

**PLANNING AND REGULATORY COMMITTEE
NOTICE OF MEETING**

Date: Wednesday, 14 June 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;
Natalie Bramhall	Redhill West & Meadvale;
Stephen Cooksey	Dorking South and the Holmwoods;
Paul Deach	Frimley Green and Mytchett;
Matt Furniss	Shalford;
Jeffrey Harris	Tadworth, Walton & Kingswood;
Ernest Mallett MBE	West Molesey;
Bernie Muir	Epsom West;
Andrew Povey	Cranleigh & Ewhurst;
Mrs Penny Rivers	Godalming North;
Rose Thorn	Godstone;

EX OFFICIO MEMBERS (NON-VOTING) [4]

David Hodge C BE	Leader of the Council	Warlingham;
John Furey	Deputy Leader, Cabinet Member for Economic Prosperity	Addlestone;
Peter Martin	Chairman of the Council	Godalming South, Milford & Witley;
Tony Samuels	Vice-Chairman of the Council	Walton South & Oatlands;

APPOINTED SUBSTITUTES [17]

Mary Angell	Woodham and New Haw;
Mike Bennison	Hinchley Wood, Claygate and Oxshott;
Nick Darby	The Dittons;
Richard Hampson	Haslemere;
Nick Harrison	Nork & Tattenhams;
Julie Iles	Horsleys;
Graham Knight	Horley East;
Yvonna Lay	Egham;
Cameron McIntosh	Oxted;
Chris Botten	Caterham Hill;
Chris Townsend	Ashtead;
Will Forster	Woking South;
Fiona White	Guildford West;
Angela Goodwin	Guildford North;
David Goodwin	Guildford South-West;
David Lee	Caterham Valley;
Jonathan Essex	Redhill East;

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 - 30)

To confirm the minutes of the meeting held on (22 March 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 MINERALS/WASTE RU.16/1960 - ADDLESTONE QUARRY, NATIONAL GRID ENTRANCE, BYFLEET ROAD, NEW HAW, SURREY KT15 3LAZ (Pages 31 - 60)

The use of land for the importation of construction, demolition and excavation (C, D & E) waste and the siting of an aggregate recycling facility, involving the placement of mobile crushing and screening plant to enable the recovery of recycled aggregates for sale and export, for a temporary period until 31 December 2020. (retrospective)

The application is for the use of part of the existing aggregate plant site area for the siting and operation of an aggregate recycling facility (ARF), for a temporary period until 31 December 2020. The facility will be used to recycle construction, demolition and excavation (CD&E) waste, involving the mobile crushing and screening plant to enable the recovery of recycled aggregates for sale and export, with the residual inert waste used for the restoration of the quarry.

8 ALTON ROAD SANDPIT, ALTON ROAD, FARNHAM - TEMPORARY FOOTPATH DIVERSION ORDER - FOOTPATHS 16 AND 17 (Pages 61 - 66)

Planning and Regulatory Committee's authorisation is required so that a temporary diversion order can be made under S257 and S261 of the Town and Country Planning Act.

9 DATE OF NEXT MEETING

The next meeting of the Planning & Regulatory Committee will be on 12 July 2017.

David McNulty
Chief Executive
05 June 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.

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

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

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

Thank you for your co-operation

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

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

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

NOTES:

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

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

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

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 22 March 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 Ernest Mallett MBE
Mr Richard Wilson
Mr Jonathan Essex
Miss Marisa Heath
Mrs Mary Angell

Apologies:

Mr Steve Cosser
Mrs Carol Coleman
Mrs Margaret Hicks

179/17 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies for absence received from Steve Cosser, Margaret Hicks and Carol Coleman

180/17 MINUTES OF THE LAST MEETING [Item 2]

The Minutes of the previous meeting were approved as a correct record subject to the following amendments:

That under Minute 175/17 paragraph 2 of 'key points' should read:

Measures for traffic management which could include things such as jersey barriers could affect the way in which you would be able to view the bank and therefore restore and protect the bank, therefore should be considered after traffic management and not before.

That under Minute 175/17 the following be added to paragraph 3 of 'key points' after the third sentence:

Yet Members were concerned that no preventative measures were proposed.

That under Minute 176/17, 'Speakers' paragraph 3 should read:

It was stated that data of vehicle movements had only been received after requests had been made by local residents. The local Member asked that in future these requests be answered in good time.

That under Minute 176/17, the last sentence of paragraph 2 of 'key points' raised should read:

The Committee agreed to add an informative to ask the applicant to submit vehicle movement data in advance of each six monthly liaison meeting.

181/17 PETITIONS [Item 3]

There were none.

182/17 PUBLIC QUESTION TIME [Item 4]

There were none.

183/17 MEMBERS' QUESTION TIME [Item 5]

There were none.

184/17 DECLARATIONS OF INTERESTS [Item 6]

There were none.

185/17 MO/2016/1563 - LAND AT BURY HILL WOOD, COLDHARBOUR LANE, HOLMWOOD, SURREY RH5 6HN [Item 7]

This item was deferred as the Secretary of State had requested an Environmental Impact Assessment be undertaken.

186/17 MO/2016/1752 LAND AT BURY HILL WOOD: CONDITION 14 LANDSCAPE AND RESTORATION MANAGEMENT PLAN [Item 8]

Officers:

Samantha Murphy, Principal Planning Officer
 Alan Stones, Planning Development Team Manager
 Caroline Smith, Transport Development Planning Manager
 Nancy El-Shatoury, Principal Solicitor

Speakers:

Hazel Watson, the Local Member, made the following points:

1. The Local Member referenced the final paragraph of paragraph 13 of the report which stated that '*all planting implemented pursuant to this permission shall be maintained in good, healthy condition and be protected from damage for five years from the completion of site restoration*'. It was asked that this wording be reflected in the Conditions to ensure that the protection from damage was enforceable. It was also asked that programme be implemented to monitor the restoration of trees and shrubs on the site.

Key points raised during the discussion:

1. The Principal Planning Officer introduced the report and the update sheet tabled at the meeting and attached to these minutes. It was explained that the application was for the approval of Condition 14 of an appeal decision which was for an exploratory well site on land at Bury Hill Wood. It was stated that Condition 14 details a Landscape and Restoration Scheme for the applicant site for when drilling work and decommissioning have finished to return the land back to an after use compatible with forestry and to assist in absorbing the site back into the local landscape as soon as practicable. The Committee were informed of further details of the application in which it was noted that 27 letters of representation had been received and that the concerns of both Capel Parish Council and Leith Hill Action Group (LHAG) were outlined in the report. No technical objections had been received.
2. A Member of the Committee referred to the Local Member's comments regarding the restoration of the site and asked if these comments were addressed in Condition 2. The Planning Officer confirmed that these comments were addressed in Condition 2 of the report.
3. Members sought clarification on Japanese Knotweed in which it was confirmed that the applicant had committed to spraying the Japanese Knotweed in the first available spraying season and to continue spraying up until the end of the aftercare period.
4. A discussion was had on adding clarification to Condition 2 on who would be responsible to replace any trees that die over the next five years. Planning Officers confirmed that would be the responsibility with whoever had responsibility of the land at that time. It was asked that discussions be had with the legal team regards to the wording of Condition 2 to make it clearer.

The resolution of the Committee was unanimous

Resolved:

That application MO/2016/1752 Land at Bury Hill Wood: Condition 14 Landscape and Restoration Management Plan was approved subject to conditions and reasons set out in the report

Actions/further information to be provided:

None.

187/17 SP12/01487 - LAND AT WATERSPLASH FARM, GASTON BRIDGE ROAD AND FORDBRIDGE ROAD, SHEPPERTON, SURREY, TW16 6AU [Item 9]

This item was deferred at the request of the Applicant.

188/17 WO/2017/0102 - ELM NURSERY, SUTTON GREEN ROAD, SUTTON GREEN, GUILDFORD, SURREY GU4 7QD [Item 10]

Officers:

Alan Stones, Planning Development Team Manager
 Caroline Smith, Transport Development Planning Manager
 Nancy El-Shatoury, Principal Solicitor

Key points raised during the discussion:

1. The Planning Development Team Manager introduced the report and informed the Committee that the application was a details pursuant following from the planning permission received in August 2016. The details of the application related to noise, surface water drainage, planting and the colours of the items on the site. The concerns of local residents were highlighted as well as comments received from the local Member.
2. The Planning Development Team Manager read out comments made by the local Member who stated that a drawing received in April 2016 was not realistic and did not cover the detail that was necessary to understand what was proposed and how noise would be mitigated. The Planning Development Team Manager replied to the Local Members comments referencing the details outlined in the report regarding the concrete structure built to mitigate noise levels. The Committee noted that the Noise Consultant was satisfied with this strategy. Further points in the report were highlighted which confirmed that the site would continue to be monitored as the site progressed.
3. A Member queried the possibility of control measures to mitigate noise levels not being satisfactory. He asked for confirmation that if that was the case that further noise insulation be put in place later. The Planning Development Team Manager highlighted that the conditions stated a certain noise level and if that was exceeded then it would be the applicant's responsibility to ensure these standards were met.
4. The Planning Development Team Manager confirmed that there was not enough space to have more than a single line of planting and that a number of species were proposed to be planted.

The resolution of the Committee was unanimous

Resolved:

That application WO/2017/0102 - Elm Nursery, Sutton Green Road, Sutton Green, Guildford, Surrey GU4 7QD be approved subject to the conditions and reasons set out in the report.

Actions/further information to be provided:

None.

189/17 SP13/01153/SCA1 - CHARLTON LANE WASTE MANAGEMENT FACILITY, CHARLTON LANE, SHEPPERTON, TW17 8QA [Item 11]

Officers:

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

Key points raised during the discussion:

1. The Deputy Planning Development Manager introduced the report and informed members that it the proposal was for 36 non-material amendments that arose during the construction of the project. It was

highlighted that permission had already been granted and that the current application was to approve the amendments. The Deputy Planning Development Manager listed the details of the report stated that as a whole this did not constitute a material change.

2. A Member of the Committee raised concerns over the wording used in the report and how it could be portrayed to members of the public. It was said that the description of 'material' and 'non-material' used in the report could be easily misunderstood and that information on how this is decided could be clearer and better publicised. Members noted details of the report which could be seen as misrepresented and how the description of 'material' and 'non-material' changes were possibly inaccurate.
3. The Member went on to discuss the consultation process of the application and stressed that local residents could have been better communicated with and informed of the changes at the site. The Deputy Planning Development Manager responded to the Members comments regarding the consultation process by stating that the government states that it is discretionary and that publicity and consultation was not mandatory in this case. It was noted that a Local Liaison Group which included local residents were informed of these changes prior to the application being received. Officers stated that site notices were put up and that consultation was had with the local district authority as well as the local residents association and the three Local Members. Officers went on to confirm that they believed that this consultation was appropriate due to the nature of the changes.
4. Members of the Committee questioned if the Local Liaison Group had been informed once the application had been received. Officers confirmed that the group had been informed before the application was received and that once received it was published on the Surrey County Council website, district website and site notices were put up.
5. Members of the Committee made clear that the description of 'material' and non-material' amendments should be better publicised to prevent further confusion. Officers agreed to include clarification of what 'material' and non-material' amendments were, with examples of these, on the Surrey County Council website.

Resolved:

That application SP13/01153/SCA1 - Charlton Lane Waste Management Facility, Charlton Lane, Shepperton, TW17 8QA be approved subject to the conditions and reasons set out in the report.

Actions/further information to be provided:

None.

Marisa Heath left the meeting at 11:45am

**190/17 GU17/P/00129 - ST PETERS ROMAN CATHOLIC COMPREHENSIVE
SCHOOL, HORSESHOE LANE EAST, GUILDFORD, SURREY GU1 2TN
[Item 14]**

Officers:

Dawn Horton-Baker, Senior Planning Officer
Alan Stones, Planning Development Team Manager
Caroline Smith, Transport Development Planning Manager
Nancy El-Shatoury, Principal Solicitor

Key points raised during the discussion:

1. The Senior Planning Officer introduced the report and the update sheet tabled at the meeting. It was explained that the application proposed to expand St Peters school from a 6 forms of entry to a 7 forms of entry school which would mean an increase of 150 pupils. It was confirmed that a stand-alone two story building would be erected in the centre of the site and that refurbishment of other parts of the site were planned. Further details of the application were confirmed in which the Committee noted that four letters of objection had been received and that an objection had been received from Sport England due to the loss of playing field land. Therefore this application would need to be referred to the Secretary of State.
2. Members highlighted the necessity of the application due to the urgent need for school places in the area. It was stated that although there were traffic concerns that the school had a good record of mitigation by supporting transport by non-car modes.
3. Members discussed the design process for school buildings and how it was of the opinion of some, that the quality could be improved. The Planning Development Control Manager explained that the design of the schools followed rules set out in a development plan which ensured the building met requirements. It was stated that further alterations would have cost implications.
4. A Member of the Committee highlighted the objection received from Sport England and asked if the council allowed for a right of reply. The Senior Planning Officer confirmed that the school had considered the comments but decided that the playing field would not be used differently following the development.
5. Members raised concerns about the two trees which would be removed to accommodate two parking spaces at the site. Members sought clarification over the size of the trees which would replace the ones removed. Officers confirmed that the two trees had previously been given permission to be removed by Guildford Borough Council therefore the principle of the trees being removed had already been established. Officers also confirmed that appropriate replacement trees would be planted at the site.
6. Due to Members possibly being unaware of the location of the site, Members asked that phrases such as 'vicinity' and 'surrounding area' were not used and that the report was more specific when explaining details of the area. Officers highlighted that the report did include detail of what constitutes the local area. It was stated that, if helpful, a plan would be included in future reports to further clarify what was meant by the local area.

7. Members sought clarification on the hours of working for the site which the officer stated that these would usually be implemented at the local district level. It was stated that if the Committee wished, these conditions could be reflected in the report which the Committee agreed.

The resolution of the Committee was unanimous

Resolved:

That Application GU17/P/00129 - St Peters Roman Catholic Comprehensive School, Horseshoe Lane East, Guildford, Surrey GU1 2TN, subject to referral to Secretary of State, be approved subject to the reasons and conditions set out in the report.

Actions/further information to be provided:

None.

191/17 RU.17/0060 - LAND AT SALESIAN SCHOOL, GUILDFORD ROAD, CHERTSEY, SURREY KT16 9LU [Item 15]

Officers:

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

Key points raised during the discussion:

1. The Principal Planning Officer introduced the report and the update sheet tabled at the meeting. Members were informed that the application proposed to build a two story teaching block which would facilitate the expansion from an 8 forms of entry to a 9 forms of entry school. It was confirmed that nine letters of objection had been received that were mostly in regard to the increase of traffic movements in the area.
2. Members spoke about the urgent need for school places in the area.
3. A discussion was had around the design of the school in regards to air quality control in which officers stated that guidance was received from the Air Quality Consultation and that in this case they were satisfied with the design.
4. Members questioned the reasoning behind the cancelling of the school bus which officers confirmed that the cancellation of the bus was due to lack of pupils using it and therefore making it economically unviable.

Resolved:

That application RU.17/0060 - Land at Salesian School, Guildford Road, Chertsey, Surrey KT16 9LU be approved subject to reasons and conditions set out in the report.

Actions/further information to be provided:

None.

The Committee adjourned at 12.35pm for lunch and the Committee reconvened at 13.03pm.

Marissa Heath gave her apologies for the afternoon session of this meeting.

192/17 TA11/1075 - OXTED SANDPIT, BARROW GREEN ROAD, OXTED, SURREY, RH8 0NJ [Item 12]

Officers:

Samantha Murphy, Principal Planning Officer
 Alan Stones, Planning Development Team Manager
 Caroline Smith, Transport Development Planning Manager
 Nancy El-Shatoury, Principal Solicitor

Key points raised during the discussion:

1. The Planning Officer introduced the item and informed the Committee of the applications details outlined in the report. It was stated that 10 letters of representation had been received that were specifically in relation to the recent consultation which was covered in the officers report and the update sheet tabled at the meeting. The Committee noted two typos in the report which were in paragraph 72 which referred to a draft section 106 agreement being appended which it should state a 'draft heads of term' and in paragraph 95 it writes Sand Martin nests become 'invested' when it should state 'infested'.
2. Members drew attention to condition 10 which stated that HGV movements would include some Saturdays. The Planning Officer stated that this was an oversight and that the applicant agreed that there would be no movements on Saturdays. Therefore reference to Saturday HGV movements would be removed from Condition 10.
3. In response to a Member query it was explained that this site was originally granted permission back in the 1970s and that it was always to be restored to its original state. All mineral workings have to be reinstated to something appropriate to the area.

Resolved:

1. That subject to the prior completion of a Section 106 Agreement to secure a routing agreement for HGV vehicles accessing and egressing Oxted Sandpit, to permit application TA11/1075 - Oxted Sandpit, Barrow Green Road, Oxted, Surrey, RH8 0NJ subject to conditions.
2. That the following changes to conditions, as stated in the submitted report be amended:
 - Reference to Saturday HGV movements would be removed from Condition 10
 - That Condition 13 stipulates the hours and days of operation for maintenance.
 - That Condition 26 be amended to include damage to existing nests.

Actions/further information to be provided:

None.

193/17 TA13/1653 - LAND AT OXTED SANDPIT, BARROW GREEN ROAD, OXTED, SURREY, RH8 0NJ [Item 13]**Officers:**

Samantha Murphy, Principal Planning Officer
Alan Stones, Planning Development Team Manager
Caroline Smith, Transport Development Planning Manager
Nancy El-Shatoury, Principal Solicitor

Key points raised during the discussion:

1. The Principal Planning Officer introduced the report and the update sheet tabled at the meeting and informed Members that the application proposed the installation and retention of a bunded fuel storage, wheel wash, site reception offices, weighbridge and hardstanding and the upgrade to the site access. The Officer outlined further details of the report and confirmed that 10 letters of representation had been received.

Resolved:

That application TA13/1653 - Land at Oxted Sandpit, Barrow Green Road, Oxted, Surrey, RH8 0NJ be approved subjected to conditions set out in the report.

Actions/further information to be provided:

None.

194/17 DATE OF NEXT MEETING [Item 16]

The date of the next meeting was noted.

Meeting closed at 1.40 pm

Chairman

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Planning & Regulatory Committee 22 March 2017

Item No

2

UPDATE SHEET**MINERALS/WASTE MO/2016/1752****DISTRICT(S)** MOLE VALLEY DISTRICT COUNCIL**Land at Bury Hill Wood, off Coldharbour Lane, Holmwood, Surrey RH5 6HN****Details of a Landscape and Restoration Plan pursuant to Condition 14 of appeal ref: APP/B3600/A/11/2166561 dated 15 August 2015.****CONSULTATIONS AND PUBLICITY*****Additional key issues raised by public***

A further letter of representation has been received however whilst it refers to this planning application it is actually raising concerns with regards to another planning application for this site, application ref: MO/2017/0255, for the installation of a reptile fence and makes no comments in relation to this application.

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UPDATE SHEET**SURREY COUNTY COUNCIL PROPOSAL GU17/P/00129****DISTRICT(S)** GUILDFORD BOROUGH COUNCIL**St Peters Roman Catholic Comprehensive School, Horseshoe Lane East, Guildford, Surrey GU1 2TN**

The erection of a two storey building to provide 8 x general teaching rooms, 3 x art class rooms, a chapel and other associated facilities, refurbishment of parts of the existing music and science blocks, creation of new tennis court / coach parking and hard play area, creation of 17 additional car parking spaces and 20 additional cycle parking spaces, landscaping and other associated works.

Amending Documents (Since report published)

Proposed Site Plan CD160403-TOD-XX-ZZ-DR-A-1004 Revision G dated December 2016
E mail from applicant's agent dated 7th March 2017 regarding playing pitches

DESIGN AND VISUAL AMENITY**Addendum to Paragraph 50**

Since the report was prepared the applicants have reconsidered the proposed fencing around the replacement hard play area and no longer require the removable cricket netting to a height of 6m as described in paragraph 16 of the report, nor the 2m high permanent weldmesh fence. An amended plan has been received which shows 2m high netting around three sides of the hard play area with part of the side adjacent to the access road remaining open. Officers consider that this change is acceptable and it also addresses the objection received from a member of the public as set out in point 4 in paragraph 24.

DEVELOPMENT ON PLAYING FIELDS**Addendum to paragraph 81**

Since the report was prepared the applicants have further considered the objection from Sport England and the level of playing pitch provision on the school site. They have reviewed the ability of the school's existing playing field to accommodate football playing pitches in the light of Sport England's comments. As a result of this they comment that the northern playing pitch at the school is not capable at present of accommodating anything larger than a u11/12 pitch and the proposed situation does not alter this. The exercise has been completed using the playing pitch sizes as set out in Sport England's Guidance. Consequently, it appears to them that the proposals do actually meet Sport England's Playing Field Policy exception E3, as they only utilise land which is incapable of being used for a playing pitch and does not affect its current capabilities in terms of the provision of sport.

Officers welcome this additional information and agree with the applicants comments. The conclusion on this issue remains as set out in paragraph 87, with the application still having to be forwarded to the Secretary of State.

RECOMMENDATION

Condition 2

Insert on line after CD160403-TOD-XX-ZZ-DR-A-1002 Revision F dated 17/01/2017 Existing Site Plan, **the following:**

CD160403-TOD-XX-ZZ-DR-A-1003 Revision H dated 17/01/17 Proposed Site Plan

Delete next line CD160403-TOD-XX-ZZ-DR-A-1004 Revision H dated December 2016 and **insert the following:**

CD160403-TOD-XX-ZZ-DR-A-1004 Revision G dated December 2016 Proposed Site Plan

Condition 6

d) ...add to end of current sentence *for climate change to ensure there is no significant flooding or offsite*

UPDATE SHEET**SURREY COUNTY COUNCIL PROPOSAL RU.17/0060****DISTRICT(S)** RUNNYMEDE BOROUGH COUNCIL**Land at Salesian School, Guildford Road, Chertsey, Surrey KT16 9LU**

The erection of a two storey building to provide 12 general teaching classrooms and associated works including the creation of 6 additional car parking spaces and 10 additional cycle parking spaces, extension of internal access road, creation of soakaway, hard landscaping works and works to trees.

Amending Documents (Since report published)
Email from Transport Consultant dated 21/03/17

Amend wording of paragraph 40 to the following:

40. On the basis of the current mode share, and taking no account of any mode shift or car sharing that may occur as a result of the successful implementation of travel plan measures, but reallocating the school bus pupils between public bus (6%), car (47%) and train (47%), the proposed expansion of the school could result in an increase of 115 children coming to school by car. This is considered to be a worst case scenario. It may be that once the school is at full capacity, a school bus will be reinstated but there is no certainty that this will happen so no account is taken of it at this stage. Were it to be reinstated, the additional number of children travelling by car would be around 74.

Amend wording of paragraph 40 to the following:

41. The additional parking demand of 115 cars can be met at school drop off in the a.m. period but demand is likely to exceed supply in the p.m. pick up peak. This will result in short term parking stress on Green Lane. There is no suitable mitigation for this other than the school strongly advocating the travel plan and encouraging pupils to use non-car modes and/or car sharing to access the school. The school's existing good accessibility by non-car modes makes this a realistic option.

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Planning & Regulatory Committee 22 March 2017

UPDATE SHEET

MINERALS/WASTE TA11/1075

DISTRICT(S) TANDRIDGE DISTRICT COUNCIL

Oxted Sandpit, Barrow Green Road, Oxted, Surrey, RH8 0NJ

The infilling of the former quarry void with inert waste as defined in Regulation 7 (4) of the Landfill (England and Wales) Regulations 2002, together with any engineering materials necessary to line and cap the site and soils for restoration without compliance with Condition 3 of planning permission ref: TA94/0980/A3 dated 6 June 2007 for a further eight years.

CONSULTATIONS AND PUBLICITY

District Council

Consultees (Statutory and Non-Statutory)

RSPB have commented further saying “*The RSPB remains unconvinced that the methods of working will satisfactorily avoid damage or disturbance to the sand martin colony. The RSPB therefore recommends that if Surrey County Council is minded to grant consent for the application it should be subject to the following conditions:*

1. *A buffer zone of 4m vertically to be provided and maintained beneath the lowest sand martin nest on the southern face of Oxted Sandpit during the filling of Phase 3, the restoration of the sand pit and during the aftercare period in accordance with plan SHF.089.001.L.D.003. E*
2. *All works to stop within a 30 meter demarcation area around the sand martin colony between March – September*
3. *As an effective mitigation measure a wetland area and temporary sand martin nesting towers as shown on plan SHF.089.001.L.D.002. E and SHF.089.001.L.D.004 should be installed before Phase 3 to allow a replacement habitat to be available before the infilling of Phase 3. Allow for a minimum of one breeding season between the installation of the sand martin towers and the infilling in Phase 3.*

The conditions should be such that no damage occurs to any of the existing nests not “the majority of holes”.

Parish/Town Council and Amenity Groups

Additional key issues raised by public

Six further letters of representation have been received on this application raising the following concerns:

Documents and Environmental Impact Assessment

- a. The errors that are in the sand martin document are serious and should be addressed by a new report which is error free.
- b. The report to the 2014 Planning and Regulatory Committee was deferred on ecological grounds. As a result of further work, it would appear that the applicant has agreed to protect the colony by a combination of leaving 4m of cliff below the level of the lowest holes/ burrows and giving the restored surface a gentle incline of about 1:10 towards the base of this cliff. I believe that these conditions would satisfy most of the interested parties. Unfortunately, the reports submitted - *Environmental Statement Ecology Addendum-3* and *Environmental Statement Addendum*, together with the associated drawings – do not appear to be sufficiently accurate or detailed to enable these

requirements to be met or subsequently monitored and contains information that is ambiguous. As long as the ambiguities remain in the reports and drawing then there is room for confusion and for mistakes to occur.

- c. I'm glad you recognise the nesting season to be March to September. Unfortunately, the mitigation report (section 2.2.1) still says "April to July", another mistake continued over from the first iteration of the report. It is important this is corrected in the report to prevent disturbance of nesting birds.

Conditions

- d. Support planning conditions to ensure the concerns are not materialised but am worried about enforcing the conditions

Sand Martins

- e. The 'Cliff face and preserved habitat' plan dated 3 March 2017 shows two indicative sections through the cliff face. The face of the western section is deeper than the eastern section presumably because the sand martins' nests are in a thinner band towards the east. I assume that the face will get thinner as it continues eastwards but I suspect that it will not get deeper as it continues westwards. I would ask for clarity of the depth of the face at each end of the bank.
- f. It is quite likely that the changes to the immediate landscape will deter sand martins from breeding and the depth of the face may be critical in continuing to attract breeding birds. I would like to see a 4m buffer below the lowest nesting hole/burrow, which would continue along the entire bank so the buffer zone would be more than 4m at the eastern end where the sand martin holes are higher; such a bank would be more attractive. There would be a further small loss of void for landfill but it might well be critical in continuing to attract sand martins. It would be very disappointing for all parties if sand martins did desert the site so another small loss of void is very worthwhile.
- g. The buffer zone is supposed to be below the lowest sand martin burrow, clearly 4m from the top of the cliff will not allow for this. The expanse of the cliff face used by the sand martins is not a regular 'band' and the protection zone needs to start from the base of the lowest burrow. The precise area of the nesting holes should be measured, including the distance between the lowest holes and the cliff top.
- h. Protection should be given to all of the holes/ burrows not just those in use.
- i. There should be no works in Phase 3 during the nesting season.
- j. The nesting towers should be in place before Phase 3.
- k. Terminology is important i.e. nest burrows or occupied burrows. The advice from the RSPB is that *all* burrows should be safeguarded. There are in excess of 100 holes in the colony but not all are used every year. Different burrows are chosen between years and even between broods. Preservation of the part of the cliff containing all the holes is important for the colony's continuing survival. With this in mind it should be quite possible to accurately survey the colony's position and thus the extent of the 'buffer' at this stage and not at some time in the future. Please bear in mind that Phase 3 might not start for 5-6 years and in that time personnel change and the original intention of the mitigation might be lost. There is no need to wait till then as this information should already be decided by now. A check on any new burrows that appear below the current lowest holes and agreement on this is what is required at that point.
- l. I think the issue of the artificial towers is a bit of a diversion. Their success is unproven and their placement, by the main access route, would subject them to much disturbance. Every effort should be made not to disturb the birds while nesting and disturbance causing them to desert their nests, whether in the sand face or in the towers, would be a criminal offence. However, it has now been agreed that the towers would be placed before the start of Phase 3, which would at least ensure that some mitigation is in place prior to potential disturbance. There are further errors in drawing SHF.089.001.L.D.007 (Phasing Plan), most serious of which is the annotation to 'Stage 2: years 2-4' which states "Temporary Sand Martin Nesting Towers erected once restoration works to Phase 3 are completed". The mitigation measures needs to be available before the infilling in Phase 3.
- m. The intention is to save the colony and the whole cliff face should be left intact and undisturbed with adequate and unequivocal plans demonstrating this both by way of

adequate clearance below the nesting stratum and a sufficient and safe buffer zone in front of it

S106 Agreement

- n. Note that the any planning permission to be granted would be subject to a Section 106 Agreement regarding Barrow Green Road. Request that a binding S106 Agreement that commit the applicant to provide a suitable sum of money to be held by the Council which is ring fenced so all the mitigation proposals can be carried out.

Ecological Assessment

- o. Criticism of the ecological assessment conducted in 2016 and submitted recently. The survey was carried out in February therefore there would have been a non existence of various species. There is the presence of lapwings, common snipe, jack snipe and green sandpiper. Why are these not cited in the Environmental Statement Ecology Addendum.

Time period reporting to committee

- p. Object as the timing of when the consultation period expires, close of play 22 March, will not allow time to include any further points made by objectors in the Officer report notwithstanding further comments being made in the advertised consultation period. This is procedurally wrong. If the item is still taken to committee ensure all members of the committee are given right to read [new reps] before committee.

Policy

- q. Implore members to request Officers to bring to Council a report on the success of Policy MC17 [of the Surrey Minerals Plan 2011] and to consider the introduction or adoption of a more flexible approach that recognises the need to preserve exceptional biodiversity.

Officer comment

Time period reporting to committee

Officers are aware the date on the site notice is for 22 March 2017, the same day as this committee.

The Town and Country Planning (Development Management Procedure) (England) Order 2015 Part 6 'Determination' Regulation 33(1) states:

"a local planning authority must, in determining an application for planning permission, take into account any representations made where any notice of, or information about, the applications has been –

- (a) *Given by site display under article 13 or 15, within 21 days beginning with the date when the notice was first displayed by site display;*
- (b) *Served on –*
 - i. *An owner of the land or a tenant of an agriculture holding under article 13;*
 - ii. *An adjoining owner or occupier under article 15; or*
 - iii. *An infrastructure management under article 16,*
Within 21 days beginning with the date when the notice was service on that person, proved that the representations are made by any person who they are satisfied is such an owner, tenant, occupier or infrastructure manager; or
- (c) *Published in a newspaper under article 13 or 15 or on a website under article 15 within the period of 14 days beginning with the date on which the notice or information was published"*

Section 34(9a) states that you cannot determine a planning application before the site notice has been displayed for 21 days.

The site notice for this application was dated 22 February 2017. The 14 day period with regards to Regulation 33(1)(c) would be **8 March 2017**. The 21 day period with regards to Regulation (1)(a) would be **15 March 2017**.

The Town and Country Planning (Environmental Impact Assessment) Regulation 2011

Regulation 22(7) states:

“Where information is requested under paragraph (1) or any other information is provided, the relevant planning authority, the Secretary of State or the inspector, as the case may be, shall suspend determination of the application or appeal, and shall not determine it before the expiry of 14 days after the date on which the further information or any other information was sent to all persons to whom the statement to which it relates was sent or the expiry of 21 days after the date that notice of it was published in a local newspaper, whichever is the later”.

The period of 14 days after the information was sent to persons to which it relates would be **23 February 2017** (the information was sent on 9 February). The 21 day period would be **15 March 2017**.

As such the application complies with the requirements of the regulations and a period of 21 days post the posting of the site notice has passed. The time given in the site notices and newspaper advert go over and above the time period required in the Regulations.

Officers note that the date for comments on the notice does expire on 22 March 2017. Officers consider that the period of time that will have to be afforded for the completion of the S106 Agreement and the requirement to go through a review process in accordance with the Kides Protocol will afford the opportunity for reviewing any further representations that may be received on and by 22 March 2017.

Documents and Environmental Impact Assessment

Officers recognise there is some ambiguity in the documents submitted as part of the planning submission including the Environmental Statement. However Officers consider that the required mitigation can be secured by appropriately worded conditions being attached to any planning permission granted. With references to the criticisms levelled at the submitted Environmental Statement, the issues highlighted are not of such a type of scale as could reasonably be considered to render the Environmental Statement inadequate, as the question of the impact of the development on the sand martin colony has been addressed in the Environmental Statement.

Regulation 3 of the Environmental Impact Assessment Regulations 2011 (as amended) prohibits the grant of planning permission until the planning authority has “...*first taken the environmental information into consideration, ...*” with ‘environmental information’ defined in Regulation 2 as meaning “...*the environmental statement, including any further information and any other information, any representations duly made by any body required by these Regulations to be invited to make representations., and any representations duly made by any other person about the environmental effects of the development*”. Officers consider the application can proceed to determination having taken account of the relevant environmental information which in this case including the Environmental Statement and the comments provided by representations.

The Environmental Impact Assessment team have reviewed the information submitted and the comments raised by representations and raise no concerns with regards to the Environmental Statement.

Ecological Assessment

The baseline ecological survey conducted in 2016 and submitted recently was a follow up survey to previous surveys carried out for the site to check whether there had been any substantive changes on site.

Sand Martins

The RSPB advice is that if there are exposed faces that will be worked upon during the breeding season it is advisable to make these uninviting to sand martins before they arrive. This can be done by before each nesting season, including making batters on faces so they are less attractive to sand martins and/ or netting areas.

Officers are satisfied that the concerns raised with regards to the protection of the sand martins that these can be covered by condition. The RSPB have raised no objection to the proposal and have requested conditions be imposed. The conditions are set out below but in summary these cover:

- The requirement for a 4m buffer zone beneath the lowest hole/ nest/burrow
- That the sand martin nesting towers are in place and verified for use before the commencement of Phase 3 and that they are in place for at least one nesting season before commencement of Phase 3
- That no works shall be carried out within a 30m stand off from the southern phase during the sand martin bird nesting season
- That a scheme of working of Phase 3 be provided which would include how they would determine what the lowest nest/ burrow/ hole is and for this to be done before commencement of Phase 3. This would take into account how the face of the western section is deeper than the eastern section i.e. that there are more holes/ nests/ burrows in the western section of the face than the east.

These conditions would ensure that all burrows/ holes/ nests are protected. The conditions require for annual sand martin surveys to continue to monitor their activities. Officers consider there is no requirement for the applicant to set out the lowest nest/ burrow/ hole at this present time as Phase 3 may not be worked for a period of 5 years and there could be a change in circumstance which would be captured by the annual sand martin surveys and the working programme for Phase 3. Officers make the following recommended conditions to replace conditions 21-29 in the officer report.

RECOMMENDATION

The third sentence of paragraph 3 (Background) should refer to 75,000 tonnes **per annum**. This is so not to cause confusion in terms of the volume of remaining voidspace referred to in the previous report to Planning and Regulatory Committee in June 2014.

The following conditions should be replace those in the Officer report:

Condition 1 (plans and drawings) should read:

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

Drawing SHF.089.001.L.D.001 E Location and Context Plan September 2016
 Drawing SHF.089.001.L.D.002.E Restoration Plan September 2016
 Drawing SHF.089.001.L.D.003.E Cliff Face and Preserved Habitat Plan September 2016
 Drawing SHF.089.001.L.D.004.D Planting Plan September 2016
 Drawing SHF.089.001.L.D.005.D Detailed Wetland Planting Plan September 2016
 Drawing SHF.089.001.L.D.006.A Viewpoint Locator Plan June 2016
 Drawing SHF.089.001.L.D.007.A Phasing Plan September 2016
 Drawing 2v2 Restoration Plan with Revised Contours September 2015
 Drawing 1001/KILLOXTED/001 Borehole Position and Level Survey 23 September 2008
 Drawing 103-21121 Road and Access improvements
 Drawing 104-21121 rev B Section 278 Agreement Highway Works General Layout 9 July 2012
 Drawing 105 Planning Application for Highway Works and Ancillary Works Site Layout 9 July 2012
 Drawing ES-08 Environment Agency Source Protection Zones May 2011
 Drawing ES-09 Environment Agency Aquifer Classifications May 2011

Drawing ESID3 Installation Design 1 November 2007
 Drawing SWMP 01 Existing Site Information 16 February 2010
 Drawing: LVIA-3 Environmental Statement LVIA Existing Profile dated June 2013
 Figure 06 Area Sensitive Receptors - Landscape Designations dated May 2011
 Figure 07 Page 1 of 2 – Site Photographs May 2011
 Figure 07 Page 2 of 2 – Site Photographs May 2011
 Figure 1 Location Plan May 2011
 Figure 13 Phase 1 Habitat Survey May 2011
 Figure 2 Site Plan July 2011
 Figure 5 The extent of the Environment Agency's flood zones 2 and 3
 Figure B.1 Area Plan Showing Site Location
 Figure B.2 Plan of Site and Receiver Locations
 Figure B.3 Noise Model Calculation Locations and Bund Location
 Figure ES-01 General Site Area dated May 2011
 Figure ES-02 Location Plan dated May 2011
 Figure ES-03 Site Plan dated May 2011
 Figure ES-05 Local Sensitive Receptors dated May 2011
 Figure ES-10 Area Route Network May 2011
 Figure ES-11 Drawing 101-21121 Site Access & Local Highway Network
 Figure LVIA 2 Environmental Statement LVIA - Photographs June 2013
 Figure LVIA-1 Environmental Statement LVIA Aerial View dated April 2013
 Figure NTS-01 General Site Area May 2011
 Figure NTS-02 Location Plan May 2011
 Figure NTS-04 Site Plan May 2011
 Figure NTS-05 Site Location Plan May 2011
 Figure PS-S-2 Site Plan dated June 2013
 Figure PS-S-3 Context Plan June 2013
 Figure R-S-1 Restoration Scheme Site Location (aerial) dated June 2013
 Figure R-S-2 Restoration scheme Photographs – site context
 Figure-01 Location of Dormouse Nest-Tubes dated January 2012
 Figure-02 Reptile Survey Location of Refugia Under Forthcoming National Guidance dated January 2012
 Figure-03 Great Crested Newt and Invertebrate Survey dated January 2012

Reason: For the avoidance of doubt and in the interests of proper planning.

New condition 2b should be inserted after Condition 2 reading:

Commencement

The development to which this permission relates shall be begun not later than the expiration of two years beginning with the date of this permission. The applicant shall notify the County Planning Authority in writing within seven working days of the commencement of the implementation of the planning permission.

Reason: To enable the County Planning Authority to exercise control over the site for the development hereby permitted and its duration.

Reason for condition 2: To enable the County Planning Authority to exercise control over the site for the development hereby permitted and its duration.

Condition 3 (Time scales) should read:

Infilling and restoration of the sandpit shall be completed in all respects within eight (8) years from the date of commencement as referred to in Condition 2b. All buildings, plant and machinery (both fixed and otherwise) and any engineering works connected therewith, on or related to the application site (including any hard surface constructed for any purpose), shall be

removed from the application site and the site shall be fully restored to a condition suitable for agriculture in accordance with the details set out in Conditions 31, 36 and 37.

Reason: 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

Reason for condition 4: To maintain planning control over the development hereby permitted in an area of the Metropolitan Green Belt where mineral working development is a temporary activity and not appropriate as of right in accordance with National Planning Policy Framework and Surrey Waste Plan 2008 Policy CW6.

Reason for Conditions 5-7: To ensure the availability and purity of the underground water which is within a water borehole aquifer and to protect the free flow and purity of surface water in accordance with policies DC2 and DC3 of the Surrey Waste Plan 2008.

Condition 8 (hours of operation) should read:

No machinery shall be operated, no process shall be carried out, and no deliveries shall be taken at or dispatched from the application site outside

0700 to 1800 hours Monday to Friday

nor at any time on Saturdays, Sundays, Bank, National or Public Holidays. This condition shall not prevent the carrying out of maintenance works on Saturdays and of emergency operations but these are to be notified to the County Planning Authority in writing within 5 working days.

Reason: To enable the County Planning Authority to exercise control over the site for the development hereby permitted and its duration in accordance with Surrey Waste Plan 2008 Policy DC3.

Reason for Conditions 9, 10 and 12: To ensure that the development should not prejudice the condition of safety on the highway, nor cause inconvenience to other highway users and to safeguard the local environment, to comply with Surrey Waste Plan 2008 Policy DC3.

Condition 11 (wheel cleaning) should read:

The operator shall keep the public highway clean and prevent the creation of a dangerous surface condition on the public highway. The wheel washing facilities shall be retained and used by all HGV's egressing the site prior to passage onto the highway. The wheel wash shall be capable of effective use whenever operations are carried out.

Reason: To ensure that the development should not prejudice the condition of safety on the highway, nor cause inconvenience to other highway users and to safeguard the local environment, to comply with Surrey Waste Plan 2008 Policy DC3.

Reasons for Conditions 13 – 18: In the interests of local amenity and to comply with Surrey Waste Plan 2008 Policy DC3.

Reasons for Conditions 19-20: In the interests of local amenity and to comply with Surrey Waste Plan 2008 Policy DC3.

Condition 21 (ecological survey) should read:

Prior to the commencement of basal engineering or sidewall construction works or infilling of the site, an ecological survey shall be carried out to identify if protected species or species of conservation concern are found in these areas. If any such species are found in this survey, the potential impacts will be considered and mitigation measures drawn up and submitted to the County Planning Authority for approval in writing.

Reason: To protect species of conservation concern as identified in Section 41 of the Natural Environment and Rural Communities Act 2006, paragraph 117 (third bullet) of the NPPF and Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Council Core Strategy 2008 Policy CSP17.

Reason for Condition 22: In the interests of amenity and wildlife conservation to comply with Surrey Waste Plan 2008 Policy DC3.

Condition 23 (sand martins) should read:

A 4 metre vertical buffer zone beneath the lowest sand martin nest/hole/ burrow shall be provided and maintained, as determined by condition 26 and assisted by condition 25, on the southern face of Oxted Sandpit in accordance with plan SHF.089.001.L.D.003.E Cliff Face and Preserved Habitat Plan dated September 2016.

Reason: To comply with the terms of the application and in the interests of biodiversity and wildlife conservation to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Council Core Strategy 2008 Policy CSP17.

Condition 24 (sand martins) should read:

No works shall be carried out within a 30 metre demarcation area from the southern face of the quarry between the months of March and September.

Reason: To comply with the terms of the application and in the interests of biodiversity and wildlife conservation to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Council Core Strategy 2008 Policy CSP17.

Condition 25 (sand martins) should read:

A survey of the sand martin nests/holes/ burrows on the southern face of Oxted Sandpit shall be carried out yearly by a suitably qualified person until the completion of infilling. The survey should include an estimate of the total number of nesting holes/burrows, an estimate of the number of occupied nesting holes/burrows, an estimate of the numbers of pairs of birds, date of nesting holes/burrows first used, date the young birds left the nest/holes/ burrows and dates and names of the surveyors. The annual surveys shall be submitted to the County Planning Authority for approval in writing.

Reason: To comply with the terms of the application and in the interests of biodiversity and wildlife conservation to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Council Core Strategy 2008 Policy CSP17.

Condition 26 (sand martins) should read:

Within 18 months prior to the commencement of basal engineering or sidewall construction works in Phase 3, a scheme of working of Phase 3 shall be submitted to the County Planning Authority for approval. The scheme of working shall provide the following information:

- Details of how the lowest sand martin nest/ hole/ burrow has been demarcated with verification of this by a qualified ecologist. The demarcation will be shown on a plan and photographs
- Details of the Above Ordnance Datum (AOD) height of all the lowest nests/hole/ burrow and AOD height of where the height of infilling would be placed, with photographic evidence and a location plan. The AOD levels shall be marked on the full length of the southern face every 2 metres horizontally.
- Details of what information and training that would be provided to operatives working in Phase 3

- Any measures or procedures that may be adopted prior to the sand martin nesting season to prepare for the sand martin arrival
- Ongoing daily on-site monitoring measures of the sand martins that would take place during Phase 3 with inspections recorded.

The basal engineering, sidewall construction, infilling and soil placement shall be carried out in accordance with the approved scheme. The on-site monitoring inspections log shall be made available to the County Planning Authority when requested.

Reason: To comply with the terms of the application and in the interests of biodiversity and wildlife conservation to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Council Core Strategy 2008 Policy CSP17

Condition 27 (sand martins) should read:

Prior to the commencement of basal engineering or sidewall construction works in Phase 3, a method statement for the provision of the sand martin nesting towers as shown on SHF.089.001.L.D.002.E Restoration Plan September 2016 and plan SHF.089.001.L.D.004.D Planting Plan September 2016 shall be submitted to the County Planning Authority for approval. The method statement shall include details of:

- How the sand martin towers are to be constructed
- How the sand martin towers would be inspected and verified for use
- Confirmation of when the sand martin towers will be constructed by

Details of when the sand martin towers may no longer be required and how this would be established.

Reason: To comply with the terms of the application and in the interests of biodiversity and wildlife conservation to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Council Core Strategy 2008 Policy CSP17

Condition 28 (sand martins) should read:

The sand martin towers as referred to in Condition 5 shall be in place having been constructed and verified for a minimum of one breeding season before the commencement of infilling of Phase 3.

Reason: To comply with the terms of the application and in the interests of biodiversity and wildlife conservation to comply with Surrey Minerals Plan Core Strategy 2011 Policy MC14 and Tandridge District Council Core Strategy 2008 Policy CSP17.

Condition 29 should be removed.

Reason for Conditions 30 and 31: 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.

Reason for Conditions 32 – 35: To secure restoration to the required standard and assist in absorbing the site back into the local landscape to comply with Policy MC17 of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document; Surrey Waste Plan 2008 Policy DC3.

Reason for Condition 36: To secure restoration to the required standard and assist in absorbing the site back into the local landscape to comply with Policy MC17 of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document; Surrey Waste Plan 2008 Policy DC3.

Condition 37 (aftercare) should read:

The land shall be brought to the required standard for the intended agricultural and ecological use. The applicant shall notify the County Planning Authority following the cessation of each seasons planting or seeding being completed and not more than one year after that date there shall be a meeting at the site which shall be attended by representatives of the applicant, the owners or their successors in title and the County Planning Authority, to monitor the success of the aftercare. There shall follow an annual site meeting between May - September of each year (or at a frequency to be agreed) for a period of twenty five years from the commencement of aftercare.

Reason for Conditions 38 and 39: To prevent pollution of the water environment in accordance with Policy DC3 of the Surrey Waste Plan 2008 and Policy MC14 of the Surrey Minerals Plan 2011 Core Strategy.

A new condition is proposed:

All planting shall be carried out in accordance with the Planting Specification and Schedule document SHF.089.001.L.R.003.C dated December 2016 and the Planting Schedule document SHF.089.001.L.D.004.D received 7 March 2017.

A new informative should be added:

The applicant is requested to provide access to individuals of bird society's on request so that they may access the application site for the purpose of recording and monitoring of sand martins nesting at the site.

Planning & Regulatory Committee 22 March 2017

UPDATE SHEET

MINERALS/WASTE TA13/1653

DISTRICT(S) TANDRIDGE DISTRICT COUNCIL

Land at Oxted Sandpit, Barrow Green Road, Oxted, Surrey RH8 9HE

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

CONSULTATIONS AND PUBLICITY

District Council

Consultees (Statutory and Non-Statutory)

RSPB have commented further saying “*The RSPB remains unconvinced that the methods of working will satisfactorily avoid damage or disturbance to the sand martin colony. The RSPB therefore recommends that if Surrey County Council is minded to grant consent for the application it should be subject to the following conditions:*”

1. *A buffer zone of 4m vertically to be provided and maintained beneath the lowest sand martin nest on the southern face of Oxted Sandpit during the filling of Phase 3, the restoration of the sand pit and during the aftercare period in accordance with plan SHF.089.001.L.D.003. E*
2. *All works to stop within a 30 meter demarcation area around the sand martin colony between March – September*
3. *As an effective mitigation measure a wetland area and temporary sand martin nesting towers as shown on plan SHF.089.001.L.D.002. E and SHF.089.001.L.D.004 should be installed before Phase 3 to allow a replacement habitat to be available before the infilling of Phase 3. Allow for a minimum of one breeding season between the installation of the sand martin towers and the infilling in Phase 3.*

The conditions should be such that no damage occurs to any of the existing nests not “the majority of holes”.

These matters are addressed by planning conditions set out in update sheet for TA11/1075.

Parish/Town Council and Amenity Groups

Tandridge District Council have commented that the road leading up to the site access is seriously eroded and if this application is approved then the roadside edges require reinforcement.

Officer comment: The widening of parts of Barrow Green Road to allow two HGVs to pass as part of the proposed Section 278 Agreement, should go a long way to addressing this. The need to over-run the road haunches and verges will be removed in those locations.

Additional key issues raised by public

Please refer to the update sheet for application TA11/1075 with regards to comments made by the public as these predominantly relate to sand martin issues but do discuss matters of the

overarching Environmental Statement. All comments on these matters are covered in that update sheet.

RECOMMENDATION

Condition 1 (plans and drawings) should be amended to:

Drawing SHF.089.001.L.D.001 E Location and Context Plan September 2016
 Drawing SHF.089.001.L.D.002.E Restoration Plan September 2016
 Drawing SHF.089.001.L.D.003.E Cliff Face and Preserved Habitat Plan September 2016
 Drawing SHF.089.001.L.D.004.D Planting Plan September 2016
 Drawing SHF.089.001.L.D.005.D Detailed Wetland Planting Plan September 2016
 Drawing SHF.089.001.L.D.006.A Viewpoint Locator Plan June 2016
 Drawing SHF.089.001.L.D.007.A Phasing Plan September 2016
 Drawing 2v2 Restoration Plan with Revised Contours September 2015
 Drawing 1001/KILLOXTED/001 Borehole Position and Level Survey 23 September 2008
 Drawing 103-21121 Road and Access improvements
 Drawing 104-21121 rev B Section 278 Agreement Highway Works General Layout 9 July 2012
 Drawing 105 Planning Application for Highway Works and Ancillary Works Site Layout 9 July 2012
 Drawing ES-08 Environment Agency Source Protection Zones May 2011
 Drawing ES-09 Environment Agency Aquifer Classifications May 2011
 Drawing ESID3 Installation Design 1 November 2007
 Drawing SWMP 01 Existing Site Information 16 February 2010
 Drawing: LVIA-3 Environmental Statement LVIA Existing Profile dated June 2013
 Figure 06 Area Sensitive Receptors - Landscape Designations dated May 2011
 Figure 07 Page 1 of 2 – Site Photographs May 2011
 Figure 07 Page 2 of 2 – Site Photographs May 2011
 Figure 1 Location Plan May 2011
 Figure 13 Phase 1 Habitat Survey May 2011
 Figure 2 Site Plan July 2011
 Figure 5 The extent of the Environment Agency's flood zones 2 and 3
 Figure B.1 Area Plan Showing Site Location
 Figure B.2 Plan of Site and Receiver Locations
 Figure B.3 Noise Model Calculation Locations and Bund Location
 Figure ES-01 General Site Area dated May 2011
 Figure ES-02 Location Plan dated May 2011
 Figure ES-03 Site Plan dated May 2011
 Figure ES-05 Local Sensitive Receptors dated May 2011
 Figure ES-10 Area Route Network May 2011
 Figure ES-11 Drawing 101-21121 Site Access & Local Highway Network
 Figure LVIA 2 Environmental Statement LVIA - Photographs June 2013
 Figure LVIA-1 Environmental Statement LVIA Aerial View dated April 2013
 Figure NTS-01 General Site Area May 2011
 Figure NTS-02 Location Plan May 2011
 Figure NTS-04 Site Plan May 2011
 Figure NTS-05 Site Location Plan May 2011
 Figure: PS-A-1 Location Plan dated June 2013
 Figure PS-A-2 Site Plan June 2013
 Figure PS-S-2 Site Plan dated June 2013
 Figure PS-A-3 Context Plan June 2013
 Figure PS-A-4 Section 278 agreement – Layout June 2013
 Figure PS-A-5 Highways land ownership information June 2013
 Figure PS-A-6 Barrow Green Road – view south west Section 278 Highway improvement June 2013
 Figure R-A-3 Restoration scheme photographs June 2013
 Figure-01 Location of Dormouse Nest-Tubes dated January 2012

Figure-02 Reptile Survey Location of Refugia Under Forthcoming National Guidance dated January 2012

Figure-03 Great Crested Newt and Invertebrate Survey dated January 2012

Reason: For the avoidance of doubt and in the interests of proper planning.

Reason for condition 2: To enable the County Planning Authority to exercise control over the site for the development hereby permitted and its duration.

Condition 3 (time limits) should be read:

The plant, machinery, buildings, structures and their respective foundations hereby permitted shall be removed from the site within three months of the completion of restoration of Oxted Sandpit and the land reinstated within 12 months in accord with Drawing SHF.089.001.L.D.002.E Restoration Plan September 2016 and any such further details that are subsequently approved by the County Planning Authority.

Reason: 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.

Reason for condition 4: To maintain planning control over the development hereby permitted in an area of the Metropolitan Green Belt where mineral working development is a temporary activity and not appropriate as of right in accordance with National Planning Policy Framework and Surrey Waste Plan 2008 Policy CW6.

Conditions 5-7 should be removed

Condition 8 should read:

No machinery shall be operated, no process shall be carried out, and no deliveries shall be taken at or dispatched from the application site outside

0700 to 1800 hours Monday to Friday

nor at any time on Saturdays, Sundays, Bank, National or Public Holidays. This condition shall not prevent the carrying out of maintenance works on Saturdays and of emergency operations but these are to be notified to the County Planning Authority in writing within 5 working days.

Reason: To enable the County Planning Authority to exercise control over the site for the development hereby permitted and its duration in accordance with Surrey Waste Plan 2008 Policy DC3.

Condition 10 should read:

Before any of the operations which involve the movement of materials in bulk to or from the site are commenced, facilities shall be provided as must be agreed with the County Planning Authority, in order that the operator can make all reasonable efforts to keep the public highway clean and prevent the creation of a dangerous surface on the public highway. The agreed measures shall thereafter be retained and used whenever the said operations are carried out.

Reasons for Conditions 9 -11: To ensure that the development should not prejudice the condition of safety on the highway, nor cause inconvenience to other highway users and to safeguard the local environment, to comply with Surrey Waste Plan 2008 Policy DC3.

Reasons for Conditions 12 – 15: In the interests of local amenity and to comply with Surrey Waste Plan 2008 Policy DC3.

Reasons for Conditions 16-17: In the interests of local amenity and to comply with Surrey Waste Plan 2008 Policy DC3.

Reason for Condition 18: 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.

Reason for Condition 19: 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.

Reason for Conditions 20- 23: To secure restoration to the required standard and assist in absorbing the site back into the local landscape to comply with Policy MC17 of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document; Surrey Waste Plan 2008 Policy DC3.

Reason for Condition 24: To secure restoration to the required standard and assist in absorbing the site back into the local landscape to comply with Policy MC17 of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document; Surrey Waste Plan 2008 Policy DC3.

Condition 25 (aftercare) should read:

The land shall be brought to the required standard for the intended agricultural and ecological use. The applicant shall notify the County Planning Authority following the cessation of each seasons planting or seeding being completed and not more than one year after that date there shall be a meeting at the site which shall be attended by representatives of the applicant, the owners or their successors in title and the County Planning Authority, to monitor the success of the aftercare. There shall follow an annual site meeting between May - September of each year (or at a frequency to be agreed) for a period of twenty five years from the commencement of aftercare.

Reason: To secure restoration to the required standard and assist in absorbing the site back into the local landscape to comply with Policy MC17 of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document; Surrey Waste Plan 2008 Policy DC3.

Reason for Conditions 26-27: To prevent pollution of the water environment in accordance with Policy DC3 of the Surrey Waste Plan 2008 and Policy MC14 of the Surrey Minerals Plan 2011 Core Strategy.

An additional condition should be added:

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the County Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled water. The development shall be carried out in accordance with the approved details.

Reason: to protect groundwater quality in accordance with Policy DC3 of the Surrey Waste Plan 2008 and Policy MC14 of the Surrey Minerals Plan 2011 Core Strategy.

TO: PLANNING & REGULATORY COMMITTEE**DATE:** 14 June 2017**BY:** PLANNING DEVELOPMENT TEAM MANAGER**DISTRICT(S)** RUNNYMEDE BOROUGH COUNCIL
ELMBRIDGE BOROUGH COUNCIL**ELECTORAL DIVISION(S):****Woodham & New Haw***Mrs Angell***Weybridge***Mr Oliver***PURPOSE:** FOR DECISION**GRID REF:** 506258 162744**TITLE:** MINERALS/WASTE RU.16/1960**SUMMARY REPORT**

Addlestone Quarry, National Grid Entrance, Byfleet Road, New Haw, Surrey KT15 3LA

The use of land for the importation of construction, demolition and excavation (C, D & E) waste and the siting of an aggregate recycling facility, involving the placement of mobile crushing and screening plant to enable the recovery of recycled aggregates for sale and export, for a temporary period until 31 December 2020. (retrospective)

The application is for the use of part of the existing aggregate plant site area for the siting and operation of an aggregate recycling facility (ARF), for a temporary period until 31 December 2020. The facility will be used to recycle construction, demolition and excavation (CD&E) waste, involving the mobile crushing and screening plant to enable the recovery of recycled aggregates for sale and export, with the residual inert waste used for the restoration of the quarry.

The key issues in determining this application will be compliance with the Development Plan and the impact on the local residential, environmental and amenity interests. In considering this application for a temporary planning permission it will be necessary to consider whether very special circumstances exist that overcome the normal presumption against inappropriate development in the Green Belt and harm by reason of inappropriateness, and any other harm. As well as Green Belt policy considerations, issues to consider include whether the proposal is supported by, and complies with development plan waste policy, including whether the application site in an appropriate location for waste development. Consideration will be given to any environmental or traffic issues associated with the operation of the aggregate recycling facility at Addlestone Quarry.

The application site is identified with the 2013 Aggregates Recycling Joint DPD, which sets out proposals for the provision of aggregate recycling facilities and identifies preferred areas for locating facilities and sets out policy for consideration of proposals for such facilities. The DPD states that temporary permission will be granted providing need has been demonstrated and the proposal is in accordance with the Key Development Criteria. It will be necessary for the authority to be satisfied that the proposal would not give rise to unacceptable impacts in terms of noise, air quality, traffic, contamination and visual disturbance.

Objections have been raised by residents, whose concerns are regarding; traffic, noise, air quality, contamination and visual impact. However, subject to appropriate conditions, no objections are raised by technical consultees including: the County Highway Authority; the Environment Agency; the County's specialist consultants on noise and air quality; and the Borough Council's development management or environmental protection team.

Officers consider, subject to imposition of conditions that the proposed ARF would not give rise to unacceptable environmental or amenity impacts and accords with the development plan. A need has been demonstrated for the ARF in order to maintain a steady and adequate supply of recycled aggregates in the short term in accordance with the DPD targets, and will also assist with the restoration of the quarry. Officers consider that the ARF may be permitted for a temporary period, as an exception to policy given the very special circumstances which exist and the lack of any other harm to the Green Belt.

The recommendation is to PERMIT subject to conditions

APPLICATION DETAILS

Applicant

Cappagh Public Works Ltd

Date application valid

2 December 2016

Period for Determination

3 March 2017 (extended on agreement with the applicant)

Amending Documents

Noise Assessment Report Dated 09 May 2017

Response to 'Dust Pollution' – letter dated 09 May 2017

Agent Letter dated 10 May 2017 (by email)

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
Waste Management Issues	Yes	24 - 30
Highways, Traffic and Access	Yes	31 - 34
Noise	Yes	36 - 39
Air quality (dust)	Yes	40 – 43
Biodiversity and ecology	Yes	44 – 45
Drainage and surface water	Yes	46 – 48
Visual impact	Yes	49 – 51
Green Belt	No	52 - 59

ILLUSTRATIVE MATERIAL

Site Plan

Location Plan

Aerial Photographs

Aerial 1

Site Photographs

Figure 1 – Site entrance off Byfleet Road

Figure 2 - Site haul road

Figure 3 – Existing mineral processing plant (no longer in use)

Figure 4 – C,D&E waste stockpiles and processing area

Figure 5 – Plant site area and existing C,D&E waste stockpiles

Figure 6 – Mobile screening equipment

BACKGROUND

Site Description

- 1 Addlestone Quarry (also known as Wey Manor Farm) covers an area of some 61ha, within the Green Belt, to the east of New Haw, between Addlestone and Byfleet. Prior to the commencement of mineral extraction in 1995, the land was mainly agricultural. The site is bounded by an embanked railway line to the south, with woodland to the north, west and east. The Wey Navigation lies to the north and west, with an electricity switching station and housing development off Byfleet Road (A318) to the south and west of the proposed recycling site. The Brooklands Industrial Park, Brooklands Hotel and Mercedes Benz World lie to the south and south east on the opposite side of the railway embankment.
- 2 The proposed recycling facility, including access road comprises an area of approximately 1 ha, and will occupy part of the existing aggregate processing plant site area, which lies adjacent to the railway embankment, some 300m north east to the rear of the electricity switching station. The plant site is accessed via an established long haul road some 900m off Byfleet Road, sharing the entrance with the electricity switching station. The Brooklands Industrial Park and Hotel are sited some 170 and 220m to the south east on the other side of the railway embankment are the closest receptors to the recycling operational plant site area. Wey Manor Farm is the closest residential property to the proposed recycling operational plant site area, approximately 430m to the north west. The residential properties along Byfleet Road lie within 45m of the site entrance however they are over 650m from proposed aggregate recycling site area.
- 3 The application site is situated within the Environment Agency Flood Risk Zone 2, but is already used for the processing of sand and gravel from the permitted quarry. Three areas of ancient woodland to the south west and west lie adjacent to the existing sand and gravel processing plant site area. Public Footpath 12 lies some 40m to the north of the recycling facility and runs in a south east to north west direction.

Planning History

- 4 In October 1990 planning permission was granted on appeal (ref. APP/B3600/A89/133939) for the extraction of sand and gravel, erection of a processing plant, importation of inert waste material and the restoration of the site to agriculture and a landscaped lake.
 - Extraction of sand and gravel commenced in 1995, which meant that the completion of operations and removal of all buildings, plant, structures and works was due in 2003.
 - In November 2004 planning permission was granted (ref: RU01/0718) to allow an extension in time for the development until 31 December 2009.
 - A further extension in time was submitted as a result of landfilling operations at the site falling behind schedule due to the economic downturn and the scarcity of

appropriate fill materials. After a period of abeyance until the Minerals Plan Core Strategy was approved, planning permission (ref. RU09/1103) was granted in December 2015 to retain the plant and continue extraction of sand and gravel, with progressive restoration of the site with inert waste by 31 December 2020.

THE PROPOSAL

5 The operator is seeking temporary planning permission until 31 December 2020 for the siting and operation of an aggregate recycling facility (ARF), which is to be located on part of the existing aggregate plant site area (site of mortar plant, now removed). The facility is in part retrospective, as some recycling has commenced utilising mobile plant to screen both imported waste materials and site-derived sand and gravels. The mobile plant will be used to recycle construction, demolition and excavation (CD&E) waste, involving the mobile crushing and screening plant to enable the recovery of recycled aggregates for sale and export. The proposed layout comprises of the following:

- Material storage area located adjacent to the northernmost boundary of the application site;
- Mobile crushing plant (4.5m high x 15.81m in length) located centrally on existing concrete pad;
- Mobile screening plant (4.5m high x 14.9m in length) located adjacent to mobile crushing plant;
- Existing access road adjoining concrete pad and running south west.

Waste material for landfilling is to be stored on the existing stockpile area for material. Existing in/out weighbridges and two-storey office building to south west of application site are to be retained. Dust suppression sprays will be installed on the crusher in accordance with the manufacturer's specification. A bowser will be retained on site to damp down roadways during dry weather.

6 At present, the Quarry currently exports natural Bagshot sand and small amounts of shingle. Once the proposed ARF is in place, the Quarry will be capable of exporting recycled shingles, SUDS material and sub-base material. Graded aggregates will be manufactured from selected demolition and excavation materials, principally concrete break out and tarmac planings, imported from excavation and demolition contracts in the area. These aggregates will be used by Cappagh to service local contracts or customers. The majority of the material will come from and/or be sold in the Addlestone, Byfleet, Weybridge, Woking, Chertsey, Staines and surrounding area.

7 The proposed facility will process approximately 100,000 tonnes of C,D&E waste per annum, with around 70,000 tonnes of recycled aggregate being produced, with the remaining 30,000 tonnes of residual waste being used in the restoration of the wider quarry site. On the basis of the anticipated throughput, the average number of HGV movements per day importing material to the site for recycling would be 20 HGVs per day (40 movements), with 14 HGVs (28 movements) for the exported recycled aggregate. Under the current permission for the site there is a limit of 200 HGV movements per day. The combined HGV movements associated with the proposed facility and current permission will operate below this 200 HGV movement limit, therefore the proposal does not seek to increase the number of permitted HGV movements at the site.

8 The proposed facility would operate under the current permitted operational hours of 07:00 and 17:30 Mondays to Fridays, 08:00 and 13:00 Saturdays (subject to the proviso that no lorries shall leave the site before 07:30 on weekdays and Saturdays) and there will be no working on Sundays, Bank Holidays, Public Holidays or National Holidays.

- 9 The applicant has stated that the presence of the proposed aggregate recycling facility would assist in securing earlier restoration of the mineral workings due to the economies of scale and the ability to attract more waste to the site. The residual waste from the recycling operation would be directly landfilled as part of the already permitted operations rather than being sent off site.

CONSULTATIONS AND PUBLICITY

District Council

- 10 Runnymede Borough Council: No objection

Consultees (Statutory and Non-Statutory)

- 11 Elmbridge Borough Council: No objection
- 12 Environment Agency: No objection
- 13 Heathrow Airport Safeguarding: No objection
- 14 County Air Quality Consultant: No objection
- 15 County Noise Consultant: No objection
- 16 Local Lead Flood Authority (LLFA): No objection
- 17 County Highways Authority: No objection
- 18 County Ecologist: No objection
- 19 Rights of Way: No comments received
- 20 Environmental Assessment: EIA not required

Parish/Town Council and Amenity Groups

- 21 Wey Manor Residents' Association: No comments received

Summary of publicity undertaken and key issues raised by public

- 22 The application was publicised by the posting of 1 site notice and an advert was placed in the local newspaper. A total of 96 of owner/occupiers of neighbouring properties were directly notified by letter. To date 24 letters of representation have been received, objecting to the proposed development, raising the following points:
- Entrance to site contaminated with debris due to wheel cleaning facilities not being used properly;
 - Damage to kerbs, traffic islands, pavements at junction with Byfleet Road;
 - Concern over dust and noise impacts;
 - How will the site be monitored;
 - Traffic congestion and can operational movements be changed;
 - Departure from Development plan;
 - Site entrance in residential area, and access on to busy A318 single lane (each way) road;
 - Dust assessment not taken into account impact on Byfleet road residents;
 - Health risks to residents of Byfleet Road, particularly from HGV diesel fumes;
 - Increase in HGVs unacceptable, current 200 per day already permitted;

- Lorries are too big and dangerous for the road, causing damage and vibration;
- Restoration and closure of this site is long overdue, originally set at 2003, but later extended, and with no extraction since 2011;
- No need to bring material off the site, it should all be used for restoration;
- Visual impact of screening equipment, which is over 50 feet high;
- Contamination of water and soils due to leaching;
- Neighbour notification should extend beyond 90m to include all residents on Byfleet Road;
- Particulate levels (PM10 and PM2.5) may well be exceeded and application does not satisfy Policy DC3 of the Surrey Waste Plan 2008 (i.e. '*adverse effects on neighbouring amenity*') or NPPF (i.e. '*must not contribute any unacceptable levels of air pollution*')

A letter was also received from the local MP asking for advice on this application, following receipt of a letter from a resident.

PLANNING CONSIDERATIONS

Introduction

- 23 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 paragraph. In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations. In this case the statutory development plan for consideration of the application consists of the Surrey Minerals Plan 2011, Aggregates Recycling Joint DPD for the Minerals and Waste Plans February 2013, Surrey Waste Plan 2008, and the Runnymede Borough Local Plan Second Alteration 2001 (Saved Policies 2007). The National Planning Policy Framework (NPPF) 2012, the national Planning Practice Guidance (PPG) 2014 and National Planning Policy for Waste (NPPW) 2014 are 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: waste management issues; highways, traffic and access; biodiversity and ecology; noise and air quality; drainage and surface water; visual impact; and Green Belt.

Waste Management Issues

Surrey Minerals Plan (SMP) 2011

Policy MC1 – Location of mineral development in Surrey

Policy MC5 – Recycled and secondary aggregates

Surrey Waste Plan (SWP) 2008

Policy CW4 – Waste Management Capacity

Policy CW5 – Location of Waste Facilities

Policy WD3 – Recycling, Storage, Transfer of Construction and Demolition Waste at Mineral Sites

Aggregates Recycling Joint DPD for the Minerals and Waste Plans February 2013

Policy AR3 – Aggregates recycling at mineral sites

Policy context

- 24 SMP2011 Policy MC1 states that priority for locating aggregate recycling development will be given to urban areas particularly in north west Surrey and to temporary use of mineral sites to be restored with inert fill. Policy MC5 states that the Mineral Planning Authority (MPA) will make provision for the supply of recycled and secondary aggregates of 0.8mtpa by 2016 and of at least 0.9mtpa by 2026. The Aggregates Recycling Joint

DPD Policy AR3 identifies the existing quarry plant and processing area as a preferred site, and states that temporary planning permission will be granted in accordance with the SWP2008 (Policy WD3) for aggregates recycling, where need has been demonstrated and provided that the development meets the key development requirements set out in the Primary Aggregates DPD. The relevant key development criteria include: access; local amenity; biodiversity; hydrology; and restoration.

- 25 SWP2008 Policy CW4 states that planning permissions will be granted to enable sufficient waste management capacity to be provided, in order to; manage the equivalent of the waste arising in Surrey, together with a contribution to meeting the declining landfill needs of residual wastes arising in and exported from London; and, achieve the regional targets for recycling, composting, recovery and diversion from landfill by ensuring a range of facilities is permitted. Policy CW5 states that waste facilities will be considered in accordance with the certain principles and priority will be given over greenfield land to mineral workings. Policy WD3 states that planning permissions for development involving recycling, storage and transfer of construction and demolition waste at minerals sites provided that the proposed development is for a temporary period commensurate with the operational life of the mineral site.

Need

- 26 The development plan policy AR3 states that there has to be a demonstration of need for the proposed ARF. The applicant has stated that they are leading civil engineering contractors providing expertise for public utilities such as gas, water, sewer and highways. They are also leading producers of high quality recycled aggregates both for their own use in supplying local authorities and the utility company contracts and the recycled aggregate market generally. The applicant goes to state that there are clear co-locational advantages in establishing an ARF at the quarry site, utilising the existing infrastructure, in terms of the existing plant site area, which includes offices, weighbridges, existing hardstanding and the established access road. Material being brought to the site to restore the mineral workings can first be crushed and screened to produce recycled aggregate with the remainder retained for restoration. The location of the ARF at the site will assist and support the restoration of the site. The applicant has stated that the C,D&E waste will come from and / or be sold primarily in the Addlestone, Byfleet, Weybridge, Woking, Chertsey, Staines and surrounding areas.
- 27 The applicant has referred to the Surrey Aggregates Recycling Joint DPD (2013) and the Surrey Local Aggregate Assessment (LAA) December 2015, which has provided a review and assessment of ARF sites within Surrey, and demonstrates a local need for such a facility at the Addlestone Quarry Site. The LAA has been subsequently updated in December 2016, which confirmed that the sales of recycled and secondary aggregates have increased annually from 0.25 mt in 2007 to 0.83 mt in 2015. The SMP 2011 target is for at least 0.8 mtpa by 2016 and 0.9 mtpa by 2026. The target to produce at least 0.9 mtpa by 2026 is likely to prove more challenging this is because a number of temporary permissions for aggregates recycling on existing mineral workings are due to have expired by 2022.
- 28 Details have been submitted of the existing permanent ARF sites in Surrey, however the applicant has stated that none of the sites produce the same type of material as proposed at Addlestone Quarry, and there is limited if any overlap in terms of the market areas / sources of supply. In terms of temporary ARF's only two sites are identified which produce similar material and have some overlap in market area to that proposed at Addlestone Quarry. The first site is Hithermoor Quarry, which has temporary permission until 2022. The other temporary permission is at Shepperton Quarry, and expires in May 2017 however an application has been submitted to retain this until 2019 (undetermined as of this report date). The applicant has noted that the review clearly demonstrates that there are an extremely limited number of sites which produce the same kind of materials which the Addlestone ARF will produce and which serve the same market area.

- 29 Officers consider that the applicant has adequately demonstrated that there is a need for the temporary ARF at Addlestone Quarry, in accordance with the Aggregates Recycling Joint DPD. The development would enable production of recycled aggregates to be maintained at the ambitious supply target of at 0.8mtpa in the short term. The development would also need to meet the key development requirements set out in the Primary Aggregates DPD. The relevant key development criteria include: access; local amenity; biodiversity; hydrology; and restoration. Given the sufficiently clear need case for the development proposed in contributing towards the County targets for the supply of recycled and secondary aggregates and the appropriateness of the existing quarry plant site location to receive the proposed throughput, the proposal would comply with Surrey Minerals Plan 2011 Policy MC5, Aggregates Recycling Joint Development Plan 2013 Policy AR3 and SWP 2008 Policy WD2. The relevant Key Development Criteria from this site's allocation in the Aggregates Recycling Joint DPD 2013 are considered below in the relevant sections of this report.

Highways, Traffic and Access

Surrey Waste Plan 2008

DC3 General Considerations

Runnymede Borough Local Plan (RBLP 2001) Second Alteration (Saved Policies 2007)

Policy MV4 – Access and Circulation Arrangements

Policy Context

- 30 SWP 2008 Policy DC3, states that the information expected to accompany planning applications includes: an assessment of the level and type of traffic that would be generated; and an assessment of the impact of that traffic, the suitability of the access to the site and the highway network in the vicinity of the site (including access to and from the motorway and the primary route network). Policy DC3 also requires adverse effects on neighbouring amenity including transport impacts to be assessed. RBLP 2001 Policy MV4 states that all development proposals will be expected to comply with current highway design standards. It goes on to state that the Borough Council will seek to ensure that arrangements for access and circulation are appropriate to the type of development proposed and the area in which it is located and that development does not aggravate traffic congestion, accident potential or environmental and amenity considerations in the vicinity.

Assessment

- 31 The applicant has stated that the combined HGV movements associated with the wider operation of the quarry site and its restoration together with the HGV movements associated with the proposed ARF would not exceed the existing highways limit of 200 movements per day, on a 5 day average. This is currently conditioned under the current planning permission (ref. RU09/1103) for the operating quarry site, and has been the operational limit since 1995, when extraction commenced at the site. The applicant anticipates that approximately 100,000 tonnes of material would be imported for recycling each year. Of this, around 70,000 tonnes would be suitable for re-use and exported from the site and the majority of the remaining 30,000 tonnes landfilled in the existing void space at Addlestone Quarry. The applicants estimate that the importation of 100,000 tonnes per annum would generate 20 loads per day (40 movements) and that the exporting of 70,000 tonnes per annum would generate 14 loads per day (28 movements). Assuming that all vehicles are only loaded in one direction, this would result in a total of 68 movements per day. The applicants stated intention however is to make maximum use of back hauling to minimise the number of movements generated by the development. As the site operator also operates their own HGVs, they are likely to have control over the vehicles in order to be able to achieve this. Assuming 80% backhauling, the total traffic generation of the proposal will be 46 movements per day.

Even with just 10% backhauling the figure would be 66 movements per day, which is much less than the current permitted limit of 200 movements per day for the quarry site.

- 32 Residents have raised concern over the impact of the HGVs in terms of the physical damage to the highway and verges, mud on road, congestion, but also the health impacts on air quality. The impacts of this level of HGV movements on the local highway, traffic generation and access were originally assessed to be acceptable, when planning permission was granted on appeal in 1990, and again when planning permission ref. RU09/1103 granted in December 2015 to retain the plant and continue extraction of sand and gravel, with progressive restoration of the site by 31 December 2020. It was considered that this level of HGV movements would not have any significant adverse traffic impacts and notwithstanding the proposed development, the site can already accept this level of HGV traffic. The emissions from traffic will be considered under the section on air quality below. Planning Enforcement/Monitoring Officers have recorded in their site visits during 2016, and early 2017 that the approach road to the site (Byfleet Road) was clean in both directions and free from any site derived extraneous matter. The Environment Agency also makes regular visits and ensures that site operations are in accordance with the waste permit.
- 33 The CHA (Transport Development Planning) have stated that in view of the limit (200 movements) on the number of HGVs, with no increase above that already permitted at the Addlestone Quarry site, they raise no objection in terms of highway traffic, access and safety. Planning conditions are already in place on the main quarry permission to ensure that there are limits on the HGV numbers and that the access road (approx. 700m) is maintained and kept free of mud and other debris. The same condition will be recommended, ensuring that the cumulative HGV traffic does not exceed that already permitted. Officers accept the validity of the information submitted by the applicant and that the proposal should not give rise to traffic levels that will exceed the current limits in place and accordingly the proposal is acceptable on highway, traffic and access grounds, and complies with the relevant development plan policy.

ENVIRONMENTAL AND AMENITY ISSUES

Surrey Waste Plan (SWP) 2008

Policy DC3 - General Considerations

Surrey Minerals Plan (SMP) 2011 – Primary Aggregates DPD

Key Development Criteria (KDC) Addlestone Quarry - Preferred Area A

Aggregates Recycling Joint DPD for the Minerals and Waste Plans February 2013

Policy AR3 – Aggregates recycling at mineral sites

Runnymede Borough Local Plan (RBLP 2001) Second Alteration (Saved Policies 2007)

Policy NE20 – Species Protection

Policy SV2 – Flooding

Policy SV2A – Water Quality Protection

Policy Context

- 34 The KDC as referred to under Policy AR3 of the Aggregates Recycling Joint Development Plan Document (set out in Appendix 1 of Primary Aggregates DPD) includes the following relevant points: '*Local Amenity ...mitigate potential environmental impacts of noise and dust, and visual impact, on adjoining residents.*' RBLP 2001 Policy states that the Borough Council in conjunction with the Environment Agency will seek to manage the floodplain environment and achieve appropriate flood alleviation in the Borough. Policy SV2 states that within the area liable to flood as shown on the Proposals Map, development will not normally be permitted for new residential or non-residential development, including extensions, unless it can be demonstrated to the satisfaction of the Borough Council, following consultation with the Environment Agency, that the proposal would not of itself, or cumulatively in conjunction with other development: i) impede the flow of flood water; ; or ii) reduce the capacity of the flood

plain to store flood water; or iii) increase the number of people or properties at risk from flooding. Policy SV2A states that the Borough Council will resist development which in its opinion, after consultation with the Environment Agency, could adversely affect the quality of surface water or groundwater.

- 35 SWP 2008 Policy DC3 requires that applications for waste related development be accompanied by sufficient information to show that the proposals will not significantly adversely affect people, land, infrastructure and resources. In respect of the proposed development relevant matters are noise, air quality, biodiversity, surface water, visual impact and proximity of residential properties. However, it is important to stress that the NPPF (Para.122) states that, in decisions to help prevent unacceptable risks from pollution, local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes via the Environment Agency. Local planning authorities should assume that these regimes will operate effectively. The NPPW (Section 5) states that waste planning authorities should assess the suitability of sites and/or areas for new or enhanced waste management facilities against a number of criteria, such as protection of water quality and resources and flood risk management, landscape and visual impacts, air emissions (including dust) and noise.

Noise

- 36 A detailed noise assessment was carried out in 2015 when planning permission was granted for the extension of working and restoration of the quarry until 2020, which included operations within the plant site area. The proposed development involves the siting of an aggregate recycling facility on an existing concrete base in the north east section of the plant site, which was the formerly occupied by a mortar plant facility (now removed). The current permission for the site includes noise conditions to cover all operations within the operational quarry site, including the plant site area.
- 37 The applicant submitted an updated noise assessment of the proposed recycling equipment (crushing and screening) located on the north east section of the plant site area. The applicant identified the nearest receptors being Wey Manor Farm to the north west, residents on Byfleet road to the west and the Brooklands hotel to the north east. The County Noise Consultant (CNC) requested a revised noise assessment to provide clarification on certain matters, including: further assessment in respect of the crushing equipment due to the impulsive nature of the equipment and a cumulative assessment taking into account of existing operations on site. This was provided by the applicant in a revised noise report dated 9 May 2017.
- 38 Residents raised concern in respect of noise and vibration, in respect of the recycling equipment and HGV traffic associated with the development. The CNC has assessed the revised noise report and concluded that the recycling facility would be acceptable, subject to the existing operational noise condition (restricting noise levels up to a maximum level of 55 dB LAeq 1 hour¹), being applied to any permission granted, which also specifically refers to the nearest noise sensitive receptors. This is in accordance with Government guidance (NPPG 2014).
- 39 Officers therefore consider that there would be no reason to refuse this application on noise grounds, subject to appropriate conditions. The application therefore complies with the SWP 2008 Policy DC3 in respect of noise and vibration.

¹ LAeq - Equivalent continuous noise level. Noise is generally a constantly varying level and various scales and indices are used to describe it. The equivalent continuous noise level, measured in dB(A) is the sound level of a notional continuous noise that would have the same acoustic energy as the actual fluctuating noise for a particular period of time.

Air Quality (dust)

- 40 The applicant has submitted an assessment of the proposed ARF and its impact on air quality, including a dust impact assessment and further details in response to resident's concerns on 'dust pollution'. The air quality assessment followed Institute of Air Quality Management (IAQM) guidance, taking into account the nature and scale of the recycling processes, together with the nearest potentially sensitive receptors and demonstrated that the proposed ARF would not have an unacceptable impact in terms of air quality and dust. The assessment concluded that the ARF with the designed-in mitigation (suppression sprays on the crusher) and good practice management measures including site bowser, the potential for impacts from dust are effectively reduced to give little rise to negligible effects at the nearest sensitive receptors.
- 41 Neither the NPPW nor the waste section of the NPPG provides specific direction on dust assessment methodology for waste planning applications however the NPPG (under minerals) states that there should be five stages to a dust assessment study:
- *establish baseline conditions of the existing dust climate around the site of the proposed operations;*
 - *identify site activities that could lead to dust emission without mitigation;*
 - *identify site parameters which may increase potential impacts from dust;*
 - *recommend mitigation measures, including modification of site design*
 - *make proposals to monitor and report dust emissions to ensure compliance with appropriate environmental standards and to enable an effective response to complaints.*

The IAQM guidance addresses each of these five stages and in the absence of specific guidance the CPA expects applicants for waste development applications to follow the IAQM guidance, with appropriate modifications/amendments. The County Air Quality Consultant (CAQC) assessed the submitted dust assessment against the IAQM guidance and agreed with the conclusions of the assessment, and whilst they agreed monitoring would be disproportionate, it was suggested that regular visual inspections be undertaken with active monitoring of complaints. This will act to verify the conclusions of the assessment.

- 42 Residents have raised concerns over the assessment and the impact on their properties the majority of the representations received are on/off Byfleet Road, which lie over 650m from processing site area. The issues raised include health risks and level of dust and particulates, one resident going into detail about levels of PM₁₀² and PM_{2.5}. In respect of PM₁₀ the CAQC agreed with the applicant that this can be scoped out, as the levels of this particulate matter at the site are well below the accepted air quality limits (Air Quality Regulations 2010) and are unlikely to exceed these AQ limits. The CAQC has agreed with the applicant's assessment, which identified the sensitive receptors to PM₁₀ and dust deposition being within 250m, which is the commercial development on the opposite side of the railway embankment, i.e. the Brooklands Industrial Park and Hotel. Dust from the ARF would be greater than PM_{2.5}, (a much finer dust); as such the effects from this would be minimal. Concerns were also raised in respect of the emissions from HGV traffic. However, as mentioned above there is no proposed increase in HGV traffic over and above that already permitted and considered acceptable for the operational quarry site, including the plant area.
- 43 While the concerns of local residents are acknowledged, no objection has been raised by the CAQC and Runnymede Environmental Health Officers subject to appropriate

² PM – particulate matter consists of a mixture of solid and liquid particles suspended in the air. Commonly used indicators describing PM refer to the mass concentration of particles with a diameter of less than 10 µm (PM10) and of particles with a diameter of less than 2.5 µm (PM2.5). PM2.5, often called fine PM.

conditions and the application of the existing quarry dust management plan in respect of the ARF. No residential properties fall within 250m, with Byfleet Road residents over 650m to the south and south west of the aggregate recycling plant, with a prevailing south westerly wind direction. Planning officers consider appropriate dust and air quality assessments have been undertaken. The proposed and existing mitigation and control measures should ensure there would be no significant adverse impact from nuisance dust on nearby receptors. There is no proposed increase in vehicle numbers as such there would be no increase in impacts on air quality from emissions. As such planning officers consider the proposal is consistent with the aims and objectives of national policy and guidance and relevant development policies relating to air quality.

Biodiversity and Ecology

- 44 The applicant has submitted an ecological assessment considering the proposed ARF in the context of the wider site and in the context of previous ecological assessments undertaken, particularly for the planning permission for the continued working and restoration of the site until 2020. The applicant concluded that the proposed ARF would not directly impact any significant ecological features on or adjacent to the application site. However, the applicant has suggested certain mitigation measures in respect of protecting the ancient woodland in the locality.
- 45 The County Ecologist (Countryside Management & Biodiversity Manager) has raised no objection to the proposal, subject to a condition, ensuring the northern boundary is clearly marked, to prevent encroachment of the woodland beyond. Officers consider that no material adverse impact would result on biodiversity and ecology, accordingly, the aims, objectives and requirements of national policy in relation to conserving and enhancing the natural environment and, relevant development plan policies have been met.

Drainage and surface water

- 46 The applicant has submitted a Flood Risk Assessment (FRA) considering the proposed ARF in the context of the wider site; in addition the previously submitted FRA has been submitted following pre-application advice. The assessment concluded that:
- *The risk of fluvial flooding is considered to be low and appropriate to the development sensitivity.*
 - *The development will not involve any new buildings or the construction of hard standing and therefore will not increase runoff and will not exacerbate flood risk.*
 - *The impact of the proposals on the volume and rate of storm water runoff from that site will be neutral – runoff will continue to be directed into the site via existing pathways.*
- 47 Residents raised concerns in respect of contamination from the inert waste stockpiles; however the nature of the waste is inert and controlled via the Environment Agency permitting process. The Environment Agency and Environmental Health Officer have raised no objection.
- 48 The scheme of surface water management is covered under the planning permission for the plant site area planning permission (ref.RU09/1103). The Lead Local Flood Authority (LLFA) commented that as there are no changes to the existing hardstanding in the plant site area, and no changes to the existing drainage system, there is no objection to the development on flood risk grounds. Officers consider that there would be no reason to refuse this application on flood risk, water quality, groundwater, and land drainage or land contamination grounds. As such, the application complies with the SWP 2008 Policy DC3 and RBLP 2001 Policies SV2 and SV2A.

Visual impact

- 49 The KDC in Appendix 1 of Primary Aggregates DPD requires that the visual impact and the impact on local amenity needs to be considered. The applicant has stated that area surrounding the application site predominantly comprises an active mineral working site and the application site itself comprises the location of the former mortar plant. The proposed location of the ARF plant is characterised by the existing quarry operations, with various existing stockpiles of material flanking the northern and western boundaries of the application site, with a 5m railway embankment marking the east boundary. The site is well screened by mature trees and in the context of the existing operations on the site; the applicant considers that the proposed ARF would not have a significant impact on visual amenity.
- 50 The proposed ARF plant and equipment would be up to 5m in height, which needs to be assessed in the context of the wider plant site area containing much larger sand and gravel processing equipment, up to 15m in height. The ARF would therefore not dominate the wider plant site area and be lower in height than the previous mortar plant and silos, which were approximately 16m in height.
- 51 Residents have raised concern over the visual impact, claiming the plant to be over 50 feet in height, which is incorrect. Given the 5m height and location of the ARF plant, being screened by woodland, and over 650m from the Byfleet Road residents, Officers do not consider that the ARF site would be visible to any residents on Byfleet Road. In view of the existing operating plant site and location, Officers consider that the proposed development is acceptable in terms of appearance and visual impact considerations and accords with the development plan policies.

Green Belt

Surrey Waste Plan 2008

Policy CW6 – Development in the Green Belt

Runnymede Borough Local Plan 2001

Policy GB1 – Development within the Green Belt

Policy context

- 52 The fundamental aim of Green Belt Policy to prevent urban sprawl by keeping land permanently open, and that the essential characteristics of Green belts are their openness and their permanence. Paragraph 87 of the NPPF states that as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green belt and should not be approved except in very special circumstances. Paragraph 88 states that when considering any planning applications, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, and goes on to say that ‘very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 53 Policy CW6 of the Surrey Waste Plan 2008 states that there will be a presumption against inappropriate waste related development in the Green Belt except in very special circumstances. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Policy CW6 goes on to state that the characteristics of the application site and wider environmental and economic benefits of sustainable waste management may contribute to very special circumstances.
- 54 Saved Policy GB1 of the RBLP 2001 states that within the Green Belt except for the area within the settlement of Thorpe, there will be a strong presumption against development that would conflict with the purposes of the Green Belt or adversely affect its open character.

- 55 Addlestone Quarry is allocated in the SMP 2011 Policy AR3 for aggregate recycling, where temporary planning permission will be granted in accordance with the requirements of Policy WD3 of the SWP 2008. Development proposals for waste development under WD3 states that permission will be granted for temporary periods commensurate with the operational life of the mineral site and in the case of Green Belt sites, it accords with Policy CW6.

Green Belt Assessment

- 56 *Harm* - The application site is located within the Green Belt and is an area where a temporary planning permission exists until 2020 for the quarry operational plant site area. The location of the ARF plant would be sited on the area which formerly had the permitted mortar plant, which has now been removed. The proposed waste management operations (aggregate recycling facility) are not deemed to be compatible with the objectives of the Green Belt and maintaining openness and are therefore considered to be inappropriate development. However, the proposal would not increase the footprint of the plant site area, and would assist in providing inert waste for the restoration of the quarry site and so assist in the objective of progressive and timely restoration for mineral workings. While the proposal is temporary Officers consider that it would have a moderate impact on the openness of the Green Belt at the plant site given the increased level of activity including the operation of mobile plant.
- 57 *Very special circumstances* - Inappropriate development may only be permitted where very special circumstances are demonstrated to outweigh the harm caused by inappropriateness and any other harm. Therefore it is for the applicant to demonstrate that there are very special circumstances that overcome harm to the Green Belt. The applicant has provided a list of factors, which they consider amount to very special circumstances that outweigh the harm to the Green Belt. The applicant's list included the following:
- *It is considered that need for the facility has been demonstrated, the proposed will make a positive contribution in terms of reaching and potentially exceeding recycled aggregates targets;*
 - *Co-location of the temporary ARF on a mineral workings further securing the timely restoration of the site, in accordance with policies CW5, WD2 and WD3;*
 - *The ARF would assist with attracting a greater volume of higher quality CD&E waste;*
 - *Locational suitability of the site has already been assessed in some detail as part of its allocation within the Aggregates Recycling DPD;*
 - *Site is well located to source of waste arisings and to sources of demand for recycled aggregates;*
 - *Residual waste from the recycling operation would be landfilled into the former mineral working rather than be sent off site, hence lessening the impact of double handling and reducing traffic movements;*
 - *Co-location of the ARF at the quarry enables export of recycled aggregate to be taken out as 'return loads' on HGVs that would already be delivering CD&E waste to the site in any event;*
 - *The output of recycled aggregate will assist in the replacement of land won resources with wider environmental benefits as a result of this form of sustainable waste management;*
 - *The ARF would be operated by the landowner who is an experienced operator in this field providing certainty that the proposal will be brought forward following grant of planning permission;*
 - *The planning permission sought would be temporary and commensurate with the operational life of the site;*

- *Only mobile plant and storage areas are proposed – no other development is proposed as use will be made of the existing on site facilities (office, weighbridge, concrete pad and haul road);*
- *HGV movements generated by the ARF will be within the cap set by the wider quarry permission recently granted and considered to be acceptable;*
- *Economic benefits derived from provision of locally based employment.*

58 The proposed aggregate recycling facility and processing are temporary uses of the land, commensurate with the life of the operational quarry site, and once the land is restored, this would preserve the openness of the Green Belt in the long term.

59 As the development is inappropriate development in the Green Belt it can only be permitted as an exception to policy. Officers consider that factors exist which amount to very special circumstances which outweigh the harm by reason of inappropriateness and loss of openness. These factors consist of: need to maintain the supply of recycled and secondary aggregates in the short term in accordance with the DPD; the facility will assist with the timely restoration of the mineral workings; the site is one identified in the SMP 2011 and otherwise meets the KDC for the designation. In terms of other harm, this has also been assessed above, and Officers considered that there is no other harm, subject to the imposition of conditions. Officers therefore consider that the development complies with the SWP2008 Policy CW6 and an exception to Green Belt policy can be made and temporary permission granted.

HUMAN RIGHTS IMPLICATIONS

60 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.

61 It is acknowledged that there would be an impact on the Green Belt caused by inappropriateness of the development; however the scale of such impacts is not considered sufficient to engage Article 8 or Article 1 of Protocol 1. As such, this proposal is not considered to interfere with any Convention right.

CONCLUSION

62 The application site is located in the Green Belt and therefore planning permission may only be granted where factors that amount to very special circumstances are demonstrated that outweigh the harm in terms of inappropriateness and any other harm. The proposal for an aggregate recycling facility (ARF) will be located on an existing plant site area, with an operational quarry, on the site of the former mortar plant. As such, given the scale and location of the ARF, the development is considered not to have a greater impact on openness of the Green Belt than that previously permitted.

63 Notwithstanding this moderate impact on openness, the need for the development and very special circumstances have to be demonstrated. The applicant has carried out an assessment of the existing aggregate recycling facilities within the County, and demonstrated a local need for the facility. The applicant has provided a list of factors, which Officers consider demonstrate that very special circumstances exist, and in the context of the Government waste policy, the proposal will encourage the management of waste further up the waste hierarchy in accordance with the principles of sustainable development. The proposed recycling facility will assist in meeting the needs of recycled aggregate, helping to preserve/reduce demand on primary aggregates in the short term, and in addition, assist in creating further quarry infill material to enable the timely restoration of the mineral working.

- 64 This site is identified as a site for recycled aggregate processing in Policy AR3 of the Aggregates Recycling DPD, which states that temporary planning permission will be granted in accordance with the SWP2008 (Policy WD3) for aggregates recycling, where need has been demonstrated and provided that the development meets the key development requirements set out in the Primary Aggregates DPD. Need has been demonstrated and notwithstanding the concerns of local residents in respect of the harm to the local amenity, there have been no objections from technical consultees. With regard to the key development requirements, and in view of the above assessments, Officers consider that the proposed development would not have an unacceptable impact on local amenity or Green Belt.
- 65 In conclusion, there are no policy objections in relation to the impact on local amenity in terms of highways, noise, dust and visual impact. Where safeguards are required these can be secured through the imposition of conditions. There is a proven need for further aggregate recycling capacity in the County in the short term. This proposal would provide for a waste management facility with a local catchment area, to recover waste and would assist in the restoration of the wider quarry site by 2020. Taking all these matters into account, Officers consider that an exception to Green Belt policy can be made and temporary permission should be granted subject to suitable planning conditions.

RECOMMENDATION

The recommendation is to PERMIT subject to the following conditions:

Conditions:

Time limits

1. All importation, deposit, storage and processing of construction, demolition and excavation waste and export of materials arising from this process shall cease by 31 December 2020.
2. All buildings, plant, conveyor belts, machinery both fixed and otherwise, and any engineering works connected therewith on or related to the application site (including any hard surface constructed for any purpose) shall be removed from the application site by 31 December 2020 and the land where such works stood restored in accordance with approved restoration for Addlestone Quarry, Drawing No. P1/876/16 Revision E dated 22 July 2015.

Permitted Development Rights

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification),
 - (a) no buildings, fixed plant or machinery shall be located on the site of the development hereby permitted without the prior submission to and approval in writing by the County Planning Authority of details of their siting, detailed design, specifications and appearance. Such details shall include details of noise emission levels (including tonal characteristics) of any plant or machinery; and
 - (b) no fencing or external lighting other than that hereby permitted shall be erected or installed at the site of the development hereby permitted unless details of them have been submitted to and approved in writing by the County Planning Authority.

Hours of operation

- 4 No operation authorised or required within the site under this permission other than the servicing, maintenance and testing of mobile plant and other similar work of an essential nature, shall be carried out on the site except between the following times:

07:00 and 17:30pm Mondays to Fridays
 08:00 and 13:00 Saturdays

subject to the proviso that no lorries shall leave the site before 07:30 on weekdays and Saturdays.

There shall be no working on Sundays, Bank Holidays, Public Holidays or National Holidays

Highways, Traffic and Access

- 5 In combination with planning permission for the quarry site (ref. RU09/1103 dated 11 December 2015), the average accumulative number of HGV movements to and from the site shall not exceed 200 per day (on a 5 day average). Records of HGV movements to and from the site shall be maintained for up to 1 year at any one time and shall be submitted to the County Planning Authority on a quarterly basis, on the following months; May, August, November, February.

Dust

- 6 At all times during the carrying out of operations authorised or required by this permission, water bowsters, sprayers, whether mobile or fixed, or other similar equipment, shall be used to minimise the emission of dust from the site. Loaded vehicles importing inert material shall be sheeted or covered to minimise dust. Best working practice shall be utilised to minimise the emission of dust during the loading and deposition of materials.
- 7 No operation authorised or required by this permission shall cause visible dust beyond the site. Should visible dust be caused beyond the site, work shall be suspended until it can be resumed without causing visible dust as a result of different methods of working, the addition of further dust suppression measures or changed weather conditions.

Noise

- 8 Noise levels from the development hereby permitted, at specified noise sensitive properties (see Table 1 below) shall not exceed the existing/pre-works representative background noise level (LA90,1h, freefield) by more than 10 dB(A), or as near this level as practicable, up to a maximum noise level of 55 dB LAeq, 1h (free field).

The existing representative, daytime LA90 background noise level shall be determined by measurement that shall be sufficient to characterise the environment and the recommended level should be justified following guidance contained within British Standard BS4142:2014.

Table 1: Noise Sensitive Properties referred to in Condition 8 above.

Property Name	Location	Postcode
Coxes Mill	Bourneside Rd, Addlestone	KT15 2JX
14 Wey Meadows	Weybridge	KT13 8XY
Westfield Court	Byfleet Road, New Haw	KT15 3LG
20 Birch Close	New Haw	KT15 3JT
1 Kashmir Close	New Haw	KT15 3JD

35 Bates Walk	Addlestone	KT15 2DQ
Iver Cottage	Canal Bank, Addlestone	KT15 2SH
Kildare	Canal Bank, Addlestone	KT15 2SH
Wey Manor Cottage	Wey Manor Road, New Haw	KT15 3JR
Wey Manor Farm	Addlestone	KT15 3JR

Where noise levels exceed the levels specified, operations shall cease until such time that appropriate measures can be set in place to ensure compliance with the specified levels.

Ecology

- Materials shall only be stored in the proposed 'Material Storage Area' as marked on the 'Site Layout Plan' Drg No.2707/11 dated Feb 16, and the northern boundary of the site shall be marked out with a solid line of 1 metre high concrete blocks at all times to contain the limit of the stockpiles.

REASONS FOR IMPOSING CONDITIONS:

- To enable the County Planning Authority to exercise control over the site for the development hereby permitted and comply with Section 91 of the Town and Country Planning Act 1990.
- To comply with the terms of the application and to enable the County Planning Authority to exercise planning control over the development hereby permitted at a mineral working site in an area of Metropolitan Green Belt where permanent development of this type is inappropriate and to enable restoration of the land in accordance with the approved restoration scheme to comply with Schedule 5 paragraph 1 of the Town and Country Planning Act 1990 and to minimise the impact on local amenity in accordance with the terms of Surrey Waste Plan 2008 Policy DC3 and Surrey Minerals Plan 2011 Core Strategy Development Plan Document Policy MC17.
- To comply with the terms of the application and to enable the County Planning Authority to exercise planning control over the development hereby permitted at a mineral working site in an area of Metropolitan Green Belt and to minimise the impact on local amenity in accordance with Surrey Waste Plan 2008 Policy DC3.
- To enable the County Planning Authority to adequately control the development and to minimise its impact on the amenities of the local area in accordance with Surrey Waste Plan Policy DC3.
- In the interests of safeguarding the local environment and to ensure the development should not prejudice highway safety nor cause inconvenience to other highway users and to maintain the currently permitted HGV limits up until 31 December 2020 in accordance with Surrey Waste Plan 2008 Policy DC3.
- To comply with the terms of the application and ensure minimum disturbance and avoid nuisance to the locality in accordance with Surrey Waste Plan Policy DC3 and the Key Development Criteria referred to under Policy AR3 of the Aggregates Recycling Joint Development Plan Document 2013.
- To comply with the terms of the application and ensure minimum disturbance and avoid nuisance to the locality in accordance with Surrey Waste Plan Policy DC3 and the Key Development Criteria referred to under Policy AR3 of the Aggregates Recycling Joint Development Plan Document 2013.
- To comply with the terms of the application and ensure minimum disturbance and avoid nuisance to the locality in accordance with Surrey Waste Plan Policy DC3 and the Key

Development Criteria referred to under Policy AR3 of the Aggregates Recycling Joint Development Plan Document 2013.

- 9. To ensure that no material is stored beyond the site boundary, for the protection of the mixed broadleaf deciduous woodland habitats, minimising the impacts on biodiversity in accordance with the Key Development Criteria referred to under Policy AR3 of the Aggregates Recycling Joint Development Plan Document 2013 and the Surrey Waste Plan 2008 Policy DC3.

Informatives:

- 1. In determining this application the County Planning Authority has worked positively and proactively with the applicant by: entering into pre-application discussions; scoping of the application; 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, and issues of concern have been brought to the applicant's attention in a timely manner affording the opportunity to consider whether such matters can be suitably resolved. This approach has been in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework 2012.

CONTACT

Stephen Jenkins

TEL. NO.

020 8541 9424

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](#)

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


[Aggregates Recycling Joint DPD 2013](#)

Runnymede Borough Local Plan (RBLP 2001) Second Alteration (Saved Policies 2007)

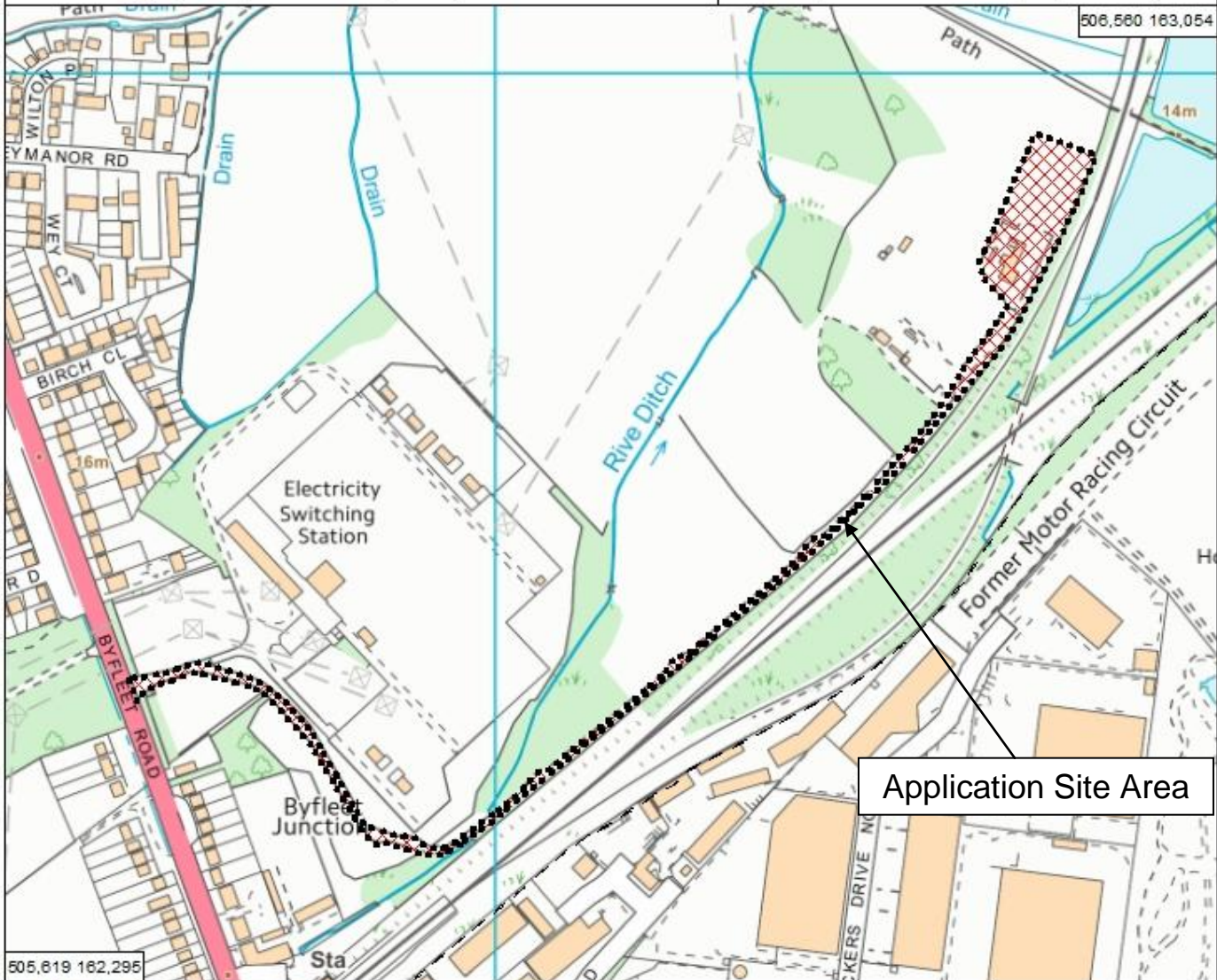
Other Documents

Planning permission ref. RU09/1103 dated 11 December 2015

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<p style="text-align: center;">Site Location</p>  <p>Scale 1:65,660</p>	<p>Addlestone Quarry, National Grid Entrance, Byfleet Road, New Haw, Surrey KT15 3LA</p> <p>The use of land for the importation of construction, demolition and excavation (C, D & E) waste and the siting of an aggregate recycling facility, involving the placement of mobile crushing and screening plant to enable the recovery of recycled aggregates for sale and export, for a temporary period until 31 December 2020.</p> <p>Application No(s): RU.16/1960</p> <p>Electoral Division(s): Woodham & New Haw, 14026</p>
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506,560 163,054

14m

6m


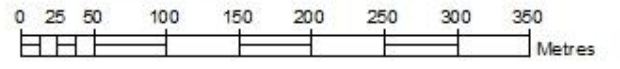
Electricity Switching Station

Byfleet Junction

Former Motor Racing Circuit

Application Site Area

505,619 162,295

 <p>GRID NORTH</p>	<p>Ref No: SCC REF 2016/0210</p> <p>Date printed: 27/02/2017</p>	 <p>0 25 50 100 150 200 250 300 350 Metres</p>	<p>Scale 1:4,900</p>
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2012-13 Aerial Photos

Aerial 1 : Addlestone Quarry

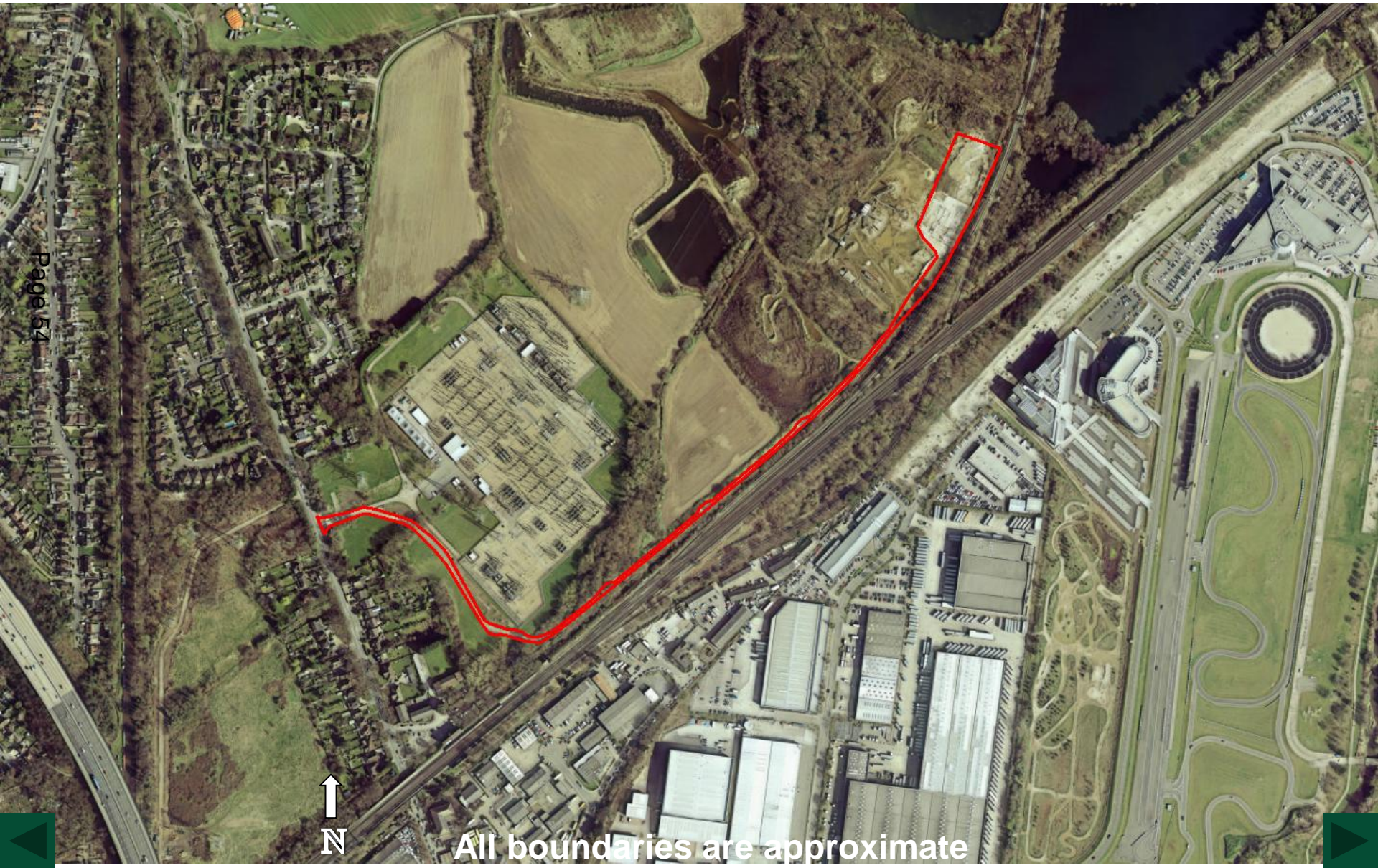


Page 53



All boundaries are approximate

Aerial 2: Addlestone Quarry



Page 54



All boundaries are approximate

Figure 1 : Site Entrance off Byfleet Road



Figure 2: Site haul road



Figure 3 : Existing mineral processing plant



Figure 4 : C,D & E waste stockpiles and processing area



Figure 5 : Plant site area and existing C,D & E stockpiles:



Figure 6 : Mobile Screening equipment




SURREY COUNTY COUNCIL
PLANNING AND REGULATORY COMMITTEE
DATE: 14 JUNE 2017
LEAD OFFICER: DEBBIE PRISMALL, SENIOR COUNTRYSIDE ACCESS OFFICER
**SUBJECT: ALTON ROAD SANDPIT, ALTON ROAD, FARNHAM
 TEMPORARY FOOTPATH DIVERSION ORDER –
 FOOTPATHS 16 AND 17**

PLANNING AND REGULATORY COMMITTEE
Planning and Regulatory Committee's authorisation is required so that a temporary diversion order can be made under S257 and S261 of the Town and Country Planning Act.
1. SUMMARY OF ISSUE
<p>1.1 Under section 257 of the Town & Country Planning Act 1990, the County Council may make a footpath diversion order if it is satisfied that it is necessary to do so in order to enable authorised development to be carried out.</p> <p>1.2 Planning permission (ref WA99/0223) was granted by this Committee on 13 September 2002 for sand and clay extraction and then restoration using inert materials primarily to agriculture at Alton Road Sandpit.</p> <p>1.3 The applicant submitted an application on 26 March 2004 to temporarily divert Public Footpath Nos. 16 and 17 at Alton Road Sandpit. The order to temporarily divert these footpaths was made on 26 January 2005 and confirmed on 21 April 2005.</p> <p>1.4 New planning permission (ref. WA/2014/0005, MIN/WA/8/SCC) was granted by this Committee on 21 October 2015 for sand and clay extraction and then restoration using inert materials primarily to agriculture at Alton Road Sandpit.</p> <p>1.5 The applicant submitted a new application on 15 March 2017 to temporarily divert Public Footpath Nos. 16 and 17 at Alton Road Sandpit.</p> <p>1.6 The new application would continue the temporary diversion of Footpath Nos. 16 and 17 as made in 2005.</p>
2. RECOMMENDATIONS
<p>2.1 The Planning and Regulatory Committee is asked to agree that:</p> <p>2.2 Authority be granted to make a temporary diversion order under section 257 and 261 of the Town and Country Planning Act to temporarily divert Public Footpath No. 16 from the line A-B-C to the line A-C and Public Footpath No. 17 (Farnham) from the line D-B to the line D-C as shown on Drawing No. 3/1/18/H89.</p> <p>2.3 If any objections are received and maintained to the Order, it will be submitted to the</p>

Secretary of State for the Environment, Food and Rural Affairs for determination.

3. REASONS FOR RECOMMENDATIONS

- 3.1 Under section 257 and 261 of the Town & Country Planning Act 1990, the County Council may make a footpath diversion order if it is satisfied that it is necessary to do so in order to enable authorised development to be carried out.
- 3.2 The temporary diversion of Public Footpaths 16 and 17 (Farnham) is required to enable the authorised development to be carried out.

4. INTRODUCTION AND BACKGROUND

- 4.1 Planning permission (ref. WA99/0223) was granted by this Committee on 13 September 2002 subject to conditions, for the extraction of sand and clay, infilling with inert waste, installation of plant and equipment and comprehensive restoration of the site.
- 4.2 The applicant submitted an application on 26 March 2004 to the County Council's Rights of Way section to divert Public Footpaths Nos. 16 and 17 at Alton Road Sandpit to enable these works.
- 4.3 The 'Surrey County Council Footpath Nos. 16 & 17 (Farnham) Temporary Diversion Order 2005' was made on 26 January 2005 and confirmed on 21 April 2005.
- 4.4 New planning permission (ref. WA/2014/0005, MIN/WA/8/SCC) was granted by this Committee on 21 October 2015 for sand and clay extraction and then restoration using inert materials primarily to agriculture at Alton Road Sandpit.
- 4.5 As there is a new planning permission covering the site crossed by the public footpaths, the applicant has had to reapply to temporarily divert Public Footpath Nos. 16 and 17 (Farnham).
- 4.5 The new application to temporarily divert Public Footpath Nos. 16 and 17 (Farnham) was made on 15 March 2017.
- 4.6 The application is for the temporary diversion of Public Footpath No. 16 from the line A-B-C to the line A-C and Public Footpath No. 17 (Farnham) from the line D-B to the line D-C as shown on Drawing No. 3/1/18/H89.
- 4.6 The proposed route of the temporary diversion is the same as that in the 'Surrey County Council Footpath Nos. 16 & 17 (Farnham) Temporary Diversion Order 2005' which was confirmed on 21 April 2005.
- 4.7 Within three months of the mineral planning permission expiring (31 December 2029), the definitive routes of the footpaths will need to be reinstated, or an application made to permanently divert the footpaths.

5. ANALYSIS

- 5.1 Under section 257 and 261 of the Town & Country Planning Act 1990, the County Council may make a footpath diversion order if it is satisfied that it is necessary to do so in order to enable authorised development to be carried out.
- 5.2 The temporary diversion on Public Footpaths 16 and 17 (Farnham) is required to enable the authorised development to be carried out.

6. OPTIONS

- 3.1 Make a temporary diversion order and advertise it in accordance with the statutory procedures. If any objections are received and maintained submit the order with the objections to the Secretary of State for determination. This is the Officer's preferred option.
- 3.2 Refuse the application.

7. CONSULTATIONS

- 7.1 All interested parties were consulted. The Open Spaces Society responded and had no objection as such, subject to the 'diversion saying temporary and the width is at least the definitive width or 2m whichever is the greater.' The Ramblers responded 'Given that the diverted footpaths will be on the same routes as at present we have no objections to your proposals.'

8. FINANCIAL AND VALUE FOR MONEY IMPLICATIONS

- 8.1 The County Council will be charging the Applicant for the costs of making and advertising the order in accordance with the Local Authorities (Recovery of Costs for Public Path Orders) Regulations 1993. The costs are estimated to be in the region of £2,500.
- 8.2 The proposed route crosses an existing footbridge built by the site operator, which the operator is required to maintain.

9. EQUALITIES AND DIVERSITY IMPLICATIONS

- 9.1 There are no equalities and diversity implications. In any event these are irrelevant factors under the current legislation.

10. LOCALISM

- 10.1 There are no localism issues.

11. OTHER IMPLICATIONS

Area assessed:	Direct Implications:
Crime and Disorder	No significant implications arising from this report
Sustainability (including Climate Change and Carbon Emissions)	

Corporate Parenting/Looked After Children	
Safeguarding responsibilities for vulnerable children and adults	
Public Health	

12. HUMAN RIGHTS ACT 1988

- 12.1 Under Section 6 (1) of the Human Rights Act 1998, local authorities are required to act, as far as possible, in a way that does not breach rights contained in the European Convention on Human Rights. This includes the right to property, under Article 1 of the First Protocol to the Convention. In the officer's view this proposal has no human rights implications.

13. DISCUSSION, CONCLUSION AND RECOMMENDATIONS

- 13.1 The Officer's recommendation is that a temporary diversion order should be made.

The Planning and Regulatory Committee is asked to agree that:

Authority be granted to make a temporary diversion order under section 257 and 261 of the Town and Country Planning Act to temporarily divert Public Footpath No. 16 (Farnham) from the line A-B-C to the line A-C, and Public Footpath No. 17 (Farnham) from the line D-B to the line D-C as shown on Drawing No. 3/1/18/H89, and that if any objections are received and maintained to the order that it is submitted to the Secretary of State for the Environment, Food and Rural Affairs for determination.

14. WHAT HAPPENS NEXT

- 14.1 All interested parties will be informed about the decision.

Contact Officer:

Debbie Prismall, Senior Countryside Access Officer Tel. 020 85419343

Consulted:

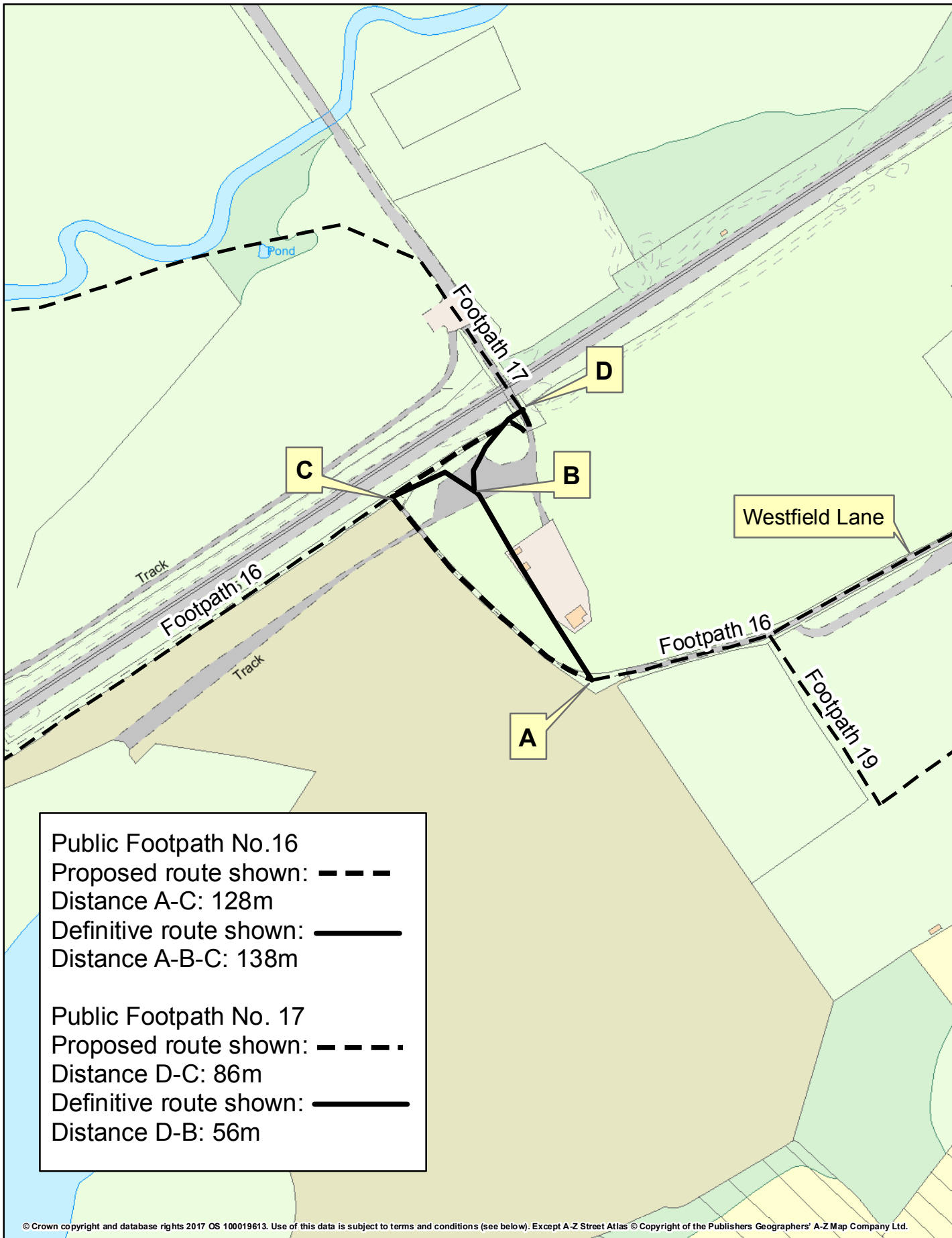
Waverley Borough Council, Farnham Town Council, Open Spaces Society, The Ramblers, Legal Services, Wyatt Ramsdale County Councillor, Byways and Bridleways Trust, CTC, Auto Cycle Union, British Driving Society, British Horse Society, statutory utility companies.

Annexes:

Annex A – Drg. No. 3/1/18/H89

Sources/background papers:

- Papers contained in file 3/1/18 Farnham FP16 and FP17



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1:2,500

Footpath Nos. 16 & 17 (Farnham)
Borough of Waverley
Proposed Temporary Diversion

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Grid ref at A: 482124
 144859
 Date: 23/03/2017
 Printed by: JP
 Drawing No.: 3/1/18/H89

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