

Planning & Regulatory Committee 16 June 2021 Item No 9

## UPDATE SHEET

WASTE MO/2020/1804

DISTRICT(S) MOLE VALLEY DISTRICT COUNCIL

9

**Land at Rolls Farmhouse, Partridge Lane, Newdigate, Surrey RH5 5BW**

**Change of use of land, existing storage bays and existing building for the storage and sorting of green waste. Erection of roof on storage barn and retaining bund**

### AIR QUALITY

1. With reference to paragraphs 32 and 107 of the officers report it should be noted that SCC's Air Quality Consultant has assessed<sup>1</sup> the applicant's Bioaerosol Monitoring Report<sup>2</sup> and stated that this *"sets out the results of bioaerosol monitoring on 21 January 2021 whilst the site was operational. This review therefore assumes that the activities taking place on the 21 January 2021 are broadly the same activities for which permission is being sought. (If the activities for which permission is being sought are not yet being undertaken the applicant would need to revert to a predictive, desk-based risk assessment.) The results of the monitoring survey indicate that bio-aerosol impacts associated with the activities undertaken at the site during the period of sampling would not have a significant effect."*
2. In this regard it should also be noted that officers are unclear whether the activities undertaken on the application site on 21 January 2021 for the purposes of applicant's bioaerosol monitoring were representative of the development for which consent is sought.
3. Despite this uncertainty officers continue to consider that the nature and scale of the proposed development is such that it has an insignificant potential for generating biologically-active particles at levels which would be unacceptable. The development is small-scale and would not involve more than 1, 350 tonnes of arboricultural waste per annum which would be processed/managed at a frequency which is unlikely to give rise to significant decomposition. The volume of waste to be managed by the proposed development and the nature of such management could be adequately controlled by the imposition of conditions on any consent issued.
4. Consequently, officers continue to consider that the air quality implications of the development in the context of bioaerosols remains consistent with paragraph 108 of the officers report.

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<sup>1</sup> RPS letter Ref. JAP10488/ dated 9 June 2021

<sup>2</sup> Phlorum Ltd. Bioaerosols Monitoring Report dated 2 February 2021 received on 25 May 2021

## NOISE

5. With reference to paragraphs 33 and 118 of the officers report it should be noted that SCC's Noise Consultant has assessed<sup>3</sup> the applicant's Noise Impact Assessment<sup>4</sup> and confirmed that they remain concerned about the noise implications of the development.
6. The main discrepancies highlighted in SCC's Noise Consultant's previous review of the applicant's supporting information have been clarified by the applicant and the supporting Noise Impact Assessment has been updated accordingly. However, SCC's Noise Consultant does not agree with the conclusion of the applicant's assessment that *"the proposed operation of the site would not result in a significant impact, but no observed adverse effect whereby "noise can be heard, but does not cause any change in behaviour, attitude or other physiological response. Can slightly affect the acoustic character of the area but not such that there is a change in the quality of life."* and that no mitigation measures are required.
7. SCC guidance allows a rating level of up to +5 dB above the background sound level. The applicant's assessment in Section 6.3 'Rating Levels' indicates that the difference between the rating level and the background level will exceed SCC's criteria by up to +8 dB for typical daily activities and by up to +17 dB for Heizohack (chipping) activity. Even when considering the context (e.g. internal noise levels, character of the noise, nature of the noise, sensitivity of the NSRs, frequency of the activities, etc) RPS considers that the difference between the rating levels and the background level are still significant.
8. In light of such excess levels SCC's Noise Consultant has advised the County Planning Authority (CPA) that measures should be considered to mitigate noise arising from the development to acceptable levels. In this context officers have already considered making the proposed development acceptable by the imposition of planning conditions e.g. restricting operational hours; limiting plant/machinery types and numbers; limiting vehicle movements; limiting annual operational throughput. To formalise all mitigation measures in this regard and require the applicant to consider further operational measures to mitigate noise a further condition could be imposed on any consent granted requiring the submission of a Noise Management Plan for approval within 3-months of any consent being issued.
9. Accordingly, subject to the imposition of a planning conditions on any consent granted officers remain satisfied that the development would not give rise to unacceptable levels of noise emissions as per paragraph 120 of the officers report.

## RECOMMENDATION

10. Add informative 1: *"In determining this application the County Planning Authority has worked positively and proactively with the applicant by: assessing the proposal 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, and issues of concern have been brought to the applicant's attention in a timely manner affording the opportunity to consider whether such matters can be suitably resolved. This approach has been in accordance with the requirements of paragraph 38 of the National Planning Policy Framework 2019. However, in this instance, it has not been possible to resolve the issues of concern to overcome the harm as identified in the reason(s) for refusal. The County Planning Authority has, however, identified within its report, the matters considered necessary to overcome the reason(s) for refusal which may lead to the submission of a more*

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<sup>3</sup> RPS letter Ref. NS/JAE7869/107-R1-R1-Rev0/KE dated 15 June 2021

<sup>4</sup> Anderson Acoustics Noise Impact Assessment dated January 2021 received on 25 May 2021

*acceptable scheme in the future. The County Planning Authority is willing to offer pre-application advice in respect of any revised proposal.”*

## **BACKGROUND PAPERS**

11. After the first paragraph ending “...report and included on the application file.” And before the “Other documents” heading. Please insert the following paragraph: “For this application, the deposited application documents and plans, and response to consultations, are available to view on [our online register](#). The representations received are publicly available to view on the district/borough planning register. The Mole Valley District Council planning register entry for this application can be found under:

- [MO/2020/1804](#)”

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