

Planning & Regulatory Committee 23 February 2022

Item No 7

## UPDATE SHEET

### MINERALS/WASTE EP21/00223/CMA

DISTRICT(S) EPSOM & EWELL BOROUGH COUNCIL

#### Land at The Chalk Pit, College Road, Epsom, Surrey KT17 4JA

**Change of use of an existing Waste Transfer Station to a Materials Recycling Facility and extension of this site to incorporate a new Waste Transfer Station, including: demolition of existing building; reinforcement of retaining wall; provision of new site surfacing and drainage; construction of buildings for the bulking and processing of mixed skip waste and skip storage, and the sorting and transfer of inert waste materials; use of an office; retention of existing workshop; installation of weighbridge; retention of entrance gates and fencing; and, provision of car parking [part retrospective].**

Officer Report has been amended to add clarity with regards to the existing planning situation. Reference within the Officer Report in respect of the eastern half of the 'NJB site' should strictly refer to two Certificates of Lawfulness of Existing Use or Development (**CLEUDs**) which sit alongside each other: the initial CLEUD ref: APP/X/95/B3600/002321 dated 9 May 1996 was granted on appeal for a mixed use for a skip hire depot, involving four skip lorries and 120 skips and for the storage and transfer of waste; and, a second CLEUD ref: APP/X/95/B3600/2321 dated 17 April 1998 (an appeal decision in part, in respect of the storage and transfer of waste within the first CLEUD) was granted for the use of approximately 200sqm of land for the storage and transfer of up to 26,000 tones of waste per calendar year.

Amend Site Plans as follows:

Plan 1 – Plan showing area authorised by CLEUD ref: APP/X/95/B3600/002321 dated 9 May 1996.

Plan 2 – Plan showing area authorised by CLEUD ref: APP/X/95/B3600/2321 dated 17 April 1998.

Delete paragraph 42.

Amend paragraph 43 as follows:

Although complaints and concerns about the unauthorised use and activities resulting in noise, dust and lighting pollution; highways and traffic issues; and, health and safety matters have been received by the CPA from the surrounding residential area in the meantime, these are within the remit of other relevant authorities including the EA, Epsom and Ewell Borough Council's Environmental Health department, the Highways Authority, Surrey Police, and the Health and Safety Executive. It is understood that these authorities are working within their remits to resolve them.

Amend paragraph 48 as follows:

Such a supplementary response was subsequently received by the CPA, which stated that in light of the continued activities and the recommendations from the internal review, the EA would like to provide additional comments. These comments stated that the EA has received a

significant number of reports regarding noise and dust emanating from the 'NJB site' and its operations treating waste, and continue to receive complaints, and that limiting the waste throughput to 26,000 tonnes per year, enclosure of all waste activities within a building, dedicated permitted hours of operation, and improvements in the site surface would reduce noise and dust emissions from the operations.

## **CONSULTATIONS AND PUBLICITY**

### ***Consultees (Statutory and Non-Statutory)***

Add the following to Environment Agency response:

Further response: We have no objection to all of the proposed waste activities to be carried out in a building. We also support the regularising of operational hours on site and the proposed reduction of waste tonnage to 26,000 ton per year. Our view is that reduction in waste through put, enclosure of all waste activities within a building, dedicated permitted hours of operation and improvements in the site surface will reduce noise and dust emissions from the site operations.

### ***Parish/Town Council and Amenity Groups***

Add the following:

63. College Ward Residents Association – Objection, on the grounds of Green Belt, ground contamination, flooding, dust, noise, operating hours, and traffic.

65. Nork Residents Association – Objection, on the grounds of dust, traffic and noise.

### ***Summary of publicity undertaken and key issues raised by public***

Add the following to paragraph 67:

- Relocation of the waste activities.

Amend paragraph 70 as follows:

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

Add the following:

71. A majority of the above-mentioned matters raised will be addressed within this report. However, it should be noted with regards to relocation of the waste activities that the CPA is required to consider each application on its own merits and whether the application site is acceptable for that activity. It is not within the CPA's powers to start looking at other sites and alternative locations that could be more suitable for waste development, or to direct specific applicants to specific land.

## **PLANNING CONSIDERATIONS**

Amend paragraph 71 as follows:

In this case the statutory development plan for consideration of the application consists of the Surrey Waste Local Plan Part 1 – Policies and Part 2 – Sites, which together form the Surrey Waste Local Plan 2020 (**SWLP2020**), as well as the Surrey Minerals Plan Core Strategy Development Plan Document 2011 (**SMP2011**), the Aggregates Recycling Joint Development Plan Document for the Minerals and Waste Plans 2013 (**ARJDPD2013**), the Epsom and Ewell

Add new paragraph between paragraphs 72 and 73 as follows:

The SMP2011 provides a framework for meeting the needs for minerals while being prudent in the use of natural resources and addressing other mineral development issues, by providing strategic policies and site-specific proposals within Surrey for the period to 2026. Meanwhile, the ARJDPD2013 sets out proposals with regard to the provision of aggregates recycling facilities across the county for the period to 2026, including by identifying the preferred areas for locating such aggregate recycling facilities.

## **WASTE MANAGEMENT ISSUES**

Add new paragraphs between paragraphs 96 and 97 as follows:

Meanwhile, the SMP2011 provides a framework for meeting the needs for minerals while being prudent in the use of natural resources and addressing other mineral development issues, by providing strategic policies and site-specific proposals within Surrey for the period to 2026.

SMP2011 Policy MC5 (Recycled and secondary aggregates) states that the re-use of construction and demolition waste at source, or its separation and collection for recycling, should be encouraged. Provision will be made within the Aggregates Recycling Joint Development Plan Document for new facilities that, together with existing facilities, provide productive capacity for the supply of recycled and secondary aggregates at a rate of at least 0.8 million tonnes per annum (**mtpa**) by 2016 and of at least 0.9mtpa by 2026.

## **RECOMMENDATION**

Amend Condition 7 as follows:

Prior to any building construction work being undertaken within the application site other than the metal support posts previously erected, a Construction Transport Management Plan, to include details of:

- a) Parking for vehicles of site personnel, operatives and visitors
- b) Loading and unloading of plant and materials
- c) Storage of plant and materials
- d) HGV deliveries and hours of operation
- e) Vehicle routing
- f) Measures to prevent the deposit of materials on the highway
- g) On-site turning for construction vehicles

Shall be submitted to and approved in writing by the County Planning Authority. Only the approved details shall be implemented during the construction of the development.

Amend Condition 8 as follows:

There shall be no more than an annual average of 68 daily Heavy Goods Vehicle (HGV) movements (34 in and 34 out) to and from the application site directly connected with the development hereby permitted. The operator shall maintain accurate records of the daily number of HGVs accessing and egressing the application site and these records shall be submitted to the County Planning Authority by the first day of April, July, October and January each year.

Amend Condition 9 as follows:

All loaded HGVs entering and leaving the application site directly connected with the development hereby permitted shall be sheeted or otherwise enclosed so as to prevent spillage or the emission of dust.

Amend Condition 10 as follows:

The Rating Level, L<sub>A</sub>,T<sub>r</sub>, of the noise emitted from all plant, machinery and vehicle movements within the application site directly connected with the development hereby permitted shall not exceed the existing representative LA90 background sound level at any time by more than +5dB(A) at the nearest noise sensitive receptors.

Should this noise limit be exceeded the source(s) of the noise causing the exceedance shall cease until the operator has submitted a scheme to attenuate noise levels which has been approved by the County Planning Authority in writing and that scheme has been implemented.

Amend Condition 12 as follows:

Waste processing operations within the application site involving the use of any type of mechanical screener for any materials recycling hereby permitted shall cease until Building 2 has been fully constructed and fitted with roller shutter doors as shown on Drawing No. 193091/PL/D/008 Rev A Proposed Cross Sections and Elevations dated January 2021.

Amend Condition 17 as follows:

Within three months a proactive Dust Management Plan shall be submitted to the County Planning Authority for approval in writing. Such a Plan shall be based on the IAQM Guidance on the Assessment of Mineral Dust Impacts for Planning and shall include measures for the control and management of any dust creating activities within the application site so as to prevent nuisance or any significant adverse impact on residential amenity or human health beyond the application site. The Plan shall be implemented upon approval and shall be complied with at all times.

Amend Condition 18 as follows:

The loading and/or unloading of waste and/or materials to/from lorries and/or machinery; the storage, sorting, segregation, bulking and/or stockpiling of waste and/or materials; and, the deposit and storage of skips, shall only be undertaken within Building 1 and Building 2 after their construction.

Amend Condition 19 as follows:

The processing of waste using the trommel and/or picking station shall only be undertaken within Building 2 as shown on Drawing No. 193091/PL/D/006 Rev C Proposed Block Plan dated May 2021.

### **Background papers**

Add the following to other documents:

39 Essex Chambers Opinion in the Matter of Chalk Pit, College Road, Epsom dated 17 November 2021 (to residents)

[Environment Agency Independent Internal Review of complaints and regulation of the former chalk pit, College Road Epsom dated 19 November 2021](#)

[Environment Agency Noise Impact Assessment – NJB and Epsom Skip Hire, Chalk pit, Epsom dated 2 July 2021](#)