

TO: PLANNING & REGULATORY COMMITTEE**DATE:** MARCH 2017**BY:** PLANNING DEVELOPMENT TEAM MANAGER**DISTRICT(S)** WOKING BOROUGH COUNCIL**ELECTORAL DIVISION(S):**

Woking South

Mr Forster

PURPOSE: FOR DECISION**GRID REF:** 500315 154358

TITLE: WASTE REF. WO/2017/0102

SUMMARY REPORT**Elm Nursery, Sutton Green Road, Sutton Green, Guildford, Surrey GU4 7QD**

Details of a mitigation scheme to reduce and manage noise from the use of the wood chipper; a scheme for disposing of surface water; mature native planting of local provenance across the full extent of the eastern boundary of the application site; and the colours to be used on the external surfaces of all new structures to be constructed on the application site, submitted pursuant to Conditions 8, 11, 13 and 14 of planning permission ref: WO/2015/0605 dated 18 August 2016.

Officers consider that the details submitted by the applicant pursuant to conditions 8, 11, 13 and 14 of planning permission Ref. WO/2015/0605 dated 18 August 2016 meet the respective requirements of those conditions.

Woking Borough Council, the County Planning Authority's Noise Consultant, and Surrey County Council's Landscape Architect have not raised objection to the details submitted. Concerns raised by interested parties, including the Sutton Green Association, have been considered by Officers in throughout this report.

The recommendation is to APPROVE the details submitted by the applicant pursuant to conditions 8, 11, 13 and 14 of planning permission Ref. WO/2015/0605 dated 18 August 2016 subject to informatives.

APPLICATION DETAILS***Applicant***

Redwood Tree Services

Date application valid

9 January 2017

Period for Determination

29 March 2017

Amending Documents

Letter dated 4 February 2017 from Redwood Tree Services
Revised Elm Nursery Site Plan received 4 February 2017

Email dated 20 February 2017 from Redwood Tree Services confirming amended chipping notification procedures

Email dated 20 February 2017 from Redwood Tree Services confirming the 'RAL colour chart' colour to be used on external surfaces of new structures

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 details in accordance with the relevant condition?	Paragraphs in the report where this has been discussed
Condition 8	Yes	25 - 37
Condition 11	Yes	38 - 45
Condition 13	Yes	46 - 59
Condition 14	Yes	60 - 66

ILLUSTRATIVE MATERIAL

Site Plan

Drawing Ref. 301501-001 Site Layout for Barn and associated structures Issue C dated 19 April 2016

Drawing Ref. Elm Nursery Site Plan received 4 February 2017

Drawing Ref. Proposed Soakaway Location received 6 December 2017

Aerial Photographs

Aerial 1 – Elm Nursery

Aerial 2 – Elm Nursery

BACKGROUND

Application Site Description

1. The relevant application site measures some 0.39ha¹ and forms part of Elm Nursery ('the nursery') which in itself comprises an area of approximately 3.1ha.
2. The nursery includes various buildings, structures and land-uses including several large poly-tunnels, a large greenhouse, a farm shop² with a small cafe³, a petting zoo, a number of demountable buildings, a car-park for some 30 to 40 cars, and a dwelling belonging to the landowner(s). During the school term-time children from the local privately owned Willow's Forest School visit the nursery for outdoor-play activities. The nursery also houses a number of activities and events including car boot fares, dog training and self-defence classes. It is well defined and enclosed by established planting along its boundaries. There are a number of blocks of established planting within the nursery including directly north⁴ and north-west of the application site⁵. The land surrounding the nursery is primarily used for agricultural and residential purposes. The nursery itself is bounded by agricultural fields to the north, a dwelling and its curtilage to

¹ Including the access track to and from Sutton Green Road

² Which has been operation since 1982

³ Uses Classes A1 (shop) and A3 (café) respectively

⁴ A band of coniferous trees

⁵ Mixed woodland coppice

the east, Sutton Green Road to the south, and an agricultural field with associated buildings to the west with Whitmoor House beyond⁶.

3. The application site is located on the northern-half of the nursery adjacent to its eastern boundary which is shared, along with several other buildings and structures associated with the nursery, with the residential curtilage of Sutton Ridge House. There is an established hedgerow which in some places reaches 2.3m in height between the application site and the adjacent residential curtilage. Sutton Ridge House is some 65m from the south-eastern corner of the application site. Public footpath No. 38, agricultural fields and Tadpole House⁷ lie beyond this dwelling to the east.
4. The application site is not subject to any international, European, national or local designations with reference to flooding, nature conservation, landscape or heritage. However it does sit adjacent to the north-western corner of the Sutton Park Conservation Area and Sutton Green Road, from which vehicular access to the application site is gained, is at 'high' risk of surface water flooding.

Planning Permission Ref. WO/2015/0605

5. In August 2016 Surrey County Council's Planning and Regulatory Committee resolved to grant planning permission Ref. WO/2015/0605 ('the planning permission') subject to conditions. This consent allows for the application site to be used for the importation, storage, processing and transfer of no more than 1,000 tonnes of wood waste for biofuel per annum⁸. It also allows for the erection of a building to facilitate the chipping of wood and for associated storage and welfare facilities.
6. The development subject to the planning permission is illustrated on approved Drawing Ref. 301501-001 Site Layout for Barn and associated structures Issue C dated 19 April 2016.
7. The building to be erected measures some 44m (length) x 9.2m (width) x 5.5m (height to the ridge) together with a connected concrete storage pit measuring some 9.3m (length) x 9.2m (width) x 2m (height). The building and storage pit are some 7m from the boundary between Elm Nursery and Sutton Ridge House.
8. The building, which would have a floor area of some 404m², is to be used for the chipping of wood; the storage of arboricultural vehicles, equipment and wood chip; a workshop; and welfare facilities for staff. The building and storage pit are to be bolted to reinforced concrete foundations so that the above-ground structures can be dismantled and moved if necessary. The chipping area within the building would include measures to mitigate noise arising from chipping operations. The building has also been designed to collect and manage surface water by way of a 5,000 litre water butt/tank for re-use in the welfare facility proposed⁹ and the wider nursery for cultivation. A soak away is also intended to be constructed so as to facilitate the dispersal of any surface water over-flow.¹⁰
9. The development is to operate on Monday to Friday from 0800 hours to 1700 hours and on Saturday from 0800 hours to 1300 hours. No working is permitted on Sundays or

⁶ Some 270m distant

⁷ Some 185m distant

⁸ See condition 6 of planning permission Ref. WO/2015/0605

⁹ Which is to include a self-recycling septic tank and a toilet

¹⁰ Details of surface water management provided in Drainage Technical Note dated 6 June 2016; letter from Redwood Tree Services dated 6 December 2016; and Drawing Ref. Proposed Soakaway Location received 6 December 2017

Bank, National or Public Holidays.¹¹ However, wood chipping operations can only be undertaken during operational times on Monday to Friday and then for no more than 12-hours per month.¹² Further, the terms of the planning permission require the operator to submit accurate records of monthly wood chipping operations to the County Planning Authority ('CPA') on 1 March and 1 September each year for the duration of the development.

10. In respect of noise the planning permission requires that noise arising from the development, when assessed using BS4142:2014¹³, does not exceed a level of 5dB above the prevailing background sound level during any 1-hour period.¹⁴ The planning permission also requires, within two months of wood chipping operations commencing, that the operator undertake sound monitoring to demonstrate compliance with the aforementioned noise limit.¹⁵ Similarly, the operator would not be able to commence wood splitting operations until it has been demonstrated to the CPA that compliance with the noise limit imposed by the planning permission can be achieved for this specific activity.¹⁶

THE PROPOSAL

11. Planning permission Ref. WO/2015/0605 was granted subject to a range of planning conditions including conditions 8, 11, 13 and 14. These conditions require details to be submitted to the CPA for approval.

12. The relevant conditions are as follows:

Condition 8 No wood chipping shall take place and no building shall be constructed until details of the mitigation scheme to reduce and manage the noise from the use of the wood chipper, including:

- (a) the concrete structure that will be erected;
- (b) the operating location of the wood chipper in relation to this structure;
- (c) the period of notice to be given to neighbouring properties and the identification of those properties;
- (d) the total number of days operated in any month whether individually or in sequence;

has been submitted to and approved by the County Planning Authority.

Condition 11 Prior to the construction of the building hereby permitted details of a scheme for disposing of surface water by means of a sustainable drainage system shall be submitted to and approved in writing by the County Planning Authority. The drainage scheme should demonstrate the surface water run-off generated up to and including the 1 in 100 year plus climate change critical storm will not exceed the run-off from the existing site following the corresponding rainfall event, and that the proposed infiltration system will not be affected by the ingress of groundwater. The scheme shall be implemented in full in accordance with the approved details for the duration of the development hereby permitted. The submitted details shall provide:

¹¹ See condition 4 of planning permission Ref. WO/2015/0605

¹² See condition 5 of planning permission Ref. WO/2015/0605

¹³ Methods for rating and assessing industrial and commercial sound

¹⁴ See condition 7 of planning permission Ref. WO/2015/0605

¹⁵ See condition 9 of planning permission Ref. WO/2015/0605

¹⁶ See condition 10 of planning permission Ref. WO/2015/0605

- (a) information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site through SuDS and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- (b) calculations demonstrating no on site flooding up to the 1 in 30 storm event and any flooding between the 1 in 30 and 1 in 100 plus climate change storm event will be safely stored on site ensuring no overland flow routes;
- (c) detailed drainage plans showing where surface water will be accommodated on site.

Condition 13 Notwithstanding the details provided on Drawing Ref. 301501-001 Site Layout for barn and associated structures Issue C dated 19 April 2016, within 3 months of the date of this permission full details of mature native screen planting of local provenance across the full extent of the eastern boundary of the application site shall be submitted to the County Planning Authority for approval. These details to include:

- (a) written specifications stating cultivation and other operations associated with plant establishment;
- (b) schedules of plants detailing species, provenance, sizes and densities;
- (c) implementation and annual maintenance programmes.

The planting shall be carried out in accordance with the approved details in the first available planting season and thereafter maintained for the duration of the development hereby permitted.

Condition 14 Within 3 months of the date of this permission, details (and samples as appropriate) of the colours to be used on the external surfaces of all new structures to be constructed on the application site shall be submitted to the County Planning Authority for approval. The development shall be carried out in accordance with the approved details and there shall be no replacement, or changes to the materials used externally on any structures unless they have been approved in writing in advance by the County Planning Authority.

13. The applicant has submitted details pursuant to the above conditions. These details are discussed in the relevant sections of this report below.

CONSULTATIONS AND PUBLICITY

Consultees (Statutory and Non-Statutory)

- | | | |
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| 14. Woking Borough Council | - | <p>No objection.</p> <p>Condition 8 (noise) – To mitigate noise, paragraph 5.4 of the Noise Assessment report provides the details for the insulated concrete wall required to mitigate noise impact. The site plan submitted does not show which part of the building would be built to the specification stated in the Noise Assessment report or confirm that the noise source would be placed in the position within the insulated concrete wall to mitigate the noise as stated in the Noise Assessment report. In addition the</p> |
|----------------------------|---|--|

application details state that the building is to be demountable so that it can be moved. It is not clear whether the permission would enable this to occur or that the insulated concrete walls required for noise mitigation will similarly be able to be demountable or whether its specification would mean that it required to be constructed as a permanent construction and thus cannot be moved.

Condition 13 (screen planting) – no objection to details submitted.

Condition 14 (external materials) – Given the rural nature of the site a dark green colour for the metal cladding would be acceptable but it is not clear from the submitted details, how dark or bright the proposed green colour would be. It is recommended that a sample of the colour is obtained and only a dark green colour should be approved.

No objection. I have read through the information provided by the applicant in relation to condition 8 of the planning consent for Elm Nursery. We understand that items (a) and (b) have already been provided by the applicant and therefore assume that these remain unchanged. The information in relation to items (c) and (d) are also satisfactory to us. Therefore we have no further comments regarding this application, and are happy for you to discharge planning condition 8 provided the information provided also meets your requirements for planning.

15. Surrey County Council
Environmental Noise
Consultant

The mitigation offered has been designed to reduce noise levels from the wood chipper to a level that would be acceptable for normal operating conditions. Provided that the noise mitigation measures proposed are correctly implemented the noise level should not exceed 5dB above the prevailing background level at the nearest house. Noise monitoring will be required within two months of the commencement of wood chipping under planning condition 9, so in the event that the mitigation does not achieve the criteria required in condition 7, additional mitigation measures would need to be provided at that stage.

The prevailing background sound level that was used by Meyer Brown (the applicant's noise consultant) in the assessment was 42 dB LA90, 1hr at the nearest property. We are satisfied that this was a suitable representative level for the proposed operating hours, so this would be acceptable unless there are specific changes in the area and re-monitoring is warranted. However, in the event that a complaint originates, either from the nearest property or another property, then consideration should be given to whether any further baseline monitoring should be required.

16. Surrey County Council

- No objection to the landscape proposals. Juniper

Landscape Architect

Green RAL 160 2010 BS12B29 is the same dark green colour that is being used at the Bletchingley Well site (Kings Farm) and is acceptable.

17. Woking Borough Council
Drainage and Flood Risk
Engineer

- No objection. The information submitted is sufficient to recommend discharge.

**Parish/Town Council and
Amenity Groups**

Condition 8 sets out 4 items to be included in the submission. These are only examples and not the sole requirements so further details of a mitigation scheme must also be submitted.

The September 2015 Meyer Brown report is based on a different structure to that shown on Drawing Ref. 301501-001 Site Layout for Barn and associated structures Issue C dated 19 April 2016. Therefore the applicant has failed to submit a noise mitigation scheme in relation to the approved drawing.

Drawing Ref. 301501-001 Site Layout for Barn and associated structures Issue C dated 19 April 2016 fails to include any details of the construction of the eastern face of the wood chipping bay.

The height of the panels on the northern face of the wood chipping bay only 'sums' to 4m and Drawing Ref. 301501-001 Site Layout for Barn and associated structures Issue C dated 19 April 2016 shows no insulation to these panels.

18. Sutton Green Association

- SGA would suggest that the eastern face of the wood chipping bay and the eastern and southern faces of the 'chip area' are built to the same standard and height as the northern face of the wood chipping bay so as to provide the 'quasi' 'U' shape with insulated concrete walls as described in Section 5.4 of the September 2015 Meyer Brown report.

SGA would also suggest that noise insulation is required on the inside faces of all of the concrete walls in both the wood chipping bay and 'chip area'.

Given the proximity of live stock in the adjacent fields, a notice period of at least 48 hours prior to commencement of chipping should be given in the form of a notice on the gates of Elm Nursery, an email to the properties adjacent namely Sutton Ridge House and Tadpole and also to Sutton Green Association.

The applicant confirms 12 hours of chipping per month in total over a period of 1.5 working days. The days used for chipping will not be back to back. The

applicant is building a substantial covered storage area for wood chip and therefore there is no need for such a period of continuous operation which in any event would be very disruptive for livestock in the adjacent fields as well as the business of Elm Nursery, the Farm Shop, the Children's Farm, Elm Kitchen Café and the Forest School. SGA would suggest that wood chipping be limited to no more than 12 hours per month over 1.33 consecutive days (i.e. back to back) in that month with no carry over into the next month.

SGA would suggest that the proposed planting is carried out prior to the site works, is a minimum of 3m high and along the whole site.

Summary of publicity undertaken and key issues raised by public

19. The application was publicised by the posting of two site notices and a total of 33 owner/occupiers of properties within the local area were directly notified by letter and email on 19 January 2017. The revised planting plan was notified to interested parties by letter and email on 8 February 2017. On 21 February 2017 the applicant's confirmation of chipping notification procedures and the 'RAL colour chart' colour was notified to the Borough Council for the purposes of the planning register.
20. The CPA has received 5 representations in relation to the details submitted pursuant to conditions 8, 11, 13, and 14 of planning permission Ref. WO/2015/0605. Some matters raised by interested parties are not relevant to the aforementioned conditions and are therefore not material to the determination of application Ref. WO/2017/0102. Matters relating to the principle of the development granted in August 2016; suggestions to expand the scope of or otherwise amend conditions imposed on planning permission Ref. WO/2015/0605; the positioning of the application site and building; hours of operation; bonfires; the impact of the development on the Green Belt; building regulations; other regulatory bodies; views from private land; alternative sites; the applicant's relationship with the landowner; and rental rates of land in the area cannot and should not be taken into account in determining application Ref. WO/2017/0102.
21. A summary of the material considerations raised by interested parties is provided below:

Condition 8 – Scheme of Noise Mitigation

- Redwood Tree Services letter dated 6 December 2016 states that the barn will be built in accordance with Section 5 of Meyer Brown's Noise Assessment and Management Plan. Section 5.4 of the Management Plan says that the proposed noise mitigation measures include a 4.26m high U-shaped insulated concrete wall with the concrete at least 40mm thick. Drawing Ref. 301501-001 Site Layout for Barn and associated structures Issue C dated 19 April 2016 does not appear to show the wall being 4.26m high but instead a note refers to three panels of 1m height (although the elevation shows 4 panels – still not 4.26m);
- Drawing Ref. 301501-001 Site Layout for Barn and associated structures Issue C dated 19 April 2016 does not show any noise insulation at all. I believe that in order to achieve the sound reduction coefficients referred to in Section 5.7 of Meyer Brown's Management Plan, noise insulation is required on the inside faces of the concrete wall. Such insulation is normally in the form of a proprietary panel of open-textured material which mitigates some of the noise by 'absorbing' it;
- Drawing Ref. 301501-001 Site Layout for Barn and associated structures Issue C dated 19 April 2016 does not set out a proposed mitigation scheme to reduce and manage noise;
- The noise mitigation measures are woefully inadequate;

- Why has Redwood been allowed to have ambiguity in structure height and insulation requirements when noise mitigation is critical?;
- Twenty-four hours' notice is not sufficient as we have horses situated within 20 metres of where the chipping is proposed and no other field is suitable in the winter months. Email notice is preferable;
- In accordance with condition 8 (c) I should be informed, along with residents of Tadpole House and the Sutton Green Association, 48-hours in advance of any chipping operations.

Condition 11 – Surface Water Management

- I do not want an increased flow of water over my garden/land or through our pond, or along Sutton Green Road.

Condition 13 – Screen Planting

- A planned planting strategy to act as a screen should have faster growing natural trees such as hawthorn, blackthorn, hornbeam, rowan, hazel, and some silver birch planted to create an initial 3m wide and 3m high visual barrier as soon as possible, but inter planted with this should be 3m high oak trees which form the long term natural barrier, you only have to look at the hedgerows to see what is the natural habitat, what it is not is Silver Birch which is used as an ornamental tree. The initial planting should be over planting which would through a planned maintenance plan be thinned to allow the longer term natural trees to establish over time. The planting suggested is a common strategy for shielding intrusive development;
- The leylandii trees on the boundary of the application site should not be allowed to grow into trees;
- It is unacceptable to use trees less than 3m in height and plant along a single line as proposed.

PLANNING CONSIDERATIONS

Introduction

22. The guidance on the determination of planning applications contained in the Preamble/Agenda front sheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs.
23. In this case the statutory development plan for consideration of the application consists of the Surrey Waste Plan 2008 ('SWP'), the Woking Core Strategy 2012 ('WCS') and the associated Woking Development Management Policies ('DMP'), and the saved policies of the Woking Borough Local Plan 1999 ('WLP').
24. In considering this application the acceptability of the details submitted will be assessed against relevant conditions and material considerations.

Condition 8 - Scheme of Noise Mitigation

Context

25. This condition, as detailed in paragraph 12 above, was imposed on the planning permission in the interests of local amenity in accordance with Policy DC3 of the SWP. This policy requires consideration of noise impacts from waste development proposals by the provision of appropriate information and that any such impacts should be mitigated where appropriate.
26. Condition 8 requires submission of a scheme to reduce and manage noise arising from wood chipping. The scheme should confirm details of (a) the concrete structure to be

erected; (b) the operating location of the wood chipper in relation to this structure; (c) the period of notice to be given to neighbouring properties and identification of those properties; and (d) the total number of days operated in any one month whether individually or in sequence.

Details Submitted

27. The applicant's 'scheme' comprises Redwood Tree Services letter dated 6 December 2016; approved Drawing Ref. 301501-001 Site Layout for Barn and associated structures Issue C dated 19 April 2016; the Meyer Brown Noise Assessment and Management Plan dated September 2015; and email dated 20 February 2017 from Redwood Tree Services confirming amended chipping notification procedures.
28. The applicant has confirmed that the building to be constructed will be in accordance with the details provided in Section 5 of the Meyer Brown Noise Assessment and Management Plan dated September 2015.
29. The applicant has confirmed that 48-hours prior to any chipping operations: (a) email notification will be provided to the occupiers of Sutton Ridge House and Tadpole House and the Sutton Green Association; and (b) a notice will be placed on the gates of Elm Nursery.
30. The applicant has also confirmed that chipping operations will total no more than 12-hours per month¹⁷ over a period of 1.5 working days (Monday to Friday) and that any such operations would not be 'back-to-back' e.g. chipping would not take place at the end of one particular month and at the beginning of the following month to avoid 3-days of continuous chipping operations.

Evaluation

31. The building proposed has been designed so as to include measures to mitigate noise arising from chipping operations. This mitigation is to be provided by way of a 4cm thick concrete barrier which is to block the transition path of noise before it reaches the three most exposed noise sensitive receptors in the locality¹⁸.
32. The 4.25m high three-sided concrete barrier would comprise the 'U-shaped' chip area as part of the building shown on approved Drawing Ref. 301501-001 Site Layout for Barn and associated structures Issue C dated 19 April 2016. This 'chip area' is clearly labelled on the approved drawing and is shown open to the west and enclosed to the north, east, and south. As a result of its concrete construction the 'chip area' would have a surface density and a sound reduction coefficient ensuring considerable noise reduction. At this stage, no other noise insulation apart from the concrete panels is to be provided. The chipper will be stationed and operated within this 'chip area' with wood chip being fed directly into the enclosed part of the building.
33. Officers have raised the inconsistency of the structure shown in the Meyer Brown Noise Assessment and Management Plan with that shown on approved Drawing Ref. 301501-001 Site Layout for Barn and associated structures Issue C dated 19 April 2016 with the CPA's Noise Consultant. It has been confirmed that the structure modelled in the Meyer Brown Noise Assessment and Management Plan, which could have been better presented in that report, is indeed representative of the concrete barrier or 'chip area' shown on approved Drawing Ref. 301501-001 Site Layout for Barn and associated structures Issue C dated 19 April 2016. Moreover, the CPA's Noise Consultant is

¹⁷ In accordance with condition 5 of planning permission Ref. WO/2015/0605

¹⁸ Sutton Ridge House (some 60m from noise source); Tadpole House (some 190m from noise source);

and on Frog Lane outside of The Olive Tree (some 205m from noise source)

satisfied that the structure shown on approved Drawing Ref. 301501-001 Site Layout for Barn and associated structures Issue C dated 19 April 2016, at a minimum of 4.25m high, would achieve the noise mitigation required. Accordingly, no objection is raised by the CPA's Noise Consultant.

34. The building and storage pit are to be bolted to reinforced concrete foundations so that the above-ground structures can be dismantled and moved if necessary. Officers do not consider that this would have any bearing on the noise mitigation properties of the building. The development permitted by the planning permission is permanent. However, should there no longer a need for the building then its design allows for it to be dismantled and removed from the site relatively easily. Indeed, if there is no longer a need for the building then it is likely that there would be no need to mitigate noise arising from any chipping operations.
35. The applicant's notification procedures are in accordance with the requests of the occupiers of Sutton Ridge House, Tadpole House and the Sutton Green Association. In respect of the frequency of chipping operations, Officers consider a period of 12-hours for 1.5 days over the course of a single month reasonable and proportionate to the nature and scale of the development.
36. Condition 9 of the planning permission requires, within two months of wood chipping operations commencing, that the operator undertake sound monitoring to demonstrate compliance with the noise limit imposed by condition 7 of the same. Should this noise limit not be achieved in respect of chipping operations at this stage of the development then the operator would be required to install additional mitigation measures in order to comply with condition 7.
37. Having regard to the above Officers are satisfied that the details submitted pursuant to condition 8 of planning permission Ref. WO/2015/0605 meet the requirements of that condition.

Condition 11 – Surface Water Management

Context

38. Condition 11 of the planning permission was imposed to ensure that the development achieves a high standard of sustainability and to comply with the National Planning Policy Framework ('the Framework'), Policy DC3 of the SWP and Policy CS9 of the WCS.
39. The Framework asserts that planning plays a key role in helping shape places to minimise vulnerability and providing resilience to the impacts of climate change. It advocates that this is central to achieving sustainable development. The Framework also provides technical guidance on flood risk which replaces Planning Policy Statement 25 – Development and Flood Risk. Paragraph 100 of the Framework states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Paragraph 103 states that when determining planning applications, the CPA should ensure flood risk is not increased elsewhere.
40. Policy DC3 of the SWP is clear that planning permissions for waste related development will be granted provided it can be demonstrated by the provision of appropriate information to support a planning application that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources.

41. Policy CS9 of the WCS explains that the Council will expect development to be in Flood Zone 1 and will require all significant forms of development to incorporate appropriate sustainable drainage systems as part of any proposal. It goes on to state that a Flood Risk Assessment will be required for development proposals within or adjacent to areas at risk of surface water flooding. Moreover, to further reduce the risk from surface water flooding, all new development should work towards mimicking Greenfield run-off situations.

Details Submitted

42. The principle of surface water infiltration as demonstrated by the applicant's Drainage Technical Note dated 6 June 2016 was acceptable to the Borough Council's Flood Risk and Drainage Engineer in August 2016. However, to ensure the adequate performance of the proposed soakaway structure the Borough Council's Flood Risk and Drainage Engineer requested that a minimum 1.0m 'buffer' be provided between the bottom of the proposed soakaway structure and the groundwater table because groundwater was struck at 1.4m below ground level. Accordingly, the soakaway proposed in August 2016 needs to be shallower which would require the surface area of the infiltration device to become larger. Furthermore, the Borough Council's Flood Risk and Drainage Engineer requested that the top of the structure be reinforced due to its shallow nature. Accordingly, condition 11 was imposed on the planning permission as detailed in paragraph 12 above.
43. The applicant's 'scheme' to manage surface water comprises Redwood Tree Services letter dated 6 December 2016, the Drainage Technical Note dated 6 June 2016, and Drawing Ref. Proposed Soakaway Location received 6 December 2017.
44. The applicant has confirmed that the soakaway is to have 1m clear ground between the bottom of the soakaway and the height of the water table by positioning the structure at 0.4m below the ground. The applicant has also confirmed that to mitigate any damage to the soakaway the depth of the blocks to be used have been changed from 500mm to 250mm. This would create a deficit in water volume so in order to address this deficit the soakaway has been increased in width from 2m to 4m. The soakaway now proposed would hold some 19,000 litres of surface water if required.

Evaluation

45. The Borough Council's Flood Risk and Drainage Engineer has confirmed that the information submitted pursuant to condition 11 of the planning permission is sufficient to recommend discharge. Accordingly, Officers are satisfied that the details submitted pursuant to condition 8 of planning permission Ref. WO/2015/0605 meet the requirements of that condition.

Condition 13 – Screen Planting

Context

46. Condition 13 was imposed on the planning permission so as to comply with the terms of planning application Ref. WO/2015/0605 and in the interests of the local environment and amenity in accordance with Policy DC3 of the SWP.
47. Policy DC3 of the SWP states that planning permissions for waste related development will be granted provided it can be demonstrated by the provision of appropriate information to support a planning application that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources.

Details Submitted

48. At the time of seeking planning permission the applicant proposed planting conifers along part of the eastern boundary of the application site to screen the building to be erected from the adjacent curtilage of Sutton Ridge House. However, the County Council's Landscape Architect requested that the proposed planting be replaced with native mature planting of local provenance and that the entire eastern boundary of the application site screened from the adjacent curtilage. It was also requested that the applicant provide details of cultivation and plant establishment; schedules of species, provenance, sizes and densities; and implementation and annual maintenance programmes.
49. The applicant's 'scheme' of screen planting comprises Redwood Tree Services letter dated 6 December 2016 and Drawing Ref. Revised Elm Nursery Site Plan received 4 February 2017.
50. The applicant has confirmed that planting will take place across the full extent of the eastern boundary of the application site as shown on Drawing Ref. Revised Elm Nursery Site Plan received 4 February 2017.
51. The planting is to comprise 29 trees each 2.5m in height planted in single line at 2.5m centres. The tree species to be planted comprise silver birch; hornbeam; hawthorne and rowan which are all native species. The trees to be planted are to be sourced from the local Hagthorne Nursery in West End Woking.
52. A 2m wide and 71m long¹⁹ strip of level soil will be rotovated to aerate following which compost for tree planting and bio-degradable mulch mats will be added prior to planting. Further mulching will take place every year after planting together with formative pruning and watering (with surface water collected from the building) when required. The applicant has also confirmed that dying and diseased trees will be replaced with similar sized species in the next available planting season.
53. The applicant's intention is to undertake the above planting once the building has been constructed so as to avoid any damage to the trees to be planted. It has also been confirmed that the applicant will remove any leylandii trees planted within the application site prior to undertaking the proposed planting.

Evaluation

54. The Sutton Green Association and the occupier of Sutton Ridge House have suggested that any trees planted should be 3m high as opposed to the 2.5m high trees proposed by the applicant. Moreover, the occupier of Sutton Ridge House has gone further and suggested that any planting should form a 3m wide belt across the length of the application site and should comprise a mix of hawthorn, blackthorn, hornbeam, rowan, hazel, silver birch, and oak.
55. It is acknowledged by Officers and SCC's Landscape Architect that that the development is not dissimilar in character to the horticultural activities already occupying Elm Nursery. Moreover, Officers and SCC's Landscape Architect consider that the application site's location, which is set by virtue of planning permission Ref. WO/2015/0605, to the rear of the nursery would limit the visual impact of the development and that any such impact would be seen in the context of the existing commercial nursery activity having regard to the native screen planting proposed.
56. The building to be constructed, and the log storage area, would be some 7m from the boundary between Elm Nursery and Sutton Ridge House. This restricted space would not provide for a 3m wide staggered line of trees to be planted or developed properly.

¹⁹ Along the full extent of the eastern boundary of the application site

Officers consider a single line of properly planted trees at 2.5m centres to be more appropriate in the circumstances. This would provide trees with enough room to develop and grow without restriction and without the possibility of undermining the foundations of the building to be constructed.

57. The applicant has proposed a planting mix of native species comprising silver birch; hornbeam; hawthorn and rowan. The only species favoured by the occupier of Sutton Ridge House which have not been included in the proposed mix are blackthorn and oak. Further, the trees proposed to be planted would be some 0.5m shorter than the height suggested by the Sutton Green Association and the occupier of Sutton Ridge House.
58. However, the applicant's scheme of screen planting satisfies the terms of condition 13. The proposed planting would cover the length of the application site and would comprise a mix of mature native species of local provenance. Appropriate spacing between the trees to be planted would allow for proper growth, development and maintenance. In this regard and taking into account the building which is yet to be constructed Officers and SCC's Landscape Architect consider it reasonable to allow for the proposed planting to take place after the building has been constructed. Adequate details of plant establishment and annual maintenance have been confirmed. The Borough Council have not objected or raised any concerns about the planting proposed. Consequently, Officers and SCC's Landscape Architect consider the planting proposed to be acceptable and reasonable having regard to the nature and scale of the development.
59. Accordingly, Officers are satisfied that the details submitted pursuant to condition 13 of planning permission Ref. WO/2015/0605 meet the requirements of that condition.

Condition 14 – Colour of External Surfaces

Context

60. Condition 14 of the planning permission was imposed in the interests of the local environment and amenity in accordance with Policy DC3 of the SWP.
61. Policy DC3 of the SWP states that planning permissions for waste related development will be granted provided it can be demonstrated by the provision of appropriate information to support a planning application that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources.
62. Condition 14 requires the colours to be used on external surfaces of the building to be constructed to be approved by the CPA.

Details Submitted

63. The details submitted pursuant to condition 14 of the planning permission comprise Redwood Tree Services letter dated 6 December 2016 and email dated 20 February 2017 from Redwood Tree Services confirming the 'RAL colour chart' colour to be used on external surfaces of new structures.
64. The applicant has confirmed that the building to be constructed and storage bunker will be clad in juniper green (RAL Colour Chart Ref. 160 2010 BS12B29) corrugated sheeting. It has also been confirmed that the steel frame of the building to be constructed would also be painted green.

Evaluation

65. The colour proposed to be used on the external surfaces of the building and bunker is acceptable to SCC's Landscape Architect. It is a common colour of agricultural buildings and other structures found in Surrey's countryside. The Borough Council have requested that the CPA ensure the colour to be used is indeed juniper green (RAL Colour Chart Ref. 160 2010 BS12B29).
66. Accordingly, Officers are satisfied that the details submitted pursuant to condition 14 of planning permission Ref. WO/2015/0605 meet the requirements of that condition.

HUMAN RIGHTS IMPLICATIONS

67. The Human Rights Act Guidance for Interpretation, contained in the Preamble to the Agenda is expressly incorporated into this report and must be read in conjunction with the following paragraph.
68. Having regard to the contents of paragraphs 1 to 66 above Officers do not consider that the proposal engages any Convention rights.

CONCLUSION

69. Considering paragraphs 22 to 66 above, Officers consider that the details submitted by the applicant pursuant to conditions 8, 11, 13 and 14 of planning permission Ref. WO/2015/0605 dated 18 August 2016 meet the respective requirements of those conditions.

RECOMMENDATION

70. Accordingly, Officers recommend that the details submitted by the applicant pursuant to conditions 8, 11, 13 and 14 of planning permission Ref. WO/2015/0605 dated 18 August 2016 be **APPROVED** subject to the following informatives:

Informatives:

1. Attention is drawn to the requirements of Sections 7 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the Code of Practice for Access of the Disabled to Buildings (British Standards Institution Code of Practice BS 8300:2009) or any prescribed document replacing that code.
2. This approval relates only to the provisions of the Town and Country Planning Act 1990 and must not be taken to imply or be construed as an approval under the Building Regulations 2000 or for the purposes of any other statutory provision whatsoever.
3. 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

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