TO: PLANNING & REGULATORY COMMITTEE
BY: PLANNING DEVELOPMENT CONTROL TEAM MANAGER
DISTRICT(S) TANDRIDGE DISTRICT COUNCIL
ELECTORAL DIVISION(S): Caterham Valley Mrs Marks

DATE: 11 December 2013

PURPOSE: FOR DECISION
GRID REF: 533680 159239

TITLE: MINERALS AND WASTE APPLICATION TA12/252

SUMMARY REPORT

The Gas Holding Station, Godstone Road, Whyteleafe, Surrey CR3 0EG

Permanent retention and continued use of 0.3 hectares for importation, treatment (including sorting, screening and blending), and exportation of suitable non-hazardous soils and hardcore; and the permanent retention of a workshop and two portacabins ancillary to the principal use.

The application site is a 0.3 hectare area positioned in the north west corner of a larger gas holding station site. The application site is situated at the northern extent of the village of Whyteleafe in Tandridge District Council. Residential areas of Kenley lie to 1.2km to the north west with Purley beyond approximately 3.2km; Warlingham approximately 2km to the south east; and Caterham approximately 3km to the south. The County boundary with the London Borough of Croydon forms the northern and western boundary of the application site. The eastern and southern boundaries of the application site abut trees and land which forms part of a gas holding station which extends southwards. Beyond the County boundary to the north is a public footpath and beyond the County boundary to the west of the application site lies the A22 Godstone Road. The Riddlesdown Site of Special Scientific Interest (SSSI) lies some 45m and 110m to the north and east respectively. The Metropolitan Green Belt lies some 50m to the east.

The applicant currently receives treats and exports construction and demolition waste from the application site therefore this application is retrospective. The applicant is seeking to retain and continue this activity permanently. As this application is retrospective there are currently no controls on the site with regard to noise, dust, traffic movements, surface water runoff or encroachment onto the adjoining trees to the east. The application site does not lie within any land use designations with the western part of the application site being previously developed land and the eastern part formerly covered in trees. The gas holding station to the south is still operational. The application site does lie on a source protection zone (SPZ) for groundwater and there is a high pressure pipeline within the vicinity of the application site in association with the gas holding station.

Issues to be considered in the determination of this application are whether there is a need for the proposal and whether the site is in a suitable location given it is not an identified site within the Surrey Waste Plan 2008. As the site is connected with the gas holding station there are issues in relation to whether the land is contaminated. The application site has encroached onto trees to within the eastern part of the application site and its eastern boundary in terms of construction and demolition material lying over tree roots and areas where trees have been removed and material excavated. Other issues that require consideration are that of traffic, noise, dust, visual impact and ecology.
The applicant proposes to plant new replacement trees along the northern, eastern and southern boundaries of the application site and to place tree protective fencing between the new planting and the operational part of the application site to prevent any future encroachment. The applicant proposes to maintain any new planting for a period of five years and the new planting would be sympathetic to the existing vegetation mix. The applicant has provided details of how the public highway would be kept clean. The applicant has also provided information on noise, surface water runoff and contaminated land. Three letters of representation have been received and Tandridge District Council and Whyteleafe Parish Council object to the proposal. No technical objection has been from statutory consultees subject to the imposition of conditions.

Officers consider the proposal would make a contribution to meeting recycling targets in the County. In doing so this would assist in reducing pressure on the use of primary aggregates. Officers are satisfied that the proposal meets the locational requirements with regard to unallocated sites within the Surrey Waste Plan 2008 and Planning Policy Statement 10. Officers are also satisfied that the proposal includes adequate information and satisfactory measures where appropriate to mitigate any harm which can be conditioned. Officers consider that the proposal meets both Development Plan policy and National Policy and that the proposal can be permitted subject to conditions.

The recommendation is PERMIT subject to conditions.

APPLICATION DETAILS

Applicant

LMD Services

Date application valid

14 February 2013

Period for Determination

16 May 2013

Amending Documents


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.

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**ILLUSTRATIVE MATERIAL**

**Site Plan**

Plan

**Aerial Photographs**

Aerial

**Site Photographs**

Photo 1: looking eastwards from the A22 towards the application site
Photo 2: looking southwards along the A22 (application site on the right)
Photo 3: looking northwards along the A22 from the application site entrance
Photo 4: looking westwards towards the application site showing the stockpiles, plant and machinery and site offices
Photo 5: exit from the application site to the A22
Photo 6: site offices and workshop
Photo 7: looking eastwards towards plant and machinery inside the site

**BACKGROUND**

**Site Description**

1. The 0.3 hectares (ha) application site is situated in the north western corner of a gas holding station site. The application site is at the northern extent of the village of Whyteleafe in Tandridge District Council. Residential areas of Kenley lie to 1.2km to the north west with Purley beyond approximately 3.2km; Warlingham approximately 2km to the south east; and Caterham approximately 3km to the south. The County boundary with the London Borough of Croydon forms the northern and western boundary of the application site. The eastern and southern boundaries of the application site abut trees and land which forms part of a gas holding station which extends southwards. Beyond the County boundary to the north is a public footpath with a builders yard and the London to Caterham railway line beyond and to the east of the site. To the north and east lies countryside (Riddlesdown and countryside between Whyteleafe and Hamsey Green). Beyond the county boundary to the west of the application site lies the A22 Godstone Road with a residential block of flats properties and commercial and industrial units beyond. The application site has direct access onto the A22. To the south beyond the gas holding station lay residential properties and commercial and industrial units also and to the east beyond the trees lies the railway line. The boundary treatment of the application site consists of palisade fencing to the west and south, to the east the site immediately abuts trees with no boundary treatment between the site and trees; and to the north a chain link fence with trees behind this.
2. Some 45m and 110m to the north and north east respectively beyond the builder’s yard and also beyond the railway line lies the Riddlesdown Site of Special Scientific Interest (SSSI) designated for its calcareous grassland. The north eastern component of the SSSI is located on a former chalk quarry. The Metropolitan Green Belt lies some 50m to the east beyond the railway line. Whilst there is a main river which runs through the gas holding site to the south of the application site, the application area does not lie within an area liable to flood.

3. The application site is on two levels with the eastern part of the site being at a higher level than the western part. All storing and screening activities take place on the higher eastern portion of the site with the site offices, workshop, parking and access taking place in the western part of the application site.

4. The nearest residential properties are opposite the entrance to the application site on the corner of Godstone Road and Old Barn Lane approximately 14m to the west.

Planning History

5. The applicant is already carrying out these activities on site therefore this planning application is retrospective. On notification from Tandridge District Council that the site was operational, the County Enforcement team visited the site and the applicant was advised that he should either make a planning application to the County Planning Authority otherwise enforcement action could be taken. There is no planning history for this site in relation to County Planning matters. The site is understood to have formerly been the northern western part of a gas holding station unit, the gas holding station which is still operational to the south. the western part of the application site is understood to have been used as a builders yard and depot prior to the waste use. There is no planning history of this having planning permission for use as a builders yard but it is shown on aerial photographs as being developed with storage bays. The eastern part of the application site was wooded.

THE PROPOSAL

6. The applicant is currently importing, treating, storing and exporting non hazardous soils and hardcore waste materials on the application site without the benefit of planning permission. The applicant is seeking planning permission for the permanent retention of these activities.

7. The applicant states that waste material is collected from sites across London and the south east within 32 tonne tipper lorries (Heavy Goods Vehicles (HGV)). The waste material is brought to the application site where it is stockpiled in the eastern part of the application site prior to treatment. The waste material is then fed using a 360° excavator into a single belt Powertrack soil screener which then sorts the waste material by size. The applicant states that 60-70% of the material produced is reclaimed soil with the remaining 30-40% being hardcore and concrete which is subsequently crushed. After screening waste materials are stockpiled on site awaiting export. In addition to the 360° excavator the applicant also uses a loading shovel to load HGVs and stockpile waste material.

8. The applicant states that the soil screener is used on average three to four hours a day. Should material require crushing, the applicant states a crusher is hired into the site and is used on an ad-hoc basis when there is sufficient amounts of concrete that requires crushing. The applicant states the material produced from screening is supplied as a product to landscapers and gardeners alongside materials for highway works. The applicant seeks to continue importing between 100 – 150 tonnes of material per day which the applicant states generates approximately 10-12 Heavy Goods Vehicle (HGV)
in bound movements per day. The applicant proposes to operate the site 0800 – 1700 hours Monday – Friday and 0800 – 1300 hours Saturdays with no working on Sundays or public holidays.

9. In addition to the screening process described above, the applicant wishes to retain two portacabins for office/ welfare use which are stacked one on top of the other; and a workshop located in the western part of the site. The portacabins are located along the western boundary of the application site next to the site access from the Godstone Road and measure 7.2m x 3m. The workshop is located in the north west corner of the application site and measures 12m x 6m. The site has an Operators ‘O’ licence for parking 6 vehicles.

CONSULTATIONS AND PUBLICITY

District Council

10 Tandridge District Council : Object on the grounds that the application area is considered to be a key landmark location as an important gateway to this part of Tandridge District at the northern extent of the village of Whyteleafe. The activities have resulted in large stockpiles of amounts of waste material on site which together with the HGV movements associated with the site are having an adverse impact on the surrounding area.

Consultees (Statutory and Non-Statutory)

11 Network Rail : No observations to make
12 London Borough of Croydon : No objection
13 Sutton and East Surrey Water Plc : No objection provided the recommendations made by the Environment Agency are given due consideration
14 The Environment Agency South East : The site is located within a SPZ1 and therefore is of high sensitivity in terms of groundwater. Concern that some of the made ground shows contamination but note that the application includes the provision for remediation; note that the surface water management system includes a number of tanker movements to remove surface water from site but this should be weighed against the issue that infiltration cannot take place at this site. Request that conditions be imposed that a remediation strategy be adhered to and that areas where waste is to be stored are sealed.
15 Southern Gas Networks : There is a high pressure apparatus in the vicinity. There is a low/ medium/ intermediate pressure gas main in proximity to the site. Recommed a condition that no mechanical excavations are to take place above or within 0.5m of the low pressure and medium pressure system and 3m of the intermediate pressure system. Where possible confirm using hand dug trial holes where the mains are. Safe digging practicies in accordance with
16. Health and Safety Executive: Does not advise on safety ground, against the granting of planning permission.

17. Thames Water: No objection in principle to the surface water drainage strategy to restrict the surface water flow to 5l/s and to connect to Thames Water’s surface water network.

18. Natural England: The application site lies in close proximity to the Riddlesdown SSSI however given the nature and scale of the proposal Natural England are satisfied that there is not likely to be an adverse effect on this site. The application may provide opportunities for biodiversity improvements such as the incorporation of bird or bat boxes.


20. County Geological Consultant: Satisfied with the use of an additional tank onsite to capture surface water runoff from the site and is satisfied that surface water runoff can discharge into the local sewer. Requests a condition that when the tank is constructed that an assessment of whether solution pipes are present in the chalk underneath the site are present and submitted to the County Planning Authority.

21. County Ecologist: Given the loss of trees and biodiversity along the eastern boundary would request a scheme of landscaping and biodiversity enhancement to provide compensation for the loss of woodland along this boundary.

22. County Arboriculturalist: Concerned about the impact of the proposal on the adjoining woodland to the east. Recommends a full arboricultural assessment is carried out and submitted before determination of the planning application to include suitable stand offs from trees and protective fencing and a survey and method statement.

On receipt of the arboricultural assessment and mitigation measures, no further comments have been made.

23. County Noise Consultant: No objection subject to condition.

24. County Landscape Architect: Is satisfied with the arboricultural impact assessment conducted, is satisfied with the proposed mitigation scheme.

25. County Rights of Way Team: The footpath forms the boundary with Croydon Borough Council and is within their jurisdiction. Therefore it would be for Croydon BC to comment on this aspect.

26. County Highway Authority: No objection subject to conditions.
27. County Air Quality Consultant: Recommends to adoption of a Dust Action Plan and a programme of ongoing dust monitoring to validate the outcome of the assessment be adopted

Parish/Town Council and Amenity Groups

28. Whyteleafe Parish Council: Concerned about protection to the surrounding ecology against unacceptable discharge from the site as there may be flooding and the transport of materials in to watercourse/ culverts as a result of excessive runoff. Question the adequacy of the sump at the entrance to the site. There needs to be adequate protection against dust, physical damage and smothering to the existing trees. There should be protection against noise nuisance and a restriction to stop works at the weekend. There is concern about proximity to Riddlesdown Common SSSI.

Officer comment: both Natural England and the County Ecologist have raised no concerns with regard to the proximity of the application site to the SSSI or the surrounding ecology. With regard to the trees adjoining the application site there is a mitigation strategy proposed. With regard to surface water runoff please see the surface water runoff section of this report which outlines an attenuation tank to hold surface water. The County Noise Consultant raises no objection with regard to noise and subject to a condition restricting the noise levels from the application site.

29. Whyteleafe Residents Association: No comments received

Summary of publicity undertaken and key issues raised by public

30. The application was publicised by the posting of two site notices. A total of 50 of owner/occupiers of neighbouring properties were directly notified by letter. Three letters of representation have been received raising the following issues:

- No objection provided there is prevention of the spread of dirt over the adjacent road and pavement particularly around the bus stop as this could be leading to the localised flooding
- There is nothing incursive to Kenley Airfield so there are no comments in terms of the airfield. However, the affect of the proposal to residents is that of noise, dust and traffic disruption.
- The site currently operates in excess of 13 hours per day Monday – Friday and in excess of 6 hours on Saturdays. Outside of the above times there have been security issues which is a nuisance. The hours of operation at present is not suitable given its location.
- The volume of traffic impacts on the environment with spilt sand, mud, small pebbles and larger stones left lying on the roads. This degrades the local environment through lorries waiting to enter the site.
- The machinery on site causes a constant noise
- On a number of occasions Croydon Council’s Environmental Team have been called out due to the security operation at the site including a dog barking
- The current cattle grid (acco drain) that crosses the entrance to the site is inadequate and still causes flooding.

31. Officer comment: Croydon Borough Council have confirmed that one complaint has been received with regard to dust and work commencing at 6am. Croydon Borough Council has confirmed that a site visit was made and as no further complaints have been received, this was taken no further. No complaints have been made to the County Planning Authority enforcement team or Tandridge District Council environmental health team with regard to this site.

PLANNING CONSIDERATIONS
32. The County Council as Waste Planning Authority (for clarity, Officers refer to the County Council as the County Planning Authority – ‘CPA’ elsewhere in this report) has a duty under Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 to determine this application in accordance with the Development Plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act 1990 (as amended) (1990 Act) requires local planning authorities when determining planning applications to “have regard to (a) the provisions of the development plan, so far as material to the application, (b) any local finance considerations, so far as material to the application, and (c) any other material considerations”. At present in relation to this application the Development Plan consists of the Surrey Minerals Plan 2011, Surrey Waste Local Plan 2008 (SWP 2008), as amended, the Aggregates Recycling Joint DPD; and the Tandridge District Core Strategy 2008 and saved parts of the Tandridge District Local Plan 2001. In addition to this, following a six week ‘Proposed Submission’ consultation from June – August 2013, Tandridge District Council have submitted to the Secretary of State the Tandridge Local Plan Part 2: Detailed Policies for examination by an independent inspector. Officers consider that given this document has been submitted to the Secretary of State the policies in that document can be given some weight dependent on whether any objection has been raised on any specific policy.

33. The National Planning Policy Framework (NPPF) was adopted in March 2012. This document provides guidance to local planning authorities in producing local plans and in making decisions on planning application. The NPPF is intended to make the planning system less complex and more accessible by summarising national guidance which replaces numerous planning policies statements and guidance notes, circulates and various letters to Chief Planning Officers. Planning Policy Statement 10 (PPS10) Planning for Sustainable Waste Management (re-published March 2011) remains in place and in time will be replaced by national waste planning policy published as part of the National Waste Management Plan. The NPPF is based on the principle of the planning system making an important contribution to sustainable development, which is seen as achieving positive growth that strikes a balance between economic, social and environmental factors. The Development Plan remains the cornerstone of the planning system. Planning applications which comply with an up to date Development Plan should be approved. Refusal should only be on the basis of conflict with the Development Plan and other material considerations.

34. The NPPF states that policies in Local Plans should not be considered out of date simply because they were adopted prior to publication of the framework. However, the policies in the NPPF are material considerations which planning authorities should take into account. Due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies are to the policies in the Framework, the greater the weight they may be given). As outlined above, Tandridge District Council have submitted a detailed policies development plan document to the Secretary of State for consideration. Whilst the policies within this document have not been adopted, because the document has been submitted to the Secretary of State, Officers consider the emerging policies carry some, albeit, limited weight in the consideration of this application. A review of the Surrey Minerals Plan 2011 and Surrey Waste Plan 2008 has been carried out by the Planning Policy Team and this has concluded that both plans remain sound and in conformity with the NPPF.

WASTE MANAGEMENT ISSUES

National Policy
Planning Policy Statement 10 (PPS10) – Planning for Sustainable Waste Management
PPS10 Companion Guide
35. The proposal is for the receipt, processing, storage and onward transfer of construction and demolition waste which is inert waste. Officers consider this to be a waste management operation involving the recovery of waste materials by processing and transfer.

36. Government guidance on waste is set out in Planning Policy Statement 10 (PPS10: Planning for Sustainable Waste Management (July 2005 revised in 2011) and its companion guide. This guidance is to be read in conjunction with the Government’s Waste Strategy 2007. The Government’s Waste Strategy incorporates the objectives of the EC Waste Framework Directive and the Landfill Directive and sets out the way waste is to be managed until 2020. PPS10’s approach is to protect human health and the environment by producing less waste and by using it as a resource wherever possible. The overriding concern of the policies in PPS10 is the delivery of the key planning objectives. These are:

   i) help deliver sustainable development through driving waste management up the waste hierarchy, addressing waste as a resource and looking to disposal as the last option, but one which must be adequately catered for;
   ii) provide a framework in which communities take more responsibility for their own waste, and enable sufficient and timely provision of waste management facilities to meet the needs of their communities;
   iii) help implement the national waste strategy and supporting targets, are consistent with obligations required under European legislation and support and complement other guidance and legal controls
   iv) help secure the recovery or disposal of waste without endangering human health and without harming the environment and enable waste to be disposed of in one of the nearest appropriate installations
   v) reflect the concerns and interests of communities, the needs of waste collection authorities, waste disposal authorities and business and encourage competitiveness;
   vi) protect green belts but recognise the particular locational needs of some types of waste management facilities when defining detailed green belt boundaries and in determining planning applications, that these locational needs, together with the wider environmental and economic benefits of sustainable waste management, are material considerations that should be given significant weight in determining whether proposals should be given planning permission; and
   vii) ensure the design and layout of new development supports sustainable waste management

37. PPS10 Companion Guide sets out that in considering planning applications, Waste Planning Authorities should focus on whether a development proposal is an acceptable use of the land and not the control of processes which is a matter for the Environment Agency. This is echoed within the NPPF. The Government proposes to update PPS10 and a consultation on this revision was published in July 2013. The Government also published in July 2013 a consultation on the Waste Management Plan for England (which is to replace the Waste Strategy 2007) which sets out the Government’s work
towards zero waste economy as part of the transition to a sustainable economy. The consultations on these documents has closed but government guidance on waste management has yet to be formally adopted.

38. PPS10 requires waste planning authorities to identify within their development plan documents sites and areas suitable for new or enhanced waste management facilities for the waste management needs of their area. PPS10 sets criteria by which sites should be identified by for inclusion within a development plan. This planning application site is not an identified site within the Surrey Waste Plan 2008. PPS10 goes on to state that for sites unallocated within a development plan, should be considered favourably when consistent with the policies within PPS10 including the criteria listed within para 21 of that guidance; and the Surrey Waste Plan 2008 Core Strategy.

39. The criteria listed in para 21 of PPS10 are for identifying waste management facilities and include:
   i) suitability for development against the following:
      a) the extent to which they support the policies in this PPS10
      b) the physical and environmental constraints on development, including existing and proposed neighbouring land uses
      c) the cumulative effect of previous waste disposal facilities on the well-being of the local community, including any significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential
      d) the capacity of existing and potential transport infrastructure to support the sustainable movement of waste
   ii) give priority to the re-use of previously developed land and redundant agricultural and forestry buildings and their cartilages.

40. PPS10 companion guide provides further information on unallocated sites. It states at para 8.14 that windfall sites (sites not identified within a LDF) should not be lost simply because they had not previously been identified but that the key test should be their consistency with PPS10 and the waste planning authority's core strategy. Para 8.16 goes on to state that if a proposal is consistent with PPS10 and the core strategy there is no need to demonstrate 'need'.

41. The Surrey Waste Plan 2008 sets out the County Planning Authority's approach to waste management within Surrey and includes a Core Strategy and Detailed Policies Development Plan Document. The Surrey Waste Plan recognises that not all waste generated in Surrey is managed within the County and that nor does all the waste managed in Surrey have its origins in the County with Surrey handling a portion of London's waste due to its proximity to the capital. Policy CW4 states that planning permissions will be granted to enable sufficient waste management capacity to be provided 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.

42. The Surrey Waste Plan 2008 Policy WD2 identifies sites that planning permission for development involving the recycling, storage, transfer, materials recovery and processing of waste will be granted for and also states that permission will be granted for waste management proposals on land that is, or has been used, or is allocated in a local plan for industrial or storage purposes; or is an existing or proposed waste management site. The application site is not a listed within the sites considered appropriate for a waste management facility in this policy. Officers also consider that, as the application is retrospective, that its current use is related to the gas holding station which is not a waste management or storage use but could be classified as an industrial use on the western portion (which historically is unrestricted and comprises the access, workshop and yard area). Officers therefore consider the proposal should be assessed against Policy CW5 (Location of Waste Facilities) of the Surrey Waste Plan.
43. Policy CW5 of the Surrey Waste Plan provides the policy on the location of waste facilities on unallocated sites. The policy sets out four principles that such a proposal should be in accordance with. These include (i) priority being given to industrial/employment sites, (ii) priority given over greenfield land to previously developed land; (iii) Areas of Outstanding Natural Beauty and areas of Great Landscape Value should be avoided; and (iv) the larger the scale of development and traffic generation the more important it is that the proposal is served by the strategic road network. This report will look at each criteria in turn below. The policy supporting text at para B36 outlines that generally waste management facilities should be suited to development on industrial sites and in urban areas. However as the paragraph recognises that land in urban areas can be limited then priority should be given to the reuse of previously developed, contaminated, derelict and disturbed land, redundant farm buildings and their cartilages, mineral workings and land in waste management use.

44. Tandridge District Core Strategy Policy CSP1 recommends that in order to make best use of previously developed land, development in the district will be guided to take place within the existing built up areas of the District (listed as Category 1 settlements of which Whyteleafe is listed as one of these); and be located where there is a choice of mode of transport available and the distance to travel to services is minimised. The policy supporting text goes on to say that new development should be of a high standard of design and it is important to ensure that the character of the area of Whyteleafe is protected.

**Need and Capacity**

45. The Babtie 2003 report commissioned by Surrey County Council, estimated that around 1.96 mt of inert waste would be managed in Surrey in 2011. Of this, approximately 0.83 mt was estimated to be produced within the County with approximately 1.13 mt imported from other areas. Exports were estimated to be negligible. The report estimated that 1.88 mt of construction and demolition (C&D) waste would be managed in Surrey in 2011. In 2007 DCLG published a report prepared by Capita Symonds Limited entitled ‘Survey of Arisings and Use of Alternatives to Primary Aggregates in England 2005’. Annex 11 contains sub-regional estimates for the amount of C&D waste recycled, landfilled and spread on registered exempt sites. The sub-regional data groups Surrey with both East and West Sussex and indicates that 45.5% of C&D waste arisings in the sub-region were recycled, 39.4% were landfilled and 15.1% were sent to registered exempt sites. By applying these proportions to the Babtie report’s estimate for C&D waste arisings in Surrey in 2011, this would suggest that around 0.378 mt were recycled, 0.327 mt were landfilled and 0.125 mt were spread on exempt sites.

46. An Environment Agency report in 2007 provided detail on the amount of C&D waste imported into Surrey and if it was sent to landfill. This data indicated that approximately 75% of C&D waste imported into Surrey was landfilled. By applying this proportion to the Babtie reports’ estimate for C&D waste imports into Surrey, this would suggest that of the 1.13 mt of C&D waste projected by Babtie to have been imported into Surrey in 2011, around 848,000 tonnes may have been landfilled.

47. Analysis of the Environment Agency’s Waste Data Interrogator (WDI) indicates that some 1,710,275 tonnes of inert waste were managed in Surrey during 2010 comprising 820,368 tonnes that arose within the county and 889,907 tonnes that were imported from outside. The EA data shows that there has been an increase in the amount of inert waste landfilled in Surrey by 31% from 1,034,000 tonnes in 2010 to 1,356,000 tonnes in 2011. This is a much higher value than that predicted using the Babtie report. It should also be noted that a proportion of inert waste material is re-used or recycled on-site at construction and demolition sites and never reaches the waste stream and therefore cannot be quantified.
48. As the proposal involves treatment of construction and demolition waste to produce screened soils and crushed materials suitability for use as a recycled agreed, it is appropriate to consider the policies and targets set out in the Aggregates Recycling Joint Development Plan Document (DPD) alongside the target set in the Surrey Minerals Plan Core Strategy DPD Policy MC5 (Recycled Aggregates) to increase the rate of recycling to at least 0.8 mtpa by 2016 and thereafter to 0.9 mtpa by 2026. The application site is a small site (0.3ha) which limits the quantity of waste that can be handled and treated on site.

49. The AMR 2011/12 states that for that year, around 0.422 mt of recycled aggregates were sold from 16 fixed recycling sites (there are 21 sites in total five of which are inactive) in Surrey during 2011 representing a 10.6% increase since 2010. Two of these sites are within Tandridge these being Hays Bridge Farm (please note that Hays Bridge Farm does not produce secondary or recycled aggregate but sorts it for onward transfer for recycling (14.5km south) and Normans Corner (15km south) and one on the Tandridge/ Reigate and Banstead border being 1-2 Perrylands Lane (15km south). Survey data reported in the Aggregates Monitoring Update: August 2013 indicates a further increase to around 450,000 tonnes of recycled aggregate being sold in Surrey in 2012 again from the 16 sites. Four of these are permanent and each produce more than 20,000 tpa, the remainder have relatively small outputs. Of the temporary aggregate recycling facilities, three of these each produce more than 50,000 tpa.

50. National and local policies consistently promote the need to increase the production of secondary and recycled aggregate for use as a replacement for primary aggregate in the construction process. As the figures above show, Surrey is producing just over half of the target figure in Policy MC5 however, one of the temporary aggregate recycling plants planning permission has expired with a further three temporary sites planning permissions due to expire mid – late 2014. Furthermore, the number of sites able to produce secondary and recycled aggregates within Surrey would have to be handling and processing over 0.8mtpa in total as there would be an element of residual material within the overall handling figure that would then have to be deducted from the total secondary and recycled aggregate product produced and used.

51. The Joint Secondary Aggregate DPD recognises that despite an extensive search for potential aggregate recycling facilities, there remains a possibility that sites not investigated may be brought forward. If this is the case, the DPD states at para 77 that such proposals will be supported provided they do not compromise existing planning designations and where impacts on communities and environment can be satisfactorily controlled. Policy AR4 states that applications for new aggregate recycling facilities outside the preferred areas identified in the plan will be supported where it can be demonstrated that the development would result in an increase in the recovery of C&D waste material suitable for the production of recycled aggregates and comply with the locational and development management policies contained within the Surrey Waste Plan. Para 78 states that it is assumed that the windfall capacity may total around 70,000 tpa.

52. In light of the foregoing, there is a clear need to provide additional recycling capacity for construction and demolition waste at appropriate locations to assist in achieving the target in Policy MC5 for the supply of recycled aggregates by 2016 and latterly 2026. It is proposed that the recycling facility which is the source of this planning application would have an annual throughput of some 75,000 tonnes per annum (tpa). The material imported into the site would be screened and crushed producing various grades of screened soils and aggregate. Of this, there would be a residual element that would not be able to be reused/ sold or considered as recycled aggregate. There are no sites within 10km of the application site with the nearest C&D recycling site (permanent) being some 14.5km to the south in the southern part of Tandridge district.
53. As outlined above, Policy AR4 welcomes windfall sites, of which this site would be one of them. Even with the existing number of recycled aggregate sites within the county, the volume of recycled aggregate produced falls short of the Policy MC5 target. Officers recognise that the site is small but consider the proposal would make a welcomed but minor contribution towards the Policy MC5 target which would assist by providing an alternative product to primary aggregate particularly given the shortfall in aggregate reserves and landbank within the county.

Site Suitability

54. As outlined above, PPS10 and Policy CW5 set out criteria that unallocated waste management proposals should be considered against. These are considered as follows.

Policy CW5 i) Priority given to industrial/employment sites

55. The application site comprises land part of which has been used in the past as part of the gas holding site and a builders yard which was an industrial use. The application site is located to the north of the current gas holding site and to the south of a commercial use with a railway line to the east. Further commercial and industrial units lie to the west with only one residential block of flats opposite the site on the other side of the A22. Given the historic use of part of the site as a gas holding site Officers are satisfied that the proposal meets this criteria of Policy CW5 as the application site has been of an industrial use.

Policy CW5 ii) Priority given over greenfield land to previously developed land

56. As outlined above, western part of the application site is on a former gas holding station site and is therefore not undeveloped greenfield land but is previously developed land. The eastern part of the application site was previously wooded but also formed part of the gas holder unit. Consequently Officers consider the proposal complies with this part of the Policy.

Policy CW5 iii) Areas of Outstanding Natural Beauty and Areas of Great Landscape Value should be avoided

57. The application site does not lie within either of these designations. The Surrey Hills AONB is located some 2.6km to the south and the closest Area of Great Landscape Value is located approximately 1.8km to the east. Officers consider given the distance of these designations from the application site that the proposal would not impact on these designations.

Policy CW5 iv) the larger the scale of development and traffic generation the more important it is that the proposal is served by the strategic road network

58. The application site is located immediately adjacent to, and is accessed by, the A22 a major arterial road in Surrey. Given that the application site is served immediately by the strategic road network Officers are satisfied that the proposal meets this criteria of Policy CW5. Having assessed the proposal against the four criteria of Policy CW5 Officers are satisfied that the proposal meets all four criteria and therefore is in accordance with Policy CW5.

PPS10 i) b) the physical and environmental constraints on development, including existing and proposed neighbouring land uses

59. As the application is retrospective, the most appropriate landuse to consider as ‘existing’ would be the use prior to that which is being considered as part of this application which would be as part of the larger gas holding station. This former use is industrial in nature. The current surrounding land uses are predominantly industrial and commercial in nature
with a residential block of flats on the other side of the A22 to the application site’s entrance. Having searched the planning application databases for both Tandridge District Council and Croydon Borough Council, there are no planning applications in the vicinity of the proposal that would affect the proposal or be affected by it. The environmental issues, which includes physical constraint issues, surrounding this site are dealt with below.

**PPS10 i) c) the cumulative effect of previous waste disposal facilities on the well-being of the local community, including any significant adverse impacts on environmental quality, social cohesion and inclusion or economic potential**

60. There are no other previous waste disposal facilities associated with this application site nor within the vicinity of this application area therefore Officers consider that this criteria is not relevant to consideration of this proposal.

**PPS10 i) d) the capacity of existing and potential transport infrastructure to support the sustainable movement of waste**

61. As described above at paragraph 1, the application site has direct access onto the A22 which is a major arterial road in Surrey. The proposal would not require any alterations to the A22 to take place but would be a continuation of HGVs accessing and using this highway network which has retrospectively been occurring for some years. The County Highway Authority have raised no objection to the proposal on capacity or highway grounds (further detailed comments are below at paragraphs 66 – 74) consequently Officers consider the capacity of the highway network in the vicinity of the proposal would not be significantly adversely affected by this proposal and that the sustainable movement of waste in this case can be accommodated.

**PPS10 ii) give priority to the re-use of previously developed land and redundant agricultural and forestry buildings and their curtilages.**

62. As outlined above, the application site is situated on land that formed part of the current gas holding station. Therefore this is previously developed land and meets the requirement of this criteria.

**PPS10 i) a) the extent to which they support the policies in this PPS10**

63. Officers consider that the proposal meets the requirements of the criteria as listed in para 21 and supports the policies in PPS10 for moving waste up the waste hierarchy by allowing the waste to be processed and reused than going to landfill.

64. With regard to Policy CSP1 of the Tandridge District Core Strategy Officers are of the opinion that the proposal complies with this policy given the application site is located on land which formed part of the gas holder unit and the western part of the application site has been in industrial or storage use; and and is within one of the Category 1 settlements listed in the policy. The matters of a choice of transport modes and design are not relevant to this application. Officers are aware that Tandridge District Council have raised an objection on the grounds that the proposal detracts from the areas function as a gateway into the Tandridge district. However, Officers are of the opinion that, as described above, the application site is surrounded by industrial and commercial developments therefore would not be incompatible with the character of the immediate local of that area. Officers therefore consider that the proposal does not conflict with Policy CSP1.

**Conclusion**

65. Officers are satisfied that the proposal meets the locational requirements within both national and local plan policy. Officers consider that the proposal, whilst being a windfall
site, would make a small but valuable contribution towards the Policy MC5 target of 0.8mtpa by 2016 of recycled aggregate to be produced within Surrey particularly as this is a permanent site. The site is not located close to any existing facilities in the county and is well located to recycling construction and demolition waste arising in the urban areas of Caterham and Warlingham and London. Given the need to increase the amount of recycled aggregate within the county and the benefits this would bring by relieving pressure on the production of primary aggregate, Officers consider the proposal meets the requirements of national policy and the Development Plan with regard to waste management issues and being an unallocated site.

TRANSPORT, TRAFFIC AND ACCESS

Surrey Waste Plan 2008
Policy DC3 – General Considerations

66. The Surrey Waste Plan 2008 seeks to ensure waste development proposals do not cause significantly adverse impacts and that sufficient information should be provided on a proposal. Paragraph D12 states that consideration of traffic generation characteristics will incorporate an assessment of the level and type of traffic generated and the impact of that traffic, the suitability of the access and the highway network in the vicinity. Policy DC3 states that planning permission for waste development proposals will be granted provided that, through the demonstration of appropriate information to support the application, that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, resources or infrastructure. The policy goes on to state that information supporting an application must include, where relevant to the development proposal, an assessment of traffic generation, access and suitability of the highway network alongside mitigation measures where appropriate.

67. Emerging policy DP5 of the Tandridge submission document states that development will be permitted subject to it complying with the necessary Highway Authority’s design guidance, does not impede the free flow of traffic on the existing highway network or create hazards to that traffic or other road users, retains existing footpaths and cycle ways; and provides safe and suitable access to the site.

68. The application states that the site has historically, and will continue to, import between 100 – 150 tonnes per day of inert material. It further states that the corresponding traffic generation is 10-12 in bound movements per day. Assuming a 20 tonne payload, 100 tonnes/ day is 10 vehicle loads however 150 tonnes/ day is 16 loads. This only accounts for imports of material and the application gives no information in respect of exports. As the volume of material imported would have to be exported, it is a reasonable assumption that the number of imports would be matched with exports and equate to between 20 – 32 total two way movements per day.

69. The A22 is a heavily trafficked road and the level of traffic generation indicated for the proposal even in terms of a worst case scenario of 32 HGV two way movements per day, is considered not to be significant. The County Highway Authority have not objected to the proposal provided that the transportation impact of the proposal is restricted to historic levels and to ensure that there is no intensification of use of the site, they recommend that a condition be attached to any planning permission granted limiting the number of HGV movements to and from the site to no more than 32 two way HGV movements per day.

70. The County Highway requested further information to confirm that HGVs have the ability to turn within the application so that they always arrive and leave the site in forward gear. The applicant has confirmed that they operate 5 DAF 32t tipper trucks and two Hino 32t tipper trucks and has provided a swept path analysis to demonstrate there is sufficient width for tipper vehicles to enter the site in forward gear and to manoeuvre the vehicles within the site even when there are up to 7 vehicles present within the site. The County
Highway Authority have confirmed that the amplifying information on the swept path analysis satisfies their concerns and they are satisfied that HGVs can access and turn within the site so that vehicles can arrive and leave in forward gear.

71. Concern has been raised within representations and by the County Highway Authority with regard to HGVs queuing on the highway network whilst waiting to access the application site. The applicant has stated that there is a system in place that all drivers are required to call the site office when they are approximately 10 minutes away from the site. Should there be insufficient space at the application site for new arrivals, drivers are directed to a ‘holding area’ which is rented by the applicant in Caterham. The applicant considers such an event to be unlikely given the swept path analysis shows that the site can accommodate 7 HGVs within the site and space for manoeuvring and that the nature of the business is that vehicles should be away from the site making deliveries/collections. The County Highway Authority have made no objection on this aspect of the application but have requested that a condition be imposed that any HGV associated with the proposal enters the site immediately when they arrive and shall at no time park up on the public highway to wait for the site to be clear first.

72. The County Highway Authority also requested further details of how the public highway would be kept free of debris associated with the application site. The applicant has stated that the wheel washing system used at the site is in the form of a jet wash system which is located adjacent to the existing sump and that no vehicles are permitted to leave the site until all wheels have been fully cleaned and checked by a site operative. The applicant also proposes to use a mechanised road sweeper to be used as required to ensure the road outside of the application site remains clean. The County Highway Authority is satisfied with this information.

73. The NPPF is clear that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Officers consider the applicant has provided sufficient information to demonstrate that HGVs can manoeuvre within the application site so that vehicles can arrive and leave in forward gear. The proposal would generate some 32 HGV two way movements to the application site per day. However the A22 is a major A road which is also heavily trafficked and the application site has good access immediately on to and from this A road. Officers consider that the applicant has provided sufficient information to demonstrate that there are measures on site to ensure deleterious material does not enter on to the public highway from the application site and a condition would be imposed to that effect. Having regard to the above paragraphs, Officers consider that the development proposed, subject to conditions, satisfies the requirements of Policy DC3 of the Surrey Waste Plan 2008.

**Rights of Way**

74. A public footpath runs along the northern boundary of the application site however this footpath lies within Croydon Borough Council boundaries. Surrey County Council Rights of Way team have been consulted on this application but do not wish to comment based on this point. Croydon Borough Council have been consulted on the application and raise no comments on this issue. The footpath would not be altered as a result of the proposal however views from the footpath can be gained into the application site through the existing palisade fencing of the application site which is predominantly due to the loss of trees along this boundary. To mitigate against this impact, the applicant proposes to provide for replacement tree planting along the boundary of the application site with the footpath and for protective fencing to be positioned between this planting and the operations of the site. A maintenance schedule is provided for maintaining the newly planted trees. These measures will assist in ensuring that a visual barrier, in addition to the palisade fence, is provided of the operations of the application site for users of the footpath. Officers are satisfied that with the proposed mitigation measures the proposal would not significantly adversely harm the amenities of the public rights of way.
75. The application is seeking to operate a waste transfer station on a site historically used as a gas holding station. The application is retrospective therefore it should be assessed as though no activity were taking place upon it at all.

76. Policy DC3 of the Surrey Waste Plan 2008 states that development proposals for waste related development will be permitted where it can be demonstrated by the provision of appropriate information to support the planning application that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources. The policy requires information to be submitted to support an application on a number of criteria including (relevant to this application) i) the release of polluting substances, iii) the contamination of ground or surface water, iv) the drainage of the site, vii) the visual and landscape impact of the development, ix) adverse effects from noise, dust, litter and transport impacts; x) traffic generation, access and suitability of the highway network in the vicinity, xii) any damage to fauna or flora; and that mitigation measures be provided (where necessary).

77. Tandridge District Core Strategy Policy CSP18 requires that development proposals take account of the character of the area in terms of respecting character, setting and local context alongside regard being given to topography of the site, important trees or groups of trees and other important features that need to be retained. The policy goes on to state that development proposals must not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking, overshadowing, visual intrusion, noise, traffic and any other adverse effect. The policy also states that the Council will protect the wooded hillsides in the built up areas by ensuring that new development does not adversely affect the character of those areas and there is no overall loss of tree cover.

78. Policy BE1 of the Tandridge District Local Plan 2001 sets out a number of criteria where, if the principle of the development is in accordance with other policies in that Plan, it will be permitted provided the proposal can demonstrate it complies with the criteria in that policy. The criteria which are relevant to this proposal include: (1) respecting the character and appearance of the locality, (2) is appropriate to the site and area in terms of its scale, form, design and external materials, (3) does not constitute over development of the site, (4) does not significantly harm the amenities and privacy of occupiers of neighbouring properties by reason overlooking, overshadowing or overpowering effect, (5) does not significantly harm the amenities of occupiers of neighbouring properties by reason of noise, traffic or other adverse environmental effect, (6) has regard to the retention of important trees, (7) includes any necessary landscaping which is appropriate to the character of the area; and (8) provides safe access and adequate traffic circulation.

79. PPS10 sets out at Annex E locational criteria for testing the suitability of sites and areas when considering waste development proposals. Of the locational criteria, criteria a) protection of water resources, b) land instability, c) visual intrusion, d) nature
conservation, f) (traffic and access which are considered above), g) air emissions including dust and j) (noise and vibration) are relevant to this proposal.

80. The Tandridge District submission document to the Secretary of State for development control policies has a number of policies that should be considered as part of this proposal. Emerging Policy DP1 (Sustainable Development) states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development. The policy goes on to state that development proposals that accord with the Development Plan will be approved unless material considerations indicate otherwise. Emerging Policy DP7 (General Policy for New Development) sets out a number of criteria by which development proposals should comply with. The criteria relevant to this proposal are 6) that the development should not significantly harm the amenity of neighbouring properties by reason of pollution (noise, air or light), traffic or general disturbance; and 13) that where there are trees on the site a landscaping scheme should be submitted alongside the planning application which makes provision for the retention of trees that are important by virtue of their significance in the local landscape.

81. In accordance with Regulation 7 of the Environmental Impact Assessment (England) Regulations 2011, a Screening Opinion was adopted for this proposal on 7 March 2013 concluding that an Environmental Impact Assessment was not required.

Noise

82. The NPPF at paragraph 123 states that planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development; and to mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development. PPS10 Annex E locational criteria (j) requires consideration to be given to the proximity of sensitive receptors, type of noise, whether the noise is intermittent or sustained and keeping noise at acceptable levels when considering development proposals. Surrey Waste Plan Policy DC3 requires consideration of noise impacts from waste development proposals as outlined above.

83. Policy EV10 of the Tandridge District Local Plan 2001 states that development will not be permitted where it would generate an unacceptable level of noise and which would affect noise sensitive development. The policy requires adequate information to be provided in order to assess the proposal in terms of noise. Emerging Policy DP22 (Minimising Contamination, Hazards and Pollution) states that for noise generating forms of development that would affect noise-sensitive development to be accompanied by a statement detailing potential noise generation levels and mitigation measures proposed to ensure noise is reduced to acceptable levels. Where a development proposal does so, the policy says it will be supported.

84. Surrey County Council has produced its own Guidelines for Noise Control: Minerals and Waste Disposal. The guidelines set out that for day to day operations at waste sites, noise levels from such operations should comply with the background noise (LA90) plus 5dB(A). The County Noise Consultant visited the site and undertook an assessment of the background noise and the noise levels from the plant and machinery on site. The CNC comments that the only noise sensitive dwellings are the block of flats opposite the site which are surrounded by industrial premises to the rear and sides alongside on the opposite side of the A22. The CNC states that peak noise events were regularly 70 dBA but that the background noise level was 60 LA90. This would equate to a site noise limit of 65 LAeq which, as can be observed, is below peak noise events already experienced around the site. The CNC has commented that when the machinery was used on the application site, the ambient noise levels stayed almost the same raising slightly to 70.3 LAeq. Given this the CNC has commented that the addition of noise from the operations from the application site would not significantly adversely affect the immediately local nor
sensitive receptors. However in order to not unreasonably add to the existing noise levels in the locality, the CNC recommends a condition that if planning permission is granted that noise from the application site be limited to 60 LAeq.

85. Officers are satisfied that given the application site’s location alongside a busy A road and that the adjoining landuses are industrial in nature and that the use of plant and machinery for the proposal would not significantly increase the background noise level of the site, that the proposal would not significantly adversely affect sensitive receptors and that the proposal complies with the requirements of the Development Plan.

Air Quality

86. As outlined above, Policy DC3 of the Surrey Waste Plan 2008 seeks to ensure waste development does not cause significant adverse harm by way of air quality and that mitigation measures be provided where necessary.

87. Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability. Para 122 goes on to advise that when considering development proposals, 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. Local planning authorities have to assume that these regimes will operate effectively. Para 124 discusses air quality but this is specifically with regard to Air Quality Management Areas but the paragraph does say the cumulative impacts on air quality from individual sites in local areas should be considered. PPS10 Annex E locational criteria (g) requires that in decision making consideration should be given to the proximity of sensitive receptors and the extent to which adverse emissions can be controlled through the use of appropriate and well-maintained and managed equipment and vehicles.

88. As the application proposes to import, process and store inert waste materials it has the potential to generate dust emissions. The NPPF Technical Guidance advises that a Dust Assessment Study submitted with a planning application may use a quantitative approach or a qualitative approach. The predecessor to the Technical Guidance, MPS2, advised that the choice would depend on the type and scale of working and proximity of sensitive land uses in the surrounding areas such as schools and residential areas. The main potential effect is the level of dust that could be deposited on surfaces, potentially leading to a nuisance impact. The Institute of Air Quality Management (IAQM) guidance recommends that a dust risk assessment is undertaken for sensitive receptors within 350m of a site boundary. There are residential receptors within 14m of the application site. The applicant has submitted as part of this application a risk-based qualitative approach which focuses on nuisance dust risks associated with emission from the application site. The assessment concludes that magnitude of risk of dust to receptors is ‘high’.

89. The County Air Quality consultant has reviewed the submitted assessment and has commented that whilst the assessment does not explicitly appear to weigh up the necessary factors in the source-pathway-receptor approach, due to the assessments conclusion coming to a ‘high’ risk, the main issue is therefore the level of control and mitigation proposed commensurate with the high risk and can the residual risk be low enough to protect the amenity of land users close to the application site. A series of dust control measures are provided within the assessment document however the County Air Quality Consultant is of the opinion that many good practice dust control measures are not in the submission from the applicant as part of the mitigation measures. The County Air Quality Consultant recommends that a condition be imposed that requires the applicant to submit a Dust Action Plan which is a site specific operational plan to prevent
or minimise the release of dust from the site and that a programme of ongoing dust monitoring to validate the outcome of the assessment and to check the continuing effectiveness of control/ mitigation measures be conditioned also.

90. As the application is retrospective, Officers acknowledge that pre-commencement conditions, such as the provision of a Dust Action Plan prior to the commencement of operations, to provide a level of assurance that one will be provided are not appropriate. In this case, the County Air Quality Consultant is satisfied that this information can be required by a condition rather than provided prior to determination. Officers therefore consider that a condition that requires the provision of a Dust Action Plan submitted for approval to the County Planning Authority within a set period of time of the date of decision granting planning permission is appropriate after which if the Dust Action Plan is not submitted or approved, the planning permission thereby falls away. Such conditions are used by the Planning Inspectorate in similar retrospective applications and cases therefore Officers are satisfied that such a condition can be used and is appropriate here.

Landscape, Trees and Woodland

91. The Surrey Waste Plan Policy DC3 seeks the protection of landscapes and woodland and the provision of mitigation measures where appropriate as outlined above. Protection of the character and distinctiveness of Tandridge districts landscapes and countryside is sought by Policy CSP21 which seeks to protect them for their own sake with new development being required to conserve and enhance landscape character.

92. The site is located within the Woldingham, Chaldon and Box Hill landscape character area (LCA) as set out within “The future of Surrey’s landscape and woodlands” (Surrey County Council). Some of the key characteristics of this LCA are identified as woodland and wooded valleys, with fingers of urban development extending southwards along the valleys merging in to surrounding woodland. The site is located within one of these wooded valleys, where woodland belts extend up the side of the valley enclosing the urban development within it, providing visual containment and a wooded setting to Whyteleafe.

93. The County Landscape Architect has raised concerns with regard to this site and the proposal that the activities are eroding the key characteristics of the LCA in that woodland cover in the eastern part of the site has been removed and the existing woodland edge is being encroached upon further by the working practices and stockpiling of material. This encroachment from stockpiles is burying the rootzones of the trees and potentially compromising the future health of the existing trees. Alongside the footpath along the northern boundary, trees have been removed and this has left a sparse level of small hedgerow trees which are also being encroached upon by stockpiles. Given that much of the screening of the site is from the trees along the site boundary, the County Landscape Architect has commented that the encroachment of activities is compromising the mitigation that these trees provide to the site alongside eroding the landscape character.

94. Consequently, both the County Landscape Architect and the County Arboriculturalist recommended that an Arboricultural Impact Assessment complete with survey and method statement should be submitted and that this can then go on to inform any mitigation proposals, protection and restoration of the woodland edge including standoffs and protective fencing.

95. The applicant provided further amending and amplifying information on trees following the concerns raised by the County Landscape Architect and the County Arboriculturalist in the form of a tree protection plan, a landscape plan, an arboricultural plan, an arboricultural development report and a tree survey. Trees surround the application site on all four boundaries, however it is the trees along the eastern boundary that appear to
have been affected by gradual encroachment of the application site. The applicant has carried out a tree survey using a methodology guided by BS 5837:2012 ‘Trees in relation to design, demolition and construction – recommendations’ of the site to assess the quality of all the trees adjoining the site. This survey found that there were no Category A (the highest quality) trees, there are 6 Category B trees (moderate quality) which are located in the north western corner, the western and southern boundaries, with the remaining trees being Category C (low quality) or trees being in such a condition that they cannot be realistically retained.

96. The applicant then identified three trees that should be removed, all of which are the poorest category and positioned along the western boundary near the site entrance and existing workshop. These would be removed in accordance with BS 3998:2010 and care would be taken of the ground around retained trees to make sure that it does not become compacted. To protect the trees along the northern and eastern boundary from further encroachment the applicant is proposing to install protective fencing offset 2m from the north and eastern boundaries which will provide a space for a new zone of planting and then protection of it. The new planting along this boundary with the fence would comprise of common Hawthorne, common box, viburnum, hornbeam, hazel and aspen, to be maintained for a period of five years. Additionally the applicant proposes to install four bird and bat boxes each along the eastern boundary. As gate would be provided within the fence to allow for access to the trees and inside of the fence for maintenance purposes.

97. The area for the proposed new planting would undergo manual excavator including loosening soil foundations with a fork or pick with areas close to tree roots being protected by hessian to prevent drying out.

98. The County Landscape Architect has reviewed the arboricultural impact assessment and is satisfied with the approach and proposed trees that require removing. The County Landscape Architect has reviewed the mitigation measures proposed and is satisfied with the measures proposed as outlined above and recommends that these are conditioned. Officers are satisfied that the applicant has provided the necessary information and mitigation measures as required by Policy DC3 of the Surrey Waste Plan 2008 and that the measures in place will safeguard the trees.

99. In addition to the above, there are currently two portacabins on the application site which are currently red in colour. The County Landscape Architect has requested that these portacabins be painted in an olive green colour (RAL 6033) so that they are recessive in the landscape. The applicant has confirmed there is no objection to this. This can be secured by planning condition.

**Ecology and Nature Conservation**

100. Protection of the natural environment alongside biodiversity and ecology is sought by Policy DC3 of the Surrey Waste Plan 2008 and also criteria d) of Annex E of PPS10 as outlined above. Policy DC2 of the Surrey Waste Plan also states that planning permission will not be granted for waste related development where this would endanger or have a significant adverse impact on the character, quality, interest or setting of Sites of Special Scientific Interest (SSSI).

101. Policy CSP17 of the Tandridge District Core Strategy seeks the protection of biodiversity and to provide for the maintenance, enhancement, restoration and if possible expansion of biodiversity. Emerging Policy DP19 states there is a presumption in favour of applications which seek to enhance biodiversity and seeks to conserve and enhance the natural environment by ensuring that proposals that would adversely affect local, national or statutory designated sites of biological importance are refused.
Para 118 of the NPPF states that when determining planning applications local planning authorities should aim to conserve and enhance biodiversity by applying the following principles. This includes where significant harm resulting from development cannot be avoided or adequately mitigated or compensated for then planning permission be refused; that where a proposal is likely to have an adverse effect on a Site of Special Scientific Interest is should not normally be permitted, opportunities to incorporate biodiversity in and around developments should be encouraged, and that planning permission should be refused where it would result in the loss of veteran trees.

The County Ecologist has reviewed the proposal and has commented that it is his opinion that the removal of the woodland vegetation in the eastern part of the site and encroachment of the application site has resulted in ecological impacts. The County Ecologist requested that a scheme of landscape and biodiversity enhancement be provided to provide more compensation for the loss of the woodland which would ensure there would be no net loss of biodiversity. Natural England have commented on the proposal that the application site is within close proximity to the Riddlesdown Site of Special Scientific Interest (SSSI). However, given the nature and scale of the proposal, Natural England are satisfied that there is not likely to be an adverse effect on the SSSI. Natural England go on to comment that the application may provide opportunities to incorporate features into the design which are beneficial to wildlife such as bird or bat boxes to provide biodiversity enhancements as required by para 118 of the NPPF.

The applicant has submitted some amending and amplifying information including information on the protection of trees within and adjoining the application site as outlined above. As part of these measures, the applicant proposes to install four bird and bat boxes each along the eastern boundary. The County Ecologist has reviewed this further information and considers the scheme is sufficient.

Surface Water Drainage and Groundwater

The application site is not located within an area liable to flood however it on a major aquifer and is in Source Protection Zone 1 (SPZ1) which is for sensitive sites and as such infiltration drainage would not be allowed. Furthermore investigation work has found that the application site is geo-hydraulically down gradient of the existing gas holding station which is presumed to be contaminated land. Investigation work for this application has found that there is made ground beneath the site to a maximum depth of 1.4m which is placed over chalk. There are two groundwater abstraction licenses listed within 1000m of the application site, at circa 930m and 945m to the north both of which are for potable supply. There are further size potable abstractions between 1000m and 2000m from the site boundary. Boreholes undertaken at the site as part of the site risk assessment did not encounter groundwater to depths of up to 3.0mbgl.

Policy DC2 of the Surrey Waste Plan 2008 states that planning permission for waste related development where this would endanger or have a significant adverse impact on the character or quality of a Groundwater SPZ will not be granted.

The NPPF Technical Guidance states that developers and local authorities should seek opportunities to reduce the overall level of flood risk in the area and beyond through the layout and form of the development and the appropriate application of sustainable drainage systems. The NPPF seeks to encourage the use of sustainable urban drainage systems which has key characteristics such as attenuation of surface water and subsequent infiltration.

Foul water from the portaloo is emptied by a specialist contractor as and when necessary. Surface water from the application site is currently discharged directly to the ground and is directed to a grated sump some 3m long, 1.4m wide and 1.2m deep which is located at the site entrance. When required, water is extracted from the sump and used in the water bowser as part of the dust suppression measures for the application.

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site; and the silt from the sump is emptied and disposed of off-site by an appropriate waste management subcontractor. The County Geological Consultant having reviewed the proposal raised concerns with the application and requested further information on how the sump would trap all contamination from the application site such as hydrocarbons, a methodology for inspection and maintenance/emptying of the sump; and what would be the impact of any exceedances of flows off site should the system become overloaded. The County Geological Consultant also required an assessment of the impact of climate change on the site. The Environment Agency commented on the application that they would not permit infiltration drainage due to the very sensitive site setting in an SPZ1 and any potential contamination from historic activities.

109. The applicant has provided as part of the amending/amplifying information a Surface Water Management Plan (SWMP). This SWMP states that as the site is situated over a principal aquifer and the site being geo-hydraulically down gradient of presumed contaminated land, the introduction of a SUDS system that encourages infiltration would not be a preferred method as it may promote the migration of any contaminants into protected ground waters. Instead the applicant proposes to have sumps at the application site. The size of the attenuation tank that would collect and retain the surface water is based on the applicant being able to discharge surface water runoff into Thames Water’s sewer (which Thames Water have agreed to in principle) at a rate of 5l/s. However to ensure there is capacity on site to cope with storm events, an attenuation tank would still be required on site. The applicant has calculated the size of the holding that would be necessary for the site based on the type of surface of the site and the surface area. The current sump provides 4.69m$^3$ of storage however based on the calculations in the SWMP this sump would need to be increased to 37.16m$^3$. A surplus attenuation tank of 36.186m$^3$ is required which includes the siltation requirement as requested by the County Geological Consultant.

110. The Environment Agency (EA) have reviewed the Surface Water Management Plan and the planning application. The EA have commented that due to the site setting, a Source Protection Zone 1 (SPZ1), they would object to any activity that comprised the handling of any hazardous or pollution substances. However as this application site is to handle only inert materials in line with an Environmental Permit they do not object subject to the provision of conditions including for a risk management strategy and that there be no infiltration of surface water. The EA have additionally commented that they have noted that the proposed scheme would require a high level of tankering off-site. However, the EA note that this has to be balanced with the fact that infiltration of surface water cannot occur at this site due to its sensitivity to the groundwater therefore they do not object to surface water being collected within a tank for tankering off.

111. The County Geological Consultant has reviewed the proposed approach for managing surface water drainage at the application site and comments that he agrees with the overall approach for the surface water drainage to the existing sump on the site, drainage into Thames Water’s sewer and providing additional underground storage connected to the sump via an interceptor. The County Geological Consultant concurs that infiltration cannot occur at the application site due to the sensitivity of the ground. The County Geological Consultant has reviewed the Surface Water Management Plan and has confirmed he is satisfied with the calculation provided and the proposed additional storage tank volume. The County Geological Consultant is satisfied that the exact detail of the size and location of the tank can be subject to condition. This is particularly because the attenuation tank cannot be positioned within 3m of the high pressure gas pipeline. Southern Gas Networks are also satisfied with this approach. Officers are satisfied that the applicant has provided adequate information with regard to the management of surface water runoff from the application site and how it will be captured. Officers are satisfied that a condition can be attached requiring the applicant to provide specific details on the size, dimensions and positioning of the tank which, should they not be submitted, approved and the attenuation tank constructed within a specific time period that planning permission for the application site would lapse.
Protection of the ground from contamination and the provision of mitigation measures for such matters is required by Policy DC3 of the Surrey Waste Plan 2008. Para 120 of the NPPF states that to prevent unacceptable risks from pollution and land instability, planning decisions should ensure that new development is appropriate for its location and that the effects of pollution on health, the natural environment or general amenity should be taken into account. The paragraph goes on to state that where a site is affected by contamination and/or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. Para 121 requires planning decisions to ensure that a site is suitable for its new use taking account of ground conditions and land instability including from former activities such as mining, pollution arising from previous uses and any proposals for mitigation including land remediation or impacts on the natural environment arising from that remediation. The paragraph goes on to state that after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.

Para 122 states that when considering the above requirements, the local planning authority 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 emission, which are controlled by the Environmental Permitting regime. Planning authorities should assume that these regimes will operate effectively.

Policy EV7 of the Tandridge Local Plan 2001 states that if there is an awareness of contamination of an application site or that it may be contaminated, consultation with the Environment Agency should take place. The policy states that development will be permitted provided there is no risk to health or the environment and that adequate remedial measures are provided which would mitigate the effect of any contamination and render the site suitable for use. Emerging Policy DP22 (Minimising Contamination, Hazards and Pollution) states that proposals that are situated on land that is or may be contaminated will be permitted provided that there is no unacceptable risk to health or the environment and provided adequate remedial measures are proposed which would mitigate the effect of any contamination.

The site has historically been used in connection with the gas holding station which currently exists. The planning application was originally accompanied by a Phase 1 Environmental Risk Assessment report which identifies the site to be part of a former gas works site underlain by a principle aquifer and within SPZ1. The County Geological Consultant requested that further information be provided in respect of groundwater flow, whether there are any restrictions on the site posed from the gas holding site and that a Phase 2 Investigation and Risk Assessment be carried out which would identify any remediation and/or mitigation options if required.

The applicant has carried out a further investigation report and trial pits. The investigation report states that the existing workshop and portacabins on site do not have any foundations into the ground but are laid on concrete slabs. As such there are no points of ingress/egress into the ground and there is no direct pathway to any ground borne gases or vapours. Furthermore there are no new buildings or structures proposed therefore there is no increase in risk.

The Phase 2 assessment found that all samples of made ground and natural ground had no elevated concentrations of contaminants and therefore the made ground and natural ground constitutes a low risk to end users. There were two trial pits within made ground that showed petroleum hydrocarbons present. The assessment also looked at whether the proposal could impact on the controlled water/principal aquifer of the underlying chalk through leaching. Whilst the samples found slightly elevated concentrations of
polycyclic aromatic hydrocarbons in terms of their leach-ability, these were below detection limits. The assessment includes a controlled waters risk assessment using a model provided by the Environment Agency. This model showed that the concentrations of the leachable fractions of the hydrocarbons would not be considered as a significant risk to controlled waters.

The assessment concludes by saying a risk management strategy should be put in place and that any contamination in the made ground would be removed and the made ground made good with any tank on site being sealed with appropriate bunding. The risk management strategy proposed includes a remediation scheme, a discovery strategy, a closure report and regulatory approval. For the remediation scheme this would use olfactory indicators are used as a guide to determine the extent of material requiring removal with impacted soils being excavated out and temporarily stockpiled and then removed from site. The discovery strategy would be used if during development works on site, contamination is encountered which was not previously identified. If this was the case, then work would cease at that location, documented evidence would be provided by the applicant and the significance of the contamination assessed with a suitable strategy for mitigation provided. The closure report would be completed following the remediation works and would demonstrate that remediation had been carried out satisfactorily and targets achieved.

The Environment Agency have reviewed the amending/ amplifying information and have commented that the contamination shown in the made ground does not give confidence with regard to any impact on the SPZ1. However they note that the contaminated is limited and given there are recommendations to remove the contaminated made ground alongside the provision of sealed bunding. Furthermore the Environment Agency note that there is risk of contamination from the adjacent sites and historic activities. The Environment Agency raise no objection to the proposal on contaminated land grounds but request that a condition be imposed that on-going assessment and reporting is carried out during any further works in accordance with the risk management strategy submitted.

The County Geological Consultant has also reviewed the amending/ amplifying information and has commented that he concurs with the findings of the further investigation work that the risks to human health and/ or controlled waters are at an acceptably low level. The County Geological Consultant also concurs with the recommendation that the slight hydrocarbon contamination found in the soil around one of the trial pits should be removed. The County Geological Consultant is satisfied with the remediation scheme, discovery strategy and closure report and considers this would satisfactorily deal with any residual risks. The County Geological Consultant recommends that a condition be imposed that the works listed within the amending/ amplifying information be completed and submitted to the County Planning Authority within six months of the date of the permission. Given the advice from the County Geological Consultant, Officers consider the proposal meets the requirements of the NPPF, Policy DC3 and Policy EV7 that issues of contamination have been adequately addressed.

**Land Stability**

The application site is located in an area formerly worked for chalk with a chalk quarry some 100m to the north east of the application site which occupies an area of approximately 30,000m². The County Geological Consultant had raised concerns that in the submitted documentation there were records of solution pipes within 156m of the site. Solution pipes can be a cone or pipe-like cavity in a vertical section that can be partially or completely infilled with overlying deposits that have subsided into the cavity and occur naturally in chalk. As solution pipes can be infilled with very loose collapsible deposits they can create a risk of land instability besides forming a preferential pathway for contaminants to migrate down to an aquifer. To meet the requirements of the NPPF...
the County Geological Consultant requested that further information be provided in the form of a stability risk assessment to include a solution feature pathway.

122. The applicant has provided a risk assessment as part of the amending/amplifying information submitted to accompany the planning application. This assessment concludes that due to the close proximity of the site to the old chalk workings where existing solution pipes have been observed and recorded, that there is potential for solution features to be present in the chalk geology at the application site. However, due to the nature of the dissolution features and the activities that take place on site (including plant movement, storage of stockpiles, fuel storage), the risk assessment considers the risk rating to be low and the assessment concludes that no further assessment is required. However the report goes on to state that should any further development or construction take place at the site then the risk should be reassessed.

123. The County Geological Consultant has reviewed this assessment and has commented that he concurs with the assessment that there is potential for solution features to be present at the site but that the risk is low. The County Geological Consultant considers the provision of a new tank for the capture of surface water could be new development given its proposed size in which case, further ground investigation would be required at the time of the construction of the tank.

124. Officers recognise that there could be some presence of solution pipes at the application site and that the provision of a new tank to capture surface water runoff may be affected by the solution pipes. Officers are satisfied, however, that an assessment of the presence (or not) of any solution pipes where the proposed new tank is to be positioned, need only be done prior to the new tank being constructed. Officers consider that a condition can be imposed requesting that such an assessment be carried out at the time of the tank construction and a report be submitted for approval to the County Planning Authority within a set period of time from the date of the construction of the tank.

HUMAN RIGHTS IMPLICATIONS

125. 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.

126. The proposal seeks retrospective planning permission for the permanent retention of a construction, demolition and excavation site. It is recognised that the proposal has the potential to impact on residential amenities with regard to noise, dust, traffic and surface water runoff. The issues are considered and assessed in the report and it is the Officer’s view that the scale of any impact is not considered sufficient to engage Article 8 or Article 1 of Protocol 1 and any impact can be mitigated by conditions. As such, this proposal is not considered to interfere with any Convention right.

CONCLUSION

127. The proposal seeks retrospective planning permission for the receipt, storage, processing and export of construction and demolition waste. This activity has been occurring at this site for a number of years. The applicant is seeking to process circa 50,000 tpa. The application site does not lie within any landscape, ecological or planning designations but it does lie within a Source Protection Zone 1 which is for high sensitivity due to the chalk aquifer below it.

128. The County Council has set itself a target for the supply of recycled and secondary aggregates at a rate of at least 0.8 mtpa by 2016 and of at least 0.9 mtpa by 2026. The AMR Monitoring Update August 2013 shows that currently Surrey is below this target figure producing just over half the target amount, at 450,000 tonnes. Officers recognise
that this application is not identified within the Development Plan as a site where the recycling of C&D waste is preferential. However, policies within the Development Plan and national guidance provide for consideration to be given to windfall/unallocated sites by setting criteria by which such sites should comply with in order for planning permission to be granted. Officers consider that this application site meets the criteria set out in both Development Plan Policy and national guidance for the suitability of waste management sites. Officers also consider that the proposal would make a small but welcome contribution towards the policy target of 0.8 mtpa by 2016 which in doing so, assists in relieving the pressure on the provision of primary aggregates of which currently, Surrey’s landbank figure for sharp sand and gravel is below.

129. Officers recognise that the application site has the potential to produce noise and dust due to the nature of the material being processed. Officers are satisfied that given the existing background noise level for the area that the proposal would not significantly adversely contribute to this existing noise background and that a condition can be imposed limiting noise levels from the site. With regard to dust, the County Dust Consultant recommends that a Dust Action Plan be provided to set out what mitigation measures would be in place to ensure that no adverse dust impacts originate from the application site; and that ongoing dust monitoring should be in place. The County Dust Consultant recommends that these can be conditioned and Officers are of the opinion that this can be the case however, that such schemes should be submitted to the County Planning Authority for approval within three months of the date of planning permission being granted and that the condition be formed in such a way that should such a scheme not be forthcoming the planning permission would fall away.

130. Concern has been raised by the Environment Agency with regard to possible contamination at the application site from existing gas holding tanks on site. However the Environment Agency have raised no objection to the proposal on the provision that the contaminated made ground is removed from site and that land remediated; and that a remediation strategy be in place and adhered to such that if any contamination is encountered then it is properly dealt with. Again Officers consider that the Risk Management Strategy can be conditioned with details submitted for approval within a set period of time. The County Geological Consultant has noted that there are solution pipes within the vicinity of the application site given it is located on chalk. The County Geological Consultant is of the opinion that any proposed new surface water management tank to capture surface water drainage is new development on the site, and as such, when the tank is being constructed an assessment should be carried out to ascertain if solution pipes are present or not. The County Geological Consultant is satisfied that this can be conditioned.

131. The application proposes the installation and use of an additional tank to capture surface water from the application site as due to the sensitivity of the groundwater and aquifer, infiltration of surface water from the site should not take place. The County Geological Consultant is satisfied that the use of a tank to capture surface water from the site is acceptable. With regards to highway matters the County Highway Authority are satisfied that the number of HGV movements associated with the proposal would not significantly adversely affect the local highway network and are satisfied with the wheel cleaning facilities to ensure no deleterious material enters onto the public highway.

132. Officers therefore conclude that with the provision of appropriately worded conditions that, given this is a retrospective application, require schemes to be submitted to and approved by the County Planning Authority within a set period of time which unless done so, the planning permission would fall away; and given the benefit the proposal would offer in terms of it being a windfall site and assisting in meeting the 0.8 mtpa target, that planning permission be granted for this proposal.

RECOMMENDATION
The recommendation is to PERMIT subject to conditions.

**Conditions**

**Plans and Drawings**

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

   - Location Plan 14 February 2013
   - LMD Crushed Concrete Long Section 25 January 2013
   - Figure 3 Existing Surface Water Drainage Plan 25 January 2013
   - Figure 5 Proposed Development Plan 25 January 2013
   - LMDTopo Site Survey Plan 25 January 2013
   - Map 1 Tree Constraints Plan 14 October 2013
   - SP01 Swept Path Analysis of a Large Tipper 1 October 2013
   - Arbtech LD 001 Rev B Landscape Plan October 2013
   - Arbtech TPP 01 Tree Protection Plan October 2013
   - Arbtech AIA 01 Arboricultural Impact Assessment October 2013

**Commencement**

2. The development hereby permitted shall be begun no later than the expiration of three 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.

**Hours of Work**

3. No lights shall be illuminated nor shall any operations or activities authorised or required by this permission, including the arrival and departure of heavy goods vehicles, be carried out outside the following hours:

   - Monday - Friday 08.00 to 17.00
   - Saturdays 08.00 to 13.00

   No operations are permitted on Saturdays 13:00 - 00:00, Sundays or Bank, National or Public Holidays. This condition shall not prevent the prior arrival/ later departure of staff arriving on foot or using transportation other than HGV's

**Noise**

4. Except for temporary operations the level of noise arising from any operation, plant or machinery on the site, when measured at, or recalculated as at, a height of 1.2 metres above ground level and 3.6 metres from the facade of a residential property or other noise sensitive building that faces the site shall not exceed 60 LAeq, during any 30 minute period.

**Limitations**

5. Within three months of the date of this permission, the two portacabins positioned to the north of the site entrance shall be painted in RAL 6003 Olive Green

6. The stockpiling of construction and demolition waste and product materials shall not exceed 4m in height above the surrounding ground level.

7. The applicant shall install two height profile boards, one at the top of the construction, demolition and excavation stockpiling area; and one at the bottom of the
construction, demolition and excavation stockpiling area as defined on Drawing LMD Topo. The stockpiling within the area shall not limit the view of the upper board from the lower one.

8. The development hereby permitted shall process construction, demolition and excavation waste up to a maximum of 75,000 tonnes per year. The operator shall maintain a record of the production tonnage on a monthly basis and shall made the information available to the County Planning Authority on request.

9. No mechanical excavations are to take place above or within 0.5 metres of the Low pressure gas pipeline and the medium pressure gas pipeline system and 3 metres of the Intermediate pressure gas pipeline system. No thrust boring shall take place within 3m of the pipeline. The position of the gas mains should be confirmed by using hand dig trial holes. Safe digging practices, in accordance with HSE publication HSG47 “Avoiding Danger from Underground Services” or current publication if superseded must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used.

10. Any facilities for the storage of oils, fuels or chemicals shall be provided with secondary containment that is impermeable to both the oil, fuel or chemical and water, for example a bund, details of which shall be submitted to the local planning authority for approval. The minimum volume of the secondary containment should be at least equivalent to the capacity of the tank plus 10%. If there is more than one tank in the secondary containment the capacity of the containment should be at least the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest. All fill points, vents, gauges and sight gauge must be located within the secondary containment.

11. The secondary containment shall have no opening used to drain the system. Associated above ground pipework should be protected from accidental damage. Below ground pipework should have no mechanical joints, except at inspection hatches and either leak detection equipment installed or regular leak checks. All fill points and tank vent pipe outlets should be detailed to discharge downwards into the bund/secondary containment.

12. No plant or storage of equipment shall be made within any easement strip.

13. All precautions stated in publication SGN/SP/SSW22 (Safe Working in the Vicinity of High Pressure Gas Pipelines) or current publication if superseded shall be fully complied with in all respects. Acceptance of SSW22 shall be acknowledged by the responsible site person signing and returning the form Appendix A (back page) to the SGN representative contacted in (7).

Trees and Woodland


15. No removal or cutting of vegetation including trees and shrubs shall be carried out between 1 March and 31 August inclusive in any year.
16. The protective barrier fencing shall be installed within three months of this planning permission in the alignment as shown on Drawing number Arbtech LD 001 Rev B October 2013 and be maintained in accordance with the details as shown Drawing number Arbtech LD 001 Rev B October 2013 and the Arboricultural Development Report October 2013.

17. Prior to the commencement of the tree works as specified in the Arboricultural Development Report October 2013 and Drawings Arbtech LD 001 Rev B October 2013, Arbtech AIA 01 October 2013 and Arbtech TPP 001 rev A October 2013, a pre-start meeting shall take place between the applicant, the arboricultural consultant and the County Planning Authority to discuss the protection methodology and arboricultural method statement.

Biodiversity

18. The bird and bat boxes shall be installed in accordance with plan Arbtech LD 001 Rev B dated October 2013 and maintained in accordance with the requirements specified on that plan.

Transport

19. The HGV parking and turning area as shown on drawing number SP01 “Swept Path Analysis” dated 01.10.13 shall be permanently retained and maintained for that use.

20. Within three months of the date of this planning permission, facilities for wheel washing shall have been provided in accordance with the approved plans and paragraphs 7.4-7.7 of the Submission Statement dated October 2013 and thereafter maintained and used whenever the said operations are undertaken.

21. The site shall generate no more than 32 HGV two way movements per day. The site operator shall maintain accurate records of the number of HGV vehicles accessing and egressing the site daily and shall make these available to the County Planning Authority on request.

22. HGVs shall enter the site immediately when they arrive and shall at no time park up on the public highway to wait for the site to clear first.

23. For the duration of the works, all vehicles accessing the site shall enter and leave the public highway in forward gear.

24. No work is to be carried out on or close to the site boundary that might undermine the stability of the adjoining public footpath or its boundary fence.

Dust

25. Unless within three months of the date of this decision, a Dust Action Plan is submitted in writing to the County Planning Authority for approval, and unless the approved scheme is implemented within three months of the County Planning Authority’s approval, the use of the site shall cease until such time as a scheme is approved and implemented. The Dust Action Plan shall be carried out in accordance with scheme as submitted.

26. Unless within three months of the date of this decision, Dust Monitoring Scheme is submitted in writing to the County Planning Authority for approval, and unless the approved scheme is implemented within three months of the County Planning Authority’s approval, the use of the site shall cease until such time as a scheme is approved and implemented.
Authority’s approval, the use of the site shall cease until such time as a scheme is approved and implemented. The Dust Monitoring Scheme shall be carried out in accordance with scheme as submitted.

27. No activity hereby permitted shall emit dust, which causes a nuisance beyond the boundaries of the site, due to either inappropriate working or adverse weather conditions. If such an emission should occur appropriate measures shall be taken to abate the problem, but if unsuccessful the activity shall be suspended until it can be resumed without causing emission as a result of different methods of working, the addition of additional dust suppression measures or changed weather conditions.

Surface Water Management

28. Unless within three months of the date of this decision, details of a surface water attenuation system including information on the connection to the public sewer (including confirmation from the water company that the connection is acceptable), detail of the flow control and the capacity, dimensions, location and maintenance of the tank is submitted in writing to the County Planning Authority for approval, the use of the site shall cease until such time as a scheme is approved. The construction and maintenance of the surface water attenuation tank shall be carried out in accordance with the scheme as approved and shall be installed and operational within three moths of the date of approval.

29. During the construction of the new storm water storage tank, a ground investigation and assessment shall be carried out as to the presence of Chalk solution features within that immediate area. Should solution features be identified, an assessment shall be made as to implication of the solution features on the stability of the tank foundations and a remedial or mitigation strategy and verification plan proposed. The level of assessment shall reflect the requirements set out in the CGL letter dated 25 September 2013, or as otherwise agreed with the County Planning Authority. The assessment and any proposals for mitigation and verification shall be submitted to the County Planning Authority for approval in writing before construction of the new storm water storage tank commences.

30. Should any further development or a change of use take place at the site hereby permitted, then further investigation should take place to further mitigate against any future risk as outlined in the CGL letter 25 September 2013.

31. No infiltration of surface water drainage into the ground is likely to be permitted due to the unacceptable risk to controlled waters from any infiltration and historic underlying contamination. The development shall be carried out in accordance with approved drainage details only, these should be submitted to the County Planning Authority for written approval, before any site infrastructure is installed.

Contaminated Land

32. The Risk Management Strategy as set out within Section 6 of the Additional Exploratory Investigation dated 30 September 2013 by Terragen Environmental Consultants shall be implemented in full within 4 months of this decision and a Closure Report verifying the completed works, carried out in accordance with the agreed strategy, shall be submitted to the County Planning Authority for approval within 6 months of the date of this decision. In event that the Strategy is not implemented within 6 months, the use of the site shall cease until such time as the strategy is implemented and approved in writing.
33. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the County Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reasons

1. To comply with the terms of the application and to enable the County Planning Authority to exercise planning control over the operation so as to minimise the impact on local amenity in accordance with Policy CW5 and Policy DC3 of the Surrey Waste Plan 2008.

2. To enable the County Planning Authority to exercise control over the site for the development hereby permitted and comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

3. To protect the amenities of local residents in accordance with Policy DC3 of the Surrey Waste Plan 2008

4. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Policy DC3 of the Surrey Waste Plan 2008 and Policy EV10 of the Tandridge District Local Plan 2001

5. In the interests of protecting residential amenity in accordance with Surrey Waste Plan 2008 Policy DC3 and Policy CSP21 of the Tandridge District Core Strategy 2008

6. In the interests of local amenity and to comply with Surrey Waste Plan 2008 Policy DC3.

7. In the interests of local amenity and to comply with Surrey Waste Plan 2008 Policy DC3.

8. To comply with the terms of the application and to enable the County Planning Authority to exercise planning control over the operation so as to minimise the impact on local amenity in accordance with the terms of Surrey Waste Plan 2008 Policy DC3.

9. To protect the plant and equipment of Southern Gas Networks and for the safety of your own operatives.

10. To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework and Surrey Waste Plan 2008 Policy DC3.

11. To protect the plant and equipment of Southern Gas Networks and for the safety of your own operatives.

12. To protect the plant and equipment of Southern Gas Networks and for the safety of your own operatives.

13. To protect the plant and equipment of Southern Gas Networks and for the safety of your own operatives.
14. To comply with the terms of the application and to enable the County Planning Authority to exercise planning control over the operation so as to minimise the impact on local amenity in accordance with the terms of Surrey Waste Plan 2008 Policy DC3.

15. To enable the County Planning Authority to exercise control over the development and in the interests of the local environment and amenity to retain tree cover and screening in accordance with the NPPF paragraph 109 and Surrey Waste Plan 2008 Policy DC3 and Tandridge District Core Strategy 2008 Policy 21.

16. To ensure that breeding birds are not disturbed by the removal of habitat, to comply with Surrey Waste Plan 2008 Policy DC3 and Tandridge District Core Strategy 2008 Policy CSP17.

17. To enable the County Planning Authority to exercise control over the development and in the interests of the local environment and amenity to retain tree cover and screening in accordance with the NPPF paragraph 109 and Surrey Waste Plan 2008 Policy DC3 and Tandridge District Core Strategy 2008 Policy 21.

18. To enable the County Planning Authority to exercise control over the development and in the interests of the local environment and amenity to retain tree cover and screening in accordance with the NPPF paragraph 109 and Surrey Waste Plan 2008 Policy DC3 and Tandridge District Core Strategy 2008 Policy 21.

19. To enable the County Planning Authority to exercise control over the development and in the interests of the local environment and amenity in accordance with the NPPF paragraph 109 and Surrey Waste Plan 2008 Policy DC3.

20. That the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Surrey Waste Plan 2008 Policy DC3.

21. That the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Surrey Waste Plan 2008 Policy DC3.

22. That the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Surrey Waste Plan 2008 Policy DC3.

23. That the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Surrey Waste Plan 2008 Policy DC3.

24. That the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Surrey Waste Plan 2008 Policy DC3.

25. In the interests of local amenity and to comply with Surrey Waste Plan 2008 Policy DC3.

26. In the interests of local amenity and to comply with Surrey Waste Plan 2008 Policy DC3.

27. In the interests of local amenity and to comply with Surrey Waste Plan 2008 Policy DC3.

28. To prevent pollution of groundwater and to comply with Surrey Waste Plan Policy DC3.

29. To protect the integrity of the structure from the risk of ground instability, and for the protection of groundwater and to comply with Surrey Waste Plan Policy DC3.
30. The site lies over an SPZ1 for drinking water abstraction and National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

31. The site lies over an SPZ1 for drinking water abstraction and National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

32. To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework and Surrey Waste Plan 2008 Policy DC3 and Tandridge District Local Plan 2001 Policy EV10

33. To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework and Surrey Waste Plan 2008 Policy DC3 and Tandridge District Local Plan 2001 Policy EV10

Informatives

1. The developer is reminded that it is an offence to allow material to be carried from the site and deposited on or damage the highway from uncleaned wheel or badly loaded vehicles. The Highway Authority will seek, wherever possible to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders (Highways Act 1980 Sections 131, 148, 149).

2. The permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority Local Transportation Service before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

3. The County Planning Authority confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.

4. The applicant’s attention is drawn to Southern Gas Networks letter dated 26 March 2013 and the attached plan as attached.

5. The applicants attention is drawn to the need to contact the Pipeline Maintenance Section of Southern Gas Network on 0141 4184093 at least three days before work commences. A Southern Gas Networks representative will then contact you to arrange to visit site. Details of working near to high-pressure gas pipelines can then be discussed.

6. Pipeline sections that are planned and agreed by SGN to be permanently covered (i.e. by road surface) will require a coating survey. SGN will repair any indicated coating defects free of charge. The survey costs will be borne by the promoter of the works. Prior to any surface cover cathodic protection coupons and reference cells will require installation at no cost to SGN. This pipeline is cathodically protected and as such has test cables located in surface boxes, were these to be lost through this work we would look to you for remedial action at no cost to SGN. Intrusive construction methods will require an agreed method statement prior to work starting.

8. The applicant is reminded that any materials produced by their activities REMAIN waste until they are sent to permitted sites for recovery or a suitable exempt site, or are fully recovered under appropriate mechanisms; aggregates protocol for secondary aggregates or CLAIRE Definition of waste Code of Practice for soils.

9. For the purposes of this application, a goods vehicle is defined as any in excess of 17.5 tonnes gvw

10. The applicant's attention is drawn to the need for a trade effluent consent should the site discharge to the foul sewer.

CONTACT
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BACKGROUND PAPERS

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

**National Guidance**
Planning Policy Statement 10 (PPS10) – Planning for Sustainable Waste Management
PPS10 Companion Guide

**Development Plan**
Surrey Minerals Plan 2011
Surrey Waste Plan 2008
Tandridge District Core Strategy 2008
Tandridge District Local Plan 2001

**Other Documents**
Emerging Tandridge District detailed policies development plan document
Surrey County Council Annual Monitoring Report 2011/2012
Surrey County Council Aggregates Monitoring Update: August 2013
Surrey County Council “Future of Surreys Landscapes and Woodlands”