

TO: PLANNING & REGULATORY COMMITTEE **DATE:** 22 February 2017
BY: PLANNING DEVELOPMENT TEAM MANAGER
DISTRICT(S) REIGATE & BANSTEAD BOROUGH **ELECTORAL DIVISION(S):**
 COUNCIL Redhill East
 TANDRIDGE DISTRICT COUNCIL Mr Essex
 Godstone
 Mrs Windsor

PURPOSE: FOR DECISION **GRID REF:** 529253 150365

TITLE: MINERALS/WASTE RE16/02710/CON

SUMMARY REPORT

Land at Patteson Court Landfill, Cormongers Lane, Redhill, Surrey RH1 4ER

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

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

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

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

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

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

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

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

The recommendation is to PERMIT subject to conditions.

APPLICATION DETAILS

Applicant

Biffa Waste Services Ltd

Date application valid

11 November 2016

Period for Determination

10 February 2017

Amending Documents

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

SUMMARY OF PLANNING ISSUES

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

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

ILLUSTRATIVE MATERIAL

Aerial Photographs

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

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

Site Plan

Plan 1

Site Photographs

Photograph 1: Existing weighbridge – looking eastwards

Photograph 2: Existing weighbridge in use – looking eastwards

Photograph 3: Existing overspill car parking area

Photograph 4: Existing hedgerow

Photograph 5: Proposed maintenance area

Photograph 6: Proposed car park area

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

BACKGROUND

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

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

Planning History

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

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

THE PROPOSAL

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

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

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

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

CONSULTATIONS AND PUBLICITY

District Council

11. Reigate & Banstead Borough Council : No comments received

Consultees (Statutory and Non-Statutory)

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

Officer comment: the species mix has been amended.

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

Parish/Town Council and Amenity Groups

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

Summary of publicity undertaken and key issues raised by public

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

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

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

PLANNING CONSIDERATIONS

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

HIGHWAYS AND TRAFFIC

Surrey Waste Plan 2008

Policy DC3 – General Considerations

Reigate and Banstead Borough Core Strategy 2014

Policy CS17 – Travel options and accessibility

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

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

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

Need for the proposal

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

Comments raised by Nutfield Parish Council

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

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

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

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

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

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

ENVIRONMENT AND AMENITY

Surrey Waste Plan 2008

Policy DC3 – General Considerations

Reigate and Banstead Borough Core Strategy 2014

Policy CS1 – Presumption in favour of sustainable development

Policy CS2 – Valued landscapes and the natural environment

Policy CS10 – Sustainable development

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

Landscape and Visual Impact

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

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

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

The Hedgerow – biodiversity and wildlife

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

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

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

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

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

Noise

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

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

Surface Water Drainage

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

GREEN BELT

Surrey Minerals Plan 2011

Policy MC17 – Restoring mineral workings

Surrey Waste Plan 2008

Policy CW6 – Development in the Green Belt

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

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

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

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

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

Restoration

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

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

HUMAN RIGHTS IMPLICATIONS

82. The Human Rights Act Guidance for Interpretation, found at the end of this report, is expressly incorporated into this report and must be read in conjunction with the following paragraph.
83. In this case, Officer's view is that the level of such impact should not be significantly different to the existing landfilling activities and are not considered sufficient to engage Article 8 or Article 1 of Protocol 1. Any impact can be mitigated by conditions. As such, this proposal is not considered to interfere with any convention rights.

CONCLUSION

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

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

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

RECOMMENDATION

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

Conditions:

Approved Plans

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

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

Commencement

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

Duration

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

Hours of Operation

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

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

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

Noise

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

Ecological Matters

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

Surface Water Drainage

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

Reasons:

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

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

Informatives:

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

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

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

CONTACT

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BACKGROUND PAPERS

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

Government Guidance

[National Planning Policy Framework 2012](#)

[Planning Practice Guidance](#)

The Development Plan

[Surrey Waste Plan 2008](#)

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

Reigate and Banstead Borough Core Strategy 2014
