

MINUTES of the meeting of the **PLANNING AND REGULATORY COMMITTEE** held at 10.30 am on 24 September 2014 at Ashcombe Suite, County Hall, Kingston upon Thames, Surrey KT1 2DN.

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

Members Present:

Mr Keith Taylor (Chairman)
Mr Tim Hall (Vice-Chairman)
Mr Ian Beardsmore
Mrs Carol Coleman
Mr Jonathan Essex
Mrs Margaret Hicks
Mr Christian Mahne
Mr Ernest Mallett MBE
Mr Michael Sydney
Mr Richard Wilson

Apologies:

Mrs Natalie Bramhall
Mr George Johnson

91/14 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Natalie Bramhall and George Johnson sent their apologies.
Helena Windsor substituted for George Johnson.

92/14 MINUTES OF THE LAST MEETING [Item 2]

These were agreed as a true record of the last meeting.

93/14 PETITIONS [Item 3]

There were none.

94/14 PUBLIC QUESTION TIME [Item 4]

There were none.

95/14 MEMBERS' QUESTION TIME [Item 5]

There were none.

96/14 DECLARATIONS OF INTERESTS [Item 6]

Ian Beardsmore declared that he had visited a demonstration held at Charlton Lane on Saturday 20 September but had not read the committee papers till the following day, ensuring he had made no pre determination.

97/14 MINERALS AND WASTE APPLICATION SP13/01553/SCC: CHARLTON LANE WASTE MANAGEMENT FACILITY, CHARLTON LANE, SHEPPERTON, SURREY [Item 7]

AN UPDATE SHEET WAS TABLED AND IS ATTACHED AS ANNEX 1 TO THE MINUTES

Declarations of interest:

None

Officers:

Alan Stones, Planning Development Control Team Manager
 Stephen Jenkins, Deputy Planning Development Manager
 Nancy El-Shatoury, Principal Lawyer
 Caroline Smith, Transport Development Planning Team Manager
 Dr John Pullen, Air Quality Consultant A
 Barry Squibb, Noise Consultant

- A letter had also been sent to the monitoring officer from Mr Malcolm Robertson. The Principal Lawyer felt that the concerns raised in the letter had been addressed in the update sheet. Any issues that had not been addressed in the update sheet would be addressed by the monitoring officer in a separate letter to Mr Robertson.

Speakers:

Malcolm Robertson a local resident, made representations in objection to the application. The following points were made,

- Lives in Shepperton and is a member of the Charlton Lane liaison group.
- Explained that a complaint had been forwarded to the monitoring officer in respect of the application.
- The EA (Environment Agency) has found an issue with the site, there has been a breach of the environmental permit which the contractor has not taken account of.
- There has been no mention of a site warning notice which was put up at the site in July 2014.
- Serious questions have arisen around the contractors- these need to be answered before any application can be discussed.

Peter Francis a local resident, made representations in objection to the application. The following points were made,

- Chartered chemical engineer
- Queried if this was a gasifier- the EA draft determination states that the process undertaken is incineration and not gasification.
- The process proposed by the applicant is not a gasifier but rather an incinerator.

- The process undertaken reaches the lowest levels of the waste hierarchy which contributes to global warming.

Brian Catt a local resident, made representations in objection to the application. The following points were made,

- Chartered chemical engineer and physicist
- SCC recognises the role of Ofgem but still has not received their accreditation.
- The committee should wait for accreditation from Ofgem before considering the application before them.
- There are a number of other sites which are more viable than Charlton Lane and would have little impact on residents
- Spelthorne has the worst air quality in Surrey and yet this application is still being considered.

Peter Crews a local resident, made representations in objection to the application. The following points were made,

- There are numerous unknown uncertainties and risks with regards to public health especially if there is an accident at the site.
- Surrey is ultimately responsible for human health and should be looking into the possible impacts.
- Many do not think it is viable to burn this type of fuel using this process.
- The location of the plant is on the green belt and within proximity of three large schools in one of the most densely populated areas of Surrey.

The applicant, SITA UK (Gareth Philips, Head of Planning and Property – South) addressed the Committee and raised the following points;

- Although the EA has its own definition of incineration, the Committee should take account of the legal European definition- SITA has asked the EA to clarify this.
- SITA has made an application to Ofgem for accreditation of the plant- if we believe that this accreditation cannot be met we would not be in the current application process.
- Although new air quality information has been released by Spelthorne BC this does not affect the Environment Impact Assessment. Referring to paragraph 15 of the report the applicant restated that the 'PC's are well below the 1% threshold'
- Due to the poor air quality already existing in Spelthorne we have taken steps to reduce pollution in the area.
- With regards to safety, Members will be aware that at the Bergamo plant in Italy co-existed with a community recycling centre on site.
- The site is part of the Surrey local waste plan and has been signed by all boroughs.
- The Eco park is still a better solution than landfill and will serve northern areas of Surrey.
- It was explained that the Environment Agency (EA) has recently issued an Environmental Permit Draft Decision Notice, which meant

that the EA were 'minded' to grant the Permit but this did not mean the permit would 'definitely be' granted.

The local Member for the area, **Tim Evans** addressed the committee and raised the following points:

- The current application is ill fated and deeply resented by residents.
- The application is in the green belt and there are no very special circumstances to support this.
- There are many safety concerns around this especially as the air quality in the area is already poor.
- The dangers and risks posed to residents should outweigh the very special circumstances.

Key Points raised during the discussion:

1. The Chairman explained that a letter had been distributed to members from Cllr Richard Walsh, a member of an adjoining ward.
2. The report was introduced by the Planning Development Control Team Manager who explained that pages 1-19 of the report referred to new issues that had been raised in the application.
3. The Planning Development Control Team Manager gave a brief history of the site explaining that the current application referred to minor material amendments. At the committee's meeting in March 2014, it was stated that any minor amendments to the application would have to come back to committee. It was explained that a period of over 5 months had elapsed since the committee's resolution in March 2014. The 'Kides test' was therefore relevant as part of ongoing case law. It was noted that Spelthorne Borough Council had drawn attention to new air quality information which it had supplied. The Borough Council regarded this as a new material consideration but the Air Quality Consultant suggested that a decision could not be based on a yearly air quality monitoring results. Both public health and traffic issues had been covered in the report.
4. It was explained that the Secretary of State had not taken into account the Environmental Impact Assessment Regulations 2011 when they decided not to call-in the application. The officer stated that this should not have a bearing on the committee when making their final decision. The Planning Development Control Team Manager stated that there had been concerns around the possible expansion of Heathrow airport and the possible effects on the Eco Park. The committee was reminded that this was only a possibility.
5. The Air Quality Consultant A explained that he worked for RPS and was a chartered scientist and chemist who had been instructed by SCC to provide advice on air quality. With regards to the air quality, he explained that air quality screening criteria had been put in place by the EA, where the process contribution is less than 1% the impacts were considered insignificant.

6. The **Air Quality Consultant B** explained that she had worked in air quality for over ten years. She explained that the variation in air quality over the years is likely to change and no real significance should be taken from results of air quality in one specific year.
7. A Member of the committee queried the very special circumstances that had allowed for this application to be built on the green belt. The Planning Development Control Team Manager stated that paragraph 33 of the report listed all the factors for permitting this application on the green belt. When these factors were considered together they constituted very special circumstances which outweighed harm.
8. It was explained that in a recent judgement on Redhill Aerodrome, the judge stated that the very special circumstances test should only be applied to green belt applications. The Planning Development Control Team Manager explained that this decision would not change anything in the current application as harm had been mitigated under conditions.
9. Recycling rates for both Spelthorne and Surrey were queried. The Cabinet Member for Environment and Planning explained that Spelthorne's target recycling rate stood at 50% and Surrey's target recycling rate stood as 70%. The Cabinet Member for Environment and Planning stated that he would get officers to confirm these figures.
10. It was clarified that conflicts of interest had to be identified before any contract was made with any consultancy group. The Planning Development Control Team Manager was satisfied that there was no conflict of interest with RPS.
11. A member queried what was significant when monitoring air quality levels. The Air Quality Consultant A explained that as air quality levels in each year varied, they could not be considered concrete. Background air quality measurements were checked as part of the assessment with Spelthorne borough council. Results showed a downward trend at the site.

Cllr Margaret Hicks left the room

12. A Member queried why the application in question had to come back to committee. It was explained by the Chairman that the application had come back to committee because of the 'kides protocol' and the fact that a decision from the Secretary of State had elapsed for over a period of 5 months. This was an approach the council had taken with advice from counsel.
13. The Planning Development Control Team Manager explained that the Health and Safety Executive had been consulted and had made no objections to the planning process.
14. A Member of the committee stated that as the application site was in close proximity to London, there was a possibility Charlton Lane would have to take additional HGV trips, leading to more traffic in the area.

15. It was commented that the term 'incinerator' had been used in the update sheet which pointed towards the idea that the plans at Charlton Lane were for an incinerator and not a gasifier.

Cllr Margaret Hicks returned to the room

16. Members were told that risks to health were considered below the standard set by the government. Any effect from air quality pollution from the site would have very little impact on humans.
17. Cllr Hicks asked for the response given to Cllr Mahne on air quality figures to be repeated as she wanted to ensure she had not missed any key information given by officers whilst she was out of the room. The Air Quality Consultant A reiterated that when looking at all the air quality data from Spelthorne, a conclusion on the trends could not be drawn as there was only one data set available for 2012 and 2013. The previous 2 monitoring points used in 2012 and 2013 were remodelled in the air quality assessment with the process contributions being lower, showing a variation from year to year.
18. There was concern that as the area already had bad air quality levels; the target to have all PC's below the 1% threshold was not viable. It was stated that national air quality levels were set by the government who set levels with advice from expert groups. Although setting air quality levels was ever changing, the air quality target had not recently been changed.
19. It was queried why Ofgem had taken still not accredited the Eco park as a gasifier. There was worry that if the committee permitted the application, this would predetermine Ofgem's definition of the application in question.
20. The Planning Development Control Team Manager stated that there were various definitions of what an incinerator was but the committee had to consider the application in front of them. The Planning Development Control Team Manager went onto further state that all the key factors considered for permitting the application were considered significant by officers.
21. A member of the committee reminded everyone that the application in question had been permitted by cabinet and council, rejecting the current application would lead to problems at an appeal hearing. The proposed application also supports Surrey's waste strategy which has been in place for a number of years and is supported by Spelthorne borough council.
22. The Planning Development Control Team Manager supplied the committee with recycling targets for both Spelthorne and Surrey. For Surrey the targets were as follows; 2007-2008(35%), 2011-2012(51%), 2012-2013 (52%). Spelthorne figures were as follows; 2011-2012 (40.4%), 2012/2013 (42.64%), 2013/2014 (41.19%).
23. Members stated the importance of ensuring that strict monitoring arrangements were in place during the life of the plant. It was

explained that the EA would monitor any work under the permit they issued.

24. The Planning Development Control Team Manager clarified that there had been no technological changes to the application since the March 2014 meeting.

25. As part of the waste management policy, some members felt that more needed to be done to address the benefits of recycling.

Actions/Further information to be provided:

None

RESOLVED:

That **MINERALS AND WASTE APPLICATION SP13/01553/SCC: CHARLTON LANE WASTE MANAGEMENT FACILITY, CHARLTON LANE, SHEPPERTON, SURREY** is *PERMITTED* subject to conditions and for reasons set out in the report.

Committee Next Steps:

None

Committee adjourned at 1.05pm for lunch and reconvened at 1.45pm.

98/14 MINERALS/WASTE WA/2014/0939: CHIDDINGFOLD STORAGE DEPOT, CHIDDINGFOLD ROAD, DUNSFOLD, GODALMING, SURREY, GU8 4PB [Item 8]

Declarations of interest:

None

Officers:

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

Speakers:

Alison Daniels, a local resident, made representations in objection to the application. The following points were made,

- Shipping containers on the site are not temporary and have been in use since 2012.
- This is a busy site and hence the application to extending opening hours.
- Fence between site and garden does not reduce any noise.

- The forklift movements from the site are having an impact on residential amenity.

Ian McFarlane, a local resident, made representations in objection to the application. The following points were made,

- Containers on site are left permanently open yet the applicant argues containers are required for security reasons.
- The forklift movements from the site are having an impact on residential amenity.
- Asked if containers can be moved further up the yard so they are further away from homes.
- Applicant has not engaged with residents.

The local Member Victoria Young addressed the committee and raised the following points:

- Residents were told that the containers on site were just a temporary construction but have now been told that the applicant wants to make these permanent.
- Noise from the site is having an impact on residents. The containers are very bright which makes them hard to screen.
- During winter, the screening is limited and the fence is not high enough to screen the depot.

Key Points raised during the discussion:

1. The report was introduced by the Deputy Planning Development Manager who explained that permission for this site was granted in 2013. The current application asks for the retention of four storage containers on the site. Objections have been received from both Waverley borough council and Dunsfold parish council. The containers are not visible from resident's gardens unless someone looked over the fence. A condition has been included to paint the containers matte black.
2. A member queried what was being done to stop the impact of noise on residents. The Deputy Planning Development Manager explained that a condition had been put in place with the last application with regards to noise. If there was any breach of this the enforcement team would be made aware.
3. No formal applicant/ resident group had been set up.
4. It was stated that these four containers were not situated in the green belt and were deemed as fit for purpose for the site.
5. Some members queried whether the containers could be insulated with rubber to reduce the noise impacts.
6. It was felt that more needed to be done to mitigate noise issues yet it was recognised that the committee did not have many grounds to refuse the application.

7. Members discussed the possibility of deferring the application on the grounds of possible relocation of the containers, an additional noise condition and noise mitigation measures to also be included as part of the application.

Actions/Further information to be provided:

None

RESOLVED:

That application **MINERALS/WASTE WA/2014/0939: CHIDDINGFOLD STORAGE DEPOT, CHIDDINGFOLD ROAD, DUNSFOLD, GODALMING, SURREY, GU8 4PB** is **DEFERRED**.

- The committee has asked for the applicant to look at the possibility of relocating the four containers, including an additional noise condition and noise mitigation measures as part of the application.

99/14 SURREY COUNTY COUNCIL PROPOSAL EL/2014/2424 : LAND AT ST ALBANS CATHOLIC PRIMARY SCHOOL, BEAUCHAMP ROAD, EAST MOLESEY, SURREY KT8 2PG [Item 9]

AN UPDATE SHEET WAS TABLED AND IS ATTACHED AS ANNEX 2 TO THE MINUTES

Declarations of interest:

None

Officers:

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

Speakers:

Anne Dunne, a local resident, made representations in objection to the application. The following points were made,

- Lives and works in the house of prayer in East Molesey- the house of prayer gives people the opportunity to reflect on life. A retreat programme is also provided for the public.
- Objecting on the grounds of noise and flood lighting.
- Asked if it was possible to reconsider the location of this new build to another area of the school site.
- Supports the principle of additional school places but feels this will impact the house of prayer.

Sarah Prime speaking on behalf of Sister Melanie Kingston, a local resident, made representations in objection to the application. The following points were made,

- Do not object to the need for school places but the new site is very close to the south boundary of the house of prayer.
- Issues of noise and lighting may lead to the cancellation of annual programmes held at the house of prayer.
- Asked if the building could be erected on the central school site instead.

Key Points raised during the discussion:

1. The report was briefly introduced by the Deputy Planning Development Manager who explained that the existing school is closer to the house of prayer than the new proposed building. The application is for a two story block to replace a double demountable. The new build does not encroach on the existing playing field. There has been no objection from the county noise consultant but a noise condition has been included as part of the application.
2. A member of the committee queried whether Sports England had been consulted on the build. It was explained that as there was 'no practical loss' of the playing field Sports England did not need to be consulted.
3. A member of the committee queried whether enough attention had been given to car parking. The Chairman explained that car parking had not been raised as a concern by members of the public.
4. The design of lighting on the site has been considered acceptable by officers.
5. Members queried whether an additional condition not to carry out any work on weekends could be included as part of the application. Some members asked if it was possible to include a condition to restrict use of the new building to weekdays only. It was commented that putting in restrictions on building use on the weekend was negative and any changes should be discussed between the school and house of prayer.

Actions/Further information to be provided:

None

RESOLVED:

That pursuant to Regulation 3 of the Town and Country planning general regulations 1992, application no. **SURREY COUNTY COUNCIL PROPOSAL EL/2014/2424 : LAND AT ST ALBANS CATHOLIC PRIMARY SCHOOL, BEAUCHAMP ROAD, EAST MOLESEY, SURREY KT8 2PG** is **PERMITTED** subject to conditions and for reasons set out in the report and for the amendment of Condition 3 to prohibit any construction activities during the weekend.

Committee Next Steps:

None

Cllr Mahne left the meeting

100/14 SURREY COUNTY COUNCIL PROPOSAL MO/2014/0778/SCC: LAND AT ST PETERS CATHOLIC PRIMARY SCHOOL, GRANGE ROAD, LEATHERHEAD, SURREY KT22 7JN [Item 10]

AN UPDATE SHEET WAS TABLED AND IS ATTACHED AS ANNEX 3 TO THE MINUTES

Declarations of interest:

None

Officers:

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

Speakers:

The local Member Chris Townsend addressed the committee and raised the following points:

- Not against the principal of expansion of schools as there is a necessity for additional school places.
- Concerns are around the mitigation measures put in place by Highways especially on Grange road.
- People are already parking on yellow lines. More needs to be done to improve the highways issues in the area.

Key Points raised during the discussion:

1. The report was introduced by the Deputy Planning Development Manager who explained that the new brick construction is in the green belt and to the west of Ashted. Three letters of representation have been received with regards to highway impacts.
2. The Transport Development Planning Team Manager explained that the mitigation measures put in place were limited because of the structure of the land around the school.
3. It was explained that St Andrews School which was in close proximity to St Peters did not have a school travel plan in place.

4. It was explained that the highways team planned to widen the footways so measures could be taken for parking on the verge. Widening the footway would also provide safety for pedestrians.
5. 48% of pupils coming to this school did so by car, there was therefore scope to reduce the impact of cars.
6. The Transport Development Planning Team Manager explained that rather than putting posts on the grass verges the local highways teams would lower the kerbs.
7. The committee recognised that the expansion of schools in the Ashted area would create road safety issues.

Actions/Further information to be provided:

For the committee to receive a private session on which consultees are consulted during the planning process.

RESOLVED:

That That pursuant to Regulation 3 of the Town and Country planning general regulations 1992, application no. **SURREY COUNTY COUNCIL PROPOSAL MO/2014/0778/SCC: LAND AT ST PETERS CATHOLIC PRIMARY SCHOOL, GRANGE ROAD, LEATHERHEAD, SURREY KT22 7JN** is **PERMITTED** subject to conditions and for reasons set out in the report and the following additional informative.

- That the school is encouraged to establish a joint road safety group in collaboration with other local schools.

Committee Next Steps:

None

101/14 DATE OF NEXT MEETING [Item 11]

The next meeting will be held on 15 October 2014.

Meeting closed at 3.30pm

Chairman

UPDATE SHEET TO AGENDA ITEM 7

Planning and Regulatory Committee 24 September 2014

Minerals and Waste Application: SP13/01553/SCC

Site: Charlton Lane Waste Management Facility, Charlton Lane, Shepperton, Surrey

Application: Changes to the planning conditions attached to the Charlton Lane Eco Park planning permission (Ref: SP10/0947, dated 15 March 2012) in order to incorporate minor material amendments to the approved scheme comprising a revised gasification technology, 3 new sub stations, other minor material amendments to the layout, buildings, structures and ancillary elements of the scheme, and a minor reduction in the tonnage of waste that would be managed at the site.

Please note the Committee Report should be amended/corrected as follows:

Public Right of Way (PROW) Diversion Order and Public Inquiry

The Inspector's decision was issued on 19 March 2014, agreeing the PROW Diversion Order.

Paragraph 31, Summary of publicity undertaken and key issues raised by public

Since the attached Report was published, the County Planning Authority (CPA) has received further representations in response to this application. As at 23 September 2014, the CPA has received some 203 total representations to this application. The following new points have been raised:

- *The Secretary of State admitted that they had not taken into account the Environmental Impact Assessment Regulations 2011 when they decided not to call-in the application;*
- *The Environment Agency (EA) served a Site Warning Notice to the operators of Charlton Lane following complaints from residents; this shows the operators cannot be relied upon to run an incinerator – such retrospective policing by the EA is too dangerous for residents*
- *SITA's Environmental Permit application to the EA requests acceptance of food waste from businesses such as Heathrow, which is not a 'local trader'; and requests the ability to incinerate waste that is classed as Category 1 meaning "meat from a carcass or body parts from an animal that was suspected of being infected by a notifiable disease"*
- *There are plans to build an incinerator in Stanwell in close proximity to the site*

Officer's note on points raised:

The National Planning Casework Unit's letter dated 6 August 2014, which is included as Appendix C to the attached Report, states: *"In considering whether to exercise the discretion to call in the application, the Secretary of State has not considered the matter of whether the application is EIA Development for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The local planning authority responsible for determining these applications remains the relevant authority responsible for considering whether these Regulations apply to these proposed developments and, if so, for ensuring that the requirements of the Regulations are complied with."* The 17 March 2014 P&RC Report makes clear at paragraphs 74 and 120 that this application is EIA development.

In respect of the EA's Site Warning Notice, Officers were sent a copy of a letter from the EA to residents dated 10 September 2014, which states: *"In total between the 18th and 20th July 2014 we received 18 complaints from local residents about flies and odour in their properties. In their reports, they suggested that the source was the nearby Charlton Lane Eco Park. Environment Agency Officers visited the site the same afternoon Page 13 conducted a detailed inspection of the activities on*

site. They visited the site again on Saturday the 19th, Sunday the 20th and Friday the 25th of July...A report of our visit was issued to SITA Surrey Ltd, formally recording our findings on the 22nd of July with deadlines to ensure that the improvement works would be completed to a high standard before Friday the 25th of July. This was achieved with the company providing emails and photographs of the completed works before the deadline. A Site Warning was issued to the company following these complaints and we have required numerous improvements to the company's operating procedures to ensure this will not happen again. If the company fails to use the procedures in the future then we will not hesitate to increase our enforcement response to secure the improvements or suspend the activities on site."

As set out at paragraph 313 of the 17 March 2014 P&RC Report, the applicant will need to secure a modified permit from the EA in addition to planning permission to operate the Eco Park facility, and preventing harm to health and the environment from emissions is the main purpose of the permitting process. A permit will only be granted if the facility can show it is using the Best Available Techniques to control emissions; and it is to be assumed, in accordance with Planning Policy Statement 10 paragraph 27, that "*the relevant pollution control regime will be properly applied and enforced*", i.e. that the EA will police the facility to ensure effective control continues. National Planning Policy Framework (NPPF) paragraph 122 also states that local planning authorities should focus on whether a development itself is an acceptable use of land rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes, and should assume these regimes will operate effectively. Emissions from thermal waste treatment facilities will be checked, by a multilayered regime of monitoring, to ensure releases are in compliance with the limit values. Officers consider that the EA's recent action to secure improvements at the Charlton Lane site, following their investigation of complaints by residents, demonstrates that the EA's monitoring of the Charlton Lane site is being undertaken effectively with residents being kept readily informed. Officers do not consider that there is any substantial basis for lack of trust or confidence in the permitting regime for the proposed Eco Park.

With reference to the acceptance of commercial waste from Heathrow, the 17 March 2014 P&RC Report makes clear at paragraph 148 that the Anaerobic Digestion facility would provide in County treatment of organic food waste, initially from the Municipal Waste stream only, though that this is likely to be expanded to include some commercial food wastes as further facilities are developed in the southern part of Surrey. The issue of food waste categories arose during the EA's consultation on the Environmental Permit Draft Decision because Heathrow Airport was considered by the applicant as a commercial source of food waste. Such food waste would include 'Category 3' food waste from Airport restaurants (the same category as municipal food waste from kerbside collections) whereas food waste from planes would have an international source and therefore deemed 'Category 1' because its exact origin is not known. Nevertheless, on 17 September 2014 the CPA received confirmation from the EA that the acceptance of 'Category 1' food waste had been removed from the Environmental Permit Draft Decision, following a request by the applicant.

In respect of the Stanwell incinerator plans, one of the options to expand Heathrow Airport (if a runway extension is chosen/agreed rather than alternative solutions) could result in the Colnbrook EfW facility needing to be relocated, with a site in Stanwell identified by Heathrow Airport's consultants. Officers note that no final decision has been made about expansion of Heathrow. Officers consider that the possible relocation of the Colnbrook facility to an alternative site not benefitting from planning permission, following a decision to expand Heathrow Airport yet to be made, would not constitute a material change in circumstances since 17 March 2014. Officers confirm that no further points which they consider to be material have been raised since the publication of the attached Report.

Case law: In respect of the 'Redhill Aerodrome' Judgment referred to in paragraphs 29-30 of the attached report, this case will now be considered in the Court of Appeal in early October 2014. Officers consider that should the Court of Appeal reverse the earlier Judgment, i.e. that non Green Belt harm would be '*any other harm*' within NPPF paragraph 88, this would not amount to a circumstance that alters the conclusions of the 17 March 2014 P&RC Report.

Planning & Regulatory Committee 24 September 2014

Item No 9

2

UPDATE SHEET**SURREY COUNTY COUNCIL PROPOSAL EL2014/2424****DISTRICT(S)** ELMBRIDGE BOROUGH COUNCIL**Land at St Albans Catholic Primary School, Beauchamp Road, East Molesey, Surrey
KT8 2PG**

Construction of a two storey, 8 classroom detached teaching block with associated hard standing, following demolition of existing double demountable building; provision of PV panels on south facing area of existing small teaching block; alterations to internal fencing; widened access for emergency vehicles; provision of external canopy to south east of existing main building; increase in cycle/scooter parking.

Amending Documents

Add:

Email from agent dated 04/09/14 and attached drawing 14-1-1044 NPS-A1-00-PL E-021 rev. T1

Revised Environmental Noise Survey received 02/09/14

Para 37

Add:

'External Lighting

The applicant has provided updated proposals for external lighting of the proposed building, comprising wall mounted hooded downlighters. Some are for routine lighting, proposed to be controlled by timers and photocells, and be timed to switch off at 8pm. Others would be emergency lighting only. One downlighter of each type are proposed on the north elevation of the new building. Officers consider that given the design of the proposed lighting and the nature of the nearby boundary screen, external lighting will not give rise to significant adverse impact on amenity."

Condition 2

Add:

14-1-1044 NPS-A1-00-PL E-021 rev. T1 Proposed Lighting Layout, dated 29/08/14

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UPDATE SHEET

SURREY COUNTY COUNCIL PROPOSAL MO/2014/0778/SCC

DISTRICT(S) MOLE VALLEY DISTRICT COUNCIL

Land at St Peters Catholic Primary School, Grange Road, Leatherhead, Surrey KT22 7JN.

Construction of new classroom block comprising six classrooms and WCs.

ILLUSTRATIVE MATERIAL

Site Photographs

Fig 1 – Site of Proposed Extension looking south

Fig 2 – Site of Proposed Extension looking south west

Fig 3 – site of extension and playing fields looking west from school playground

RECOMMENDATION

Amend wording of part (d) of condition 7 to read:

7.

(d) the widening of the pedestrian access to Linden Pit Path and measures to actively encourage parents to congregate and wait within the school site;

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