Criteria for Charlton Lane, and Spelthorne Borough Core Strategy and Policies DPD 2009 Policy EN3. The CAQC confirms that details submitted are acceptable and Officers therefore consider that this application can be approved.

HUMAN RIGHTS IMPLICATIONS

70. 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.
71. The proposal involves the approval of details pursuant to condition 36 of planning permission reference: SP13/01553 dated 25 September 2014. It is the Officer's view that the scale of any potential impacts, either on their own or the cumulative effect of multiple impacts, are not considered sufficient to engage Article 8 or Article 1. As such, these details are not considered to interfere with any Convention right.

CONCLUSION

72. Officers are satisfied that the details submitted pursuant to Condition 36 of planning permission ref: SP13/01553 dated 25 September 2014 are adequate and that the application complies with the relevant national and local policies – NPPF, NPPW, Surrey Waste Plan 2008 Policy DC3 and the Key Development Criteria for Charlton Lane, and Spelthorne Borough Core Strategy and Policies DPD 2009 Policy EN3. The details submitted pursuant to Condition 36 of planning permission ref SP13/01553 can therefore be approved.

RECOMMENDATION

73. The recommendation is to APPROVE the details a dust and odour management plan (Version 4.1 dated February 2014, as amended by an email dated 25 February 2015 from SITA Surrey Ltd), pursuant to Condition 36 of planning permission ref: SP13/01553 dated 25 September 2014, contained in application ref SP13/01553/DC3.

INFORMATIVES

1. The County Planning Authority confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
2. The attention of the applicant is drawn to the requirements of Sections 7 and 8 of the Chronically Sick and Disabled Persons Act 1970 and to Building Bulletin 102 'Designing for disabled children and children with Special Educational Needs' published in 2008 on behalf of the Secretary of State for Children, Schools and Families, or any prescribed document replacing that note.
3. The details hereby approved are contained in the Dust and Odour Management Plan version 4.1 dated February 2015, and the applicant's email dated 25 February 2015 from SITA Surrey Ltd, including their ISO 14001:2004 certificate (June 2014) and their IMS Operational Procedure All Sites, 'Sub-section 36: Amenity Management'.

TO: PLANNING & REGULATORY COMMITTEE

DATE: 13 March 2015

BY: PLANNING DEVELOPMENT TEAM MANAGER

DISTRICT(S) SPELTHORNE BOROUGH COUNCIL

ELECTORAL DIVISION(S):
Lower Sunbury & Halliford
Mr Evans

PURPOSE: FOR DECISION

GRID REF: 508581 168574

TITLE: MINERALS/WASTE REF SP13/01553/DC2

SUMMARY REPORT

Charlton Lane Waste Management Facility, Shepperton, Surrey, TW17 8QA

Details of a scheme for the implementation, maintenance and management of a sustainable water drainage system, submitted pursuant to Condition 21 of planning permission SP13/01553/SCC dated 25 September 2014.

On the basis of the County Geotechnical Consultants comments, Officers consider that the surface water management plan provides a system to ensure the development does not create flood risk both within and outside of the application site in accordance with the requirements of the National Planning Policy Framework and development plan policies DC3 of the Surrey Waste Plan 2008 and LO1 of the Spelthorne Core Strategy 2009.

Given the details provided in the current scheme and that provided as part of planning application SP13/01553/SCC and its accompanying Environmental Statement, Officers are satisfied that the concerns raised within representations with regard to surface water drainage are dealt with within the details submitted. Officers consider the details submitted pursuant to Condition 21 can be approved subject to a condition to satisfy the additional further details sought by the Environment Agency.

The recommendation is to APPROVE the details of the surface water management scheme submitted pursuant to condition 21 of planning permission reference: SP13/01553/SCC dated 25 September 2014, contained in application reference: SP13/01553/DC2 subject to a condition.

APPLICATION DETAILS

Applicant

SITA Surrey Ltd

Date application valid

13 January 2015

Period for Determination

14 April 2015

Amending Documents

- Letter dated 24 February 2015 and accompanying technical response dated 21 February 2015, microdrainage calculations dated 23 February 2015, Axis letter dated 19 September 2013, email dated 4 March 2015 regarding rainwater harvesting tanks
- Letter dated 6 March 2015 and enclosed revised drawings: Drawing no. CD-00-050 rev D "Surface and Foul Water Drainage Strategy" dated 06.03.15 and Drawing no. CD-00-051 Revision A "Extent of surface water flooding based on two pumps" dated 06.03.15.

BACKGROUND

Site Description

1. The Charlton Lane Waste Transfer Station, Civic Amenity (CA) and Materials Recovery Site (Community Recycling Centre and Transfer Site) is approximately 5.22 hectares in size and lies within the Metropolitan Green Belt. Charlton village is approximately 400m to the northwest, with Upper Halliford approximately 500m to the southeast. The site is bounded by the M3 motorway to the northwest and Charlton Lane to the south, with a golf course (former landfill site) directly beyond this.
2. Land to the north and east of the site has been worked for minerals, restored by infilling with waste and is now used for grazing. Beyond the fields to the east runs the Shepperton to London Waterloo railway line with housing beyond. All other residential properties are some distance away from the site, apart from Ivydene Cottage, which lies immediately south. Access to the site is gained off Charlton Lane to the south. The site is enclosed by fencing and is bounded by mature planting on its eastern, southern and northern boundaries. Waste activities have been taking place at the site since the late 1940's, with waste transfer and Civic Amenity facilities commencing in 1967.

Planning History

3. In 1992, planning permission (ref: SP92/0118) was granted to demolish former incinerator buildings and construct a 3,575m² covered transfer hall. Demolition was carried out, plus improvements to the site entrance, though the transfer hall was never built.
4. In 1996, planning permission (ref: SP96/0242) was granted for erection of a 2,895m² building to house waste transfer plus some civic amenity operations that were previously done uncovered over the whole site (opened in September 1997). Condition 6 of 1996 planning permission reference SP96/0242 requires that by 25 July 2016 the use of the site for waste transfer and civic amenity activities be discontinued, with buildings removed and the land reinstated to its former condition. In 1997, details were approved (ref: SP97/0260) of northern and western boundary bunds. In 1998, planning permission (ref: SP98/0056) was granted for a Materials Recovery Facility (MRF) adjacent to existing transfer hall.
5. In 2003, amended details were approved for the MRF, namely: the building's layout and elevation (ref: SP03/0432); site's parking, storage, loading, unloading, turning and lighting (ref: SP03/0434 & ref: SP03/0582). In 2004, planning permission (ref: SP03/1089) was granted for construction of four storage bays for recyclable materials and associated hardstanding / turning area at north of site.
6. In 2006, planning permission (ref: SP06/0667) was granted for the re-design of the community-recycling centre, providing split-level facility with 16 new storage containers to the north and replaced storage containers to the west of waste transfer station. In

2007, planning permission (ref: SP06/1035) was granted for two storage containers for ticket receipts on hardstanding to the east of the weighbridge. Planning permission (ref: SP07/0090) was then granted for the design and appearance of a drop-off parking area. Planning permission (ref: SP07/1043) was granted for 2.2m high palisade boundary fence. In 2008, planning permission reference SP08/0040 was granted for an amended Community Recycling Centre (CRC) layout. Planning permission (ref: SP08/0457) was then granted for the installation of two mess room portacabin units.

7. In 2009, planning permission (ref: SP09/0161) was granted for hydrogeological risk details and contamination assessment at the CRC. Planning permission (ref: SP09/0247) was granted for a flood risk assessment and drainage details. Planning permission (ref: SP09/0246) was then granted for construction of an underground soakage / drainage scheme. However, a planning application (ref: SP09/0619) was withdrawn for the installation of two recycling bays and five portacabins, storage area for up to five containers and new fuel tank and retrospective permission for the use of land to park waste and recycling vehicles and for installation of two smoking shelters associated with the Transfer Station and Materials Recycling Facility (MRF).
8. In 2010, planning permission (ref: SP09/0894) was granted for a weighbridge comprising a new haul road, foundation of a weighbridge and a 2.3 m high pole for a traffic light system. Planning permission (ref: SP10/0089) was granted for 3x4m metal poles for a CCTV camera system and LED signs. Planning permission (ref: SP10/0375) was granted for the use of the existing access route for the CRC plus extended hours. Planning permission (ref: SP10/0378) was also granted for the use of CRC without compliance with Condition 7 of permission reference SP06/0667 dated 29 September 2006.
9. Planning permission (ref: SP10/0883) was granted on 4 March 2011 for the permanent retention of the existing waste management facility, comprising a community recycling centre, materials recycling facility with bulking bays, a waste transfer station with associated infrastructure, an improved access onto Charlton Lane and an acoustic fence adjacent to Ivydene Cottage.
10. On 15 March 2012, planning permission (ref: SP10/0947) was granted for the development of a Waste Management 'Eco Park', comprising: a Gasification Facility; Anaerobic Digestion Facility; Community Recycling Facility; Recyclables Bulking Facility; Education / Visitor Centre and Offices; Other Associated Infrastructure including Infiltration Basin and Landscaping and the diversion of Public Footpath 70 was granted by the Planning and Regulatory Committee. This followed confirmation by the Secretary of State that he did not wish to call in the application on 2 December 2011.
11. On 3 April 2012, details (ref: SP11/1147) were approved of a scheme for the construction of an acoustic fence (and for the protection of the existing vegetation along the western and northern boundary of Ivydene Cottage), a Bird Hazard Management Plan, and a Landscape and Ecology Management Plan, submitted pursuant to Conditions 3, 18 and 22 respectively of planning permission reference SP10/0883 dated 4 March 2011. On 10 September 2012, details (ref: SP11/1062) were approved for a scheme to implement the existing bulk HGV routeing strategy, and a dust and odour management plan, submitted pursuant to Conditions 8 and 10 of planning permission reference SP10/0883 dated 4 March 2011.
12. On 8 November 2012, details (ref: SP12/00298) were approved of a Lighting Scheme and a written Scheme of Archaeological Investigation, submitted pursuant to Conditions 17 and 19 respectively of planning permission reference SP10/0883 dated 4 March 2011. On 12 November 2012, details (ref: SP11/1149) were approved of a Method of Construction Statement, a Parking Management Plan and a Travel Plan, submitted pursuant to Conditions 5, 7 and 9 respectively of planning permission reference

- SP10/0883 dated 4 March 2011. On 17 April 2013, details (ref: SP10/0883/SCD1) were approved of a full CCTV survey of the existing drainage infrastructure and a full surface water scheme, pursuant to conditions 11 and 12 of planning permission SP10/0883 dated 4 March 2011.
13. On 30 April 2013, details (ref: SP10/00947/SCD5) were approved of a Written Scheme of Investigation to secure the implementation of a programme of archaeological work, pursuant to Condition 43 of planning permission reference SP10/0947 dated 15 March 2012. On 1 May 2013, the following details were approved: (ref: SP10/00947/SCD7), Condition 30: details of the provision of bird nest boxes (including the timing of their installation); (ref: SP10/00947/SCD4), Condition 31: a Bird Hazard Management Plan (to include details of the management of any flat or shallow pitched roofs of buildings on site that may be attractive to nesting, roosting and loafing birds); (ref: SP10/00947/SCD8), Condition 32: details of soft and water landscaping works; and (ref: SP10/00947/SCD9), Condition 40: a report detailing the results of a survey of the soils on the Environmental Enhancement Area to consider whether there are sufficient soils on that area to establish and sustain planting, submitted pursuant to planning permission reference SP10/0947 dated 15 March 2012.
 14. On 16 May 2013, the following details were approved: (ref: SP10/00947/SCD1), Condition 23: scheme for the construction of an acoustic fence along the western and northern boundary of Ivydene Cottage (and protection of the existing vegetation); and (ref: SP10/00947/SCD3), Condition 42: a Landscape & Ecology Management Plan, submitted pursuant to planning permission reference SP10/0947 dated 15 March 2012.
 15. On 10 June 2013, details (ref: SP10/00947/SCD11) were approved of a Bulk HGV Routeing Strategy, pursuant to Condition 15 of planning permission reference SP10/0947 dated 15 March 2012. On 17 June 2013, details (ref: SP10/00947/SCD10) were approved of a Dust and Odour Management Plan, submitted pursuant to Condition 36 of planning permission SP10/0947 dated 15 March 2012. On 20 June 2013, amended details were approved (ref: SP10/00883/SCD2) of a scheme to implement the existing Bulk HGV Routeing Strategy, submitted pursuant to Condition 8 of planning permission reference SP10/0883 dated 4 March 2011. On 20 June 2013, amended details (ref: SP10/00883/SCD4) were approved of a scheme for the construction of an acoustic fence and for the protection of the existing vegetation along the western and northern boundary of Ivydene Cottage, submitted pursuant to Condition 3 of planning permission reference SP10/0883 dated 4 March 2011.
 16. On 20 August 2013, a detailed lighting scheme was approved (ref: SP10/00947/SCD13), pursuant to Condition 8 of planning permission reference SP10/0947 dated 15 March 2012. On 4 September 2013, details were approved (ref: SP10/00947/SCD12) of the external materials (including their colours) of each of the Eco Park's buildings and the stack, pursuant to Condition 35 of planning permission reference SP10/0947 dated 15 March 2012.
 17. On 26 September 2013, details were approved (ref: SP10/00947/SCD2) of a scheme for the implementation, maintenance and management of a sustainable water drainage system, submitted pursuant to Condition 21 of planning permission SP10/0947 dated 15 March 2012. On 2 October 2013, details (ref: SP10/00947/SCD15) were approved of a modified access construction, pursuant to Condition 11 of planning permission ref: SP10/0947 dated 15 March 2012. On 5 December 2013, details were approved (ref: SP10/00947/SCD6) of a remediation scheme to deal with the risks associated with contamination of the site, submitted pursuant to Condition 17 of planning permission SP10/0947 dated 15 March 2012.
 18. In January 2014, SITA confirmed in a letter to the County Planning Authority (CPA) that works to implement planning permission SP10/0883 had been completed, namely: the

erection of an acoustic fence along the western and northern boundary of Ivydene Cottage and a widened access off Charlton Lane with internal roads connected to this improved access. As such, the Charlton Lane site is now a permanent waste management facility in the Green Belt (whereas it was previously time-limited to 25 July 2016). Because they have identical details, the acoustic fence and widened access required to implement planning permission ref: SP10/0947 have been completed (though the internal access roads connected to the improved access pursuant to these permissions are slightly different). On 7 February 2014, details (ref: SP10/00947/SCD14) were approved of a Construction Environmental Management Plan, submitted pursuant to Condition 9 of planning permission reference SP10/0947 dated 15 March 2012. In summary, all 15 'pre-commencement' details required by planning permission reference SP10/0947 have been submitted to and approved in writing by the CPA, though development pursuant to the Eco Park planning permission (which expires on 15 March 2015) has not yet commenced.

19. On 25 September 2014, changes (ref: SP13/01553/SCC) were permitted to the planning conditions attached to the Charlton Lane Eco Park planning permission (ref: SP10/0947 dated 15 March 2012) in order to incorporate minor material amendments to the approved scheme comprising a revised gasification technology, 3 new sub stations, other minor material amendments to the layout, buildings, structures and ancillary elements of the scheme, and a minor reduction in the tonnage of waste that would be managed at the site.
20. Two separate Public Inquiries have taken place into the Diversion Order necessary to change the alignment of the footpath to the north of the Charlton Lane waste management facility, in order to build the proposed Eco Park. The first Public Inquiry took place on 3-5 April 2013 owing to third party objections to the Diversion Order, which had been advertised by Surrey County Council. The Inspector issued her decision on 22 May 2013 and agreed to the Diversion Order subject to modifications (principally to ensure that the diverted route coincided with that shown on the approved drawings for the Eco Park). Those modifications were re-advertised. Third party objections were again raised, resulting in a second Public Inquiry held from 28-29 January 2014. The Inspector's decision was issued on 19 March 2014, agreeing the Public Rights of Way (PROW) Diversion Order.
21. On 29 October 2014, the Environment Agency (EA) issued an Environmental Permit variation for the amended Eco Park (EA ref EPR/VP3997NK/V005).

THE PROPOSAL

22. The details submitted intend to satisfy the requirements of Condition 21 of planning permission ref: SP13/01553/SCC dated 25 September 2014 detailed above. Condition 21 requires that:

'Prior to the commencement of development, a scheme for the implementation, maintenance and management of a sustainable water drainage system (based on an assessment of the hydrological and hydrogeological context of the development and the requirements of the National Planning Policy Framework and its Practice Guidance) shall be submitted to and approved in writing by the County Planning Authority. The scheme shall take into account the remediation strategy options proposed in compliance with Condition 17 and include details of:

- *the final drainage layout, the infiltration basin as detailed on the section shown on Drawing No. 1007-02-03 Rev A dated September 2013 and any pumping locations and surface water storage locations in the event of pump failure;*
- *all proposed infiltration devices;*

- *full calculations to demonstrate the proposed drainage system will not increase flood risk and surface water runoff rates and volumes off site up to and including the 1 in 100 year flood event including an allowance for climate change;*
- *pollution prevention methods which shall be incorporated into the drainage system (to include petrol / oil interceptors fitted in all car parking/washing/repair facilities); and*
- *the management and maintenance regime of the drainage system*

The system shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure that the surface water drainage system complies with the requirements of the National Planning Policy Framework 2012 and its Practical Guidance, such that the rates and volume of run-off from extreme events can be attenuated on site and do not cause flood flows to increase above.

23. The applicant has submitted details to satisfy condition 21 of planning permission SP13/01553/SCC. Regard should be given to the fact that details were submitted to and approved by the County Planning Authority (ref: SP10/0947/SCD2) for a surface water scheme in September 2013. This current surface water scheme reflects amendments that were made to the Charlton Lane Eco Park under planning permission SP13/01553. The key differences or changes this application makes when compared to the 2013 approved scheme are:
- whilst the pipework network to the infiltration pond has been retained the amount of pipework has been reduced from 375m to 200m with a 50% reduction in 2.4m diameter surface water manholes
 - the use of an existing below ground cellular storage tank as part of the drainage system has been removed from the proposed new drainage system as the tank is sloping at the wrong angle and is upstream from a section of the system
 - removal of approximately 600m³ of attenuation (pipework and cellular storage tank) from the system upstream of the pump
 - the single down stream petrol interceptor has been substituted for four smaller petrol interceptors located at strategic locations around the site to suit the incorporation of rainwater harvesting and the site roads drainage strategy
 - the inclusion of rainwater harvesting tanks
24. The infiltration pond has been designed based on an infiltration rate of 4.24x1⁻⁶m/s. The half draining time for the infiltration pond is just under 24 hours. The base of the infiltration basin and the top water level have been retained at 11.00m AOD and 11.84m AOD respectively. The base area of the infiltration basin has increased slightly having a 3200m² base (an increase of 200m³). The applicant proposes a general site maintenance regime for the drainage system including regular inspection of all catchpit manholes removing debris as necessary, inspection and maintenance of surface water pumps and ancillary pipework and control systems, inspection of petrol interceptor units and empty as necessary, inspect of the infiltration basin including removing debris and mow beds and banks to avoid excessive vegetation growth; and inspecting the stilling chamber removing debris as necessary.

CONSULTATIONS AND PUBLICITY

District Council

25. Spelthorne Borough Council: No objection.

Consultees (Statutory and Non-Statutory)

26. County Geological Consultant: No objection
27. Thames Water: No comments to make
28. The Environment Agency (EA): Raised concerns on 11 February 2015 and the applicant provided further information seeking to satisfy those concerns on 24 February 2015 and 6 March 2015. On 6 March 2015, the EA confirmed that:

“This a difficult issue to address as the development also needs to comply with the environmental permit and the design standards required by CIRIA 736 (which supersedes CIRIA 164), but this level of detailed design is not available. With this in mind, the Environment Agency recommends a partial discharge of condition 21. We believe the additional detail provided on 24 February and 6 March is sufficient to discharge the condition for the southern part of the site, however we still have concerns regarding the design for the layout and drainage of the tank areas to the north of the RBF and ADF buildings.

Taking the approach of a partial discharge of condition, would be a practical solution to allow the construction to start on the majority of the site, but further detailed design must be agreed before construction in the areas around the tanks could commence. It is critical that this additional work is undertaken as soon as possible to ensure the re-design of the surface water management system around the tank area does not impact the design for the other parts of the site areas.”

Officer’s Note: A condition is recommended at the end of this report to ensure that the additional drainage details sought by the EA are submitted and agreed before the applicant commences construction of the Gas Storage and Sequencing Batch Reactor area to the north of the RBF and northwest of the AD buildings as shown on submitted drawing AD-10-105 Revision A.

Additionally, Officers highlight that the EA’s 29 October 2014 Permit Variation for the Eco Park (ref: EPR/VP3997NK/V005) specifies that at least 8 weeks prior to the commissioning of activities, the operator is required to submit a final site drainage plan to the EA for approval and that the site drainage plan is required to include the location of the proposed secondary containment for all above-ground tanks at the facility.

Parish/Town Council and Amenity Groups

29. Charlton Village Residents' Association: No comments received.
30. Laleham Residents' Association: No comments received.
31. Lower Sunbury Residents' Association: No comments received.
32. Shepperton Residents' Association: No comments received.
33. Staines Town Society: No comments received.

Summary of publicity undertaken and key issues raised by public

34. The application was publicised by the posting of three site notices and an advert was placed in the local newspaper. A total of 1973 owner/occupiers of neighbouring properties were directly notified by letter. A total of 89 letters of representation have been received to date raising the following comments on this planning application:

- The pond is in contaminated land meaning the lake would be contaminated by landfill
 - The water bed is dangerous, that is why they have put life buoys, it is dangerous to children
 - The pond would be a haven for mosquitoes, a management plan must be put in place to monitor this
 - No consideration has been given to the management of fire water run off
 - No consideration has been given to the management of uncontained leakage from tanks in the bunded area
 - Given the close proximity of AD tankage to the bund walls, there is the possibility that tank leakage above 4 metres could result in uncontrolled spigot flow over the bund wall.
 - The water would not be able to filter out the contaminants
 - A lot of flooding occurs in the area
 - How deep will the pond be?
 - 'How can the waste water from this very dangerous incinerator ever be drained safely into the local environment? What about the wild birds that might drink this contaminated water? What about the frogs and the other existing wildlife?
 - The pollution could reach the reservoir and be damaging to our health and welfare
35. This application is to satisfy the requirements of Condition 21 and the detailed drainage system proposed. The principle of locating the Eco Park, flooding and the associated drainage system has already been dealt with under planning permission ref: SP13/01553/SCC and its accompanying Environmental Statement. With regard to filtering out contaminants the surface water drainage system proposes to install four petrol interceptors in strategic positions around the system to filter out any contaminants.
36. With regard to bund leakage the applicant states that the design has been based on a risk based approach. The Caustic Tank and SBR Feed Tank are proposed as double skinned tanks. The SBR tank is a single skinned tank but as it would contain significantly diluted wastewater being prepared for reuse or discharge to foul sewer this also is considered to pose a low risk. The applicant has provided details that in the event of a rupture of the tanks liquid discharged would be collected and contained by the cut off drainages prevents escape of any discharge from the site and that the discharge pump for the surface water would be automatically stopped to prevent any discharge to the surface water infiltration pond.
37. Given the details provided in the current scheme and that provided as part of planning application SP13/01553/SCC and its accompanying Environmental Statement, Officers are satisfied that the concerns raised within representations with regard to surface water drainage are dealt with within the details submitted. In respect of safety-concerns, Officers note that details of low level fencing and reed bed protection to provide for the separation of the infiltration basin from publically accessed landscaped areas to the east of site are contained in planning application ref SP13/01553/DC4 separately considered at today's meeting.

PLANNING CONSIDERATIONS

38. The County Council as County Planning Authority has a duty under Section 38 (6) of the Planning and Compulsory Purchase Act 2004 to determine this application in accordance with the Development Plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act 1990 (as amended) (1990 Act) requires local planning authorities when determining planning applications to "have regard to (a) the provisions of the development plan, so far as material to the application, (b) any local finance considerations, so far as material to the application, and (c) any other material considerations".

39. At present in relation to this application the Development Plan consists of the Surrey Waste Plan 2008 and the Spelthorne Borough Core Strategy and Policies Development Plan Document 2009. Spelthorne Borough Council have made a decision to review its existing planning documents and produce a new Local Plan however this is at a very early stage.
40. The National Planning Policy Framework (NPPF) was adopted in March 2012. This document provides guidance to local planning authorities in producing local plans and in making decisions on planning applications. The NPPF is intended to make the planning system less complex and more accessible by summarising national guidance which replaces numerous planning policy statements and guidance notes, circulars and various letters to Chief Planning Officers. The document is based on the principle of the planning system making an important contribution to sustainable development, which is seen as achieving positive growth that strikes a balance between economic, social and environmental factors. The Development Plan remains the cornerstone of the planning system. Planning applications which comply with an up to date Development Plan should be approved. Refusal should only be on the basis of conflict with the Development Plan and other material considerations.
41. The NPPF states that policies in Local Plans should not be considered out of date simply because they were adopted prior to publication of the framework. However, the policies in the NPPF are material considerations which planning authorities should take into account. Due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies are to the policies in the Framework, the greater the weight they may be given).
42. The National Planning Policy for Waste (NPPW) 2014 was published on October 16 2014 replacing with immediate effect Planning Policy Statement 10: Planning for Sustainable Waste Management. The NPPW sets out detailed waste planning policies to work towards a more sustainable and efficient approach to resource use and management. The NPPW should be read in conjunction with the NPPF, the Waste Management Plan for England, National Policy Statements for Waste Water and Hazardous Waste or any successor documents. All local planning authorities should have regard to its policies when discharging their responsibilities to the extent that they are appropriate to waste management.
43. The main issues for consideration in this case are whether the details submitted to pursuant to Condition 21 are acceptable.

SURFACE WATER DRAINAGE SCHEME

Surrey Waste Plan 2008

Policy DC3 – General Considerations

Spelthorne Borough Core Strategy 2009

Policy LO1 – Flooding

44. Condition 21 was imposed on planning permission ref: SP13/01553/SCC to ensure the proposed surface water drainage system for the Eco Park does not lead to flooding either on the site or elsewhere. As outlined above, the drainage scheme includes pipework around the site with interceptors, all draining to an infiltration pond which will then release water into the groundwater. The application site lies within Flood Zone 1 in that it is not at risk for flooding from rivers as shown on the Environment Agency's flood maps. With regard to surface water flooding the application site is shown on the Environment Agency's flood maps as being at low and very low risk.

45. The NPPF seeks to direct inappropriate development away from areas most at risk from flooding. Para 103 states that when determining planning applications, local planning authorities should ensure that development would not increase flood risk elsewhere and only consider development in areas at risk of flooding where informed by a site specific flood risk assessment following the Sequential Test and if required an Exception Test. These tests are to demonstrate that: within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.
46. SWP 2008 Policy DC3 (General Considerations) states 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. Where necessary, appropriate mitigation should be identified so as to minimise or avoid any material adverse impact and compensate for any loss. SCS 2009 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; and 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.
47. Spelthorne Borough Council have also adopted a Flooding Supplementary Planning Document (SPD) in 2012. This SPD states *"In 2006 the Council commissioned consultants to prepare a Strategic Flood Risk Assessment (SFRA) for the Borough....The modelling which was used in the SFRA has since been further refined by the EA and is reflected in flood maps now available on the EA website as well as the Council's own website. The Council's website shows maps depicting the 1 in 20, 1 in 100 and 1 in 1000 flood outlines and to which Policy LO1 relates. The EA website shows only the 1 in 100 and 1 in 1000 outlines. The EA publishes regular updates of their flood maps which are used to update the Council's maps. Updates of flood modelling arise for a number of reasons including further more detailed assessment work, any additional flood defences or changes in channel capacity or recent flood or high water events enabling a more detailed understanding of how flood water may behave. Such updating is important so the most accurate picture of flood risk is available. Users of either the EA records or those of the Council should therefore ensure they have the latest information."*
48. Following consultation on the proposed surface water drainage scheme, the County Geologist originally queried the use of the rainwater harvesting tanks as the information submitted said that the use of the tanks would have implications on the overall system design as it would require the installation of additional pipework and manholes to divert the surface water runoff to the tanks. However there were no details within the original submission of the rainwater harvesting tanks consequently the County Geologist requested this information. The applicant has responded to this query stating the rainwater harvesting tanks are an additional item within the surface water management system to provide additional water supply to the general site processes. They are not to provide a buffer storage to the system. As such the applicant has stated that the modelling work that has been undertaken for the system has assumed that the rainwater harvesting tanks are full to demonstrate that the system can operate at full capacity, and therefore should the tanks not be full this will provide a benefit of additional storage capacity. The County Geologist has responded that they are satisfied with the amplifying information provided by the applicant.

49. The Environment Agency (EA) did initially raise a number of concerns with the proposed surface water management system and the applicant provided further information seeking to address those concerns on 24 February 2015 and 6 March 2015.

24 February 2015 further information

50. *Pump failure* – the EA raised concerns that the management system does not appear to have addressed how the system would react in the event of a pump failure. The applicant has responded stating that there are to be three pumps as part of the system and that model simulations of a pump failure have taken place. These simulations have shown that if one pump fails, the two remaining pumps would be capable of discharge in excess of 260 litres. In a worst case scenario parts of the site may be subject to minor flooding on the road on the eastern side of the site however this flooding would not affect the operation of the buildings and would be contained by road kerbing. Furthermore the applicant states that the issue of pump failure was addressed in the previous surface water management scheme which was considered acceptable by the Environment Agency in 2013.
51. *Flooding on site locations* – the EA has commented that some flooding of the site in a 1 in 100 year plus climate change event is acceptable however the submitted information did not state where the flooding would occur and confirmation of this has been sought. The applicant has responded stating that in a worst case design storm event the modelling results show 11m³ of flooding from manhole SW14 and 32m³ from manhole SW24. The applicant states that the design of the site is such that any flooding from these manholes would fall away from the building and that the model does not take account for the additional storage volumes offered in the drainage channels.
52. *Tank Area 1 and 2* – the EA expressed concern that the management system drains the secondary containment around these tanks which poses an unacceptable risk to controlled waters. The EA stated these tank areas must have an impermeable sealed base with no drainage or pipework penetrating the surface or the secondary containment bunds. The applicant has responded stating that (as with the previously approved design) Tank area 2 has not been designed as a fully bunded area as it was assessed as posing a low risk of contamination to the local surface water based on the types of plant and equipment that would be within this area. The applicant states that in the event of a rupture any effluent discharged would be contained within the site drainage system and the discharge pump would be automatically stopped to prevent any discharge to the infiltration pond. Following this the drainage system would be pumped clean.
53. *Oil interceptors* – The EA has commented that it was not clear in the documentation that changing from one large oil interceptor to four separate oil interceptors have been accounted for and the location of the interceptors could allow oil contamination to enter the system down gradient of the interceptor. The applicant has responded provided justification for the use of four smaller interceptors explaining that interceptors require a minimum concentration of contaminants to work efficiently. By having a larger interceptor which catches both contaminated and uncontaminated water the concentration of contaminants would be less and there could be a likelihood that any water borne contaminants would pass through the interceptor without effective treatment. The applicant explains that having smaller interceptors would prevent this happening. The applicant has provided details as to the interceptor locations stating that they were placed away from the trafficked areas or areas where maintenance work could take place and are considered the most appropriate locations.
54. *Calculations* – the calculations have not taken into account the impermeable eastern end of the site which would reduce the discharge rate so the calculations need to be revised. The applicant has commented that they understand that the query is in relation to the modelled infiltration calculations and have confirmed that only base infiltration of the

pond would be allowed for and no infiltration through any of the pond side slopes would be possible due to the inclusion of an impermeable membrane within the basin's slope construction. The applicant confirms that the infiltration rates used within the design of the basin would remain unaffected by the inclusion of a vertical cut off wall.

55. *Storage* – the proposals reduce the ability to store surface water on the site and may lead to operational issues with flooding. The applicant has stated that the principle of the design remains unchanged from that previously approved in 2013 but that the amount of required surface water storage has been reduced as a result of design development and detailed modelling. The applicant goes on to state that modelling has shown that the current system has an adequate amount of capacity to cater for the most critical design storm scenarios.

6 March 2015 further information

56. In a letter dated 6 March 2015, and following their further discussion with the EA, the applicant provided amended Drawing no. CD-00-050 Revision D "Surface and Foul Water Drainage Strategy" dated 6 March 2015 and amended Drawing no. CD-00-051 Revision A "Extent of surface water flooding based on two pumps" dated 6 March 2015. As noted above, on the basis of this further information, the EA recommend a partial discharge of Condition 21 of planning permission ref SP13/01553/SCC subject to the provision of further information at a subsequent phase of the Eco Park's construction.

HUMAN RIGHTS IMPLICATIONS

57. 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
58. The proposal involves the approval of details pursuant to condition 21 of planning permission reference: SP13/01553 dated 25 September 2014. It is the Officer's view that the scale of any potential impacts, either on their own or the cumulative effect of multiple impacts, are not considered sufficient to engage Article 8 or Article 1. As such, these details are not considered to interfere with any Convention right.

CONCLUSION

59. On the basis of the County Geotechnical Consultants comments, Officers consider that the surface water management plan provides a system to ensure the development does not create flood risk both within and outside of the application site in accordance with the requirements of the NPPF and development plan policies DC3 of the Surrey Waste Plan 2008 and LO1 of the Spelthorne Core Strategy 2009. Officers consider the details submitted pursuant to Condition 21 can be approved subject to a condition to satisfy the additional further details sought by the Environment Agency.

RECOMMENDATION

The recommendation is to APPROVE the details of the surface water management scheme submitted pursuant to condition 21 of planning permission reference: SP13/01553/SCC dated 25 September 2014, contained in application reference: SP13/01553/DC2 subject to the following condition.

CONDITION

1. Prior to the commencement of construction of the Gas Storage and Sequencing Batch Reactor Area to the north of the Recycling Bulking Facility and northwest of the

Anaerobic Digestion facility, as shown on Drawing ref AD-10-105 Revision A dated 30 June 2014, the detailed design for the layout and drainage of that area shall be submitted to and approved in writing by the County Planning Authority. The scheme shall take into account the remediation strategy options proposed in compliance with Condition 17 of planning permission ref SP13/01553/SCC and the details approved in planning permission ref SP13/01553/DC2.

Reason: To ensure that the surface water drainage system complies with the requirements of the National Planning Policy Framework 2012 and its Practical Guidance, such that the rates and volume of run-off from extreme events can be attenuated on site and do not cause flood flows to increase above.

INFORMATIVES

1. The County Planning Authority confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
2. The details of the surface water management plan hereby approved are shown in drawing no. 1224 PL-B001 rev A "Site plan and location plan" dated September 2013, the Fairhurst letter dated 2 December 2014; and the Stormwater Drainage Report dated 24 November 2014, and include the further information and clarifications provided in the applicant's letter dated 24 February 2015 and accompanying technical response dated 21 February 2015, microdrainage calculations dated 23 February 2015, Axis letter dated 19 September 2013, drawing no. AD-10-105 rev A "AD Facility SBR Area – Floor Plan" dated 30.6.2014; email dated 4 March 2015 regarding rainwater harvesting tanks, in addition to the revised drawings enclosed with a letter on 6 March 2015 - Drawing no. CD-00-050 rev D "Surface and Foul Water Drainage Strategy" dated 06.03.15 and Drawing no. CD-00-051 Revision A "Extent of surface water flooding based on two pumps" dated 06.03.15.
3. The attention of the applicant is drawn to the requirements of Sections 7 and 8 of the Chronically Sick and Disabled Persons Act 1970 and to Building Bulletin 102 'Designing for disabled children and children with Special Educational Needs' published in 2008 on behalf of the Secretary of State for Children, Schools and Families, or any prescribed document replacing that note.

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