

TO: PLANNING & REGULATORY COMMITTEE

DATE: 10 July 2013

BY: PLANNING DEVELOPMENT CONTROL TEAM
MANAGER

DISTRICT(S) GUILDFORD BOROUGH COUNCIL

ELECTORAL DIVISION(S):

Worplesdon

Mr Witham

PURPOSE: FOR DECISION

GRID REF: 495199 152722

TITLE: MINERALS AND WASTE APPLICATION GU12/P/02098

SUMMARY REPORT

Land at Sunnyside, Clasford Bridge, Aldershot Road, Worplesdon, Guildford, Surrey, GU3 3HF

Use of land for storage and treatment of trommel fines; and for storage of recyclable materials in connection with planning permission ref: GU09/1044 dated 24 November 2009.

The applicant currently operates a Materials Recycling Facility (MRF) permitted under ref: GU09/1044 in the south western area of land known as Sunnyside (here on referred to as Area B). A by product of this process is the production of trommel fines. The trommel is the first stage of the MRF process which is a rotating drum used to remove the fine particles within the mixed waste brought to the MRF. The fines fall from the drum and contain a mixture of fine particles including wood, soils, stones, metal, plastic and paper. Larger recyclables are not captured in the fines and are then sorted through the MRF process. As part of permission GU09/1044 the applicant stated that the trommel fines would be blended with the soils and materials that are handled and screened on the northern area of Sunnyside which operates under permission ref: GU89/P/1036 (here on referred to as area A). However the applicant has been storing the trommel fines on an area within area A and is now seeking to screen (without blending) the trommel fines using a Warrior powerscreen to recover the recyclable elements that are within

the trommel fines. The stockpiling of trommel fines produced by the MRF is currently stored on Area A therefore this part of the application is retrospective. The applicant also wishes to store containers within the application site to enable the storage of recyclable materials in them.

The site lies in the Metropolitan Green Belt where there is a general presumption against inappropriate development. As inappropriate development the application falls to be considered as a departure from Green Belt policy. Consequently, in determining the application it is for the applicant to advance factors which amount to very special circumstances to justify the inappropriate development and for this report to consider whether or not they clearly outweigh the harm to the Green Belt caused by reason of inappropriateness and any other harm, such as to the openness of the Green Belt.

It is also necessary to consider the proposed development against development plan policies that seek to protect the local environment, the amenity interests of local residents and the safety and capacity of the local road network. The main planning policy issues are Green Belt and noise alongside dust and visual amenity. There is no technical objection to the proposal and four letters of representation have been received. Worplesdon Parish Council object.

Officers are satisfied that the applicant has demonstrated factors that amount to very special circumstances including: the ability to move waste up the waste hierarchy by recovering waste materials and reducing the amount of waste being sent to landfill and supports a more sustainable way of handling the waste close to its source of arising (the MRF). The County Noise Consultant has commented that if the proposal were to operate when the MRF is, the noise limit would be slightly infringed however given that the Warrior powerscreen would be used for a limited number of hours per week and that stockpiles would be in place to screen the site, this would not cause significant adverse harm and would also provide a benefit above historical noise levels for the site. Officers are satisfied that the proposal meets the requirements of National Policy and Development Plan policy.

The recommendation is to PERMIT subject to conditions.

APPLICATION DETAILS

Applicant

John Gunner & co Ltd

Date application valid

30 November 2012

Period for Determination

25 January 2013

Amending Documents

Letter dated 25 March 2013, letter dated 20 May 2013.

10

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
Noise	Yes	37-41
Dust	Yes	42-43
Visual Impact	Yes	44-45
Green Belt	No	46-63

ILLUSTRATIVE MATERIAL

Site Plan

Plan

Aerial Photographs

Aerial

Site Photographs

Photograph 1 - the Warrior powerscreen (note at the application site)

Photograph 2 - application site (MRF in the background)

Photograph 3 - application site (looking westwards)

Photograph 4 - looking northwards (weighbridge in foreground & the application site to the left)

BACKGROUND

Site Description

1. Land known as Sunnyside and operated by Gunners, lies on the north side of the A323 that runs between Guildford and Aldershot. The site adjoins an existing residential property, called Sunnyside, in the ownership of the applicant. To the north of this is the Merrist Wood Golf Course and beyond that Merrist Wood itself. Immediately to the east, separated by the access road into Sunnyside, lies Fair Oaks Mobile Home Park with Pine Park Mobile Home Park immediately beyond that. A group of residential properties lie on the south side of the A323 around Burton Drive. The western boundary of Sunnyside is bordered by scrubland. Just over half a mile to the east is the residential area of Fairlands, Wood Street Village is just under a mile to the south and Guildford about two and a half miles to the southeast.

2. The whole of the area lies within the Green Belt. Sunnyside is not covered by any areas designated for their conservation value at the local, national or higher levels. However in close proximity lie a number of Sites of Special Scientific Interest (SSSI's), which include; Smart and Preys Heath (2.5 miles northeast), Whitmoor Common (1.7 miles northeast) and Ash to Brookwood Heaths (800 metres north). The latter two are also designated as part of the Thames Basin Heath Special Protection Area (SPA) and the Ash to Brookwood Heaths SSSI is also designated as part of Thursley, Ash, Pirbright and Chobham Special Area for Conservation (SAC) which are all protected under European Law by the Habitat Regulations.

3. There are a number of Sites of Nature Conservation Importance (SNCI's) within just over a mile of the proposed site these include Littlefield Common SNCI (400 metres directly east), Clasford Bridge Road SNCI (600 metres northwest), and Merrist Wood SNCI (900 metres directly north). The site and the surrounding area are not covered by any areas designated for their landscape value. The site is not covered by a groundwater Source Protection Zone designation and is not at significant risk of flooding according to the Environment Agency's records although the site does lie adjacent to an area of Zone 2 & Zone 3 flood risk.

4. Waste operations at Sunnyside fall into two distinct areas at the site – for the purposes of this note they are called areas A and B (please see appended plan showing this):

Area A: Operations in the centre and northern half of the site (approximately 1.1ha) operate under planning permission granted by Guildford Borough Council ref: GU89/P/1039

Area B: Operations in the southern part of the site (approximately 0.3ha) operate under planning permission granted by Surrey County Council for a Materials Recycling Facility (MRF) (ref: GU09/1044) on what was previously the garden centre and its grounds.

5. The application site itself is located in the southern part of Area A, immediately to the north of and adjoining the boundary of Area B. The application site is currently being used for the stockpiling of residual waste material produced from the MRF process and was previously blended with soils within Area A.

Planning History

6. The northern half of land known as Sunnyside, Area A, was granted planning permission (ref: GU89/P/1036) by Guildford Borough Council for the continued use of land for the collection, storage, sorting, preparation and sale of wood, topsoil, ballast, hardcore,

manure, fertiliser, hay straw, and similar agricultural and horticultural commodities and the construction of an earth bund with associated landscaping.

7. An application to vary the hours of operation set out in the planning consent for Area A was allowed on appeal. This part of the existing site currently operates as follows;

Monday – Friday	08.00 to 19.00
Saturdays, Good Friday, Easter Monday	08.00 to 16.30
Early May Bank Holiday, late May Bank Holiday and August Bank Holiday	

No operations are permitted on Sundays or other Bank Holidays

8. At their meeting on 22 April 2009 the Planning & Regulatory Committee considered two applications at Sunnyside, ref: GU09/0257 and GU08/P/01516. The first (ref: GU09/0257) was for the removal of existing trees and the construction of a landscaped bund as an extension to the existing bund along the eastern boundary of the site access road. The bund was to provide a replacement to the tree screen and has been constructed using soils produced on site, grass seeded and planted with Cherry Laurel. The bund was required in order to provide noise mitigation with respect to the second application the Planning & Regulatory Committee considered at that meeting, GU08/P/01516, which was for the construction of a Materials Recycling Facility (MRF). The bund would also provide additional noise mitigation measures for residents from vehicles using the main access into the existing waste site as at present there is only a tree screen. This application was approved subject to conditions.
9. The second application, Ref: GU08/P/01516, was for the development of a MRF on Area B however the Planning & Regulatory Committee refused this planning application for the following reasons: proposed intensification of the site constituting inappropriate development that would cause harm to the Green Belt and that the need for the site did not outweigh the harm to the Green Belt.
10. In July 2009 the applicant submitted a revised planning application for redevelopment of the garden centre to a MRF on Area B (ref: GU09/1044) addressing the points raised by the Planning & Regulatory Committee at the 22 April 2009 meeting. The application involved the establishment of a MRF to process mixed loads containing construction and demolition waste and allow a change of use of the former garden centre, shop and

offices that front the main road to provide additional storage, office and mess facilities. The application proposed internal alterations to the garden centre, shop and offices. The perimeter of the operational area would be distinguished by a 3m high reinforced concrete push wall and would contain a canopy in the southern part of this area. A processing plant including a feed hopper, trommel, picking station, magnetic separator and bays for stored waste are positioned along the western boundary of the operational area with an overnight parking area for HGVs in the northern part. The weighbridge, weighbridge office and other vehicle parking are in the eastern part of the overall MRF site. This application was permitted in September 2009 subject to conditions. The area to the north excluding the application site would remain under operation of planning permission ref: GU89/1036.

11. A number of schemes pursuant to conditions imposed on planning permission ref: GU09/1044 have been forthcoming and approved under ref: GU10/0350 including:
- The colour for the surfaces of the canopy structure pursuant to Condition 5
 - A Dust Management Plan pursuant to Condition 10
 - A scheme of surface water limitation pursuant to Condition 11
 - A survey of reptiles and/or amphibians pursuant to Condition 13
 - A scheme to improve local biodiversity of land in the applicant's ownership outside the western boundary of the site pursuant to Condition 14
 - A scheme for modification of the vehicular access to the Aldershot Road from the application site including provision of a 15m bellmouth radii pursuant to Condition 15
12. In September 2012 a non-material amendment was granted (ref: GU12/P/01299) for the repositioning and reconfiguration of the processing plant which had been permitted under GU09/1044 to allow for the whole processing plant to be positioned some 1.6m northwards from its permitted position; and for a reconfiguration of the ordering of the MRF so that the magnetic separator would be at the end of the MRF rather than the picking station.

THE PROPOSAL

13. The applicant is currently storing trommel fines, produced as a by-product from the MRF located on Area B, on 0.2ha of land in the southern half of Area A. The trommel fines were previously blended as an additive product with the soils handled and processed in Area A. However the trommel fines are now used as landfill cover and are therefore

waste. The Guildford Borough Council planning permission for Area A does not allow the storage of waste and so the applicant is seeking to regularise this activity and seeks retrospective planning permission.

14. Trommel fines are a by-product from the MRF operation. The first stage of the MRF process line is the trommel. This is a rotating drum which is used to remove the fine particles within the mixed waste as well as break up the consistency of the waste mass before entering the picking station. Trommel fines contain a mixture of fine particles including wood, soils, stones, metal, plastic and paper. Trommel fines are generally used at landfill sites to provide daily cover or a “fluff” protection layer or are landfilled. The applicant states being able to screen trommel fines further would enable the removal of further recyclable material within the trommel fines particularly metal and soils. The applicant states this would reduce the amount of waste going to landfill.
15. The trommel fines would be transferred from the MRF to the storage area using a loading shovel. Once sufficient quantities have been collected, the soil screener which is already used in Area A would be relocated to the application area to screen trommel fines. The material would be loaded into the screener using a loading shovel. The screener is fitted with a blower and magnet to remove metal and lightweight material. The applicant states that the trommel fines would be further treated by the screener to produce:
- Soils < 10mm, comprising mainly soils that can be blended with other soils and compost
 - Metal
 - Paper/ wood/ plastic
 - Stones
16. The applicant states the screening plant would only be used as and when necessary, generally one hour a day, and would not be constant use. The applicant has said the powerscreen would not be running for a full day at a time. The applicant anticipates that this proposal could result in an 80% recovery rate with only 20% of material going to landfill. The applicant proposes that material would be stockpiled to 7m in height.
17. The applicant also seeks to store other recyclable materials such as paper, cardboard and metal on the application site as and when required. This storage would take place within dedicated containers or in bales within the application site. All waste material handled on the application site would result from or be in connection with the MRF.

18. The applicant originally proposed that the hours of operation would be the same as that currently operated on Area A however these hours are longer than those permitted under GU09/1044. The applicant has subsequently amended the application stating that the hours of operation would be the same as those permitted under GU09/1044.
-

CONSULTATIONS AND PUBLICITY

District Council

Guildford Borough Council

19. - Planning : No objection
20. - Environmental Health : No objection – wish for Surrey County Council to be satisfied there would be no dust beyond the boundaries

Consultees (Statutory and Non-Statutory)

21. The Environment Agency : No objection – the proposal conforms with the requirements in the Environmental Permit
22. County Noise Consultant : January 2013: raised concerns that no noise assessment had been provided or data on the noise level for the Warrior powerscreen

June 2013: there is no reason to doubt the data provided. Given stockpiles will be present on the site and the proposal is for a limited use during the working day/ week that any infringement of noise levels would not have a significant adverse harm.
23. County Dust Consultant : No objection – the site proposes operating in accordance with a Dust Management Plan
- County Highway Authority
24. - Transportation : No objection – recommend a condition be imposed
Development Management limiting the number of vehicle movements.

Parish/Town Council and Amenity Groups

25. Worplesdon Parish Council :

January 2013: Object for the following reasons:

- Concerned about potential health impacts of proposal as will create more dust, noise and vibration. The proposal could potentially cause additional problems to residents. Have the County Council sought advice from the relevant health authorities?
- Additional storage and treatment of rubbish creates potential for the leaching of environmental contaminants – have investigations been carried out to check whether there is existing ground contamination and what will be done to prevent environmental damage?
- The proposed dust management plan would only be operational when the site is open. How will dust be controlled when the site is closed?
- What contingency measures would be in place in the case of an interruption i.e. when the trommel breaks down?
- If the application is approved there should be no increase in the current HGV movements and greater efforts must be made to prevent mud on the road and dust, noise and vibration issues
- That if planning permission were to be granted there should be no bank holiday working

June 2013: if permission is granted then the operational hours of ½ hour per day should be conditions; if permission is granted a meeting should be held with the residents of Fair Oaks and the Parish Council after 3 months of operation; noise generated near to a residential site will be a nuisance; trust no additional dust will be created by the Warrior (powerscreen).

26. Officer comment: the County Council has sought the advice of both the County Dust Consultant, County Noise Consultant and Environmental Health officer. The Environment Agency were consulted on the application and they would be the relevant authority with regard to potential for contamination and have raised no concerns and state the proposal is in compliance with the sites Environmental Permit. The County Dust Consultant is satisfied that the measures proposed in the Dust Action Plan with regard to potential dust emissions. If the trommel breaks down consequently there would be no trommel fines for processing and therefore the powerscreen would not operate. Contingency measures for an interruption of the MRF would have no direct impact on this application. The proposal does not seek to increase vehicle movements and a condition can be imposed with regard to hours of operation.

27. Guildford Society : No comments received

Summary of publicity undertaken and key issues raised by public

28. The application was publicised by the posting of three site notices and an advert was placed in the local newspaper. A total of 33 owner/occupiers of neighbouring properties were directly notified by letter. Four letters of representation has been received objecting to the proposal raising the following concerns:

- The noise, dust and vibrations from the screener are already intolerable and more would make it worse
- If granted planning permission, as the application area falls within the area currently governed by the Guildford Borough Council planning permission, would this mean longer operating hours for the recycling activity than it presently has?
- The storage of recycling materials would encourage rats
- It is unreasonable for this activity to be taking place in a residential area – it should not have been allowed before and not an extension
- Larger stockpiles of waste will exacerbate the situation
- Making smaller fines will lead to more dust
- Restriction should be given on weekend and bank holiday working
- There was meant (as part of another planning permission) to be noise protection from the site for residents in the form of a bund and shrub planting however what is currently there is inadequate. Storing the trommel fines at 7m in height the bund and shrubs would offer no protection at all. If this were to go ahead a bigger bund/ better protection is needed

29. Officer comment: the hours of operation would be restricted to those permitted for the MRF as set out in Condition 4 below, the proposal should not encourage vermin as it is inert material, a condition can be imposed restricting the height of the stockpiles to less than historically have been at the site.

PLANNING CONSIDERATIONS

- 10
30. The County Council as Waste Planning Authority (for clarity, Officers refer to the County Council as the County Planning Authority – ‘CPA’ elsewhere in this report) has a duty under Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 to determine this application in accordance with the Development Plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act 1990 (as amended) (1990 Act) requires local planning authorities when determining planning applications to “have regard to (a) the provisions of the development plan, so far as material to the application, (b) any local finance considerations, so far as material to the application, and (c) any other material considerations”. At present in relation to this application the Development Plan consists of the Surrey Waste Local Plan 2008 (SWP 2008), as amended; and the Guildford Borough Local Plan 2003.
 31. The National Planning Policy Framework (NPPF) was adopted in March 2012. This document provides guidance to local planning authorities in producing local plans and in making decisions on planning application. The NPPF is intended to make the planning system less complex and more accessible by summarising national guidance which replaces numerous planning policies statements and guidance notes, circulates and various letters to Chief Planning Officers. Planning Policy Statement 10 (PPS10) Planning for Sustainable Waste Management (re-published March 2011) remains in place and in time will be replaced by national waste planning policy published as part of the National Waste Management Plan. The document is based on the principle of the planning system making an important contribution to sustainable development, which is seen as achieving positive growth that strikes a balance between economic, social and environmental factors. The Development Plan remains the cornerstone of the planning system. Planning applications which comply with an up to date Development Plan should be approved. Refusal should only be on the basis of conflict with the Development Plan and other material considerations.
 32. Guildford Borough Council currently do not have an adopted Core Strategy or sites allocation Development Plan Document. Consultation took place in 2009 on the Core Strategy further options. Further consultation on the Core Strategy is planned for this spring/ summer with the intention of submitting the Core Strategy to the Secretary of State in the summer 2013. In circumstances where a development plan is being prepared or undergoing review, it may be justifiable to refuse planning permission on the grounds of prematurity where to grant planning permission would prejudice the outcome of the plan process and predetermine decisions on scale, location or phasing of development proposals which should be made in the context of the development plan. Officers do not consider that the proposal prejudices the emerging LDF Core Strategy, due to the scale and location of the facility.
 33. The NPPF states that policies in Local Plans should not be considered out of date simply because they were adopted prior to publication of the framework. However, the policies in the NPPF are material considerations which planning authorities should take into account. Due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies are to the policies in the Framework, the greater the weight they may be given).

ENVIRONMENT AND AMENITY

Surrey Waste Plan 2008

Policy DC3 – General Considerations

Guildford Borough Local Plan 2003

Policy G1(3) – Protection of amenities enjoyed by occupants of buildings

34. Policy DC3 (General Considerations) of the Surrey Waste Plan 2008 requires planning applications for waste related development to demonstrate that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources. The policy requires supporting information to be provided and where necessary appropriate mitigation being identified so as to minimise or avoid any material adverse impact and compensate for any loss. With regard to this application, the relevant areas of information that should be provided include visual and landscape impact of the development on the site and surrounding land, adverse effects on neighbouring amenity including noise; and traffic generation and access including suitability from the public highway. Officers consider this policy is in compliance with the NPPF.
35. Guildford Borough Local Plan 2003 Policy G1(3) seeks to protect the amenities enjoyed by occupants of buildings are protected from unneighbourly development in terms of access to sunlight and daylight, noise, vibration, pollution, dust and smell. The aspects of this policy which are relevant to this proposal are noise and dust and Officers consider these aspects comply with the NPPF.
36. Planning Policy Statement 10 (PPS1) Planning for Sustainable Waste Management states that local environmental impacts should be considered in the determination process of planning applications for waste management facilities. Paragraph 29 of PPS10 refers to Annex E in this decision making process. Annex E sets locational criteria which should be considered which include (relevant to this application) visual intrusion, traffic and access, air emissions including dust; and noise. Annex E recognises that consideration needs to be given to the suitability of the road network, the proximity of sensitive receptors and the extent to which adverse emissions can be controlled through the use of appropriate and well maintained equipment; and that waste management facilities can produce noise.

Noise

37. Paragraph 123 of the NPPF states that decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development; and to mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise.
38. The proposal seeks to screen trommel fines using a Warrior 1400 powerscreen. The original application states that the proposal would not lead to an increase in noise as the powerscreen proposed is already used in Area A. It should be noted that the noise condition (Condition 7) imposed on GU89/P/1036 sets a noise limit of 60dBA at the boundary of the site with Fair Oaks Caravan Park, however the noise limit set for the MRF GU09/1044 permission is lower at 55dBA for 1 to 8 Fair Oaks and 50 LAeq for all other locations. The reason why a lower noise level was imposed on GU09/1044 was because at that time this noise level was perceived to reflect modern standards and conditions with regard to noise compared to the historic GU89/P/1036. As such there was no noise assessment provided within the original planning application. Officers would seek to impose a noise limit on this proposal similar to that on the MRF permission of 55dBA.
39. The County Noise Consultant raised concerns with regard to the lack of technical data given the proximity of the application site to the site boundary and the cumulative impact of this proposal with the MRF; and requested a noise assessment be carried out. The applicant subsequently carried out a noise assessment and submitted this. The noise assessment states that the Sound Power Level of the powerscreen processing trommel fines was 108.8 dBA. The noise assessment found that with the MRF operating and the powerscreen also operating that the screening operation made no significant change to the overall noise levels and that these were below the noise limit of 55dBA. However the noise assessment does state that there were stockpiles of inert waste material situated between the powerscreen and the eastern boundary bund with the consequence that this may have added a screening element.
40. The County Noise Consultant (CNC) has reviewed the proposal and the noise assessment. The CNC recognises that the noise assessment has stated that there may have been some screening element from the existing stockpiles and as such the noise assessment should have considered a worst case scenario of no stockpiles present. The CNC has commented that the noise assessment data submitted lacks information on position of the powerscreen and the height of the stockpiles however the CNC has gone on to say that there is no good reason to doubt the data submitted.
41. The CNC has commented that based on the figures provided and his own assessment using the submitted data, that the site noise limit would be slightly infringed during the limited time when screening was underway and if there were no stockpiles on the application site to provide screening. However, given that there are likely to be stockpiles of materials on the application site and that the proposal is for a limited duration each

day/ week it is unlikely that the proposal would cause a significant adverse effect on amenities from noise. It should also be noted that the proposal would result in a lower noise level than historically carried out at the application site. Consequently, the CNC does not object to the proposal on noise grounds.

Dust

42. As the proposal involves the storage and processing of trommel fines which by their name, are fine particles, the proposal would have the potential to generate dust emissions. The applicant has provided a Dust Management Action Plan as part of the planning application which is the same as that implemented for MRF activities. The Dust Management Action Plan identifies sources of potential dust, the pathway for dust particles that could be released i.e. when stockpiles are agitated, receptors that could be impacted; and information on what measures would be adopted to minimise the likelihood of dust generation. These include dampening down stockpiles, reduction in drop heights, use of dust suppression spray system, speed restrictions on vehicles; and maintenance of plant and the dust suppression system. The Action Plan also includes measures for the handling of complaints.
43. The County Dust Consultant has reviewed the proposal and has stated that the Action Plan is similar to that implemented for the MRF however the key difference for this application is that the operational activities are in a different location and area closer to some residential properties i.e. in Fair Oaks Park. The County Dust Consultant has commented that the Action Plan provides an appropriate screening of the risks of nuisance dust effects and is appropriate providing routine mitigation, trigger levels, additional mitigation and the complaints procedure. The County Dust Consultant raises no objection to the proposal, recommends no further work and considers the details submitted sufficient for the control of dust.

Visual Impact

44. Proposal would involve the stockpiling of trommel fines on an area that has historically been used for the processing of material under the Guildford permission. The applicant states that historically stockpiles have been to some 7m in height however in the amending information the applicant has commented that the day-to-day operational limit would not exceed 5m in height and that no machinery would work on top of the stockpile. There is currently no condition on either the MRF or Guildford planning permission area restricting the height of the stockpiles. The landscape bund which runs along the eastern boundary of the land owned by the applicant adjoining Fair Oaks Caravan park has been constructed to at least some 2.5m in height therefore Officers recognise that the stockpile of 5m would be greater in height. However Officers consider that given the

application area has no stockpile height restriction the proposal would offer a benefit in limiting this height. Additionally the bund has planting on top of it in the form of laurels and these are established and once grown to full height should provide screening of the application site.

45. Officers consider that the proposal would not cause significant adverse harm to visual or residential amenities given the historic use of the application site and that imposing conditions which restrict the height of the stockpiles to 5m and that no working on top of the stockpiles can take place, this would provide an overall benefit to visual amenities. Officers consider this proposal does not conflict with the requirements of Policy DC3.

TRAFFIC, TRANSPORTATION AND ACCESS

Surrey Waste Plan 2008

Policy DC3 – General Considerations

Guildford Borough Local Plan 2003

Policy G1(2) – Transport provision, access, highway layout and capacity

46. Policy DC3 of the Surrey Waste Plan 2008 requires the provision of adequate information on traffic generation, access and the suitability of the highway network to demonstrate that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources. Ensuring a development proposal is compatible with the local road network and that satisfactory access and highway layout can be provided is required by Policy G1(2) of Guildford Borough Local Plan 2003.
47. The proposal does not seek to increase the volume of waste materials handled at the site but merely to process the trommel fines which are a by product of the MRF. As such the level of traffic movements would not increase above that currently experienced for both the MRF and the Guildford planning permission area. The County Highway Authority have reviewed the proposal and do not object to the proposal on highway grounds.

GREEN BELT

Surrey Waste Plan 2008

Policy WD2 – Recycling, storage, transfer, materials recovery and processing facilities (excluding thermal treatment)

Policy CW5 – Location of Waste Facilities

Guildford Borough Local Plan 2003

Policy RE2 – Development within the Green Belt

48. The application site lies in the Metropolitan Green Belt where policies of restraint apply. The NPPF sets out a clear stance for the protection of Green Belt land stating the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that *“the essential characteristics of Green Belts are their openness and their permanence”*. Paragraph 80 of the NPPF sets out the five purposes of the Green Belt of which the most relevant for this planning application is to assist in safeguarding the countryside from encroachment.
49. Paragraph 87 of the NPPF states that inappropriate development, is by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 goes on to state that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and that very special circumstances *“will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm, is clearly outweighed by other considerations”*.
50. PPS10 recognises the geographical needs of some types of waste management facilities stating that this aspect, together with the wide environmental benefits of sustainable waste management, are material considerations that should be given significant weight in determining whether proposals should be given planning permission within Green Belts locations.
51. Policy CW6 of the Surrey Waste Plan 2008 states there is a presumption against inappropriate waste related development in the Green belt except in very special circumstances. The policy goes on to state that very special circumstances to justify inappropriate development of waste management facilities in the Green Belt will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The policy sets out considerations that may contribute to very special circumstances including i) a lack of suitable non-Green Belt sites, ii) the need to find locations well related to the source of waste arisings; iii) the characteristics of the site; and iv) the wider environmental and economic benefits of sustainable waste management including the need for a range of sites.
52. The applicant also states that the proposal is in compliance with Policy WD2 of the Surrey Waste Plan 2008. Policy WD2 states that planning permission for development involving the recycling, storage, transfer, materials recovery and processing of waste will

be granted at existing waste management sites. However, whilst the application site lies adjacent to an existing waste management site. Officers do not consider the application site itself is in waste management use given that it does not primarily handle waste and was given planning permission for a mixed use in relation to the then garden centre (horticultural use). Officers do not consider assessment of this policy for this proposal is relevant.

53. Policy CW5 of the Surrey Waste Plan provides the policy on the location of waste facilities on unallocated sites. The policy sets out four principles that such a proposal should be in accordance with. These include priority being given to industrial/ employment sites, priority given over greenfield land to previously developed land; Areas of Outstanding Natural Beauty and areas of Great Landscape Value should be avoided; and the larger the scale of development and traffic generation the more important it is that the proposal is served by the strategic road network.
54. Policy RE2 of the Guildford Borough Local Plan 2003 states that new buildings in the Green Belt are inappropriate development except for a number of exceptions. As this proposal is not for a new building, this policy is not directly relevant to this proposal.

Harm

55. The proposal would cause harm to the Green Belt as it would introduce the carrying out of activities including working of machinery and the stockpiling of waste material which would harm the openness of the Green Belt in addition to its harm by reason of inappropriateness.

Very Special Circumstances

56. The applicant sets out an argument within the submitted Planning Statement as to how the proposal meets Policy CW6. These include
- that the site already has planning permission for storage and treatment of waste material namely wood, topsoil, ballast, hardcore, manure, fertiliser, hay, straw and similar agricultural commodities
 - the storage of other waste materials such as trommel fines is not considered to be inappropriate
 - the existing characteristics of the site should be given significant weight and as such the proposed development would have no greater impact on the openness of the Green Belt

- the proposal is considered to provide economic and sustainable benefits as the processing of trommel fines would reduce the amount of waste going to landfill and would enable the applicant to separate material which has a marketable value
- the extract storage area would allow the applicant to explore outlets for new recycling opportunities
- in the event that planning permission is not granted the land would continue to be used for waste storage and treatment (under the Guildford permission) and the trommel fines would be transferred off site for treatment and/ or disposal which would incur unnecessary transportation.
- There would be an increased rate of recycling through the improved capture and through the additional storage capacity

Site Suitability

57. The application site already carries out an activity similar to that being sought as part of this application. The proposal would involve the use of machinery already used on the Guildford area and would not introduce an activity that is significantly different to that currently taking place. The reason for this application is that the application site does not have planning permission to store and treat trommel fines specifically. The proposal cannot take place within the existing MRF area as there is no space. The application site does not lie within any landscape designations and as outlined above will not increase traffic levels at the site so is compatible with criteria iii) and iv) of Policy CW5. Whilst directing waste activities to industrial or employment areas is preferred by Policy CW5, in this particular case the application site is immediately adjacent to the waste facility producing the trommel fines therefore there is an economic and sustainability benefit from locating the proposal at the application site. Additionally the application site, whilst being in Green Belt, is also currently in use as outlined above.
58. Officers would seek to impose a condition which limits the height of the stockpiles to 5m in height, some 2m lower than current levels but a level at which the applicant has stated in amending information would not be exceeded. Therefore the proposal would offer some benefit to the Green Belt openness by reducing stockpile heights albeit a limited benefit.
59. Given the application site already has planning permission for a similar activity and that it is immediately adjacent to the MRF which generates the trommel fines, Officers are satisfied that the proposal meets the requirements of Policy CW5 and also criteria iii) of Policy CW6.

Waste Management Issues

60. The trommel fines are a by product of the MRF process. As removal of trommel fines is the first part of the MRF process this is why there are elements of recyclables remaining in the trommel fines that could be captured and taken to recycling facilities. There is currently a limited market for trommel fines therefore they are either sent to landfill or can be sent on to another site for treatment. However, in sending on the trommel fines for treatment this incurs additional transport movements on the public highway and double handling. The applicant states that in further processing the trommel fines at the application site this would have a recovery rate of 80% recyclables and would result in only 20% of residual material going to landfill. This would move elements of the trommel fine wastes up the waste hierarchy in accordance with PPS10 and also lead to greater husbanding of landfill resources.
61. The proposal also seeks to locate three containers at the application site for the storage of the recyclable materials sourced from the trommel fines alongside provide additional capacity if required for the MRF. These containers are inherently linked to the MRF process and would enable the capturing of recyclable materials for onward transportation.

Conclusion

62. The application site is located immediately adjacent to the existing waste management site, the MRF, which is generating the waste trommel fines therefore the proposal meets criteria ii) of Policy CW6 in respect that the trommel fines would be handled immediately next to where they are generated. The proposal seeks to carry out an activity that is inherently linked to the MRF and locating this proposal in close proximity to the MRF would reduce transport costs of having to transfer on the trommel fines to another site for processing. This would result in a wider economic benefit as required by Policy CW6.
63. Officers consider the proposal is neutral in terms of impact on openness as stockpiles of materials have taken place on the application site as part of the Guildford planning permission for a number of years. Officers consider that given that the proposal would not result in any material increase in activity at the application site above that already permitted; that given the application site is immediately located to the source of the waste arisings; that the proposal is inherently linked to the MRF process; and the benefits the proposal would bring with regard to moving waste up the waste hierarchy and reducing the amount of waste sent to landfill alongside removing any double handling that could result from transferring on the trommel fines; that these combined factors amount to very special circumstances that clearly outweigh any harm to the

Green Belt by virtue of inappropriateness and any other harm. Officers consider the proposal meets the requirements of Policy CW6.

HUMAN RIGHTS IMPLICATIONS

64. 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.
65. The proposal seeks to process trommel fines and to locate containers on the application site. It is recognised that the proposal has the potential to impact on residential amenities with regard to noise and dust. The issues are considered and assessed in the report and it is the Officer's view that the scale of any impact is not considered sufficient to engage Article 8 or Article 1 of Protocol 1 and any impact can be mitigated by conditions. As such, this proposal is not considered to interfere with any Convention right.
-

CONCLUSION

66. The application site is located within the Green Belt outside any identified settlement boundary. The proposal constitutes inappropriate development within the Green Belt and as such the Applicant had to justify the development by demonstrating that very special circumstances exist which clearly outweigh the harm in terms of inappropriateness and any other harm. Officers consider that the proposal meets the locational and characteristic criteria set out within Policy CW5 and Policy CW6 (iii) given that the application has historically carried out activities similar to that being proposed i.e. the screening of material. The proposal is directly linked to the MRF which lies immediately adjacent to the application area and there are economic and environmental benefits from locating the proposal at the application site with regard to removing the double handling of material.
67. The proposal would also enable the recovery of recyclable materials within the trommel fines thereby moving these materials up the waste hierarchy and reducing the amount of waste sent to landfill. Officers consider these combined factors amount to very special circumstances which clearly outweigh the harm due to inappropriateness. Officers recognise the proposal would harm the openness of the Green Belt given the activities and stockpile heights that have historically occurred at the application site. However Officers consider that the openness of the Green Belt at this location is already compromised by existing activity and the overall impact in terms of openness would not

be materially worse than the current situation. Officers consider that in terms of openness the proposal would be neutral. Officers are satisfied that the proposal meets Policy CW6.

68. A noise assessment was provided with the planning application to demonstrate the proposal would meet the noise levels sought by the County Planning Authority. The County Noise Consultant has reviewed this noise data and has said there is no good reason to doubt the data provided. The County Noise Consultant has commented that whilst the site noise limit would be slightly infringed if trommel fine screening and the MRF were ran at the same time and if there were no stockpiles present on site, this would be for a limited time and given that stockpiles are to be expected on the application site, the proposal would not cause significant adverse harm on amenities from noise. Additionally the proposal would offer a benefit by limiting noise levels below that historically associated with the Guildford planning permission which is some 5dB higher. Officers are also satisfied that the proposal would not give rise to adverse impacts in regard to dust and visual and residential amenity and as such recommend planning permission be granted.

RECOMMENDATION

The recommendation is to PERMIT subject to conditions.

Conditions:

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

JGL/SUN/APP/01 Application Boundary Storage and Treatment Area 12 June 2012

JGL/SUN/LAY/03 Indicative Site Layout Storage and Treatment Area 12 June 2012

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 development.

Limitations

3. Notwithstanding any provision to the contrary under Part 19 or 21 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order):

(a) no plant, buildings 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 siting, detailed design, specifications and appearance of the installation, such details to include the predicted levels of noise emission and their tonal characteristics;

(b) no lights or fences shall be installed or erected at the application site unless details of them have been submitted to and agreed in writing by the County Planning Authority.

Hours of Work

4. No lights shall be illuminated nor shall any operations or activities authorised or required by this permission be carried out outside the following hours:

Monday - Friday 08.00 to 19.00

Saturdays 08.00 to 13.30

No operations are permitted on Saturdays 13:30 – 00:00, Sundays or Bank, National or Public Holidays

Noise

5. All plant and machinery shall be adequately maintained and silenced in accordance with the manufacturer's recommendations at all times.

6. Except for temporary operations the level of noise arising from any operation, plant or machinery hereby permitted on the application site, when measured at, or recalculated as at, a height of 1.2m above ground level and at least 3.6 metres (or closer if necessary but taking account of any reflected noise) from the façade of a residential property or other noise sensitive building that faces the site shall not exceed the values in the table below, during any 30 minute period.

1 to 8 Fair Oaks 55LAeq

All other locations 50 LAeq

Dust

7. 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 an emission should occur appropriate measures shall be taken 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.
8. The development hereby permitted shall be carried out in accordance with Appendix A "Dust Management Action Plan" of the planning application

Highways

9. No mud or other material shall be brought out by vehicles from the application site access road onto the public highway that would create a dangerous surface to users of the public highway.
10. There shall be no more a total of than 350 Heavy Goods Vehicle movements per day for the trommel fines screening facility in combination with the Materials Recycling Facility. The site operator shall maintain accurate records of the number of HGV vehicles accessing and egressing the site daily and shall make these available to the County Planning Authority on request.

Limitations

11. The stockpiling of trommel fines and product materials as identified on Drawing no. JGL/SUN/LAY/03 dated 12 June 2012 shall not exceed 5m in height above the surrounding ground level.
12. There shall be no working of plant or machinery upon the top of any stockpile of trommel fines or product materials
13. The applicant shall install two height profile boards, one adjacent to the trommel fine storage area and the other adjacent to the product storage area
14. The development hereby permitted shall process trommel fines up to a maximum of 12,000 tonnes per year. The operator shall maintain a record of the production tonnage on a monthly basis and shall made the information available to the County Planning Authority on request.
15. Records of the date, time and duration of use of the Warrior powerscreen on the application site shall be kept on a monthly basis and shall be made available on request, to the County Planning Authority.

Reasons:

1. For the avoidance of doubt and in the interests of proper planning.
2. To enable the County Planning Authority to exercise control over the site for the development hereby permitted and 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 comply with the terms of the application and to enable the County Planning Authority to exercise planning control over the operation so as to minimise the impact on local amenity in accordance with the terms of Surrey Waste Plan 2008 Policy DC3.
4. To safeguard the environment and local amenity in accordance with Surrey Waste Plan 2008 Policy DC3.

5. To ensure the minimum disturbance and avoid noise nuisance to the locality and to comply with Surrey Waste Plan 2008 Policy DC3.
6. To ensure the minimum disturbance and avoid noise nuisance to the locality and to comply with Surrey Waste Plan 2008 Policy DC3.
7. In the interests of local amenity and to comply with Surrey Waste Plan 2008 Policy DC3.
8. In the interests of local amenity and to comply with Surrey Waste Plan 2008 Policy DC3.
9. The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with Surrey Waste Plan 2008 Policy DC3.
10. The above conditions are required in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to accord with Surrey Waste Plan 2008 Policy DC3.
11. In the interests of local amenity and to safeguard visual amenities in accordance with Surrey Waste Plan 2008 Policy DC3.
12. In the interests of local amenity and to safeguard visual amenities in accordance with Surrey Waste Plan 2008 Policy DC3.
13. In the interests of local amenity and to safeguard visual amenities in accordance with Surrey Waste Plan 2008 Policy DC3.
14. In the interests of local amenity and to safeguard visual amenities in accordance with Surrey Waste Plan 2008 Policy DC3.
15. In the interests of local amenity and to safeguard visual amenities in accordance with Surrey Waste Plan 2008 Policy DC3.

16. To review the effect of the proposal on local residential amenity in accordance with Surrey Waste Plan 2008 Policy DC3 .

Informatives:

1. The permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence must be obtained from the Highway Authority Local Transportation Service before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
2. 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 prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
3. The County Planning Authority confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
4. The development is reminded that within three months of the date of this permission a meeting shall take place between the applicant, the County Planning Authority, Worpleton Parish Council and residents of Fair Oaks Park to discuss the operation of the development hereby permitted.

CONTACT

Samantha Murphy

TEL. NO.

020 8541 7107

BACKGROUND PAPERS

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

Government Guidance

National Planning Policy Framework 2012

The Development Plan

Surrey Waste Plan 2008

Guildford Borough Local Plan 2003
