

TO: PLANNING & REGULATORY COMMITTEE

DATE: 29 June 2020

BY: PLANNING DEVELOPMENT MANAGER

DISTRICT(S) ELMBRIDGE BOROUGH COUNCIL

ELECTORAL DIVISION(S):

Weybridge

Mr Oliver

CASE OFFICER:

Katie Rayner

PURPOSE: FOR DECISION

GRID REF: 505981 162210

TITLE: MINERALS/WASTE EL18/3802 WO2018/1358

SUMMARY REPORT

Units 11 and 12 Wintersells Road, Byfleet, West Byfleet, Surrey KT14 7LF

Change of use to a waste transfer station and recycling facility (sui generis) for the receipt and treatment of mixed, dry, non-hazardous household, industrial and commercial and construction, demolition and excavation waste, including the demolition of the existing building at Unit 11 and the erection of a steel portal framed building, picking station, storage bays and boundary fencing.

The application site is located within the established Wintersells Business Park, situated between New Haw and Byfleet. This area contains three established industrial estates, including the Brooklands Industrial Estate, Wintersells Business Park and the Byfleet Industrial Estate. The Wintersells Business Park, occupies an area of land measuring approximately 6 hectares (ha) in total. The Business Park is bound to the south by an embankment and line of trees, which form part of the western extreme of the former Brooklands Airfield/Motor Circuit (designated Conservation Area), beyond which is the Brooklands Industrial Estate. To the north and north-east of the Business Park is a large railway embankment serving the New Haw and Byfleet Railway Station, which runs east to west (Woking to London Waterloo line) and to the west is the A318 Byfleet Road/Oyster Lane. The A318 Byfleet Road/Oyster Lane is a single dual carriageway which contains along its length a mix of residential and further industrial development, including access to the Byfleet Industrial Estate. A low railway bridge (height restriction 2.4m) is located on the A318 Blyfeet Road/Oyster Lane, approximately 180m to the north of the access to the Wintersells Business Park.

Planning permission is sought for a change of use of Units 11 and 12 Wintersells Road, from a B1 (Office) and B2 (Industrial) use class, to a sui generis waste use. This would comprise the amalgamation of Units 11 and 12 to develop a Waste Transfer Station (WTS) and Materials Recycling Facility (MRF). The proposal includes the demolition of the existing commercial building at Unit 11 and the erection of a cantilevered steel frame building to the rear of the existing office building at Unit 12, to accommodate the main waste sorting, recycling and storage facilities for the site. The proposal also comprises the retention of the existing office building, the construction of an enclosed picking station extending from the recycling building, the formalising of the yard area in Unit 11, a sealed drainage system, external storage bays, new boundary treatment and the provision of 17 on-site staff parking spaces. All primary waste handling and

processing activities would be undertaken within the proposed waste recycling building, with the external yard being used for the residual storage and movement of waste once bulked up.

The proposed development is intended to be operated as a separation facility for skip waste inputs from builders and householders, which typically contain quantities of recyclables such as plastics, wood, metal, paper and cardboard. The applicant has indicated that the site expect to receive up to 99,950 tonnes per annum of waste, comprising mixed, dry, non-hazardous, industrial and commercial (HIC) and construction, demolition and excavation (C, D & E) wastes. No hazardous, liquid or clinical waste will be accepted at the site. The waste will be separated both by hand and machinery, stored and sent on to other waste reprocessing facilities.

The application site measures approximately 0.3ha and is bound by adjoining commercial and industrial units and access via the Wintersells Road, which is the main road which serves the Business Park. The sole access to the Business Park is via the A318 Oyster Lane, approximately 150m west of the application site.

Issues to be considered in determining the application are the suitability of the location for waste development, the contribution the proposal would make towards the sustainable management of waste in line with national and local policy, the potential impacts arising from the development on the local environment and amenity in terms of traffic, visual impact, noise, air quality, contamination, drainage and other matters.

Elmbridge Borough Council (EBC), Runnymede Borough Council (RBC) and the Byfleet, West Byfleet & Pyrford Residents' Association have objected to the development. Additionally the County Planning Authority (CPA) has received 127 representations (39 in support and 88 objections) and five petitions opposing the development containing 271 signatures in total. A significant majority of these objections relate to the perceived impact increased HGV traffic would have on the local highway network, local amenity and local environment. Concerns have also been raised with respect to the operational management of the facility in terms of dust, odour, noise and the visual impact of the proposal.

Although Officers recognise the concerns expressed by interested parties about Heavy Goods Vehicle (HGV) movements on local roads, the advice from the County Highway Authority is that the development would not have a significant adverse impact on the public highway and private road, subject to conditions.

In all other technical respects advice received from statutory consultees is that there are no grounds to refuse planning permission and suitable mitigation measures have been advanced by the applicant on the basis of air quality, noise, landscape and visual impact, heritage assets, flood and drainage risk and contamination, subject to a range of conditions. Officers consider the proposal accords with the Development Plan and National Planning Policy.

The recommendation is to PERMIT subject to conditions.

APPLICATION DETAILS

Applicant

Weybridge Skip Hire

Date application valid

22 November 2018

Period for Determination

21 February 2019, extension of time agreed 3 July 2020.

Amending Documents

SCP Framework Travel Plan, dated November 2019

SCP Transport Statement, dated November 2019

Oaktree Environmental Ltd, Design and Access Statement, Version 1.8, dated 19 November 2019

Oaktree Environmental Ltd, Air Quality Assessment – Waste Transfer Station at Wintersells Road, Version 1.2, dated 9 August 2019

3843-2410-E_V_&_R_Report_Part_5_1_of_2 - Arcadis EC Harris, Soil and Gas Assessment Report, Former Byfleet Depot

Oaktree Environmental Ltd, Odour Management Plan, Version 1.4, dated 5 July 2019

BP Supply and Logistics, Remedial Target Derivation, Byfleet Depot dated March 2005

Arcasis Factual Groundwater Monitoring & Sampling Report, Former Byfleet Depot, Surrey, dated 16 June 2008

Table 2a – Results from Sensitivity Testing of the Remedial Targets Spreadsheet for Soil Impacts with 160m Compliance Report

Table 3a – Results from the Sensitivity Testing of the Remedial Targets Spreadsheet for Ground Water Impacts with a 160m Compliance Report

3843-2410-E_V_&_R_Report_Part_4_Appendix_A

Oaktree Environmental Ltd, Dust Management Plan, Version 1.4, dated 12 May 2019.

KP Acoustics, BS4142 Assessment, Report: 18752.BS4142.01 Rev A, dated 2 April 2019

Drawing No: 3843-2410-E_Verification_&_Remediation_Report_Part_3

Drawing No: 3843-2410-G_Lighting_Assessment_Part_1, dated 15 February 2019

Drawing No: 3843-2410-G_Lighting_Assessment_Part_2, dated 15 February 2019

Drawing No: 3843-2410-E_Verification_&_Remediation_Report_Part_2

Drawing No: 3843-2410-E_Verification_&_Remediation_Report_Part_1

Drawing No: 3843/2410/05 Rev B, Building Elevations, dated 9 September 2019

Drawing No: 3843/2410/06 Rev B, Roof Plan, dated 6 September 2019

Drawing No: 3843/2410/03 Rev C, Existing Site Plan, dated 7 October 2019

Drawing No: 3843/2410/02 Rev B, Site Location Plan, dated 3 October 2019

Drawing No: 3843/2410/01 Rev A, Site Location Map, dated 3 October 2019

Drawing No: 3843/2410/04 Rev M, Proposed Layout Plan, dated 21 November 2019.

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

Sustainable Waste Management	Yes	68-103
Highway, Traffic and Access	Yes	104-145
Environment and Amenity	Yes	146-320
Heritage Assets	Yes	321-337

ILLUSTRATIVE MATERIAL

Site Plans

Drawing No 3843/2410/04 Rev M Proposed Layout Plan dated 21 November 2019

Drawing No 3843/2410/05 Rev B Building Elevations dated 09 September 2019

Drawing No 3843/2410/07 Sensitive Receptor Plan dated 13 November 2018

Aerial Photographs

Aerial 1

Aerial 2

Aerial 3

Aerial 4

Site Photographs

Photo 1: View of Units 11 and 12 looking north-west

Photo 2: View to the east of the application site towards cul-de-sac off Wintersells Road, looking north

Photo 3: View of Office building on Unit 12 to be retained.

Photo 4: View of building on Unit 11 to be demolished.

Photo 5: View of existing yard area to the south of Unit 11

Photo 6: Further view of existing yard area on Unit 11

Photo 7: View of existing yard area looking east.

Photo 8: View of existing open area to the rear of Unit 12, looking north-west (location of proposed recycling building).

Photo 9: View of turning circle at the end of the cul-de-sac to the north-east of the application site.

Photo 10: View looking north-west towards the application site from Wintersells Road.

Photo 11: View of the existing boundary treatment to the south of the application site on Wintersells Road, looking west.

Photo 12: View from Wintersells Road looking north-east towards Unit 10 PM Skips.

Photo 13: Long view of Wintersells Road looking west.

Photo 14: Further view of Wintersells Road within the Wintersells Business Park.

Photo 15: View of the approach from Wintersells Road of the access with the A318 Oyster Lane, looking west.

Photo 16: View of the junction of Wintersells Business Park with the A318 Oyster Lane, looking south.

Photo 17: View of the junction of the Wintersells Business Park with the A318 Oyster Lane, looking north.

BACKGROUND

Site Description

1. The application site is located within the established Wintersells Business Park, situated between New Haw and Byfleet. The application site is situated within the western extreme of the Borough of Elmbridge, as such the boundary of Runnymede Borough Council (RBC) bounds the Business Park to the north and the boundary of Woking Borough Council bounds the Business Park to the west. This area contains three established industrial estates, including the Brooklands Industrial Estate, Wintersells Business Park and the Byfleet Industrial Estate.
2. The Wintersells Business Park, occupies an area of land measuring approximately 6 hectares (ha) in total. The Business Park is bound to the south by an embankment and line of trees, which form part of the western extreme of the former Brooklands Airfield/Motor Circuit (designated Conservation Area), beyond which is the Brooklands Industrial Estate. To the north and north-east of the Business Park is a large railway embankment serving the New Haw and Byfleet Railway Station, which runs east to west (Woking to London Waterloo line) and to the west is the A318 Byfleet Road/Oyster Lane. The A318 Byfleet Road/Oyster Lane is a single two way carriageway which contains along its length a mix of residential and further industrial development, including access to the Byfleet Industrial Estate. A low railway bridge (height restriction 2.4m) is located on the A318 Blyfeet Road/Oyster Lane, approximately 180m to the north of the access to the Wintersells Business Park.
3. The application site comprises Units 11 and 12 within the Wintersells Business Park, which occupy a central position within the site and are currently vacant. Combined Units 11 and 12 measure some 0.306ha, and are accessed via two points from the south and one to the east via Wintersells Road. The Wintersells Road is the main access road through the Business Park, which links to the wider road network to the west by means of the A318 Byfleet Road/Oyster Lane. Unit 11 comprises a single storey commercial building, measuring 29m by 13m with a height of 6m, which is surrounded by hardstanding. The site was formerly used by a haulage company for parking, office and storage space. Unit 12 is situated to the north of Unit 11 and comprises a two storey office building measuring 16m by 8m with a height of 6.5m, located to the front of the unit, with an open area of redundant industrial land behind and was previously used as a oil storage depot.
4. The application site is bound to the north, west and east by existing industrial and commercial development also located within the Wintersells Business Park. These include, but are not limited to, racing boat manufacturers, automotive repair and sales, office space and general warehouse storage. Other businesses within the Business Park include a Mazda, Kia and Hyundai Service Centre, a concrete batching plant and a coach depot. To the south of the application site is the Wintersells Road which runs along the southern extent of the Business Park from the A318, beyond this is the embankment which separates the Wintersells Business Park from the Brooklands Industrial Estate. Immediately to the west of Units 11 and 12, is Unit 10, which is currently operated as a waste transfer station in connection with a skip business, known as PM Skips. The nearest residential property is located approximately 125m to the west of the application site on A318 Oyster Lane and further residential properties are located

at the entrance to the Wintersells Business Park, on the A318 Byfleet Road/Oyster Lane, approximately 165m from the application site. Residential properties are also located to the north of the application site beyond the railway embankment, approximately 140m from the application site on Westfield Parade.

5. The application site is situated within an urban area and is therefore not covered by, or close to, any national or local level landscape designations. The closest boundaries of the Surrey Hills Area of Outstanding Natural Beauty (AONB) and the Surrey Area of Great Landscape Value (AGLV) are some 9.9km to the south. The application site is located some 1.46km to the north east of the Basingstoke Canal Site of Special Scientific Interest (SSSI) and the Ockham & Wisley Commons SSSI, which is a component part of the Thames Basin Heaths Special Protection Area (SPA), is situated some 2.77km to the south east of the proposed site. The Ockham & Wisley Local Nature Reserve (LNR) is also located some 2.93km to the south east of the application site. Additionally, there are 11 sites of Nature Conservation Importance (SNICIs) located in Surrey within 2.5km of the application site. The closest area of Ancient Woodland is located some 1.29km to the north-east of the application site beyond the railway line. The application site lies within National Character Area 115 (Thames Valley) and as the site is situated in an urban setting, it is not characterised as part of the 2015 Landscape Character Assessment for Surrey.
6. The application site is located some 0.02km to the west of a Scheduled Monument, 'the Brooklands Motor Circuit, remains of a pre-World War II Aerodrome, World War II Bofor Tower and Shelters, and the Brooklands Memorial'. The Scheduled Monument is also covered by a Conservation Area designation and contains two Grade II Listed Buildings which form part of the Brooklands Airfield. There are no World Heritage Sites located within 10 kilometres of the application site, the closest is the 'Royal Botanic Gardens, Kew' (Historic England List ID 1000102), which lies some 18.2 kilometres to the north east.
7. The application site is located some 0.41km to the east of the 'M25 and Egham Town Centre' Air Quality Management Area (AQMA), which was designated by Runnymede Borough Council (RBC) for exceedance of the National Air Quality Strategy Objectives for nitrogen dioxide and particulate matter.
8. The site is located on land with the lowest probability of flooding i.e. Flood Zone 1 and is classed as being predominately subject to 'very low' risk of surface water flooding, with the Wintersells Road to the south of the site being classed as 'low' risk.

Planning History

9. There is no relevant County Planning history for the application site at Units 11 and 12, Wintersells Road. All previous planning applications at the Units in question have been determined by Elmbridge Borough Council (EBC) and are set out in the tables below:

Unit 11, Wintersells Road:

Reference	Description	Decision
1993/1219	1.8 metre high boundary fence	Permission Granted on 24 November 1993
1984/0276	Erection of security	Permission Granted on

	fence and provision of car parking areas and landscaping	30 April 1984
1979/0623	Construction of additional parking areas	Permission Granted on 2 August 1979
1976/1275	Erection of a garage maintenance building with offices and toilet	Permission Granted on 3 February 1977

Unit 12, Wintersells Road:

Reference	Description	Decision
1980/1507	Erection of a first floor extension to form additional offices	Permission Granted on 5 March 1981
1979/0514	Erection of 3 single storey buildings to provide offices, workshop and stores together with provision on 9 car parking spaces	Permission Granted on 24 May 1979
1978/0037	Erection of a building to provide coach garage with ancillary offices	Permission Granted on 16 March 1978

10. According to EBC’s records the Wintersells Business Park was first established in the 1970s. Prior to this the site formed part of a former sewage works, comprising filter beds and tanks.
11. As set out in the applicant’s submission, Units 11 and 12, subject of this application, have historically operated as separate Units in B1/B2 use (Office and General Industrial). Unit 12 was operated as a bulk fuel storage and distribution depot for a number of years before BP acquired the operating company at the site in the late 1990s. The depot was decommissioned in the late 1999s/early 2000s, which comprised the removal of known underground fuel lines, loading gantry and above ground storage tanks (with the exception of the heating oil tank serving the office building). Since this time the site has also been subject to a number of intrusive investigations and a remedial programme following the cease of its use. Prior to the submission of the current planning application, Unit 11 was used as parking, office and storage space for a haulage firm.

THE PROPOSAL

12. Planning permission is sought for a change of use of Units 11 and 12, Wintersells Road, from a B1 (Office) and B2 (Industrial) use class, to a sui generis waste use. This would comprise the amalgamation of Units 11 and 12 to develop a Waste Transfer Station (WTS) and Materials Recycling Facility (MRF). The proposal includes the demolition of the existing commercial building at Unit 11 and the erection of a cantilevered steel portal frame building to the rear of the existing office building at Unit 12 to be retained, to accommodate the main waste sorting, recycling and storage facilities for the site.
13. The proposed development is intended to be operated as a separation facility for skip waste inputs from builders and householders, which typically contain quantities of

recyclables such as plastics, wood, metal, paper and cardboard. The applicant has indicated that the site expect to receive up to 99,950 tonnes per annum of waste, comprising mixed, dry, non-hazardous, industrial and commercial (HIC) and construction, demolition and excavation (C, D & E) wastes. No hazardous, liquid or clinical waste will be accepted at the site.

Site Preparation Works

14. The application proposes the demolition of the existing building located in the southern part of the application site on Unit 11, which measures approximately 30m by 16m, with a height of 6m. The removal of the existing building is required to facilitate the construction of a new main recycling building.
15. The new recycling building is proposed to be constructed to the rear of the existing two storey office building on Unit 12. The building is proposed to measure approximately 35.5m in length by 30m in width, providing 1050sqm of additional floorspace. The building is proposed to be constructed from a steel portal frame building, with a steel roof which slopes upwards from north to south. As such the building would measure 10.3m in height at its northern elevation (rear) to 13m in height at its southern elevation (front). The building is proposed to be orientated in a south facing direction away from the existing units within the estate, with its open doorway facing towards the Wintersells Road and embankment separating the Wintersells Business Park with the Brooklands Industrial Estate. A conveyor and a covered six bay picking line cabin will extend southwards from the southern elevation of the building into the yard area of Unit 11 and will be situated over eight concrete bays. At the end of the conveyor will be a blower unit and cage. The picking line cabin and conveyor measure approximately 31.1m in length by 4m wide, with an overall height of approximately 6.3m.
16. Other works to the site comprise changes to the existing boundary treatment on the southern and eastern boundaries of the site, including the installation of a 2.4m high fence with barbed wire on top. The application also proposes the laying of hardstanding across the site, provision of dedicated staff car parking, the siting of a number of waste storage bays and the provision of a skip storage area. In addition, security lights to be mounted on the building and on columns in the yard area of the site.

Buildings

17. The main recycling building will house the proposed mechanical treatment plant to allow for the acceptance, storage and treatment of waste. As referenced above the hand picking line cabin and conveyor will extend through the southern elevation of the building and into the open hardstanding area.
18. The site office will be based within the retained existing two storey building to the east of the site. This building will be the administrative hub of the recycling facility for the storage of all relevant site documents (planning permission, environmental permit, management plans, site inspection sheets, waste transfer notes).

Operations

19. It is proposed the site will accept up to 99,950 tonnes per annum of waste. Based on this figure the site expects approximately 100 loads in any one working day, which equates to 200 vehicle movements in total (100 in 100 out) per day. It is proposed that these vehicles will comprise primarily skip loaders and smaller commercial vans.
20. Waste will be delivered and removed from the site using hook loading trucks, 8 wheel tippers and articulated bulk waste vehicles. All waste delivered to the site will be deposited directly into the proposed recycling building. The open hardstanding area to the south of the proposed building is intended to be used for the storage of empty skips (estimated to be around 36 in total), some small waste storage bays (for overspill, metal, light wastes and hardcore) and the parking of HGV skip vehicles when the site is not in operation. During operations this area will also be used for vehicle turning.
21. The applicant has indicated that a loading shovel (waste handler), 360° excavator, mechanical treatment plant and picking line will be the primary plant and equipment used on the site. Waste will be moved, loaded and unloaded using the loading shovel and 360° excavator. The mechanical treatment plant and picking line will further separate the mixed waste, which will be bulked up and sent to suitably permitted sites for further processing.
22. All vehicles will be required to report to the site office upon arrival. Each load is proposed to be recorded and its contents inspected. All material accepted on site will be directed to the waste recycling building. All mixed loads will be tipped into the waste reception area in the recycling building and crudely sorted using the 360° excavator and by hand, which will separate bulky materials and C, D & E waste from the stockpile prior to loading into the hopper. Bulky waste will be consigned to an adjacent bay and exported to landfill or a suitably permitted site depending upon its composition. Wood will also be collected by hand or 360° excavator and deposited in the internal wood storage bay.
23. The mixed waste would be fed into a feed hopper using a 360° excavator inside the building. The hopper then feeds the flip flow screener and soil fines will fall through the rotating drum mesh into a bay beneath the flip-flow and onto a reverse conveyor which will deposit the fines/soils into a number of bays inside the building. The remaining larger fractions of waste exit the flip flow onto a separate conveyor which enters the six bay covered picking line, which extends into the yard area. The picking belt moves slowly, enabling picking staff to remove recyclables and waste for landfill by hand and place them in the chutes next to the picking line. The chutes discharge into the bays beneath the picking station. The applicant has labelled these connecting external bays on Drawing No: 3843/2410/04 Rev M, as Grade A-C wood (3 bays), plastic (UPVC), paper and cardboard and other plastic. A reject skip is also proposed to be located inside the building to collect waste which cannot be processed through the treatment plant following tipping e.g. batteries and paint. In addition, if odorous waste is discovered following tipping in the reception area of the building, a sealed skip from the 'empty skip storage area' would be brought into the building to store the material until it can be removed off site.
24. The conveyor exiting the picking line has an overband magnet which removes ferrous metals to a separate bay below. Waste which is not suitable for recycling is not picked and passes under the magnet to be blown by a fan unit into a cage at the end of the

picking line for removal off site. The remaining heavy fractions drop off the end of the conveyor into the stockpile for recycling and are likely to comprise inert/hard core waste.

Landscaping and Boundary Treatment

25. The application site is proposed to have a mixed boundary treatment. Those boundaries of the site which currently do not comprise buildings are to be enclosed by a 2.4m high metal powder coated fence, with 0.5m barbed wire on top and gates at the access points, which will extend along the south-eastern boundary up to the area of proposed staff car parking at the front of the retained office building at Unit 12. The existing low 0.3m brick boundary wall located on the south-eastern perimeter of the site is to be retained and extended to the eastern gate, along with a proposed 0.75m strip for planting. Further larger areas of soft landscaping and planting are also proposed either side of the southern access/egress gate to the site.

Traffic and Access

26. Access to the site is gained via three points off of the main Wintersells Road, which are located to the east and south of the site, as shown on Drawing No. 3843/2410/04 Rev M. The proposed development will continue to use the two access gates into Unit 11, allowing for the operation of a one-way system to improve the efficiency and safety of the site. There is also an open access which is separate to the recycling facility for staff and visitor parking to the front of the two storey office building on Unit 12. A total of 17 staff parking spaces are proposed to be provided on the site, to the front of the office building and along the south-eastern boundary of the application site.
27. It is expected that the site will employ approximately 20/21 members of staff, including drivers, administrative staff, plant operatives and site managers, which has the potential to generate 21 one way vehicle movements. The site will be staffed, whenever it is open, by a minimum of five fully trained operatives during all operational hours.

Hours of Operation

28. The applicant proposes the following hours of operation.

For the acceptance and removal of waste including the use of plant:

0630 – 1800 Monday to Friday
0700- 1700 Saturday

For the operation of plant only:

1800-2200 Monday to Friday
0700-1700 Saturday

29. There would be no operations on Sundays, Bank or Public Holidays. The applicant has proposed that the only exception to these hours is for maintenance work.

Assessments

30. The application is accompanied by a Planning, Design and Access Statement, Transport Assessment, Framework Travel Plan, Dust Management Plan, Air Quality Assessment, Historic Contamination Reports, Odour Management Plan and Noise Assessment.

CONSULTATIONS AND PUBLICITY

District Council

31. Elmbridge Borough Council - Object, on the grounds of unacceptable harm to the character and appearance of the area, and insufficient information to assess the impact on the amenities of neighbouring properties.
32. Woking Borough Council - No objection, subject to Surrey County Council being satisfied that no significantly harmful impact, by reason of adverse noise and air quality implications, would arise to Nos. 126-132 Oyster Lane (inclusive), No.136 Oyster Lane, and Nos.133-135 Oyster Lane, which are the closest residential receptors within Woking Borough, notwithstanding the sensitive receptors plan submitted and the proposal would not give rise to an unacceptable impact on highway safety and that the residual cumulative impacts on the road network would not be severe, particularly upon nearby Oyster Lane (A318) and Chertsey Road (A320).
33. Runnymede Borough Council - Object, it is considered that the applicant has failed to demonstrate that there would be no harmful impacts on the residents and employees in RBC area and visitors to the area.

Consultees (Statutory and Non-Statutory)

34. County Highway Authority - No objection, subject to a range of conditions to secure a scheme to stop vehicles overturning the footway at the A318 and Wintersells Road junction, to restrict vehicle movements and to provide cycle parking and vehicle charging points.
35. SCC Archaeology - No objection, the proposed development is not in an Area of High Archaeological Potential and does not directly affect any designated or non-designated Heritage Assets. The proposed development is adjacent to the western extreme of a remaining section of banked track of the former Brooklands racing circuit; a Scheduled

Monument. Whilst the development does not directly impact the Scheduled Monument, it could be considered to impact its setting. However, it is considered that the setting of the track is not adversely impacted due to the previous modern developments to its east and west.

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|---|---|--|
| 36. The Environment Agency (South East) | - | No objection, following amendments to the application to remove the soakaway from in the northern corner of the site. Satisfied with the level of remedial works carried out on the former oil storage depot, coupled with the removal of the infiltration drainage of surface water, that the development at this site should not present an unacceptable risk to ground water quality. |
| 37. SCC Noise Consultant | - | No objection, subject to conditions. |
| 38. SCC Air Quality Consultant | - | No objection, the applicant has provided assurances that the extent of the study for the assessment is appropriate and the air quality effects within all AQMAs are not likely to be significant. |
| 39. SCC Geotechnical Consultant | - | No objection, subject to pre-commencement conditions to secure details of any historic contamination, necessary remediation action and the final details of the surface water drainage strategy. |
| 40. SCC Lighting Consultant | - | No objection. The proposed lighting columns are directed into the site and the building mounted fittings are aimed below the horizontal so will not cause an adverse impact outside the site. |
| 41. SCC Ecology | - | No objection, subject to the provision of a condition to secure a scheme of biodiversity enhancements. |
| 42. SCC Landscape | - | Overall the revised proposal represents an improvement to the street scene in comparison to the original proposal and would allow for the provision of a scheme of soft landscaping to help soften the visual impact of the development and provide biodiversity interest. It is recommended that conditions are attached to any grant of planning permission requiring the |

- submission of a soft landscaping scheme, and final details of the appearance of the boundary treatment and exterior of the building.
43. SCC Historic Buildings Officer - No objection.
44. Historic England - Do not wish to offer any comments on this proposal. It is recommend that the views of the specialist conservation and archaeological advisers are sought, as relevant.
45. Lead Local Flood Authority - No objection, subject to conditions. Satisfied that the proposed drainage scheme meets the relevant national requirements and non-statutory technical standards, subject to conditions to secure details of the final design of the surface water drainage system and ensure that it is properly implemented and maintained throughout the lifetime of the development.
46. Affinity Water - No views received.
47. Thames Water - No objection, with regard to the Waste Water Network and Sewage Treatment Works infrastructure capacity based on the information provided. Informatives are recommended to be attached to any grant of planning permission to ensure the applicant is aware of the need to gain any relevant consents/permits from the waste water company.
48. Network Rail - No objection.

Parish/Town Council and Amenity Groups

49. Byfleet, West Byfleet & Pyrford Residents' Association - Object. The application will generate around 200 lorry movements every working day. Due to the road layout, the traffic will have to go along the A318 and onto the A245, A3 and the A320. The traffic in this area is already substantial and traffic reports already state that at certain times of the day the road capacity is exceeded. The proposed development at Land West of Byfleet Road (rear of 98-138 Byfleet Road) New Haw KT15 3LA (Ref: RU.19/0378), has been withdrawn on 09/04/19 due to traffic implications. Before this application is considered SCC Highways must carry out a full update traffic survey of the A318, A245 & A320 covering the Brooklands, Byfleet, West Byfleet and

Summary of publicity undertaken and key issues raised by public

50. The application was initially publicised by the posting of two site notices and an advert was placed in the local newspaper. A total of 56 owner/occupiers of neighbouring properties were directly notified by letter.
51. A second consultation exercise was carried out on 26 July 2019 by the County Planning Authority (CPA) following the submission of clarifying and additional information by the applicant in support of the application. This resulted in letters being sent to the owner/occupiers of neighbouring properties originally notified of the application, and to people and organisations who had expressed an interest in the application prior to the receipt of the additional information received.
52. A third consultation exercise was carried out on 14 October 2019 by the CPA following the submission of further clarifying and additional information by the applicant to support the application. This resulted in the posting of two site notices and letters were sent to the owner/occupiers of neighbouring properties originally notified of the application, and to people and organisations who had expressed interest in the application prior to the receipt of the additional information received.
53. A final fourth consultation exercise was carried out on 27 November 2019 by the CPA following the submission of additional information by the applicant in support of the application. This resulted in the posting of two site notices and letters were sent to the owner/occupiers of neighbouring properties originally notified of the application, and to people and organisations who had expressed interest in the application prior to the receipt of the additional information received.
54. A total of 152 individuals have submitted written representations in response to the proposal to date, although some have written in more than once. One petition submitted in eight parts has also received in response to the proposal containing a total of 271 signatures.
55. Of the representations received approximately 63 individuals have written in support of the proposal and their views are summarised as follows:
- Need for waste facilities in the County in general.
 - Current lack of facilities to accept waste from home improvements in the area and using local recycling centres has become harder recently.
 - Alleviate congestion in the surrounding waste disposal sites.
 - Need more facilities in the area to help reduce fly tipping
 - Support for new modern waste facilities in general to reduce the amount of waste going to landfill, not enough is being done to ensure the sustainable disposal of waste.
 - Provision of jobs and opportunities in the area.
 - Should be supporting local businesses.
 - Appropriate industrial location, which has proven to support existing large vehicles.
 - The company has a good reputation in the area with highly trained drivers and awards for their road safety awareness.

- Need to encourage businesses to Industrial Estates which are getting increasingly smaller with less of them.
- The site will benefit many companies in the area.

56. Of the remaining representations approximately 89 individuals have raised objection to the proposal. The issues raised will be addressed in the following sections of this report. The main points of public concern are summarised as follows:

Highway, Traffic, Access and Routing

- The local roads are not suitable for another 200 HGV movements per day
- The local transport infrastructure is not suitable for this volume of vehicle and traffic
- The existing road infrastructure needs to be improved and new roads need to be built to take this extra weight which is causing damage to our road surfaces
- Traffic is already heavy coping with many HGV vehicles each day and night for the various supermarkets, parcel companies, M25, Cappagh (Addlestone Quarry) and those trying to turn around at the railway bridge.
- Congestion and fumes will be significantly increased.
- Major solutions required to alleviate the congestion on the surrounding roads.
- A further 200 HGV movements will make it impossible for residents to move around.
- Oyster Lane and Parvis Road are already at their limit and well over their limit at particular times of the day. Each application cannot be taken individually and needs to be compared to the existing load and infrastructure.
- Woking BC already planning huge residential development along the Parvis Road and any additional traffic would make the daily lives of residents living in Byfleet a nightmare.
- There will be queues of multiple skip lorries waiting to turn into the site causing huge disruption to the existing businesses in the estate.
- Access to the A3 or M25 (Junction 10) would be via Sopwith Drive and the A245 which are both heavily congested roads at busy times.
- Alternative access to the site should be sought from the Weybridge side or Brooklands Estate.
- Wintersells is not considered to be a modern industrial estate and was designed when most people came to work on foot or by bicycle. The roads are narrow and there is only a footpath on the left hand side of the roads. Vehicles already parking on the kerb block this for pedestrians.
- It is likely that the number of traffic movements will be exceeded and can only be regarded as a minimum for the benefit of the planning application.
- Extra congestion means increased journey times for local residents, businesses and the emergency services
- The A318 already gets very congested with long queues often stretching back for over a mile either side of the bridge and further delays caused by drivers ignoring the low bridge sign and having to do a 3-point turn on either side of the bridge.
- Byfleet is an island, cut off by M25 to the west, the River Wey to the south and east and a high railway embankment to the north. Consequently, the traffic infrastructure in Byfleet is already under severe strain due to its extremely limited access and egress.
- Oyster Lane the sole access to Wintersells, is greatly restricted by one vehicle wide, 2.9 metre high railway tunnel through the embankment.
- The A318 is already challenging for users and for residents with a significant number of residential properties, for who traffic, pollution and noise is already a serious issue.
- 21 Jobs will be provided, only 17 car parking spaces provided within the site, resulting in 4 cars trying to find space on the estate
- Increased likelihood of damage to parked cars
- No turning circle in the estate large enough to accommodate large vehicles
- The amount of dust on the road and in houses of people living along the A318 is already intolerable since Cappagh (Addletone Quarry) was granted permission for 200 vehicle

movements in 2017. To have a further 200 HGV movements would be detrimental to the health and wellbeing of residents and businesses.

- On street parking in the Wintersells Estate is at a saturated level and any additional demand for spaces resulting from high levels of vehicle movements and or high numbers of staff from overdeveloped sites will severely overload the current parking provision.
- Given the frequency of movements trucks will overspill onto Wintersells Road and cause issues for residents and businesses gaining access
- No confirmation that the skip trucks will only be operated by the applicant. If not provides no control on emissions or the ability to control truck movements.
- The A318 is badly overcrowded between 08.00-09.30 and 15.00-18.00. All skip lorry movements should be banned from Oyster Lane during this time and also movements between 19.00 and 07.00 due to adverse impact on residential properties.
- Significant increase in late night traffic, which drives past residential properties on A318
- The yellow box markings on Byfleet Industrial Estate have worn away. The Highways Authority should but a yellow box junction on the junction of Wintersells Road with Oyster Lane.
- Significant risk to local roads, a very quick inspection of the area used by these HGVs shows flattened curbs, broken pavements and drain covers.
- Project should be delayed until the road infrastructure is improved.
- The site plans show the parking at right angles to the building. The space does not provide sufficient room for vehicles to manoeuvre around each other.
- Due to the severe traffic issues, and recent adding of 600 Ocado lorries, business owner in Wintersells Estate has had to change employee start times and a further 200 HGV movements will exacerbate this issue.
- The applicant's documents state that the roads in the Estate are approximately 7m wide but this fails to take into consideration the unrestricted parking on one side which reduces the width of the road to 4.5m wide. A HGV is 3m wide, if the access road is gridlocked, these vehicles will spill onto the main road.
- The presumption that HGVs do not fit under the bridge has skewed traffic figures and also impacted the air quality report which addresses only points to the south of the site.
- The bus routes referred to in the Transport Statement are not suited to anyone working shifts or starting early and leaving late. To say they are frequent is misleading.

Road and Pedestrian Safety

- Increased risk of accidents, including bridge strikes. Large footfall in the area from the station and surrounding Schools not to mention other businesses.
- Already safety issues within the Wintersells Estate due to the volume of traffic.
- No safe crossing points, so people manoeuvring between vehicles.
- HGVs will be required to swing across into the other carriage way to exit the site and Abotts Close which is 30 yards from the entrance to Wintersells, very good chance that the number of accidents will increase.
- Byfleet Road does not benefit from a footpath/shared cycleway on both sides of the road as incorrectly stated in the planning documents. There is no footpath or shared cycleway to the west of the hazardous single carriageways of Byfleet Road. There is a narrow footpath on the eastern side of the A318 carriageway and 2 feet wide beneath the bridge and even narrower on the western side. This is dangerous for pedestrians who walk to work.
- The traffic assessment makes much of the site accessibility by cycle and on foot by fails to mention that the roads providing access to the site are not suitable for cycles due to the level of traffic.
- The Wintersells estate is also suffering from a lack of parking, over congestion, which makes it difficult to enter at peak times, so the adding of 200 movements a day will have a detrimental effect on safety and on the convenience of estate users.

Application Documentation

- The Transport Statement has been prepared in accordance with superseded guidance from the Department for Transport and should have considered the later version dated March 2015.
- Expected to see a Travel Plan of the routes of vehicles that would be using to collect and distribute waste and its impact on those roads used by vehicles.
- It is questioned why the Weylands Site was not selected for the transport statement to provide information on trip movements given the similarities.
- It cannot be accurate to base calculations on the 2011 census of traffic volumes between 2019 and 6 July 2017 particularly when on 16 June 2017, SCC gave permission for Cappagh (Addlestone Quarry) to operate 200 vehicle movements a day along the A318.
- The application is misleading, it refers to a change of use but fails to mention the wording 'material recovery facility' in the description of development.
- All reports on polluting matters are lacking substance.
- Distance to sensitive receptors varies in the application documents.
- Dust and Odour documents appear to have been written as operation manuals for the workforce.
- Application documents make a number of erroneous, misleading and unsubstantiated claims/statements about the respective site, including using out of date data to support their application.

Waste Management Issues

- There is already a recycling centre next door and in New Haw (Cappagh, Addlestone Quarry) there is no justification for the need for a further one here.
- An additional recycling facility will cause reduced input to the current designated sites, potentially making them less operationally efficient and financially resilient, which could in turn prevent them from investing in the latest recycling technologies.
- Given the size of the site there is no long term prospect of it becoming a major recycling centre and this would make more sense to close the existing operation of Unit 10 entirely and co-locate waste businesses in either Leatherhead or Heathrow or Oakleaf.
- The application should be considered alongside the overall waste plan for the Country.
- The proposed amount of waste at Wintersells site is well over double what is recommended in the Waste Plan Site Assessment Document. It states at 2.2.2.4 for each allocated site an indication of the type of waste use and the scale of facility that may be suitable. In terms of the scale broad definitions are used based on hectares and tonnes per annum. Small facilities are indicated to be up to 5 hectares and would process up to 50,000 tonne per annum.
- Detailed analysis of the site in SCC's Environmental and Sustainability reports of December 2018 show that in virtually all of the categories of assessment the site is high and medium level risk to the atmosphere, water, landscape and human environment.
- Sorting waste in the middle of a business park which comprises mainly offices and where the whole site is bounded by further offices, warehouses, retail establishments, hotel and most importantly residential properties is unacceptable.
- Not an industrial park but a business park.
- Change of use is not consistent with or complementary to existing businesses.
- Aware of pressing need to sort and recycle waste but inappropriate to place such a plant in a non-industrial area.
- A plant of this magnitude should not be built anywhere near other small businesses that have nothing to do with waste.
- Since the estate was originally set up in 1970 it has developed with plots ranging from one third to generally about half an acre. The proposed application to merge two plots would be out of character with the other plots and the start of setting a precedent for other plots to be merged which could result in an Industrial Estate with large units only, similar to Brooklands and Canada Road. This would be unwelcome and would drive small business out of the area.

Operational Impacts

- Operation times are in excess of Weybridge Skip Hires normal operational hours and not in line with other waste site hours of business in the area. No consideration for the wellbeing of its neighbours.
- Operational times should be in line with Cappagh (Addlestone Quarry), 07.30 to 17.30 Monday to Friday and 07.30 to 13.00 on Saturdays with no Sunday, Bank or Public Holiday Working.
- Sorting this type of waste in a business park is totally unacceptable when so many people will be affected by the odours, noise and general pollution from such a site.
- The applicant has stated that if the Wintersells road site is approved their Weylands site would be used for storage and maintenance of their vehicles. This is illogical and will necessitate additional trips.
- The permit from the Environment Agency does not match the planning application in terms of quantities. Permit allows 75,000 tonnes per annum to be processed application refers to 99,950 tonnes per annum.
- No information on how the building will be constructed and whether it will be insulated.
- Lack of information about the construction of the interior plant and machinery to be installed.
- Health risk to employees on the Estate, from unchecked skips potentially holding hazardous material or asbestos.
- No purpose made parking spaces in the site for skip trucks or HGVs waiting to tip or those taking material to landfill, these will no doubt park up and wait on Wintersells Road, or on the kerbs blocking the narrow road for other users. Where will vehicles wait whilst loading, recording and off-loading?
- The picking line does not appear to be enclosed, the Council should ensure that it is.
- The Council should ensure that a weighbridge is installed for each loads to be recorded
- Delays should be kept to a minimum if a driver refuses to take back a load, or there is need for discussion.
- External stockpiles should not exceed 4m in height, and if they do work should stop until they are emptied.
- There is no mention in the documents about replacing the hard-core in the area of Unit 12. Such matters should not be left to assumption.
- Stockpiles should not be higher than the bays in which they are in.
- No provision is made for closures (doors or shutters) to the front of the building
- Inspections of the boundary for vermin and litter will be impossible on the north and west boundaries as the site plans indicate that there is less than 1m between the building and the boundary wall.
- Assurances should be given that the site will be closed when there is no more room.
- All on site skips should be covered to prevent the escape of light waste
- It is naive to believe that all people and companies using the skip company will respect what can legally be put in the skips and could ignorantly or deliberately dump hazardous or noxious waste into the skips which won't be identified until it is tipped.
- Question how the rejected skips will be removed immediately or will this 'rejected waste' skip now be moved until it is full?
- Height of the blower unit and conveyors demonstrates how out of proportion this development is to the rest of the buildings on the Estate (6.3m high).
- The only rejected waste skip identified on the site plan states it is for non-odorous waste. There is no odorous waste skip identified on the Plan. How is that a fully sealed skip requires a weather proof covering if it hasn't been removed in 48 hours?
- The overall tonnage proposed to be handled at the site (99,950) does not accord with the number of vehicle movements, the throughout could be achieved with approximately 10% of the annual requested movements, if each day 100 skips carrying 8 tons of waste entered the site, a total of 220,000 tons would be the throughout (this excludes recycled waste being dispatched from the site).

Environmental and Amenity Impacts

Air Quality, Odour and Dust

- High risk of air, dust and noise pollution not only from the site itself but from vehicles entering and leaving the site.
- None of the boundary treatment will stop the escape of dust
- Increased risk of odour and contamination
- Risk of increased air pollution from operating plan, affecting health of residents and businesses.
- Windy conditions will cause dust and debris to blow onto footpath which will affect people walking past.
- Impact of air-borne particles and dust affecting those who are spending their working life in Wintersells Road.
- Wintersells Estate should be introduced as an AQMA to protect existing uses from further pollution.
- Assurances should be given that the site will take appropriate steps to ensure no escape of dust, pollutants or malodorous smells.
- Dust will be embedded in air con units and cars causing increased cost in terms of maintenance and cleaning.
- No information on the dust suppression system.
- The proposed open plan nature of the facility has a very real prospect of toxic airborne contaminants, odour and dust.
- No mention of PM2.5 particles, which is likely to be present in waste material brought to the facility and should therefore be considered.
- The Air Quality Regulations 2010 state that the annual limit for PM10 should not exceed 40 microns per cubic metre. A report produced in late 2016 by DEFRA showed that Byfleet road has a background concentration of 18.3 microns per cubic metre. The institute of Air Quality Management stated that the site movements at Cappagh site can contribute to a further 15 cubic metre, bringing the total to 33.3 microns per cubic metre. Given the proposed activity there is every reason to believe that these will be exceeded on a regular basis.
- Air Quality Regulations 2010 state an objective of limiting PM2.5 pollution to no more than 25 microns per cubic metre by 1st January.
- Byfleet Primary School lies within the predicted path of any air borne pollutants from the open fronted south east facing building.
- Request that SCC deploy air, particle and noise monitoring systems over a minimum of six months along the Byfleet Road/Oyster Road areas as far as the crossing of the M25.
- Air pollution in this area is known as being the worst in the Country.
- Further dust controls need to be identified.
- Malodorous waste should be rejected on collection rather than accepted and removed from the site.
- All vehicles should be sheeted to avoid dust escape. Vehicles arriving without covers should be rejected.
- The air quality report concentrates solely on vehicle emissions and does not address the site operations.
- There must be a more technical way to test for odours other than the 'sniff-test' as there is a risk individuals become de-sensitised to the smell.
- The assessment of AQMAs has only taken into consideration those within Elmbridge, not Runnymede which is closer.
- End of the picking line where waste is deposited from a height outside and where the blower is higher than the boundary wall, much dust is likely to escape.

Noise

- Noise levels would be high given the number of vehicles, operation of machinery and proposed operating times.
- Demolition of existing building and construction would create further noise and disruption.
- All businesses and nearby residential properties will be affected by noise and vibrations from lorries, forklift trucks and plant and machinery.
- When containers are dropped at PM Skips the ground shakes at the Estate.
- Noise from PM Skips is already unacceptable, the new facility will be much larger and generate more noise from the breaking up of waste.
- The application does not take into account the revised PPG planning guidance on noise on 22 July 2019 which includes a new section on how the 'agent of change' principle can be managed in the Planning process.
- Noise Assessment is flawed as it doesn't consider the actual noise impact from the proposed machinery.
- The noise mitigation measures are just common sense and vague.

Landscape and visual amenity

- The design of the building indicates the height to be 13m, this is higher than any of the other businesses on Wintersells Estate at 2.5 times the height of the 2 storey building to be retained.
- No design has been provided, leaving the reader to guess what it will look like inside and out.
- Its central location will mean that it has a dominant effect on the image of the estate.
- The building would appear unduly prominent due to its massing and height.
- The development is not in keeping with the Estate.
- Concerns with design and impact on the character and appearance of the area.
- The south-eastern boundary of the site is currently marked by a brick wall of 30cm high, with a chain link fence above, total height of around 2m. The proposed site plan indicated that this would be replaced by a 3m high fence and concrete panels. This type of boundary would dominate views of the site along Wintersells Road resulting in a significant adverse visual and townscape impact.

General Amenity

- General impact on the daily living of residents.
- Residents may suffer isolation
- Increased vermin and risk of diseases in the area due to the open nature of the facility and waste being left on site.
- Increased potential for windblown debris and litter coming from the site.
- Exterior of surrounding buildings on the Estate will become dirty.
- No objective assessment on lighting levels and potential impact on sensitive receptors.
- Lack of adequate assessment of concerns over rodent infestation. Proposed solution not sufficient. There should be a fence between these properties to contain the site.
- Dust Management Plan refers to the loading of a crusher. This is the only reference found but is of concern due to the dust and noise if one is to be used on site.

Contamination

- As the site will handle mixed waste there is no guarantee that harmful pollutants will not be present in such waste and thus leach into the ground through soakaway.
- Site was part of a sewage works with filter beds and tanks prior to it being developed into Wintersells Business Park. There is potential that contaminants from this are still

present. There are vents leading from this structure that ventilate gasses up to the surface of the Estate. One vent is located at Unit 15.

- If agreed on-going monitoring of the site will be necessary to ensure that no deleterious waste finds its way into the subsoil where on-going problems with leachate and methane gas can occur.
- Concern that any contaminants and harmful gasses are still present and could be released in an uncontrolled manner, contaminating the surrounding area and water.
- Influx of heavy vehicles could cause underground structures to fail and release contaminants.

Drainage and Flood Risk

- Concern for water drainage, if the pipes were to get clogged with waste debris, cost to businesses on Estate to maintain.
- Concern that the soakaway will receive contaminated waste water.
- The new policy paper from the Environment Agency to protect Weybridge and Byfleet from flooding should be examined and the conditions adhered to.
- Will foul water drainage be allowed by Thames Water
- The assertion that there is no watercourses within the vicinity of the site is not correct because the river ditch is only a short distance away and could be reach through ground under the railway.
- Historically the Estate has suffered from burst water pipes due to heavy movements of vehicles.

General Comments

- It seems unrealistic that both Byfleet and West Byfleet are being subjected to so many different developments at the same time with no plan to either improve access or other facilities.
- Similarities between this planning application and one earlier this year in Byfleet (RU.19/0373 and RU.19/0378) for the redevelopment of a greenfield site to provide Class B1c/B2/B8 floorspace, with ancillary office accommodation. Severe concerns raised by SCC highways and Highways England, about increased air, noise and light pollution and dust pollution and effect on health in general.
- Additional congestion, delays, emissions and noise pollution will make it difficult for existing businesses to attract and retain staff.
- Loss of customer contact can result in loss of profitability
- Discourage and prevent new businesses from investing in the area
- Additional cost to businesses to maintain access track
- Devaluation of surrounding properties
- The suggestion of controls to manage impact should be rejected as evidence from adjacent quarry site has proved these are not effective.
- Land registry files include a restrictive covenants that restrict the use of land in the Estate for any sewage refuse or other offensive matter coming or drawn from the parish place lands or houses.
- Concerns over the competency of the operator as it is understood that the Environmental Health Officer at Elmbridge Borough Council has received a number of complaints about the existing business at Weylands.

Officers' note that matters of devaluation of businesses or loss of income are not material considerations in the determination of a planning application. The matters relating to the restrictive covenants on the land, are also not a material consideration in the determination of the planning application, but are of course a risk for the applicant. As such the applicant has been informed and they have sought the relevant legal assurances in this regard.

Application Process

- Lack of consultation or information provided by SCC to the neighbourhood that would be impacted with a waste site development.
- Public, statutory and non-statutory consultation by SCC has been misleading and confusing. This has disadvantaged a number of third parties and resulted in prejudice.
- SCC did not make it clear that in July 2019 that objections made prior to the re-consultation would still be accepted as valid.
- Unclear what criteria was applied by SCC to notify consultees.
- Statutory responses not available on SCC website.

Officers' note that the publicity and consultation carried out on the application was in accordance with Surrey County Council's Statement of Community Involvement (SCI) (May 2015). A revised Statement of Community Involvement (October 2019) has been adopted since the submission of the planning application, however as the application was received prior to this the application has been determined in accordance with the SCI (dated May 2015). Officers' have been in contact with those residents aggrieved by the perceived lack of publicity, during which it was made clear that all representations submitted with respect to the proposal following the initial consultation to the final (fourth) consultation are taken into consideration in the determination of the application. In terms of the consultation, statutory consultees were consulted in accordance with Schedule 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and non-statutory consultees were also consulted, where there was a planning policy reason to do so. There is no requirement for consultee responses to be made available on Surrey County Council website, nor for these to be sent to the relevant district/borough for the planning register. Consultee views are therefore not in the public domain until the Officer report is published as up until that time they may change and are not considered final.

57. In addition to the letters from individuals, letters of representation were also received from a group of businesses and organisations who are currently occupying Units in the Wintersells Business Park. This group is referred to as the 'Wintersells Road Management Company' and given the detailed representation and comments received their views have been summarised separately below. This summary also includes an overview of the findings of two independent assessments commissioned by the Wintersells Road Management Company and carried out by Mayer Brown with regard to the Noise Impact Assessment (April 2019) and Transport Statement (November 2019) submitted by the applicant.

58. **Wintersells Road Management Company**

General: Failing of the applicant to obtain pre-application advice with Elmbridge Borough Council. Insufficient assessment of planning policy within the applicants supporting planning statements. None of the planning history for either Units 11 and 12 establish a development principle for a waste use. Inadequate consultation with public from SCC and lack of consultees responses available on the planning register. Reputation of the applicant is questioned.

Planning Policy Context: The scheme does not accord with paragraphs 170, 180, 181, 182 and 183 of the National Planning Policy Framework (NPPF) (2019), on the basis that it would contribute to unacceptable levels of pollution, not appropriate for the locality taking into account the cumulative effects of pollution and amenity impacts, it would not

contribute to compliance with air quality limits taking account of the presence of an Air Quality Management Area, the scheme cannot integrate with existing businesses and community facilities and would be considered an unacceptable use of land.

The scheme does not accord with the National Planning Policy for Waste (2014), because it has not considered the extent to which the capacity of existing operational facilities would satisfy any identified need, not demonstrated that waste disposal facilities are in line with the Local Plan and SCC Waste Plan, not considered the likely impact on the local environment and amenity against the criteria in Appendix B and the assessments submitted are lacking or flawed, it should have necessitated the relevant Waste Planning Authority (WPA) to carry out their own detailed assessment on impact to health and it is not well-designed so would not contribute positively to the character and quality of the area. Furthermore, it would place too high a burden on pollution control authorities and other regulatory bodies. The WPA cannot work on the assumption that the relevant pollution control regime will be properly applied and enforced.

The scheme would not accord with the wording of the paragraphs B13 to B40 of the Surrey Waste Plan (SWP) 2008, however it would accord with Policies CW5 and WD2 of the same. The scheme would not accord with Policy DC3 of the SWP because the provision of information supplied by the applicant does not demonstrate that the range of adverse impact can be controlled to not significantly adversely affect people, land, infrastructure and resources.

The scheme would not accord with strategic objectives 4 (best use of existing sites), 5 (suitable locations) and 7 (support for sustainable transport) and Policies 2 (recycling and recovery), 3 (recycling of inert construction, demolition and excavation waste), 8 (improvement and extension to existing facilities), 10 (areas suitable for waste), 13 (sustainable design), 14 (development management planning), 15 (transport and connectivity) or 16 (community engagement) of Part 1 of the Emerging Surrey Waste Local Plan. Part 2 (sites) of the emerging Waste Local Plan lists Wintersells Road Industrial Park as an 'Industrial Land Area of Search' that may be suitable for waste development. It is considered that the proposed scheme does not accord with this.

The scheme would not accord with the principal policies of the Elmbridge Borough Council Local Plan (2011), namely CS1 (spatial strategy), CS13 (Thames Basin Heaths Special Protection Area), CS17 (Local Character, Density, and Design), CS23 (Employment Land Provision), DM12 (Heritage) and DM21 (Nature Conservation and Biodiversity).

Reference is made to three legal cases to clarify the position on the duty in Section 54A of the Town & Country Planning Act 1990, that the determination shall be in accordance with the Plan, these comprise *Ouseley J in R (Cummins) v. Camden LBC* (2011) EWHC 1116 Admin, *Stratford-on-Avon DC v. Secretary of State* (2013), EWHC 2074 Admin and *R v. Rochdale Metropolitan Borough Council*, July 2000, EWHC 1264 Admin. The dominant policies in this case are considered to be SCC Waste Plan Policies CW5 and DC3, and EBC Local Plan Policies CS1, CS17 and CS23. In this respect the scheme is not in accordance with the Development Plan and contravenes the majority of the most relevant and dominant policies and there are no material considerations which indicate a departure of this.

Officers' note that Policy CS13 of the Elmbridge Core Strategy (2011) relates to residential development and the issues concerning the intensification of residential development on the Thames Heath Basin SPA. As such the specific Policy is not referred to in the Officers' considerations below.

Prematurity: The emerging Surrey Waste Local Plan is at an advanced stage. To approve this application would be to substantially undermine the plan-making process by predetermining the decision about the scale, location or phasing of new waste developments that are centre to the emerging plan, in a random, ad-hoc and unplanned/assessed fashion.

Environmental Impact Assessment: A lack of a screening opinion for this proposal is a breach of EU EIA Directive and UK SI 571; the scheme is considered Schedule 2 development and would exceed the relevant thresholds and criteria, in addition it is close to two 'sensitive areas' (Thames Basin Heaths Special Protection Area and The Basingstoke Canal SSSI) and biodiversity opportunity areas. It therefore has the potential to give rise to a range of environmental effects and should be considered EIA development. The submission of eight standalone environmental reports strongly suggests a wide suite of environmental effects that require detailed examination and point to a type of development that should be EIA. It is requested that SCC reconsider the EIA Screening process, which is out of date following the submission of further information by the applicant, incorrect in some factual information and legally flawed.

Adverse Effects: The building is larger in scale and will appear unduly prominent due to its massing and height. Boundary treatment (concrete panels) will have a significant adverse visual and townscape impact. Adverse noise, vibration, dust and light pollution, smell/odour and visual impacts will be felt by sensitive receptors in locality and other occupants of the business park. The proposal does not take account of the 'agent of change' principle in the revised national guidance. The noise assessment is flawed. The Dust Management Plan does not go far enough to satisfy concerns and does not demonstrate how dust arising from activities at the site, including stockpiles, vehicle movements and on-site operations can be controlled. Odorous waste should be an exception at this site and should be rejected on delivery. To condition a contaminated land assessment is inappropriate, it is fundamental to the scheme should be examined as part of the planning process.

Summary of findings from the independent review of Transport Assessment: The junction of Wintersells Road and Oyster Lane is not of sufficient width or layout to accommodate increased vehicle movements as evidenced by existing damage to kerbs; Wintersells Road is not of adequate width to accommodate an increase in large vehicle movements due to on street parking; the safety record of Wintersells Road and Oyster Lane is poor and further traffic will increase this; the projected traffic attraction of the development is not clear; robust or consistent; detailed junction modelling and an understanding of the local highway conditions is required in order to demonstrate the proposal will not exacerbate the existing situation; access design does not accommodate large vehicles that would use the site including visibility; the parking layout raises concerns about pedestrian conflict; insufficient information about the parking of trucks and HGVs overnight; insufficient information about controlling vehicle movements and preventing tip rate increase. It is concluded that the development proposals are not acceptable from a highways perspective.

Summary of findings from the independent review of the Noise Assessment: The 24-hour survey is insufficient to determine the background sound level; the report incorrectly identifies the nearest sensitive residential receptor as 190m from the site, findings suggest there are properties closer at 125m to the west of Byfleet Road; correction factors have been incorrectly applied; the accuracy of the instruments used has not been verified with a calibrator; table 3.1 reports the daytime and night-time background sound levels as 51dB LA90 and 49 dB LA90 respectively, however given the noise sources in the vicinity of the site it is considered that the difference between these two values would be greater if a longer duration survey was undertaken; misinterpretation of BS4142, underestimate of the actual noise emissions; movement of empty skips has not been covered in the assessment. It is concluded that planning permission be refused on the grounds that the submitted noise report does not provide sufficient information upon which a reliable decision can be based. If however the CPA is minded to grant planning permission it is requested that operative noise limits are imposed which provide protection to existing businesses adjoining the site. It is recommended that the noise levels at the boundary of the site should not exceed the level of 60 dB LAR T, in accordance with BS 4142.

PLANNING CONSIDERATIONS

Introduction

59. The guidance on the determination of planning applications contained in the Preamble/Agenda front sheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs.
60. In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations. In this case the statutory development plan for consideration of the application consists of the Surrey Waste Plan 2008 (SWP), the Elmbridge Core Strategy 2011 (ECS), and the Elmbridge Development Management Plan 2015 (EDM).
61. The Surrey Waste Plan 2008 is currently in the process of being replaced by the "Surrey Waste Local Plan Part 1 – Policies" (SWLP-1) and the "Surrey Waste Local Plan Part 2 – Sites" (SWLP-2). These set out how and where different types of waste will be managed within Surrey, and will form the policy framework for the development of waste management facilities from 2019 until 2033. During the preparation of the new plan, views were gathered from residents, businesses and stakeholders during the issues and options consultation, the Regulation 18 draft Plan consultation and the Regulation 19 period for representations. On Friday 12 April 2019, Surrey County Council submitted the 'Submission Surrey Waste Local Plan' to the Planning Inspectorate for public examination into the soundness and legal compliance of the Plan. Public hearing Sessions took place between 17 and 26 September 2019 as part of the examination process. During this process the Council identified 'Main Modifications' that it considered necessary to make the Plan sound and legally compliant. The consultation on the proposed 'Main Modifications' and revised Environmental & Sustainability Report commenced on 13 January 2020 and continued until 23 February 2020. During this time, any representations received relevant to the modifications proposed were sent to the Inspector to inform their conclusion of the examination.

62. The Inspectors Report on the Surrey Waste Local Plan (SWLP) has now been received and marks the end of the independent examination. The Inspectors Report concludes that the SWLP provides an appropriate basis for the waste planning of the County, provided that a number of the Main Modifications are made to it in order to make it sound and legally compliant and therefore capable of adoption. The Main Modifications all concern matters that were discussed at the examination hearings and subsequently consulted on over the six week period. At this stage the SWLP is yet to be fully adopted, Surrey Council's Cabinet will now decide whether to recommend that the Full Council adopt the new Plan. This is currently expected to be at the meeting to be held on 21 July 2020, although is subject to change.
63. In accordance with Paragraph 48 of the NPPF (2019), weight can be given to relevant policies in emerging plans according to the stage of preparation (the more advanced its preparation, the greater the weight that can be given), the extent to which there are unresolved objections to relevant policies and the degree of consistency to the relevant policies in the emerging plan to the NPPF. Accordingly, the Surrey Waste Local Plan 2019-2033 is at an advanced stage, it can therefore attract weight in the determination of this application.
64. In addition, Elmbridge Borough Council (EBC) are in the process of replacing the adopted Core Strategy 2011 and Development Management Plan 2015 with a new Local Plan, to shape how Elmbridge is developed over a 15 year period. This long-term plan for the borough will also seek to respond to the shortage of new and affordable housing as well as ensure that future development happens with the necessary infrastructure while protecting the environment. At present EBC have consulted on the Strategic Options, the first stage in the process of developing a new Local Plan. The consultation closed on 30 September 2019 and 3,760 comments were received in total. EBC are therefore in the process of considering the feedback from the Strategic Options consultation and carrying out further studies and assessments in response to the concerns raised. Given the very early stages of the emerging Local Plan no weight can be given to it in the consideration of this application.
65. In assessing the application against development plan policy it will be necessary to determine whether the proposed measures for mitigating any environmental impact of the development are satisfactory. In this case the main planning considerations are: sustainable waste management matters; highway, traffic and access; environmental and amenity matters including air quality and dust; noise; contamination; drainage and flood risk; lighting; landscape and visual impact and the impact on heritage assets.

Environmental Impact Assessment

66. The proposed development was evaluated by the CPA in line with the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) and the advice set out in the National Planning Practice Guidance (NPPG) on Environmental Impact Assessment (EIA). On 13 December 2018, the CPA adopted a screening opinion under Regulation 8 of the above EIA Regulations. Having considered the proposed development in the context of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), it was recommended that the development to which this application relates is not likely to give rise to any significant environmental effects (in terms of the meaning of significant in EIA

Regulations) and it was therefore recommended that the proposed development did not constitute EIA development.

67. On 4 October 2019 a representation received on behalf of the 'Wintersells Road Management Company (WRMC)', detailed at paragraphs 57 and 58 above, challenged the lawfulness of the adopted screening opinion and asked the CPA to reconsider their views in this respect or they would reserve the right to seek a Direction from the Secretary of State (SoS). The CPA considered that in the absence of exceptional circumstances, such as new evidence or a substantial change to the proposal, there was no justification for a revision to the adopted Screening Opinion. In light of the likely third party challenge the applicant was advised to request a Screening Direction from the SoS to confirm the position in terms of EIA development. An initial request was submitted to the SoS on 9 October 2019. The third party was also invited by the SoS to comment on the request. The SoS Screening Direction was issued on 14 January 2020, in which it addresses the request of the applicant and third party and confirmed that the application is not likely to have significant effects on the environment and is therefore not considered to be 'EIA development' within the meaning of the 2017 Regulations.

SUSTAINABLE WASTE MANAGEMENT

Development Plan Policies

Surrey Waste Plan 2008

Policy CW4 – Waste Management Capacity

Policy CW5 – Location of Waste Facilities

Policy WD2 – Recycling, Storage, Transfer, Materials Recovery and Processing Facilities

Policy DC3 – General Considerations

Aggregates Recycling Joint Development Plan Document for the Minerals and Waste Plans

Policy AR4 – Aggregates Recycling Outside Preferred Areas

Policy AR5 – High Value Recovery

Emerging Surrey Waste Local Plan Part 1 – Policies

Policy 1 – Need for Waste Development

Policy 2 – Recycling and Recovery (other than inert C, D & E and soil recycling facilities)

Policy 4 – Sustainable Construction and Waste Management in New Development

Policy 10 – Areas suitable for development of waste management facilities

Emerging Surrey Waste Local Plan Part 2 – Sites

Industrial Lane Areas of Search – 1 (Brooklands Industrial Park, Wintersells Road Industrial Park and Byfleet Industrial Estate).

Elmbridge Core Strategy 2011

Policy CS4 – Weybridge

Policy CS23 – Employment land provision

Elmbridge Development Management Plan 2015

Policy DM1 – Presumption in favour of sustainable development

Policy DM5 - Pollution

Policy Context

68. In England, the waste hierarchy is both a guide to sustainable waste management and a legal requirement, enshrined in law¹. The hierarchy gives top priority to waste prevention, followed by preparing for re-use, then recycling, other types of recovery² and last of all disposal.
69. The National Planning Policy Framework (NPPF) (2019) 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).
70. 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. Similarly, the NPW sets out the Government’s ambition of working towards a more sustainable and efficient approach to waste management by driving waste up the waste hierarchy. In this context the NPPF, at paragraph 80 explains that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
71. The NPW states that when determining planning applications the CPA should: (a) consider the likely impact on the local environment and on amenity against the criteria set out in Appendix B of the NPW and the local implications of any advice on health from the relevant health bodies but that the CPA should avoid carrying out their own detailed assessments in these respects; (b) ensure that waste management facilities in themselves are well designed so that they contribute positively to the character and quality of the area in which they are located; and (c) concern themselves with implementing the planning strategy in the Local Plan and not with the control of processes which are a matter for the pollution control authorities³. The CPA should work on the assumption that the relevant pollution control regime will be properly applied and enforced.
72. The SWP explains at paragraph B30 that SCC remains committed to achieving net self-sufficiency, enabling appropriate development that implements the waste hierarchy and ensures that the County delivers its contribution to regional waste management. In this context paragraph B32 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. Consequently, Policy CW4 of the SWP requires planning permissions to be granted to enable sufficient waste management capacity to be provided to manage the equivalent of the waste arising in Surrey, together with a contribution to meeting the declining landfill needs of residual waste arising in and exported from London, by ensuring a range of facilities are permitted.

¹ <http://www.legislation.gov.uk/ukdsi/2011/9780111506462/contents>

² Including energy recovery and other beneficial uses

³ In this case the Environment Agency and the relevant Borough Councils.

73. Policy CW5 of the SWP sets out the approach that should be taken in respect of the location of waste management facilities on unallocated sites. Generally, waste management facilities should be suited to development on industrial sites and in urban areas giving priority over greenfield land to previously developed land, contaminated, derelict or disturbed land⁴. In respect of this application planning permission is sought for the change of use of two previously developed industrial units within the Wintersells Business Park to accommodate the construction of a new waste transfer and recycling facility. These facilities are expected to enable and to encourage waste to be used as a resource, and to recover materials to be put to beneficial use. Policy WD2 of the SWP states that permission for development involving the recycling, storage, transfer, recovery and processing of waste will be granted on land that is, or has been used, or is allocated in a Local Plan or Development Plan Document, or has planning permission for industrial or storage purposes. A list of industrial estates, which may be able to accommodate waste management facilities can be found at Table 3.1 (page C4) of the SWP. This table includes Wintersells Industrial Estate, Byfleet.
74. Policy AR4 of the ARDPD sets out that applications for new aggregate recycling facilities outside the preferred areas identified in the Plan will be supported where it can be demonstrated that the development would result in an increase in the recovery of C,D & E waste material suitable for the production of recycled aggregates and comply with the locational and development management policies within the Surrey Minerals Plan Core Strategy and the Surrey Waste Plan. Furthermore, Policy AR5 of the same, expects planning applications for aggregate recycling facilities to maximise the amount and range of recyclable material that can be recovered.
75. Policy 1 of the emerging SWLP-1, seeks to ensure that new waste developments contribute towards achieving targets for the management of waste at the highest point practical in the waste hierarchy. Policy 2 of the same, states that planning permission for the development of recycling or recovery facilities and any associated development will be granted where: (i) the site is allocated in the Surrey Waste Local Plan for waste development (Policy 11) (such as this site); ii) the activity involves the redevelopment of a site, or part of a site in an existing waste management use; and iii) the site is otherwise suitable for waste development when assessed against other policies in the Plan. Additional Policy 4 of the SWLP-1 seeks to ensure that waste generated during the construction, demolition and excavation phase of the development is limited and opportunities are effectively sought for the re-use and recycling of such arisings.
76. The emerging SWLP-1 sets out the spatial strategy and overall approach to the location of new waste management capacity across Surrey. Areas potentially suitable for waste management development include prioritising previously developed land, sites and areas identified for employment uses, industrial and storage purposes. In this respect Policy 10 of the SWLP-1 ensures planning permission will be granted for the development of facilities: on land identified as an 'Industrial Land Area of Search' as shown on the Policies Map; on any other land identified for employment uses or industrial and storage purposes by the district and borough councils; on land considered to be previously developed; and that is otherwise suitable for waste development when assessed against

⁴ Where there is an absence of landscape, and international and national nature conservation designations; and where the site is well served by the strategic road network or accessible by alternative means of transport.

the other policies of the Plan. The SWLP-2 identifies the Brooklands Industrial Park, Wintersells Road Industrial Park and Byfleet Industrial Estate as an Industrial Land Area of Search (ILAS).

77. Policy DM1 of the EDM sets out that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. Planning applications that accord with the policies in the Local Plan will be approved without delay, unless material considerations indicate otherwise. Policy CS4 of the ECS indicates that the opportunities for further employment will be focused in existing employment areas at The Heights, Brooklands Business Park and the Town Centre. Policy CS23 of the same goes on to set out that in order to accommodate predicted and future economic growth, ensure sustainable employment development patterns and working practices, the Council will protect strategic employment land and retain other employment uses.

Need

78. The proposal is for the construction of a permanent waste transfer station and materials recycling facility at Units 11 and 12, Wintersells Road. The site is proposed to be operated in connection with the applicants existing skip waste business 'Weybridge Skip Hire', which is currently based at Weylands Treatment Works, Walton-on-Thames. The proposed facility is expected to receive up to 99,950 tonnes per annum of skip waste inputs, which will equate to approximately 2000 tonnes a week and 300 tonnes a day. The waste inputs will comprise mixed, dry, non-hazardous Commercial and Industrial waste (C&I) and Construction, Demolition and Excavation (C,D & E) Wastes, which are described in the application as typically comprising, plastics, wood, metals, paper, cardboard, hardcore and soils. It is proposed the skip waste inputs will be separated by hand and mechanically, into separate waste streams, which once bulked up will be transferred on to other waste recycling sites for further processing.
79. The applicant in the submitted Planning, Design and Access Statement (PDAS) dated November 2019, has indicated that given the emphasis in national policies for the minimisation, re-use and recycling of waste, it can be concluded that there is a clear and defined need for facilities such as the existing, to diversify and expand in order that national recycling targets can be met, whilst also assisting in compliance with legislation at a National and European level.
80. Estimates of waste arisings in Surrey are reported in the latest Annual Monitoring Report 2018/19 (AMR 2018/19). The AMR 2018/19 refers to the Waste Needs Assessment (April 2019), undertaken to support the development of the emerging SWLP. This document estimates waste arisings and the capacity of existing and planned waste management infrastructure in the county of Surrey.
81. The table⁵ below provides a summary of the forecasted total waste arisings in Surrey by principal waste streams relevant to this proposal. As set out above, Surrey County Council (SCC) is committed to achieving net self-sufficiency, through ensuring that there is sufficient capacity to manage the equivalent amount of waste produced within the county.

⁵ Table 1 taken from the Waste Needs Assessment (April 2019) – Summary of forecast waste arisings in Surrey by principal stream.

Waste Stream	2017	2020	2025	2030	2035
Commercial and Industrial (C&I)	682,000	744,000	848,000	951,000	1,055,00
Construction, Demolition & Excavation Waste (C,D &E)	2,494,000	2,494,000	2,494,000	2,494,000	2,494,000

Table 1: Summary of forecast waste arisings in Surrey by principal stream

82. As set out in the Waste Needs Assessment (April 2019)⁶ in 2017, 30% of C&I waste was sent to landfill, with the remainder being prepared for reuse or recycling (including transfer and composting) (62%), and sent for 'other recovery' (4%) and anaerobic digestion (4%). In terms of C,D & E waste, in 2017, 64% was recycled (including transfer and compost), with 36% of this being sent for deposit on land and restoring mineral workings by infilling sites such as Addlestone Quarry, Hithermoor Quarry and Shepperton Quarry.
83. The current SWP includes targets for the waste management based on the South East Plan, which has now been revoked. The existing targets require the amount of C&I waste to be recycled to be 60% by 2020 and 65% by 2025. In addition 60% of C,D & E waste is expected to be recycled by 2020/25. These have been built on in the emerging SWLP-1, to continue to encourage the sustainable management of waste by promoting the management of waste further up the waste hierarchy. In this regard the targets proposed for the emerging plan period are more ambitious than that previously set, requiring by 2020, 65% of C&I waste arising in the County to be recycled, rising to 70% in 2025 and 75% in 2035. In terms of C, D & E waste the target is 65% by 2020, 70% by 2025, 75% by 2030 and 80% by 2035.
84. The table⁷ below provides an overview of the net available capacity for preparing waste for re-use or recycling less the predicted waste arisings. As can be noted there is a surplus of recycling capacity in the medium to long term (including transfer facilities), with a small surplus towards the end of the plan period. Insufficient capacity is predicted for C, D&E waste. At present the County is reliant on a number of temporary permissions for aggregates recycling on existing mineral workings, which are due to expire, resulting in a significant capacity loss over the next 10 years⁸.

Treatment Type	2017	2020	2025	2030	2035
Recycling ⁹	540,000	423,000	281,000	175,000	15,000
C, D & E	311,000	-14,000	-389,000	-809,000	-1,134,000
Other Recovery	-10,000	-39,000	-92,000	-156,000	-148,000

Table 2: Waste Management Capacity in Surrey

⁶ Paragraph 3.3.2.1

⁷ Table 29 from the Waste Needs Assessment (April 2019) showing waste management capacity in Surrey, with the negative gap shown in red.

⁸ Paragraph 3.2.1 of the Local Aggregates Assessment 2019

⁹ Including Anaerobic digestion and Other Recovery Facilities due to become operational in 2018/19

85. Whilst it is acknowledged that there is a specific need for additional 'other recovery'¹⁰ capacity in Surrey, the CPA seek to promote recycling capacity ahead of 'other recovery' capacity to encourage the management of waste further up the hierarchy. Consequently, emphasis is placed on having sufficient WTS and MRF capacity available. This approach is consistent with the WFD and the emerging SWLP.
86. The applicant has not specified within the submitted information a breakdown of expected amounts of C&I and C, D & E waste to be processed on the site, however based on the above predictions whilst a capacity gap in recycling would not arise in the short term, the predicted surplus by 2035 is a small one and emphasis is placed on the need for recycling facilities to maximise opportunities for preparing for re-use, recycling and recovery. Overall this will contribute to achieving sustainable development by making best use of natural resource and reducing reliance on landfill. Furthermore, it is evidenced that a high proportion of this capacity continues to be disposed of by landfill, which is considered the least desirable method of waste management.
87. As set out above, there is clearly a need to continue to encourage increased recycling and recovery capacity in Surrey to contribute to national and development plan targets. The proposed development at Units 11 and 12 would contribute to the provision of permanent recycling capacity, where materials can be sorted and recovered before onward transfer to recycling sites as part of a network of facilities within the county, reducing reliance on landfill locally and nationally, in accordance with Policy CW2 of the SWP. Furthermore, the proposal will also contribute towards the targets for aggregates recycling and provide capacity through the mechanical separation and screening of soils for onward transfer to a specialised aggregate and soil recycling facility.
88. Objections received in response to the proposal, as set out at paragraphs 56 – 58 above, raise concern with regard to the need for the facility given the proximity of other existing waste development in the area, including the adjacent waste facility at Unit 10, Wintersells Road and Addlestone Quarry, New Haw, located approximately 186m to the north of the application site, beyond the railway line.
89. As set out in this section, whilst there is sufficient capacity overall to deal with the equivalent amount of waste arising in the county with regard to recycling, a range of facilities in terms of type, size and mix are required to support the efficient and sustainable management of waste. In this regard, there is no cap on recycling capacity in the county, particularly for WTS and MRF facilities, which make an important contribution to ensuring the management of waste further up the waste hierarchy and reducing the need for 'other recovery' facilities, for which there is insufficient capacity at present. The applicant is currently operating the skip waste business 'Weybridge Skip Hire' from their facility at Weylands Treatment Works, approximately 7km from the application site. The current proposal seeks to improve these existing operations and contribute to more efficient recycling of the skip waste inputs, which is encouraged within the county. Officers are satisfied provided the proposal is acceptable in all other respects and any impacts arising can be suitably mitigated, as set out in the preceding sections of this report.

¹⁰ Other recovery is not specially defined in the revised Waste Framework Directive, although 'energy recovery' is referred to as an example. It can be assumed by their exclusion in the definition of recycling, that processing wastes into materials to be used as fuels or for backfilling can be considered 'other recovery.'

90. In terms of Addlestone Quarry, Byfleet Road, the waste operations at the site are currently taking place under a temporary permission (expiring 31 December 2020), and comprise the processing of C,D & E waste (by way of screening and crushing), to enable the quarry to export recycled shingles, Sustainable Urban Drainage materials and sub-base material. These materials are manufactured from selected demolition and excavation materials, principally concrete breakout and tarmac planings, imported from excavation and demolition contracts in the area. The most recent planning application at the site (Ref: RU16.1960, approved on 16 June 2017) details that the site receives up to 100,000 tonnes of C,D & E waste per annum, from which 70,000 tonnes of recycled aggregate is produced with the remaining 30,000 tonnes being used in the restoration of the wider Quarry site. In this respect, the activities taking place at the site are of a different nature and scale to that proposed at Units 11 and 12 Wintersells Road. Furthermore, as set out above a network of waste management sites are required to effectively manage the waste arising in the county and reduce reliance on landfill.

Site Suitability

91. The existence of an identifiable general need in the county does not mean that every proposal is automatically acceptable. As set out in the NPW sites are required of the right size, in the right locations and capable of supporting the required infrastructure and being operated without harm to local amenity and environmental interest. The application site is not located within an Area of Outstanding Natural Beauty (AONB), or an Area of Great Landscape Value (AGLV), nor is it close to international and national nature conservation designations.
92. Objections to the proposal, as set out at paragraphs 56 – 58 above, have raised concerns with regard to the level of material expected to be processed at the site, when compared to the size of the facility, with specific reference to the site assessment process undertaken with respect to the emerging SWLP-2. In addition, objections state that a waste management use of this scale and magnitude is considered to be inappropriate for the existing light industrial and high end nature of the Wintersells Business Park.
93. The emerging SWLP-2 provides an overview of the process of site selection and suitability of sites to accommodate waste management, to inform the site allocation and areas of search within the emerging Plan. These assessments identify specific issues at each potential site and have informed the key development issues (KDIs). The indicative scales referred to by the objector, are not definitive and are used to inform KDIs for allocated sites only. These scales are used to indicate whether the site is likely to be suitable for small, medium or large facilities¹¹. It must be stressed that the Plan does not give an indicative scale of facilities likely to be suitable at each identified ILAS (with the exception of thermal treatment which has been included as a Proposed Main Modification and currently subject to consultation, see paragraph 62 above). As with all sites there will be material considerations associated with the ILAS which will need to be appraised on a site by site basis at the planning application stage and it cannot be

¹¹ The indicative scales are set out at Table 6 of the SWLP-2, and suggest a small scale development is defined as up to 5 hectares or up to 50,000 tonnes per annum. A medium scale facility is categorised as 5 to 10 hectares or 50,000 to 120,000 tonnes per annum and a large scale facility is 10 or more hectares or 120,000 or more.

assumed that the site is not capable of supporting the scale of facility proposed based on the indicative scales. The considerations will include the ability of the development to mitigate potential adverse impacts taking account of the particular characteristics of the site.

94. As set out above, the application site is located in an industrial area on an established business park and on land which has been used previously for industrial purposes. The Wintersells Business Park is also identified in the Elmbridge Borough Local Plan as an employment area to which Policy CS23 applies. The area surrounding the application site primarily comprises industrial and commercial development, with access to a network of major highway routes. As set out in Policy CW5 of the SWP, priority is given to land that is, or has been in industrial or storage use, allocated for industrial or storage use or has planning permission for such uses, land that is considered to be previously developed, contaminated, derelict or disturbed land over greenfield land and AONB and AGLV sites should be avoided.
95. Whilst the application site is not identified under criterion (ii) of Policy WD2 of the Surrey Waste Plan, paragraph C11 of the SWP, sets out at table 3.1 a list of industrial estates, which may be capable of supporting waste management facilities. This list includes the Wintersells Industrial Estate, Byfleet. These sites are not allocated specifically in the plan due to the high turnover and frequency of plot ownership changes, however it is acknowledged that during the plan period some sites will become available in these areas. The wider industrial area in which the application site is situated is also identified in Policy 10 of the emerging SWLP-1 and the SWLP-2 as an ILAS. These sites whilst not allocated are considered 'in principle' areas which are likely to be compatible with waste management facilities. As such the application site is located in a preferred area for the management of waste as identified in CS23 of the Elmbridge Local Plan, CW5 of the SWP and Policy 10 of the SWLP-1.
96. The applicant proposes to manage up to 99,950 tonnes per annum of waste at the combined Units, which measures approximately 0.3ha in total. The majority of operations taking place on the site will be within the proposed building, with areas of external storage and space for vehicle turning. The applicant has set out that there is sufficient space within the site to accommodate the expected waste arisings, which is supported by the construction of a large waste reception building and anticipated fast turnaround times for the removal of waste from the site to other processing facilities. As such the longest a waste stream is expected to be stored on the site is 72 hours. As set out above, the indicative scales are not definitive and each case is to be assessed on its own merits. In terms of this application appropriate conditions will be attached to any grant of planning permission to ensure that any adverse impacts arising from the development are appropriately mitigated. Furthermore, the Environment Agency has advised that the development would require the benefit of an Environmental Permit and the CPA in accordance with the NPPF, should assume that this regulatory regime would operate effectively. In terms of the potential impact on the environment, amenity, traffic and infrastructure, these matters are considered in more detail in the further sections of this report.
97. Overall, Officers consider that the application site at Wintersells Road is, in principle, an appropriate location for the management of waste, when taking into account its industrial location and context, on previously developed land, with accessible links to the strategic

road network, in accordance with development plan policies CW5 and WD2 and of the SWP, Policy DM1 of the EDM and Policies CS4 and CS23 of the ECS and national guidance. In general, the most appropriate locations will be those with the least adverse impacts on the local population and the environment. These matters will be covered in more detail in the highway and environment and amenity sections of the report.

Prematurity

98. The WRMC in their objection to the proposal have indicated that to approve this application would be to undermine the plan-making process by way of prematurity. By predetermining the decision about the scale, location or phasing of new waste developments that are centre to the emerging SWLP, in a random, ad-hoc and unplanned/unassessed fashion.
99. In this regard, Paragraphs 49 to 50 of the NPPF (2019) indicate that arguments that an application is premature are unlikely to justify a refusal of planning permission other than in limited circumstances. In these circumstances the development would have to be 'so substantial', or its cumulative impact 'so significant' that granting permission would undermine the plan making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan'.
100. As set out above, the application site is located in an industrial area which is advanced within the current SWP as likely to be a suitable location to accommodate a waste management development. These sites are not formally allocated within the current plan due to the high turnover of the plots and changes to ownership. For the same reasons the site is not allocated in the emerging SWLP-2. In accordance with the current SWP, unallocated sites will be considered in accordance with the principles set out within Policy CW5, which prioritises industrial/employment sites and previously developed land, whilst avoiding sites within or close to international and national nature conservation designations. As such, the application site at Units 11 and 12 is considered, in principle to be appropriately located in accordance with Policy CW5. Other matters regarding the location including impact on the local population and environment will be covered in more detail in the proceeding sections of this report.
101. In terms of the scale of development, the application site measures approximately 0.3ha and involves the construction of a waste recycling building, providing approximately 1050sqm of additional floorspace, with an adjoining yard area for the turning of vehicles and external storage space. Whilst not providing a significant increase in capacity in itself, it contributes towards the county's current and future needs. As set out above the shortfall in waste recycling is not anticipated in the medium to long-term but predicted surplus is due to drop by 2035. WTS and MRF facilities also continue to be supported in the county to reduce reliance on 'other recovery' and increase diversion of waste from landfill.
102. Officers consider for the reasons set out above, the circumstances of prematurity do not arise in this application. The proposal does not involve a departure from the current policy in terms of location and is not considered to be of a 'substantial' scale or size, that would undermine the emerging Waste Plan. Subject to any adverse impacts on the locality being appropriately managed by conditions attached to any grant of planning permission the proposal does not warrant a refusal on grounds of prematurity.

Conclusion

103. Overall, Officers consider there is a clear need to encourage an increase in recycling capacity in the county to contribute to the agreed and emerging targets. The proposed WTS and MRF would make a contribution towards the need to increase the rates of recovery and is located in an area preferred for waste management development. It is therefore considered that the proposal accords with the development plan policy CW4, CW5 and WD2 of the SWP and Policy DM1 of the EDM, Policies CS4 and CS22 of the ECS, in this regard. This is subject to other material considerations not causing harm to the environment and amenity of the locality as discussed below.

HIGHWAYS, TRAFFIC AND ACCESS

Development Plan Policies

Surrey Waste Plan 2008

Policy DC3 – General Considerations

Emerging Surrey Waste Local Plan Part 1 – Policies

Policy 14 – Development Management

Policy 15 – Transport and Connectivity

Elmbridge Core Strategy 2011

Policy CS25 – Travel and Accessibility

Elmbridge Development Management Plan 2015

Policy DM7 – Access and Parking

Policy Context

104. Paragraph 109 of the NPPF is clear that development should only be refused or prevented on transportation grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. This guidance also advocates at paragraph 111, that all development that would generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.
105. Appendix B of the NPW states that in testing the suitability of sites for waste management the CPA should bear in mind the envisaged waste management facility in terms of its nature and scale and consider the suitability of the road network and the extent to which access would require reliance on local roads.
106. 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. The policy goes on to state that the supporting information should include, where appropriate, an assessment of traffic generation, access and suitability of the highway network, and mitigation measures to minimise or avoid a material adverse impact and compensate for any loss. Policy 14 of the SWLP -1 echoes this approach

and sets out that planning permission for waste related development will be granted where it can be demonstrated that it would not result in significant adverse impacts on communities and the environment, which includes cumulative impacts arising from the interactions between waste development, and between waste development and other forms of development.

107. Policy 15 of the SWLP-1 sets out that planning permission for waste development will be granted where it can be demonstrated that transport links are adequate to serve the development or can be improved to an appropriate standard. Where the need for road transport has been demonstrated, the development will ensure that; waste is able to be transported using the best roads available¹², which will usually be main roads and motorways, with minimal use of local roads, unless special circumstances apply, the distance and number of vehicle movements are minimised, vehicle movements associated with the development will not have a significant adverse impact on the capacity and safety of the highway network, there is safe and adequate means of access to the highway network and satisfactory provision is made to allow for safe vehicle turning and parking, manoeuvring, loading, electric charging and where appropriate, wheel cleaning facilities and low or zero low emission vehicles, under the control of the site operator, are used which, where practicable, use fuel from renewable sources.
108. Policy CS25 of the ECS promotes improvements to sustainable travel, and accessibility to services, through a variety of measures. It seeks to direct new developments that generate a high number of trips to previously developed land in sustainable locations within the urban area¹³ and promotes the delivery of new footpaths, cycleways and bridleways thereby increasing permeability and connectivity within and outside the urban area. The policy also seeks to improve and mitigate the detrimental environmental effects caused by transport particularly with regard to HGVs. In this respect it references air quality, noise and the Elmbridge Air Quality Strategy. The air quality and noise implications of the development are discussed in the relevant sections of this report.
109. Policy DM7 of the EDM requires the layout and siting of accesses to and from the highway to be: (a) acceptable in terms of amenity, capacity, safety, pollution, noise and visual impact; and (b) safe and convenient for pedestrians, cyclists and motorists. It also requires provisions for: (c) loading, unloading and the turning of service vehicles which ensure highway and pedestrian safety; and (d) minimising the impact of vehicle traffic nuisance, particularly in residential areas and other sensitive areas.

The Development

110. A significant majority of the public objections (over 70%) to the development concern its perceived highway, traffic and access implications. Similarly the Byfleet, West Byfleet and Pyrford Residents' Association, consulted in respect of the proposal have objected to the development on the same grounds and the WRMC have commissioned an independent review of the applicants Transport Statement (dated November 2019). These concerns are registered in paragraphs 56 to 58 above.
111. The application site is located in a central position on the established Wintersells Business Park. The site is approximately 150m to the west of the main A318 Byfleet Road/Oyster Lane, which is the sole access to the Business Park. The Wintersells Road,

¹² Surrey County Council Controlling lorry movements in Surrey on the Road and Transport webpage.

¹³ Town centres and areas with good public transport accessibility.

is located to the south of the application site and provides the main access road within the Business Park from the A318 Byfleet Road/Oyster Lane. It is anticipated that the proposal would generate a maximum of 200 HGV movements a day, following the deposit of a maximum 100 loads in any one working day (100 in and 100 out). Based on an 11.5 hour day, this equates to an average of 18 movements per hour. In addition, the applicant is proposing to employ approximately 20-21 members of staff, which will also generate vehicle movements to and from the site. Given the proposed hours of operation (06.30-22.00) a high proportion of staff movements will take place outside of the typical highway peak hours.

112. The applicant has indicated that the types of vehicles required to access the site will primarily comprise skip vehicles but also Roll-on Roll-off (RoRo) trucks, HGV tipper wagons and articulated lorries for the removal of waste and commodities only. The applicant has indicated that of the 100 trips the split of vehicles is expected to be 76% skip wagons, 10% RoRo, 10% tippers and 4% articulated lorries. The applicant has a total fleet of 15 HGVs and would look to park two HGVs on the site overnight as two members of staff are within walking distance from the proposed facility. It is proposed these HGVs would be parked near to the skip storage area. The remaining HGVs will be parked at the applicants existing facility at Weylands Treatment Works. A vehicle wash facility is also proposed to be situated on the south eastern site boundary.
113. The main vehicular access to the site is proposed from the two existing accesses off the Wintersells Road to Unit 11. The proposed development will operate a one-way system, through the site for the collection and delivery of waste, which will help minimise conflict and reduce the need for larger vehicles to undertake excessive turning and reversing manoeuvres. Unit 12 also benefits from a separate access point to the east of the site which will be utilised to gain access to the proposed car parking spaces to be provided to the front of the retained office building. Additional parking will also be provided within the open hardstanding area to the front of the site. A total of 17 car parking spaces for staff is proposed to be provided on the site. Following the submission of a Framework Travel Plan (November 2019) the applicant is also seeking to promote more sustainable modes of transport to and from the site by staff. Given the urban context of the surrounding area the applicant is keen to promote the use of walking, cycling, bus and train.
114. The Transport Statement, dated November 2019 submitted with the application concludes that the increase in traffic as a result of the proposal will be negligible and will not have a significant impact on the operation of the local highway network.

Impact on Wintersells Road and A318 Byfleet Road/Oyster Lane

115. The Wintersells Business Park is served by Wintersells Road, which is a private road which connects to the A318 Byfleet Road/Oyster Lane to the west of the application site via a priority controlled T-Junction and benefits from dropped kerbs and tactile paving to assist pedestrians. The Wintersells Road extends across the length of the Business Park and branches out into three cul-de-sacs to serve the various industrial units located within the Business Park. In transport location terms the site is well related to the primary road network with the A318 Byfleet Road/Oyster Lane joining the M25 at Junction 11 via the A320 St Peters Way to the north and the A3 via the A245 to the south. As referenced previously, approximately 180m to the north of the junction of Wintersells Road with the A318 Byfleet Road is a railway embankment, with a low railway bridge which the A318 Oyster Lane passes under, with a height restriction of 2.4m. As a result all heavy traffic including skip lorries, tippers and articulated lorries, are restricted to arriving and leaving the site to the south of the entrance to the Business Park.

116. Units 11 and 12 are existing industrial units within the established Business Park. Their previous uses have been associated with a wide range of vehicles, which have operated without restrictions on the size or number. Based on the available TRICS data the use of the units in a B1/B2 use, could generate in the am peak period 10 vehicle movements and in the pm peak period 8 vehicle movements. In comparison with the proposed facility, it would generate 18 HGV vehicle movements in the am and pm peaks, with the addition of a few smaller vehicles for employee access.
117. Objectors have raised concerns with regard to the volume of heavy traffic generated by the proposal and the suitability of the existing highway network in terms of capacity and safety to accommodate this additional pressure. In this regard, objectors have suggested that the infrastructure improvements are required and alternative site access should be sought to avoid the use of the A318 Byfleet Road. The WRMC raised concerns regarding the width and layout of the entrance to the Business Park, and its ability to cope with additional heavy traffic, evidenced by damage to kerbs and a poor safety record.
118. Further, concerns are raised generally regarding the congestion issues within the Wintersells Business Park, considered to be exacerbated by the volume of HGVs trying the access the site and lack of available parking. The findings of the review commissioned by the WRMC raise concerns that significant stretches of the Wintersells Road feature on-street parking, limiting the width to approximately 5.1m, below the 6.0m minimum width required to allow two HGVs to pass each other in a straight line. A greater width is also required on a bend, and this is also recorded to be below the 5.5m minimum width recommended in figure 7.1 in Manual for Streets¹⁴. The assertion made in the applicants Transport Statement that the Wintersells Road is 10.9m wide is therefore considered to be incorrect and it is reported to be a maximum width of between 7.2m and 7.6m wide. Concern is also raised with regard to the available visibility splays for egress from the site onto Wintersells Road which are considered to be inadequate.

Highway Constraints

119. Following concerns from the County Highway Authority (CHA), the applicant provided a swept path analysis of a skip loader and rigid tipper (Appendix B of the Transport Statement (November 2019) Drawing Numbers: SCP/18503/ATR01 dated 14.11.18 and SCP/18503/ATR03 Rev A dated 14.11.18) exiting the junction of Wintersells Road with the A318 Byfleet Road. These demonstrate that these vehicles can be accommodated at the junction of Wintersells Road with the A318 without need to overrun the footways or the opposing lanes. In terms of the articulated vehicles it is accepted that whilst the wheels of the vehicle do not overlap the kerbing to the tactile paving the vehicle body does, this size of vehicle would also need to cross into the opposing lane, which is the situation for all vehicles of this size which currently use the Business Park access. The applicant has therefore proposed to increase safety measures for pedestrians at the entrance to the Business Park, through the movement and installation of new bollards. This position has been accepted by the CHA and further details are required to be secured by condition attached to any grant of planning permission along with a swept path plan of the use of the junction by an articulated lorry.

¹⁴ [Manual for Streets \(2007\)](#)

120. The Wintersells Road, is a private road serving the Business Park and therefore does not form part of the public highway, and is not in the jurisdiction of the County Highway Authority (CHA). Formal parking arrangements are provided throughout the Business Park, which include double yellow lines and dedicated areas for parking, which avoid conflict with the junctions and egress points. As this is a private road it would be for the management company of the Business Park to ensure that these parking restrictions continue to be adhered to and are enforceable, for the benefit of the users. The proposed development seeks to provide 17 off street car parking spaces for 20-21 employees, whilst also promoting measures for employees to walk to work through the Travel Plan and the Freight Operator Recognition (FOR) Scheme, to avoid pressure on the existing arrangements.
121. The application site will operate a one-way system, allowing vehicles to access and egress from the site without conflict. Appendix B of the Transport Assessment (November 2019) contains swept path drawings of the vehicles associated with the proposed facility. All vehicle types proposed to access and egress from the site are shown to do so without conflict. In the context of the site, daily HGV movements are already accommodated to and from the Business Park, and it has been designed as such to accommodate these larger movements, which already occur on the estate from the existing businesses.

Road Capacity

122. The Design Manual for Roads and Bridges¹⁵ (DMRB) provides guidance on the level of highway link capacity for typical roads. Whilst this focuses on urban roads, category 'Urban All Purpose 3' provides a useful comparison, with the A318 Byfleet Road/Oyster Lane being a two-way single carriageway road of variable standard, carrying mixed traffic with frontage access, side roads, bus stops and at-grade pedestrian crossings. A 6.1m wide road under this classification (the lowest of the width ranges specified in the DMRB), estimates a capacity of 1800 vehicles per hour in each direction. In a 12 hour day this equates to 21,600 movements and in an 18-hour day 32,400 and a 24 hour day 43,200. By comparison, the Department for Transport Road, Traffic Statistics, provides an Annual Average Daily Flow count for the A318 Byfleet Road/Oyster Lane at 20,330 for all motor vehicles. This demonstrates that theoretically the road is operating below capacity predicted by DMRB, demonstrating that in capacity terms its level of background traffic means that highway capacity itself is not a concern in the determination of this proposal. Although capacity cannot be used as a means to determine a quantifiable level where the number of HGV movements generated by the development is in overall terms acceptable.
123. The applicant has indicated that the movement of vehicles to and from the site will fluctuate on a day to day basis so it is not possible to identify a particular peak time for these movements. The hours of the proposed operation for the acceptance of vehicles are 06.30 to 18.00 Monday to Friday, resulting in an 11.5 hour window. Vehicle movements spread evenly across 11.5 hours would result in 18 HGV movements an hour, so 1 vehicle movement approximately every 3.5 minutes. The WRMC have criticised the applicant's approach of a flat profile of HGV movements. In this regard the WRMC have applied the multi-model Ordinary Goods Vehicle (OGV) trip rate which predicts a peak of 38 HGV movements in the hour of 12:00 – 13:00 (comprised of 17

¹⁵ Design Manual for Roads and Bridges, Volume 5, Section 1.

arrivals and 21 departures). Using the same method it is also considered that there would be 25 HGV movements during the AM Peak 08:00-09:00. The CHA have considered the WRMC's assessment and note that the peak period would occur outside the network peak. The CHA are satisfied that the volume of movements can be accommodated on the highway network and private road and in order to manage this a condition will be attached to any grant of planning permission to restrict the total number of HGV movements to 200 HGV a day, and not the AM/PM peak hour movements. The CHA have also recommended that as part of such a condition the site operator is required to keep a record of vehicle movements to ensure compliance to be made available on request. Given the fluctuation in the volume of movements through the 11.5 hour period it is also proposed to attach a condition to restrict the queuing of traffic on the Wintersells Road to protect the amenity of existing businesses within the Business Park and avoid congestion over spilling on the highway network.

124. To further reduce instances of vehicles waiting on the road within the Business Park, the applicant has indicated that more than one vehicle can be accommodated within the site at any one time. In addition, the applicant uses a Personal Digital Assistant (PDA) system, which allows the applicants office team to track vehicles, to see when vehicles are idling or switched off, how fast they are traveling and the direction. This system would be used to control and re-direct vehicles, so in the event of a breakdown or a malfunction or delays at the site there is not an accumulation of vehicles waiting to access the facility. Whilst this would not apply to third party vehicles, it would aid in reducing the instances of any build up within the Business Park.

Severance

125. Severance is used to describe a complex series of factors that separate people from places and other people. Severance may result from the difficulty of crossing a busy road or the physical barrier of the road itself. It can also relate to minor traffic flows if they impede pedestrian access to essential facilities. All road users including pedestrians, cyclists and motorist may be affected. The measurement of severance is extremely difficult. There are no predictive formulae which give simple relationships between traffic factors and levels of severance. In general, marginal changes in traffic flow are unlikely to create, or remove, severance.
126. Different groups in the community may be more affected by severance than others. Older people or young children may be more sensitive to traffic conditions than others. Any assessment of severance should aim to estimate the current severance caused by traffic and related factors, and the extent to which the additional traffic will exacerbate this problem. It is generally accepted, based on studies of major changes in traffic flow, that changes in traffic flow of 30%, 60% and 90% are regarded as producing 'slight', 'moderate' and substantial' changes in severance respectively¹⁶.
127. In this particular case, annual average daily traffic flow as recorded in 2018 for the A318 Byfleet Road/Oyster Lane is 20,330. If the application site were to generate a maximum of 200 HGV movements in any one day, an additional 200 HGV movements to the daily average flow of 20,330 would result in a change in traffic flow of 0.98%. This is below the

¹⁶ Institute of Environmental Assessment, Guidance Notes No.1, Guidelines for the Environmental Assessment of Road Traffic, Page 34.

levels required to produce a 'slight' change in severance outlined in the above paragraph.

128. If the HGVs were converted to Passenger Car Units (PCUs) the results would be different. A HGV is equal to 2.3 cars¹⁷. The proposed 200 HGV movements would therefore be 460. The daily average of 200HGV/460 movements would lead to a change in severance of around 2.2%, which would still be described as 'slight' on the basis of the methodology above.

Driver delay

129. Traffic delays to non-development traffic has potential to occur at points on the network surrounding the site including at the access from Wintersells Business Park to the A318 Byfleet Road/Oyster Lane, on the surrounding routes where there is likely to be additional traffic, and at other junctions along the route that may be affected by increased traffic. Driver stress, as outlined in the DMRB¹⁸ has three principal elements: frustration, fear of potential accidents and uncertainty relating to the route being followed. It is recognised that the weight of these factors varies depending on the individual driver. Any resulting delays are only likely to be significant when the traffic on the network surrounding the development is already at, or close, to capacity or if there are accidents or delays elsewhere on the wider network such as the M25 or A3 which cause traffic to back up in the locality. As set out in paragraphs 122 - 124 above the A318 is not at capacity and the increase in movements as a result of the proposal will not result in a significant change to the existing situation. There would be no significant delay or congestion as a result of the proposed development.

Pedestrian and Cycle Amenity

130. Pedestrian and cyclist amenity is broadly defined as the relative pleasantness of a journey and is considered to be affected by traffic flow, traffic composition, footway and cycleway widths and their separation from traffic. This potentially significant effect is considered to be a broad assessment category which also encompasses fear, intimidation and exposure to noise and air pollution. A tentative threshold for judging the significance of changes in pedestrian and cyclist amenity is described as instances where traffic flow or its HGV component halves or doubles. There is neither formal guidance nor a consensus on the thresholds for the assessment of the level of fear and intimidation experienced by pedestrians. However, the degree of fear and intimidation experienced is generally dependant on traffic volumes, composition and the presence of protection such as wide footways or guardrails.
131. IEMA guidance suggests the use of degree and hazard thresholds as set out in the table below in order to assess fear and intimidation in the first instance.

Degree of Hazard	Average Traffic Flow over 18 hour day (vehicle/hour)	Total 18 Hour HGV flow	Average Speed Over 18 Hour Day Mile/Hour
Extreme	1800+	3000+	20+
Good	1200-1800	2000-3000	15-20

¹⁷ Transport for London figure.

¹⁸ Volume 11, Section 3, Part 9 'Vehicle travellers'

Moderate	600-1200	1000-2000	10-15
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Table 3: IEMA Degree and Hazard Thresholds Guidance

- 132. Concern has been raised with regard to the impact of additional HGV traffic on the footfall of the area, with no safe crossing points and narrow footpaths which are considered hazardous/dangerous for those pedestrian who walk to work. Objectors have also questioned the presence of a shared cycleway on each side of the road and the applicant’s encouragement of employees to walk or cycle to work without evidence that the roads are suitable for this.

- 133. Wintersells Road from the junction of the A318 Byfleet Road/Oyster Lane contains a footway on each side of the road for approximately 88m, it then reduces to a footway on the northern side of the road only, which extends through the Business Park and into the cul-de-sac areas. Wintersells Road is a private road within the established industrial estate, given the nature of the businesses the traffic is likely to consist of predominately private cars, commercial vehicles and HGVs during the day, with an increase in private car movements at the beginning and end of the working day as employees arrive and leave. The footfall within the estate would be limited to users or employees of the Business Park or adjoining Brooklands Industrial Estate using the cut through. The speed of vehicle movements within the Business Park would be considerably slower to that on the A318 Byfleet Road/Oyster Lane, given the road layout and on street parking. Those on foot in the Business Park would therefore generally be more aware of their surroundings and adjust their behaviour accordingly.

- 134. The A318 Byfleet Road/Oyster Lane a single two-way carriageway which provides access to the Business Park, contains a footway on each side of the road for its length, with a short gap on the northern side of the railway bridge, which contains a grass verge. In the immediate vicinity of the access to the Wintersells Business Park off A318 Byfleet Road/Oyster Lane there is signage which suggests that the footway is shared for pedestrians and cyclists. As there are residential properties along this road, a number of these have driveways at the front of their properties, which are accessed by crossing over the footway on A318.

- 135. In terms of the composition of traffic, the increase in vehicle movements (200 HGV movements a day), when added to the annual average daily traffic count for the road in 2018 would equate to 20,530. The HGV proportion of this is recorded as 241 in 2018, when adding the increase in HGV movements to this figure (441 HGVs), only 2% of the overall traffic using the road on a daily basis would be HGV movements. There is no protection between the users of the pavement and the road in terms of guardrails, although the stretch of the A318 Byfleet Road/Oyster Lane at the access to the Business Park is 30mph. Whilst no pedestrian or cyclist counts have been submitted, given the context of the area near to the junction to the Business Park, footfall is likely to be limited to customers, employees of the commercial units and some residents living along A318. Further footfall may arise from those traveling to and from the New Haw and Byfleet train station and walking to the town centre approximately 1.5km to the south of the station.

- 136. The Byfleet Primary School is located on the western edge of Byfleet within a residential area, with the M25 immediately to the west. It is located approximately 530m from the application site. The School is a 1 Form of Entry Primary School which serves 239 pupils, across 8 classes. It has 28 full time staff and 12 part time staff. The School Travel

Plan submitted in support of the most recent application at the School (Ref: WO/2019/0677) approved on 9 August 2019, sets out that 41% of pupils (98) and 32.5% of staff (13) walk to the School. In comparison, 40% of pupils (97) and 62.5% of staff (25) drive to the School and 0.8 of pupils (2) and 2.5% of staff (1) travel by train. Whilst it is identified that there is a relatively high number of pupils and staff who walk to the site, given the context and location of the residential areas in proximity to the south and east of the School it is likely that only a small number of pupils and staff would walk to school from the north. There is also a very limited number of staff and pupils accessing the School from the railway station.

137. In terms of cyclist, the footways on each side of the A318 are signposted as a shared cycleway which will reduce the amount of conflict between vehicles and cyclists on the road. Whilst it is noted that the footpaths narrow under the railway bridge, given the industrial context of the area it would not be uncommon for cyclist to come across HGVs and other commercial vehicles, as such being overtaken or approached by a HGV can be intimidating to a cyclist but is more likely to be an issue for those that are inexperienced or nervous.

Accidents

138. The most obvious and immediate health risk from transport is the risk of fatal and serious injuries from collision with vehicles. All accidents involving a personal injury have to be reported to the police. Non-injury accidents do not have to be reported to the Police where certain other requirements have been met and there is no reliable way of collating information about them. Accident analysis is therefore always on the basis of personal injury accidents. The IEMA guidelines state that an assessment of road safety on the highway network should be undertaken on recent collision records.
139. The Transport Statement (November 2019) indicates three accidents within the last five years, with only one relating to the junction of A318 Byfleet Road/Oyster Lane and the Wintersells Road. This indicates an average of less than one accident per year, all of which were of slight severity. Based on the data available there is no evidence to demonstrate that there is an existing highway safety issue that would be exacerbated by this proposal.

Other Matters

140. The National Planning Practice Guidance (NPPG) 2019, makes it clear that planning conditions should be kept to a minimum and only used where they satisfy the six tests (necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects). In terms of the perceived increase in the deterioration of the road as a result of the additional heavy traffic movements, in the context of the industrial area where other HGV movements are permitted, it would be difficult to solely attribute any damage to the movements of the application site in particular. As such it would be unreasonable and unenforceable for the CPA to impose a condition to require the repair of any damage. Furthermore, it is recognised that there are historic issues associated with the local highway network in the area, not least the railway bridge, however it would be unreasonable for the CPA to require wholesale improvements to these when taking in to account the additional trips generated by the proposal, compared to the number of users of the road. The CHA are

however responsible for the repair and maintenance of the public highway which is set out in the Highways Act 1980, including provisions to seek costs to contribute to repair, where applicable. In terms of any increase in damage to the Wintersells Road, as this is a private road, it would be for the management company to implement and maintain a process for ensuring the up keep and suitability of the road for its users.

141. The Byfleet, West Byfleet & Pyrford Residents' Association in their objection, refer to the withdrawal of a planning application (Ref: RU.19/0373 & RU.19/0378), in the area due to traffic concerns. The proposal now withdrawn involved the redevelopment of 7.54ha of greenfield land to the rear of 98-138 Byfleet Road. It comprised the construction of nine new industrial units, providing 19,632sqm of floorspace in B1/B2 use, with access onto A318 Byfleet Road. The withdrawn proposal represents a scheme of a substantially larger scale, with a large volume of vehicle movements, than that proposed. The CHA comments on the withdrawn proposal raised concern with regard to a proposed uncontrolled pedestrian crossing and the safety of users on a new footpath link, requiring the submission a road safety audit. The CHA acknowledged that the modelling of key local junctions indicated that the proposal would have an impact, however this was not considered to be 'significant/severe' enough to warrant a recommendation to refuse on road safety/capacity grounds, subject to the other matters being satisfied. In this respect, whilst the withdrawn scheme was a scheme of a much larger nature, the capacity of the surrounding road network to accommodate the additional traffic was considered sufficient to support the additional movements and was therefore not considered a reason for refusal.

Assessment

142. As demonstrated above the proposal would equate to a 0.98% increase in traffic flow overall, which is below the threshold which would see a 'slight' change in traffic flow. In regard to the capacity of the existing highway network there would be no significant delay or congestion as a result of the proposed development. Furthermore, there is no evidence of accidents along the A318 that would suggest that there is an existing problem with safety in the area. It is recognised that fear and intimidation of pedestrians and cyclists using the road could occur, however given the location of the proposal and likely footfall this impact is not considered to be severe.
143. The applicant has demonstrated that the site can accommodate more than one vehicle at any one time for the turning, unloading and loading. In addition proposed measures including the PDA system and the adoption of a Staff Travel Plan will help in alleviating congestion within the Business Park.
144. The County Highway Authority were consulted on the proposal and have raised no objection subject to the provision of conditions to restrict HGV movements to 200 a day, a scheme to stop the overturning of the footway at the A318 and Wintersells Road Junction, the provision of cycle parking and electric charging sockets. It is further noted that the A318 is a busy 'A' class road, so the addition of these vehicles will be negligible and will not have a significant impact on the operation of the local highway network. The Wintersells Business Park whilst not in the jurisdiction of the CHA has been designed to accommodate HGVs and larger commercial vehicles that are generated by the existing industrial units that it serves, so the impact here will not be significant either.

Conclusion

145. Overall, officers consider that the proposal would not result in a significant adverse impact on the public highway, subject to the imposition of conditions. Having regard to paragraphs 104 to 144 above, it is considered that the proposal accords with the development plan policy DC3 of the SWP, Policy CS25 of the ECS and Policy DM7 of the EDM, alongside the requirements of the NPPF and NPW, in this regard.

ENVIRONMENT AND AMENITY

Development Plan Policies

Surrey Waste Plan 2008

Policy DC2 – Planning Designations

Policy DC3 – General Considerations

Emerging Surrey Waste Local Plan Part 1 – Policies

Policy 13 – Sustainable Design

Policy 14 – Development Management

Elmbridge Core Strategy 2011

Policy CS15 - Biodiversity

Policy CS17 – Local, Character, Density and Design

Policy CS26 – Flooding

Elmbridge Development Management Plan 2015

Policy DM2 – Design and Amenity

Policy DM5 – Pollution

Policy DM6 – Landscape and trees

Policy DM21 – Nature Conservation and Biodiversity

Policy Context

146. Paragraph 170 of the NPPF advocates the 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 this regard, paragraph 180 of the NPPF sets out that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so the CPA should:

- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development, and avoid noise giving rise to significant adverse impacts on health and the quality of life.
- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

147. Further, paragraph 182 of the NPPF sets out that planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities. Existing facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or agent of change) should be required to provide suitable mitigation before the development has been completed. Paragraph 183 goes on to set out that the CPA should focus on whether the development itself is an unacceptable use of land, and the impact of the use, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume these regimes will operate effectively.
148. The NPW sets out at paragraph 7 that when determining planning applications, planning authorities should consider the likely impact on the local environment and upon amenity, against the criteria set out in Appendix B. Appendix B comprises: the protection of water quality; resources and flood risk; land instability; landscape and visual impacts; nature conservation; conserving the historic environment; traffic impacts; air emissions including dust, odour, vermin and birds, noise, light and vibration, litter; and potential land use conflicts.
149. Policy DC2 of the SWP sets out 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 designated site including Special Areas of Conservation (SAC), candidate Special Areas of Conservation (cSPA), Special Protection Area (SPA), potential Special Protection Area (pSPA), Sites of Special Scientific Interest (SSSI) and Site of Nature Conservation Importance (SNCI), unless the development can demonstrate that any significant adverse impacts identified could be controlled to an acceptable level in accordance with prevailing national policy and guidance. The assessment will also take into account whether any significant adverse impacts could be controlled to acceptable levels.
150. Policy DC3 of the SWP requires that applicants demonstrate, by 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. Similarly, Policy 14 of the SWLP-1 states planning permission for waste development will be granted where it can be demonstrated that it would not result in significant adverse impact on communities and the environment which includes public amenity and safety in respect of impacts caused by noise, dust, fumes, odour, vibration and illumination (including impacts on Air Quality Management Areas), the water environment, the appearance, quality and character of the landscape, the natural environment, the historic environment and the cumulative impacts arising from the interactions between waste developments and other forms of development.
151. Policy DM2 of the EDM requires all new development proposals to be based on an understanding of local character including any specific local designations and take account of the natural, built and historic environment. Proposals should also protect the amenity of adjoining land uses and potential occupiers and users.

152. Policy CS17 of the ECS requires new development to deliver high quality and inclusive sustainable design, which maximises the efficient use of urban land whilst responding to the positive features of individual locations integrating sensitively with the local distinctive townscape. Policy DM9 of the EDM sets out that all development that may result in potential sources of pollution from noise, odour, light or contamination will be expected to incorporate appropriate attenuation measures to mitigate the effect on existing and future residents.

Landscape and Visual Impact

Policy Context

153. The application site, as mentioned above, is located (almost centrally) within an existing industrial estate. To the south of Wintersells Business Park is the Brooklands Industrial Estate. To the west on the other side of the A318 Byfleet Road/Oyster Lane are other industrial units including a mix of storage and distribution and service centres. North of the Wintersells Business Park is the railway line with some residential properties and a large substation beyond that. The Wintersells Business Park, Brooklands Industrial Estate and the units beyond the A318 Byfleet Road/Oyster Lane do not lie within any landscape character area as defined by the Surrey Landscape Character Assessment 2015.
154. Paragraph 56 of the NPPF states that the design of the built environment should contribute positively to making places better for people and it plays an important role in sustainable development and is indivisible from good planning. Paragraph 124 of the NPPF 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, and should contribute positively to making places better for people. To this end paragraph 127 of the NPPF sets out that decisions should ensure that developments will, *inter alia*, function well and add to the overall quality of the area and be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. Paragraph 130 of the NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of the area and the way it functions.
155. In respect of the protection of the landscape and visual amenity the NPW Appendix B Criteria C requires consideration of (i) the potential for design-led solutions to produce acceptable development which respects landscape character, and (ii) the need to protect landscapes or designated areas of national importance including Areas of Outstanding Natural Beauty. The application site does not lie within any national landscape character areas such as the AONB.
156. Policy DC3 of the SWLP seeks the protection of landscapes and woodland and the provision of mitigation measures where appropriate. This is echoed in Policy 14 of the SWLP-1 whereby planning permission for waste development will be granted where it can be demonstrated that it would not result in significant adverse impacts on the integrity of key environmental assets including protected landscapes and important heritage assets. Furthermore it would not result in significant adverse impact on communities and the environment which includes the impacts on the appearance, quality

and character of the landscape and any features that contribute to its distinctiveness, including character areas defined at national and local levels and the cumulative impacts arising from the interactions between waste developments and other forms of development.

157. Policy 13 of the SWLP – 1 sets out that planning permission for waste development will be granted where it can be demonstrated that the development follows relevant best practice. All proposals for waste development should demonstrate that the development is of a scale, form and character appropriate to its location and during its construction and operation measures are required to maximise landscape enhancements and biodiversity gains, contribute to green infrastructure provision, maximise the efficiency of water use, minimise greenhouse gas emissions and ensure resilience and enable adaptation to climate change.
158. Elmbridge Borough's Core Strategy recognises the importance of high quality, sustainable design. Policy CS1, which sets out the spatial strategy for the Borough, aims to protect Elmbridge's Green Infrastructure assets, by directing new development towards previously developed land within the existing built up areas such as the application site. Policy CS17 of the ECS requires new development to deliver high quality design and inclusive sustainable design, which maximises the efficient use of urban land whilst responding to the positive features of individual locations, integrating sensitively with the local distinctive townscape, landscape, and heritage assets, and protecting the amenities of those within the area. Particular attention should be given to the design of development which could have an effect on heritage assets which include conservation areas, historic buildings and scheduled monuments. Additionally, the Council will support and promote sustainable design that addresses climate change and minimise the borough's carbon footprint. As such new development should be landscaped, and where appropriate should incorporate biodiversity habitats. This is echoed in Policy DM6 of the EDM which expects development proposals to be designed to include an integral scheme of landscape which, *inter alia*, reflects, conserves or enhances the existing landscape and integrates the development into its surroundings, adding scale, visual interest and amenity
159. Policy DM2 of the EDM sets out that all new development should achieve high quality design, which demonstrates environmental awareness. The Council will permit development proposals that demonstrate that they have taken full account of the local character including specific local designations including the natural, built and historic environment. Development proposals will be expected to take account of the relevant character assessment companion guide in the Design and Character Supplementary Planning Document (SPD) (2012). Proposals should also preserve or enhance the character of the area, with particular regard to appearance, scale, mass, height, levels and topography, prevailing pattern of development and separation distances of plot boundaries.
160. Furthermore, development proposals should create safe and secure environments and reduce opportunities for crime.

Landscape Character

161. The Elmbridge Design and Character SPD provides design guidance relating to all new development in the Borough with its overall aim being to ensure that the design of future development is more locally responsive, sustainable and built to a high quality. It sets out how the location, form and type of new residential and non-residential development in the borough will be considered through the Design Process.
162. Within the SPD, the application site falls within the 'Weybridge' settlement area which acknowledges the Brooklands area and it having its own individual identity containing a diverse mix of uses. Much of the document focuses on the design of residential spaces however there are elements that are relevant for this development proposal such as consideration of the appropriateness of the materials of the building, the use of sustainable water systems and massing as it plays a large part in determining the character of the building and its appropriateness. The SPD also says that boundary treatments should reflect those in the vicinity. The SPD does cover specific development types beyond residential and this includes commercial development. The SPD says that *"as commercial development is so varied it is not possible to give comprehensive guidance [...] but the general design principles should be adhered to"*. The SPD recognises that commercial developments are located in prominent positions and therefore their potential role within the streetscape should be fully considered and taken account of in the design and that design briefs may be issued in particularly critical locations. There is no such design brief for Wintersells Business Park or the adjacent Brooklands Industrial Estate
163. The application site lies within a built-up area, within the flat, low-lying floodplain of the River Wey. It is not within a designated landscape or a landscape defined Surrey Landscape Character Area (LCA); however, the open land of the Lower Wey River Floodplain (RF7) LCA lies to the north and further east, beyond the Brooklands Industrial Estate. The site does lie within an existing business park which is an established part of the townscape within the immediate surrounding area, which is characterised by industrial, commercial and storage/warehouse buildings that are of varying materials including brick and metal cladding, with varying frontages and at varying heights.
164. The Wintersells Business Park is visually contained by the railway line which runs on the embankment immediately to the north, and by the embanked Brooklands race track to the south and east. Both of these features have mature trees which provide a further degree of screening.
165. The proposal would involve the construction of a steel building for the purposes of waste management, measuring 35.5m in length by 30m in width, with a sloping roof at a maximum height of 13m to the front and 10.3m in height at the rear. The building is proposed to have an open doorway measuring 17.5m wide with a height of 10m, to allow for the safe access and egress of equipment and vehicles. As part of the proposal the applicant also intends to change the boundary treatment. It is proposed to replace an existing 2m concrete post and steel wire fence and access gates with a 2.4m powder coated mesh fence, with 0.5m barbed wire on top. The applicant has also amended the application to keep and extend a low brick wall around the southern and south-eastern perimeter of the site, with a gap of 0.75m between the wall and proposed fencing for landscaping.

166. As detailed above, there are currently buildings on Units 11 and 12 Wintersells Road however these are both smaller in height and massing than the proposed. Given the change to both the height and massing that the proposed building would result in, it is appropriate to assess the implications of the proposal on landscape character and visual impact.
167. A number of objectors (20%) and the WRMC have raised concerns with regard to impact of the proposed building at a maximum height of 13m on the character of the Business Park, given its central location and the resulting dominant effect the proposal could have on the image of the Business Park. In addition, the objectors consider that the development is not in keeping with the Business Park and would appear unduly prominent. Other concerns were raised during the early rounds of consultation with regard to the provision of a high fence and concrete panels around the perimeter of the site, which was considered to create an adverse visual and townscape impact. The applicant has since revised this aspect of the proposal.
168. EBC have also raised concerns with regard to the design of the proposal and its impact on the character and appearance of the local area. More specifically EBC consider, the replacement building is sufficiently larger in scale than any of the surrounding buildings, and whilst it is set back from Wintersells Road, it would appear unduly prominent by reason of its height. Concerns were also raised by that the 0.75m strip of planting would be insufficient to support any long-term retention of planting and should be doubled in width.

Visual Impact

169. The application site is located within an established Business Park which forms part of a cluster of three industrial estates to the north of Byfleet. The prevailing development in the area is therefore characterised by industrial and commercial warehouse units, delivering a range of services. No residential properties are located immediately adjacent to the units in question, but are located within the wider surrounding area and along the A318 Byfleet Road/Oyster Lane.
170. The planning application is not supported by a landscape and visual appraisal, including longer range views towards the site from the surrounding area. The County Landscape Architect (CLA) has commented on the proposal and notes that given the context of the area the visibility of the proposed development would be limited to street-level with limited views beyond the immediate Wintersells Road area. In this regard, it is anticipated that the uppermost parts of the building may appear on the skyline in some local views, such as from along the A318 Byfleet Road/Oyster Lane, although this would have a limited visual impact overall and is not considered to create an adverse impact on the visual amenity of the wider locality beyond the Wintersells Business Park.

Scale/Prominence

171. As set out in the Department for Environment, Food and Rural Affairs (Defra) guidance on '*Designing Waste Facilities – A Guide to Modern Design in Waste*' dated 2008, the footprints and heights of buildings will vary according to the nature of the technology being used and the configuration of the operational processes. One common determining factor for most waste facilities is that the internal space and vehicular door

openings need to accommodate the height of a raised tipper lorry. As an example this requires the door opening to be 7 metres in height with the building eaves often at a height of approximately 12 metres. This is noted to be a similar scale to many commercial distribution buildings in general.

172. As outlined above, the proposed building contains a large open doorway, to enable the effective use of machinery and allow easy manoeuvrability around the site. Given the proposed boundary treatment and location of the machinery and stockpiling areas within the building as shown on Drawing No: 3843/2410/04 Rev M, any views into the building as a result of the open door way will be limited to the upper void space of the building. Furthermore, the orientation of the building compared to adjacent units limits any direct views into the open doorway of the facility and views of this part of the site will only be obtained from the Wintersells Road to the south.
173. The majority of Units within the Wintersells Business Park are two storeys in height (5-6m), with the exception of the Hyundai Service Centre at Unit 19 which measures 11m in height (equivalent to a three storey building). The application site is also located immediately adjacent to an existing waste management facility, PM Skips, which contains a large building, with an open doorway at approximately 8m in height at the ridge, with external waste and skip storage and concrete sleepers and a mesh fence on its boundary. Other development in the adjoining Brooklands Industrial Estate ranges from 10m to 13m in height.
174. Whilst the proposal will be in contrast in terms of overall height of the building and design in comparison to the immediate surrounding units within the Business Park, this needs to be balanced against the prevailing, established industrial and commercial character of the area, and the fact that other modern warehouse units in the locality (adjoining Brooklands Industrial Estate) are of a similar scale and design. In this respect the proposal is for the construction of a modern style industrial unit which should not be considered out of character within the context of the surrounding locality.
175. The CLA has recognised that the proposed building would form one of the tallest buildings and would be a prominent feature within the business park. However, the building is proposed to be set back from the Wintersells Road, which will reduce its prominence when approaching or passing the application site.

Materials/Construction

176. Defra's guidance (2008) sets out that material use should reflect the setting of the site, and minimise potential impacts in the number of ways, including maintenance costs, thermal and acoustic insulation and drainage. Appropriate colouring can also minimise potential impact by linking the building with its surrounding.
177. The proposed building is of a full steel construction. The Units immediately surrounding the application site comprise brick and metal construction, with the majority containing a brick plinth with an upper metal storey and metal construct roof. However, the Units located to the south of the site on the adjoining Brooklands Industrial Estate are of a similar nature to that proposed, including full steel construction with an upward sloping roof. It is considered that taking into consideration the industrial nature of the area surrounding the application site and context of the locality, the proposed material for the

building is not considered to be out of keeping with the character of the area or incongruous with other buildings on the Business Park. Nonetheless, the exterior finish of the proposed building will be an important factor in determining its prominence against the sky. It is recommended by the CLA that a matt, light grey finish, as seen on many warehouse buildings within the surrounding area, would present less of a contrast against a typical cloudy sky and would assist in ameliorating the building into the local and wider landscape. The details of the external finish of the building are to be secured by condition attached to any grant of planning permission.

178. The extension of the cabin style picking line and conveyor from the southern elevation of the building, with a height of approximately 6.3m, will be visible above the proposed boundary treatment. Given the position of the picking line and conveyor along the south-western boundary of the application site and adjacent to the building at Unit 10 it is considered that views of the picking line and conveyor will be seen in conjunction with the proposed recycling building and other existing development on the estate and would therefore not appear unduly prominent. Furthermore Unit 10 operates a conveyor on the southern elevation of the building to deposit hard-core into an external storage area, as such the use of an open conveyor is not considered to be incongruous within the Business Park.

Boundary Treatment

179. Defra's guidance (2008) sets out that fencing around the site may be considered to be peripheral to design, but can set the tone of a development. The main objective of fencing is to provide site security. However, stark fencing can look imposing and unpleasant and it should be as discrete as possible and can be combined effectively with hedging where space permits. In this respect the approach to fencing should link with the proposed landscaping strategy for the boundary as this can result in the most appropriate overall solution and provide an attractive edge and entrance to the facility.
180. As set out above the applicant has revised the proposal to remove the previously proposed concrete panels and palisade fencing, which were to be situated on the outer edge of the perimeter of the application site. The proposed security fencing now comprises a 2.4m high slim profile mesh fencing topped with barbed wire. It is further proposed to retain, rebuild and extend the existing low brick boundary wall so it extends alongside the full extent of the south-eastern site boundary. Many of the plots on the Wintersells Business Park have low brick perimeter walls with a variety of open mesh style fencing similar to that proposed defining the plot boundaries. There are also pockets of planting, particularly at the entrance to the Wintersells Business Park, around the perimeter of plots, comprising low shrubbery and small trees.
181. The CLA has commented that the proposed revision to the boundary treatment is welcome as it would provide a high quality boundary treatment consistent with other units within the Business Park. A 750mm wide/deep planting strip is proposed behind the low brick wall, also along the full extent of the site frontage. Although this planting strip is narrower than that which it replaces this is counterbalanced by its greater extent along the site boundary, including turning the corner into the cul-de-sac to the north-east. There are also two individual areas either side of the southern access gate which are proposed for soft planting, in keeping with the pockets of landscaping at the front of Units 2 and 4a at the entrance to the Business Park. The addition of landscape features and

the revised fencing is considered to be an improvement and will help soften the visual impact of the development and provide biodiversity interest. In this respect a scheme of proposed landscaping to cover the areas of planting in terms of type, species and size and maintenance should be secured by condition attached to any grant of planning permission. With regard to EBC's comments this condition will ensure control over the appropriate type and maintenance of any proposed planting to ensure that it provides a positive long-term contribution to the site and character of the Business Park.

182. The County Ecologist has also commented on the proposal and notes that a scheme of biodiversity enhancements should be combined with the landscape enhancements and secured by condition attached to any grant of planning permission.

Ancillary buildings/equipment

183. As set out in the Defra Guidance (2008), many waste management facilities, incorporate ancillary buildings such as a site office or weighbridge. It is important that the design solution encompasses these elements to ensure the overall design works.
184. The applicant has indicated that they are proposing to retain the existing two storey office building currently located to the eastern frontage of Unit 12. At this stage the applicant has not provided details of where a weighbridge is likely to be incorporated on the site. This is a key feature of any waste activity and is required to ensure that all loads are appropriately recorded. In this respect, a condition will be attached to any grant of planning permission to secure details of the type and location of the weighbridge to be installed prior to the commencement of the development/operation.

Conclusion

185. The existing landscape in the immediate and wider context of the application site is characterised by industrial and commercial buildings. The proposal will replace an existing building with a larger one, as set out above, the application site and Business Park do not lie in a designated LCA. Both the immediate and wider landscape character is characterised by a variety of industrial units of varying sizes, massing, scale and form. Officers consider when balanced against the prevailing, established industrial and commercial character of the area and the other warehouse units within the wider area of a similar scale and nature, the proposal is unlikely to have a significant visual impact on the character of the area.. Officers consider that whilst the proposed building would occupy a prominent position within the Business Park, measures proposed by the applicant such as increased landscaping to the front of the site, the fencing to be in keeping with surrounding units and the colour of the external building walls will go some way to soften its appearance and provide mitigation.
186. Officers are satisfied that these measures along with the imposition of conditions to cover the proposed landscaping, that the proposal would not conflict with the aims and objectives of the development plan Policies DC3 of the SWP, Policies CS1 and CS17 of the ECS and DM6 and DM2 of the EDM, alongside the NPPF, the NPW, and the Elmbridge Design SPD, in this regard.

Air Quality, Odour and Dust

Policy Context

187. Paragraph 181 of the NPPF discusses air quality specifically in relation to Air Quality Management Areas (AQMAs), whereby planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of AQMAs and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Air Quality can also affect biodiversity and odour and dust can adversely affect local amenity.
188. Criteria G of the NPW's Annex B explains that in respect of air quality, considerations should include the proximity of sensitive receptors. Including ecological as well as human receptors, and the extent to which adverse emissions can be controlled through the use of appropriate and well-maintained and managed equipment and vehicles.
189. Policy DM5 of the EDM states that within designated AQMAs, the Council will promote measures to improve air quality and will expect development proposals to avoid introducing additional sources of air pollution. It goes on to state that planning permission will not be granted for proposals where there is a significant adverse impact upon the status of the AQMA or where air quality may have a harmful effect on the health of future occupiers of the development, taking into account their sensitivity to pollutants, unless the harm can be suitably mitigated.

The Development

190. The application site is not situated within an AQMA. It lies 0.41km to the east of the M25 & Egham Town Centre AQMA, which is designated by RBC for exceedance of the National Air Quality Strategy objectives for nitrogen dioxide and particulate matter.
191. The primary operations of the site will comprise the use of the mechanical treatment plant within the proposed building. Once crudely sorted by hand for bulky items, all mixed waste is proposed to be fed into the hopper of the plant. From the hopper the waste will be screened and soils and fines will fall through a rotating drum mesh into a bay beneath with conveyor depositing them into bays within the waste reception building. The remaining larger fractions of waste will exit on a separate conveyor which will enter the six bay picking line. The picking belt moves slowly allowing staff to remove any recyclable or waste for landfill by hand and place them in chutes to discharge into the bays beneath the operation. The conveyor exiting the picking line has an overband magnet which removes the ferrous metals and any waste not suitable for recycling which is not picked passes under the magnet to be blown by fan unit into a cage at the end of the picking line. The remaining heavy fractions drop off the end of the conveyor into a stockpile for recycling, this is likely to comprise inert/hardcore waste. This is a standard plant used elsewhere on other waste sites.
192. External storage of the recyclable material is proposed to be stored within the relevant bays as shown on Drawing No: 3843/2410/04 Rev M, attached to this report. The applicant has proposed that external stockpiles within the bays will be limited to a maximum height of 4m. Reference is also made within the applicants Planning, Design and Access Statement (dated November 2019) to the use of hook loader skips in the picking station bays to collect waste.

193. Waste will arrive at the site using Weybridge Skip Hire Ltd's own vehicles/contracts and also third party users/haulers, whose details will be checked prior to the delivery/collection of waste. The waste will be subject to checking by a suitably qualified person prior to being deposited and stored in the relevant areas on site. It is proposed that waste will be moved, loaded and unloaded using a loading shovel and 360° excavator. Waste will be delivered to the site in skip trucks, hook loaders and tippers and will be removed in hook loaders, 8 wheeled tippers and articulated bulk waste vehicles. If any unacceptable materials are found they will be placed in a designated rejected waste skip and stored within the waste recycling building, which is an area of sealed drainage. Unauthorised waste will be removed to a suitably authorised facility accompanied by the necessary paperwork.
194. It is identified that there is potential for the development to give rise to operational traffic emissions in the location area, dust and particulate matter emissions associated with the handling of waste and odour emissions associated with the handling of waste. As such, given the type of application there is a need to assess Air Quality, Odour, construction and operational dust. In this respect the applicant has submitted an Air Quality Management Plan and a Dust Management Plan.
195. The sensitive receptors in proximity to the site are shown on Drawing No: 3843/2410/07, submitted with the application. The applicant identifies that the nearest sensitive receptors are the users of the Wintersells Business Park <50-250m from the application site. The nearest residential receptors are noted to be 150m north of the application site on the other side of the railway line, within Westfield Parade. Officers note that residential receptors are closer than that identified by the applicant, located 125m from the application site, along the A318 Byfleet Road/Oyster Lane. The prevailing wind direction for the site is considered to be south-west and in the opposite direction to the nearest residential receptors.
196. Objections received in response to the proposal, as registered at paragraphs 56 to 58, have raised concerns with regard to the escape of dust from the application site, odours and the impact of pollution from the operations and vehicle movements on the health of residents and existing users of the Business Park.
197. The Environment Agency (EA) have raised no concerns with regard to air quality. Concerns have been raised by EBC and RBC with regard to the perceived impact of the development on the AQMAs, within proximity to the application site. Further concerns note the need to predict the amount of nitrogen dioxide (NO₂) arising from the development. RBC have also noted that the assessment undertaken by the applicant does not consider the potential impacts on the Runnymede AQMA. In terms of Dust Management Plan (DMP) EBC have also raised concerns that it does not provide a robust scheme for the management of dust and no assurances are made that all vehicles (including third party) will be sheeted. Furthermore, the DMP does not demonstrate fully how dust arising from the activities at the site, including stockpiles, vehicular movements and on-site operations can be controlled and mitigated. EBC therefore recommend a condition to secure a dust management plan prior to the commencement of the development.

198. Transport is a leading source of emissions to air in the UK and the predominate exposure source is within urban areas. At the strategic level, the health effects of air pollution is typically addressed through air quality standards. AQMAs are set to protect the environment and health. The control of air pollution is the responsibility of local authorities and other government regimes. The role of local authorities is covered by the Local Air Quality Monitoring (LAQM) regime. Whilst the application site is situated in the district of EBC, it is in close proximity to the district boundaries of RBC and Woking Borough Council (WBC). These authorities have a responsibility for monitoring and declaring AQMAs, within their Boroughs.
199. The Environmental Protection UK (EPUK)/Institute of Air Quality Management (IAQM) guidance 'Land-Use Planning and Development Control: Planning for Air Quality'¹⁹ comments that there is a clear link between air quality and health in relation to PM₁₀, PM_{2.5} and NO₂. The guidance outlines that any air quality issues that relate to land use and its development is capable of being a material planning consideration. The weight given to air quality in making a planning application decision, in addition to the policies in the local plan, will depend on factors as:
- The severity of the impacts on air quality
 - The air quality in the area surrounding the proposed development
 - The likely use of the development i.e. the length of time people are likely to be exposed at that location
 - The positive benefits provided through other material considerations
200. In terms of air quality impacts associated with traffic, the EPUK and IAQM guidance as referenced above, provides an indicative criteria for determining when an air quality assessment is likely to be required. The threshold criteria is provided as annual average daily light and heavy duty vehicles (HDVs). The threshold criteria differs depending on whether the traffic generated by the development is likely to travel through a designated AQMA. A change in HDV flows of more than 25 Annual Average Daily Traffic (AADT) within or adjacent to an AQMA or more than 100 AADT elsewhere, indicates that an Air Quality Assessment is required. Where an air quality assessment is undertaken to inform the decision making process it does not, in itself, provide a reason for granting or refusing planning permission. Almost all development will be associated with new emissions if the development is considered in isolation. Any impacts should be seen in the context of air quality objectives and existing air quality.
201. An Air Quality/Vehicle Emissions Assessment (dated 9 August 2019) was submitted with the application. In this document the applicant has undertaken an assessment of the predicted traffic flows through the nine AQMAs within proximity to the site and the expected routing of vehicles. The table below is taken from Appendix IV of the applicants Air Quality report. The table provides the maximum net AADT movements for HDVs through the nine AQMAs. The extent of the assessment was determined by the routing of vehicles based on the applicants likely customer base which is considered to be Walton-on-Thames/Hersham, Weybridge, Esher, Cobham, Oxshott, Leatherhead, Surbiton, Kingston-upon-Thames, Epsom, Wimbledon, Putney, Fulham, Richmond, Twickenham, Teddington, Hampton, Shepperton, Sunbury and Byfleet/west Byfleet. In addition, the main residual waste and commodities leaving the site are expected to go to Hersham (Metals), Mitcham (Mixed), Tilbury (Wood), Dagenham and Rainham (Essex).

¹⁹ <http://www.iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf>

HGV Movements Maximum		Existing Development ²⁰	Proposed Development ²¹	Net Traffic Generation
AQMA 1	M25 – West Byfleet to Egham	3	1	-2
AQMA 2	Addlestone – High Street/ Brighton Junction Road	9	3	-6
AQMA 3	Weybridge – Church Street, High Street and Monument Hill	24	50	26
AQMA 4	Walton-on-Thames – High Street and Terrace Road Junction	12	7	-5
AQMA 5	Molesey – Walton Road	40	17	-23
AQMA 6	Hampton Court – Bridge/Hampton Court Way	30	31	1
AQMA 7	Hinchley Wood	16	8	-8
AQMA 8	Esher – One Way System	75	36	-39
AQMA 9	Cobham – High Street	12	20	8

Table 4: Maximum net AADT movements for HDVs through the nine AQMAs.

202. The table shows that the criterion of 25HDVs per day within an AQMA is only exceeded in the Esher and Weybridge AQMAs. As such the receptors in these AQMAs have been considered in the assessment. Impacts on the remaining AQMAs are concluded to be not significant and have not been considered further in the assessment. Both the identified AQMAs are located within the Borough of Elmbridge. In the 2019 Annual Air Quality Status Report for EBC, air quality monitoring has shown continued improvements at many locations across the Borough. However, further action is still required as exceedances of annual mean NO₂ objective have been identified at four monitoring locations in 2018. Three of these sites are located within the Esher AQMA and are described as Esher 1, 7 and 5. PM₁₀ and PM_{2.5} are not currently monitored in Elmbridge but have been included within a modelling exercise undertaken by a project team which the EBC is part of, which is expected to be finalised and discussed in the 2020 Annual Status Report.
203. The applicant has undertaken detailed modelling using the Breeze Roads model and Defra emissions factors for 2016 and 2019. The applicant has used meteorological data collected at London Heathrow and has verified the model using the measurements at several roadside monitoring sites. The County Air Quality Consultant agreed with the methodology undertaken and notes the applicant has modelled annual-mean NO₂ and

²⁰ Applicants existing operation at the Weylands Treatment Works site.

²¹ Looks at traffic generation only through the AQMAs not the total number of traffic generated by the development.

PM₁₀ concentrations, with and without the development and used the impact descriptors in the EPUK and IAQM 2017 guidance.

204. The applicants assessment predicts that vehicle emissions generated by the development to be 'not significant', the main effects being a 'slight adverse' impact has been predicted for NO₂ for the residential property at the junction of A318 and Wintersells Road from vehicle emissions. However the impact is localised and the predicted annual mean NO₂ concentrations are predicted to be significantly below the Air Quality Limit Value (AQLV) at the receptor concerned. A 'moderate beneficial' impact on annual mean AQLV NO₂ levels was predicted at Esher 1 maintained diffusion tube near the junction of High Street and Church Street, Esher. The assessment also concludes that the predicted annual mean PM₁₀ concentration impact at sensitive receptor locations for do nothing and do something scenarios, is negligible at all receptor locations.
205. The County Air Quality Consultant (CAQC) has been consulted on the proposal and is satisfied that the predicted results look reasonable in light of the changes in traffic as set out in the report and therefore the effects of vehicle-related emissions on air quality are not likely to be significant. Whilst no significant adverse impacts have been identified, the applicant has identified air quality mitigation measures which will further minimise potential emissions from the development, which include the HDV fleet to be fitted with Euro IV compliant engines and mobile plant to be fitted with Stage IV compliant engines. These matters will be secured by condition attached to any grant of planning permission.
206. In terms of the concerns raised by RBC the applicant has undertaken a comparison of the vehicle movements through the AQMAs, including the M25 and Egham Town Centre AQMA, designated by RBC. In this regard the criterion for an air quality assessment in this AQMA is not exceeded. As such it is concluded that the extent of the study area for the assessment is appropriate and the air quality effects within all non-assessed AQMAs are not likely to be significant. It is acknowledged that vehicles would access the site from the A318 (Byfleet Road/Oyster Lane) to the west, from which access could be gained to the M25 via junctions 10 (to the south east) or 11 (to the North West). The published AADT figures for the M25 between junctions 11 and 10 for 2016 are 182,421 for all vehicles, and 13,959 for HGVs, so the additional vehicle movements generated by the proposed development would be equivalent to 0.1% of the daily traffic on the M25 between junctions 10 and 11. It is unlikely that all vehicles travelling to and from the proposed facility would travel on the M25 on any given day, and consequently any impact the development would have on the designated AQMA would not be significant.

Dust

207. There is no specific guidance for the risk of dust impacts. The NPPG does not provide any specific direction on dust assessment methodology for waste planning applications. In the absence of this it is recommended that assessments for waste development are based on the qualitative disamenity dust assessment method in the IAQM minerals guidance²², with appropriate modification/amendments made.
208. In this case, the applicant has submitted a Dust Management Plan (DMP). The risk assessment within this plan considered emissions of dust and particular matter (PM_{2.5}). For each potential source, the applicant classified the risk using a source-pathway-

²² http://www.iaqm.co.uk/text/guidance/mineralsguidance_2016.pdf

receptor conceptual model as advocated by the IAQM minerals guidance. The applicant has set out mitigation measures for each potential source of dust.

209. The proposed development would have the potential to give rise to emissions of dust during construction and operational phases. A number of objections (17%) have raised concerns with regard to the impact of dust escaping from the site on the existing users of the Business Park, residential properties and the Byfleet Primary School. Further concerns are raised with regard to the proposed operations including the external storage of material and the use of the conveyor to deposit hard-core which is higher than the boundary treatment and the need for vehicles to be sheeted.
210. The application site is located well within the Business Park on the corner of a cul-de-sac that leads to other commercial businesses and a turning circle. As set out above, the applicant has identified with reference to Drawing No: 3843/2410/07, attached to this report the sensitive receptors in proximity to the application site. Immediately to the west of the application site is Units 10, 9 and 8. Unit 10 is an existing Waste Transfer Station operated by PM Skips, which occupies a site of 0.14ha, with a waste transfer building and yard area with external storage. Unit 14 abuts the application site to the north (rear) and contains a boat manufacturers business. Other businesses within the cul-de-sac include a tyre company (approximately 21m to the north-east of the application site), a car service centre (approximately 40m to the north-east of the application site) and a cluster of nine smaller units referred to as Unit 15 containing a range of small business (approximately 51m metres to the north-west of the application site). The nearest residential property is located approximately 125m to the west of the application site on A318 Oyster Lane and further residential properties are located at the entrance to the Wintersells Business Park, on the A318 Byfleet Road/Oyster Lane and beyond the railway embankment to the north of the site, on Westfield Parade. This is not shown on the applicant's receptor plan, identified as the closest by Officers.

Construction Phase

211. Emissions of dust to air can occur during demolition processes and can vary from day to day and depending on the weather conditions. The Institute of Air Quality Management (IAQM) document "Guidance on the Assessment of Dust from Demolition and Construction²³" 2014 is relevant in the consideration of this application. The guidance recognises that the main air quality impacts that may arise during demolition activities are: dust deposition resulting in the soiling of surfaces, visible dust plumes, elevated PM10 concentrations; and an increase concentration of airborne particles.
212. Paragraph 4.3 of the Guidance outlines that the risk of dust emissions from a demolition project causing loss to amenity and/or health or ecological impacts is related to: the activities being undertaken, the duration of those activities, the size of the site, the meteorological conditions, proximity of receptors to the activities, adequacy of mitigation measures to reduce or eliminate dust; and sensitivity of receptors to the dust. However the Guidance does recognise that there is an exponential decline in both airborne concentrations and the rate of deposition with distance.
213. The guidance provides an approach to assess the risk of dust impacts from demolition and construction projects when there are no mitigation measures in place; breaking

²³ http://iaqm.co.uk/wp-content/uploads/guidance/iaqm_guidance_report_draft1.4.pdf

down those activities to be assessed into demolition, earthworks, construction and trackout. All four are relevant for this application. The guidance then sets out how this approach should be taken firstly by assessing the dust emission magnitude based on the scale of the anticipated works and whether they should be classified as small, medium or large. For demolition this is based on the total building volume to be demolished alongside the height above ground when the activity takes place. For earthworks, this is based on the total site area, soil type, number of earth moving vehicles and total material moved. For construction this is based on the size of the building and construction materials. For trackout, this is based on the number of HGVs leaving the site in any one day and the length of unpaved surface they would be traveling along.

214. The second part of the assessment is based on the sensitivity of the area which is the number, type²⁴ and distance of receptors to the application site and the potentially dusty activity. The assessment then divides this into the sensitivity of the area to the soiling effects on dust on property and people (i.e. nuisance dust); and then the sensitivity of the area to human health impacts (i.e. PM₁₀).
215. Having looked at the proposal the Officers conclude that the potential dust emission magnitude from the proposal in terms of demolition would be 'small' as the total building volume to be demolished would be less than 20,000m³ and the works will be carried out at ground level. For earthworks Officers conclude the potential for dust emission to be 'medium' due to the size of the site, being between 2,500m² and 10,000m². For construction officers conclude that the potential dust emission magnitude would be 'small' due to the volume of the building to be constructed being less than 25,000m³ and the construction material, which will predominately comprise of metal which has low potential for dust release. In terms of trackout, Officers conclude the potential for dust emission would be 'small' due to the urban location of the application site with no unmade roads for vehicles to travel on.
216. With regard to sensitivity to dust soiling on property and people; and sensitivity of the area to human health from demolition activities, Officers recognise that given the urban location of the application site there are a range of receptors within proximity to the application site. In terms of high sensitivity receptors there are no residential properties within 100m of the application site. There is one car show room within 100m and two further car showrooms within 250m of the application. There are also 7 places of work within 20m of the application, 22 within 50m and 39 within 100m. Officers therefore conclude that where the demolition, earthworks and construction would occur this would result in a 'medium' sensitivity for both soiling and health. In terms of trackout, the Guidance suggest that trackout may occur 200m from medium sites, as such the impact declines with distance and it is only necessary to consider trackout impacts up to 50m from the edge of the road. There are 5 residential properties which are located along the 200m trackout distance. There are also 9 places of work within 200m, with 3 of these within 50m, 3 within 100m and 3 within 200m. On this basis where trackout would occur this would result in a 'low' sensitivity for both soiling and health.
217. In order to define the risk of impact of the demolition aspect of the proposal with no mitigation measures from dust on soiling and health, the dust emission magnitude is then combined with the sensitivity of the area. For demolition this would be combining a small

²⁴ For example a high sensitivity receptor is a dwelling, school, hospital. A medium sensitivity receptor are places of work. A low sensitivity receptor are public footpaths, playing fields and parks,

dust emission magnitude with a medium sensitivity in the area. This would result in a low risk of dust impact from the demolition activities proposed for dust without mitigation. The same process is followed for construction by combining a small dust emission magnitude with a medium sensitivity in the area. This would result in a low risk impact from dust when there are no mitigation measures proposed. For earthworks this would be combining a small dust emission magnitude with a medium sensitivity in the area, which would result in a low risk impact without mitigation. In terms of trackout, this would be combining a small dust emission magnitude with a low sensitivity in the area, which would result in a negligible risk of dust impact.

218. The applicant has not provided information on how dust will be managed during the construction phase of the proposed development. As demonstrated in the above assessment using the IAQM Guidance, Officers conclude that a 'low' dust risk would occur during these activities. The County Air Quality Consultant has reviewed the information submitted and agrees with the review undertaken which is outlined in paragraphs above. In the absence of any specific construction dust mitigation measures and the likelihood of some impact arising from the activities, albeit low, it is recommended that a condition is attached to any grant of planning permission to require the submission and implementation of a dust management and monitoring plan for this phase to ensure no significant adverse harm from the construction phase of the proposed development.

Operational Phase

219. The proposed recycling building is to be situated to the rear of the application site, with the open doorway facing to the south. An enclosed picking line is proposed to extend out of the southern elevation of the building, adjacent to the boundary with Units 10 and 9, into the yard area, which will be situated on top of six concrete bays. The conveyor from the picking line will then extend out of the enclosure to three further bays, which comprise a metal bay (waste deposited by overhead magnet), a steel cage for light waste to be collected and a hardcore bay at the end. The remaining yard area is proposed to contain a further two overspill waste bays, staff car parking, empty skip storage and a vehicle wash facility. The yard will be contained by 2.4m high powder coated fencing with 0.5m barbed wire on top, with a low brick wall and area of planting in front.
220. It is identified within the DMP that the main sources of operational dust will be from any un-sheeted vehicles accessing/egressing from the site, tipping of waste deliveries into the recycling building, loading of waste into the mechanical treatment plant transporting waste around the site, fines and clean up storage bays and the mechanical treatment process. Other sources could be linked to prolonged periods of dry/warm or windy weather conditions.
221. Whilst it is acknowledged that the building and height of the reception bay will help prevent the escape of dust, further mitigation measures to minimise the impact from dust during the operation of the proposed facility include, undertaking all the waste processing activity within the proposed waste recycling building and enclosed picking line, surfacing all areas across the site with hardstanding and maintaining these to prevent the build-up of soils and other dust generating materials, reducing vehicle speeds on site to 5mph, sheeting of all incoming and outgoing vehicles, limiting the height of dusty stockpiles to

3m, and in extreme atmospheric conditions suspending certain activities to prevent unnecessary dust generation. The applicant has also indicated that a water suppression system would be utilised on site to dampen down material stockpiles as appropriate. No details are currently provided with regard to the type of water suppression system to be installed, as such these will be secured by condition attached to any grant of planning permission. The applicant has further set out at paragraph 7.3.2 of the PDAS (dated November 2019) that the deposit of material on the access road or public highway will be treated as an emergency and will be cleared immediately by the operator.

222. The site manager and site foreman will be responsible for the implementation of the DMP. It is indicated that the DMP is to be reviewed annually or sooner in the event of complaints/dust issues; whichever is the soonest, with any amendments or alterations put in place as soon as possible. It is also proposed that staff will undergo training to ensure compliance with the DMP.
223. With regard to the prevailing wind direction this is from the south west and is considered to be in the opposite direction to the nearest residential receptors. However there are a number of units to the east of the application site which could be affected. Given the orientation of the building and location of the enclosed picking line and external storage bays along the boundary of the site which is adjoined to the west by the buildings at Units 10 and 9, there is likely to be limited impact from a south-westerly direction on the Units to the east of the application site. However, there is potential for any dust arising in the eastern area of the yard to escape. This area would not comprise dust generating activities, but includes the access to the facility, empty skip storage and staff parking. On the basis that the proposed mitigation measures including the sheeting vehicles and maintenance of the yard area are implemented and maintained, there should be no adverse impact from these activities.
224. The CAQC has reviewed the applicants DMP and benchmarked it against the good practice requirements set out in SCC's guidance note, Advice on Expected Content of Dust Management Plans for Minerals and Waste Planning Applications (version 5, 7 June 2016), and is satisfied with the information contained within the plan to manage and control the risk of dust on the site.
225. Officers' experience of other waste transfer stations and materials recycling facilities in the County, indicate that these facilities are generally dust generating and whilst the proposed mitigation measures are considered appropriate, Officers consider that given the nature of the surrounding businesses, the open nature of the facility in this location could lead to further dust escape. It is therefore recommended that a condition be attached to any grant of planning permission to further secure the details and implementation of a dust curtain to the front of the building. This would be operated in addition to the other measures proposed by the applicant. It would also aid in reducing views directly into the waste recycling building from outside of the application site.
226. In terms of the perceived impact on the Byfleet Primary School, located approximately 530m to the south-west of the application site, there are a number of intervening land uses between the application site and the School, including the A318 Oyster Lane and the Byfleet Industrial Estate. Furthermore, the School is located in the opposite direction to the prevailing wind and would be predominately up wind of activities. Given the distance, intervening land uses and it not being in the prevailing wind direction from the

application site, the proposed facility is not considered to have a significant adverse impact on the School.

227. Officers recognise that the proposal could give rise to both construction and operational dust. However Officers consider that conditions can be imposed to secure a construction dust management plan, mitigation measures as proposed by the applicant, monitoring and dust curtain to the front to the building and in doing so the proposal would not result in an adverse impact from dust on the locality and meets the requirements of Policy DC3 of the SWP, in this regard

Odour

228. The application states that whilst the waste that the applicant proposes to handle in the facility would be non-odorous some loads may contain putrescible and biodegradable waste, which has the potential to give rise to odour. Such waste would be considered a contaminant/residual waste in the waste imported to the site as it is not proposed that these types of waste will be handled at the site.
229. Other odour sources as set out within the application are foul surface water following a rainfall event. The external concrete areas of the site drain by gravity to the foul pumping station to the south of the site, nevertheless, periodically skips which have stood on producers sites for a long time often contain foul smelling water which can give rise to odour when tipped. Green waste also has the potential to give rise to odorous emissions. The site is not a dedicated green waste handling facility, the green waste produced at the site is considered to comprise branches and tree trunk from skips and other mixed wastes and will be loaded into the daily wood skip and not stored on the site. Adverse weather conditions including wet weather, hot weather and windy weather could also lead to the release of odour. Although odour is a matter that would be regulated through the Environment Permit the applicant has proposed a number of processes to control odour related incidences.
230. Concerns have been raised with regard to the potential impact from odour on the existing businesses within the Business Park and residential properties.
231. The applicant has undertaken an assessment of the likelihood of odour effects arising from the site at existing sensitive receptors. The CAQC agrees with the receptor sensitivities identified and the pathways attributed. The assessment assumes a 'medium' source odour potential, resulting in a negligible to slight adverse odour effect.
232. The applicant has submitted an Odour Management Plan (OMP). The assessment has been undertaken to assess the odour risk by using the Institute of Air Quality Management (IAQM) Guidance on the 'Assessment of Odour for Planning' document.
233. In order to ensure the above sources of odours will be minimised the applicant proposes to enforce a rigorous control of waste delivered to the site, with contaminated or odorous waste rejected in line with the applicant's strict waste acceptance procedures. If upon acceptance into the site odours are present, the site foreman would direct the load to an alternative waste facility site. If odorous waste is discovered following tipping in the reception area, a sealed skip from the 'empty skip storage area' would be brought into the building to store the odorous waste inside the building until it can be removed from

site. In this respect, the 'rejected skip' labelled on the applicants Drawing No. 3843/2410/04 Rev M, attached to this report, would be for material which cannot be processed through this treatment plant or for hazardous material found in a load following tipping (i.e batteries, paint tins). It is also proposed that there is a low storage volume and strict turnaround times of odorous wastes on site and stock rotation procedures will be observed to ensure maximum duration of storage times are not exceeded. In this respect, all waste would be stored for no longer than 12 hours prior to processing and all stored waste is contained internally or within secure concrete bays to reduce the impact of odorous emissions.

234. Other procedures include sheeting vehicles, keeping drop heights to a minimum, liaising with neighbours, recording complaints, regular cleaning of operational areas such as roads, drainage channels and the holding tank to discourage odour generation.
235. Additionally, the applicant will undertake olfactory monitoring twice daily and an odour diary will be completed by a suitably qualified member of staff. Any complaints received will be investigated promptly and remedial action taken. The applicant has also committed to the annual review of the OMP, which will help ensure the continued and appropriate management of any potential odours on the site.
236. The CAQC has reviewed the OMP and is satisfied that the odour effects from the site are not significant. Furthermore, the OMP has been benchmarked against good practice and is considered acceptable in this regard.
237. Officers consider that the types of waste proposed to be handled at the site should not give rise to odour, and this together with the mitigation measures proposed and controls that would be exercised through the Environmental Permitting regime are such that there would not be a materially adverse effect on neighbouring amenity and businesses from odour. In order to ensure the external storage of waste is appropriately managed a condition will be attached to any grant of planning permission to ensure that waste is confined to the identified storage areas on the site and appropriately contained. In this regard, officers consider that subject to conditions to secure the mitigation measures outlined within the application and the appropriate storage of external waste on the site the proposal would not result in an adverse impact from odour on the locality and meets the requirements of Policy DC3 of the SWP.

Ecological Impacts

238. Objectors raised concerns with regard to the cumulative impacts of emissions from this development on nearby sensitive areas, including the Basingstoke Canal SSSI and the Thames Basin Heaths SPA.
239. Section 28G of the Countryside and Rights of Way Act 2000 imposes a duty on 'public bodies' in exercising their functions to take reasonable steps to further the conservation and enhancement of the special features of a SSSI.
240. The application site is not considered to be located in a sensitive area. The Basingstoke Canal SSSI is located 1.46km to the west of the application site and the Ockham and Wisley Commons SSSI, which is a component of the Thames Basin Heaths SPA is situated some 2.77km to the south-east of the application site. Both these areas are

separated from the application site by a range of intervening land uses, including industrial development, the M25 and dense residential development.

241. The applicant has undertaken an assessment as set out at paragraphs 200 to 203 above, of the predicted traffic flows based on the applicants likely customer base. In this assessment it is demonstrated that vehicle emissions generated by the development are not significant with the main effects being localised to the Wintersells Road and the residential property located at the entrance to the Business Park.
242. Given the distance of the Basingstoke Canal SSSI and the Ockham and Wisley Commons SSSI, from the proposed facility it is unlikely to have an impact in terms of run-off, as water flows away from the Basingstoke Canal towards the application site which means there would be no potential for pollution to reach the waterway from the proposal. Furthermore, as the proposal is not residential, increased recreation is also not considered to be an issue which would impact on the SPA.

Conclusion

243. Having regard to the above paragraphs 187 to 242 above, Officers consider that subject to conditions as set out, the development satisfies the requirements of the development plan policy DC3 of the SWP and Policy DM5 of the EDM, with regard to site traffic emissions, dust (construction and operational), odour and ecological impacts, alongside the requirements of the NPPF and NPW.

Noise

Policy Context

244. As outlined above, paragraph 180 of the NPPF sets out that planning decisions should aim to mitigate and reduce to a minimum potential adverse impacts resulting from noise from new developments and avoid noise giving rise to significant adverse impacts on health and quality of life.
245. The Noise Policy Statement for England (NPSE) (2010), sets out the long term vision of Government Noise Policy. This vision seeks to 'promote good health and a good quality of life through the effective management and control of noise within the context of Government policy on sustainable development' and is supported by three key aims:
- avoid significant adverse impacts on health and quality of life;
 - mitigate and reduce to a minimum other adverse impacts on health and quality of life; and
 - where possible, contribute to the improvement of health and quality of life.
246. These aims require that all reasonable steps should be taken to avoid, mitigate and minimise adverse effects of noise on health and quality of life whilst also taking into account the guiding principles of sustainable development, including social, economic, and environmental and health considerations. The NPSE applies to all forms of noise including environmental noise, neighbour noise and neighbourhood noise but does not apply to noise in the workplace (occupational noise). The thresholds defined in the NPSE, to assist in the consideration of whether noise is likely to have a 'significant adverse' or 'adverse' effects on health and quality of life are; No Observed Effect Level (NOEL), Lowest Observed Adverse Effect Level (LOAEL), Significant Observed Adverse

Effect (SOAEL)²⁵. Regarding the numerical definition of these levels, it is not possible to have a single objective noise-based measure that defines SOAEL that is applicable to all sources of noise in all situations. Consequently, the SOAEL is likely to be different for different noise sources, receptors and at different times.

247. The National Planning Practice Guidance on Noise (PPG-N) sets out that noise needs to be considered when development may create additional noise, or would be sensitive to the prevailing acoustic environment. Plan-making and decision making need to take account of the acoustic environment and in doing so consider: whether or not a significant adverse effect is occurring or likely to occur; whether or not an adverse effect is occurring or likely to occur; and whether or not a good standard of amenity can be achieved.
248. The PPG-N includes examples of how to recognise when noise could be a concern and provides example outcomes to which the 'Observed Effect Levels' can be applied, in a noise exposure hierarchy. Noise that is not noticeable is considered to fall into category of 'No Observed Effect'. Noise that is noticeable but not intrusive with no perceived change in the quality of life is considered to fall into the category of 'No Observed Adverse Effect', with no specific measures required. On this basis the audibility of noise from a development is not, in itself, a criterion to judge noise effects that is commensurate with national planning policy. Noise above the LOAEL causes small changes in behaviour (e.g. needing to speak more loudly to be heard, closing windows). PPG-N guidance is generally consistent with the NPPF and NPSE on the need to mitigate and minimise effects above LOAEL, whilst taking into account the economic and social benefits derived from the activity causing the noise. Noise exposures above the SOAEL cause material changes in behaviour and/or attitude (e.g. avoidance of certain activities during period of intrusion, keeping windows closed for most of the time). The PPG-N reinforces advice provided in the NPPF and NPSE, that effects above a SOAEL should be avoided and that whilst the economic and social benefits derived from the activity causing the noise must be taken into account, such exposures are undesirable.
249. Annex B of the NPW requires consideration of the proximity of sensitive receptors, noise and vibration of goods vehicle traffic movements to and from a site. In this respect, Policy DC3 of the SWP requires the assessment of adverse effects on neighbouring amenity including noise and vibration and the identification of appropriate mitigation to minimise or avoid any material adverse impact compensate for any loss. Policy DM5 of the EDM states that all development that may result in noise pollution will be expected to incorporate appropriate attenuation measures to mitigate the effect on existing and future residents

The Development

250. The proposal comprises the amalgamation of two existing industrial units (11 and 12). An existing two storey office block will be retained on the site at Unit 12, whilst the existing commercial building at Unit 11 is proposed to be demolished. An open fronted, steel waste recycling building is proposed to be constructed to the rear of the site for the primary storage and processing of waste. An enclosed picking line is proposed to extend

²⁵ NOEL – This is the level below which no effect can be detected. LOAEL – This is the level above which adverse effects on health and quality of life can be detected. SOAEL – This is the level above which significant adverse effects on health and quality of life occur.

from the building along the south-western boundary, into the area of open hardstanding to the front of the site, which will be utilised for access, turning, car parking and the further storage of some waste streams and empty skips. The main noise generating plant and activities would include: loading shovels; 360° excavators; a mechanical treatment plant; a picking line; tipping waste into containers; and HGV movements around the site.

251. The application site occupies a central position within the Wintersells Business Park, with several industrial units including a number of office receivers located to the north, east and west of the site. The adjoining units typically comprise two storey buildings with a lower brick storey and a steel construction upper storey. Units 8, 9 and 10 situated to the west of the application site are separated from the site by a 2.5m concrete block wall. These units back on to the western elevation of the proposed recycling building, with their entrances facing away from the proposed facility towards the west. The southern façade of Unit 14 extends along the rear boundary of the application site with its entrance facing east into the cul-de-sac off Wintersells Road, it is also separated from the site by a 2.5m concrete block wall and would be situated directly behind the proposed recycling building. There is also an office development (currently unoccupied) to the east of the application site (Unit 18) on the opposite side of the Wintersells Road located approximately 30m from the open front of the recycling building, this is referred to as 'the workshop' by the applicant in their submission. The nearest noise sensitive residential receptors to the application site are located on the A318 Byfleet/Oyster Road, 125m to the west of the application site and properties in Westfield Parade, 140m to the north of the application site. Further properties are located at the entrance to the Business Park 165m from the application site.
252. The application site is proposed to be in full operation between the hours of 06:30 and 18:00 Monday to Friday and 07:00 and 17:00 on Saturdays, with some further reprocessing between the hours of 18:00 and 22:00 Monday to Friday and 07:00 and 17:00 on Saturdays only, with no working on Sundays, Bank or Public Holidays. The applicant has specified that the operation of the recycling site will remain constant throughout its standard working hours with no noticeably busier periods. The site would conduct movements and compacting of waste using a wheeled loader and two tracked excavators within the proposed building. The additional hours of processing as requested by the applicant (18.00 to 22.00 Monday to Friday and 07.00-17.00 on Saturdays), are to be confined to the building with no extra deliveries or collections within these hours. It is anticipated that only one tracked excavator and the waste recycling plant will be in use during this time. The applicant has indicated these additional hours are requested to cover the site in the event of a major breakdown or lack of staff, as well as access for any maintenance, where the priority is to move the processed waste off the site as soon as possible to reduce stockpiling. The recycling plant is expected to run for up to 9 hours per day.
253. Objections to the proposal as set out at paragraphs 56 to 58, raise concerns with regard to the perceived high noise levels at the application site, including during the demolition and construction phase, the use of plant and the dropping and moving of containers. The WRMC have commissioned an independent review of the applicant's noise assessment. Overall, the WRMC consider that the applicants noise assessment underestimates the noise emissions from the site, however if planning permission were to be approved the WRMC would like to see a condition to specify that noise from the site operations at the

site boundary shall not exceed 60dB $L_{AR,T}$, to ensure that internal noise levels in adjacent businesses are in accordance with BS8233 guidance, for the control of noise in and around building²⁶.

254. EBC have also raised concerns with the applicant's noise assessment and have indicated that it does not identify or recognise any noise sources creating impact/impulsivity qualities and 'other sound characteristics' that are readily distinctive against the residual acoustic environment. EBC have therefore requested that once the site has been occupied a noise assessment is undertaken to demonstrate that the operations at the site (with mitigation where necessary) achieves the criteria set out in the applicants assessment. RBC have also queried whether there should be the inclusion of an acoustic feature within the noise assessment modelling.

Assessment

255. Noise from waste facilities should be assessed following the methodology in BS 4142:2014 'Methods for rating and assessing industrial and commercial sound'. Procedures as set out in BS 4142:2014 require evaluation of the baseline, background sound levels and the rating noise levels from the proposed development at potentially affected noise sensitive receptors. The acceptability of the development is then determined from the level difference between the background and rating noise levels which determined the significance of the impact and hence the acceptability of the development.
256. BS 4142:2014 states that the following factors are pertinent when considering the context: the absolute level of the sound; the character and level of the residual sound compared to the character and level of the specific sound; and the sensitivity of the receptor and whether dwellings or other premises used for residential purposes will already incorporate design measures that secure good internal and/or outdoor acoustic conditions.
257. The applicant has submitted a noise impact assessment with the application, titled BS4142 Assessment (dated 2 April 2019). This Assessment presents the methodology and results from the environmental noise survey, followed by calculations in accordance with BS4142 to provide an indication as to the likelihood of the noise emissions from the waste recycling site having an adverse impact on the closest noise sensitive receiver. The Assessment indicates that the initial background noise profile of the monitoring points is specific to the industrial park environment, with the dominant source of noise being the road traffic from the surrounding roads, as well as additional surrounding industrial sites.
258. The Assessment considers the noise impact on the commercial noise sensitive receptor (NSR), 'the workshop' which is located 30m to the east of the site and residential NSR '3 Westfield Parade' which is considered to be 190m to the north-west of the site²⁷. Continuous monitoring was undertaken at these locations, for the duration of the noise survey between 14:00 on 05/02/2019 and 14:40 on 06/02/2019 (24 hour period).

²⁶ Guidance BS8233 provides guidance to the design of new buildings or refurbishment of buildings undergoing a change of use, but does not provide guidance on assessing the effects of change in the external noise levels to the occupants of existing buildings.

²⁷ Officers note residential and commercial properties located closer to the site than identified by the applicant for the purposes of the BS4142 Assessment.

Representative background noise levels were derived from the most commonly occurring L_{A90} , 5 min levels measured during the survey period. This revealed for the daytime period (07:00-23:00) a background noise level of 51 L_{A90} dB(A) and a night-time (23:00-07:00) level of 49 L_{A90} dB(A).

259. The Assessment identifies the 'rating level²⁸' of each operational phase of the facility at 1m from the closest receivers (the workshop and 3 Westfield Parade). This level is then subtracted from the representative background sound level to obtain an estimate of the impact. Typically the greater this difference, the greater the magnitude of the impact. The results of the applicant's findings have been summarised in the tables below:

The Workshop	Rating Level (dB)	Representative Background Noise (dB)	Excess rating over background sound (dB)
Night-time (Full Operational Hours 06.30-07.00)	48 (no acoustic correction)	49	-1
Daytime (Full Operational Hours 07.00-18.00/07.00-13.00)	48 (no acoustic correction)	51	-3
Daytime (After Hours 18.00 – 22.00/13.00-17.00)	38 (no acoustic correction)	51	-13

3 Westfield Parade	Rating Level (dB)	Representative Background Noise (dB)	Excess rating over background sound (dB)
Night-time (Full Operational Hours 06.30-07.00)	21 (no acoustic correction)	52	-31
Daytime (Full Operational Hours 07.00-18.00/07.00-13.00)	21 (no acoustic correction)	53	-32
Daytime (After Hours 18.00 – 22.00/13.00-17.00)	13 (no acoustic correction)	53	-40

Tables 5 & 6: Summary of applicants noise findings.

260. Based on the applicant's suggested rating level acceptability range²⁹ the Assessment concludes that the noise observed at 'the workshop' during full operational hours would have an 'Amber - adverse effect level, which may be considered to be acceptable when assessed in the context of other merits of the development.' In this regard, the applicant has indicated that due to the commercial nature of the 'Workshop' use and its position within an industrial park it can be determined that the level of noise inside and outside of the receiver building would be at a higher level than a habitable space within a

²⁸ Specific sound level in question ($LA_{eq,TR}$), including any relevant acoustic feature corrects such as tonality, impulsivity and intermittency.

²⁹ BS4142 Assessment (dated April 2019) table 4.1 noise criteria for waste recycling sites.

residence. The office would therefore have a reduced sensitivity and a calculated external level of 3dB below the background in this location is concluded to be acceptable. In terms of the NSR identified at 3 Westfield Parade, noise is concluded to be at an acceptability level and cause no adverse effect. In this regard, notwithstanding the use of anti-idling devices on all trucks, the applicant does not propose any specific mitigation measures with respect to noise.

261. The Surrey County Council Noise Guidelines dated January 2020, sets out that during normal working hours (weekdays between 07:00 and 19:00 hours), the differences between the rating level and background sound level should be no greater than +5dB. A lower difference may be appropriate at other sensitive times of the day or if other industrial noise sources are already present in the area and the affect the same NSR. For industrial noise assessments, including waste, processing and manufacture as part of a minerals site, oil and gas production and other industrial noise assessments, the significance of the initial evaluations that should be made are provided in the table³⁰ copied below.

Rating Level minus Background Sound Level	BS 4142:2014 Semantic Description	Significance
> 7.5 dB	A difference of around +10 dB or more is likely to be an indication of a significant adverse impact, depending on the context.	significant adverse impact
0 to 7.5 dB	A difference of around +5 dB is likely to be an indication of an adverse impact, depending on the context.	adverse impact
-10 to 0 dB	Where the rating level does not exceed the background sound level, this is an indication of the specific sound source having a low impact, depending on the context.	no impact to low impact
< -10 dB	-	no impact

Table 7: Initial BS4142:2014 Assessment – Rating and Background Level Differences.

262. Based on the criteria assessment above, the noise levels as indicated by the applicant are not considered to exceed the background sound levels in all scenarios, providing an indication that the application site will have a no impact to a low impact in this regard.
263. The County Noise Consultant (CNC) has reviewed the applicant’s noise report and the WRMC independent review and notes that there are shortcomings in the applicant’s assessment, which include incorrect distance calculations for NSR, distance of 190m to the receptor at Westfield Parade rather than 140m. There are also considered to be residential properties closer to the site than the one considered in the assessment (125m on the A318 Byfleet Road/ Oyster Lane). However, given the context of the application site within an established industrial estate and the screening of other buildings between the receptors and the application site, the CNC considers that it is not expected that the proposed facility would give rise to an adverse noise impact at this location. As such the

³⁰ Surrey Count Council – Guidelines for Noise and Vibration Assessment and Control – Minerals, Waste and Other County Development – Appendix A – Table A.3 Initial BS4142:2014 Assessment – Rating and Background Level Differences.

presence of closer residential receptors does not alter the conclusion of applicant's noise assessment. There are also further uncertainties in the noise predictions due to the methodology used, however it is considered that overall the report is valid and the CNC is satisfied in this regard.

264. The CNC notes the application of the BS4142:2014 methodology to 'the workshop' is inappropriate as this is an office use and not residential. Commercial property within a Business Park location should be assumed to be built to an appropriate standard for the location, with appropriate noise mitigation controls by design due to their location and the prevailing acoustic environment. As such they are not considered to be sensitive receptors for the purposes of planning. In this regard the condition as recommended by the WRMC to protect the surrounding industrial units of the Business Park, is not considered to be appropriate in this case. The CNC has advised that this is not a standard requirement and may be prohibitive of development in the Business Park.
265. In terms of the acoustic feature corrections, the CNC has noted that although there may be elements and sources within the operation that will have potential to produce impulsive noise or other sound characteristics at the site, such as the use of the mechanical separation of waste, loading and unloading/tipping of waste into the reception area and the movement of skips, these would not necessarily be perceptible at the nearest residential receptor. Therefore the character correction would not apply in all cases where a site produces these sound characteristics. Furthermore, the specific sound levels at the identified nearest residential receptor, 3 Westfield Parade, are low (21 dB during the daytime and 13dB during the night-time) and in this regard the exclusion of an acoustic feature correction is justified.
266. In this regard, the application site is unlikely to have a significant adverse effect on the acoustic environment of the locality and a good standard of amenity can be achieved at the residential receptors in proximity to the site. The noise levels from the site, as predicted by the applicant in the context of the Business Park are considered to be low impact, resulting in no noticeable effect above the existing background noise levels, and as such no specific measures have been proposed in this regard. The CNC considers that the noise impact is low risk at the closest residential properties and should not be considered a material concern in granting planning permission, subject to the provision of conditions to secure a rating level of the noise emitted from all plant, equipment and machinery, including on site vehicle movements, associated with the application to not exceed the existing representative background sound level at any time by more than +5dB(A) at the nearest noise sensitive receptor and compliance monitoring to allow for the submission of a further noise assessment in the event of a noise complaint.
267. Officers recognise that the Wintersells Business Park is characterised by a range of businesses, and whilst those purporting to be 'sensitive' should be built to an appropriate standard to withstand noise created within such an environment, the application site should be controlled to ensure that it does not give rise to any adverse impacts on the surrounding units in terms of noise. As such conditions are proposed to be placed on any grant of planning permission to ensure that all vehicles are fitted with white noise reversing alarms, the activities taking place during reduced hours are confined to within the envelope of the building only and a construction management plan is submitted prior to the commencement of development to control the impact of the temporary construction activities.

268. Notwithstanding the above, Officers are also minded to impose a condition to secure the hours of operation as assessed by the applicant in the BS4142 Assessment. For avoidance of doubt, the applicants BS4142 Assessment indicates that full operations were assessed to be between the hours of 06.30 and 18.00 Monday to Friday and 06.30 and 13.00 on Saturdays only, with no working on Sundays, Bank and Public Holidays. Reduced operations (further processing only) were assessed between the hours of 18.00 to 22.00 Monday to Friday and 13.00 to 17.00 on Saturdays only, with no working on Sundays, Bank or Public holidays. In accordance with other waste recycling sites across the County and the proximity of sensitive residential receptors, it is also considered necessary to limit the commencement of noise generating activities at the site from 06.30 to 07.00. Whilst personnel can arrive at the site from 06.30, no noise generating activities shall commence until 07.00am to protect the amenity of the locality in general.
269. Furthermore, the operation of the site until 22.00 Monday to Friday is considered to be excessive. There are currently no waste sites of a similar nature to that proposed within the County which operate until this time. As above, it is understood that the applicant has requested these 'extra' hours to cover the site in the event of a breakdown, to ensure waste continues to be processed and moved off site as soon as possible. Officers recognise the movement of waste is a priority on this site given the limitations of the site to avoid excessive stockpiling, however given its locality it is proposed to limit the after-hours operations to between 18.00 – 20.30 Monday to Friday, and 13.00 to 17.00 on Saturdays only with no working on Sundays, Bank or Public Holidays, all operations during these hours shall also be confined to within the building (operation of plant only), as per the terms of the application and to protect the amenity of the locality.

Conclusion

270. Overall, having regard to paragraphs 244 to 269, Officers are satisfied subject to the provision of the aforementioned conditions that the proposal accords with policy DC3 of the SWP and Policy DM5 of the EDM in this regard, alongside the requirements of the NPPF and NPW.

Lighting

Policy Context

271. Internal and external lighting will be required for almost all waste facilities. Lighting within a site can have several important dimensions; health and safety, security and appearance. Lighting will be needed on key pedestrian routes, car parks and access roads to ensure security and safety for employees and visitors. In this respect it is important that any potential adverse impacts associated with lighting are reduced where possible and this can be achieved by measures such as, appropriate cowl/shielding to prevent glare, minimising of light spread and reflected light, positioning and minimising the operational time of the lighting to reduce the potential for disturbance.
272. As set out above, Paragraph 180 of the NPPF sets out that development should take account of pollution on health and living conditions and the natural environment. In doing so development should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

273. In respect of lighting the NPW's Appendix B Criteria J requires light pollution aspects to be considered. Similarly, Policy DC3 of the SWP is clear that planning permissions for waste related development will be granted provided that it can be demonstrated by the provision of appropriate information to support a planning application that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land and infrastructure and resources. Included in the matters are effects on neighbouring amenity from glare, and loss or damage to flora and fauna and their respective habitats at the site or on adjoining land.
274. Guidance notes by the Institute of Lighting Engineers for the reduction of obstructive light (2020) set out guidance on controlling light to avoid light pollution. The guidance states obtrusive light is a form of pollution, which may also be a nuisance in law and which can be substantially mitigated without detriment to the lighting requirements of the task. Obtrusive light includes Sky glow, the brightening of the night sky, glare, the uncomfortable brightness of a light source, light spill, the spilling of light beyond the boundary of the area being lit and light intrusion. The guidance advises that the choice of luminaires with the right optical distribution at the right mounting height is critical to minimising light spill and obtrusive light effect whilst providing the right lighting for the task. It is therefore important to consider the luminaire, its light distribution, how it is installed and how it is set up. The guidance goes on to state that care should be taken when selecting luminaires to ensure appropriate products are chosen to reduce the upward spread of light so that it is near to and above the horizontal to reduce spillage and glare to a minimum. The guidance advises that the angle of light should not be greater than 70 degree angle in order to avoid any potential glare.
275. The ILP guidance identifies a number of Environmental Zones and suggests limits to the light pollution from each in terms of Sky Glow (measured in ULR % - Upward Light Ratio) and Light into windows (measured in lux). In accordance with this guidance note, the relevant zone for this site would be E3: Suburban, well inhabited rural and urban settlements, small town centres of suburban locations. For proposals within the E3 Zone, the guidance sets out limitations of lux levels as follows:

Environmental Zone	Sky Glow ULR (Max %) (Upward lighting)	Light Intrusion (into windows) EV (lux)	
		Pre-curfew	Post-curfew
E3	5	10	2

The Development

276. A two part lighting assessment (dated 15 February 2019) has been submitted with the application, providing an overview of the proposed lighting to be installed within the building (part 1) and the proposed external lighting at the application site (part 2). The applicant intends to install Linear LED Batten Lighting within the building, to illuminate the internal operations. The number of lights to be installed within the building has not been specified. In terms of the external lighting the applicant proposes to install a total of five 8m high column flood lights evenly spaced along the south-eastern boundary of the application site and three wall mounted flood lights to be affixed to the southern elevation of the proposed building, all of which are proposed to be directed into the application site to illuminate the external yard area.

277. The applicant has provided details of the light spillage from the proposed installations, in the form of an Isolux Plot, which shows limited spillage outside of the boundaries of the application site. It is assumed that the lighting of the site will only be required during operational hours and particularly during the proposed after-hours operation of the site (18.00-22.00), however the applicant has not provided any details with regard to the use and timings of the lights. There are also no details on the exact specification of the lights and whether they would be fitted with cowling or would be sensor or motion triggered, which may result in illumination of the site outside of the operational hours. Furthermore, Drawing No: 3843/2410/05 Rev B, Building Elevations dated 9 September 2019, shows the wall mounted lighting to be at various levels on the building ranging from 10m to 13m in height, which does not appear to accord with that assessed in the lighting assessment.
278. EBC have raised concerns that the application provides no objective assessment of lighting levels and any potential impacts on sensitive receptors. EBC therefore recommended that a scheme for the external lighting at the site shall be submitted to and approved in writing by prior to the occupation of the development.

Assessment

279. The County Lighting Consultant (CLC) has reviewed the submitted information and notes that the columns are directed into the site and the building mounted fitted are aimed below the horizontal, so will not cause an adverse impact outside of the boundaries of the application site. Furthermore, the calculations as provided within the lighting assessment demonstrate minimal light spillage outside of the application site.
280. As outlined above, the closest residential property to the application site is located 125m to the west of the application site on the A318 Oyster Lane. Further residential properties are located at the entrance to the Wintersells Business Park, on the A318 Byfleet Road/Oyster Lane, approximately 165m from the application site and to the north of the application site beyond the railway embankment, approximately 140m from the application site on Westfield Parade. The application is well concealed from these residential properties by the existing intervening commercial development and infrastructure. In terms of the adjoining the industrial units, the application site is orientated to the south, on a corner of the industrial estate with the operations facing away from the existing surrounding units. The CLC is satisfied that the lighting would not cause an adverse impact outside of the boundaries of the site and is therefore not considered to result in an adverse impact on the residential or surrounding industrial units and any light spillage resulting from the site will be localised and contained within the site.

Conclusion

281. Officers recognise that whilst the proposed lighting is not considered to result in an adverse impact in terms of light spillage, the applicant has not provided sufficient detail with regard to the location, use, timing and specification of the actual lighting to be installed, it is therefore proposed that a condition be imposed to require the submission of a detailed scheme for the lighting of the site prior to its occupation, to ensure the protection of the amenity in the locality.

Vermin and Pests

282. Objectors have raised concern that the handling of skip waste at the facility could result in the receipt of malodourous material which would attract vermin, particularly as the Unit is proposed to have a permanently open door way. It is considered that this could then adversely impact on the existing office uses and kitchens within close proximity to the proposed development.
283. As outlined in paragraphs 228 to 237 above, the waste proposed to be handled at the facility is of an inert nature. The applicant proposes a number of mitigation measures proposed to minimise the generation of odour which would also apply in terms of vermin and pests.
284. The site will be inspected daily for the presence of vermin and the result of the inspection noted in the site diary or site inspection form. If occurrences are noted, a pest controller will be called to the site to eradicate the problem.
285. Vermin and pests are matters regulated through the Environmental Permit issued by the Environment Agency. Officers consider that the types of waste proposed to be handled at the site should not give rise to problems in the vicinity from vermin and pests, and this together with the mitigation measures proposed and controls that would be exercised through the Environmental Permitting regime are such that there would not be a material adverse effect on neighbouring amenity and businesses from vermin and pests.

Litter

286. Objectors have raised concern with regard to the escape of litter from the site.
287. Given the nature of waste accepted at the site (i.e light waste including paper/cardboard), there is a risk of litter escaping the site boundary and therefore careful management is required to reduce that risk. The greatest risk would be during windy conditions. The site will be operated to a lesser degree during these conditions giving due regard to the potential effects of windblown litter. Stockpiles of any light waste are proposed to be restricted to the maximum height.
288. Other mitigation proposed by the applicant includes, regular inspection (minimum daily) of the site boundary for the presence of windblown litter and operatives will be instructed to collect the litter and place it in a skip for disposal/recovery before the end of the working day. Staff carrying out litter picking duties will record their findings on the daily inspection form and report to site management who can ensure suitable action is taken. As outlined above conditions will be attached to any grant of planning permission to secure the appropriate storage and containment of waste, alongside stockpile heights which will help avoid litter escape outside of the site boundary.

Flood Risk and Drainage

Policy Context

289. The application site is located within the catchment of the 'Wey' (Shalford to Rival Thames) at Weybridge which is a heavily modified surface water course. The application site is located on area of land with the lowest probability of fluvial flooding i.e. Flood Zone

1. It is not underlain by any Groundwater Source Protection Zone but is underlain by the Chobham Bagshot Beds Aquifer which exhibited 'good' quantitative quality and 'good' chemical quality during the 2016 reporting cycle for the Water Framework Directive.
290. Paragraph 155 of the NPPF 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 increased flood risk elsewhere. Paragraph 163 of the NPPF explains that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere. Paragraph 170 of the NPPF 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 pollution.
291. The NPPG outlines that sustainable drainage systems are designed to control surface water run-off close to where it falls and mimic natural drainage as closely as possible. Whether a sustainable drainage system should be considered will depend on the proposed development and its location, for example where there are concerns about flooding. These systems may not be practical for some forms of development. As defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015, sustainable drainage systems should be provided unless demonstrated to be inappropriate. With regard to these systems the aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable:
1. into the ground (infiltration);
 2. to a surface water body;
 3. to a surface water sewer, highway drain, or another drainage system;
 4. to a combined sewer.
292. In respect of the protection of water quality and resources and flood risk management the NPW's Appendix B Criteria A requires consideration of the proximity of vulnerable surface and groundwater or aquifers and the suitability of locations subject to flooding, with consequent issues relating to the management of potential risk posed to water quality from waste contamination.
293. Policy DC2 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 setting of land liable to flood. Policy DC3 of the SWP is clear that planning permissions for waste related development will be granted provided it can be demonstrated that the development will not significantly adversely affect people, land, infrastructure and resources in terms of flooding, groundwater conditions and the hydrogeology of the locality. This is echoed in Policy 14 of the SWLP-1 whereby planning permission for waste development will be granted where it can be demonstrated that it would not result in significant adverse impacts on communities and the environment which includes flood risk (from all sources) including impacts, on and opportunities to provide and enhance, flood storage and surface water drainage capacity and water resources, including impacts on the quantity and quality of surface water and ground water resources.
294. Policy DM5 of the EDM states that development proposals should be designed and/or located to prevent or limit the inputs of pollutants into water bodies and the groundwater.

Sustainable Urban Drainage (SuDs) should be incorporated wherever practical to reduce the discharge of surface water to the sewer network. Policy CS26 of the ECS states that in order to reduce the overall and local risk of flooding in the Borough, development must be located, designed and laid out to ensure that it is safe, the risk from flooding is minimised whilst not increasing the risk of flooding elsewhere and that residual risks are safely managed.

The Development

295. Section 5 of the Planning Design and Access Statement (PDAS) (dated November 2019), sets out that surface water at the application site will be managed by two methods. Firstly, surface water from the roofs of the proposed and existing building (that will be relatively clean) will be directed via a below ground attenuation storage tank located in the northern corner of the application site (under the staff car parking) to the public surface water sewer in Wintersells Road. It is also proposed that the attenuation tank will be fitted with a pump system which will be connected to a standpipe which will supply the dust suppression system inside the building and externally and the vehicle washing area to the south of the site. This water would also be accessible in the event of a fire.
296. Originally the applicant sought to implement a surface water drainage strategy to manage the clean water from the roofs of the building, based on infiltration to ground, through the provision of a soakaway in the northern corner of the site. However concerns were raised by the County Geotechnical Consultant and the Environment Agency (EA) to this approach, given the evidence within a former site investigation report submitted as part of the application, that a raised level of hydrocarbons was observed in the location of the soakaway. Whilst remedial works indicate there is no further risk to groundwater this was under existing conditions and the introduction of surface water into the ground has potential to mobilise existing residual contamination from the historic uses of the site. Therefore this option was abandoned and now the applicant proposes the installation of an underground attenuation tank.
297. Secondly, it is proposed that the site is laid with an impermeable concrete surface, which will contain a sealed drainage system with the recycling building and yard area. As such, run-off from these impermeable areas (that may carry some contaminants from the operation of the site) will be directed to the public sewer via bypass oil interceptor. The oil interceptor is proposed to have sufficient capacity to deal with a 1 in 30 year rainfall event plus a 40% allowance for climate change.

Assessment

298. Concerns have been raised by objectors with regard to the issues surrounding the management of a drainage system to stop pipes getting clogged with waste debris, which would result in an additional cost for the users of the Business Park. Other concerns surround the need to obtain consent from Thames Water and one objector also referred to the Environment Agency's paper to protect Weybridge and Byfleet from flooding, which should be examined and the conditions adhered to.
299. The proposed approach to the management of surface water at the site in terms of the roof water and operational areas, is in principle considered acceptable by the County

Geotechnical Consultant, subject to conditions to secure further detailed designs of the proposed measures including flow rates and maintenance. The EA have also commented that they are satisfied that infiltration drainage of surface water is not proposed and the development in its revised form should not present an unacceptable risk to groundwater quality.

300. Additionally the Lead Local Flood Authority have commented on the proposal and note that they are satisfied that the proposed drainage scheme meets the requirements of the NPPF, its accompany Planning Practice Guidance and the Non-Statutory Technical Standards and are content with the development proposed, subject to provision of conditions to secure detailed design of the surface water drainage scheme, to ensure it is properly implemented and maintained throughout the lifetime of the development.
301. As set out within this report the applicant intends to implement various measures on the site to control the escape of dust, dirt and litter from the operations, which coupled with the appropriate maintenance of the system as required by condition attached to the any grant of planning permission, will reduce the risk of the system becoming clogged.
302. With regard to concerns about flooding, following flood events in 1968, 2000, 2003 and more recently in 2013/2014 which resulted in the flooding of 74 properties in the Byfleet and Weybridge Area, the EA have prepared a Policy Paper on the flood alleviation scheme for Byfleet and Weybridge (2019). In this paper the EA look at a number of options and locations to reduce flood risk. The majority of these options are centred on the residential development in close proximity to the River Wey, located approximately 0.8km to the east of the application site. There are no measures proposed within proximity to the application site, and officers therefore consider that the proposed development would not impact on the delivery of the scheme.
303. Thames Water are responsible for dealing with foul water in the area. They were consulted on the proposal and raise no objection in terms of the capacity of the existing waste water and sewage treatment works infrastructure, based on the information provided and the applicant is reminded to obtain a trade effluent consent. This consent is separate from the planning regime and the information of how to obtain such a consent will be attached to any grant of planning permission as an informative.
304. There are also public sewers crossing or close to the application site, and the applicant is advised to read the Thames Water Guidance on working near to or diverting pipes, which will also be attached as an informative. It is also expected that the developer demonstrates what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from dewatering, deep excavation, basement infiltration, borehole installation and testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. As such, Thames Water would like an informative attached to any grant of planning permission to remind the applicant of the need to obtain a Groundwater Risk Management Permit, if the activities on the site result in the discharge of groundwater to the public sewer.

Conclusion

305. No Objection is raised by statutory consultees on this matter. Officers consider that the surface water management measures proposed by the applicant are acceptable, subject to the conditions as set out above. As identified an infiltration SuDs scheme is not practical at this site due to the risk of mobilising historic contamination in the soils. In the absence of a surface water course, the application is seeking to direct the clean water from the site to the public surface water sewer on the Wintersells Road, in accordance with the SuDs Hierarchy. The measures as proposed are designed to manage the pollutants from the site and will seek to harvest water for re-use in the operations on the site where possible. In this respect, it is considered that the proposal accords with the development plan policy DC2 and DC3 of the SWP, policy DM5 of the EDM and Policy CS26 of the ESC, in this regard, alongside the requirements of the NPPF and NPW.

Contamination

Policy Context

306. Paragraph 178 of the NPPF sets out that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risk arising from land instability and contamination. This includes risks arising from hazards or former activities, and any proposals for mitigation including land remediation and adequate site investigation information, prepared by a competent person, is available to inform these assessments. Paragraph 179 of the NPPF goes on to set out that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowners. In this context, paragraph 180 of the NPPF sets out that planning decisions should ensure that new development is appropriate for its location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area.
307. Policy DC3 of the SWP outlines that planning permissions for waste related development will be granted provided it can be demonstrated that the development will not significantly adversely affect people land, infrastructure and resources in terms of contamination of ground and surface water. Similarly, NPW's Appendix B Criteria A requires consideration of the proximity of vulnerable surface and groundwater or aquifers and the suitability of locations subject to flooding, with consequent issues relating to the management of potential risk posed to water quality from waste contamination.
308. Policy DM5 of the EDM states that development affecting contaminated land will be permitted provided that the site is remediated to ensure it is suitable for the proposed use, taking into account the sensitivity of future occupants/users to pollutants, and that remedial decontamination measures are sufficient to prevent harm to living conditions, biodiversity or the building themselves. All work, including investigation of the nature of any contamination, should be undertaken without escape of contaminants that could cause risk to health or the environment.

The Development

309. The application site formerly formed part of a larger sewage treatment works with filter bed and tanks on site, prior to its re-development into B1/B2 land uses. As set out at paragraph 11 above, Unit 12 was operated as a bulk fuel storage and distribution depot

for a number of years and was decommissioned in the late 1999s/early 2000s. Unit 11 has more recently been used by a haulage firm. The site is underlain by a principal aquifer in the superficial deposits and a secondary 'A' aquifer in the bedrock geology immediately below.

310. The proposed development will result in the demolition of the existing building on Unit 11 and the construction of a new waste recycling building on an area of vacant land to the rear of Unit 12. The existing office building at Unit 12 is to be retained and Unit 11 will be re-developed to provide an open yard area in front of the building, containing an enclosed picking line, storage bays and car parking. As a result of the development the majority of the application site will be redeveloped, which will comprise groundworks and excavation.
311. The applicant has provided copies of a range of the historic site investigation reports relating to the application site. As set in a letter dated 9 November 2017 to the Land Owner from Ash Remediation Management, it is noted that to address the potentially significant health risk to the current and future occupants of the commercial development, that a remediation strategy was adopted which included the cleaning and removal of interceptors and associated drainage system, the breakout of hardstanding and investigation of underlying soils across the site, separation and disposal of any contaminated soils and the pumping and disposal of any residual free product encountered. All works were reported to have been carried out during September and October 2017 under the supervision of Ash Remediation Management Staff.
312. Concerns have been raised by objectors with regard the historic use of the site and the potential for contaminants to be present, which could then be released in an uncontrolled manner, contaminating the surrounding area and water. Reference is made to vents within the Estate (including one on Unit 15) which ventilate the gasses to the surface of the Estate. Continuous monitoring is also considered to be necessary to ensure that no deleterious waste finds its way into the subsoil where on-going problems with leachate and methane gas can occur.
313. EBC in their comments on the proposal have set out that the application is identified under the Councils Contaminated Land Inspection Strategy. They have commented that based on information currently available they do not consider that there is a reasonable possibility that a significant contaminant linkage is likely to impact either on the site receptors or neighbouring properties under the current site use. In the event that the site is subject to a change of use or that ground works are undertaken that may alter ground conditions, then EBC would require a ground investigation to be carried out to assess ground conditions in accordance with the current day standards.

Assessment

314. As set out in the NPPG³¹ contamination is more likely to arise in former industrial areas. To ensure that a site is suitable for this new use and to prevent unacceptable risk from pollution, the implications of contamination for development should be considered through the planning process to the extent that it is not addressed by other regimes. If there is reason to believe contamination could be an issue, applicants should provide proportionate but sufficient site investigation information (a risk assessment) prepared by

³¹ Paragraphs 002-007 Reference ID: 33-003-20190722

a competent person to determine the existence or otherwise of contamination, its nature and extent, the risks it may post and to whom/what (the receptors) so that these risks can be assessed and satisfactorily reduced to an acceptable level.

315. In the absence of any development specific risk assessments and based on the previous investigation information provided, it is identified that there are three key potential contaminant linkages of concern relating to human health. These comprise of: 1) Risk to on-site commercial workers from direct contact with soil contamination; 2) Risk to commercial workers (on site and off site) from intrusion of hydrocarbon vapours in the subsurface into buildings; and 3) Risk of explosion/asphyxiation from the ingress of bulk gases into buildings.
316. As understood from the submitted PDAS (dated November 2019) the site will be hard covered and as such the risk from contaminant linkage 1 will likely to be mitigated through design. The existing two-storey building on the site will be retained and a new open ended building will be constructed. Vapour and bulk gas intrusion (linkage 2) in to the new open building is unlikely to cause a significant risk due to the high level of ventilation associated with an open building.
317. The Arcadis Soil Gas Assessment Report submitted with the application, states that one round of soil gas sampling was undertaken on the site in January 2015. This sampling compared the measured concentrations of hydrocarbons in soil vapour with site specific assessment criteria generated by their own modelling in order to characterise the risks. The Report concluded that the risks to on and off site commercial workers from inhalation of vapours from residual sources of hydrocarbons at the site were not significant. Whilst the approach taken by Arcadis is reasonable, reliance cannot be placed solely on one round of soil gas sampling. This is because soil gas concentrations can vary by orders of magnitude between sample events. Further vapour monitoring and vapour risk assessment (specific to the proposed design) is therefore required to demonstrate with certainty that the risks from vapour are acceptable. This can be addressed by a suitable planning condition attached to any grant of planning permission.
318. Furthermore, the Arcadis soil gas monitoring identified elevated concentrations of methane in the subsurface that could give rise to contaminant linkage 3. Soil bulk gas monitoring (including measurements of flow) and risk assessment will therefore be required to demonstrate that the risk from bulk gases are acceptable. This can be addressed via a suitable planning condition attached to any grant of planning permission.
319. The County Geotechnical Consultant has also reviewed the historic information provided in support of the application, which discusses the works undertaken at the application site following the decommissioning of the fuel depot at Unit 12 and notes that this does provide sufficient confidence that the risks to human health are manageable and can be addressed by pre-commencement conditions. In this respect the applicant would need to complete a risk assessment of human health for Units 11 and 12 specific to the development end use proposed, and if necessary prepare remediation or mitigation strategies. The EA have considered the application and information on the potential contamination present on the site and have noted that they are satisfied with the levels of remedial works carried out on the former oil storage depot.

Conclusion

320. Officers consider that given the design of the site (hardstanding) the potential for contamination is limited during operation. However, pre-commencement conditions should be attached to any grant of planning permission to secure the carrying out of investigation and remedial works to safeguard against any potential south-pathway-receptor linkages. In this respect, it is considered that subject to conditions the proposal accords with the development plan policy DC3 of the SWP and Policy DM5 of the EDM, in this regard, alongside the requirements of the NPPF and NPW.

HERITAGE ASSETS

Development Plan Policies

Surrey Waste Plan 2008

Policy DC2 – Planning Designations

Policy DC3 – General Considerations

Emerging Surrey Waste Local Plan Part 1 – Policies

Policy 14 – Development Management

Elmbridge Development Management Plan 2015

Policy DM12 – Heritage

Policy Context

321. The application site itself is not covered by any national or local level archaeological or heritage designations. The application site is, however, located approximately 13m west of the Brooklands Motor Racing Circuit, remains of pre-World War II aerodrome, World War II Bofors tower and shelters, and the Brooklands Memorial³² which are a Scheduled Monument. This Scheduled Monument is also covered by the Brooklands Conservation Area designation. Two Grade II Listed Buildings associated with the airfield, the former Aero Control Tower and the former flight booking office are located inside the former racing circuit and are within 0.46km of the proposed site. These are all heritage assets.
322. The proposal comprises the change of use of the site to a waste development facility within the established Wintersells Business Park. It would involve the construction of a new waste recycling building to a maximum height of 13m. The Brooklands Industrial Estate, located approximately 13m to the east on the other side of Wintersells Road (which the Scheduled Monument mentioned above forms part of), contains a number of large industrial units which are also up to 13m in height. As such long distant views of the application site from any direction are limited given existing industrial units within both the Wintersells Industrial site and the Brooklands Industrial Estate.
323. Historic England state when making any decision on a planning application for development that affects a listed building or its setting the LPA must have special regard to the desirability of preserving the building or its features of special architectural or historical interest which it possesses. This obligation is found in Section 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

³² Historic England List ID 1020137.

324. Paragraph 184 of the NPPF sets out that heritage assets³³ are an irreplaceable resource that should be conserved in a manner appropriate to their significance³⁴. Paragraph 190 of the NPPF is clear that a local planning authority should identify and assess the particular significance of any heritage asset that may be affected by a proposal including any effect on the setting of a heritage asset. This should be taken into account when considering the impact of a proposal on a heritage asset so to avoid or minimise any conflict between the heritage asset conservation any aspect of the proposal. Paragraph 192 goes on to state that in determining planning applications, a local planning authority should take account of:
- “a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
c) the desirability of new development making a positive contribution to local character and distinctiveness”.
325. Paragraph 193 of the NPPF sets out 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”*. Paragraph 194 goes on to say that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
326. In this respect, Paragraph 195 of the NPPF is clear that where a proposed development will lead to substantial harm or total loss of significance of a designated heritage asset, local planning authorities 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 196 of the NPPF 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.
327. The NPPG provides guidance on the historic environment and significance. Paragraph 007³⁵ states that significance in decision making for heritage assets is important as heritage assets may be affected by direct physical change or by change in their setting. The paragraph goes on to state that *“Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals”*. Paragraph 18 outlines that where potential harm to designated heritage assets is identified, it needs to be categorised as either less than substantial harm or substantial harm (which includes total loss) in order to identify which policies in the NPPF apply.

³³ Heritage assets range from sites and buildings of local historic value to those of highest significance, such as World Heritage Sites and includes archaeological resources.

³⁴ ‘Significance’ in terms of heritage-related planning policy is defined in the Glossary of the National Planning Policy Framework as the value of a heritage asset to this and future generations because of its heritage interest. This interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.

³⁵ Paragraph: 007 Reference ID: 18a-007-20190723

328. Historic England has published a series of guidance notes³⁶ 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 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.
329. Criteria E of Appendix B of the NPW states that in testing the suitability of sites the CPA should consider the potential effects on the significance of heritage assets, whether designated or not, including any contribution made by their setting.
330. Policy DC2 of the SWP advocates that planning permission will not be granted for development where this would endanger, or have a significant adverse impact, on the character, quality, interest or setting of (viii) listed buildings and historic parks and gardens, (ix) conservation areas or (v) scheduled ancient monuments or sites of archaeological importance. Additionally, Policy DC3 of the SWP explains that planning permission for development will be granted provided it can be demonstrated that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect heritage assets or result in the loss of or damage to archaeological resources or historic landscapes. This is echoed in Policy 14 of the SWLP whereby planning permission for waste development will be granted where it can be demonstrated that it would not result in significant adverse impacts on communities and the environment which includes impacts on the historic landscape and sites or structures of architectural and historic interest.
331. Policy DM12 of the EDM is clear that planning permission will be granted for developments that protect, conserve and enhance the Borough's historic environment including Scheduled Monuments and their settings.

Assessment

332. The proposal does not involve any physical works to either the Scheduled Monuments or listed buildings which are detailed above in paragraph 321. As such the proposal would result in no direct impact on these heritage assets. With regards to setting of the listed buildings, the listed buildings are located within the south eastern part of the Brooklands Industrial site and are surrounded by existing industrial units of varying height and mass. The listed buildings setting is also contained within the arc of the Scheduled Monument, the historic racing circuit. Given their position within the Brooklands Industrial estate, the existing intervening buildings and structures between them and the application site; and that the application proposal would be no greater in height than existing buildings on the Brooklands Industrial Estate, officers are of the view that the application proposal would not impact on the setting or significance, nor cause any harm to the two listed buildings.

³⁶ [‘Good Practice Advice in Planning 2: Managing Significance in Decision-Taking in the Historic Environment’](#) and [‘Good Practice Advice in Planning 3: The Setting of Heritage Assets’](#)

333. With regards to the Scheduled Monument, paragraph 013³⁷ of the NPPG provides guidance on how the setting of such an asset can be assessed. The paragraph says that the extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/ physical considerations. However the paragraph goes on to state that it may not be visual/ physical considerations alone that may make up the setting of a heritage asset but also other environmental factors and an understanding of the historic relationship between places, i.e. buildings that are in close proximity but not visible from each other may have a historic connection amplifying the experience of the significant of each. The paragraph states that in assessing setting consideration should be given to the cumulative change and potential for its ongoing conservation.
334. As outlined above, the Scheduled Monument is designated as the motor racing circuit, remains of a pre-war aerodrome, Bofors tower and shelters and the Brooklands memorial. The aspect of this Scheduled Monument whereby the setting could be affected by the proposal is the motor racing circuit which runs around the western, northern and southern perimeter of the Brooklands Industrial Estate and forms an embankment between that and the Wintersells Business Park. Whilst the development proposal does not directly impact the Scheduled Monument, it could be considered to impact its setting.
335. The County Archaeologist and County Historic Buildings Officer have both reviewed the planning application. They have stated in their opinion the setting of the track is not adversely impacted by this proposal due to the previous modern developments to the east and west (in the form of the industrial estates and the buildings that are contained within them) of which the buildings that form part of this application, is a part of that overall industrial development. Furthermore the Officers have gone on to say that the setting would not be adversely impacted because the setting of the track is largely experienced from the east, within the former motor circuit, looking westwards rather than from the direction of the application site. Historic England were also consulted and indicated that on the basis of the information supplied they did not wish to comment.
336. The Brooklands Conservation Area is also a designated Heritage Asset and extends around the former motor racing circuit of Brooklands with the former race track forming its western, northern and southern boundaries, with the eastern boundary extending to the B374. The Conservation Area was designated for its importance for its historical links with motor racing and aviation. As outlined above with regards to the Scheduled Monument, with regards to this planning application area the setting of the Conservation Area is experienced from the east. The proposal would be within an existing industrial estate and there is an industrial estate within the Conservation Area with buildings of a mix of height and mass. The proposal would be similar in height and massing and be of an industrial nature.

Conclusion

337. Officers recognise there are heritage assets within the vicinity of the application site in the form of a Scheduled Monument, a Conservation Area and listed buildings. Officers are satisfied that the proposal would not directly harm or destroy any listed buildings

³⁷ Paragraph: 013 Reference ID: 18a-013-20190723

within the vicinity nor have any impact on the setting of these listed buildings due to the location of the development from the buildings and their setting. With regards to the Scheduled Monument and Conservation Area, given the industrial character of the wider area in which the Scheduled Monument and Conservation Area are situated and that the proposal would not result in a change to their setting; Officers consider that the proposal would not harm the setting or significance of heritage assets within the vicinity of the application site and meets the requirements of Development Plan policy with regards to SWP 2008 Policy DC2 and DC3 and EDM Policy ELM12; alongside the requirements set out in Historic England's good practice guide.

HUMAN RIGHTS IMPLICATIONS

338. 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.
339. In this case, the Officer's view is that while impacts on amenity caused by dust, noise and traffic are acknowledged, the scale of such impacts is not considered sufficient to engage Article 8 or Article 1 of Protocol 1. Their impact can be mitigated by conditions. As such, this proposal is not considered to interfere with any Convention right.

CONCLUSION

340. Planning permission is sought for a change of use of Units 11 and 12, Wintersells Road, from a B1 (Office) and B2 (Industrial) use class, to a sui generis waste use. This would comprise the amalgamation of Units 11 and 12 to develop a Waste Transfer Station (WTS) and Materials Recycling Facility (MRF).
341. The development is intended to be operated as a separation facility for skip waste inputs from builders and householders, which typically contain quantities of recyclables such as plastics, wood, metal, paper and cardboard. The applicant has indicated that the site expect to receive up to 99,950 tonnes per annum of waste, comprising mixed, dry, non-hazardous, industrial and commercial (HIC) and construction, demolition and excavation (C, D & E) wastes. No hazardous, liquid or clinical waste will be accepted at the site. The waste will be separated both by hand and by proposed plant, stored and sent on to other reprocessing facilities.
342. The statutory development plan for consideration of the application comprises the Surrey Waste Plan 2008, the Elmbridge Core Strategy 2011, the Elmbridge Development Management Plan 2015, and the emerging Surrey Waste Local Plan Part 1 – Policies and the Surrey Waste Local Plan Part 2 – Sites. In considering the development Officers have assessed its acceptability against the development plan policies, alongside national policy and guidance and material considerations in respect of: sustainable waste management; highways, traffic and access; landscape and visual impact; air quality (including dust and odour); noise; lighting, flood risk and surface water drainage; contamination and heritage assets.

343. Officers consider that the application site at Units 11 and 12 Wintersells Road is, in principle, an appropriate location for the proposed waste transfer and recovery of materials facility and the proposal would make a contribution towards waste management capacity required in Surrey and towards meeting the targets for diversion of waste from landfill in Surrey.
344. The Borough Councils and other interested parties have raised concerns about the development in respect of all aspects. However, no technical objection is raised by statutory consultees. Officers recognise that there could be impacts from dust both operationally and during construction however the applicant proposes a number of mitigation measures alongside conditions to provide mitigation. No concerns are raised with regard to noise, lighting, heritage or contamination. With regards to surface water controls statutory consultees raise no objection but this is subject to further details being provided by condition. Similarly, air quality impacts have been assessed and the effects of vehicles related emissions are not considered to be significant. In terms of highway impacts the proposed vehicle movements have been identified as having a negligible impact on the operation of the local highway network. Similarly, the Wintersells Business Park, whilst not in the jurisdiction of the CHA has been designed to accommodate HGVs and larger commercial vehicles that are generated by the existing industrial units that it serves. The impact in this regard is therefore not considered significant.
345. As discussed throughout the report these concerns have not been borne out by the investigations and assessments undertaken by the applicant and the CPA's technical consultees including the County Highway Authority; the Environment Agency; Historic England; Thames Water; Network Rail; the Lead Local Flood Authority; SCC's Landscape Architect, Listed Buildings Officer, Ecologist and Archaeology Officer; and SCC's Noise and Air Quality Consultants. Officers have concluded that any potential harm can be mitigated by the imposition of planning conditions and therefore assess the development to be in compliance with all relevant development plan policies applicable to sustainable waste management; highways, traffic and access; landscape and visual impact; air quality (including dust and odour); noise; lighting; flood risk and surface water drainage; contamination and heritage assets.
346. In conclusion, Officers consider that the proposal meets the development plan policy and national policy in this regard and planning permission should be granted in this case subject to suitable planning conditions.

RECOMMENDATION

To PERMIT application EL/18/3802 subject to conditions.

Conditions:

IMPORTANT - CONDITION NOs 5, 6, 35, and 41 MUST BE DISCHARGED PRIOR TO THE COMMENCEMENT OF THE DEVELOPMENT.

Approved Documents

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

Drawing No 3843/2410/01 Rev A Site Location Map dated 03 October 2019
 Drawing No 3843/2410/02 Rev B Site Location Plan dated 03 October 2019
 Drawing No 3843/2410/03 Rev C Existing Site Plan dated 07 October 2019
 Drawing No 3843/2410/04 Rev M Proposed Layout Plan dated 21 November 2019
 Drawing No 3843/2410/05 Rev B Building Elevations dated 09 September 2019
 Drawing No 3843/2410/06 Rev B Roof Plan dated 06 September 2019
 Drawing No 3843/2410/07 Sensitive Receptor Plan dated 13 November 2018

Commencement

2. The development hereby permitted shall be begun no later than the expiration of three years beginning with the date of this permission. The applicant shall notify the County Planning Authority in writing within seven working days of the commencement of the implementation of the planning permission.

Hours of Operation

3. No authorised operations or activities, including the access and egress by HGVs, shall be carried out, and no light illuminated, except between the following times:
 For the acceptance and removal of waste including the use of plant and machinery:
 0700 – 1800 Monday to Friday
 0700- 1300 Saturday

For the operation of plant and machinery only inside the building and no HGV access or egress:

1800-2030 Monday to Friday
 1300-1700 Saturday

Neither shall any servicing, maintenance or testing of plant be carried out between 2030 and 0700 hours nor shall any other operation or activity take place on Sundays or any public, bank or national holiday. This shall not prevent the carrying out of emergency operations, but these should be recorded and notified to the County Planning Authority within seven working days of occurring.

4. No construction operations or activities authorised or required by this permission shall be carried out except between the following times:

0800 – 1800 Monday to Friday
 0800- 1300 Saturday

There shall be no construction working on Sundays, or any bank, public or national holidays.

Highway Traffic and Access

5. Prior to the commencement of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the County Planning Authority. The CEMP shall include details of:
 - a) a programme of works
 - b) site preparation works, including the provision of fencing and other safety/security measures
 - c) parking for vehicles of site personnel, operatives and visitors
 - d) loading and unloading of plant and materials
 - e) storage of plant and materials
 - f) measures for keeping the highway free from mud or extraneous matter
 - g) measures for the control, mitigation and monitoring of dust during the demolition/construction phase, which are consistent with the level of risk
 - h) measures for the protection of groundwater
 - i) lighting required; and
 - j) waste management.Only the approved details shall be implemented during the construction period.
6. Prior to the commencement of the development hereby permitted a scheme to prevent the overturning of the footway at the A318 and Wintersells Road junction, either by moving the current bollard on the A318 Oyster Lane closer to the road, or by placing additional bollards on the adjacent side of the tactile paving, shall be submitted to and approved in writing by the County Planning Authority. The scheme shall include the submission of a plan to show the tracking of articulated vehicles associated with the development hereby permitted to show that these do not overturn the footway as a result of the scheme. The approved scheme shall be implemented as approved.
7. Prior to the first use of the onsite car parking facilities hereby permitted, a scheme for the secure parking of bicycles on the site shall be submitted to and approved in writing by the County Planning Authority. Thereafter the facilities shall be implemented, retained and maintained in accordance with the approved scheme.
8. Prior to any operations which involve the receipt of waste materials hereby permitted at the site, space for the parking of vehicles shall be laid out within the site in accordance with Drawing No. 3843/2410/04 Rev M Proposed Layout Plan dated 21 November 2019.
9. Before any of the operations which involve the movement of waste materials to or from the site are commenced, details of the facilities to be provided, in order that the operator can make all reasonable effort to keep the private Wintersells Road and public highway clean and prevent the creation of a dangerous surface, shall be submitted to and approved in writing by the County Planning Authority. The agreed measures shall thereafter be retained and maintained and used at all times.
10. Within 6 months of the first receipt of waste materials hereby permitted at the site, an updated travel plan shall be submitted to the County Planning Authority for approval in writing. The submitted Travel Plan shall include detailed measures to promote sustainable modes of transport and provisions for the maintenance, monitoring and annual review of the impact of the Travel Plan and its further development for the life of

the planning permission hereby permitted. The Travel Plan shall thereafter be implemented and reviewed as specified within the approved document.

11. Prior to the first use of the car parking spaces hereby permitted as shown on Drawing No. 3843/2410/04 Rev M Proposed Layout Plan dated 21 November 2019, at least 10% shall be provided with a fast charge socket (current minimum requirement: 7kw Mode 3 with Type 2 connector – 230 v AC 32 amp single phase dedicated supply), in accordance with a scheme first submitted to and approved in writing by the County Planning Authority.
12. There shall be no more than a total of 200 Heavy Goods Vehicle (HGV) movements (100 in and 100 out) to or from the site in any one day between Monday to Friday, and 108 (54 in and 54 out) to or from the site on Saturdays. The site operator shall maintain accurate records of the number of HGVs accessing and egressing the site daily and shall make these available to the County Planning Authority on request and, when requested shall provide the written records to the County Planning Authority within 21 days.
13. There shall be no queuing or waiting of Heavy Goods Vehicle traffic associated with the development hereby permitted on Wintersells Road.
14. All loaded Heavy Goods Vehicles entering and leaving the application site shall be sheeted.

Limitations

15. Only commercial and industrial and construction, demolition and excavation wastes shall be imported onto the application site for handling within the waste facility hereby permitted. No putrescible food wastes or hazardous waste shall be imported to the site. Any non-conforming waste imported to the site, including any that arrive as part of loads, shall be removed from the site within 48 hours or 12 hours for odorous material as set out at paragraph 6.6 Material Storage of the Planning, Design and Access Statement, Version 1.8 dated 19 November 2019, submitted with the planning application, and shall be taken to a suitably authorised waste facility.
16. All unloading and processing of imported waste material must take place within the confines of the waste building hereby permitted.
17. All unprocessed waste shall be stored with the 'waste reception bay' only within the waste building hereby permitted as shown on Drawing No. 3843/2410/04 Rev M Proposed Layout Plan, dated 21 November 2019.
18. All processed waste stockpiled externally at the site, shall be stored within the areas delineated on Drawing No. 3843/2410/04 Rev M Proposed Layout Plan dated 21 November 2019. Stockpiles heights shall not exceed the height of the designated bays (3.5 metres in height) and light wastes stored externally shall be stored within containers or netted skips prior to removal off site.
19. There shall be no crushing of inert waste comprising concrete, hardcore, brick, tiles or stones using any mechanical equipment.

20. Empty skips shall only be stacked in the location shown on Drawing No. 3843/2410/04 Rev M Proposed Layout Plan dated 21 November 2019 and no more than 3 metres high.

General Permitted Development Order

21. Notwithstanding any provision to the contrary under Schedule 2 Part 2, Part 4 and Part 7 (Class L) of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any subsequent Order;

a) No plant, building or machinery whether fixed or moveable shall be erected on the application site without the prior written approval of the County Planning Authority in respect of the location, design, specification and appearance of the installation, such details to include the predicted levels of noise emission and their tonal characteristics.

b) No external lighting or fencing other than those permitted by this application shall be installed or erected at the application site without the prior written approval of the County Planning Authority.

Noise and Vibration

22. The Rating Level, $L_{Ar,Tr}$, of the noise emitted from all plant, equipment and machinery, including on site vehicle movements, associated with the application site shall not exceed the existing representative LA_{90} background sound level at any time by more than +5 dB(A) at the nearest noise sensitive receptor (NSR) when assessed in accordance with British Standard (BS) 4142:2014 'Methods for rating and assessing industrial and commercial sound'.
23. At the request of the County Planning Authority (CPA), measurements shall be carried out to demonstrate compliance with Condition 22. The existing representative LA_{90} background sound level shall be determined by measurement that shall be sufficient to characterise the environment and should be justified following guidance contained within BS 4142:2014 'Method for rating and assessing industrial and commercial sound'. The measurements shall be submitted to the CPA within 30 days following a request.
24. Should the site fail to comply with the set noise limits, within 21 days of any evidence of a breach of the noise limits being established, the applicant shall submit a scheme for approval in writing to the County Planning Authority to attenuate noise levels to the required level. Once approved, the scheme shall be implemented within seven working days of the County Planning Authority issuing approval for the scheme, or the source of the breach of noise shall cease until the scheme is in place.
25. Other than vehicles involved in delivering waste and exporting recovered materials/recyclate or non-conforming waste, all vehicles and mobile plant involved in the handling of waste or product operating outside of the waste transfer building must be fitted with, and use, a white noise type vehicle reversing alarm or switchable system. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturers' specification at all times, and shall be fitted with and use effective silencers.

Air Quality

26. The mitigation measures outlined in Section 6 of the submitted Air Quality Assessment – Waste Transfer Station at Wintersells Road, Document Reference: 3843-2410-J dated 9 August 2019, including the Heavy Goods Vehicle fleet to be fitted with Euro VI compliant engines and mobile plant to be fitted with Stage IV compliant engines, shall be undertaken and adhered to on the commencement of the development hereby permitted.
27. The dust mitigation, monitoring and control measures outlined in, Dust Management Plan, Document Reference: 3843-2410-B, Version 1.4 dated 12 May 2019, shall be implemented in full and adhered to at all times.
28. Prior to any operations which involve the receipt of waste materials hereby permitted at the site, details of the water suppression system for the management of dust on the site, shall be submitted to and approved in writing by the County Planning Authority and thereafter be implemented as specified within the approved document.
29. Prior to any operations which involve the receipt of waste materials hereby permitted at the site, details of the dust curtain, to be erected within the open doorway of the building hereby permitted to manage the escape of dust from the operations, shall be submitted to and approved in writing by the County Planning Authority and thereafter be implemented and maintained as specified within the approved document.
30. No activity hereby permitted shall emit dust, which causes a nuisance beyond the boundaries of the site, due to either inappropriate working or adverse weather conditions. If such emission should occur appropriate measures shall be taken as secured by Condition 27 above to abate the problem, but if unsuccessful the activity shall be suspended until it can be resumed without causing emission as a result of different methods of working, the addition of additional dust suppression measures or changed weather conditions. The County Planning Authority shall be notified within 7 working days of any additional dust suppression measures or changes to working to mitigate the impact of dust.
31. The odour control, monitoring and mitigation measures outlined in the submitted Odour Management Plan, Document Reference: 3843-2410-F, Version 1.4 dated 5 July 2019, shall be implemented in full and adhered to at all times.
32. Any odorous material should be dealt with by the correction actions as set out in Section 6.2 of the submitted Odour Management Plan, Document Reference: 3843-2410-F, Version 1.4 dated 5 July 2019.

Lighting

33. No lighting shall be installed as part of the development hereby permitted unless and until details of a Light Management Plan for the site have been submitted to and approved in writing by the County Planning Authority and thereafter implemented in accordance with such approval prior to any operations which involve the receipt of waste materials hereby permitted at the site. The scheme shall include details of:
 - a) The siting of all external lighting, including floodlighting, safety and security lighting including the use of any temporary lighting, for all phases of the development;

- b) Illumination from within the waste building;
- c) The hours lights would be illuminated and good practice measures to minimise the use of lights including timings.
- d) The height and position of any lighting
- e) The intensity of the lights specified in LUX levels
- f) Measures to control and minimise light spill
- g) Measures for reviewing any unforeseen impacts.
- h) Practical measures to minimise upward waste of light from site luminaries and to minimise light spill outside of the boundary of the site.

No floodlighting or any form of external lighting, including security lighting other than that explicitly approved under this condition, shall be installed on the site in accordance with the approved details. The approved Light Management Plan shall be implemented at all times.

Landscaping and Ecology

34. Prior to the receipt of waste materials hereby permitted at the site, a detailed scheme of landscaping, planting and maintenance, for the area of soft landscaping as shown on Drawing No. 3843/2410/04 Proposed Layout Plan, dated 21 November 2019, shall be submitted to and approved in writing by the County Planning Authority and implemented as approved. The submitted scheme shall include the following details:

- a) seeding and planting plans with written specifications including cultivation and other operations associated with tree, shrub and hedgerow establishment;
- b) schedules of trees, shrubs and plants noting species, sizes and positions and proposed numbers/densities where appropriate;
- c) maintenance specification
- d) management plan, including a scheme of ecological enhancements, for the duration of the life of the planning permission.

All landscaping and planting in accordance with the approved scheme shall be carried out within a period of 12 months from the date of this permission and shall be maintained for a period of 10 years, such maintenance to include the replacement of any trees and shrubs that may die or are severely damaged with trees or shrubs of a similar size and species in the next available planting season.

Flood and Surface Water Drainage

35. The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the County Planning Authority. The design must satisfy the SuDs Hierarchy and be compliant with the national Non-Statutory Technical Standards for SuDs, NPPF and Ministerial Statement on SuDs. The required drainage details include:

- a) Evidence that the proposed final solution will effectively manage the 1 in 30 & 1 in 100 (+40% allowance for climate change) storm events, during all stages of the development,

associated discharge rates and storage volumes shall be provided using maximum discharge rate of 2.0l/s.

b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and along and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc).

c) A plan showing exceedance flows (i.e during rainfall greater than design events or during blockage) and how property on and off site will be protected.

d) Details of drainage management responsibilities and maintenance regimes for the drainage system.

e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

36. Prior to any operations which involve the receipt of waste materials hereby permitted at the site, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the County Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Buildings, fencing and gates

37. Prior to any building hereby permitted being erected on site, details and colours of all materials to be used on the external faces of all buildings to be constructed on the site shall be submitted to and approved in writing by the County Planning Authority. All materials specified for the external facing surfaces of the waste recycling building hereby permitted, shall be of a non-reflective nature and shall be used and maintained at all times. The development shall be carried out in accordance with the approved details.
38. Prior to any operations which involve the receipt of waste materials hereby permitted at the site, details of the final appearance (specification and colour) of the boundary fencing to be erected, including any accompanying gates, to be constructed on the site as shown on Drawing No. 3843/2410/04 Rev M Proposed Layout Plan dated 21 November 2019, shall be submitted to and approved in writing by the County Planning Authority. The development shall be carried out in accordance with the approved details.

Site Layout and Surfacing Details

39. Prior to any operations which involve the receipt of the waste materials hereby permitted at the site, details of the hard surfacing materials to be used on areas external to the proposed buildings, as shown on Drawing No. 3843/2410/04 Rev M Proposed Layout Plan dated 21 November 2019, shall be submitted to and approved in writing by the

County Planning Authority. The site shall be surfaced in accordance with the approved details and the surfacing maintained in a good state of repair thereafter.

40. Prior to any operations which involve the receipt of the waste materials hereby permitted at the site, details of the weighbridge including its specification and location on the site, to allow for the weighing and recording of waste material imported to the site, shall be submitted to and approved in writing by the County Planning Authority.

Contamination

41. Prior to the commencement of the development hereby permitted, development other than that required to be carried out as part of an approved scheme of remediation or mitigation shall not commence until Parts a), b) and d) of this condition have been complied with. If unexpected contamination is found after development has begun, the development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the County Planning Authority in writing until Part c) has been complied with in relation to that contamination.

a) Site Characterisation and Remediation Strategy

The nature and extent of any contamination present in the ground, groundwater, ground gas or soil vapour at the site shall be assessed via a structured scheme of review, investigation, testing, monitoring and risk assessment. This shall be in addition to any assessments provided with the planning application.

The review, investigation and risk assessment must be undertaken by competent persons and a written report of the findings shall be produced, which shall be submitted to and approved by the County Planning Authority in writing. The report of the findings shall include as appropriate:

(i) a synopsis and review of all previous potentially contaminative land uses, historical ground investigations, risk assessments and remediation already undertaken at the site, that describe the extent, scale and nature of the contamination and the action taken to deal with it (previous reports shall be included as appendices if available);

(ii) the results of any additional contamination investigations undertaken;

(iii) an assessment of the potential risks to:

- Human health users, (current, construction and operational stages)
- Property (existing or proposed) including buildings, and service lines and pipes,
- Adjoining land,
- Groundwaters and surface waters
- Ecological systems
- Archaeological sites and ancient monuments;

(iv) an appraisal of remedial and/or mitigation options, and a detailed remediation/mitigation options, and a detailed remediation/mitigation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment etc. The scheme must include all works to be undertaken, proposed remediation or mitigation objectives and remediation criteria, timetable of works, site management procedures, and proposals and programme for any long term inspection, monitoring or maintenance required. Where imported material is to be used in the works only clean uncontaminated

materials shall be permitted and the remediation/mitigation scheme shall include acceptability criteria for the imported materials and details of the checking, sampling and testing programme to demonstrate conformity. A detailed verification plan for the scheme shall be included. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The works shall be conducted in accordance with current UK Government guidance "land contamination: risk management' <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks> dated 5 June 2019.

b) Implementation of Approved Remediation/Mitigation Scheme

The approved remediation/mitigation scheme shall be carried out prior to the commencement of development other than that required to carry out remediation. The County Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

Following completion of the measures identified in the approved remediation or mitigation scheme, a verification report (alternatively referred to in some guidance as validation report) that demonstrates the effectiveness of the remediation carried out and the suitability of the site for its proposed end use shall be produced, and shall be subject to the approval in writing of the County Planning Authority.

c) Reporting Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the County Planning Authority. An investigation and risk assessment shall be undertaken in accordance with the requirements of Part a), and where remediation is necessary a remediation scheme must be prepared and implemented in accordance with the requirements of Part a) (iv), which is subject to the approval in writing of the County Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report shall be prepared, which is subject to the approval in writing of the County Planning Authority in accordance with Part b).

d) Piling and Foundation Works

Development approved by this permission shall not commence unless a Foundation Works Risk Assessment and Foundation Construction Method Statement has been submitted to, and approved in writing by the County Planning Authority. A verification report demonstrating that the foundations have been constructed as designed shall be submitted and approved by the County Planning Authority before occupancy of any part of the site.

Reasons:

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

2. To comply with Section 91 (1)(a) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.
3. To safeguard the amenities of the locality in accordance with Policy DC3 Surrey Waste Plan 2008 and Policy DM2 of the Elmbridge Development Management Plan 2015.
4. To safeguard the amenities of the locality in accordance with Policy DC3 Surrey Waste Plan 2008 and Policy DM2 of the Elmbridge Development Management Plan 2015.
5. To safeguard the amenities of the locality in accordance with Policy DC3 Surrey Waste Plan 2008 and Policy DM2 of the Elmbridge Development Management Plan 2015. The condition is required prior to the commencement of the development to ensure that appropriate measures are in place to manage the impacts of the construction phase of the development.
6. In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users to comply with Policy DC3 of the Surrey Waste Plan 2008, Policy CS25 of the Elmbridge Core Strategy 2011 and Policy DM7 of the Elmbridge Development Management Plan 2015. The condition is required prior to the commencement of the development to ensure that appropriate measures are in place to manage vehicles associated with the development accessing and egressing from the Wintersells Business Park safely.
7. In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users to comply with Policy DC3 of the Surrey Waste Plan 2008, Policy CS25 of the Elmbridge Core Strategy 2011 and Policy DM7 of the Elmbridge Development Management Plan 2015.
8. In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users to comply with Policy DC3 of the Surrey Waste Plan 2008, Policy CS25 of the Elmbridge Core Strategy 2011 and Policy DM7 of the Elmbridge Development Management Plan 2015.
9. In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users to comply with Policy DC3 of the Surrey Waste Plan 2008, Policy CS25 of the Elmbridge Core Strategy 2011 and Policy DM7 of the Elmbridge Development Management Plan 2015.
10. In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users to comply with Policy DC3 of the Surrey Waste Plan 2008, Policy CS25 of the Elmbridge Core Strategy 2011 and Policy DM7 of the Elmbridge Development Management Plan 2015.
11. In order to be meet the objectives of Section 9 'Promoting Sustainable Transport' of the NPPF 2019 and Policy DM7 of the Elmbridge Core Strategy 2011.
12. In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users to comply with Policy DC3 of the Surrey Waste

Plan 2008, Policy CS25 of the Elmbridge Core Strategy 2011 and Policy DM7 of the Elmbridge Development Management Plan 2015.

13. In order that the development does not prejudice highway safety, nor cause inconvenience to other highway users to comply with Policy DC3 of the Surrey Waste Plan 2008, Policy CS25 of the Elmbridge Core Strategy 2011 and Policy DM7 of the Elmbridge Development Management Plan 2015.
14. In the interest of local amenity and to comply with Policy DC3 of the Surrey Waste Plan 2008 and Policy DM2 of the Elmbridge Development Management Plan 2015.
15. To comply with the terms of the application and in the interest of the local environment and amenity, in accordance with Policy DC3 of the Surrey Waste Plan 2008 and Policy DM2 of the Elmbridge Development Management Plan 2015.
16. In order to retain proper planning control over the development and in the interests of safeguarding the environment and amenity of local residents and businesses in the vicinity of the site, in accordance with Policy DC3 of the Surrey Waste Plan 2008 and Policy DM2 of the Elmbridge Development Management Plan 2015.
17. To comply with the terms of the application and in the interests of the local environment and amenity, and to comply with Policy DC3 of the Surrey Waste Plan 2008 and Policy DM2 of the Elmbridge Development Management Plan 2015.
18. To comply with the terms of the application and in the interests of the local environment and amenity to prevent windblown litter, and to comply with Policy DC3 of the Surrey Waste Plan 2008 and Policy DM2 of the Elmbridge Development Management Plan 2015.
19. In the interest of local amenity and to comply with Policy DC3 of the Surrey Waste Plan 2008 and Policy DM2 of the Elmbridge Development Management Plan 2015.
20. In order to retain proper planning control over the development and in the interest of safeguarding the environment and amenity of local residents and businesses in the vicinity of the site in accordance with Policy DC3 of the Surrey Waste Plan 2008 and Policy DM2 of the Elmbridge Development Management Plan 2015.
21. To enable the County Planning Authority to exercise control over the development and to minimise its impact on the amenities of the local area, and local environment in accordance with Policy DC3 of the Surrey Waste Plan 2008.
22. To safeguard the amenities of the locality in accordance with Policy DC3 of the Surrey Waste Plan 2008 and Policy DM2 of the Elmbridge Development Management Plan 2015.
23. To safeguard the amenities of the locality in accordance with Policy DC3 of the Surrey Waste Plan 2008 and Policy DM2 of the Elmbridge Development Management Plan 2015.

24. To safeguard the amenities of the locality in accordance with Policy DC3 of the Surrey Waste Plan 2008 and Policy DM2 of the Elmbridge Development Management Plan 2015.
25. To ensure the minimum disturbance for noise and avoid nuisance to nearby businesses and their on-site-employees and nearby residential properties and their occupiers in accordance with Policy DC3 of the Surrey Waste Plan 2008 and Policy DM2 of the Elmbridge Development Management Plan 2015.
26. In the interests of the local environment and amenity, and to comply with Policy DC3 of the Surrey Waste Plan 2008 and Policy DM2 of the Elmbridge Development Management Plan 2015.
27. In the interests of the local environment and amenity, and to comply with Policy DC3 of the Surrey Waste Plan 2008 and Policy DM2 of the Elmbridge Development Management Plan 2015.
28. In the interests of the local environment and amenity, and to comply with Policy DC3 of the Surrey Waste Plan 2008 and Policy DM2 of the Elmbridge Development Management Plan 2015.
29. In the interests of the local environment and amenity, and to comply with Policy DC3 of the Surrey Waste Plan 2008 and Policy DM2 of the Elmbridge Development Management Plan 2015.
30. In the interests of the local environment and amenity, and to comply with Policy DC3 of the Surrey Waste Plan 2008 and Policy DM2 of the Elmbridge Development Management Plan 2015.
31. In the interests of the local environment and amenity, and to comply with Policy DC3 of the Surrey Waste Plan 2008 and Policy DM2 of the Elmbridge Development Management Plan 2015.
32. In the interests of the local environment and amenity, and to comply with Policy DC3 of the Surrey Waste Plan 2008 and Policy DM2 of the Elmbridge Development Management Plan 2015.
33. No such details have been provided and are necessary in order to retain proper planning control over the development and in the interests of safeguarding the environment and local amenity in accordance with Policy DC3 Surrey Waste Plan 2008 and Policy DM2 of the Elmbridge Development Management Plan 2015.
34. To ensure the implementation and maintenance of the landscaping and ecological enhancements for the long-term visual amenities of the area, in accordance with Policy DC3 of the Surrey Waste Plan 2008, Policies CS1 and CS17 of the Elmbridge Core Strategy 2011 and Policies DM2 and DM6 of the Elmbridge Development Management Plan 2015.
35. In the interest of the local environment and to ensure the final drainage design meets the national Non-Statutory Technical Standards for SuDs and does not increase flood risk on

or off site, to comply with Policies DC2 and DC3 of the Surrey Waste Plan 2008, Policy DM5 of the Elmbridge Development Management Plan 2015 and Policy CS26 of the Elmbridge Core Strategy 2011. The condition is required prior to the commencement of the development to ensure that appropriate measures are in place to manage the surface water drainage from the development.

36. To ensure the drainage system is constructed to the National Non-Statutory Technical Standards for SuDs, to comply with Policies DC2 and DC3 of the Surrey Waste Plan 2008, Policy DM5 of the Elmbridge Development Management Plan 2015 and Policy CS26 of the Elmbridge Core Strategy 2011.
37. No such details have been provided and are necessary in order to retain proper planning control over the development and in the interests of safeguarding the environment and local amenity in accordance with Policy DC3 of the Surrey Waste Plan 2008 and Policy DM2 of the Elmbridge Development Management Plan 2015.
38. No such details have been provided and are necessary in order to retain proper planning control over the development and in the interests of safeguarding the environment and local amenity in accordance with Policy DC3 of the Surrey Waste Plan 2008 and Policy DM2 of the Elmbridge Development Management Plan 2015.
39. No such details have been provided and are necessary in order to retain proper planning control over the development and in the interests of safeguarding the environment and local amenity in accordance with Policy DC3 of the Surrey Waste Plan 2008 and Policy DM2 of the Elmbridge Development Management Plan 2015.
40. No such details have been provided and are necessary in order to retain proper planning control over the development and in the interests of safeguarding the environment and local amenity in accordance with Policy DC3 of the Surrey Waste Plan 2008 and Policy DM2 of the Elmbridge Development Management Plan 2015.
41. To ensure that any risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Paragraphs 170 and 178 of the NPPF 2019, Policy DC3 of the Surrey Waste Plan 2008 and Policy DM5 of the Elmbridge Development Management Plan 2015. The condition is required prior to the commencement of the development to ensure that appropriate measures are in place to manage the contamination risk from the development.

Informatives:

1. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecute persistent offenders (Highways Act 1980 Sections 131, 148, 149).

2. The permission hereby granted shall not be construed as authority to carry out any works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works (including Stats connections/diversions required by the development itself or the associated highway works) on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.
3. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet the future demands and that any power balancing technology is in place if required. Please refer to <http://www.beama.org.uk/resourceLibrary/beama-guide-to-electric-vehicle-infrastructure.html> for guidance and further information on charging modes and connector types.
4. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written consent. More details are available on our website (www.surreycc.gov.uk).
5. If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards.
6. The Noise Sensitive Receptors (NSR) referred to in Condition 22 are those residential properties located to the north-west of the application site on the A318 Oyster Lane (No.136 Oyster Lane), to the north of the application site on Westfield Parade (Nos 4-7) and those to the south-west at the entrance to the Wintersells Road Business Park (No.132-126 Oyster Lane).
7. Please be aware that buildings constructed before 2000 may contain asbestos and a suitable asbestos survey should be undertaken before any redevelopment commences. If materials containing asbestos are present on the site, a written Plan for either removal of the Asbestos Containing Materials (ACMs) from the building or management of the ACMs within the building is required by the Health and Safety Executive. This is to ensure that the material is not broken up or left on site and does not pose a health risk to site workers, future occupants or neighbouring residents. The enforcing authority with regard to asbestos on demolition and construction sites is the Health and Safety Executive and advice is available at <http://www.hse.gov.uk/asbestos>.
8. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provision of the Water Industry

Act 1991. Thames Water would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

9. The applicant is reminded that where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to the Thames Water website <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>. A Trade Effluent Consent will also be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. Typically Trade Effluent Processes include: laundrette/laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm waters, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc. may be required before the company can give consent. Applications should be made at <https://wholesale.thameswater.co.uk/Wholesale-services/Business-customers/Trade-Effluent> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London, SE2 9AQ. Telephone: 020 3577 9200.

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

Trees and scrub are likely to contain nesting birds between 1 March and 31 August inclusive. Trees and scrub are present on the application site and are assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity during this period and shown it is absolutely certain that nesting birds are not present.

11. The Applicant's attention is drawn to the potential need to modify the existing Environmental Permit issued by the Environment Agency for the site prior to the commencement of any works.

12. In determining this application the County Planning Authority has worked positively and proactively with the applicant by assessing the proposals against relevant Development Plan policies and the National Planning Policy Framework including its associated planning practice guidance. Further, the County Planning Authority has identified all material considerations, liaised with consultees, considered representations from interested parties and determined the application within the timeframe agreed with the applicant. This approach has been in accordance with the requirements of paragraph 38 of the National Planning Policy Framework 2019.

CONTACT

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BACKGROUND PAPERS

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

For this application the deposited application documents and plans, and responses to consultations, are available to view on [our online planning register](#). The representations received are publicly available to view on the district/borough planning register. Elmbridge Borough Council have created four planning register entries for this application which underwent several rounds of consultation. Representations for this application can therefore be found under the following borough council planning register entries:

- [2019/3344](#);
- [2019/2876](#)
- [2019/2068](#)
- [2018/3802](#)

OTHER DOCUMENTS

The following documents were also referred to in the preparation of this report:

Government Guidance

[National Planning Policy Framework](#)

[Planning Practice Guidance](#)

The Development Plan

[Surrey Waste Plan 2008](#)

[Aggregates Recycling Joint DPD 2013](#)

Emerging Surrey Waste Local Plan Part 1 – Policies

Emerging Surrey Waste Local Plan Part 2 - Sites

Elmbridge Core Strategy 2011

Elmbridge Development Management Plan 2015

Other Documents

Environment Protection UK (EPUK)/Institute of Air Quality Management (IQAM) Land-Use Planning & Development Control: Planning For Air Quality

Design Manual for Roads and Bridges (DMRB) Volume 11, 2007

Design Manual for Roads and Bridges, Volume 5 1993

Institute of Environmental Management and Auditing (IEMA) 'Guidelines for Environmental Assessment of Road Traffic' 1993.

Department for Transport Road, Traffic Statistics

Elmbridge Design and Character Supplementary Planning Document

Annual Air Quality Status Report for Elmbridge Borough Council (2019)

Institute of Air Quality Management (IAQM) document "Guidance on the Assessment of Dust from Demolition and Construction 2014

Institute of Air Quality Management (IAQM) Guidance on the 'Assessment of Odour for Planning' 2018

Noise Policy Statement for England (2010)

Institute of Lighting Engineers for the reduction of obstructive light (2020)

Environment Agency Policy Paper on the flood alleviation scheme for Byfleet and Weybridge (2019)

[Good Practice Advice in Planning 2: Managing Significance in Decision-Taking in the Historic Environment](#)

[Good Practice Advice in Planning 3: The Setting of Heritage Assets.](#)

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