

**TO:** PLANNING & REGULATORY COMMITTEE **DATE:** JULY 2014

**BY:** PLANNING DEVELOPMENT CONTROL TEAM  
MANAGER

**DISTRICT(S)** MOLE VALLEY DISTRICT COUNCIL **ELECTORAL DIVISION(S):**

Dorking Rural

Mrs Clack

**PURPOSE:** FOR DECISION **GRID REF:** 519112 144675

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**TITLE:** MINERALS AND WASTE APPLICATION MO/2013/0176

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## SUMMARY REPORT

**Swires Farm, Henfold Lane, Capel, Surrey RH5 4RP**

**Open windrow composting facility for green waste comprising; hard standing, landscape bund to southern boundary, weighbridge, 2 portacabin offices, portaloo and internal access road.**

The application site is situated within the Metropolitan Green Belt and amounts to some 1.7ha. It forms part of a 300ha (3,000,000m<sup>2</sup>) agricultural holding owned by Ford Farms Ltd. comprising Swires Farm and Lodge Farm. The application site is surrounded by agricultural fields delineated by well maintained agricultural tracks and established hedgerows. Several agricultural buildings and dwellings of various sizes are located to the north and west of the application site at a distance exceeding 250m. The application site is not located within the Surrey Hills Area of Outstanding Natural Beauty or an Area of Great Landscape Value.

The site is not covered by any local, national or higher level nature conservation designations. The closest Site of Special Scientific Interest to the application site is the Leith Hill Site of Special Scientific Interest some 4.1 kilometres to the west. The closest Sites of Nature Conservation Importance to the application site are the Henfold Lake Fishery SNCI some 650m

to the south and the Reffolds Copse SNCI some 860m to the south. There are no Ancient Woodlands located within 500m of the application site. The application site is located within Flood Zone 1<sup>1</sup>. It is not subject to any other European, National, or local designations material to the proposal.

Vehicles proposing to access and egress the application site would do so via a route to and from the A24 Horsham Road by way of an existing agricultural track, Henfold Lane and Mill Road or vice versa. This route (one-way) would measure approximately 2.5km in length.

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BW No.536 runs along Ewood Lane and provides vehicular access to the field which would accommodate the application site. This vehicular access point would be stopped up by the applicant, however BW No.536 would continue to provide access to the wider field and facilitate vehicular access to the application site only at the point where it crosses the existing agricultural track off of Henfold Lane. BW No.536 would therefore remain unchanged as a result of the proposal. Public footpath No. 222, which runs north to south, crosses the existing agricultural track approximately 130m from its junction with Henfold Lane and therefore vehicles frequenting the application site would also cross the footpath.

The applicant seeks planning permission to manufacture compost on the application site for use on the associated farm holding. In addition the applicant proposes to lay the site to hard standing, site and use a weighbridge, establish and use of four car parking spaces and site and use of two portacabin style site offices<sup>2</sup> and portaloo. The proposal would also involve the permanent siting and sporadic operation of a loading shovel, excavator and shredding and screening plant.

The application site would be served by an existing agricultural track off of Henfold Lane which would form an access to its south-western boundary. In order to facilitate this new access a small section of the existing hedge would be removed and to compensate for this loss, a similar sized gap in the existing 4m high perimeter hedgerow would be filled with native hedgerow plants. Further, three oak trees are to be planted adjacent to the existing agricultural track following removal of three low quality ash trees from the same area in order to facilitate the new vehicular access point.

Compost is to be manufactured by importing green waste materials derived from local contractors (landscapers, nurseries, arboriculturalists etc.) in Mole Valley who generate this type of material as part of their day to day activities. Overall, no more than 10,000 tonnes of green

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<sup>1</sup> Land with the lowest probability of flooding

<sup>2</sup> Each measuring 6m (l) x 3m (w) x 2.5m (h)

waste would be imported to the application site per annum. No food, kitchen or other similar putrescible waste is proposed to be imported as part of the scheme. The applicant intends producing PAS100<sup>3</sup> compliant compost which is not to be sold on a commercial basis or carried on any public highway.

The waste management facility would be operational from 0730 hours to 1800 hours Monday to Friday and 0730 hours to 1330 hours on Saturdays. No working would be undertaken on Sundays or bank, public or national holidays. No windrow turning, shredding or screening, or importation of green waste would take place on Saturdays when the local rights of way network is at its busiest.

The waste management facility would result in the equivalent of two new full time and four new part time jobs. A site manager would be hired to oversee site operations in accordance with Environment Agency requirements and an office manager would be employed to oversee incoming vehicles and ensure quality control. The part time jobs would comprise operators for plant and machinery but only when shredding, turning and screening operations are undertaken.

Since 2011 the applicant has imported approximately 61,650 tonnes of agricultural materials to the holding generating some 12,944 vehicle movements the majority of which were HGVs. These imports are not subject to planning controls. Although the proposal would not negate the need for the applicant to continue to import lime, manure, potash and artificial fertilisers every year, the applicant would no longer need to procure other imported materials to improve the soils of Swires Farm and Lodge Farm. Accordingly, it is anticipated that the proposal would negate an average of 3,850 HGV movements to and from Swires Farm per annum.

Surrey County Council has received over 100 objections to the proposed development including letters from Friends of Holmwood Common, the National Trust, and the Ramblers' Association. Mole Valley District Council, the British Horse Society, Capel Parish Council and Holmwood Parish Council have also objected to the proposal. A significant majority of objectors have raised concern principally in relation to highways, traffic and access.

No technical objections have been raised in respect of the proposal by the County Highway Authority; Natural England; the Environment Agency; Gatwick Safeguarding; Mole Valley District Council's Environmental Health Officer; or the County's Ecologist, Landscape Architect, Rights of Way Officer and Noise Consultant.

The development has been fully assessed in relation to air quality, noise, flooding and drainage, landscape and visual impact, and ecology and biodiversity and found to be in accordance with

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<sup>3</sup> BSI PAS 100: Producing Quality Compost, Association for Organics Recycling, 2005

Development Plan policy. In these respects, and upon the advice of technical specialists, a range of conditions and informatives are proposed by Officers so as to mitigate the effects of and maintain control of the development.

According to the County Highway Authority's calculations, the development proposed would increase the overall number of LGV movements on the local highway network by 2 vehicle trips per day which represents a 4% increase in the total number of these types of vehicles, and a 0.01% increase on the total number of vehicles currently using the local highway network. This percentage increase is considered minimal by Officers and the County Highway Authority in terms of highway impact.

Officers consider that both Mill Road and Henfold Lane are wide enough for HGVs and LGVs to pass cars at free flow speeds and that both roads have an acceptable geometry to carry moderate flows of smaller goods vehicles. Moreover, the CHA have confirmed that the visibility at the access to the application site off of Henfold Lane and the junction of Mill Road and Henfold Lane meet the required safety standards.

Although Officers acknowledge that horse riders, cyclists and pedestrians utilise the local highway network as a link to the local rights of way network, Mill Road and Henfold Lane are similar in character to many rural lanes in the County where horse riders, cyclists and pedestrians are often encountered and anticipated by drivers of vehicles including HGVs and agricultural vehicles. The number and nature of accidents on the local highway network since 2008 indicates that there is not a safety issue with non vehicular users along Mill Road and Henfold Lane.

In addition to the day-to-day vehicle movements proposed, the proposal would also generate vehicle movements associated with the preparation of the application site. The construction of the composting apron would involve the importation of 3,000 tonnes of hardcore material by way of 320 HGV movements. This importation would take place outside of peak times (between 0900 and 1500 hours Monday to Friday) over a period of two to three weeks. In the context of the existing unrestricted HGV movements to and from Swires Farm, the highway impact resulting from this limited and transient aspect of the proposal is considered minimal.

There is a demonstrable need to significantly improve the sustainable waste management infrastructure provided within Surrey so as to manage waste without endangering human health or the environment and to enable communities to take responsibility for the waste that they produce. In this respect the Surrey Waste Plan 2008 is clear that the County Council remains committed to achieving net self-sufficiency, enabling appropriate development that implements the waste hierarchy and ensuring that the County delivers its contribution to regional waste management.

These are substantial benefits of the proposal, and, having regard to the limited impact on openness, and the absence of other significantly detrimental effects, it is concluded that the harm arising out of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the proposal. Officers therefore consider that the proposal should be supported by Surrey County Council.

**The recommendation is to PERMIT subject to conditions.**

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## **APPLICATION DETAILS**

### ***Applicant***

Ford Farms

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

2 October 2013

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

25 July 2014

### ***Amending Documents***

Drawing Ref. FFL/SFC/BZ/02 - 250m Buffer Zone dated January 2013

Drawing Ref. FFL/SFC/LA/02 – Hedgerow Planting dated February 2013

EAS Ltd. Noise Impact Assessment dated October 2010 revised November 2013

Integrated Skills Ltd. Construction Management Plan dated November 2013

DM Mason Engineering Consultants Ltd. Transport Statement dated 12 December 2013

DM Mason Engineering Consultants Ltd. Transport Statement dated 9 January 2014

Integrated Skills Ltd. letter dated 9 January 2014

Integrated Skills Ltd. Addendum Ref. F0007/44330/ARC/ADD-V1 dated January 2014

Integrated Skills Ltd. Landscape and Visual Impact Assessment Version 2 dated January 2014

Drawing Ref. FFL/SFC/LAY/02 – Operational Layout dated January 2014

Chalice Consulting Ltd. Revised Tree Survey Arboricultural Impact Assessment and Method Statement dated 10 February 2014

Bioaerosol Risk Assessment dated 17 April 2014

Drawing Ref. F.048/2 - Visibility Splays dated April 2014

Drawing Ref. F.048/3 - 7.17m Rigid Vehicle Turn dated April 2014

Drawing Ref. F.048/1A - Road Marking Plan dated April 2014

## SUMMARY OF PLANNING ISSUES

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

	<b>Is this aspect of the proposal in accordance with the development plan?</b>	<b>Paragraphs in the report where this has been discussed</b>
Sustainable Waste Management	Yes	78 - 113
Highways, Traffic and Access	Yes	114 - 151
Air Quality	Yes	152 - 180
Noise	Yes	181 - 194
Landscape and Visual Impact	Yes	195 - 216
Flooding and Drainage	Yes	217 - 233
Ecology and Biodiversity	Yes	234 - 252
Metropolitan Green Belt	No	253 - 274

## ILLUSTRATIVE MATERIAL

### Site Plan

Drawing Ref. FFL/SFC/LOC/01 – Site Location

Drawing Ref. FFL/SFC/APP/01 – Application Boundary dated February 2013

Drawing Ref. FFL/SFC/LAY/02 – Operational Layout dated January 2014

Drawing Ref. FFL/SFC/LA/02 – Hedgerow Planting dated February 2013

Drawing Ref. F.048/1A - Road Marking Plan dated April 2014

Drawing Ref. Figure 1 – Existing Green Waste Sites dated March 2013

### Aerial Photographs

Aerial 1 – Swires Farm, Henfold Lane, Capel

Aerial 2 – Swires Farm, Henfold Lane, Capel

### Site Photographs

Figure 1 - Start of Existing Agricultural Track off Henfold Lane

Figure 2 - Junction of Agricultural Track and Henfold Lane looking South

Figure 3 - Junction of Agricultural Track and Henfold Lane looking North

Figure 4 - Existing Agricultural Track off Henfold Lane

Figure 5 - Gated Access to existing Agricultural Track

Figure 6 - Junction of Proposed Site Access and BW 536

Figure 7 - Proposed Vehicular Access Point to the Application Site

Figure 8 - BW 536 Leading to Existing Vehicular Access to the Application Site

Figure 9 - Eastern Boundary of the Application Site Looking due West

Figure 10 - Three Low Quality Ash Trees to be Removed and Replaced with Three Oak Trees

Figure 11 - Typical Established Unmanaged 4m high Hedgerow

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## BACKGROUND

### *Application Site Location and Description*

1. The application site is situated within the Metropolitan Green Belt and amounts to some 1.7ha (17,000m<sup>2</sup>). It measures about 130m in length and width and would comprise about half of an existing rectangular shaped agricultural field surrounded on all sides by established 4m high hedgerows.
2. The application site is located within the District of Mole Valley some 5km southeast of the centre of Dorking, 4km northeast of Capel village and about 2.5km northwest of Newdigate village. The villages of South Holmwood and Beare Green lie some 2km west and 1.8km southwest of the application site respectively.
3. The application site forms part of a 300ha agricultural holding owned by Ford Farms Ltd. comprising Swires Farm and Lodge Farm. It is located on established Grade 3 agricultural land currently planted with winter wheat. The application site is surrounded by agricultural fields delineated by well maintained agricultural tracks and further established hedgerows.
4. Several associated agricultural buildings of various sizes are located to the west of the application site at a distance exceeding 250m. Beyond several dwellings and agricultural fields, Holmwood Sewage Treatment Works is situated about 305m to the northwest of the application site's northern boundary. Henfold Lakes Leisure lies some 815m to the south of the application site's south-eastern boundary. Henfold Birds of Prey forms part of Henfold Lakes Leisure.
5. The application site is not covered by any local, national or higher level nature conservation designations. The closest Site of Special Scientific Interest ("SSSI") to the application site is the Leith Hill SSSI some 4.1 kilometres to the west. The closest Sites of Nature Conservation Importance ("SNCI") to the application site are the Henfold Lake Fishery SNCI some 650m to the south and the Reffolds Copse SNCI some 860m to the south. There are no Ancient Woodlands located within 500m of the application site.
6. Several dwellings are located in proximity to the application site. Although located over 250m away (west of) from the centre of the application site and beyond agricultural buildings, Oakwood House is located some 200m to the northeast of the application site's proposed access off of Henfold Lane. Oakdene, Laurels and Oakfield Farm are situated some 375m, 455m, and 515m to the north and northwest of the same. A further six dwellings are located some 370m northwest of the site's northern boundary adjacent to Holmwood Sewage Treatment Works whilst further dwellings are located on either side of Henfold Lane in both a northerly and southerly direction.



7. The application site lies between Henfold Lane to the west and Broad Lane to the East whilst the A24 Horsham Road is located some 1.5km due west. Vehicles proposing to access and egress the application site would do so via a route to and from the A24 Horsham Road by way of an existing agricultural track, Henfold Lane and Mill Road or vice versa. This route (one-way) would measure approximately 2.5km in length. Vehicles not accessing the site via the A24 would need to navigate Henfold Lane and, when approaching from the north, a railway bridge that serves the Dorking to Horsham railway line which is located about 345m to the north of the site's access off Henfold Lane. Henfold Lane is designated part of the Surrey Cycleway.
8. Ewood Lane is designated a public bridleway ("BW No.536"). It runs in a west to east direction starting at Henfold Lane, passing through the area occupied by existing agricultural buildings and continuing to run parallel and adjacent to the application site's southern boundary. Currently, BW No.536 provides vehicular access to the field which would accommodate the application site. BW No.536 would facilitate vehicular access to the application site only at the point where it crosses the existing agricultural track off of Henfold Lane i.e. at the proposed application site's access point.
9. Public footpath No. 222 ("FP No. 222"), which runs north to south, crosses the existing agricultural track approximately 130m from its junction with Henfold Lane and therefore vehicles frequenting the application site would also cross the footpath.
10. The application site is not located within the Surrey Hills Area of Outstanding Natural Beauty ("AONB") or an Area of Great Landscape Value ("AGLV"). Land subject to these designations lie approximately 900m to the northwest of the application site's western boundary.
11. The application site is located within Flood Zone 1<sup>4</sup>. It is not subject to any other European, National, or local designations material to the determination of this planning application.

### ***Planning History***

12. In December 2008 a planning application (Ref. MO08/1079) was withdrawn by Olus Surrey Ltd. to establish an open windrow composting facility at Swires Farm for green waste. The proposal at this time concerned a 1.2 ha field and included concrete hard

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<sup>4</sup> Land with the lowest probability of flooding

standing, perimeter bunding, a weighbridge, and an internal road access. Officers prepared a report recommending that this application be refused for the following reasons:

- I. The proposal constituted inappropriate development in the Green Belt and the applicant failed to demonstrate that there were sufficient very special circumstances to justify the harm caused to the openness of the Green Belt and any other harm contrary to Surrey Structure Plan 2004 Policy LO4 – The Countryside and Green Belt and Surrey Waste Plan 2008 Policy CW6 – Green Belt.
- II. The proposal, in particular the track and bunds, would have been visually intrusive in the countryside and the alien features would have caused demonstrable harm to the character and appearance of the countryside contrary to Surrey Structure Plan Policy LO4 – The Countryside and Green Belt and Surrey Waste Plan 2008 Policy CW6.
- III. The development would have led to an increase in HGV traffic on Henfold Lane during the construction leading to conditions prejudicial to the safety of all highway users, including cyclists, pedestrians and equestrians contrary Surrey Structure Plan 2004 Policy DN2 – Movement Implications of Development, Surrey Waste Plan 2008 Policy DC3 – General Considerations and Mole Valley Local Plan 2000 Policy MOV2 – The Movement Implications of Development.
- IV. The proposal would have led to an increase in HGV traffic on public bridleway 536 and public footpath 222 during the construction leading to conditions prejudicial to the safety of vulnerable highway users, including cyclists, pedestrians and horse riders contrary Surrey Structure Plan 2004 Policy DN2 – Movement Implications of Development, Surrey Waste Plan 2008 Policy DC3 – General Considerations and Mole Valley Local Plan 2000 Policy MOV2 – The Movement Implications of Development.
- V. The operation of the facility would have resulted in an increase in noise and activity from machinery and vehicles adjacent to public bridleway 536 and likely to disturb horses leading to conditions prejudicial to the safety of equestrians contrary Surrey Structure Plan 2004 Policy DN2 – Movement Implications of Development, Surrey Waste Plan 2008 Policy DC3 – General Considerations and Mole Valley Local Plan 2000 Policy MOV2 – The Movement Implications of Development.

- VI. A Flood Risk Assessment, including surface water strategy, had not been provided to, nor assessed by, the Environment Agency contrary to Planning Policy Guidance Note 25 – Development and Flood Risk.
- VII. Insufficient noise data had been provided by the applicant in terms of the shredder contrary to Surrey Structure Plan 2004 Policy SE1 – Natural Resources and Pollution Control and Surrey Waste Plan 2008 Policy DC3 – General Considerations.

13. Subsequently, in 2012, planning application Ref. MO12/0150 sought permission for a similar open windrow composting facility at Swires Farm. However the applicant withdrew the application before Officers presented a report to Surrey County Council's Planning and Regulatory Committee with a recommendation for refusal on the following grounds:

- I. The proposal constitutes inappropriate development in the Green Belt and the applicant has failed to demonstrate that there are sufficient very special circumstances to clearly outweigh the harm to the Green Belt and any other harm and is therefore contrary to Policy CW6 of the Surrey Waste Plan 2008.
- II. The proposal, in particular the bund and track would be visually intrusive in the countryside and these alien features would cause demonstrable harm to the character and appearance of this countryside and is therefore contrary to Policy CW6 and DC3 of the Surrey Waste Plan 2008.
- III. The proposed development, if permitted, would lead to an increase in HGV traffic on Henfold Lane, a narrow rural road, which also forms part of the Surrey Cycle Network, both during and after the construction leading to conditions prejudicial to the safety of all highway users, including vulnerable cyclists, pedestrians and equestrians contrary to Policy MOV2 and RUD17 of the Mole Valley Local Plan 2000 and Policy DC3 of the Surrey Waste Plan 2008.
- IV. The proposed development, if permitted would lead to an increase in HGV traffic on Capel Bridleway 536 and Capel Public Footpath 222, both during and after the construction leading to conditions prejudicial to the safety of vulnerable highway users, including cyclists, pedestrians and equestrians, contrary to Policy MOV2 and RUD17 of the Mole Valley Local Plan 2000 and Policy DC3 of the Surrey Waste Plan 2008.

- V. The operation of the proposed development would result in an increase in noise and activity from machinery and vehicles adjacent to Capel Bridleway 536 likely to disturb horses leading to conditions prejudicial to the safety of equestrians, contrary to Policy MOV2 and RUD17 of the Mole Valley Local Plan 2000 and Policy DC of the Surrey Waste Plan 2008.
  - VI. Insufficient noise data has been provided by the applicant in order to fully assess the noise implications of the proposed development and as such the proposal would there by contrary to Policy DC3 of the Surrey Waste Plan 2008.
  - VII. The proposed storage pond without an overflow discharging excess water to a suitable drain would lead to the potential for flood risk on neighbouring fields and as such would be contrary to Policy DC3 of the Surrey Waste Plan 2008.
  - VIII. Insufficient information has been provided by the applicant in order to fully assess the landscape implication of the proposed development, particularly in terms of the impact on the existing tree and hedgerow which could cause demonstrable harm to the character and appearance of this countryside and is therefore contrary to Policy CW6 and DC3 of the Surrey Was Plan 2008.
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## THE PROPOSAL

- 14. The applicant seeks planning permission to manufacture compost on the application site for use on the associated farm holding. In addition to this material change of use of agricultural land, the applicant proposes to undertake operational development including the laying of hard standing, the siting and use of a weighbridge, establishment and use of four car parking spaces and the siting and use of two portacabin style site offices and portaloo. The proposal would also involve the permanent siting and sporadic operation of a loading shovel, excavator and shredding and screening plant.
- 15. The application site would be served by an existing agricultural track off of Henfold Lane which would form an access to its south-western boundary. In order to facilitate this new access a small section of the existing hedge would be removed and to compensate for this loss, a similar sized gap in the existing 4m high perimeter hedgerow would be filled with native hedgerow plants. Further, three oak trees are to be planted adjacent to the existing agricultural track following removal of three low quality ash trees from the same area in order to facilitate the new vehicular access point.

16. Where the agricultural track crosses BW No. 536 and FP No. 222 the applicant proposes to erect three vehicular warning signs in relation to the rights of way and its users.
17. The application site would be prepared by the stripping of its top soil in order to expose the underlying clay. Any resulting soil would be used within the agricultural landholding. The application site would then be graded so as to fall to the east towards the proposed two metre deep surface water pond (2m diameter; 6m circumference) which would also be dug at this stage alongside new land drainage ditches on its western and southern boundaries. Crushed concrete followed by crushed rock would then be laid to form a hard surface which would act as the operational surface and composting apron. A new hedgerow would also be established along the western boundary of the application site so as to provide further screening in conjunction with the existing 4m high hedgerow to the west.
18. Compost windrows are to occupy the southern half of the application site whilst waste reception, shredding and screening activities are to take place along its northern boundary. The proposed site offices, weighbridge and portaloo are to be located adjacent to the site's access and along its western boundary. The site offices, one of which would be used for staff welfare facilities, would comprise green single storey portacabin style offices each measuring 6m (l) x 3m (w) x 2.5m (h). The windrows would comprise 7 rows measuring 40m (l) x 10m (w) x 3m (h).
19. Compost is to be manufactured by importing green waste materials derived from local contractors (landscapers, nurseries, arboriculturalists etc.) in Mole Valley who generate this type of material as part of their day to day activities. Overall, no more than 10,000 tonnes of green waste would be imported to the application site per annum. No food, kitchen or other similar putrescible waste is proposed to be imported as part of the scheme.
20. The waste management facility would be operational from 0730 hours to 1800 hours Monday to Friday and 0730 hours to 1330 hours on Saturdays. No working would be undertaken on Sundays or bank, public or national holidays. No windrow turning, shredding or screening, or importation of green waste would take place on Saturdays.
21. Up to ten vehicle loads of green waste would be delivered to the application site per day. These deliveries would take place by way of Light Goods Vehicles ("LGVs"), as opposed to High Gross Vehicles ("HGVs"), ranging from 2,600kg to 7,500kg gross vehicular weight. However, during the peak season (Spring to Autumn) these deliveries are likely to double to twenty loads per day.

22. Accordingly, a load of green waste would be delivered to the application site every hour per working day or every half an hour per working day during the peak season. Moreover, approximately 3,200m<sup>3</sup> of crushed concrete would be required to be imported to facilitate preparation of the application site. This would result in 320 HGV movements (160 HGV loads) to and from the application site over a two week period. The applicant intends completing this temporary operation during the working week outside of peak traffic times (between 0900 hours and 1500 hours).
23. The waste management facility would result in the equivalent of two new full time and four new part time jobs. A site manager would be hired to oversee site operations in accordance with Environment Agency requirements and an office manager would be employed to oversee incoming vehicles and ensure quality control. The part time jobs would comprise operators for plant and machinery but only when shredding, turning and screening operations are undertaken.
24. Incoming green waste would be weighed and recorded in accordance with the requirements of the Environment Agency following which the waste will be deposited in the reception area. Principal separation of incidental waste material (i.e. plastic, metal, rubber etc.) from the green waste would take place at this juncture with the resulting material collected for disposal off-site.
25. The green waste would then be shredded following which any remaining incidental waste materials would be removed for collection and disposal off-site. Shredding is anticipated to take place once per week. Following shredding the green waste would then be formed into windrows to a height of no more than 3 metres. Windrows are likely to be turned by the excavator or the loading shovel on a weekly basis but this would be dependent upon composting conditions and therefore it may only take place once every two weeks. Before turning takes place temporary signs would be erected at either end of BW No.536 on that particular day warning users of the bridleway that machinery would be in temporary operation at the site.
26. So as to facilitate the composting process the windrows are likely to be sprayed with water (rainwater collected on the farm) by a sprinkler system (agricultural water tanker) before turning. Once the composting process has completed, usually within eight to twelve weeks, the compost would be subjected to a screening process using a screening trommel to remove oversized items and any remaining incidental waste materials. Oversized material would be reintroduced into the shredding and composing processes whilst any remaining incidental waste would be collected for disposal off-site.

27. The applicant intends producing PAS100<sup>5</sup> compliant compost which would be spread on land within the applicant's agricultural holding. No compost material is to be sold on a commercial basis and no compost would be carried on any public highway.

28. PAS100 has been sponsored by the Waste and Resources Action Programme (WRAP) and developed by The Composting Association. The PAS100 standard for compost seeks to improve confidence in composted materials among buyers and specifiers, and differentiates between products that are safe, reliable and high performance. PAS100 also provides for a baseline standard for safety and consistency and is complemented by end-use specifications that set out additional limits required for different applications.

29. The applicant's agricultural land holding amounts to some 300ha of which some 232ha is in arable production and a further 40ha is agricultural grassland. The compost resulting from the proposed waste management facility would be applied at rates of 30 and 15 tonnes/ha per annum respectively. At the said rates the applicant requires a minimum of approximately 7,560 tonnes of compost to be produced from the 10,000 tonnes of green waste to be imported to the application site per annum.

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## CONSULTATIONS AND PUBLICITY

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

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|--|--------------------------------------|
| 30. Mole Valley District Council             | - Object                             |
| 31. Mole Valley Environmental Health Officer | - No objection                       |
| 32. The Environment Agency                   | - No objection subject to conditions |
| 33. County Highway Authority                 | - No objection subject to conditions |

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<sup>5</sup> BSI PAS 100: Producing Quality Compost, Association for Organics Recycling, 2005

34. Surrey County Council  
Environmental Noise Consultant - No objection subject to conditions
35. Surrey County Council Air Quality  
Consultant - No objection subject to conditions
36. Surrey County Council  
Arboriculturalist - No views received
37. Surrey County Council Landscape  
Architect - No objection
38. Surrey County Council Ecologist - No objection
39. Surrey County Council Rights of Way - No objection
40. Natural England - No objection
41. Thames Water - No views received
42. Sutton and East Surrey Water - No views received
43. British Airports Authority  
Safeguarding - No objection subject to conditions

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

44. Capel Parish Council - Object



- |                              |                                      |
|------------------------------|--------------------------------------|
| 45. Holmwood Parish Council  | - Object                             |
| 46. Newdigate Parish Council | - No objection subject to conditions |
| 47. British Horse Society    | - Object                             |

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

48. The application was publicised by the posting of two site notices and an advert was placed in the Surrey Mirror on 17 October 2013. A total of 116 owner/occupiers of properties within the vicinity, and further afield, of the application site were directly notified by letter. Amendments and amplifications to the proposal have been brought to the attention of all parties originally notified or who have written to Surrey County Council expressing an interest in the development. Further opportunity for public comment has been facilitated by the County Planning Authority.
49. Surrey County Council has received over 100 objections to the proposed development including letters from Friends of Holmwood Common, the National Trust, and the Ramblers' Association. The relevant concerns expressed by objectors are summarised below:

*Highways, Traffic and Access*

- There have been many serious accidents at the junction of Mill Road, it has poor sight lines, and its central reservation is not large enough to accommodate long vehicles or those with trailers
- This week (*w/e 1 November 2013*) a motor cyclist was injured in a collision with a tractor along Mill Road
- It is only a matter of time before a cyclist is killed on the lanes surrounding the application site
- The traffic volume on the A24 has increased noticeably in the last two years
- Some operators tow trailers with wheels that are wider than the towing vehicle adding to the risk to oncoming traffic and when overtaking cyclists

- Mill Road was resurfaced recently and the edge has already been broken up by heavy vehicles, regular high volumes of heavy traffic will speed up this degradation
- The uneven surface of Mill Road is a danger, especially to two wheeled vehicles and after dark to all road users
- Mill Road and Henfold Lane are narrow, winding country lands, without pavements or street lighting
- Mill Road has a blind bend near the old Kuoni Travel office site and blind summits by the entrance to Holmwood Park and Mill House
- There are significant hazards in Henfold Lane either side of the proposed site entrance including several blind bends, Henfold Hill and the railway bridge
- Motor vehicles overtaking horse riders, cyclists and pedestrians at these points often meet oncoming traffic and higher volumes of traffic would increase this risk
- Mill Road, Bloackbrook Road, Chart Lane, and Henfold Lane are not constructed to carry a significant volume of commercial vehicles
- There are blind bends before and after the railway bridge and it is not only narrow but has a height limit where lorries and vans take up the middle of the road to pass under it
- For walkers, the lack of any footpaths, with poor sight lines in many places, heavy vegetation along the verges and no lighting, the roads surrounding the application site are particularly dangerous
- Speed limits on Mill Road and Henfold Lane are frequently ignored by drivers
- The local speed limit of 40mph is breached on a daily basis by road users using the lanes as a short cut to avoid congestion on the A24. This is particularly the case with vans and lorries who are often rushing to their next destination and working to tight deadlines
- The Surrey Cycleway networks are pleasant lanes for cycling, which are at a premium in the area, and should be maintained as such
- Very large farm vehicles travel across the middle of the local roads because of their width and these days at very fast speeds
- There would be a large increase in traffic for this rural area
- Since the Olympics in 2012 there has been a significant increase in the amount of cyclists using Newdigate Road, Henfold Lane, Mill Road and Blackbrook which link to the major A24 and A25 roads
- The vehicles travelling from the farm would attract a large amount of mud and mulch from the site which would be hazardous to vehicles and heighten the risk of skidding and the number of accidents
- Henfold Lane has a large amount of traffic causing noise and disturbance, together with vast amounts of cyclists who continually clog up the road
- Mill Road and Henfold Lane are barely adequate for the volume of traffic currently using them let alone an increase in both numbers and size of vehicles

- Many residents with young families walk their dogs and children along Mill Road and it will be unsafe for them
- Alternative routes through Newdigate village or via Blackbrook would inevitably be used by drivers with consequent real danger to school children and villagers etc.
- Newdigate more than Beare Green or Capel villages have most to fear here and any likely scaling or use by other composting sources dropping off or visiting if a more generally commercial operation followed would decimate that road and the surrounding residences
- There is no way to regulate through planning conditions that vehicles will come off the A24 leading to potential traffic on surrounding country lanes as drivers follow the most direct route
- The existing highway network is not suitable to accommodate the level of LGVs, drop side trucks or refuse collection vehicles traffic envisaged
- The anticipated and longer-term increase in commercial traffic on the adjacent local road network – Mill Road, Blackbrook Road, Henfold Lane – is not compatible with ensuring the safety of either the users of the Common or those people who live on or nearby the Common
- The local roads are unlit, sight lines are poor and overhanging vegetation reduces the effective width
- Permitting a deliberate increase in heavy traffic can only be viewed as irresponsible.
- Four of the car parks serving Holmwood Common exist directly onto either Blackbrook Road or Mill Road. In every case the sight-lines for exiting traffic are limited by road layout
- Deer have free run across Holmwood Common and therefore represent a further hazard to drivers as drivers are to these animals
- The number of notable black-spots are not limited to the A24/Mill Road junction, the Fourwents Pond Junction and the narrow bridge on Helnfold Lane
- During the winter months it is very hazardous to use local roads especially with the suggested hours for movement of vehicles to and from the site
- Two years ago a lady was involved in an accident in Mill Road during bad weather and had to have an arm amputated
- There have been several incidents of cars leaving the road and going into ditches and recently even in good weather a large lorry destined for Swires Farm ran off the road into a ditch
- From the south on the A24 HGVs need to cross the central reservation in order to access Mill Road, large vehicle need a wide turning space
- The A24 is always busy, queuing traffic on the access slip road could be highly dangerous

- Will drivers be familiar with the layout of the area from the A24 into Mill Road, will they know that there is a road immediately on their left. How long before a car using this road into Oakdale Estate is hit
- Our houses are positioned close to Henfold Lane, these properties were here long before articulated lorries, and therefore the scale of traffic required by this facility would thus present a risk to these buildings
- If permission is granted there can be no control over the number of vehicles attending the site and it would be easy to take delivery of 8 wheel tipper HGVs without any ones knowledge
- Lorry drivers are frequently more interested in completing their quotas than the safety of other road users
- Local roads are quite properly used by slow-moving agricultural vehicles which cannot be passed
- Visibility at the junction of Henfold Lane and Ewood Lane is poor to the bend and fast approaching vehicles are difficult to see. Due to the shade from the trees and sunlight it is much harder to spot vehicles during the Summer months and the verge and hedge width reduce the view even more
- The applicant does not own the hedgerow to the north of the junction of Henfold Lane and Ewood Lane, he has no permission to maintain it, and therefore he has no control over the visibility at this junction
- At present there is a proposal for more houses to be built in Bear Green, which will increase the amount of traffic using the A24. Has the potential increase in traffic been taken into consideration?

### *Visual and Landscape*

- The area of the proposal is one of natural beauty and tranquillity and the introduction of the proposed facility would be a blot on the landscape
- The proposed facility is out of keeping with the surrounding area
- This is an Area of Outstanding Natural Beauty so why allow the proposal
- The area is a locally designated Area of Great Landscape Value
- Consider that the proposal in the North Downs National Park, Surrey Hills AONB and land surrounding Holmwood Common is unwarranted
- The landscape assessment is taken from the ground level and not from the level of a horse rider which invalidates the assessment
- Fourwents Pond is in an AONB where there are tight guidelines for development so why is this application being entertained?
- The bund would be an excuse for re-landscaping the area
- The views to Leith Hill and other important landmarks would be compromised by the proposal

### *Metropolitan Green Belt*

- More traffic, especially that of a commercial nature, would be intolerable in a so called “green belt area”
- The proposal constitutes inappropriate development in the Green Belt and the application has failed to demonstrate that there are sufficient very special circumstances to justify the harm caused to the openness of the green belt and any other harm
- It is a totally unacceptable development within the Metropolitan Green Belt
- Consider the proposal in the Green Belt is unwarranted

### *Sustainable Waste Management*

- There does not seem to be any constraint on the volume of waste that can be accepted nor any limitation on the future expansion of the operation
- Similar facilities exist to provide the proposed service and therefore the proposal would only serve to relocate various elements of an established workflow
- The volume of waste to be collected would seem to be more than the farm can use
- The location of the development is inappropriate
- The proposal is in short for a ‘dump’
- Any merits this proposal might deliver are far, far outweighed by the detrimental effects it undoubtedly would introduce on a permanent and painful basis
- The alternative site proposal is too narrow
- I agree with waste recycling but it needs to be located in the right place, the site on Henfold Lane is not it
- The application is to be applauded but it is in the wrong location due to significant vehicular access problems
- Concerned at the scale of the development and the possibility that in future even more than the proposed 10,000 tonnes of waste would be processed
- How will the type of waste dealt with at the site be controlled?
- An industrial development is inappropriate when the site is in agricultural use
- The amount of compost proposed seems far in excess of anything that can be used on the whole of the farm and concern that it could end up building up over years
- Dispute the amount of waste that can come in on 10 vehicles per day - consider it would be less at 3,000tpa
- The proposal implies a contract with Mole Valley will be entered into so does that mean all commercial waste will come to the site and what happens if the contract doesn't happen?

- The site is not the right place for a recycling plant

### *Air Quality*

- The Health Protection Agency's paper on the risk associated with composting sites refers to a 250 metre restriction zone to protect people from hazardous substances including bioaerosols and the potentially fatal aspergillus fumigato. The proposed site would be 25 metres from the existing bridleway and users of it could receive up to 100 times the exposure to airborne substances found at 250 metres
- There would inevitably be odorous smells emanating from the facility as well as spores carried on the wind
- There would be health issues arising from the spores of waste being spread
- The smell given off by the facility would not be pleasant
- Concern about odour
- This facility would produce high levels of aspergillus fumigates the spores of which can be deadly to all birds, and in particular birds of prey in captivity are extremely susceptible to this disease and to which few survive. Allowing this proposal would be highly detrimental to Henfold Birds of Prey which borders Swires Farm

### *Noise*

- Many horses react badly to sudden sounds
- Henfold Lakes are 540 metres from the proposed facility and therefore both anglers and caravans will be disturbed by the noise leading to a loss of revenue
- The noise generated by bird scarers is invasive
- Bird scarers would be used regularly every hour and this would destroy the peace and tranquillity of the area generally, especially for neighbouring houses and the fishing business at Henfold Lakes, as well as posing a significant danger to horses and riders using the bridle paths
- In conjunction with the road noise there is also the concern of the noise that would be created by the machinery on the proposed site. The land in this area is fairly flat and open which would allow noise to travel great distances
- Currently noise can be a problem to when heavy farm equipment is being used (reversing warning devices)

### *Vermin*

- Green waste attracts gulls and rats which would decimate the wildlife in the area.
- The facility would encourage scavenger birds in vast numbers which would spread the risk of disease.

- The runoff into ponds etcetera would create a haven for mosquitoes with stagnant water.
- Rats would be encouraged by the composting and people living nearby would be at risk from disease carried by an ever increasing population of rats.
- Greater number of flies.

#### *Surface Water and Flooding*

- There are areas where Henfold Lane floods in the winter and has become impassable in recent years so the runoff from this facility could also affect the road

#### *Pollution*

- The toxic run off will pass along the ditch system to Henfold Lakes and after to the River Mole through the network of streams
- The proposed facility is 5 metres above the main Henfold Lakes match lake and 10 metres above two other lakes. The facility should have at least 3km of flat land around it with no access to streams or ditch systems to enable toxic run off to be diluted
- There is a very high risk of the lachate generated by the facility contaminating the adjacent Henfold Lakes which are lower than Swires Farm. The owners of Swires Farm and the authorising authority would be jointly responsible for any injurious affection caused. This would seriously compromise Henfold Lakes

#### *Natural Environment*

- The applicant's habitat survey was compiled in July 2011 and should not be used as supporting information because (a) it does not appear to have been carried out over a sufficiently long enough period to establish exactly what wild life is in the area; (b) it fails to identify that very close to the site is the Surrey Bee Keepers Apiary and Henfold Birds of Prey Sanctuary and only makes a small comment about Henfold Fisheries all of which are important wild life centres; (c) the report was compiled by ADAS who had previously acted as agents for the applicant; and (d) the report is now over two years old, this is an appreciable delay, the proposed works have changed and therefore this report is not viable as supporting information
- There is a lot of wildlife on the application site including deer, hares, fox, stoat, birds
- There may be bats in the adjacent farm buildings
- The site is close to a lot of SSSI's

#### *Rights of Way*

- There is a bridleway running through the farm that connects to another bridle path that would put horse riders and cyclists at risk
- The machinery to be used in the field will be noisy to horses using the bridleway
- Children, dogs and horses/riders are at particular risk at the local footpath and bridleway road crossing points

#### *The National Trust*

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50. In objecting to the proposal the National Trust (“the Trust”) explains that it owns and manages Holmwood Common within the Surrey Hills Area of Outstanding Natural Beauty (“AONB”) and an Area of Great Landscape Value (“AGLV”). It asserts that Holmwood Common is very well used by the local community and visitors and is becoming increasingly popular with walkers, cyclists and horse riders.
51. The trust explains that Blackbrook Road and Mill Road pass across Holmwood Common and are narrow with bends and steep slopes. Accordingly, the Trust considers that the significant volumes of traffic associated with the proposal would adversely affect the safety of users of these roads and in turn, users of Holmwood Common.
52. The Trust contends that the proposal is not small scale and references policies CW5, CW6 and WD4 of the Surrey Waste Plan 2008 and policies C13 of the Mole Valley Core Strategy 2009 and MOV2 of the Mole Valley Local Plan 2000. It asserts that the proposal is contrary to these policies and therefore the Development Plan.

#### *Friends of Holmwood Common*

53. The Friends of Holmwood Common (“the Association”) explain that they are a community organisation with the objective of conserving or assisting in the conservation of the natural beauty of the National Trust property of Holmwood Common, protecting, improving or assisting in the protection of its amenities to the benefit of the public and representing the views of its membership.
54. The Association has circulated details of the proposal to approximately 120 households in and around Holmwood Common and invited them to respond to the County Planning Authority with their views. The Association points out that a significant number of the objections made in respect of the proposal are from their members.



55. The Association objects to the proposed development on the grounds that the anticipated and longer-term increase in commercial traffic on the adjacent local road network – Mill Road, Blackbrook Road, Henfold Lane – is not compatible with ensuring the safety of either the users of the Common or those people who live on or nearby the Common.

*The Ramblers' Association*

56. Although not stating whether they object to the development the Ramblers' Association does express concern for the safety of walkers and other users on BW No. 536 during both construction and operational periods. The signage proposed by the applicant warning drivers of users of the bridleway and PF No. 222 is noted by the association but consider that greater consideration should be given to safety particularly close to the proposed site entrance point.

*Fraud*

57. In addition to the above concerns an anonymous letter has been submitted to the County Planning Authority alleging fraud and other offences on the part of the applicant and the applicant's planning agent. These allegations appear to be based upon the name used by the applicant to apply for planning permission and the incorporation status of Ford Farms Limited.
58. However, any planning permission granted in respect of the proposal would be associated with the land concerned. It would not be specific to any organisation or individual and could be transferred freely from one landowner to another without notification to or consultation with Surrey County Council or Mole Valley District Council or indeed any other individual or organisation. The planning permission sought is for a permanent material change of use of the land. Any planning permission granted on these terms would supersede the existing lawful use of the land. Any conditions imposed on any planning permission granted in respect of the proposal could be properly enforced by Surrey County Council despite whether the applicant undertakes the development or not. The landowner of the application site, and their successors in title, would be responsible for any breaches of planning control associated with any planning permission granted. Consequently, Officers do not consider that the relationship between the applicant and any other organisation, the incorporation status of the applicant, or the name of the applicant is material to the determination of the proposed development.

59. On 14 October 2013 the County Planning Authority adopted a screening opinion in respect of the proposal. This was done in accordance with Regulation 7 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (“the 2011 regulations”).
60. The screening exercise which led to this opinion concluded that the proposed development and operation of an open windrow composting facility on land at the application site is considered to be unlikely to give rise to significant environmental effects, based on the scale and type of development involved and the nature of the receiving environment.
61. Accordingly, the exercise recommended that the proposal does not constitute ‘EIA development’ for the purposes of the 2011 regulations on the basis that:
- It would not give rise to any significant pollution or nuisance
  - The application site is not subject to any local, national or higher level designations in respect of biodiversity, landscape or heritage
  - The application site is not classified as being at risk of flooding by the Environment Agency
  - The nearby Leigh Brook, which currently exhibits poor ecological status, is not likely to be significantly affected by the development
  - The use of compost on agricultural land can help to reduce the need for the use of manufactured fertilisers, and diverts organic material from landfill
  - Impacts from noise, odour, and dust would be of small magnitude and short duration, and with mitigation measures in place would not be likely to result in any significant impacts on the environment
  - The size and scale of the proposal does not exceed any of the thresholds stipulated in the relevant paragraphs of Annex 2 to Circular 02/99<sup>6</sup>

## THE DEVELOPMENT PLAN AND MATERIAL PLANNING CONSIDERATIONS

62. Surrey County Council, as the County Planning Authority (“CPA”), has a duty under Section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning

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<sup>6</sup> Environmental Impact Assessment, Department for Communities and Local Government, March 1999

applications in accordance with the Development Plan unless material considerations indicate otherwise.

63. Section 70(2) of the Town and Country Planning Act 1990 ("the 1990 Act") requires the CPA, in 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 the development proposed the Development Plan comprises the Surrey Waste Plan 2008 ("SWP") and the saved policies of the Mole Valley Local Plan 2000 ("MVLN") and policies of the Mole Valley Core Strategy 2009 ("MVCS").
64. The National Planning Policy Framework ("the Framework") was adopted in March 2012. This document provides national guidance to local planning authorities in making decisions in respect of planning applications. The Framework is intended to make the planning system less complex and more accessible by summarising national guidance which replaces numerous planning policy statements and guidance notes, circulars and various letters to Chief Planning Officers. The guidance document is based on the principle of the planning system making an important contribution to sustainable development, which is seen as achieving positive growth that strikes a balance between economic, social and environmental factors.
65. The Development Plan remains the cornerstone of the planning system. Planning applications which comply with an up to date Development Plan should be approved whilst refusals should only be on the basis of conflict with the Development Plan and other material considerations.
66. The Framework 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 Framework 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 Framework - the closer the policies are to the policies in the Framework, the greater the weight they may be given.
67. As required by s70 (2) (c) the 1990 Act the CPA must have regard to "*any other material considerations*" when determining planning applications. Accordingly, having regard to the nature and scale of the proposal the CPA considers that the following National policy documents are material to the determination of the proposal:
- Waste Management Plan for England<sup>7</sup>
  - Planning Policy Statement 10 – Planning for Sustainable Waste Management<sup>8</sup>

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<sup>7</sup> Department for Environment, Food and Rural Affairs, December 2013

- Updated national waste planning policy: Planning for sustainable waste management (consultation)<sup>9</sup>

68. The Framework does not contain policies relating to waste management. Instead national waste management policies are contained within the Waste Management Plan for England 2013 (“WMP”) and set out by Planning Policy Statement 10 - Planning for Sustainable Waste Management 2011 (“PPS10”). PPS10 is currently being updated and has been subject to public consultation.

69. The WMP is a high level document which is non-site specific. It provides an analysis of the current waste management situation in England, and evaluates how it will support implementation of the objectives and provisions of Directive 2008/98/EC otherwise referred to as the Waste Framework Directive. The WMP supersedes the previous waste management plan for England<sup>10</sup>.

70. The WMP explains how we deal with our waste is important for our society. It affects the availability of materials and energy needed for growth as well as our climate change and environmental objectives. It goes on to detail that the Government’s commitment in this respect is focused on the sustainable use of materials and on improving services to householders and businesses, while delivering environmental benefits and supporting economic growth. It also advocates working towards moving beyond our current throwaway society to a “zero waste economy” in which material resources are reused, recycled or recovered wherever possible and only disposed of as the option of last resort. This means reducing the amount of waste we produce and ensuring that all material resources are fully valued – financially and environmentally – both during their productive life and at “end of life” as waste.

71. The WMP envisages that the resulting benefits of such sustainable waste management will be realised in a healthier natural environment and reduced impacts on climate change as well as in the competitiveness of our businesses through better resource efficiency and innovation – a truly sustainable economy.

72. PPS10 provides the planning framework to enable local authorities to put forward, through local waste management plans, strategies that identify sites and areas suitable for new or enhanced facilities to meet the waste management needs of their areas. The overall objective of PPS10 is to protect human health and the environment and to encourage more sustainable waste management by moving waste up the waste

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<sup>8</sup> Department for Communities and Local Government, March 2011

<sup>9</sup> Department for Communities and Local Government, July 2013

<sup>10</sup> The Waste Strategy 2007

hierarchy by moving away from landfill towards more sustainable options for waste management.

73. PPS10 acknowledges that some waste proposals that come forward may not be identified within a Development Plan and as such advises that unallocated sites should be considered favourably when consistent with the policies of PPS10 including locational criteria set out in Annex E of PPS10 and the SWP.
74. Once the Updated national waste planning policy: Planning for sustainable waste management ("updated PPS10") document has been finalised, it will replace PPS10 as the national planning policy for sustainable waste management in England.
75. The updated PPS10 follows a similar structure to policies in the Framework, setting out policy which should be considered through local plan making and also when determining the planning application. Appendix A of the updated PPS10 sets out the waste hierarchy which underpins the delivery of sustainable waste development, with Appendix B setting out those factors against which the CPA should consider in assessing the suitability of sites or areas for waste development. Both appendices are largely a carryover from existing guidance in PPS10.
76. However the Government's support for stringent protection against inappropriate development in the Green Belt has been reflected in the updated PPS10. The updated policy removes the former reference in PSS10 that the CPA should give significant weight towards locational needs and wider environmental and economic benefits when considering waste planning applications in the Green Belt. This means that, under national planning policy, these planning considerations should not be given more significant weight compared to others when the planning application is determined. However the proposal, which is located in the Green Belt, will still need to be considered by the CPA on its individual planning merits having regard to the Development Plan and other material considerations, with the weight to be given on particular planning considerations being for the decision maker, subject to the circumstances of each particular case.

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## **PLANNING CONSIDERATIONS**

77. Given the nature, scale and location of the proposed development Officers consider that the following planning matters are material to whether the proposed development accords with the Development Plan: (a) waste management issues, (b) highways, traffic and access, (c) air quality, (d) noise, (e) landscape and visual impact, (f) flood risk and drainage, (g) ecology and biodiversity and (h) green belt considerations.

## **SUSTAINABLE WASTE MANAGEMENT**

### ***National Guidance***

Waste Management Plan for England 2013

Planning Policy Statement 10 - Planning for Sustainable Waste Management 2011

Updated national waste planning policy: Planning for sustainable waste management 2013

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

*Surrey Waste Plan 2008*

Policy CW4 – Waste Management Capacity

Policy CW5 – Location of Waste Facilities

Policy WD4 – Open Windrow Composting

### *Policy Context*

78. In England, the waste hierarchy is both a guide to sustainable waste management and a legal requirement, enshrined in law through the Waste (England and Wales) Regulations 2011 (“the 2011 Regulations”). The hierarchy gives top priority to waste prevention, followed by preparing for re-use, then recycling, other types of recovery (including energy recovery), and last of all disposal (e.g. landfill).
79. The Waste Management Plan for England 2013 (“WMP”) advocates that the dividends of applying the waste hierarchy will not just be environmental but explains that we can save money by making products with fewer natural resources, and we can reduce the costs of waste treatment and disposal. Landfill or incineration should usually be the last resort for waste whilst waste can and should be recovered or recycled whenever possible.
80. Similarly, Planning Policy Statement 10 – Planning for Sustainable Waste Management (“PPS10”) is also a strong advocate of the application and promotion of the waste hierarchy. But it also explains, at paragraph 22, that Development Plans form the framework within which decisions on proposals for development are taken.
81. Accordingly, it requires that where proposals are consistent with an up to date Development Plan, the CPA should not require applicants for new or enhanced waste management facilities to demonstrate a quantitative or market need for their proposal.
82. PPS10 also requires the CPA to consider proposals favourably provided they are consistent with the criteria set out in Annex E of PPS10 and the policies of the SWP. The criteria stipulated in Annex E relate to local environmental and amenity impacts of waste management facilities.
83. As with PPS10 the updated PPS10 document carries over the requirement for the CPA to assess the likely impacts of waste management facilities on the local environment and amenity. However, it does acknowledge that modern, appropriately located, well-run and

well-regulated waste management facilities operated in line with current pollution control techniques and standards should pose little risk to human health. As a consequence the updated PPS10 document advises the CPA to focus on implementing the planning strategy in the local plan and not with the control of processes which are, as recognised by Mole Valley District Council's Environmental Health Officer, a matter for the Environment Agency in this particular case.

84. Paragraph 6 of the updated PPS10 document advocates that the CPA should refuse planning permission for waste management facilities not in line with the local plan unless the applicants can demonstrate that the facility will not undermine the local waste planning strategy through prejudicing movement up the waste hierarchy.
85. The Surrey Waste Plan 2008 ("SWP") explains at paragraph B30 that the County Council remains committed to achieving net self-sufficiency, enabling appropriate development that implements the waste hierarchy and ensuring that the County delivers its contribution to regional waste management.
86. Paragraph B32 goes on to state that a range of facilities, type, size and mix will be required, located on a range of sites to provide sustainable waste management infrastructure in Surrey.
87. Consequently, policy CW4 of the SWP requires planning permissions to be granted to enable sufficient waste management capacity to be provided to:
  - I. manage the equivalent of the waste arising in Surrey, together with a contribution to meeting the declining landfill needs of residual wastes arising in and exported from London
  - II. achieve the regional targets for recycling, composting, recovery and diversion from landfill by ensuring a range of facilities is permitted.
88. Paragraph B36 of the SWP explains that the approach taken in respect of the location of waste management facilities is that, generally, waste management facilities should be suited to development on industrial sites and in urban areas. However, it recognises that opportunities for waste management facilities in urban areas are limited, so land beyond needs to be considered. Here priority is given to the reuse of previously developed, contaminated, derelict and disturbed land; redundant farm buildings and their curtilages; mineral workings and land in waste management use, before Greenfield sites and Green Belt sites.
89. Accordingly, policy CW5 of the SWP explains that proposals for waste management facilities on unallocated sites will be considered in accordance with the following principles:
  - I. priority will be given to industrial/employment sites, particularly those in urban areas, and to any other suitable urban sites and then to sites close to urban areas and to sites easily accessible by the strategic road network
  - II. priority will be given over greenfield land to previously developed land, contaminated, derelict or disturbed land, redundant agricultural buildings and their curtilages, mineral workings and land in waste management use
  - III. Areas of Outstanding Natural Beauty, Areas of Great Landscape Value, and sites with or close to international and national nature conservation designations should be avoided

- IV. the larger the scale of the development and traffic generation, the more important is a location well served by the strategic road network or accessible by alternative means of transport

89. Paragraph C18 of the SWP explains that open windrow composting involves the raw material (usually green and/or garden waste and cardboard) being arranged outdoors in long narrow piles on a hard and preferably impermeable surface. The windrows are mixed and turned regularly for aeration, either by hand or mechanically.

90. Paragraph C19 goes on to explain that open windrow composting has quite different land use implications to other techniques. Experience in the County has shown that problems with odour nuisance can develop where there is poor management and particularly where higher levels of throughput are attempted. However, open windrow composting can also make a useful contribution to sustainable waste management. Generally, open windrow composting operations require only minimal support buildings. As such, the operations are comparable to agricultural practices and may therefore be appropriate to located in the open countryside.

91. Paragraph C20 of the SWP states that in considering any application for open windrow composting, the CPA will seek advice from the Environment Agency in regard to the appropriate distance to be maintained between the proposed facility and housing. Any proposal less than 250 metres from a sensitive receptor, such as the curtilage of a dwelling, would require a risk assessment.

92. Accordingly, policy WD4 of the SWP states that planning permission will be granted for open windrow composting with sufficient distance from any dwelling at:

- I. waste disposal landfill or land raising sites provided that it is for a temporary period commensurate with the operational life of the landfill or land raising site
- II. sites in the countryside where the land has been previously developed
- III. sites in the countryside involving small-scale composting of waste for use on agricultural land.

### *The Development*

93. The proposal is for the establishment of a permanent waste management facility on agricultural land within the Green Belt involving the import of 10,000 tonnes of green waste material per annum. The application site is not an 'allocated site' in the Surrey



Waste Plan 2008 or any of the District Council's plans for industrial or employment land uses.

94. Compost is to be produced by way of open windrows and used as a soil improver for Swires Farm and Lodge Farm which forms the applicant's agricultural landholding. The requisite green waste would be sourced from local contractors (landscapers, arboriculturalists etc.) operating within Mole Valley. The applicant has provided copies of correspondence from 4 such contractors<sup>11</sup> who express support for the establishment of the proposed waste management facility on the basis of the absence of such a facility within the district and the economic and environmental benefits the proposal would bring about for their respective businesses.
95. The application site is not located within the Surrey Hills AONB or an AGLV. There are no international and national nature conservation land designations in close proximity to the application site.
96. The proposal does not involve the disposal of waste materials. Officers consider that the proposal amounts to a waste recycling facility. The facility would provide for the processing of green waste in order to alter its physico-chemical properties thereby allowing it to be reused as compost for agricultural land improvement purposes. No commercial sale of the compost is to take place and no compost would leave the agricultural landholding or be transported on the local highway network.
97. The applicant's agricultural land holding is situated on Weald Clay where the soils are heavy and difficult to work. The applicant asserts that using green compost as a soil improver will improve the agricultural and environmental condition of the soils including (i) an improvement in soil structure which may reduce tractor fuel bills as less draught force is required to work the soil thus reducing the carbon foot print of the farms; (ii) a reduction in the need for artificial 'bag' fertiliser; (iii) a reduced risk of soil erosion as water infiltration is improved; (iv) an improvement in soil health; (v) an increase in the natural nutrient supply from the soil from organic processes; and (vi) an overall increase in yields and productivity across the agricultural landholding over time.
98. The applicant currently imports a variety of materials to the agricultural holding every year so as to improve its soils. These imports take place by way of HGVs without any planning restrictions but are dependent upon availability, cost and chemical composition.

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<sup>11</sup> Bill Kear Plant and Agricultural contractors Ltd.; Dave Ford Tree Care LLP; G4 Gardens Ltd.; Adrian Hunt Landscaping, Estate Maintenance and Fencing

These materials include gypsum, lime, farmyard manure, paper crumble, green waste, sewage sludge, stabilised cake, and potash and paper sludge.

99. The applicant states that since 2011 approximately 61,650 tonnes of such materials have been imported to the holding generating some 12,944 tractor and HGV movements. In addition the applicant imports artificial fertilisers to the agricultural holding every year which involves some 76 articulated lorry movements.

100. Although the proposal would not negate the need for the applicant to continue to import lime, manure, potash (25% of current import volumes) and artificial fertilisers every year, the applicant would no longer need to procure the other named materials<sup>12</sup> to improve the soils of Swires Farm and Lodge Farm. Accordingly, it is anticipated that the proposal would negate an average of 3,850 HGV movements to and from Swires Farm per annum. Consequently, there would also be clear environmental and financial benefits resulting from the proposal.

101. The applicant has undertaken an alternative site assessment exercise in support of the proposal. This document demonstrates that there are no existing sites within Mole Valley to which local contractors can take their green waste such that it would be recycled. These contractors either take their green waste to Pease Pottage, West Sussex or Mid Surrey Farm in Epsom. It also explains that Mole Valley District Council transport green waste, collected from households within the district, to Pease Pottage which is some 29 miles from Dorking. Officers have no reason to question the methodology or conclusions of the applicant's alternative site assessment. Accordingly, Officers consider that the proposal would have significant benefits to local contractors and the local environment in terms of reduced fuel costs, reduce miles travelled and reduced carbon dioxide emissions.

102. Based upon an average vehicle load of 2 tonnes, the applicant submits that importing 10,000 tonnes of green waste per annum would generate 10,000 LGV vehicle movements (5,000 trips). Over 275 working days this would equate to 36 LGV vehicle movements per day on average. Over a 10.5 hours working day, this would result in about 7 LGV vehicle movements per hour which is approximately two LGV vehicle movements every 17 minutes.

103. In addition to the day-to-day vehicle movements proposed, the proposal would also generate vehicle movements associated with the preparation of the application site.

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<sup>12</sup> gypsum, paper crumble, sewage sludge, stabilised cake, and paper sludge

The construction of the composting apron would involve the importation of 3,000 tonnes of hardcore material by way of 320 HGV movements.

104. The highway network in the vicinity of the application site comprises the A24 Horsham Road, Mill Road and Henfold Lane.
105. The A24 is a two-lane dual carriageway road with a 50 mile per hour speed limit. Its junction with Mill Road is an at-grade priority junction with visibility splays left and right along the A24 exceed 160 metres and therefore meet safety standards. Mill Road runs eastward from the A24 at South Holmwood and is a single carriage way 40 mile per hour country road. It has a 6 metre wide carriageway with variable width verges on each side. The junction of Mill Road and Henfold Lane has visibility splays of 110 metres and 120 to the left and right respectively. Henfold Lane is a single carriageway country road with a 40 mile per hour speed limit. The application site's access lies on the east side of Henfold Lane on the outside bend of the road. It has visibility splays of at least 120 metres in both directions. Between Mill Lane and the site access the highway passes under a railway bridge with headroom of 4.25 metres and carriageway width of 5.2 metres which is marked for two lanes.
106. Accordingly, the applicant submits that both Mill Road and Henfold Lane are wide enough for goods vehicles to pass cars at free flow speeds and that both roads have an acceptable geometry to carry moderate flows of smaller goods vehicles.
107. Given the application site's location and proximity to this strategic road network Officers are satisfied that no other alternative means of access to the application site can be provided other than by way of the A24, Mill Road and Henfold Lane which measures approximately 2.5km in length.
108. Although the District Council, Capel Parish Council, Holmwood Parish Council, the British Horse Society and a significant majority of objectors to the proposed development have expressed concerns relating to the suitability of the local highway network to accommodate the development the County Highway Authority ("CHA") have not raised objection to the proposal. Newdigate Parish Council has commented that provided that proper controls are established at the outset and those controls are vigorously managed by the County Planning Authority the facility could be integrated satisfactorily into the locality.
109. The absence of objection from the CHA is subject to a number of highway and access related planning conditions including limiting the means of access to the development

by way of the A24, Mill Road and Henfold Lane; limiting the average number of vehicle movements to and from the site per day to 36; limiting the gross vehicle weight of vehicles importing green waste to the site to no more than 7.5 tonnes; the erection of a number of horse warning signs along Henfold Lane; and the provision of road markings so as to guide vehicles through the highest point of the railway bridge. The acceptability of the proposal relevant to highway and access considerations are discussed in more detail in the Highways, Traffic and Access section of this report<sup>13</sup>.

110. The waste hierarchy is both a guide to sustainable waste management and a legal requirement enshrined in law through the 2011 Regulations. The hierarchy gives top priority to waste prevention, followed by preparing for re-use, then recycling, other types of recovery (including energy recovery), and last of all disposal (e.g. landfill). The WMP, PPS10, the updated PPS10 document and the SWP all echo the requirements of the waste hierarchy in their respective approaches, guidance and policies in relation to sustainable waste management.
111. Although the proposal is to take place on undeveloped agricultural land which is not allocated for employment or industrial uses, the proposal would facilitate green waste arisings in the district of Mole Valley to be sustainably managed and reused as compost on the same agricultural landholding where it is produced. No commercial sales of the compost would take place. Consequently, this small scale proposal accords with the Government's approach to sustainable waste management and facilitates the movement of waste up the waste hierarchy.
112. Paragraph B3 of the SWP states that there is a need to significantly improve the infrastructure provided within Surrey to manage waste without endangering human health or the environment and to enable communities to take responsibility for the waste produced. In this respect paragraph B30 of the same is clear that the County Council remains committed to achieving net self-sufficiency, enabling appropriate development that implements the waste hierarchy and ensuring that the County delivers its contribution to regional waste management. Officers therefore consider that the proposal should be supported by the County Planning Authority and that the sustainable waste management characteristics of the proposal should be afforded significant weight in assessing the merits of the proposal in so far as Green Belt policy is concerned.
113. Accordingly, Officers consider that the proposal satisfies policies CW4, CW5 and WD4 of the Surrey Waste Plan 2008. For the purposes of Green Belt policy Officers consider that great weight should be attributed the sustainable waste management aspects of the proposal.

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<sup>13</sup> See paragraphs 114 to 151 below

## HIGHWAYS, TRAFFIC AND ACCESS

### ***National Guidance***

National Planning Policy Framework 2012

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

*Surrey Waste Plan 2008*

Policy DC3 – General Considerations

*Mole Valley District Core Strategy 2009*

Policy CS18 – Transport Options and Accessibility

*Mole Valley District Local Plan 2000*

Saved Policy MOV2 – Movement Implications of Development

### *Policy Context*

114. The Framework is clear that development should only be refused or prevented on transportation grounds where the residual cumulative impact of development is severe.
115. This guidance also advocates, at paragraph 32, that all development that would generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment and that decisions should take account of whether (a) opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, (b) safe and suitable access to the site can be achieved for all people, and (c) improvements can be undertaken within the transport network.
116. Annex E of PPS10 states that in testing the suitability of sites the CPA should consider the factors listed in the annex and bear in mind the envisaged waste management facility in terms of type and scale, taking account of best available technologies (not involving excessive costs). In terms of highways, traffic and access, Factor F of Annex E explains that considerations will include the suitability of the road network and the extent to which access would require reliance on local roads.
117. The SWP also requires information to be submitted in relation to transportation. Paragraph D12 states that consideration of traffic generation characteristics should incorporate an assessment of the level and type of traffic generated and the impact of that traffic, suitability of the access and the highway network in the vicinity of the site including access to and from the primary road network.

118. Accordingly, policy DC3 of the SWP requires that applicants demonstrate, by the provision of adequate supporting information, that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources. The policy goes on to state that the supporting information should include, where appropriate, an assessment of traffic generation, access and suitability of the highway network, and mitigation measures to minimise or avoid material adverse impact and compensate for any loss.
119. Policy CS18 of the MVCS states that travel options and access will be given significant weight in considering development proposals and that such proposals should be consistent with, and contribute to the implementation of, the Surrey Local Transport Plan.
120. Policy MOV2 of the MVLP states that development will normally only be permitted where it can be demonstrated that it is or can be made compatible with the transport infrastructure and the environmental character of the area, having regard to all forms of traffic generated by that development. In particular, proposals for major development will only be permitted where it can be demonstrated that in order to accommodate the traffic generated by that development appropriate measures are made to obviate the environmental impact, and there is appropriate provision for (a) off-street vehicular parking, (b) suitable servicing arrangements, (c) vehicular access and egress and movement within the site, (d) capacity of the transport network and in the vicinity of the development, (e) access and egress to be obtained, or improved, to and from the primary route and distributor networks, and (f) pedestrians and cyclists.
121. This policy goes on to state that where a particular part of the highway network already endures high traffic flows significantly above its operation and environmental capacity, then only small-scale development, which leads to little or no new traffic generation, will be permitted. The cumulative effects of existing and committed development on the operational capacity and environmental character of congested areas as a whole will be taken into account in the determination of development proposals. The provision of new accesses onto principal traffic routes will not normally be permitted where access can only be gained from those networks.
122. The Surrey Transport Plan 2014 has four objectives namely: (1) to facilitate end-to-end journeys for residents, business and visitors by maintaining the road network, delivering public transport services and, where appropriate, providing enhancements thereby facilitating effective transport; (2) to improve the journey time reliability of travel in Surrey thereby facilitating reliable transport; (3) to improve road safety and the security of the travelling public in Surrey thereby facilitating safe transport; and (4) to provide an integrated transport system that protects the environment, keeps people healthy and provides for lower carbon transport choices thereby facilitating sustainable transport.

123. Firstly it is important to note that Officers do not consider that the development proposed would have any significant transport implications. The application site is not within or adjacent to a Air Quality Management Area; the proposal would not lead to a 10% increase in the number of HGVs making use of the A24 Horsham Road, Mill Road or Henfold Lane; and the proposal would not give rise to 30 or more vehicle movements per hour or 100 or more vehicle movements per day. Where one or more of these criteria are met or exceeded Surrey County Council's Local List of Information Requirements for Waste Related Development requires that applicant's support their proposals with Transport Assessments.
124. In this case the applicant has submitted a Transport Statement to support the proposal. This statement includes an assessment, in the context of the proposal and existing vehicle movements relating to the applicant's agricultural land holding, of the local highway network, accident data relating to this network and the application site's access including a swept path analysis and site access survey. Based upon the conclusions drawn by this assessment the applicant has offered a range of measures which would mitigate the limited impact of the proposal in terms of the local highway network.
125. However, significant public opposition to the development in terms of highways, traffic and access has materialised since the application was registered. The public concerns raised in this respect are summarised in paragraph 49 above. Capel Parish Council, Holmwood Parish Council and the British Horse Society have also objected to the proposed development for reasons including those relating to the local highway network and the suitability of the application site's access off of Henfold Lane. In this respect the Ramblers' Association have also raised concern particularly in relation to the local rights of way network.
126. Moreover, the District Council has objected to the development on a number of grounds including (a) the construction traffic would have to travel down narrow country lanes which are unfit for purpose; (b) the operational traffic is considered inappropriate given the isolated nature of the application site and the narrowness of the country lanes; and (c) the number and frequency of the vehicles are not consistent with the character of narrow country lanes.
127. Should Surrey County Council be minded to grant planning permission for the development then the District Council have stated that (i) the County Council need to be assured that the HGVs associated with the construction traffic can be safely

accommodated on the narrow country lanes; and (ii) the County Council need to be assured that the restrictions on the use of HGVs for the delivery of green waste can be enforced.

128. In addition to members of the public, Parish Councils and the District Council, the National Trust ("the Trust") and Friends of Holmwood Common ("the Association") have also objected to the proposal based on their concerns relating to highways, traffic and site access. The Trust considers that the significant volumes of traffic associated with the proposal would adversely affect the safety of users of Blackbrook Road and Mill Road and in turn users of Holmwood Common. The Association assert that the increase in commercial traffic on Mill Road, Blackbrook Road and Henfold Lane is not compatible with ensuring the safety of either the users of the Common or those people who live on or nearby the Common. The Ramblers' Association have raised concern about the safety of users of the local rights of way network.

129. Since 2011 the applicant has imported approximately 61,650 tonnes of agricultural materials to the holding generating some 12,944 vehicle movements the majority of which were HGVs. These imports are not subject to planning controls. Although the proposal would not negate the need for the applicant to continue to import lime, manure, potash and artificial fertilisers every year, the applicant would no longer need to procure the other imported materials to improve the soils of Swires Farm and Lodge Farm. Accordingly, it is anticipated that the proposal would negate an average of 3,850 HGV movements to and from Swires Farm per annum.

130. Based upon an average vehicle load of 2 tonnes, the applicant submits that importing 10,000 tonnes of green waste per annum would generate 10,000 LGV vehicle movements (5,000 trips). Over 275 working days this would equate to 36 LGV vehicle movements per day on average. Over a 10.5 hours working day, this would result in about 7 LGV vehicle movements per hour which is approximately two LGV vehicle movements every 17 minutes.

131. According to the CHA's calculations, the development proposed would increase the overall number of LGV movements on the local highway network by 2 vehicle trips per day which represents a 4% increase in the total number of these types of vehicles, and a 0.01% increase on the total number of vehicles currently using the local highway network. This percentage increase is considered minimal by Officers and the CHA in terms of highway impact.

132. In addition to the day-to-day vehicle movements proposed, the proposal would also generate vehicle movements associated with the preparation of the application site. The construction of the composting apron would involve the importation of 3,000 tonnes



of hardcore material by way of 320 HGV movements. This importation would take place outside of peak times (between 0900 and 1500 hours Monday to Friday) over a period of two to three weeks. In the context of the existing unrestricted HGV movements to and from Swires Farm, the highway impact resulting from this limited and transient aspect of the proposal is considered minimal.

133. The highway network in the vicinity of the application site comprises the A24 Horsham Road, Mill Road and Henfold Lane.
134. The A24 is a two-lane dual carriageway road with a 50 mile per hour speed limit. Its junction with Mill Road is an at-grade priority junction with visibility splays left and right along the A24 which exceed 160 metres and therefore meet safety standards. Mill Road runs eastward from the A24 at South Holmwood and is a single carriage way 40 mile per hour country road. It has a 6 metre wide carriageway with variable width verges on each side. The junction of Mill Road and Henfold Lane has visibility splays of 110 metres and 120 to the left and right respectively. Henfold Lane is a single carriageway country road with a 40 mile per hour speed limit. The application site's access lies on the east side of Henfold Lane on the outside bend of the road. It has visibility splays of at least 120 metres in both directions. Between Mill Lane and the site access the highway passes under a railway bridge with headroom of 4.25 metres and carriageway width of 5.2 metres which is marked for two lanes.
135. The CHA consider that both Mill Road and Henfold Lane are wide enough for HGVs and LGVs to pass cars at free flow speeds and that both roads have an acceptable geometry to carry moderate flows of smaller goods vehicles. Moreover, the CHA have confirmed that the visibility at the access to the application site off of Henfold Lane and the junction of Mill Road and Henfold Lane meet the required safety standards. In respect of the junction of Mill Road and the A24 Horsham Road the CHA is currently considering proposals to improve the safety of this junction<sup>14</sup>. The applicant has provided the CHA with a unilateral undertaking to contribute over £4,000 to these improvement works. The applicant's undertaking does not form part of the proposal nor is it dependent upon whether planning permission is granted in relation to the proposal.
136. As part of the applicant's Transport Statement Surrey County Council's accident data for the period 1 January 2008 to 30 September 2013 has been presented in support of the proposal. The study area associated with this data comprises Mill Road and its junction with the A24 and Henfold Lane from its junction with Mill Road to the application site's access point off Henfold Lane.

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<sup>14</sup> Reconfiguration to manage traffic within the central reservation area to reduce potential conflict and assist drivers attempting to exit Mill Road

137. Seven accidents causing 1 fatality, 1 serious and 19 slight injuries occurred at the junction of the A24 and Mill Road. The fatal accident involved a car turning right towards Mill Road across the path of a southbound car. This accident took place during the hours of darkness in fine weather. Two accidents involved pedal cycles both causing slight injury and once accident involved a motorcycle resulting in serious injury. The remaining accidents all involved cars.
138. Two accidents occurred on Mill Road. One car skidded on ice causing serious injury whilst the other resulted in slight injury when a car struck a pedestrian.
139. Seven accidents causing 1 serious and 9 slight injuries occurred at the junction of Mill Road and Henfold Lane. One accident involved a pedal cyclist whilst 2 accidents involved motor cyclists. The pedal cyclist was struck by a LGV spinning in the road following a collision with a car resulting in slight injury. A motorcyclist travelling southbound on Blackbrook Road was struck by a car exiting Mill Road resulting in serious injury. The other motorcyclist fell from his bike resulting in slight injury. One accident at the junction was a shunt whilst a car was waiting for passing traffic and another involved a single car skidding on ice. The remaining accidents involved either a failure to give-way or entering the path of on-coming vehicles.
140. One accident occurred on Henfold Lane when a pedal cyclist fell causing serious injury. No vehicles appeared to have been involved.
141. Having regard to the fact that Henfold Lane is currently used by, amongst others, HGVs, LGVs and agricultural vehicles, and considering the applicant's current unrestricted agricultural imports, it is important to note that only one accident has occurred on Henfold Lane since 2008 and that this did not involve a goods vehicle.
142. Objectors to the proposal have consistently raised concern about the speed of vehicles making use of Henfold Lane and Mill Road; however this is beyond the control of the applicant. It is a matter for the Police to enforce highway speed restrictions not local landowners. Further, it appears that there is no evidence to suggest that drivers of LGVs, HGVs or agricultural vehicles breach speed limits any more than car drivers. Similarly objectors have raised concerns relating to the lack of footpaths and lighting, and Friends of Holmwood Common have referenced the poor sight-lines associated with the common's car parks and wild animals crossing roads, but these existing factors are also beyond the control of the applicant.

143. One objector has alleged that an HGV destined for Swires Farm recently ran off the road into a ditch but there is no evidence to suggest that this HGV was associated with Swires Farm. The accident data presented appears to suggest only one accident along Henfold Lane since 2008.
144. It should be borne in mind that the proposed waste management site would not, apart from the HGV movements associated with the site's preparation, generate any new vehicle movements. The local contractors within Mole Valley who would make use of the facility already exist. Their respective vehicles travel on roads within Mole Valley making their way to and from jobs and the nearest green waste management facilities in Epsom and Pease Pottage. Licensed drivers have the right to use the local highway network provided they do so with licensed vehicles. There are no vehicle weight or size restrictions associated with Mill Road and Henfold Lane. Although the proposed development may divert a proportion of existing vehicles movements along Mill Road and Henfold Lane the use of these roads are not restricted to local residents or users of Holmwood Common.
145. Concern has also been raised in respect of vehicles tracking mud or debris onto the local road network. However, the agricultural track leading to the application site from Henfold Lane is not a dirt track. It is metalled and therefore Officers consider it unlikely that any mud would be transferred from this track to the public highway. Moreover, it is a highways offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned vehicles or badly loaded vehicles. Should planning permission be granted for the proposal it would be brought to the attention of the applicant by way of an informative that the CHA will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders in accordance with the Highways Act 1980.
146. In respect of cyclists who make use of Henfold Lane the CHA has considered requiring the applicant to erect cyclist warning signs as part of the development but the CHA considers that, unlike signs warning drivers of rights of way network crossings, these do not appear on the County highway network as a whole and would add to street clutter.
147. One objector has raised the question of the cumulative traffic impact of housing developments which may take place within Mole Valley in the future. However, given that these developments are speculative and may not materialise Officers do not consider that this matter is material to the determination of the proposal. The District Council has not raised any concerns in this respect. Moreover, Officers and the CHA consider that the development would result in a minimal increase of LGVs on the local highway network.

148. Officers acknowledge that horse riders, cyclists and pedestrians utilise the local highway network as a link to the local rights of way network. However, Mill Road and Henfold Lane are similar in character to many rural lanes in the County where horse riders, cyclists and pedestrians are often encountered and anticipated by drivers of vehicles including HGVs and agricultural vehicles and vice versa. The number and nature of accidents on the local highway network since 2008 indicates that there is not, and has not been, a particular safety issue with non vehicular users along Mill Road and Henfold Lane. The aforementioned is also considered applicable in the case of one HGV passing another. Having regard to the applicant's Construction Management Plan and signs to be erected where the existing agricultural track crosses BW No. 536 and PF No. 222, Surrey County Council's Rights of Way Officer has not raised objection to the development.
149. The owner of Oakwood House has asserted that the applicant has no control over the hedge to the right of the agricultural track leading off Henfold Lane and therefore the applicant cannot control the visibility at this junction. However, the CHA have confirmed that this hedge does not form part of the visibility splay needed to be cleared so as to make this junction meet highway safety standards.
150. The proposal would bring about a minimal increase in traffic on the local highway network but would also negate an average of 3,850 HGV movements to and from Swires Farm per annum. However, the measures proposed by the applicant and the conditions and informatives to be imposed on any planning permission granted would adequately mitigate any adverse impacts arising from the overall increase in traffic. The measures proposed by the applicant would be incorporated into planning conditions as follows:

*Planning Conditions*

- Prior to the commencement of the development the proposed modified access off Henfold Lane shall be constructed and provided with visibility zones in accordance drawing number F.048/2. The modified access shall be permanently maintained and the visibility zones shall be kept permanently clear of any obstruction for the duration of the development.
- The means of access to the application site shall be from Henfold Lane via Mill Road and the A24 only. There shall be no means of vehicular access from Henfold Lane southbound or Blackbrook Road northbound.
- Vehicles associated with the import of green waste to the Swires Farm site shall enter and leave the site from/to the north and so shall only turn left into the site and right out of the site onto Henfold Lane.
- There shall be no more than an average of 18 deliveries to the application site per day during the year, which is a total of 36 movements per day, with vehicle delivery movements on any single day not exceeding 100 movements in association with the

import of green waste to the application site. The site operator shall maintain accurate records of the number of delivery vehicles accessing and egressing the site daily for up to 12 months at any one time and shall make these available to the County Planning Authority on request.

- Vehicles associated with the import of green waste to the application site shall not exceed 7.5 tonnes Gross Vehicle Weight. The site operator shall maintain accurate records of the size of vehicles accessing and egressing the site daily for up to 12 months at any one time and shall make these available to the County Planning Authority on request.
- Prior to the commencement of the development a highway improvement scheme generally in accordance with drawing number F.048/1A, to provide road markings to guide vehicles through the highest point of the railway bridge, and provide horse warning signs, shall be submitted to the County Planning Authority for approval. The approved details shall be implemented prior to the commencement of the development and maintained for the duration of the development as approved.
- No green waste materials shall be delivered to or accepted at the application site on Saturdays.
- No materials associated with the construction of the application site shall be delivered to or accepted at the site outside of 0900 to 1500 hours Monday to Friday. No associated vehicles shall wait on the public highway or at the application site's access before 0900 hours Monday to Friday.

*Informatives*

- The permission hereby granted shall not be construed as authority to carry out works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a licence must be obtained from the Highway Authority Local Highway Service Group before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991.
- The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels 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.
- The applicant is advised that Public Bridleway 536 and Public Footpath 222 crosses the application site and it is an offence to obstruct or divert the route of a right of way unless carried out in accordance with appropriate legislation.

151. Having regard to paragraphs 123 to 150 above, Officers consider that the development satisfies policy DC3 of the Surrey Waste Plan 2008, policy CS18 of the Mole Valley

Core Strategy 2009 and policy MOV2 of the Mole Valley Local Plan 2000. For the purposes of Green Belt policy Officers consider that the harm arising from the development in terms of highways, traffic and access would be minimal and that harm can be adequately mitigated by the imposition of planning conditions.

## **AIR QUALITY**

### ***National Guidance***

National Planning Policy Framework 2012

Planning Policy Statement 10 - Planning for Sustainable Waste Management 2011

Updated national waste planning policy: Planning for sustainable waste management 2013

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

*Surrey Waste Plan 2008*

Policy DC3 – General Considerations

*Mole Valley Local Plan 2000*

Policy ENV22 – General Development Control Criteria

### *Policy Context*

152. Paragraph 109 of the National Planning Policy Framework (“the Framework”) states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from levels of air pollution.
153. Paragraph 122 of the Framework goes on to advise that when considering development proposals the CPA should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. The CPA should assume that these regimes will operate effectively.
154. Paragraph 124 of the Framework discusses air quality specifically in relation to Air Quality Management Areas but it does confirm that the cumulative impacts on air quality from individual sites in local areas should be considered. In this respect the Framework’s practice guidance states that it is important that the potential impact of new development on air quality is taken into account in planning where the national assessment indicates that relevant limits have been exceeded or are near the limit. Air quality can also affect biodiversity and odour and dust can adversely affect local amenity.

155. PPS10 Annex E criteria G requires that in decision making consideration should be given to the proximity of sensitive receptors and the extent to which adverse atmospheric emissions can be controlled through the use of appropriate and well-maintained and managed equipment and vehicles.
156. Policy ENV22 of the MVLP states that where the principle of proposed development accords with other policies of the Development Plan a design and layout will be required which does not significantly harm the amenities of the occupiers of neighbouring properties by adverse environmental impacts.

### *The Development*

157. The development involves the importation and composting of green waste material. Compositing would take place in the form of open windrows and therefore the proposal has the potential to adversely affect local air quality by way of odour. However, it is important to note that the proposal does not include the compositing of any food waste or other similar domestic or commercial putrescible waste materials. For this reason Officers do not consider that the development would attract vermin or scavenger birds.
158. Given the nature of the waste material to be composted the proposal has the potential to generate bioaerosols which have the potential to adversely affect public health.
159. Additionally, the construction of the waste management facility has the potential to adversely affect local amenity and the environment by way of dust.
160. Given the minimal increase in overall vehicle movements associated with the proposal, and having regard to the fact that the application site is not located within an Air Quality Management Area, Officers do not consider that the proposal would give rise to vehicle emissions which are likely to adversely affect local amenity, public health or the environment.
161. The proposed facility would process up to 10,000 tonnes of source segregated green waste and wood waste from forestry, horticulture and agriculture, clean wood processing and green waste from gardens and parks. The application site is abuts agricultural land on all sides and there are no residential properties within 250 metres. Ewood Lane is designated a public bridleway ("BW No.536"). It runs in a west to east direction starting at Henfold Lane, passing through the area occupied by existing agricultural buildings and continuing to run parallel and adjacent to the application site's southern boundary.
162. Concerns have been raised by the public in terms of bioaerosols and by Capel Parish council in terms of odour. The Environment Agency, Mole Valley District Council's Environmental Health Officer, and the County Council's Air Quality Consultant have raised no technical objections to the proposal in these respects. In order to address the

issues of dust and bioaerosols the applicant has submitted a Construction Management Plan and a Bioaerosols Risk Assessment in support of the proposal.

### *Odour*

163. Given that the location of the application site is beyond 250m from any dwelling, and having regard to the agricultural nature of the proposal which is to be undertaken on agricultural land, the applicant does not consider that odour is an issue which requires assessment as part of the proposal. However, the District Council's Environmental Health Officer has confirmed that composting can produce odour, which if not managed, may become a nuisance.
164. The Environmental Health Officer concurs with the applicant that the regular turning of green waste aerates the material and the presence of oxygen keeps it in a fresh condition thereby reducing unpleasant odours. The Officer has also explained that composting practice is such that if material is malodorous then the composting process is not working as efficiently as it should, and that in an aerobic process, odour will result only if the composting process is ineffective. Clearly, it is in the interest of the applicant to keep the composting operations efficient as possible by regular turning and aeration of the green waste and therefore it unlikely that unpleasant odours would be emitted from the facility.
165. Moreover, the Environmental Health Officer has explained that the composting, in terms of odour, is similar to normal farming operations which may also cause odours. For example manure spreading or applying milk waste to land can and does take place on arable agricultural land as a matter of course without any planning restrictions. The applicant has set out in detail the types and volumes of soil additives currently spread on Swires and Lodge Farms<sup>15</sup>. In this respect it is noted that objectors and Capel Parish Council have not raised concern about odour in relation to current agricultural practices undertaken on the landholding. The District Council's Environmental Health Officer also considers that the 4m hedgerows which form the boundaries of the application site would mitigate any potential odour emissions. Accordingly, the Environmental Health Officer is satisfied that if managed in accordance with the Environment Agency permit and composting is maintained in an aerobic state then odour would not become a nuisance.
166. Odour resulting from the development is to be controlled by the Environment Agency through their environmental permitting regime. Government advice advocates that the CPA should focus on whether the development itself is an acceptable use of the land

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<sup>15</sup> See DM Mason Engineering Consultants Ltd. Transport Statement dated 12 December 2013 Ref. DDM/AJB/F.048 – The Existing Soil Improver Import



rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes, and that the CPA should assume that these regimes will operate effectively.

### *Dust*

167. Upon application the County's Air Quality Consultant reviewed the proposal and agreed with the applicant that dust effects from construction related activities were unlikely to be significant due to the large separation distance between the application site and the nearest sensitive receptors. Accordingly, the consultant raised no objection to the proposal or made any recommendations in relation to air quality during the construction phase of the proposal.

168. However, in February 2014 the Institute of Air Quality Management ("IAQM") published guidance on the assessment of the impacts of construction on air quality and the determination of their significance. In summary, the IAQM guidance methodology requires the risk of dust impacts to be derived based on the sensitivity of the area (with reference to the number of receptors within set distance bands) and the magnitude of dust emissions. Where human receptors are more than 250m from the site boundary and sensitive ecological sites are more than 50m from the site boundary, dust effects are considered to be negligible.

169. Consequently, the County's Air Quality Consultant has analysed the risk of dust effects which may arise from the development to determine whether the latest guidance changes the consultant's original view in respect of the proposal.

170. There are no residential receptors within 250m of the application site and no sensitive ecological sites within 50m of the application site. Accordingly, having regard to IAQM guidance, the sensitivity of the area for human health is low due to the absence of receptors within 250m, the agricultural setting and the fact that the sensitivity to dust of other receptors/land uses in the area (such as footpaths and bridleways) is low. Similarly, there are no sensitive ecological receptors within 50m of the application site and therefore the sensitivity of the area to dust for ecological receptors is low.

171. In respect of site preparation works (stripping of soil and laying of hard surface) the IAQM guidance indicates that the magnitude of dust emissions is likely to be medium due to the area of land not exceeding 10,000m<sup>2</sup>. Where the low sensitivity of the area to dust is considered in the context of a medium or large dust emission magnitude, the risk of dust effects given in the IAQM guidance is also low.

172. Local conditions such as the presence of a physical barrier need to be taken into account when determining the risk of effects. The IAQM guidance does not provide a

specific methodology for this and allows for the person undertaking the assessment to use professional judgement for each development. In this case, the application site would be screened by an established 4m high hedge around the perimeter of the site. Accordingly, the County's Air Quality Consultant considers that it would be appropriate to reduce the risk from low to negligible.

173. The County's Air Quality Consultant welcomes the applicant's mitigation measures set out in the Construction Management Plan submitted in support of the proposal and therefore no further recommendations have been made by the consultant. Officers consider that these mitigation measures, which include damping down of operational areas during dry weather conditions with a water tanker and speed restrictions within the application site, can be secured by way of a planning condition.

### *Bioaerosols*

174. So as to support the proposal and address concerns raised by members of the public the applicant has submitted a Bioaerosols Risk Assessment. This assessment contains a site specific risk assessment based on the well established source-pathway-receptor approach using Environment Agency methodology together with other Government guidance on such risk assessments.

175. The County's Air Quality Consultant considers that the source-pathway-receptor factors have been comprehensively considered in the applicant's assessment. Public footpath 222 and public bridleway 536 have both been included as receptors and a risk-based assessment of likely impact has been made taking into account frequency of operations, wind, and likely footpath use. The County's consultant agrees that the approach taken in this respect is suitable and the assumptions made by the assessment are reasonable.

176. The consequences of exposure, if it occurred, are assessed as being mild on the footpath and moderate on the bridleway. However, the probability of such exposure occurring is assessed as being negligible on all sections of the footpath and bridleway. Combining the consequences and probabilities, the assessment considers that residual risk at all receptors to be low and categorises them as acceptable. The County's consultant agrees that these conclusions are reasonable. On this basis, Officers consider that the residual bioaerosols effects that may arise from the development would not make the proposal an unsuitable use of land at its proposed location.

177. The applicant's assessment concludes that, *"This SSBRA [the bioserosols assessment] should be reviewed after the first year of operation, or sooner if there are any changes to the proposed site design or compost processing. It is also recommended that bioaerosol monitoring is undertaken in accordance with the AfOR Standardised Protocol to provide a better understanding of bioaerosol emissions from the site."*

178. The proposed waste management facility would operate under an Environment Agency permit, whereby on-going pollution control of many of the operations will be regulated. National planning guidance requires that the County Planning Authority works on the assumption that such pollution control regimes will operate effectively. Therefore, provided the Environment Agency considers users of the footpath and bridleway to be sensitive receptors and regulates the activities accordingly, there should be no need for the County Planning Authority to impose a condition on any planning permission granted requiring bioaerosols monitoring to validate the application’s assessment or demonstrate that effectiveness of controls.

179. Mole Valley’s Environmental Health Officer has commented that he is satisfied with the proposal in terms of bioaerosols if the facility is managed in accordance with the terms of an Environment Agency permit then composting would not pose a significant risk. The Environment Agency has not raised objection to the proposed development and confirmed that it would require an Environmental Permit to operate. The District Council, the County’s Ecologist and Natural England have not objected to the proposed development in terms of air quality.

180. Accordingly, having regard to paragraphs 157 to 179 above, Officers consider that the proposed development satisfies policy DC3 of the Surrey Waste Plan 2008 and policy ENV22 of the Mole Valley Local Plan 2000. For the purposes of Green Belt policy Officers consider that the harm arising from the development in terms of air quality is minimal and that it can be adequately controlled by planning conditions.

**NOISE**

***National Guidance***

National Planning Policy Framework 2012

Planning Policy Statement 10 - Planning for Sustainable Waste Management 2011

Updated national waste planning policy: Planning for sustainable waste management 2013

***Development Plan Documents***

*Surrey Waste Plan 2008*

Policy DC3 – General Considerations

*Mole Valley Local Plan 2000*

Policy ENV22 – General Development Control Criteria

*Policy Context*

181. Paragraph 109 of the Framework states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing

development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of noise pollution. Paragraph 120 of the Framework states that in order to prevent unacceptable risks from pollution, planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account.

182. Paragraph 122 of the Framework advocates that in ensuring that the site is suitable for its new use local planning authorities should focus on whether the development itself is an acceptable use of the land and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. It goes on to state that the CPA should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.
183. Paragraph 123 of the Framework states that planning decisions should aim to: (a) avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development, and (b) mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise.
184. Paragraph 144 of the Framework specifically relates to decision making on planning applications for minerals development. It states that in determining planning applications for minerals development the CPA should ensure that the impacts of unavoidable noise are controlled, mitigated or removed at source.
185. PPS10 Annex E 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. The Surrey Waste Plan 2008 policy DC3 requires consideration of noise impacts from waste development proposals by the provision of appropriate information.
186. As with air quality, policy ENV22 of the MVLP states that where the principle of proposed development accords with other policies of the Development Plan a design and layout will be required which does not significantly harm the amenities of the occupiers of neighbouring properties by adverse environmental impacts.

### *The Development*

187. The development includes the operation of screening and shredding plant, an excavator and a front end loader. Shredding and screening plant would only be operated Monday to Friday whilst LGVs would frequent the application site Monday to Saturday. Windrows would only be turned Monday to Friday. The development would also involve soil stripping for the purposes of site preparation. Accordingly, the proposal has the potential to adversely affect local amenity and the environment by way of noise.

188. So as to support the proposal the applicant conducted a Noise Impact Assessment in October 2010 which was updated in November 2013. This assessment was undertaken in relation to the proposal when it included the provision of landscape bund on the southern boundary of the application site parallel with public bridleway 536. Following consultation with the County's Landscape Architect the applicant decided to remove the landscape bund element from the proposal in the interests of landscape character and visual amenity. This resulted in the re-configuration of the application site's layout in February 2014 so that compost windrows are located along the southern boundary of the application. The final proposed site layout is shown on Drawing Ref. FFL/SFC/LAY/02 dated January 2014. The applicant produced an addendum to the associated planning statement assessing the noise implications of the revised application site layout.
189. Although raising concern about the absence of the bund in terms of noise impact, the District Council has not raised objection to the proposal on noise grounds. Similarly, the Environment Agency has not objected to the proposed development.
190. The applicant's Noise Impact Assessment concludes that the application site is located in a quiet area except for the occasional deployment of agricultural machinery. The measured daytime background noise levels are low at about 73 dB (A). However it also concludes that there would be no significant noise impact from the development at the nearest residential dwelling. The assessment recognises that there would be occasional noise impact from vehicles passing to and from the application site on the existing track but that this would not be significant compared with existing farm traffic. In respect of the bridleway which runs parallel to the site's southern boundary the assessment states that with the proposed 3m high bund there would be no significant adverse impact on horses or riders passing the site once in operation.
191. The County's Environmental Noise Consultant has assessed the proposal including the revised site layout. The noise consultant concurs with the conclusions of the applicant's noise assessment and advises that the development can meet the average noise criterion of 42 LAeq but if Officers consider it appropriate a condition could be imposed on any permission granted restricting the use of shredding and screening plant at the same time. However, the noise consultant does not consider this necessary given that deployment of this plant would only take place Mondays to Fridays and then only for a limited duration per day.
192. The County's noise consultant does not generally consider public bridleways or footpaths sensitive receptors in terms of noise. The District Council Environmental Health Officer has expressed a preference for the provision of a landscape bund on the southern boundary of the application site so as to minimise the noise impact arising from the proposal. The revised site layout replaces the 3m high landscape bund with 3m high compost windrows which would have similar effect in terms of noise mitigation. The noise consultant advises that any noise generated from the development would only affect a short length of public bridleway 536 and that the majority of horses are used to noise arising from road works and passing vehicles. Moreover, given the leading directions of the bridleway to the east and west of the application site Officers

do not consider that any noise arising from the proposal would be sudden or alarming to horses.

193. The applicant has proposed a number of mitigation measures in relation to the limited noise impact which may arise from the proposal. Officers are satisfied that these measures can be secured by way of the following planning conditions:

- The development hereby permitted shall only operate between 0730 hours to 1800 hours Monday to Friday and 0730 hours to 1330 hours on Saturdays. No working shall be undertaken on Sundays or bank, public or national holidays. No windrow turning, shredding or screening, or importation of green waste shall take place on Saturdays. This condition shall not prevent emergency operations but these are to be notified in writing to the County Planning Authority within 3 working days.
- No soil stripping works shall be undertaken on Saturdays.
- All plant and machinery shall be maintained in accordance with manufacturer's specifications and where reversing signals are used these shall comprise white noise signals as opposed to reversing beepers.

194. Considering paragraphs 187 to 193 above, Officers consider that the proposal satisfies policy DC3 of the Surrey Waste Plan 2008 and policy ENV22 Mole Valley Local Plan 2000. For the purposes of Green Belt policy Officers consider that the harm arising from the development in terms of noise would be limited and that this harm can be adequately mitigated by the imposition of planning conditions.

## **LANDSCAPE AND VISUAL IMPACT**

### ***National Guidance***

National Planning Policy Framework 2012

Planning Policy Statement 10 - Planning for Sustainable Waste Management 2011

Updated national waste planning policy: Planning for sustainable waste management 2013

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

*Surrey Waste Plan 2008*

Policy DC2 – Planning Designations

Policy DC3 – General Considerations

*Mole Valley Core Strategy 2009*

Policy CS13 – Landscape Character

*Mole Valley Local Plan 2000*

Policy ENV22 – General Development Control Criteria

*Policy Context*

- 195. Paragraph 109 of the Framework requires that the planning system contribute to and enhance the natural and local environment by protecting and enhancing landscapes whilst paragraph 111 encourages the effective use of land by re-using land that has been previously developed (brown field land), provided that it is not of high environmental value.
  
- 196. Annex E of PPS10 states that in testing the suitability of sites the CPA should consider the factors listed in the annex and bear in mind the envisaged waste management facility in terms of type and scale, taking account of best available technologies (not involving excessive costs). In terms of landscape and visual impact Factor C of Annex E explains that considerations will include (i) the setting of the proposed location and the potential for design-led solutions to produce acceptable development; and (ii) the need to protect landscapes of national importance such as the Surrey Hills Area of Outstanding Natural Beauty (“AONB”).
  
- 197. Policy DC2 of the SWP states that planning permission will not be granted for waste related development where this would endanger, or have significant adverse impact, on the character, quality, interest or setting of the AONB, Areas of Great Landscape Value (“AGLV”) or Ancient semi-natural woodlands. Similarly, policy DC3 of the same seeks the protection of landscapes and woodland and the provision of mitigation measures where appropriate.
  
- 198. Policy CS13 of the MVCS requires that all new development respect and, where appropriate, enhance the character and distinctiveness of the landscape character area in which it is proposed. It advocates landscape enhancement works, where required, to avoid adverse impacts associated with new developments. It recognises that the AONB is of national significance, and as such, the conservation of the natural beauty of the landscape will be a priority in this area. The policy goes on to state that development in the AGLV area will be required to be supported by evidence to demonstrate that it would not result in harm to the AONB, particularly views from and into the AONB.
  
- 199. Policy ENV22 of the MVLP states that where the principle of proposed development accords with the Development Plan a design and layout will be required which is (a) appropriate to the site in terms of its scale, form and appearance and external building materials; (b) does not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking or its overshadowing or overpowering effect; (c) respects the character and appearance of the locality; (d) has regard to attractive features of the site such as trees, hedges, walls or buildings that contribute to the character of the locality; and (e) provides any necessary screening and landscaping suitable to the character of the locality.

200. The application site is located within the Open Weald Landscape Character Area which is a gently rolling landform with, relative to other areas of Surrey, few trees or woodlands creating an open mixed farmed landscape. According to *'The future of Surrey's landscape and woodlands'*<sup>16</sup> the key characteristics of this landscape character area are:

- Small, irregularly shaped fields are divided by a strong pattern of low square-cut hedges with regularly spaced hedgerow oaks.
- Narrow, winding lanes are also enclosed by low hedges or are sunken within hedge banks.
- Rivers are sunken below the level of the surrounding land and only apparent as a result of occasional riparian alder or willow.
- Small scattered development occurs on higher ground.
- Large scale modern development lies on the flat plain around Gatwick.
- Church towers and old farm buildings provide important focal points in short distance views.

201. The District Council has raised objection to the proposed development. Their firm view is that the development, especially the associated access, equipment and portacabins would appear in stark contrast against the rural character of the area and therefore the Council does not consider that the proposal would maintain the local landscape's open and rural appearance.

202. Natural England, The National Trust, The British Horse Society and Friends of Holmwood Common have not objected to the development on landscape or visual amenity grounds. Similarly, Capel Parish Council and Holmwood Parish Councils have not objected to the proposal on landscape or visual amenity grounds.

203. The application site is to be located on agricultural land which falls gently to the west<sup>17</sup>. It does not lie within the Surrey Hills AONB or an AGLV. The application site is not covered by any local, national or higher level nature conservation designations. The closest Sites of Nature Conservation Importance ("SNCI") are the Henfold Lake Fishery SNCI some 650m to the south and the Reffolds Copse SNCI approximately 860m to the south. There are no Ancient Woodlands located within 500m of the application site.

204. The field in which the application site is to be situated is surrounded on all sides by 4m high established and defining hedgerows. Land surrounding the field comprises further

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<sup>16</sup> Surrey County Council, 1997

<sup>17</sup> At 72m Above Ordinance Datum ("AOD")



fields and hedgerows interlaced with well maintained agricultural tracks. The nearest residential dwelling is located over 250m to the west of the application site beyond several agricultural buildings. Holmwood Sewage works is located to the north of the application site with the A24 Horsham Road located approximately 1.6km to the west. The Dorking to Horsham railway line is located about 345m to the north of the site's access off Henfold Lane. Henfold Lane is designated part of the Surrey Cycleway.

205. Public bridleway ("BW No.536") runs in a west to east direction starting at Henfold Lane, passing through the area occupied by existing agricultural buildings and continuing to run parallel and adjacent to the application site's southern boundary. Currently, BW No.536 provides vehicular access to the field which would accommodate the application site. Public footpath No. 222 ("PF No. 222"), which runs north to south, crosses the existing agricultural track approximately 130m from its junction with Henfold Lane.
206. The proposal includes for the planting<sup>18</sup> of an additional hedgerow so as to delineate the western boundary of the application site. This hedgerow would run the full width of the existing field so as to join up with the hedgerows which define the northern and southern boundaries of the field.
207. The existing vehicular access point to this wider field branches off public bridleway 536 and runs through the existing 4m high western perimeter hedge. This access point is to be closed by similar hedge planting as vehicle access to the application site is to be gained from the south-western corner of the wider field. Accordingly, a small section of hedgerow within the south-western corner of the wider field would be removed so as to facilitate access to the development.
208. The application site is to be laid to hard surface. The composting windrows to be located on the southern boundary of the application site would be limited to a height of no more than 3m. Green waste will be deposited along the centre of the northern boundary of the site. The two green portacabin style office buildings to be located along the western boundary of the application site would be 2.5m high. A weighbridge, portaloo and four vehicle parking spaces would be situated within the same area of the site. The proposal would also involve the permanent siting and sporadic operation of a loading shovel, excavator and shredding and screening plant along the northern boundary of the application site.
209. The proposal includes provision of a surface water pond on the eastern boundary of the application site. Given the potential for this water body to attract birds and the proximity of the application site to Gatwick Airport the appropriate safeguarding authority was consulted. Gatwick Airport's Aerodrome Safeguarding has not objected to the proposal provided details<sup>19</sup> of the pond have been submitted to and approved by the County Planning Authority before development commences.

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<sup>18</sup> 60% hawthorn, 5% spindle, 5% dog rose, 10% field maple, 10% holly, 10% hazel

<sup>19</sup> Pond profiles and dimensions and details of planting

210. The applicant has submitted a Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement in support of the proposal. This work was commissioned by the applicant with a view to surveying the existing trees relevant<sup>20</sup> to the proposal; obtaining professional advice in relation to the arboricultural impact of the proposal; preparing a work schedule to British Standard; and developing a tree protection strategy for the duration of the development including any demolition works.
211. The applicant's assessments recommend the removal and replacement of three low quality ash trees due to their proximity to the proposed vehicular access and limited life expectancy. These trees are to be replaced with three oak trees<sup>21</sup>. The assessment also recommends pruning works to two additional trees and concludes that the suggested removal of trees would not impinge on the long-term character and appearance of the locality and therefore the arboricultural impact of the proposal would be minor.
212. The applicant's method statement sets out how the applicant intends to safeguard retained trees both above and below ground and preserve soil structure around newly planted areas for the duration of the development. These measures include tree protective fencing, ground protection and sequencing and supervision. Officers are satisfied that these measures and any associated works can be secured by the imposition of planning conditions.
213. The applicant's Landscape Assessment<sup>22</sup> seeks to demonstrate that the proposal is unlikely to have any significant effect on surrounding sensitive receptors including PF No.222 and BW No.536. It concludes that this is mainly a result of the distances between the application site and receptors, the presence of a network of field hedgerow boundaries, the positioning of the application site within a field which itself is defined by established 4m high hedgerows, and the agricultural character of the proposed waste management facility. The assessment acknowledges that the proposed vehicular access point would provide a view into the site but asserts that this view would be narrow and only available at the turning point of the bridleway where it changes direction from north to the east in one direction and from east to north in the other.
214. Having regard to the applicant's Landscape Assessment and considering the revised site layout of the application site which excludes the landscape bund, the County's Landscape Architect has not objected to the proposed development. However, should planning permission be granted in respect of the proposal the following planning conditions have been recommended:

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<sup>20</sup> Trees on or immediately adjacent to the application site with a stem diameter over 75mm including large shrubs which have amenity value

<sup>21</sup> 16 – 18cm girth with overall height at 4 – 4.5m

<sup>22</sup> Updated in February 2014 to take account of the revised site layout without the landscape bund

- All existing hedges and hedgerows shall be retained unless shown on the approved drawings as being removed. All hedges and hedgerows on and immediately adjoining the application site shall be protected from damage for the duration of works on the site. This shall be to the satisfaction of the County Planning Authority and in accordance with the Arboricultural Method Statement prepared by Chalice Consulting dated 10 February 2014. Any parts of hedges or hedgerows removed without the County Planning Authority's consent or which dies or becomes diseased or otherwise damaged within 5 years following completion of the development shall be replaced as soon as is reasonably practicable and in any case not later than the end of the first available planting season with plants of such size and species and in such positions as may be approved in writing by the County Planning Authority.
- Notwithstanding the details provided on Drawings Refs. FFL.SFC.LAY/02 and FFL.SFC/LA/02, no development shall take place until full details of soft landscape works including planting plans, written specifications (stating cultivation and other operations associated with plant establishment); schedules of plants noting species, plant sizes and proposed numbers, densities and an implementation programme has been submitted to and approved by the County Planning Authority in writing. The landscape works shall be carried out in accordance with the approved details.
- No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the County Planning Authority. The schedule shall include details of the arrangements for its implementation. The approved maintenance plan shall be carried out in accordance with the implementation programme.

215. Although the District Council has objected to the development on landscape and visual amenity grounds, Officers do not share their view. The application site is well screened by 4m high established hedgerows on all sides. Further established hedgerows and agricultural buildings surround the application site. The windrows proposed and the portacabins to be located within the application site would be no higher than 3m. Any view of the windrows and plant would be consistent with common agricultural materials and machinery. Although the minimal increase in vehicle movements to and from Swires Farm may be noticeable this would not have any significant effects on visual amenity or the local landscape given the unrestricted imports of agricultural materials currently associated with the landholding.

216. Having regard to paragraphs 200 to 215 above Officers consider that the proposal satisfies policies DC2 and DC3 of the Surrey Waste Plan 2008, policy CS13 of the Mole Valley District Council Core Strategy 2009 and policy ENV22 of the Mole Valley Local Plan 2000. For the purposes of Green Belt policy Officers consider the harm arising from the proposal in respect of local landscape character and visual amenity to be minimal and that this harm can be adequately mitigated by the imposition of planning conditions.

## **FLOODING AND DRAINAGE**

## **National Guidance**

National Planning Policy Framework 2012

Planning Policy Statement 10 - Planning for Sustainable Waste Management 2011

Updated national waste planning policy: Planning for sustainable waste management 2013

## **Development Plan Documents**

*Surrey Waste Plan 2008*

Policy DC2 – Planning Designations

Policy DC3 – General Considerations

*Mole Valley Local Plan 2000*

Policy ENV22 - General Development Control Criteria

Policy ENV67 – Groundwater Quality

*Mole Valley Core Strategy 2009*

Policy CS20 – Flood Risk Management

217. The Framework asserts that planning plays a key role in helping shape places to minimise vulnerability and providing resilience to the impacts of climate change. It advocates that this is central to achieving sustainable development. The Framework also provides technical guidance on flood risk which replaces Planning Policy Statement 25 – Development and Flood Risk.
218. Paragraph 100 of the Framework states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Paragraph 103 states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere.
219. Paragraph 109 of the Framework states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.
220. Consequently, paragraph 120 of the Framework states that in order to prevent unacceptable risks from pollution, planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account.

221. In explaining the separate but complementary relationship between the land-use planning and pollution control regimes PPS10, at paragraph 27, clarifies that, *“...pollution control is concerned with preventing pollution through the use of measures to prohibit or limit the release of substances to the environment to the lowest practicable level. It also ensures that ambient air and water quality meet standards that guard against impacts to the environment and human health. The planning system controls the development and use of land in the public interest and should focus on whether development is an acceptable use of the land, and the impacts of those uses on the development and use of land.”*
222. Paragraph 32 of PPS10 provides further clarification in this respect by stating that, *“It should not be necessary to use planning conditions to control the pollution aspects of a waste management facility where the facility requires a permit from the pollution control authority. In some cases, however, it may be appropriate to use planning conditions to control other aspects of the development. For example, planning conditions could be used in respect of transport modes, the hours of operation where these may have an impact on neighbouring land use, landscaping, plant and buildings, the timescale of the operations, and impacts such as noise, vibrations, odour, and dust from certain phases of the development such as demolition and construction.”*
223. Annex E of PPS10 states that in testing the suitability of sites the CPA should consider the factors listed in the annex and bear in mind the envisaged waste management facility in terms of type and scale, taking account of best available technologies (not involving excessive costs). In terms of water resources, Factor A of Annex E explains that considerations will include the proximity of vulnerable surface and groundwater.
224. Policy DC2 of the SWP states that planning permission will not be granted for waste related development where this would endanger, or have a significant adverse impact, on the setting of land liable to flood. This policy goes on to explain that in assessing each development proposal, due regard will be paid to prevailing national policy and guidance appropriate both to the areas and features of acknowledged importance and the proposed means of dealing with waste, and that this assessment will also take into account whether any significant adverse impact identified could be controlled to acceptable levels.
225. Policy DC3 of the SWP is clear that planning permissions for waste related development will be granted provided it can be demonstrated by the provision of appropriate information to support a planning application that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources. In this particular case the information supporting the proposal must include assessment of (i) the release of polluting substances to land arising from facilities or transport, (iv) the drainage of the application site and the adjoining land and the risk of flooding, (v) groundwater conditions and the hydrogeology of the locality, and (xvi) any health impacts.

226. Policy CS20 of the MVCS states that planning applications will be determined in accordance with the guidance contained within Planning Policy Statement 25 – Sustainable Flood Risk Management. It goes on to advocate the use of sustainable drainage systems and mimicking Greenfield run-off situations.

227. Policy ENV22 of the MVLP states that where the principle of development accords with the Development Plan a design and layout will be required which does not significantly harm the amenities of the occupiers of neighbouring properties by reason of adverse environmental impact. Policy ENV67 of the same states that development will not be permitted which in the opinion of the Council, after consultation with the Environment Agency, may have an adverse impact on the quality of groundwater.

### *The Development*

228. The application site is located within Flood Zone 1 (land with the lowest probability of flooding) and on Weald Clay and therefore is not at risk of flooding at a probability of 1 in 1000 years. It is outside any area covered by a Source Protection Zone or by a Superficial or Bedrock Aquifer. Accordingly, in terms of water resources and flood risk, the development is not proposed to be located within a hydrogeologically sensitive area. However, given the surface area<sup>23</sup> to be occupied by the application site a Flood Risk and Drainage Assessment has been submitted by the applicant in support of the proposal.

229. Although the gentle fall of the land is to the west, the application site is to be regarded so that it falls to the east. The surface soils of the application site are largely impermeable and therefore surface water will runoff to the east without significant infiltration into the ground. The application site is to be hardsurfaced using a combination of crushed concrete and rock. Any overland surface water from the west would be directed around the application site by ditches and would not therefore enter onto the site or flow into the site's surface water drainage system.

230. The principal sources of surface water run-off would comprise rainfall over the area of the application site and effluent from the composting process. Surface water collected in the proposed surface water attenuation pond would be reused to dampen compost windrows and on agricultural fields. However, the principal method for surface water disposal would be by way of evaporation<sup>24</sup>. The volume of the proposed pond is based on the 1 in 100 year 6 hour storm<sup>25</sup>. Although rare, it is possible that the proposed pond may overtop under extreme conditions. It is proposed that the pond should be provided

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<sup>23</sup> 1.7Ha

<sup>24</sup> Typically between 60 – 80% of rainfall collected

<sup>25</sup> Volume of pond to be 681m<sup>3</sup>

with appropriate overflows so that overtopping and damage to the structure is prevented. Such overflow would not present a risk of downstream pollution since it would only occur during periods of extreme rainfall when the dilution of any leachate in the pond would be very high.

231. A number of public objectors have raised concerns with regards to water pollution and leachate passing from the site to the fishing lakes to the south. However, having assessed the proposal the Environment Agency, who are responsible for regulating pollution prevention and control matters, have not objected to the proposal. The District Council's Environmental Health Officers have stated that the requirements for a drainage system for surface and foul water drainage would be covered by condition in the Environment Agency permit and will be managed in accordance with the conditions of such, therefore Mole Valley District Council is satisfied that water pollution will not be an issue in relation to the proposal. Natural England and the County's Ecologist have not raised objection to the development.
232. Notwithstanding the above, the absence of objection from the Environment Agency is subject to the applicant submitting a surface water drainage scheme to the County Planning Authority for approval before any development commences.
233. Having regard to paragraphs 228 to 232 above, Officers consider that the development satisfies policies DC2 and DC3 of the Surrey Waste Plan 2008, policy CS20 of the Mole Valley Core Strategy 2009, and policies ENV22 and ENV67 of the Mole Valley Local Plan 2000. For the purposes of Green Belt policy Officers do not consider that the development would give rise to limited harm in terms of flooding and water resources and that any such harm can be adequately mitigated by the imposition of planning conditions.

## **ECOLOGY AND BIODIVERSITY**

### ***National Guidance***

National Planning Policy Framework 2012

Waste Management Plan for England 2013

Planning Policy Statement 10 - Planning for Sustainable Waste Management 2011

Updated national waste planning policy: Planning for sustainable waste management 2013

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

*Surrey Waste Plan 2008*

Policy DC2 – Planning Designations

Policy DC3 – General Considerations

Mole Valley Local Plan 2000

Policy ENV22 – General Development Control Criteria

Mole Valley Core Strategy 2009

Policy CS15 – Biodiversity and Geological Conservation

234. Section 40 of the Natural Environment and Rural Communities Act 2006 (“NERC”) places a duty Surrey County Council to consider biodiversity in the full range of their activities. It is a legal requirement that *“every public body must, in exercising its functions, have regard so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”*.
235. Notwithstanding the above, Paragraph 109 of the National Planning Policy Framework (“the Framework”) states that the planning system should contribute to and enhance the natural and local environment by: (a) protecting and enhancing valued landscapes, geological conservation interests and soils, (b) recognising the wider benefits of ecosystem services, and (c) minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
236. Paragraph 111 of the Framework advocates that planning decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value.
237. Paragraph 118 requires that the County Planning Authority, in determining planning applications, should aim to conserve and enhance biodiversity by applying the following principles:
- If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
  - Proposed development on land within or outside a Site of Special Scientific Interest (“SSSI”) likely to have an adverse effect on a SSSI (either individually or in combination with other developments) should not normally be permitted. Where an adverse effect on the site’s notified special interest features is likely, an exception should only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of SSSI’s.
  - Development proposals where the primary objective is to conserve or enhance biodiversity should be permitted.
  - Opportunities to incorporate biodiversity in and around developments should be encouraged.



- Planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.

238. Paragraph 144 of the Framework states that, in granting planning permission for mineral development, it should be ensured there are no unacceptable adverse impacts on the natural environment.

239. Planning Policy Statement 10 – Planning for Sustainable Waste Management 2011 (“PPS10”) requires the CPA to consider proposals favourably provided they are consistent with the criteria set out in Annex E of PPS10 and the policies of the Surrey Waste Plan 2008 (“SWP”). Similarly, the Updated national waste planning policy: Planning for sustainable waste management 2013 (“updated PPS10”) carries over the requirement for the CPA to assess the likely impacts of the proposed extension of time on the local environment.

240. Annex E of PPS10 states that in testing the suitability of sites the CPA should consider the factors listed in the annex and bear in mind the envisaged waste management facility in terms of type and scale, taking account of best available technologies (not involving excessive costs). In terms of biodiversity Factor D of Annex E explains that considerations will include any adverse effect on a site of international importance for nature conservation (SPA’s, SAC’s and RAMSAR sites) or a site with a nationally recognised designation (SSSI’s or National Nature Reserves). This position is reiterated by the updated PPS10 document.

241. Policy DC2 of the SWP makes clear 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 Ramsar sites; SAC’s; candidate SAC’s; SPA’s; potential SPA’s; National Nature Reserves or SSSI’s; ancient semi-natural woodlands; Sites of Nature Conservation Importance (“SNCI”); local nature reserves and non-statutory nature reserves; or Biodiversity Action Plan habitat and species.

242. This policy then goes on to state that in assessing each development proposal, due regard will be paid to prevailing national policy and guidance appropriate both to the areas and features of acknowledged importance and to the proposed means of dealing with waste. The assessment will also take into account whether any significant adverse impact identified could be controlled to acceptable levels.

243. Policy DC3 of the SWP states that planning permission for waste related development will be granted provided it can be demonstrated by the provision of appropriate

information to support a planning application that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources. The information supporting the planning application must include, where relevant, assessment of the following matters and where necessary, appropriate mitigation should be identified so as to minimise or avoid any material adverse impact and compensate for any loss: (xii) the loss or damage to flora and fauna and their respective habitats at the site or on adjoin land including linear or other features which facilitate dispersal of species.

244. Policy ENV22 of the MVLP states that where the principle of development accords with the Development Plan a design and layout will be required which does not significantly harm the amenities of the occupiers of neighbouring properties by reason of adverse environmental impact. Policy CS15 of the MVCS advocates the protection of biodiversity in accordance with European and National legislation and guidance. It states that all water courses, mature hedges and trees within development site should be, as far as practicable, retained, and that planting and other schemes that promote biodiversity will be expected as part of all development schemes.

### *The Development*

245. Phase I Habitat Survey and Protected Species Assessment The application site forms part of a 300ha (3,000,000m<sup>2</sup>) agricultural holding comprising Swires Farm and Lodge Farm. It is located on established Grade 3 agricultural land currently planted with winter wheat. The application site is surrounded by agricultural fields delineated by agricultural tracks and further hedgerows. The application site is not covered by any local, national or higher level nature conservation designations. The closest Site of Special Scientific Interest (“SSSI”) to the application site is the Leith Hill SSSI some 4.1 kilometres to the west. The closest Sites of Nature Conservation Importance (“SNCI”) to the application site are the Henfold Lake Fishery SNCI some 650m to the south and the Reffolds Copse SNCI some 860m to the south. There are no Ancient Woodlands located within 500m of the application site.
246. The development proposed has been supported by the submission of a Phase 1 Habitat Survey and Protected Species Assessment undertaken in June 2011. This survey comprises a desk study with regards to the presence of statutory and non-statutory sites within a 5km and 1km radius respectively and consultation with the Surrey Biological Records Centre; a Habitat Survey to establish the presence of habitats and flora in or adjacent to the application site; and a Protected Species Survey.

247. The applicant's assessment concludes that the application site is of low ecological value and that there is no evidence to suggest that protected species are present on site<sup>26</sup>. Accordingly, the assessment does not advise any further ecological surveys. However, in concluding, the assessment makes a number of recommendations in respect of hedgerows and their root protection areas; retention of field margins; bird-nesting season; dirty water entering drainage ditches; and hedge removal. These measures could be secured by the imposition of planning conditions and informatives on any planning permission granted.
248. Public concern has been raised in respect of the validity and robustness of the applicant's Phase I Habitat Survey and Protected Species Assessment. It has been stated that the assessment should not be used as supporting information because (a) it does not appear to have been carried out over a sufficiently long enough period to establish exactly what wild life is in the area; (b) it fails to identify that very close to the site is the Surrey Bee Keepers Apiary and Henfold Birds of Prey Sanctuary and only makes a small comment about Henfold Fisheries all of which are important wild life centres; (c) the report was compiled by ADAS who had previously acted as agents for the applicant; and (d) the report is now over two years old, this is an appreciable delay, the proposed works have changed and therefore this report is not viable as supporting information.
249. Natural England, the Environment Agency and the District Council have raised no objection to the development proposal on the basis of ecology or biodiversity impacts.
250. The County's Ecologist has assessed the proposal and having regard to the applicant's Phase I Habitat Survey and Protected Species Assessment raised no objection to the proposal. The ecologist has stated that a Phase I Habitat Survey does not have to be carried out over a long period unlike more detailed species surveys which may require repeat visits according to the target species. As a former beekeeper with an interest in birds of prey, the County's Ecologist does not consider that the development would give rise to any adverse impacts including impacts which may affect Henfold Fisheries.
251. Moreover, advice has been sought from Natural England with regards to the age of the applicant's assessment and the validity of the data presented. Natural England recommends that surveys should not be over 2 – 3 years old for medium-high impact scheme developments. Surveys up to 4 years only may be acceptable for low impact schemes as long as the habitats have not changed significantly in that time period. The County's Ecologist considers that the proposal is a low impact scheme, confirms that protected species would not be involved and does not consider that the habitats applicable to the application site or surrounding land have changed since July 2011. Consequently, the County's Ecologist considers the applicant's assessment valid supporting information.

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<sup>26</sup> With the exception that nesting birds could use the boundary hedgerows, trees, margins and field

252. Having regard to paragraphs 245 to 251 above, Officers consider that the development satisfies policies DC2 and DC3 of the Surrey Waste Plan 2008, policy ENV22 of the Mole Valley Local Plan 2000 and policy CS15 of the Mole Valley Core Strategy 2009. Any harm arising from the development in respect of ecology and biodiversity is considered by Officers to be negligible in respect of Green Belt policy.

## **METROPOLITAN GREEN BELT**

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### ***National Guidance***

National Planning Policy Framework 2012 and its Technical Guidance

Planning Policy Statement 10 - Planning for Sustainable Waste Management 2011

Updated national waste planning policy: Planning for sustainable waste management 2013

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

*Surrey Waste Plan 2008*

Policy CW6 – Development in the Green Belt

### *Policy Context*

253. Paragraph 79 of the National Planning Policy Framework (“the Framework”) explains that the fundamental aim of Green Belt policy is to keep land permanently open, whilst paragraph 80 lists the five purposes of Green Belts: to check unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling or derelict and other urban land.

254. Paragraph 81 of the Framework requires local planning authorities to plan positively to enhance the beneficial use of the Green Belt such as looking for opportunities to provide access to and opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity or to improve damaged and derelict land.

255. Paragraph 88 advocates that in considering any planning application the CPA should ensure that substantial weight is given to any harm to the Green Belt, and that very special circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

256. Paragraphs 89 and 90 of the Framework discuss what types of developments are 'appropriate' in Green Belt locations. Waste related development is not included in paragraphs 89 and 90 and therefore, as with previous Green Belt Policy (Planning Policy Guidance 2 – Green Belts), waste related development is 'inappropriate development' in the Green Belt. All development is considered inappropriate in the Green Belt unless falling within the categories set out in paragraphs 89 and 90 of the Framework<sup>27</sup>.
257. PPS10 states that planning authorities should protect Green Belts but recognise the particular locational needs of some types of waste management facilities and that, in determining planning applications, these locational needs, together with the wider environmental and economic benefits of sustainable waste management, are material considerations that should be given significant weight.
258. However the Government's support for stringent protection against inappropriate development in the Green Belt has been reflected in the updated PPS10 document. The updated policy removes the reference in PPS10 that the CPA should give significant weight towards locational needs and wider environmental and economic benefits when considering waste planning applications in the Green Belt. This means that, under national planning policy, these planning considerations should not be given more significant weight compared to others when the planning application is determined. However the proposal, which is located in the Green Belt, will still need to be considered by the CPA on its individual planning merits having regard to the Development Plan and other material considerations, with the weight to be given on particular planning considerations being for the decision maker, subject to the circumstances of each particular case.
259. Policy CW6 of the Surrey Waste Plan 2008 states that there is a presumption against inappropriate waste related development in the Green Belt except in very special circumstances. Very special circumstances to justify inappropriate development in the Green Belt will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The policy outlines that the following considerations may contribute to very special circumstances: (i) the lack of suitable non-Green Belt sites; (ii) the need to find locations well related to the source of waste arisings; (iii) the characteristics of the site; and (iv) the wider environmental and economic benefits of sustainable waste management including the need for a range of sites.

### *The Development*

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<sup>27</sup> Fordent Holdings Ltd v SSCLG [2013] EWHC 2844 (Admin)

260. The development proposed comprises inappropriate waste related development in the Green Belt. It concerns the importation of 10,000 tonnes of green waste per annum, the processing of this material by way of plant and its subsequent composting by way of open windrows. Two portacabin style buildings, a weighbridge, four car parking spaces and a portaloo would be sited within the application site. The agricultural field would be laid to hard standing so as to facilitate the development. The field in which the application site is to be located is surrounded on all sides by established 4m high hedgerows. An additional hedgerow would be planted on the western boundary of the application site.

#### *Effect on Openness*

261. The development as described would have an adverse impact on the openness<sup>28</sup> of the Green Belt compared to the situation that currently exists<sup>29</sup>. In addition to definitional harm by reason of inappropriateness, Officers consider that the permanent siting of site infrastructure (buildings, weighbridge, and car parking spaces, hard standing) would have the most detrimental effect in this respect.

262. However, Officers consider the characteristics of green waste and compost windrows to be comparable to other common and day-to-day materials seen on agricultural land such as stockpiles of manure and silage. In this respect the applicant has provided details of agricultural imports to the landholding since 2008 which include materials such as farmyard manure, green waste, potash, paper crumble, sewage sludge, stabilised cake, gypsum and lime. Indeed, paragraph C19 of the Surrey Waste Plan 2008 states that windrow composting operations are comparable to agricultural practices. Accordingly, Officers consider that any stockpiles of green waste and compost windrows would have a very limited impact on the openness of the Green Belt.

263. Moreover, it is also true that vehicles, plant and machinery are commonly used and seen on farms whether this be in relation to their repair, servicing or maintenance; tending of arable fields, sheep and cattle; transportation, storage and handling of goods and materials; or maintenance of agricultural tracks, hedgerows and field margins. The range of plant and machinery to be used on the application site would be similar to such agricultural plant and machinery and limited to those necessary to facilitate and affect the composting of green waste. In addition their operation would also be restricted to sporadic operation during weekdays only. Consequently, Officers consider that the plant and machinery proposed to be used as part of the development would have very limited impact on the openness of the Green Belt in this location.

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<sup>28</sup> The absence of development

<sup>29</sup> An arable agricultural field defined by 4m high established hedgerows

264. Accordingly, although Officers consider that the development would have an adverse impact on the openness of the Green Belt this harm is considered to be limited for the reasons given in the preceding paragraphs.

#### *Other Harm*

265. The other harms identified throughout this report relate to highways, traffic and access; air quality; noise; landscape and visual impact; flood risk and drainage; and ecology and biodiversity. Officers have attributed weight to the conclusions reached in each of these respective sections of this report relative to Green Belt policy. Officers have also sought to outline any planning conditions which may mitigate any harm arising in these respects. It should be noted that no technical objections have been raised in respect of the proposal by the County Highway Authority; the Environment Agency; Natural England; the County's Landscape, Noise and Ecological Consultants; or the Mole Valley Environmental Health Officer.

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

266. The applicant's Alternative Site Assessment has identified a number of possible alternative suitable non-Green Belt sites. Eleven alternative sites<sup>30</sup> were considered against a range of key criteria and characteristics<sup>31</sup>. The assessment concluded that none of the alternative sites identified would be suitable for reasons including their location within the Green Belt and the proximity of the sites to sensitive receptors. Officers consider that the applicant's assessment has demonstrated why the application site is the most suitable site amongst the 11 surveyed and rejected.

#### *Source of Waste Arisings*

267. The applicant's Alternative Site Assessment has demonstrated that there are no facilities within Mole Valley or the immediate surrounding areas to which local contractors can take their green waste for recycling purposes. These contractors currently take their green waste to Mid Surrey Farm, Epsom or Pease Pottage, West Sussex. The applicant's assessment also explains that Mole Valley District Council transport green waste, collected from households within the district, to Pease Pottage which is some 29 miles from Dorking. Officers have no reason to question the

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<sup>30</sup> Dorking Community Recycling Centre, Dorking; Telephone Exchange, Puttenham; The Stable Yard, Mayford; Land at Ockham; Norley Farm, Cranleigh; Former Chalcraft Garden Centre, Dorking; Auclaye Brickworks, Capel; Rugge Farm, Beare Green; Clockhouse Brickworks, Capel; Reigate Road Quarry, Betchworth; Buckland Sandpits, Buckland.

<sup>31</sup> Site area > 1ha; located outside Green Belt/AONB; proximity to housing >250m; distance to Dorking; proximity to sensitive sites SNCI/SSSI; proximity of controlled water; proximity to heritage assets; traffic and access; potential land use conflicts

methodology or conclusions of the applicant's alternative site assessment. Accordingly, Officers consider that the proposal would have significant benefits to local contractors and the local environment in terms of reduced fuel costs, reduce miles travelled and reduced carbon dioxide emissions.

### *Characteristics of the Site*

268. The applicant's agricultural land holding amounts to some 300ha of which some 232ha is in arable production and a further 40ha is agricultural grassland. The compost resulting from the proposed waste management facility would be applied at rates of 30 and 15 tonnes/ha per annum respectively. At the said rates the applicant requires a minimum of approximately 7,560 tonnes of compost to be produced from the 10,000 tonnes of green waste to be imported to the application site per annum.
269. The applicant's agricultural land holding is situated on Weald Clay where the soils are heavy and difficult to work. The applicant asserts that using green compost as a soil improver will improve the agricultural and environmental condition of the soils including (i) an improvement in soil structure which may reduce tractor fuel bills as less draught force is required to work the soil thus reducing the carbon foot print of the farms; (ii) a reduction in the need for artificial 'bag' fertiliser; (iii) a reduced risk of soil erosion as water infiltration is improved; (iv) an improvement in soil health; (v) an increase in the natural nutrient supply from the soil from organic processes; and (vi) an overall increase in yields and productivity across the agricultural landholding over time.
270. Although the proposal would not negate the need for the applicant to continue to import lime, manure, potash and artificial fertilisers every year, the applicant would no longer need to procure other imported materials to improve the soils of Swires Farm and Lodge Farm. Accordingly, it is anticipated that the proposal would negate an average of 3,850 HGV movements to and from Swires Farm per annum.
271. The applicant intends producing PAS100 compliant compost which has been sponsored by the Waste and Resources Action Programme and developed by The Composting Association. The PAS100 standard for compost seeks to improve confidence in composted materials among buyers and specifiers, and differentiates between products that are safe, reliable and high performance. PAS100 also provides for a baseline standard for safety and consistency and is complemented by end-use specifications that set out additional limits required for different applications.
272. No compost material is to be sold on a commercial basis and no compost would be carried on any public highway.



273. The wider benefits of the proposed waste management facility are discussed in paragraphs 78 to 113 above and therefore Officer do not intend to rehearse these matters in relation to Green Belt policy. However it should be noted, having regard to the fact that there are no green waste management facilities within Mole Valley, that there is a need to significantly improve the infrastructure provided within Surrey to manage waste and to enable communities to take responsibility for waste produced by them. It is also significant that the County Council remains committed to achieving net self-sufficiency, enabling appropriate development that implements the waste hierarchy and ensuring that the County delivers its contribution to regional waste management.

*Green Belt Conclusion*

274. There is a clear need to provide recycling facilities in order to achieve sustainable waste management, and there are no grounds to dispute the applicant’s claim that the development is best suited to the application site where the compost would be exclusively used. This is a substantial benefit of the proposal, and, having regard to the limited impact on openness, and the absence of other significantly detrimental effects, it is concluded that the harm arising out of inappropriateness, and any other harm, is clearly outweighed by other considerations<sup>32</sup> so as to amount to the very special circumstances necessary to justify the proposal. In this respect, Officers consider that the development satisfies policy CW6 of the Surrey Waste Plan 2008.

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**HUMAN RIGHTS IMPLICATIONS**

275. 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.

276. Officers do not consider that the proposal engages any Convention rights.

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**CONCLUSION**

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<sup>32</sup> The lack of suitable alternative non-Green Belt sites; the proximity of the application site to the source of waste arisings; the characteristics of the application site and the associated agricultural landholding; and the wider economic and environmental benefits of sustainable waste management

277. The application site is to accommodate an inappropriate waste management facility in the Green Belt where planning policies of constraint apply. The proposal includes the change of use of agricultural land and operational development including the siting and use of plant, offices, the laying of a hard surface, and a weighbridge. No more than 10,000 tonnes of green waste would be imported to the facility per annum. The proposal does not include the compositing of any food waste or other similar domestic or commercial putrescible waste materials. For this reason Officers do not consider that the development would attract vermin or scavenger birds, or be of particular concern in relation to odour.
278. This waste is to be derived from local contractors who have no other alternative than to transport their waste outside of the district and Surrey so that it is recycled. The green waste would be composted such that it can be used on the applicant's agricultural landholding as a soil improver thereby negating the importation of other types of soil improvers to the landholding by way of some 3,000 HGV movements per annum. No compost would be sold or transported on the local highway network. The development is to be regulated, in respect of pollution prevention and control matters, by the Environment Agency through their environmental permitting regime. Accordingly, the development would both promote Waste Hierarchy and drive waste up the same in accordance with European and National law and guidance. It would also provide much needed sustainable waste management infrastructure within Surrey and Mole Valley.
279. The waste management facility would be operational from 0730 hours to 1800 hours Monday to Friday and 0730 hours to 1330 hours on Saturdays. No working would be undertaken on Sundays or bank, public or national holidays. No windrow turning, shredding or screening, or importation of green waste would take place on Saturdays when the local rights of way network would most used. In any event the applicant intends erecting appropriate signage where the existing agricultural track crosses BW No. 536 and PF No. 222 warning drivers of the users of the public rights of way. Further signage at the either end of BW No. 536 would also be erected on the days when plant is to be operational warning users of the bridleway of the same. Surrey County Council's Rights of Way Officer is satisfied with the proposal and has therefore not raised objection.
280. According to the County Highway Authority's calculations, the development proposed would increase the overall number of LGV movements on the local highway network by 2 vehicle trips per day which represents a 4% increase in the total number of these types of vehicles, and a 0.01% increase on the total number of vehicles currently using the local highway network. This percentage increase is considered minimal by Officers and the County Highway Authority in terms of highway impact. The hardcore and crushed rock to be imported so as to facilitate preparation of the application site would be undertaken outside of peak traffic times and then only for a limited duration of two weeks.

281. In this respect should planning permission be granted Officers will seek to impose a condition limiting importation to no more than an average of 18 deliveries to the application site per day during the year which is a total of 36 movements per day. Another condition will be imposed limiting all imports to vehicles not exceeding 7.5 tonnes gross vehicle weight.
282. The CHA consider that both Mill Road and Henfold Lane are wide enough for HGVs and LGVs to pass cars at free flow speeds and that both roads have an acceptable geometry to carry moderate flows of smaller goods vehicles. Moreover, the CHA have confirmed that the visibility at the access to the application site off of Henfold Lane and the junction of Mill Road and Henfold Lane meet the required safety standards.
283. In this respect should planning permission be granted Officers will seek to impose a condition limiting site access and egress from/to the north only turning left into the site and right out of the site onto Henfold Lane. Further, vehicles associated with the development would be restricted to using Henfold Lane, Mill Road and the A24 Horsham Road only. Additionally, before any development commences the applicant would be required to submit a highway improvement scheme to the County Planning Authority for approval.
284. Officers consider that these measures, together with other conditions/informatives to be imposed on any permission granted, adequately address the highways, traffic and access concerns raised by the District Council, members of the public, Parish Councils and other organisations. The County Highway Authority has not objected to the development.
285. No technical objections have been raised in respect of the proposal by Natural England; the Environment Agency; Gatwick Safeguarding; Mole Valley District Council's Environmental Health Officer; or the County's Ecologist, Landscape Architect and Noise Consultant. The development has been fully assessed in relation to air quality, noise, flooding and drainage, landscape and visual impact, and ecology and biodiversity and found to be in accordance with Development Plan policy. In these respects, and upon the advice of technical specialists, a range of conditions and informatives are proposed by Officers so as to mitigate the effects of and maintain control of the development.

286. Although similar proposals<sup>33</sup> for green waste composting on Swires Farm have been recommended for refusal in the past, Officers consider that the applicant has adequately addressed these in relation to this proposal as set out in the respective sections of this report.

## RECOMMENDATION

287. Officers recommend that planning permission Ref. MO/2013/1382 be **GRANTED** subject to the following conditions and informatives:

### Conditions:

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

Drawing: FFL/SFC/LOC/01 - Site Location dated stamped 26 September 2013

Drawing: FFL/SFC/APP/01 - Application Boundary dated February 2013

Drawing: FFL/SFC/TS/01 - Tree Survey dated February 2013

Drawing: FFL/SFC/LA/02 - Hedgerow Planting dated February 2013

Drawing: FFL/SFC/LAY/02 - Operational Layout dated January 2014

Drawing: FFL/SFC/BZ/02 - 250m Buffer Zone dated January 2014

Drawing: F.048/2 - Visibility Splays dated April 2014

Drawing: 7.17m Rigid Vehicle Turn dated April 2014

Drawing: F.048/1A - Road Marking Plan dated April 2014

Drawing: TPP-CC/1143 AR2078 Rev.1 - Tree Protection Plan dated February 2014

Document: Sections 1 to 28 of Revised Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement dated February 2014

Document: Appendices 1 to 5 of Revised Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement dated February 2014

Document: Dust Management Section of Construction Management Plan dated November 2013

Document: Noise Management Section of Construction Management Plan dated November 2013

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<sup>33</sup> Refs. MO08/1079 and MO12/0150

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and/or re-enacting that Order with or without modification), no plant, buildings, structures or machinery (other than those expressly authorised by this permission), whether fixed or moveable, shall be stationed, erected, or constructed on the application site without the prior written approval of the County Planning Authority.
3. No more than 10,000 tonnes of green waste shall be imported to the application site per annum. No other types of waste materials shall be imported other than those required to construct the application site. Accurate records of the tonnages of green waste imported to the application site shall be maintained for up to 12 months at any one time and shall be made available to the County Planning Authority upon request.
4. The development hereby permitted shall only operate between 0730 hours to 1800 hours Monday to Friday and 0730 hours to 1330 hours on Saturdays. No working shall be undertaken on Sundays or bank, public or national holidays. No windrow turning, shredding or screening, soil stripping, or importation of green waste shall take place on Saturdays. This condition shall not prevent emergency operations but these are to be notified in writing to the County Planning Authority within 3 working days.
5. No materials associated with the construction of the application site shall be delivered to or accepted at the site outside of 0900 to 1500 hours Monday to Friday and not at all on Saturdays, Sundays, Bank, National or Public Holidays. No vehicles associated with the construction of the application site shall wait on the public highway or at the application site's access before 0900 hours Monday to Friday.
6. The means of access to the application site shall be from Henfold Lane via Mill Road and the A24 only. There shall be no means of vehicular access from Henfold Lane southbound or Blackbrook Road northbound.
7. Vehicles associated with the import of green waste to the Swires Farm site shall enter and leave the site from/to the north and so shall only turn left into the site and right out of the site onto Henfold Lane.
8. There shall be no more than an average of 18 deliveries to the application site per day during the year, which is a total of 36 movements per day, with vehicle delivery movements on any single day not exceeding 100 movements in association with the

import of green waste to the application site. The site operator shall maintain accurate records of the number of delivery vehicles accessing and egressing the site daily for up to 12 months at any one time and shall make these available to the County Planning Authority on request.

9. Vehicles associated with the import of green waste to the application site shall not exceed 7.5 tonnes Gross Vehicle Weight. The site operator shall maintain accurate records of the size of vehicles accessing and egressing the site daily for up to 12 months at any one time and shall make these available to the County Planning Authority on request.
10. Prior to the commencement of the development hereby permitted the proposed modified access off Henfold Lane shall be constructed and provided with visibility zones in accordance drawing number F.048/2. The modified access shall be permanently maintained and the visibility zones shall be kept permanently clear of any obstruction for the duration of the development.
11. Prior to the commencement of the development hereby permitted a highway improvement scheme generally in accordance with drawing number F.048/1A, to provide road markings to guide vehicles through the highest point of the railway bridge, and provide horse warning signs, shall be submitted to the County Planning Authority for approval. The approved details shall be implemented prior to commencement of the development and maintained for the duration of the development as approved.
12. All plant and machinery shall be maintained in accordance with manufacturer's specifications and where reversing signals are used these shall comprise white noise signals as opposed to reversing beepers.
13. All existing hedges and hedgerows shall be retained unless shown on the approved drawings as being removed. All hedges and hedgerows on and immediately adjoining the application site shall be protected from damage for the duration of works on the site. This shall be to the satisfaction of the County Planning Authority and in accordance with the Arboricultural Method Statement prepared by Chalice Consulting dated 10 February 2014. Any parts of hedges or hedgerows removed without the County Planning Authority's consent or which dies or becomes diseased or otherwise damaged within 5 years following completion of the development shall be replaced as soon as is reasonably practicable and in any case not later than the end of the first available planting season with plants of such size and species and in such positions as may be approved in writing by the County Planning Authority.
14. Notwithstanding the details provided on Drawings Refs. FFL.SFC.LAY/02 and FFL.SFC/LA/02, no development shall take place until full details of soft landscape works including planting plans, written specifications (stating cultivation and other operations associated with plant establishment); schedules of plants noting species, plant sizes and proposed numbers, densities and an implementation programme has been submitted to

and approved by the County Planning Authority in writing. The landscape works shall be carried out in accordance with the approved details.

15. No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the County Planning Authority. The schedule shall include details of the arrangements for its implementation. The approved maintenance plan shall be carried out in accordance with the implementation programme.
16. No development shall take place until a surface water drainage scheme for the application site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the County Planning Authority. The drainage strategy should demonstrate the surface water run-off from the undeveloped site following the corresponding rainfall event. The scheme shall also include details of how the scheme shall be maintained and managed after implementation. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed
17. Prior to the commencement of the development hereby permitted the three signs shown on Drawing: FFL/SFC/LA/02 - Hedgerow Planting dated February 2013 shall be erected where the existing agricultural track crosses both public footpath No.222 and public bridleway No.536. These signs shall be maintained at these crossing points for the duration of the development.
18. The location of the compost windrows to be established on the application site shall be in accordance with Drawing: FFL/SFC/LAY/02 and shall not exceed the height of 3m from the operational surface. A height marker shall be erected adjacent to each individual windrow clearly showing this 3m height limit.
19. The development hereby permitted shall not commence until details of the run-off pond have been submitted to and approved in writing by the County Planning Authority. The submitted details shall include profiles and dimensions of the pond and any marginal planting. The details of the pond shall be implemented as approved. No subsequent alterations to the approved pond design are to take place unless first submitted to and approved in writing by the County Planning Authority.
20. Prior to the commencement of the development hereby permitted details of the portacabin style buildings and weighbridge shall be submitted to the County Planning Authority for approval. The details shall include the dimensions and colours of the infrastructure. The details shall be implemented and maintained for the duration of the development as approved.

Reasons:

1. For the avoidance of doubt and in the interests of proper planning.
2. In the interests of local amenity and environment in accordance with Policy DC3 of the Surrey Waste Plan 2008.
3. So as to comply with the terms of the application.
4. So as to comply with the terms of the applicant and in the interests of local amenity and environment in accordance with Policy DC3 of the Surrey Waste Plan 2008.
5. So as to comply with the terms of the applicant and in the interests of local amenity and environment in accordance with Policy DC3 of the Surrey Waste Plan 2008.
6. So that the development does not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy DC3 of the Surrey Waste Plan 2008.
7. So that the development does not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy DC3 of the Surrey Waste Plan 2008.
8. So that the development does not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy DC3 of the Surrey Waste Plan 2008.
9. So that the development does not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy DC3 of the Surrey Waste Plan 2008.
10. So that the development does not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy DC3 of the Surrey Waste Plan 2008.
11. So that the development does not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy DC3 of the Surrey Waste Plan 2008.
12. In the interests of local amenity and environment in accordance with Policy DC3 of the Surrey Waste Plan 2008.



13. In the interests of local amenity and environment in accordance with Policy DC3 of the Surrey Waste Plan 2008.
14. In the interests of local amenity and environment in accordance with Policy DC3 of the Surrey Waste Plan 2008.
15. In the interests of local amenity and environment in accordance with Policy DC3 of the Surrey Waste Plan 2008.
16. So as to prevent the increased risk of flooding, both on and off site in accordance with Policy DC3 of the Surrey Waste Plan 2008.
17. So as to comply with the terms of the application and in the interests of users of the local rights of way in accordance with Policy DC3 of the Surrey Waste Plan 2008.
18. 1So as to comply with the terms of the application and to maintain control over the development in accordance with Policy DC3 of the Surrey Waste Plan 2008.
19. So as to avoid endangering the safe movement of aircraft and the operation of Gatwick Airport through the attraction of birds and an increase in the bird hazard risk of the application site in accordance with Policy DC3 of the Surrey Waste Plan 2008.
20. So as to comply with the terms of the application and to maintain control over the development in accordance with Policy DC3 of the Surrey Waste Plan 2008.

Informatives:

1. The County Planning Authority confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
2. The permission hereby granted shall not be construed as authority to carry out works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a licence must be obtained from the Highway Authority Local Highway Service Group before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see [www.surreycc.gov.uk/people-and-community/emergency-planning-and-communitysafety/flooding-advice](http://www.surreycc.gov.uk/people-and-community/emergency-planning-and-communitysafety/flooding-advice)

3. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels 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).
4. The applicant is advised that Public Bridleway 536 and Public Footpath 222 crosses the application site and it is an offence to obstruct or divert the route of a right of way unless carried out in accordance with appropriate legislation.
5. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or is being built. Planning consent for a development does not provide a defence against prosecution under this Act.

Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive. Trees and scrub are present on the application site and are assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity during this period and shown it is absolutely certain that nesting birds are not present.

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## **CONTACT**

Dustin Lees

### **TEL. NO.**

020 8541 7673

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## **BACKGROUND PAPERS**

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

### **Government Guidance**

The National Planning Policy Framework 2012

Waste Management Plan for England 2013

Planning Policy Statement 10 - Planning for Sustainable Waste Management 2011

Updated national waste planning policy: Planning for sustainable waste management 2013

### **The Development Plan**

Surrey Waste Plan 2008

Saved policies of the Mole Valley Local Plan 2000

Mole Valley Core Strategy 2009

### **Other Documents**

Town and Country Planning Act 1990

Planning and Compulsory Purchase Act 2004

Town and Country Planning (Environmental Impact Assessment) Regulations 2011

Waste (England and Wales) Regulations 2011

Directive 2008/98/EC

Circular 02/99

'The future of Surrey's landscape and woodlands', Surrey County Council, 1997

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