

**PLANNING AND REGULATORY COMMITTEE
NOTICE OF MEETING**

Date: Wednesday, 22 February 2017
Time 10.30 am
Place: Ashcombe Suite, County Hall, Kingston upon Thames, Surrey KT1 2DN

Contact: Angela Guest tel: 020 8541 9075, Room 122, County Hall
Telephone: 020 8213 2662
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 [For queries on the content of the agenda and requests for copies of related documents]

APPOINTED MEMBERS [12]

Tim Hall (Chairman)	Leatherhead and Fetcham East;
Keith Taylor (Vice-Chairman)	Shere;
Mr S Cosser	Godalming North;
Carol Coleman	Ashford;
Margaret Hicks	Hersham;
Ernest Mallett MBE	West Molesey;
Richard Wilson	The Byfleets;
Jonathan Essex	Redhill East;
Marisa Heath	Englefield Green;
Mary Angell	Woodham and New Haw;

EX OFFICIO MEMBERS (NON-VOTING) [4]

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

APPOINTED SUBSTITUTES [19]

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

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

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AGENDA

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

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

2 MINUTES OF THE LAST MEETING

(Pages 1 - 6)

To confirm the minutes of the meeting held on 11 January 2017.

3 PETITIONS

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

4 PUBLIC QUESTION TIME

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

5 MEMBERS' QUESTION TIME

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

6 DECLARATIONS OF INTERESTS

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter

- (i) Any disclosable pecuniary interests and / or
- (ii) Other interests arising under the Code of Conduct in respect of any item(s) of business being considered at this meeting

NOTES:

- Members are reminded that they must not participate in any item where they have a disclosable pecuniary interest
- As well as an interest of the Member, this includes any interest, of which the Member is aware, that relates to the Member's spouse or civil partner (or any person with whom the Member is living as a spouse or civil partner)
- Members with a significant personal interest may participate in the discussion and vote on that matter unless that interest could be reasonably regarded as prejudicial.

7 EP16/01319/CMA - EWELL GROVE INFANT AND NURSERY SCHOOL, WEST STREET, EWELL, SURREY KT17 1UZ

(Pages 7 - 56)

Expansion of existing 2 FE Infant School with 26 FTE Nursery to a 2 FE Primary School with 26 FTE Nursery to include the demolition of existing nursery, reception and shed buildings and erection of a new Key Stage 1 building on the West Street frontage together with a part two storey and part single storey extension to the existing school building with associated access improvements, amended staff parking, removal of trees, landscaping including new

hardstanding and drainage infrastructure.

- 8 WA/2016/2323 - LAND AT RUNFOLD SOUTH QUARRY, GUILDFORD ROAD, RUNFOLD, FARNHAM, SURREY GU10 1PB** (Pages 57 - 84)

The continued retention and operation of a mortar batching plant until 30 June 2017 without compliance with Condition 3 of planning permission ref: WA/2013/0721 dated 10 July 2013.

- 9 MO/2016/1848 - LAND AT BURY HILL WOOD, OFF COLDHARBOUR LANE, HOLMWOOD, SURREY RH5 6HN** (Pages 85 - 110)

Details of a pre and post development condition survey (method statement) pursuant to Condition 20 (ii) of appeal ref: APP/B3600/A/11/2166561 dated 15 August 2015.

- 10 RE16/02710/CON - LAND AT PATTESON COURT LANDFILL, CORMONGERS LANE, REDHILL, SURREY RH1 4ER** (Pages 111 - 146)

Construction of a new internal road and realignment of the existing internal haul road, installation of two additional weighbridges and associated offices, overflow car park, bund; and removal and replacement of hedgerow.

11 DATE OF NEXT MEETING

The next meeting of the Planning & Regulatory Committee will be on 22 March 2017.

David McNulty
Chief Executive
13 February 2017

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.

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

Thank you for your co-operation

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

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

NOTES:

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

existing permission) will be delegated to officers (irrespective of the number of objections).

- Any full application with fewer than 5 objections, which is in accordance with the development plan and national policies will be delegated to officers.
- Any full application with fewer than 5 objections that is not in accordance with the development plan (i.e. waste development in Green Belt) and national policies will be delegated to officers in liaison with either the Chairman or Vice Chairman of the Planning & Regulatory Committee.
- Any application can come before committee if requested by the local member or a member of the Planning & Regulatory Committee.

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

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

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

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

Development plan

In Surrey the adopted development plan consists of the:

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

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

Material considerations

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

National Planning Policy Framework and Planning Practice Guidance

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

The NPPF sets out the Government's planning policies for England and how these are expected to be applied and the associated March 2014 [Planning Practice Guidance](#) (PPG) provides related guidance. The NPPF should be read alongside other national planning policies on [Waste](#), [Travellers](#), [Planning for Schools Development](#), [Sustainable Drainage Systems](#), [Parking](#), and [Starter Homes](#).

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

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

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

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

HUMAN RIGHTS ACT 1998 – GUIDANCE FOR INTERPRETATION

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

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

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

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

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

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

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

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

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

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MINUTES of the meeting of the **PLANNING AND REGULATORY COMMITTEE** held at 10.30 am on 11 January 2017 at Ashcombe Suite, County Hall, Kingston upon Thames, Surrey KT1 2DN.

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

Members Present:

Mr Tim Hall (Chairman)
Mr Keith Taylor (Vice-Chairman)
Mr Steve Cosser
Mrs Carol Coleman
Mr Ernest Mallett MBE
Mr Jonathan Essex
Miss Marisa Heath
Mrs Mary Angell

Apologies:

Mrs Margaret Hicks
Mr Richard Wilson

158/16 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies for absence were received from Richard Wilson and Margaret Hicks.

159/16 MINUTES OF THE LAST MEETING [Item 2]

The Minutes were approved as an accurate record of the previous meeting.

It was noted that the resolution of Minute 155/16 had been amended to read: *'That application MO/2016/0981 – Land at Bury Hill Wood, off Coldharbour Lane, Holmwood, Surrey RH5 6HN was approved subject to informatives and reasons set out in the report.'*

160/16 PETITIONS [Item 3]

There were none.

161/16 PUBLIC QUESTION TIME [Item 4]

There were none.

162/16 MEMBERS' QUESTION TIME [Item 5]

There were none.

163/16 DECLARATIONS OF INTERESTS [Item 6]

There were none.

**164/16 WA/2016/1793 - LINDON FARM, ROSEMARY LANE, ALFOLD, SURREY
GU6 8EU [Item 7]**

Officers:

Alex Sanders, Principal Planning Officer
Caroline Smith, Transport Development Planning Manager
Nancy El-Shatoury, Principal Solicitor

Key points raised during the discussion:

1. Officers introduced the report and informed the Committee that the application proposed the construction of a supported living accommodation for adults with autism and high support needs. A brief summary of the proposal was provided in which it was confirmed that both Waverley Borough Council and Alford Parish Council supported the application but showed concern over issues with the location of the site. Officers asked the Committee to permit the application subject to conditions.
2. A Member expressed concern with the comments raised by Waverly Borough Council as they believed that the location of the site had no major impact on resident experience. It was stressed that the planning conclusions raised in the comments may be out of date and should be reconsidered.
3. Members of the Committee were very pleased with the application as supported living accommodation for adults with autism and high support needs was needed in Surrey. It was questioned if the rural location of the development was essential. Officers stated that it did not need to be in a rural location although the open space and conditions in the area were ideal.
4. It was questioned if the travel statement included in the report was adequate for the application in which Officers confirmed that due to the nature of the application a travel statement would suffice.
5. A Member asked if there were plans to expand the development at a later date in which Officers confirmed that there were currently no plans.

The resolution of the Committee was unanimous

Resolved:

That application WA/2016/1793 - Lindon Farm, Rosemary Lane, Alfold, Surrey GU6 8EU was permitted subject to conditions and reasons set out in the report.

Actions/further information to be provided:

None.

**165/16 PROPOSED TRAFFIC REGULATION ORDER ALONG PUBLIC BYWAYS
OPEN TO ALL TRAFFIC (BOAT) NOS 507, 508 AND 509 (ALBURY) AND
507 AND 517 (WONERSH) [Item 8]**

Officers:

Daniel Williams, Countryside Access Officer
Caroline Smith, Transport Development Planning Manager
Nancy El-Shatoury, Principal Solicitor

Key points raised during the discussion:

1. The Countryside Access Officer introduced the report and gave the Committee a summary of the details included in the report. It was stated that the report sought approval to publish a notice of intention to make a Traffic Regulation Order (TRO) for byways open to all traffic (BOAT) Nos. 507 (parts of) & 509 (Albury) and 507 & 517 (Wonersh). It was noted that after the publication of the notice of intention, there was a 21 day period in which residents could raise objections.
2. It was highlighted to the Committee that the reasons for the item to be considered by the Planning and Regulatory Committee was because the area proposed crossed more than one district/borough.
3. A Member expressed that they were pleased with the TRO as residents faced problems with flooding in the area and that the order would be a step in the right direction in addressing the issue.
4. A Member of the Committee raised concern with the dangers of allowing motorbikes to use the road as the report showed limited space for pedestrians and motorbikes to pass safely. The Countryside Access Officer explained that although there was certainly a small space, it was officers opinion that a walker and motorbike could pass safely, with care. Further discussion was had in which it was raised that a motorbike could potentially speed in the area if given the opportunity and the further dangers this would have on other road users. Officers were asked to consider resubmitting the application with added considerations although this was not deemed feasible as it would require further consultation. Members continued to stress their concern around the safety of road users as a consequence of motorbikes having access to the road.
5. A discussion around the safety element being taking into consideration when creating TROs on BOATs and if this was an opportunity to explore the safety aspects of future TRO reports. The Chairman agreed to send a letter, on behalf of the Committee, to the Countryside Access Team regarding the presentation of safety issues in future reports.
6. There was also general discussion around the lack of maintenance of BOATs in Surrey for which there was very little funding. The Chairman agreed to write to the Cabinet Member for Environment and Planning regarding the Committee's concerns.

Resolved:

1. That grounds for making a TRO as outlined were met across parts of the routes consulted upon, and a Notice of Intention to make an Order should be published only for Byways Open to All Traffic Nos. 507 (part of) & 509 (Albury) and 507 & 517 (Wonersh) to prevent damage to the road and to avoid danger to persons or other traffic using the routes as shown in red on Drawing Number 3/1/52/H31a (Annex 2 to the report).
2. Where significant (and relevant) objections were received to an advertised proposal to make an Order it will be decided in consultation with the divisional Member, and the Planning and Regulatory Committee Chairman/Vice Chairman whether the Traffic Regulation Order may be made.

3. That the officer with delegated authority in consultation with the Divisional member and the Planning and Regulatory Committee Chairman/Vice Chairman may decide whether to accede to any unresolved objections and decide whether the TRO may be made either with or without modifications, with due regard to the provisions of the Local Authorities' Traffic Orders (Procedure) Regulations 1996¹.
4. That where substantial (and relevant) objections were received, or significant modifications proposed, the officer with delegated authority in consultation with the divisional Member and the Planning and Regulatory Committee Chairman/Vice Chairman, may refer the decision on whether the TRO be made back to the Planning and Regulatory Committee.

Actions/further information to be provided:

That the Chairman send a letter, on behalf of the Committee, to the Countryside Access Team regarding the presentation of safety issues in future reports.

That the Chairman to send a letter, on behalf of the Committee, to the Cabinet Member for Environment and Planning regarding the Committee's concerns about the lack of funding for the maintenance of byways open to all traffic.

166/16 ENFORCEMENT AND MONITORING UPDATE REPORT [Item 9]

Officers:

Alan Stones, Planning Development Team Manager

Key points raised during the discussion:

1. The Planning Development Team Manager introduced the item and gave the Committee a brief update on the Enforcement and Monitoring Report.

Resolved:

That the report be noted.

167/16 DATE OF NEXT MEETING [Item 10]

The date of the next meeting was noted.

Meeting closed at 11.40 am

Chairman

TO: PLANNING & REGULATORY COMMITTEE
BY: COUNTRYSIDE ACCESS TEAM MANAGER

DATE: 11 January 2017

ITEM No. 8

UPDATE PAPER

TITLE: PROPOSED TRAFFIC REGULATION ORDER ALONG PUBLIC BYWAYS OPEN TO ALL TRAFFIC (BOAT) NOS 507, 508 AND 509 (ALBURY) AND 507 AND 517 (WONERSH)

1. A further email response was received from Mr Colin Noon of Pentland on Mayorhouse Lane. His original objection is outlined in para. 3.1 on page 8 of the report Item 8 as was his position following the site visit of 8 December 2016. Mr Noon's latest email of 6 January 2017 is shown below in italics:
 - i. *Thank you for your E-Mail 5th January. Before the council goes ahead with the proposed works regarding access over Ride Lane I should like to point out the following.*
 - ii. *Over the past many years Ride Lane was always maintained to the standard required as a bridleway etc. The work was directed by Diane Shepard of the highways department and carried out by the sub-contractor, Colin Stonestreet. The state of the lane has deteriorated so much that it presents a major safety risk.*
 - iii. *Since the council has failed to maintain the lane to the required standard a valley has been created by the surface water draining of the hill resulting in the water not being allowed to drain away naturally, as always was the case, but rushing down the lane and causing flooding to August Lane, the pond and Brook Hill.*
 - iv. *The deterioration of Ride Lane was not caused, as some have suggested by four-wheel drive vehicles but the lack of maintenance of the lane by the council. The nature of the erosion in the lane could not possibly be caused by four wheel drive vehicles and has in fact been caused by the water running off the hill.*
 - v. *Since the new occupant of Westerlea Farm has carried out extensive drainage works on his property there has been no flooding of August Lane but at the same time the corner at Brook Hill has been the at its worst and another pond was created on the green the size of the permanent pond.*
 - vi. *With this in mind I respectfully suggest that any permanent works, the installation of gates etc. be at least postponed until such time that it is*

proven that flooding still occurs in August Lane following Ride Lane being maintained and returned to a proper safe condition.

Kind regards, Colin

2. In the Officer's view Mr Noon is correct that BOATS are maintained only to a standard suitable for a bridleway. In common with most other rights of way in Surrey, little substantial work has been undertaken on this route in recent years due to limited funds.
3. Traditionally it has been 'bladed' or re-profiled, which has proven to be a short term fix which speeds up erosion in the long term. This is not a solution to the problem. Correspondence on file confirms that maintenance of this nature, as formerly undertaken either by the County or Borough Council, has not been effective in tackling the problem of erosion and flooding.
4. An alternative repair might involve significant infill of the 'lower' sections, to provide a higher surface where a safe width is available. This would be at significant cost and would itself remain subject to erosion by 4x4 vehicles (without the imposition of the TRO) and by water flow under any circumstance. Quotes from 2001 for a basic infill of limestone scalping amounted to £54,000 alone. The costs are likely to be considerably higher today.
5. Aside from maintenance, the safety issue for users is likely to remain even if the works referred to by Mr Noon are shown to have improved the flooding situation. Apart from the TRO, only major maintenance works could solve this, which would in turn change the amenity and characteristics of Ride Lane.
6. The proposed TRO does not have to be a permanent measure. The effect of it could be monitored over time for efficacy. If it is found not to be effective it could be rescinded or other /additional measures put in place if required at a later date.
7. The question of Mr Noon's personal access to his property is addressed in paras. 1.8, 3.5 and 4.8.

TO: PLANNING & REGULATORY COMMITTEE

DATE: 22 February 2017

BY: PLANNING DEVELOPMENT TEAM MANAGER

DISTRICT(S) EPSOM & EWELL BOROUGH
COUNCILELECTORAL DIVISION(S):
Ewell
Mr Beckett

PURPOSE: FOR DECISION

GRID REF: 521933 162479

TITLE: SURREY COUNTY COUNCIL PROPOSAL EP16/01319/CMA

SUMMARY REPORT**Ewell Grove Infant and Nursery School, West Street, Ewell, Surrey KT17 1UZ**

Expansion of existing 2 FE Infant School with 26 FTE Nursery to a 2 FE Primary School with 26 FTE Nursery to include the demolition of existing nursery, reception and shed buildings and erection of a new Key Stage 1 building on the West Street frontage together with a part two storey and part single storey extension to the existing school building with associated access improvements, amended staff parking, removal of trees, landscaping including new hardstanding and drainage infrastructure.

Surrey County Council is seeking to permanently expand this school from a 2.5 Form Entry Infant School for 4-7 year olds to a 2 Form Entry Primary School for 4-11 year olds. The school currently has capacity for 220 pupils (although it is understood that there are currently 236 pupils enrolled). There is also a nursery on site which has 49 pupils across the morning and afternoon sessions. The extension and replacement building will create capacity for 469 pupils in total across 15 classes, both primary and nursery classes.

This scheme forms part of a trio of schools comprising Ewell Grove Infant School, West Ewell Infant School and Danetree Junior School. Collectively (and subject to gaining planning consent) the schemes were planned to provide for 1680 primary school places in this area. The expansion within the Ewell Trio was also planned to provide certainty amongst parents in this area of where the children will be schooled up until the age of 11 years by expanding each school to an all through primary.

Six letters of objection have been received and six of support. The letters of objection largely point to highways issues and raise concern at the likely increase in traffic which would arise from the development.

The site lies within the urban area but is also within a Conservation Area and Area of High Archaeological Potential. The existing school building on the site dates from 1916 and has been identified by the Borough Council as a building of townscape merit being designed by London architects Jarvis and Richards in an Arts and Crafts style. The site also contains a significant number of trees. The main issues for consideration in this case are the impact of the proposal on the identified Heritage issues as well as other issues such as the loss of trees, impact on residential amenity and highways considerations. Officers have assessed all of the relevant issues and have concluded that the proposal complies with the Development Plan and other relevant planning guidance.

The recommendation is to PERMIT the application subject to conditions.

APPLICATION DETAILS

Applicant

SCC Property Services

Date application valid

17 November 2016

Period for Determination

16 February 2017

Amending Documents

EWE-HLM-A-B03-XX-EL-PR04-01 Rev PA1 Building 03, Proposed Elevations
 EWE-HLM-A-BB-00-GA-PR04-01 Rev PA1 Proposed Ground Floor Plan
 EWE-HLM-A-BB-01-GA-PR04-01 Rev PA1 Proposed First Floor Plan
 EWE-HLM-A-BB-02-GA-PR04-01 Rev PA1 Proposed Roof Plan
 EWE-HLM-A-BB-M0-GA-PR04-01 Rev PA1 Proposed Mezzanine Floor Plan
 EWE-HLM-L-XX-XX-EL-PR04-01 Rev PA0 Proposed Shed Plans and Elevations
 EWE-HLM-A-XX-XX-GA-EX07-01 Rev PA1 Site Location Plan
 EWE-HLM-A-XX-XX-GA-PR05-01 Rev PA2 Proposed Block Plan
 Plan 1 (00439_01.dwg) dated 10/02/05 Site Plan
 A093463_1300_Rev G Proposed Drainage Strategy
 23/01/17 A093463 Drainage Strategy
 23/01/17 Combined Geotechnical and Quantitative Ground Contamination Risk Assessment
 23/01/17 Micro drainage calculations
 23/01/17 Bower and Rice Solutions
 23/01/17 Soakaway Calculations
 23/01/17 Mean Annual Flood calculations
 06/02/17 Design and Access Statement Rev B

SUMMARY OF PLANNING ISSUES

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

Planning Issue	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
PRINCIPLE OF DEVELOPMENT AND EDUCATIONAL NEED	yes	27-41
IMPACT ON HERITAGE ASSETS - CONSERVATION AREA	yes	42-72
DESIGN AND VISUAL AMENITY	yes	73-77
IMPACT ON RESIDENTIAL AMENITY	yes	78-84
IMPACT ON TREES/LANDSCAPING	yes	85-93
ECOLOGY AND PROTECTED SPECIES	yes	94-100
SUSTAINABLE CONSTRUCTION (BREEAM)	yes	101-102
SUSTAINABLE DRAINAGE	yes	103-106
HIGHWAYS, TRAFFIC AND AMENITY	yes	107-118

ILLUSTRATIVE MATERIAL

Site Plan

Plan 1

Aerial Photographs

Aerial 1

Site Photographs

- Fig 1** Existing front elevation of school viewed from adjacent footpath The Grove
Fig 2 Existing playground to the front of the school adjacent to West Street
Fig 3 Existing reception classrooms on frontage of the site with West Street (proposed to be demolished and replaced with the new building)
Fig 4 Location of part of new building showing existing group of trees to be removed
Fig 5 Looking east from the site towards High Street showing existing access to staff car park
Fig 6 Showing side of caretakers house which abuts the site of the proposed new building
Fig 7 Existing north eastern elevation of school and site of proposed extension
Fig 8 Rear of school site showing existing trees and storage sheds
Fig 9 Existing storage sheds
Fig 10 Rear boundary of school with properties in High Street
Fig 11 Existing MUGA to rear of school building
Fig 12 Rear elevation of school building
Fig 13 Materials sample panel
Fig 14 Existing boundary treatment along West Street
Fig 15 Existing rear elevation showing nursery building adjacent (to be demolished)
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BACKGROUND

Site Description

- 2 Ewell Grove School lies just to the south west of the centre of Ewell Village and has its main frontage to the south with West Street. The main school building is set back from that road with an open playground to the front. There is also a modern detached classroom block (housing the reception classes) set perpendicular to the main building on its eastern side and a smaller building known as the 'milk shed' which appears contemporary with the main building.
- 3 The main school building dates from 1916 and has been identified by the Borough Council as a building of townscape merit being designed by London architects Jarvis and Richards in an Arts and Crafts style. It is constructed from red brick with moulded brick and tile detailing and iron framed casements. Additional detailing is provided by projecting arches above windows and moulded brick mullions and transoms.
- 4 To the rear of the main school building is another informal play area including a formal MUGA and a modern single storey brick building in a poor state of repair which currently houses the Nursery. There are also a number of sheds on the rear part of the site.
- 5 The site contains a considerable number of mature and semi-mature trees and there is a notable avenue of mature trees along the public footpath which lies adjacent to the western boundary - known as The Grove - which links West Street with High Street.
- 6 The site is currently accessed by a mixture of private transport and by foot with the main entrance located on West Street (north of the site). There is a pedestrian entrance on a public footpath located on The Grove and a staff entrance from the High Street to the

East of the site. The staff currently access the school and park on site from the High Street entrance which lies between commercial buildings fronting that road.

- 7 The whole site lies within the Ewell Conservation Area and there are several listed buildings in the vicinity of the site. The site also lies within an Area of High Archaeological Potential related to Prehistoric, Roman and Medieval occupation in Ewell.

Planning History

- 8 There have been no recent planning applications at this site submitted to Surrey County Council but a number of applications determined by the Borough Council, most notably for the provision of the existing MUGA at the site and also a significant number of applications for permission for works to trees as the site lies within a Conservation Area.

- 9 In addition planning applications at Danetree School and West Ewell School are of relevance in this case as they form part of the *Ewell Trio* of planned growth which are interlinked. The most relevant applications are listed below:

EP15/01567/CMA Former Danetree County Junior School - expansion of existing 4FE Junior School to a 4FE Primary School and a 52 place Nursery to include the demolition of existing storage buildings and change of use on land currently occupied by Gym Maintenance and the erection of a new two storey classroom building along with associated external play spaces and new staff car parking together with a MUGA to the north of the school site. Permitted June 2016

EP15/01831/CMA Former Danetree County Junior School - Erection of two single storey demountable buildings comprising of a two classroom and a four classroom building both with ancillary accommodation for a temporary period together with a new permanent footpath along the northern boundary of the school site. Permitted June 2016

EP15/01566/CMA Former West Ewell Infant School and Nursery - temporary permission for the erection of a 2no storey demountable unit with stairs and ramp access providing teaching and ancillary spaces from the date of planning permission until July 2023. Internal alterations to the existing school buildings and additional external cycle storage with associated external landscaping. Permitted March 2016

THE PROPOSAL

- 10 This scheme forms part of a trio of schools including Ewell Grove Infant School, West Ewell Infant School and Danetree Junior School. Collectively (and subject to gaining planning consent) the schemes were planned to provide for all three of the schools to become all-through primary schools providing an additional 1.7 FE for infants (Reception to Year 2, 153 places) and additional 4 FE for juniors (Year 3 to 6, 480 places). Following the expansion schemes, a total of 8 FE Primary School places was planned to be provided by the three schools, which amount to 1680 primary school places in this area. The expansion within the Ewell Trio was also planned to remove the uncertainty amongst parents in this area of having to apply for new schools at Key Stage 2 (the transition between infant and junior schools).
- 11 Planning permission has been granted for the expansion of both Danetree School and West Ewell School as set out in Planning History above. This current planning application is for the expansion of Ewell Grove School from a 2.5 Form Entry Infant School for 4-7 year olds to a 2 Form Entry Primary School for 4-11 year olds. The school currently has capacity for 220 pupils (although it is understood that there are currently 236 pupils enrolled). There is also a nursery on site which has 49 pupils across

the morning and afternoon sessions. The extension and replacement building will create capacity for 459 pupils in total across 15 classes, both primary and nursery classes.

- 12 In summary the proposed construction works will consist of the following:
1. Demolition of the existing nursery, reception and milk shed buildings with the relocation of the nursery to the proposed replacement reception building;
 2. Extension to the side of the main School building to provide a new school hall which will provide flexible space which can also be used for dining and a new kitchen. This building has been designed to sit with the repetitive grid and vertical nature of the rear façade of the main school building and as such has been designed with brick vertical piers and timber clad gable ends. The dual pitched roof takes note of the dormers on this elevation.
 3. A replacement two storey infants building on the site of the demolished reception building on the site frontage with West Street. This will provide for a nursery together with 2 classrooms for reception and 4 classrooms for years 1 and 2. This will be two storeys in height with the eaves and ridge height closely relating to the neighbouring buildings. The classroom accommodation will extend into the roof space on the first floor and in order to reduce its massing that upper floor has been tiled with as a continuation of the roof using natural slate tiles at a 45 degree angle. A buff brick is proposed in Flemish Bond below which will reflect the brick pattern on the existing building and there will be detailing such as brick edge sills to also reference the existing school
 4. Further refurbishment and internal alteration to the main School building;
 5. Improved external play space to the front and rear of the site including a hard surfaced MUGA on the site of the existing nursery building and a 3m high green mesh fence along the school boundaries adjacent to this.
 6. Associated improvements to site services and infrastructure including the re-provision of staff car parking.
- 13 The proposed extensions have been designed to have a distinct language of their own as opposed to being a pastiche of the existing building on the site. However the form of the buildings have been designed to take cues from the existing building in that gable end features predominate and window proportions have been designed to reflect those in the existing building.

CONSULTATIONS AND PUBLICITY

- | | | |
|----|-------------------------------|---|
| 14 | Epsom & Ewell Borough Council | Consulted on 30 th November 2016.
No comments yet received |
| 15 | Arboriculturalist | Requested amendments as considered some trees shown for removal could be kept and concern over the impact on tree roots on others (amendments received further comments from Arboriculturalist awaited) |
| 16 | Local Lead Flood Authority | Requested amendments – |

		information has been submitted – no objection subject to conditions
17	Transportation Development Planning	No objection subject to conditions
18	Archaeological Officer	No objection subject to conditions
19	Landscape Architect	Raises concern over the landscape strategy and proposed tree replacement
20	Historic England	Do not wish to comment other than stating that the application should be determined in accordance with national and local policy guidance and advice and on the basis of specialist conservation advice
21	Historic/Listed Buildings Officer	No objection

Summary of publicity undertaken and key issues raised by public

- 22 The application was publicised by the posting of 2 site notices and an advert was placed in the local newspaper. A total of 318 owner/occupiers of neighbouring properties were directly notified by letter. A total of 12 letters have been received as a result of this publicity. 6 of these letters raise objections to the proposal and 6 express support. The points made in the objection letters can be summarised as follows:
1. Surprised at the ordinariness of the block buildings put forward for such an historic building in a Conservation Area. The block on the West Street frontage extends too far over and encroaches on the view of the beautiful existing building it should have been set back towards the cottages (officer comment: the building was located to minimise the impact on the adjacent residential dwellings).
 2. There should be some pattern in the brickwork to offset the blankness of the building (officer comment: the brickwork will be in Flemish Bond with decorative headers to reflect the existing building)
 3. Parking in West Street is already awful and will be exacerbated if the school doubles its size
 4. The village already experiences gridlock so to double the amount of school traffic is madness
 5. The proposal will increase in noise and fumes for residents
 6. The loss of trees would undermine the character of the site
 7. This site is too small for this number of children
 8. The proposal is contrary to local plan policies
 9. The proposal will be completely out of character with the area
- 23 The letters of support state that the new building is in character with the area, a primary school would be a positive addition to the area and is long overdue but traffic generation should be managed.
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PLANNING CONSIDERATIONS

Introduction

- 24 The guidance on the determination of planning applications contained in the Preamble/Agenda frontsheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs.
- 25 In this case the statutory development plan for consideration of the application consists of the Epsom and Ewell Development Management Policies Document and the Epsom and Ewell Core Strategy 2007. Guidance in the Epsom and Ewell SPD on Sustainable Design and Drainage is also a material consideration. In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations.
- 26 In assessing the application against development plan policy it will be necessary to determine whether the proposed measures for mitigating any environmental impact of the development are satisfactory. In this case the main planning considerations are: whether the development is in principle in accordance with development plan policy and national planning guidance; whether it adversely impacts heritage assets, in this case the character and visual amenity of the Conservation Area and archaeological interests; whether the design of the building is appropriate; whether there are any adverse impacts on residential amenity either through the form and location of the proposed building or as a result of traffic generation; whether there are unacceptable impacts on highway safety as a result of traffic generation or parking; and whether there would be an unacceptable impact on trees.

PRINCIPAL OF PROPOSED DEVELOPMENT AND EDUCATIONAL NEED Epsom and Ewell Development Management Policies Document 2015 Policy DM34 – New Social Infrastructure

- 27 Paragraph 72 of the NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. It continues by stating that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. It states that Local Planning authorities should *inter alia* give great weight to the need to create, expand or alter schools. Policy DM34 of the Epsom and Ewell DMP states that planning permission will be given for new or extensions of existing social infrastructure provided that it meets a number of criteria including being located close to public transport routes, meeting an identified need and not having a significant adverse impact on residential character and amenity.
- 28 The site lies within the urban area where there is a presumption in favour of development and policy DM34 positively encourages appropriate extensions to existing social infrastructure, which includes schools, subject to meeting certain criteria, which are as assessed in the following sections of the report.
- 29 In terms of need Primary school rolls have risen gradually across Surrey over the last decade as a result of higher birth rates, new housing and some inward migration into the county from surrounding boroughs. The highest number of births in Epsom and Ewell was in 2015 (945) and house building has also been stimulated in the borough as the country moves out of the recession. These factors have resulted in a rise in demand for both primary and secondary school places across the borough and a number of other primary school expansions have already been put in place.

- 30 The increase in the housing trajectory includes several smaller developments around Epsom town centre plus the larger developments on the former hospital sites in North West Epsom. Despite other primary school expansions in the borough there is a clear and immediate need for additional primary school places in the Ewell and NW Epsom planning areas equivalent to one form of entry per year across the two areas.
- 31 Since 2012, in order to meet the growing demand for school places, there have been a number of temporary and permanent expansions in the borough. These have been at St Martin's Infant and Junior Schools, Stamford Green Primary school, Epsom Primary School, The Vale Primary School, West Ewell Infant, Ewell Grove Infant and Danetree Junior schools.
- 32 Education legislation states that Infant aged pupils (YR - 2) should not be taught in classes larger than 30 pupils. Therefore once numbers exceed multiples of 30 the school has to provide an additional class.
- 33 Furthermore it is expected that young children starting school will be offered a place within a short home to school travel distance, usually within their home planning area. It is Surrey County Council policy to offer a school place to every resident family that requests one. Sometimes more applications are received in a planning area than there are places and therefore, to make a reasonable offer, the Council has to add a 'bulge' class at a school.
- 34 For all of the above reasons it is therefore sometimes necessary to provide extra places to meet these priorities, even though the combined borough PAN indicates a sufficiency of school places overall.
- 35 Parents generally prefer *primary* schools to separate infant and junior schools located on different sites as this means one less school move and offers certainty about which school their child will attend up to the age of 11 years. Education research indicates clear benefits to children making as few changes of school as possible, as a change of school can cause some children's academic progress to stall or even regress, as well as causing emotional difficulties for some. So for these reasons Surrey County Council is proposing that the remaining infant and junior schools in Ewell become all-through primary schools.
- 36 In looking at the provision of new school places in the Epsom and Ewell area as a whole all three schools forming part of the Ewell Trio (Ewell Grove Infant, West Ewell Infant and Danetree Junior) needed to be considered as a joint project otherwise there would be an imbalance between infant and junior places and no certainty for parents as to which school their child would be allocated at 7 years. In the two primary planning areas of Ewell and NW Epsom a shortage of places both at Reception and in Year 3 has been identified. Between the two planning areas, the total PAN is 520. By combining the forecast Reception demand in the two planning areas, a shortage of 15-25 infant places per year is anticipated. Hence the demand for one more form of entry across the two areas.

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

- 37 As stated above Epsom and Ewell comprises two primary planning areas (Ewell and NW Epsom) and these contain 6 existing primary phase schools, 2 infant (West Ewell and Ewell Grove) and 1 junior school (Danetree). Surrey County Council has considered expansion of the other existing primary schools in these areas and is pursuing a district wide strategy on each existing site:

Cuddington Croft Primary in Cheam in the Ewell Planning area is a two form entry (2FE) academy on a compact campus (12,344 square metres). It is on a sloping site and sits on the Sutton Borough boundary and would therefore attract more pupils from out of

borough and thus not assist the Surrey problem. After a conducting a viability survey the school was unwilling to admit a bulge class for September 2015 due to the lack of space on campus and so it has been assumed it would not wish to expand further.

St Clement's Catholic Primary in Ewell is a 1 FE school. The school has been over-subscribed for a number of years but it only admits catholic children so this would not be an appropriate school to expand, as it could not meet the general demand of non-catholic families. Its site is also very small.

Riverview C of E Primary is a 1FE Church of England VA school. Its land and buildings are owned by the church. The Head Teacher and Chair of Governors were involved in early discussions between the Local Authority and schools in the area but ultimately decided that they did not wish to expand further. The school has a nursery and a local Children's Centre attached to it. It is due to be rebuilt as a 1 FE primary school in 2016/17 as part of the Priority Schools Building Programme. The site is relatively small (18, 257 square metres).

Stamford Green Primary was a 2FE school which has been expanded to 3 FE with effect from September 2015. The school serves the NW Epsom planning area in the vicinity of Christchurch Mount and the Stamford ward. It is unwilling to expand further and, due to its location within a residential area, adjacent to the Green Belt and in partial flood plain, has its own constraints.

Epsom Primary is a 2 FE school with a nursery and has taken bulge classes in 2013, 2014, and 2015. It primarily serves the Wells and Epsom Common areas in NW Epsom and is on a very restricted urban site (9,142 square metres). The frontage of the building is locally listed. It has minimal playing field space and cannot expand further on a permanent basis. Once the bulge classes have moved through the school it may be possible to admit further temporary bulges, if required, but this school does not offer a consistent option for permanent expansion.

Southfield Park Primary is a 2 FE school serving NW Epsom. Originally built as a 1FE school using some S106 funding it was intended to serve the new hospital development. However the house building on these sites has been much greater and we have already expanded this school to its maximum capacity. (Its gross site area is 8,780 square metres). The school has no playing fields of its own and very limited car parking. It is within the Green Belt and its roof design and foundations prohibit extending upwards to a second storey.

West Ewell is a popular infant school and has already had significant investment made to its accommodation in a previous expansion programme. It was seen to be providing an outstanding standard of education at its last OFSTED inspection in 2010 and the proposal to change its status to an all through primary is in response to parental views and meets the government's policy of Local Authorities expanding popular and successful schools.

Danetree Junior School is an academy within GLF schools. It was willing to expand to become a primary school but could not do so in isolation, as this would have left both Ewell infant schools without junior places. Danetree has now received permission to become a 4 FE primary school in September 2016, and, as such, will admit local pupils from its immediate catchment area and from NW Epsom as required.

- 38 In the wider context the County Council considers that more primary school places are needed across Ewell and NW Epsom. There are currently 10 Reception classes across six schools and this proposal, as part of the wider re-organisation of three schools, helps to provide 12 Reception classes and a matching number of junior places. It also aims to improve educational standards for all children by ensuring continuity and progression throughout all through primary schools and it aims to reduce journeys between schools.

- 39 The Local Authority has a statutory duty to provide sufficient school places and it is not currently possible to expand any of the other local schools in the immediate planning areas. The present and future demand indicates that one more form of entry in this area is required and this proposal would achieve this and would enable Surrey County Council to meet the known demand and also allow a small surplus capacity for late applicants, any additional small housing developments and in-year admissions.
- 40 Ewell Grove Infant School is a popular and successful school which is fully subscribed. It was judged to be providing an outstanding standard of education at its last Ofsted inspection. The proposal to convert it to primary status is in response to parental views and a wider area consultation with schools. It meets the government's policy of local authorities expanding popular and successful schools.
- 41 In conclusion on this issue this application seeks to provide additional school places within the built up area of Epsom and Ewell for which there is a strong need and where existing facilities are subject to significant development and capacity constraints. Relevant policies state that the need for school places should be accorded great weight. The proposal does therefore accord with development plan policies in this regard and is acceptable.

IMPACT ON HERITAGE ASSETS - CONSERVATION AREA AND ARCHAEOLOGY

National Planning Policy Framework 2012

Chapter 12 Conserving and enhancing the historic environment

Epsom and Ewell Development Management Policies Document 2015

Policy DM8 – Heritage Assets

Policy DM9 – Townscape Character and Local Distinctiveness

- 42 The NPPF establishes a set of core land-use planning principles that should underpin both plan-making and decision-taking. The conservation of heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations, is one of these core planning principles (paragraph 17).
- 43 Chapter 12 of the NPPF sets out the key considerations in relation to heritage assets. Where changes are proposed, the NPPF sets out a clear framework to ensure that heritage assets are conserved, and where appropriate enhanced, in a manner that is consistent with their significance.
- 44 The NPPF sets out the importance of being able to assess the significance of heritage assets that may be affected by a development. Significance is defined in Annex 2 as being the, 'value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic.' Significance is not only derived from an asset's physical presence, but also from its setting. The setting of a heritage asset is defined in Annex 2 as, 'the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve.'
- 45 Paragraph 128 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Similarly there is a requirement on local planning authorities, having assessed the particular significance of any heritage

asset that may be affected by a proposal; to take this into account when considering the impact of a proposal on a heritage asset (paragraph 129).

- 46 In determining planning applications that affect heritage assets, local planning authorities should take account of the following three points:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - the desirability of new development making a positive contribution to local character and distinctiveness (paragraph 131).
- 47 Paragraphs 132 and 133 of the NPPF provides guidance on considering the impact of any development on the significance of heritage assets and states that where there is substantial harm the application should be refused. Paragraph 134 advises that where the development proposal will lead to less than substantial harm to the significance of the heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 48 Policy DM8 of the DMP Document resists the loss of Heritage Assets and requires every opportunity to conserve and enhance them by new development. It requires development proposals that have an effect upon heritage assets to establish the significance of the asset as part of the application and to assess the impact of the proposal on the asset.
- 49 Policy DM9 seeks enhancement of the townscape through new development and states that planning permission will be granted for proposals which make a positive contribution to the borough's visual character. It states that in assessing this the following will be considered:
- compatibility with local character and the relationship to the existing townscape and wider landscape;
 - the surrounding historic and natural environment;
 - the setting of the proposal site and its connection to its surroundings; and
 - the inclusion of locally distinctive features and use of appropriate materials

Impact on Conservation Area

- 50 The applicants have submitted a comprehensive Heritage Statement with this application. This restates the requirement for any assessment and its scope to be guided by policy contained within the NPPF, specifically paragraph 128 which seeks an assessment proportionate to the asset's importance and sufficient to understand the potential impacts of development. This Heritage Statement identifies the heritage values of the school buildings that contribute to the defined significance of the conservation area. The proposal for new structures within the school site is considered in the context of the existing heritage baseline and the extent of harm determined in relation to the legislative provisions relevant to conservation areas, policy as set out in NPPF, local plan objectives and Historic England guidance. This then defines the historic and architectural significance of the school buildings and establishes the nature of their contribution to the character and appearance of the Ewell Conservation Area. It then examines the extent to which siting, materials, orientation, scale, height and massing have been considered within the context of the historic setting of the building so to minimise or avoid harm to the heritage values of the conservation area.

51 The Heritage Statement concludes the following:

- though the proposal is for a contemporary design it takes clear cues from its local and historical streetscape context as evidenced particularly in the linearity of fenestration and use of design features.
- as this is not a pastiche of the local vernacular and by not replicating the arts and crafts, the architectural integrity and prominence of the principal historic building has been retained.
- in addition to design features the careful siting of the new building has enabled the maximum retention of open playground space to the front of the school which is such a characteristic of the site.
- the extension to the main school buildings, though executed in a different manner and making more use of contemporary materials achieves a similar balance and respect for its historic neighbour drawing significant influence from the way that the south façade of the 1915 building is articulated.
- the optimum viable use of this site consistent with its heritage values is therefore achieved.
- the proposal clearly delivers the public benefit that supports the conservation of the asset and thereby satisfies policy objectives as set out in NPPF.
- Policy DM9 of the Core Strategy seeks locally distinctive development that would fit with existing historic townscape and it is our view that the proposals achieve this aim.
- the proposals have shown special regard to both the preservation of the setting of listed buildings and to the enhancement of the character or appearance of the Ewell Village Conservation Area.

52 The County Historic Buildings Officer has been consulted on the planning application. He confirms that he has been closely involved during the lengthy design process, as has the case officer, and this has culminated in the submission of the proposed scheme. He comments that the Heritage Statement provided is comprehensive and in combination with the Design and Access Statement he considers that it is possible to appreciate how the design has been modelled to fit into the existing heritage townscape. He does not believe that we should seek to restrict the aesthetic approach of the Designer providing the general massing and material palette is appropriate, which he considers it is. He comments further that some will consider the proposals too radical but it is important to bear in mind that many of the familiar buildings were radical in their own time. Finally he confirms that he has assessed the proposal in accordance with policies 129 and 132 of the NPPF and finds that there will be no material impact on the character or appearance of the Conservation Area as one of special architectural or historic interest or on the setting of nearby heritage assets.

53 Officers are of the view that in accordance with the NPPF advice the applicant has appropriately described the significance of the Conservation area in a level of detail which is proportionate and that this is sufficient to understand the potential impact of the proposal. As well as providing the new buildings on the site the proposal will secure the removal of existing buildings – the existing reception classroom and in particular the nursery building to the rear of the site but prominent from The Grove – which will enhance the appearance of the Conservation Area.

54 Officers consider that the proposed development meets the three tests set out in paragraph 131 of the NPPF in that:

- the proposal has been designed to ensure the retention of the existing school building (which is a building of townscape merit that has a significant impact in the Conservation Area) on the site in a way which enhances and retains its integrity. Furthermore the additional accommodation will be provided in a form which reflects the pattern of development in the Conservation Area (see third

point below) and will enhance the appearance of the site whilst ensuring its viable use into the future

- the existing infant school on the site is very successful and popular and is a valuable asset to the local community. The proposals will ensure that this existing contribution is enhanced to match the growing needs of that community in a way that makes a positive contribution to the Conservation Area
- the existing school buildings occupy a large plot of land compared to its neighbours within a village centre setting much of which is given over to play ground. It is the openness of the site characterised by belts of trees to the west boundary and to the rear that are particularly evident on the streetscape, the school buildings are set back from the frontage and other than when directly in front of the site do not feature in any particular viewpoints along West Street. Nonetheless the buildings are of a robust character with a strong presence on the site and overall the group makes a positive contribution to the character and appearance of this part of the conservation area. In addition the footpath adjacent to the school known as *The Grove* is a significant feature within the conservation area; it retains the alignment of an early pathway contributing to historic interest and represents a green linear route through the conservation area contributing to character and appearance providing clear vistas between the High Street and West Street. *The Grove* is defined on its west side by the listed wall and to its east along the part fence and tree lined boundary to the school and both these elements contribute to its linearity. The proposed development maintains and enhances these positive contributions in that the new buildings fit well on the site, the reception block occupying broadly the site of an existing building and therefore doesn't encroach upon the openness of the playground and much of the verdant background planting within the site will be retained. The new buildings are sited so as not to diminish the prominence of the 1915 building on the streetscape, and relate well in scale, character and materials to its surroundings. Views of the site from *The Grove* will be enhanced with the removal of the existing nursery block which is in a poor state of repair and trees along that boundary will be retained. The proposal will therefore make a positive contribution to local character and distinctiveness.

- 55 Officers therefore conclude having regard to the NPPF the proposal will not give rise to any harm to the Conservation Area and is therefore acceptable in that regard.
56. Having regard to Development Plan policies officers consider that the applicant has satisfactorily established the significance of the Conservation Area and assessed the impact of the proposal. Officers consider that the applicant has demonstrated that the proposal will preserve and enhance the Conservation Area and is compatible with its setting and the local area.
- 57 In conclusion officers are of the view that the proposal meets the requirements of the relevant policy documents in this regard and is acceptable

Impact on Archaeology

- 58 Policy DM8 of the DMP requires that on sites of 0.4 hectares or greater applicants are required to undertake prior assessment of the possible archaeological significance of the site and the implications of the proposals and may be required to submit, as a minimum, a desk-based assessment to accompany any application. Where desk-based assessment suggests the likelihood of archaeological remains, the Planning Authority will require the results of an archaeological evaluation in order to inform the determination of the application.
- 59 The site lies within an Area of High Archaeological Potential related to Prehistoric, Roman and Medieval occupation in Ewell. The applicants have submitted an

Archaeological Assessment and a Written Scheme of Investigation for an Archaeological watching Brief with the application.

- 60 The Archaeological Assessment concludes that there are a high number of Heritage Assets within the local area with one asset – a Roman boundary ditch – lying within it. A further Roman occupation area has been identified across the road from the school (2-16 West Street), and a Saxon cemetery was revealed at the adjacent site (Ewell House, West Street). The general archaeological potential of the site may therefore be considered to be high based on the number of archaeological finds, features and sites that lie within the search area, in particular from the Roman and Saxon periods.
- 61 The Archaeological Assessment looks at the potential *impact* of the proposal and the conclusions are as follows:
- 62 Historic maps show that the *front west* part of the site, currently hard surface play ground, was developed by the 19th century with a farm house building, and these building were demolished when the school was first established across the former orchard area. No new development is proposed across this area and there is therefore no impact on potential archaeological levels
- 63 The *front east* part of the site, currently the site of the reception buildings, housed farm buildings in the early 19th century, these were partly demolished/ redeveloped and completely removed as part of the development of the reception classroom block. New development on this area would have an impact, as it could reveal the remains of the early farm buildings, as well as possible roman evidence extending from the site across the road.
- 64 The *central* part of the site appears to have largely escaped any development prior to the building of the school. However the HER listing shows the projected line of a possible Roman road, crossing the site of the proposed hall and kitchen extension on the east side of the main school building. The proposed development across this area will therefore have an impact on potential archaeological horizon.
- 65 The land to the *rear* of the main school building will be largely unaffected by the new development work, although earlier ancient activity has been identified across this area in the form of the roman ditch, and this part of the ground also houses the WWII air raid shelters. The proposed demolition of the present nursery building could reveal evidence relating to the Roman ditches.
- 66 The Archaeological Assessment recommends that further archaeological investigation of the site is required in the form of a watching brief. The applicants have therefore submitted a watching brief with the application. This sets out a specification for a qualified archaeologist to observe the excavations of the site and to monitor the removal of deposits. It sets out the methods for dealing with any features or finds.
- 67 The County Archaeologist has been consulted on the application and has advised that the methodologies contained in the submitted report provide a suitable process by which any Heritage Assets of archaeological significance that may be revealed during the associated groundworks are identified and recorded before they are destroyed and, as such, the report is acceptable
- 68 The County Archaeologist further comments that the work detailed in the report forms an ongoing stage in the implementation of the required archaeological work. As such a planning condition will need to be maintained until all the fieldwork has been completed and a satisfactory final report on its results has been submitted and approved, or should significant/complex archaeological deposits have been revealed, when a satisfactory post-excavation assessment detailing the post-fieldwork analyses needed to arrive at a

final publishable report have been agreed and resourced to the planning authorities satisfaction.

- 69 Officers are of the view that in accordance with the NPPF advice the applicant has appropriately described the significance of the Archaeological importance of this site in a level of detail which is proportionate and that this is sufficient to understand the potential impact of the proposal. Officers are satisfied that subject to conditions the proposal will not give rise to any substantial harm to the Conservation area and as such is in accordance with the guidance contained in the NPPF and relevant Development Plan policies.
- 70 Officers are therefore recommending that planning conditions are attached to this permission to cover the points made by the County Archaeologist and subject to these it is considered that the proposal is acceptable in this regard and accords with the relevant Development Plan Policy.

Overall conclusions on impact on Heritage Assets

- 71 Having regard to paragraphs 42 to 70 above there are two heritage assets of relevance in this case – Conservation and Archaeology – and officers have considered in detail the impacts of the proposal on both of these and conclude that subject to a number of planning conditions the proposal will not give rise to any harm to those heritage assets. In respect of the Conservation Area officers are of the view that the proposal will preserve and enhance this heritage asset.
- 72 Furthermore officers are of the view that even if it was to be concluded that there was to be *less than substantial harm*, the public benefits of the proposal, in providing essential school places in an area where there is a defined need, would outweigh that harm.

DESIGN AND VISUAL AMENITY

Epsom and Ewell Development Management Policies Document 2015

Policy DM9 Townscape Character and Local Distinctiveness

Policy DM10 Design Requirements for New Developments

Epsom and Ewell Core Strategy 2007

Policy CS5 – The Built Environment

- 73 Policies DM9 and DM10 of the Development Management Policies document seek to ensure that new development is compatible with the local area and is of a good design and sustainable. Core Strategy Policy CS5 requires design to make a positive contribution to the quality of the built environment.
- 74 Two new buildings are proposed on the site a classroom block and a hall with kitchen. The new classroom block to be located on the east side of the playground, occupies the site of an existing 1970s building which is to be demolished. The new building which is of two stories will have an entrance facing to the playground with a return range facing to West Street. The building will comprise a buff brick to the lower levels with a feature diamond slate tile on the upper level continued over the roof; gable elevations are to have a brick face. Window openings are to be regularly spaced and to be of vertical proportions, those on the upper level are set beneath the eaves and extend into the roof.
- 75 The proposed hall attached to the existing school building will have a double pitched roof, with slender brick piers incorporated into the cladding material of the gable elevations. The kitchen and other ancillary space will be within a single storey element attached to the east of the hall and will be of a brick face with a slate roof.

- 76 In addition to new buildings there will also be improvements to the landscaping of the site including demolition of the detached nursery to the rear of the school buildings alongside *The Grove* and the erection of replacement boundary fencing. The new boundary fencing which is to be erected part along *The Grove* extending south of the principal school building is to comprise 3m high green welded mesh.
- 77 As considered under the previous sections the proposed development has been designed to carefully reflect the character and appearance of the main school building on this site, taking cues from it and from development in the local area. Officers consider that the proposed scheme is of a good design and will be constructed from high quality materials with significant detailing and as such it will make a positive contribution to the quality of the built environment. Officers are therefore of the view that the proposal accords with Development Plan policy in this regard.

IMPACT ON RESIDENTIAL AMENITY

National Planning Policy Framework 2012

Epsom and Ewell Development Management Policies Document 2015

Policy DM9 Townscape Character and Local Distinctiveness

Policy DM10 Design Requirements for New Developments

- 78 Paragraph 32 of the NPPF states that '*Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*'. Policies DM9 and DM10 of the Development Management Policies document seek to ensure that new development is compatible with the local area and have regard to the amenities of occupants and neighbours.
- 79 The proposed new classroom building on the frontage of the site with West Street lies close to the boundary with the adjacent residential dwelling which is also in the ownership of the school and occupied by the caretaker. The rear part of the proposed new building has been sited away from the boundary with that dwelling to ensure that it would not have an overbearing impact on the property and in particular the rear garden. Officers are satisfied that the proposal will not have any adverse impact on the adjacent dwelling by virtue of loss of outlook or overdominance.
- 80 There are windows on the ground floor of the proposed building facing onto the adjacent dwelling but there is existing boundary screening and the windows will be set some distance away therefore there will be no overlooking. There are roof light windows also facing the adjacent dwelling but they will not be capable of being seen through given their location and height. The proposal will not therefore give rise to any unacceptable overlooking.
- 81 The nursery hard play area is contained within an area between the building and the neighbouring property but officers do not consider that this will have any adverse impact on the neighbouring dwelling due to the nature and short timescales of any noise emanating from the use of the area and also given that the dwelling is in the ownership of the school and occupied by the caretaker.
- 82 The proposed expansion will give rise to an increase in traffic in the local area at drop off and pick up times. The situation is already difficult for local resident as indicated in the

letters of objection on this application. It has to be acknowledged that the proposal will give rise to some additional degree of loss of amenity for nearby residents at peak times as an increase in pupil numbers is proposed. Though some mitigation measures are proposed as part of the application, these can only assist in trying to manage the situation, they will not reduce the vehicle numbers.

- 83 This situation is acknowledged. However Officers are of the opinion that whilst there is a degree of increased loss of amenity to local residents the increase in this case will be a small one having regard to that which already occurs and the fact that is confined to short periods during weekdays only. The proposal would not give rise to any severe impact as referred to in the NPPF paragraph 32 (see paragraph 37 above).
- 84 Officers therefore consider that the small adverse impact which would arise from this proposal on residential amenity from the increase in traffic needs to be balanced against the other issues relevant in this case including the strong need for the required school places.

Officers therefore conclude that the proposal is acceptable and accords with adopted policies in respect of impact on residential amenity.

IMPACT ON TREES/LANDSCAPING

Epsom and Ewell Development Management Policies Document 2015

Policy DM5 Trees and Landscape

- 85 Policy DM5 requires that the Borough's trees, hedgerows and other landscape features will be protected and enhanced and new development is required to retain existing trees where practicable and plant new features.
- 86 There are currently 44 individual trees and 5 groups of trees on this site and therefore a full Arboricultural Assessment has been submitted with this application. None of the existing trees fall into category A – of high quality – but a number (26) fall within category B – moderate quality, and 15 individual trees and 5 groups of trees fall within category C (low quality). A number of the existing trees will require pruning in connection with the development and a significant number of trees will need to be removed to facilitate the development.
- 87 The majority of the existing trees which are to be felled are on the footprint of the proposed new buildings, mainly the proposed hall/kitchen at the side of the existing school rather than on the frontage. These trees all fall within category B or C though some are mature specimens of considerable height and stature and therefore currently prominent as part of a group within the Conservation Area. On the plans originally submitted a number of existing trees along the rear boundary of the site were also shown to be removed but following comments made by the County Arboricultural Manager these are now to be retained.
- 88 Both the County Council's Arboricultural Manager and the Landscape Architect have expressed concern over the initial submissions in respect to tree loss and proposed replacement and landscaping. The issues raised have been pursued by officers but have not to date been finally resolved as set out in the following paragraphs.
- 89 The Arboricultural Manager has raised detailed issues regarding the likely impact on retained trees and tree protection measures but also queried the proposed loss of a line of trees along the rear boundary of the site which was not considered to be essential for the implementation of the development. The applicant has responded to these concerns by submitting additional information on the impact on retained trees and agreeing in writing to the retention of trees along the rear boundary of the site. At the time of writing this report the information that had been submitted was not sufficient to overcome the concerns of the Arboricultural Manager. In addition no Amended

Aboriginal Impact Assessment or Method Statement showing the agreed changes had been received and therefore conditions have had to be included to cover these outstanding matters. If this amended information is received prior to the Committee considering the application these conditions will be amended and in this case details will be provided in an update sheet. Subject to these conditions it is considered that the concerns of the Aboriginal Manager can be addressed through the submission of further details prior to commencement.

- 90 The Landscape Architect has advised that the replacement tree planting is ill considered and does not aid the function of this area of the school, or enhance the conservation area. She queries the proposed replanting of trees at the rear of the site, which is south facing and already heavily shaded. She comments that the removal of the Lawson Cypress will bring much needed light and space in to this area, and so the last thing you want to do is plant new trees in this space you have created especially with the species suggested which is a wide spreading tree - Sorbus aria (Whitebeam). Furthermore, she comments that the proposal is to seed and plant underneath the trees. Understorey plants, even in woodland, need light and water. The removal of the Lawson Cypress will provide some chance of establishment of understorey planting/seeding, but not if you extinguish the light and growing space just gained by their removal. In conclusion the Landscape Architect suggests that adequate compensation for the removal of such a large number of mature trees, is to replace it with good quality structural planting where it adds something to the new architectural design and layout. She maintains the view that the front of the school needs to be enhanced and comments that the proposed new hedge planting is a start.
- 91 The comments of the Landscape Architect were conveyed to the applicant and they have responded as follows:
- Currently there are no trees to the front of the school, therefore the streetscape is not losing trees to the school boundary as a result of the proposed development (officer comment – there is a Norway Maple on the site of the proposed new building which would have to be removed)
 - Originally the planting of street trees to the front boundary of the school was proposed. However the proposal wasn't progressed given the impact it would have upon the reduction of hard play space.
 - The proposed trees can be planted in areas where there currently is space, their proposed position has been revised.
 - The seed chosen is not a general purpose grass seed but one chosen for shady woodland edges. It contains species suited to low light levels. I appreciate that some areas, particularly those close to tree trunks, may have only partial cover, but where there is some light the seeding should take if sown and maintained correctly.
- 92 The Landscape Architect has provided further comments on the amended information received and maintains a view that the landscaping proposals are presently inadequate. Officers have considered the replies to consultations and assessed the landscape proposals submitted and agree with the Landscape Architect that the proposed replacement planting should take the form of good quality structural planting where it adds something to the new architectural design and layout and currently it is lacking in this regard. However officers do not have a strong view that it is a necessary requirement for there to be replacement planting on the frontage of the site as there is very little tree there at the moment and it is not a feature of the Conservation Area. The proposed hedge along the front boundary will enhance the appearance of the site in a way which is considered appropriate as part of the landscaping scheme. Given that the proposed replacement planting is not yet of a standard which officers can support, but given that clearly the applicant has expressed a willingness to replant replacement trees, and to landscape the site officers consider that the most appropriate way forward is to

attach a condition requiring the submission of an amended landscaping to include the tree replacement.

- 93 Subject to conditions requiring further details on both tree protection, tree removal and replacement landscaping and planting officers are of the view that the proposals accord with Development Plan policy in this regard.

ECOLOGY AND PROTECTED SPECIES

National Planning Policy Framework 2012

Epsom and Ewell Core Strategy 2007

Policy SC3 Biodiversity

- 94 The National Planning Policy Framework (NPPF) was adopted in March 2012. Section 11 (outlined in Appendix B) of the NPPF, Conserving and Enhancing the Natural Environment, replaces Planning Policy Statement 9 (PPS9): Biodiversity and Geological Conservation. However, government Circular 06/2005, Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System, which relates to PPS9 remains valid and is referenced within Paragraph 113 of the NPPF.

- 95 ODPM Circular 06/2005 states that the presence of protected species is a material consideration in the planning process. The NPPF also states that ‘planning policies should promote the protection of priority species populations linked to national and local targets’.

- 96 Furthermore, central and local government policy now points towards ecological enhancement on development sites. The NPPF considers enhancement in the statement: ‘The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes....and minimising impacts on biodiversity and providing net gains in biodiversity’.

- 97 Policy CS3 of the Core Strategy states that the biodiversity of Epsom and Ewell will be conserved and enhanced with development that is detrimental to it being minimised and where it does take place mitigation measures provided.

- 98 The applicants have submitted the details of a Phase 1 Habitat Survey which was undertaken on the site. The County Ecologist has been consulted on this proposal and agrees with the conclusions in the survey which state that Bats are using the main school building on this site as a roost site. It is not a main or maternity roost, but the roost of a low number of common pipistrelle bats. None of the other buildings on the site to be demolished are identified as having any evidence of the presence of bats. As the proposed development is to erect an extension on the existing building which may impact on the roost site for a low number of bats, an European Protected Species licence from Natural England will be required before any works may commence on the building. Due to the low number and species present, the works to develop the site may be completed under a low impact class licence. Mitigation that will be required as part of the licence is detailed below;

- Immediately prior to works commencing, an internal inspection of the building would have to be carried out by a licensed bat worker to check for bats. If works don’t commence before autumn 2017 then a top up survey would need to be conducted to inform for a licence application.
- The workers on site must be made aware that there are bats present using the building and have a toolbox talk before starting works and be informed what to do if in the event bats are found present.

- Roof tiles would have to be removed by hand (if required – officer note the proposed extension to the main building may not actually require the removal of the existing roof tiles) and checked for the presence of any bats in the presence of a licensed bat worker, this would need to be conducted at a suitable time of the year under suitable weather conditions.
- Replacement roosts would have to be provided prior to any works being carried out, these could be in the form of bat boxes suitable for the species of bat identified roosting within the building.
- The new roofing areas must use a bitumen roofing felt and should provide new access points into the roof areas for bats as replacement roosts.

- 99 Subject to securing these measures the County Ecologist raises no objection to the proposal.
- 100 In conclusion the site does contain protected species and a license is therefore needed from Natural England to ensure the continued protection of these. In order to secure this officers recommend a condition is attached to the planning permission and subject to this officers are satisfied that the proposal accords with the relevant Development Plan Policy.

SUSTAINABLE CONSTRUCTION (BREEAM)

National Planning Policy Framework 2012

Epsom and Ewell Core Strategy 2007

Policy CS6 Sustainable Development

Epsom and Ewell Sustainable Design SPG 2016

- 101 Policy CS 6 of the Core Strategy requires that proposals for development result in a sustainable environment and reduce, or have a neutral impact upon, pollution and climate change. The SPG on Sustainable Design amplifies that policy and recommends that developers pursuing a non-residential developments use the BREEAM assessment methodology to demonstrate the sustainable design performance of their proposal and how it meets the criteria for sustainable development set out under Core Strategy Policy CS6.
- 102 The applicants have submitted a BREEAM pre - assessment with this application. In the BREEAM pre-assessment the broad details of the proposal are assessed (and certain assumptions made) against a number of sustainability criteria. This concludes that the proposal is capable of achieving a score of at least within the 'very good' category and the applicant has confirmed a commitment to securing a sustainable design as far as possible. Officers consider that the proposal complies with Development Plan Policy in this regard.

SUSTAINABLE DRAINAGE

National Planning Policy Framework 2012

Epsom and Ewell Core Strategy 2007

Policy CS6 Sustainable development

Epsom and Ewell Sustainable Design SPG 2016

- 103 Policy CS 6 of the Core Strategy requires that proposals for development result in a sustainable environment and reduce, or have a neutral impact upon, pollution and climate change, including avoiding increasing the risk of, or from, flooding. The SPG on Sustainable Design amplifies that policy and states that for major applications applicants will need to demonstrate how SuDS will be incorporated into the proposal site in perpetuity – such information to be referred to Surrey County Council as the Lead Local Flood Authority.
- 104 This application is a ‘major’ application and the Government strengthened planning policy on the provision of sustainable drainage systems (SuDS) for ‘major’ planning applications from 6 April 2015 (Paragraph 103 of National Planning Policy Framework and Ministerial Statement on SuDS). Since that time all ‘major’ planning applications must use sustainable drainage unless this is demonstrated to be inappropriate.
- 105 The applicants have submitted a sustainable drainage strategy with the application and following advice from the Local Lead Flood Authority additional information was submitted to demonstrate that the proposed on site drainage measures such as soakaways would be feasible and would manage in storm events. The Local Lead Flood Authority has now confirmed that it has no objection to the drainage strategy proposed subject to the submission and approval of additional detailed information which can be secured by condition.
- 106 Officers are of the view that subject to appropriate conditions to secure the additional information required by the Local Lead Flood Authority the proposal is acceptable and accords with Development Plan Policy in this regard.

HIGHWAYS, TRAFFIC AND AMENITY

Epsom and Ewell Development Management Policies Document 2015

Policy DM9 Townscape Character and Local Distinctiveness

Policy DM10 Design Requirements for New Developments

Policy DM34 New Social infrastructure

Policy DM37 Parking Standards

- 107 The proposal will see this school extended from a 2.5 form of entry infant school (220 pupils) to a 2 form entry primary school (420 pupils) which would result in an additional 200 pupils. This is a significant increase. The school currently employs a total of 33 staff. Following the expansion, there will be an additional 16 staff, excluding auxiliary support staff, taking the total staff to 49.
- 108 The applicant has submitted a Transportation Assessment with the application which shows that the majority of the school's current pupils live within 1 km of the school and are therefore within walking, scootering or cycling distance. Currently 45% of pupils walk to school, 2% cycle, 17% scoot and 35% come by car/taxi. 71% of staff arrive by car with 29% arriving on foot, bike or by train. The conversion of Ewell Grove from an infant school to an all through primary will remove the need for parents with infant and junior children to make more than one trip - currently junior children predominantly attend Danetree. This may enable more parents to utilise walking, cycling or scooting to access school with a resulting potential reduction in traffic in the wider area.
- 109 A parking survey undertaken in support of the application concluded that there are a total of 609 legal on-street and car park parking spaces in the vicinity of the school. The public car parks at Bourne Hall, Gibraltar Recreation Ground, Cheam Road East (Dorset

House) and Cheam Road West (High Street) were included in the survey. The parking survey covered the school drop off and pick up periods and includes all parked vehicles (commuters, residents and local workers) not just those associated with the school. The parking occupancy in the morning was 245 cars - 55 in car parks and 190 on-street. The parking occupancy in the afternoon was 335 - 135 in car parks and 200 on-street. It can be concluded that there are currently around 364 available spaces at school drop off in the morning and 274 at school pick up in the afternoon. There is therefore remaining capacity in the wider area on and off-street to accommodate additional parents' cars. There is controlled parking in the roads closest to the school (High Street and Church Street) and in others in the wider area. Opportunities for on-street parking are therefore limited in terms of time and location.

- 110 Transportation Development Planning have commented that on the basis of the current mode share, and taking no account of any mode shift that may occur as a result of the conversion of the school to a primary or the successful implementation of travel plan measures, the proposed expansion of the school will result in an increase of 78 children coming to school by car. Clearly, these additional cars can be accommodated within the surplus car parking in public car parks and on-street. As the expansion is for the junior element, it is likely that these pupils will finish later than the existing pupils and therefore pick up is likely to be staggered and will not necessarily coincide with the existing infant pupils. After school clubs currently run to 4.30pm and these will also reduce the impact of school pick up. Reference is made in the Planning Statement to 'Agreement being sought with Epsom & Ewell Borough Council to allow permits for staff and parents to park in the car parks free of charge for drop off and collection'. TDP has stated that it is unclear from the submission whether this has been agreed but if parents are allowed to park in public car parks for a short period without having to pay, they are more likely to use them. These types of arrangements exist in other Boroughs.
- 111 A Framework School Travel Plan has been submitted with the application. TDP advise that this will need to be updated prior to the occupation of the expanded school. Reference is made in the submission to the school operating a walking bus from some/all of the public car parks. The details of this will need to be included in the updated school travel plan.
- 112 TDP also comments that reference is made in the Transport Statement Addendum to a number of possible off site improvement measures. It is suggested that the upgrading of the pedestrian crossing on Ewell High Street is promoted as part of the development that a 20mph speed limit be introduced on West Street, from the junction with the High Street to beyond the school and that improvements be made to the raised table crossing on West Street. TDP considers that as existing traffic speeds on West Street are below 25 mph and, given the constrained carriageway width and raised table, there is no over-riding need to introduce a 20mph speed limit. However the upgrading of the pedestrian crossing and the improved raised table would offer significant benefits to those accessing the school on foot.
- 113 Turning to on-site parking there are currently 15 car parking spaces on site plus 3 informal spaces along the fence. TDP comment that the school site is very constrained and the car park is no exception. The Planning Statement refers to the scheme being designed to provide a total of 21 spaces (with some double parking), which is considered to be the maximum that can be provided on site. On the basis of current modal share, there will be an additional 10 staff driving to work as a result of the development. There are currently too few on-site spaces for existing staff - any additional provision will only address part of that shortfall with no provision for the increased staff. Given the constraints of the site, however, and the opportunities for parking already existing in the area, TDP consider that this is acceptable in this case. The school is well located in terms of bus and rail access so there are other options for travel.

- 114 On the basis of current mode share, the expansion will result in an additional 78 pupil trips twice a day and an additional 10 staff trips. Traffic modelling has indicated that there will be a slight increase in delays on the Cheam Road arm of the High Street/Cheam Road junction. TDP points out that it needs to be borne in mind that this expansion is driven by the need for additional school places in the area. If they were not to be provided here, they would need to be provided elsewhere. It is likely that the additional traffic generated by the school expansion would therefore still be on the network irrespective of where the additional places are provided. Additionally, the successful implementation of measures to encourage the use of sustainable modes to travel to and from school will reduce the increase in car journeys associated with the school and thus reduce the increase in delays. This is the only junction demonstrating a material increase in delays.
- 115 The school currently has no cycle parking spaces and around 20 scooter parking spaces. On a provision based on 10% of the school population, TDP comment that the expanded school will require 49 cycle parking spaces. The applicant is proposing 50 cycle parking spaces as part of the proposal - these can also be used for scooter parking as the school currently has a high proportion of children travelling by scooter.
- 116 TDP has also commented that the constraints of both the site in general and access specifically mean that the construction of this expansion is likely to be particularly challenging at this site. A very full Construction Transport Management Plan has been submitted utilising a local builders yard for the storage of materials. This will reduce the requirement for storage on site and will ensure that materials are consolidated and only full loads are delivered to site. Only one load at a time will be permitted to travel to the site as there is insufficient capacity to accommodate two vehicles and vehicles waiting on the highway would be unacceptable in the context of the nature of the surrounding roads in Ewell Village and the existing parking restrictions on them. The site compound will be situated on the staff car park - there will be no staff parking on site during the duration of the construction works. The CTMP refers to the purchase of 5 parking permits for staff for public parking and the ability for individuals to purchase a permit, for up to 5 more. As the existing staff car park currently accommodates 18, there will be a shortfall that the individuals concerned will need to address. Additionally, there will be no on-site parking provision for construction workers, again they will need to find an alternative. The site compound has been designed so that delivery vehicles can enter and exit in forward gear. Vehicles in excess of 9m are unlikely to be able to turn within the site and therefore, where possible, vehicles in excess of 9m should not be used. Larger vehicles may be required to deliver plant to the site and it has been agreed that these can unload on the High Street, provided they are outside of peak times and no damage is caused to the road surface. Swept paths of vehicles entering and exiting the site access onto the High Street demonstrate that there is likely to be damage caused to the footway to the south of the access. The applicant has agreed to fund any repairs required to the kerbs and footway as a result of construction traffic accessing the site. Given the potential for construction vehicles over-running the footway, there will be a banksman in attendance when delivery vehicles enter or exit the site. These measures, provided they are implemented, should ensure that the impact of the traffic associated with construction is minimised.
- 117 TDP concludes that as with any school, there are reported instances of poor parking, poor parent behaviour and localised congestion. This is likely to be exacerbated by the increase in pupils at the school. The proposed off site works and School Travel Plan measures should go a long way towards managing and mitigating this. In view of this, TDP have advised that they have no objection to the proposal on highways grounds subject to conditions covering the following, Construction Traffic Management Plan, Hours of HGV vehicle movements, Travel Plan and on site car and cycle parking, and further investigation into the off site works.

- 118 In conclusion on this issue officers consider that the proposal does not give rise to any impact in respect of highway safety and the proposal is acceptable in that regard subject to appropriate conditions. The traffic conditions which arise will be likely to have some impact on residential amenity but this aspect is considered under that section in the report above.
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HUMAN RIGHTS IMPLICATIONS

- 119 The Human Rights Act Guidance for Interpretation, contained in the Preamble to the Agenda is expressly incorporated into this report and must be read in conjunction with the following paragraph.
- 120 In this case, the Officers' view is that while impacts on amenity caused by traffic movements at the start and end of the school day are acknowledged, the scale of such impact is considered moderate given that it occurs for small periods and this is not considered sufficient to engage Article 8 or Article 1 of Protocol 1. As such, this proposal is not considered to interfere with any Convention right.
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CONCLUSION

- 121 Officers consider that there is a strong need for additional school places in the local area of this school and there are no acceptable alternatives to provide this elsewhere. The school lies within the Urban Area and there is no objection in principle to the expansion and Government Policy in the NPPF advises that proposals for the provision of new school places where there is an identified need should be given great weight.
- 122 In this case the site lies within a Conservation Area and officers consider that careful consideration has been given to this designation and Heritage Asset and the proposal has been designed with a form of development, a sympathetic design and appropriate materials that will preserve and enhance the character of the Conservation Area. Similar considerations apply in respect of the archaeological potential of the site which will be considered and monitored during the construction process. Officers consider that subject to planning conditions the proposal will not give rise to any harm to the heritage assets on the site and that furthermore that the proposal will preserve and enhance the character of the Conservation Area. Officers are of the view that in accordance with the guidance in the NPPF even if the proposal was considered to give rise to *less than substantial harm* to the identified heritage assets, the public benefits of the proposal in providing essential school places in an area where there is a defined need would outweigh that harm. The proposal will give rise to a loss of trees on the site but it is considered that the need for the school places outweighs this loss and replacement trees can be planted to mitigate the impact and provide for the longer term.
- 123 In conclusion Officers have considered all of the relevant issues and recommend that pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, the application is **PERMITTED** subject to conditions.

RECOMMENDATION

- 122 That pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, application **EP16/01319/CMA** be PERMITTED subject to conditions.

Conditions:

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

Plan 1 (00439_01.dwg) dated 10/02/05 Site Plan
 EWE-HLM-A-XX-XX-GA-EX07-01 Rev PA1 Site Location Plan
 EWE-HLM-A-XX-XX-GA-PR05-01 Rev PA1 Proposed Block Plan
 XX-XX-GA-XX05-01 rev PA0 Site Demolition Plan dated 07/10/16
 B02-XX-EL-PR04-01 Building 02 Rev PA0 Proposed Elevations dated 07/10/16
 EWE-HLM-A-B03-XX-EL-PR04-01 Rev PA1 Building 03, Proposed Elevations
 B02-XX-DR-PR03-01 Rev PA0 Building 02, Proposed Bay Study dated 07/10/16
 B03-XX-DR-PR03-01 Rev PA0 Building 03, Proposed Bay Study dated 07/10/16
 XX-XX-EL-ZZ05-01 Rev PA0 Proposed and Existing Street Elevations dated 07/10/16
 B03-XX-SE-PR04-01 Rev PA0 Building 03, Proposed Sections dated 07/10/16
 BB-XX-DT-PR01-01 Rev PA0 Proposed Typical Details dated 07/10/16
 B02-XX-SE-PR04-01 Rev PA0 Building 02, Proposed Sections dated 07/10/16
 XX-XX-VS-PR0-03 Rev PA0 Proposed Visualisation, Rear Facade to the New Hall dated 07/10/16
 XX-XX-VS-PR0-02 Rev PA0 Proposed Visualisation, West Street at the Caretakers House dated 07/10/16
 XX-XX-VS-PR0-01 Rev PA0 Proposed Visualisation, West Street at The Grove dated 07/10/16
 XX-XX-VS-PR0-04 Rev PA0 Proposed Visualisation, Overview dated 07/10/16
 EWE-HLM-A-B03-XX-EL-PR04-01 Rev PA1 Building 03, Proposed Elevations
 EWE-HLM-A-BB-00-GA-PR04-01 Rev PA1 Proposed Ground Floor Plan
 EWE-HLM-A-BB-01-GA-PR04-01 Rev PA1 Proposed First Floor Plan
 EWE-HLM-A-BB-02-GA-PR04-01 Rev PA1 Proposed Roof Plan
 EWE-HLM-A-BB-M0-GA-PR04-01 Rev PA1 Proposed Mezzanine Floor Plan
 EWE-HLM-L-XX-XX-EL-PR04-01 Rev PA0 Proposed Shed Plans and Elevations
 A093463_1300_Rev G Proposed Drainage Strategy
3. Subject to Condition 4 below, the development shall be implemented in all respects in accordance with the 'Construction Traffic Management Plan' dated October 2016 submitted with the application.
4. In carrying out the development hereby approved, no HGV movements to or from the site shall take place between the hours of 08.30 and 09.15 and 15.00 and 16.00 nor shall the applicant or their contractors allow any HGVs associated with the development at the site to be laid up, waiting, in roads of West Street or High Street or roads adjoining during these times.
5. Within 3 months of the date of this permission the School Travel Plan submitted with the application shall be updated and shall include measures to promote the park and stride from the public car parks in Ewell village, including the investigation and provision of parent parking permits if feasible, and shall be submitted for approval to the County Planning Authority. The approved School Travel Plan shall be implemented prior to the occupation of the development hereby permitted and thereafter maintained, monitored and developed.
6. The development shall not be occupied unless and until on-site car parking is provided in accordance with the approved plans and those spaces shall thereafter be retained for its designated use.

7. The development shall not be occupied unless and until 50 cycle spaces have been provided in accordance with the approved plans and those spaces shall thereafter be retained for their designated use.
8. The development hereby permitted shall not be occupied unless and until the off site highways works put forward in the Transportation Assessment comprising the upgrading of the pedestrian crossing on Ewell High Street and improvements to the raised table crossing on West Street have been further investigated by the applicant and a report detailing the outcome of that investigation has been deposited with the County Highway Authority. If as a result of that investigation any of those measures are deemed by the County Highways Authority to be necessary to mitigate against the impact of the development, no later than 8 months from the occupation of the building these shall be designed, implemented and maintained at the applicant's expense.
9. Prior to the occupation of the development hereby permitted details of the hedge to be provided along the western boundary of the site shall be submitted to and approved by the County Planning Authority. The details shall include the size, detailed planting location and species of the proposed hedge and measures for the replacement of any part of it which is removed, uprooted or destroyed or dies or becomes in the opinion of the County Planning Authority seriously damaged or defective. The hedge shall be maintained for a period of five years after planting.
10. The hedge to be planted in accordance with Condition 9 above shall be planted within the first planting season following the occupation of the building hereby permitted.
11. Prior to the commencement of the development hereby permitted an amended Arboricultural Impacts Assessment and Arboricultural Method Statement shall be submitted to and approved by the County Planning Authority. The amended documents shall include the additional requirements of the County Arboriculturist in respect of the retained trees and an amended tree removal plan retaining the trees along the rear boundary as agreed in the e-mail from the applicants agent dated 3rd February 2017.
12. (a) Before any equipment, machinery or materials are brought onto the site for the purposes of carrying out the development hereby permitted, protective fencing in accordance with the details contained in the Arboricultural Method Statement to be submitted in accordance with condition 11 above shall be installed and shall thereafter be maintained until all equipment, machinery and surplus materials have been removed from the site. For the duration of works on the site no materials, plant or equipment shall be placed or stored within the protected area.

(b) The development shall be carried out in all respects in full accordance with all other measures to protect trees during construction set out in the Arboricultural Method Statement to be submitted in accordance with condition 11 above.
13. Prior to the first occupation of the development hereby permitted a landscaping scheme including replacement tree planting within the site shall be submitted to and approved by the County Planning Authority. Such a scheme shall include the size, location and species of the proposed planting including trees and measures for the replacement of any tree which is removed, uprooted or destroyed or dies or becomes in the opinion of the County Planning Authority seriously damaged or defective. All proposed and replacement trees shall be maintained for a period of five years after planting.
14. The replacement trees to be planted in accordance with Condition 13 above shall be planted within the first planting season following the occupation of the building hereby permitted.

15. The development shall be carried out in all respects in accordance with the mitigation measures set out in paragraph 6.10 of the Bat Survey dated October 2016 submitted with the application and/or any other measures which are specified in the above licence
16. The development shall only be carried out using the materials and design details stipulated in the application, as contained on the approved plans and in Part 4.7 and 4.8 of the Design and Access Statement Rev B Dated October 2106, including natural slate tiles laid in a diamond pattern on all pitched roofs and all tile hanging and Terca Weinerburger 'bronsgroen' buff brick in flemish bond.
17. There shall be no additional windows inserted in the eastern elevation of Building O3 (including in the roof) without the prior written permission of the County Planning Authority
18. The development shall be carried out in accordance with the recommendations in the Written Scheme of Investigation for an Archaeological Watching Brief dated 7th October 2016 submitted with the application
19. Prior to the occupation of the buildings hereby permitted and in accordance with the requirements of condition 18 above and in particular paragraph 2.14 of the document 'Written Scheme of Investigation for an Archaeological Watching Brief' dated 7th October 2016 submitted with the application, the applicants shall submit a report to the County Planning Authority outlining the methodology used and results of the watching brief and interpretation of the archaeology of the site.
20. Within 2 years of the completion of the development hereby permitted and in accordance with the requirements of condition 18 above and in particular paragraph 2.15 of the document Written Scheme of Investigation for an Archaeological Watching Brief dated 7th October 2016 submitted with the application, the applicants shall submit a full report to the County Planning Authority outlining any discoveries made. The detailed methodology for this document will be determined by the post-project assessment required by condition 18 above, and the format and timescale agreed with the Surrey County Council Heritage Conservation Team Archaeological Officer. The approved document will be made available for publication in a publicly available journal.
21. No part of the drainage system for the site shall be constructed until the following details have been submitted to and approved by the County Planning Authority:
 - a) A design that is compliant with the national Non-Statutory Technical Standards for SuDS, National Planning Policy Framework and Ministerial Statement on SuDS.
 - b) Evidence that the proposed solution(s) will effectively manage the 1 in 30 & 1 in 100 (+Climate change allowance) for storm events
 - c) Finalised construction drawings to include: a finalised drainage layout detailing the location of SUDs elements, pipe diameters, levels, details of how SuDS elements will be protected from root damage and long and cross sections of each SuDS element and including details of any flow restrictions
 - d) Details of how the Sustainable Drainage System will cater for system failure or exceedance events, both on and offsite
 - e) Details of on site tests undertaken in accordance with BRE365 on the site to determine the infiltration rates and ground water level with the final design of the soakaways shall be undertaken using actual infiltration rates
 - f) Details of maintenance regimes and responsibilities of the drainage and SuDS elements during the operation and lifetime of the systems

g) For drainage located in root protection zones, details of the protective measures that shall be put in place to ensure protection of drainage from root intrusion

and the development shall thereafter be carried out in strict accordance with those approved details.

22. No part of the drainage system for the site shall be constructed unless details of how the Sustainable Drainage System will be protected and maintained during the construction of the development have been submitted to and approved in writing by the County Planning Authority. The development shall thereafter be carried out in strict accordance with those approved details.
23. No part of the drainage system for the site shall be constructed until the existing sewers on the site have been cleared of any blockages.
24. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer shall be submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Urban Drainage System has been constructed in accordance with the agreed scheme as approved under condition 21 above.
25. Prior to the commencement of the development hereby permitted the applicant shall excavate around the retained tree T8 in accordance with the specification stipulated by the County Arboricultural Manager in his e-mail dated 8th February 2017.

Reasons:

1. To comply with Section 91 (1)(a) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and in the interests of proper planning.
3. In the interests of highways safety in accordance with Policies DM9, DM10, DM34 and DM37 of the Epsom and Ewell Development Management Policies Document 2015.
4. In the interests of highways safety in accordance with Policies DM9, DM10, DM34 and DM37 of the Epsom and Ewell Development Management Policies Document 2015.
5. To mitigate the highways implications of the proposals in the interests of highways safety in accordance with Policies DM9, DM10, DM34 and DM37 of the Epsom and Ewell Development Management Policies Document 2015
6. To mitigate the highways implications of the proposals in the interests of highways safety in accordance with Policies DM9, DM10, DM34 and DM37 of the Epsom and Ewell Development Management Policies Document 2015
7. To mitigate the highways implications of the proposals in the interests of highways safety in accordance with Policies DM9, DM10, DM34 and DM37 of the Epsom and Ewell Development Management Policies Document 2015
8. To mitigate the highways implications of the proposals in the interests of highways safety in accordance with Policies DM9, DM10, DM34 and DM37 of the Epsom and Ewell Development Management Policies Document 2015
9. In the interests of the visual amenity of the site and the Conservation Area in accordance with Policies DM5, DM8 and DM9 of the Epsom and Ewell Development Management Policies Document 2015

10. In the interests of the visual amenity of the site and the Conservation Area in accordance with Policies DM5, DM8 and DM9 of the Epsom and Ewell Development Management Policies Document 2015
11. In the interests of the visual amenity of the site and the area in accordance with Policy DM5 of the Epsom and Ewell Development Management Policies Document 2015. This condition is required pre commencement because an agreed amended plan/ documents have not yet been submitted showing the trees to be removed.
12. In the interests of the visual amenity of the site and the area in accordance with Policy DM5 of the Epsom and Ewell Development Management Policies Document 2015
13. In the interests of the visual amenity of the site and the Conservation Area in accordance with Policies DM5, DM8 and DM9 of the Epsom and Ewell Development Management Policies Document 2015
14. In the interests of the visual amenity of the site and the Conservation Area in accordance with Policies DM5, DM8 and DM9 of the Epsom and Ewell Development Management Policies Document 2015
15. In the interests of biodiversity in accordance with Policy SC3 of the Epsom and Ewell Core Strategy 2007
16. In the interests of the visual amenity of the site and the Conservation Area in accordance with Policies DM5, DM8 and DM9 of the Epsom and Ewell Development Management Policies Document 2015
17. In the interests of the residential amenity of the adjacent dwelling in accordance with Policies DM9 and DM10 of the Epsom and Ewell Development Management Policies Document 2015
18. In the interests of preserving the archaeological heritage assets of the site in accordance with Policy DM8 of the Epsom and Ewell Development Management Policies Document 2015
19. In the interests of preserving the archaeological heritage assets of the site in accordance with Policy DM8 of the Epsom and Ewell Development Management Policies Document 2015
20. In the interests of preserving the archaeological heritage assets of the site in accordance with Policy DM8 of the Epsom and Ewell Development Management Policies Document 2015
21. To ensure the design meets the technical stands for SuDS and the final drainage design does not increase flood risk on or off site pursuant to Policy CS6 in the Epsom and Ewell Core Strategy 2007
22. To ensure the design meets the technical stands for SuDS and the final drainage design does not increase flood risk on or off site pursuant to Policy CS6 in the Epsom and Ewell Core Strategy 2007
23. To ensure the design meets the technical stands for SuDS and the final drainage design does not increase flood risk on or off site pursuant to Policy CS6 in the Epsom and Ewell Core Strategy 2007
24. To ensure the design meets the technical stands for SuDS and the final drainage design does not increase flood risk on or off site pursuant to Policy CS6 in the Epsom and Ewell Core Strategy 2007

- 25 In order to ensure the long term health of this mature tree, in close proximity to the proposed new building in the interests of the visual amenity of the site and the area in accordance with Policy DM5 of the Epsom and Ewell Development Management Policies Document 2015. This is required before development commences to minimise any adverse impact.

Informatives:

1. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division of Surrey County Council.
2. The developer is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
3. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.

CONTACT

Dawn Horton-Baker

TEL. NO.

020 8541 9435

BACKGROUND PAPERS

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

Government Guidance

[National Planning Policy Framework 2012](#)

The Development Plan

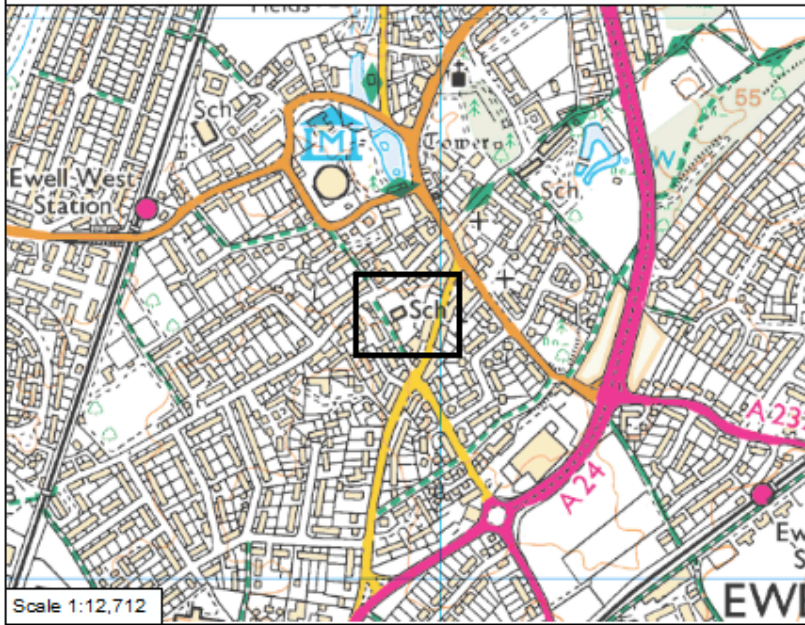
Epsom and Ewell Development Management Policy Document 2015

Epsom and Ewell Core Strategy 2007

Other Documents

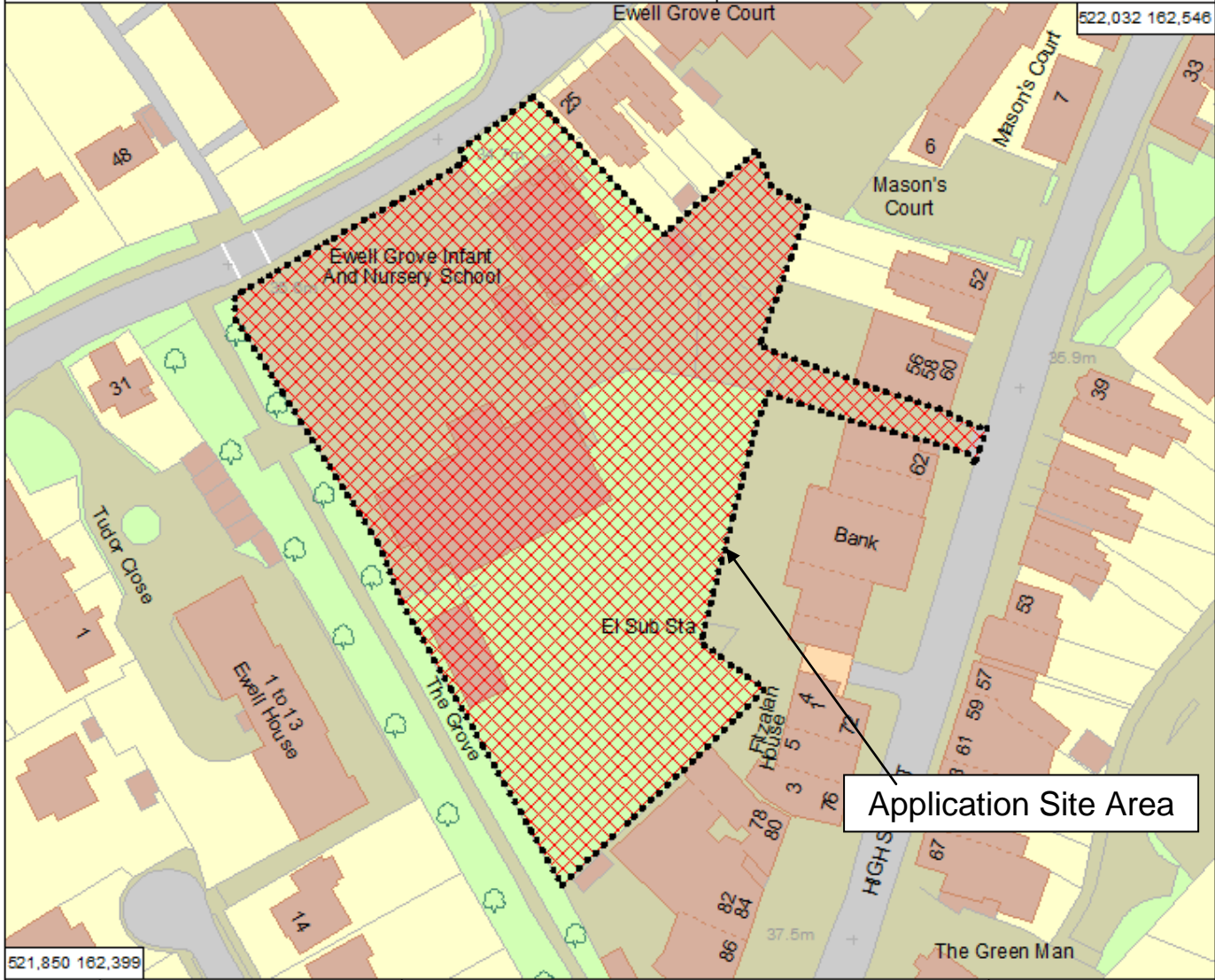
Epsom and Ewell Sustainable Design SPD February 2016

Ewell Village Conservation Area Appraisal August 2009

<p style="text-align: center;">Site Location</p>  <p>Scale 1:12,712</p>	<p>Ewell Grove Infant and Nursery School, West Street, Ewell, Surrey KT17 1UZ</p> <p>Expansion of existing 2 FE Infant School with 26 FTE Nursery to a 2 FE Primary School with 26 FTE Nursery to include the demolition of existing nursery, reception and shed buildings and erection of a new Key Stage 1 building on the West Street frontage together with a part two storey and part single storey extension to the existing school building with associated access improvements, amended staff parking, removal of trees, landscaping including new hardstanding and drainage infrastructure.</p> <p>Application No(s): EP16/01319/CMA</p> <p>Electoral Division(s): Ewell</p>
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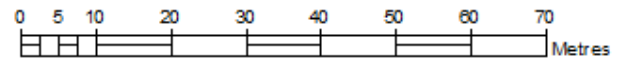
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This plan is for indicative purposes only



522,032 162,548

521,850 162,399

 <p>GRID NORTH</p>	<p>Ref No: SCC REF 2016/0186</p> <p>Date printed: 27/01/2017</p>	 <p>0 5 10 20 30 40 50 60 70 Metres</p>	<p>Scale 1:950</p>
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Aerial Photos

Aerial 1: Ewell Grove Infant and Nursery School West Street, Ewell, Surrey



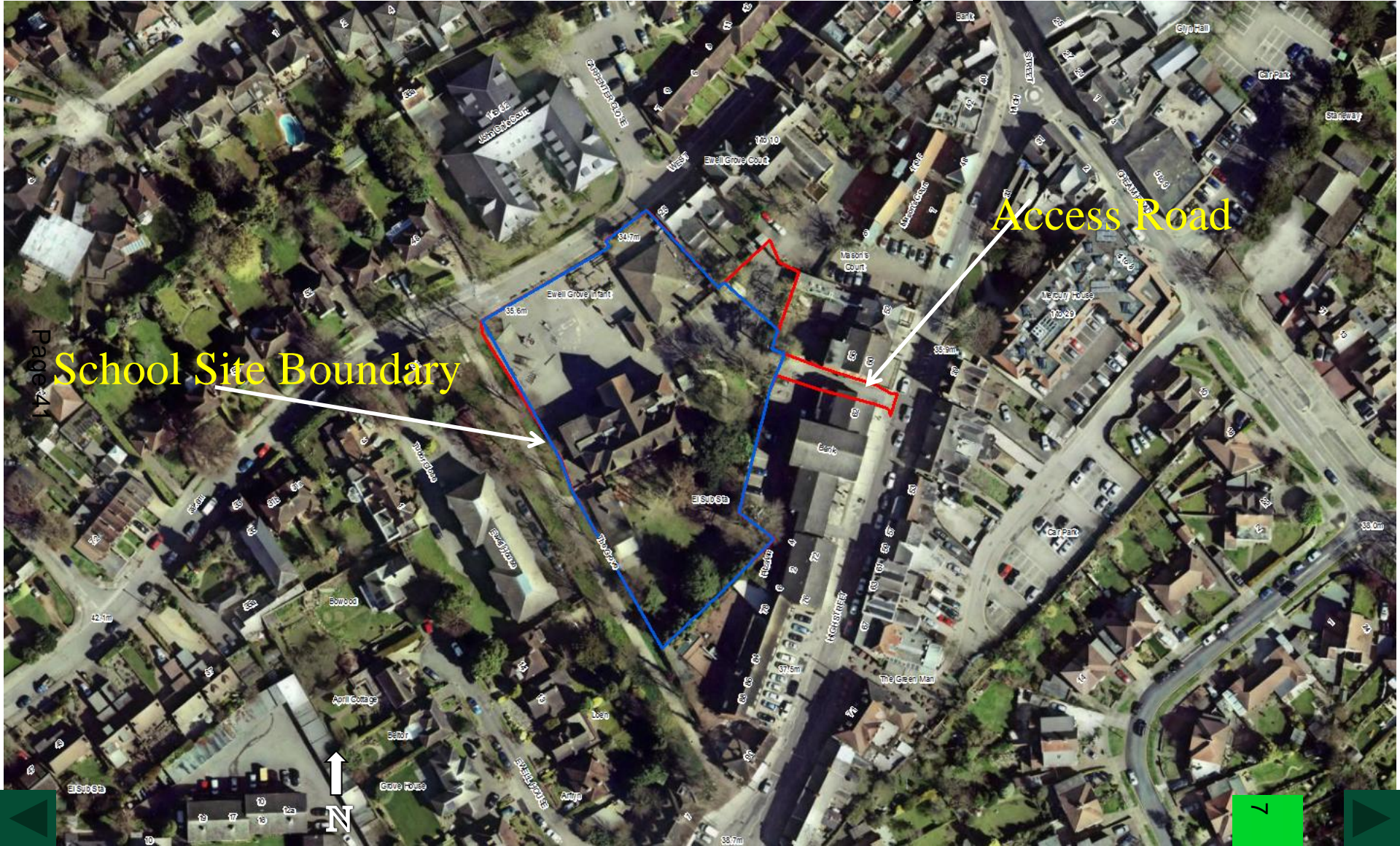
Aerial Photos

Aerial 2: Ewell Grove Infant and Nursery School West Street, Ewell, Surrey



Aerial Photos

Aerial 3: Ewell Grove Infant and Nursery School West Street, Ewell, Surrey



Access Road

School Site Boundary

Page 21

Figure 1 : Existing front elevation of school viewed from adjacent footpath The Grove



Figure 2 : Existing playground to the front of the school adjacent to West Street



Figure 3 : Existing reception classrooms on frontage of the site with West Street (proposed to be demolished and replaced with the new building)



Figure 4 : Location of part of new building showing existing group of trees to be removed



Figure 5 : Looking east from the site towards High Street showing existing access to the staff car park



Figure 6 : Showing side of caretaker's house which abuts the site of the proposed new building



Figure 7 : Existing north eastern elevation of school and site of proposed extension



Figure 8 : Rear of school site showing existing trees and storage sheds



Figure 9 : Existing storage sheds



Figure 10 : Rear boundary of school with properties in High Street



Figure 11 : Existing MUGA to rear of school building



Figure 12 : Rear elevation of school building



Figure 13 : Materials sample panel



Figure 14 : Existing boundary treatment along West Street



Figure 15 : Existing rear elevation showing nursery building adjacent (to be demolished)



TO: PLANNING & REGULATORY COMMITTEE **DATE:** 22 February 2017
BY: PLANNING DEVELOPMENT TEAM MANAGER
DISTRICT(S) WAVERLEY BOROUGH COUNCIL **ELECTORAL DIVISION(S):**
Farnham Central
Mrs Frost

PURPOSE: FOR DECISION **GRID REF:** 486404 147270

TITLE: MINERALS/WASTE WA/2016/2323

SUMMARY REPORT

Land at Runfold South Quarry, Guildford Road, Runfold, Farnham, Surrey GU10 1PB

The continued retention and operation of a mortar batching plant until 30 June 2017 without compliance with Condition 3 of planning permission ref: WA/2013/0721 dated 10 July 2013.

The proposal involved the retention of an existing ready mixed mortar plant (referred to here after as the mortar plant) at the Runfold South Complex until 30 June 2017. The retention period would involve five months (December 2016 – May 2017) of mortar and screed production and one month (4-5 weeks) of decommissioning and demolition of the plant, ancillary structures and breaking up and removing the concrete hardstanding.

A mortar plant at the application site within the Runfold South Complex has been in place since 1969. Previously the mortar plant was limited to the life of the permitted mineral reserves within Area A and then more latterly to the mineral reserves within Area C. Sand extraction from Area C has ceased and Area C is to be restored by December 2019. Planning permission WA/2013/0721 limited the life of the mortar plant until 31 December 2016. The applicant is now wishing for a limited extension of time until 30 June 2017 to use up the remaining Area C stockpile of sand (which can be seen in photograph 2) to meet existing local contracts. Once the Area C sand has been exhausted, the applicant proposes to remove all the plant and machinery. The applicant is not proposing to relocate the mortar plant itself due to its age. Instead the applicant is seeking to operate a new mortar plant at Marchwood in Southampton. Whilst this application was submitted before the expiry date of 31 December 2016, as this date has now passed this application is now retrospective.

The Farnham Society and the Moor Park Residents Association both object and raise concerns with this proposal due to the continuation of applications from the applicant seeking extensions of time for retention of the plant. The Farnham Society however have commented that a less welcome alternative is that the applicant be informed that no further extension of time will be permitted beyond 30 June 2017. One letter of representation has been received.

Officers identify the main issues in relation to this planning application are whether the proposal is likely to have unacceptable impacts on: its landscape setting and visual amenity, the local highway network, noise, dust emissions, the restoration of the application area within the wider Runfold South Complex, and the need for its retention.

Officers consider following advice from technical consultees and subject to the importation of planning conditions, that the proposal would not result in an unacceptable impact on the landscape or visual amenity of the site, an unacceptable impact on the local highway network, nor would it result in an unacceptable impact on amenity including dust and noise. Officers

recognise that the applicant is seeking a further extension of time for retention of the mortar plant and its ancillary equipment however Officers also recognise this is a limited short term extension being sought to enable the Area C sand stockpile to be exhausted and to meet local contracts. Officers therefore consider the proposal is in general accordance with the National Planning Policy Framework and the aims and objectives of planning policies contained in the Development Plan.

The recommendation is to PERMIT subject to conditions.

APPLICATION DETAILS

Applicant

Tarmac Building Products Limited

Date application valid

25 November 2016

Period for Determination

24 February 2017

Amending Documents

Email dated 2 February 2017 and accompanying Noise and Dust Management Plan for Demolition Works at Tarmac Ltd.

SUMMARY OF PLANNING ISSUES

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

	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
Countryside Beyond the Green Belt	Yes	39-41
Need	Yes	42-49
Highways and Traffic	Yes	50-53
Restoration and Aftercare	Yes	57-60
Landscape and Visual Impact	Yes	61-67
Noise	Yes	68-72
Dust	Yes	73-84

ILLUSTRATIVE MATERIAL

Site Plan

Plan

Aerial Photographs

Aerial

Site Photographs

Photograph 1: View of the mortar plant

Photograph 2: View of the remaining sand stockpile

BACKGROUND

Site Description

1. The application site is located within a larger mineral site complex known as Runfold South (Princess Royal) Quarry and Landfill Complex (hereon referred to as Runfold South). The Runfold South complex comprises of five distinct mineral/ landfill areas including a ROMP (Review of Old Mineral Permissions) area, Area A, Area B, Area C and the Old Hogs Back area. Runfold South is approximately 80 hectares in total size. Runfold South lies immediately to the south of the Guildford Road (C119) with the A31 approximately 39m to the north. Runfold South is approximately 2 kilometres (km) to the east of Farnham, approximately 3km directly south of Aldershot town centre and 12km to the west of Guildford. Runfold South Quarry forms one of a number of existing and former mineral workings located along the A31 including Runfold North, the Jolly Farmer, Homefield and Seale Lodge all of which are at various stages of restoration. The River Wey lies approximately 136m at its closest point, to the west of Runfold South the other side of Moor Park Lane. Barfield School lies immediately adjacent to Runfold South's north eastern boundary.
2. When viewed from the A31 Runfold South is contained within a framework of trees and hedgerows, set in an undulating landscape, with land rising in a southeastern direction. Views of Runfold South are offered from a network of public rights of way, which both cross and circle Runfold South including footpath 121 through the centre of the site and footpath 208 along the southern boundary. To the southern boundary of Runfold South is the North Downs Way, a footpath which links Surrey to the Kent Coast.
3. Runfold South does not lie within any areas covered by national or higher-level nature conservation designations. The closest areas nationally important for nature conservation are the Sites of Special Scientific Interest (SSSI) at Moor Park (800m directly south) and Puttenham and Crooksbury Commons SSSI (2.6km southeast). The closest areas designated at the local level for conservation value are two Sites of Nature Conservation Importance (SNCI's) at Crooksbury Hill (1.4 km southeast) and the River Wey - North Branch (300m west). Runfold South is not covered by any areas that are considered to be at risk of flooding, but does lie within the boundaries of an area of Zone 3 (Total Catchment) groundwater Source Protection Zone (SPZ) classified by the Environment Agency. The site lies within an area locally designated for landscape as an Area of Great Landscape Value (AGLV), and is approximately 230 metres to the west of the boundary of the nationally designated Surrey Hills Area of Outstanding Natural Beauty (AONB).
4. The application area is located in the centre of the Runfold South complex within the south western part of the ROMP area. The ROMP area is due to be restored by 31 December 2021 under planning permission ref: WA98/1018. The application area is bordered to the west by an Inert Recycling Facility, to the east by open land (a former mineral workings restored by way of landfilling and part of the ROMP area); to the south east lies the Old Hogs Back area, to the south Area B and to the south west Area C. The application site is located in a bowl approximately 10m lower than the surrounding land. To the east of the site is a band of trees/hedgerow, and to the west public footpath 121 which runs in a north/ south manner¹. The application site is well screened from public views given its low level.

¹ Please note that footpath 121 is on a temporary diversion route around Area C until it meets with footpath 208

5. The closest residential properties to the application site are Moor Park Farm with the surrounding buildings some 358m to the west, Swifts Cottage and Temple Cottage approximately 355m south west; and The Lodge some 275m to the north beyond the Guildford Road. Barfield School lies approximately 279m to the north east.

Planning History

6. The planning history with regards to the Runfold South Complex is as follows. Runfold South produces sand for building and construction purposes and has been partially restored. Runfold South has a long planning history with regards to mineral working. Mineral working commenced at Runfold South in the 1950's, with planning permission being originally allowed on appeal in 1951 (Ref. FAR 232/50). Further extensions were permitted in the 1960s, 1970s and 1980s. These form the ROMP area. In 1996 two further extension areas, known as Area A (13.2 hectare (ha)) and Area B (8.8ha) were permitted on appeal (Refs: T/APP/B3600/A/95/257618/P5 & T/APP/B3600A/95/257619/P5 respectively), with restoration to be completed by 31 December 2004 for Area B, and 31 December 2011 for Area A. The planning permission for Area A was subsequently amended by planning permission ref: WA11/0779 extending the life of Area A until 31 December 2018. A scheme of restoration and aftercare for Area A was approved in November 2015.
7. In 1999 new planning conditions for mineral working, restoration and aftercare pursuant to the Environment Act 1995 were approved (Ref. WA98/1018) (the ROMP area) in respect of the older workings in the northern and central part of Runfold South. As part of the ROMP process, a further ten years after the completion of Area A (2011) was considered necessary for the final working and restoration of the ROMP site area. This meant that all offices, hardstandings and internal access roads would be removed and the ROMP site finally restored to a landscaped parkland setting with an agricultural use on or before 31 December 2021.
8. In September 2001, planning permission ref WA00/0460 was refused for the extraction of sand and infilling with commercial and industrial wastes in the western extension (Area C) of the existing operations. In July 2003, a further application ref: WA03/1492 was submitted for the extraction of sand from Area C, with the subsequent restoration by infilling with inert waste materials only, including the temporary diversion of footpath 121 around the western margin of the site. Due to concerns voiced by the Environment Agency over the alignment of the proposed haul road and the impact of the engineered landfill area, the application was placed in abeyance.
9. In January 2006 planning permission ref: WA03/1492 and WA05/2073 were refused for extraction of sand from Area C, with the subsequent restoration by infilling with inert waste materials only. These proposals comprised the extension of the existing quarry by 1.7ha (to form Area C) with the extraction of sand and the subsequent restoration of the land to agriculture by infilling with inert waste materials and the temporary diversion of Public Footpath 121 to the west of Area C; and for the construction and use of a haul road specifically for Area C. The applicant subsequently appealed these refusals and the Appeal was upheld and planning permission was granted for Area C ref: APP/B3600/A/06/2020101 and APP/B3600/A/06/2020102 in August 2007. This appeal decision was subsequently varied by planning permission ref: WA12/1652 extending the life of Area C until 31 December 2019. A scheme of restoration and aftercare for Area C was approved in September 2016.
10. With regards to the mortar plant, a mortar plant has been at Runfold South since 1969 (ref:FAR/85/69). Recent permissions for the mortar plant include:
 - Planning permission WA/2013/0721 granted for the retention of a mortar batching plant and associated infrastructure to be supplied with sand from Area C of Runfold South

Quarry; and continued importation of sharp sand, until 31 December 2016 (Retrospective).

- Planning permission WA/2011/2061 granted for the retention of a ready mixed mortar plant and associated infrastructure to be supplied with sand from Area C of Runfold South Quarry, until 31 December 2012
- Planning permission WA06/1438 granted for the retention of a ready mixed mortar plant and associated infrastructure for a temporary period until sand extraction at Area A ceases or until 31 December 2011, whichever the earlier.

THE PROPOSAL

11. The applicant is seeking retention of the mortar plant for a further period of six months beyond 31 December 2016, i.e. 30 June 2017. The applicant states this is because there is currently a stockpile of sand extracted from Area C to be used solely by the mortar plant. The mortar plant needs to remain on site to process this sand. The mortar plant does not solely make mortars but also screeds which involves the importation of sharp sand to the application site. The applicant estimates there is approximately 4,700 tonnes of sand reserves in the stockpile. The applicant proposes this would take five months to exhaust at a rate of 1000 tonnes per month with lower operating levels during the months of November, December and January.
12. Once the sand has been used in the mortar plant, the applicant proposes to dismantle the current mortar plant. For the last month on the application site, the applicant proposes to disconnect the mortar plant and all ancillary facilities and to remove them from the application site. The applicant states any inert recyclables such as remaining mortar waste, the broken up concrete structures and bay walls, would be sent to the adjoining recycling facility located in the Runfold South Complex. The applicant states the site would be cleared and levelled which would include removing the concrete hardstanding.
13. The applicant states that retention of the plant for a further period of six months would not affect current traffic levels; and as the plant itself would not alter noise levels and impact on the landscape would also not change.
14. The application site lies within the ROMP area. This area is due to be restored by 31 December 2021. With regards to the other areas within the Runfold South Complex, Area A should be restored by 31 December 2018 and Area C by 31 December 31 December 2019. Area B and the Old Hogs Back have been restored already.

CONSULTATIONS AND PUBLICITY

District Council

- | | | | |
|-----|--------------------------------------|---|----------------------|
| 15. | Waverley Borough Council | : | No comments received |
| 16. | Borough Environmental Health Officer | : | No objection |

Consultees (Statutory and Non-Statutory)

- | | | | |
|-----|-----------------------------------|---|---|
| 17. | Principal Enhancement Officer | : | The proposal would not adversely affect or delay restoration of this part of the Runfold Complex so no objection on these grounds. |
| 18. | The Environment Agency South East | : | No objection however make the following comments that the site is situated within a sensitivity location for groundwater protection. The applicant should follow best practice for pollution prevention as detailed in the Groundwater protection: Principles and practice (GP3). It is noted that surface water drainage is recycled for use in the mortar plant and therefore there is no discharge |

to ground. If this changes the Environment Agency wish to be contacted. Provided the activity is permitted correctly the Environment Agency have no concerns. Acquiring an Environmental Permit is a separate process from seeking planning permission.

19. Transportation Development Planning : No objection
 20. Rights of Way : No comments received
 21. Southern Water : No comments received
 22. South East Water : No comments to make
 23. County Noise Consultant : No objection subject to conditions
 24. County Dust Consultant : Considers the sensitivity of the area for human-health impacts is low. For dust impacts on people and property in terms of soiling also consider to be low. Satisfied the control measures set out in Section 4 and 5 of the submitted Noise and Dust Management Plan are appropriate for this low risk site.

Parish/Town Council and Amenity Groups

25. Farnham Town Council : No objections though welcomes the ultimate discontinuation of use and the restoration of the land.
 26. Runfold Action Group : No comments received
 27. Crooksbury Residents' Association : No comments received
 28. Moor Park Residents Association : seriously concerned that Tarmac has once again applied to extend the plant operation. If granted, this would be the third extension in the last five years, and we have little confidence it would be the last. Instead of managing their stockpile to comply with their planning condition, they are now using it as a justification for further extension. This is a most unsatisfactory situation.
 29. The Farnham Society : objects to the planning application on the following grounds -
- There have been three previous applications seeking to retain the mortar plant, each being successful and each giving an end date
 - The plant uses sand from the non-operational Area C with much larger quantities of sand imported into the plant from elsewhere (two to three times as much)
 - The application starts there is only a small amount of remaining sand from Area C which will be used over the 6 months before the plant is relocated elsewhere. Over those 6 months there will be some 10,000 tonnes of sand imported by truck to the plant as well as some 15,000 tonnes of mortar exported. The community has put up with a large number of lorries going from the site and it is now unreasonable that this should continue.
 - There is nothing in the current application that provides certainty about the proposed 6 month timetable. The operator may well extend this.
 - In our view the plant should be relocated immediately and should the operator wish to utilise the remaining sand it should be shipped out to this relocated area.
 - As a less welcome alternative, the applicant should be informed that as part of any consent given that no further extension of time will be permitted beyond 30 June 2017.
30. Seale & Sands Parish Council : No comments received
 31. Seale, Sands & Runfold Amenity Society : No comments received
 32. Officer comment: the applicant does import sand to the mortar plant but this is sharp sand for blending with the Area C sand to produce screeds. The volumes and percentages for blending can be seen below in paragraph 43. With regards to removing the mortar plant immediately and relocating it in the local area, this point is discussed below at paragraph 45.

Summary of publicity undertaken and key issues raised by public

33. The application was publicised by the posting of three site notices. A total of six owner/occupiers of neighbouring properties were directly notified by letter. Whilst four letters of representation have been recorded on Waverley Borough Council's webpages, only one letter of representation has been received. This is because one address has been recorded twice, one address is The Farnham Society's comments; and one

address is missing and there are no comments. As such Officers have recorded that only one representation has been received raising the following comments

- The last application made for this mortar plant (granted by Surrey County Council) was retrospective, and this application is essentially retrospective as the permission expires in December 2016 giving insufficient time to comment before its expiry
- There are historic breaches of this mortar plant in terms of its use and what sand it has used for example between October 2007 and June 2010 as there was no sand extraction at Runfold South, the sand must have been imported
- Given the history of the mortar plant previously importing sand on to the site in breach of conditions, should planning permission be granted then conditions must be clear that all sand, except sharp sand required for blending, must be sourced from the existing stockpiles and importing of other sand would result in a financial penalty for such a breach.
- The request for the extension of time appears to be based upon a lack of planning to construct a replacement facility elsewhere. It had been previously requested that a clear plan for the closure of the facility be provided one year prior to its closure and this has not been provided.
- Should planning permission be granted and given that the applicant is not planning to operate the facility anywhere near its capacity (55,000 tonnes of mortar products per annum) it would seem appropriate to modify the operating hours of the mortar plant production to 07:30am instead of 07:00am.

34. Officer comment: the applicant was asked if the opening hours of the site could have a later start time of 07:30am. The applicant has responded that a later start time of 07:30am would impact on satisfying their clients requirements of a pre 08:00am delivery of screeds which are produced from the mortar plant. The applicant has stated that the reduction of half an hour would bring vehicles carrying screed into conflict with heavy traffic condition with the resultant impact of vehicles struggling to reach customers by the required delivery time and returning later to the mortar plant for second loads.

PLANNING CONSIDERATIONS

35. The guidance on the determination of planning applications, found at the end of this report, is expressly incorporated into this report and must be read in conjunction with the following paragraphs.
36. In this case the statutory development plan for consideration of the application consists of the Surrey Minerals Plan 2011 (SMP2011) and the Waverley Borough Local Plan 2002 (WBLP2002). Waverley Borough Council are in the process of updating their Local Plan and submitted the Waverley Local Plan Pre-submission Local Plan Part 1: Strategic Policies and Sites (WLPP2016) to the Secretary of State for Communities and Local Government (DCLG) on 21 December 2016 for independent examination. Given the document has been submitted to DCLG for consideration, Officers consider that some weight can be given to the document and the policies it contains. In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations.
37. In assessing the application against development plan policy it will be necessary to determine whether the proposed measures for mitigating any environmental impact of the development are satisfactory. In this case the main planning considerations are: the need for the development, highways and traffic; landscape and visual impact, noise, dust and restoration of the site.
38. The proposed application was screened under Regulation 7 of the Environmental Impact Assessment (EIA) Regulations 2011 where it was determined that the proposal would not be EIA development and an Environmental Statement was not required. This was on the basis that:
- the proposed scheme does not exceed the relevant criteria for sand and gravel working,

or the manufacture of cement set out in the national Planning Practice Guidance on EIA, as the site measures some 1.26 hectares and EIA is more likely to be required for new waste disposal facilities occupying 10 hectares or more.

- The proposed scheme is concerned with extending the time period for which retention and operation of the facility is permitted by some six months, and would not alter the amount of mortar produced by the facility on an annual basis.
- The application site is located some 230m to the west of the Surrey Hills Area of Outstanding Natural Beauty (AONB), but occupies a small area of land situated within a wider quarry operation, that has been present in the locality since before the designation of the AONB. The impact of the quarry and associated operations on the integrity of the AONB would not be significantly altered by the proposed temporary extension of time for the mortar batching plant.

COUNTRYSIDE BEYOND THE GREEN BELT AND GREEN BELT

Surrey Minerals Plan 2011

Policy MC3 – Spatial strategy – mineral development in the Green Belt

Waverley Local Plan 2000

Policy C2 – Countryside Beyond the Green Belt

39. The application site currently lies within the land use designation of Countryside Beyond the Green Belt. A Green Belt Review is proposed as part of the Waverley Local Plan. The NPPF states that new Green Belt boundaries should only be altered in exceptional circumstances and clearly justified. In the Waverley Green Belt review three areas have been identified for their potential to be added to the Green Belt. One of these areas includes Runfold South on the basis that this would protect the land from further intrusion and reinforce the existing Green Belt. The detailed changes to the boundaries will be made in Part 2 of the Local Plan however there is a need for consideration of this.
40. WBLP2002 Policy C2 and draft Policy RE1 seek to protect the countryside for its own sake. The policy states that building in the open countryside away from existing settlements will be strictly controlled. Paragraph 3.19 of the Local Plan goes on to set criteria by which development in Countryside beyond the Green Belt may be acceptable of which mineral extraction and facilities proposed in association with waste management are listed as one. Whilst this application is situated on land that has been worked historically for soft sand, the application proposal is for an extension of time to retain a building at the application site and within the landscape. However whilst the application is to retain the building it is for a limited, short period of time and would not affect either the short or long term restoration and aftercare of the Runfold South Complex. As such whilst the proposal would cause harm to the Countryside Beyond the Green Belt in principle Officers recognise that the harm would be temporary and time limited and given the proposal would not affect the restoration of the application site or the wider Runfold South Complex, Officers are satisfied that the proposal meets the requirements of Policy C2 in terms of returning the land back to countryside and not detracting from it.
41. The Waverley's proposed Local Plan Part 1 is proposing to remove some areas within the borough from land designated as Green Belt; and allocate new land to the Green Belt. One of these areas where it is propose to add new land is the area of Compton, Farnham (draft Policy RE2) and this area includes the whole of Runfold South so including the application area. Whilst mineral development need not be inappropriate development in Green Belts as it is a temporary operation that can be carried out without compromising openness, restoration of mineral workings should have regard to Green Belt objectives of making a positive contribution to providing opportunities for access to open countryside, retaining and enhancing attractive landscapes, improving damaged and derelict land; and securing nature conservation interests. Policy MC3 of the SMP2011 requires that the highest environmental standards of operation are

maintained and the land restored to beneficial after-uses consistent with Green Belt objectives. Officers acknowledge that this draft policy carries some weight however the site is yet to be designated Green Belt. Nevertheless if it were to be, Officers consider the proposed retention of the mortar plant for a limited short term period would not be in conflict with the purposes of the Green Belt given the site would be restored following cessation of use.

NEED

Surrey Minerals Plan 2011

Policy MC1 – Spatial strategy – location of mineral development in Surrey

42. SMP2011 Policy MC1 states that mineral extraction for soft sand will be concentrated on land within the Lower Greensand Formation in southwest and eastern Surrey, such as this site. There are no other policies within the SMP2011 that specifically relate to the retention of plant or equipment at mineral sites.
43. The applicant is seeking to retain an existing mortar plant for a period of 6 months from the expiry of 31 December 2016. The mortar plant has been in place at Runfold South since the 1960's using sand within Runfold South. The mortar plant that is currently on site has the capacity to process up to 55,000 tonnes per annum of mortar however as can be seen from the figures below the mortar plant is not currently operating at this scale. The mortar produced at Runfold South is of a particular colour which is borne from the colour of the sand extracted at the site first from Area A and then more latterly from Area C. In order to produce the mortar the sand from Runfold South is blended with sharp sand that is imported into Runfold South; and cement. This is done to a ratio of 47% Runfold sand, 38% sharp sand and 15% cement.
44. Over the past six months Tarmac have said that the amount of finished product leaving the site was 14,414 tonnes. Of this, 85% is made up of sand which would be 12,251 tonnes. Taking into consideration 10% moisture this brings the total amount of sand consumed to 11,026 tonnes. Of this, 4962 tonnes were imported sharp sand. The remaining 7289 tonnes was soft sand from Area C.
45. The applicant has said that there is currently a stockpile of sand that has been extracted from Area C and is being stored solely for use by the mortar plant. As of 1 November 2016, 4700 tonnes of sand was within the Area C stockpile. The applicant states that the drawdown rate of the stockpile is circa 1000 tonnes/ month however during the winter months and including the Christmas period, the drawdown rate was expected to be circa 500 tonnes/ month. Based on this drawdown rate all material within the stockpile would be used by May 2017. The applicant has sought retention of the site until the end of June 2017 as this would also then allow for a decommissioning period of the application site which the applicant states would be 4-5 weeks. This decommissioning period would align with the drawdown rates proposed.
46. The applicant has stated that the extension of time is sought to allow the applicant time to relocate operations to their new site at Marchwood, Southampton. The Marchwood site already has an asphalt plant operated by Tarmac. The applicant has stated that they have looked elsewhere in the vicinity to relocate the mortar plant rather than retain the plant at Runfold South. The applicant states that they have looked at sites in Camberley, Kingsley Quarry (approximately 12.5km south west of Runfold South) and Park Royal in London however these options have not proved viable and have space constraints. The applicant has said they have looked at the possibility of utilising concrete plants for production of screeds but this would not be possible due to contamination issues, sand storage, sand blending and plant capacity issues. The applicant states that retaining the mortar plant at Runfold South would enable the continuation of production and to maintain the customer base until the new plant at Marchwood is operational.

47. Officers recognise that retention of the mortar plant beyond the date of 31 December 2016 was not envisaged when the application was last considered in 2014 and also recognises that the mortar plant has had a number of extensions of time for its retention. However the mortar plant does utilise sand from that extracted at Area C and only imports cement and sharp sand for making the mortar as has historically been the case. The proposal would not lead to an importation of soft sand or an activity that is not related to that carried out at Runfold South. Officers note the comments that historically there was a breach at the site in terms of importing sand however this would not be the case here and Officers are satisfied that a condition can be imposed that only Runfold Area C sand should be used in the mortar plant but also that the drawdown rates correlate with the time period sought.
48. Officers also note that the applicant has provided a decommissioning programme which shows intent for the site to be decommissioned and closed. The County Enhancement Officer has given reservations that the quantity of indigenous sand the application is quoting is actually on site however does not object on this point stating that if the County Planning Authority are minded to permit the extension of time, that a condition be imposed that not only restricts the application to a 6 month extension period but also requires the site to be decommissioned and cleared on depletion of the indigenous sand whichever the sooner. Officers agree that such a condition be imposed.
49. Officers recognise that the applicant is seeking another extension of time. However, Officers consider that given the drawdown rates provided correlate with the amount of sand believed to be in the stockpile, that the applicant's intent is to relocate the mortar plant operations to Marchwood; that given there are a lack of suitable other sites in the locality to house the mortar plant for such a limited period of time that there is a need to retain the mortar plant in its current location for the temporary period of 6 months. Officers are encouraged by the submission of a decommissioning programme to show intent that the mortar plant is to be removed. Officers also consider the retention of the mortar plant to utilise the remaining sand on site represents a sustainable use of indigenous reserves whilst they are available.

HIGHWAYS AND TRAFFIC

Surrey Minerals Plan 2011

Policy MC15 – Transport for Minerals

Waverley Local Plan 2002

Policy M2 – The Movement Implications of Development

50. SMP2011 Policy MC15 states that mineral development involving the transportation by road will only be permitted where: there is no practicable alternative to the use of road based transport, the highway network is of an appropriate standard for use by the traffic generated by the development; and arrangements for site access and the traffic generated by the development would not have any significant adverse impacts on highway safety, air quality, residential amenity, the environment or the effective operation of the highway network. WBLP2002 Policy M2 states that all development proposals should provide safe access for pedestrians and road users, including cyclists, designed to a standard appropriate for the highway network in the vicinity and the level of traffic likely to be generated by the development. Proposals for major trip generating developments will be expected to be supported by a Transport Assessment and, in appropriate circumstances, by Travel Plan.
51. The application site is within a well established and existing quarry. The mortar plant site is also well established having been in place for a number of years. The access into and out of Runfold South onto the Guildford Road (C119) has been constructed and is still operational, to highway standards. The application site is not located near to any waterways or railways that would facilitate the movement of sand or mortar by these

methods. The proposal itself would not see an increase in the number of lorry movements to/ from the site to that historically seen at the site. All vehicles associated with the mortar plant load, unload, park or turn within the confines of the mortar plant operational area therefore remain on hard surfaced roads with no contact with the un-surfaced landfill or quarry areas. The quarry and landfill operator, SUEZ, sweep all internal haul routes and the public highway on a daily basis.

52. The applicant states that the extension of time would involve an average of 10 vehicle movements per day with vehicles movements declining towards June 2017. The applicant states that in 2013 the mortar plant generated some 18 movements per day and in the Officers report for WA11/2061 it stated that the site was generating a maximum of 33 movements per day. These figures show a declining number of lorry movements to the application site. The applicant also outlines that the sharp sand delivered to the site generates approximately 2 lorry loads (4 movements) per day.
53. The County Highway Authority have reviewed the proposal and based on the number of lorries accessing and egressing the application site being lower than that historically associated with the site, raise no objection to the proposal on highway safety or capacity grounds. Officers are satisfied that given the existing access/ egress from the application site and Runfold South already exists and meets highway standards, that the proposal would not generate any increase in lorry movements to/ from the application site; and given the site is not located in proximity to other transportation methods; that the proposal meets the requirements of Policy MC15 of the SMP2011 and Policy M2 of the WBLP2002.

ENVIRONMENT AND AMENITY

Surrey Minerals Plan 2011

Policy MC14 – Reducing the Adverse Impacts of Mineral Development

Policy MC17 – Restoring Mineral Workings

Waverley Borough Local Plan 2002

Policy C3 – Areas of Great Landscape Value

Policy C6 – Area for Landscape Enhancement

Policy D1 – Environmental Implications of Development

Policy D2 – Compatibility of Uses

54. SMP2011 Policy MC14 states that mineral development will be permitted only where a need has been demonstrated and that the applicant has provided information sufficient for the mineral authority to be satisfied that there would be no significant adverse impacts arising from the development. The policy goes on to set out a list of environmental factors and their potential impacts that should be considered in determining planning applications for mineral development. The relevant environmental factors pertinent to this application are i) noise and dust; iii) landscape appearance, quality and character; and vi) the natural environment.
55. Policy D1 of the WBLP2002 states that the Council will have regard to the environmental implications of development and will promote and encourage enhancement of the environment. Development will not be permitted where it would result in material detriment to the environment by virtue of inter alia (c) loss of general amenity, including material loss of natural light and privacy enjoyed by neighbours and disturbance result from the emission of noise, light or vibration; (d) levels of traffic which are incompatible with the local highway network or cause significant environmental harm by virtue of noise and disturbance; (e) potential pollution of air, land or water, including that arising from light pollution and from the storage and use of hazardous substances. In the same vein Policy D2 states that the Council will seek to ensure that proposed and existing land uses are compatible. In particular inter alia (a) development which may have a materially detrimental impact on sensitive uses with regard to environmental disturbance or pollution, will not be permitted.

56. Draft Policy SP1 “Presumption in Favour of Sustainable Development” of Waverley Local Plan Pre-submission Local Plan Part 1 (WLPP2016) states the Council will take a positive approach that reflects the presumption in favour of sustainable development as set out in the NPPF to find solutions where possible and secure development that improves the economic, social and environmental conditions in the area. the policy states that planning applications that accord with policies within that Local Plan will be approved without delay unless material considerations indicate otherwise. The policy goes on to state that where policies are out of date or a local plan is silent on such matters, the Council will grant permission unless material considerations indicate otherwise taking into account any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.

Restoration and Aftercare

57. SMP2011 Policy MC17 states that mineral working will be permitted only where the mineral planning authority is satisfied that the site can be restored and managed to a high standard. The policy goes on to state that restored sites should be sympathetic to the character and setting of the wider area; and capable of sustaining an appropriate after use. The policy requires that restoration should be completed at the earliest opportunity with progressive restoration required as appropriate.
58. The application site is an area formerly worked in the 1950s and 1960s and was never infilled or restored. The mortar plant has been in place since that period using indigenous sand from Runfold South. The application is seeking an extension of time until 30 June 2017 which would include the dismantling of the mortar plant and removal of all other associated plant and equipment and the removal of the concrete pads the plant sits upon. The applicant proposes all this would be completed by the 30 June 2017 date. Officers recognise that this is a further extension of time to a mortar plant that has had several extension of time applications. However Officers consider the proposed extension of time would not impact adversely on the restoration of the Runfold South Complex or cause setbacks to the restoration as the application area sites in the centre of the Complex which would be restored last in the phasing of the restoration programme. Furthermore the Runfold South Complex is not required to be restored until December 2021 and given the application area is one of the last areas to be restored, removal of the mortar plant by June 2017 would not impact upon this timescale.
59. The County Enhancement Officer has commented that the proposal would not adversely affect or delay the restoration of this part of the Runfold South Complex. The County Enhancement Officer has also comments that it should be noted, and welcomed, that whilst previously SUEZ (the operator and land owner of the Runfold Complex) had informed the Community Liaison Group for the Runfold South Complex that the intention was for Tarmac to clear the site to ground level, it is now proposed as part of this application to additionally remove the concrete pads that are insitu. The County Enhancement Officer also wishes to note support for the fact the application includes a timescale and budget to clear the site in totality.
60. Officers recognise that the proposal seeks a further extension of time for retaining the mortar plant on site however with regards to restoration and aftercare, Officers are satisfied that the proposal would not adversely affect the restoration timescale for Runfold South Complex given the application area is one of the last areas to be restored. Furthermore the proposal would not affect the overall restoration date or the aftercare use of the overall Runfold South Complex which is to set out in a Masterplan to be submitted as part of the ROMP review process. Officers are satisfied that the proposal would not be contrary to Development Plan Policy with regards to restoration and aftercare.

Landscape and Visual Impact

61. The Runfold South Complex is located within an Area of Great Landscape Value (AGLV) and Wealden Greensand Character Area being crossed and bordered by well used public footpaths. The WBLP2002 (saved policies) states that the council [Waverley Borough Council] will protect and conserve the distinctiveness of the landscape character areas within the Borough. Management and enhancement of landscape features to conserve landscape character and retain diversity will be promoted. Development appropriate to the countryside will be expected to respect or enhance existing landscape character by appropriate design. Landscapes designated as Areas of Great Landscape Value are considered to make a valuable contribution to the quality of Waverley's countryside and the setting of towns. Strong protection will be given to ensure the conservation and enhancement of the landscape character. WBLP2002 Policy D1 states that regard will be given to promote and encourage enhancement of the environment and that development will not be permitted where it would result in material detriment to the environment by virtue of loss or damage to landscape value; or harm to the visual character and distinctiveness of a locality. D2 seeks to ensure that proposed and existing land uses are compatible in particular that development which may have a materially detrimental impact will not be permitted.
62. Policy C3 seeks to protect and conserve the distinctiveness of the landscape character areas within the Borough of Waverley with promotion of the management and enhancement of landscape features. The policy goes on to state that development appropriate to the countryside will be expected to respect or enhance existing landscape character by appropriate design. Specifically with regards to the AGLV the policy states that these landscapes make a valuable contribution to the quality of the countryside and strong protection will be given to ensure the conservation and enhancement of the landscape character. In addition to this, Policy C6 seeks to secure improvements to the landscape within the Borough, with emphasis given to areas shown on the Proposals Map which are already showing signs of landscape deterioration. Runfold South Complex lies within an area of landscape enhancement.
63. Emerging Core Strategy Policy CS15 states that new development must respect and where appropriate enhance the distinctive character of the landscape in which it is located, and that the Area of Great Landscape Value will be retained for its own sake, until such time as there has been a review of the Surrey Hills AONB boundary.
64. Policy MC14 of the SMP2011 requires when determining planning applications for mineral development, consideration should be given to the appearance, quality and character of the landscape and any features that contribute to its distinctiveness.
65. The application site is in the centre of the Runfold South Complex with land surrounding the application area either having been restored or being in currently used for operations connected with the Complex. The site is some 10 metres below the level of the surrounding land and is screened by the surrounding topography and vegetation as can be seen on Photograph 1. The facility is well established in this low level setting within the quarry site. The closest residential properties to the application site are Moor Park Farm with the surrounding buildings some 358m to the west, Swifts Cottage and Temple Cottage approximately 355m south west; and The Lodge some 275m to the north beyond the Guildford Road. Barfield School lies approximately 279m to the north east.
66. This facility is well established in this low level setting within the quarry site. Given the application area is set at a lower level than the immediately surrounding land and the scale and nature of the activity within the context of the larger quarry and landfill setting, Officers consider that the visual impact is limited. Officers recognise that the proposal seeks a further extension of time to retain the mortar plant for a further six months beyond that previously given, however Officers are mindful of the limited short duration sought by the applicant and that the time period sought is directly linked to the exhaustion of the sand within the current stockpile (which can be seen in Photograph 2).

67. As the consent is of very limited duration with the site being restored as part of a wider Masterplan for the Runfold South Complex, it is considered that the landscape character of the area can therefore be protected. Officers are satisfied that the site is proposed to be restored to an agricultural aftercare with enhanced biodiversity elements to reflect the local landscape character. Officers consider that the development does not conflict with the objectives of policies relating to landscape and visual amenity; and as such would not have an unacceptable impact on the landscape or visual amenity of the site / wider environs.

Noise

68. As outlined above, Policy MC14 requires consideration of noise as part of mineral development proposals; and Policy D1(c) states development will not be permitted should there be disturbance by noise emissions. Surrey has produced its own 'Guidelines for Noise Control: Minerals and Waste Disposal' (1994). The Guidelines are based on the approach set out in the former Minerals Planning Guidance Note 11 (MPG11) which has now been superseded by the NPPF and the NPPG but the advice in terms of noise remains consistent and relevant. Paragraph 123 of the NPPF² states that planning decisions with regards to noise should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of the new development; mitigate and minimise other adverse impacts on health and quality of life arising from noise through the use of conditions; and recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes to nearby land uses.
69. The Surrey Noise Guidelines set noise limits for activities and use of plant and machinery on a day to day basis alongside noise limits for temporary operations for example decommissioning of a site and the breaking up of concrete.
70. The mortar plant has had to accord with noise limits set on previous permissions which is that noise levels shall not exceed 45 LAeq during an 30 minute period between 0700 and 1600 hours Monday to Friday and 0700 and 1300 hours on Saturdays. The mortar plant has complied with these noise limits and no complaints with regards to noise have been received by the County Planning Authority. Officers would seek to impose the same condition on the operation of the plant over the remaining months sought by the applicant.
71. In addition to this, as the proposal also seeks the decommissioning and the breaking up of concrete Officers would look to impose the higher, temporary noise limit. As this aspect are works for construction/ demolition related and not minerals, BS 5228 Part 1 2014³ is the relevant guidance on this matter. Annex E provides example criteria and, for rural areas, the County Noise Consultant states that Example Method 1, Category A is adopted which has a maximum level of 65 dB(A) for daytime. The decommissioning activities would involve the breaking up of concrete structures and bay walls, demolition of the plant, and removal of the site buildings. Any rubble would be taken to the adjoining and existing recycling site which is located within the Runfold South Complex. The applicant proposes this to take 4-5 weeks.
72. The County Noise Consultant has reviewed the submitted information and raises no objection to the continuation of noise levels from the mortar plant and recommends a condition is imposed on the hours of operation. With regards to the decommissioning

² <https://www.gov.uk/guidance/national-planning-policy-framework/11-conserving-and-enhancing-the-natural-environment>

³ Code of practice for noise and vibration control on construction and open sites.

phase, the County Noise Consultant recommends a condition be imposed limiting noise levels from the site during this phase to 65 dB. The County Noise Consultant also recommends that a Noise Management Plan be provided prior to the decommissioning phase which would set out best practicable means for mitigation measures to control noise during this phase. The applicant raises no objection to the imposition of these conditions.

Dust

73. The proposal involves the continuation of an existing operational mortar plant for a further limited period until May 2017; and then the demolition the mortar plant, the feed bins and the bay; and the breaking up and removal of the concrete hardstanding at the site. These would then be transferred to the existing adjoining recycling facility⁴ that is within Runfold South Complex. Both these activities have the potential for creating dust emissions. The other buildings such as the site office would be removed from site.
74. The NPPF expects planning authorities, through policies in plans and in determining planning applications, to ensure that proposals do not have an unacceptable adverse effect on the natural environment or human health by “preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of air pollution” (paragraph 109). To prevent unacceptable risks from pollution planning decisions should ensure new development is appropriate for its location and that the effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and take account of the potential sensitivity of the area to adverse effects from pollution (paragraph 120). In relation to dust emissions, policy in the NPPF 2012 is that unavoidable dust emissions should be controlled, mitigated or removed at source. For the purposes of the NPPF 2012 dust is the generic term used in BS6069 (Part 2) ‘Characterisation of air quality Glossary’ (1987) to describe particulate matter in the size range 1–75 µm (micrometres) in diameter. Particles that are less than or equal to (\leq) 10 µm in diameter are commonly referred as PM10 .
75. As mentioned above one of the ten issues identified in Policy MC14 in the SMP2011 (Reducing the Adverse Impacts of Mineral Development) is i) noise, dust, fumes, vibration, illumination, including that related to traffic generated by the development. With regards to the operation of the mortar plant, this is a continuation of existing activities. The applicant has stated that best practice dust suppression measures are currently employed on the site by the applicant and by SUEZ the owners / operates of the wider site. During dry weather the operational area and haul road are sprayed with water to minimise dust creation. Dust generation by vehicles is minimised by the maintenance and sweeping of haul roads so they remain free of dust generating material. Furthermore the plant is a wet mortar plant so dust is generally low.
76. Emissions of dust to air can occur during demolition processes and can vary from day to day and on the weather conditions. The Institute of Air Quality Management (IAQM) document “Guidance on the assessment of dust from demolition and construction” 2014 is relevant in consideration of this application. The document recognises that some phases of mineral development share common features with construction activities but can be on a larger scale. As such the guidance advises that a qualitative assessment for a mineral site can be carried out in accordance with the guidance in that document using the underlying source-pathway-receptor model. The guidance recognises that the main air quality impacts that may arise during demolition activities are: dust deposition resulting in the soiling of surfaces, visible dust plumes, elevated PM10 concentrations; and an increase concentration of airborne particles.

⁴ The recycling facility operates under planning permission ref: WA/2011/2160. Condition 13 of that permission relates to dust emissions from the recycling facility.

77. Para 4.3 of the Guidance outlines that the risk of dust emissions from a demolition project causing loss to amenity and/ or health or ecological impacts is related to: the activities being undertaken, the duration of those activities, the size of the site, the meteorological conditions, proximity of receptors to the activities, adequacy of mitigation measures to reduce or eliminate dust; and sensitivity of receptors to the dust. However the Guidance does recognise that there is an exponential decline in both airborne concentrations and the rate of deposition with distance.
78. The Guidance provides an approach to assess the risk of dust impacts from demolition and construction projects when there are no mitigation measures in place; breaking down those activities to be assessed into demolition, earthworks, construction and trackout. Only demolition and trackout activities are relevant for this application. The guidance then sets out how this approach should be taken firstly by assessing the dust emission magnitude based on the scale of the anticipated works and whether they should be classified as small, medium or large. For demolition this is based on the total building volume to be demolished alongside the height above ground when that activity takes place⁵. For trackout this again is classified as large, medium or small based on the number of HGVs leaving the site in any one day and the length of the unpaved surface they would be travelling along⁶.
79. The second part of the assessment is based on the sensitivity of the area which is the number, type⁷ and distance of receptors to the application site and the potentially dusty activity. The assessment then divides this into the sensitivity of the area to the soiling effects of dust on property and people (i.e. nuisance dust); and then the sensitivity of the area to human health impacts (i.e. PM₁₀).
80. Having looked at the proposal the Officers conclude that the potential dust emission magnitude from the proposal in terms of demolition would be 'small' as the total building volume would be less than 20,000m³ and because the works would be carried out some 10m below ground level. For trackout Officers conclude the potential for dust emission would be 'large' due to the length of unpaved road length to the Guildford Road from the application site.
81. With regards to sensitivity to dust soiling on property and people; and sensitivity of the area to human health from demolition activities, Officers recognise that whilst the receptors near to the site are dwellings and a school which would equate to a high sensitivity receptor; given the distance and the number of receptors under 350m to the application area where the demolition and trackout would occur this would result in a 'low' sensitivity for both soiling and health.
82. In order to define the risk of impact of the demolition aspect of the proposal with no mitigation measures from dust on soiling and health, the dust emission magnitude is then combined with the sensitivity of the area. For demolition this would be combining a small dust emission magnitude with a low sensitivity of the area. This would result in negligible risk of impact from the demolition activities proposed for dust. The same process is followed for trackout by combining the large dust emission magnitude due to

⁵ Large – total building volume >50,000m³, potentially dusty construction material e.g. concrete, on site crushing and screening, activities >20m above ground level

Medium – total building volume 20,000m³ – 50,000m³, potentially dusty construction material, demolition activities 10-20m above ground level

Small – total building volume <20,000m³, construction material with low potential for dust release, activities <10 above ground, demolition in wetter months.

⁶ Large - >50 HGVs outward movements in one day potentially dusty surface material, unpaved road length >100m

Medium – 10-50 HGV outward movements in one day, moderately dusty surface, unpaved 50m-100m

Small - <10 HGV outward movements in one day, unpaved road length <50m

⁷ For example a high sensitivity receptor is a dwelling, school hospital. A medium sensitivity receptor are places of work. A low sensitivity receptor are public footpaths, playing fields and parks.

the long length of unpaved surface with the low sensitivity of the area. This would result in a low risk of impact from dust when there are no mitigation measures proposed.

83. The applicant has also provided a Noise and Dust Management Plan which sets out controls with regards to dust from the demolition of the buildings at the mortar plant site. This document outlines that all internal site roads will be kept damp and any vehicles leaving the site carrying materials shall be covered to avoid dust release. However, the applicant has stated that dust generation by vehicles is minimised by the maintenance and sweeping of haul roads so they remain free of dust generating material. All mobile plant to be used will be regularly maintained, serviced and subject to a thorough inspection to ensure it meets current legislation. The applicant acknowledges that there may be stockpiles of materials for short periods prior to their removal from site and these would be sprayed to suppress dust. All other material would be placed in to 40m³ skips as soon as is reasonably practical and removed from site. The applicant has stated that a site log would be kept to record details and action taken in response to exceptional incidents or dust causing episodes. The applicant has confirmed for the demolition, all operatives will be fully trained and competent to carry out this work.
84. Therefore given there are mitigation measures in place for the control of dust from roads and trackout, Officers are satisfied that the proposal would not give rise to significant adverse harm from dust emissions from trackout. With regards to the demolition activities, as the assessment shows above when using the IAQM Guidance, Officers are satisfied that the demolition of buildings and concrete would not give rise to significant adverse impacts with regards to dust. The applicant has also provided details of what mitigation measures would be in place during demolition activities. The County Dust Consultant has reviewed the information submitted and agrees with the review undertaken which is outlined in the above paragraphs. The County Dust Consultant comments that the mitigation and control measures provided by the applicant are appropriate for this low risk site and does not request any further assessment. Officers are satisfied that the proposal meets the requirements of the Development Plan and propose to recommend conditions be imposed to ensure the mitigation and control measures proposed are implemented.

HUMAN RIGHTS IMPLICATIONS

85. 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.
86. The Officer's view is that the articles of the Convention are not engaged. This proposal will have no adverse impact on public amenity and has no human rights implications.

CONCLUSION

87. The application site is located in Countryside Beyond Green Belt boundary and falls within the AGLV and an area for landscape improvement. The proposed development involves the retention and then subsequent demolition and removal of a mortar plant facility, which has been in operation since 1969. Issues are raised relating to the protection of residential amenity and environment. It is necessary to be satisfied that the impacts of the development can be satisfactorily managed. A number of potential impacts have been examined, in particular noise, dust and landscape issues, and the development is considered acceptable and would not give rise to nuisance or harm to residential amenity or environmental interests.
88. Officers recognise the proposal is for a further extension of time to retain the mortar plant, however Officers are satisfied the application would not impact on the short or long term restoration of the ROMP area or the Complex (the wider Runfold South site).

Officers are also satisfied there is a need to retain the plant in this location for the limited short term period sought given the lack of alternative sites in the locality. Given the temporary and small scale of the development, Officers consider that the proposal is in accordance with Development Plan policies and that planning permission should be granted subject to conditions

RECOMMENDATION

The recommendation is to PERMIT subject to the following planning conditions:

Conditions:

Approved Plans

1. The development hereby approved shall be carried out in all respects in accordance with the following plans/drawings:
G048-000098 `Site Location Plan` dated 10 November 2016
G048-00007 `Planning Application 2016` dated 10 November 2016

Displaying Site Notice

2. From the date of this decision notice until the cessation of the development/ completion of the operations to which it refers, a copy of this decision including all documents hereby approved and any documents subsequently approved in accordance with this decision, shall be available to the site manager, and shall be made available to any person(s) given the responsibility for the management or control of operations.

Duration

3. The development hereby permitted shall cease by 30 June 2017 or on depletion of indigenous sand from Area C, whichever is the soonest; and all fixed plant or machinery, internal access roads and hardstandings subject to this permission, together with their foundations and bases, shall be removed from the site.

General Permitted Development Order

4. Notwithstanding any provision to the contrary under Part 17 (Class A, B, C, L & M) of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any subsequent Order,
 - a. No plant, building or machinery whether fixed or moveable shall be erected on the application site without the prior written approval of the County Planning Authority in respect of the location, design, specification and appearance of the installation, such details to include predicted levels of noise emission and their tonal characteristics;
 - b. No waste materials other than materials approved for use in the restoration of the site shall be deposited at the site without the prior written agreement of the County Planning Authority; and
 - c. no external lighting or fencing other than those permitted by this application shall be installed or erected at the application site

Limitations

5. The mortar plant hereby permitted shall use soft sand extracted from the adjoining consented mineral workings (Area C ref. APP/B3600/A/06/2020101) and no other sand, with the exception of sharp sand for blending purposes, shall be imported from elsewhere for use in the plant hereby permitted.

Hours of Working

6. No operations or activities authorised or required by this permission shall be carried out, and no light except intermittent security lighting within the plant and office areas shall be illuminated except between:
0700 and 1600 hours on Monday to Friday
0700 and 1300 hours on Saturdays
and there shall be no working on Sundays or Bank, Public and National Holidays.

Highways, Traffic and Access

7. Sole vehicular access to the site shall be via the existing access onto Guildford Road.
8. The access shall be maintained in a clean condition and wheel cleaning facilities maintained and operated in such a manner so as to prevent the deposit and spread of extraneous material on the public highway.

Noise

9. The level of noise arising from any operation, plant or machinery on the site, when measured at, or recalculated as at, a height of 1.2m above ground level and 3.6m from the façade of a residential property or other noise sensitive building that faces the site shall not exceed 45 LAeq during any 30 minute period between 0700 and 1600 hours Monday to Friday and 0700 and 1300 on Saturdays.
10. During the decommissioning phase, the level of noise arising when measured at, or recalculated at, a height of 1.2 metres above ground level and 1.0 metre from the façade of any residential property or other noise sensitive building shall not exceed 65 dB LAeq,1h during any 1-hour period, during the permitted hours set out in Condition 6.
11. Within one month of the date of this permission, a Noise Management Plan (NMP) shall be submitted to the County Planning Authority in writing for approval. The NMP shall take into account the permitted hours set out in Condition 1 and the noise limits set out in Condition 2, and shall include details of the best practicable means control measures that will be employed to minimise the impact of noise and vibration from the decommissioning phase. The approved NMP and the control measures it contains shall be implemented for the duration of the decommissioning phase.
12. All plant and machinery shall operate only in the permitted hours, except in emergency, and shall be silenced at all times in accordance with the manufacturer's recommendations.

Surface Water and Groundwater Protection

13. Any above ground oil storage tank(s) should be sited on an impervious base and surrounded by a suitable liquid tight bunded compound. No drainage outlet should be provided. The bunded area should be capable of containing 110% of the volume of the largest tank and all fill pipes, draw pipes and sight gauges should be enclosed within its curtilage. The vent pipe should be directed downwards into the bund.

Dust

14. No activity hereby permitted shall cause dust to be emitted so as to adversely affect adjacent residential uses and/or other sensitive uses and/or the local environment. Should such an emission occur, the activity shall be suspended immediately until, as a result of different methods of working, the addition of additional dust suppression measures or changed weather conditions, it can be resumed without giving rise to that level of dust emissions.

15. The decommissioning activities shall be carried out in accordance with the details set out in Sections 3, 4 and 5 of the Noise and Dust Management Plan for demolition works at Tarmac Ltd.

Reasons:

1. To ensure the permission is implemented in accordance with the terms of the application and to enable the County Planning Authority to exercise planning control over the development pursuant to Surrey Minerals Plan 2011 Policy MC14
2. To ensure that site operatives are conversant with the terms of the planning permission in the interests of the local environment and amenity to accord with Policy MC14 of the Surrey Minerals Plan 2011.
3. To enable the County Planning Authority to exercise planning control over the operation so as to minimise the impact on local amenity and to ensure the prompt and effective restoration to comply with Schedule 5 paragraph 1 of the Town and Country Planning Act 1990 and Policy MC17 of the Surrey Minerals Plan 2011.
4. To safeguard the environment and protect the amenities of the locality in accordance with the terms of Policy MC14 of the Surrey Minerals Plan 2011.
5. To safeguard the environment and protect the amenities of the locality in accordance with the terms of Policy MC14 of the Surrey Minerals Plan 2011.
6. To enable the County Planning Authority to exercise planning control over the development so as to minimise disturbance and avoid nuisance to the locality, to safeguard the environment and protect the amenities of local residents in accordance with the terms of Policy MC14 of the Surrey Minerals Plan 2011.
7. In order to ensure that the development should not prejudice the free flow and condition of safety on the highway, nor cause inconvenience to other highway users and to comply with the terms of Policy MC14 of the Surrey Minerals Plan 2011 and Policy M2 of the Waverley Local Plan 2002 (saved policies).
8. In order to ensure that the development should not prejudice the free flow and condition of safety on the highway, nor cause inconvenience to other highway users and to comply with the terms of Policy MC14 of the Surrey Minerals Plan 2011 and Policy M2 of the Waverley Local Plan 2002 (saved policies).
9. To ensure minimum disturbance from operations and avoidance of nuisance to the local community and local environment from noise in accordance with the requirements of the National Planning Policy Framework 2012, Policy MC14 of the Surrey Minerals Plan 2011 and Policy D1 of the Waverley Local Plan 2002 (saved policies).
10. To ensure minimum disturbance from operations and avoidance of nuisance to the local community and local environment from noise in accordance with the requirements of the National Planning Policy Framework 2012, Policy MC14 of the Surrey Minerals Plan 2011 and Policy D1 of the Waverley Local Plan 2002 (saved policies).
11. To ensure minimum disturbance from operations and avoidance of nuisance to the local community and local environment from noise in accordance with the requirements of the National Planning Policy Framework 2012, Policy MC14 of the Surrey Minerals Plan 2011 and Policy D1 of the Waverley Local Plan 2002 (saved policies).
12. To ensure minimum disturbance from operations and avoidance of nuisance to the local community and local environment from noise in accordance with the requirements of the

National Planning Policy Framework 2012, Policy MC14 of the Surrey Minerals Plan 2011 and Policy D1 of the Waverley Local Plan 2002 (saved policies).

13. In order to prevent the increased risk of flooding and prevent pollution of the local surface water and groundwater environment in accordance with the requirements of Policy MC14 of the Surrey Minerals Plan 2011.
14. To ensure minimum disturbance from operations and avoidance of nuisance to the local community and local environment from dust in accordance with the requirements of the National Planning Policy Framework 2012, Policy MC14 of the Surrey Minerals Plan 2011 and Policy D1 of the Waverley Local Plan 2002 (saved policies).
15. To ensure minimum disturbance from operations and avoidance of nuisance to the local community and local environment from dust in accordance with the requirements of the National Planning Policy Framework 2012, Policy MC14 of the Surrey Minerals Plan 2011 and Policy D1 of the Waverley Local Plan 2002 (saved policies).

Informatives:

1. In determining this application the Minerals Planning Authority has worked positively and proactively with the applicant by: assessing the proposals against relevant Development Plan policies and the National Planning Policy Framework including its accompanying technical guidance and European Regulations providing feedback to the applicant where appropriate. Further, the Minerals Planning Authority has: identified all material considerations; forwarded consultation responses to the applicant; considered representations from interested parties; liaised with consultees and the applicant to resolve identified issues; and determined the application within the timeframe agreed with the applicant. Issues of concern have been raised with the applicant including impacts of and on noise/dust and addressed through negotiation and acceptable amendments to the proposals. The applicant has also been given advance sight of the draft planning conditions. This approach has been in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework 2012.
2. The Applicant's attention is drawn to the potential need to modify the existing Environmental Permit for the site prior to the commencement of any works. Information on Environmental Permits can be obtained from the following website:
<https://www.gov.uk/topic/environmental-management/environmental-permits>
3. The Applicant's attention is drawn to the advice set out in the Environment Agency's letter dated 1 February 2017.

CONTACT

Samantha Murphy

TEL. NO.

020 8541 7107

BACKGROUND PAPERS

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

Government Guidance

[National Planning Policy Framework 2012](#)

[Planning Practice Guidance](#)

The Development Plan

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

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

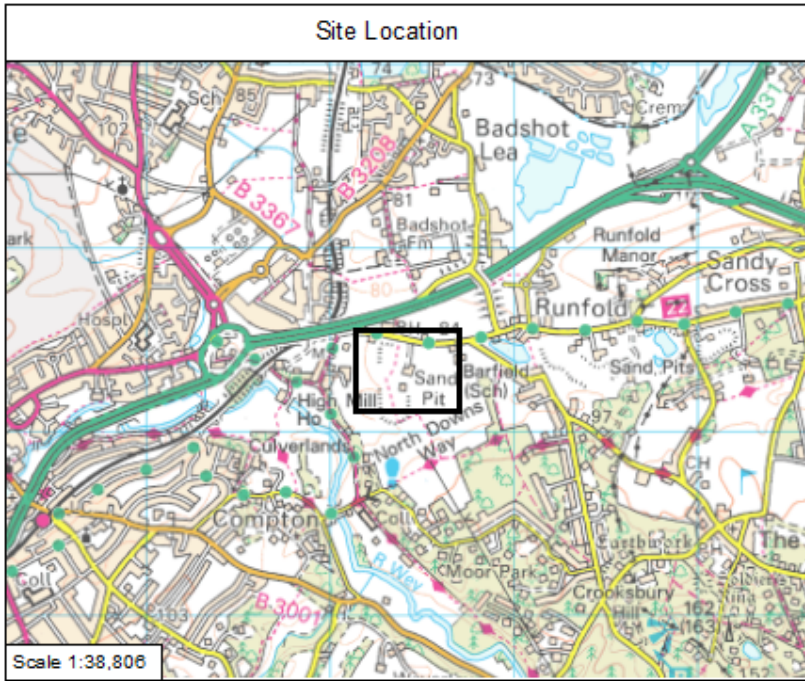
Waverley Borough Local Plan 2002

Other Documents

Waverley Borough Local Plan Pre-submission Local Plan Part 1: Strategic Policies and Sites

“Guidance for Noise Control: Minerals and Waste Disposal” Surrey County Council, 1994

“Guidance on the assessment of dust from demolition and construction”, Institute of Air Quality Management (IAQM), 2014



Land at Runfold South Quarry, Guildford Road, Runfold, Farnham, Surrey GU10 1PB

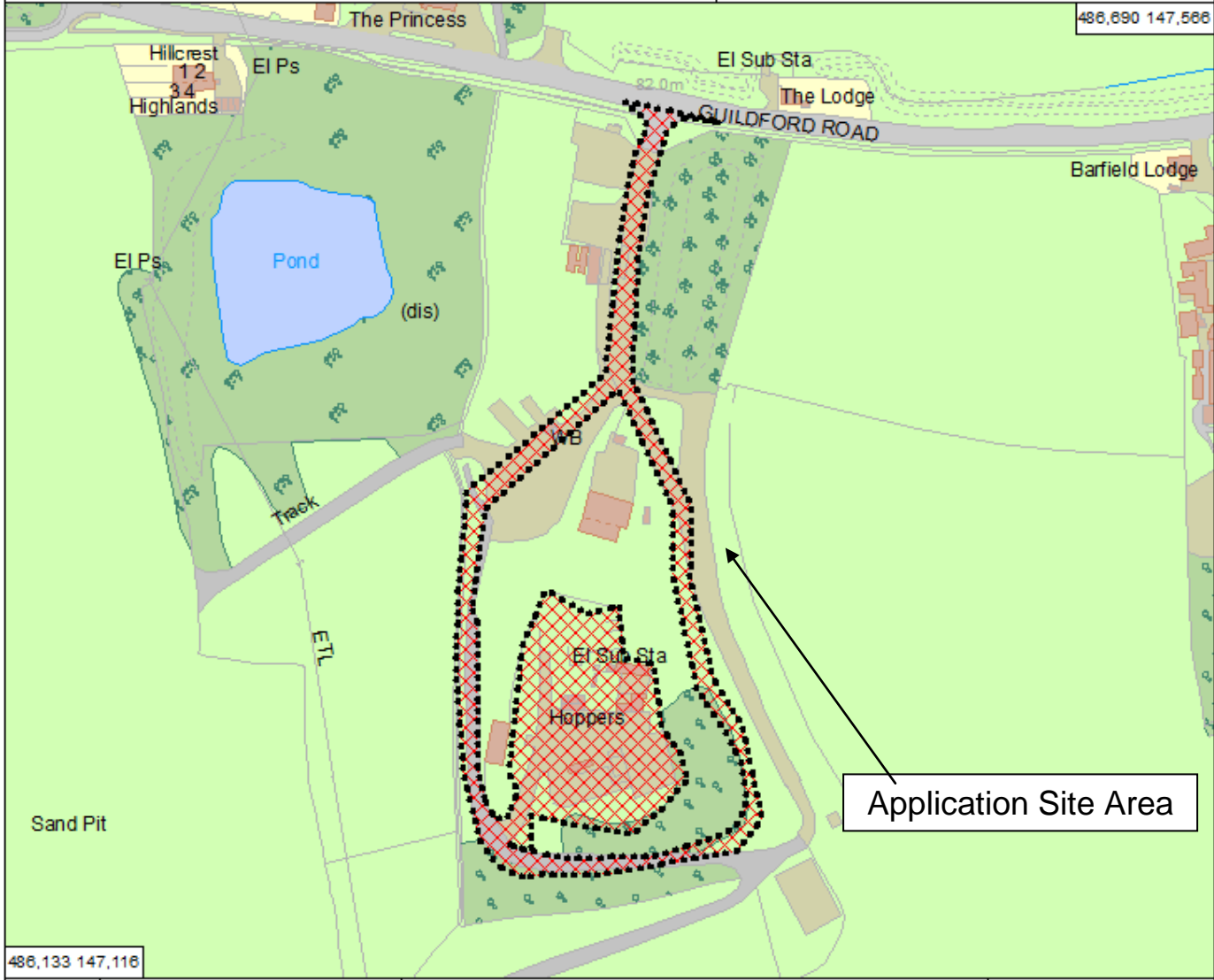
The continued retention and operation of a mortar batching plant until 30 June 2017 without compliance with Condition 3 of planning permission ref: WA/2013/0721 dated 10 July 2013.

Application No(s): WA/2016/2323

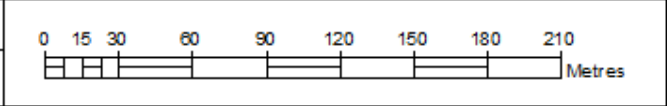
Electoral Division(s): Farnham Central

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Date printed: 27/01/2017

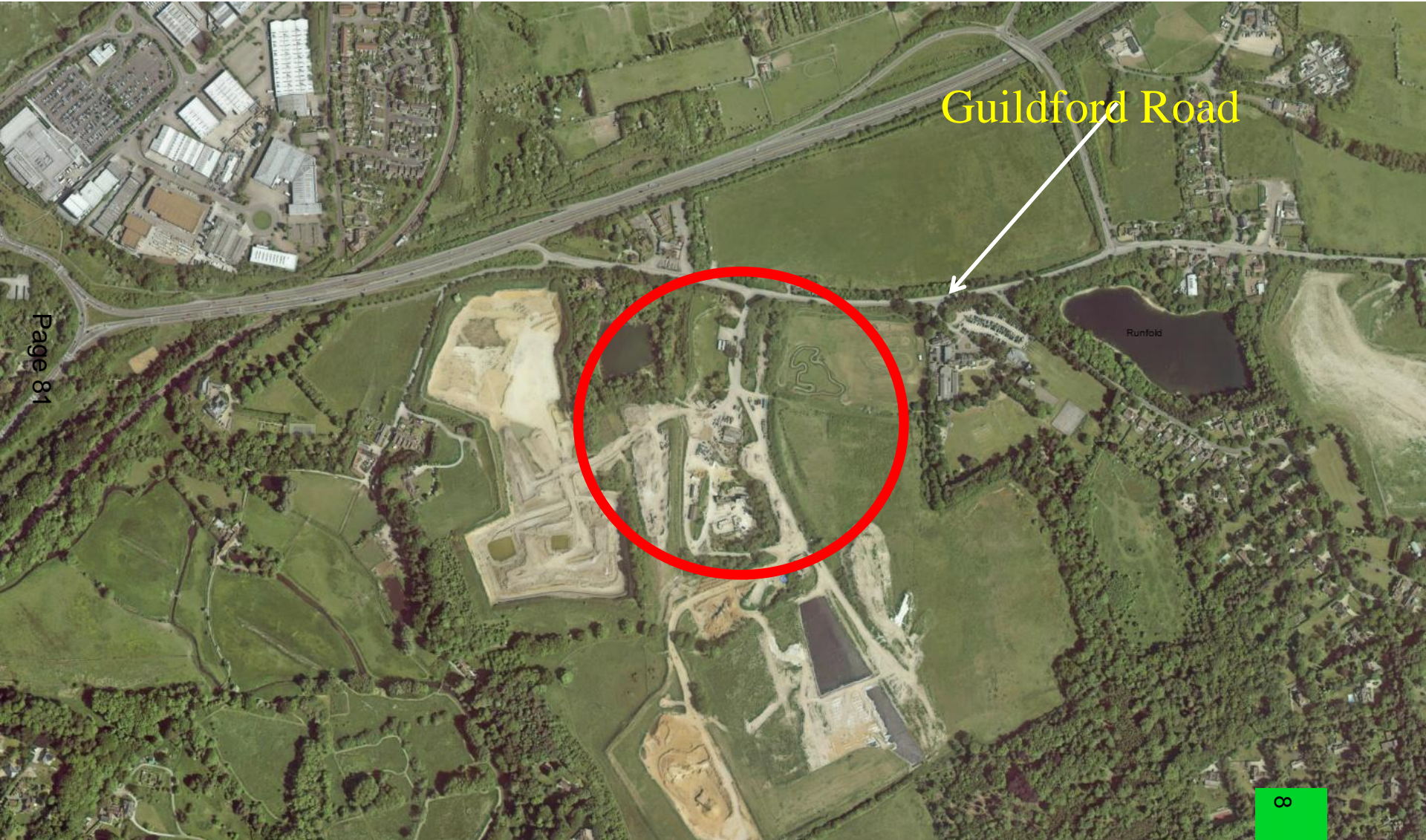


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Aerial Photos

Aerial 1: Land at Runfold South, Farnham



Guildford Road

Runfold

Page 81

Figure 1 - View of mortar plant site



Figure 2 : View of remaining Runfold Area C sand stockpile



TO: PLANNING & REGULATORY COMMITTEE **DATE:** 22 February 2017
BY: PLANNING DEVELOPMENT TEAM MANAGER
DISTRICT(S) MOLE VALLEY DISTRICT COUNCIL **ELECTORAL DIVISION(S):**
Dorking Hills
Mrs Watson
Dorking & The Holmwoods
Mr Cooksey

PURPOSE: FOR DECISION **GRID REF:** 515484 144822

TITLE: MINERALS/WASTE MO/2016/1848

SUMMARY REPORT

Land at Bury Hill Wood, off Coldharbour Lane, Holmwood, Surrey RH5 6HN

Details of a pre and post development condition survey (method statement) pursuant to Condition 20 (ii) of appeal ref: APP/B3600/A/11/2166561 dated 15 August 2015.

Planning permission was granted on appeal (ref: APP/B3600/A/11/2166561) for the construction of an exploratory well site, including plant, buildings and equipment with preliminary short-term drill stem test for one exploratory borehole, the erection of security fencing and associated works to an existing track on 7 August 2015. This was subject to 23 conditions.

Condition 20 is with respect to the condition of the highway of Knoll Road and the section of Coldharbour Lane from the application site to Knoll Road; and the condition is in several parts. The applicant is seeking to discharge Condition 20(ii) of that condition which is for a Method Statement on how damage to the carriageway or highway verge, which may be inadvertently caused as a result of the development, will be made safe and remediated by the developer. Condition 20(i) is not for consideration at this point in time as this is for the carrying out of a pre-development condition survey which can only be carried out immediately prior to the commencement of development. Additionally, Condition 20 states that the Method Statement should include steps to be taken to minimise the impact of damage (in the event of damage) to the banks (the sunken lanes) of Coldharbour Lane.

The proposal should seek to comply with prevailing standards and development plan policies to ensure protection of the public highway and the sunken lanes.

The submitted Method Statement provides details of reporting methods should any damage to the public highway occur, of what would happen should any damage that requires immediate attention occur, that all Heavy Goods Vehicles (HGVs) would be fitted with CCTV cameras with forward facing capability and the capability to cover the width of the carriageway to monitor driving along the approved access route; and that twice daily surveys of the road would take place (before and after the working day) to report any incidents of damage.

Officers recognise that damage to the sunken lanes is irreparable and this was also recognised by the Planning Inspector at the Appeal for this application site. The Inspector at the time commented that prevention would be the best mitigation for the sunken lanes. The use of CCTV cameras and daily inspections of the sunken lanes would provide for this prevention. In addition as part of the Appeal decision, banksmen are to be used to escort HGVs along Coldharbour Lane to assist in avoiding damage.

No objection is raised by Mole Valley District Council, the County Highway Authority or the National Trust. Leith Hill Action Group have commented that whilst they have no objection to the Method Statement they are concerned that there may be a presumption that no damage would occur from the proposal rather than the approach that there will be damage from HGVs. 12 letters of representation have been received raising concerns with regards to the principle of the development and the information provided.

Officers, having reviewed the submitted Method Statement are satisfied that the Method Statement provides the information required for Condition 20(ii) and also sets out information on how to minimise damage to the sunken lanes.

The recommendation is to APPROVE

APPLICATION DETAILS

Applicant

Europa Oil & Gas Ltd

Date application valid

10 November 2016

Period for Determination

5 January 2017

Amending Documents

Road Condition Survey Rev C January 2017

SUMMARY OF PLANNING ISSUES

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

	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
The Method Statement – carriageway and verges	Yes	49-54
Minimising Damage to the Sunken Lane	Yes	55-65

ILLUSTRATIVE MATERIAL

Aerial Photographs

Aerial 1: Land at Bury Hill Wood, Coldharbour Lane, Holmwood

Aerial 2: Land at Bury Hill Wood, Coldharbour Lane, Holmwood

Site Plan

Site Photographs

Photo 1: Knoll Road

Photo 2: Coldharbour Lane

Photo 3: Coldharbour Lane

Photo 4: Coldharbour Lane

Photo 5: view of the sunken lane in Coldharbour Lane

BACKGROUND

Site Description

1. The permitted drill site is located in a rural area at Bury Hill Wood, part of Abinger Forest, within the Metropolitan Green Belt and in the Surrey Hills Area of Outstanding Natural Beauty (AONB) and Area of Great Landscape Value (AGLV). The site lies some 3.5 kilometres (km) to the south west of Dorking, west of South Holmwood and approximately 700 metres (m) to the north of the Village of Coldharbour. The Anstiebury Camp, a Scheduled Monument, is found some 800m south of the site between Abinger Road and Anstie Lane.
2. The 0.79 hectare (ha) site is located within an elevated part of the Greensand Hills, which divide the North Downs from the Low Weald and is some 2.4km north east of Leith Hill. The site is defined on the southern and western boundaries by well established gravelled tracks. The proposed site contains uneven ground; it is situated at a height of 236m Above Ordnance Datum (AOD). The site is found within a plantation managed by the Forestry Commission, with rising land to the east and north. The western part of the site falls within the Abinger Forest Ancient Replanted Woodland. There are a number of 'dells', former quarries thought to date from the 18th or 19th century on, and in, the vicinity of the site. The land to the west drops to a valley that has Coldharbour Village at its southern end. The site would be situated at approximately the same elevation as Coldharbour Village. Although no public rights of way are directly affected by the proposal, the public has open access to the Forestry Commission land and the woods are used for informal recreational purposes.
3. Access to the site would be gained via Coldharbour Lane and utilise an existing Forestry Commission entrance and 250m of existing access track. The access with Coldharbour Lane (D289) is approximately 600m north of the junction with Anstie Lane (D297)/Abinger Road (D289) and 1.5km south of Logmore Lane (D288). Coldharbour Lane links to the A24 via Knoll Road (D2841) and Flint Hill (A2003) to the south of Dorking.
4. There is a residential property known as Lower Meriden some 520m north west of the site and about 35m lower in elevation. The properties known as White Cottage, Ranmore Cottage and Ivy Cottage at the eastern end of Coldharbour Village and within its Conservation Area are some 512m from the southernmost end of the site. The Coldharbour Village Conservation Area extends from the junction of Coldharbour Lane, Abinger Road and Anstie Lane in a band that includes the majority of the village properties and ends just short of The Landslip to the west of Coldharbour.
5. There are two important aquifers present in the Dorking area, the Chalk and the Lower Greensand. The primary aquifer, the Chalk, is not present in the proposed borehole location. The secondary aquifer, the Lower Greensand, is exposed at surface and would be penetrated by the upper part of the proposed exploratory borehole.

PLANNING HISTORY

6. Planning application ref: MO09/0110 was refused by Surrey County Council (SCC) on 30 June 2011 for the following development: “Construction of an exploratory drillsite to include plant, buildings and equipment; the use of the drillsite for the drilling of one exploratory borehole and the subsequent short term testing for hydrocarbons; the erection of security fencing and the carrying out of associated works to an existing access and track all on 0.79 ha, for a temporary period of up to 3 years, with restoration to forestry.” At the Planning and Regulatory Committee on 25 May 2011, Members had earlier resolved to refuse the application for the following reasons:
- (1) *The proposed exploratory drilling development will have a significant adverse impact on the Area of Outstanding Natural Beauty (AONB) in the setting of Leith Hill which cannot be mitigated and where exceptional circumstances including the public interest have not been demonstrated to justify the grant of planning permission. The proposal is therefore contrary to Government Planning Policy as set out in Minerals Policy Statement 1 (Planning and Minerals) November 2006 and Planning Policy Statement 7 (Sustainable Development in Rural Areas) August 2004, The South East Plan May 2009 Policy C3 (Areas of Outstanding Natural Beauty); the Surrey Minerals Plan 1993 Policy 1 (Environmental and Amenity Protection) and the Mole Valley Local Development Framework Core Strategy 2009 Policy CS13 (Area of Outstanding Natural Beauty and Area of Great Landscape Value).*
- (2) *There is insufficient evidence to demonstrate why the proposed exploratory drilling development cannot be located beyond the boundary of the Area of Outstanding Natural Beauty (AONB) designation. The proposal is therefore contrary to Government Planning Policy as set out in Minerals Policy Statement 1 (Planning and Minerals) November 2006 and Planning Policy Statement 7 (Sustainable Development in Rural Areas) August 2004 and Surrey Minerals Local Plan 1993 Policy 15 (Environmental & Ecological Impact of Hydrocarbon Development).*
- (3) *It has not been demonstrated to the satisfaction of the County Planning Authority that the proposed traffic management measures are adequate to protect the character of Coldharbour Lane; where the nature of the traffic activity would have the potential to irreversibly damage the historic banks and trees and lead to the industrialisation of the character of a quiet rural road; or adequate to protect the amenity of highway users and residents in Knoll Road, Coldharbour Lane and the broader vicinity; contrary to the Mole Valley Local Plan 2000 Policy MOV2 (The Movement Implications of Development) and Surrey Minerals Local Plan 1993 Policy 1 (Environmental and Amenity Protection).'*
7. The applicant then made an appeal to the Secretary of State against the refusal. The above reasons for refusal were subsequently amended by Surrey County Council in the run up to the first appeal Public Inquiry, with the second reason for refusal withdrawn and the third amended to read as follows: *‘It has not been demonstrated to the satisfaction of the County Planning Authority that the proposed traffic management measures are adequate to protect the character of Coldharbour Lane; where the nature of the traffic activity would lead to the industrialisation of the character of a quiet rural road; or adequate to protect the amenity of highway users and residents in Knoll Road, Coldharbour Lane and the broader vicinity; contrary to the Mole Valley Local Plan 2000 Policy MOV2 (The Movement Implications of Development) and Surrey Minerals local Plan 1993 Policy 1 (Environmental and Amenity Protection).'*
8. The appeal was subsequently dismissed by the Secretary of State’s Inspector on 26 September 2012. However, Europa Oil and Gas Ltd then successfully challenged the Inspector’s decision in the High Court, and on 25 July 2013 the judge quashed the earlier appeal decision. Leith Hill Action Group, which was a defendant to the proceedings in the High Court, then appealed against the judge’s decision. This appeal was dismissed

by the High Court on 19 June 2014 and a new Public Inquiry was held in the spring of 2015. The Inspector issued his decision (ref: APP/B3600/A/11/2166561) on 7 August 2015 and allowed the appeal with the following formal decision reason: *'Having regard to the evidence presented to the inquiry, the written representations and visits to the appeal site and surroundings, I am convinced that the short-term harm to the identified interests of acknowledged importance would be clearly and demonstrably outweighed by the fully reversible nature and the benefits of the scheme in national and local terms...Accordingly, and having taken into account all other matters raised, this appeal succeeds'*. This Appeal Decision has 23 Conditions which are required to be complied with, some of which require the submission of detail for approval by the County Planning Authority.

9. In addition to the above, the applicant submitted a planning application for an underground drilling corridor of an exploratory hydrocarbon borehole (ref: MO/2014/1006) which was permitted, subject to four conditions, on 25 September 2015. This application will include the drilling of an underground drilling corridor from land at Bury Hill Wood (the land which is the subject of this planning application) to land under Coldharbour Village. The borehole would be drilled to an anticipated total depth of 1,450m true vertical measured depth in order to target the Downtip Portland Target, with a 'deviation tolerance zone' of 8.5 hectares. The underground route of the drilling operation was not included within the earlier planning application refused by SCC (see above, ref: MO09/0110 – allowed at appeal), which sought planning permission for the over ground exploratory drill-site operations.
10. The applicant has submitted five other planning applications seeking approval of details pursuant to conditions on appeal decision ref: APP/B3600/A/11/2166561. These are:
 - Application ref: MO/2016/1009 - details of a Dust Suppression Scheme pursuant to Condition 7, details of a Method Statement for the geochemical baseline soil testing pursuant to Condition 12, details of a Method of Construction / Reinstatement Statement pursuant to Condition 21, details of measures necessary to keep the public highway clean pursuant to Condition 22, and details of in-cab cameras / CCTV pursuant to Condition 23. This application was approved in December 2016.
 - Application ref: MO/2016/0981 - details of Light Management Plan pursuant to Condition 11. This application was approved in December 2016.
 - Application ref: MO/2016/1194 - details of an Ecological Monitoring and Management Plan pursuant to Condition 9. This application has yet to be approved.
 - Application ref: MO/2016/1292 – details of Groundwater Monitoring pursuant to Condition 15. This application was approved in October 2016.
 - Application ref: 2016/0194 – details of a landscape and restoration plan pursuant to Condition 14. This application has yet to be approved.
11. The applicant has also submitted a planning application (ref: MO/2016/1563) for the installation of perimeter security fencing including 2m high heras fencing and 3m high deer proof fencing around the appeal site alongside an office and WC at the site entrance; and office, welfare accommodation, water, fuel and a generator. This application has yet to be determined.

THE PROPOSAL

12. The applicant has submitted a planning application seeking to discharge Condition 20(ii) from appeal decision ref: APP/B3600/A/11/2166561. The condition is as follows:

- Condition 20(ii)*
- Details of a pre and post development condition survey (method statement)*
- No works shall comment unless and until:*
- i. A pre-development condition survey of Knoll Road and the section of Coldharbour Lane from the application site to Knoll Road (the route for HGVs agreed in the Traffic Management Scheme) has been carried out and submitted to the County Planning Authority and approved in writing*
 - ii. A method statement has been submitted to the County Planning Authority and approved in writing identifying how any damage to the carriageway or highway verge, which may be inadvertently caused as a result of the development, will be made safe and remediated by the developer*

In the event of damage to the banks (as opposed to verges) of Coldharbour Lane (which it is agreed cannot be repaired), the method statement shall include steps to be taken to minimise the impact of the damage.

A post development condition survey of Knoll Road and the section of Coldharbour Lane from the application site to Knoll Road (the route for HGVs agreed in the Traffic Management Scheme) shall be undertaken by the developer and submitted to the County Planning Authority within three months of the completion of the development hereby approved. As part of this survey, a scheme, including the method of payment at the developer's expense, for the remediation of any damage to the public highway and its verges resulting from the passage of relevant vehicles (as defined in Condition 16) shall be submitted to and approved in writing by the County Planning Authority.

13. As can be seen above Condition 20 includes a number of parts. Part (i) requires the submission of a pre-development condition survey. This survey would be to establish what the condition is of the public highway (i.e. the road and the verges) at that point in time. This type of survey is normally conducted immediately prior to the commencement of development to have as close to accurate account of the condition of the public highway on commencement of development. Because of this, the pre-condition survey required by Part (i) will be submitted at some stage in the future and is not for consideration now.
14. The second part of Condition 20, (ii) requires a Method Statement to be submitted to outline how damage, which may be inadvertently caused as a result of the development, will be made safe and remediated. As this part of the condition is not time restrained, the applicant has submitted this Method Statement now for approval from the County Planning Authority and its detail is set out below.
15. In addition to this, Condition 20 also requires the submitted Method Statement to include steps to be taken to minimise the impact of damage to the banks of Coldharbour Lane, the sunken lanes. The submitted Method Statement seeks to address this point and is covered below.
16. The final part of Condition 20 is that a post development condition survey of the public highway be submitted to the County Planning Authority for approval. The post development survey would be conducted to see if any damage to the public highway had occurred as a result of the development after it is completed, and if there is damage how it would be remediated and how it would be paid for. This part of Condition 20 cannot be carried out until the development has commenced and finished therefore it will be submitted at a later stage and is not for consideration now.
17. The only aspect of Condition 20 that is for consideration as part of this submission is the Method Statement as required by Condition (ii) and in relation to minimisation of damage

to the banks. And there is no requirement for the County Planning Authority to wait for the pre and post condition surveys or to delay in approving this application.

Survey

18. That a survey of the public highway including the verges and the sunken lanes would be carried out prior to the development and this would be a joint survey with Surrey County Council including a video survey of the road and verges. This would help identify areas where existing damage is, which would be recorded and photographed. Following this, a report would be compiled which would be submitted to Surrey County Council for approval. A watching brief would then be in place in the interim period between the survey date and the commencement of the site operations so that any additional defects can be documented and notified to the County Highway Authority.
19. Following completion of the development proposal, another survey would take place and the condition of the highway recorded in the same way as for the initial pre-entry survey. The Method Statement states that this survey would be carried out within 2 weeks of the completion of the development.

Minimisation of damage

20. During the lifetime of the development proposal, all HGVs and any vehicle bringing in parts of the drill rig would be fitted with CCTV cameras with forward facing capability and the capability to cover the width of the carriageway and immediate highway verges/banks to monitor and record driving along Knoll Road and Coldharbour Road.
21. Condition 20 does outline that the method statement shall include steps to be taken to minimise the impact of any damage that may inadvertently be caused to the banks of the sunken lane. It is accepted that any damage to the sunken lane cannot be repaired. The Method Statement outlines that the condition of the banks and carriageway in the sunken lane would be viewed at least twice each working day, before and after the working day, with additional inspections should an incident occur. Minimisation of damage to the sunken lanes will also be provided through the use of CCTV in cab cameras.

Repair

22. The Method Statement outlines that the driver of the escort vehicle which would accompany the vehicles bringing in the rig, will be instructed to report any incidents of damage to the Supervising Engineer without delay. Where incidents of damage occur, the Supervising Engineer for the applicant would inform the County Highway Authority within 48 hours of the incident taking place. The Method Statement also covers the programme of repairs that may be needed to make good any damage that may arise as a result of the development proposal. For example any displacement of kerbs would be rectified by lifting and re-bedding the kerbs on completion of development; where a pothole develops it would be temporarily patched and then fully reinstated at the end of the development. The Method Statement does say that any overrunning of verges that is attributable to development traffic would be remediated by rebuilding and reseeded.

CONSULTATIONS AND PUBLICITY

District Council

23. Mole Valley District Council : No objection

Consultees (Statutory and Non-Statutory)

24. County Biodiversity and Ecology Manager : Requests that paragraph 2.7 is amended to say that a schedule of repairs should be drawn up with both the County Highway Authority and County Planning Authority.
Officer comment: this paragraph has been amended.

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| 25. | Transportation Development Planning | : | No objection subject to the imposition of a condition |
| 26. | Rights of Way | : | No comments received |
| 27. | Surrey Hill AONB Office | : | No comments to make |
| 28. | Forestry Commission | : | Requests Natural England's and the Forestry Commission Standing Advice is taken into account |
| 29. | National Trust | : | No comments to make |

Parish/Town Council and Amenity Groups

30. Capel Parish Council : Comments that the acceptability of the proposed approach depends critically on its actual implementation. Comment that the implementation seems to be based on the proactive engagement of the applicant's contractors to identify and bring to the attention of the Council any damage that has been caused or is in danger of being caused. Consider that a third party, such as Capel Parish Council, would have an inspection role on the grounds. There could be seen to be a conflict of interest for the applicant contractors in identifying such damage and agreeing on its repair. Capel Parish Council also want an undertaking from the County Highway Authority as to their active involvement. Unless these monitoring conditions are resolved to the satisfaction of Capel Parish Council they object to the submission.
31. Officer comment on Capel Parish Council comments: Surrey County Council is the Highway Authority with responsibility for Coldharbour Lane. It is for the Highway Authority to determine the extent of any damage and the extent of any repairs necessary. If Capel Parish Council wish to monitor damage for their own purposes, they are entitled to do that, but as they have no statutory role in respect of the highway, it would not be reasonable to include them in the methodology.
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| 32. | Holmwood Parish Council | : | No comments received |
| 33. | Dorking & District Preservation Society National Trust | : | No comments received |
| 34. | Westcott Village Association | : | No comments received |
| 35. | Wotton Parish Council | : | No comments received |
| 36. | Leith Hill Action Group (LHAG) | : | Concern is not with the detail of the document but with Officer's acceptance of its underlying implication that damage is unlikely. Damage is not at all "unlikely"; indeed it is a near certainty. All literature on the subject suggests that pavement damage, particularly fatigue cracking, is proportional to at least the fourth power of axle weight. And CCTV might show that damage has been caused to the pavement, but it will not show it being caused. We therefore suggest that if the document is accepted in its current form, officers take the approach of assuming damage to the road <u>will</u> be caused and organise their inspections according to this assumption. |
37. Officer comment on LHAG comments: Officers recognise that given the number of HGVs generated, there is a higher than average probability that, if there is damage, it will have been caused by the applicant. As service vehicles to and from Coldharbour village plus Forestry Commission vehicles servicing the woodlands also use this route, it is unreasonable to suggest that any damage should automatically be attributed to the applicant. Absolute proof will be difficult in respect of potholes and other damage to the road surface but this will be picked up on the CCTV and in the twice daily visual inspections. Officers consider that the greatest likelihood of damage will occur when the rig and other articulated vehicles are driven down to the site (and the road is closed to other vehicles so it will be clear who caused it) and if vehicles meet one another on Coldharbour Lane and are unable to pass without driving on the banks/ verges/haunches of the road. However, the vehicles accessing the site will be escorted and the Method Statement states that 'the driver of the escort vehicle will be instructed to report any incidents of damage to the Supervising Engineer without delay' (paragraph 2.5). This, in

combination with the twice daily inspections and the CCTV record should be sufficient to attribute damage.

38. CPRE : No comments received
 39. Frack Free Surrey : No comments received

Summary of publicity undertaken and key issues raised by public

40. The application was publicised by the posting of eight site notices. A total of 291 owner/occupiers of neighbouring properties were directly notified by letter. 12 letters of representation have been received in relation to this proposal raising the following concerns:
- a. The applicant must not be allowed to appeal the conditions [imposed on the Appeal Decision] and [the applicant] must comply with their work.
 - b. The applicant is seeking to eliminate the pre and post development condition survey requirements and this should not be allowed to happen
 - c. The condition is of vital importance to the ancient sunken lane of Coldharbour Lane being of historic and environmental significance. It is inevitable that the lane will be damaged by the number of HGV movements planned. The work must be planned to ensure the least damage to this lane.
 - d. Work should not proceed if the applicants will not ensure that damage to Knoll Road and Coldharbour Lane will not be adequately recompensed.
 - e. Leith Hill is an AONB.
 - f. None of the residents want this [the drilling] to happen and the drilling will harm the aquifer
 - g. A celebrated landmark destroyed and an attraction for cyclists and horse riders ruined.
 - h. HGVs and cyclists cannot co-exist on narrow roads of Leith Hill. The lanes leading to it are extremely narrow and unfit for HGVs
 - i. The HGVs are going to do great damage to Coldharbour Lane
 - j. Condition 20 follows on from conditions 18 and 19. There is a logical dependency of the former on the latter and they should be submitted in this order. This application should not be determined until the Traffic Management Plan is submitted.
 - k. The proposal only deals with ground level damage to the road surface, kerb and verges. What about damage to power lines, telephone cables, street lighting. What about damage to tree branches which could then cause danger to subsequent road users. How would such damage be monitored and remedied?
 - l. What about temporary damage to the road from vehicles returning onto the road from site and leaving large soil deposits over the tarmac.
 - m. What would happen if liquids leak onto the road surface?
 - n. If excess water is on the road surface as a result of cleaning up a soil deposit, and the temperature drops below freezing, how would this be monitored
 - o. The applicant is proposing twice daily inspections will be performed "before and after the working day". Is this within the hours stipulated in Condition 17. How would the daily surveys be conducted? The applicant should submit daily video archives of either paired HGV/escort vehicle footage showing the state of the road before and after each HGV passage or else they should submit a daily archive of the first run survey; all time coded.
 - p. The large number of HGV movements up and Coldharbour Lane is not appropriate for the narrow rural road. Some damage to the ancient banks of the sunken lane will occur.
 - q. The survey should include information on the dimensions of the rig, the largest HGV, the Lane and demonstrate vehicles can use the Lane without irreparable damage.
41. Officer comment: (j) The Traffic Management Plan (conditions 18 and 19) are to regulate the passage of HGVs to/ from the application site however this application is with regards to repair to the public highway should damage occur. They are not interdependent. (k) There is a sequence of photographs taken by the applicant's consultant at points down the lane showing the available clearance (submitted as part of the planning application). These photographs were able to demonstrate that, at that time, there was sufficient clearance for the drilling rig. This current application does not

concern itself with powerlines, telephone cables, street lighting and tree branches as these were covered as part of the planning appeal. (l and m) Planning application ref: MO/2016/1009 (approved December 2016) provides details for ensuring the highway is kept clean including the use of a sweeper. (o) The daily surveys would involve viewing the banks and carriageway. (q) the dimensions of the proposed rig were provided as part of the Public Inquiry for the planning appeal. The sizes and weights of all the vehicles were rigorously examined during the Public Inquiries and the Inspectors at both inquiries were satisfied that there were no issues about load sizes and weight that merited further investigation or action.

PLANNING CONSIDERATIONS

42. The guidance on the determination of planning applications, found at the end of this report, is expressly incorporated into this report and must be read in conjunction with the following paragraphs. In this case the statutory development plan for consideration of the application consists of the Surrey Minerals Local Plan 2011 (SMP2011), the Mole Valley Local Plan 2000 (MVL2000) and the Mole Valley District Core Strategy 2009 (MVCS2009). Additionally consideration should be given to the Surrey Hills AONB Management Plan 2014 – 2019, the Forestry Commission guidance and also the Standing Advice on Ancient Woodland. In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations.
43. Coldharbour Lane (D289) is an unclassified rural road that links the village of Coldharbour to the south, with Dorking to the north. The lane undulates and has a number of bends along its length. There are sections along the lane north of Logmore Lane where there is a verge, however in other places the road is a sunken lane with high, steeply sloping vegetated banks. There are trees and hedgerows alongside the lane and areas where the tree canopy has grown across to cover the highway. In some instances, tree trunks have grown out over the carriageway. The most constrained section of the lane can be found in the 1.74 km section south of the Logmore Lane junction. Lanes of this type are a characteristic features of the AONB.
44. Much concern was raised with regards to the potential impact and permanent damage from HGVs using Coldharbour Lane to access the application site, on the sunken lanes. Additionally that the sunken lanes had inadequate capacity to accommodate the traffic being proposed.
45. Coldharbour Lane varies in width along its length, ranging from 5.93m to 3.8m. It is generally accepted that two goods vehicles can pass one another with care within a carriageway width of 5.5m. Similarly, a car and a goods vehicle can pass one another within a carriageway width of 4.8m. Quite clearly, with a carriageway width that varies between 5.93m and 3.8m, there are sections of Coldharbour Lane that cannot accommodate even a car and an HGV passing and most certainly not two HGVs. As part of the original planning application, the applicant measured the road at intervals of approximately 150 m and from this has identified the areas with adequate width to allow two HGVs to pass, areas where an HGV and car can pass and the sections of the road where only cars can pass. A tree foliage survey was also undertaken to identify constraints posed by overhanging trees and branches. This was all taken into consideration as part of the Appeal.
46. Forestry Commission vehicles do access the site from time to time to remove felled trees and these large articulated trailers therefore use Coldharbour Lane. Delivery vehicles accessing the village of Coldharbour also utilise Coldharbour Lane. It is therefore accepted that the proposed route is used by HGVs from time to time, but normally not at the intensity proposed for the short period in the application.

47. In assessing the application against development plan policy it will be necessary to determine whether the proposed measures for mitigating any environmental impact of the development are satisfactory. In this case the main planning considerations are whether the submitted Method Statement meets the requirements of Condition 20(ii). Condition 20 also requires a pre-commencement condition survey of the highway and a post-completion condition survey, both of which are time sensitive and cannot be completed at this stage but, with regards to the pre-commencement survey, will be submitted at a point close to commencement of development; and for the post development survey when the development proposal has ceased. The consideration here is for the Method Statement component of Condition 20 which can be considered in advance of the highway condition survey being carried out.
48. What should be noted is that Condition 20, as imposed by the Planning Inspectorate, on requires a survey to be carried out of the condition of the Knoll Road and the section of Coldharbour Lane from the application site to Knoll Road; and for details of how any damage to the carriageway or highway verge would be remediated. Condition 20 does outline that in the event of damage to the banks of the sunken lane (as opposed to verges) that the Method Statement include details of steps to be taken to minimise the impact of the damage as it was agreed at the Public Inquiry that any damage to the banks of the sunken lane could be not repaired. Therefore in assessing the detail in the Method Statement, consideration should be given to whether the information provided satisfies the requirements for repairing and remediating the carriageway and verges; and the minimisation of damage to the banks in the sunken lane.

The Method Statement including repairing and remediating the carriageway and verges

Surrey Minerals Plan 2008

Policy MC14 – Reducing the adverse impacts of mineral development

Policy MC15 – Transport for minerals

Mole Valley Local Plan 2000

Policy MOV2 – Movement Implications of Development

49. Policy MC14 of the SMP2011 seeks to reduce the adverse impacts of mineral development requesting sufficient information be provided so that the mineral planning authority can be satisfied that there would be no significant adverse impacts arising from the development. The policy says that in determining the planning application for mineral development, potential impacts with regards to traffic generated by the development will be considered. Policy MC15 specifically deals with highway matters. The policy states that mineral development involving transportation by road will be permitted where arrangements for site access and the traffic generated by the development would not have any significant adverse impacts on the environment or effective operation of the highway network. The policy supporting text outlines that it is important that mineral development does not compromise highway safety and where costs for improvements are incurred, these are met by the mineral operators rather than the community.
50. Policy MOV2 of the MVL2000 states development will only be permitted where it can be demonstrated that the proposal can be made compatible with the environmental character of the area. The policy requires developers to contribute to transport initiatives or highway works. There is no relevant policy within the MVCS2009.
51. The applicant has submitted a Method Statement to meet the requirements of Condition 20(ii) and detail of its content is provided above. The County Highway Authority having reviewed the submission, consider the submission is an appropriate approach for the applicant to take and raise no objection to its content in terms of how the relevant public highway would be surveyed, monitored and (if required) remediated.
52. The County Highway Authority have reviewed the submitted Method Statement and commented that the methodology proposed is sound and contains adequate provision to

deal with any damage arising in both the short and longer term. It contains the commitment from the developer to meet the cost of any damage attributable to their works and therefore there should be no cost to the Council Tax payers of Surrey. The ability to require developers to pay for this type of 'extraordinary maintenance' is enshrined in Section 59 of the Highways Act 1980 and it is right that the applicant should meet the cost.

53. The County Highway Authority has commented that the applicant needs to take account of the RideLondon requirements for Coldharbour Lane in their programming of any works for all development phases. Coldharbour Lane is part of the route for RideLondon when the professional peleton cycle along the road as part of the 'Classic' event. The road surface will need to be in the same condition as when initially surveyed - or improved upon – when this annual event takes place. The 2017 date for the event is Sunday 30th July and it is generally held around this date. The County Highway Authority comment that no repairs should be at any interim stage, that all will need to be permanently reinstated and that such repairs should have been completed one week before the event at the latest in order to allow a Surrey re-inspection of any repairs made pre event. The road should also be clear of any site-related detritus. Consequently the applicant will need to schedule their works around this. The County Highway Authority raise no objection to the Method Statement submitted to satisfy Condition 20(ii) but request a condition be imposed that the applicant should ensure that any works required should not conflict with the RideLondon event and the surface of the road is in the same condition as that when initially surveyed when the event takes place.
54. Officers agree with the County Highway Authority's request with regards to the RideLondon event and consider that the imposition of a condition on any approval of these details is necessary to ensure the public highway is of a standard suitable for this event. Officers consider such a condition would be relevant to the proposal and to planning and would meet the six tests as required by para 003¹ of the NPPG.

Minimising Damage to the Sunken Lane

Surrey Minerals Plan 2008

Policy MC14 – Reducing the adverse impacts of mineral development

Policy MC15 – Transport for minerals

Mole Valley Core Strategy 2009

Policy CS15 – Biodiversity and Geological Conservation

55. As Condition 20 states that “*in the event of damage to the banks (as opposed to verges) of Coldharbour Lane (which is agreed cannot be repaired), the method statement shall include steps to be taken to minimise the impact of the damage*” it is relevant to consider as part of this application to measures and steps the applicant proposes to minimise the damage to the sunken lane and banks.
56. Policy MC14 of the SMP2011 states that mineral development will only be permitted where sufficient information has been provided to demonstrate the proposal will not result in significant adverse impacts arising from the development with regards to the natural environment. Policy MC15 of the SMP2011 states that mineral development involving transportation by road will be permitted only where traffic generated by the development would not have any significant adverse impacts on the environment. Policy CS15 of the MVCS2009 states that biodiversity will be protected and enhanced; and that trees should be retained. Ancient woodland is referred to within the policy supporting text as part of this requirement.
57. The NPPF paragraph 118 states “*planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including*

¹ Paragraph 003 Ref ID: 21a-003-20140306

ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss". The NPPG paragraph 022² recommends that the Forestry Commission be consulted on proposals that are likely to affect Ancient Semi-Natural woodlands or Plantations on Ancient Woodlands Sites; and that the Standing Advice is consulted.

58. The Standing Advice sets out what Ancient Semi-Natural Woodland is and that potential impacts to such woodland can include damaging or destroying the trees or woodland, damaging or killing veteran trees or parts of them, damaging roots or soils as well as the understorey, polluting the ground, changing the woodland's water table or drainage; and damaging archaeological features. The Advice goes on to outline that development nearby can include effects on the trees and woodland where there is compacting of the soil around tree roots, breaking up or destroying connections between woodland, reducing the amount of habitat next to ancient woodland, changing the water table and drainage, increasing the amount of pollution, increasing disturbance to wildlife from traffic, increasing light pollution; and changing the landscape character of the area.
59. The Standing Advice outlines that the starting point is to avoid by redesigning the scheme. However if this cannot be done, to then look to appropriate mitigation or compensation. However compensation should not form part of the benefits of the proposal.
60. The Method Statement required by Condition 20(ii) is to focus on the public highway and if damage were to occur to the public highway, i.e. to kerbs, creating potholes or failure of pavements; that these would be repaired. The relevant component of the Method Statement that could affect Ancient Woodland could be the potential for damage to the verges or sunken lanes the damage. Ancient woodland lines the northern part Coldharbour Lane to the west at the Fir Plantation and then along both sides of Coldharbour Lane from the junction with Logmore Lane to the application site.
61. The Inspector acknowledge the need for mitigation and management of the HGVs travelling along Coldharbour Lane with regards to the sunken lane and the banks requiring protection from 'erosion' caused by passing vehicles. The Inspector also made reference to the understorey of the trees along Coldharbour Lane being cleared to provide adequate visibility but that such vegetation would regenerate. The Inspector was clear at paragraph 70 that the key would be prevention to avoid harm to the banks and consequently also, the ancient woodland. The Inspector stated this would be provided due to Coldharbour Lane being wider than a HGV. The Inspector also acknowledged that some preventative measures could cause more harm than good. The Inspector commented "*the potential for damage to the banks on the section of sunken lane, though the risks of damage could be reduced by the installation of in-cab cameras*" (page 9³).
62. The Inspector went on to say "*the banks of Coldharbour Lane are of a particularly important feature of sunken lane and need to be protected from 'erosion' caused by passing vehicles. Crucially prevention is key. No-one could advance a realistic solution for remediation of the banks following damage. Having said this, it is necessary to be realistic about the level of risk that would be caused by the HGV movements etc to and from the appeal site*" (page 14⁴). The prime methods of prevention the Inspector considered necessary for this proposal was the provision of in-cab cameras to record activity from the HGVs accessing and egressing the site; and the use of banks men.
63. The Method Statement outlines that HGVs and any vehicle carrying parts of the drill rig would be fitted with in-cab CCTV with forward facing capability with the capability to cover the width of the carriageway and immediate highway verges/ banks to monitor

² Paragraph 22 Ref ID: 8-022-20160519

³ Appeal Decision APP/B3600/A/11/2166561

⁴ Appeal Decision APP/B3600/A/11/2166561

driving along Coldharbour Lane where there is ancient woodland. This requirement accords with the Inspectors requirements and would assist in recording activity from the HGVs.

64. Officers consider the best approach to protecting the sunken lanes and the ancient woodland is prevention i.e. driving at slow speeds, the use of banks men and using cameras. Officers recognise and accept that any damage that may occur to the sunken lanes would not be reparable. Condition 20 requests steps to be provided as to minimise the impact of the damage to the banks in the event of damage occurring and the submitted Method Statement outlines that there would be twice daily surveys of Coldharbour Lane to record any such damage which would be reported to the County Highway Authority. In such instances that damage may occur to the sunken lanes, the twice daily surveys would record such damage such that future HGV movements along Coldharbour Lane should not seek to exacerbate that situation.
65. As outlined above, Officers recognise that whilst damage to the sunken lanes would be irreparable, not exacerbating that damage is imperative. Officers are satisfied that the Method Statement as put forward sets out measures to protect the sunken lanes from damage in the first instance and then secondly through the carrying out of twice daily checks. Officers consider the applicant has provided information sufficient to satisfy the requirements of the condition.

HUMAN RIGHTS IMPLICATIONS

66. The Human Rights Act Guidance for Interpretation, contained in the Preamble to the Agenda is expressly incorporated into this report and must be read in conjunction with the following paragraph.
67. In this case, it is the Officers view that whilst damage to the sunken lanes is irreparable that the Method Statement as submitted is not considered sufficient to engage Article 8 or Article 1. As such, this proposal is not considered to interfere with any Convention right.

CONCLUSION

68. The applicant has submitted a Method Statement to comply with the requirements of Condition 20(ii) to identify how any damage to the carriageway or highway verge which may be inadvertently caused will be made safe and remediated. The submitted Method Statement sets out information to address this including the carrying out of twice daily inspections of the banks and sunken lane; and that should any damage occur that a schedule of repairs would be drawn up. The Method Statement also sets out measures should any damage require immediate restoration such as displacement of kerbs or potholes.
69. In addition to this, Condition 20 requires that the Method Statement include steps to be taken to minimise the impact of damage to the banks of the sunken lane. Officers recognise that damage to the sunken lanes is irreparable and the Method Statement outlines preventative measures to ensure the lanes would not be damaged including the provision of in-cab cameras and reporting any incidents of damage without delay so as not to exacerbate any damage. Banksmen will also be provided to walk alongside the HGVs.
70. Officers are satisfied that the Method Statement submitted provides the information as required by Condition 20(ii). Officers are also satisfied that the Method Statement provides information as to how damage to the sunken lanes would be minimised.

RECOMMENDATION

That application **MO/2016/1848** be approved.

Conditions:

1. The development hereby approved shall be carried out in all respects in accordance with the following plans/drawings:
Drawing 4100 RS 01 "Extent of Road Condition Survey Condition 20", June 2016
2. The applicant shall ensure that works do not conflict with the RideLondon event in any year and that the road surface is in the same condition as when initially surveyed - or improved upon – when this event takes place. No repairs should be at any interim stage - all will need to be permanently reinstated. Such repairs should have been completed one week before the event at the latest in order to allow a Surrey re-inspection of any repairs made pre event. The road should also be clear of any site-related detritus.

Reasons:

1. To ensure the permission is implemented in accordance with the terms of the application and to enable the County Planning Authority to exercise planning control over the development pursuant to Surrey Minerals Plan 2011 Policy MC14
2. To ensure the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Surrey Minerals Plan 2011 Policy MC15.

Informatives:

1. In determining this application the Minerals Planning Authority has worked positively and proactively with the applicant by: entering into pre-application discussions; assessing the proposals against relevant Development Plan policies and the National Planning Policy Framework including its accompanying technical guidance, providing feedback to the applicant where appropriate. Further, the Minerals Planning Authority has: identified all material considerations; forwarded consultation responses to the applicant; considered representations from interested parties; liaised with consultees and the applicant to resolve identified issues. Issues of concern have been raised with the applicant including impacts of and on traffic/ecology and addressed through negotiation and acceptable amendments to the proposals. This approach has been in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework 2012.

CONTACT

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020 8541 7107

BACKGROUND PAPERS

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

Government Guidance

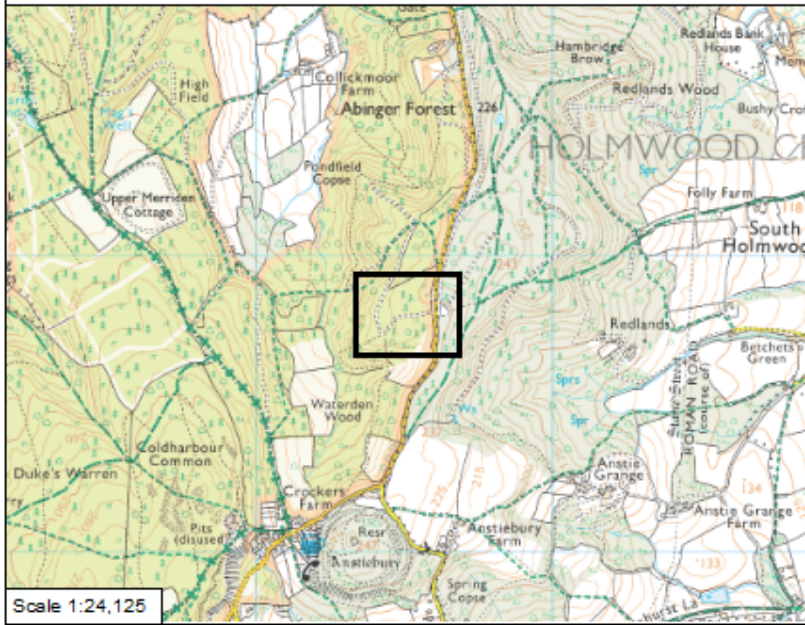
[National Planning Policy Framework 2012](#)
[Planning Practice Guidance](#)

The Development Plan

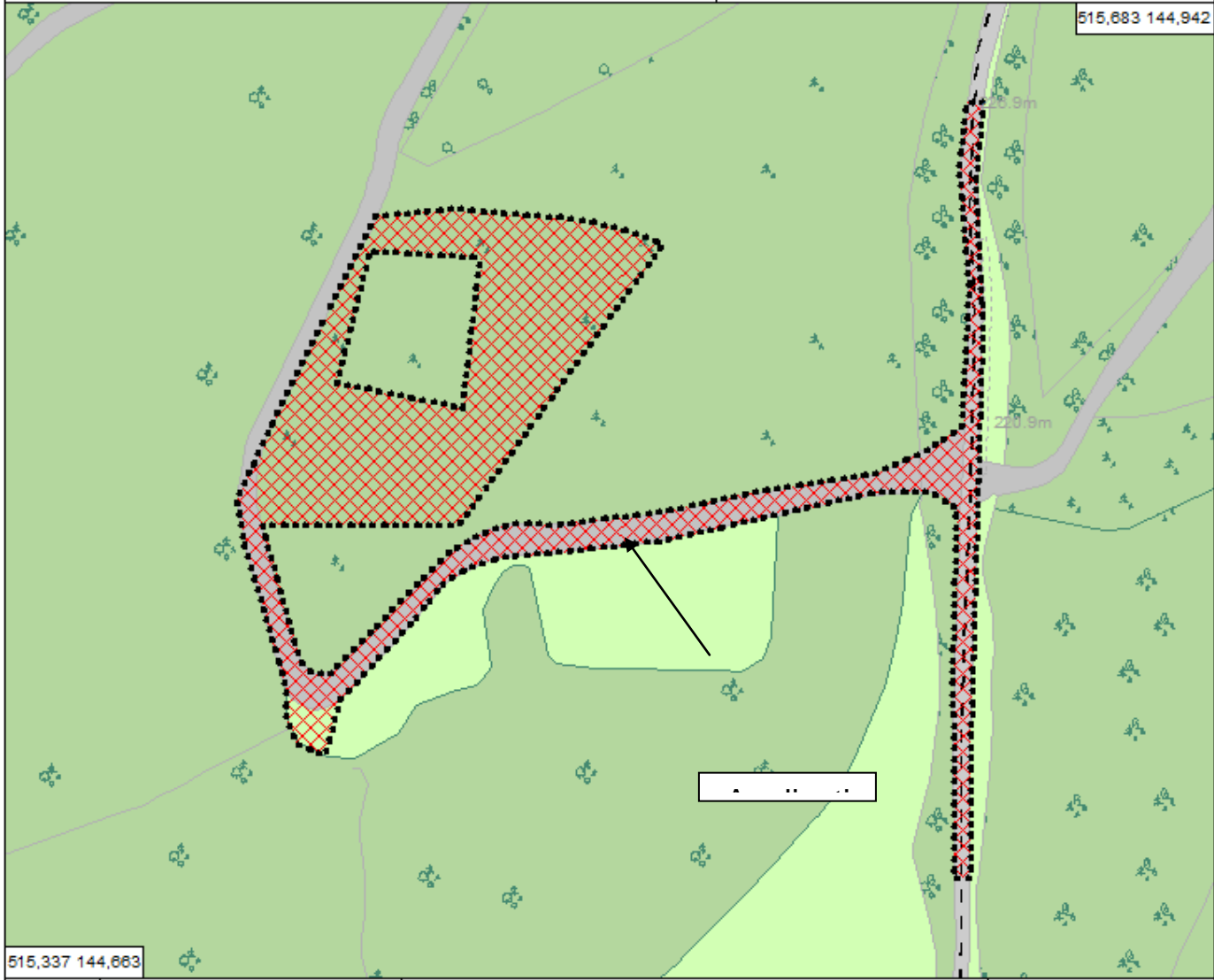
[Surrey Minerals Plan Core Strategy Development Plan Document \(DPD\) 2011](#)
Mole Valley Local Plan 2000
Mole Valley Core Strategy 2009


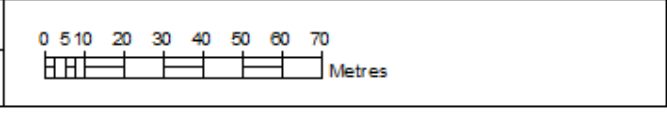
Other Documents

Standing Advice for Ancient Woodland and Veteran Trees, Forestry Commission England and Natural England, 2014

<p style="text-align: center;">Site Location</p>  <p>Scale 1:24,125</p>	<p>Land at Bury Hill Wood, off Coldharbour Lane, Holmwood, Surrey RH5 6HN</p> <p>Details of a pre and post development condition survey (method statement) pursuant to Condition 20 (ii) of appeal ref: APP/B3600/A/11/2166561 dated 15 August 2015.</p> <p>Application No(s): MO/2016/1848</p> <p>Electoral Division(s): Dorking Hills, 13907</p>
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	<p>Ref No: SCC REF 2016/0193</p> <p>Date printed: 06/02/2017</p>		<p>Scale 1:1,800</p>
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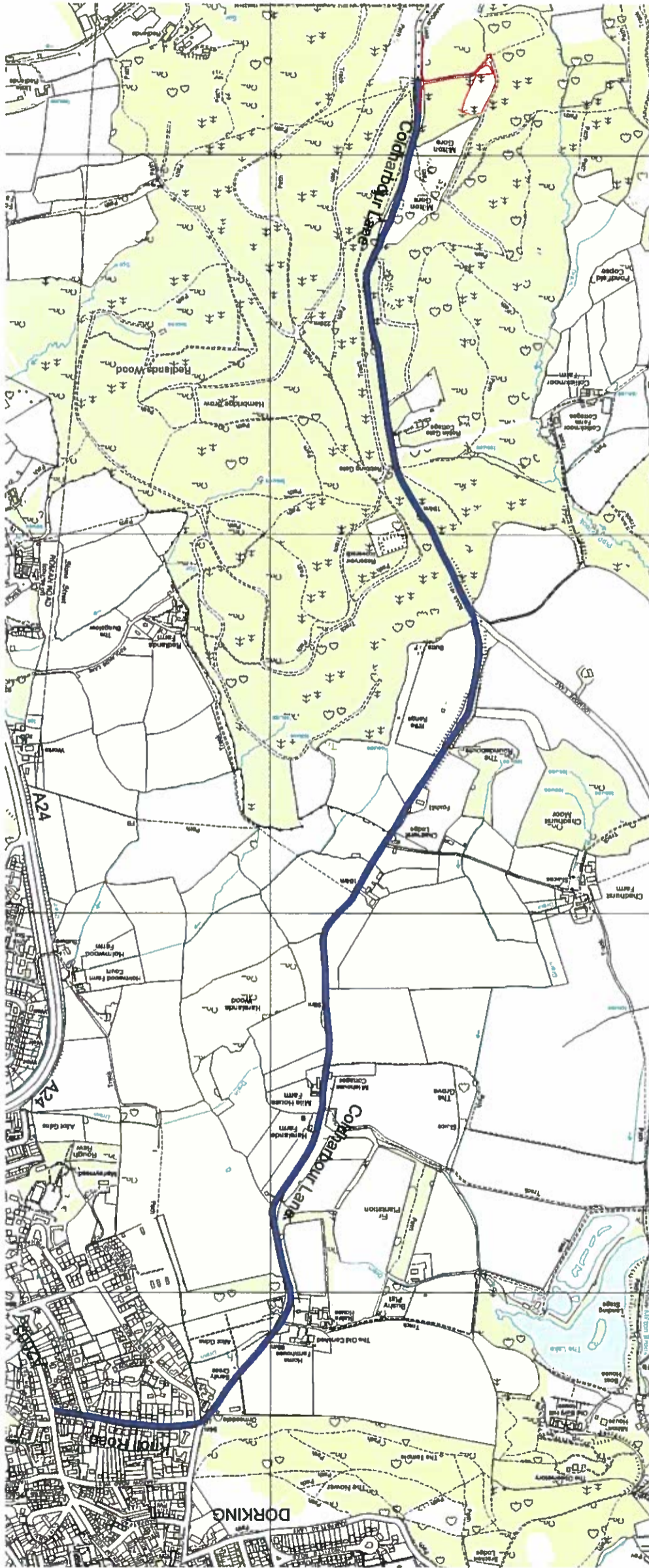
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Sway
Lymington
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SO41 6EB

Europa Oil & Gas (UK) Ltd
Bury Hill Woods
Coldharbour
Surrey
PEDL 143
Holmwood Prospect

Drawn By: AJNE
Date: June 2016
Sheet Size: A3
Drawing Title: Extent of Road Condition Survey
Condition 20 Scale 1:12,500
Drawing Number: 4100 RS 01

Condition 20 - Extent of Road Condition Survey

Scale 1:12,500

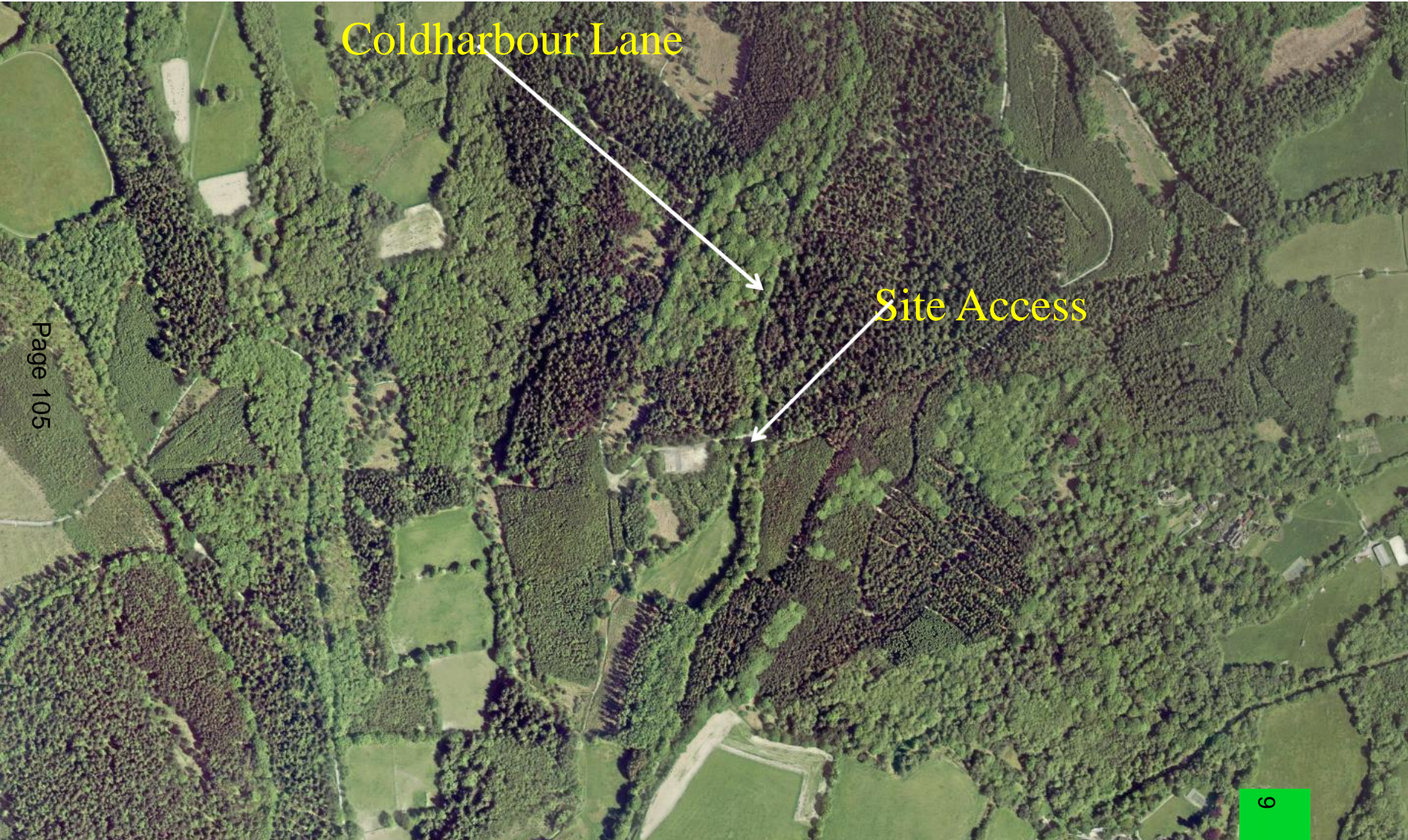


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Aerial Photos



Aerial 1: Land at Bury Hill Wood,
off Coldharbour Lane, Holmwood, Surrey



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Aerial Photos

Aerial 2: Land at Bury Hill Wood, off Coldharbour Lane, Holmwood, Surrey



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Application Site (Rig Area)

Coldharbour Lane

The Access Road



All boundaries are approximate

Photo 1 – Knoll Road



Photo 2 – Coldharbour Lane, looking South



Photo 3 – Coldharbour Lane, looking South



Photo 4 – Coldharbour Lane



TO: PLANNING & REGULATORY COMMITTEE**DATE:** 22 February 2017**BY:** PLANNING DEVELOPMENT TEAM MANAGER**DISTRICT(S)** REIGATE & BANSTEAD BOROUGH
COUNCIL
TANDRIDGE DISTRICT COUNCIL**ELECTORAL DIVISION(S):**Redhill East
Mr Essex
Godstone
Mrs Windsor**PURPOSE:** FOR DECISION**GRID REF:** 529253 150365**TITLE:** MINERALS/WASTE RE16/02710/CON**SUMMARY REPORT****Land at Patteson Court Landfill, Cormongers Lane, Redhill, Surrey RH1 4ER**

Construction of a new internal road and realignment of the existing internal haul road, installation of two additional weighbridges and associated offices, overflow car park, bund; and removal and replacement of hedgerow.

Patteson Court Landfill lies approximately 700 metres (m) east of Redhill and approximately 1.5 kilometres (km) west of the village of Nutfield within the Metropolitan Green Belt. The combined area of the Patteson Court Landfill extends to some 66 hectares approximately 85m north of the A25 Nutfield Road and is bounded to the east by Cormongers Lane and to the north and west by Redhill Brook. Beyond Redhill Brook to the north lies the Moors Nature Reserve with the new residential development, Water Colour beyond this. Beyond the Redhill Brook to the west lies the London to Brighton railway line with residential properties beyond. The border of Tandridge District Council lies approximately 450m to the east. The site is overlooked from the Surrey Hills Area of Outstanding Natural Beauty (AONB), which lies approximately 1.4km to the north. The landfill site and the Moors to the north lies within the Holmethorpe Sandpit Complex Site of Nature Conservation Importance (SNCI).

The landfill site is divided into two sections: the South West area and the North East quadrant. Restoration of the landfill site is continuing with restoration works having taken place in the western part of the landfill site. Landfilling activities continue in the north east quadrant of the landfill site. The southern most part of the landfill site is due to have restoration completed by the end of 2017.

The applicant has submitted this planning application to provide a series of internal improvements for Heavy Goods Vehicles (HGVs) accessing the site. This includes the provision of two additional weighbridges (one for inbound HGVs and one for outbound HGVs) and the construction of a new internal access road for cars and Light Goods Vehicles (LGVs) to use. The applicant states that by providing two new weighbridges (the site currently has two weighbridges) this would allow for HGVs to be checked into the landfill site quicker and thereby reduce the queuing of HGVs on the internal haul road which leads down to Cormongers Lane. This in turn would assist in reducing the potential impact of HGVs queuing on the public highway. The applicant also states that removing cars and LGVs from the internal haul road and having them use their own internal road to the car parking area/ site office, this too would reduce the impact of queuing.

In order to accommodate the new weighbridges the hardstanding around the weighbridges would need to be widened to provide sufficient room for HGVs to get to/ from the weighbridges. This would result in some 140m of existing hedgerow being removed and the need to relocate the existing maintenance/ storage area and the overflow car park area. The application therefore

includes measures for a new maintenance/ storage area and a new overflow car park adjacent to the area where they have historically been based. The application also includes mitigation measures for the loss of the hedgerow including the provision of replacement hedgerow longer than the length of hedgerow to be removed alongside two new bat boxes and five new bird boxes.

Objection has been raised by Nutfield Parish Council on the grounds that they are concerned by the number of HGVs accessing the landfill site, that there is queuing of HGVs onto the public highway early in the morning; and that drivers of the HGVs do not have adequate welfare facilities and are mistreating the area. The proposal does not seek to increase the number of HGVs to the landfill site, which is limited by condition on other planning permissions for the landfill site. Officers note Nutfield Parish Council's other concerns but do not consider these relevant to this application. One letter of representation has been raised concerning empty HGVs travelling over speed humps.

Officers are satisfied the applicant has demonstrated the need for the proposal to increase efficiency at the site. No technical objection has been raised. Officers also consider the proposal need to amount to inappropriate development given the aspects proposed are to facilitate the efficient operations of the landfill site in the purpose of restoring a former mineral site.

The recommendation is to PERMIT subject to conditions.

APPLICATION DETAILS

Applicant

Biffa Waste Services Ltd

Date application valid

11 November 2016

Period for Determination

10 February 2017

Amending Documents

Email dated 17 January 2017 and accompanying plan R10310203 rev 3 dated 13 January 2017; letter dated 1 February 2017 detailing hedgerow planting mix.

SUMMARY OF PLANNING ISSUES

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

	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
Highways and Traffic	Yes	31-41
Landscape and Visual Impact	Yes	45-49
The Hedgerow – biodiversity and wildlife	Yes	50-60
Noise	Yes	61-63
Surface Water Drainage	Yes	64-66
Green Belt including restoration	No	67-81

ILLUSTRATIVE MATERIAL

Aerial Photographs

Aerial 1: Land at Patteson Court Landfill, Cormongers Lane, Redhill, Surrey

Aerial 2: Land at Patteson Court Landfill, Cormongers Lane, Redhill, Surrey

Site Plan

Plan 1

Site Photographs

Photograph 1: Existing weighbridge – looking eastwards

Photograph 2: Existing weighbridge in use – looking eastwards

Photograph 3: Existing overspill car parking area

Photograph 4: Existing hedgerow

Photograph 5: Proposed maintenance area

Photograph 6: Proposed car park area

Photograph 7: Proposed point at which new road would spur from existing access road

BACKGROUND

1. Patteson Court Landfill lies approximately 700m east of Redhill and approximately 1.5km west of the village of Nutfield within the Metropolitan Green Belt. The combined area of the Patteson Court Landfill extends to some 66 hectares approximately 85m north of the A25 Nutfield Road and is bounded to the east by Cormongers Lane and to the north and west by Redhill Brook. Beyond Redhill Brook to the north lies the Moors Nature Reserve with the new residential development, Water Colour beyond this. Beyond the Redhill Brook to the west lies the London to Brighton railway line with residential properties beyond. The border of Tandridge District Council lays approximately 450m to the east.
2. The nearest residential properties to the application site are those situated along the A25 including East Lodge, Patteson Court, Stable Cottage, Patteson Lodge, Ivy Cottage; and Hunters Lodge. Other residential properties within the vicinity of the landfill site are those at Chilmead Farm, which lie off Cormongers Lane to the north east; and the new residential properties at the Water Colour site to the north, properties at Wordsworth Mead to the south west; and The Warwick School grounds to the south west.
3. The landfill site is overlooked from the Surrey Hills Area of Outstanding Natural Beauty (AONB), which lies approximately 1.4km to the north. The landfill site and the Moors to the north lies within the Holmethorpe Sandpit Complex Site of Nature Conservation Importance (SNCI). Footpath 104 lies approximately 20m north of the application site beyond the landfill site boundary.
4. The landfill site is divided into two sections: the South West area and the North East quadrant. In accordance with planning permission ref: RE07/0791 surcharging activities have taken place in the South West area and restoration has commenced with the western most section being seeded in 2011 with land immediately to the north of that due to be seeded in the autumn 2012. Landfilling in the North East quadrant is currently taking place and is operated as a fully engineered containment site with both landfill gas and leachate being collected and treated before being discharged. Both the South West area and North East quadrant operate under an Environmental Permit each. In accordance with planning permission ref: RE07/0791 the landfill should be completely restored by 31 December 2030.

5. The application site is located along the southern boundary of the landfill site and consists of, and includes, the internal haul road from the point of entry from Cormongers Lane to opposite the site office, land approximately 15m north east of the site office currently in use as an overflow car park and storage area; and a strip of land some 300m in length and 3m wide approximately 15m north of the existing haul road which crosses over land identified as Phase 3 in the restoration phasing plan.

Planning History

6. Mineral extraction has taken place over an extensive area to the east of Redhill for over 100 years. Landfilling at Patteson Court Landfill commenced in the mid 1980's following the grant of planning permission ref: RE86/919. This allowed for landfilling of the site with a range of wastes including household and commercial and industrial waste with restoration to agriculture or forestry by 31 December 2014. This permission prohibited the deposit of non-inert waste below certain levels within the void to avoid groundwater contamination following the cessation of pumping and the recovery of groundwater levels. In 1999 planning applications refs: RE99/0352 and RE99/1124 were considered together at a public inquiry with permission being granted on 17 September 2002 subject to conditions under reference number APP/B3600/V/01/1067602. This planning permission permitted the deposit of non-inert waste below the water table (subject to the necessary containment measures); and alterations to the boundary of Patteson Court Landfill site.
7. In December 2007 planning permission was granted to allow a continuation of landfill activities at the site until 2030 and to increase the pre-settlement contour profile of the landfill site through the surcharge of additional waste (ref: RE07/0791); and for the construction and operation of a soil recycling facility (SRF) for the processing and recycling of contaminated soils through bio-remediation (ref: RE07/0786). The extension of time for operational activities at the landfill site was sought as a consequence of lower landfilling rates experienced at the landfill site than originally anticipated due to an increase in the diversion of waste away from landfill. The soils remediated through the soil recycling facility creates soils to be used on site for the purposes of daily landfill covering material and for the supply of restoration soils.
8. More recent planning permissions and approvals relating to the landfill site include:
 - An application for the retention of an existing electricity generating engine within an existing compound area (ref: RE/14/02664) permitted in March 2015.
 - Two applications to allow a higher tonnage volume to be handled at both the original SRF pad and the new extended pad area (ref: RE14/01992 and RE14/014996 respectively) were permitted in February 2015
 - A non-material amendment to planning permission RE07/0786 comprising construction of a temporary screening bund between the soil treatment area and soil stockpile area of the SRF was approved in January 2014 (ref RE13/2141) with the subsequent details of planting and management of this bund approved in July 2014 (ref RE14/00601)
 - The siting and use of a single soil screener for screening imported soils and soils treated in the treatment facility for use in connection with restoration, was permitted in December 2013 (ref RE13/1477)
 - Amendments to the restoration phasing and filling plans was permitted in December 2013 (ref RE13/0203)
 - The operation of the SRF for the processing and recycling of contaminated soils through bio-remediation without compliance with Condition 14 to allow machinery working on top of the bund, was permitted in December 2013 (reference RE12/2153)
 - On land north, northwest and southwest of Patteson Court landfill, a scheme detailing measures for reinstating the ground was approved in September 2013 (ref RE13/1242)

- A non-material amendment to planning permission RE07/0786 listing all plans already approved, was approved in August 2013 (ref RE13/1241)
- Details of measures for the removal of borehole infrastructure on land to the north, northwest and southwest of the landfill site pursuant to Condition 4 of planning permission RE12/00285 approved September 2013
- The construction, installation and operation of an extension to the SRF for the processing and recycling of contaminated soils through bio-remediation, without compliance with Condition 13 to allow working on top of the bund, was permitted in July 2013 (reference RE12/2152)
- A planning application for the installation of two 6 metre high poles to position CCTV cameras upon them within the landfill site (ref: RE12/01693) granted December 2012
- Details of an odour management plan, submitted pursuant to Condition 16 of planning permission reference RE12/0445 was approved in September 2012 (ref: RE12/1245)
- A planning application for the temporary use of two areas of land within Patteson Court Landfill site known as Compound 1 and Compound 2 for the provision of compounds for the siting of contractors portacabins and associated plant and equipment for purposes ancillary to the landfilling of Patteson Court landfill site permitted on 23 July 2012 (ref: RE12/00704)
- A planning application to extend the existing SRF (ref: RE12/00445) eastwards to increase the throughput of the soil recycling facility by 29,000 tonnes per annum permitted 28 May 2012 and subsequent details for odour management pursuant to Condition 16 of that planning permission being approved in September 2012
- A planning application for the retention and use of groundwater and leachate monitoring boreholes (ref: RE12/0285) located on the Moors to the north and the former Copyhold works to the west permitted 2 May 2012

THE PROPOSAL

9. The applicant is seeking planning permission for a series of improvements to the existing internal haul road as it enters the site from Cormongers Lane. This would include:
 - a. A new internal haul road for cars and vans – this would be approximately 300m in length and would run across what has been identified as Phase 3 for the restoration of the landfill site as a whole¹. Phase 3 is due to be restored by 2017. The applicant acknowledges that the land identified for the proposed new haul road would be delayed in terms of restoration but does state that the land in between the proposed new internal road and the existing internal haul road would be restored in accordance with the proposed timescales as part of the approved phasing plans. The proposed new internal road would be for car and van use only thereby removing these vehicles from the existing internal road. The road would have a series of passing bays to allow for two way movement whilst keeping the width of the access road to a minimum. The applicant states that currently when there is queuing of HGVs on the existing perimeter haul road from the weighbridges this can extend back to Cormongers Lane. Staff, visitors, delivery vans and contractors are required to overtake the queuing HGV traffic to access the site which can cause a health and safety issue of these vehicles and/ or they have to remain in the queue.
 - b. New weighbridges – the applicant proposes to install two new weighbridges adjacent to the existing weighbridges on the existing internal haul road. This would bring the total number of weighbridges to four. The new weighbridges would have an office immediately adjacent. To enable lorries to gain access to the new weighbridges, the

¹ There are five restoration phases for Patteson Court Landfill as permitted by planning permission ref: RE/P/13/00203 (13 December 2013). Phase 1 is the western most part of the landfill site, Phase 2 is the north west of the landfill site, Phase 3 is the southern part of the landfill site, Phase 4 consists of the most northern extent of the landfill site and also the centre of the landfill site; and Phase 5 is the north eastern and eastern part of the landfill site.

internal haul road would need to be widened immediately to the east and west of the weighbridge area. The applicant states the additional weighbridges are to improve the flow of traffic and to mitigate existing queuing issues on the main haul road into the site. Currently having only two weighbridges on site leads to delays in accepting waste vehicles into the site, and as a consequence queues develop at morning and afternoon peak times.

- c. Relocation of overflow car park and storage/ maintenance area – to allow for the widening of the internal haul road immediately to the west of the weighbridge area, the existing overflow car park and storage/ maintenance area requires relocating and the applicant proposes to move these aspects slightly to the north of their existing position. These works would not encroach on Phase 3 as this area lies just beyond. The applicant is proposing the car park has 17 spaces.
 - d. Bund – the applicant proposes to construct a bund 66m in length, 1.5m in height and 1.5m wide to stockpile material from the widening of the internal haul road. The material would be replaced during the restoration of the haul road. The applicant states this bund would assist in segregating the internal haul road and Phase 3.
10. The applicant states that these works would improve the flow of traffic along this part of the internal haul road; and reduce queuing and congestion. This would be because they would be increasing the number of weighbridges on site and by removing cars and vans to the proposed new internal haul road so the existing internal haul road would only carry lorries. To allow these works to take place, approximately 140m of existing hedgerow would have to be removed however the applicant proposes to replant some 160m of new hedgerow alongside new bird and bat boxes. The applicant has provided an ecological assessment of the existing hedgerow.

CONSULTATIONS AND PUBLICITY

District Council

11. Reigate & Banstead Borough Council : No comments received

Consultees (Statutory and Non-Statutory)

12. Tandridge District Council : Subject to the mitigation measures being carried consider the proposal would not harm the openness of the Green Belt and would be acceptable from an ecological and visual perspective. Consider the proposal would have limited impact beyond the application boundary.
13. County Ecologist : Recommends the measures proposed in the Extended Phase 1 Habitat Survey are Informatives to any decision made.
14. County Enhancement Officer : Would like to see the mitigation work contexted in relation to the site approved Biodiversity Action Plan (BAP); and that the area identified for relocation of the maintenance area and overflow car parking is not identified in the restoration plan – it has been left white.
Officer comment : the hedgerow species now proposed meets the site approved BAP targets. It is correct that the application area is shown as white on the restoration phasing plan. However on the restoration and aftercare Masterplan the application area is shown as “wheel cleaner and infrastructure removed, foundations broken out and replaced with a minimum 0.5m of subsoils to create a graded surface”. Therefore the area is identified for restoration but on completion of Phase 5 of the restoration phasing programme.
15. County Landscape Architect : No landscape or visual amenity objections however wish for the planting mix to be amended to reflect local planting species.

Officer comment: the species mix has been amended.

- | | | |
|---|---|--|
| 16. Lead Local Flood Authority | : | No objection |
| 17. Surrey Wildlife Trust | : | Recommends the measures proposed in the Extended Phase 1 Habitat Survey are Conditioned to any decision. |
| 18. Sutton and East Surrey Water Plc | : | No comments received |
| 19. The Environment Agency South East | : | No comments received |
| 20. Transportation Development Planning | : | No objection |
| 21. County Noise Consultant | : | No objection |

Parish/Town Council and Amenity Groups

22. Nutfield Parish Council : Objection on the following grounds –
- The current planning restriction on site for HGV numbers is 400 movements per day. With multiple planning applications the additional volume of HGVs in and out of the site has become difficult to ascertain. The Parish Council asks that the County Planning Authority research this point thoroughly and ensures that the total level of HGV movements remains within the existing planning restriction.
 - There are mentions in the planning application about assisting the parking arrangements as HGVs are backing up onto the A25. This problem arises in the early hours before the site opens at 0700 hours and the only way it can be resolved is by the applicant making arrangements for these early arrivals to enter the site and park up there.
 - The application refers to improving the flow of HGVs onto/ off the site which is accepted. However this will increase the number of HGVs travelling to/ from the site and make it more likely that the 400 daily limit will be exceeded as well as more HGVs travelling along the A25. The only advantage of the additional site road is to allow cars/ vans to enter or leave the site without having to queue behind HGVs waiting to load/ unload. This is only an advantage to the operator.
 - The Parish Council is concerned about the lack of facilities for drivers within the site and the surrounding area. The cemetery lay-by on the A25 is being used and the applicant should resolve this by providing facilities within the site for drivers and would ask for this to be provided.
23. Further to a re-consultation with Nutfield Parish Council on amending plans and further information, Nutfield Parish Council have commented further that they continue to object to this application for the reasons already provided. Nutfield Parish Council comment that the 400 lorry movements per day is a critical measure and the Council wish to know how this is formally monitored and that the monitoring results should be readily available with a standardised reporting procedure. Nutfield Parish Council comment that they have their own anecdotal evidence that drivers are unable to use the on site facilities causing nuisance in the vicinity of the site. They therefore doubt the reassurances given by the applicant. Nutfield Parish Council wonder what the benefits are to the applicant if the applicant is as benign as it is made out to be. Nutfield Parish Council fear there will be a detrimental consequence to Nutfield.
24. Godstone Village Association : No comments received
25. East Redhill Residents' Association : No comments received

Summary of publicity undertaken and key issues raised by public

26. The application was publicised by the posting of two site notices and an advert was placed in the local newspaper. A total of 25 of owner/occupiers of neighbouring properties were directly notified by letter. One letter of representation has been received raising the following comments:
- My property (Ivy Cottage) is one of three residential properties immediately to the south of the application site and in fact adjoining it, not as the "Site and Background" part of the Neighbour Information Note says, at Wordsworth Mead and the Warwick School grounds.

- During a recent site visit to the site, the Site Manager and Planning Manager explained the proposed improvements.
- If planning permission is granted, to make these improvements, an undertaking was given to remove the two road humps leading to the current outward weighbridge eliminating the unnecessary noise from unladen vehicles passing over these humps which cause annoyance to my property.

Officer comment: the site description has been amended to take account of the comments raised. The matter of speed humps is dealt with below in the 'noise' section of the report.

PLANNING CONSIDERATIONS

27. The guidance on the determination of planning applications, found at the end of this report, is expressly incorporated into this report and must be read in conjunction with the following paragraphs. In this case the statutory development plan for consideration of the application consists of the Surrey Waste Plan 2008 (SWP2008) and the Reigate and Banstead Local Plan Core Strategy 2014 (RBCS2014).
28. Part 1 of the Reigate and Banstead Local Plan (the **Core Strategy**) was adopted by the Council in 2014. This sets out the overall scale and location of growth that will take place in the borough between 2012 and 2027. Reigate and Banstead Borough Council are currently in the process of producing Part 2 of the Local Plan which will set out in more detail how the Core Strategy will be delivered. It will contain: policies to guide decision making on planning applications; policy designations; and development site allocations.
29. As part of the first stage in the preparation of the Development Management Plan from the 1st August 2016 to the 10th October 2016 the Council asked the public for their views on the proposed objectives, policy approaches and potential site designations set out in this first stage (Regulation 18) document. Reigate and Banstead Borough Council are now in the process of reviewing the responses to this Regulation 18 consultation. According to Reigate and Banstead's Local Development Scheme, the borough council aim to carry out a second consultation during the summer of 2017 and then aim to submit the plan for Examination in Public. Given the Local Plan Part 2 is some way from being submitted to the Secretary of State for an Examination in Public, Officers consider the draft policies within the Local Plan Part 2 should be given little weight in the consideration of this application.
30. In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations. In assessing the application against development plan policy it will be necessary to determine whether the proposed measures for mitigating any environmental impact of the development are satisfactory. In this case the main planning considerations are: impact on the Green Belt, highways and traffic implications, ecology in relation to the hedgerow; and need for each individual element.

HIGHWAYS AND TRAFFIC

Surrey Waste Plan 2008

Policy DC3 – General Considerations

Reigate and Banstead Borough Core Strategy 2014

Policy CS17 – Travel options and accessibility

31. Policy DC3 of the SWP2008 states that planning permission for waste related development will be granted provided it can be demonstrated through the provision of appropriate information that any impacts of the proposed development with regards to traffic generation, access and suitability of the highway network in the vicinity would not cause significant adverse impacts on people, land, infrastructure and resources. Policy

CS17 of the RBCS2014 number 2 looks to improve the efficiency of the transport network by delivering improvements to the road network.

32. The NPPF recognise that transport policies have an important role to play in facilitating sustainable development. Paragraph 32 of the NPPF is the most relevant to this application where it states that decisions relating to transport should take account of whether “*safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limit the significant impact of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe*”.

Need for the proposal

33. Currently there can be periods of the day when the site receives a large number of HGVs to Patteson Court Landfill. This can be seen from Nutfield Parish Council’s objections above that a large number of lorries arrive at the site before the site opens or around when it opens so that those lorries can tip waste at Patteson Court Landfill early enough in the day to then potentially travel onwards to another job in that same working day. The proposal is seeking to improve the situation where lorries queue back onto the public highway. This is proposed by the installation of two new weighbridges (one inbound/ one outbound) so that twice as many lorries can be weighed and recorded entering the site than currently. This would allow for lorries to enter into the site more quickly than currently. The applicant is also proposing the installation of a new internal road for cars and LGVs so that they can be removed from the queue of HGVs.
34. The County Highway Authority recognise that the proposal is for internal roads for the landfill site and as such are not public highway land. However it is recognised that the internal efficiency of a site can, inadvertently, have an impact on the public highway should there be queuing of traffic from that site onto the public highway. The County Highway Authority originally requested that the drawings submitted be revised as they were concerned that where the proposed new internal road met the current internal road (which is just after a bend on entering the site from the public highway) that if a vehicle were waiting on the main haul road to turn right into the new road and there was a vehicle travelling along the road to turn out, the vehicle waiting to turn into the road would not be able to complete their manoeuvre until the other vehicle had exited the road as the road is not wide enough to accommodate simultaneous entry and exit. The maximum length for an articulated vehicle is 16.5m. If a vehicle is waiting to turn into the new access road, an 80m distance would accommodate 4 articulated bulk waste delivery vehicles off the highway, the 5th and any subsequent vehicles would protrude into Cormongers Lane.
35. The applicant has subsequently amended the submitted drawings to take account of the County Highway Authority’s comments by widening the junction of the proposed new road with the main access road. The County Highway Authority have subsequently commented that with the revision of this drawing this will enable the simultaneous use of the access road and as such, overcomes their concern about the right turning traffic causing vehicles to queue back onto Cormongers Lane. The County Highway Authority raise no objection to the proposal from a highways perspective. Officers acknowledge there are periods during the working day when HGV numbers are high which can lead to queuing due to delays in accepting waste vehicles into the site and to aid internal efficiency and to mitigate existing queue issues, Officers are satisfied with the need for the two proposed weighbridges and the new internal road.

Comments raised by Nutfield Parish Council

36. As can be seen above, Nutfield Parish Council raise an objection to the proposal on a number of grounds. The first and third are with regards to the certainty that the site only

receives 400 HGV movements to the site per day as per the restriction in Condition 9 of planning permission RE/P/13/00203/CON². This concern also stems from HGV movements also being connected to the use and operation of the soil recycling facility and that it is difficult to ascertain how many HGVs travel to/ from the site. Nutfield Parish Council are concerned that in providing the proposed internal road for cars/ LGVs this would improve the flow of HGVs making the application site more attractive to HGVs thereby increasing the number of HGVs to/ from the application site and exceeding the 400 (average) HGV daily movements.

37. The applicant has responded to these stating that the parish council have been provided with a copy of the record of HGV movements for the site. It should be noted that Condition 9 of planning permission RE/P/13/00203/CON does not require a specific period of time for monitoring purposes, nor does it require periodic submission of the records to the County Planning Authority but only on request. It should also be noted that the traffic conditions on the soil recycling facility mirror that of the landfill permission that there should be an average of 400 total movements per day with no single day exceeding 600 total movements. The applicant has gone on to state that the information provided to the parish council for the period January 2015 – September 2016 demonstrates that the total average numbers (as required by the condition are within the limits of the planning permission.
38. Nutfield Parish Council have provided further comments on the amending information and the applicants response to their comments stating that they continue to object to the proposal and that the average 400 HGV movements a day is a critical measure and the parish council wish to know how this is monitored with the results of this monitoring readily available as the parish council consider this is fundamental to the ability to assess both the current operation and the consequence of this development.
39. The current planning application is not seeking to change the number of HGV movements to/ from the landfill site nor the soil recycling facility but to make internal improvements. As can be seen from Condition 9, there is no formal requirement for the HGV movements for the landfill site to be regularly submitted or reported to the County Planning Authority or the County Highway Authority. The request would only come when the County Planning Authority or County Highway Authority are concerned with the number of HGVs going to the application site. However, no recent complaints have been made to the County Planning Authority or County Highway Authority (aside from the objection as part of this application) with regards to the number of HGVs accessing the site to warrant a request for such information. Furthermore Officers do not consider it would be appropriate or necessary to impose a condition or requirement on this application for details of HGVs accessing the landfill site and/ or the soil recycling facility given this application is for internal improvements.
40. Nutfield Parish Council are additionally concerned about the number of HGVs queuing onto the A25 before the site opens at 0700 hours and then those drivers not having facilities. The applicant has responded that HGVs are allowed to enter the site when staff arrive. The applicant has gone on to comment that deliveries arrive in third party HGVs and therefore this is beyond the control of the applicant but that the applicant has requested their customers arrive after the site opens to prevent queuing onto the Cormongers Lane. The applicant has also stated that HGV drivers are able to welfare facilities which are positioned on the weighbridge. Nutfield Parish Council have further

² Condition 9 says "During the period until 31 December 2014, there shall be no more than 600 HGV movements (300 in and 300 out) per day associated with the engineering, filling and restoration of the Patteson Court Landfill site. From 1 January 2015 there shall be no more than an average of 400 movements per day with movements on any single day not exceeding 600 movements (300 in and 300 out). The site operator shall maintain accurate records of the number of HGV vehicles accessing and egressing the site daily and shall make these available to the County Planning Authority on request."

responded that they have anecdotal evidence that drivers are unable to use the onsite facilities.

41. Officers are aware that HGVs arrive at the site prior to the site starting operations and are aware that to ameliorate the queuing on the public highway the applicant now opens the site gates to allow these vehicles in, but does not allow them over the weighbridges to tip until the hours of operation allow. Officers raise no objection to this and consider the installation of a second weighbridge will enable the HGVs coming to the site to be processed more quickly. The use of onsite facilities is not a matter for this application.

ENVIRONMENT AND AMENITY

Surrey Waste Plan 2008

Policy DC3 – General Considerations

Reigate and Banstead Borough Core Strategy 2014

Policy CS1 – Presumption in favour of sustainable development

Policy CS2 – Valued landscapes and the natural environment

Policy CS10 – Sustainable development

42. The National Planning Policy for Waste 2014 (NPPW) states in paragraph 7 that when determining planning applications, planning authorities should consider the likely impact on the local environment and upon amenity, against the criteria set out in their Appendix B. Appendix B lists the following as matters to take into account: protection of water quality, resources and flood risk, land instability, landscape and visual impacts, nature conservation, conserving the historic environment, traffic impacts, air emissions including dust, odour, vermin and birds, noise, light and vibration, litter and potential land use conflict.
43. Policy DC3 of the SWP2008 states that planning permission will be granted provided adequate information is supplied in support of the planning application that any impact of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure or resources. The policy goes on to state that the information supporting the planning application must include (where relevant) an assessment of and mitigation measures on: iv) drainage, ix) adverse effects on neighbouring amenity including noise, xii) loss or damage to flora and fauna and their respective habitats at the site or on adjoining land.
44. Policy CS1 of the RBCS2014 states that the Council will apply the presumption in favour of sustainable development contained in the NPPF and unless material considerations indicate otherwise, proposed development that accords with policies in the development plan will be approved without delay and proposed development that conflicts with the development plan will be refused. The third part of the policy goes on to say that where there are no specific policies relevant to the applicant or where relevant policies are out of date, that there will be a presumption in favour of the development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole or specific policies in the NPPF or other material considerations indicate otherwise.

Landscape and Visual Impact

45. Patteson Court Landfill lies within the Landscape Character Area “Holmthorpe Pits and Mercer’s Park Distinct Area on the Edge of Urban Areas” (UE9) in the Surrey County Council Landscape Character Assessment 2015. To the south of the Landfill beyond the A25 is the Earlswood to Oxted Wooded Greensand Hills (GW12). The Surrey Hills AONB lies approximately 1.4km to the north of the landfill site and approximately 2.12km north of the application area. Key characteristics of Landscape Character UE9 are that it is part of the wider Greensand Valley which runs broadly east-west along the southern foot of the North Downs ridge scarp slope with the original undulating landform significantly

affected by human intervention. The character area recognises the area has been used for quarrying and there are varying stages of restoration. Patteson Court Landfill is specifically referenced in terms that there is ongoing restoration taking place to restore the landform along the valley side which joins the greensand ridge character area GW12 to the south.

46. Policy CS2 of the RBCS2014 requires proposals for significant development to protect and enhance the borough's green fabric. The policy goes on to say that the landscape character of the countryside outside the current AONB boundary will be protected and enhanced through criteria based policies in the DMP.
47. The application site is in the southern part of the landfill site which is also the highest part of the landfill site in terms of AOD levels as the remainder of the landfill site is progressively restored. The application site is some 2ha out of a total landfill site area of 66ha however much of the application area includes the existing haul road and existing weighbridges. Views of the application area are limited due to existing mature vegetation to the south and east. To the north, the closest receptors would be users of the public footpath 104 some 940m away which are also at a lower level with the operational landfill in between. Properties at Watercolour further to the north have a general view of the landfill site and given the distance of the application area and the intervening operations Officers do not consider that this application would have a significant adverse impact on the visual amenity of those properties. Views from the west would be limited due to existing mature perimeter vegetation and the site office.
48. The County Landscape Architect has reviewed the proposal and has commented that the proposed elements would be minor in relation to the main landfill site and that the application area is screened by existing vegetation. The County Landscape Architect considers that there is no significant additional adverse impact on visual amenity from the development proposal.
49. Officers agree with the County Landscape Architect's view that given the size of the operations proposed, that mitigation measures in the form of replacement hedgerow planting and a small bund would be provided to screen parts of the development; and when seen in context with the surrounding landfill site that the proposals would have a limited impact beyond the application boundary with the nearest neighbours and on the landscape character.

The Hedgerow – biodiversity and wildlife

50. Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by [...] minimising impacts on biodiversity and providing net gains in biodiversity where possible. Paragraph 118 goes on to state that in determining planning applications local planning authorities should aim to conserve and enhance biodiversity by applying the a set of principles. For this development Officers consider the following principles are relevant:
 - a. If significant harm from a proposal cannot be avoided, mitigated or, as a last resort, compensated for, then the proposal should be refused,
 - b. Opportunities to incorporate biodiversity in and around development should be encouraged
51. Paragraph 017 of the NPPG³ outlines what biodiversity enhancement in and around development should seek to include such as habitat restoration, improved links between sites, buffering of existing important sites, new biodiversity features within development; and securing management for the long term.

³ Paragraph: 017 Reference ID: 8-017-20140306

52. Policy DC3(xii) of the SWP2008 seeks to ensure that adequate information is provided with regards to fauna and flora when determining planning applications for waste development proposals. Policy CS2 of the RBCS2014 sub section 1(e) states that Sites of Nature Conservation will be protected for their biodiversity value and where appropriate enhanced; and sub section 1(f) states that site specific features which make a positive contribution to the green fabric and/ or a coherent green infrastructure network will be, as far as practicable be retained and enhanced.
53. As part of the proposal the applicant proposes to remove two sections of existing hedgerow some 140m in total to allow the creation of the access for the new internal road and the realignment of the existing haul road (i.e. where the overflow car park is currently situated). Forming part of the application the applicant commissioned an extended Phase 1 habitat and ecology survey of 650m of hedgerow at the landfill site in September 2016. The survey found the hedgerow is an intact native species rich hedge ranging from 6-10m in height with three to five woody species per 30m section. The dominant species are Hawthorne, hazel and field maple. The immediately adjacent habitats are Ephemeral/ short perennial, semi improved neutral grassland, amenity grassland, scrub, bare ground, dry ditch and hardstanding (road). The survey states that the overall hedgerow may be classifiable as Important under the Hedgerow Regulations but the affected sections do not appear to qualify. To compensate for the proposed loss the applicant is proposing to plant 160m of hedgerow adjacent to the realigned internal haul road and for the hedgerow to be planted of species and of a percentage mix, that reflects hedgerows on the adjacent Nutfield Marsh.
54. The County Landscape Architect had originally asked for a revised plan from the applicant to clearly show how the new hedge would connect with the existing remaining hedgerow. This is because the connectivity of the hedgerow is important as they provide transport corridors for a range of species, some of which may be crossing the new road and the County Landscape Architect considered the original plan was insufficient to show this. The County Landscape Architect did also comment that she was not supportive of the hedgerow mix proposed as the ecological survey provided as part of the planning submission identified hawthorn, hazel and field maple as the dominant species of the hedgerow to be removed. The species mix put forward for the new hedgerow did not match this mix.
55. The applicant subsequently provided a new plan to which the County Landscape Architect raises no objection to. The applicant has also revised the species planting mix for the proposed new hedgerow to include Hawthorne, guelder rose, hazel, blackthorn, holly, field maple and dog rose. Following revisions to the plant species mix, the County Landscape Architect and County Enhancement Officer agree with this revised species mix and raise no concerns.
56. The Extended Phase 1 habitat survey found no evidence of badger or hazel dormouse or riparian mammals. The survey states that common bird species are likely to nest in the hedgerow and the site could be used by foraging and commuting bats along the hedge-line but the proposed gaps are not likely to significantly affect them. The survey identifies a number of mitigation measures for species identified on site. These include:
- a. The provision of two bat boxes installed on suitable mature trees near to the hedgerow
 - b. Five bird boxes of a range of type to be installed on retained trees and hedge
 - c. The creation of deadwood beneath retained stretches of hedge for stag beetle
 - d. The strimming down of ground vegetation before hedge removal to encourage the dispersal of any reptiles.
57. The survey recommends that prior to the removal of the hedge a nest check should be carried out by an ecologist to ensure that no nesting birds are present. An Informative can also be placed on any decision that the works should be carried out outside of bird

nesting season. With regards to amphibians, the survey recommends that reasonable avoidance measures should suffice to avoid harm. The survey recognises that Japanese Knotweed and Himalayan Balsam are present locally so vigilance should be exercised to avoid accidental import or spread. The applicant has confirmed that the Japanese Knotweed is managed in accordance with Condition 15 of planning permission ref: RE/P/12/00203/CON. That scheme at paragraph 4.5.17 – 4.5.18 sets out management techniques to be employed. The applicant has commented that a specialist contractor attends site on a periodic basis to manage the Japanese Knotweed if present as it is rarely on site.

58. The Countryside Management and Biodiversity Manager has reviewed the submitted Extended Phase 1 Habitat Survey and raises no objection. He comments that the least harm to wildlife is likely to be caused by removing the hedge during the winter months to avoid bird nesting season and that the hedge should be removed manually rather than by large machinery, such as a bulldozer. This can be controlled by condition. The Countryside Management and Biodiversity Manager recommends that the mitigation measures outlined in Chapter 4 “Results and recommendations” of the survey can be the subject of informatives.
59. Surrey Wildlife Trust have reviewed the planning application and comment that the Extended Phase 1 survey provides much useful information to aid in assessing the planning application and recommend that the applicant should be required to undertake all the recommended mitigation measures outlined in paragraph 4.4-4.10 to help prevent adverse effects to protected species. Surrey Wildlife Trust recommend to meet the requirements of para 109 of the NPPF that the proposal include provision for planting a greater length of native species hedgerow than that removed including suitable species and connecting to the remaining hedgerow; and using native species. Officers, on taking advice from the Countryside Management and Biodiversity Manager, agree that the requirement to place bat and bird boxes and that the hedgerow should be planted of species that reflect planting in the locality, should be the subject of conditions. However, Officers consider that other mitigation measures (reasonable avoidance measures to prevent harm to amphibians, the strimming of ground vegetation to disperse reptiles; and the provision of deadwood for stag beetles) can be the subject of informatives.
60. Officers consider the applicant has met the requirements of the Surrey Wildlife Trust’s comments as the proposed length of replacement hedgerow is to be 15m longer than that removed and the applicant proposes the species mix to be reflective of that found in hedgerows in the locality/ landscape character area. Officers are satisfied the measures proposed in the Extended Phase 1 Habitat Survey can be the subject of conditions and informatives to ensure protection and mitigation of protected species. Officers consider the proposal meets the requirements of paragraphs 109 and 118 of the NPPF and Development Plan policies.

Noise

61. Policy DC3 sets out the SWP’s approach with regards to noise. Policy CS10 of the RBCS2014 states that new development should be designed to minimise air and noise pollution.
62. Paragraph 109 of the NPPF states that the planning system should contribute and enhance the natural and local environment by preventing new and existing development from contributing to or being put at unacceptable risk from noise pollution. Paragraph 123 goes on to say that planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health or quality of life as a result of new development; and to mitigate and reduce to a minimum impacts of noise through the use of conditions.
63. The proposal does not seek to increase the number of HGVs visiting the site or amend the site activity or look to increase the site or bring activities closer to residential

properties than the existing situation. However, concern has been raised by an adjoining resident with regards to HGVs travelling over speed humps leading to the outward weighbridges to eliminate the noise from unladen vehicles passing over these speed humps. The County Noise Consultant raises no objection to the proposal. Nevertheless the applicant has reconfirmed that the speed humps would be removed. Officers are satisfied that the proposal would not give rise to any significant adverse impacts with regards to noise and meets the requirements of Development Plan Policy.

Surface Water Drainage

64. Policy DC3 of the SWP2008 seeks to ensure adequate information on surface water drainage is provided as part of planning applications for waste related development proposals. Policy CS10(10) seeks to ensure that development be located to minimise flood risk taking into account SuDS requirements. Para 050 of the NPPG⁴ states that opportunities should be sought to reduce the overall level of flood risk in the area and beyond which can be achieved through the use of sustainable drainage systems.
65. The proposal is seeking to increase the amount of hardstanding at the landfill site therefore it is appropriate to consider if this could have an impact on surface water runoff. The applicant has stated that surface water within the site is managed in accordance with Condition 13 of planning permission ref: RE/P/13/00203/CON. The scheme referred to in Condition 13 is a scheme for the attenuation of surface water runoff as approved by planning permission ref RE03/2779 dated 12 April 2005. That scheme includes drainage calculations for the landfill site and demonstrates that all surface water created within the landfill site remains within the landfill site so as not to cause flooding elsewhere beyond the landfill site. The scheme as approved was required to show how surface water for the whole of the landfill site would be attenuated to discharge rates of 1 in 1 year event, 1 in 5 year event, 1 in 10 year event, 1 in 50 year event and 1 in 100 year event. In that scheme it states that the applicant has responsibility in terms of maintenance and long term management of the sustainable drainage scheme for the landfill site until the Environmental Permit is relinquished and the data provided as part of that scheme shows the storm drainage calculations to demonstrate surface water runoff can be contained on site.
66. The surface of the proposed new road would be permeable so that rainfall would permeate into the road and beneath into the landfill site. As can be seen from the descriptions above in the Landscape section, the application area is 2ha with the new hardstanding area amounting to approximately 3299m². This would be some 3% and 0.5% respectively of the total overall area of the landfill site. The Lead Local Flood Authority (LLFA) were consulted on the application proposal and have commented that having reviewed the information provided and seen a copy of the documentation supporting the approved surface water drainage scheme as referred to above, that the proposal would not significantly increase the flood risk and would be considered to be low risk. The LLFA are satisfied that the existing drainage of the site would cater for this proposal and that the increase in hard standing would have negligible impact on the existing drainage of the site. The LLFA raise no objection. Officers are satisfied that the proposal would not cause significant adverse harm with regards to surface water drainage and that the existing surface drainage for the landfill site would accommodate the proposal.

GREEN BELT

Surrey Minerals Plan 2011

Policy MC17 – Restoring mineral workings

Surrey Waste Plan 2008

Policy CW6 – Development in the Green Belt

⁴ Paragraph: 050 Reference ID: 7-050-20140306

67. The Patteson Court landfill site, including the application area for this proposal, is situated within the Green Belt. National Green Belt policy is set out in paragraphs 79 to 92 of the NPPF. Paragraph 80 of the NPPF states that Green Belt serves five purposes which are to check the unrestricted sprawl of built up areas, to prevent neighbouring towns merging into one another, to assist in safeguarding the countryside from encroachment, to preserve the setting and special character of historic towns, and to assist in urban regeneration by encouraging the recycling of derelict and other urban land.
68. Waste sites are considered inappropriate development within the Green Belt, and should only be permitted where very special circumstances exist. Paragraph 87 of the NPPF states that inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 goes on to say that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
69. The Surrey Waste Plan 2008 recognises the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and to preserve openness there is a presumption against inappropriate development. Paragraph B46 of the SWP2008 recognises that minerals can be worked only where they are found and that development need not be inappropriate development provided high environmental standards are maintained and the site is well restored. The paragraph goes on to state that landfill is most often the means to that restoration and that neither landfilling or landraising activities need conflict with the purposes of including land in the Green Belt. The paragraph says that those activities can play a positive role in the objectives of the Green Belt.
70. Paragraph B47 of the SWP2008 states development at operational quarries and landfill sites, where there has been mineral extraction or waste disposal and restoration is not complete, may be justifiable in very special circumstances in the Green Belt. Paragraph B48 states that Policy CW6 should be applied to any proposals for waste management facilities that would be inappropriate development in the Green Belt. Policy CW6 of the SWP2008 states that there will be a presumption against inappropriate waste related development in the Green Belt except in very special circumstances. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. It goes on to say that the following considerations may contribute to very special circumstances, which are the lack of suitable non-Green Belt sites, the need to find locations well related to the source of waste arisings and the characteristics of the site.
71. Policy CS3 of the RBCS2014 seeks to protect the Green Belt by stating that planning permission will not be granted for inappropriate development in the Green Belt unless very special circumstances clearly outweigh the potential harm to the Green Belt.
72. The proposal seeks a number of items that involves built development in the Green Belt. This includes the provision of a new internal road some 300m in length (700m²), widening of the existing haul road near to the existing weighbridges to the east and to the west to allow for the positioning of two new weighbridges and provide the space for HGVs to get to the weighbridges⁵, the relocation of the existing storage/ maintenance

⁵ The remainder of the existing internal haul road would remain unaltered.

area and the overflow car parking area; and the creation of a bund of 173m³ (66m length/ 1.5m height/ 1.5m width). This would result in a total surface area of some 3300m² of new hardstanding.

73. Officers consider each of the elements as part of this proposal would not constitute inappropriate development as defined in the NPPF and Development Plan policy. This is because the elements as proposed are ancillary and aid the efficiency of the landfill site in receiving and transporting waste to operational cells where landfilling is currently taking place prior to the commencement of restoration; and the overall operation and efficiency of the site in terms of the provision of car parking and the relocation of the maintenance area. Officers consider all of the elements are ancillary to the overall operation of the landfill site as part of the aim to restore it to an agricultural afteruse.
74. With regards to openness, Officers recognise the proposal with areas of hardstanding in terms of the area around the weighbridges, the new access road, the bund and car parking area; and that this would harm openness to the Green Belt. However Officers consider the harm to openness would be moderate given the limited surface area of the development when considered against the landfill as a whole and also that the elements are temporary and would be removed once landfilling has ceased. The site would be restored to agricultural a use compatible with the Green Belt designation. .
75. Officers recognise that the development would cause limited harm by virtue of a small additional impact on the openness of the Green Belt during the period of retention and until restoration. Nevertheless Officers are satisfied that the proposal is ancillary to a permitted use and is required for operational reasons and cannot be located elsewhere. Officers are otherwise satisfied that the scale of the development is proportionate to the need on a developed site. Officers are also satisfied that the proposal is the minimum required for the development, for example the road is of single width with passing bays, the bund is to store soils from the creation of the road; and the maintenance area is a relocation of the existing maintenance area.

Restoration

76. The proposal does not seek to amend the restoration or aftercare scheme for the landfill site. However the proposal does seek to place a new internal haul road over an area due for restoration in 2017 therefore it is appropriate to assess the implications of this. Paragraph 143 of the NPPF sets out a number of considerations that should be taken into account by Local Planning Authorities in preparing local plans. One of these considerations is that policies should be put in place to ensure land worked for minerals are reclaimed at the earliest opportunity and that high quality restoration and aftercare of mineral sites takes place including for agriculture, biodiversity, native woodland, the historic environment and recreation. Para 144 goes on to state that in determining planning applications for minerals development, local planning authorities should provide for restoration and aftercare at the earliest opportunity and to be carried out to high environmental standards through the application of conditions. As discussed above, this application site lies within the Metropolitan Green Belt which one of the aims for the Green Belt is to preserve openness and protecting the countryside which the restoration of a former mineral working is compatible with.
77. Surrey Minerals Core Strategy 2011 Policy MC17 requires that mineral workings be restored and managed to a high standard with restored sites being sympathetic to the character and setting of the wider area; and capable of sustaining an appropriate afteruse. The policy goes on to state that restoration should be completed at the earliest opportunity with progressive restoration being required where appropriate. The policy requires that applicants to agree to a scheme detailing how the land will be restored and managed during and after working.

78. Policy DC3 of the SWP2008 states that planning permission for waste related development will be granted provided it can be demonstrated by the provision of appropriate information to support a planning application that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources. The policy requires, where appropriate, an assessment of the visual and landscape impact of the development on the site and surrounding land; and mitigation measures where necessary.
79. Policy CS2 of the Reigate and Banstead Core Strategy 2014 recognises that all areas of countryside have their own distinctive landscape character and the landscape character beyond the AONB will be protected and enhanced through criteria based policies in the emerging Development Management Policies document.
80. The applicant recognises that the proposal would remove an area of land some 700m² from restoration of Phase 3 (there are five restoration phases for the whole landfill site as described in the footnote above). However this 700m² for the road alone, should be seen in the context of the whole of Phase 3 which is some 82,200m², i.e. less than 1% of the overall Phase 3 area. The applicant has stated that the installation of the proposed new road would not prevent or delay Phase 3 being restored, including the area between the proposed new road and the existing haul road. Additionally it should be noted that as part of Phase 3 an area of woodland was to be provided adjoining the existing perimeter haul road. The creation of the proposed new road would not allow for this. However the applicant states that they will prepare a revised restoration phasing plan that will provide a revised area of woodland planting within Phase 3 to replace this woodland and no overall loss of woodland from this proposal. The other items as part of this application would be required to be removed on cessation of operations.
81. The County Enhancement Officer raises no objection to the proposal in terms of its impact on Phase 3 and Phase 3's restoration timescale. Officers recognise that the proposed new internal road would remove an area of land from Phase 3 so that that land cannot be restored, however Officers are satisfied that the remaining areas of Phase 3 would be restored according to timescales. Officers are also aware that on cessation of landfill operations that all hardstanding, structures and machinery would be removed from site in accordance with the approved restoration Masterplan for the site and complying with the requirements of Policy MC17 and the also the NPPF with regards to Green Belt.

HUMAN RIGHTS IMPLICATIONS

82. 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.
83. In this case, Officer's view is that the level of such impact should not be significantly different to the existing landfilling activities and are not considered sufficient to engage Article 8 or Article 1 of Protocol 1. Any impact can be mitigated by conditions. As such, this proposal is not considered to interfere with any convention rights.

CONCLUSION

84. The applicant is proposing a series of internal improvements at the landfill site to improve the efficiency at which the site receives HGVs. This is to reduce HGVs queuing in the site and potentially backing up to the public highway. Officers consider the proposals are minor and are ancillary to the waste operations at the site which are to aid the restoration of a former mineral site. The proposal does involve the removal of 145m of existing hedgerow which has been surveyed for its ecological potential. To mitigate for this loss the applicant is proposing to provide 160m of hedgerow of a planting mix that reflects the

locality. The applicant is also proposing other ecological mitigation measures. Officers have noted objection is raised by Nutfield Parish Council who raise concerns regard the number of JHGVs accessing the site, queuing of HGVs early in the morning and lorry drivers' lack of facilities. However the proposal is not seeking to increase to change HGVs numbers, the proposal is to assist with queuing on the public highway; and driver facilities are not for this application.

85. No technical objection has been received on this application and Officers are satisfied there is a need for the proposal to improve internal efficiency and safety at the site. Officers acknowledge there would be some limited harm to Green Belt openness from the development however not only is this physically limited when viewed against the landfill site as a whole, it is also time limited given the items proposed would be removed on cessation of landfilling operations and the landfill site is restored to an agricultural use compatible with the Green Belt.

RECOMMENDATION

The recommendation is to PERMIT RE16/02710/CON subject to the following conditions:

Conditions:

Approved Plans

1. The development hereby approved shall be carried out in all respects in accordance with the following plans/drawings:

Drawing R10310300 Current site layout dated 4 November 2016
 Drawing R10310100 Site Location Plan dated 9 September 2016
 Drawing R10310203 Rev 3 Site Plan dated 13 January 2017.

Commencement

2. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
3. Prior to the commencement of the development, the applicant shall give 7 days written notice of the commencement date to the County Planning Authority.

Duration

4. The development hereby permitted shall be removed on or before the 31 December 2030 and all buildings, fixed plant or machinery, internal access roads and hardstandings and the site shall be restored in accordance with the restoration scheme approved under planning permission ref: RE09/0152 dated 23 February 2010 and the accompany drawing Figure 2b Restoration Masterplan dated 13 July 2009.
5. From the date of this decision noticed until the cessation of the development/ completion of operations to which it refers, a copy of this decision including all documents hereby approved and any documents subsequently approved in accordance with this decision, shall be available to the site manager, and kept on site and shall be made available to any person(s) given the responsibility for the management or control of operations.

Hours of Operation

6. No light shall be illuminated, nor shall any machinery other than such environmental management systems which comply with a system for noise suppression which shall be submitted for prior approval in writing of the County Planning Authority, nor shall any

operations or activities authorised or required by this permission shall be carried out except between the following times: 0730 to 1800 Mondays to Fridays
0730 to 1230 Saturdays

There shall be no waste tipping operations or related activities carried out on Sundays, Bank, public or national holidays other than essential environmental management systems which comply with the system for noise suppression approved in writing by the County Planning Authority. This condition shall not prevent emergency repairs or engineering works.

Noise

7. The level of noise arising from any operation, plant or machinery on the site, when measured at or recalculated as a height of 1.2m above ground level and at least 3.5m from the facade of any noise sensitive property shall not exceed 55dBLAeq during any half hour period.

Ecological Matters

8. The provision of two bat boxes and five bird boxes shall be carried out in accordance with the information set out in paragraphs 4.4 and 4.6 of the Extended Phase 1 habitat and ecology survey of hedgerow at Patteson Court Landfill, Cormongers Lane, Redhill, Surrey dated 22 September 2016.
9. The removal of the hedgerow, as identified as being removed as part of this planning application, shall only be removed by light machinery under four tons weight and shall only be removed during the months September to February inclusive. If this is not possible, a suitably qualified person must check the hedge first and be able to declare it nest free and inform the County Planning Authority in advance, before work can commence.
10. The proposed new sections of hedgerow to be planted as shown on plan R10310203 rev 3 dated 13.01.17 shall have the planting mix specified in column two detailed in the letter dated 1 February 2017.
11. The bund as shown in blue on plan Drawing R10310203 Rev 3 Site Plan dated 13 January 2017 shall be seeded with the grass seed mix Emorsgate EM2 sown at 8gms/m².

Surface Water Drainage

12. The development shall be operated in accordance with the scheme for the attenuation of surface water run off as approved by planning permission ref RE03/2779 dated 12 April 2005.

Reasons:

1. To ensure the permission is implemented in accordance with the terms of the application and to enable the County Planning Authority to exercise planning control over the development pursuant to Surrey Waste Plan 2008 Policies CW6 and DC3.
2. To comply with Section 91 (1)(a) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.
3. To enable the County Planning Authority to control the development and to monitor the site to ensure compliance with the planning permission to comply with Surrey Waste Plan 2008 Policies CW6 and DC3.

4. To enable the County Planning Authority to exercise control over the site for the development hereby permitted and comply with Schedule 5 paragraph 1 of the Town and Country Planning Act 1990.
5. To comply with the terms of the application and to enable the County Planning Authority to exercise planning control over the development and to minimise its impact on the amenities of the local area and local environment in accordance with Surrey Waste Plan 2008 Policy DC3.
6. To protect the amenities of local residents in accordance with Surrey Waste Plan 2008 Policy DC3.
7. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Surrey Waste Plan 2008 Policy DC3.
8. In the interests of amenity and wildlife conservation to comply with Surrey Waste Plan 2008 Policy DC3 and Reigate and Banstead Borough Core Strategy 2014 Policy CS2.
9. In the interests of amenity and wildlife conservation to comply with Surrey Waste Plan 2008 Policy DC3 and Reigate and Banstead Borough Core Strategy 2014 Policy CS2.
10. To ensure the permission is implemented in accordance with the terms of the application and to enable the County Planning Authority to exercise planning control over the development pursuant to Surrey Waste Plan 2008 Policy DC3.
11. To ensure the permission is implemented in accordance with the terms of the application and to enable the County Planning Authority to exercise planning control over the development pursuant to Surrey Waste Plan 2008 Policy DC3.
12. To prevent the increased risk of flooding in compliance with National Planning Policy Framework and Surrey Waste Plan 2008 Policy DC3.

Informatives:

1. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or is being built. Planning consent for a development does not provide a defence against prosecution under this Act.

Trees and scrub are likely to contain nesting birds between 1 March and 31 August inclusive. Trees and scrub are present on the application site and are assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity during this period and shown it is absolutely certain that nesting birds are not present.
2. The applicant's attention is drawn to Surrey Wildlife Trust's letter of 5 January 2017 where it recommends that when using native species for planting trees and shrubs that these should be of local provenance.
3. The applicant's attention is drawn to the recommendations set out in paragraphs 4.7, 4.8 and 4.9 of the Extended Phase 1 habitat and ecology survey of a hedgerow at Patteson Court Landfill dated 22 September 2016.
4. In determining this application the Waste Planning Authority has worked positively and proactively with the applicant by: entering into pre-application discussions; assessing the proposals against relevant Development Plan policies and the National Planning Policy Framework including its accompanying technical guidance; providing feedback to the applicant where appropriate. Further, the Waste Planning Authority has: identified all

material considerations; forwarded consultation responses to the applicant; considered representations from interested parties; liaised with consultees and the applicant to resolve identified issues; and determined the application within the timeframe agreed with the applicant. Issues of concern have been raised with the applicant including impacts of and on traffic/ ecology and addressed through negotiation and acceptable amendments to the proposals. The applicant has also been given advance sight of the draft planning conditions. This approach has been in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework 2012.

CONTACT

Samantha Murphy

TEL. NO.

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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 2012](#)

[Planning Practice Guidance](#)

The Development Plan

[Surrey Waste Plan 2008](#)

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

Reigate and Banstead Borough Core Strategy 2014

2012 – 2013 Aerial Photos

Aerial 1: Land at Patteson Court Landfill,
Cormongers Lane, Redhill, Surrey



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2012-2013 Aerial Photos

Aerial 2: Land at Patteson Court Landfill,
Cormongers Lane, Redhill, Surrey



Photo 1 - Existing weighbridge (looking eastwards)



Photo 2 - Existing weighbridge in use (looking eastwards)



Photo 3 – Existing overspill car parking area



Photo 4 – Existing hedgerow



Photo 5 – Proposed maintenance area



Photo 6 – Proposed car park area



Photo 7 – Proposed point at which new road would spur from existing access road

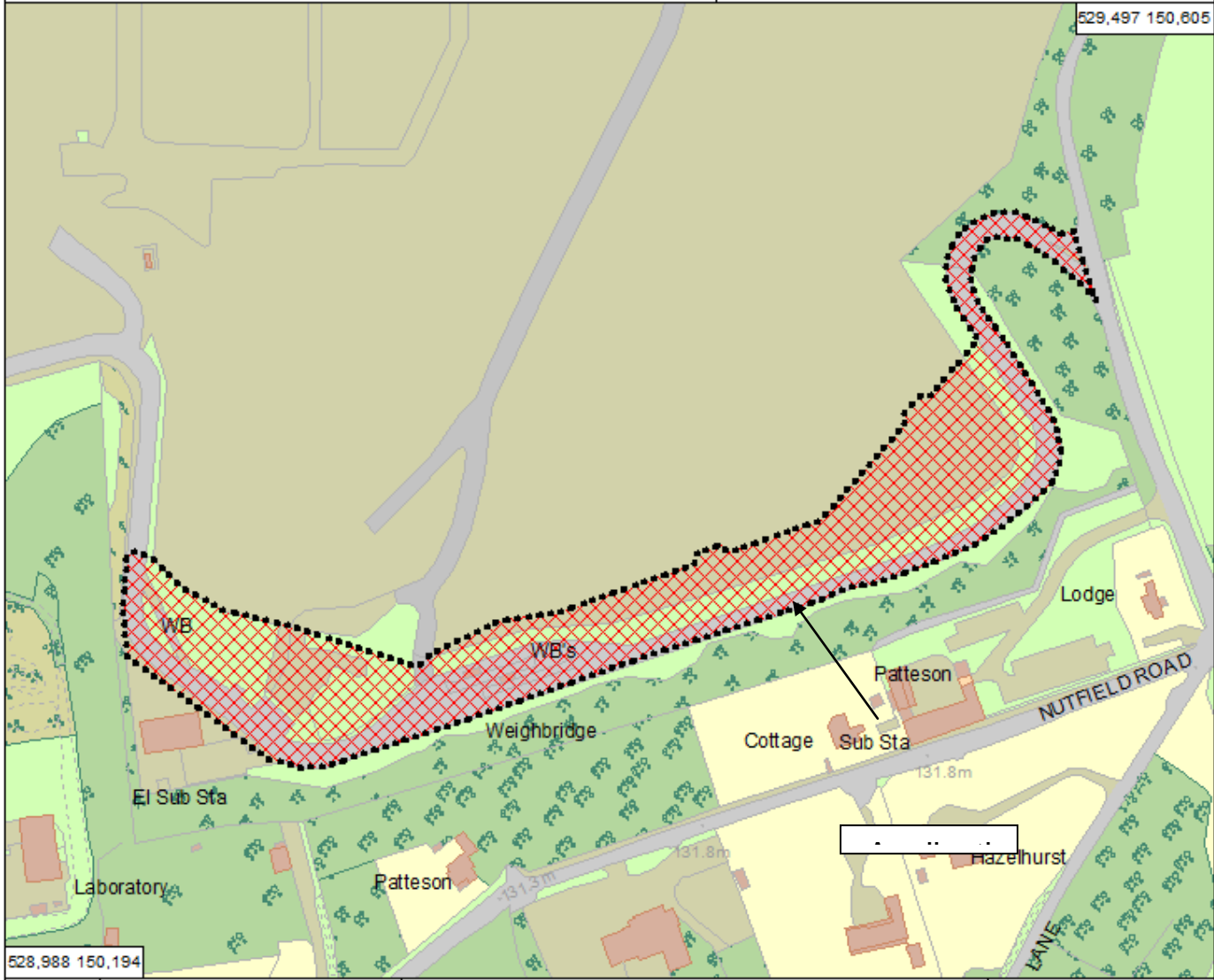


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<p style="text-align: center;">Site Location</p> <p>Scale 1:35,518</p>	<p>Land at Pattenon Court Landfill, Cormongers Lane, Redhill, Surrey RH1 4ER</p> <p>Construction of a new internal road and realignment of the existing internal haul road, installation of two additional weighbridges and associated offices, overflow car park, bund; and removal and replacement of hedgerow.</p> <p>Application No(s): RE16/02710/CON</p> <p>Electoral Division(s): Redhill East, 13872</p>
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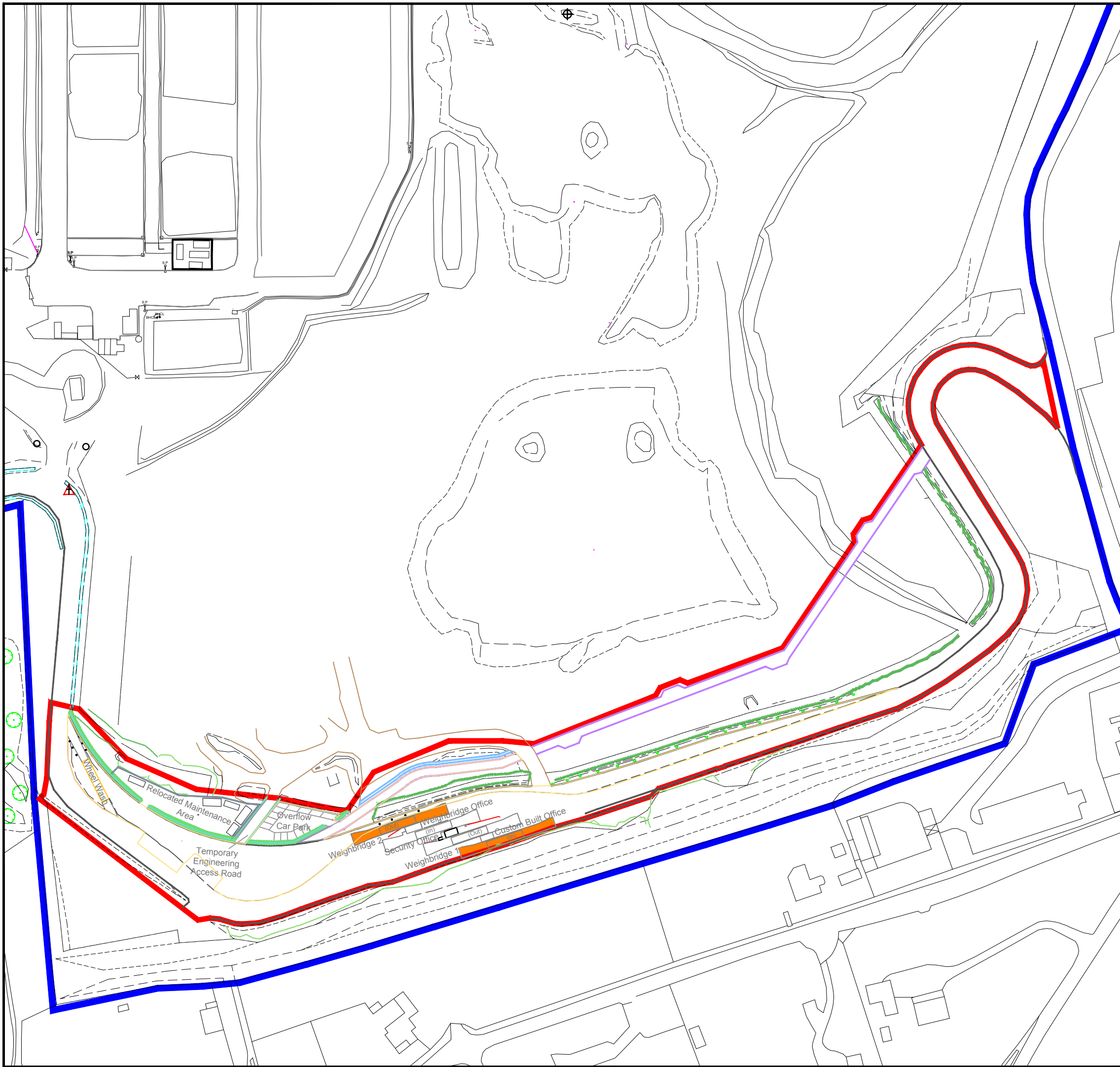
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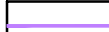

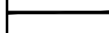





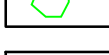


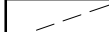

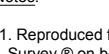
This plan is for indicative purposes only

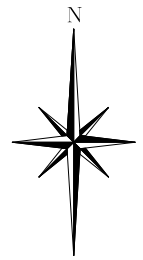


	<p>Ref No: SCC REF 2016/0191</p> <p>Date printed: 31/01/2017</p>	<p style="text-align: right;">Metres</p>	<p>Scale</p> <p>1:2,650</p>
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- Key**
-  Application Boundary
 -  Land under applicants control
 -  New Bund
 -  Proposed new road for staff, deliveries, visitors etc.
 -  Proposed New Weighbridges
 -  Proposed New Haul Road Boundary
 -  Existing Haul Road Boundary
 -  Proposed Fence
 -  Proposed Hedgerow
 -  Vegetation
 -  Crash Barrier
 -  Proposed Relocation Of Boulders
 -  Existing Wheel Wash
 -  Automatic Barrier
 -  Fence
 -  Top/Bottom of Bank
 -  Retained Hedgerow



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REV.	DATE	DRAWN	DESCRIPTION
3	13.01.17	PM	Additional passing place added to green road
2	03.01.17	PM	Scale Changed
1	04.11.16	PM	Plan updated

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PROJECT	Proposed Realignment of Haul Road & Proposed New Weighbridges		
LOCATION	Redhill Landfill Site		
DRAWING TITLE	Site Plan		
DRAWING No.	COMPUTER REF.		R10310203
DRAWN	PM	DATE	05.10.16
		SCALE(S)	1:

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