

TO: PLANNING & REGULATORY COMMITTEE **DATE:** 8 August 2018
BY: PLANNING DEVELOPMENT MANAGER

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

PURPOSE: FOR DECISION **GRID REF:** 504453 174372

TITLE: MINERALS/WASTE SP18/00282/SCC

SUMMARY REPORT

Oakleaf Farm, Horton Road, Stanwell Moor, Surrey TW19 6AP

The construction and use of a recycling, recovery and processing facility for construction and demolition waste on a site of approximately 9.4 hectares without compliance with Condition 3 of planning permission ref:SP17/00438/SCC dated 7 September 2017 to allow 55 heavy goods vehicles to be based at the site and to be located within the designated lorry parking area, and for 55 heavy goods vehicles (110 movements) to access and egress the site between the hours 18:00 to 07:00 Monday to Saturday, and 13:00 on a Saturday to 07:00 on a Monday.

This Section 73 planning application was presented to the Planning and Regulatory Committee at the 20 June 2018 committee. A wide-ranging discussion took place and following this a recommendation was tabled and carried to defer the planning application subject to the submission of further information from the applicant with regards to the following matters:

- a) to receive additional information on the overall level of movements generated by the site during the day in order to devise a mechanism to control movements during the day to take into account the increased movements at night;
- b) the need to update the noise management plan prior to commencement;
- c) to review waste on the highway as a result of the site;
- d) to review the sheeting used by vehicles to and from the site;
- e) to check the need for an Air Quality Assessment if there was to be a net increase in total vehicle movements.

The applicant has submitted additional information to cover these points. The applicant reconfirms that this application is to maximise the efficiency of the operation of all its permitted vehicles, by redistributing daytime movements to the evening. The applicant also points out that an Air Quality Assessment was carried out when the original planning permission ref: SP08/0992 was granted. The Air Quality Assessment has already assessed the potential impact of 180 vehicle movements per day over a 5.5 day a week and found that there would be no significant impact. As such, no further Air Quality Assessment is required. The applicant also states that 90% of their fleet comprises enclosed 'dustcart', 'Skip' and 'Roro' vehicles which are fitted with self-sheeting systems. A road sweeper was used to ensure that the access road is kept clean.

In addition to this the applicant has submitted an amended night-time Noise Management Plan which includes information on the proposed mitigation measures, management, site-audit and complaints procedures.

Stanwell Moor Residents' Association has raised concerns regarding the smell of food waste from the overnight on-site vehicles, increase in light pollution because of the 24-hour vehicle movements and that the 24-hour operation should not be allowed in a residential area.

Officers consider that, following advice from technical consultees, and subject to the imposition of planning conditions, the additional information provided by the applicant is sufficient to address Members' concerns and that the proposal would not give rise to any adverse impact on amenity and the environment. Therefore, Officers consider that planning permission should be granted subject to conditions.

The recommendation is to PERMIT subject to conditions.

APPLICATION DETAILS

Applicant

CAMO LTD T/A Simply Waste Solutions

Date application valid

19 February 2018

Period for Determination

17 August 2018

Amending Documents

- Email dated 08 July 2018 comprising (I) Letter dated 08 July 2018 covering night-time noise management plan, redistribution of vehicle movements, air quality assessment and odour control, litter and other matters, (II) Revised Night-time Noise Management Plan and (III) Tables regarding the redistribution of trips

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
Environment and Amenity	Yes	20 – 34

ILLUSTRATIVE MATERIAL

Site Plan

Drawing Ref. 2056/9 Site Location Plan dated 1 February 2017

Aerial Photographs

Aerial 1 Oakleaf Farm, Stanwell Moor
 Aerial 2 Oakleaf Farm, Stanwell Moor

Site Photographs

- Figure 1 Main entrance of the Oakleaf Farm (Horton Road)
 Figure 2 Parking area
 Figure 3 Site-office area and a road sweeper owned by the applicant
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BACKGROUND

1. At their meeting on 20 June 2018, the Planning and Regulatory Committee considered the Officers report on the above planning application, and resolved that the planning application be referred back to the applicant requiring the submission of further information and consideration of the following:
 - a) to receive additional information on the overall level of movements generated by the site during the day in order to devise a mechanism to control movements during the day to take into account the increased movements at night;
 - b) the need to update the noise management plan prior to commencement;
 - c) to review waste on the highway as a result of the site;
 - d) to review the sheeting used by vehicles to and from the site;
 - e) to check the need for an Air Quality Assessment if there was to be a net increase in total vehicle movements.
 2. This report provides additional information with regards to the matters outlined above, and should be read in conjunction with the original Officers' report and the committee update sheet which are appended to this report.
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THE ADDITIONAL INFORMATION

3. The applicant has submitted a letter dated 08 July 2018 to address the concerns raised by Members at the 20 June 2018 Planning and Regulatory Committee meeting. The applicant reconfirms that this application is to maximise the efficiency of the operation of all its permitted vehicles, by redistributing daytime movements to the evening. The applicant has also submitted two tables to demonstrate how the redistribution of vehicle movements works on a daily basis.
4. The applicant points out that an Air Quality Assessment was carried out when the original planning permission ref: SP08/0992 was granted. The Air Quality Assessment has already assessed the potential impact of 180 vehicle movements per day over a 5.5 day a week and found that there would be no significant impact. As such, no further Air Quality Assessment is required.
5. The applicant also states that a management plan includes measures for the prevention of odour, including:
 - Daily deodorising of the rear of each truck between May to September inclusive;
 - Deodorising of the rear of trucks as and when required between October to April inclusive;
 - Weekly steam clean of rear of trucks;
 - Fortnightly 'dig out' behind the compactor wall;
 - Drivers to ensure that vehicle hoppers are clear of all waste before parking up.
 - Spillages in the depot or on the access road to be swept up by road sweeper using deodoriser;
 - Odour issues and complaints will be on the agenda of the monthly compliance meeting, chaired by the CEO;

- Weekly walk around the site check to be completed by Depot Manager – compliance issues noted and raised in monthly meeting.
6. The applicant also states that 90% of their fleet comprises enclosed ‘dustcart’, ‘Skip’ and ‘Roro’ vehicles which are fitted with self-sheeting systems. A road sweeper was used to ensure that the access road is kept clean.
 7. In addition to this the applicant has submitted an amended night-time Noise Management Plan which includes information on the proposed mitigation measures, management, site-audit and complaints procedures.

CONSULTATIONS AND PUBLICITY

District Council

8. Spelthorne Borough Council
No further comments to make.
9. Spelthorne Borough Council Environmental Health Officer
No further comments received.

Consultees (Statutory and Non-Statutory)

10. County Noise Consultant
No objection subject to conditions.
11. County Air Quality Consultant
The proposed development will not significantly affect air quality and an air quality assessment is not required.
12. County Highways Authority
No objection subject to conditions.

Parish/Town Council and Amenity Groups

13. Stanwell Moor Residents' Association
A list of the residents of Stanwell Moor and additional comments have been received. The comments are summarised as the following:
 - Concerns about the smell of food waste from the overnight on-site lorries;
 - 24-hour vehicle movements will increase in light pollution;
 - 24-hour operation should not be allowed in a residential area.

Officers' comments

14. Officers received concerns regarding the site operation. However, this Section 73 planning application is to redistribute the HGV (Heavy Goods Vehicle) movements only and there is no intention to change the site operation.
15. Officers consider that planning conditions are already imposed to restrict the hours of operation which include lighting (Condition 2) and the loading activities (Condition 4). Officers acknowledge the concerns made by the public and consider that these can be addressed by attaching suitable conditions to any planning permission granted.
16. Officers also acknowledge that there are various concerns regarding the noise however Officers have already addressed this issue in the original Officers' report (attached).

PLANNING CONSIDERATIONS

Introduction

17. 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.
18. In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and other material considerations. In this case the statutory development plan for consideration of the application consists of the Surrey Waste Plan 2008, the Spelthorne Borough Local Plan 2001 Saved Policies and Proposals and the Spelthorne Borough Core Strategy and Policies Development Plan Document February 2009.
19. 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 Environment and Amenity and Metropolitan Green Belt.

ENVIRONMENT AND AMENITY

Redistribution of the HGV movements

20. At the 20 June Planning and Regulatory Committee, Members questioned whether the HGV traffic was effectively redistributed from daytime to night-time without having any increase in the overall HGV movements per day, given that there is no limitation on the HGV movements during daytime. Members would also like to have further information to clarify this point by providing details of waste collection practice and traffic movements to demonstrate the proposed increase in night-time traffic can effectively reduce the daytime traffic.
21. Further to the concerns from Members, the applicant submitted additional information regarding the redistribution of vehicle movements. The applicant reconfirms that this application is to maximise the efficiency of the operation of all its permitted vehicles, by redistributing daytime movements to the evening. The applicant has also submitted two tables to demonstrate how the redistribution of vehicle movements works on a daily basis.

Monday to Friday (Daily Movements)				
	Current		Proposed	
	Departure	Arrival	Departure	Arrival
Normal Operating Hours	55	67	11	51
Out of Hours	30	18	74	34
Sub-total Movements	85	85	85	85
Overall Movements (Departure + Arrival)	170		170	

Saturday and Sunday (Daily Movements)				
	Current		Proposed	
	Departure	Arrival	Departure	Arrival
Normal Operating Hours	20	20	5	5
Out of Hours	24	24	39	39
Total Movements	44	44	44	44
Overall Movements (Departure + Arrival)	88		88	

22. According to the Section 73(2) of the Town and County Planning Act 1990¹, it clearly states that on such an application the local planning authority shall consider **only** the question of the conditions subject to which planning permission should be granted, and
- if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and
 - if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.
23. Officers consider that this Section 73 planning application is only to vary Condition 3 in order to redistribute the HGV movements from daytime to night-time for a more flexible waste collection practice. Officers have already pointed out that the existing planning permission did not have any limitations on daytime vehicle movements at the 20 June Planning and Regulatory Committee. Nevertheless, the existing planning permission restricts the overnight HGV movements and the information provided by the applicant is sufficient to demonstrate that the proposed increase in night-time traffic is to redistribute the existing vehicle movements and not an increase in total HGV movements.
24. The County Highways Authority has raised no objection to the proposed development subject to conditions. Officers acknowledge that the redistribution of the HGV movements can help meet the operational needs due to the change of waste collection patterns and also help reduce traffic congestion during the daytime peak hours, thereby reducing its impact on local air quality.

Noise Control

25. Paragraphs 53 to 56 of the Officers' Report dated 20 June 2018 for the planning application ref: SP18/00282/SCC outline the consultation discussion between the County Noise Consultant and the applicant's noise consultant. Paragraph 57 is the **final** outcome of the discussion and the County Noise Consultant is satisfied with the revised technical note regarding noise and has raised no objection to the proposal subject to a condition requiring the submission of an amended night-time Noise Management Plan, which has been submitted.
26. At the 20 June Planning and Regulatory Committee, Members raised concern regarding the potential noise impacts of the increase in the HGV movements on the local amenity. They considered that an amended night-time Noise Management Plan was important to

¹ <http://www.legislation.gov.uk/ukpga/1990/8/section/73>

demonstrate the appropriate noise mitigation practices and measures for the proposed night-time HGV movements and that the Noise Management Plan should be submitted prior to the implementation of the proposal.

27. Further to the concerns from Members, the applicant submitted an amended night-time Noise Management Plan. The Noise Management Plan includes information on the proposed mitigation measures, management, site-audit and complaints procedures. The County Noise Consultation is satisfied with the submitted night-time Noise Management Plan and raised no objection to the proposed development subject to conditions.

Air Quality

28. At the 20 June Planning and Regulatory Committee, Members raised concerns regarding the requirement of an Air Quality Assessment, litter and odour control.

The Requirement of an Air Quality Assessment

29. The applicant submitted additional information regarding the Air Quality Assessment in response to Members' concerns. The applicant states that an Air Quality Assessment was already carried out when the original planning permission ref: SP08/0992 was granted. The Air Quality Assessment has already assessed the potential impact of 180 vehicle movements per day over a 5.5 day a week and found that there would be no significant impact². As such, no further Air Quality Assessment is required as the proposed total vehicle numbers are not exceeding this level.
30. As there is no overall increase in vehicle numbers, the County Air Quality Consultant has raised no objection to the proposal as it will not significantly affect air quality and therefore a further Air Quality Assessment is not required in this case.

Litter and Odour Control

31. Stanwell Moor Residents' Association has raised an objection to the proposal as they are concerned about the dust and the odour issue, as complaints have been received from the residents that there was a smell of food waste.
32. Further to the concerns from Members, the applicant submitted additional information regarding litter and odour control. The applicant sets out a management plan providing mitigation measures for the odour, which includes:
- Daily deodorising of the rear of each truck between May to September inclusive;
 - Deodorising of the rear of trucks as and when required between October to April inclusive;
 - Weekly steam clean of rear of trucks;
 - Fortnightly 'dig out' behind the compactor wall;
 - Drivers to ensure that vehicle hoppers are clear of all waste before parking up;
 - Spillages in the depot or on the access road to be swept up by road sweeper using deodoriser;
 - Odour issues and complaints will be on the agenda of the monthly compliance meeting, chaired by the CEO;
 - Weekly walk around the site check to be completed by Depot Manager – compliance issues noted and raised in monthly meeting.
33. The applicant also states that 90% of their fleet comprises enclosed 'dustcart', 'Skip' and 'Roro' vehicles which are fitted with self-sheeting systems. A road sweeper was used to ensure that the access are kept clean. Severe penalties will be given to the drivers if they are to be caught with unsecured loads.

² Refer to paragraph 5.3.3 of the Air Quality Assessment dated October 2008

34. Officers consider that the applicant has provided sufficient information and the proposal would not give rise to any adverse impacts on the surrounding environment subject to conditions.

HUMAN RIGHTS IMPLICATIONS

35. 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.
36. It is the Officers' view that the scale and duration of any potential impacts are not considered sufficient to engage Article 8 or Article 1 and that potential impact can be mitigated by the imposition of planning conditions. As such, this proposal is not considered to interfere with any Convention right.

CONCLUSION

37. Officers reported planning application SP18/00282/SCC to the 20 June Planning and Regulatory Committee meeting. At that meeting it was resolved that the application be deferred and referred back to the applicant for the consideration of issues in respect of redistribution of the HGV movements, noise control and air quality.
38. Officers are satisfied that the applicant has provided additional information that addresses the concerns raised by Members at the 20 June Planning and Regulatory Committee meeting. Officers consider that the proposed redistribution of the HGV movements can help meet the operational needs due to the change of waste collection patterns and also help reduce traffic congestion during the peak hours thereby reducing its impact on local air quality.
39. Officers consider following advice from technical consultees and subject to the imposition of planning conditions, the proposal would not result in an unacceptable impact on the amenity. Taking account of all these matters, Officers consider that planning permission should be granted subject to conditions.

RECOMMENDATION

The recommendation is to PERMIT subject to the following conditions:

Conditions:

Approved Documents

1. The development hereby permitted shall be carried out in all respects strictly in accordance with the following plans/drawings:
 - Drawing No. 1163/6N Site Layout Plan dated January 2008 (Revision N dated March 2009)
 - Drawing No. 2056/9 Site Location Plan dated 1 February 2017
 - Drawing No. 2037/1A Cross Sections dated August 2016
 - Drawing No. 1163/60 Plot Layout Plan dated 8 June 2017
 - Drawing No. 16060-300 Site Layout dated 10.10.2016 (Revision A dated 04.01.2017)
 - Drawing No. 16060-301 Site Surfacing Drawing dated 10.10.2016 (Revision 0)
 - Drawing No. 16060-302 Proposed Roof Plan dated 10.10.2016 (Revision 0)
 - Drawing No. 16060-303 MRF Building Proposed Elevations sheet 1 of 2 dated

- 10.10.2016 (Revision 0)
- Drawing No. 16060-304 MRF Building Proposed Elevations sheet 2 of 2 dated 10.10.2016 (Revision 0)
- Drawing No 16060-305 Office Layout & Elevations dated 10.10.2016 (Revision A dated 04.01.2017)
- Drawing No 16060-306 Weighbridge & Weighbridge Cabins dated 10.10.2016 (Revision 0)
- Drawing No 16060-307 Site Fencing Drawing dated 13.10.2016 (Revision 0)
- Drawing No 1163/9E Bunds Sections dated September 2008 (Revision E dated 9 May 2011)
- Drawing No 1163/10H Planting Plan dated March 2008 (Revision H dated 26 August 2010)
- Drawing No 1163/12 Buffer Strip Access Plan dated March 2009
- Drawing No 1163/37B MRF Lighting Layout dated May 2014
- Drawing No 2056/13 Location of Dedicated Lorry Parking Area dated 7 June 2018
- Drawing No 16-2261 Airflow Direction: Oakleaf London dated 09.06.2017

Hours of Working

2. With the exception of:

- a) those HGVs referred to in Condition 3 below, and
- b) the 24 hour operation of shredding and sorting machinery within the Materials Recycling Facility (MRF) building and associated activities permitted under planning permission ref: SP/14/1125/SCC dated 13 March 2015;

No other authorised operations or activities hereby permitted or under planning permission ref: SP08/0992 dated 19 November 2009 shall be carried out, and no lights illuminated, except between the following times:

0700-1800 Mondays to Fridays
0700-1300 Saturdays

Neither shall any servicing, maintenance or testing of plant be carried out between 1800 and 0700 hours nor shall any other operation or activity take place on a Sunday or any public or bank holiday. This shall not prevent the carrying out of emergency operations, but these should be notified in writing to the County Planning Authority within 24 hours.

3. The development hereby permitted shall allow the limited site access and egress of 55 heavy goods vehicles (HGV) (defined as any vehicle in excess of 3.5 tonnes gross vehicle weight) based at the site and to be located within the lorry parking area shown on Drawing No.2056/13 (Location of Dedicated Lorry Parking Area) dated 7 June 2018 outside of the hours of working specified in Condition 2 of this permission. There shall be no more than a total number of 110 HGV vehicle movements between each of the following times:

1800 Monday to 0700 Tuesday
1800 Tuesday to 0700 Wednesday
1800 Wednesday to 0700 Thursday
1800 Thursday to 0700 Friday
1800 Friday to 0700 Saturday, and
1300 on a Saturday to 0700 Monday morning

The operator of the site shall maintain accurate records of the number of HGV movements accessing and egressing the site daily between these times (including

vehicle prefix) and these records shall be made available to the County Planning Authority within 5 working days upon written request.

4. There shall be no loading and unloading of any vehicles except between the following times:

0700-1800 Mondays to Fridays
0700-1300 Saturdays

There shall be no loading and unloading on a Sunday or any public holiday.

Removal of Permitted Development Rights

5. 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) 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 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.

Operation

6. Only commercial and industrial and commercial and demolition waste shall be imported onto the application site as outlined within the application documents submitted with planning permission ref: SP08/0992 dated 19 November 2009 for handling and processing at the site and within the Materials Recycling Facility (MRF) building. All other waste shall be removed from the site and disposed of at a suitably licensed facility.
7. The operation of shredding and sorting machinery for processing commercial and industrial waste as referred in Condition 6 above shall only take place inside the MRF building as shown on Drawing No.1163/60 Plot Layout Plan dated 8 June 2017.
8. Concrete crushing machinery shall only be operated at the site in accordance with planning permission Ref. SP15/01184 SCC dated 7 April 2016.
9. All processed and unprocessed waste stockpiled externally at the site, shall be stored within the areas delineated on Drawing No.1163/6N Site Layout Plan dated January 2008 (Revision N dated March 2009). Stockpile heights shall not exceed a height of 6 metres above ground level.
10. The two profile height posts erected within the stockpiling area as delineated on Drawing No.1163/6N Site Layout Plan dated January 2008 (Revision N dated March 2009) to display the profile heights and maintained for the duration of the use hereby authorised.

Traffic and Highways

11. All loads entering and leaving the application site shall be sheeted.
12. In accordance with the requirements of planning permission ref: SP08/0992 dated 19 November 2009 the former site access to the west of the main site access on Horton Road shown on Drawing No. 2056/9 Site Location Plan dated 1 February 2017 shall be maintained permanently closed.

13. The parking/turning area as shown on Drawing No.2056/13 (Location of Dedicated Lorry Parking Area) dated 7 June 2018 shall be used and retained exclusively for its designated purpose.
14. The wheel wash facilities as approved under planning permission ref: SP08/0992 dated 19 November 2009, and as shown on Drawing No.1163/6N Site Layout Plan dated January 2008 (Revision N dated March 2009), shall be retained and used whenever the operations which involve the movement of materials in bulk to or from the site are carried out.
15. A sign shall be permanently maintained at the site exit advising HGV drivers to turn right out of the site and to use the vehicle route via the A3044 rather than turning left onto Horton Road and travelling through Stanwell Moor village. This sign shall not prohibit local deliveries, defined as those within Stanwell Moor, from turning left.
16. There shall be no more than 8 inbound HGV movements accessing the site from Stanwell Moor per hour (90 inbound HGV movements in any one weekday/50 inbound HGV movements in any one Saturday) and none of these movements shall be outside of the hours of working specified in Condition 2 of this permission. The site operator shall conduct surveys of the number of HGVs accessing the site daily from Stanwell Moor for a period of five consecutive days including one Saturday, to be undertaken at no greater than two within the first year of operation (with a minimum of six months between the two surveys) and subsequent reviews at intervals thereafter to be approved by the County Planning Authority following the submission of the second survey. The surveys shall be submitted to the County Planning Authority on completion.

Right of Way

17. The ditch as shown on Drawing No. 1163/6N Site Layout Plan dated January 2008 (Revision N dated March 2009) shall be cleaned and regularly maintained so as to contain any runoff from the bund and prevent water flowing on to Public Right of Way 3 (Staines).
18. The Public Right of Way 3 (Staines) (bridleway and footpath) along the southern boundary of the site shall be maintained free of vegetation to provide a minimum width of 4 metres.

Noise and Vibration

19. The Revised Night-Time Noise Management Plan (JA/08/07/2018) shall be implemented strictly in accordance with the approved details contained therein.
20. With the exception of the operating of shredding and sorting machinery within the MRF building between the hours of 1700 to 0730, noise levels arising from the development shall not exceed the level of 55 LAeq (1/2 hour) measured at, or recalculated as at, a height of 1.2 metres and at least 3.5 metres from the facade of the properties 121 to 149 Horton Road or 47 LAeq (1/2 hour) measured at, or recalculated as at, a height of 1.2 metres and at least 3.5 metres from the facade of the noise sensitive locations at Pegasus Stables or the properties in Hithermoor Road.
21. During the hours of 1700 to 0730 hours the level of noise arising from the night time operation of the MRF building and any associated activity, when recalculated as at a height of 4 metres above ground level and 3.5 metres from the facade of a residential property or other noise sensitive building that faces the site shall not exceed 33 LAeq, during any 5 minute period for the properties 121 to 149 Horton Road or 28 LAeq, during any 5 minute period at Pegasus Stables.

22. During the times stated in Condition 3 of this planning permission, the external maximum level of noise arising from HGV movements within the site or on the access road shall not exceed 60dB LAmax, f as a facade level or 57dB LAmax, f as a free-field level at any residential or other noise sensitive building, assessed at a height of 1.5 metres for bedrooms on the ground floor or 4.0 metres for bedrooms on the first floor.
23. The level of noise arising from any operation, plant or machinery on the site in association with construction activities when measured at or recalculated as at a height of 1.2 metres above ground level and 3.6 metres from the facade of any residential property or other occupied building shall not exceed Leq = 70dB (A) when measured over any 60 minute period.

Bird Management Plan

24. The Bird Hazard Management Plan received on 12 July 2010 approved by planning permission ref: SP10/0430 dated 3 August 2010 shall be implemented strictly in accordance with the approved details contained therein.

Landscaping

25. The scheme of landscaping, planting and maintenance approved by planning permission ref: SP10/0278 dated 23 September 2010 shall be implemented strictly in accordance with the approved scheme contained therein. All landscaping and planting in accordance with the approved scheme shall be carried out within a period of 12 months from the date on which the development of the site commenced 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.

Japanese Knotweed

26. The detailed method statement for the removal or eradication of Japanese Knotweed approved by planning permission ref: SP10/0390 dated 6 September 2010 shall be implemented strictly in accordance with the approved details contained therein.

Flood Risk and Surface Water Drainage

27. The scheme for the provision and management of a buffer zone alongside the ditch approved by planning permission ref: SP10/0278 dated 23 September 2010 shall be implemented in accordance with the approved details contained therein.
28. The scheme to dispose of foul and surface water approved by planning permission ref: SP10/0734 dated 20 December 2010 shall be implemented in accordance with the approved details contained therein.

Details of Buildings

29. The details of materials to be used externally on new buildings approved by planning permission ref: SP10/0617 dated 29 September 2010 shall be carried out and completed in all respects in accordance with the Details of Building Materials dated 28 June 2010.

Air Quality

30. Operations and activities at the site shall be carried out in accordance with the submitted Dust Action Plan Version 05 dated 3 July 2017 (including the measures, controls and actions contained therein, or as may be subsequently amended and approved following periodic reviews of the Plan which are to be undertaken at no greater than two year

intervals in the first six years and five year intervals thereafter for the duration of the use of the site).

31. No activity hereby permitted shall cause dust to be emitted from the soil processing area and stockpiling area so as to cause nuisance or loss of amenity at sensitive receptors. Should such emissions occur the relevant activity shall be suspended until it can be resumed without causing any unacceptable emissions.
32. Notwithstanding the requirements of Conditions 30 and 31 above, the operators shall employ appropriate control and mitigation measures in accordance with Section 6 'Proposed Mitigation Measures' provided within the Air Quality Assessment October 2008 and amending information dated 18 February 2009 and approved by planning permission ref: SP08/0992 dated 19 November 2009 and mitigation measures for the control of odour provided within the Letter dated 08 July 2018. The measures shall be implemented in accordance with the above documents and complied with at all times.

Reasons:

1. For the avoidance of doubt and in the interests of proper planning.
2. To enable the County Planning Authority to exercise planning control and to safeguard the environment and local amenity in accordance with Surrey Waste Plan 2008 Policy DC3.
3. To enable the County Planning Authority to exercise planning control and to safeguard the environment and local amenity in accordance with Surrey Waste Plan 2008 Policy DC3.
4. To enable the County Planning Authority to exercise planning control and to safeguard the environment and local amenity in accordance with Surrey Waste Plan 2008 Policy DC3.
5. 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 Surrey Waste Plan 2008 Policy DC3.
6. To comply with the terms of the application and in the interests of the local environment and amenity, and to comply with Surrey Waste Plan 2008 Policy DC3.
7. To comply with the terms of the application and in the interests of the local environment and amenity, and to comply with Surrey Waste Plan 2008 Policy DC3.
8. To comply with the terms of the application and in the interests of the local environment and amenity, and to comply with Surrey Waste Plan 2008 Policy DC3.
9. To comply with the terms of the application and in the interests of the local environment and amenity, and to comply with Surrey Waste Plan 2008 Policy DC3.
10. To comply with the terms of the application and in the interests of the local environment and amenity, and to comply with Surrey Waste Plan 2008 Policy DC3.
11. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policies CC2 and CC3 of the Spelthorne Borough Core Strategy and Policies DPD 2009.
12. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policies CC2 and CC3 of the Spelthorne Borough Core Strategy and Policies DPD 2009.

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16. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policies CC2 and CC3 of the Spelthorne Borough Core Strategy and Policies DPD 2009.
17. To protect the route of the public footpaths and bridleways and the amenities of the users and comply with the National Planning Policy Framework 2018.
18. To protect the route of the public footpaths and bridleways and the amenities of the users and comply with the National Planning Policy Framework 2018.
19. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Surrey Waste Plan 2008 Policy DC3.
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21. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Surrey Waste Plan 2008 Policy DC3.
22. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Surrey Waste Plan 2008 Policy DC3.
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24. To minimise the attractiveness of flat roofs and soil stockpiles to birds which could endanger the safe movement of aircraft in accordance with Surrey Waste Plan 2008 Policy DC3.
25. To ensure that the landscaping is maintained to provide for the long-term visual amenities of the area/nature conservation in accordance with Surrey Waste Plan 2008 Policy DC3 and Spelthorne Borough Core Strategy and Policies DPD 2009 Policy EN8.
26. To prevent the spread of Japanese Knotweed (*Fallopia japonica*) which is an invasive plant, the spread of which is prohibited under the Wildlife and Countryside Act 1981. To prevent its spread as a result of the development there would be the risk of an offence being committed and avoidable harm to the environment is occurring.
27. To prevent the encroachment of the development on watercourses this has a potentially severe impact on their ecological value in accordance with Surrey Waste Plan 2008 Policy DC3.
28. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Surrey Waste Plan 2008 Policy DC3.

29. In order to retain proper planning control over the development and in the interests of safeguarding the environment and local amenity in accordance with the Spelthorne Borough Core Strategy and Policies DPD 2009 Policy EN1.
30. To allow a review of the effectiveness of control mechanisms and allow necessary action to be taken if the dust mitigation practices need to be modified in accordance with Surrey Waste Plan 2008 Policy DC3.
31. In the interests of local amenity and to comply with Surrey Waste Plan 2008 Policy DC3.
32. In the interests of local amenity and to comply with Surrey Waste Plan 2008 Policy DC3.

Informatives:

1. The Applicant should note that the granting of planning permission does not permit the Applicant to manage and implement the approved Landscape and Ecology Management Plan (7th Revision) dated 8 October 2010 and the approved scheme for the facilitation of an upgrade of footpath number 3 to bridleway status as shown and detailed on plan drawing No. Section 106 Bridleway 1163/14 dated May 2010, in accordance with the Section 106 legal agreement dated 30 November 2016 attached to planning permission ref.SP14/01125/SCD1 dated 13 December 2016.
2. The Applicant's attention is drawn to the advice set out within the letter from BAA dated 15 December 2008 with regard to bird management plans.
3. The Applicant's attention is drawn to the Rights of Way memo of 10 December 2008 and the accompanying plan.
4. The Applicant is reminded that all authorised vehicles must turn right towards the A3044 when exiting the site and approach from the A3044 and turn left into the site when entering the site and in accordance with the requirements of the valid Vehicle Operator Licence granted by the Traffic Commissioners for Great Britain.
5. It is the responsibility of the Applicant to make proper provision for drainage to ground, water courses or a sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through, on or site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of ground water. Where the Applicant proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.
6. The London Water Ring Main or a large diameter stored water tunnel is in the area and special precautions will be required to avoid any damage that may occur as a result of the proposed development. The Applicant is advised to contact Developer Services, Contact Centre on 0800 009 3921 for further information.
7. The Applicant should note that the protection afforded to species under UK and EU legislation of the planning system and the Applicant should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation. Failure to do so may result in fines and potentially a custodial sentence.
8. The Applicant is reminded that the granting of planning permission does not authorise the obstruction of interference with a public right of way.

9. The Applicant's attention is drawn to the possible need for the concrete crusher to have a permit under the relevant Environmental Permitting Regulations.
10. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the County Highway Authority (Transportation Development Management Planning).
11. The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence be sought from the County Highway Authority (Transportation Development Management Planning).
12. The permission hereby granted shall not be construed as authority to carry out works on the highway. The Applicant is advised that permission must be obtained from the County Highway Authority (Transportation Development Management Planning) before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
13. When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the County Highway Authority (Transportation Development Management Planning) will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform to the existing adjoining surfaces at the Applicants' expense. (Note: It is preferable where possible to arrange for the adjacent highway to be included may be suitable to control this).
14. The Applicant is reminded that it is an offence to allow materials to be carried from the site and deposited on or damages the highway from uncleaned wheels or badly loaded vehicles. The County Highway Authority (Transportation Development Management Planning) will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and will prosecute persistent offenders. (Highways Act 1980 Sections 131, 148, 149).
15. The Applicant is advised that Public Footpath 3 and Public Bridleway 3 run through the application site and it is an offence to obstruct or divert the route of a right of way unless carried out in complete accordance with appropriate legislation.
16. The Applicant is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority (Transportation Development Management Planning) may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
17. An HGV shall mean any goods vehicle 3.5 tonnes Gross Vehicle Weight (GVW) and above and shall include any skip vehicle, irrespective of weight.
18. The applicant is reminded that they may wish to contact with Cadent Gas Ltd. On 0800 688 588 or National Grid for enquires regarding the National Grid apparatus.
19. In determining this application the County Planning Authority has worked positively and proactively with the applicant by entering into pre-application discussions, scoping of the application, assessing the proposals against relevant Development Plan policies and the National Planning Policy Framework including its accompanying technical guidance and European Regulations providing feedback to the applicant where appropriate. Further, the County Planning Authority has identified all material considerations, forwarded consultation responses to the applicant, considered representations from interested parties, liaised with consultees and the applicant to resolve identified issues, and

determined the application within the timeframe agreed with the applicant. Issues of concern have been raised with the applicant including impacts of and on dust, landscape, visual impact and Green Belt and addressed through negotiation and acceptable amendments to the proposals. This approach has been in accordance with the requirements of paragraphs 38 of the National Planning Policy Framework 2018.

CONTACT

Jeffrey Ng, Planning Officer

TEL. NO.

020 8541 8095

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

Planning Practice Guidance

National Planning Policy Framework 2018

The Development Plan

Surrey Waste Plan 2008

Spelthorne Borough Core Strategy and Policies

Development Plan Document February 2009

Spelthorne Borough Local Plan 2001

Other Documents

Surrey Hills AONB Management Plan 2014-2019

EPUK/IAQM Planning For Air Quality Guidance January 2017

Air Quality Assessment dated October 2008 under the planning permission ref: SP08/0992

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