TO: PLANNING & REGULATORY COMMITTEE **DATE:** 12 JULY 2017

BY: PLANNING DEVELOPMENT TEAM MANAGER

DISTRICT(S) SPELTHORNE BOROUGH COUNCIL **ELECTORAL DIVISION(S):** Stanwell & Stanwell Moor
Mr Robert Evans

PURPOSE: FOR DECISION **GRID REF:** 505179 174653

TITLE: **STANWELL RECYCLING, STANWELL QUARRY, STANWELL MOOR ROAD, STANWELL, SURREY TW19 6AB - WASTE REF. SP17/00113/SCC**

SUMMARY REPORT

Stanwell Recycling, Stanwell Quarry, Stanwell Moor Road, Stanwell, Surrey TW19 6AB

Retention of an existing recycling operation on a site of some 5.3ha for the processing of construction and demolition waste for the production of restoration materials for use in the former Stanwell Quarry and recycled aggregates for export for a period of 10 years with restoration of the recycling site to agriculture.

Mineral extraction from the quarry has ceased and to date about 1/3 of the quarry has been restored using locally sourced inert waste material. The restored areas include a large area of agricultural land to the east, an area of wetland ecological restoration to the south and further agricultural land in the west adjoining the A3044. However, insufficient restoration soils were retained on site in the initial phases of the quarry working to complete restoration.

Consequently, in order to resolve the shortage of site derived restoration materials planning permission was granted in 2011 by Surrey County Council for a temporary five-year recycling operation on 2.9ha of the quarry for the production of restoration materials and recycled aggregates for export.

The applicant has explained that the recycling operations undertaken at the quarry have been able to recover a significant proportion of material for re-use elsewhere and this has meant that the timetable for restoration of the mineral working has been disrupted. However, since 2011 some 105,000m³ of restoration material has been placed in the quarry void.

A further 115,000m³ of material is required to fully restore the quarry. The existing recycling operation manages 100,000m³ of construction, demolition and excavation waste per annum, of which between 10,000m³ to 15,000m³ residual waste material is generated for use as suitable restoration material. Indigenous restoration material is not available for this purpose and therefore this material needs to be generated on site by way of the proposed aggregate recycling facility or imported to the site from elsewhere which is unlikely to be a more sustainable option given increased travel distances.

Accordingly, the application which is the subject of this report seeks planning permission for the retention of an extended recycling operation within the quarry for an additional period of 10-years so as to generate the necessary volume of restoration material to fully complete restoration of the mineral working. The extant planning permission only allows for one screener and one crusher to process imported construction, demolition and excavation waste, whereas the proposed development would make use of six items of such plant. The application also

9

therefore seeks to regulate the increased area in which the recycling operations take place as a result of increased stockpiles and machinery.

Officers cannot countenance any reason why the quarry should be left unrestored and therefore in a degraded state. Similarly, having regard to the Waste Hierarchy, it would not be sustainable and therefore acceptable to simply dispose of inert waste into the remaining void for the sake of restoration. The applicant has provided a reasonable explanation as to why the previously permitted timetable for restoration has not been achieved, demonstrated why a further 10-year period for completion of restoration works is necessary, and committed to only disposing residual inert waste which could not otherwise be prepared for reuse, recycled or recovered for the purposes of restoration. Additionally, the proposed development is for a temporary period to coincide with the period necessary to complete the restoration of the quarry.

Notwithstanding the above, Officers consider that the existing recycling facility at Stanwell Quarry supports the sustainable waste management policy and objectives for Surrey, the UK and Europe. The overall objective of European and Government policy on sustainable waste management is to protect human health and the environment by producing less waste and by using it as a resource wherever possible. In England, the NPW and WMP seek to reduce dependence on landfill and give priority to more sustainable forms of waste management by moving waste management up the Waste Hierarchy with prevention at the top followed by preparing for reuse, recycling, recovery and last of all disposal. The proposed development seeks to not only contribute to the restoration of the mineral working but it would also recover waste materials for reuse elsewhere.

In this regard SCC's Annual Aggregates Assessment published in December 2016 confirms that the sales of recycled and secondary aggregates have increased annually from 0.25mtpa in 2007 to 0.83mtpa in 2015. The MCS target is for at least 0.8mtpa by 2016 and 0.9mtpa by 2026. The target to produce at least 0.9mtpa by 2026 is likely to prove more challenging as a number of temporary permissions for aggregates recycling on existing mineral workings are due to have expired by 2022 including the recycling operation at Stanwell Quarry. Consequently, should permission be refused for the proposed development the existing contribution the recycling operation at Stanwell Quarry makes to the 0.83mtpa annual sales figure for recycled aggregates would fall away making it much more difficult to achieve the relevant 0.9mtpa target set by the Surrey Minerals Plan Core Strategy 2011.

The proposed development is a temporary use of the land concerned, commensurate with the remaining life of the former quarry, and once restored would preserve the openness of the Green Belt in the long term. As the development is inappropriate development in the Green Belt it can only be permitted as an exception to policy.

Officers consider that factors exist which amount to very special circumstances that clearly outweigh the harm by reason of inappropriateness and loss of openness. These factors comprise: (a) need to maintain the supply of recycled and secondary aggregates in the short term in accordance with the Surrey Minerals Plan Core Strategy 2011; (b) the facilitation of the timely and enhanced restoration of Stanwell Quarry including the long-term management of a 15ha area of the quarry; (c) the lack of suitable alternative non-Green Belt sites in the locality to accommodate the development; and (d) the wider environmental and economic benefits of the sustainable management of waste in accordance with the Waste Hierarchy. In terms of other harm, this has also been assessed throughout this report, and Officers have concluded that there is no other harm, subject to the imposition of conditions.

The recommendation is that planning application Ref. SP17/00113/SCC be PERMITTED subject to conditions.

APPLICATION DETAILS

Applicant

CEMEX UK Operations Limited

Date application valid

13 January 2017

Period for Determination

19 July 2017

Amending Documents

Air Quality Assessment dated June 2017
Drawing Ref. P5/227/8A Revised Restoration and Potential Enhancements dated 29 March 2017

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**
Need for the Recycling Facility	Yes	40 - 60
Environmental and Amenity Considerations	Yes	61 - 121
Metropolitan Green Belt	No	122 - 134

ILLUSTRATIVE MATERIAL

Site Plan

Drawing Ref. P5/227/11 Site Location Plan dated November 2016
Drawing Ref. P5/227/10 Site Layout Plan dated November 2016

Aerial Photographs

Aerial 1 – Stanwell Quarry
Aerial 2 – Stanwell Quarry
Aerial 3 – Stanwell Quarry

Site Photographs

Figure 1 – Site Office and Weighbridge Area
Figure 2 – Vehicle Parking and Maintenance Area
Figure 3 – Typical Recycling Operations 1
Figure 4 – Typical Recycling Operations 2

9

BACKGROUND

Site Description

1. The application site lies within a partly restored 32.3ha sand and gravel quarry to the south of the Southern Perimeter Road which feeds Heathrow Airport. The quarry is located to the east of the A3044 Stanwell Moor Road (with Stanwell Moor beyond), north of Staines and King George VI Reservoirs, and north-west of Stanwell village serviced by Park Road and the High Street. To the east of the quarry is open amenity land beyond which are parts of Stanwell village.

2. The application site measures some 5.3ha and is situated in the central northern area of the quarry, with the Southern Perimeter Road beyond. To the east between the application site and Stanwell village is a part of the quarry which has been restored to agricultural land. To the south and west is the former mineral working undergoing restoration with a mix of water areas and restored land. The nearest residential properties to the application site lie over 300m to the south[1] and some 350m to the east[2].

3. The application site is located on land designated Metropolitan Green Belt. Both Staines and King George VI Reservoirs are designated Ramsar Sites[3] and a Special Protection Area (SPA). The reservoirs also form part of the Staines Moor Site of Special Scientific Interest (SSSI)[4]. Moreover, there are two small Sites of Nature Conservation Importance (SNCI) within the quarry[5]- one in the north-west corner and the other in south-west corner. The southern SNCI lies within an area of the quarry that has been largely unworked.

4. The Stanwell Conservation Area is located to the south-east of the quarry at a distance of about 150m but with intervening urban development including Heathrow Airport car parking services. Within this Conservation Area are a number of listed buildings. There are further Heritage Assets within and in close proximity to the boundary of the quarry including the Grade II Listed Gate piers and Gates to Stanwell Place[6] and the remnants of the formal gardens of Stanwell Place[7]. Moreover, a 0.85ha strip of land along the southern boundary of the quarry parallel with Gibson Place and Park Road is designated as an Area of High Archaeological Potential.

5. A group of trees on the western boundary of the quarry is covered by Tree Preservation Orders and reflect the site's parkland garden past. An existing public footpath (Ref. FP4) and cycleway run along the southern boundary of the quarry from Stanwell Moor Road to Park Road. The application site is within Flood Zone 1[8].

Planning History

6. Permission to extract gravel from the land concerned was allowed on appeal in 1964[9]. In 1967 permission was granted for an extension of the quarry to the north[10] and in 1971 on appeal for a second area to the south[11].

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[1] Park Road
[2] Russell Drive/Lowlands Drive
[3] Ramsar sites are wetlands of international importance designated under the Ramsar Convention
[4] Staines Moor represents the largest area of alluvial meadows in Surrey and supports a rich flora while the reservoirs hold nationally important populations of wintering wildfowl. A pond at the site carries an aquatic flora which is of national importance; this flora includes one plant which is extremely rare in Britain
[5] Mosaic of gravel pits and ditches supporting a range of marginal vegetation including fen
[6] Historic Environment Record Ref. 10752
[7] Historic Environment Record Ref. 15237
[8] Land with the lowest probability of flooding
[9] Consent Ref. STA 16/3
[10] Consent Ref. STA 9191
[11] Consent Ref. STA 11250

7. Mineral extraction from the quarry has ceased and to date about 1/3 of the quarry has been restored using locally sourced inert waste material. The restored areas include a large area of agricultural land to the east, an area of wetland ecological restoration to the south and further agricultural land in the west adjoining the A3044. However, insufficient restoration soils were retained on site in the initial phases of the quarry to complete restoration.
8. Consequently, in order to resolve the shortage of site derived restoration materials planning permission was granted in 2011 by Surrey County Council (SCC) for a temporary five-year recycling operation on 2.9ha of the quarry for the production of restoration materials and recycled aggregates for export[12].

9. The recycling operation was permitted at the same time as amended details of restoration were approved by SCC in 2011 which provided for an enhanced final landscape[13]. This permission requires that restoration of the quarry be completed by 26 October 2017, and is tied into a Section 106 legal agreement for twenty-five year management of a 7.1ha area of the restored quarry.

THE PROPOSAL

10. Having regard to paragraphs 8 and 9 above, this report should be read in conjunction with the Officers report relating to planning application Ref. SP17/00118/SCC[14] which seeks to extend the time period in which restoration of the quarry is to be completed until 26 October 2027 and change the restoration phasing plan previously approved.

11. In 2011 the volume of restoration material required to deliver the previously approved restoration scheme for the quarry was around 250,000m³. Consequently, the existing recycling operation was required to produce about 50,000m³ of restoration material[15] per annum over a 5-year period. The applicant has explained that the recycling operations undertaken at the quarry have been able to recover a significant proportion of recycled aggregate for re-use elsewhere[16] and this has meant that the timetable for restoration of the mineral working has been disrupted. However, since 2011 some 105,000m³ of restoration material has been placed in the quarry void.

12. Consequently, some 145,000m³ of suitable restoration is still required to complete the restoration of the quarry. About 30,000m³ of this presently forms the base of and bunds for the recycling area. In effect therefore about 115,000m³ of material is required to fully restore the quarry. The existing recycling operation manages 100,000m³ of construction, demolition and excavation waste per annum, of which between 10,000m³ to 15,000m³[17] residual waste material[18] is generated for use as restoration material.

13. At present the recycling facility is only permitted 80 HGV movements (40 HGV trips) per day[19] and this is proposed to continue such that there would be no change to the volume of inert waste imported to the facility per annum[20]. Similarly, the facility would continue to operate within the hours stipulated within the existing consent[21] i.e. Mondays to Fridays

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[12] Planning permission Ref. SP08/0337
[13] Planning permission Ref. SP10/0594 and Drawing Ref. P1/227/11/C
[14] Non-compliance with conditions 1 and 2 of planning permission Ref. SP10/0594 dated 26 October 2011 in order to extend the time taken for restoration until 26 October 2027 and to change the restoration phasing plan previously approved
[15] From about 100,000m³ of construction, demolition and excavation waste imported to the quarry annually
[16] A recovery rate of about 85 to 90% of total volume imported
[17] In 2015/2016 some 9,444m³ was available for restoration purposes
[18] Material that remains after waste treatment has taken place
[19] See condition 6 of planning permission Ref. SP08/0337
[20] No more than 100,000m³ or 180,000 tonnes per annum
[21] See condition 4 of planning permission Ref. SP08/0337

0700 to 1900 hours and 0700 to 1300 hours on Saturdays with no working on Sundays or any holidays.

14. Accordingly, the application which is the subject of this report seeks planning permission for the retention of an extended recycling operation[22] within the quarry for an additional period of 10-years so as to generate the necessary volume of restoration material to fully complete restoration of the quarry. Additionally, planning permission Ref. SP08/0337 only allowed for one screener and one crusher to process imported construction, demolition and excavation waste, whereas the proposed development would make use of six items of such plant. The application also therefore seeks to regulate the increased area[23] in which the recycling operations take place as a result of increased stockpiles and machinery.

15. Drawing Ref. P5/227/10 Site Layout Plan dated November 2016 shows the layout of the proposed facility and details the general infrastructure necessary to facilitate the development.

CONSULTATIONS AND PUBLICITY

Consultees (Statutory and Non-Statutory)

16. Spelthorne Borough Council	-	No views received at the time of writing this report.
17. The Environment Agency	-	No objection subject to an informative.
18. Natural England	-	No comments to make.
19. Surrey Wildlife Trust	-	No views received.
20. County Highway Authority	-	No objection subject to retention of conditions 3 and 6 of planning permission Ref. SP08/0337 dated 26 October 2011.
21. Historic England	-	No views received.
22. Heathrow Airport Safeguarding	-	No objection.
23. Lead Flood Authority	-	No objection subject to conditions.
24. SCC Archaeologist	-	No objection.
25. SCC Historic Buildings Officer	-	No objection.
26. SCC Landscape Architect	-	No objection.
27. SCC Ecologist	-	No objection subject to an informative.
28. SCC Enhancement Officer	-	No objection.
29. SCC Rights of Way	-	No views received.
30. SCC Noise Consultant	-	No objection subject to the retention of condition

[22] An area of some 5.3ha as opposed to the original 2.9ha originally permitted by planning permission Ref. SP08/0337
[23] From 2.9ha to 5.3ha, an increase of some 82%

		5 of planning permission Ref. SP08/0337 dated 26 October 2011.
31. SCC Air Quality Consultant	-	No objection.
32. Thames Water	-	No views received.

Parish/Town Council and Amenity Groups

33. Hawthorne Court Residents' Association	-	No views received.
34. Stanwell Moor Residents' Association	-	No views received.
35. Spelthorne Natural History Society	-	No views received.

Summary of publicity undertaken and key issues raised by public

36. The application was publicised by the posting of two site notices and an advert placed in the Surrey Advertiser on 10 February 2017. A total of 228 owner/occupiers of neighbouring properties were directly notified by letter on 7 February 2017. A further round of publicity and consultation was undertaken on 30 May 2017 as a result of amendments made to the proposed restoration scheme and the submission of a revised Air Quality Assessment. This assessment was again updated in June 2017 a result of which was a further consultation exercise. The County Planning Authority (CPA) has received 5 representations in respect of the proposal. A summary of the material planning considerations raised in these representations is provided below:

- Over the years permission has been granted and goalposts moved;
- I have been monitoring and watching developments of this site and nothing has been done in the last 3 years to reinstate infill and restore the land;
- Basically, the land is now used as a recycling depot;
- The roads are inundated with HGV movements and our houses and cars are polluted with dust and noise from the site
- We have enough factories and recycling plants around here without another ten years;
- There are too many gravel extraction areas around here;
- Too much clumps of earth and gravel on the roads.

PLANNING CONSIDERATIONS
Introduction

37. The guidance on the determination of planning applications contained in the Preamble/Agenda frontsheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs.

38. In this case the statutory development plan for consideration of the application consists of the Surrey Minerals Core Strategy 2011 (MCS), Surrey Waste Plan 2008 (SWP), the Aggregates Recycling Joint Development Plan Document for the Minerals and Waste Plans 2013 (ARD), saved policies of the Spelthorne Local Plan 2001 (SLP), and the Spelthorne Core Strategy and Policies Development Plan Document 2009 (SPD)

39. In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations. In assessing proposals against development plan policy it is 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: (a) the

need for the recycling facility, (b) whether the environmental and amenity impacts of the development are acceptable, and (c) whether there are one or more factors which amount to the 'very special circumstances' necessary to clearly outweigh the harm caused to the Green Belt by reason of inappropriateness and any other harm.

NEED FOR THE RECYCLING FACILITY

Development Plan Policies
Surrey Minerals Core Strategy 2011 (MCS)
Policy MC1 – Location of mineral development in Surrey
Policy MC5 – Recycled and secondary aggregates
Surrey Waste Plan 2008 (SWP)
Policy CW4 – Waste Management Capacity
Policy CW5 – Location of Waste Facilities
Policy WD3 – Recycling, Storage, Transfer of Construction and Demolition Waste at Mineral Sites
Aggregates Recycling Development Plan Document 2013 (ARD)
Policy AR1 – Presumption in Favour of Sustainable Development
Policy AR3 – Aggregates recycling at mineral sites

Policy Context

40. In England, the Waste Hierarchy is both a guide to sustainable waste management and a legal requirement, enshrined in law through the Waste (England and Wales) Regulations 2011. The hierarchy gives top priority to waste prevention, followed by preparing for re-use, then recycling, other types of recovery[24], and last of all disposal e.g. landfill.

41. The National Planning Policy Framework 2012 (the Framework) does not contain policies relating to waste management. Instead national waste management policies are contained within the Waste Management Plan for England 2013 (WMP) and set out by the National Planning Policy for Waste 2014 (NPW).

42. The WMP advocates that the dividends of applying the Waste Hierarchy will not just be environmental but explains that we can save money by making products with fewer natural resources, and we can reduce the costs of waste treatment and disposal. It envisages that the resulting benefits of sustainable waste management will be realised in a healthier natural environment and reduced impacts on climate change as well as in the competitiveness of our businesses through better resource efficiency and innovation – a truly sustainable economy.

43. Similarly, the NPW sets out the Government's ambition of working towards a more sustainable and efficient approaches to waste management by driving waste up the Waste hierarchy. In this context the Framework, at paragraphs 18 and 19, explains that the Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future, and ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

44. Policy AR1 of the ARD explains that when considering development proposals the CPA will take a positive approach that reflects the presumption in favour of sustainable

[24] Including energy recovery

development contained in the Framework. The CPA will always work proactively with applicants jointly to find solutions which mean that proposals can be permitted wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. This policy also echoes paragraph 14 of the Framework in advocating that planning applications that accord with the policies in the ARD, and with relevant policies in other plans, will be permitted without delay unless material considerations indicate otherwise.

45. Policy MC1 of the MCS explains that priority for locating aggregate recycling development will be given to urban areas particularly in north-west Surrey and to temporary use of mineral sites to be restored with inert fill. Further, policy MC5 of the MCS states that the CPA will make provision for the supply of recycled and secondary aggregates of 0.8mtpa by 2016 and of at least 0.9mtpa by 2026.

46. The application site is not identified by policy AR3 of the ARD as a preferred site for aggregate recycling. However, it is an existing aggregate recycling facility and policy CW4 of the SWP advocates that that planning permission will be granted to enable sufficient waste management capacity to be provided, in order to manage the equivalent of the waste arising in Surrey together with a contribution to meeting the declining landfill needs of residual wastes exported from London, to achieve the regional targets for recycling, composting, recovery and diversion from landfill.

47. In this context the SWP explains at paragraph B30 that the SCC remains committed to achieving net self-sufficiency, enabling appropriate development that implements the waste hierarchy and ensuring that the County delivers its contribution to regional waste management. Paragraph B32 of the SWP goes on to state that a range of facilities, type, size and mix will be required, located on a range of sites to provide sustainable waste management infrastructure in Surrey.

48. Policy CW5 of the SWP states that waste facilities will be considered in accordance with the certain principles and priority will be given over greenfield land to mineral workings. Policy WD3 of the SWP states that planning permission for development involving recycling, storage and transfer of construction and demolition waste at minerals sites will be granted provided that the proposed development is for a temporary period commensurate with the operational life of the mineral site.

Evaluation

49. The applicant seeks to justify a need for the proposed development in two respects. First, that facility is required so as to generate the 115,000m³ of restoration material necessary to fully complete restoration of the mineral working in which it is located. Secondly, that it would contribute to the sustainable management of inert waste arising in Surrey and London and achieving the regional targets for recycling, recovery and diversion from landfill.

50. The applicant has explained that in 2011 the volume of material required to deliver full restoration of the quarry was around 250,000m³ i.e. a fill rate of about 50,000m³ per annum over the relevant 5-year period. Since 2011 some 105,000m³ of restoration material has been placed in the quarry void. Consequently, some 145,000m³ of material is still required to complete the restoration of the quarry. About 30,000m³ of restoration material presently forms the base of and bunds for the recycling area which would ultimately be used in the restoration of the quarry. In effect therefore about 115,000m³ of material is required to fully restore the quarry.

51. In the absence of site-derived restoration materials, the remaining materials necessary will need to be sourced from some form of recycling operation on or off the application site. It would not be acceptable from a sustainability perspective to simply complete restoration of the quarry by landfilling available or imported inert waste which could otherwise be prepared for reuse, recovered or recycled. Neither would it be acceptable

to leave the quarry unrestored as mineral workings should be restored at the earliest opportunity and to a high environmental standard.

52. As the ARD[25] explains, the way in which mineral workings have traditionally been restored has changed since 1996 when the Government introduced a tax on the disposal of waste by landfilling. This tax, which has increased annually, had steadily discouraged the disposal of waste by landfilling (including the restoration of mineral workings by infilling) thereby incentivising its reuse, recycling and recovery over its disposal. This approach to the management of waste is consistent with the Waste Hierarchy.

53. The recycling operations undertaken at the quarry have been able to recover a significant proportion of recycled aggregate for re-use elsewhere[26] and this has meant that the timetable for restoration of the mineral working has been disrupted. However the applicant anticipates based on the rates of recycling and restoration since 2011, restoration works will be completed by 26 October 2027. Based on an average manufacturing rate of restoration material of between 10,000m³ to 15,000m³per annum, and a remaining restoration requirement of some 115,000m³, restoration of the quarry should be completed within 10-years.

54. Officers consider that the existing recycling facility at Stanwell Quarry supports the sustainable waste management policy and objectives for Surrey, the UK and Europe. The overall objective of European and Government policy on sustainable waste management is to protect human health and the environment by producing less waste and by using it as a resource wherever possible. In England, the NPW and WMP seek to reduce dependence on landfill and give priority to more sustainable forms of waste management by moving waste management up the Waste Hierarchy with prevention at the top followed by preparing for reuse, recycling, recovery and last of all disposal. The proposed development seeks to not only contribute to the restoration of the mineral working but it would also recover waste materials for reuse elsewhere.

55. In this regard SCC's Annual Aggregates Assessment published in December 2016 confirms that the sales of recycled and secondary aggregates have increased annually from 0.25 mt in 2007 to 0.83 mt in 2015. The MCS target is for at least 0.8 mtpa by 2016 and 0.9 mtpa by 2026. The target to produce at least 0.9mtpa by 2026 is likely to prove more challenging as a number of temporary permissions for aggregates recycling on existing mineral workings are due to have expired by 2022.[27]

Conclusion

56. The proposed development is an aggregate recycling facility located within north-west Surrey adjacent to Heathrow Airport and on an unrestored mineral working. It recycles about 85 to 90% of the 100,000m³ of construction, demolition and excavation waste imported to the quarry per year. The majority of this waste is sourced from Heathrow Airport[28] and about half of the recycled aggregate produced is then reused at Heathrow Airport with the remaining half used at other sites including works relating to the M3 motorway widening and west London infrastructure projects. The remaining residual waste, between 10,000m³ to 15,000m³, is used for the purposes of restoring the quarry. In this context the location of the development is sustainable in that it is well located to the strategic road network, the source of the majority of the waste to be recycled, the destinations for the recycled aggregate, and the destination where residual waste generated would be used.

[25] Paragraphs 60 to 68 on pages 19 and 20
[26] Between 85 to 90% of total volume imported
[27] Paragraph 4.4.4 of the Local Aggregates Assessment dated December 2016
[28] About 75%

57. In the context of National guidance and Development Plan Policy in respect of mineral development, Officers cannot countenance any reason why the quarry should be left unrestored and therefore in a degraded state. Similarly, having regard to the Waste Hierarchy, it would not be sustainable and therefore acceptable to simply dispose of inert waste into the remaining void for the sake of restoration. The applicant has provided a reasonable explanation as to why the previously permitted timetable for restoration has not been achieved, demonstrated why a further 10-year period for completion of restoration works is necessary, and committed to only disposing residual inert waste which could not otherwise be prepared for reuse, recycled or recovered for the purposes of restoration. Additionally, the proposed development is for a temporary period to coincide with the period necessary to complete restoration of the mineral working.

58. An enhanced restoration scheme is offered by the applicant, with a larger 25-year Management Plan Area than previously agreed. In order to complete restoration of the quarry and deliver the restoration and management scheme proposed by planning application Ref. SP17/00118/SCC a further 115,000m³ of suitable restoration material is required. Indigenous restoration material is not available for this purpose and therefore this material needs to be generated on site by way of the proposed aggregate recycling facility or imported to the site from elsewhere which is unlikely to be a more sustainable option given increased travel distances.

59. Moreover, SCC's Annual Aggregate Assessment 2016 identifies that the MCS target to produce at least 0.9mtpa of recycled aggregates by 2026 is likely to prove more challenging as a number of temporary permissions for aggregates recycling on existing mineral workings are due to have expired between 2016 and 2022. This statement reflects the fact that the existing recycling facility at Stanwell Quarry expired in October 2016. Should permission be refused the existing contribution the recycling operation at Stanwell Quarry makes to the 0.83mtpa annual sales figure for recycled aggregates would fall away making it much more difficult to achieve the relevant 0.9mtpa target set by the MCS.

60. Accordingly, Officers consider that the applicant has adequately demonstrated that there is a continuing need for the proposed development in accordance with policies MC1 and MC5 of the Surrey Minerals Core Strategy 2011, policy AR1 of the Aggregates Recycling Development Plan Document 2013, and policies of the CW4, CW5 and WD3 of the Surrey Waste Plan 2008.

ENVIRONMENT AND AMENITY CONSIDERATIONS

Development Plan Policies
Surrey Waste Plan 2008 (SWP)
Policy DC2 – Planning Designations
Policy DC3 – General Considerations
Saved policies of the Spelthorne Local Plan 2001 (SLP)
Policy RU11 – Sites of Nature Conservation Importance
Spelthorne Core Strategy and Policies Development Plan Document 2009 (SPD)
Policy SP6 – Maintaining and Improving the Environment
Policy SP7 – Climate Change and Transport
Policy EN3 – Air Quality
Policy EN6 – Conservation Areas, Historic Landscapes, Parks and Gardens
Policy EN8 – Protecting and Improving Landscape and Biodiversity

Policy Context

61. The NPW requires that the CPA, in determining planning applications, where relevant consider the following factors below having regard to the nature and scale of the development proposed: (a) protection of water quality and resources and flood risk management; (b) land instability; (c) landscape and visual impacts; (d) nature

conservation; (e) conserving the historic environment; (f) traffic and access; and (g) air emissions, including dust; (h) odours; (i) vermin and birds; (j) noise, light and vibration; (k) litter; and (l) potential land use conflict.

62. Policy DC3 of the SWP states that planning permission will not be granted for waste related development where this would endanger, or have a significant adverse impact, on the character, quality, interest or setting of a range of planning designations including Ramsar Sites; SPA's; SNCIs; SSSIs; Historic Parks and Gardens; and Conservation Areas. Accordingly, policy DC3 of the SWP requires that applicants demonstrate, by the provision of adequate supporting information, that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources.

63. Policy SP6 of the SPD advocates that development proposals should seek to maintain and improve the quality of the environment by: (a) ensuring its design and layout incorporates principles of sustainable development, and creates an environment that is inclusive, safe and secure, is attractive with its own distinct identity and respects the environment of the area in which it is situated; (b) contributing to improving air quality in the Borough; (c) protecting and enhancing areas of existing environmental character including sites of nature conservation value, areas of landscape value, the Borough's historic and cultural heritage (including historic buildings and Conservation Areas) and open space of amenity and recreation value; and (d) promoting improvement of poor quality environments both within the urban area and in the Green Belt.

64. Policy SP7 of the SPD seeks to minimise the impact of climate change by: (a) promoting the inclusion of provision for waste management facilities in both new and existing developments; (b) ensuring development is located in a way that reduces the need to travel and encourages alternatives to car use, and its design and layout takes account of climate change; (c) supporting initiatives to encourage non car-based travel, (d) promoting the efficient use and conservation of water resources; and (e) promoting measures to reduce flooding and the risks from flooding.

65. Policy EN3 of the SPD seeks to improve the air quality of the Borough and minimise harm from poor air quality by: (a) supporting measures to encourage non-car based means of travel; (b) supporting appropriate measures to reduce traffic congestion where it is a contributor to existing areas of poor air quality; (c) requiring an air quality assessment where development is in an Air Quality Management Area; (d) refusing development where the adverse effects on air quality are of a significant scale, either individually or in combination with other proposals, and which are not outweighed by other important considerations or effects and cannot be appropriately and effectively mitigated; (e) refusing development where the adverse effects of existing air quality on future occupiers are of a significant scale which cannot be appropriately or effectively mitigated and which are not outweighed by other material considerations.

66. Policy EN6 of the SPD seeks to maintain and enhance areas of historic landscape or heritage value and gardens of special historic interest by ensuring that any proposed development within or adjacent to such areas does not detract from its character or appearance.

67. Policy EN8 of the SPD seeks to protect and improve the landscape and biodiversity of the Borough by: (a) safeguarding sites of international and national importance; (b) working with partners in the public, private and voluntary sectors to develop and secure the implementation of projects to enhance the landscape and create or improve habitats of nature conservation value, and to secure the more effective management of land in the Borough; (c) ensuring that new development, wherever possible, contributes to an improvement in the landscape and biodiversity and also avoids harm to features of significance in the landscape or of nature conservation interest; and (d) refusing

permission where development would have a significant harmful impact on the landscape or features of nature conservation value.

Highways, Traffic and Access

68. The Framework is clear that development should only be refused or prevented on transportation grounds where the residual cumulative impact of development is severe. This guidance also advocates[29] that all development that would generate significant amounts of movement should take account of whether (a) opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, (b) safe and suitable access to the site can be achieved for all people, and (c) improvements can be undertaken within the transport network.

69. The current planning permission associated with the site restricts movements to and from the site using the public highway to 80 HGV movements per day. These movements are based on the 100,000m³ of aggregate that is recycled on the application per annum.

70. Access to and from the site is onto the Western/Southern Perimeter Roundabout. This current access has been used for the last five years in association with the higher level recycling operations and HGV traffic and there have been no known problems or accidents caused by HGVs from the site. It is therefore considered that the Western/Southern Perimeter roundabout can adequately cope with the additional level of traffic.

71. A significant proportion of the movements associated with the application site are to and from Heathrow Airport using the Southern Perimeter Road. This is a private highway owned by London Heathrow Airport Authority. Based on previous years' traffic approximately 65% of the HGVs movements (84-88 movements per day) are associated with Heathrow with the remaining 35% going onto use the public highway – 46 HGV movements per day (23 HGV trips per day). Once the HGV movements to and from Heathrow are taken away from the total daily movements to the application site, the remaining movements to and from the public highway are well within the 80 HGV movements considered acceptable for the site.

72. The application site is well located, not only to serve Heathrow, but to the wider primary highway network. The Western/Southern Perimeter roundabout leads onto the A3044/A3113 roundabout (approximately 250 to the west) which in turn leads to Junction 14 of the M25. The site is therefore well connected to the primary route network for HGVs to reach road construction and demolition projects in NW Surrey, eastern Berkshire and west London. These roads have the capacity to cope with the level of HGV traffic generated by the site.

73. When planning permission was sought previously for the recycling operation the access to the site, visibility splays and the roundabout layout were assessed suitable in terms of their ability to accommodate 20 tonne HGVs. The proposal would continue to use the same access and 20 tonne HGVs to serve the site.

74. Officers do not consider that any public rights of way will be adversely affected by the proposal as these lie to the south of the quarry site.

75. Overall Officers, in conjunction with the County Highway Authority, conclude that the highway network will not be adversely affected by the continued operation of the recycling facility for an additional ten years subject to conditions restricting the number of HGV movements associated with the site on a daily basis and requiring the same to use the existing access to the site.

[29] At paragraph 32

9

Air Quality and Noise

76. Paragraph 109 of the Framework advocates contribution to and enhancement of the natural and local environment by preventing development from contributing to or being put at unacceptable risk from levels of air pollution. In these respects paragraph 122 advised that the CPA should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes.

77. Paragraph 124 of the Framework discusses air quality specifically in relation to Air Quality Management Areas but it does confirm that the cumulative impacts on air quality from individual sites in local areas should be considered. In this respect the Framework's practice guidance states that it is important that the potential impact of new development on air quality is taken into account in planning where the national assessment indicates that relevant limits have been exceeded or are near the limit. Air quality can also affect biodiversity and odour and dust can adversely affect local amenity. Paragraph 123 of the Framework states that planning decisions should aim to: (a) avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development, and (b) mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise.

78. The application site is associated with high levels of background, ambient noise, due to the proximity of: (a) the main southern runway of Heathrow Airport – approximately 350m to the north of the site; (b) local main distributor roads to the west of the site – A3044 and A3113; (c) the Southern Perimeter Road - immediately to the north of the site; (d) the airport taxiways and associated infrastructure being to the north and north east of the site; and (e) Junction 14 of the M25 to the west of the site.

79. The previous planning permission associated with the recycling facility included a condition[30] limiting noise to no more than 50LAeq (30 minutes freefield) when measured at, or recalculated at any noise sensitive property.

80. There have been no noise complaints in relation to the recycling operations at Stanwell quarry since it began operating in 2011 despite the fact that additional numbers of machinery and equipment have been used. The facility now operates 6 items of screening and crushing plant on site with various different locations within the main recycling and stockpile area.

81. Various noise mitigation measures are used to reduce any adverse impacts of the recycling operation on the local community of Stanwell and its nearest residents to the site. Stockpiles are positioned close to the recycling plant areas and the nearest noise sensitive properties to buffer noise impacts. In addition a 5m high bund is retained that abuts the properties of Gibson Place in Stanwell, to the south east of the former quarry site. This bund is not within the application site, but is within other land owned/controlled by the applicant. The operators, Cappagh, who run the site, ensure that all plant and vehicles are maintained in good order and turned off when not in use.

82. The applicant has undertaken a Noise Assessment in respect of the development which has been assessed by the CPA's Noise Consultant. The results of this assessment demonstrate that for the locations surveyed, the noise levels associated with the site operations were below the site noise limit for day to day site operations i.e. below 50LAeq. Site noise is therefore regarded as satisfactory. The CPA's Noise Consultant has not objected to the development subject to maintaining the existing noise control on any permission granted.

[30] See condition 5 of planning permission Ref. SP08/0337

83. In conclusion therefore Officers are satisfied that, subject to the same noise condition, the development would not give rise to any significant adverse noise impacts on the environment or local community.

84. In respect of air quality (dust and vehicle emissions), the applicant has undertaken an assessment of the potential air quality impacts associated with the retention of the existing recycling activities for a further 10-year period.

85. The development involves the crushing and screening of inert construction, demolition and excavation waste. These activities are controlled through permits issued Spelthorne Borough Council which ensure that extensive dust control measures are included in the design, management and use of the plant/equipment. For example, the principle method for preventing dust emissions is containment of the dusty processes and suppression of dust using water. The suppression techniques proposed have been carefully designed in order to be effective including ensuring an adequate supply of water and adequate frost protection. Further, the applicant is required to visually monitor dust emissions, make regular inspections of the process and keep records. The records will be kept on site by the applicant for at least two years and made available for inspection. Where there is evidence of airborne dust from the process off the site, corrective action will be required to be taken without delay.

86. In this context the applicant's assessment identified that there were no highly dust sensitive receptors within 100m of the proposed activities. The nearest residential properties are over 350m to the south of the site and an analysis of wind patterns in the areas highlighted that northerly winds, which would be required to transport dust from the proposed activities to the nearest residential areas, only occur for approximately 6% of the year. The meteorological susceptibility of the application site can therefore be classed as very low.

87. Should there be any dust related incidents at the site, any potential dust emissions will be large particles that will deposit out easily within 100m and it is highly unlikely that any of the potentially dust sensitive properties will experience any increase in dust levels. In addition, the risk of any potential contribution to local air quality from the proposed activities can be classed as very low. A Spelthorne air quality monitoring station is situated 600m down-wind from the site.

88. The tight environmental permit controls on recycling operations, and effective site management techniques, should ensure that the likelihood of dust emissions is very low. The distance to dust sensitive receivers and their location in relation to prevailing winds will further ensure that the potential for dust nuisance is very low.

89. In respect of vehicle related emissions, the application site is close to Heathrow Airport and therefore the main source of air pollution in the area is likely to be from road traffic, Heathrow Airport and the range of commercial and transport activities.

90. The last review of local air quality undertaken by Spelthorne Borough Council was in 2015[31]. The report concluded that air quality in the area generally achieved UK Air Quality Standards, except for several areas which were likely to be experiencing exceedances of objectives for nitrogen dioxide (NO_2). These exceedances have been recorded for several years and the whole of Spelthorne Borough has been designated an Air Quality Management Area (AQMA) for annual mean NO_2 since 2000. The application site therefore falls within the Spelthorne NO_2 AQMA. The area is not designated an AQMA for particulates.

[31] Air Quality Updating and Screening Assessment Report for Spelthorne Borough Council, July 2015

91. Spelthorne Borough Council previously had three automatic monitoring locations, all of which are located next to roads and residential properties and represent worst-case exposure. Only one monitoring location remains continuously monitored, at Oaks Road, which is located approximately 600m east of the application area on a residential street.

92. A summary of PM10 monitoring in the area indicate a general trend in reducing concentrations since 2006 and in the days where the mean concentration is elevated above 50µg/m3. Annual mean PM10 concentrations throughout the area are well below the annual average air quality objective of 40µg/m3 and with only 2 exceedances of the 50µg/m3 daily mean this too was well below the exceedance threshold.

93. There is no statutory obligation on councils to monitor fine particles (less than 2.5µm diameter), though it was monitored at the Oaks Road site in 2014 with an annual average concentration of 10.35µg/m3. This result is well below the Government's objective of 25µg/m3. Longer term levels at Oaks Road appear to show a gradual decline since 2003 though this trend is less discernible over the last 5 years.

94. Concentrations of nitrogen dioxide at the Oaks Road monitoring station were below the national air quality objective of 40µg/m3 with a result of 32.4 µg/m3 in 2014. This concentration is slightly lower than recorded in 2013 (34.5 µg/m3). Road transport accounts for most emissions from within Spelthorne for nitrous oxides (NOx), and particulate matter (PM10 and PM2.5). Some 82% of NOx emissions in Spelthorne for 2011 were attributed to roads, with 12% from domestic sources and only 3% from Heathrow sources.

95. Accordingly, Officers consider that the proposed development is unlikely to have an unacceptable impact on local amenity or the environment by way of dust and vehicle emissions subject to conditions seeking to limit the annual capacity of the development and vehicle movements to and from the site on a daily basis. Although some objectors have referred to the site having an unacceptable dust impact this is not borne out by the applicant's Air Quality Assessment or SCC's complaint records since the recycling operation commenced in 2011. SCC's Air Quality Consultant has not objected to the development on the basis that the effects of the proposed development are not likely to be significant.

Flood Risk

96. 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 explains that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere. Paragraph 109 of the Framework advocates that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

97. Consequently, paragraph 120 of the Framework states that in order to prevent unacceptable risks from pollution, planning decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account.

98. The application site lies approximately 300m north of the King George VI and Staines reservoirs, about 100 m south of the Longford River (which has been artificially canalised), and some 1.2 km west of the River Colne. The site is identified as lying in

Flood Risk Zone 1 as such the site is at low risk of flooding. The site is over 1 hectare in size but is not hard surfaced.

99. Condition 10 of planning permission Ref. SP08/0377 required the submission and approval of surface water management drainage scheme. This scheme was submitted by the applicant and subsequently approved by SCC[32].

100. The scheme was designed to ensure that surface waters are managed during operations and there is no increased risk of flooding. It seeks to intercept surface water flows within the inert recycling area, via a combination of open ditches, ponds, enclosed pipe networks and sealed sumps. All channels, attenuation ponds and piped networks were sized to accommodate 100 years flood flows including an allowance for climate change at 20%.

101. The approved Surface Water Drainage Scheme concluded that the recycling facility would not significantly alter the surface water runoff regimes within the site, or lead to a consequent increase in flood risk or derogation of water quality at the site or downstream. Officers consider that the approved scheme is still appropriate and would continue to be applied if the recycling area is permitted to be retained for an additional 10-year period. Planning conditions could be imposed on any permission granted seeking confirmation of site arrangements for surface water management.

102. Condition 10 of SP08/0337 also required measures to ensure that restored application site tied into the wider water management plan scheme for the restored quarry. Consequently, the drainage scheme for the restored quarry may require updating if the proposed amended restoration scheme for the former quarry site is permitted. This could be secured by way of conditions as the Lead Local Flood Authority has advised. However, it should be noted that the existing scheme demonstrates that mitigation measures can be put in place to manage the overall drainage of the restored site to acceptable levels.

103. Accordingly, subject to conditions, Officers conclude that retention of the recycling facility for an additional 10-year period would not result in significant adverse impacts as a result of surface flooding or surface water drainage.

Landscape and Visual Impact

104. Paragraph 56 of the Framework is clear that the Government attaches great importance to the design of the built environment. It explains that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. To this end paragraphs 63 and 64 state that great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area, and permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Paragraph 109 of the Framework requires that the planning system contribute to and enhance the natural and local environment by protecting and enhancing landscapes.

105. The application area consists of bare ground with no existing vegetation. The site and surrounding land are relatively flat – around approximately 22m AOD. Tree and shrub vegetation is limited to the boundaries around the edge of the quarry. The vegetation screening around the quarry varies in thickness with the western and northern boundaries 10-15m wide plantation tree belts with mixed broadleaved trees to heights of 8-10m. No vegetation will be removed as a result of retaining the recycling facility.

106. The wider site has been worked for mineral since the 1960s, and more recently the application site area has accommodated temporary concreting and recycling activities

[32] See approval notice Ref. SP11/1038 dated 3 April 2012

associated with the quarry and Heathrow Airport. The area is bounded and effectively screened by the vegetation and by the 3-5m soil bunds around the northern and eastern perimeter of the site. The southern boundary is open to the former quarry site, but stockpiles also limit views of the recycling site from inside the former quarry.

107. There is no public access to the former quarry at present and whilst it is being restored and the Southern Perimeter Road is private highway for Heathrow. The nearest public footpath lies to the south of the quarry site. Informal recreational space lies some 240m east of the application site in Stanwell village.

108. The application site is not covered by any landscape designations. The applicant has undertaken a Landscape and Visual Impact Assessment which assesses the retention of the proposed recycling facility for an additional ten year period and in summary, it concludes that the capacity of the local landscape around the development to accommodate retention of this activity is moderate to high. It considers that the development will have a short-medium term "transitory" or "temporary" effect upon the landscape and a longer "permanent" phase when the site is restored to agriculture.

109. The applicant's assessment concludes that the landscape sensitivity of the site is low to negligible and for the operational life of the site the magnitude of impact on the landscape character is medium to low. The character of the surrounding area would be temporarily affected by the retention of the recycling site. However, this would only be perceptible from a local context when seen from the northern and western boundaries. The timescale for change is a medium duration – i.e. 10 years. No trees or vegetation will be lost and therefore the overall landscape impact is considered to be minor to minimal.

110. The County Landscape Architect considers that the capacity of the local landscape to accommodate the proposed development is high, and that the visual and landscape effects are well contained such that the proposal would not give rise to adverse landscape impacts.

Ecology

111. The law[33] places a duty Surrey County Council to consider biodiversity in the full range of their activities including determining planning applications. In this context paragraphs 109 and 118 of the Framework explain that the planning system should contribute to and enhance the natural and local environment, and in determining planning applications the CPA should aim to conserve and enhance biodiversity by applying the following principles: (a) If significant harm resulting from a development cannot be avoided[34], adequately mitigated, or as a last resort compensated for, then planning permission should be refused; (b) proposed development on land within or outside a SSSI likely to have an adverse effect on a SSSI[35] should not normally be permitted; (c) opportunities to incorporate biodiversity in and around developments should be encouraged; and (d) planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.

[33] Section 40 of the Natural Environment and Rural Communities Act 2006
[34] Through locating on an alternative site with less harmful impacts
[35] Either individually or in combination with other developments

112. The application site is not covered by any nature conservation designations although some designations apply to the wider quarry site. The application site is to be restored to agricultural land as proposed by planning application Ref. SP17/00118/SCC[36].

113. The applicant undertook a recent[37] ecological walkover survey of the application site which included assessment of the operational and boundary areas of the site. The findings of this assessment are that the continued operation of recycling facility is unlikely to have any adverse impacts on nature conservation habitats or fauna. Although as a mitigation measure it is recommended that the perimeter vegetation along the northern and western boundaries of the quarry is not cut back during the bird nesting season – i.e. 1 March to 31 August. This restriction can be brought to the attention of the applicant by the imposition of an informative on any permission granted.

114. The application site is at sufficient distance from the national and international birdlife designations to the west and south west of the quarry or the local SNCIs within the quarry for it to have any adverse affects which could be considered to be unacceptable. The County Ecologist, along with other relevant consultees, has not raised objection to the development on nature conservation or ecological grounds.

Heritage Assets

115. Notwithstanding the policy requirements and guidance relating to heritage assets discussed in the following paragraphs, s66 and s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 are material to the determination of the subject planning application. In respect of listed buildings s66 requires that SCC, in considering whether to grant planning permission for development which affects a listed building or its setting, have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. In respect of Conservation Areas s72 requires that SCC, with respect to any buildings or other land in a conservation area, pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

116. The Framework explains at paragraph 126 that heritage assets[38] are an irreplaceable resource that should be conserved in a manner appropriate to their significance. Paragraph 132 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Paragraph 133 of the Framework is clear that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, the SCC should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Whilst paragraph 134 outlines that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

117. Historic England has published a series of guidance notes[39] to assist in the determination of planning applications that could have an impact on heritage assets. Advice Note 3, at paragraph 4, recognises that the extent of a setting cannot have a fixed boundary and

[36] Non-compliance with conditions 1 and 2 of planning permission Ref. SP10/0594 dated 26 October 2011 in order to extend the time taken for restoration until 26 October 2027 and to change the restoration phasing plan previously approved
[37] In October 2016
[38] Including archaeological resources
[39] 'Good Practice Advice in Planning: 2 Managing Significance in Decision-Taking in the Historic Environment', July 2015 and 'Good Practice Advice in Planning: 3 The Setting of Heritage Assets', July 2015

may alter over time due to changes in circumstance. Whereas paragraph 5 explains that views can contribute to setting of heritage assets e.g. viewing points or where a view is a fundamental aspect of the design of the asset or where assets were meant to be seen by one another for aesthetic, functional, ceremonial or religious reasons. Advice Note 2, at paragraph 4, explains that the first step in assessing the impact a development proposal may have on a designated heritage is to understand the significance of any affected heritage asset and, if relevant, the contribution of its setting to its significance. The significance of a heritage asset is the sum of its archaeological, architectural, historic and artistic interest.

118. The application site itself is not covered by any historic designations and the wider quarry site has previously been worked for sand and gravel and so any archaeological assets are likely to have been destroyed. Stanwell Place house and its parkland gardens once stood to the south-west of the recycling facility, but these have largely been destroyed by the previous mineral operations.

119. Nothing remains of the house and little remains of the garden. Although along the western boundary of the application site a number of trees, many of which are former parkland specimen trees, have been protected by preservation orders. The proposed restoration scheme[40] for the wider quarry site seeks to protect and enhance the heritage features of these parkland specimen trees. The scheme also seeks to supplement the Victorian lake within the southern part of the quarry with a new channel, re-instated in part along the original line of a 17th century channel. The walled garden are in the south of the quarry will be included within the boundaries of the extended Aftercare and Management Plan area so as to ensure conservation of the reinstated garden until such time as its long-term future can be secured. Further reference to the application site's previous historic garden and parkland setting has been made in the proposed restoration by inclusion of an orchard area in the south of the restored quarry.

120. The nearest listed building are the gates at East Lodge off Park Road, which are Grade II listed, but they are over 300m from the recycling operation with trees and urban development in-between. For these reasons Officers do not consider that there would be any adverse impact on their setting as a result of the proposed development. Similarly Stanwell Conservation Area lies some 500m to the south-east of the application site, with intervening urban development, and therefore Officers do not consider that there would be any adverse impact on its character or setting as a result of the proposed development. Similarly, the County's Archaeologist, Historic Buildings Officer and Historic England have not raised any concern in relation to the proposed development.

Environment and Amenity Conclusion

121. Having regard to paragraphs 68 to 120 above Officers consider that, subject to conditions, the proposed development satisfies policies DC2 and DC3 of the Surrey Waste Plan 2008, saved policy RU11 of the Spelthorne Local Plan 2001, and policies SP6, SP7, EN3, EN6 and EN8 of the Spelthorne Core Strategy and Policies Development Plan Document 2009.

METROPOLITAN GREEN BELT

Development Plan Policy
Surrey Waste Plan 2008
Policy CW6 – Green Belt
Saved Policies of the Spelthorne Local Plan 2001 (SLP)
Policy GB1 – Green Belt

Policy Context

[40] See planning application Ref. SP17/00118/SCC

122. Paragraph 79 of the Framework explains that the fundamental aim of Green Belt policy is to keep land permanently open, whilst paragraph 80 lists the five purposes of Green Belts: (a) to check unrestricted sprawl of large built-up areas; (b) to prevent neighbouring towns merging into one another; (c) to assist in safeguarding the countryside from encroachment; (d) to preserve the setting and special character of historic towns; and (e) to assist in urban regeneration, by encouraging the recycling or derelict and other urban land. Accordingly, at paragraph 88, the Framework advocates that SCC should ensure that substantial weight is given to any harm to the Green Belt and that very special circumstances will not exist unless the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

123. Paragraphs 89 and 90 of the Framework discus what types of developments are 'appropriate' in Green Belt locations. Waste-related development is not included in paragraphs 89 and 90 and therefore, as with previous Green Belt Policy[41], waste related development is 'inappropriate development' in the Green Belt. The construction of new buildings in the Green Belt are also 'inappropriate' unless they are appropriate facilities for outdoor sport and outdoor recreation and they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

124. Policy CW6 of the Surrey Waste Plan 2008 states that there is a presumption against inappropriate waste related development in the Green Belt except in very special circumstances. Very special circumstances to justify inappropriate development in the Green Belt will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The policy outlines that the following considerations may contribute to very special circumstances: (a) the lack of suitable non-Green Belt sites; (b) the need to find locations well related to the source of waste arisings; (c) the characteristics of the site; and (d) the wider environmental and economic benefits of sustainable waste management including the need for a range of sites.

125. Policy GB1 of the SLP states that development will not be permitted which would conflict with the purposes of the Green Belt and maintaining its openness.

Evaluation

126. The proposed temporary development is to be located within north-west Surrey adjacent to Heathrow Airport and on an unrestored mineral working. It includes a range of supporting infrastructure including a site office[42]; staff welfare facilities[43]; a weighbridge; two storage containers; a container quarantine facility; 6 x items of screening/crushing plant; a wheel wash; the operation of excavators; the parking of HGVs and staff vehicles; and several stockpiles up to 8m high.

127. Consequently, the development proposed would introduce structures, works and activities to land where they would adversely impact the openness of the Green Belt. However, given the location and nature of the application site and the site-specific proposal Officers accept that the proposal would not result in urban sprawl, lead to the merging of neighbouring towns, encroach on the countryside, or undermine the setting and special character of historic towns. For the same reasons Officers do not consider that the development would undermine urban regeneration. To the contrary, the proposed development would facilitate restoration of an existing mineral working in the urban area of Spelthorne thereby enhancing the local environment and restoring openness to this area of the Green Belt.

[41] Planning Policy Guidance 2 – Green Belts
[42] Double stacked portakabin
[43] A drying room (container unit); WC (container unit); and mess room (container unit)

128. Nevertheless, there is a presumption against the grant of consent for the proposed development except in very special circumstances. Very special circumstances to justify the development in the Green Belt will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Other Harm

129. The potential for other harm has been assessed earlier in this report with regard to highways, traffic and access; air quality and noise; flood risk; landscape and visual impact; ecology; and heritage assets. Subject to conditions Officers do not consider that the development would result in any unacceptable impact in these respects. Similarly, subject to conditions, Statutory Consultees have not raised concern in respect of the development.

Very Special Circumstances

130. The applicant considers that the very special circumstances exist not by one single factor, but by a combination of the following considerations:

a) Need for aggregate recycling sites in Surrey to meet the Minerals Plan 2011 2016 and 2026 targets of 0.8mtpa and 0.9mtpa of recycled aggregates respectively;

b) That the facility helps recycle construction and demolition wastes and moves the waste up the hierarchy by recycling them and making them be available to be reused as concreting aggregates or construction base materials;

c) The particular characteristics of the temporary facility and location: that it is an existing temporary facility with mitigation and management measures in place; retention of the facility will not cause any additional harm over and above that already created other than the delay in returning the site for an additional ten year period to its former agricultural use; the harm to openness by permitting this temporary non permanent use would be limited by time; and the site is well located to waste arising in NW Surrey and in particular Heathrow Airport, and is well served by the primary/strategic road network;

d) Need to find aggregate recycling locations near to one of the main sources of construction and demolition waste arising in Surrey and west London. Heathrow Airport is an important source of construction and demolition waste arising in this area. The application site neighbours the airport and is able to take in a large amount of this waste generated and recycle it for re-use in Heathrow Airport itself and other infrastructure and construction projects. The location of the development is particularly important as materials can be brought into and taken back off to Heathrow Airport without travelling any great distance and all on private road;

e) Lack of alternative available non-Green Belt sites in the locality and lack of existing Green Belt sites with capacity and suitable characteristics. As such the applicant has not been able to identify any other suitable non-Green Belt sites or any other suitable Green Belt sites (temporary or permanent) in the vicinity which could accommodate this recycling capacity or without generating additional HGV movements on public roads over a greater distance;

f) The husbanding of the void space at Stanwell Quarry and the provision of residual infill materials and soils to restore the former Stanwell Quarry site;

g) To help deliver the restoration of the former mineral site at the former Stanwell Quarry. The former mineral site is in the Green Belt and mineral working and site restoration is not regarded as inappropriate development in the Green Belt. The

proposed restoration using inert wastes and soils will restore the site and retain openness;

h) The delivery of an enhanced restoration scheme at the former Stanwell Quarry, which would be combined through the signing of a Section 106 Agreement for the delivery of a 25 year long term management plan for some 15ha of the former quarry site. The ability of the applicant to deliver such an enhanced restoration scheme (double the existing area) will only be possible if the temporary recycling operation is retained for an additional 10 year period first because additional fill and soils are required and secondly to provide for the enhanced restoration and management of a significantly larger area.

Green Belt Conclusion

131. The proposed aggregate recycling facility is a temporary use of the land concerned, commensurate with the remaining life of the former quarry, and once restored, this would preserve the openness of the Green Belt in the long term.

132. As the development is inappropriate development in the Green Belt it can only be permitted as an exception to policy.

133. Officers consider that factors exist which amount to very special circumstances necessary to clearly outweigh the harm by reason of inappropriateness and loss of openness. These factors comprise: (a) need to maintain the supply of recycled and secondary aggregates in the short term in accordance with the MCS; (b) the facilitation of the timely and enhanced restoration of Stanwell Quarry including the long-term management of a 15ha area of the quarry; (c) the lack of suitable alternative non-Green Belt sites in the locality[44] to accommodate the development; and (d) the wider environmental and economic benefits of the sustainable management of waste in accordance with the Waste Hierarchy. In terms of other harm, this has also been assessed above, and Officers consider that there is no other harm, subject to the imposition of conditions.

134. Accordingly, Officers consider that the development complies with the policy CW6 of the SWP and policy GB1 of the SLP and an exception to Green Belt policy can be made and temporary permission granted.

HUMAN RIGHTS IMPLICATIONS

135. 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.

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

CONCLUSION

137. The application which is the subject of this report seeks planning permission for the retention of an extended recycling operation[45] within Stanwell Quarry for an additional period of 10-years so as to generate the necessary volume of restoration material to fully complete restoration of the mineral working. The aggregate recycling facility is proposed to be located within north-west Surrey adjacent to Heathrow Airport on an unrestored mineral working. The nearest residential properties are over 350m to the south of the site, which is identified as lying in Flood Risk Zone 1 as such the site is at low risk of

[44] See paragraphs 7.14 to 7.30 of the relevant Planning Statement dated November 2016
[45] An area of some 5.3ha as opposed to the original 2.9ha originally permitted by planning permission Ref. SP08/0337

flooding. The application site is not covered by any nature conservation or landscape designations and is to be restored to agricultural land as proposed by planning application Ref. SP17/00118/SCC[46].

138. The applicant has explained that in 2011 the volume of suitable material required to deliver full restoration of the quarry was around 250,000m³ i.e. a fill rate of about 50,000m³ per annum over the relevant 5-year period. Since 2011 some 105,000m³ of suitable restoration material has been placed in the quarry void. Consequently, some 145,000m³ of suitable material is still required to complete the restoration of the quarry. About 30,000m³ of restoration material presently forms the base of and bunds for the recycling area which would ultimately be used in the restoration of the quarry. In effect therefore about 115,000m³ of suitable restoration material is required to fully restore the quarry.

139. In the absence of site-derived restoration materials, the remaining materials necessary will need to be sourced from some form of recycling operation on or off the application site. Based on an average manufacturing rate of restoration material of between 10,000m³ to 15,000m³per annum, and a remaining restoration requirement of some 115,000m³, restoration of the quarry should be completed within 10-years should permission be granted for the proposed development.

140. Various mitigation measures are used to reduce any adverse impacts of the recycling operation on the local community of Stanwell. Stockpiles are positioned close to the recycling plant areas and the nearest sensitive receptors and a 5m high bund abuts the properties of Gibson Place to the south east of the quarry. Additionally, crushing and screening activities are controlled through environmental permits which ensure that extensive dust control measures are included in the design, management and use of the plant/equipment including the suppression of dust using water, regular visual inspections and the keeping of records. There have been no complaints in relation to the recycling operations at Stanwell quarry since it began operating in 2011 despite the fact that additional numbers of machinery and equipment have been used.

141. The applicant's noise assessment demonstrates that the noise levels associated with the site operations are below the site noise limit for day to day site operations i.e. below 50LAeq. Site noise is therefore regarded as satisfactory. The CPA's Noise Consultant has not objected to the development subject to maintaining the existing noise control on any permission granted. Having regard to the applicant's Air Quality Assessment Officers do not consider, subject to conditions, that the development would have an unacceptable impact on local amenity or the environment in terms of dust and vehicle emissions.

142. The current planning permission associated with the site restricts movements to and from the site using the public highway to 80 HGV movements per day. These movements are based on the 100,000m³ of aggregate that is recycled on the application per annum. The majority of this waste is sourced from Heathrow Airport[47] and about half of the recycled material produced is then reused at Heathrow Airport with the remaining half used at other sites including works relating to the M3 motorway widening and west London infrastructure projects. The existing arrangements relating to vehicle movements and access are to be maintained by the applicant. The County Highway Authority have not raised objection to the development subject to securing these existing arrangements by way of conditions.

[46] Non-compliance with conditions 1 and 2 of planning permission Ref. SP10/0594 dated 26 October 2011 in order to extend the time taken for restoration until 26 October 2027 and to change the restoration phasing plan previously approved

[47] About 75%

143. The development has an existing approved surface water management plan which ensures that surface waters are managed during operations and that there is no increased risk of flooding. It seeks to intercept surface water flows within the inert recycling area, via a combination of open ditches, ponds, enclosed pipe networks and sealed sumps which are sized to accommodate 100 years flood flows including an allowance for climate change at 20%. As advised by the Lead Local Flood Authority, conditions can be imposed on any permission granted seeking confirmation that these measures are operating effectively.

144. The nearest listed building are the gates at East Lodge off Park Road, which are Grade II listed, but they are over 300m from the recycling operation with trees and urban development in-between. Similarly Stanwell Conservation Area lies some 500m to the south-east of the application site, with intervening urban development. For these reasons Officers do not consider that the proposed development would have any adverse impact on Listed Buildings in proximity to the application site or the Stanwell Conservation Area. Similarly, SCC's Historic Buildings Officer and Archaeologist have not raised objection to the development.

145. The applicant's ecological survey of the application demonstrates that the continued operation of recycling facility is unlikely to have any adverse impacts on nature conservation habitats or fauna within the application site. Further, the application site is at sufficient distance from the national and international birdlife designations to the west and south west of the quarry or the local SNCIs within the quarry for it to have any adverse affects which could be considered to be unacceptable. The County's Ecologist has not objected to the development on nature conservation or ecological grounds.

146. The applicant's landscape and visual impact assessment concludes that the character of the surrounding area would be temporarily affected by the retention of the recycling site. However, this would only be perceptible from a local context when seen from the northern and western boundaries. No trees or vegetation will be lost as a result of the development and therefore the overall landscape impact is considered to be minor to minimal. The County Landscape Architect considers that the capacity of the local landscape to accommodate the proposed development is high, and that the visual and landscape effects are well contained such that the proposal would not give rise to adverse landscape impacts.

147. Notwithstanding the environmental and amenity implications of the development, Officers consider that factors exist which amount to very special circumstances necessary to clearly outweigh the harm by reason of inappropriateness and loss of openness. These factors consist of: (a) need to maintain the supply of recycled and secondary aggregates in the short term in accordance with the MCS; (b) the facilitation of the timely and enhanced restoration of Stanwell Quarry including the long-term management of a 15ha area of the quarry; (c) the lack of suitable alternative non-Green Belt sites in the locality[48] to accommodate the development; and (d) the wider environmental and economic benefits of the sustainable management of waste in accordance with the Waste Hierarchy. In terms of other harm, this has also been assessed above, and Officers consider that there is no other harm, subject to the imposition of conditions.

148. Officers therefore consider that the development complies with the policy CW6 of the SWP and policy GB1 of the SLP and an exception to Green Belt policy can be made and temporary permission granted.

RECOMMENDATION

149. Officers recommend that planning application Ref. SP17/00113/SCC be **PERMITTED** subject to the following conditions and informatives:

[48] See paragraphs 7.14 to 7.30 of the relevant Planning Statement dated November 2016

9

Conditions:

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

   Drawing Ref. P5/227/8A Revised Restoration and Potential Enhancements dated 29 March 2017
   Drawing Ref. P5/227/11 Site Location Plan dated November 2016
   Drawing Ref. P5/227/10 Site Layout Plan dated November 2016

2. The development hereby permitted shall cease no later than 10-years from the date of this permission, and all plant, machinery and other supporting infrastructure shall be removed and the site restored in accordance with Drawing Ref. P5/227/8A Revised Restoration and Potential Enhancements dated 29 March 2017.

3. Access to and from the site will be from the Southern Perimeter Road only. No other access to the site shall be used.

4. No lights shall be illuminated nor shall any operations or activities related to the development hereby permitted by undertaken outside of the following hours: 0700 to 1900 hours Mondays to Fridays; and 0700 to 1300 hours on Saturdays. There shall be no working on Sundays or any holiday. This condition shall not prevent the carrying out of emergency operations including the maintenance of plant and machinery but these are to be notified to the County Planning Authority in writing within 7 working days.

5. The development hereby permitted shall not create a noise level which exceeds 50 LAeq (30 minutes fee field) when measured at, or recalculated at any noise sensitive property.

6. There shall be no more than 80 HGV movements associated with the site and public highway per day.

7. No stockpiles of materials stored on site shall exceed 8 metres in height.

8. Lighting schemes required to facilitate the development shall be of a flat glass, full cut off design, mounted horizontally, and shall ensure that there is no light spill above the horizontal.

9. Within 6 months of the date of this permission the following documentation shall be submitted to the County Planning Authority for approval so as to demonstrate that the existing surface water drainage system functions efficiently and has adequate capacity: (a) evidence of the maintenance of the existing surface drainage network including ditches and lagoons; (b) evidence that the settlement lagoon has capacity to take surface water runoff from the site for the duration of the extended period of recycling; and (c) an as-built drawing of the existing surface water drainage system. The approved details shall be implemented and maintained for the duration of the development hereby permitted.

Reasons:

1. For the avoidance of doubt and in the interests of proper planning.

2. So as to comply with the terms of the application.

3. To comply with the terms of the application and in the interests of highway safety and capacity in accordance with policy DC3 of the Surrey Waste Plan 2008.

4. So as to comply with the terms of the application and in the interests of local amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.

5. In the interests of local amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.

6. So as to comply with the terms of the application and in the interests of highway safety and capacity in accordance with policy DC3 of the Surrey Waste Plan 2008.

7. So as to comply with the terms of the application and in the interests of local amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.

8. In the interests of local amenity in accordance with policy DC3 of the Surrey Waste Plan 2008.

9. To ensure existing surface water drainage system is maintained throughout its lifetime to an appropriate standard, and that the existing surface water system has been built in accordance with Drawing Ref. TQ0474_CAW-D_031111_A Surface Water Drainage Scheme dated November 2011 approved by consent Ref. SP11/1038 dated 3 April 2012.

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. Any works to be carried out which will affect the flow or storage of water within, or which place or alter a structure/obstruction within an ordinary watercourse will require Ordinary Watercourse Consent. These can include permanent or temporary structures or works. An ‘ordinary watercourse' is a watercourse that is not part of a main river and includes rivers, streams, ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the meaning of the Water Industry Act 1991) and passages, through which water flows. Consent within Surrey is issued by the Sustainable Drainage and Consenting Team within Surrey County Council. The team can provide information on the requirements for consent and the application procedure and is contactable by email on SuDS@surreycc.gov.uk. Please note consent cannot be issued retrospectively. Works affecting designated Main River require consent from the Environment Agency.

4. 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.

5. 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.

6. The Applicant’s attention is drawn to the potential need to enter into discussions with the Environment Agency as to whether any existing Environmental Permit for the site requires amendment. Information on Environmental Permits can be obtained from the

9

following website: https://www.gov.uk/topic/environmental-management/environmental-permits

7. In determining this application the County Planning Authority has worked positively and proactively with the applicant by: entering into pre-application discussions; scoping of the application; assessing the proposals against relevant Development Plan policies and the National Planning Policy Framework including its accompanying technical guidance and European Regulations providing feedback to the applicant where appropriate. Further, the County 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 on air quality and dust 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.

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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
Surrey Minerals Plan Site Restoration Supplementary Planning Document (SPD) 2011
Aggregates Recycling Joint DPD 2013
Saved policies of the Spelthorne Local Plan 2001
Spelthorne Core Strategy and Policies Development Plan Document 2009

Other Documents
Waste Management Plan for England 2013
National Planning Policy for Waste 2014
Surrey County Council Annual Aggregates Assessment December 2016
Air Quality Updating and Screening Assessment Report for Spelthorne Borough Council, July 2015
The Natural Environment and Rural Communities Act 2006
Planning (Listed Buildings and Conservation Areas) Act 1990
'Good Practice Advice in Planning: 2 Managing Significance in Decision-Taking in the Historic Environment', July 2015
'Good Practice Advice in Planning: 3 The Setting of Heritage Assets', July 2015