


To: Planning & Regulatory Committee

Date: 25 March 2021

By: Planning Development Manager

District(s) Spelthorne Borough Council

Electoral Division(s):
Lower Sunbury & Halliford
Mr Evans
Laleham & Shepperton
Mr Walsh
Sunbury Common & Ashford Common
Mrs Alison Griffiths
Case Officer:
Duncan Evans
Purpose: For Decision

Grid Ref: 508581 168575

Title: Minerals/Waste SP20/00513/SCRVC

Summary Report
Charlton Lane Waste Management Facility, Charlton Shepperton, Surrey TW17 8QA

Development of the Charlton Lane Eco Park without compliance with Condition 4 of planning permission ref: SP16/01220/SCC dated 23 September 2016 in order to amend the hours Heavy Goods Vehicles for the Recyclables Bulking Facility may enter the application site gates and to park within the site boundary.

The Charlton Lane Waste Management Facility is an existing site in waste management use. The application site lies within the Metropolitan Green Belt and the Sites of Special Scientific Interest (SSSIs) Impact Risks Zones. Charlton village is to the north west, with Upper Halliford to the south east. The site is bounded by the M3 motorway to the north west and Charlton Lane to the south, with a golf course (former landfill site) beyond. Beyond the fields to the east runs the Shepperton to London Waterloo railway line with housing beyond. The nearest residential properties are those of Hawthorn Way, Upper Halliford whose rear gardens back on to the eastern side of the railway line to the east of the site (approximately 250m from the built facility).

Planning permission (ref. SP10/09470) was granted in 2012 for the development of a Waste Management Facility ('Eco Park') on the site, comprising: a Gasification Facility; Anaerobic Digestion Facility; Community Recycling Facility; Recyclables Bulking Facility; Education / Visitor Centre and Offices; Other Associated Infrastructure including Infiltration Basin and Landscaping; and the diversion of Public Footpath 70.

This applicant proposes, via Section 73 of the Town and Country Planning Act 1990 (as amended), to amend Condition 4 of planning permission SP16/01220/SCC dated 23 September 2016 in order to change the hours Heavy Goods Vehicles for the Recyclables Bulking Facility may enter the application site gates and to park within the site boundary.

The applicant has explained that because of complaints they have received from local residents regarding early arriving HGV parking on local roads, they now seek permission to open the site gates one hour early at 0600 hours to enable the HGVs to park within the site. The applicant states the HGVs would park in the SE corner of the site, on the in-bound haul road between the site gates and the weighbridge, and the HGVs would not be allowed past the weighbridge. The application does not propose any changes to the numbers of HGVs that access the site, only the gate opening times. No changes are proposed to the site operating hours.

The key issues in determining this application will be compliance with the Development Plan and the impact on the local residential, environmental and amenity interests. In considering this application for planning permission it will be necessary to consider whether very special circumstances exist that overcome the normal presumption against inappropriate development in the Green Belt and harm by reason of inappropriateness, and any other harm. As well as Green Belt policy considerations, issues to consider include whether the proposal is supported by, and complies with development plan waste policy, Consideration will be given to any environmental or traffic issues associated with the change to the operation.

Objections have been raised by residents, whose leading concern are the impacts of noise and disturbance the proposal will have on local properties by opening one hour early, and that the proposal would generate increased traffic on local roads.

Spelthorne Borough Council has objected to the application with concerns of noise and disturbance on residents' amenity. Charlton Village Residents Association have objected with concerns vehicles illegally parked cause obstruction to other road users, and grounds of noise to local residents. Laleham Residents' Association have objected with concerns of increased HGV movements at an unsociable time to local residents.

The County Highway Authority (CHA) has not objected to the application. The CHA has advised that the proposal would not likely result in any overall increase in the numbers of vehicular movements to and from the site and that they are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway.

The County Noise Consultant (CNC) does not object to the application and considers that it is unlikely that HGVs arriving and parking up on site between 06:00 hrs and 07:00 hrs would have an impact on the nearest receptors to the site. No objections have been received from the other technical consultees.

It is considered that allowing early arriving HGVs to park within the site would alleviate local resident's concerns. The CHA considers that there would be no material impact on the safe operation of the public highway arising from the proposal. Taking into consideration the advice received from the CHA and CNC, Officers consider that, subject to imposition of conditions, the proposed change to gate opening time by one hour would not give rise to unacceptable environmental or amenity impacts and accords with the development plan policy.

The principles for the need for this permanent waste management facility at Charlton Lane and the potential impacts on openness in this Green Belt location were assessed and accepted when planning permission was granted. It was accepted that there were a number of factors, which together constituted very special circumstances that clearly outweighed the harm to the openness to the Green Belt and any other harm such that an exception to Green Belt policy could be made. Officers therefore consider the application may be permitted, as an exception to policy given the very special circumstances which exist and the lack of any other harm to the Green Belt.

The recommendation is to PERMIT subject to conditions.

Application details

Applicant

SUEZ Recycling and Recovery

Date application valid

22 April 2020

Period for Determination

12 August 2020

Amending Documents

Letter from SUEZ dated 28 January 2021.

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
Highways, Traffic and Access	Yes	47 – 62
Noise and Cumulative Effects	Yes	69 – 82
Lighting	Yes	83 – 84
Air Quality	Yes	85 – 88
Green Belt	No	89 – 96

Illustrative Material

Site Plan

Plan 1

Illustrative Plan

Plan drawing 1224 PL B004 Rev D General Arrangement Plan (showing context of site layout - for illustration only)

Aerial Photographs

Aerial 1

Aerial 2

Site Photographs

Figure 1 View of existing site access

Figure 2 View of site gates

Figure 3 Site access looking north west on Charlton Lane

Figure 4 Site access looking south east on Charlton Lane

Background

Site Description

1. The Charlton Lane Waste Management Facility is centred on an area of approximately 4.5ha, but includes land to the east and north, which are former mineral workings and are to be landscaped as part of the current permission, increasing the site area up to approximately 12ha.
2. The site lies within the Metropolitan Green Belt and the Sites of Special Scientific Interest (SSSIs) Impact Risks Zones. Charlton village is to the north west, with Upper Halliford to the south east. The site is bounded by the M3 motorway to the north west and Charlton Lane to the south, with a golf course (former landfill site) beyond. Beyond the fields to the east runs the Shepperton to London Waterloo railway line with housing beyond. The local Scout Hut is located on the north side of Charlton Lane between the site and the M3. Public Footpath 70 runs along the western boundary of the waste management site following the line of the M3, and then follows an easterly direction around the northern end of the existing site, crossing the railway line at Bugle Nurseries. The nearest residential properties are those of Hawthorn Way, Upper Halliford whose rear gardens back on to the eastern side of the railway line to the east of the site (approximately 250m from the built facility).

Planning History

3. Waste activities have been taking place at the site since the late 1940's, with a Waste Incineration Plant operational from the early 1950's up to the early 1960's. The area to the north and east of the current waste management site was worked for sand and gravel in the 1950's and backfilled with waste. In 1996 planning permission (ref. SP96/0242) was granted for the redevelopment of the existing waste management site for a temporary period until 2016. In 2011 planning permission (ref. SP10/0883) was granted for the permanent retention of the existing waste management facility, comprising: a community recycling centre; materials recycling facility with bulking bays; a waste transfer station with associated infrastructure; and an improved access onto Charlton Lane.
4. In 2012, planning permission (ref. SP10/09470) was granted for the development of a Waste Management Facility ('Eco Park') on the site, comprising: a Gasification Facility; Anaerobic Digestion Facility; Community Recycling Facility; Recyclables Bulking Facility; Education / Visitor Centre and Offices; Other Associated Infrastructure including Infiltration Basin and Landscaping; and the diversion of Public Footpath 70.
5. In 2014 (ref. SP13/01553/SCC) and 2016 (ref. SP13/01553/AMD) planning permissions were granted for minor material amendments to the design and infrastructure of the Charlton Lane Eco Park. Construction work in respect of the Eco Park commenced in summer 2015 and is still underway.
6. In September 2016 planning permission (ref.SP16/01220/SCC) was granted for amendment to Condition 6 of planning permission ref: SP13/01553/AMD dated 18 January 2016 in order to extend the working period for external construction work by one additional hour at the end of each working day until 18:30 hours Monday to Friday and until 14:30 on Saturday, and to allow construction activities within enclosed buildings to take place on a 24 hour basis Monday to Sunday.
7. Then in June 2016 (ref.SP16/00616/SCC), and extended in March 2018 (ref. SP18/00016/SCRVC), temporary planning permission was granted for the access, loading and exit of vehicles with waste for export from the RBF between the hours of 6pm

and 8pm Monday to Saturdays until 31 December 2017, to enable the efficient operation of the site during the period of construction of the Eco Park until 31 December 2018.

8. In March 2017 a non-material amendment (ref. SP13/01153/SCA1) to planning permission ref: SP16/01220/SCC dated 23 September 2016 was approved to allow for minor changes in the construction and design of the Eco Park.
9. In June 2018, planning permission (ref.SP18/01082/SCC) was granted for the change of use of the dwelling, kennels, store, garage and outbuildings at Ivydene Cottage to a waste re-use facility including receipt, sales, storage, repair and testing of waste materials and ancillary office and welfare facilities.
10. In September 2018 a non-material amendment (ref. SP18/01082/SCC) to planning permission ref: SP16/01220/SCC dated 23 September 2016 was approved to allow for minor changes to the noise conditions in respect of the Charlton Lane Eco Park Development.
11. In June 2019 (ref.SP19/00465/SCC), a further planning permission was granted for a temporary period in order to allow the access, loading and exit of vehicles with waste export from the existing recyclables bulking facility between the hours of 1800 and 2000 Monday to Saturday. The planning permission was extended again in February 2020 (ref. SP19/00465/SCRVC) for a further temporary period until 31 December 2020.

The Proposal

12. This application, made under Section 73 of the Town and Country Planning Act 1990 (as amended), seeks planning permission for the development of land without complying with Condition 4 of planning permission SP16/01220/SCC dated 23 September 2016 in order to amend the hours Heavy Goods Vehicles for the Recyclables Bulking Facility may enter the application site gates and to park within the site boundary.
13. Condition 4 of planning permission ref. SP16/01220/SCC controls the hours of operation for the Community Recycling Centre and Recyclables Bulking Facility (RBF). As part of the Condition 4 heavy goods vehicles associated with the RBF may enter the site gates from 7am Monday to Saturday (underlined below).

Condition 4 reads:

No operations or activities authorised or required by this permission in respect of the Community Recycling Centre and Recyclables Bulking Facility shall be carried out except between the following times:

Community Recycling Centre

*Monday to Saturday 0730 to 1800 hours
Sundays and Bank Holidays 0800 to 1700 hours*

Recyclables Bulking Facility

*Monday to Saturday 0730 to 1800 hours
Sundays and Bank Holidays 0800 to 1700 hours (when only waste delivered to the Community Recycling Centre will be handled).*

There shall be no operations or activities at any time on Christmas Day, Boxing Day and New Year's Day.

This condition shall not prevent Heavy Goods Vehicles for the Recyclables Bulking

Facility entering the application site gates from 0700 hours Monday to Saturday.

Reason

To enable the County Planning Authority to exercise control over the development hereby permitted and protect the amenities of local residents in accordance with Surrey Waste Plan 2008 Policy DC3.

14. The applicant and site operator (SUEZ) states they have contracts with third party haulage companies to bulk and transfer waste materials from the RBF. The Condition 4 of planning permission ref: SP16/01220/SCC restricts HGVs for the RBF entering the application site gates to 07:00 hours. However, the applicant explains that they have received a number of complaints from local residents concerning haulage vehicles associated within the site arriving earlier than 07:00 hours. Yellow lines are present at the site entrance and the applicant states that they have spoken directly with drivers and also contacted their contracted haulage companies to remind them of site opening times. The applicant further states that whilst this appears to have discouraged drivers from parking outside the site gates, they have had received complaints about the haulage vehicles parking in the vicinity, close to residents' homes.
15. To resolve this issue, the applicant states they are now seeking permission to amend Condition 4 (of ref: SP16/01220/SCC) to allow HGVs for the RBF to enter the application site gates from 06:00 hours (Monday to Saturday) and park. They advise that on the occasions that HGVs arrive at 06:00 hours the vehicles would park up in the south east corner of the site on the HGV in-bound haul road but would not be allowed onto, or past the weighbridge (as shown on plan drawing 1224 PL B004 Rev D – General Arrangement Plan dated July 2015).
16. The applicant states that this application relates to the gate opening times only and does not seek any amendment to site operating hours which are to continue as currently set out on Condition 4 and 5 of the extant planning permission ref.SP16/01220/SCC for the Charlton Lane Waste Management Facility. The vehicles entering the site one hour early and parking are to be only those associated to the Recyclables Bulking Facility traffic.
17. No changes are proposed to the numbers of HGVs accessing the site or any other operations permitted at the site.

Consultations and Publicity

District Council

18. **Spelthorne Borough Council:**
Objection on the grounds that HGVs will be encouraged to arrive at the site earlier and cause noise and disturbance on the local roads to the detriment of the amenity of local residents.
19. **Borough Environmental Health officer:**
Objection on noise and disturbance grounds.

Consultees (Statutory and Non-Statutory)

20. **County High Authority – Transportation Development Planning:**
No objection
21. **Environment Agency:**

No objection

22. **Natural England:**
No objection

23. **County Noise Consultant:**
No objection

24. **Environmental Assessment:**
Provided comments

Parish/Town Council and Amenity Groups

25. **Charlton Lane Liaison Group:**
No objection. This is provided the early access is not abused and controlled satisfactorily through planning conditions
26. **Shepperton Residents' Association:**
No objection. Also commented that This is provided the early access is not abused and controlled satisfactorily through planning conditions.
27. **Charlton Village Residents Association:**
Objection. On the grounds it would dangerous due to dark mornings and vehicles illegally parked causing obstruction to other road users; when the lorries and containers collide this makes a dull banging noise; engines being revved up outside causing pollution; the area is too residential to have peoples lives and sleep disrupted further; and the application not advertised correctly.
28. **Lower Sunbury Residents' Association:**
No views received
29. **Laleham Residents' Association:**
Objection. On the grounds of disturbance at an unsociable time of day.

Summary of publicity undertaken and key issues raised by public

30. The application was publicised by the posting of 3 site notices and an advert was placed in the local newspaper. A total of 84 of owner/occupiers of neighbouring properties were directly notified by letter.
31. A second limited consultation exercise was carried out by the County Planning Authority following clarifying or other information submitted for the application on 28 January 2021. A total of 98 letters were sent to the owner/occupiers of neighbouring properties originally notified of the application, and to people and organisations who had expressed an interest in the application prior to the receipt of the additional information received.
32. Total of 21 written representations have been received to date objecting to the application, although some people may have written more than once. Many of the concerns raised relate to the development of the Eco Park. Officers acknowledge those concerns, however the principle of the development for the Eco Park waste management facility has already been established when planning permission was first granted in 2012.
33. In respect of this application the main points of public concern raised relevant to the proposal are summarised as follows:
- The HGVs arriving at 6am will create additional noise and disturbance to local residents.
 - The issue has arisen from bad time management from hauliers.

- Do not consider there is a need for HGVs to arrive earlier.
- There would be additional road traffic noise locally from HGVs arriving an hour early and affect residents.
- Do not consider changing opening time will resolve the issue as lorries will arrive even earlier
- The site already has a disruptive effect on local residents, the early HGVs will impact residents further
- There is already significant, light, noise and pollution coming from other activities on site.
- Increase in pollution and diesel emissions and against Climate Change Strategy and the Borough is an Air Quality Management area for nitrogen dioxide though this has not been considered.
- Charlton Lane is too narrow for HGVs to pass each other at the section of the railway bridge, leading to damage of the highway.
- The HGVs queuing to the site are a danger to other road users. The dark hours and low sun add to this danger.
- HGV's should enter directly from the motorway
- HGVs are speeding on local roads and cause damage to roads and property through vibration.

Planning Considerations

Introduction

34. The guidance on the determination of planning applications contained in the Preamble/Agenda front sheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs.
35. In this case the statutory development plan for consideration of the application consists of the Surrey Waste Local Plan Part 1 – Policies 2020, Spelthorne Borough Local Plan (SBLP) 2001 (saved policies) and Spelthorne Core Strategy (SCS) and Policies Development Plan Document 2009.
36. In December 2020, Surrey County Council adopted the Surrey Waste Local Plan 2019-2033. The Surrey Waste Local Plan 2019-2033 replaces the Surrey Waste Plan adopted in 2008. Part 1 of the Plan sets out the context of the Plan, the vision, objectives, and policies that are applied when determining planning applications. Part 2 of the Plan gives more specific information around the areas and sites identified as being suitable for waste management in the County.
37. Spelthorne Borough Council is in the process of preparing a new Local Plan for the period 2020 – 2035. The Borough Council anticipates the next stage for consultation of the emerging Local Plan, the Preferred Options consultation is due to commence in mid-2021. Following that final consultation, the new Local Plan is to be submitted to the Planning Inspectorate for an Examination in public. The emerging Spelthorne Local Plan is some way off adoption and the Plan carries no weight.
38. In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations. For planning applications accompanied by an Environmental Statement (ES) the environmental information contained in it will be taken into consideration and reference will be made to it.
39. 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: Highway and Traffic; Environment and Amenity and Metropolitan Green Belt.

Section 73 and Environmental Impact Assessment (EIA)

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40. This application is submitted under section 73 of the Town and Country Planning Act 1990 (as amended). Section 73 of the Town & County Planning Act 1990 allows planning permission to be given for development of the same description as development already permitted but without complying with conditions subject to which that previous planning permission was granted.
41. Local planning authorities can grant permission to Section 73 applications unconditionally or subject to different conditions, or they can refuse the application if they decide the original condition(s) should continue. If granted a section 73 planning application creates a fresh planning permission and leaves the existing planning permission intact. The development, which the application under section 73 seeks to amend, will by definition have been judged to be acceptable in principle at an earlier date. Section 73 provides a different procedure for such applications from that applying to applications for planning permission, and requires the local planning authority to consider only the question of the conditions subject to which planning permission should be granted, though in doing so the authority should have regard to all material considerations and determine the application in accordance with the development plan unless material considerations indicate otherwise.
42. The current application (ref. SP20/00513/SCRVC / SCC ref. 2019/0154) relates to an established permitted development that is of a type classed as 'EIA development'. The current application is therefore accompanied by an Environmental Statement (ES) which is composed of the following documents.
 - The original ES, dated October 2010 – composed of three volumes: Volume 1, Main Report; Volume 2, Technical Appendices; Volume 3, Non-Technical Summary.
 - The following ES Regulation 19 submissions: South East Plan Policy Appraisal (January 2011, Volume 4); Additional Evidence regarding Noise Mitigation (January 2011, Volume 5); Additional Information regarding the Air Quality Assessment (Addendum to Chapter 13.0 of the ES) (January 2011, Volume 6); and, Status of Charlton Lane Eco Park in respect of Waste Recovery Operations (May 2011, Volume 7).
 - The first ES Addendum (September 2013, Volume 8), submitted in support of planning permission ref: SP13/01533/SCC dated 25 September 2014.
 - The second ES Addendum (August 2015, Volume 9), submitted in support of planning permission ref: SP13/01533/AMD dated 18 January 2016.
 - The third ES Further Update (dated July 2016), submitted in support of planning permission ref. SP16/01220/SCC dated 23 September 2016.
 - The fourth ES Further Update (dated September 2019), submitted in support of the current application (ref. SP20/00513/SCRVC / SCC ref. 2019/0154).
43. The current application seeks to change the hours during which HGVs servicing the recyclables bulking facility (RBF) can enter the application site, from 07.00 hours as currently permitted to 06.00 hours. The only topics covered in the ES that would be affected by the proposed change are those relating to the assessment of noise (and vibration) and to the assessment of cumulative effects. For all other topics covered by the ES (e.g. traffic and transportation, landscape and visual, ecology and nature conservation, air quality, etc.) the proposed extension to the hours during which HGVs servicing the RBF can access the site would have no material impact on the previously reported assessments or their conclusions.
44. With reference to the topic of noise, the most recent update to the ES (dated September 2019) includes consideration of the impact of the proposed change in gate opening hours

for the conclusions of the previously submitted noise impact assessments for the Eco Park. That update concludes that the proposed adjustment to the gate opening hours would not result in any material change to the previously assessed worst-case noise disturbance for nearby sensitive receptors. It is also noted that a property previously identified as a noise sensitive receptor (Ivydene Cottage) is no longer in residential use, and therefore is less sensitive to noise disturbance than was previously the case. The update to the ES does not identify a need for any additional noise mitigation measures over those already provided for under the current planning permission (ref. SP16/01220/SCC dated 23 September 2016).

45. With reference to the topic of cumulative effects, the most recent update to the ES (dated September 2019) concludes that the proposed change to the gate opening hours of the site would not contribute to any change in the previously assessed contribution of the development to cumulative impacts. No additional need for measures to mitigate cumulative impacts is identified.
46. A new set of EIA Regulations, the Town & Country Planning (Environmental Impact Assessment) Regulations 2017, have come into force in the period following the grant of planning permission ref. SP16/01220/SCC dated 23 September 2016. Under the EIA Regulations 2017 Regulation 18 sets out minimum requirements for the information to be provided in an ES. Under previous versions of the EIA Regulations those requirements were set out in Schedule 4. In combination the documents (listed in paragraph 42 above) that together comprise the ES for the Charlton Lane Eco Park development address all of the minimum information requirements set out in Regulation 18(3) of the EIA Regulations 2017, and provide much of the additional information specified in Schedule 4 of the EIA Regulation 2017. The information provided in the ES is sufficient to form part of the environmental information on which the CPA will rely when determining the current application.

HIGHWAYS, TRAFFIC & ACCESS

Surrey Waste Local Plan Part 1 – Policies (SWLP2020)

Policy 15 – Transport and Connectivity

Spelthorne Borough Core Strategy and Policies Development Plan Document 2009 (SBCS 2009)

Policy CC2 – Sustainable Travel

47. Paragraphs 108 to 111 of the National Planning Policy Framework (NPPF) 2019 state that when assessing development it should be ensured that appropriate opportunities to promote safe and suitable access to the site can be achieved by all users, and any significant impacts from the development to the transport network (in terms of capacity or congestion), or on highway safety, can be cost effectively be mitigated to an acceptable degree.
48. The NPPF is clear that development should only be prevented or refused on highway grounds where there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. All developments that generate significant amounts of movement should be required to provide a travel plan and the application should be supported by a Transport Statement for Transport Assessment so that the likely impacts of the proposal can be assessed.
49. The National Planning Policy for Waste (2014) states that when determining waste planning applications, waste planning authorities should consider the likely impact on the local environment and on amenity with regard to traffic and access. The considerations are to include the suitability of the road network and the extent to which access would require reliance on local roads.

50. The SWLP2020 recognises that impacts on the ease of transport and air quality caused by congestion and HGV movements are key areas of concern for local communities. The Policy 15 (Transport and Connectivity) out states that planning permission for waste development will be granted where it can be demonstrated that transport links are adequate to serve the development or can be improved to an appropriate standard. Where the need for road transport can be demonstrated, the development will ensure that:
- i) Waste is able to be transported using the best roads available, which will usually be main roads and motorways, with minimal use of local roads, unless special circumstances apply.*
 - ii) The distance and number of vehicle movements associated with the development are minimised.*
 - iii) The residual cumulative impact on the road network of vehicle movements associated with the development will not be severe.*
 - iv) There is safe and adequate means of access to the highway network and the vehicle movements associated with the development will not have an unacceptable impact on highway safety when compared against current national and local guidance.*
 - v) Satisfactory provision is made to allow for safe vehicle turning and parking, manoeuvring, loading, electric charging and, where appropriate, wheel cleaning facilities.*
 - vi) Low or zero emission vehicles, under the control of the site operator, are used which, where practicable, use fuels from renewable sources.*
51. SCS 2009 Policy CC2 provides that the Borough Council will seek to secure more sustainable travel patterns through only permitting traffic generating development where it is or can be made compatible with the transport infrastructure in the area, which includes taking into account the number and nature of additional traffic movements, the capacity of the local transport network, the cumulative impact including other proposed development, access and egress to the public highway, and highway safety.
52. The proposal seeks to amend Condition 4 of planning permission ref: SP16/01220/SCC dated 23 September 2016 in order to amend the hours Heavy Goods Vehicles for the Recyclables Bulking Facility may enter the application site gates and to park within the site boundary.
53. A comprehensive Transportation Assessment (TA) was carried out in support of the planning application for the Charlton Lane ('Eco Park') Waste Management Facility, which demonstrated that the access and local highway network in the vicinity of the Charlton Lane site was suitable in terms of highway capacity and safety for the amount and type of traffic that would be generated by the facility. The permitted tonnage throughput of the site is limited to no more than 141,870 tpa. In addition, there is an approved Bulk HGV Routeing Strategy, which includes measures to prevent HGVs contracted to the site operator from travelling through Charlton Village.
54. Members of the public have objected to the application where the leading issues raised are on the grounds of noise and vibration causing disturbance to local residents. The impacts of noise arising from the proposal will be assessed within the Environment and Amenity section later in this report.

55. The keys issues raised by objectors in terms of Highways impacts are concerns that the HGVs are dangerous to other road users when waiting outside the site or parked up on surrounding roads where they may block pavements or cycle lanes. A further concern is that the issue has arisen due to poor time management by the hauliers and there is no need for the application.
56. Spelthorne Borough Council has objected to the application on amenity grounds. Charlton Village Residents Association have also objected to the proposal commenting that the lorries are dangerous and illegally parked vehicles block cycle paths and cause obstruction to other road users. Laleham Residents Association also object to the application commenting that the earlier opening hours will result in increased HGV movements through residential areas out of hours.
57. The applicant states that because of complaints they have received from local residents regarding early arriving HGV parking on local roads, they now seek permission to open the site gates one hour early at 0600 hours to enable the HGVs to park within the site. The HGVs would park in the SE corner of the site, on the in-bound haul road between the site gates and the weighbridge. The application does not propose any changes to the numbers of HGVs that access the site, only the gate opening times. No other changes are proposed to the site operating hours.
58. In January 2021 the applicant further clarified that the application is only to enable any early-arriving drivers for the Recyclables Bulking Facility to park their vehicles inside of the site, instead of parking on surrounding roads which was the cause of complaint previously by residents. The applicant has advised that drivers are encouraged to park away from Sunbury. However, the drivers are only legally permitted to drive 9 hours per day and are required to take a break every 4.5 hours. Depending on where they have driven from, road congestion levels and how long they have been driving, they may arrive at Charlton Lane prior to 07:00 hours. The applicant also confirmed that once within the site gates the drivers would park on the HGV in-bound haul road and switch off their engines and would not be allowed past the weighbridge.
59. The County Highway Authority (CHA) has advised that they have assessed the proposal in terms of the likely net additional traffic generation, access arrangements and parking provision. The CHA comments that the proposal would be unlikely to result in any overall increase in the numbers of vehicular movements to and from the site. The CHA also notes that there would be slight increase in vehicular movements to the site in the hours prior to 07:00 hours Monday to Saturday and likely a small decrease in movements immediately after. In terms highway safety and capacity, the CHA considers the proposal would have negligible impact, and potentially a small benefit as vehicles arriving before 07:00 hours would be outside peak traffic hours. The CHA has advised that they are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway and does not raise objection to the application.
60. None of the other technical consultees have raised objection to the application on highways, traffic and access grounds. The Charlton Lane Liaison Group and Shepperton Residents Association have not objected to the application provided the early access is not abused and controlled satisfactorily through planning conditions.
61. Officers acknowledge that local residents have raised concern about early arriving HGVs parking on surrounding roads and causing obstruction, and the proposal may lead to vehicles arriving even earlier. Officers recognise that vehicles are permitted to travel on

the public highway at anytime and consider that allowing early arriving HGVs to park within the site would alleviate local resident's concerns.

62. Having regard to the above and advice of the County Highway Authority, Officers consider that the proposal would not give rise to significant adverse effects on highways grounds and that any likely highway impacts can be adequately controlled through planning conditions. In conclusion Officers are satisfied that, subject to the recommendation of conditions, the proposal is acceptable on highways, traffic and access grounds and accords with the policies of the development plan.

ENVIRONMENT AND AMENITY

Surrey Waste Local Plan Part 1 – Policies (SWLP2020)

Policy 14 – Protecting Communities & the Environment

Spelthorne Core Strategy and Policies Development Plan Document 2009 (SBCS 2009)

Policy EN3 – Air Quality

Policy EN11 – Development and Noise

Policy EN13 – Light Pollution

63. The government sets out its planning policy within the National Planning Policy Framework (NPPF). At paragraph 170 of the NPPF the government set out that planning policies and decisions should contribute and enhance the natural and local environment by preventing new and existing development from contributing to, being unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise or land instability.
64. Section 7 of the NPPW (2014) sets out that when determining waste planning applications, waste planning authorities should consider the likely impact on the local environment and on amenity against a number of criteria including the impacts of noise and vibration, light and air pollution.
65. The SWLP2020 Policy 14 (Protecting Communities & the Environment) states that planning permission for waste development will be granted where it can be demonstrated that it would not result in unacceptable impacts on communities and the environment and is assessed against a number of criteria. The criteria is to include consideration of the impacts on public amenity and safety including the impacts caused by noise and vibration, lighting, and on air quality including the impacts on identified Air Quality Management Areas.
66. Spelthorne Core Strategy and Policies Development Plan February 2009 EN3 – Air Quality states that the Council will seek to improve the air quality of the Borough and minimise harm from poor air quality by:
- a) supporting measures to encourage non-car based means of travel,
 - b) supporting appropriate measures to reduce traffic congestion where it is a contributor to existing areas of poor air quality,
 - c) requiring an air quality assessment where development:
 - i is in an Air Quality Management Area, and
 - ii generates significant levels of pollution, or
 - iii increases traffic volumes or congestion, or
 - iv is for non-residential uses of 1000 m² or greater, or
 - v is for 10 or more dwellings, or
 - vi involves development sensitive to poor air quality
 - d) refusing development where the adverse effects on air quality are of a significant scale, either individually or in combination with other proposals, and which are not outweighed by other important considerations or effects and cannot be appropriately and effectively mitigated,

- e) refusing development where the adverse effects of existing air quality on future occupiers are of a significant scale which cannot be appropriately or effectively mitigated and which are not outweighed by other material considerations.

67. Policy EN11 seeks to minimise the adverse impact of noise by requiring developments that generate unacceptable noise levels to include measures to reduce noise to an acceptable level, requiring appropriate noise attenuation measures where this can overcome unacceptable impacts on residential and other noise sensitive development proposed in areas with high noise levels. Policy EN13 seeks to reduce light pollution by encouraging the installation of appropriate lighting including that provided by other statutory bodies, only permitting lighting proposals which would not adversely affect amenity or public safety and requiring the lights to be appropriately shielded, directed to the ground and sited to minimise any impact on adjoining areas; and of a height and illumination level of the minimum required to serve their purpose.
68. The application is accompanied by the original Environmental Statement (ES) which assessed all significant, direct and indirect environmental effects of the Eco Park during its construction and operation covering a range of matters. In support of this proposal the applicant has submitted a further update to the ES. The only topics covered in the ES that would be affected by the proposed change to the gate opening hours are identified as those relating to the assessment of noise (and vibration) and to the assessment of cumulative effects.

Noise and Cumulative Effects

69. Planning permission for the 'Eco Park' has existing noise conditions for daytime, evening and night time noise level limits. In addition there are existing conditions that control the hours of operation at the site. The most recent update to the ES (dated September 2019) has assessed the impact of the proposed change in gate opening hours against the conclusions of the previously submitted noise impact assessments for the Eco Park.
70. The applicant states that potential change in relation to noise and vibration would be the impact of vehicles driving onto site the site in order to park. The applicant states that the arriving HGVs would park in the SE corner of the site, on the in-bound haul road between the site gates and the weighbridge but would not be allowed past the weighbridge. The applicant also states that the drivers would switch off their engines.
71. The applicants updated noise assessment states that the proposed adjustment to the gate opening hours would not result in any material change to the highest likely predicted noise levels previously assessed for nearby sensitive residential receptors and therefore the assessment of impacts identified in the previously submitted ES documentation for noise and vibration would remain unaffected. The applicant assessment concludes that the proposed change to gate opening time would not give rise to any likely significant residual environmental effects in relation to noise and vibration.
72. Members of the public have objected to the application raising concerns that the proposal would cause unacceptable levels of noise and disturbance to local residents and for an hour earlier in the mornings at an unsociable time.
73. Spelthorne Borough Council have objected to the application on the grounds the proposal would encourage HGVs to arrive at the site earlier and cause noise and disturbance on local roads at an unsociable hour to the detriment of the amenity to local residents. The Borough EHO adds concern that vehicles would arrive even earlier than 6am and cause complaints. The Charlton Village Residents Association have objected to the application on the grounds of noise and that peoples sleep would be disrupted. The Laleham Residents Association have objected to the application echoing the concerns raised for noise and disturbance.

74. The County Noise Consultant (CNC) has assessed the impacts of noise from the proposal. The CNC notes that Hawthorn Way is approximately 250 metres away from the site entrance and Charlton Road is approximately 450 metres. The CNC advises that at this distance the noise from HGV movements is unlikely to be noticeable above other noise sources. The CNC also notes that since the original ES was prepared, Ivydene Cottage which was previously identified in the ES as a sensitive receptor has been removed as a sensitive receptor due to its change in use from residential to waste use (Planning application references: SP18/00328/SCC and SP18/01082/SCC)
75. The CNC has commented that HGV movements around the site have been considered in the Noise and Vibration ES chapter that supported the original Eco Park planning application. The CNC notes that the predicted noise levels from the site assessed in the ES are below the levels within nationally and international standards and guidance for sleep disturbance. The CNC also notes that the predicted noise levels from the site are well below background noise levels. The CNC therefore considers that it is unlikely that HGVs arriving and parking up on site between 06:00 hrs and 07:00 hrs would have an impact on the nearest receptors to the site.
76. The CNC has recommended that the conditions for controlling noise should be brought forward from the planning permission ref: SP16/01220/SCC. In conclusion the CNC considers that on the basis of the evaluation of the information submitted there is no reason with respect to noise why the application should not be granted subject to the provision of suitable planning conditions for noise and therefore raises no objection to the application.

Cumulative Effects - Noise

77. The applicant states that with regard to cumulative effects, the original ES for 'Eco Park' identified seven projects that could have the potential to result in material cumulative effects with the proposed development. The assessments undertaken concluded that due to the nature of likely effects and spatial separation of the projects significant cumulative environmental effects are unlikely to result from the developments. The applicant considers that given that there is considered to be no change to the conclusions of the ES with regard to noise and vibration, the proposal would result in no change to the previous conclusions of the ES.
78. The Environmental Assessment Officer (EAO) has reviewed the submitted documentation covering Environmental Impact Assessment. EAO notes that the proposed change to the gate opening hours of the site would not contribute to any change in the previously assessed contribution of the development to cumulative impacts. The EA also notes that no additional need for measures to mitigate cumulative impacts is identified.
79. Based on the findings and advice of the EAO officers are satisfied that the proposal would not contribute to any change in the previously assessed contribution of the development to cumulative impacts

Conclusion to Noise and Cumulative Effects

80. Officers acknowledge the concerns raised by objectors to the application on the grounds of noise. The proposal involves amending the hours Heavy Goods Vehicles for the Recyclables Bulking Facility may enter the application site gates and to park within the site boundary. Officers note the early HGVs would enter the site and park on the in-bound HGV haul road and not be allowed passed the weighbridge. Officers also note that the numbers of HGVs that could enter the site would be constrained by the space available on the in-bound haul road for vehicles to park. As discussed in the Highway, Traffic and Access section above Officers recognise that vehicles are permitted to travel on the

public highway at anytime and consider that allowing early arriving HGVs to park within the site would alleviate local resident's concerns.

81. The CNC considers that there is no reason with respect to noise that the application should not be granted subject to suitable planning conditions and does not raise objection to the application. None of the other technical consultees have raised objection to the application on the grounds of noise.
82. Based on the advice received from the technical consultees, Officers consider that the proposed development, subject to appropriate noise conditions is in accordance with the policies of the development plan with regard to noise and vibration effects on neighbouring amenity and any impacts can be appropriately mitigated.

Lighting

83. The application does not propose any new lighting for this proposal. The Eco Park planning permission permits low level lighting across the site throughout the evening and night. A detailed lighting scheme was approved by notice dated 13 March 2015 under reference SP13/01553/SCC. The approved detailed lighting scheme for the Eco Park sets out the low-level lighting across the site through the evening and night for access and safety.
84. Given no changes are proposed to the lighting on site, it is not considered that amending the hours Heavy Goods Vehicles for the Recyclables Bulking Facility may enter the application site gates and to park within the site boundary would add to the intensity of lighting or cause adverse impact on local amenity in respect of lighting. Officers therefore consider the proposal accords with the policies of the development plan in respect of lighting.

Air Quality

85. Representations received have raised concerns about air quality impacts from traffic emissions resulting from the proposal. Spelthorne Borough Council have declared a borough wide Air Quality Management Area (AQMA).
86. The Traffic and Transportation section of the ES concluded that operational phase traffic emissions from the Eco Park would have a negligible impact on local air quality. The permitted tonnage throughput of the Eco Park is limited to no more than 141,870 tpa and the throughout limits the amount of traffic that would be generated by the facility. The application does not propose any changes to the permitted throughput for the site or changes to the amount or type of vehicles accessing the site.
87. The Borough EHO has not raised objection to the application in respect of vehicle emissions, None of the technical consultees to the application have raised concern on the application in respect of air quality matters.
88. Based on the context of the proposal and the application, it is not considered that the extension to the hours which HGVs servicing the RBF can access the site would have a material impact on the previously reported assessments or their conclusions in respect of air quality. Officers therefore consider that the proposal would not cause adverse impact on local amenity in respect of air quality and that the proposal accords with policies of the development plan in respect of air quality.

METROPOLITAN GREEN BELT

Surrey Waste Local Plan Part 1 – Policies (SWLP2020)

Policy 9 – Green Belt

Spelthorne Borough Local Plan 2001 (saved policies)

89. The protection of Green Belts around urban areas is one of the key planning principles of the governments National Planning Policy Frame (NPPF) 2019. Paragraphs 133 states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 143 states that inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances and paragraph 144 goes on to state that authorities should ensure substantial weight is given to any harm to the Green belt when considering any planning application 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. Paragraph 146 sets out what types of developments are appropriate in the Green Belt. Waste-related development is not included and therefore, waste-related development is considered to be an inappropriate development in the Green Belt.
90. Policy 9 (Green Belt) of the SWLP2020 states that Planning permission will not be granted for inappropriate waste management development in the Green Belt unless it is shown that very special circumstances exist. 'Very special circumstances' will not exist unless the potential harm caused to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal is clearly outweighed by other considerations associated with the proposal, either on their own or in combination.
91. The application is seeking planning permission in order to amend the hours Heavy Goods Vehicles for the Recyclables Bulking Facility may enter the application site gates and to park within the site boundary. The proposal is to enable the site gates to open one hour early to allow early arriving HGVs to park within the site.
92. In so far as the consideration of Green Belt policy for the Eco Park is concerned, it is important to note that planning permission has already been granted for the development of the Eco Park.
93. The principles for the need for this permanent waste management facility at Charlton Lane and the potential impacts on openness in this Green Belt location were assessed and accepted when that planning permission was granted. Officers accepted there to be a number of factors, which together constituted very special circumstances that clearly outweighed the harm to the openness to the Green Belt and any other harm such that an exception to Green Belt policy could be made. The factors included: the need for the County to increase recycling; recovery capacity and diversion from landfill to contribute to agreed targets; the wider environmental and economic benefits of sustainable waste management. Accordingly the principle of development for a recycling, recovery and processing facility is established at this Green Belt site.
94. In this case the authority needs to consider the question of the operations during the additional hours and the implications on the Green Belt. The planning permission for the Eco Park has been implemented, with the RBF building complete and the AD facility and gasification facility being constructed, which represents the base line for development at the site.
95. The proposed extension of one hour to the gate opening time is not considered to have a materially greater impact on the purposes of the Green Belt or its openness or to give rise to any other harm compared with the original planning permission for the Eco Park. The potential harm from the proposed activity on the local environment and amenity with regard to noise, lighting, highway and access matters have been assessed above within this report.

96. Officers consider that the proposed development does not cause any significant greater level of harm to the Green Belt or other harm than the current development and that the very special circumstances advanced by the applicant and accepted under the planning permission for the Eco Park, as implemented, remain.

Human Rights Implications

97. 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.
98. It is recognised within the Officers report that there would be some impacts in terms of noise to the local amenity though it is considered that any impact will be negligible. It is the Officers view that the that the potential impacts of amending the gate opening times by one hour are not considered sufficient to engage Article 8 or Article 1 of Protocol 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.
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Conclusion

99. The application is seeking planning permission to amend the hours Heavy Goods Vehicles for the Recyclables Bulking Facility (RBF) may enter the application site gates and to park within the site boundary. The extant planning permission for the site currently restricts the gate opening times for vehicles associated to the RBF accessing the site to 07:00 hours Monday to Friday. Following complaints received by the operator regarding early arriving HGVs arriving at the site before 07:00 and parking the surrounding roads, the applicant now wishes to amend the gate opening times by one hour to 06:00 hours (Monday to Saturday) to enable early arriving HGVs associated to the Recyclables Bulking Facility to enter the site and park.
100. Objections have been received from local residents, whose leading concern are the impacts of noise and disturbance the proposal will have on local properties, and the impacts of traffic and suitability of local roads.
101. Spelthorne Borough Council has objected to the application with concerns of noise and disturbance on residents' amenity. Charlton Village Residents Association have objected, with concerns vehicles illegally parked cause obstruction to other road users, and grounds of noise to local residents. Laleham Residents' Association have objected with concerns of increased HGV movements at an unsociable time to local residents.
102. The County Highway Authority (CHA) has advised that they have assessed the proposal in terms of the likely net additional traffic generation, access arrangements and parking provision. The CHA comments that the proposal would be unlikely to result in any overall increase in the numbers of vehicular movements to and from the site. The CHA also notes that there would be slight increase in vehicular movements to the site in the hours prior to 07:00 hours Monday to Saturday and likely a small decrease in movements immediately after. In terms of highway safety and capacity, the CHA considers the proposal would have negligible impact, and potentially a small benefit as vehicles arriving before 07:00 hours would be outside peak traffic hours. The CHA has advised that they are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway.
103. The County Noise Consultant does not object to the application and considers that is unlikely that HGVs arriving and parking up on site between 06:00 hrs and 07:00 hrs would have an impact on the nearest receptors to the site. No objections have been received from the other technical consultees.

104. The concerns raised by objectors to the application are acknowledged. However, Officers consider that as both the County Highway Authority and County Noise Consultant are satisfied with the application, and taking into account the responses of other technical consultees, the proposed change in gate opening time would not cause significant adverse impact on the local highway network, the environment or on amenity. Officers further consider that allowing early arriving HGVs to park within the site would alleviate local resident's concerns.
105. In conclusion, Officers consider that the proposal accords with the development policy in relation to the impacts on local amenity in terms of traffic and highways, noise, lighting and air quality. The principle of the development at this Green Belt site was established when planning permission for the Eco Park was granted, and Officers consider that the proposal will not have a significantly greater material impact on the purposes of the Green Belt or its openness or to give rise to any other harm compared with the extant planning permission. Taking account of all matters, Officers consider that the application can be permitted subject to conditions as exception to Green Belt policy.

Recommendation

The recommendation is to PERMIT subject to the following conditions:

Conditions:

Approved Plans

- The development hereby permitted shall be carried out in accordance with the following approved plans and drawings:

Drawing No	Title	Dated
1224 PL-B001 Rev B	Site Plan and Location Plan	May 2015
1224 PL-B002 Rev A	Site Plan Existing	September 2013
1224 PL-B003 Rev F	Site Plan Proposed	November 2016
1224 PL-B004 Rev G	General Arrangement Plan	November 2016
1224 PL-B005 Rev D	Gasification Facility Ground Floor Plan	November 2016
1224 PL-B006 Rev D	Gasification Facility Roof Plan	November 2016
1224 PL-B007 Rev D	Admin & Visitor Centre Floor Plans	November 2016
1224 PL-B008 Rev E	Gasification Facility Elevations North & South	November 2016
1224 PL-B009 Rev E	Gasification Facility Elevations East & West	November 2016
1224 PL-B010 Rev E	AD Ground Floor Plan	November 2016
1224 PL-B011 Rev D	AD Roof Plan	November 2016
1224 PL-B012 Rev E	AD Elevations	November 2016
1224 PL-B013 Rev E	RBF Ground Flood Plans	November 2016
1224 PL-B014 Rev D	RBF Roof Plans	November 2016
1224 PL-B015 Rev D	RBF Elevations	November 2016
1224 PL-B016 Rev E	AD Tank Area Plan & Elevations	November 2016
1224 PL-B017 Rev D	CRC / RBF Office and Amenity Building Plans & Elevations	November 2016
1224 PL-B018 Rev D	Weighbridge Office Plans & Elevations	November 2016
1224 PL-B019 Rev D	CRC Centre Reuse Canopy Plans & Elevations	November 2016
1224 PL-B020 Rev D	CRC Canopy Elevations	November 2016
1224 PL-B021 Rev E	Gasification Facility Building Sections & Site Sections	November 2016
1224 PL-B022 Rev F	Entrance Gates & Signs	November 2016
1007-02-01 Rev C	Landscape Masterplan	December 2016

1007-02-02 Rev B	Site Entrance Landscape Plan	December 2016
1007-02-03 Rev B	Proposed Surface Water Drainage Layout	December 2016
1007-02-04 Rev B	Section Through Proposed Bund	December 2016
1007-02-05 Rev D	Site Entrance Improvement Proposals	November 2016
RU-01.3-CL	Reuse Shop Infrastructure Layout	March 2019
Project 583 Rev A	Portable Cabin Dimensions	28 February 2019

Restriction of Permitted Development Rights

2. Notwithstanding the provisions of Parts 2, 4 and 7(Class L) of the Town and Country Planning (General Permitted Development) Order 2015 or any subsequent Order,
 - (a) no buildings, fixed plant or machinery shall be located on the site of the development hereby permitted without the prior submission to and approval in writing by the County Planning Authority of details of their siting, detailed design, specifications and appearance. Such details shall include details of noise emission levels (including tonal characteristics) of any plant or machinery; and
 - (b) no fencing or external lighting other than that hereby permitted shall be erected or installed at the site of the development hereby permitted.

Hours of Operation

3. No operations or activities authorised or required by this permission in respect of the Community Recycling Centre and Recyclables Bulking Facility shall be carried out except between the following times:

Community Recycling Centre

Monday to Saturday 0730 to 1800 hours
Sundays and Bank Holidays 0800 to 1700 hours

Recyclables Bulking Facility

Monday to Saturday 0730 to 1800 hours
Sundays and Bank Holidays 0800 to 1700 hours (when only waste delivered to the Community Recycling Centre will be handled).

There shall be no operations or activities at any time on Christmas Day, Boxing Day and New Year's Day.

This condition shall not prevent Heavy Goods Vehicles for the Recyclables Bulking Facility entering the application site gates from 0600 hours Monday to Saturday and parking shall be limited to no more than 7 Heavy Goods Vehicles during this time.

4. No vehicles either delivering waste or other materials or removing waste from the Gasification plant and Anaerobic Digestion plant hereby permitted, shall enter or leave the site except between the hours of:
 - (a) Gasification Plant
 - Monday to Saturday 0730 to 1800 hours
 - Sundays and Bank Holidays 0800 to 1700 hours
 - There shall be no deliveries or removals at any time on Christmas Day, Boxing Day and New Year's Day.

(b) Anaerobic Digestion Plant

- Monday to Friday 0730 to 1800 hours
- Saturdays 0730 to 1200 hours
- Bank Holidays 0800 to 1200 hours

There shall be no deliveries or removals at any time from the Anaerobic Digestion Facility on a Sunday.

There shall be no operations or activities at any time on Christmas Day, Boxing Day and New Year's Day.

5. Construction work on site shall be carried out only between 0730 to 1830 hours Monday to Friday and 0730 to 1430 hours Saturday with the exception of construction activities taking place inside enclosed buildings which can be carried out on a 24 hour basis (Monday to Sunday). Piling and soil moving shall be limited to 0800 to 1700 hours Monday to Friday. There shall be no construction work or restoration activity carried out at any time on Christmas Day, Boxing Day, New Year's Day or Bank Holidays.
6. The Education/Visitors Centre shall not open to members of the public outside the hours 0900 hours to 1730 hours Monday to Saturday and there shall be no opening on Christmas Day, Boxing Day and New Year's Day. These permitted hours of opening shall not apply to meetings of the Charlton Lane Eco-Park Community Liaison Group.

Lighting

7. The Lighting Scheme shall be implemented in accordance with the details approved by the County Planning Authority by decision dated 20 August 2013 under reference SP10/00947/SCD13.

Construction Environmental Management Plan (CEMP)

8. Construction of the development hereby permitted, including the demolition of the existing buildings, shall be implemented in accordance with the details approved by the County Planning Authority by decision dated 13 March 2015 under reference SP13/01553/SCC and the details of tree protection approved by the County Planning Authority by decision dated 21 July 2015 under reference SP/13/01553/SCD6.

Highways Traffic and Access

9. The development hereby permitted shall handle no more than 141,870 tonnes of waste per annum, of which no more than 42,750 tonnes per annum shall be handled by the Recyclables Bulking Facility. The operator shall maintain records of the tonnage of waste delivered to the site and the Recyclables Bulking Facility and shall make these records available to the County Planning Authority at any time upon request.
10. The modified access to Charlton Lane shall be maintained in accordance with the detailed specification (including keeping visibility splays permanently clear of any obstruction above 600mm) approved by the County Planning Authority by decision dated 2 October 2013 under reference SP10/00947/SCD15.
11. The development hereby permitted, including the demolition of the existing buildings, shall not commence unless the internal access roads, parking, loading and unloading areas for the Community Recycling Centre have been constructed as shown on Drawing No 1224 PL-B004 Rev G dated November 2016; and those roads and other areas shall be permanently maintained for the purposes shown on that drawing.

12. Prior to commencement of the internal fit out of the gasification and anaerobic digestion plants hereby permitted, the remaining internal access roads, parking, loading and unloading areas, shall be constructed as shown on Drawing No 1224 PL-B004 Rev G dated November 2016; and those roads and other areas shall be permanently maintained for the purposes shown on that drawing.
13. Prior to commissioning of the gasification and anaerobic digestion plants hereby permitted, the Parking Management Plan shall be implemented and maintained in accordance with the details approved in writing by the County Planning Authority under Ref. SP13/01553/SCD7 dated 12 September 2016.
14. The Bulk HGV Routeing Strategy (including measures to prevent HGVs contracted to the site operator from travelling through Charlton Village) shall be implemented and maintained in accordance with the details approved by the County Planning Authority by decision dated 10 June 2013 under reference SP10/0947/SCD11.
15. Prior to the commissioning of the gasification and anaerobic digestion plants and use of the education and visitors centre, the operator shall implement the Travel Plan dated 4 October 2010 (ref APB / 1007-01-05c, contained in Appendix TS4 to the Transportation Assessment forming part of the application hereby approved) in accordance with the details hereby approved; and the approved details shall be maintained for the duration of the development.

Contamination

16. The remediation scheme to deal with the risks associated with contamination of the site shall be implemented in accordance with the details approved by the County Planning Authority by decision dated 5 December 2013 under reference SP10/00947/SCD6.
17. The construction of the surface water drainage basin shown on Drawing No. 1007-02-03 Rev A dated September 2013 shall not commence unless the County Planning Authority has confirmed in writing that the verification plan within the approved remediation scheme has demonstrated that remediation has been undertaken to appropriate standards.
18. If, during the course of the development hereby permitted, contamination not previously identified is found to be present on the application site then no further development shall be carried out until an amendment to the remediation scheme detailing how the unsuspected contamination shall be dealt with, is submitted to and approved in writing by the County Planning Authority and thereafter the development shall be implemented in accordance with the approved scheme.

Groundwater Protection

19. Piling using penetrative methods shall be carried out in accordance with the details approved by the County Planning Authority by the decision dated 15 July 2015 under ref. SP13/01553/SCD5.

Surface Water

20. The scheme for the implementation, maintenance and management of a sustainable water drainage system (based on an assessment of the hydrological and hydrogeological context of the development and the requirements of the NPPF and its Practice Guidance) shall be carried out in accordance with the details approved by the County Planning Authority by decision dated 13 March 2015 under reference SP13/01553/SCC and in accordance with Drawing No. 1224 PL-B012 Rev B dated July 2015 and Drawing No. 1224 PL-B016 Rev B dated July 2015.

21. The development hereby permitted shall be constructed to ensure that infiltration of surface water at the application site takes place only in those locations approved in accordance with schemes approved in writing pursuant to Conditions 16 and 21 above.

Noise

22. The acoustic fence constructed along the western and northern boundary of Ivydene Cottage shall be permanently retained and maintained in good condition in accordance with the details approved by the County Planning Authority by decision dated 16 May 2013 under reference SP10/00947/SCD1.

23. Construction Noise Limits

The level of noise emitted from the site during construction shall not exceed:

Monday to Friday	0800 to 1830 hours	during any 30 minute period	70 dB LAeq
Monday to Friday	1900 to 2300 hours	during any 1 hour period	55 dB LAeq or 5 dB above the existing ambient noise level, whichever is greater
Saturdays	0830 to 1300 hours	during any 30 minute period	70 dB LAeq
Saturdays	1330 to 2300 hours	during any 1 hour period	55 dB LAeq or 5 dB above the existing ambient noise level, whichever is greater
Sundays	0700 to 2300 hours	during any 1 hour period	55 dB LAeq or 5 dB above the existing ambient noise level, whichever is greater
Monday to Sunday	2300 to 0700 hours	during any 1 hour period	45 dB LAeq or 5 dB above the existing ambient noise level, whichever is greater
Monday to Sunday	Any other time	during any 30 minute period	60 dB LAeq

when measured at, or recalculated as at, a height of 1.2 m above ground level and 3.5 m from the façade of any residential property or other noise sensitive building that faces the site.

24. Use of the gasification plant HGV turning and reversing space shall not commence unless the 5 metre high acoustic fence has been constructed as shown in accordance with Drawing No. 1224 PL-B022 Rev F dated November 2016 using close-boarded fencing or a similar solid screen having a minimum mass of 15kg/m²; and that fence shall be retained permanently and maintained thereafter.
25. Site attributable noise levels shall not, when measured at, or recalculated as at, a height of 1.2 m and at least 3.5 m from the façade (or the nearest equivalent location) of any noise sensitive property at the locations referred to in Table 1 below exceed the values shown in columns 1 and 2 for the weekday and weekend working hours shown; and they shall not when measured at, or recalculated as at, a height of 4 m and at least 3.5 m from the façade (or the nearest equivalent location) of any noise sensitive property at the

locations referred to in Table 1 below exceed the values shown in column 3 during the evening and night time).

Table 1 – Daytime, Evening and Night time Noise Limits

	1	2	3
Location	Weekday 0700 – 1830 LAeq, 30 min LAeq, 30 min	Weekend 0730 – 1830 LAeq, 30 min LAeq, 30 min	Evening and night noise limits all days LAeq, 30 min
Hawthorn Way	55	52	34
Charlton Road	55	53	33

26. The evening and night (as in Table 1 above) site attributable noise levels when measured at, or recalculated as at, a height of 4 m and at least 3.5 m from the façade of any of the noise sensitive property at the locations referred to in Table 2 below shall not exceed the values shown in Table 2. For the one-third octave limits up to 8 frequencies may be exceeded by up to 4 dB logarithmically averaged over any 30 minute period without breaching this condition. For site generated noise only, if the level of a one-third octave band exceeds the level of the adjacent bands by 4 dB or more, the level of that one-third octave band must comply with the limit value in Table 2 for the corresponding one-third octave band.

Table 2 – Evening and Night time Noise Limit

1/3 octave centre frequency	25	32	40	50	63	80	100	125	160
Hawthorn Way	59.3	58.2	56.8	54.6	53.7	51.5	50.2	49.2	45.9
Charlton Road	60.2	58.2	56.9	53.7	50.4	49.3	48.1	47.2	46.6

1/3 octave centre frequency	200	250	315	400	500	630	800	1k	1k25
Hawthorn Way	44.4	40.5	39.3	38.1	38.2	41.9	41.6	41.1	37.3
Charlton Road	44.2	43.5	41.3	41.6	40.2	38.7	39.3	40.7	39.6

1/3 octave centre frequency	1k6	2k	2k5	3k15	4k	5k	6k3	8k	
Hawthorn Way	38.1	37.5	34.6	32.7	32.1	27.2	24.6	22.4	

Charlton Road		39.1	34.8	33.7	32.4	30.4	28.1	24.8	21.2	
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27. The valve silencers shall be used/ operated in accordance with the details approved by the County Planning Authority by decision dated 27 June 2018 under ref: SP16/01220/SCD2 and shall be maintained for the duration of the development hereby permitted. Any vent used to discharge surplus steam shall be fitted with a silencer, which will reduce noise levels to the equivalent of 75 dBA at 1 metre from the closest part of the steam vent. In the case of an emergency shutdown requiring the emergency discharge of steam, any vent should be fitted with a silencer which will reduce noise levels to the equivalent of 112 dBA at 1 metre from the closest part of the steam vent.

Ecology

28. The provision of bird nest boxes (including the timing of their installation and future maintenance) shall be carried out in accordance with the details approved by the County Planning Authority by decision dated 1 May 2013 under reference SP10/00947/SCD7.

Airport Safeguarding

29. The Bird Hazard Management Plan (including details of the management of any flat or shallow pitched roofs of buildings on site that may be attractive to nesting, roosting and loafing birds and to comply with Advice Note 8 'Potential Bird Hazards from Building Design') shall be implemented in accordance with the details approved by the County Planning Authority by decision dated 1 May 2013 under reference SP10/00947/SCD4..
30. All soft and water landscaping works shall be carried out in accordance with the details approved by the County Planning Authority by decision dated 1 May 2013 under reference SP10/00947/SCD8.

Restriction of Activities

31. No waste shall be deposited or stored at the site except within the designated areas of the gasification plant, anaerobic digestion plant, bale storage building and within the covered bay areas for the bale storage building and community recycling centre as shown on Drawing No. 1224 PL-B004 Rev G dated November 2016.
32. No mobile plant shall be used outside the gasification and anaerobic digestion buildings between 1800 hours and 0700 hours.

Building Details (materials)

33. The development shall be carried out in accordance with the approved details of external materials (including their colours) of each of the buildings and the stack approved in writing by the County Planning Authority by decision dated 4 September 2013 under reference SP10/00947/SCD12.

Dust and Odour Management Plan

34. The Dust and Odour Management Plan approved in writing by the County Planning Authority by decision dated 13 March 2015 under reference SP13/01553/SCC shall be implemented in accordance with the approved details.

Rights of Way

35. The works carried out the diverted definitive route of Public Footpath 70 Sunbury (confirmed on 1 March 2015) shall be permanently retained with a width of 2 metres, with

an unbound surface with a minimum width of 1.8 metres (Type 1 aggregate) incorporating a camber to shed water, and maintained in good condition.

36. Safe public access to Public Footpath 70 Sunbury across the site shall be maintained at all times; and there shall be no obstructions to it (including obstructions from vehicles, plant and machinery or storage of materials and/or chemicals) at any time.
37. The details of works (including low level fencing and reed bed protection) to provide for the separation of the infiltration basin from the new footpath link shown on Drawing No 1007-02-01 Rev A dated September 2013 approved in writing by the County Planning Authority by decision dated 13 March 2015 under reference SP13/01553/SCC 2013 shall be implemented in accordance with the approved details.

Soils

38. Works within the Environmental Enhancement Area shall be carried out strictly in accordance with the details of a survey of soils approved in writing by the County Planning Authority by decision dated 1 May 2013 under reference SP10/00947/SCD9.

Landscaping

39. No trees, bushes and hedgerows retained on the site shall be cut down, uprooted or destroyed, and no trees retained shall be topped or lopped other than in accordance with plans and particulars submitted to and approved in writing by the County Planning Authority. If any retained tree is removed, uprooted, destroyed or dies within 5 years from the date of this permission, another tree shall be planted at the same place; and that tree shall be of such size and species, and shall be planted at such time, as shall be agreed in writing by the County Planning Authority.

Landscape & Ecology Management Plan

40. The enhanced Landscape and Ecology Management Plan in accordance with the provisions set out on the Landscape Masterplan Drawing No 1007-02-01 Rev A dated September 2013 covering a period of 25 years (and providing for 5 yearly reviews) shall be carried out in accordance with the details approved in writing by the County Planning Authority by decision dated 13 March 2015 under reference SP13/01553/SCC.

Archaeology

41. The development shall be implemented in accordance with the details of the programme of archaeological work set out in the Written Scheme of Investigation approved in writing by the County Planning Authority by decision dated 30 April 2013 under reference SP10/00947/SCD5.

Energy Recovery

42. The electricity generating plant to be installed in association with the Gasification plant and Anaerobic Digestion plant hereby permitted and the photovoltaic cells whose installation is also hereby permitted shall have a combined generating design capacity of not less than 5.586 MW.
43. Pass out valves should be provided and maintained at appropriate heat off-take points as described at paragraph 5.8.9 of the 2010 Environmental Statement Volume 1: Main Report.
44. Following the completion of commissioning, no waste shall be treated by either the Gasification plant or Anaerobic Digestion plant unless:

- (i) the electrical power is used to power the development hereby permitted itself; and
- (ii) the electricity cable link from the Gasification plant and Anaerobic Digestion plant to the National Electricity Grid has been constructed and is capable of transmitting all the electrical power produced by the Gasification plant and Anaerobic Digestion plant facility which is not used to power the development hereby permitted itself.

Thereafter, no waste shall be treated by either the Gasification plant or Anaerobic Digestion plant unless electrical power is being generated except during periods:

- of maintenance or repair of the electricity generating plant; or
- where there the operator of the National Electricity Grid is unwilling or unable to receive energy from the development hereby permitted.

Reasons:

1. To ensure the permission is implemented in accordance with the terms of the application and to enable the County Planning Authority to exercise planning control over the development so as to minimise its impact on the amenities of the local area and local environment in accordance with the terms of the National Planning Policy Framework; Surrey Waste Local Plan 2019 -2033 Policies 13, 14, and 15; and the Spelthorne Borough Local Plan 2001 Policy GB1(saved policy).
2. To enable the County Planning Authority to exercise control over the development hereby permitted and comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and in accordance with the National Planning Policy Framework; and Spelthorne Borough Local Plan 2001 Policy GB1 (saved policy) and the Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8 and 9.
3. To enable the County Planning Authority to exercise control over the development hereby permitted and protect the amenities of local residents in accordance with Surrey Waste Local Plan 2019 -2033 Policy 14.
4. To enable the County Planning Authority to exercise control over the development hereby permitted and protect the amenities of local residents in accordance with Surrey Waste Local Plan 2019 -2033 Policy 14.
5. To enable the County Planning Authority to exercise control over the development hereby permitted and protect the amenities of local residents in accordance with Surrey Waste Local Plan 2019 -2033 Policy 14.
6. To enable the County Planning Authority to exercise control over the development hereby permitted and protect the amenities of local residents in accordance with Surrey Waste Local Plan 2019 -2033 Policy 14.
7. To protect the visual amenities of the locality to comply with Surrey Waste Local Plan 2019 -2033 Policy 14 and Spelthorne Core Strategy and Policies DPD 2009 Policy EN13.
8. In the interest of the local environment and amenity and in order that the development should not prejudice highway safety nor cause inconvenience to other highway users and to prevent the pollution of groundwater to comply with the National Planning Policy Framework; Surrey Waste Local Plan 2019 -2033 Policy 14 and Spelthorne Core Strategy and Policies DPD 2009 Policies CC1 and EN11 and the Surrey Waste Local Plan 2019 -2033 Policies 1, 2 and 8.

9. To ensure that the amount of waste treated at the site does not exceed the level upon which the transportation impact was assessed to comply with Surrey Waste Local Plan 2019 -2033 Policies 14 and 15.
10. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users to comply with the National Planning Policy Framework; and Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8 and 15.
11. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users to comply with the National Planning Policy Framework 2012; Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8 and 15; and Spelthorne Core Strategy and Policies DPD 2009 Policy CC3.
12. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users to comply with the National Planning Policy Framework 2012; Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8 and 15; and Spelthorne Core Strategy and Policies DPD 2009 Policy CC3.
13. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users to comply with the National Planning Policy Framework 2012; Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8 and 15; and Spelthorne Core Strategy and Policies DPD 2009 Policy CC3.
14. To reduce the environmental impact of the passage of heavy goods vehicles accessing the site on the residents of Charlton Village to comply with the National Planning Policy Framework; Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8 and 15.
15. To reduce the environmental impact of the passage of heavy goods vehicles accessing the site to comply with the National Planning Policy Framework; Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8 and 15; and Spelthorne Core Strategy and Policies DPD 2009 Policies SP7 and CC2.
16. To ensure that the development poses no risk to groundwater as a result of it being sited on historically contaminated land to accord with the National Planning Policy Framework; Surrey Waste Local Plan 2019 -2033 Policy 14 and Spelthorne Core Strategy and Policies DPD 2009 Policy EN15.
17. To ensure that the proposed infiltration basin does not pose a risk to controlled waters, in accordance with the National Planning Policy Framework and Surrey Waste Local Plan 2019 -2033 Policy 14.
18. To prevent pollution of the environment with the National Planning Policy Framework; Surrey Waste Local Plan 2019 -2033 Policy 14; and Spelthorne Core Strategy and Policies DPD 2009 Policy EN15.
19. To ensure that piling would not present an unacceptable risk to groundwater as parts of the site may be on historically contaminated land and to accord with the National Planning Policy Framework; Surrey Waste Local Plan 2019 -2033 Policy 14; and Spelthorne Core Strategy and Policies DPD 2009 Policy EN15.
20. To ensure that the surface water drainage system complies with the requirements of the National Planning Policy Framework and its Practice Guidance, such that the rates and volume of run-off from extreme events can be attenuated on site and do not cause flood flows to increase above the natural conditions prior to development and to ensure that the techniques proposed can function appropriately and does not pose a pollution risk to controlled waters in accordance the National Planning Policy Framework, Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8, and 14.

21. To ensure that the surface water drainage system complies with the requirements of the National Planning Policy Framework and its Practice Guidance, such that the rates and volume of run-off from extreme events can be attenuated on site and do not cause flood flows to increase above the natural conditions prior to development and to ensure that the techniques proposed can function appropriately and does not pose a pollution risk to controlled waters in accordance the National Planning Policy Framework, Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8, and 14.
22. To ensure the minimum disturbance and protect the amenities of the residents of Ivydene Cottage and to accord with Surrey Waste Local Plan 2019 -2033 Policy 14 and Spelthorne Core Strategy and Policies DPD 2009 Policies EN1 and EN11.
23. To ensure the minimum disturbance and to avoid nuisance to the locality to comply Surrey Waste Local Plan 2019 -2033 Policy 14 Spelthorne Core Strategy and Policies DPD 2009 Policy EN11.
24. To protect the amenities of local residents in accordance with Surrey Waste Local Plan 2019 -2033 Policy 14 and Spelthorne Core Strategy and Policies DPD 2009 Policy EN11.
25. To ensure the minimum disturbance and to avoid nuisance to the locality to comply with Surrey Waste Local Plan 2019 -2033 Policy 14 and Spelthorne Core Strategy and Policies DPD 2009 Policy EN11.
26. To ensure the minimum disturbance and to avoid nuisance to the locality to comply with Surrey Waste Local Plan 2019 -2033 Policy 14 and Spelthorne Core Strategy and Policies DPD 2009 Policy EN11.
27. To ensure the minimum disturbance and to avoid nuisance to the locality to comply with Surrey Waste Local Plan 2019 -2033 Policy 14 and Spelthorne Core Strategy and Policies DPD 2009 Policy EN11.
28. The proposal will lead to a loss of scrub habitat important for nesting birds. The provision of nest boxes will compensate for the loss of this habitat until the replacement scrub becomes established to comply with Surrey Waste Local Plan 2019 -2033 Policy 14 and Spelthorne Core Strategy and Policies DPD 2009 Policy.
29. To minimise the attractiveness of the site to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport to accord with Surrey Waste Local Plan 2020 Policy 14 and Circular 01/03 – Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas.
30. To avoid endangering the safe movement of aircraft and the operation of Heathrow Airport through the attraction of birds and an increase in the bird hazard risk of the site to accord with Surrey Waste Local Plan 2019 -2033 Policy 14 and Circular 01/03 – Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas.
31. To comply with the terms of the application and in the interests of the local environment and amenity and to comply with Surrey Waste Local Plan 2019 -2033 Policies 9 and 14; and Spelthorne Borough Local Plan 2001 Policy GB1 (saved policy).
32. To comply with the terms of the application and in the interests of the local amenity and to comply with Surrey Waste Local Plan 2019 -2033 Policy 14 and Spelthorne Core Strategy and Policies DPD 2009 Policy E11.
33. To protect the visual amenities of the locality to comply with Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 9 and 14; and Spelthorne Borough Local Plan 2001 Policy GB1 (saved policy) and Spelthorne Core Strategy and Policies DPD 2009 Policies EN1 and EN8.

34. To enable the County Planning Authority to exercise control over the development and in the interests of the local environment and amenity in accordance with the National Planning Policy Framework, Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8 and 14.
35. The works carried out on the diverted definitive route of Public Footpath 70 Sunbury (confirmed on 1 March 2015) shall be permanently retained with a width of 2 metres, with an unbound surface with a minimum width of 1.8 metres (Type 1 aggregate) incorporating a camber to shed water, and maintained in good condition.
36. To protect users of the footpath and comply with Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8 and 14.
37. To protect users of the footpath and comply with Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8 and 14.
38. To comply with the terms of the application and to ensure that environmental enhancement is successful in accordance with Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8 and 14; and Spelthorne Core Strategy and Policies DPD 2009 Policies SP6 and EN8.
39. To comply with Section 197 of the Town and Country Planning Act 1990, in the interests of visual amenity and to assist in absorbing the site into the local landscape to comply with Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8, 9 and 14; Spelthorne Borough Local Plan 2001 Policy GB1 (saved policy) and Spelthorne Core Strategy and Policies DPD 2009 Policy EN8.
40. To enhance nature conservation interest and assist in absorbing the site into the local landscape to accord with the National Planning Policy Framework; Surrey Waste Local Plan 2019 -2033 Policies 1, 2, 8, 9 and 14; Spelthorne Borough Local Plan 2001 Policy GB1 (saved policy) and Spelthorne Core Strategy and Policies DPD 2009 Policies EN1 and EN8
41. To afford the County Planning Authority a reasonable opportunity to examine any remains of archaeological interest which are unearthed and decide on any action required for the preservation or recording of such remains in accordance with the terms of Surrey Waste Local Plan 2019 -2033 Policy 14; and Spelthorne Borough Local Plan 2001 Policy BE26 (saved policy).
42. To ensure that the development hereby permitted has capacity to contribute to the UK Government's target to source up to 15% of energy from renewable sources by 2020 in accordance with the planning application and to comply with the National Planning Policy Framework; Surrey Waste Local Plan 2019 -2033 Policies 1 and 2; and Spelthorne Core Strategy and Policies DPD 2009 Policy EN1.
43. To enable the re-use of waste heat in accordance with the National Planning Policy Framework; Surrey Waste Local Plan 2019 -2033 Policies 1 and 2 and Spelthorne Core Strategy and Policies DPD 2009 Policies EN1 and SP7.
44. To ensure that no waste is treated by either the Gasification Plant or Anaerobic Digestion facility unless the electricity generated is used either within the Eco Park or exported to the National Grid in accordance with the National Planning Policy Framework; Surrey Waste Local Plan 2019 -2033 Policies 1 and 2 and Spelthorne Core Strategy and Policies DPD 2009 Policy EN1.

Informatives:

1. The applicant's attention is drawn to the information and advice contained in BAA Airports letter dated 12 January 2011 in relation to Bird Hazard Management Plans and water posing a potential bird attractant.
2. An Environmental Permit will be required for this site under the Environmental Permitting (England and Wales) Regulations 2019 (as amended).
3. A pedestrian inter-visibility splay of 2 metres (m) by 2 metres (m) shall be provided on each side of the access, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6 m and 2 m in height above ground levels shall be erected within the area of such splays.
4. Thames Water will aim to provide customers with a minimum pressure of 10 m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes. The applicant should take account of this minimum pressure in the design of the proposed development.
5. Where 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 groundwater. 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 0845 850 2777.
6. A Trade Effluent Consent will be required for an effluent discharge other than a 'domestic discharge'. Applications should be made to Trade Effluent Team, Admin Building, Crossness STW, Belvedere Road, Abbeywood, London SE2 9AQ. Telephone 0203 577 9200.
7. Attention is drawn to the requirements of Sections 7 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the Code of Practice for Access of the Disabled to Buildings (British Standards Institution Code of Practice BS 8300:2009) or any prescribed document replacing that code.
8. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or is being built. Planning consent for a development does not provide a defence against prosecution under this Act.
9. Trees and scrub are likely to contain nesting birds between 1 March and 31 August inclusive. Trees and scrub are present on the application site and are assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity during this period and shown it is absolutely certain that nesting birds are not present.
10. The applicant is reminded of the review of the practicability of Combined Heat and Power (CHP) implementation at least every 2 years, which is the requirement of the Environmental Permit.
11. In determining this application the County Planning Authority has worked positively and proactively with the applicant by: assessing the proposals against relevant Development Plan policies and the National Planning Policy Framework including its associated planning practice guidance and European Regulations, providing feedback to the applicant where appropriate. Further, the County Planning Authority has: identified all material considerations and considered representations from interested parties. Issues of concern have been raised with the applicant including impacts of and on noise and highways and addressed through negotiation and acceptable amendments to the proposals. The applicant has also been

given advance sight of the draft planning conditions. This approach has been in accordance with the requirements of paragraph 38 of the National Planning Policy Framework 2019.

Contact Duncan Evans

Tel. no. 0208 541 9094

Background papers

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

Other documents

Planning application reference SP16/01220/SCC, and associated officer report (dated September 2016) and decision notice (dated 23 September 2016),

Non-material amendment application reference SP13/01153/SCA1, and associated officer report (dated March 2017) and decision notice (dated 31 March 2017),

Non-material amendment application reference SP18/01082/SCC, and associated officer report (dated September 2018) and decision notice (dated 7 September 2018).

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

Government guidance

[National Planning Policy Framework](#)

[Planning Practice Guidance](#)

[National Planning Policy for Waste](#)

The Development Plan

[Surrey Waste Local Plan 2019 - 2033](#)
