

UPDATE SHEET**Planning Applications Refs. SP17/00113/SCC and SP17/00118/SCC****Stanwell Quarry, Stanwell Moor Road, Stanwell, Surrey TW19 6AB****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 and phasing plans previously approved (Ref. SP17/00118/SCC).****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.**

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1. Members will note that the County Planning Authority (CPA) has not received a formal consultation response from Spelthorne Borough Council in relation to either of the subject planning applications.
 2. However, the CPA did receive an email from Mr. Geoff Dawes (Principal Planning Officer) of Spelthorne Borough Council on 30 June 2017. This email is attached as **Annex A**.
 3. Mr. Dawes complains that: (a) there has been little or no progress in restoring the mineral working since planning permission Ref. SP08/0337 was granted by Surrey County Council (SCC) in 2011, and that a further time extension would delay the public benefits of restoration; (b) the justification for continued operation of a recycling facility in this Green Belt location is tenuous; and (c) the benefits of restoration may not be deliverable in the context of the proposed expansion of Heathrow Airport.
 4. The applicant has provided a response to Mr. Dawes' email which can be found at **Annex B**.
 5. Officers have also considered the contents of Mr. Dawes' email and respond as follows:
 6. Officers agree with Mr. Dawes that a further delay to the restoration of the quarry is disappointing in that it would inevitably delay the public benefits to arise from the same. However, this delay should be considered in the context of the characteristics of the quarry, national policy and guidance relating to sustainable waste management, and the compensation proposed by the applicant in respect of the delay.
 7. In the absence of site-derived restoration materials, the materials necessary to complete restoration of the quarry would need to be sourced from some form of recycling operation undertaken on the quarry or elsewhere.
 8. It would be contrary to Waste Hierarchy¹, which in England is both a guide to sustainable waste management and a legal requirement enshrined in law through the

¹ The hierarchy gives top priority to waste prevention, followed by preparing for re-use, then recycling, other types of recovery¹, and last of all disposal e.g. landfill.

Waste (England and Wales) Regulations 2011, 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 having regard to paragraph 144 of the National Planning Policy Framework² and the Surrey Minerals Core Strategy 2011 (MCS)³.

9. Since 2011 some 105,000m³ of suitable restoration material has been produced on the quarry by the existing recycling operation. This material has been used within the eastern and central parts of the quarry for restoration purposes. About 115,000m³ of suitable restoration material is still required to fully restore the quarry.
10. The applicant has explained that restoration of the quarry has been delayed as the existing recycling operation has been able to deliver higher rate of recycling than originally envisaged i.e. about 85% of imported waste has been recycled and exported from the quarry for reuse elsewhere.
11. Based on this rate of recycling, and the volume of suitable restoration material produced as a consequence, restoration of the quarry would be completed by 2027.
12. By way of compensation for the delay the applicant is offering increased public access, enhanced heritage and biodiversity value, and a 25-year management plan for 15ha (a 50% increase in area compared to previous management plan area) of the restored site. Officers consider that the proposed scheme, once realised, would offer much more benefit to the environment and local community than that previously approved. The applicant is also proposing to release parts of the restored quarry, predominantly the parkland garden area in the south, for public access within the next 5-years i.e. by 2022.
13. If planning permission is granted for an extended restoration period a condition would be imposed requiring the submission of a progressive restoration phasing plan with detailed timescales for each respective phase of the quarry. This would ensure that the applicant does what they have committed to and would allow the CPA to monitor progress of the restoration more effectively and enforce progressive restoration if necessary and expedient.
14. In addition to facilitating restoration of the quarry, albeit at a slower pace than originally anticipated, the existing recycling facility makes a valuable contribution to achieving the 0.9mtpa MCS target for recycled aggregates by 2026. Without the facility it will be difficult to achieve this target as recognised by SCC's 2016 Local Aggregates Assessment⁴.
15. Given its location adjacent to Heathrow Airport, the majority of waste imported to the quarry is from the airport and about half of the resulting recycled material is reused at the airport with the remaining half used at other sites including works relating to the M3 motorway and west London infrastructure projects. For these reasons, amongst others, Officers consider the quarry to be a suitable and sustainable location for a temporary recycling facility.

² The CPA should provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards.

³ Policies MC17 (Restoring Mineral Workings) and MC18 (Restoration and Enhancement)

⁴ See paragraph 4.4.4 of Surrey County Council's Local Aggregates Assessment dated December 2016

16. Officers are aware of the proposed plans for the expansion of Heathrow Airport and that these may impact upon the quarry. However, these plans are at draft stage and are therefore likely to change given that they are yet to undergo formal consultation/evaluation processes. Accordingly, there is considerable uncertainty surrounding the expansion of the airport and there is no clear timetable for the same. Any formal proposal by Heathrow Airport would need to take account of the restored quarry and the benefits it offers to the environment and the local community.

17. Having regard to the above, Officers maintain their recommendations to permit planning applications Refs. SP17/00113/SCC and SP17/00118/SCC subject to conditions⁵ as set out in the respective Officer reports.

Dustin Lees
6 July 2017

⁵ And subject to a s106 legal agreement in the case of planning application Ref. SP17/00118/SCC

Dustin Lees EI

From: Dawes, Geoff <G.Dawes@spelthorne.gov.uk>
Sent: 30 June 2017 16:35
To: Simon Elson EI
Cc: Walker, Kelly; Dustin Lees EI
Subject: Stanwell Quarry Stanwell Moor Road Stanwell

Simon

Following our recent conversation I have been looking into this case a bit more and now have serious reservations about the whole proposal.

I visited the site this afternoon and it is clear that no attempt has been made to implement any of the restoration proposals in the southern part of the site. Given that the whole site was supposed to have been completed last year so that, at long last, some benefits for the local community would be delivered by way of public access and nature conservation, such lack of progress is not acceptable. I can only assume that there has been absolutely no positive management within the southern part of this site over the last five years. Please correct me if I am wrong.

I consider this represents a total disregard for the views of this authority and the expectations of residents when the scheme was formally approved six years ago. It is also very disappointing to find that Surrey has allowed matters to progress so far without taking more formal action sooner to ensure that CEMEX was delivering its obligations. It seems that the whole operation has concentrated on the unauthorised expansion of the site and the scale of the recycling facilities with very little or no regard to the obligations set out in the planning permission or legal agreement.

One of the reasons why Spelthorne did not object to the original scheme, in spite of its Green Belt location, was the clear understanding that the recycling facility was necessary to generate material to ensure the full restoration of the site with a specific, reasonably short, timeframe. From the planning statement it becomes clear that CEMEX have entered into an arrangement with Heathrow and the recycling operation seems to be much more about facilitating their operational needs rather than restoring the site.

The case for very special circumstances does not appear to be particularly compelling and could be advanced for any recycling activity in the Green Belt. Given that the function of the recycling facility appears to have moved away from its primary purpose of restoring the site, I think the justification to continue this extended operation in the Green Belt would need to be a lot stronger if it is to overcome the clear policy objections to this activity.

The current Government consultation on the Airports National Policy Statement identifies a red line boundary for the land required to implement the Airport Masterplan. Whilst it is highly likely that this boundary may change as the preferred scheme is developed for the Development Consent Order application, it is clear that the future use of the whole site, apart from the southern nature conservation area, could be used for airport parking. CEMEX have frequently promoted the site as being suitable for airport related development. If this is the case, none of the future benefits being offered in this current proposal will be deliverable!

I attach a link to the latest available plan.

<https://your.heathrow.com/takingbritainfurther/vision/maps-technical-information/>

This proposal needs to be seen in the context of the original joint proposals for Hithermoor and Stanwell. That was all about getting better restoration of both sites and satisfying very special circumstances in the Green Belt. Although the joint proposals could not, in the end, be delivered I consider the range of issues and ultimately the concessions we gained from Bretts from the ten year permission we granted at Hithermoor for the recycling facility were significant. I find it incredible that CEMEX are just expecting us to agree this new proposal on the back

of having done nothing so far to suggest that they have the will to deliver any benefits in the short term, let alone the long term.

As usual the community is being expected to wait longer for any benefits!

We look forward to your comments and would welcome the opportunity to discuss the proposals in more detail.

Regards

Geoff

Geoff Dawes
Principal Planning Officer

Spelthorne Borough Council
Council Offices Knowle Green Staines TW18 1XB
Tel: 01784 446397

Spelthorne Means Business

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Dustin Lees EI

From: Helen Hudson <helen.hudson@ext.cemex.com>
Sent: 06 July 2017 11:23
To: Dustin Lees EI
Cc: Andrew Scott
Subject: Re: FW: Stanwell Quarry Stanwell Moor Road Stanwell

Dear Mr Lees

I am writing in response to the comments made by Geoff Dawes from Spelthorne Borough Council. The key comments made by the officer are that:

- i) there has been little progress with the site restoration since planning permission was granted in 2011 and that a further extension in the restoration scheme will delay public access and benefit of the site for a further period.
- ii) there is concern about the justification for the recycling operation in this green belt location; and
- iii) there is doubt about the delivery of the scheme because of future proposals at Heathrow Airport.

Restoration Progress

The application SP17/00118/SCC is to extend the time taken for restoration until 26th October 2027 i.e. by some ten years. The current permission SP10/0594 requires restoration of the quarry to be complete by 26th October 2017 with a 25 year long term management plan and aftercare covering some 7.1 hectares of the overall site.

Restoration of the quarry has progressed since planning permission was granted in 2011 for the aggregate recycling operation with some 105,000 cubic metres of inert material having been used to infill the eastern and central parts of the site. Some additional 115,000 cubic metres is required to fully restore the site as shown on the revised restoration plan. Restoration has taken longer than the original 6 years identified as the recycling aggregate operation has been able to deliver high rates of recycling and recovery than originally anticipated. The material attracted to the site means that recovery is high with around 85% of material being able to be taken off site for re-use. Based on 2015-2016 some 17,000 tonnes of residual material were available for void space infill. Based on the 2015-2016 rate this will require up to an additional 10 years of recycling activity to complete the restoration scheme.

The restoration and aggregate recycling applications seek to extend the restoration period by up to ten years in order to complete the restoration and also offer an enhanced scheme with a long term management plan covering a significantly larger area than previously offered. In order to off set the retention of the aggregate recycling plant for an extended temporary period and the delay in the final restoration of the whole site CEMEX is offering an enhanced restoration scheme secured by a revised 25 year long term management plan and aftercare scheme covering a much larger area of the site - some 15 hectares of the site. The enhanced restoration scheme offers new public footpaths, improved parkland and garden landscaping, historic referencing and maintenance of historic built structures and increased biodiversity.

Up until now there has been no public access to the former Stanwell Quarry site as the whole site is regarded by CEMEX as an active site and so public access has not been provided on health and safety grounds. However, CEMEX recognises that this application seeks to delay final restoration of the quarry for up to an additional ten years, but that this delay largely relates to the northern part of the site - occupied by the aggregate recycling operations. CEMEX are therefore proposing to release parts of the site in the south for public access within the next five years.

Plan P5/227/7A submitted as part of the applications shows the different phases of restoration. The eastern and north western parts of the quarry have largely been restored with Phase 1A in the east having been restored and is now in aftercare. Phase 1B has been restored to agriculture, but the current landform needs regrading to meet the levels set out in the enhanced restoration scheme. IC in the south has also been restored but required management of the vegetation and repair of the built structures. Overall the reinstatement of the former quarry is expected to be complete by 26th October 2027 - the last area to be restored will be the aggregate recycling areas 3A and 3B, but it is anticipated that Phase 1 and those within the southern half of the former quarry site - 1C, 1D, 2A, 2B and 2C can be delivered into aftercare within the next 5 years so that parts of the site may start to be opened up to the public for access sooner rather than later. If planning permission is granted it is noted that a condition is recommended requiring submission of a progressive restoration plan with detailed timescales for each respective restoration phase of the site. CEMEX has no objection to this condition.

Overall, CEMEX consider that the delayed overall restoration scheme by 10 years predominately relates to the

northern part of the site, occupied by the aggregate recycling operations and that within the next five years the southern half of the site will be restored and public access made available to this area.

Justification for the Aggregate Recycling Operation Green Belt

The justification for the retention of the aggregate recycling operation for a further period of up to ten years is to enable the restoration of the former quarry site to be completed, but also to assist in funding an enhanced restoration scheme which offers significant parkland landscape benefits with improved references to the former historic Stanwell Place house and provides for maintenance and restoration of former historic parkland and garden features which previously were not able to be delivered.

The enhanced restoration scheme also offers considerable benefits to biodiversity, habitat quality of the site and local biodiversity. The site also includes additional public access.

The retention and operation of the aggregate recycling operation for a longer period of time will also mean that CEMEX is able to offer and fund the 25 year management plan to a significantly larger area than previously secured through planning permission SP10/0594 i.e 15 hectares as opposed to 7.1 hectares previously agreed in the S106.

Overall it is considered that the retention of the aggregate recycling operation in this Green Belt location for a further temporary period is justified based on very special circumstances which are made up of a number of considerations. Firstly there is a need for aggregate recycling facilities in Surrey and in particular in this NW Surrey area. Also the site contributes to Surrey's aggregate recycling targets and there is a lack of alternative non Green Belt sites for aggregate recycling which can contribute to these targets. The site is well located to sources for waste arising around west London and NW Surrey and in particular Heathrow Airport which generates significant amounts of aggregate for recycling, reducing the distances for the transport of waste. The particular characteristics of the former Stanwell quarry site also contribute to this being a suitable location for this facility for an additional temporary period i.e. in close proximity to the motorway network, close proximity to waste arisings and aggregate re-use locations, away from residential properties, in a high background noise environment, on a site which is not fully restored, but whose activities can assist in providing suitable restoration materials and soils. Finally justification is based on the wider environmental and economic benefits of this sustainable form of waste management and from the significant further restoration enhancements and benefits.

Heathrow Airport Expansion

CEMEX note the point made by the officer that part of the northern, western and eastern parts of the site have been included by Heathrow Airport Limited as parking in their draft Heathrow Airport Expansion plans. However, these airport proposals are draft and have a significant consultation and scrutiny process to go through yet. No planning application or development consent order have been made or granted. CEMEX propose to fully restore the site as set out in application - SP17/00118/SCC. Any future proposal by Heathrow Airport Ltd would have to consider the loss of this enhanced restored land to the environment and local community, if permitted.

Please call me if you require any clarification on the above.

Kind regards

Helen Hudson

Consultant Planner - National Reserves Department - United Kingdom

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UPDATE SHEET 2

Planning Applications Refs. SP17/00113/SCC and SP17/00118/SCC

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

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 and phasing plans previously approved (Ref. SP17/00118/SCC).

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.

-
1. Members will note that the County Planning Authority (CPA) received Spelthorne Borough Council's formal consultation response on 11 July. The Borough Council has raised objection to both applications as follows:

"None of the items put forward as the reason not to object to planning application ref 08/00337/SBC have been achieved, namely: 1) A strict time limited final restoration date for the overall Stanwell Quarry site. 2) Securing parkland and nature conservation restoration of the western and southern parts of the overall Stanwell Quarry site; and 3) Public access to the areas referred to in (2) by creating a network of permissive paths through the overall Stanwell Quarry Site.

However if SCC are minded to approve the application, then SBC shall be involved at an early stage in discussions with the new S106 Agreement to ensure the provision of tangible development on the ground, in recognition of the commitment made in 2011 to restore the site by 2017."

2. In addition to the above, on 10 July the Pollution Control Officer at the Borough wrote to the CPA expressing concern about the dust and noise impacts of restoration works in the south of the quarry adjacent to residential properties.
3. **Annex C** attached provides a copy of the Borough Council's objection letters and a copy of the email sent by the Pollution Control Officer.
4. Officers consider that the relevant committee reports associated with applications adequately address the reasons for the delay in completion of restoration works and the need for the retention of the existing recycling facility.
5. In recognition of the need to secure completion of restoration works as soon as possible Officers have recommended that a condition be imposed on any consent granted in respect of application Ref. SP17/00118/SCC to secure a timed restoration phasing plan. This would allow the effective monitoring of phased restoration works and enforce the same if considered necessary and expedient.
6. Officers consider that the amended restoration scheme proposed together with a significantly larger 25-year management plan area would be of greater benefit to the local community and environment than that previously approved. Officers also consider that the extended management area and enhanced restoration scheme a

compensate for the delay in fully restoring the quarry within previously approved timescales.

7. The CPA will be willing to engage and consult the Borough Council in respect of the proposed 25-year management plan to be secured through a s106 legal agreement.
8. In respect of restoration works in the south of the quarry Officers note that these activities are controlled by an Environmental Permit issued by the Environment Agency¹. A copy of an extract from this permit is provided at **Annex D**.
9. Paragraph 122 of the National Planning Policy Framework advises that when considering development proposals the CPA should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. The CPA should assume that these regimes will operate effectively.
10. In this case any dust or noise generated as a result of landfilling/restoration works to the south of the quarry would be controlled by the applicant's Environmental Permit.
11. Having regard to the above, Officers maintain their recommendations to permit planning applications Refs. SP17/00113/SCC and SP17/00118/SCC subject to conditions² as set out in the respective Officer reports.

Dustin Lees
12 July 2017

¹ See Section 3.3 in respect of dust and Section 3.5 in respect of noise

² And subject to a s106 legal agreement in the case of planning application Ref. SP17/00118/SCC



c/o Helen Hudson
Cemex UK Operations Ltd.
Cemex House
Coldharbour Lane
Thorpe
Egham
TW20 8TP

Please reply to:

Contact: Kelly Walker
Department: Planning & Housing Strategy
Service: Planning (Development Management)
Direct line: 01784 446348
Fax: 01784 463356
E-mail: planningdm@spelthorne.gov.uk
Our ref: KEW/17/00113/SCC
Date: 11 July 2017

Dear Sir / Madam

TOWN AND COUNTRY PLANNING ACTS 1990

PROPOSAL: Retention of an existing recycling operation for the processing of construction and demolition waste for the production of restoration materials for use in the former Stanwell Quarry site and recycled aggregates for export for a period of 10 years with restoration to agriculture
AT: Stanwell Recycling Stanwell Quarry Stanwell Moor Road Stanwell Staines-upon-Thames TW19 7NY

I refer to the Consultation from your Authority relating to the above proposal.

I would inform you that this matter has now been fully considered by this Council when it was resolved that:-

That Surrey County Council be advised that this Council strongly objects to the proposal in particular given that none of the items put forward as the reason not to object to planning application ref 08/00337/SBC have been achieved, namely,

- 1) A strict time limited final restoration date for the overall Stanwell Quarry site. *strict time limited final restoration date*
- 2) Securing parkland and nature conservation restoration of the western and southern parts of the overall Stanwell Quarry site *- enhanced restoration - scheme with greater heritage benefit to public access*
- 3) Public access to the areas referred to in (2) by creating a network of permissive paths through the overall Stanwell Quarry Site. The Council also raises concern in relation to the expansion of the operation and site area. However if SCC are minded to approve the application, then SBC shall be involved at an early stage in discussions with the new S106 Agreement to ensure the provision of tangible development on the ground, in recognition of the commitment made in 2011 to restore the site by 2017'. *Sy's*

Yours faithfully

EJ Spinks

Planning Development Manager

MISOBZ



Surrey County Council
County Hall
Penrhyn Road
Kingston Upon Thames
KT1 2DN

Please reply to:

Contact: Kelly Walker
Department: Planning & Housing Strategy
Service: Planning (Development Management)
Direct line: 01784 446348
Fax: 01784 463356
E-mail: planningdm@spelthorne.gov.uk
Our ref: KEW/17/00118/SCC
Date: 11 July 2017

Dear Sir / Madam

TOWN AND COUNTRY PLANNING ACTS 1990

PROPOSAL: 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 and phasing plans previously approved.

AT: Stanwell Quarry Stanwell Moor Road Stanwell Staines-upon-Thames TW19 7NY

I refer to the Consultation from your Authority relating to the above proposal.

I would inform you that this matter has now been fully considered by this Council when it was resolved that:-

That Surrey County Council be advised that this Council strongly objects to the proposal in particular given that none of the items put forward as the reason not to object to planning application ref 08/00337/SBC have been achieved, namely,

- 1) A strict time limited final restoration date for the overall Stanwell Quarry site.
- 2) Securing parkland and nature conservation restoration of the western and southern parts of the overall Stanwell Quarry site
- 3) Public access to the areas referred to in (2) by creating a network of permissive paths through the overall Stanwell Quarry Site. However if SCC are minded to approve the application, then SBC shall be involved at an early stage in discussions with the new S106 Agreement to ensure the provision of tangible development on the ground, in recognition of the commitment made in 2011 to restore the site by 2017'.

Yours faithfully

E.J.Spinks

Planning Development Manager

MISOBZ

Dustin Lees EI

From: Walker, Kelly <K.Walker@spelthorne.gov.uk>
Sent: 10 July 2017 13:28
To: Dustin Lees EI
Subject: FW: SP17/00118/SCC - Stanwell Quarry

FYI

From: Flint, Olivia
Sent: 10 July 2017 11:48
To: Walker, Kelly <K.Walker@spelthorne.gov.uk>
Subject: SP17/00118/SCC - Stanwell Quarry

Kelly,

Application documents

It is understood that application SP17/00118/SCC is for non-compliance with conditions 1 and 2 of PP SP10/0594 of October 2011 to extend restoration until October 2027 and change the restoration and phasing plans previously approved. Condition 1 required restoration to be completed not later than 6 years from the permission (i.e. October 2017) and Condition 2 related to the restoration and phasing plan details.

Application documents detail that since 2011 some 105,000 cu.m of material has been placed for restoration, but less than anticipated due to enhanced recovery of processed materials than originally anticipated. The Planning Statement outlines the proposals for each Phase. Section 7.10 of the Planning Statement outlines that the applicant does not envisage that dust or noise would be a problem during reinstatement of the site. It lists only three outline dust control measures, namely suspension of soil handling during dry and wind conditions; maximum limits of soil storage prior to placement and seeding of soil mounds. It goes on to state that during infilling operations noise levels should not exceed 55 dB Laeq with temporary operations including soil replacement not exceeding 70 dB Laeq.

Phases 2A and 2B are located adjacent to housing on the southern boundary of the application site. Phase 2A is given to have been partly filled, but requires additional materials to complete filling and restoration to arable and woodland. Phase 2B requires infilling, followed by restoration to parkland. There is no discussion in the application documents about the distances to noise and dust sensitive properties on this boundary. I have previously reviewed application 17/00113/SCC, for retention of the recycling operation for an additional ten year period to produce restoration materials for Stanwell Quarry, which was supported by an air quality assessment prepared by Environmental Assessment Ltd (Jan 2017). This however related only to the smaller red line area of the recycling operations and was based on distances of >300-350m to the nearest residential properties. Filling at Phases 2A and 2B will come within 5-10m of the southern boundary of the application site with residential housing immediately adjacent.

With respect to noise levels it is not clear whether any monitoring is proposed to evidence noise levels being beneath these thresholds, nor how enforceable this commitment is in the event of noise complaints – where would the 55 dB Laeq threshold apply; at the source, at the application boundary, at the landownership boundary or at the façade of the nearest noise sensitive receptor?

Relevant Planning Guidance

Under the heading '*Facilitating the sustainable use of minerals*', the NPPF states:

"When determining planning applications, local planning authorities should:

- ensure, in granting planning permission for mineral development, that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality; and
- ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source...”.

The NPPF is supported by the national Planning Practice Guidance (nPPG), including sections focusing on both air quality generally and minerals specifically. The Minerals section of the nPPG provides the principles to be followed in considering the environmental effects of surface mineral workings and states that:

“Where dust emissions are likely to arise, mineral operators are expected to prepare a dust assessment study, which should be undertaken by a competent person/organisation with acknowledged experience of undertaking this type of work.”

It is unclear whether a minerals dust assessment has been undertaken in relation to this planning application, or whether there is an existing Dust Action Plan that applies to the whole site (i.e. including both the recycling operations and the landfill being filled/ restored). If such an assessment has previously been undertaken and or a Dust Plan is in place, it is not referred to within the application documents and therefore no consideration has been demonstrated of how revised restoration proposals could impact on the validity of the assessment/ plan. It is noted that there are no conditions relating to dust or noise on the decision notice of permission SP10/0594. The basic good practice measures that should be applied to design and operational phases of the scheme, in accordance with the IAQM (May 2016 v1.1) Guidance on the Assessment of Mineral Dust Impacts for Planning, should go beyond the three vague bullet points included within the Planning Statement.

In conclusion, I am therefore concerned that the amenity of residential properties on the southern boundary, particularly in proximity to Phases 2A and 2B, could be unacceptably impacted by dust and noise nuisance as the applicant has not demonstrated that good practice guidance has been adhered to.

Please do not hesitate to contact me if you have any queries with respect to these comments.

Kind regards,
Olivia

Olivia Flint
Principal Pollution Control Officer

Spelthorne Borough Council,
Council Offices, Knowle Green, Staines-upon-Thames, TW18 1XB
Tel: 01784 446 259

Olivia's working hours are Monday, Wednesday and Friday 08.30 – 17.30; and Tuesday and Thursday 09.30 – 14.30. Outside of these hours, if your query is urgent, please telephone our support team on 01784 446 251. For non-urgent queries please re-direct your email to pollution.control@spelthorne.gov.uk.

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Permit with introductory note

Pollution Prevention and Control (England & Wales) Regulations 2000

Stanwell III Landfill

**CEMEX UK Materials Ltd
Stanwell Moor Road
Stanwell
Staines
Surrey
TW19 6AB**

**Permit number
VP3030LV**

3. Emissions and monitoring

3.1 Emissions to water, air or land

3.1.1 There shall be no point source emissions to water, air or land

3.2 Emissions to groundwater

3.2.1 There shall be no emission from the activities into groundwater of any substance in List I (as defined by the Groundwater Regulations) contrary to those Regulations.

3.2.2 There shall be no emission from the activities into groundwater of any substance in List II (as defined in the Groundwater Regulations) so as to cause pollution (as defined in those Regulations).

3.2.3 The trigger levels for emissions into groundwater for the parameter(s) and monitoring point(s) set out in schedule 4 table S4.1 of shall not be exceeded.

3.2.4 The operator shall submit to the Agency a review of the Hydrogeological Risk Assessment:

- (a) between 9 and 6 months prior to the fourth anniversary of the granting of the permit, and
- (b) between 9 and 6 months prior to every subsequent 4 years after the fourth anniversary of the granting of the permit.

3.3 Fugitive emissions of substances

3.3.1 Fugitive emissions of substances (excluding odour, noise and vibration) shall not cause pollution. The operator shall not be taken to have breached this condition if appropriate measures have been taken to prevent or where that is not practicable, to minimise, those emissions.

3.3.2 Litter or mud arising from the activities shall not cause pollution. The operator shall not be taken to have breached this condition if appropriate measures have been used to prevent or where that is not practicable to minimise, the litter and mud.

3.3.3 Litter or mud arising from the activities shall be cleared from affected areas outside the Site as soon as practicable.

3.3.4 All liquids, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container.

3.3.5 The limits for landfill gas set out in schedule 4, table S4.2, shall not be exceeded.

3.4 Odour

- 3.4.1 Emissions from the activities shall be free from odour at levels likely to cause annoyance outside the Site, as perceived by an authorised officer of the Agency, unless the operator has used appropriate measures to prevent or where that is not practicable to minimise the odour.

3.5 Noise and vibration

- 3.5.1 Emissions from the Activities shall be free from noise and vibration at levels likely to cause annoyance outside the site, as perceived by an authorised officer of the Agency, unless the operator has used appropriate measures to prevent or where that is not practicable to minimise the noise and vibration.

3.6 Monitoring

- 3.6.1 The operator shall, unless otherwise agreed in writing by the Agency, undertake the monitoring for the parameters, specified in the following tables in schedule 4 to this permit:
- (a) Groundwater specified in tables S4.1 and S4.5;
 - (b) Landfill gas specified in tables S4.2 and S4.3;
 - (c) Surface water specified in table S4.4.
- 3.6.2 The operator shall maintain records of all monitoring required by this permit including records of the taking and analysis of samples, instrument measurements (periodic and continual), calibrations, examinations, tests and surveys and any assessment or evaluation made on the basis of such data.
- 3.6.3 A topographical survey of the site referenced to Ordnance Datum shall be carried out:
- (a) annually, and
 - (b) prior to the disposal of waste in any new cell or new development area of the landfill, and
 - (c) following closure of the landfill or part of the landfill.

The topographical survey shall be used to produce a plan of a scale adequate to show the surveyed features of the site.

3.7 Transfers off-site

- 3.7.1 Records of all the wastes sent off site from the activities, for either disposal or recovery, shall be maintained.

