SURREY COUNTY COUNCIL

To: Planning & Regulatory Committee **Date:** 26 October 2022

By: Planning Development Manager

District(s) Runnymede Borough Council

Electoral Division(s):
Foxhills, Thorpe and Virginia Water
Mr Hulley

Case Officer:
David Maxwell

Purpose: For Decision **Grid Ref**: 499693 166121

Title: Minerals and Waste Application RU.20/1047

Summary Report

Land at Trumps Farm, Kitsmead Lane, Longcross, Chertsey, Surrey KT16 0EF

Erection and operation of a small scale clinical waste thermal treatment facility including ancillary buildings, structures, parking, hardstanding and landscape works.

The application site extends to 0.9 hectares (ha) and is located within an existing industrial estate known as the Kitsmead Recycling Centre (KRC). The site is situated in the Metropolitan Green Belt and lies 450 metres (m) to the south of the M3 motorway, around 2 kilometres (km) south of Virginia Water, 1.6km west of Lyne and 4.1km west of Chertsey.

The proposal lies between an anaerobic digestion (AD) facility to the east, and both a two storey office building and light industrial units to the west which are currently under construction. The proposed development site comprises a large concrete pad and is devoid of any built development. The Trumps Farm closed landfill lies immediately to the north of the KRC and Bog Wood, which forms part of the permitted Chertsey Common Suitable Alternative Natural Green Space (SANG) lies to the south.

The application comprises an energy recovery facility (ERF) for the treatment of up to 16,000 tonnes per annum (tpa) of hazardous waste material consisting primarily of clinical waste. The development includes a main building that will house the thermal treatment process, structures, parking, hardstanding and landscape works. The treatment process will recover heat and electricity which will provide the energy needed to run the facility, export electricity to the National Grid and / or sell the energy generated to a willing business nearby.

The nearest residential receptors to the centre of the application site comprise Chevythorne Cottage and Trumps Farm House approximately 475m south-west and north-east respectively. Public footpath 45 / 62 runs through Bog Wood around 35m to the south. Chobham Common site of Special Scientific Interest (SSSI) and National Nature Reserve (NNR) lies approximately 1.7km to the south-west. The Common is further designated as a constituent part of the Thursley, Ash, Pirbright and Chobham Special Area of Conservation (TAPC SAC) and the Thames Basins Heaths Special Protection Area (TBH SPA). The application site lies within Flood Zone 1 and has a low probability of flooding. It is not located within or adjacent to an Air Quality Management Area (AQMA) or Clean Air Zone.

The application is accompanied by an Environmental Statement and a Habitats Regulations Assessment (HRA) Report has been adopted by the County Council.

7

Runnymede Borough Council has placed a holding objection on the application until an Environmental Permit has been issued by the Environment Agency (EA), which they say should address their concerns in relation to air quality, noise, odour and habitat issues. The Wentworth Residents Association (WRA) has objected to the application on a wide range of environmental and planning grounds. A total of 167 letters of representation and 1 petition containing 597 signatures have been received, all of which object to the application, with the impact on highways, traffic and access, air quality, and health and safety being the main areas of concern.

Having assessed the planning merits of the application, Officers consider that the need for the proposal has been demonstrated and that the application accords with the principles of sustainable waste management. The proposal would recovery energy in the form of heat and power from the treatment of waste which would be used locally helping to drive the management of this waste stream up the waste hierarchy. It would accord with the intentions of the proximity principle by managing waste closer to the point of its arising. The development would also support the achievement of net self-sufficiency in the management of Surrey's waste without overly relying on landfill by increasing waste treatment capacity within the county. The proposal would also result in climate change benefits including by reducing both emissions associated with waste transport and the need to produce electricity from non-renewable sources.

The application has been reviewed by a number of consultees including those providing specialist environmental technical advice. These consultees have all found the application to be acceptable subject to the imposition of planning conditions where necessary.

The proposed development would generate up to 10 HGV movements per day. The County Highway Authority has raised no objection to the application subject to conditions to promote more sustainable travel choices.

The HRA Report finds that subject to mitigation being secured by planning condition or obligation to limit emissions of SO_2 to 15 milligrams per cubic metre (mg/Nm^3), there would be no likely significant effects on the TAPC SAC, the proposal would not give rise to likely significant effects on the TBH SPA, and there would be no potential for 'likely significant effects' in relation to the South-West London Waterbodies SPA, the South-West London Waterbodies Ramsar Site or the Windsor Forest & Great Park SAC. This reflects the response provided by Natural England who raised no objection subject to the imposition of this same condition. The County Air Quality Consultant (CAQC) has advised that impacts on human health, sensitive habitat sites and the cumulative impacts of the proposal are not likely to be significant again subject to this same condition to mitigate the impact on sensitive habitat sites. The CAQC has also advised that subject to mitigation and controls, the odour effects are not significant and as the process is fully contained, there should be no dust emissions.

In respect of concerns relating to health and safety, hazardous waste management infrastructure is essential for public health and a clean environment. Modern, appropriately located, well-run and well-regulated, waste management facilities operated in line with current pollution control techniques and standards should pose little risk to human health. The detailed consideration of a waste management process and the implications, if any, for human health is the responsibility of the pollution control authorities whilst the planning system controls the development and use of land in the public interest. The Health and Safety Executive (HSE) is responsible for enforcing a range of health and safety legislation applying to the construction, operation and decommissioning of hazardous waste

infrastructure whilst limits on emissions to air from a range of pollutants emitted from the combustion process are imposed through the environmental permitting process regulated by the EA.

Other potential impacts in relation to noise, landscape and visual impact, ecology and biodiversity, the water environment, geotechnical considerations, lighting, heritage, public rights of way and airport safeguarding have been assessed and found to be acceptable subject to the imposition of conditions where necessary.

Officers consider that the impacts of the proposal during the construction phase are capable of being satisfactorily mitigated through the imposition of pre-commencement planning conditions requiring a Construction Environmental Management Plan (CEMP) and an Ecological Construction Method Statement (ECMS) to be submitted and approved in writing prior to the commencement of the development.

The proposed development constitutes inappropriate development within the Green Belt, which should only be approved in very special circumstances. In the opinion of Officers, there are a number of relevant factors which, when considered together as a whole, clearly outweigh the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal. Further, other harm to the Green Belt is considered capable of being mitigated through the imposition of conditions.

Taking the above considerations into account, Officers are satisfied that the proposed development is acceptable and complies with national planning policy and the requirements of the local development plan subject to the imposition of conditions to control the impact of the development on local amenity and the environment.

The recommendation is subject to referral to the Secretary of State under paragraph 9 of The Town and Country Planning (Consultation) (England) Direction 2009, and in the absence of any direction by the Secretary of State, to PERMIT subject to the conditions.

Application details

Applicant

Waste Energy Power Partners Limited and NSS (Chertsey) LLP

Date application valid

24 July 2020

Period for Determination

13 November 2020 (Extension of time agreed until 9 November 2022)

Amending Document

- Environmental Statement, Appendix 5: Landscape and Visual Impact - Appendix P: Accurate and Verified Views, Lepus Consulting Ltd, August 2020
- Environmental Statement, Appendix 5: Landscape and Visual Impact - Appendix P, Part 1, Lepus Consulting Ltd, August 2020
- Environmental Statement, Appendix 5: Landscape and Visual Impact - Appendix P, Part 2, Lepus Consulting Ltd, August 2020
- Email dated 14 September 2020 entitled, “Trumps Farm - LLFA Response”

7

- Applicant Reply to Heathrow Airport Ltd Response dated 13 October 2020
- Applicant Reply to County Noise Consultant's Advice dated 13 October 2020
- Applicant Reply to County Air Quality Consultant's Advice (Odour) dated 13 October 2020
- Air Quality Assessment, Sol Environmental Ltd dated January 2021
- Report to inform the Habitats Regulations Assessment of a proposed Energy from Waste Plant at Trumps Farm, Kitsmead, Surrey, Lepus Consulting dated January 2021
- Drawing No: W2-02-21-11 Traffic Management dated 27 January 2021
- Letter dated 18 November 2020 entitled, 'Re: Land at Trumps Farm, Kitsmead Lane, Longcross, Surrey (Planning Ref. 2020/0057)
- Phase 1 Desktop Study - Scope of Works, Kitsmead ERF, Trumps Farm, Longcross, Surrey, KT16 0EF, Clancy Consulting Ltd dated 28 April 2021
- Odour Statement, Sol Environment Ltd dated May 2021
- Odour Impact Assessment, Sol Environment Ltd dated May 2021
- Phase 1 Desk Study Report, Kitsmead ERF, Trumps Farm, Longcross, Surrey, Clancy Consulting Limited dated June 2021
- Phase 1 Desk Study Report, Kitsmead ERF, Appendix I Drawings dated June 2021
- Phase 1 Desk Study Report, Kitsmead ERF, Appendix II Site Photography dated June 2021
- Phase 1 Desk Study Report, Kitsmead ERF, Appendix III (Part 1) Historical Maps dated June 2021
- Phase 1 Desk Study Report, Kitsmead ERF, Appendix III (Part 2) Historical Maps dated June 2021
- Phase 1 Desk Study Report, Kitsmead ERF, Appendix III (Part 3) Historical Maps dated June 2021
- Phase 1 Desk Study Report, Kitsmead ERF, Appendix IV Zetica Bomb Risk Mapping and PDSA dated June 2021
- Phase 1 Desk Study Report, Kitsmead ERF, Appendix V Geological Maps dated June 2021
- Phase 1 Desk Study Report, Kitsmead ERF, Appendix VI, (Part 1) EA Groundwater Vulnerability and Flood Risk Maps dated June 2021
- Phase 1 Desk Study Report, Kitsmead ERF, Appendix VI, (Part 2) EA Groundwater Vulnerability and Flood Risk Maps dated June 2021
- Phase 1 Desk Study Report, Kitsmead ERF, Appendix VI, (Part 3) EA Groundwater Vulnerability and Flood Risk Maps dated June 2021
- Phase 1 Desk Study Report, Kitsmead ERF, Appendix VII Environmental Database dated June 2021
- Air Quality Assessment, Sol Environment Ltd dated 1 September 2021
- Report to inform the Habitats Regulations Assessment (Appropriate Assessment) of a proposed Energy from Waste Plant at Trumps Farm, Kitsmead, Surrey, Lepus Consulting dated August 2021
- Email dated 7 January 2022 entitled, "Re: Trumps Farm Consultation Feedback"
- Phase 1 Desk Study Report, Kitsmead ERF, Trumps Farm, Longcross, Surrey Rev 01, Clancy Consulting Ltd, dated January 2022
- Email dated 12 August 2022 entitled, "RE: Three Queries re Land at Trumps Farm"
- Email dated 16 August 2022 entitled, "RE: Three Queries re Land at Trumps Farm"

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	**Paragraphs in the report where this has been**

	with the development plan?	discussed
Waste Management	Yes	111 - 149
Climate Change	Yes	150 - 156
Highways, Traffic and Access	Yes	157 - 188
Air Quality	Yes	189 - 233
Noise	Yes	234 - 250
Landscape and Visual Impact	Yes	251 - 287
Ecology and Biodiversity	Yes	288 - 314
Water Environment	Yes	315 - 330
Geotechnical Considerations	Yes	331 - 345
Lighting	Yes	346 - 354
Archaeology and Heritage	Yes	355 - 375
Rights of Way	Yes	376 - 385
Airport Safeguarding	Yes	386 - 388
Community Engagement	Yes	389 - 394
Green Belt	Yes	404 - 456

Illustrative material

Site Plan

Plan 1 - Site Location and Application Site Area

Aerial Photographs

Aerial 1: Surrounding Area
Aerial 2: Application Site

Plans & Drawings

Drawing Ref: W2-02-20-03 Site Layout Plan dated 24 March 2020

Site Photographs

Figure 1: Kitsmead Lane Looking South from Site Entrance
Figure 2: Kitsmead Lane Looking North from Site Entrance
Figure 3: Haul Road Looking West Towards Kitsmead Lane
Figure 4: View Looking East Across Application Site
Figure 5: View Looking South Across Application Site
Figure 6: View Looking North Across Application Site
Figure 7: AD Facility East of Application Site
Figure 8: Office + Light Ind Units West of Application Site
Figure 9: Grass Verge where Access Road will Cut Across
Figure 10: Attenuation Pond

Background

Site Description

1. Trumps Farm (also known as the Kitsmead Recycling Centre (KRC) lies within the Metropolitan Green Belt and is situated to the south of both the Waterloo-Reading line and the M3 motorway. It is bounded by Kitsmead Lane to the west, the Trumps Farm closed landfill site to the north, other farmland to the east, and Bog wood to the south which forms part of the permitted Chertsey Common Suitable Alternative Natural

Green Space (SANG). The wider area includes undulating farmland, woodland belts and copses, hedgerows and scattered settlement.

7

2. The application site is approximately 0.9 hectares (ha) in size, including the access road from Kitsmead Lane. It is generally level and sits largely on an existing impermeable concrete pad. Until recently, it occupied approximately 65% of the area of a green waste composting facility which closed in May 2022. The site lies approximately 2 kilometres (km) south of Virginia Water, 1.6km west of Lyne, 4.1km west of Chertsey; and 1.9km east of Longcross Station. The main access to the KRC is from Kitsmead Lane, some 540 metres (m) to the west of the proposed energy recovery facility (ERF), which connects the B386 Longcross Road to the south with the Chobham Lane / Trumps Green Road to the north.

3. From east to west, the KRC incorporates an anaerobic digestion (AD) facility, a dirty water lagoon, the application site, a two-storey office building and light industrial units which are currently under construction, and a large concrete yard area which has recently been upgraded and benefits from a lawful use certificate for open general storage including vehicles, plant and machinery. The application site is currently being used for the storage of construction materials which are being used in the development of the office building and light industrial units to the west.

4. Mature woodland screens the site from the south, west and partially from the north. The raised landform profile of the closed landfill creates further screening from the north and the AD facility provides screening from the east despite being located on land approximately 3m lower than the application site.

5. Two pockets of ancient woodland lie just south of the M3 motorway, the closest being around 380m to the north-west of the application site. Four well-established English Oak trees just south of the haul road are subject to a Tree Preservation Order (TPO) together with a further 12 English Oak trees and two Sweet Chestnuts situated along the northern boundary of Bog Wood approximately 18m to the south of the KRC.

6. The nearest residential receptors to the centre of the application site comprise Chevythorne Cottage and Trumps Farm House approximately 475m south-west and north-east respectively, Hersham Farm House 498m to the south-east, beyond which are a number of business units, Barrow Hill Cottages 529m to the south-west on Kitsmead Lane and Fairview Farm House 785m to the north-east. Chevythorne Cottage is also around 125m to the south of the internal access road at its nearest point.

7. To the west of the KRC, the development of Longcross Garden Village continues to progress, the majority of which is being constructed on the former Defence Evaluation and Research Agency (DERA) site owned by Crest Nicholson. The site area extends to 137ha and straddles both sides of the M3 motorway. The area to the north of the M3 motorway is known as Longcross North and has planning permission (ref: RU.13/0856) for up to 200 dwellings, up to 79,025 square metres (sq m) of gross employment floorspace, 36,000 sq m for a Data Centre and 6,300 sq m of retail/community uses. The residential element has now been completed and comprises 186 dwellings. The development also includes a 31ha area of SANG to the south of the KRC of which 5.1 ha has been delivered.

8. In February 2022, an outline planning application (re: RU.22/0393) was submitted to Runnymede Borough Council (RBC) for the development of Longcross South which is situated on a 79 ha site located south of the M3 motorway and west of Kitsmead Lane. This comprises up to 1,700 dwellings and up to 9,556 sq m of non-residential uses

including retail, employment and community uses as well as a new primary school, care home and public open space. The application remains undetermined.

9. Trumps Farm closed landfill site is subject to ongoing management of landfill gas and leachate. A temporary green waste bulking and transfer facility is situated to the north of the landfill. This lies on part of a triangular parcel of land allocated in the Surrey Waste Local Plan 2020 (SWLP) for the development of a household waste materials recovery facility (MRF).

10. Public footpath 45 / 62 runs through Bog Wood around 35m to the south of the application site at its nearest point linking Kitsmead Lane to the south-west with Lyne Close to the north-east.

11. Chobham Common Site of Special Scientific Interest (SSSI) and National Nature Reserve (NNR) lies approximately 1.7km to the south-west. The Common is further designated as a constituent part of the Thursley, Ash, Pirbright and Chobham Special Area of Conservation (SAC) and the Thames Basins Heaths Special Protection Area (SPA). The South-West London Waterbodies SPA and Ramsar site is around 3km to the north-east and Windsor Forest & Great Park SAC is situated 3.6km to the north-west.

12. The closest Sites of Nature Conservation Importance (SNCI) comprise Knowle Grove SNCI and Wentworth Golf Courses - Knowle Hill SNCI located approximately 480m and 860m to the north-west respectively. Part of the existing haul road extending from Kitsmead Lane is located within the Chobham South Heaths Biodiversity Opportunity Area (BOA) although the development site itself lies outside.

13. In terms of heritage assets, the Iron Age occupation, Trumps Farm, Longcross Area of High Archaeological Potential (AHAP) lies 230m to the north-east. 'Bowl barrow 200m west of Barrowhills' Scheduled Monument and County Site of Archaeological Importance (CSAI) is situated 1km to the south-west. This is located within an AHAP and inside the proposed Longcross South development area. The AHAP also includes two listed buildings comprising Barrow Hills and Barrow Hills Garden Terrace, both of which are Grade II listed. St Anne' Hill Scheduled Monument lies in an elevated position 3km to the north-west.

14. The nearest Registered Parks & Gardens are St. Ann's Hill and the Dingle (Grade II), and St. Ann's Court (Grade II*), approximately 3km to the north-east; and The Royal Estate, Windsor: Virginia Water (including Fort Belvedere and the Clockcase) (Grade I) approximately 3km to the north-west. RBC has identified the area around St. Ann's Hill as an 'Area of Landscape Importance' within its current Local Plan.

15. The application site lies within Flood Zone 1 and has a low probability of flooding. It is not located within or adjacent to an Air Quality Management Area (AQMA) or Clean Air Zone with the closest AQMA being located to the east alongside the M25 motorway.

Planning History

16. In 2001, RBC granted planning permission (ref: RU01/0573) for the use of some 3ha of Trumps Farm for the auction of agricultural equipment.

17. Planning permission was granted in 2003 for the formation of a new access to Kitsmead Lane (Refs: RU02/1354 and RU03/0070).

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18. In October 2004, planning permission (ref: RU 04/0726) was granted by Surrey County Council (SCC) for the agricultural improvement of three fields, which allowed for the importation of inert soils to improve drainage and the ploughing in of a thin layer of imported green waste compost. An extension of time was granted for this land improvement in October 2006 until 1 November 2008 (ref: RU06/0852), and again in September 2007 until 1 November 2009 (ref: RU07/0717).

19. Planning permission (ref: RU08/0556) was granted in August 2008 for the importation of green waste for shredding and composting in eco-pods and soils for screening, both for use on the farms in association with an organic farming project.

20. Two new planning applications (refs: RU09/0543 and RU09/0555), which involved changes to the original eco-pods proposal and providing for a small increase in the site area were permitted on 14 September 2009, replacing the earlier 2008 permission. These permissions also included provision for a combined store and maintenance building for storage and the servicing of plant and equipment.

21. Details pursuant to the above 2009 permissions in respect of a weighbridge, store, control room, boundary walls, stockpiles; lorry turning and parking spaces; facility to keep the highway clean; surface water drainage; foul sewage disposal; and a local biodiversity improvement scheme were approved on 8 June 2010 (ref: RU09/1077).

22. An odour management plan (ref: RU10/0486) pursuant to the above permissions for composting in eco-pods was later approved on 8 November 2010.

23. On 16 November 2011, planning permission (ref: RU10/0872) was granted on land 30m to the east of the application site for the construction and operation of an anaerobic digestion (AD) facility and a wood drying and pelleting facility (although the latter has not been implemented).

24. In May 2012, planning permissions ref: RU.12/0334 and RU.12/0335 were granted to vary Conditions 6 of planning permissions ref: RU09/0543 and RU09/0555 to change the hours of working of the operations involving composting in eco-pods. Planning permission (refs: RU.12/0332 and RU.12/0333) were also granted in May 2012 to allow the export of compost soil materials off site.

25. Two non-material amendments (refs: RU.12/0991 and RU.12/0989) to planning permission ref: RU.10/0872 were approved in November and December 2012 to amend the underground storage and reception tanks and amend the length of the reception building forming part of the AD facility.

26. In November 2015, retrospective planning permission (ref. RU.15/1366) was granted to allow minor amendments to the design and layout of the AD facility, and a revised Landscape and Management Plan (LEMP) pursuant to Condition 19 of planning permission ref. RU10/0872.

27. In February and August 2013, planning permission (refs: RU.12/1234 and RU.13/0595) were granted respectively at the composting facility for a corner extension to the existing yard including provision of hardstanding and erection of concrete boundary wall and the erection of a management portacabin and welfare units and a new portacabin unit on top of the existing weighbridge. In June 2015 further permissions (refs: RU.14/1441, RU.14/1443, RU.14/1444 and RU.14/1523) were granted to enable increased flexibility over the export of compost and the numbers of vehicles accessing and egressing the site.

28. Planning permission (ref: RU.15/1834) was granted in January 2016 for the construction and use of a workshop and hardstanding ancillary to the permitted green waste composting operations, in an alternative location on site to that originally permitted under planning permission ref: RU09/0543 dated 14 September 2009.

29. In July 2019, planning permission (ref: RU.19/0535) was granted to enable vehicles exporting digestate from the AD facility to access or egress the site for an additional 3.5 hours per day on Mondays to Fridays between 0600 and 2000 hours.

30. A Certificate of Lawfulness of Existing Use or Development (CLEUD) (ref: RU.19/0910) was granted by RBC in July 2019 for the use of the western part of the KRC for general storage including vehicles, plant and machinery.

31. In August 2021, RBC granted planning permission (ref: RU.21/0382) on land to the west of the application site for the erection of a two storey office, the refurbishment and repurposing of light industrial units and upgrading of existing estate road and site yard surface and re-profiling of bank along the site boundary.

The proposal

32. This application is for the erection and operation of a small scale clinical waste thermal treatment facility including a main building, structures, parking, hardstanding and landscape works. The proposed development consists of a new agricultural-style building that will house a thermal treatment process handling up to 16,000 tonnes per annum (tpa) of clinical and other similar wastes. Energy will be recovered from this process in the form of heat and electricity. This will provide the energy needed to run the facility, export electricity to the National Grid using the existing nearby connection available on site, which will be linked to the application site via an underground cable, and / or sell the heat and power generated to a willing business nearby.

33. The new building will be used to accommodate: a reception area for waste materials into which vehicles will reverse and enter the building through roller shutter doors on the building's eastern façade to deposit their waste containers, with a goods-in and a goods-out door; a container holding area; container washing facility; automated conveyor onto which containers will be loaded; enclosed hopper into which container will be emptied; thermal process equipment; a controlled air management system; a small office accommodating clerical staff for the documentation, and emission and system monitoring; and a contained internal drainage system which will feed to a sealed tank via an interceptor in line Environment Agency (EA) requirements. This will include rollover bunds in doorways to contain any spills within the building and will not be connected to the external drainage system. Weighing of the waste will be take place on the process line before it enters the shredder, so an external weighbridge is not required. Welfare facilities for site staff will be provided within the reception building structure on a mezzanine floor.

34. The main building will have a footprint of 2,040 sq m being 53m in length and 38.5m wide. It will have a height of 8.5m to the eaves and 10m to the ridgeline. There will be an associated pale grey coloured exhaust flue extending from the roof of the building which will be up to 26m in height and around 1m in diameter. The building will be clad with a profiled steel panel system, dark green in colour to blend with existing buildings. A canopy is proposed to be located above two roller shutter doors to be provided on the building's eastern elevation. One further roller shutter door will be provided on the building's southern elevation. Three pedestrian doors are proposed to be located on

the building's northern elevation, with one pedestrian door proposed on each of the other three elevations.

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35. The building will be surrounded by a hard-surfaced yard area used for vehicle access, manoeuvring and the provision of 13 car parking spaces with access achieved via the existing haul road from Kitsmead Lane. A compound containing liquified petroleum gas (LPG) tanks is proposed to the south-east of the building to provide auxiliary power to the facility. The applicant describes this as being similar to those that are provided for domestic premises, without access to mains gas.

36. The existing dirty water lagoon to the east of the building will be utilised as a balancing pond to take run-off from the proposed development following the removal of the existing dirty water and any contamination. Run-off from the building and yard area will be clean water which can be discharged to this adjacent water lagoon as has previously been the case.

37. For security purposes, a 2.4m high steel palisade security fence will be erected around the site boundary as well as an automated security gate and/or barrier. The site will have CCTV cameras installed, which will also be used to assist in recording any out of hours activity. A total of 9 LED downlights are proposed to be mounted on the façade of the building above the roller shutter doors and pedestrian doors. All lights will be turned off at 1900 hours Monday to Friday or by 1400 hours on Saturdays unless required for maintenance or emergency use.

38. A scheme of new planting will be provided for within the development site in association with the proposals. This will add to the biodiversity on what is currently a sterile site from an ecological point of view.

39. It is anticipated that during the operational phase, the plant would generate around 27 full time jobs comprising 20 operational staff with the remainder made up of 'day' staff' providing management and administration of the plant. A maximum of five staff per operational shift would be on site at any one time with four shift teams and a maximum of three shifts per working day.

Site Operations and Process Description

40. Waste materials for treatment are separated at the source of their arising, and hermetically[1] sealed in bags and containers by the customer into appropriate categories. The materials themselves would then be delivered to the application site in sealed specialist containers and would not be handled or stored outside at any time. The materials would be transported to the site in vehicles of a variety of sizes, but no more than two bulk loads per day are anticipated, with a number of smaller trucks and vans delivering lower volume loads. On arrival, waste is placed in standardised containers ready for treatment; each is weighed and recorded. Should any load be split on arrival it would be rejected and sent off-site for processing elsewhere. After processing, a residual waste ash (incinerator bottom ash or IBA) would be exported from the site (in bulk loads) which would generate on average one vehicle visit per week.

41. The total theoretical maximum daily feedstock conversion capacity will be 48 tonnes. Under normal operation, the energy recovery facility (ERF) is expected to process up to 2,000 kilogrammes (kg) (2 tonnes) of waste per hour. In line with the quantity of containers the plant will process, under normal operation waste will not be stored for

[1] Sealed in a way that is completely airtight

longer than 24 hours. However, in the case of a bank holiday weekend such as Easter, waste may need to be stored for up to 4 days.

42. Once ready to be treated, the waste containers will be manually loaded using a fork-lift vehicle or similar onto the container management system, which will place it onto a container lift, which empties the contents into the hopper which mechanically feeds it into the primary combustion chamber. The container will then be transferred to the container wash for disinfection. The site will also take liquid waste that require treatment which will be injected into the process.

43. The thermal treatment system comprises two principal sections, the primary combustion chamber where the solid waste is destroyed, and the secondary combustion chamber where combustion products are thermally treated and oxidised. Waste is only introduced into the primary combustion chamber once sufficient temperatures have been reached.

44. The auxiliary fuel used is gas and waste oil. The waste oil is emulsified on site and will be used to supplement combustion in the primary chamber once the chamber is above a temperature of at least 1100°C.

45. Within the primary combustion chamber, the waste progresses over two hydraulically driven stepped hearths. IBA is collected and quenched prior to transfer off-site for recycling into aggregate. The hot gases produced from the primary combustion chamber are transferred to the secondary combustion chamber.

46. The secondary combustion chamber serves to provide the necessary temperature and residence time conditions (greater than 2 seconds at 1,110 °C) to meet with the Industrial Emissions Directive (IED). Hot gases from the secondary combustion chamber are then transferred to the waste heat boiler via a hot gas duct. All steam produced by the waste heat boiler is directed through a screw expander turbine to generate electricity for export and site parasitic requirements.

47. Flue gas cleaning and pollution control consists of Selective Non-Catalytic Reduction (SNCR) through urea injection within the combustion chambers, sodium bicarbonate injection for acid gas neutralisation, and activated carbon powder injection for absorption and removal of heavy metals, dioxins, volatile organic compounds (VOCs) and other harmful substances.

48. IBA, and air pollution control residues (APCr) consisting of contaminated lime and spent carbon pellets, from the energy conversion processing units will be conveyed to a sealed skip. Once full, the skip will be changed and taken off-site by a specialist contractor to be recycled, in the former case, or disposed of at an appropriate facility in the latter case. It is expected this will occur on a once or twice per week basis as appropriate. The applicant expects that this will result in no more than 2-4 heavy goods vehicle (HGV) movements per week. IBA and APCr removal collections will be scheduled on different days where possible to minimise vehicle movements.

49. In total it is anticipated that no more than one or two vehicles importing or exporting materials would visit the site on average per hour. The site would process feedstock and recover energy 24 hours a day, 7 days a week and operate continuously throughout the year, except during shutdowns for maintenance purposes. Deliveries of feedstock and export of IBA and APCr are proposed to take place between 0700 and 1800 hours Monday to Friday, and 0700 and 1300 hours on Saturdays. Waste will not be accepted on Sundays or Bank and Public Holidays.

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50. Materials to be processed would be sourced from the area centred on the site. The developer has identified a need within this locality to serve the M3 corridor, including the urban areas of Farnborough, Woking and other local towns. It is not anticipated that feedstocks would travel substantial distances.

51. The site would only handle waste under contract and would not be open to the public or general trade use. Materials would be processed promptly on receipt, with no prolonged storage before processing. The waste handling and thermal treatment process is entirely enclosed from start to finish in order to comply with appropriate regulations. No handling, processing or storage of waste would take place outside.

Inputs and Outputs

52. In terms of feedstock, the type of waste to be handled include: health care waste; hazardous waste including medicines, needles or suture needle, incontinence pads, and soft waste such as dressings; hygiene waste; medicinal waste; and law enforcement confiscated material including excise goods (cigarettes, tobacco and alcohol), firearms and prohibited drugs.

53. The outputs from the site would amount to approximately 2 tonnes of IBA per day and 28 tonnes of APCr per month equating to around 1,320 tpa in total. The applicant anticipates that the facility will produce 550 kilowatts of electrical power (kWe) for export to the national grid, equivalent to the demand of approximately 1,100 homes. Heat will also be produced as a by-product of the electrical generation which the developer intends to provide for use in the existing waste management processes or businesses operating on the wider site.

Site preparation and Construction Works

54. Site preparation work for the facility will involve the creation of a new short access off the existing internal haul road, refurbishment of the existing concrete pad, creation of a new drainage system, laying of the cabling for export of the power, and erection of the processing building and exhaust flue. The construction of the ERF is expected to generate up to 25 direct jobs over the construction period of up to 12 months. Across this period, it is proposed that civil construction operations would normally take place between 0700 and 1800 hours Monday to Friday and 0800 and 13.00 hours on Saturday. No construction works will take place on Sundays or Public Holidays. This would include installation and commissioning of the plant and equipment provided as part of the proposed ERF.

Environmental Controls

55. Environmental monitoring procedures will be provided in accordance with the requirements of an Environmental Permit to be issued by the EA, which is aimed at controlling the facility's releases to air, water, and ground.

Consultations and publicity

District Council

56.	Runnymede Borough Council	Holding objection until such time as an Environmental Permit has been issued to address their concerns in relation to air quality, noise, odour and habitat issues.

57.	Environmental Health Team	Consideration should be given to setting an appropriate night-time noise limit. Suggest imposition of an odour condition if odour is not covered in the Environmental Permit.

Consultees (Statutory and Non-Statutory)

58.	County Highway Authority	The application would not have a material impact on the safety and operation of the public highway. Recommend conditions to promote more sustainable travel.
59.	Environment Agency	Unable to undertake an assessment due to increased workload prioritisation. Has not assessed whether consent will be required under their regulatory role.
60.	County Air Quality Consultant	Considers that there should be no dust emissions, agrees with conclusions of Air Quality Assessment and advises that residual odour effects are not significant. Recommends a condition limiting sulphur dioxide emissions.
61.	County Noise Consultant	Noise should not be a material concern in the granting of planning consent. Recommends the imposition of four planning conditions.
62.	Lead Local Flood Authority	Content with the development proposed subject to conditions.
63.	County Landscape Officer	No objection subject to conditions to ensure that the proposed mitigation set out in the Landscape and Visual Impact Assessment is achieved.
64.	County Geotechnical Consultant	Satisfied with Phase 1 Preliminary Contamination Risk Assessment Report and recommend conditions including the submission of a contamination and geotechnical intrusive investigation, a ground investigation and risk assessment and a remediation scheme for approval in writing.
65.	County Ecologist	No objection subject to condition requiring submission of a scheme to secure Biodiversity Net-Gain. Concurs with Natural England's response.
66.	Surrey Wildlife Trust	No comments received.
67.	Natural England	No objection subject to conditions to provide appropriate mitigation as detailed in the Air Quality Assessment and to address the

		possible impact of run-off contaminants on surface drains through Bog Wood.
68.	County Environmental Assessment Officer	Prepared a Habitats Regulations Report which concludes that subject to the proposed mitigation contained in the Air Quality Assessment being secured by planning condition or obligation, the application would not, alone or in combination, give rise to likely significant effects on any SPAs, SACs and RAMSAR sites.
69.	County Closed Landfill Sites Manager	A ground gas risk assessment does not appear to have been submitted with the application to address the proximity of the site to the boundary of a landfill site.
70.	Highways England	No objection.
71.	County Archaeological Officer	There is no requirement for any archaeological work as a consequence of this application.
72.	Historic England	Do not wish to offer any comments.
73.	Countryside Access Team	No objection.
74.	UK Health Security Agency	Modern, well run and regulated municipal waste incinerators are not a significant risk to public health.
75.	Heathrow Airport Ltd	No objection.
76.	Thames Water	No objection as foul and surface water will not be discharged to the public network.
77.	Affinity Water	No comments received.
78.	Health and Safety Executive (HSE)	As development does not intersect a pipeline or hazard zone, HSE Planning Advice does not have an interest in the development.
79.	National Grid	Area has been found not to affect any National Grid Electricity Transmission plc's apparatus.
80.	Scottish and Southern Electricity Networks	Enclose plans of their network records together with a separate Interpretation Guide and Safety Advice leaflet.
81.	UK Power Networks	Provide a colour copy of the plans from their mains record and safety advice booklet which should be passed to the senior person on site.

82.	Cadent Gas Ltd	No objection.
83.	Planning Casework Unit / (then MHCLG)	No comments received.

Parish/Town Council and Amenity Groups

84.	The Chobham Society	No comments received.
85.	Ottershaw Society	No comments received.
86.	The Wentworth Residents' Association	Objection due to Green Belt location, need, health and safety, proximity to public rights of way and the environmental impacts including in relation to traffic, landscape and visual, trees, air pollution, odour, noise and ecology.

Summary of publicity undertaken and key issues raised by public

87. The application was publicised by the posting of 5 site notices and an advert was placed in the local newspaper. A total of 44 owner/occupiers of neighbouring properties were directly notified by letter. Following the submission by the applicant of amending and amplifying information to the planning application and further environmental information in relation to the Environmental Statement, two further rounds of publicity were undertaken between 19 March and 19 April 2021 and 5 November and 7 December 2021.

88. A total of 167 letters of representations and 1 petition containing 597 signatures have been received, all of which object to the application, with a number of residents having written in on multiple occasions. The main reasons given are summarised below.

Waste Management

- Waste will come from all over England and possibly London.
- Not sustainable due to overcapacity for incineration in the United Kingdom.
- Need not established with existing facilities nearby at St Peter's Hospital, Colnbrook, Ashford in Kent, DEFRA in Surrey, and Southampton.
- There is spare capacity for clinical waste at other Surrey incinerators.
- Breaches Government waste directive requiring waste to be treated locally.
- Technological improvements will reduce medical waste in the near future.
- Concern capacity will exceed 16,000 tpa.
- Concern over major combustible systems and LPG tanks.
- Autoclaving, microwaving, steam treatment with internal mixing and chemical treatment would be more suitable alternative.

Location

- Should be sited much further away from residents, businesses and schools.
- Area is unsuitable and proposal will substantially reduce quality of life.
- Should be in a rural area with direct motorway access.
- Disagree there are no nearby neighbours given properties on Kitsmead Lane.
- Proximity to two schools and a third school planned for Longcross village.
- Three former landfills already exist in the vicinity.
- Too many waste sites in a small area would harm economic growth.

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Energy Recovery

- Energy produced should be measured against environmental costs of transporting waste from a 50 mile radius.
- Energy recovery is not yet guaranteed.

Climate Change

- Climate change assessment lacks evidence of carbon dioxide (CO^2) emissions from truck movements compared to the existing facility.
- Emission of greenhouse gases such as CO^2 will exacerbate climate change.

Highway and Traffic

- Unacceptable volume of HGVs day and night, seven days a week.
- Exponential rise in HGVs from Trumps Farm in past 15 years.
- Increase in traffic and congestion which will be exacerbated by more home working.
- Dirt / muck brought by delivery vehicles and intolerable impact of construction traffic.
- HGVs use site from 0630 hours constantly and contravene hours of operation.
- Vehicle movements should be restricted to between 0700 and 1900 hours Monday to Friday and 0800 and 1300 hours on Saturdays only.
- Number of HGVs and other vehicles should be controlled or capped.
- Poor state of repair of existing roads and damage to verges, kerb stones and trees.
- Transport of hazardous payloads through residential areas.
- Many roads including Kitsmead Lane and Trumpsgreen Road are insufficient for HGVs due to height, weight and width restrictions.
- Misleading Transport Assessment observation about Kitsmead Lane.
- Impact on one of the country's busiest motorway stretches.
- Exacerbate existing safety at Kitsmead Lane / Longcross Road junction and Kitsmead Lane / Trumpsgreen Road junction which is dangerous.
- Pedestrian and residents' safety, danger to children crossing the road and HGV wing mirrors being at head height.
- Oppose HGV routing past houses on Kitsmead Lane and routing via Longcross Road is meaningless given non-compliance and lack of enforcement.
- Rules routing traffic to and from the M3 bridge is completely disregarded and trucks should be routed to avoid Virginia Water.
- Need for gas tanks to access the site to provide power.
- Breech of speed limits in Virginia Water and weight limit in Chobham High Street.
- Concern over who is going to monitor the number of HGV movements.
- Cumulative impact of traffic from huge housing increase, Longcross Garden Village, Netflix Studios and mineral extraction and lack of infrastructure to support it.

Air Quality

- Harmful emissions including smoke, toxins, dioxins, furans arsenic, chromium, methane, particulate matter, carcinogens and potentially carbon monoxide.
- Impact of pollution on residents, schools, livestock, Chobham Common, Wentworth Golf Course, Trumps Green, Virginia Water (from prevailing winds) and Chobham.
- Knowle Hill property windows are in line with the top of the chimney which will result in residents inhaling exhausts and gases.
- Will increase existing odour from composing site, AD facility and sewage treatment plant exacerbating quality of life.
- 64 referrals made to EA in first 7 months of 2020 due to odour from current facility.

- The methane will cause unacceptable smells.
- Have to keep windows closed on some days, prevents enjoyment of gardens.
- People expect to be able to walk in fresh air.
- No evidence an air quality or odour assessment has been undertaken.
- Suggestion treatment process will be odourless, as waste will be malodourous, and that residents will be informed in advance of a malodorous output is contradictory.
- Will exacerbate odour at Chertsey Common SANG and Upper Longcross.
- Increased impact of traffic pollution due to more home working.
- AQMA boundaries do not reflect emissions from increased M3 traffic since 2001.
- Area is already saturated with pollution and highly acidic due to proximity to motorways, flight paths and building expansion.
- No plan to measure air quality in Longcross Garden Village.
- Air quality at the site is not managed properly and there appears to be no monitoring protocol so there is no faith that emissions will be controlled.
- Cumulative impact of pollution from M3, helicopter corridor, and the additional traffic from mineral extraction and the Netflix Studio at Longcross.

Environment

- Existing site is an enormous strain on the local environment without expanding it.
- Chertsey Common SANG would become unpleasant and unhealthy to use.
- Disagree with applicant that there is no suspected contamination on the site.
- Cause over-development and similar plan was rejected three years ago.
- Cumulative environmental impact of excessive development.
- A huge amount of litter / debris from Trumps Farm ends up on the roadside.
- Contamination of natural water course at Bog Wood.
- Unknown effects on the environment and local population.
- Existing impacts should be mitigated before considering further waste uses.
- The land should be used for farming.
- Will increase existing light pollution from roads and air traffic.

Noise and Vibration

- Operational noise and intolerable impact of construction noise.
- Inadequate noise assessment and favours noise proof fencing around the site.
- Frequent sound of mechanical noise from the site.
- Processing / operational noise will affect residents at all hours of the day and night.
- Staff will need to arrive on site before 0700 hours.
- Noise impacts due to Trumps Farm businesses flouting allowed operating times.
- Vibration from speeding HGV's causing house to shake, cracks in the plaster, damage to foundations and the need for roof and brick repairs.
- Additional noise impact as more people work from home.
- Will affect those wishing to enjoy the quiet of Chobham Common.

Landscape and Visual

- Visual impact is unacceptable.
- Visual impact of chimney on 13 houses on Knowle Hill, SANG and public footpaths will unacceptably affect amenities.
- Impact of the plume from the chimney.
- Industrial buildings and HGVs are a visual eyesore.
- Facility should not be created in an area of such beauty which will be ruined.

Ecology

- Adverse impact on rare sand lizards, ground nesting birds, rare invertebrates and lowland Heath at Chobham Common SSSI and NNR including from fire.

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- Negative impact on wild muntjar, birds, owls, bats and newts at neighbouring SANG.
- Negatively affect local ecology, biodiversity and surrounding ancient woodland.
- Land could be used for wildlife preservation and protection.

Health and Safety

- Proposal should be subject to a safety assessment by the EA.
- Madness to build an incinerator on top of a closed landfill.
- Danger of fire from fuel storage and heat generation due to proximity to closed landfill site with 40 year build-up of explosive methane gas below the surface.
- Granting permission would be irresponsible and tantamount to criminal action, loss of life, destruction of property, risk to workers and disruption to the M3.
- Recent fire on Chobham Common took one week to put out.
- Exhausts from delivery vehicles would seriously endanger health and safety.
- The World Health Organisation (WHO) advises that only modern incinerators operating at 850-1100 °C and fitted with special gas cleaning equipment are able to comply with the international emission standards for dioxins and furans.
- Risk of accidents; incinerators catch fire and stored clinical waste has a high fire risk.
- Three large generators powered by landfill gas were removed in 2008 when an incinerator was proposed.
- Risk from local agricultural bonfires and proximity to dwellings is unacceptable.
- Inappropriate during a global pandemic and risk of an accident involving a waste vehicle or an on-site process failure requiring emergency procedures.
- Long term health impact of inhaling pollution and noxious smells may be dangerous.
- Hazardous material should be kept away from where children live.
- Human health receptors should include Knowle Hill given its elevated position.
- Concern about by-products of incineration and risk to residents of waste storage.
- Impact on mental health of the community and physical wellbeing.
- Facility would cause cancer and negatively affect all 221 schools in Surrey.
- Proximity to St Peter's Hospital and combined impact of proposal with incinerators at Heathrow and Charlton Lane within a concentrated area.
- Improper clinical waste disposal can lead to risks to the community and children.

Longcross Garden Village

- No reference to proposed and existing homes at Longcross Garden Village.
- Over 1,700 new homes in the immediate vicinity will be blighted.

Other

- Social impact on local residents and this has already been declined once previously.
- The EA refused SITA an operational licence for an incinerator on the same site due to the risks of explosions and following objections raised in 2008.
- An incinerator has already been refused on the rule of proximity as there is already one at Heathrow and Charlton Lane.
- Unclear if applicant has the necessary funds, technical and commercial capabilities.
- Adverse impact on house prices and makes property unattractive for buyers.
- This is greed and opportunism.
- EA are unlikely to be resourced to provide 24 hour monitoring.

Green Belt

- Too near the Green Belt which is used for recreation and farming.
- Surrounding roads run through Green Belt.

- Contrary to development plan as development is inappropriate in the Green Belt.

Consultation Arrangements

- Insufficient notification of the application and many residents will not be aware of it.
- Borough Council offices have not been open to view documents during lockdown.
- Insufficient time to view documentation and unfair deadline cannot be extended.
- Consultation prior to submission should have covered a wider area.
- Full public exhibition should have been held to improve understanding of the impact.
- Crest Nicholson should be consulted.
- Is a requirement to consult the EA on all applications within 250m of a landfill.

Procedural Matters

- Local councillors' request to visit similar site near Malvern has not been arranged.
- Errors in Non-Technical Summary regarding road names and HGV movements.
- Unable to find a declaration of conflict of interest involving monetary payments or benefits received by SCC or an affirmation that none exist.

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Planning considerations

Introduction

89. 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.

90. In this case the statutory development plan for consideration of the application consists of the Surrey Waste Local Plan 2020 (SWLP) and the Runnymede 2030 Local Plan 2020 (RLP). The County Planning Authority (CPA) is in the process of preparing a new Minerals and Waste Local Plan (MWLP) for Surrey which will replace the existing SWLP 2020. The MWLP remains at an early stage of preparation and the Issues and Options document was published for consultation between 15 November 2021 and 7 March 2022. The Borough Council has commenced a review of the RLP but have yet to produce a draft replacement plan for consultation.

91. In considering this application, the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations. The environmental information contained in the submitted Environmental Statement (ES) accompanying this application will be taken into consideration and reference will be made to it.

92. 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 sustainable waste management, climate change, highways, traffic and access, air quality, noise, landscape and visual impact, ecology and biodiversity, water environment, geotechnical considerations, lighting, heritage, public rights of way, airport safeguarding, community engagement and Green Belt.

Environmental Impact Assessment

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93. The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations), as amended, concern the assessment of the effects of certain public and private projects on the environment. Development proposals falling under Schedule 1 of the regulations require an Environmental Impact Assessment (EIA) in every case while those under Schedule 2 only require an EIA where development is likely to have significant environmental effects. Development under Schedule 1 includes waste disposal installations for the incineration of hazardous waste as defined in Article 3(2) of the

94. European Waste Framework Directive (2008/98/EC)[2]. By virtue of the material to be handled being classed as hazardous waste, an Environmental Impact Assessment was required to accompany the application.

95. The purpose of an Environmental Statement (ES) is to enable the decision making body to take full account of the environmental impacts of a proposed development, alongside its anticipated economic or social benefits (as detailed in the planning statement), before an application for planning consent is determined. The ES provides environmental information to aid the decision making process.

96. The applicant wrote to the CPA to request a Scoping Opinion for the proposed development under Regulation 15 of the EIA Regulations. The County Council subsequently adopted its Scoping Opinion Report in July 2019 setting out the information the CPA considers should be included in the EIA. This set out that the ES should cover the impact of emissions on air quality, the impact of emissions on nature conservation assets and the impact of the development on highways and highway users. It was considered that other matters such as landscape and visual amenity, on-site and adjoining ecology, cultural heritage, flood risk, water resources, noise and vibration, land condition and soils, socio-economic impacts and climate change did not need to be covered in the ES.

97. The applicant has submitted an ES as part of the application which considers the main potential environmental effects of the proposed development. The ES is in accordance with the EIA Regulations 2017 (as amended) and largely in line with the Scoping Opinion issued by SCC. The only exception being the inclusion of a chapter on Landscape and Visual Impact. This was due to modelling work demonstrating that the height of the flue would need to be increased from up to 16m, as proposed at the time of the Scoping Opinion request, to up to 26m increasing the landscape and visual impact of the proposal.

98. In terms of principal statutory environmental constraints, the ES concludes that the proposal will not affect any nationally or regionally important designated sites. The ES identifies that there will be no overall likely significant impact arising from air quality, transport, or landscape and visual effects and no likely significant cumulative effects arising from the proposal. In relation to an assessment of main alternatives, the ES concludes that the application site is a good choice for the facility and that the preferred location and layout minimises the potential environmental effects.

99. In overall conclusion, the ES finds that no likely significant effects and no unacceptable adverse impacts on the environment would arise from the proposed development. The

[2] English and Welsh law was updated on 1 October 2020 to include changes to the Waste Framework Directive (WFD) made in 2018. This was done through the Waste (Circular Economy) (Amendment) Regulations 2020. The changes to the WFD include changes to article 5 and 6, which cover by-products and end of waste criteria.

ES considers that the potential benefits of the scheme are substantial, such that they clearly outweigh any minor impacts associated with the proposals.

100. The ES forms part of the environmental information that the CPA is required (Regulation 26(1)) to consider when determining an application for planning permission for EIA development. Regulation 2 of the EIA Regulations defines the term "environmental information" as encompassing, "…the environmental statement, including any further information and any other information, any representations made by any body required by these Regulations to be invited to make representations, and any representations duly made by any other person about the environmental effects of the development". The CPA has therefore taken account of the views expressed by statutory and technical consultees and by third parties in reaching its conclusions with reference to the likely significant environmental effects of the proposed development.

101. Regulation 26(1)(b) of the EIA Regulations require the planning authority to reach a reasoned conclusion on the significant environmental effects of the proposed development, taking into account the environmental information. Regulation 26(1)(c) of the EIA Regulations requires planning authorities to integrate their conclusion on the significant environmental effects of the proposed development into their decision on the grant of planning permission. The submitted ES includes chapters on the following topics. The CPAs conclusions on the likely significant environmental effects of the proposed development on each of these topics is addressed in detail in the sections of the Officer Report listed below:

- Landscape and Visual Impact (covered in pages 33-64 of the submitted ES) - the CPAs conclusions in respect of the impact of the proposed development on landscape character and visual amenity are set out in paragraphs 251 to 287 of this report.
- Air Quality - Impacts on the Human Population (covered in pages 65-72 of the submitted ES) - the CPAs conclusions in respect of the impact of the proposed development on air quality with reference to human health and wellbeing are set out in paragraphs 200 to 208 and 228 to 233 of this report.
- Air Quality - Impacts on Ecology (covered in pages 65-72 of the submitted ES) - the CPAs conclusions in respect of the impact of the proposed development on air quality with reference to sensitive ecological sites and habitats are set out in paragraphs 200 to 208 and 292 to 303 of this report.
- Transport (covered in pages 73-78 of the submitted ES) - the CPAs conclusions in respect of the impact of the proposed development on traffic levels and the highway network are set out in paragraphs 157 to 188 of this report.

Habitat Regulations Assessment

102. Regulation 63 of the Conservation of Habitats & Species Regulations 2017 (Statutory Instrument 2017 No.1012) (as amended) requires an 'appropriate assessment' of projects to be undertaken prior to the grant of planning permission. The requirement applies to projects that are likely to give rise to significant impacts, alone or in-combination, on SPAs or SACs.

103. Regulation 27 of the EIA Regulations provides for co-ordination of assessments where a project requires assessment under both the EIA and the Habitats Regulations regimes. In the current case the information to inform the appropriate assessment required due to the site's proximity to a number of SPAs and SACs and the nature of the development (a thermal treatment facility) has been provided in the submitted ES.

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104. As a matter of policy in the UK, sites designated under the Ramsar Convention on Wetlands of International Importance currently benefit from the same level of protection as SPAs and SACs. In Surrey, the County's two Ramsar Sites are coincident with SPA and/or SAC designations. All SPAs, SACs and Ramsar Sites are composed of SSSIs.

105. The Habitat Regulations Assessment (HRA) process can involve up to four stages: Stage 1 - Screening; Stage 2 - Appropriate Assessment; Stage 3 - Assessment of alternative solutions; Stage 4 - Assessment of compensation and imperative reasons of over-riding public interest. The aim of the HRA process is to ascertain whether the project will adversely affect the integrity of the SPA or SAC concerned. Mitigation measures can be considered at Stage 2 (Appropriate Assessment). The HRA undertaken for the current application comprises of Stage 1 (Screening) and Stage 2 (Appropriate Assessment).

106. SCC has prepared an HRA report for this application which covers those SPAs, SACs and Ramsar Sites situated within 10 kilometres of the application site. The distance of 10 kilometres reflects the criteria used by the EA when considering the impacts of industrial installations that will give rise to emissions of pollutants as part of the environmental permitting process. Information on the findings of the HRA report is provided in the Ecology and Biodiversity section of this report below. As air quality impacts can be appropriately mitigated as detailed in the submitted Air Quality Assessment, Natural England concur with the conclusion reached through the HRA that subject to mitigation secured by condition, the scheme would not result in likely significant effects on the SPAs, SACs and Ramsar Site listed below:

- Thames Basin Heaths SPA.
- Thursley, Ash, Pirbright and Chobham SAC.
- Windsor Forest and Great Park SAC.
- South-West London Waterbodies SPA and Ramsar Site.

Environment Agency

107. The EA is the environmental regulator of major industry and waste in England. The protection of people, wildlife and the environment is a key priority in their role of seeking to improve and safeguard the quality of the air, land and water by tackling pollution. They also work with businesses to help them comply with environmental regulations. Through their regulation of waste, water, nuclear and carbon intensive industries, they help the country to be stronger, more competitive and more resilient to climate change.

108. For some small scale waste management facilities, such as those processing up to 1 tonne of waste per hour, responsibility for the regulation of the exhaust flue rests with the district and borough councils. The application proposes to process up to 2 tonnes of waste per hour. The Borough Council's Environmental Health Team has advised that responsibility for regulating the exhaust flue would rest with the EA. The operator would therefore need to apply to the EA for an Environment Permit in order to operate the facility. In order to issue a Permit, the EA would need to be satisfied that the proposal complies with the revised 'Waste Framework Directive' (2008/98/EC) and 'The Waste (England and Wales) Regulations 2011' (as amended).

109. The applicant has stated that they will need to apply for an Environmental Permit and operate the facility in accordance with the requirements of the permit. This will include conditions covering the operation of the facility such as the types and volumes of waste that may be accepted, how the waste is to be stored and treated, together with

specific limits on emissions aimed at safely controlling the facility's releases to air, water and ground. It will also require environmental monitoring procedures to be put in place and the facility will be subject to regular inspections by the EA in order to ensure compliance.

110. The Borough Council has responded placing a holding objection on the application until such time as an Environmental Permit has been issued. The applicant has confirmed that work on the permit application has been paused pending the determination of this application by the CPA. Officers acknowledge that Environmental Permitting and planning are two separate albeit complementary regulatory processes. However, the absence of a permit at the planning application stage has no influence on the merits of the planning application or any bearing on its determination by the CPA. This is confirmed by paragraph 7 of the National Planning Policy for Waste (NPPW) which explains that when determining applications, waste planning authorities (WPAs) should, amongst other matters, concern themselves with implementing the planning strategy in the Local Plan and not with the control of processes which are a matter for the pollution control authorities. WPAs should work on the assumption that the relevant pollution control regime will be properly applied and enforced.

Waste Management

Surrey Waste Local Plan 2020
Policy 1: Need for Waste Development
Policy 2: Recycling and Recovery (other than inert C, D & E and soil recycling facilities)
Policy 10: Areas Suitable for Development of Waste Management Facilities
Policy 13: Sustainable Design

Policy and Guidance

111. Paragraph 7 of the National Planning Policy Framework (NPPF) explains that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 sets out that there are three dimensions to sustainable development which the planning system can help to achieve: economic, social and environmental.

112. The economic objective includes the need to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity. The social objective involves supporting strong, vibrant and healthy communities. The environmental objective is to protect and enhance our environment by making effective use of land, improving biodiversity, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy. NPPF paragraph 84 promotes the sustainable growth and expansion of all types of business in rural areas in order to support a prosperous rural economy.

113. Paragraph 1 of the NPPW states that positive planning plays a pivotal role in delivering this country's waste ambitions including through: delivery of sustainable development and resource efficiency, local employment opportunities and wider climate change benefits, by driving waste management up the waste hierarchy; providing a framework in which communities and businesses are engaged with and take more responsibility for their own waste, including by enabling waste to be disposed of or recovered, in line with the proximity principle; and, helping to secure waste re-use, recovery or disposal without endangering human health or harming the environment.

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114. NPPW paragraph 7 sets out that, 'When determining waste planning applications, waste planning authorities (WPAs) should:

- only expect applicants to demonstrate the quantitative or market need where proposals are not consistent with an up-to-date local plan, and in such cases, WPAs should consider the extent to which the capacity of existing operational facilities would satisfy any identified need;
- recognise that proposals for waste facilities such as incinerators that cut across up-to-date local plans reflecting the vision and aspiration of local communities can give rise to justifiable frustration, and expect applicants to demonstrate that waste disposal facilities not in line with the local plan, will not undermine the objectives of the local plan through prejudicing movement up the waste hierarchy; and
- ensure waste facilities in themselves are well-designed, so that they contribute positively to the character and quality of the area in which they are located.

115. The Waste Framework Directive (WFD), as amended, sets requirements for the collection, transport, recovery and disposal of waste. The WFD includes a requirement to apply the 'waste hierarchy' when planning for waste management. The waste hierarchy is a system of prioritising the different ways in which waste can be managed with the most sustainable method, prevention, at the top of the hierarchy followed by preparing for reuse, recycling, other recovery[3] with the least sustainable method, disposal, at the bottom.

116. The Government's National Policy Statement for Hazardous Waste (June 2013) comprises a framework document for planning decisions on nationally significant hazardous waste infrastructure. Whilst this application is intended to serve a more local need and is not considered to be 'nationally significant', the policy statement does set out national policy objectives for the management of this waste stream. These are: to protect human health and the environment; implementation of the waste hierarchy; self-sufficiency and proximity principle; delivering sustainable development and adaptation to climate change.

117. Paragraph 8 of the Government's 'A Strategy for Hazardous Waste Management in England' (March 2010) envisages that, in line with the Government's wider policies on resource efficiency, there is a determined need to tackle climate change, and to take the opportunity to encourage the recycling of material or recovery of energy from hazardous waste thus further reducing England's reliance on landfill. The Strategy includes a number of high level principles including the need to: manage hazardous waste in accordance with the waste hierarchy; reduce our reliance on landfill; avoid mixing or dilution of hazardous waste; and look to the market for the development of hazardous waste infrastructure, which implements the waste hierarchy and meets the needs of the UK to ensure that the country as a whole is self-sufficient in hazardous waste disposal, facilities are put in place for hazardous waste recovery in England, and the proximity principle is met.

118. Page 7 of the Strategy points out that given the need to take into account the resource value of hazardous wastes, maintain health and safety and deliver the best overall environmental outcome, specific hazardous waste streams may be required to depart from the waste hierarchy where justified by life cycle thinking on the overall impacts of the generation and management of such waste. Paragraph 22 of the Strategy recognises that high temperature incineration without energy recovery is a disposal

[3] Processing of wastes into materials to be used as fuels or for backfilling.

operation but may be a better treatment option than landfill for certain intractable waste streams. Further, energy recovery as either a waste recovery operation or a waste disposal operation should be of a higher priority order than either disposal by incineration without energy recovery or landfill.

119. The vision for the SWLP is composed of five elements reflecting national planning policy. These comprise net self-sufficiency[4]; sustainable waste management[5]; resident wellbeing; environmental protection and sustainable development.

120. The Spatial Strategy sets out that Surrey has a need for additional waste management capacity provided for by generally safeguarding existing capacity, and by appropriate extensions and enhancements to existing facilities and by the development of new facilities in suitable locations which minimise the impact on the environment and amenity. Waste development is prioritised on previously developed land and land not in the Green Belt. A network of sustainable facilities is encouraged which should include sites which are well-connected to sources of waste.

121. SWLP Paragraph 1.3.2.2 states that, WPAs are expected to plan for the volume of waste arising in their area, and this may include waste management facilities to deal with hazardous waste. However, it is accepted that, often, the provision of specialist facilities for wastes that arise in relatively small quantities, or require specialist treatment technologies, will require co-ordination at a regional or national level. Paragraph 1.4.1.3 acknowledges that hazardous waste needs to be considered and that the amounts produced in Surrey are not sufficient to warrant specific provision in terms of site allocations.

122. The SWLP includes a Spatial Strategy for Waste Development in Surrey. Paragraph 4.1.1.1 states that, *"The Plan seeks to ensure net self-sufficiency. This means providing sufficient waste management infrastructure to deal with the equivalent amount of waste to that arising in Surrey, taking account of existing safeguarded capacity."* Paragraph 4.3.2.1 explains that sites considered suitable in principle for the development of additional waste management facilities are allocated in the Plan. The allocation of sites is intended to provide certainty that there is suitable land within Surrey that could be developed to meet future waste management capacity requirements.

123. SWLP Policy 1 states that planning permission will be granted for the development of new waste facilities that contribute to achieving targets for recycling, recovery and the diversion of waste from disposal in a manner that does not prevent management of the waste at the highest point practical in the waste hierarchy. Proposals for other recovery capacity will not exceed the requirements for such capacity specified in the latest Annual Monitoring Report (AMR).

124. Paragraph 5.1.1.6 of the supporting text explains that a waste incinerator that can generate energy with high efficiency can qualify as a recovery operation. Paragraph 5.1.1.7 adds that the combustion of waste, or fuel produced from waste, without efficient energy recovery ranks alongside disposal at the bottom of the waste hierarchy. Whilst the supporting text also refers to the 'R1 formula' in Annex II of the WFD which is used to ascertain whether a waste incinerator can qualify as a recovery

[4] The principle of net self-sufficiency means that Surrey should provide enough waste management facilities to manage the equivalent amount of waste to that arising within the county.
[5] SWLP paragraph 2.2.1.4 states that, The Plan promotes the principles of sustainable waste management, which gives preference to approaches further up the waste hierarchy and favours the use of facilities close to the places from which waste arises (proximity principle).

operation, this formula only applies to municipal waste incinerators and does not relate to incinerators treating hazardous waste or hospital waste. In any event, the assessment of the performance of a plant against the R1 formula can only be made once a plant is operational.

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125. Policy 2 of the SWLP states that permission for the development of recovery facilities and any associated development will be granted where the site is allocated in the SWLP for waste development and/or the activity involves the redevelopment of a site, or part of a site, in existing waste management use, and/or the site is suitable when assessed against Policy 10 and other policies in the Plan. The Policy also supports the development of recovery activities co-located with other waste and non-waste development where additional benefits would arise e.g. efficient contribution to an energy network.

126. SWLP Policy 10 states that planning permission will be granted for the development of waste facilities (excluding permanent deposits) at locations including land considered to be previously developed and land that is otherwise suitable for waste development when assessed against other policies in the Plan. Policy SWLP Policy 13 supports waste development that follows relevant best practice and is of a scale, form and character appropriate to its location, maximises any associated low-carbon energy generation such as heat recovery and the recovery of energy from gas produced from the waste activity, and includes measures during its construction and operation to maximise landscape enhancements and biodiversity gains, minimise greenhouse gas emissions, including through energy efficiency and ensure resilience and enable adaptation to a changing climate.

Assessment

127. In support of helping to build a strong, responsive and competitive economy, the application would generate around 27 full time jobs, up to 25 direct jobs during construction and a number of indirect and induced jobs. It would also coordinate the provision of infrastructure through the production of heat and electricity for use by adjoining businesses.

128. Whilst the surrounding area is considered to be semi-rural, the generation of jobs will still make some contribution towards the creation of a prosperous rural economy. The proposal would help to protect the environment by making effective use of brownfield land and provide biodiversity on a site that is currently devoid of any ecological features. Unlike other waste streams, whilst the waste to be treated on site is legally required to be treated at high temperature, the proposal would support efforts to reduce climate change for the reasons set out in the section on Climate Change below.

129. In relation to the generation of renewable energy, the applicant states that some of the heat and power will be used by the facility itself in sterilisation, space heating and the operation of equipment. This will allow the plant to be self-sufficient although this will still enable the availability of both heat and power for use locally. The applicant has explained that it is in their financial interests to sell the heat and power. If there is a willing off-taker nearby it is highly likely that it would be sold. Whilst this would be subject to a negotiation, and relies on the willingness of the other party, the energy would be available and now more than ever represents an opportunity for anyone who has to provide heat or electricity within their business. Whilst a private wire connection to an immediate neighbour would be more attractive to both parties, the electricity produced will go into the national grid in the local area if there is no off-taker so will be beneficially used regardless. Taking the above factors into account, the proposal will

therefore contribute to each of the three dimensions of sustainable development in accordance with the NPPF as well as these aspects of SWLP Policy 13.

130. As the proposal represents a departure from the development plan owing to its Green Belt location, it is necessary to demonstrate the quantitative or market need for the development. The applicant states that they have identified a localised market for treatment of clinical and similar wastes within the northern part of the county, typically around the intersection of the M25 and M3 motorways. This is based on: background data on the presence of healthcare facilities likely to generate wastes suitable for treatment; interrogation of EA waste data; market analysis; planning policy for treatment of clinical and similar waste types; and absence of local facilities.

131. Within the target market area, the applicant has satisfied themselves that there is both sufficient demand and an absence of competing facilities, to justify the requirement for a facility located suitably to serve the area along the M3 corridor and northern Surrey. The application sets out that, based on data analysis sourced from the EA, there are a total of 16,110 healthcare related beds in hospitals and care homes within the Surrey area producing an estimated 8,000 tpa all of which is transported to other counties to manage.

132. In addition, there are substantial numbers of facilities with no beds (such as GPs surgeries, pharmacies, chemists, treatment centres, drop-in centres etc.) which generate waste of a similar nature which requires treatment. There are many other sources of materials including a requirement for a treatment facility for time expired medicines, materials confiscated by law enforcement and border controls at airports, and diverse other sources.

133. Most of these wastes to be treated are transported to three existing High Temperature Incineration (HTI) sites at Tradebe's Thermal Treatment Centre in Fawley, Hampshire, WasteCare's Waste Recovery Facility in Sandwich, Kent, and Veolia's HTI facility in Ellesmere Port, Cheshire. The location of these facilities lies well outside the catchment area and range between around 70 and 210 miles in distance from the application site. The applicant argues that there is substantial policy support for treatment of waste within the area in which it is generated where practicable. The proposed facility is of a modest scale and reflects the expected catchment area from within which the materials to be treated would be sourced. Further, there is substantial commercial advantage to locating a facility of this kind close to its market. Revenue arises from the collection of materials, and the less time spent on transport, the more can be spent on collections, ensuring the greatest volume can be collected (and processed) in as efficient a manner as possible.

134. In relation to 'other recovery' capacity in Surrey, Table 13 of The Annual Monitoring Report (AMR) 2020/21 identifies a capacity shortfall of -10,000 tonnes in 2017, and surplus capacity of 139,000 tonnes in 2018 and 160,000 tonnes in 2019. Despite this, the AMR states that Surrey needs to continue to promote facilities for preparing for re-use, recycling, and recovery of waste. This is because although there is generally sufficient capacity in Surrey overall to deal with the equivalent of the amount of waste arising in the County, a significant proportion of this capacity is landfill which is the least desirable method of managing the county's waste.

135. Paragraph 1.4.3.4 of the SWLP states that there is an identified need for facilities which fall under the definition of 'other recovery' and that an over-supply will be avoided by encouraging waste management activities which are higher up the waste hierarchy. SWLP Table 4 identifies a shortfall of 'other recovery' capacity in Surrey. This shortfall is estimated to increase from -39,000 tonnes in 2020 to -92,000 tonnes in

2025, -156,000 tonnes in 2030, before reducing marginally to -148,000 tonnes in 2035. On this basis, the AMR and SWLP indicate a need for additional 'other recovery' capacity in Surrey.

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136. The Wentworth Residents Association (WRA) has objected to the application claiming that waste would come from all over the South of England and London contrary to directives requiring waste to be treated locally. They consider that the need for the facility has not been proven pointing out that the site is not allocated in the local plan and also question the justification for the proposal given the existence of a clinical waste incinerator at Colnbrook.

137. The catchment area proposed by the applicant is relatively local to the application site in line with the proximity principle. The need for specialist waste management facilities handling hazardous waste is determined by the market and paragraph 1.4.1.3 of the SWLP makes it clear that the amounts of hazardous waste produced in Surrey are not sufficient to warrant specific provision in terms of site allocations. A facility in Surrey supports the County's efforts to become net-self sufficient in the management of waste without overly depending on landfill. Further, the facility at Colnbrook is understood to have a capacity of 10,000 tpa which would not be sufficient to manage the volume of arisings that the applicant has identified which are mostly transported to other parts of the country for treatment.

138. In respect of representations received on the matter of need, the application does not propose to receive waste from the whole of England. Studies that point to an over capacity for incineration in the UK relate to large scale incinerators managing household and commercial waste. The proposed facility is designed to handle specific waste types that cannot be treated at conventional energy from waste plants due to a requirement to treat them at a higher temperature. Most of these wastes travel to three existing HTI facilities well outside the proposed catchment area.

139. The bulk of the waste to be managed will therefore be treated much closer to its source than is currently possible, minimising emissions (and carbon footprint) through transportation in line with the proximity principle and helping to increase Surrey's ability to become more net self-sufficient in the management of its waste without overly relying on landfill. Whilst hospitals do have a limited incineration capacity, they do not accept commercial or private healthcare wastes from outside the hospital as a matter of routine. This explains why clinical wastes from the sources identified by the applicant are treated at other locations much further afield.

140. Whilst the applicant is willing to accept the imposition of a condition limiting the tonnage of waste received to 16,000 tpa, Officers do not consider that such a condition is necessary or justified in this case. This is due to the limited size of the facility proposed, and the design of the facility which restricts its capability of managing in excess of 16,000 tpa. Further, the theoretical maximum capacity of 16,000 tpa is unlikely to be met as this figure assumes that the facility is operational all of the time and does not take into account those occasions when the facility will not be available in order to undertake planned and unplanned maintenance.

141. Officers have found no evidence to suggest that technological improvements will reduce the demand for medical waste in future. This seems at odds with the receipt of this application which is intended to cater for market demand. The operator will need to run the facility on a commercial basis and demonstrate to its lenders that the proposal is commercially viable. The global pandemic has generated an increase in healthcare waste which is expected to continue due to the greater demand for vaccinations. Further, the Health and Safety Executive (HSE) stresses how the management of

healthcare waste is an essential part of ensuring that health and social care activities do not pose a risk of infection.[6]

142. Officers are therefore satisfied that based on the information provided by the applicant, the latest available data and forecasts and statements set out within the AMR and SWLP, a demonstrable and quantitative need for the proposal has been demonstrated. The development would not exceed the requirements for 'other recovery' capacity and therefore complies with SWLP Policy 1 in this respect. In terms of other available facilities, there are none situated within the catchment area that are capable of managing the broad range of clinical waste proposed. The application would also support the achievement of net self-sufficiency in the management of Surrey's waste with less dependence on landfill.

143. The application seeks to deliver sustainable development and resource efficiency, local employment opportunities and wider climate change benefits by: driving waste management up the waste hierarchy and away from landfill; providing a framework in which communities and businesses are engaged with and take more responsibility for their own waste; enabling waste to be disposed of or recovered, in line with the proximity principle; and, helping to secure waste recovery without endangering human health or harming the environment. In these respects, the application reflects national waste policy objectives contained in the NPPW.

144. The potential for the prevention of clinical waste, its re-use and recycling is considered more restricted compared to that of other waste streams. Opportunities for waste prevention are considered more limited given the acute and essential need for clinical products to protect human health. Further, the hazardous nature of a large proportion of this waste stream restricts its potential for re-use and recycling. Consequently, thermal treatment with energy recovery is considered to be the most practical solution within the waste hierarchy for the management of the bulk of this waste stream. For these reasons, it is considered that the application would not undermine national and local policy objectives by prejudicing the management of clinical waste further up the waste hierarchy.

145. The application site comprises previously developed land and is located within an existing industrial estate. It is predominantly well screened from inward views into the site. Although industrial by its nature, the proposed waste facility would be in keeping with the design of other facilities within the KRC and has been designed and coloured to blend in with the neighbouring AD facility whose structures are up to 13.7m in height. The proposal also includes provision for additional planting including an increase in the number of trees within the site which is currently devoid of any vegetation.

146. Although the proposed exhaust flue will be around 10m higher than the two flues extending from the roof of the neighbouring AD facility, this is necessary in order to ensure the impact of emissions handled through the flue are acceptable. Despite this, the proposed flue is coloured to minimise its visual impact and blend in with the skyline. Further the existing flues associated with the neighbouring AD facility will be seen from the vast majority of viewpoints from which the proposed exhaust flue will be visible. For these reasons, the facility is therefore considered to be appropriately located, well-designed and of a scale, form and character appropriate to its location in accordance with the NPPW and SWLP policies 10 and 13.

[6] Management of Healthcare Waste, Health and Safety Executive

147. More generally, the WRA has objected as the application site is not allocated in the SWLP. SWLP paragraph 1.4.1.3 states that the amounts of hazardous waste produced in Surrey are not sufficient to warrant specific provision in terms of site allocations. In respect of other representations received, the proposed LPG tanks are no different to those used by any other industrial activity with no mains gas connection. In relation to the suggestion that autoclaving and steam treatment would be more suitable, whilst these are valid treatment options for some lower grades of waste, this does not provide a solution for the majority of wastes to be handled by the proposed development as these require high temperature treatment. Further, the CPA is required to consider each application on its own merits.

148. In respect of objections regarding the location of development, the applicant has found a very limited range of suitable sites available in the Surrey area for wase treatment. The KRC has been in active waste management use for a number of years. The application site itself is well screened and situated a considerable distance from the closest residential receptors which are situated around 475m distant from the centre of the site. The development itself is small in scale compared to a conventional ERF and would manage a modest volume of waste compared to the neighbouring AD plant.

Conclusion

149. In view of the above considerations, Officers are satisfied that the need for the proposal has been established and that the location of the facility has been justified. The application is considered to be consistent with the principles of positive planning and sustainable waste management and supports the objectives of the waste hierarchy, proximity principle and the achievement of net self-sufficiency in the management of Surrey's waste in accordance with the requirements of the NPPF, NPPW, WFD and SWLP Polices 1, 2, 10 and 13.

Climate Change

Surrey Waste Local Plan 2020
Policy 13: Sustainable Design
Runnymede 2030 Local Plan 2020
Policy SD7: Sustainable Design
Policy EE13: Managing Flood Risk

150. Paragraph 152 of the NPPF states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. Amongst other measures, it should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions; encourage the reuse of existing resources and support renewable and low carbon energy and associated infrastructure. Paragraph 155 promotes the co-location of potential heat customers and suppliers to help increase the use and supply of renewable and low carbon energy and heat. Paragraph 131 of the NPPF explains that trees can help to mitigate and adapt to climate change. It states that planning decisions should ensure that opportunities are taken to incorporate trees elsewhere in developments, that appropriate measures are in place to secure the long-term maintenance of newly planted trees and that existing trees are retained wherever possible.

151. SWLP Policy 13 requires all proposals for waste development to ensure resilience and enable adaptation to a changing climate. In order to ensure development mitigates and adapts to climate change, RLP Policy SD7 supports development proposals where they incorporate measures for the secure storage of cycles, protect existing biodiversity and include opportunities to achieve net gains in biodiversity, and

incorporate electrical vehicle charging points subject to feasibility. Policy EE13 states that managing flood risk over the lifetime of the development must be addressed, taking into account the impacts of climate change.

152. The submitted Environmental Assessment (ES) explains that the applicant has considered the implications of the facility on climate change, and also the potential impact of climate change on the facility. The ES states that the proposal:

- re-uses previously developed land;
- has been designed to minimise energy use and carbon emissions during construction and operation;
- reduces emissions associated with transport due to the lack of an appropriate local treatment facility for the type of materials to be handled;
- will generate sufficient electricity for the equivalent demand of 1,100 homes;
- would recover energy from materials that in other facilities may be simply incinerated without energy recovery;
- will be self-sufficient in heat and electricity terms, needing only a standby import connection for power;
- produces recovered energy which avoids the need to produce electricity from non-renewable (fossil) sources, which in turn reduces emissions associated with the extraction and combustion of fossil fuels;
- would make excess electricity available for export to the National Grid;
- would use energy generated nearby which reduces the losses associated with transmission from centralised generators further reducing carbon impacts.

153. Whilst the ES acknowledges that the proposed facility would produce carbon emissions, it states that these are substantially less than those associated with both transporting the materials to destinations further afield and straight heat treatment of materials without energy recovery. It says that treating the feedstock materials and using a process that incorporates heat and power recovery will make a substantial contribution to mitigating climate change effects.

154. Further, as set out within the relevant sections within this report, Offices note that the application seeks to: co-locate the proposed ERF with potential heat customers; incorporate sustainable drainage systems which take full account of flood risk by including an allowance for increased rainfall from climate change; retain and protect existing trees; incorporate new landscaping including the planting of additional native trees which would be subject to a long term management plan; protect existing biodiversity; and incorporate measures to provide biodiversity net-gain. In addition, conditions are proposed to provide facilities for the secure, covered parking of bicycles and electric vehicle charging points to promote more sustainable transport choices.

155. Representations have been received objecting to the application claiming that the application lacks evidence of carbon dioxide (CO^2) emissions from truck movements compared to the existing facility and that emission of greenhouse gases such as CO^2 will exacerbate climate change. Whilst the green waste composting facility at the KRC closed at the end of May 2022, this was permitted to generate up to 50 HGV movements per day. In comparison, the application seeks to generate up to 10 HGV movements a day. The applicant has demonstrated that the proposal will reduce transport emissions by treating waste closer to the source of its point of arising and incorporates a number of measures that will help to ensure resilience and enable adaptation to climate change.

Conclusion

156. The applicant has demonstrated a suite of measures which would support the transition to a low carbon future in a changing climate and take full account of flood risk. Subject to the imposition of a number of planning conditions to reduce flood risk, secure the provision of landscape planting, trees and biodiversity net-gain, a long-term management plan, the protection of existing biodiversity and the promotion of sustainable transport choices, Officers are satisfied that the proposal meets the requirements of national planning policy and the local development plan in respect of climate change.

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Highways, Traffic and Access

Surrey Waste Local Plan 2020
Policy 14: Protecting Communities and the Environment
Policy 15: Transport and Connectivity
Runnymede 2030 Local Plan 2020
Policy SD4: Highway Design Considerations
Policy SD7: Sustainable Design

157. Paragraph 110 of the NPPF seeks to ensure that safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 108 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

158. SWLP Policy 14 supports development that will not result in unacceptable impacts on communities and the environment in respect of cumulative impacts arising from the interactions between waste developments, and between waste development and other forms of development.

159. Policy 15 of the SWLP promotes waste development where transport links are adequate to serve the development or can be improved to an appropriate standard. Where the need for road transport has been demonstrated, the policy seeks to ensure: waste is transported using the best roads available; the distance and number of movements are minimised; cumulative impacts on the road network will not be severe; there is safe and adequate means of access and vehicle movements will not have an unacceptable impact on highway safety; satisfactory provision is made to allow for safe vehicle turning and parking, manoeuvring, loading, and electric charging; and low or zero emission vehicles are used.

160. RLP Policy SD4 supports development proposals which maintain or enhance the efficient and safe operation of the highway network and which take account of the needs of all highway users for safe access, egress and servicing arrangements. Relevant design and parking standards for vehicle and cycle parking within development proposals will be assessed against the Council's current adopted guidance. Subject to feasibility, Policy SD7 supports development proposals which incorporate electrical vehicle charging points.

161. The application site would be served from an existing shared access off Kitsmead Lane and internal haul road which is approximately 9.4m wide. A short new access will need to be constructed off the internal haul road to serve the application site. The Planning Statement explains that the development will generate vehicle movements in the construction and operational phases. During the operational phase, heavy goods

vehicle (HGV) and light goods vehicle (LGV) movements will be generated through the delivery and collection of waste materials or residues. In addition, motor vehicle movements will be generated by staff operating the facility.

162. The submitted Environmental Statement (ES) incorporates a Transport Statement (TS) prepared by the applicant. This explains that access to the KRC is from Kitsmead Lane using a private simple priority 'T' junction. The development is served off an existing access onto Kitsmead Lane which is approximately 5m wide and is a local distributor road linking the village of Trumps Green to the north with the B386 Longcross Road to the south. There is a grass verge on either side of the road and a footway on its western side.

163. The TS sets out that Kitsmead Lane has no street lighting and is subject to the National Speed Limit (apart from the section north of the entrance to the closed landfill which is limited to 40 miles per hour). In the vicinity of the application site, the road is straight with good visibility although this is slightly restricted by the brow of a hill in the road. Although the visibility to the north does not meet the standard for the national speed limit, accident records show that there have been no personal injury accidents within the vicinity of the access in the last 5 years and that the access currently operates in a safe manner. Further, previous studies undertaken in support of the planning application for the AD plant confirmed that the access visibility was acceptable.

164. The TS states that parking will be provided to comply with SCC's parking standards based on a Sui Generis use. This requires an assessment to be made by the developer. A total of 13 car parking spaces are proposed comprising 10 staff parking spaces, two visitor spaces and one disabled space. HGV movements to and from the site will be low and most of these will load/unload within the building and leave. However, in the unlikely event that HGVs will be required to wait before entering the building, the TS suggests that two HGV spaces are allowed for. The TS adds that the swept path analysis drawing shows that there is an ample area around the site to accommodate parking.

165. Based on reporting from the various site operators, the TS explains that the KRC as a whole generates approximately 166 daily movements (around one vehicular movement every 5 minutes) comprising 18 cars/vans and 148 HGVs. The vast majority of movements in peak periods will be cars/vans which would equate to around one every 7 minutes. The TS considers that the junction to the KRC operates well within its capacity. A swept path analysis drawing shows that HGVs can turn in and out of the access.

166. The TS states that traffic generation calculations show that the proposed ERF will generate a modest 52 movements per day (around 1 every 14 minutes) comprising 10 movements by HGV and 42 movements by car/van. Of these, 20 movements are likely to be in the peak periods which is around 1 movement every 6 minutes. The TS claims that these movements would be barely perceivable. The total number of vehicular movements at the junction with Kitsmead Lane would increase to 218 per day which the TS says is well within the junction's capacity.

Vehicle Type	**Number of Vehicle Movements per Day**	**Notes**
HGV	10	On the basis of handling the maximum of 16,000 tonnes of inputs per year and 1,200 tonnes of outputs per year, it is estimated

		that the proposal will generate 10x feedstock, and export of residual materials (maximum)
Vans / LGVs	18-22	18x feedstock 4x engineering services (maximum)
Staff	10-20	Cars (maximum number)
Totals	38-52	Numbers will vary depending on day and activity

167. The ES incorporates an Air Quality Assessment which states that the number of construction vehicles accessing the site on a daily basis is unknown at present. However, the number of vehicles is very unlikely to exceed those expected during operation and would likely comprise construction workers in private vehicles and the occasional HGV movement. It concludes that construction traffic impacts would be comparable to or less than operational traffic impacts.

168. Officers note that the recent closure of the green waste composting facility in May 2022 has resulted in a reduction of up to 50 HGV and 10 car/van movements per day using the junction between the KRC and Kitsmead Lane. However, the replacement green waste bulking and transfer facility located to the north of and sharing the same access with the closed landfill is permitted to generate up to 50 HGV movements per day which would use Kitsmead Lane. In reality, Officers consider that approximately 36 HGV movements per day are generated by this new green wase bulking and transfer facility. This is because it manages 10,000 tpa less green waste compared to the former composting facility whilst targeting the same market and utilising the same vehicle fleet.

169. To the west of the application site, the grant of planning permission (ref: RU.21/0382) by the Borough Council in August 2021 for the erection of a two storey office, and refurbishment / repurposing of the existing light industrial units, will generate up to 78 additional vehicle movements to and from the new office during a 12 hour day[7], based on a worst case scenario. The Officer Report states that the County Highway Authority (CHA) raised no objection to the proposal.

170. The site access from Kitsmead Lane was constructed in 2003 and was purposefully designed to accommodate HGV traffic with sufficient visibility splays to provide vehicle drivers with sufficient time to avoid any conflict with other road users. The proposed increase in the number of HGV movements is not considered significant in planning terms and would result in an average of around 1 HGV movement per hour over a working day. This would be barely noticeable when considered in the context of the other transport movements associated with the wider site. Whilst the number of van / LGV movements would be greater, they would only average around 2 movements per hour over a working day and have a significantly lower impact compared to a HGVs. As the facility itself will operate 24 hours a day with staff working in shifts, 20 additional car movements will average less than 1 vehicle an hour over a 24 hour working day. In view of the small hourly increase in vehicular traffic, it is the view of Officers that the proposal would not have a significant impact on highway capacity, congestion or safety.

[7] Transport Statement v5, Origin, February 2021

171. Officers are satisfied that the traffic impacts associated with the construction of the facility are capable of being controlled through the imposition of a condition requiring a Construction Environmental Management Plan (CEMP) to be submitted to and approved in writing by the CPA prior to the commencement of the development. This would include details of the number, type and size of vehicles associated with each stage of construction including any abnormal loads, daily HGV arrivals and departures for each stage of construction with routing details, construction operating and delivery hours, vehicle access, on-site parking and manoeuvring; loading and unloading of vehicles and measures to prevent materials from being deposited on the public highway.

172. The CHA has assessed the application in terms of the likely net additional traffic generation, access arrangements and parking provision. Regarding the site access, the CHA considers that this is acceptable for use by larger HGVs and associated vehicles such as those utilised by neighbouring uses within the KRC including the Plant Hire Business. The CHA does not consider that the proposed level of traffic generation would represent a significant / severe impact on the junction with Kitsmead Lane, or on Kitsmead Lane and the wider highway network.

173. The CHA therefore raises no objection to the application on highway safety or capacity grounds and are satisfied that it would not have a material impact on the safety and operation of the adjoining public highway. They do however recommend the imposition of conditions requiring provision for fast-charge Electric Vehicle charging points and secure, covered parking for bicycles to encourage the use of more sustainable travel options.

174. Highways England and the Borough Council have raised no objection to the application on transport grounds. The WRA object to the application claiming that it will generate a significant amount of additional traffic that will have a significant detrimental impact on residential amenity and highway safety. This is due to the narrowness of local roads, the additional traffic that will be generated by Longcross garden village, traffic being forced to use one of the busiest stetches of the motorway network in the country and the lack of a Traffic Management Plan. Further, a large number of objections have been received due to concerns over the impact of traffic.

175. Officers do not accept that the increase in traffic will have a significant impact in transport planning terms. This is demonstrated by the above assessment of the average number of vehicle movements that would be generated on an hourly basis. This indicates that there is ample capacity on the existing highway network to accommodate the proposed increase in traffic.

176. Subject to the grant of planning permission, Longcross South will generate a significantly greater number of transport movements compared to the proposed ERF. The Planning Statement[8] submitted in support of the Longcross South application proposes six points of vehicular access, each serving different areas of the site and development parcels. This is intended to disperse traffic across the highway network and avoid concentrating movements to only one or two points.

177. It states that this multiple access strategy also has benefits in facilitating the phased construction, delivery and occupation of the site as the development is built out. The Planning Statement explains that the proposed accesses, and their frequency on

[8] Planning Statement for Longcross South (Forming Part of Longcross Garden Village), Surrey; Crest Nicholson Operations Limited and Aviva Life & Pensions UK (Limited), February 2022

Longcross Road and Kitsmead Lane, are complementary to the proposed, respective, speed limit reductions from 60mph to 50mph and 60mph to 40mph which have been supported by SCC in consultation.

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178. The methodology for considering the off-site transport effects of Longcross South has been agreed with SCC. This is based on the outcome of traffic surveys and the application of growth rate factors which takes into consideration the effects of major developments on the areas surrounding Longcross South. In terms of the localised capacity assessment, detailed consideration was given to an agreed short list of 16 off-site junctions. This identified nine junctions where highway mitigation would be required to accommodate the forecast traffic changes. Specific off-site mitigation measures proposed include minor amendments to junction arrangements and signalisation.

179. Planning permission reference RU.13/0856 for the development of Longcross North includes Longcross Studios where Netflix has secured a long-term lease. The permission was subject to the carrying out of local highway works in order to ensure sufficient highway capacity was available to accommodate the traffic generated by the development.

180. In relation to concerns regarding the cumulative impact of the application in association with mineral development in the area, planning applications for mineral extraction at Milton Park Farm and Whitehall Farm have yet to be determined. Consequently, it would not be reasonable to expect the proposal for the ERF to take account of traffic associated with these proposed developments as the proposed ERF does not represent the 'agent of change'. Further, the two proposals for mineral extraction both propose to route HGV traffic via Egham and Thorpe which are not in the direction of the application site.

181. In terms of cumulative impacts, Officers are mindful that traffic associated with the ERF will not have a significant impact, and that the proposals for the development of Longcross South take account of growth rates in the locality, seek to disperse traffic across the highway network and propose a number of junction improvements. Further, planning permission for the development of Longcross North was subject to local highway improvements and the CHA has not raised any objections to the proposed ERF. For these reasons, Officers consider that the additional traffic generated by the ERF will not have a severe residual cumulative impact on the road network. Neither will it result in unacceptable impacts on communities and the environment in respect of cumulative impacts arising from the interactions between waste development and other forms of development.

182. As the application is supported by a Transport Statement, this is considered to be sufficient to enable the transport implications of the development to be fully assessed. Officers acknowledge that concerns have been raised regarding the ongoing use and potential intensification of traffic along Kitsmead Lane as well as the existing access arrangements and whether these are suitable for the proposed use. However, the CPA cannot recommend an application is refused purely on the basis of an increase in traffic unless it can be demonstrated that this will result in a severe impact on highway capacity, or an unacceptable impact on highway safety as set out in Government planning policy contained in the NPPF.

183. The CPA is aware of the concerns raised regarding the width of Kitsmead Lane and the damage to carriageway edging. It is accepted that Kitsmead Road is narrow compared to some of the other local roads. However, at 5.5 metres in width, vehicles should still be able to pass one another without encroaching onto footways/verges.

Unfortunately, this appears to be an existing issue and while the proposal does seek to increase the levels of traffic on the road, it is not considered reasonable to restrict development on the basis of an existing highway maintenance issue.

184. The CHA does have concerns regarding the junction between Kitsmead Lane / Trumps Green Road and Chobham Lane. This junction suffers from limited visibility and as a consequence the CHA has previously sought to restrict movements to and from the site to a "right in/left out" arrangement. While this would limit the interactions of vehicles at a potentially dangerous junction, the CHA now recognises that such a restriction is impractical to enforce, and in this instance, transfers amenity concerns and impacts from one location to another. For this reason, the CHA has not requested a routing agreement for HGVs accessing and egressing the application site.

185. Concerns have been expressed that HGVs are accessing the site at all hours of the day and night and that the application would compound matters. Lorries accessing the site at unsocial times are most likely those associated with the CLEUD granted by the Borough Council for the use of the western part of the KRC for general storage including vehicles, plant and machinery. This is because local planning authorities are unable to impose any planning conditions or environmental controls on the use of land when issuing a CLEUD meaning that there are no restrictions on operational hours or HGVs movements.

186. The application only proposes vehicle movements delivering feedstock and exporting IBA and APCr from the ERF between 0700 and 1800 hours Monday to Friday, and 0700 and 1300 hours on Saturdays. However, Officers consider that it would be more appropriate to impose a condition limiting such vehicle movements to between 0730 and 1800 hours Monday to Friday and 0730 and 1300 hours on Saturdays. This is because these start times would be consistent with those applying to the neighbouring AD plant as well as the former green waste composting facility.

187. The enforcement of speed limits and weight limits on the public highway is not the responsibility of the CPA. The nature of the application is not expected to result in dirt and muck from delivery vehicles. The proposed CEMP to be required by condition will include measures to prevent materials from construction traffic from being deposited on the public highway. In view of the amount of existing capacity available on the surrounding highway network, Offices do not consider it necessary to impose a condition limiting the number of vehicle movements. Further, Officers are conscious that the scale and capacity of the ERF will help to prevent the volume of traffic exceeding the numbers stated in the application as these are calculated on a worst case scenario based on the facility operating at full capacity with no allowance made for shutdowns for planned and unplanned maintenance.

Conclusion

188. Taking into consideration the suitability of the existing access arrangements, the small increase in the number of HGV movements, the low overall number of additional vehicle movements that would be generated on average per hour and the advice provided by the CHA, Officers are satisfied that subject to the imposition of conditions to require the submission of a CEMP, to control the impact of construction traffic, control the hours of operation for waste vehicles, and to promote more sustainable travel choices, the proposal would not result in unacceptable impacts on communities and the environment in respect of cumulative impacts, existing transport links are adequate, there is safe and adequate means of access and vehicle movements will not have an unacceptable impact on highway safety in accordance with the requirements of national planning policy and relevant local development plan policies.

Environmental Considerations

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Surrey Waste Local Plan 2020
Policy 13: Sustainable Design
Policy 14: Protecting Communities and the Environment
Policy 16: Community Engagement
Runnymede 2030 Local Plan 2020
Policy SD7: Sustainable Design
Policy EE1: Townscape and Landscape Quality
Policy EE2: Environmental Protection
Policy EE7: Scheduled Monuments, County Sites of Archaeological Importance (CSAIs) and Areas of High Archaeological Potential (AHAPs)
Policy EE9: Biodiversity, Geodiversity and Nature Conservation
Policy EE11: Green Infrastructure
Policy EE13: Managing Flood Risk

Air Quality

189. European Directive 2008/50/EC of the European Parliament and of the Council of 21st May 2008, sets legally binding Europe-wide limit values for the protection of public health and sensitive habitats. The Directive streamlines the European Union's air quality legislation by replacing four of the five existing Air Quality Directives within a single, integrated instrument.

190. The Government's policy on air quality within the UK is set out in the Air Quality Strategy for England, Scotland, Wales and Northern Ireland published in July 2007. The Air Quality Strategy sets out a framework for reducing hazards to health from air pollution and ensuring that international commitments are met in the UK. The Air Quality Strategy is designed to be an evolving process that is monitored and regularly reviewed. The Air Quality Strategy sets standards and objectives for ten main air pollutants to protect health, vegetation and ecosystems.

191. The air quality standards are long-term benchmarks for ambient pollutant concentrations which represent negligible or zero risk to health, based on medical and scientific evidence reviewed by the Expert Panel on Air Quality Standards (EPAQS) and the World Health Organisation (WHO). These are general concentration limits, above which sensitive members of the public (e.g. children, the elderly and the unwell) might experience adverse health effects.

192. Many of the objectives in the Air Quality Strategy were made statutory in England with the *Air Quality (England) Regulations 2000*[9] and the *Air Quality (England) (Amendment) Regulations 2002*[10] (the Regulations) for the purpose of Local Air Quality Management (LAQM).

193. The Air Quality Standards (England) Regulations 2010 have adopted into UK law the limit values required by EU Directive 2008/50/EC and came into force on the 10th June 2010. These regulations prescribe the 'relevant period' that local authorities must consider in their review of the future quality of air within their area. The regulations also set out the air quality objectives to be achieved by the end of the 'relevant period'.

[9] The Air Quality (England) Regulations 2000 - Statutory Instrument 2000 No.928
[10] The Air Quality (England) (Amendment) Regulations 2002 - Statutory Instrument 2002 No.3043

194. Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of air pollution. Development should, wherever possible, help to improve local environmental conditions such as air quality. NPPF paragraph 186 states that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas (AQMAs) and Clean Air Zones, and the cumulative impacts from individual sites in local areas, and opportunities to improve air quality or mitigate impacts should be identified.

195. Paragraph 005[11] of the National Planning Practice Guidance (NPPG) recognises that air quality is a consideration relevant to the development management process where it could significantly change air quality during the construction and operational phases and where occupiers or users of the development could experience poor living conditions or health due to poor air quality. Paragraph 006[12] goes on to say that considerations that may be relevant to determining a planning application include whether the development would: lead to changes in vehicle related emissions; involve construction sites that would generate large HGV movements over a period of a year or more, introduce a new point source of air pollution; expose people to harmful concentrations of air pollutants including dust; give rise to potentially unacceptable impacts (such as dust) during construction for nearby sensitive locations; and have a potential adverse effect on biodiversity.

196. SWLP Policy 14 supports development where it can be demonstrated that it would be consistent with national planning policy with respect to sites of international or European importance (SPA, SAC, Ramsar) or national importance (SSSI, NNR) for biodiversity, and that will not result in unacceptable impacts on communities and the environment in respect of public amenity and safety including impacts caused by dust and fumes and air quality including impacts on identified AQMAs and Clean Air Zones and cumulative impacts.

197. Policy EE2 of the RLP states that development proposals which may give rise to adverse impacts on air quality including sources of odour or fumes or which may place sensitive receptors in areas exceeding adopted air quality standards, or in close proximity to existing sources of odour will be expected to be accompanied by an air quality assessment or odour impact study. Where the air quality assessment or odour impact study shows that proposed development, either individually or cumulatively, will have an adverse impact on air quality, sensitive receptors, the natural environment or amenity, planning permission will only be granted where abatement or mitigation measures to reduce impacts to acceptable levels can be secured and implemented.

Traffic Emissions

198. The ES includes an Air Quality Assessment (AQA) that has been submitted in support of the application. The application site is not located within or adjacent to an AQMA or Clean Air Zone. In terms of the Environmental Protection UK / Institute of Air Quality Management's (EPUK/IAQM) indicative criteria for requiring a detailed traffic related AQA for proposed developments not within an AQMA[13], the application would not result in a significant change in annual average daily traffic (AADT) of more than 500

[11] Paragraph: 005 Reference ID: 32-005-20191101
[12] Paragraph: 006 Reference ID: 32-006-20191101
[13] Land-Use Planning & Development Control: Planning for Air Quality, EPUK and IAQM, January 2017, Table 6.2

light duty vehicles[14] or more than 100 heavy duty vehicles[15]. In terms of construction traffic, the ES explains that whilst currently unknown, the daily number of vehicles accessing the site is very unlikely to exceed those expected during operation and that construction traffic impacts would therefore be comparable to or less than operational traffic impacts.

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199. To inform the preparation of the ES, the County Air Quality Consultant (CAQC) previously provided advice at the scoping stage and concluded that given that the proposals will not lead to a significant increase in daily traffic generation, and there are no sensitive receptors in the vicinity of the site, the key potential emissions from the proposals are the emissions from the plant during operation. On this basis, a detailed assessment of traffic-related air quality impacts was not required. In responding to the planning application, the CAQC has reconfirmed their view that the impact of traffic on local air quality would not be significant.

Impacts on Human Health and Habitat Sites

200. The AQA aims to determine the local air quality impacts resulting from emissions from the exhaust flue once the ERF is operational. The document explains that emissions to air from the combustion unit will be governed by The Industrial Emissions Directive, 2010/75/EU (IED). The design and operation of all new waste incinerations facilities must ensure compliance with emission limit values (ELVs) set out in the IED for the following pollutants: nitrogen oxides; carbon monoxide; total dust (particulate matters); gaseous and vaporous organic substances, expressed as total organic carbon; sulphur dioxide; hydrogen chloride; hydrogen fluoride; twelve trace metals; and dioxins and furans. The AQA has also considered emissions of polycyclic aromatic hydrocarbons (PAH, as benzo[a]pyrene), polychlorinated biphenyls (PCBs), and ammonia.

201. Detailed dispersion modelling has been undertaken to determine potential impacts arising from the proposal. Maximum predicted concentrations are compared with the relevant Air Quality Objectives (AQO) and Environmental Assessment Levels (EALs) for the protection of human health. The significance of the impacts has been assessed using criteria provided by the Institute of Air Quality Management (IAQM) in its planning guidance. The CAQC agrees with the methodology adopted for the AQA.

202. To establish the baseline, ambient concentrations have been derived following a review of measured data, Defra mapped concentration estimates and relevant research papers. The CAQC agrees that the ambient concentrations adopted for the assessment are appropriate.

203. The assessment has considered the impact of emissions on human receptors and sensitive habitat sites. The habitat sites include National Nature Reserves (NNRs), Sites of Special Scientific Interest (SSSIs), European designated sites, ancient woodland and Local Nature Reserves (LNRs). Cumulative impacts have also been considered in respect of an in-combination assessment with emissions from the Charlton Lane Eco-Park.

204. Regarding the impact on the health of people living and working nearby, the AQA identifies 12 representative receptors for the purposes of assessment and considers the impact on each receptor from a broad range of different pollutant types including nitrogen dioxide, carbon monoxide, sulphur dioxide and particulate matter for example.

[14] Cars and small vans <3.5 tonnes gross vehicle weight
[15] Goods vehicle and buses >3.5 tonnes gross vehicle weight

205. The representative receptors include Chevythorn cottage and Barrow Hills cottages on Kitsmead Lane. These properties are both closer to the application site than the proposed garden village at Longcross South and in the same direction from the application site as the garden village. Therefore, if the impacts on these two receptors are not considered to be significant, it is reasonable to assume that the same is true in respect of the proposed garden village. The AQA finds that the maximum impact of emissions from the site on human health is not significant on the basis of the IAQM criteria and professional judgement. The CAQC agrees with this finding.

206. In terms of the impact on sensitive habitats sites, the CAQC has advised that the air quality impacts are not likely to have a significant effect subject to the imposition of a planning condition to control emissions from the ERF. This is discussed in further detail in the section on Ecology and Biodiversity below.

207. In relation to likely cumulative impacts, the only European designated site within 10km of both the proposed ERF and the Charlton Lane Eco-Park is the South-West London Waterbodies SPA. The impact of the proposed ERF on this designated site was found to be negligible and not significant when combined with the eco-park. The CAQC agrees with this finding.

208. There is a risk that pollution could result from activities associated with the construction of the facility. Officers therefore consider that any associated harmful impacts are capable of being controlled through the proposed condition requiring a CEMP to be submitted for written approval prior to the commencement of the development. This would include measures for the control of air quality and for minimising risks of pollution during construction.

Odour

209. The ES set out that the principal potential sources of odour from the proposed facility are likely to be from: the waste reception, storage and handling; and waste processing. Odour release during the transport of the wastes to the site will be eliminated by all materials being contained in hermetically sealed packaging within enclosed specialist vehicles. This method of transport is mandatory for this type of material.

210. Odour release during waste reception, storage and handling will be minimised by ensuring that these activities take place only within the waste reception hall of the main building, and the risk will be further limited by the fact that all materials are delivered to site in hermetically sealed containers, which are then stored within closed specialist containers within the reception building. These are only handled when they are put onto the automated conveyor system for processing in the thermal treatment process.

211. The heat treatment will ensure that all materials are heat sterilised, and that all biodegradable elements are rendered inert post-treatment. The specialist containers which the sealed materials are stored in are then sterilised using steam generated as a by-product of the thermal treatment process.

212. The end product of the treatment process, ash, is an inert material and is not odorous. There is very little potential for odorous emissions from the exhaust flue of the heat treatment process or generation equipment due to the associated high combustion temperature, which will effectively destroy any malodorous compounds.

213. The potential for odour release from the facility will be minimised by effective management procedures, and the waste operations will be subject to the controls of

the Bespoke Environmental Permit and regular inspections by the Environment Agency.

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214. The application is accompanied by an Odour Statement and an Odour Impact Assessment (OIA). The Odour Statement provides a structured framework and approach for the effective management of potential odour releases associated with on-site operations.

215. It states that the site manager will be in charge of implementing and maintaining the necessary odour measures that are required once the site is operational. The site will undergo annual reviews of the odour measures to ensure the effectiveness of the odour controls on site. This will be increased if any complaints are received. The review will take into account any complaints, monitoring results and any information regarding odour impacts that may be available during the review period. Any outcomes of the reviews or changes to operational procedures or controls will be formalised through subsequent update and revision of the Odour Statement.

216. The purpose of the OIA report is to document the results of an OIA undertaken in accordance with guidance published by the Institute of Air Quality Management (IAQM)[16]. This is intended to evaluate the impact in order to give confidence that the residual effects, after the mitigation and controls set out in the Odour Statement are implemented, are not significant.

217. The assessment has considered the impact of the ERF alone and in-combination with adjacent sources of odours. Except for the AD plant and footpath, the risk of odour exposure is assessed as negligible and the likely magnitude of odour effect is assessed as negligible for the operation of the ERF alone. For the AD plant and footpath, the risk of odour exposure would be assessed as low. However, these two receptors are assessed as being of low sensitivity given that the AD plant is an industrial receptor and receptors using the footpath are transient. For this reason, the likely magnitude of odour effect would be assessed as negligible for these two receptors.

218. For the in-combination assessment, the odour exposure is assessed as negligible risk for all receptors except the footpath where the odour exposure is assessed as medium risk. However, this receptor has a low sensitivity, and the likely magnitude of odour effect is assessed as negligible for all receptors. Officers are conscious that the green waste composting facility that was previously the source of a high number of odour complaints has closed since the OIA was undertaken and would therefore expect the in-combination effects to be noticeably lower. In respect of the SANG, Officers are satisfied that the impact would be no greater than the impact on the footpath in view of the proposed footways through Bog Wood forming Phase 2 of the SANG being in a similar location and a similar distance from the application site.

219. Based on the assessment undertaken, the OIA finds that the impact of odour emissions from the facility on odour would not be significant. It concludes that odour would not have a detrimental impact on amenity.

220. Although the EA's formal response advises that they have not assessed whether consent will be required under their regulatory role, one of their Officers has subsequently advised that an odour condition would be required by the Environmental Permit and that an Odour Management Plan (OMP) would need to be submitted as part of the permit application and agreed by them before the permit was issued.

[16] Guidance on the Assessment of Odour for Planning, Version 1.1, IAQM, July 2018

221. However, the applicant has stated that the EA do not consider odour to be a matter which merits consideration in this case. They make no requirement here or on the applicant's other sites for an Odour Assessment, on the basis that the materials handled are not odorous, and that the tight controls mean that even were they to be there would be a negligible risk of odour release. Further, the applicant also states that in a similar clinical waste incineration site, during the environmental permit determination process with the EA, it has been agreed as part of the environmental risk assessment that odour is low risk and neither an OIA nor an OMP has been required. Based on the available information, Officers consider that it remains uncertain whether odour controls will be included as part of the environmental permitting process.

222. The CAQC has reviewed the application. They have advised that they consider the assessment of odour to have been undertaken correctly and agree that the residual effects, after the mitigation and controls set out in the Odour Statement are implemented, are not significant. They recommend that the CPA accepts the Odour Statement as an OMP. Officers consider that the implementation of the measures set out within the Odour Statement can be secured by condition.

Dust

223. The ES states that during operation, the facility will be regulated under an Environmental Permit from the EA which will require control of emissions relating to dust. The Planning Statement explains that the waste handling and thermal treatment process is entirely enclosed from start to finish in order to comply with appropriate regulations and that no handling, processing or storage would take place outside. From the storage to entry into the thermal treatment process, the dedicated waste loading system is completely sealed and is designed to minimise dust and prevent any uncontrolled releases to the environment.

224. Officers note that vehicles manoeuvring between the public highway and the main building will traverse over a clean, smooth, hard concrete surface. This will reduce the likelihood of any mud or other debris being picked up by vehicles and deposited beyond the site boundary during the operational phase. The CAQC has considered the application and advised that as the process is fully contained, there should be no dust emissions.

225. However, dust impacts are likely during the construction phase of the development. Site preparation work will involve the creation of a short new access off the existing haul road, the import and export of materials, refurbishment of the existing concrete pad, creation of a new drainage system, laying of the cabling for export of the power, the erection of the processing building and associated vehicle movements. All of these associated activities have the potential to generate emissions of dust.

226. Whilst the application site is some distance from the closest residential receptors and main road, there are other activities taking place within the KRC which are closer to the application site. Officers therefore consider that the CEMP to be required by condition for submission and written approval prior to the commencement of the development should include details of measures for the control of air quality and dust during construction including a suitable Dust Management Plan in order to mitigate any adverse effects.

Bioaerosols

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227. The proposal involves the treatment of clinical waste materials. As the application does not involve sewage treatment or the composting, anaerobic digestion or mechanical biological treatment of green waste materials, Officers are satisfied that the proposal is unlikely to have an adverse impact in respect of the release of bioaerosols into the environment.

Responses to Consultation and Publicity

228. The Borough Council has expressed concerns regarding health impacts in association with dioxins, furans and trace heavy metal of Chromium (VI). They also request that consideration be given to odour monitoring being undertaken independently rather than by staff within the plant who may be desensitised to the smell although they consider that these issues would be addressed by the Environmental Permit. The Borough Council's Environmental Health Team has suggested the imposition of an odour condition if odour is not covered in the Environmental Permit. The WRA has raised objection due the impact of odour on nearby residents and air pollution from the ERF and associated traffic and stress the need for mitigation and monitoring should planning permission be granted.

229. The CAQC has assessed the air quality impacts arising from the ERF and associated traffic and found these to be acceptable subject to a condition to control emissions from the ERF. All new waste incineration facilities are required to comply with emission limit values set out in the IED which include specific limit values for dioxins, furans and 'Group 3 metals' which include chromium. The emissions from the exhaust flue will be regulated by the EA in the interests of ensuring the protection of the environment and human health. Specific limit values will be set out within the Environmental Permit which will require the operator to undertake ongoing monitoring and regular reporting of emissions. Despite some uncertainty as to whether odour will be controlled through the environmental permitting process, the OIA finds that the impact of odour would not be significant and would not have a detrimental impact on amenity. Further, a planning condition is proposed to ensure the mitigation and control measures included in the submitted Odour Statement are implemented.

230. In terms of the representations received objecting to the application on air quality grounds, the submitted AQA has demonstrated that emissions from the ERF will not cause harm to the environment or human health either alone or cumulatively subject to a condition to limit emissions from the ERF. Property windows on Knowle Hill are claimed to be in line with the top of the exhaust flue resulting in residents inhaling pollution. Whilst the AQA states that the presence of elevated terrain can significantly affect the dispersion of pollutants by increasing turbulence and reducing the distance between the plume centre line and the level of the ground, a detailed topological data set has been included in the model to ensure that the impact of terrain features on the dispersion of emissions from the facility has been taken into account.

231. In relation to concerns over odour, the green waste composting facility that was the source of a large number of complaints closed earlier this year and the CAQC considers that the residual effects are not significant subject to mitigation which can be secured by condition. The setting of AQMA boundaries is the responsibility of the Borough Council who are required to review and assess the current and likely future air quality in the Runnymede area on a yearly basis.

232. To establish the baseline, ambient concentrations have been derived following a review of measured data, Defra mapped concentration estimates and relevant research papers. These have been assessed by the CAQC and considered to be appropriate. The development would be monitored by both the CPA and the EA

although the EA would take the lead on monitoring emissions to ensure compliance with the limits to be included in the Environmental Permit.

Conclusion

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233. In view of the above considerations, Officers consider that the proposal is consistent with national planning policy on air quality and that the air quality impacts of the proposal will not result in unacceptable impacts on communities and the environment in respect of public amenity and safety subject to conditions. The proposal is therefore considered to be in accordance with relevant national and local development plan policies in this respect.

Noise

234. Paragraph 174 of the NPPF states that planning decisions should prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by unacceptable levels of noise pollution. Paragraph 185 adds that planning decisions should ensure that new development is appropriate for its location, mitigate, and reduce to a minimum, potential adverse impacts resulting from noise from new development, and avoid noise giving rise to significant adverse impacts on health and quality of life. The national Planning Practice Guidance (nPPG) states that when taking decisions about new development, there may also be opportunities to make improvements to the acoustic environment. Good acoustic design needs to be considered early in the planning process to ensure that the most appropriate and cost-effective solutions are identified from the outset[17].

235. SWLP Policy 14 requires that waste development does not result in unacceptable impacts on communities and the environment including in relation to public amenity and safety in respect of impacts caused by noise. RLP Policy EE2 states that development proposals resulting in external noise impacts above Lowest Observed Adverse Effect Level will need to be accompanied by a noise assessment and will be expected to implement measures to mitigate and reduce noise impacts to a minimum. Proposals resulting in external noise impacts above Significant Observed Adverse Effect Level will not be supported unless it can be clearly demonstrated that the social and economic benefits of the proposal outweigh noise impacts and unless the scheme's design and layout has been optimised to avoid, mitigate and reduce impacts to a minimum. Proposals which have or would be subject to unacceptable adverse effects will not be supported.

236. A Noise Assessment has been submitted in support of the application. In order to inform the assessment, an environmental noise survey was undertaken between c.15:15 hours on 22 August and c.15:30 hours on 28 August 2019. The purpose of these measurements was to determine the prevailing pre-existing Background Sound Levels expected at the nearest noise sensitive premises to the application site, for environmental noise benchmarking and subsequent acoustic impact assessment purposes.

237. The environmental noise survey consisted of two unmanned environmental noise measurement positions (NMPs) used to represent noise sensitive receptors (NSRs) comprising dwellings on Kitsmead Lane to the south-west (NMP1), Trumps Farm to the north-east (NMP2) and Hersham Farm to the south-east of the application site (NMP2). The typical measured background noise levels pertinent to the required

[17] Paragraph: 001 Reference ID: 30-001-20190722

British Standard BS4142:2014[18] environmental noise assessment ranged between 36 dB LA90,15min at NMP1 and 38 dB LA90,15min at NMP2 during the daytime (0700 to 2300 hours), and was 38 dB LA90,15min at both NMPs during the night-time (2300 to 0700 hours).

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238. BS4142 states that the significance of sound of an industrial and/or commercial nature depends upon both the margin by which the Rating Level of the specific sound source exceeds the background sound level and the context in which the sound occurs. Typically, the greater this difference, the greater the magnitude of the impact. A difference of around +10dB or more is likely to be an indication of a significant adverse impact, depending on the context. A difference of around +5dB is likely to be an indication of an adverse impact, depending on the context. The lower the Rating Level is relative to the measured background sound level, the less likely it is that the specific sound source will have an adverse impact or a significant adverse impact. Where the Rating Level does not exceed the background sound level, this is an indication of the specific sound source having a low impact, depending on the context.

239. In order to predict the likely noise levels impinging on the surrounding NSRs, proprietary 3D computer noise models were created using the DataKustik 'CadnaA' Noise Mapping software. The noise impact as expected at the worst affected NSRs during both the daytime and night-time has been determined at a receptor height of 4m above local ground level to approximate first floor (bedroom) height and the existing land topography has been taken into consideration.

240. Suitable source noise level data has been obtained to provide the environmental noise emissions for the proposed development. This includes noise arising from all plant and processes including noise generated from HGVs and mobile plant movements (excluding emergency-only plant), the manual operation and movement of waste bins, and their loading and unloading onto HGVs. This enables the assessment to consider the environmental noise impact arising from all anticipated operation of the plant and processes. Operational noise has then been compared to the pre-existing, background environmental noise climate.

241. The assessment has taken place in accordance with British Standard BS4142:2014 to determine the significance of the potential noise impact generated from mechanical and electrical plant and equipment and the likely required noise mitigation measures. The procedure contained in BS4142 for assessing the impact is to compare the measured or predicted noise level from the source in question, the 'Specific Sound Level' immediately outside the noise sensitive premises, with the background noise level. Where the noise contains attention attracting characteristics such as tonal, impulsive, intermittent elements, it may be appropriate to apply a correction to the specific noise level to obtain the 'Rating Level'.

242. Whilst individual noise sources associated with the development are likely to generate noise with a particular acoustic character (i.e. such as tonal, impulsive, intermittent features), the assessment considers that such features would not be as prominent when observed when the remainder of the plant is running. On this basis, and in accordance with BS4142: 2014, a correction of +3dB has been applied to the calculated Specific Sound Level, as arising at the NSRs from the development. This allows for any residual "readily distinctive" acoustic features in order to determine the BS4142 defined 'Rating Level' for acoustic assessment purposes.

[18] BS4142: 2014: Method for rating and assessing industrial and commercial sound

243. Allowing for this correction, the results of the assessment demonstrate that the total aggregate environmental noise impact arising from the operation of the development is below the existing Background Sound Level during both daytime and night-time periods. This is therefore an indication of a '…low impact at the worst affected NSR, depending on the context…' as defined by BS4142. In this respect, the assessment finds that the context of the site is not expected to affect the magnitude of the identified impact. Further, any acoustic character associated with individual noise sources is not expected to be clearly discernible at the nearest NSR above the existing environmental noise climate.

244. However, the results of the assessment are subject to a series of noise mitigation measures which form the basis of the calculations and acoustic modelling. The assessment states that these would need to be incorporated into a Noise Mitigation Plan (NMP) and duly implemented by the developer. Officers are satisfied that this can be secured by condition.

245. The County Noise Consultant (CNC) has reviewed the noise source schedule, outline Best Available Techniques (BAT) noise control measures, building noise break-out calculations and noise data and found them to be reasonable. Based on their review of the Noise Assessment, the CNC has advised that noise should not be a material concern in the granting of planning consent. Although they do have some concerns regarding the baseline data used for the assessment, they consider that the predicted noise levels from the proposals are sufficiently low that re-evaluation of the baseline would not influence the conclusions of the assessment. They therefore consider it reasonable to apply the same noise limits and/or conditions as those imposed on the neighbouring AD facility (planning permission ref: RU.19/0535 dated 4 July 2019) which include both a day-time (0730 - 1800 hours) and a night-time 1800 - 0730 hours) noise limit together with a limit to control the level of noise during construction. This is on the basis that:

- existing operations (in respect of the AD facility) on the wider site are already subject to these conditions;
- the conditions will avoid noise levels being significantly increased at nearby receptors (compared to those currently permitted); and
- the findings of the applicant's Noise Impact Assessment demonstrates that these operational noise limits can be achieved.

246. The construction of the ERF will take approximately 12 months. The applicant states that civil construction operations will normally take place between 0700 and 1800 hours Monday to Friday and 0800 and 13.00 hours on Saturday. The CNC has recommended that a condition limiting construction working hours to 0800 to 1800 hours Monday to Friday and 0800 to 1330 hours on Saturdays be included in any permission granted but advises that these can be amended as the CPA sees fit. As the Borough Council has established guideline hours for noisy works between 0800 - 1800 hours Monday to Fridays and 0800 to 1300 hours on Saturdays, Officers consider that it would be reasonable to impose a condition to restrict construction work to between these hours.

247. Site preparation work for the facility will involve a number of activities that will result in the generation of noise and potentially vibration in some instances. Officers therefore consider that the CEMP, which Officers propose to require by condition, should include details of measures for the management and control of noise and vibration during construction. Subject to the mitigation to be provided in the CEMP and proposed conditions imposing a limit on the level of construction noise and a restriction on

operational hours, Officers are satisfied that the construction of the facility would not give rise to any unacceptable noise impacts on local amenity.

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248. The Borough Council and the Borough Council Environmental Health Team have commented on the night-time noise limits recommended in the CNC's initial advice. However, these comments are no longer relevant as the CNC has since updated their advice and this addresses the comments received. The Environmental Health Team has queried whether noise would be covered within the EA's permit condition and if so, which enforcement regime would take precedence. Officers are aware that noise and vibration is a matter that would be regulated by the EA through the environmental permitting process. However, neither regulatory process would take precedence over the other. In the event that planning permission is granted and an Environmental Permit is issued, the operator would be required to comply with the conditions imposed under both regulatory regimes.

249. The WRA has objected to the application claiming that the proposal will worsen the existing noise climate resulting in a significant detrimental impact on residents. A number of representations have also been received objecting to the application on the grounds of noise. These views are at odds with the conclusions of the submitted Noise Assessment which has been assessed by the CNC who has found the predicted noise levels to be sufficiently low to be acceptable subject to conditions. Further, if vibration is being caused due to vehicles travelling above the speed limit, then responsibility for enforcement rests with the police and not the local planning authority.

Conclusion

250. In view of the above assessment, Officers are satisfied that subject to the imposition of conditions to control noise levels during the construction and operational phases of the development including through the implementation of a NMP covering the operational stage, the noise impacts on communities and the environment can be controlled to acceptable levels such that they would not result in an unacceptable impact on public amenity including the nearest NSRs. For these reasons, Officers consider that the application is in accordance with the requirements of national policy and local development plan policies in respect of noise and vibration.

Landscape and Visual Impact

251. Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

252. SWLP Policy 13 requires all proposals for waste development to demonstrate that the development is of a scale, form and character appropriate to its location and maximise landscape enhancements and other measures that may contribute to green infrastructure provision. The policy also promotes measures to ensure resilience and enable adaptation to a changing climate.

253. Policy 14 of the SWLP requires waste development to be consistent with national policy with respect to protected landscapes including the Surrey Hills AONB and not to result in unacceptable impacts on the landscape (including impacts on the appearance, quality and character of the landscape and any features that contribute to its distinctiveness, including character areas defined at the national and local levels)

and land and soil resources including the need to address existing and potential land stability issues.

254. RLP Policy EE1 is supportive of development proposals that achieve high quality design which responds to the natural character of the area and make a positive contribution to and enhance the Borough's landscape setting through high quality and inclusive hard and soft landscaping schemes. Policy EE11 of the RLP seeks to avoid further habitat fragmentation of Green Infrastructure by encouraging development proposals which restore, maintain and enhance habitat connectivity, in particular in Biodiversity Opportunity Areas.

Landscape Character Profiles

255. The application site is situated in National Character Area (NCA) 129: Thames Basin Heaths which stretches from the countryside around Newbury in the west to Weybridge in the east. This forms one of 159 NCAs across England. Particular features include the London Green Belt, large conurbations, a major road network incorporating the M25 and M3, a dense settled area that can be a significant source of pollution and rapid run-off, the presence of country parks and golf courses, mosaics of wet and dry heathland, woodland and acid grassland, European designated sites, SSSIs with woodland accounting for a quarter of the NCA reflecting the predominance of low grade industrial land. In the east, the close proximity of semi-natural habitats to settlements gives rise to recreation and education opportunities, as well as to problems such as fly-tipping, arson and disturbance.

256. The Surrey Landscape Character Assessment (2015) identifies 21 generic landscape character types across the county. These are split into 140 locally related and named landscape character areas. The application site is located within generic landscape character area SS Settled and Wooded Sandy Farmland.

257. Based on the sand solid geology formations, this character area comprises rolling landscape predominately consisting of farmland, with varying degrees of settlement and woodland. It is heavily wooded in places, with heathland commons, now largely regenerated with secondary woodland, or plantation woodland creating an enclosed landscape with glimpses to pastures, open heathland and water bodies. The character area has a predominately intimate landscape, with intermittent views across farmland framed by woodland. It also contains varied historical sites and designed landscapes including cemeteries and memorials with important local historic, architectural, cultural or military associations.

258. The application site lies in the northern part of local landscape character area SS3: Trumps Green to New Haw Settled and Wooded Sandy Farmland. Key characteristics are: it consists of a gently undulating landscape, underlain by Bagshot Formation Sand solid geology; the topography rises to a number of hills, including St Ann's Hill which overlooks the river floodplain to the north, Cockcrow Hill west of the M25, and Hersham Copse south of Trumps Farm; it consists mainly of arable and pastoral farmland, with paddocks, nurseries, golf courses, and a large sewage works; woodland blocks are small, and infrequent, particularly to the south; the field pattern is generally small to medium scale towards the northern part of the character area, bounded by hedges and tree lines; on lower ground, views over the northern part of the character area are contained or framed by tree cover; surrounding built up areas and busy vehicular routes such as the M25, M3 and several 'A' roads (albeit often filtered by vegetation), generally restricts the sense of remoteness and tranquillity.

Local Context

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259. The application site is not situated within either a designated or a protected landscape. It is located near to existing and former commercial and waste uses. It comprises a large area of concrete hardstanding located within an existing industrial estate between commercial and waste developments. The commercial uses to the west include industrial buildings up to 9m in height which remain under construction and are at the same level as the application site. The AD facility to the east is built on land approximately 3m below the level of the application site and includes two main buildings up to 13m in height, five main digestion and storage tanks up to 13.5 metres in height, and associated infrastructure and exhaust flues 16m in height. In contrast, the application includes a main building with a height of 10m and an exhaust flue up to 26m in height and 1m in diameter.

Flue Height

260. During a telephone discussion with the applicant on 20 June 2022, the applicant advised that the required height of the exhaust flue would be determined by the EA through the environmental permitting process. The proposed height of the exhaust flue is 26m and the application has been assessed on this basis.

261. The applicant added that the height of the exhaust flue was determined using a methodology based on the industry standard. This recognises that there is a trade-off between the visual impact of the exhaust flue and the dispersal of emissions. When determining the height of the exhaust flue, the modelling starts off relatively low and progressively increases the height of the exhaust flue by small increments until the emissions are deemed to be acceptable. The applicant explained that this approach is designed to ensure that the exhaust flue is not any higher than necessary.

Landscape and Visual Impact Assessment

262. The ES incorporates a Landscape and Visual Impact Assessment (LVIA). The LVIA includes an assessment of the baseline landscape environment in terms of landscape character, landscape elements and landscape designations and their potential to be affected by the proposed development. A model has been developed to show the area of theoretical visibility of the tallest elements of the proposed scheme. The assessment includes 15 photo-view-point locations. These have been selected to represent the range of potential visual receptors from publicly accessible locations with the chosen locations intended to illustrate worst-case scenarios where the development proposals are likely to be most visible. Further, Accurate Verified Views (AVVs) have been prepared for nine of the most sensitive viewpoints, to inform the assessment and enable a visual comparison of the proposed development in situ and the existing baseline situation.

263. As part of the assessment of potential visual effects, consideration has been given to the potential changes to views for residents from eight residential locations as a consequence of the proposals. The applicant considers that these locations are also representative of other properties in their vicinity.

264. The LVIA outlines a range of proposed mitigation measures designed to reduce the adverse landscape and visual effects of the proposed development. These include measures to protect existing trees and soils, and manage dust, noise and lighting within the site during the construction phase; provide a dark green finish to the proposed building (10m in height to the ridge) to blend in with the colour of the AD facility and the surrounding wooded context, and a light grey finish to the 26m high exhaust flue; commit to the provision of new landscape planting (including native trees)

to help integrate the built form within the surrounding wooded context and soften/filter close range views; and provide an increase in habitats and biodiversity within the site boundary.

265. The LVIA recommends that suitable tree protection measures are put in place during the construction of the development for the retention of the trees on site or those in proximity to the site boundaries. Further, the assessment recommends that the construction and operational phases of the development do not substantially alter surface water run-off in order to protect Bog Wood.

266. In conclusion, the LVIA finds that in landscape terms, there would *no effects on national landscape designations* and a *negligible effect* on the St Ann's Hill Registered Park & Garden and Area of Landscape Importance. The potential effects of the proposals on landscape character receptors have been assessed as *negligible to minor* adverse with a *minor beneficial* effect on landscape fabric/on site green infrastructure.

267. In relation to visual effects, this assessment has found that the many views towards the site from publicly accessible locations are limited by the existing AD Facility, the landform and existing woodlands. In views from Bog Wood to the south, in close proximity to the site, there is the potential for views towards the proposed fencing and building. The residual effects to views are assessed as *minor adverse* to *negligible* and *not significant*. In relation to residential receptors, the assessment found the potential effects on views are likely to be *minor adverse* or *negligible.*

268. With regard to the proposed development of Longcross South, the applicant states that there may be theoretical visibility from some areas in eastern parts of the proposed garden village. At its nearest, Longcross South lies approximately 480m from the proposed structures within the application site. Given the wooded context to the site, which lies to the east of Kitsmead Lane, and the limited availability of views towards the proposed scheme from Kitsmead Lane, the applicant considers it likely that views towards the proposed scheme from within the proposed garden village will be highly filtered or obscured.

269. During the construction phase, the applicant acknowledges that there are likely to be temporary effects from the proposed ERF on landscape and visual amenity. The presence of the construction compounds and machinery including a mobile tower crane and the increase in vehicular activity, both on-site and on the local highway network, would result in a short term change to the character of the local area. There are likely to be changes to noise, lighting and dust during the construction phase.

270. In terms of the impacts of construction, the applicant has considered the magnitude / nature of change resulting from the construction phase compared to the baseline position at all 15 viewpoints considered as part of the LVIA. The assessment finds the effects to be either *neutral, negligible, minor or minor adverse* from all viewpoints apart from Viewpoint 7. This comprises public footpath 45 / 62 in Bog Wood 35m south of the site boundary where the effect on walkers is assessed as *moderate adverse* and short term with the magnitude of change assessed as *low.* This takes into consideration the likely filtered views of construction activities within the site due to the density of surrounding vegetation.

County Landscape Officer Assessment

271. The County Landscape Officer (CLO) has assessed the proposal and advised that the application site sits fairly discreetly within the landscape due to its low elevation and

significant visual containment by surrounding woodland and landform. The CLO adds that the proposal would not be out of character with the existing permitted operations within the wider site, particularly the existing AD plant which is of a similar form.

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272. The CLO considers that the LVIA accurately describes the baseline visual situation and includes a range of public viewpoints from the surrounding area. These include close range views from around the site boundaries and longer distance views such as those looking west from St. Ann's Hill and east from Chobham Common. The CLO considers that the 15 chosen viewpoints represent a reasonable spread around the site, are representative of the range of visual receptors likely to experience views towards or into the site and are sufficient to enable robust judgements to be made on the likely visual effects of the proposed development.

273. The CLO concurs with the findings of the submitted LVIA in respect of likely landscape and visual effects. In terms of the construction phase, whilst this will generate additional vehicular movements, noise and lighting, and the presence of plant including a mobile tower crane for short periods, these will be experienced in the context of the existing uses of the wider site which is visually well screened from the surrounding area. The CLO notes that the only predicted effect judged to be significant is *moderate adverse* in relation to the construction period at Viewpoint 7. Although temporary views of large plant such as the mobile tower crane would be noticeable, this would only be on site for part of the overall one year construction phase and views would still be filtered by intervening trees even in winter. Whilst large plant may be visible above surrounding woodland from Viewpoints such as 4 and 5 (Chertsey Common), and 11 (Longcross Road), closer range more open views from Viewpoint 8 (public footpath 45 / 62 to the east of the site) would be seen in the context of the existing AD plant in the foreground of the view.

274. In relation to operational effects, the CLO note that the predicted effects on landscape character are not significant. There is no proposal to remove any woody vegetation as part of the development, and the existing Oak trees, dirty water lagoon and the majority of grassland surrounding this area would be protected and retained. There would be a small loss of grassland to accommodate the new access road into the application site. The proposed new native landscape planting around the perimeter of the site would increase its value for wildlife and help to integrate it within the surrounding wooded context.

275. The CLO considers that the LVIA has demonstrated that the majority of the proposed facility would be screened from visual receptors by the intervening woodland, however, the upper parts of the proposed exhaust flue may be visible from certain locations in the surrounding area, particularly in winter. Whilst Viewpoint 8 would experience the most open views of the proposed development of any viewpoint assessed, in this view, the proposal would be set behind the existing AD plant, which is of a similar industrial character with exhaust flues. Although the proposed exhaust flue would be around 10m higher than that of the AD plant, it would be seen in the context of the AD plant which occupies a more prominent position in the middle ground of the view.

276. In relation to Chertsey Common represented by Viewpoints 4 and 5, the CLO advises that at some other locations on the common, the proposed exhaust flue is likely to be more noticeable through the trees and/or slightly above the treeline, although still a small component of the overall view. With regard to Viewpoints 12 (St Anne's Hill), 13 Chobham Common), 14 (Knowle Hill / Trumps Green Road) and 15 (Almer's Priory, Almer's Road, Lyne), the CLO concurs that the visual effects would be neutral.

277. Although the primary purpose of the visual assessment is to focus on public views, in terms of the assessment of residential views, the CLO considers that the predicted effects, ranging from negligible to minor adverse, appear reasonable. The CLO also advises that there are no residential receptors in close proximity to the proposed facility, and the majority are screened by the intervening woodland and undulating landform surrounding the site.

278. The CLO therefore raises no objection subject to a number of conditions. These conditions are to secure: the proposed colour of the building and exhaust flue; tree and soil protection; and the proposed lighting scheme. The CLO also proposes the inclusion of conditions to secure the submission and approval of a landscape planting scheme and landscape management plan. This is considered necessary in order to ensure that the proposed mitigation set out in the LVIA is achieved, with new native tree and shrub planting helping to integrate the scheme within the surrounding wooded context and achieve a biodiversity net gain.

Response to Consultation and Publicity

279. Natural England has referred to the possible impacts on surface drains through Bog Wood (forming part of the SANG) by run-off contaminants although they agree that this can be addressed by the inclusion of a planning condition. A representation objecting to the application raises the same concern. The ES recommends that the construction and operational phases of the development do not substantially alter the run-off rate or quality of surface water run-off in order to protect Bog Wood and associated vegetation, lying to the south of the application site.

280. This matter has been considered as part of the submitted Flood Risk and Drainage Assessment which has been assessed by the Lead Local Flood Authority (LLFA). This assessment confirms that all handling and processing of waste will be carried out inside the building which will have its own separate internal drainage system which will feed any contaminated water into a tank which will be emptied by a tanker and taken off-site for treatment elsewhere.

281. Therefore, run-off from the building and yard area will be clean water which can be discharged to the adjacent watercourse in Bog Wood, via an attenuation pond, at the greenfield run-off rate without causing any risk of contamination. The attenuation pond will also include capacity for fire water which has potential to contain contaminants. Government Fire Prevention Plan guidance requires fire water run-off to be contained in order to prevent pollution to the environment. As a consequence, fire water would be contained below the level of the outfall and taken off-site by tanker if found to be contaminated.

282. Further, additional technical work undertaken by the applicant has found that Bog Wood comprises a wide conduit rather than containing definable channels, with a watercourse at either end where water is able to get away. As a consequence, it would be difficult to erode a bog by its very nature because it is already flooded and therefore water would dissipate into the rest of the water. For this reason, damage to vegetation from surface water run-off is considered highly unlikely. In addition, the CEMP which Officers propose to require by condition will require details of water management measures to manage the quantity and quality of water run-off during construction.

283. The WRA has objected to the application referring to the impact on public rights of way and the nearby SANG, the significant scale of the building which is likely to be visible from Viewpoints 8, 9, 10 (footpath 45/62 east of the site) and 11 (Longcross Road on the footway), the flue which they claim will be clearly visible from Viewpoints 10 and

11, and a lack of information to demonstrate how mature protected trees on and within the vicinity of the application site will be protected. Representations received have been raised objection due to the visual impact of the chimney, plume, industrial buildings and HGVs and the impact on an area of such beauty.

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284. The LVIA has assessed the visual impact of the proposal and found the effects to be *neutral, negligible, minor or minor adverse* and not significant apart from the *moderate adverse* effect on walkers using footpath 45/62 (Viewpoint 7). However, the effect will be temporary, short term and filtered by existing woodland. Further, those effected will be transient. In respect of the SANG, Officers are satisfied that the impact would generally be no greater than the impact on the footpath in view of the proposed footways forming Phase 2 of the SANG through Bog Wood being in a similar location and a similar distance from the application site. However, it is acknowledged that large plant may be visible above surrounding woodland from more distant viewpoints within Chertsey Common.

285. The application site is in an existing industrial estate and with the exception of the height of the flue, the proposal would not be out of keeping with surrounding uses in terms of its mass and scale. The CLO has considered the landscape and visual impacts of the main building and associated flue and raised no objection to the proposal subject to conditions. The LVIA states that there will be no visible plume from the facility under the majority of climatic conditions. The flue gas temperatures are significantly elevated and are above the dewpoint that would cause a visible plume. It would therefore be very unusual for the gases to fall below the dew point before dispersal and therefore be visible.

286. There are no trees within the application site, although a number of trees just to the south of the haul road and along the northern boundary of Bog Wood are subject to a Tree Preservation Order (TPO). The CLO has recommended the imposition of a condition requiring tree protection measures to be put in place. This reflects the proposed mitigation measures contained in the LVIA although trees along the northern boundary of Bog Wood would not be impacted during construction. Officers are satisfied that tree protection measures during the construction phase can be secured by condition which will be sufficient to prevent damage to trees located in proximity to the application site.

Conclusion

287. Having considered the content of the submitted proposal, the findings of the submitted LVIA and the advice provided by the CLO, Officers are satisfied that subject to the imposition of a number of planning conditions, the proposal would be of a scale, form and character appropriate to its location, include provision for landscape enhancements, contribute to green infrastructure provision and would not have an unacceptable impact on the landscape including the impact on its appearance. For these reasons, Officers consider that the proposal meets the policy requirements of the NPPF and the local development plan.

Ecology and Biodiversity

288. NPPF paragraph 174 states that planning decisions should contribute to and enhance the natural and local environment by: protecting and enhancing sites of biodiversity and soils; recognising the wider benefits from natural capital and ecosystems including trees and woodland; and minimising impacts on and providing net-gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

289. Paragraph 180 states that planning permission should: be refused if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated or, as a last resort, compensated for; not normally be permitted for development located within or outside a SSSI which is likely to have an adverse impact on it unless the benefits of the development in this location clearly outweigh both its likely impact and any broader impacts on the national network of SSSIs; be refused for development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) unless there are wholly exceptional reasons and a suitable compensation strategy exists; and, be supported for development whose primary objective is to conserve or enhance biodiversity and that opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net-gains for biodiversity. NPPF paragraph 185 seeks to limit the impact of light pollution from artificial light on nature conservation.

290. Policy 13 of the SWLP requires all proposals for waste development to demonstrate that measures are included to maximise biodiversity gains during its construction and operation. SWLP Policy 14 requires waste development to be consistent with national policy in respect of sites of national importance for biodiversity including SSSIs located within the county or where they could be affected by development located in the county. The policy also requires that waste development does not result in unacceptable impacts on communities and the environment including in relation to the natural environment including biodiversity, sites of local importance for biodiversity such as SNCIs, irreplaceable habitats such as ancient woodland and protected species.

291. RLP Policy SD7 supports development proposals where they protect existing biodiversity and include opportunities to achieve net gains in biodiversity as well as greening of the urban environment. Policy EE9 of the RLP states that the Council will seek net gains in biodiversity, through creation/expansion, restoration, enhancement and management of habitats and features to improve the status of priority habitats and species. Development proposals will not be permitted unless it can be demonstrated that the impact of proposals, either alone or in combination, will not result in likely significant adverse effects on SPAs, SACs and SSSIs. Planning permission will only be granted for development affecting ancient woodland where it can be demonstrated that the benefits clearly outweigh the harm and where damage is avoided, mitigated or offset. RLP Policy EE2 requires lighting schemes to be well-designed, focussing on avoiding impact on wildlife.

Impacts on Sensitive Habitat Sites

292. The submitted Air Quality Assessment (AQA) identifies 14 relevant and sensitive habitat receptors for the purposes of assessment including European designated sites, Sites of Special Scientific Interest (SSSIs), National Nature Reserves (NNRs), sites of interest / local interest for nature conservation, ancient woodland and Local Nature Reserves (LNRs). The assessment includes: (i) the predicted maximum ground level concentrations of nitrogen oxides (NOx), sulphur dioxide (SO_2), hydrofluoric acid (HF) and ammonia (NH^3) resulting from emissions from the plant; (ii), the predicted maximum nutrient nitrogen deposition rates arising from the ERF from NOx and NH^3 in respect of eutrophication[19]; and (iii) in terms of acidification, the predicted maximum acid deposition rates in respect of the contribution from hydrogen chloride (HCl).

[19] where a water body becomes overly enriched with nutrients

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293. The AQA has assessed these impacts as not significant compared with existing background conditions and relevant critical levels[20] and critical loads[21], taking into consideration the precautionary approach adopted. However, some mitigation is necessary to avoid potential impacts from acidification at the Thursley, Ash, Pirbright & Chobham SAC. The AQA concludes that the most effective mitigation option would be to halve the SO_2 emission limit value from 30 to 15 milligrams per cubic metre (mg/Nm^3) adding that reducing SO_2 would likely result in the greater control of other acid gases such as HCl and HF. The County Air Quality Consultant (CAQC) has advised that they agree that the results of the modelling indicate that the air quality impacts are not likely to have a significant effect and recommend the imposition of a condition to ensure that the emission concentration limit for SO_2 is $15mg/Nm^3$ rather than $30\ mg/Nm^3$.

294. The AQA also includes an assessment of the in-combination effects of air pollution with other plans and projects to enable the impacts on Chobham Common SSSI (which forms part of both the Thames Basin Heaths Special Protection Area (TBH SPA) and Thursley, Ash, Pirbright & Chobham Special Area of Conservation (TAPC SAC) to be determined. This comprises an assessment of emissions to air from the proposed development in-combination with both the Bracknell Forest Local Plan, and other local plans comprising the Runnymede, Royal Borough of Windsor and Maidenhead and Bracknell Forest local plans. Natural England advised that the Charlton Lane Eco-Park, being 10km away, could be screened out of the in-combination assessment and that there would be no impacts on the South-West London Water Bodies SPA due to the type of development, the distance from the site and the type of habitat being more robust to impacts from air pollution.

295. The consideration of in-combination effects has identified that there may be a risk of exceedance of the annual mean critical level for ammonia and the critical load for acidification at the TAPC SAC. The exceedances for both pollutants were noted as occurring in the same location, a narrow linear roadside location adjacent to the M3 motorway. For both pollutants the main contributor to the exceedances was the Royal Borough of Windsor and Maidenhead Local Plan. As a consequence, the AQA concludes that the effects of the potential exceedances concerning ammonia and acid deposition of the ERF emissions in-combination with other plans and projects at the TAPC SAC should be assessed by an ecologist.

296. In relation to the in-combination effects with the Bracknell Forest Local Plan, the CAQC agrees that the impacts could be screened out as insignificant as the predicted concentrations/deposition rates are less than 1% of the critical level / load. In relation to the in-combination effects with other local plans, the CAQC has advised that an ecologist would need to confirm whether the impacts of ammonia and acidification are considered to be not significant at the TAPC SAC.

297. Natural England has considered the assessment and raised no objection subject to the mitigation detailed in the AQA being secured by condition. This reflects the advice of the CAQC. Having been aware of the advice provided by Natural England and having liaised with the Principal Environmental Assessment Officer, the County Ecologist has advised that they concur with Natural England's advice and would have been more concerned if the response was less unequivocal or more complex mitigation was proposed. Officers are therefore satisfied that subject to the imposition of a condition

[20] Critical levels are thresholds of airborne pollutant concentrations above which damage may be sustained to sensitive plants and animals.
[21] Critical loads refer to the threshold beyond which deposition of pollutants to water or land results in measurable damage to vegetation and habitats.

requiring an emission concentration limit of 15mg/Nm^3 for SO_2, the application would not have likely significant ecological effects on Chobham Common SSSI and NNR, the TBH SPA or TAPC SAC.

298. The Chertsey Common SANG comprises a large parcel of land located to the south of the KRC which benefits from planning permission for publicly accessible greenspace. The SANG forms part of the mitigation for Longcross Garden Village by providing an alternative location for informal outdoor recreation for residents in order to safeguard the Chobham Common component of the TBH SPA. Phase 2, which covers the northern area of the SANG closest to the application site, has yet to be delivered although an application (ref: RU.22/1348) for the approval of reserved matters was submitted to the Borough Council in August 2022.

299. The SANG's nearest boundary is situated around 50m to the south of the centre of the application site. The proposal would retain the large, wooded area (Bog Wood) in the northern part of the SANG and provide a woodland walk through this area. At its closest point, the woodland walk would be around 95m to the south of the centre of the application site. This is a similar distance from the application site as the AD plant and former composting workshop, which are included as human health receptors within the AQA, and where the impacts on human health have been found to be not significant. People at these locations can be expected to be subject to greater levels of exposure compared to those on a footpath where any exposure will be transient (for the duration of passage along that path). Further, the AQA acknowledges that exposure to low level pollution for longer time periods leads to more chronic health effects. For these reasons, it is considered that the impact on users of the SANG will not be significant.

Habitat Regulations Assessment

300. The requirement to undertake an 'appropriate assessment' prior to the grant of planning permission applies to projects that are likely to give rise to significant effects, alone or in-combination, on SPAs or SACs. Ramsar sites enjoy the same level of protection as SPAs and SACs. The applicant has submitted a report to inform the Habitats Regulations Assessment (HRA) which SCC has referred to in preparing its HRA report which provides a record of the HRA undertaken for this application. The report covers all SPAs, SACs and Ramsar Sites situated within 10 kilometres of the application site. These comprise:

- Thames Basin Heaths SPA lying 1.4 km to the west of the application site which is designated for its breeding populations of the European nightjar, the Woodlark, and the Dartford warbler;
- Thursley, Ash, Pirbright & Chobham SAC situated 1.4 km to the west which is designated for its wet and dry heathland and bog habitats;
- South-West London Waterbodies SPA and Ramsar Site located 3 km to the north-east which are designated for their over-wintering, non-breeding populations of the Gadwell and the Northern shoveler;
- Windsor Forest & Great Park SAC lying 3.4 km to the north-west which is designated for its beech forest on acid soils and dry oak dominated woodland habitats and its population of the Violet Click Beetle.

301. With regard to the TBH SPA, the HRA report concludes that the proposal would not give rise to likely significant effects on those populations of breeding birds. The mitigation proposed to address the impact of emissions from the facility on the heathland habitats for which the TAPC SAC is designated would serve to protect the habitats on which the SPA bird species are reliant. With reference to the TAPC SAC, the assessment finds that subject to mitigation being secured by planning condition or

obligation to limit emissions of sulphur dioxide to 15 mg/Nm3, there would be no likely significant effects on the SAC.

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302. In relation to the South-West London Waterbodies SPA and the South-West London Waterbodies Ramsar Site, which are contiguous, the HRA report concludes that there would be no potential for 'likely significant effects' with reference to any part of the SPA or Ramsar Site as a result of the proposed development. In respect of the Windsor Forest & Great Park SAC, this assessment finds that there would be no potential for 'likely significant effects' with reference to any part of the SAC as a result of the proposal.

303. The conclusions reached in the HRA report are consistent with the formal advice provided by Natural England, as the statutory nature conservation body for England. In view of the conclusions of the HRA report, Officers are satisfied that a likely significant effect can be ruled out as the air quality impacts are capable of being mitigated as detailed in the submitted AQA.

Lighting

304. The Planning Statement explains that the impact of lighting required by the proposed development will be minimal, will only be used when light levels are low during normal working hours or in emergencies or during maintenance, and will not be required during non-operational hours. Lighting would consist of a total of 9 LED downlighters. These would be positioned above each of the facility's roller shutter and pedestrian doors. In terms of mitigation, the lighting will be chosen for an ability to alter the angle of the beam to ensure that it will direct light downwards into a pool below the doors, and not outwards or upwards. Lighting will not be on sensors and so will not be triggered by out of hours activities unless manually turned on. As lighting will be angled downwards and designed to ensure that there is no light spill beyond the existing yard area, the Planning Statement concludes that there will be no impacts upon wildlife or ecology.

Preliminary Ecological Appraisal

305. The applicant has submitted a Preliminary Ecological Appraisal (PEA) in support of the application. This was informed by a Phase 1 Habitat Survey, a Site Walkover, and a Habitat Suitability Index (HIS) to assess ponds for the suitability of a habitat to support great crested newts (GCN). In relation to ecological constraints, the proposed development will be constructed on an area of existing hardstanding. The application site has been highly disturbed by regular movement of heavy plant vehicles. The proposal will result in the loss of one small area of grassland (0.013ha) where a new short access road will be constructed between the existing haul road and the application site. There will be no other loss of vegetation either on the site or within the surrounding area during the construction or operation of the ERF.

306. With regard to notable and legally protected species, the site walkover revealed no evidence of bat, badger or reptile activity although 3 species of invertebrates were recorded and five bird species were identified in the surrounding woodland. The buildings on site were identified as being of negligible suitability for bats due to the nature of their construction. However, these have been removed since the PEA was undertaken. Whilst habitat within the surrounding area was identified as having high potential to support roosting and foraging bats and badgers, potential to provide potential nesting and foraging habitat for breeding birds and to support invertebrate species, and suitable habitat to support sheltering and foraging reptiles, no vegetation within the surrounding area will be lost or disturbed as a result of the proposal.

307. There are no terrestrial or aquatic habitat features present on site that are normally associated with GCNs. The area surrounding the site, and ponds within 500m, are considered likely to have the potential to support GCNs. However, none of the surrounding habitat or ponds, within the surrounding area, will be lost / disturbed as a result of the proposed development.

308. In terms of other relevant species, the site itself is unsuitable to support hedgehog and any other mammals. However, the surrounding woodland and hedgerow habitat is considered to be suitable. In relation to flora, areas of habitat immediately adjacent to the site boundary were surveyed for flora species during the site walkover. An extensive list comprising 57 different species were identified.

309. Based on a precautionary approach, the PEA includes a series of recommended mitigation and compensation measures which can be secured by condition. These measures are intended to ensure that there will be no negative impacts upon ecological features identified on the site or within the surrounding area. They include the preparation and implementation of an Ecological Construction Method Statement (ECMS). The ECMS will comprise: details of a pre-construction badger survey within the immediate area surrounding the application site; precautionary measures to avoid killing or injury to badgers informed by the results of the badger survey and based on potential measures outlined in the PEA; a non-licensed precautionary method statement to ensure the protection of GCNs within the grassed area to be cleared for the site access road; and details of construction phase mitigation including temporary barriers to avoid compaction or smothering of flora surrounding the site. In terms of the impact of lighting on ecology during the construction phase, the proposed CEMP to be secured by planning condition would require measures for the management and control of lighting.

310. Other recommended mitigation measures set out within the PEA to be secured by condition include: the preparation and implementation of a lighting strategy to mitigate impacts on foraging bats within the surrounding habitat; and a scheme to deliver opportunities for the enhancement or creation of habitats within the site or surrounding area to deliver biodiversity net gains (BNG). This would include landscaping designed to incorporate new native species to include new native shrub, tree and grassland planting where possible on what is currently a sterile site from a wildlife point of view. It would also seek to improve GCN and reptile habitat as well as the suitability of habitat within the surrounding woodland by incorporating appropriate features comprising bat and bird boxes.

Response to Consultation and Publicity

311. The County Ecologist has raised no objection to the application subject to a condition requiring the submission of a Scheme of BNG incorporating tree, shrubs and grassland. The Borough Council has expressed concerns that there could be significant implications for ecology, habitats and biodiversity arising from the proposal. No response has been received from the Surrey Wildlife Trust. The WRA has urged SCC to scrutinise the report submitted by the applicant to inform the HRA, and the planning application, to determine any likely significant effects on the integrity of the SPA and the impact on Chobham Common SSSI, and other locally important biodiversity sites and to follow the advice given by Natural England. If planning permission is granted, the WRA urge SCC to ensure that all mitigation and monitoring set out in the EIA is secured by conditions and / or planning obligations. A number of representations have also been received objecting to the application on ecological grounds.

312. No objections have been received from statutory consultees in relation to ecology and biodiversity subject to mitigation proposed by the CAQC and Natural England which Officers are satisfied can be secured by planning condition. The applicant has demonstrated that there would be no likely significant effects on designated European Sites as the air quality impacts of the proposal on the ecology of these sites is not significant or, in the case of the TAPC SAC, is capable of being mitigated through the imposition of a planning condition. Conditions are also proposed to secure the recommended mitigation measures set out in the submitted PEA.

313. In terms of other issues raised in the representations received, the closest pocket of ancient woodland lies around 380m to the north-west of the application site. The submitted Air Quality Assessment has included the impact on ancient woodland in its assessment and found the impact to be not significant. The risk of fire on Chobham Common from combustion is considered very highly unlikely given the extent of the separation distance between the application site and Chobham Common and the extent to which, in the event of any gas escape, the gas would dilute whilst moving over this distance. Further, the combustion process will be entirely enclosed within the building and within the thermal treatment plant itself. Finally, in terms of suggested alternative uses of the application site, the CPA is required to determine each application on its own merits.

Conclusion

314. Having assessed the implications of the proposed development on ecological and biodiversity interests, Officers consider that subject to the imposition of planning conditions to control SO_2 emissions and lighting, secure the submission an ECMS for written approval prior to the commencement of the development and the BNG measures proposed by the applicant, the development would not result in unacceptable ecological impacts on communities and the environment. These mitigation and control measures would ensure that the proposal would not give rise to likely significant effects on European Designated Sites, or result in unacceptable harm to biodiversity, sites of local importance for biodiversity such as SNCIs, irreplaceable habitats such as ancient woodland and protected species. For these reasons, Officers are therefore satisfied that the application is in accordance with the requirements of national planning policy and the local development plan in respect of ecology and biodiversity.

Water Environment

315. With regard to planning and flood risk, NPPF paragraph 159 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Where development is necessary in such areas, the development should be made safe for its lifetime. Paragraph 167 sets out that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.

316. SWLP Policy 13 requires all proposals for waste development to promote measures to ensure resilience and enable adaptation to a changing climate. SWLP Policy 14 requires that waste development does not result in unacceptable impacts on communities and the environment including in relation to the water environment with respect to: (a) flood risk (arising from all sources), including impacts on, and opportunities to provide and enhance, flood storage and surface water drainage capacity; and (b) water resources, including impacts on the quantity and quality of

surface water and ground water resources, taking account of Source Protection Zones, the status of surface watercourses and waterbodies and groundwater bodies.

317. Policy EE13 of the RLP states that new development will be guided to areas of lowest flood risk from all sources of flooding through the application of the sequential test. A sequential approach to the layout on individual development sites will also be expected to be followed to minimise flood risk. Any development proposed in either flood zone 2, flood zone 3, on sites over 1ha in flood zone 1, or in a dry island (all types of development excluding minor development in a dry island), must be accompanied by a site specific Flood Risk Assessment (FRA), proportionate to the scale of development that demonstrates that all forms of flooding have been taken into account. Development proposed will be required to attenuate surface water run-off so that the run-off rate is no greater than the run-off prior to development taking place or, if the site is previously developed, development actively reduces run-off rates and volumes. All new development is required to ensure that sustainable drainage systems (SuDS) are used for the management of surface water unless demonstrated to be inappropriate. All new developments in areas at risk of flooding must give priority to the use of sustainable drainage systems.

318. The applicant has submitted a Flood Risk and Drainage Assessment (FRDA) in support of the application. The FRA) assesses the effects of flooding on the development and how the development might affect flood risk elsewhere. The Drainage Assessment seeks to demonstrate that the site can be adequately drained and comply with SuDS Hierarchy.

319. In relation to the sequential test, hazardous waste facilities are classified as 'more vulnerable' forms of development and are compatible with land designated as Zone 1 for fluvial flood risk. The application site lies within Flood Zone 1 and has a 'low probability' of flooding (typically lower than a 1 in 1,000 annual probability). The development therefore passes the sequential test.

320. The FRA includes an appraisal of sources of flooding and finds that there are no public surface water sewers, reservoirs, watercourses or other sources of flooding identified in the immediate vicinity of the site which might cause a risk of flooding. However, the proposed ERF will have a large impermeable area resulting in high rates of surface water run-off which will need to be managed to ensure it does not increase flood risk. The EA's indicative surface water run-of map shows that the developed area of the site is unaffected by surface water run-off. With regard to groundwater, there are no low points on the site where elevated groundwater could collect. Therefore, flooding from groundwater is not considered a flood risk. In relation to climate change, the FRA acknowledges that the EA provides recommended allowances for increased peak rainfall intensity of between 20% and 40% which should be accounted for in any surface water drainage design.

321. The FRA includes an assessment of the various potential surface water drainage disposal options. This identifies the existence of a watercourse to the south of the application site in Bog Wood and an existing dirty water lagoon located to the east of the application site previously used to collect surface water run-off from the green waste composting facility prior to its closure in May 2022.

322. In terms of the proposed drainage solution, the FRA sets out that all handling and processing of waste will be carried out inside the processing building. Therefore, run-off from the building and yard area will be clean water which can be discharged to the adjacent water course.

7

323. Currently the site discharges to the existing dirty water lagoon which has no outfall. The proposal seeks to utilise this lagoon as a balancing pond to take run-off from the proposed development following the removal of the existing dirty water and any contamination. Roof water will be collected in gutters, rainwater pipes and a conventional drainage system and discharge into the pond. Run-off from the yard areas will be collected by gullies or drainage channels which will connect to a conventional drainage system. Water from this system will discharge into the pond via a bypass interceptor.

324. Surface water will be attenuated in the balancing pond based on accommodating a 100 year storm plus a 40% allowance for climate change and a maximum flow of 3.5 litres per second (l/s) (equivalent to the green-field run-off rate) discharging into the watercourse. This would require 400m^3 of storage capacity within the balancing pond. A further 900m^3 of storage capacity for fire water is also required increasing the total amount of storage capacity required to 1,300m^3. If necessary to ensure the availability of sufficient capacity, the balancing pond could be deepened to provide 1,663m^3 of storage capacity. The applicant states that this would be more than enough to accommodate the storage capacity required.

325. In terms of internal drainage within the building, the inside of the building will be provided with a dedicated drainage system (including rollover bunds in doorways to ensure containment within the building of any spills) which has no connection to the external drainage arrangement. The internal drains will collect any spillages and meet at a sump with an interceptor and will then feed into a tank to be located within the building. If and when required, this tank will be emptied by a tanker using suction and the contents would be taken off-site for treatment at an appropriate facility. This arrangement is intended to ensure that there is no potential for external run-off water to come into contact with the liquids captured within the building, should any spillages occur.

326. The County Geotechnical Consultant (CGC) has advised that they are satisfied with the details provided by the applicant in respect of the means of maintaining the volume of water required in the pond for fire-fighting purposes and the information on the condition of the receiving watercourse. In view of the proposal to drain the pond as part of the redevelopment to determine the details of the inlets and outlets to inform the design of the drainage system and pond enhancements, the CGC has advised that the provision of details of the drainage scheme would need to be subject to a pre-commencement condition.

327. The Lead Local Flood Authority (LLFA) has reviewed the surface water drainage strategy for the proposed development and assessed it against the requirements of the NPPF, the accompanying nPPG and the Non-Statutory Technical Standards for Sustainable Drainage Systems. The LLFA has advised that they are satisfied that the proposed drainage scheme meets the requirements set out in the aforementioned documents and are content with the development proposed, subject to the imposition of two planning conditions.

328. These are necessary to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development. The first condition requires details of the design of the surface water drainage scheme to be submitted to the CPA for approval in writing prior to the commencement of the development which is consistent with the advice provided by the CGC. The second condition requires the submission of a verification report for written approval by the CPA prior to the first use of the development.

329. The EA has been unable to undertake an assessment of the application due to resource constraints and the need to prioritise their workload. Neither have they assessed whether consent will be required by themselves under their own regulatory role although Officers, together with the applicant and the Borough Council, are firmly of the view that an Environmental Permit will be required from the EA. Thames Water has raised no objection to the application as both foul and surface water will not be discharged to the public network and no response has been received from Affinity Water.

Conclusion

330. Officers are satisfied that subject to the imposition of conditions to ensure that the proposed sustainable drainage system is properly implemented and maintained throughout the lifetime of the development, the application site has a low probability of flooding, would not have an unacceptable impact on water resources, including groundwater, or communities and the environment by increasing flood-risk elsewhere and would not result in damage to local water courses or the potential pollution of water. For these reasons, the application is therefore considered to be in accordance with national planning policy and the requirements of the local development plan in respect of the impact on the water environment.

Geotechnical Considerations

331. NPPF paragraph 183 states that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from former activities such as mining, and any proposals for mitigation including land remediation. SWLP Policy 14 states that planning permission for waste development will be granted where it would not result in unacceptable impacts on communities and the environment including in relation to land and soil resources including the need to address existing and potential contamination and land stability issues.

332. Policy EE2 of the RLP states that development proposals on land which is suspected of being affected by historic or current land contamination will be required to investigate the nature and risk of the contamination both to the development proposal and to the wider environment. Where contamination is revealed, the applicant will be required to submit and implement a scheme of remediation which demonstrates that the land and where necessary groundwater will be remediated to the point where it no longer meets the definition of statutory contaminated land.

333. The application site is located to the south of the raised area of the Trumps Farm closed landfill site. Prior to its restoration in 2002, the landfill was used for the disposal of biodegradable municipal waste and commercial and light industrial waste. The former landfill remains the subject of ongoing management of landfill gas and leachate.

334. A Phase 1 Preliminary Contamination Risk Assessment has been submitted by the applicant. This seeks to address initial concerns raised by the County Closed Landfill Sites Manager and the County Geotechnical Consultant (CGC) that a ground gas risk assessment had not been submitted in support of the application.

335. The assessment notes that the Trumps Farm landfill site is located to the north of the site which is utilised as a source of landfill gas energy production. Other areas of infilled land including ponds and drains are also located within the surrounding area. Given the nature and proximity of these areas to the site and the potential presence of infilled land on site, the assessment finds that a potentially significant risk to the

proposed development may be present, with any potential mobile contamination and hazardous ground gases forming the main contaminants of concern. The assessment adds that hazardous ground gases attributed to the Trumps Farm landfill site are understood to have had a significant impact upon the neighbouring AD facility, requiring a variety of ground gas protection and other mitigation measures to be incorporated.

336. The assessment also notes that the site is indicated to be at medium risk from unexploded ordnance (UXO). Whilst a detailed UXO desk study and risk assessment is generally recommended as good practice by industry guidance[22] for sites in moderate or high unexploded bomb (UXB) risk areas, more often than not, the further detailed research will conclude that the potential for a significant UXO hazard to be present is actually low.

337. In consideration of the pollutant linkages identified, the assessment states that it should be assumed that some form of remediation / mitigation measures will be required to manage the identified risks from ground contamination and hazardous ground gases. Further, the adjacent AD facility will have been subject to similar contamination and ground gas risks to those identified and has been subject to robust intrusive site investigations. The assessment points out that the fact that the AD Plant was still deemed to be commercially viable, despite requiring remediation measures to be adopted, gives confidence that the proposed ERF will also be technically and commercially viable. Notwithstanding the above, a comprehensive Phase 2 Site Investigation will be required to further understand and assess the identified pollutant linkages and how these may impact upon the development and wider environmental receptors.

338. The assessment therefore recommends that the following scope of works be undertaken as a minimum:

- the undertaking of a detailed UXO risk assessment;
- the carrying out of an intrusive site investigation to confirm ground conditions at the site including deep percussion boreholes to aid in detailed foundation design;
- the installation of wells in boreholes to allow the assessment of potential risk to future site users posed by hazardous ground gases, with a programme combining spot and continuous ground gas monitoring being recommended to ensure a suitably robust assessment;
- testing of groundwater samples for dissolved methane concentrations;
- the recovery of soil samples from across the site for testing for potential contaminants of concern;
- should elevated concentrations of contaminants of concern be encountered, leachability testing should be undertaken and samples of the groundwater should be recovered for testing;
- the recovery of soil samples for testing for pH and water-soluble sulphate to confirm the below ground concrete classification for new structures;
- the carrying out of in situ testing and geotechnical soil sampling during intrusive investigation to provide adequate recommendations for foundation design;
- the recovery of soil samples for testing for geotechnical purposes to include soil classification testing;
- the carrying out of plate load tests (to determine the grounds bearing capacity) to derive California Bearing Ratio (CBR) values to aid in hardstanding / roadway design;

[22] CIRIA C681, Unexploded Ordnance (UXO), A Guide for the Construction Industry, July 2009

- if the existing drainage / attenuation system is not to be utilised as a means of surface water disposal, infiltration testing should be undertaken to aid in drainage design; and
- depending on the adopted foundation solution and the location of proposed new buildings there may be a requirement for a slope stability assessment to be carried out.

339. The assessment concludes that, "once planning permission has been granted, the above generic scope should be developed into a detailed written specification including proposed borehole numbers and locations, duration and frequency of ground gas monitoring and the number and type of soil and groundwater testing suites. This should then be submitted for approval with the local planning authority prior to any works being undertaken".

340. The CGC has reviewed the assessment and advised that the Phase 1 Preliminary Contamination Risk Assessment addresses the issues previously identified and that the detailed scope of investigation can be deferred for now and covered by a condition, in addition to other conditions requiring a written scheme of investigation, site characterisation comprising a ground investigation and risk assessment, the submission of a remediation and / or mitigation scheme, reporting of unexpected contamination and long term monitoring and maintenance.

341. A large number of representations have been received objecting to the application due to health and safety concerns, questioning the sense in building an incinerator on top of a landfill and pointing out the danger of fire / combustion over a wide area from fuel storage and heat generation due to proximity to a closed landfill site with a 40 year build-up of explosive methane gas below the surface. There are fears that this would result in a loss of life, destruction of property, risk to workers and disruption to the M3.

342. The application site is located to the south of the Trumps Farm closed landfill site which is owned by SCC. Tipping ceased at the site 20 years ago. Landfill gas emitted from non-hazardous landfill sites continually reduces over time. The Trumps Farm closed landfill site is subject to ongoing management of landfill gas and leachate and contains a variety of infrastructure for this purpose. SCC has a legal duty to monitor and control leachate and landfill gas from the Trumps Farm closed landfill site in accordance with their Environmental Permit issued by the EA.

343. Subject to the outcome of additional contamination and risk assessment work, which is proposed to be required by condition, the application site will be required to incorporate mitigation measures to prevent the risk of infiltration of ground gas from the closed landfill to the north. As a consequence, Officers are satisfied that sufficient measures exist / and or will be introduced to prevent the risk of combustion from landfill gas.

344. Further, the applicant argues that the risk of explosion due to landfill gas migration is directly comparable to that experienced by the adjoining AD facility, which also operate a combustion process, and is considered negligible. This is due to a number of factors set out below which are accepted by Officers:

- the existing gas capture and utilisation system at the landfill site will largely control the escape of gas;
- distance from the landfill to the application site is such that the likelihood of the gas travelling in significant volumes is low;
- the dilution of gases is likely due to the intervening distance and geology;

- to manage any gas that does reach the proposed ERF, positive physical design measures to address the risk (such as gas impermeable membranes, detection systems etc.) will be put in place as necessary as described in the Phase 1 Preliminary Contamination Risk Assessment;
- the combustion process itself will be entirely enclosed within the building and enclosed within the thermal treatment plant itself;
- within the process building mitigation measures of a similar nature to those adopted by the AD facility would be put in place for the proposed ERF following approval by the CPA, the detail of which would follow completion of the next phase of ground conditions work to be covered by a proposed pre-commencement condition in the event that planning permission is granted;
- alongside measures for managing the migration of gas itself, the plant will be designed in a manner consistent with the control of explosive risks in those areas of the facility which might be considered as at risk (i.e. utilising design strategies that minimise or prevent spark risks etc.). This will follow from the HAZID[23] and HAZOP[24] studies which are always carried out as part of the engineering design work for a facility such as the proposed ERF;
- The adjacent AD facility will have been subject to similar contamination and ground gas risks and has been subject to robust intrusive site investigations;
- The fact that the AD Plant was still deemed to be commercially viable, despite requiring remediation measures to be adopted, indicates that the proposed ERF will also be technically and commercially viable;
- Notwithstanding the above, a comprehensive Phase 2 Contamination Risk Assessment will be required to further understand and assess the identified pollutant linkages and how these may impact upon the development and wider environmental receptors. This is likely to include a detailed scope of works as outlined above which,
  in the event that planning permission is granted, would need to be developed into a detailed written specification including proposed borehole numbers and locations, duration and frequency of ground gas monitoring and the number and type of soil and groundwater testing suites before being submitted to the CPA for written approval prior to any works being undertaken.

Conclusion

345. Having regard to the potential risk from landfill gas migration, land contamination, the findings and recommendations outlined in the submitted Phase 1 Preliminary Contamination Risk Assessment and the advice provided from the CGC, Officers are satisfied that subject to the imposition of suitable conditions, these matters have either been addressed or are capable of being addressed by the applicant and that the application site is suitable for its intended purpose and would not give rise to any unacceptable risks in respect of contamination and land stability. As a consequence, the proposed development is considered to meet the requirements of national planning policy and relevant local development plan policies in this respect.

Lighting

[23] HAZID (Hazard Identification) is an internationally recognised risk analysis tool for hazard identification, risk assessment and the implementation of process projects.

[24] HAZOP (Hazard and Operability Study) is a systematic way to identify possible hazards in a work process and have been successfully used within the chemical and petroleum industry to obtain safer, more efficient and more reliable plants.

346. NPPF paragraph 185 states that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should limit the impact of pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

347. The Light Pollution chapter of the nPPG states that where necessary, development proposed in the vicinity of existing activities may need to put suitable mitigation measures in place to avoid those activities having a significant adverse effect on residents or users of the proposed scheme[25]. It goes on to explain that light intrusion occurs when the light 'spills' beyond the boundary of the area being lit. For example, light spill can result in safety impacts related to the impairment or distraction of people (e.g. when driving vehicles), health impacts arising from impaired sleep, cause annoyance to people, compromise an existing dark landscape and/or adversely affect natural systems including plants, animals, insects and aquatic life. However, these adverse effects can usually be avoided with careful lamp and luminaire selection and positioning[26].

348. SWLP Policy 14 requires that waste development does not result in unacceptable impacts on communities and the environment including in relation to impacts caused by illumination on public amenity and safety. Policy EE2 of the RLP expects lighting schemes to be well-designed, focussing on avoiding impacts on local amenity, wildlife, public safety and their prominence within and from the surrounding townscape / landscape. Schemes should be designed to industry standards and not exceed the minimum light levels necessary for their purpose and not spill beyond the area intended for illumination.

349. The Planning Statement explains that the impact of lighting required by the proposed development will be minimal, will only be used when light levels are low during normal working hours or in emergencies, and will not be required during non-operational hours. External lighting would consist of a total of 9 LED downlighters. These would comprise 3 lights above the pedestrian doors to the northern facade, 1 light above the pedestrian door and 2 lights above the roller shutter doors on the eastern façade, 1 light above the pedestrian door and 1 light above the roller shutter door on the southern façade and 1 light above the pedestrian door on the western façade. These locations are shown on the submitted Lighting Plan together with the proposed lighting specification.

350. Each light will be mounted on the wall of the building and positioned 6.5m above ground level (agl) over the roller shutter doors and 2.75m agl above the pedestrian doors. The intended lighting levels would be around 50 lux in the areas to be lit based on HSE guidance on 'Lighting at Work'[27]. The lighting will be chosen for an ability to alter the angle of the beam to ensure that it will direct light downwards into a pool below the doors, and not outwards or upwards to avoid light spill pollution. Lighting will not be on sensors and so will not be triggered by out of hours activities unless manually turned on.

351. All external lighting will be turned on no earlier than 06:00 on a weekday, or 07:00 on a Saturday, and will be turned off by 19:00 Monday to Friday, or by 14:00 on Saturdays, unless required for maintenance or emergency use. Whilst still to be finalised, the

[25] Paragraph: 002 Reference ID: 31-002-20191101
[26] Paragraph: 003 Reference ID: 31-003-20191101
[27] Lighting at Work, Second Edition, HSE, 1997

applicant states that the proposed lighting will be of a similar specification to that outlined below:

7

- Mains operated IP65 Commercial LED Floodlights, ideal for illuminating large areas such as company car parks, industrial grounds or up-lighting buildings;
- Die-cast aluminium with tempered glass lens IK04 Rating;
- IP65 rated for outdoor use 4000K colour temperature;
- Adjustable bracket to 180°, 110° beam angle.

352. A representation has been received objecting to the application as it will increase light pollution. In terms of the operational phase, Officers consider that subject to the imposition of planning conditions to restrict the permitted hours of operational lighting and require the proposed lighting scheme to be implemented in accordance with the details shown on the submitted Lighting Plan, the proposed lamp and luminaire selection and positioning will ensure that the proposed development will limit the impact of light pollution on local amenity and nature conservation interests to acceptable levels.

353. As discussed in the above section on *Ecology and Biodiversity*, the proposed condition requiring the submission of a Lighting Strategy would ensure that the impact on commuting bats in the surrounding habitat is minimised. In relation to the construction phase, the proposed CEMP to be secured by planning condition would require measures for the management and control of lighting. This will ensure that the impact of lighting on communities and the environment during the construction phase are not significant.

Conclusion

354. Taking into consideration the measures proposed by the applicant to mitigate and control the impact of lighting during the operational phase of the development and the requirement to provide details of measures to manage and control lighting during the construction phase as part of the CEMP, Officers are satisfied that subject to the imposition of conditions, the proposed lighting arrangements will limit the impact on amenity and public safety and not result in an unacceptable impact on communities and the environment in accordance with the requirements of national planning policy and the policies contained within the local development plan in respect of lighting.

Archaeology and Heritage

355. Paragraph 194 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. NPPF paragraph 199 sets out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

356. NPPF paragraph 200 sets out that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should

be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional. Paragraph 202 adds that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

357. SWLP Policy 14 states that planning permission for waste development will be granted where it does not result in unacceptable impacts on communities and the environment including in relation to the historic landscape, on sites or structures of architectural and historic interest and their settings, and on sites of existing or potential archaeological interest or their settings.

358. Policy EE7 of the RLP states that an archaeological assessment, and where appropriate the results of a site evaluation will be required to accompany a planning application for proposals on sites which affect, or have the potential to affect, County Sites of Archaeological Importance (CSAI) or Areas of High Archaeological Potential (AHAP) and on all other sites which exceed 0.4ha in size.

359. Sections 66(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. With regards to conservation areas, Section 72 of the 1990 Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area.

Heritage

360. Any potential harm to the significance of identified heritage assets and their settings in the vicinity of the application site are generally considered to be in visual and landscape terms due to the extent of the separation distance between the proposed ERF and local heritage assets. However, for the closest heritage asset to the application site and its setting, there is potential for harm resulting from impacts on the landscape and in terms of noise and illumination.

361. Officers accept the findings of the LVIA which finds that the predicted effects on landscape character during the construction and operational phases of the proposed development are not significant, and that where the exhaust flue is visible, it is likely to comprise a small element of the overall visual experience. Officers also accept the findings that predict that the visual effects on the majority of viewpoints during construction would be minor adverse, negligible or neutral, and during the operational phase, would be either negligible, minor adverse or neutral. Further, the LVIA outlines a range of proposed mitigation measures designed to reduce the adverse landscape and visual effects of the proposed development which Officers propose to secure by condition. It is considered that these measures would assist in limiting any potential harm to the significance of heritage assets in the vicinity and their settings.

362. In terms of heritage assets, the Iron Age occupation, Trumps Farm, Longcross Area of High Archaeological Potential (AHAP) lies 230m to the north-east of the application site. The AHAP does not comprise a designated heritage asset. Potential harm to the heritage asses is limited due to the characteristics of the application site which sits fairly discreetly within the landscape due to its low elevation and significant visual containment resulting from surrounding woodland and landform. As the AHAP rests at

a lower ground level compared to the application site, views towards the application site would be largely obstructed by the presence of the existing AD facility in the foreground comprising two main buildings up to 13m in height, and five main digestion and storage tanks up to 13.5 metres in height. Further, the proposed building would be finished in dark green to blend in with the colour of the AD facility and the surround woodland context reducing its prominence in the landscape.

363. Views of the temporary mobile tower crane or exhaust flue would be seen in the context of the AD facility in the foreground and its two existing flues. Further, the proposed exhaust flue would be finished in light grey to blend in with the colour of the skyline. Any harm in terms of noise and lighting would be reduced by the presence of the AD facility which would serve as an acoustic barrier and restrict views towards the application site. Further, conditions are proposed to control the impact of noise and lighting during both the construction and operational phases. For these reasons, Officers consider that the harm to the significance of the heritage asset would be less than substantial. Given the public benefits of the scheme in promoting sustainable waste management including energy recovery, reduced emissions from waste transport and benefits in terms of mitigating the impacts of climate change, Officers consider that the harm would be outweighed by the public benefits resulting from the proposal.

364. Whilst the setting of the AHAP includes land closer to the application site where harm may be expected to be greater due to proximity, views from areas nearer to the proposed ERF would be more obscured by the presence of the AD facility which will appear larger in the foreground. More generally, the numerous buildings that form the AD facility would again serve as an acoustic barrier and limit any potential visual harm in terms of lighting. With controls over harm from noise and lighting proposed by condition, the building and exhaust flue coloured to reduce their prominence in the landscape, and the mobile tower crane being a temporary feature, these factors would limit the harm to the setting of the AHAP in respect of harm from noise, illumination and visual effects. Officers therefore consider that the harm to the setting of the AHAP would be less than substantial. Again, Officers consider that the harm would be outweighed by public benefits resulting from proposal which would provide for the sustainable management of waste arising in Surrey.

365. 'Bowl barrow 200m west of Barrowhills' Scheduled Monument (List Entry No. 1011601) and County Site of Archaeological Importance (CSAI) is situated 1km to the south-west on elevated ground compared to the application site. Bowl barrows, the most numerous form of round barrow, are funerary monuments dating from the Late Neolithic period to the Late Bronze Age. They were constructed as earthen or rubble mounds, sometimes ditched, which covered single or multiple burials. The bowl barrow 200m west of Barrowhills survives well and is one of the largest examples in Surrey.

366. The bowl barrow is located within an AHAP and inside the proposed Longcross South development area. The AHAP includes two listed buildings approximately 830m south-west of the application site. These comprise Barrow Hills (List Entry No. 1356738) and Barrow Hills Garden Terrace (List Entry No. 1356747), both of which are Grade II listed for their special architectural or historic interest. Despite the difference in ground level, in view of the separation distance between the application site and both the Scheduled Monument and the two listed buildings, and the very close proximity of woodland to these heritage assets which prevents distant views in the direction of the application site, Officers consider that the proposed development would not result in any harm to the significance of these heritage assets.

367. The close proximity of woodland to these heritage assets is considered to reduce the area of their setting. As a consequence, their settings are considered to be quite limited and contained. Owing to the extent of the separation distance between the settings of these heritage assets and the application site, the contained nature of their settings due to the proximity of woodland screening, and proposed conditions to control environmental harm associated with the application site, it is considered that the proposed development would not result in any harm to the significance of the settings of the Scheduled Monument, CSAI, AHAP and two listed buildings.

368. Large univallate hillfort and 14 century chapel at St. Ann's Hill Scheduled Monument (List Entry No. 1016204) lies in an elevated position 3km to the north-east of the application site. The monument includes those parts of a large univallate hillfort of Iron Age date not removed by post-medieval quarrying, and a later 14th century chapel, situated on the crest of a hill in an area of sands and gravels with extensive views of the surrounding landscape. Roughly oval and aligned on a north-west to south-east axis, the hillfort has an enclosed area of approximately 5ha defined for the most part by a single line of defences comprising a main bank and external ditch with an outer counterscarp bank. The rampart is best preserved on the west side where the inner bank survives to a height of 1m and is 14m wide.

369. The nearest Registered Parks & Gardens are:

- St. Ann's Hill and the Dingle (List Entry No. 1001527, Grade II) approximately 3km to the north-east of the application site comprising a late 18th Century planting, on the site of a prehistoric hill fort, laid out in the mid-19th Century with picturesque planting. Opened as a public park in 1928, with early 20th Century landscaping by Percy Cane;
- St. Ann's Court (List Entry No. 1000518, Grade II*), approximately 3km to the north-east comprising a late 18th Century cottage orne grounds, modified in 1938 by Christopher Tunnard with an early Modern Movement design; and
- The Royal Estate, Windsor: Virginia Water (including Fort Belvedere and the Clockcase) (List Entry No. 1001177, Grade I) approximately 3km to the north-west comprising a landscaped lake, created for the first Duke of Cumberland c 1750 by Henry Flitcroft as part of Windsor Great Park. It was the largest artificial lake of its day. The lake was enlarged and further landscaped, partly by Thomas Sandby, for George III, c 1780s and the area was again embellished by George IV in the mid-1820s.

370. Despite their higher elevation, any potential harm to the significance of these heritage assets is considered to be reduced due to the extent of the separation distance between them and the application site, with St. Anne's Hill Scheduled Monument and the two Registered Parks and Gardens at St. Anne's Hill and the Dingle and St. Anne's Court also being located on the opposite side of the M25 motorway. At a distance of around 3km from the application site, it is considered that the main building at 10m in height and finished in dark green to blend in with the surrounding landscape, the exhaust flue, at 26m in height and 1m in width coloured light gey to blend in with the skyline, and the temporary mobile tower crane would be barely discernible in the panoramic south-westerly views available from these heritage assets. Further in view of the existence of other infrastructure in views between these heritage assets and the application site, Officers consider that any harm to the significance of these heritage assets would be less than substantial and outweighed by the public benefits of the proposal which would provide for the sustainable management of Surrey's waste.

371. The setting of the Scheduled Monument and two Registered Parks and Gardens around St. Anne's Hill are influenced by their elevated positions which extend their

settings over a broader area. However, their settings are contained by the M25 motorway a short distance to the west and the M3 motorway a short distance to the north. Harm from noise resulting from their close proximity of the M25 and M3 motorways is considered to be a dominant factor which is likely to reduce any harm resulting from other influences further afield. Again, in view of the extent of the separation distances between the settings of these heritage assets and the application site, the colours of the proposed main building and exhaust flue which would serve to reduce their prominence in the landscape, and the temporary nature of the proposed mobile tower crane, the harm to the significance of the settings of these heritage assets is considered less than substantial and outweighed by the public benefits resulting from the proposed development.

372. In relation to The Royal Estate, Windsor: Virginia Water (including Fort Belvedere and the Clockcase) Registered Park and Garden, Officers consider that any views towards the application site would be obscured by a combination of the extent of the separation distance, intervening woodland and the raised dome of the Trumps Farm closed landfill which would appear immediately in front of the application site preventing any views of the main building. Again, at this distance, any views available of the temporary mobile tower crane or proposed light grey coloured exhaust flue would be a barely noticeable component of the wider view. In view of these findings, it is considered that any harm to the significance of this heritage asset would be less than substantial and outweighed by the public benefits of the proposal.

373. The setting of this Registered Park and Garden is considered to be contained by the A30 which is routed around the south-east periphery of this heritage asset. This prevents the setting extending in a south-easterly direction beyond the boundary of the heritage asset in the direction of the application site. Where the setting of the heritage asset extends in other directions, it is considered that given the distance between the application site and the setting of the heritage asset, the presence of intervening woodland, and screening provided by the presence of the raised profile of the Trumps Farm closed landfill site, the proposed development would have no harm on the significance of the setting of the Registered Park and Garden.

Archaeology

374. The Archaeological Officer has reviewed the proposal and confirmed that the site is not within an area designated as being of High Archaeological Potential. As the new build is on a small sale and involves only a limited amount of ground disturbance, the Archaeological Officer advises that it is very unlikely that archaeological remains will be disturbed by the proposal. Due to these factors, the Archaeological Officer has confirmed that in this case, there is no requirement for any archaeological work as a consequence of this application.

Conclusion

375. In view of the above findings, Officers consider that the proposed development would not result in unacceptable impacts on communities and the environment in relation to the historic landscape, on sites or structures of architectural and historic interest and their settings, or on sites of existing or potential archaeological interest or their settings. Where the harm resulting from the proposed development on heritage assets or their settings is assessed as being less than substantial, Officers consider that the harm would be outweighed by public benefits resulting from the proposed development. As a consequence, Officers are satisfied that the proposal meets the requirements of national planning policy and local development plan policy in respect of these matters.

Rights of Way

376. Paragraph 100 of the NPPF states that planning decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users. SWLP Policy 14 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 including in relation to the impact on the rights of way network. As SCC is responsible for the management and maintenance of the rights of way network, there is no policy in the RLP regarding this matter. However, the RLP states that protection and enhancement of physical access to open space including Public Rights of Way, is supported by the Council.

377. Public footpath 45 / 62 runs through Bog Wood around 35m to the south of the application site at its nearest point linking Kitsmead Lane to the south-west with Lyne Close to the north-east. Footways are also proposed through Bog Wood in association with the application submitted to the Borough Council containing details of Phase 2 of the development of the permitted Chertsey Common SANG. The proposed location of these footways is a similar distance from the application site as public footpath 45 / 62.

378. The application has the potential to have adverse impacts on rights of way as a consequence of visual impacts and the effects of noise and lighting. The submitted LVIA has assessed the visual impact of the proposal on footpath 45 / 62 from 5 viewpoints situated 35m and 120m distant in Bog Wood, and 380m, 790m and 1,120m distant to the east of the site.

379. In relation to the views from Bog Wood, the assessment finds that both views from the footpath towards the site are highly limited due to the combination of the changes in heights of landform and the density of vegetation between the application site and the visual receptor with the closest views being highly filtered with views also available towards other activities within the wider KRC site. During construction, the effect is assessed as being moderate adverse and short term from 35m and minor adverse and short term from a distance of 120m. During operation, the effect is assessed as negligible and long-term during the operational phase from both viewpoints.

380. In terms of views from the footpath to the east of the site, the AD facility forms a highly prominent and dominating element of the baseline view from 380m with the effect assessed as being minor adverse and short-term during construction and minor adverse and long term during operation. Baseline views in the direction of the site are available from 790m where the AD facility can be glimpsed in winter views with the wooded context and undulating landform serving to limit opportunities to see the application site from many locations on the footpath. The effects are assessed as being minor adverse and short-term during construction and minor adverse and long-term during operation.

381. Finally, from 1,120m, the proposed development forms a very small part of the view with the wooded context and undulating landform again serving to limit opportunities to see the application site from many locations on the footpath. The effects are assessed as being minor adverse and short-term during construction and negligible and long-term during operation. Further, the LVIA also refers to recent planting to the east of the AD facility including species such as Oak and Sweet Chestnut which would reach mature heights of 20-40m creating a more wooded context to the structures visible from views from the footpath to the east of the site in the longer term.

382. The CLO concurs with these findings set out within the LVIA. The CLO advises that even in winter, the moderate adverse visual effect from the footpath 35m distant would still be filtered by intervening trees and the visual effect of the temporary mobile tower crane from the footpath 380m to the east of the application site would be seen in the context of the existing AD facility in the forefront of the view. Furthers, Officers note that the proposed mitigation measures outlined in the above section on Landscape and Visual Impact would help to limit the visual effect of the proposal on footpath users.

383. Conditions are proposed to control the impact of noise and lighting during both the construction and operational phases as discussed in the above sections on noise and lighting. Officers are aware that any impacts on users of public rights of way and the footways proposed as part of the Chertsey Common SANG would be short-lived as receptors will be transient in nature. Further, the proposed Landscape Planting Scheme to be secured by planning condition will include provision for new planting which over time will help to provide additional screening and / or filtering of views of the proposed ERF from outside the site.

384. The Countryside Access Officer has raised no objection to the application. The WRA has raised objection to the application due to the proximity of public rights of way. The impact of the proposal on public rights of way has been thoroughly assessed and the impacts are not considered to be significant. In addition, Officers have proposed a number of conditions in respect of noise, lighting and landscaping which would help to mitigate any adverse impacts of the proposal.

Conclusion

385. In view of the above considerations, Officers are satisfied that subject to the imposition of conditions, the proposed development would protect the rights of way network and not give rise to unacceptable impacts in accordance with the requirements of national planning policy and the local development plan in this respect.

Airport Safeguarding

386. SWLP Policy 14 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 including in relation to aerodrome and airport safeguarding, including the risk of birds striking aircraft and including impacts due to the position or height of buildings and associated structures.

387. Heathrow Airport Ltd has assessed the application against safeguarding criteria and confirmed that they have no safeguarding objections to the proposed development.

Conclusion

388. Having considered the nature of the safeguarding advice provided by Heathrow Airport Ltd, Offices are satisfied that the application is in accordance with local development plan policy in respect of airport safeguarding.

Community Engagement

389. In relation to pre-application engagement and front-loading, paragraph 39 of the NPPF states that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private

resources and improved outcomes for the community. Paragraph 40 adds that local planning authorities should also, where they think this would be beneficial, encourage any applicants who are not already required to do so by law to engage with the local community and, where relevant, with statutory and non-statutory consultees, before submitting their applications. SWLP Policy 16 states that applicants are encouraged to undertake suitable proportionate steps to engage with the local community before submitting their application and ensure that comments from the community have been taken into account.

390. The submitted Planning Statement explains how the Localism Act (2011) brings the local community to the forefront in the planning system, devolves greater powers to councils and neighbourhoods and gives local communities more control over planning. It sets out that consultation was undertaken with the local community during the preparation of the planning application and that pre-application consultation has also taken consideration of the guidance from SCC during pre-application discussion.

391. Based on pre-application discussions with SCC, the scope of the pre-application consultation undertaken was determined by the outcomes of the technical studies accompanying the planning application. Where technical studies identified a receptor as potentially having an impact greater than 'negligible', they were selected for consultation, albeit all the identified potential impacts, upon those selected receptors, are described as 'not significant' or 'low'. Based on both general proximity to the site and outcomes of assessment work, 18 residential properties and 8 businesses were contacted by letter and a number of elected representatives of the Borough Council and SCC were also contacted.

392. In addition to writing to stakeholders, the applicant also made information available online through a dedicated project website and made themselves available to answer questions. All feedback was considered, and where appropriate questions raised were addressed and elaborated upon within the planning application and accompanying ES. None of the feedback received was of a nature to suggest that changes to the design of the proposed facility were required.

393. The applicant states that they listened carefully to concerns over traffic impacts, and input on transport management, and will be volunteering a routing agreement to address concerns of residents living to the south of the access to the site on Kitsmead Lane. (NB: Despite this, as discussed in the above section on Highways, Traffic and Access, the CHA has not requested a routing agreement in support of this proposal). The applicant also made a commitment to ensure that links would be provided on the website to the planning application documents once these had been submitted and registered by SCC.

Conclusion

394. In view of the above steps undertaken by the applicant to engage with the local community prior to the submission of the application, Officers are satisfied that the applicant has complied with the spirit of national planning policy and local development plan requirements in this respect.

Other Matters

395. Representations have been received objecting to the application due the inadequacy of the consultation arrangements, the impact on house prices, claims that proposals for a previous incinerator application on the site were dismissed and concerns in relation to health and safety.

Consultation Arrangements

396. The application has been subject to three full rounds of consultation and publicity in addition to the pre-application community engagement undertaken by the applicant. Officers consider that this has enabled sufficient opportunity for interested parties to express their views on the planning merits of the application.

House Prices

397. The negative impact on house prices is not a matter that the CPA can take into consideration during the determination of this planning application.

Previous Energy Recovery Facility Application

398. A previous application (ref: RU.08/0673) for a 160,000 tpa capacity energy from waste facility for the treatment of municipal waste was proposed on land allocated for waste management use in the Surrey Waste Plan 2008 to the north of the Trumps Farm closed landfill site. The application, which was submitted in July 2008, was subsequently withdrawn by the applicant in December 2009. This was due to a change in the Waste Disposal Authority's preferred waste management technology for the treatment of household waste arising in Surrey. Contrary to the views expressed in a number of representations received, the proposal was not dismissed and was not proposed on the application site.

Health and Safety

399. The WRA and a large number of representations received have raised objection due to significant concerns over the impact of the application on health and safety. Perceptions of the health risks associated with hazardous waste infrastructure tend to exceed any actual risks although it is acknowledged that this can lead to anxiety and stress.

400. Hazardous waste management infrastructure is essential for public health and a clean environment. Modern, appropriately located, well-run and well-regulated, waste management facilities operated in line with current pollution control techniques and standards should pose little risk to human health. The detailed consideration of a waste management process and the implications, if any, for human health is the responsibility of the pollution control authorities whilst the planning system controls the development and use of land in the public interest.

401. The HSE is responsible for enforcing a range of health and safety legislation applying to the construction, operation and decommissioning of hazardous waste infrastructure. The HSE stresses how the management of healthcare waste is an essential part of ensuring that health and social care activities do not pose a risk of infection. The operator would be required to comply with health and safety regulations in respect of the operations and processes taking place on site.

402. Subject to compliance with national and local planning policies, health and safety regulations and the requirements of an Environmental Permit, the proposal would provide for the safe management of clinical waste in a modern, well-regulated and contained facility. This would help to support healthy communities by reducing the chance of people coming into contact with hazardous waste materials or being placed at risk from unacceptable levels of emissions generated by the treatment process.

403. The UK Health Security Agency (formerly Public Health England) has advised that modern, well-run, and regulated municipal waste incinerators are not a significant risk to public health. Whilst the proposal would manage hazardous waste through thermal treatment, Officers consider that the technology is proven, well known and understood and subject to regulatory controls, will help to protect human health.

Green Belt

Surrey Waste Local Plan 2020
Policy 9: Green Belt
Runnymede 2030 Local Plan 2020
Policy EE17: Infilling or Redevelopment on Previously Developed Land in the Green Belt

404. NPPF paragraph 137 states that the Government attaches great importance to Green Belts, the fundamental aim of which is to prevent urban sprawl by keeping land permanently open; with the essential characteristics of Green Belts being their openness and their permanence. Paragraph 138 sets out that Green Belts serve 5 purposes: a) to check the unrestricted sprawl of large built-up areas; b) to prevent neighbouring towns merging into one another; c) to assist in safeguarding the countryside from encroachment; d) to preserve the setting and special character of historic towns; and e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

405. Paragraph 147 of the NPPF explains that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Paragraph 149 sets out that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt unless they fall into one of seven exceptions listed. The proposed ERF does not fall within any of these exceptions.

406. Paragraph 150 of the NPPF refers to 6 categories of development that are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. The proposed development does not fall within any of these categories.

407. SWLP Policy 9 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. RLP Policy EE17 states that the limited infilling or partial or complete redevelopment of previously developed land (excluding temporary buildings) is not inappropriate in the Green Belt providing there would be no greater impact on the openness of the Green Belt than the existing development.

408. SWLP paragraph 5.3.1.5 considers it unlikely that the anticipated waste management needs of the county will be met without developing waste management facilities on Green Belt land. It goes on to say that the overarching need for waste management in Surrey, combined with a lack of suitable alternative sites outside the Green Belt and the need to locate facilities close to sources of waste such as households and

businesses, are among the reasons why it is considered that very special circumstances may exist for allowing development within the Green Belt. Further reasons are the wider social and environmental benefits associated with sustainable waste management, including the need for a range of sites. 'Other considerations' which need to be weighed when determining whether very special circumstances exist may include the following:

i) The lack of suitable non-Green Belt sites;
ii) The need to find locations well related to the source of waste arisings;
iii) The characteristics of the waste development including scale and type of facility;
iv) The wider environmental and economic benefits of sustainable waste management, including the need for a range of sites;
v) The site is allocated in a development plan for waste management use;
vi) The wider environmental benefits associated with increased production of energy from renewable sources.

Inappropriate Development

409. The application site is located within the Metropolitan Green Belt where there is a general policy presumption against inappropriate development. It is located within an existing industrial estate and comprises a large area of concrete hardstanding which is devoid of any buildings. Part of the application site is currently being used for the temporary storage of construction materials which are being used in the construction of offices and light industrial units immediately to the west. The majority of the area of hardstanding has permanent planning permission for waste management use in the form of green waste composting in the open. This use ceased at the end of May 2022 and the buildings were removed. For these reasons, the application site is considered to comprise previously developed land.

410. Officers consider that the proposed development would not conflict with any of the 5 purposes of Green Belt land. However, the proposed development is for waste management use and does not fall within any of the 7 categories of development listed in paragraph 149 of the NPPF where the construction of new buildings may be considered appropriate. Neither does it fall within either of the 6 categories of development listed in paragraph 150 of the NPPF which are not inappropriate provided they preserve Green Belt openness and do not conflict with the purposes of including land within it. Neither of these 6 categories include development for waste management use.

411. As a consequence, the application is not regarded as an exception to Green Belt policy in the context of paragraphs 149 and 150 of the NPPF. The proposed development therefore comprises inappropriate development within the Green Belt which would impact on openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. This is accepted by the applicant. When considering any planning application, planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Harm

412. The application site extends to approximately 0.9ha of which 0.3ha comprises the existing access road off Kitsmead Lane. Site preparation and construction works would take around 12 months. They will involve the creation of a new access off the existing

internal haul road, refurbishment of the existing concrete pad, creation of a new drainage system, laying of the cabling for export of the power, the erection of the processing building including the associated exhaust flue and the creation of an LPG compound. A mobile tower crane would need to be stationed on the site which would be likely to be required and in active use for a shorter period.

413. The construction phase would result in greater harm to Green Belt openness compared to the existing situation. This would be due to the storage of construction materials and equipment including the stationing of a mobile tower crane, the erection of fencing, the construction of the main building and LPG compound, earthworks associated with the refurbishment of the concrete pad, the creation of the new access road, drainage system, service installation and areas for landscape planting, foundation works and the generation of HGV and other traffic movements.

414. Other harm resulting from construction activity and/or the movement of HGVs and other traffic would include noise and vibration, landscape and visual impacts, air quality including dust, lighting, and the associated harm to heritage assets and their settings, and impacts on public rights of way and potential impacts from contamination.

415. The development, once operational, would cause greater harm to the openness of the Green Belt compared to the existing situation. It would introduce new waste management activity to the site including the provision of new built infrastructure including the main building with its associated 26m exhaust flue, plant and machinery, fencing, parking and industrial processes involving the thermal treatment of clinical waste, and the generation of traffic including HGVs. Other harm would also result in respect of noise, landscape, visual effects, air quality, lighting, heritage, public rights of way and the movement of HGVs and other traffic.

416. However, the visual harm resulting from the proposed development is partly reduced by the context of the application site. The application site is discreetly located within the local landscape, situated within an existing industrial estate surrounded by a significant amount of existing woodland, positioned between an existing AD facility to the east and an office and light industrial buildings to the west which are under construction, and situated to the south of the raised dome of the Trumps Farm closed landfill site. Whilst the other impacts are considered capable of being reduced through mitigation and controls, and a landscape planting scheme will be provided reducing the magnitude of other harm identified to the Green Belt, each of the identified impacts are considered to constitute other harm which are afforded substantial weight.

417. It is therefore necessary for Officers to assess whether such harm to the openness of the Green Belt, and other harm, is clearly outweighed by other considerations. This will include the consideration of the need for waste management capacity and for the building itself, as well as potential alternative site options in order to determine whether the proposed activities could be undertaken at or within another site which would result in less harm.

Very Special Circumstances

418. The applicant acknowledges that there is a requirement for very special circumstances to be demonstrated where inappropriate development, 'by definition' is harmful to the green belt and has put forward a range of very special circumstances in relation to the following main areas:

- A lack of non-Green Belt Sites;
- The need to find locations well related to the source of waste;

- The characteristics of the application site; and
- The wider environmental and economic benefits of sustainable waste management, including the need for a range of sites.

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419. In terms of the lack of non-Green Belt sites, the applicant has submitted an Alternative Sites Assessment (ASA) in support of the application. This points out that the particular locational requirements for a specialist facility such as that proposed, which include access to a grid connection, affordable land, and factors relating to Environmental Permitting which encourage a buffer from sensitive receptors, mean that there are a limited range of places within the target catchment for the facility where suitable sites are likely to be available.

420. In order to determine what might be considered an appropriate site in policy terms, the report considers the local planning policy background for allocating sites for waste management use and has undertaken a desk and site based search of suitable industrial estates for buildings and/or land available to the market. These include 6 sites allocated for wase management use and 22 sites identified as Industrial Land Areas of Search (ILAS) in the SWLP. In terms of the allocated sites, 3 were found to be within the area of search, namely Land to the north-east of Slyfield Industrial Estate, former Weylands Sewage Treatment Works and Oakleaf Farm. In terms of ILAS, 10 were identified as being within the area of search. For each area considered, a brief appraisal has been undertaken to provide an overall score based on environmental acceptability.

421. This ASA shows that the proposed site is the second best performing area, only beaten by Slyfield Industrial Estate on the northern side of Guildford which is located outside the Green Belt. Within the Slyfield Industrial Estate, searches revealed that although there were 7 properties available to the market, none fitted the criteria required, mainly in terms of building size / plot (all were too small) and none were available on a freehold basis. Further, the ASA states that land values are expected to be higher within established, high profile, industrial estates such as Slyfield, compared to the proposed development site.

422. Two other premises were identified as being available to the market through web based searches, neither of which were in an ILAS and neither were offered on a freehold basis. The first was located near to the Woodbridge Meadows ILAS in Guildford and the particulars indicated that it had 2,238 sq m of industrial floorspace so met the requirements. The property also had significant office accommodation to the front which greatly exceeded the requirements for the proposed development and so would be redundant. The premises adjoined a high end business park. Overall, it was considered that this property would not be suitable for the proposed development.

423. The second property was located at the very north-eastern corner of the area of search, close to Heathrow Airport. Again, it had sufficient floorspace (stated as being 2,534 sq. m) with 300 sq. m of office accommodation. However, the eves level was stated as being 6.1m which is potentially too low for the required use. More notably, the property was close (within 100m) to residential properties and around 250m from a fuel tank farm associated with the ESSO West London Terminal. Access was onto a minor road which passed residential properties. Given the proximity to Heathrow, this premises was considered best suited to warehousing and so the value was likely to be higher. Overall, it was considered that this property would not be suitable for the proposed development.

424. Overall, the desk and site based search identified a significant lack of alternative suitable sites with many not scoring particularly well against the criteria and none

considered as a viable alternative. Generally, sites that were available were offered on a leasehold basis, which where there were already buildings on site, were not desirable given the alterations that would be needed to the building to accommodate the plant and machinery, as well as any requirements for the Environmental Permit (such as drainage). Whist the proposed site is further from the main highway network than Slyfield Industrial Estate, the ASA finds that the route is good and does not pass through residential areas (unlike some of the industrial areas). As such, whilst the proposed site lost marks due to access, the ASA states that this is perhaps not a fair reflection.

425. The ASA therefore concludes that within the area of search, which is itself determined by the target market from which materials would be sought, and based upon the findings of the assessment, the proposed site at Trumps Farm accords with the aims of national and local planning policy as there are no suitable alternative sites located outside of the Green Belt.

426. With regard to the need to find locations well related to the source of waste, as set out in the above section on Waste Management, the applicant has identified a localised market for treatment of clinical and similar wastes within the northern part of the county, typically around the intersection of the M25 and M3 motorways. As such, an area of search for a site to serve that market, and for further market information, has extended along the M25 corridor broadly between the M3 (Junction 12) and the A3 (Junction 10) as well as along the M3 and A3 as far west as the A322 (Lightwater and Guildford respectively).

427. The basis for the identified need for the facility comprises a number of principal elements, the most significant being:

- Background data on the presence of healthcare facilities likely to generate wastes suitable for treatment;
- Interrogation of EA waste data;
- Market analysis;
- Planning policy for treatment of clinical and similar waste types; and
- Absence of local facilities.

428. Within the target market area, the applicant has satisfied themselves that there is both sufficient demand and an absence of competing facilities, to justify the requirement for a facility located suitably to serve the area along the M3 corridor and northern Surrey. There are a total of 16,110 healthcare related beds in the Surrey area. This produces an estimated tonnage of 8,000 tpa all of which is transported to other counties to deal with. This analysis is confirmed by data the applicant has sourced from the EA's collected figures.

429. In addition, there are substantial numbers of facilities with no beds (such as GP's surgeries, pharmacies, chemists, treatment centres, drop-in centres etc.) all of which generate waste of a similar nature which requires treatment. Further, there are many other sources of materials other than those accounted for in this context, including a requirement for a disposal facility for time expired medicines, materials confiscated by law enforcement and border controls at airports, and diverse other sources.

430. The applicant also states that there is substantial policy support for treatment of waste within the area in which it is generated, where practicable. The proposed facility is of a modest scale and reflects the expected catchment area from within which the materials the plant would process are to be sourced. Further, there is substantial commercial advantage to locating a facility of this kind close to its market. Revenue

arises from the collection of materials, and the less time spent on transport, the more can be spent on collections, ensuring the greatest volume can be collected (and processed) in as efficient a manner as possible.

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431. In relation to the characteristics of the site, the applicant sets out that the chosen development site proposes the reuse of already developed land. This adjoins other existing waste and industrial operations which the applicant argues provide a sympathetic context for the development.

432. The applicant considers that the development site has good existing access to the highway network, and is well separated from residential and leisure receptors, and remote from large population centres. The applicant states that the location is already 'disturbed' by the presence of industrial and quasi industrial operations associated with the location which generate a degree of movement and noise, all of which takes place in the context of the M3 (450m to the north) and the existing 'landraise feature' of Trumps Farm landfill site. The noise associated with the existing uses reduce the sense of remoteness and tranquillity associated with the wider Trumps Farm site.

433. The LVIA found that the site is not characteristic of the high quality or defining elements of the Landscape Character areas within which it sits. Further, it found that there would be no effects on national landscape designations and a negligible effect on the St Ann's Hill Registered Park and Garden and Area of Landscape Importance. Due to the character of the baseline context, the potential effects of the proposal on landscape character receptors have been assessed as negligible to minor adverse and a minor beneficial effect on landscape fabric / on site green infrastructure.

434. As such, the applicant argues that the characteristics of the site lend themselves positively to facilitating a development such as this, in the context of the lack of availability of more suitable sites. Further as discussed in the LVIA, the application site has a good sense of visual containment as a consequence of the surrounding undulating landform, woodlands and existing built form such as the AD Facility which lies to the east of the site. The land available allows the applicant to propose new planting to support the development which will further support the visual enclosure of the facility from the wider landscape. This, the applicant states, combined with the distance from the nearest sensitive receptors means that effects on the openness of the Green Belt are extremely limited.

435. Finally, in respect of the wider environmental and economic benefits of sustainable waste management, including the need for a range of sites, the applicant explains that there is a strong need for a facility such as this to serve an identified local need. The facility delivers a number of benefits:

- The local area has no appropriate treatment facilities for the type of materials to be handled, meaning that at present all such materials travel out of the area in which they are generated. Having a local treatment facility will reduce emissions associated with transport;
- The proposed facility will provide high quality jobs in a variety of roles in a clean modern facility and will further support supply chains. These jobs will be long term;
- Construction activities will support a number of jobs in the local area and benefit local supply chains, over a period of up to a year;
- The proposed treatment process would recover energy from the materials that in other facilities may be simply incinerated without energy recovery. Here the facility is moving waste up the waste hierarchy;

- The treatment process, welfare facilities and site offices will be self-sufficient in heat and electricity terms, needing only a standby import connection for power;
- Recovered energy avoids the need to produce electricity from non-renewable (fossil) sources, which in turn reduces emissions associated with the extraction and combustion of fossil fuels;
- The facility would be designed and built using sustainable materials where possible, and will re-use an already developed waste site;
- Excess electricity will be available for export to the National Grid, and both power and heat will be available to neighbouring businesses on the site;
- Using energy generated nearby reduces the losses associated with transmission from centralised generators further reducing carbon impacts.

436. In conclusion, the applicant states that there are a number of substantive wider reasons for supporting the creation of the facility in the proposed location, specifically designed to serve and support a local market. Taken together, the applicant considers that the above points demonstrate the very special circumstances that are necessary to justify the proposed development in the Green Belt, in respect of the harm by reason of inappropriateness caused. Given the large proportion of the target area which lies within the Green Belt, the absence of alternative sites, the fact that the land is already developed, the sense of enclosure which exists on the site, the limited number of receptors, and the strong argument for the benefits the facility will bring, the applicant considers that these factors demonstrate that the harm associated with development by inappropriateness is overcome by exceptional circumstances.

437. In addition, the applicant points out that all environmental aspects have been considered as part of the application and that it has been concluded that the environmental harm arising can be considered to be of a low level. The 'other harm' caused by the facility is therefore considered to be low, and as such, and in the context of the substantial demonstrated benefits of the proposed facility, it is considered to be the case that these 'harms' are substantially outweighed by the benefits accruing.

Officer Assessment

438. The proposed development is for a permanent facility which would result in ongoing harm to the openness of the Green Belt. It would be small in scale in terms of the volume of waste managed (up to 16,000 tpa) but not in terms of the size of the main building. This would have a footprint 2,040 sq m, a height of 10m and an associated exhaust flue 26m in height and around 1m in diameter. However, Officers accept that this is necessary to meet its intended purpose and are conscious that the height of the exhaust flue will be determined by the EA.

439. However, the proposed development would be built on previously developed land within an existing industrial estate. The application site is predominantly well screened from inward views into the site. Although industrial by its nature, the proposed waste facility would be in keeping with the design of other facilities within the KRC. It has been designed and coloured to blend in with the neighbouring AD facility which is up to 13.7m in height and includes two exhaust flues rising to 16m. The proposal also includes provision for new planting including the provision of native trees, shrubs and grass species which would provide for biodiversity net-gain within a site which is currently devoid of any vegetation.

440. Although the proposed exhaust flue will be around 10m higher than the exhaust flues extending from the roof of the AD facility which sits on lower ground, this is necessary in order to ensure the impact of emissions handled through the flue is acceptable. To mitigate the visual impact resulting from the flue, this would be coloured light grey to

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minimise its impact and blend in with the skyline. Further, views of the proposed flue would usually be seen in association with the flues associated with the neighbouring AD facility. Officers therefore accept that the characteristics of the application would make it suitable for the proposed use subject to mitigation which is capable of being controlled by condition.

441. Hazardous waste management infrastructure is essential for public health and a clean environment. The AMR and SWLP indicate a need for additional 'other recovery' capacity in Surrey. The applicant has found that there are no other available facilities in the catchment area that are capable of managing the broad range of clinical waste proposed.

442. Officers accept that there is a demonstrable need for the proposed development in the locality to treat clinical waste arising along the M3 corridor and in northern Surrey. This is given that most of the waste to be treated is transported outside the county by road for treatment at waste facilities in Fawley, Sandwich and Ellesmere Port which are situated between around 70 and 210 miles from the application site. The proposal would therefore support the sustainable management of Surrey's waste in accordance with the proximity principle by preventing locally collected clinical wase from being transported a considerable distance for treatment elsewhere. This would reduce emissions and carbon footprint associated with the transport of waste. As a consequence, Officers accept the advantages of the application site in being well related to the source of waste.

443. The proposed ERF would result in energy recovery from the waste treatment process. This would allow the facility to be self-sufficient and enable the availability of heat and power for local use. Reducing the use of carbon-based energy consumption through the provision of renewable energy helps to reduce the release of greenhouse gas emissions and minimise waste and pollution.

444. The proposed development would reduce the likelihood of clinical waste material being sent for disposal either to landfill or incineration without energy recovery. In this respect, the proposal would support the treatment of clinical waste at the highest point practical in the waste hierarchy for the management of the bulk of this waste stream. The proposal would also increase Surrey's ability to become more net self-sufficient in the management of its waste without overly relying on landfill. Other benefits would arise from job creation which would make some contribution towards the creation of a prosperous rural economy. In addition, the proposal would support efforts to increase resilience and adaptation to climate change through reduced emissions from the transport of waste by treating waste closer to its source, the provision of renewal energy, landscape planting including native trees, and surface water drainage infrastructure incorporating a built in allowance for increased rainfall resulting from a changing climate. Officers therefore accept that the proposal would promote the sustainable management of Surrey's waste and result in wider environmental and economic benefits.

445. The applicant has put forward a comprehensive range of very special circumstances which they claim outweighs the harm to the Green Belt by reason of inappropriateness and any other harm. This includes the submission of an ASA to demonstrate the lack of suitable alternative sites in Surrey. The ASA is somewhat limited in terms of the search area which does not include the whole of the county. However, this is considered justifiable as it reflects the limited catchment area being targeted by the proposed ERF from where feedstock will be imported for treatment and energy recovery. Given the limited target area, this approach is considered logical in order to

comply with the proximity principle and find locations well related to the source of waste.

446. The applicant has considered each of the allocated sites and ILAS located within the catchment area and has not been able to identify a more suitable site for the reasons set out above. The lack of suitable alternative sites for waste development has been an ongoing issue in Surrey in seeking to identify sufficient land to allocate in its waste local plans. Officers are aware that land in north-west Surrey is heavily constrained by a number of factors including planning and environmental constraints and the presence of existing development, with this being the most urbanised part of the county. Further, around 73% of the land area of Surrey is located within the Green Belt.

447. The difficulty in finding suitable alternative sites within ILAS given the specific requirements of the proposed development is acknowledged, together with the inability of the applicant to find any more suitable sites elsewhere. Officers also consider that finding a suitable alternative site where impacts on sensitive receptors are likely to be less compared to those at the application site is likely to be a challenge, particularly given the relative attributes of the application site in terms of its distance from the closest neighbouring properties.

448. In relation to the allocated sites, Officers note that Land adjacent to Trumps Farm is located in the Green Belt and is owned by SCC. It is allocated specifically for a household waste materials recovery facility (MRF). Part of the land is currently occupied by a temporary green waste bulking and transfer facility. Oakleaf Farm is an operational waste management facility and is situated within the Green Belt. The site is more proximate to neighbouring residential uses compared to the application site and the site is largely occupied by existing waste uses.

449. The majority of Land to the north-east of Slyfield Industrial Estate is located outside the Green Belt. The allocation is constrained by the Slyfield Area Regeneration Project (SARP). In addition, the SWLP states that based on the findings of the HRA for the plan, the site is considered unlikely to be suited to the development of any scale of thermal treatment facility. Finally, the former Weylands Sewage Treatment Works (STW) is within the Green Belt and is in existing waste management use. The existing access is unsuitable and a new access would be required. The site is closer to residential receptors than the application site. Further, web and site searches undertaken by the applicant indicate that no buildings or land are available to the market. As a consequence, Officers are satisfied that there is no evidence to suggest that a more appropriate alternative site exists within the area of search and that the applicant has demonstrated a lack of suitable non-Green Belt Sites.

450. The WRA, together with some of the representations received, have raised objection to the proposal due to its Green Belt location. The WRA consider that very special circumstances have not been demonstrated. Officers have undertaken a detailed assessment of the application in relation to Green Belt policy and consider that the very special circumstances put forward by the applicant are numerous, relevant and robust for the reasons outlined in this section of the report.

Conclusion

451. The proposal development constitutes inappropriate development within the Green Belt, which should only be approved in very special circumstances. In the opinion of Officers, there are a number of factors put forward by the applicant which, when considered together as a whole, amount to very special circumstances that clearly

outweigh the potential harm to the Green Belt by reason of inappropriateness and any other harm.

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452. These factors include: the demonstrable need for clinical waste management capacity in the area; the lack of suitable non Green Belt sites or viable alternative sites; the particular locational requirements of the ERF (including the need for a grid connection, affordable land and a sufficient buffer from sensitive receptors); the reuse of previously developed land; the nature of adjoining waste and industrial uses; the suitability of the existing access; the separation distance from residential receptors; the visual containment of the site; the provision of new landscape planting; reduced transport emissions from treating waste nearer to its source; the provision of high quality jobs; moving waste up the waste hierarchy; reduced emissions from fossil fuels due to energy recovery which will enable the facility to be self-sufficient in heat and electricity terms and to provide energy to the National Grid and neighbouring businesses; and the use of sustainable construction materials where possible.

453. Whilst the construction of new buildings would harm the openness of the Green Belt, Officers are satisfied that the proposed development is necessary and that the scale of the new building is required to achieve its intended purpose. Further, the height of the exhaust flue will be determined by the EA. In terms of other harm, the construction phase would be temporary for 1 year. Vegetation around the wider site boundary together with the presence of existing buildings would help to reduce the landscape and visual impact. A condition is proposed requiring a CEMP to be submitted and approved in writing prior to the commencement of the development outlining measures to control the impacts during the construction phase including in relation to noise and vibration, lighting, air quality, dust and HGV movements. Similarly, a pre-commencement condition is proposed requiring the submission and written approval of an ECMS to mitigate the impact to ecology and biodiversity interests during construction.

454. During the operational phase, the landscape and visual impact would again be reduced by existing vegetation screening around the KRC, the presence of waste and industrial buildings associated with neighbouring uses and new landscape planting, as it gradually becomes established over time, which is proposed to be secured by condition. To help the facility to blend in with its surroundings, Officers propose conditions relating to the colour finish of the building, exhaust flue and boundary fencing. The number of HGVs and other traffic movements would not be significant reflecting the small scale of the proposal in terms of the volume of waste managed. Conditions are also proposed to promote more sustainable travel choices and control the impacts in respect of air quality, noise, surface water drainage, contamination and lighting. These would ensure that the proposal would not have an unacceptable impact on communities, the environment and users of the proposed development.

455. In view of the above considerations in relation to Green Belt, Officers consider that although the proposed development would result in harm to the Green Belt by reason of inappropriateness and other harm, such harm is considered capable of being mitigated and controlled by conditions. Officers are satisfied that the harm to the Green Belt would be clearly outweighed by other considerations which constitute very special circumstances. For these reasons, the proposal is therefore considered to be in accordance with national planning policy and local development plan requirements in relation to Green Belt.

456. The Town and Country Planning (Consultation) (England) Direction 2009 requires local planning authorities in England to consult the Secretary of State before granting planning permission for certain types of development. Paragraph 9 states that where a

local planning authority does not propose to refuse an application for planning permission to which this Direction applies, the authority shall consult the Secretary of State. In this case, the application was received on 9 April 2020. As the application was received after 20 April 2009, includes a building with over 1,000 sq m of floor space and the development constitutes inappropriate development on land allocated as Green Belt in an adopted local plan, paragraph 9 of the Direction applies. Therefore, subject to a resolution by the Committee to grant planning permission subject to conditions, the application will need to be referred to the Secretary of State to determine whether the application shall be called-in. If the application is not called-in the permission can be issued.

Human Rights Implications

457. 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.

458. Having considered the limited effects of the proposal on highways, traffic and access, air quality, noise, landscape, visual amenity, ecology, the water environment, contamination, lighting, public rights of way and public amenity, it is the Officers view that with the imposition of suitable planning conditions, any potential impacts are not considered sufficient to engage any of the articles of the Convention and that the proposal has no Human Rights Implications.

Conclusion

459. The application is seeking planning permission for the development of a small scale clinical waste thermal treatment facility on land at Trumps Farm, Longcross. The energy recovery facility would treat up to 16,000 tpa of hazardous waste material comprising primarily clinical waste. The application is accompanied by an Environmental Statement and a Habitats Regulations Assessment Report has been adopted by the County Council.

460. The application site is located within the Metropolitan Green Belt. It lies within an industrial estate known as the 'Kitsmead Recycling Centre' and comprises previously developed land, the majority of which was used until May 2022 for green waste composting. The proposed development would share the existing access off Kitsmead Lane with other uses including an AD facility to the east and a development comprising an office and light industrial units to the west which is currently under construction.

461. The applicant has demonstrated a need for the proposal to manage clinical waste arising within the locality to serve the M3 corridor, including the urban areas of Farnborough, Woking and other local towns. The proposal would generate around 27 full time jobs and up to 25 direct jobs during construction as a number of indirect and induced jobs. It would recovery energy in the form of heat and power from the treatment of waste which would be used locally helping to drive the management of this waste stream up the waste hierarchy. The proposal would accord with the intentions of the proximity principle by managing waste closer to its source, most of which is transported by road to be treated at existing facilities in Fawley, Sandwich and Ellesmere Port. The proposed ERF would also help to increase Surrey's ability to

become more net self-sufficient in the management of its waste without overly relying on landfill.

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462. The proposed development would generate up to 10 HGV movements per day. It would also generate up to 22 van / LGV movements and 20 staff car movements per day. The proposed increase in the number of HGV movements is not considered significant in planning terms and would result in an average of around 1 HGV movement per hour over a working day. During construction, vehicle movements would comprise construction workers in private cars and the occasional HGV movement and would be comparable to or less than operational traffic movements. The CHA has assessed the application in terms of the likely net additional traffic generation, access arrangements and parking provision and raised no objection subject to conditions requiring provision for fast-charge Electric Vehicle charging points and secure, covered parking for bicycles.

463. The application site is not located within or adjacent to an AQMA or Clean Air Zone. Emissions to air from the combustion unit will be governed by The Industrial Emissions Directive, 2010/75/EU (IED) and regulated by the EA. An Air Quality Assessment (AQA) was submitted in support of the application. The County Air Quality Consultant (CAQC) has reviewed the findings and agrees that impacts on human health, sensitive habitat sites and the cumulative impacts of the proposal are not likely to be significant subject to a condition to mitigate the impact on sensitive habitat sites. The CAQC has also advised that subject to mitigation and controls, the residual odour effects are not significant and as the process is fully contained, there should be no dust emissions.

464. Subject to the imposition of conditions requiring the submission of a Noise Mitigation Plan and to limit the level of noise during the day-time, night-time and during construction, the County Noise Consultant has advised that noise should not be a material concern in the granting of planning consent.

465. The main building would be 10m high with an associated exhaust flue up to 26m in height. The application site sits fairly discreetly in the local landscape due to its low elevation and significant visual containment by surrounding woodland. The County Landscape Officer has reviewed the submitted Landscape and Visual Impact Assessment (LVIA) and raised no objection subject to conditions to secure the proposed colour of the ERF building and exhaust flue, tree and soil protection measures, the implementation of the proposed lighting scheme and the submission of a landscape planting scheme and management plan for approval.

466. The submitted AQA identifies 14 relevant and sensitive habitat sites for the purposes of assessment and also includes an assessment of the in-combination effects of air pollution with other plans and projects The AQA has assessed the air quality impacts on sensitive habitat sites as not significant. This is subject to mitigation to avoid potential impacts from acidification at the Thursley, Ash, Pirbright & Chobham Special Area of Conservation (TAPC SAC). The most effective mitigation option would be to halve the sulphur dioxide (SO_2) emission limit value from 30 to 15 milligrams per cubic metre (mg/Nm^3). Natural England has considered the assessment and raised no objection subject to the proposed mitigation being secured by condition and the County Ecologist has advised that they concur with Natural England's response.

467. The County Council has undertaken an 'appropriate assessment' which is a requirement for projects that are likely to give rise to significant effects, alone or in-combination, on Special Protection Areas (SPAs) or SACs. The County Council has prepared a report which forms a record of the HRA undertaken for this application. The report covers all SPAs, SACs and Ramsar Sites situated within 10 kilometres of the

application site. The report finds that subject to mitigation being secured by planning condition or obligation to limit emissions of SO_2 to 15 mg/Nm^3, there would be no likely significant effects on the TAPC SAC, the proposal would not give rise to likely significant effects on the Thames Basin Heaths SPA, and there would be no potential for 'likely significant effects' in relation to the South-West London Waterbodies SPA, the South-West London Waterbodies Ramsar Site or the Windsor Forest & Great Park SAC.

468. The submitted Preliminary Ecological Appraisal finds that subject to a series of recommended mitigation and compensation measures which can be secured by condition, including the preparation and implementation of an Ecological Construction Method Statement (ECMS), lighting strategy and scheme to deliver biodiversity net-gain, there will be no negative impacts upon ecological features identified on the site or within the surrounding area. The County Ecologist has raised no objection to the application subject to a condition.

469. The application site is located in Flood Zone 1 which has a low probability of flooding. The Lead Local Flood Authority are satisfied with the submitted Flood Risk and Drainage Assessment subject to conditions to ensure that the SuDS Scheme is properly implemented and maintained throughout the lifetime of the development. In view of the proximity of the application site to the Trumps Farm closed landfill site, a potential risk of contamination has been identified primarily from ground gas. The applicant has submitted a Phase 1 Preliminary Contamination Risk Assessment in support of the application. This identifies a programme of works that will be necessary as part of a comprehensive Phase 2 Site Investigation to further understand and assess pollution linkages and how these may impact on the development and wider environmental receptors. The County Geotechnical Consultant has reviewed the assessment and advised that the detailed scope of investigation can be deferred for now and covered by a pre-commencement condition.

470. Taking into consideration the measures proposed by the applicant to mitigate and control the impact of lighting, Officers are satisfied that subject to the imposition of conditions, the proposed lighting arrangements will limit the impact on amenity and public safety and not result in an unacceptable impact on communities and the environment.

471. In relation to archaeology and heritage, the Archaeological Officer has confirmed that there is no requirement for any archaeological work as a consequence of this application. Having assessed the harm to the significance of heritage assets and their settings in the vicinity of the application site, Officers consider that the proposed development would not result in unacceptable impacts on communities and the environment in relation to the historic landscape, on sites or structures of architectural and historic interest and their settings, or on sites of existing or potential archaeological interest or their settings. Where the harm to heritage assets and their settings has been assessed as being less than substantial, it is considered that the harm is outweighed by the public benefits of the proposal.

472. Public footpath 45 / 62 runs through Bog Wood around 35m to the south of the application site at its nearest point. The Countryside Access Officer has raised no objection to the application. Officers have assessed the likely impact of the proposal on the rights of way network and consider that subject to the imposition of conditions, the proposed development would protect the rights of way network and not give rise to unacceptable impacts.

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473. In respect of airport safeguarding, Heathrow Airport Ltd has raised no objection to the application. In relation to pre-application engagement and front-loading, the applicant has carried out pre-application engagement with stakeholders prior to submitting the planning application and made information available online through a dedicated project website.

474. The proposed development would take approximately 1 year to build. Officers consider that the impacts of the proposal during the construction phase can be satisfactorily mitigated through the imposition of pre-commencement planning conditions requiring a Construction Environmental Management Plan (CEMP) and an ECMS to be submitted and approved in writing prior to the commencement of the development.

475. The proposed development constitutes inappropriate development within the Green Belt, which should only be approved in very special circumstances. In the opinion of Officers, there are factors which apply which when considered together as a whole, clearly outweigh the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal. Further, other harm to the Green Belt is considered capable of being mitigated through the imposition of conditions.

476. In accordance with the requirements of The Town and Country Planning (Consultation) (England) Direction 2009, subject to a resolution by the Committee to grant planning permission subject to conditions, the application will need to be referred to the Secretary of State to determine whether the application shall be called-in. This is because the application is 'inappropriate' development within the Green Belt comprising over 1,000 sq m of floor space.

477. The Borough Council has responded placing a holding objection on the application until such time as an Environmental Permit has been issued. However, the absence of a permit at the planning application stage has no influence on the merits of the planning application or any bearing on its determination by the CPA. The WRA has objected to the application on a number of environmental and planning grounds and a large number of representations have been received objecting to the application with none in support.

478. The merits of the application have been thoroughly assessed by Officers in consultation with statutory consultees and consultees who have provided technical advice to inform the consideration of the impacts of the development and recommend the imposition of planning conditions where any unacceptable impacts are capable of being satisfactorily mitigated. Taking the above findings into consideration, Officers are therefore satisfied that the proposed development is acceptable and complies with national planning policy and the local development plan subject to the imposition of conditions to control the impact of the development on local amenity and the environment.

Recommendation

The recommendation is subject to referral to the Secretary of State under paragraph 9 of The Town and Country Planning (Consultation) (England) Direction 2009, and in the absence of any direction by the Secretary of State, to PERMIT subject to the following conditions.

Conditions

IMPORTANT: CONDITION NUMBERS 6, 20, 23 and 25 MUST BE DISCHARGED PRIOR TO THE COMMENCEMENT OF THE DEVELOPMENT

THERE ARE OTHER CONDITIONS REQUIRING SCHEMES TO BE APPROVED PRIOR TO THE COMMENCEMENT OF CERTAIN OPERATIONS

Approved Plans and Drawings

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

   Drawing ref: W2-02-20-01 Site Location Plan dated 23 June 2020
   Drawing ref: W2-02-20-02 Site Plan dated 24 March 2020
   Drawing ref: W2-02-20-03 Site Layout Plan dated 24 March 2020
   Drawing ref: W2-02-20-04 Existing Layout dated 24 March 2020
   Drawing ref: W2-02-20-05 rev.1 Elevations Plan dated 4 March 2020
   Drawing ref: W2-02-20-06 Context - Designations within 3km dated 31 March 2020
   Drawing ref: W2-02-20-08 Lighting Plan dated 23 June 2020

Commencement

2. The development hereby permitted shall be implemented before the expiration of three (3) years from the date of this permission. The operator shall notify the County Planning Authority in writing within seven (7) working days of the planning permission being implemented.

Hours of Operation

3. Vehicles either delivering or removing waste or other materials to and from the energy recovery facility shall only access or egress the site between the following times:

   0730 to 1800 hours Monday to Friday
   0730 to 1300 hours Saturdays

   There shall be no waste deliveries or removals on Sundays, Bank Holidays, Public or National Holidays.

4. Construction work including the installation of any external plant and equipment on site shall only be carried out between 0800 to 1800 hours Monday to Friday and 0800 to 1300 hours on Saturday, with any piling and soil moving limited to 0800 to 1700 hours Monday to Friday, except in the case of emergency. There shall be no construction work carried out at any time on a Sunday, Bank Holidays, Public or National Holidays.

Restriction of Permitted Development Rights

5. Notwithstanding any provision to the contrary under Part 7 (Class L) of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any subsequent Order:

   a) no buildings, plant, structures or machinery whether fixed or moveable, other than those expressly authorised by this permission, shall be stationed, erected or constructed on the application site without the prior written approval of the County

Planning Authority in respect of the location, design, measurements, specification and appearance of the installation.

b) no fencing or external lighting other than that already permitted shall be erected or installed at the site of the development hereby permitted.

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Construction Environmental Management Plan

6. **Prior to the commencement of the development hereby permitted**, a Construction Environmental Management Plan shall be submitted to and approved in writing by the County Planning Authority. The Construction Environmental Management Plan shall include details of:

a) the programme of works;

b) measures to minimise risks to the hydrogeology of the site by virtue of ground and earthworks, to include details of service installation, foundation construction;

c) tree protection measures to prevent damage to the existing Oak trees along the access road;

d) soil management measures to protect soils and grassland within the site to the north and east;

e) water management measures to manage the quantity and quality of surface water run-off during construction;

f) measures for the management and control of noise and vibration, lighting, air quality and dust during construction (to include a dust management plan);

g) measures for minimising risks of pollution during construction;

h) siting of any construction compounds or lay down areas;

i) the number, type and size of vehicles associated with each stage of construction including any abnormal loads;

j) estimates of daily HGV arrivals and departures for each stage of construction with routing details;

k) construction operating and delivery hours;

l) vehicle access and on-site parking and manoeuvring;

m) loading, unloading and storage of plant and materials; and

n) measures to prevent materials from being deposited on the public highway.

The Construction Environmental Management Plan shall be implemented in accordance with the approved details.

Highways, Traffic and Access

7. Prior to the occupation of the development hereby permitted, at least 20% of all available parking spaces shall be provided with a fast-charge Electric Vehicle charging point (current minimum requirements: 7kw Mode 3 with Type 2 connector - 230v AC

32 Amp single phase dedicated supply) and a further 20% shall be provided with cabling for the future provision of charging points in accordance with a scheme to be submitted to and approved in writing by the County Planning Authority. The approved scheme shall be retained and maintained to the satisfaction of the County Planning Authority thereafter.

8. Prior to the commencement of waste operations, facilities for the secure, covered parking of bicycles shall be provided in accordance with a scheme to be submitted to and approved in writing by the County Planning Authority. The approved scheme shall be retained and maintained to the satisfaction of the County Planning Authority thereafter.

Air Quality

9. The emission concentration limit for sulphur dioxide (SO_2) emitted from the exhaust flue should not exceed fifteen (15) milligrams per cubic metre (mg/Nm^3).

10. The development hereby permitted shall be carried out in all respects in accordance with the Odour Statement dated May 2021 which shall form an Odour Management Plan for the site. This shall include the implementation of the management techniques, procedures, and odour control measures set out in Section 3 and the monitoring techniques, compliance action plans and measures for dealing with incidents and emergencies outlined in Sections 4, 5 and 6.

Noise

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

12. During day-time (0730-1800 hours) the total level of noise arising from any operation, plant, machinery or vehicles on the application site, when measured at, or recalculated as at, a height of 1.2m above ground level and 3.5m from the façade of any noise sensitive receptor shall not exceed 43 LAeq during any 30 minute period.

13. During night-time (1800-0730 hours) the total level of noise arising from any operation or activity on the application site, when measured at, or recalculated as at, a height of 4m above ground level and 3.5m from the façade of any noise sensitive receptor shall not exceed 32 LAeq during any 30-minute period.

14. For site construction the total level of noise arising when measured at, or recalculated as at, a height of 1.2 metres above ground level and 3.5 metres from the facade of any noise sensitive receptor shall not exceed 65 LAeq during any 1 hour period.

15. Prior to the commencement of waste operations, a Noise Mitigation Plan shall be submitted to and approved in writing by the County Planning Authority and duly implemented thereafter. The mitigation measures shall be based on the outline measures contained in Section 8.2 of the submitted Noise Assessment dated 18 November 2019 once finalised and approved by the operator.

Landscape and Visual Impact

16. The main building shall be clad in moss green (RAL colour code 6005) plastic-coated profiled steel above the concrete walls and maintained thereafter.

17. The exhaust flue shall be finished in light grey (RAL colour code 7035) and maintained thereafter.

7

18. The palisade security fencing around the site boundary shall be finished in moss green (RAL colour code 6005) and maintained thereafter.

19. Within six (6) months of the date of this permission, a Landscape Planting Scheme and Management Plan shall be submitted to the County Planning Authority for approval in writing. The scheme and management plan shall include details of:

    i. provision for landscape planting with native tree, shrub and grass species within the application site to reflect local context in terms of the local hedgerow and woodland characteristics;

    ii. planting specification including details of species, planting sizes and proposed numbers/quantities/seed mix and application;

    iii. provision for the long-term management and maintenance of landscape planting for a period of twenty five (25) years from the commencement of waste operations including a requirement to ensure that all planting is maintained in a good, healthy condition and protected from damage and that any trees, shrubs or grassland which die, or are severely damaged or diseased shall be replaced in the next available planting season with others of a similar size and species;

    The Landscape Planting Scheme and Management Plan shall be implemented in accordance with the approved details.

Ecology and Biodiversity

20. **Prior to the commencement of the development hereby permitted**, an Ecological Construction Method Statement shall be submitted to and approved in writing by the County Planning Authority. The Ecological Construction Method Statement shall be prepared in accordance with the recommended mitigation and compensation measures outlined in Section 5 of the submitted Preliminary Ecological Appraisal Report dated July 2020 and shall include:

    i. details of a pre-construction badger survey to be carried out within the immediate area surrounding the application site;
    ii. precautionary measures to be undertaken to avoid killing or injury to badgers informed by the results of the survey and based on the recommended measures included in paragraph 5.5.7 of the Preliminary Ecological Appraisal Report;
    iii. a non-licensed precautionary method statement to ensure the protection of GCNs within the grassed area to be cleared to allow for the construction of the site access road based on the measures outlined in paragraph 5.8.5 of the Preliminary Ecological Appraisal Report; and
    iv. details of construction phase mitigation to avoid compaction or smothering of flora surrounding the site including temporary barriers / buffers to ensure no footfall, transport or development occurs outside the application site.

    The Ecological Construction Method Statement shall be implemented in accordance with the approved details.

21. Within six (6) months of the date of this permission, a Lighting Strategy shall be submitted to the County Planning Authority for approval in writing. The strategy shall

ensure that the impact upon commuting bats in the surrounding habitat is minimised and shall be prepared in accordance with best practice guidance on Bats and Artificial Lighting in the UK produced by the Bat Conservation Trust and the Institution of Lighting Professionals.

22. Within six (6) months of the date of this permission, a Biodiversity Enhancement Scheme shall be submitted to the County Planning Authority for approval in writing and subsequently implemented in full based on the measures for the provision of biodiversity net-gain on and off-site outlined in paragraph 6.2.7 of the submitted Preliminary Ecological Appraisal Report dated July 2020.

Water Environment

23. **Prior to the commencement of the development hereby permitted**, details of the design of a surface water drainage scheme shall be submitted to and approved in writing by the County Planning Authority and thereafter implemented as approved. The design must satisfy the Sustainable Drainage System (SuDS) Hierarchy and be compliant with the national Non-Statutory Technical Standards for Sustainable Drainage Systems, NPPF and Ministerial Statement on Sustainable Drainage Systems. The required drainage details shall include:

    i. Evidence that the proposed final design solution will effectively manage the 1 in 30 and 1 in 100 (+40% allowance for climate change) storm events during all stages of the development. Associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 3.5 l/s;

    ii. Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.);

    iii. A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected;

    iv. Details of drainage management responsibilities and maintenance regimes for the drainage system; and

    v. Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

24. Prior to the first use of the development, a verification report carried out by a qualified drainage engineer shall be submitted to and approved in writing by the County Planning Authority. The report shall demonstrate that:

    i. the drainage system has been constructed as per the agreed scheme (or detail any minor variations);

    ii. provide the details of any management company; and

    iii. state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Geotechnical Considerations

7

25. a) **Prior to the commencement of the development hereby permitted**, a Phase 2 Contamination Risk Assessment shall be submitted to and approved in writing by the County Planning Authority. The assessment shall include:

i. a written scheme of contamination and geotechnical intrusive investigation incorporating the recommendations of the Phase 1 Desk Study Report Kitsmead ERF (Clancy Consulting Limited for Waste Energy Power Partners) dated January 2022 reference 10/1858/001 Rev. 01;
ii. a report of the findings of a detailed ground investigation survey and risk assessment to be undertaken;
iii. a detailed remediation and / or mitigation scheme;
iv. a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation; and
v. a verification report demonstrating the effectiveness of the remediation measures carried out.

The above shall be implemented and completed in accordance with the approved Phase 2 Contamination Risk Assessment.

b) A report demonstrating the effectiveness of the monitoring and maintenance undertaken in accordance with clause a) iv. shall be submitted to the County Planning Authority for approval in writing.

c) In the event that contamination is found in carrying out the development hereby permitted that was not previously identified, an investigation and risk assessment shall be undertaken and where necessary, a remediation scheme prepared and carried out and a verification report prepared in accordance with the requirements of clauses a) ii, iii and iv of this condition and submitted to the County Planning Authority for approval in writing.

Lighting

26. Unless required for the carrying out of maintenance or emergency operations for safety and security purposes which must be notified to the County Planning Authority in writing within five (5) working days of those operations taking place, no external lighting shall be routinely illuminated except between the following times:

0600-1900 hours Monday to Friday
0700-1400 hours Saturdays

27. The installation of external lighting as part of the development hereby permitted shall be carried out in accordance with the details shown on submitted Drawing No. W2-02-20-08 Lighting Plan dated 23 June 2020. In order to avoid any upward glare of light from the external lighting installed and to minimise light spill outside the boundary of the site, all external lighting shall be directed downwards onto the ground or other surfaces in the horizontal plane and orientated away from the boundary to focus light into the site.

Reasons

1. For the avoidance of doubt and in the interests of proper planning and 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 local community, public amenity and the local environment in accordance with Policy 14 of the Surrey Waste Local Plan 2020 and policies EE1 and EE2 of the Runnymede 2030 Local Plan 2020.

2. To enable the County Planning Authority to exercise planning control over the development so as to minimise the impact on public amenity and the local environment in accordance with Policy 14 of the Surrey Waste Local Plan 2020 and policies EE1 and EE2 of the Runnymede 2030 Local Plan 2020.

3. To enable the County Planning Authority to exercise planning control over the development so as to minimise the impact on public amenity and the local environment in accordance with Policy 14 of the Surrey Waste Local Plan 2020 and policies EE1 and EE2 of the Runnymede 2030 Local Plan 2020.

4. To enable the County Planning Authority to exercise planning control over the development so as to minimise the impact on public amenity and the local environment in accordance with Policy 14 of the Surrey Waste Local Plan 2020 and policies EE1 and EE2 of the Runnymede 2030 Local Plan 2020.

5. To enable the County Planning Authority to exercise planning control over the development in order to protect the Green Belt from potential harm in accordance with paragraphs 147 and 148 of the National Planning Policy Framework 2021, Policy 9 of the Surrey Waste Local Plan 2020 and policies EE14, EE17 and EE18 of the Runnymede 2030 Local Plan 2020.

6. 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 in order to comply with paragraphs 185 and 186 of the National Planning Policy Framework 2021, policies 14 and 15 of the Surrey Waste Local Plan 2020 and polices SD4, EE2, and EE12 of the Runnymede 2030 Local Plan 2020. The imposition of a pre-commencement condition to secure the submission of a Construction Environmental Management Plan is recommended by the County Planning Authority to ensure the construction of the development will not result in unacceptable impacts on communities and the environment in respect of public amenity and safety in accordance with the NPPF and development plan policies.

7. To promote sustainable transport modes and the use of low or zero emission vehicles in accordance with paragraphs 110 and 112 of the National Planning Policy Framework 2021, Policy 15 of the Surrey Waste Local Plan 2020 and Policy SD7 of the Runnymede 2030 Local Plan 2020.

8. To minimise the number of vehicle movements, encourage non-car use, promote sustainable transport modes and improve conditions for cyclists in accordance with paragraphs 110 and 112 of the National Planning Policy Framework 2021, Policy 15 of the Surrey Waste Local Plan 2020, and Policy SD7 of the Runnymede 2030 Local Plan 2020.
9. To minimise the impact of acid deposition rates on the Thursley, Ash, Pirbright and Chobham Special Area of Conservation in accordance with paragraph 186 of the National Planning Policy Framework 2021, Policy 14 of the Surrey Waste Local Plan 2020, and Policy EE2 of the Runnymede 2030 Local Plan 2020.

7

10. To ensure the permission is implemented in accordance with the terms of the application and to minimise its impact on the local community, public amenity and the local environment in accordance with Policy 14 of the Surrey Waste Local Plan 2020 and Policy EE2 of the Runnymede 2030 Local Plan 2020.

11. To protect the amenity of noise sensitive receptors during the operation of the development in accordance with paragraphs 174 and 185 of the National Planning Policy Framework 2021, Policy 14 of the Surrey Waste Local Plan 2020 and Policy EE2 of the Runnymede 2030 Local Plan 2020.

12. To protect the amenity of noise sensitive receptors during the operation of the development in accordance with paragraphs 174 and 185 of the National Planning Policy Framework 2021, Policy 14 of the Surrey Waste Local Plan 2020 and Policy EE2 of the Runnymede 2030 Local Plan 2020.

13. To protect the amenity of noise sensitive receptors during the operation of the development in accordance with paragraphs 174 and 185 of the National Planning Policy Framework 2021, Policy 14 of the Surrey Waste Local Plan 2020 and Policy EE2 of the Runnymede 2030 Local Plan 2020.

14. To protect the amenity of noise sensitive receptors during the operation of the development in accordance with paragraphs 174 and 185 of the National Planning Policy Framework 2021, Policy 14 of the Surrey Waste Local Plan 2020 and Policy EE2 of the Runnymede 2030 Local Plan 2020.

15. To protect the amenity of noise sensitive receptors during the operation of the development in accordance with paragraphs 174 and 185 of the National Planning Policy Framework 2021, Policy 14 of the Surrey Waste Local Plan 2020 and Policy EE2 of the Runnymede 2030 Local Plan 2020.

16. 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 visual and landscape impact in accordance with Policy 14 of the Surrey Waste Local Plan 2020 and Policy EE1 of the Runnymede 2030 Local Plan 2020.

17. 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 visual and landscape impact in accordance with Policy 14 of the Surrey Waste Local Plan 2020 and Policy EE1 of the Runnymede 2030 Local Plan 2020.

18. To enable the County Planning Authority to exercise planning control over the development so as to minimise its visual and landscape impact in accordance with Policy 14 of the Surrey Waste Local Plan 2020 and Policy EE1 of the Runnymede 2030 Local Plan 2020.

19. To contribute to and enhance the natural and local environment, maximise landscape enhancements, contribute to green infrastructure provision and provide for soft landscaping in accordance with paragraph 174 of the National Planning Policy Framework 2021, Policy 13 of the Surrey Waste Local Plan 2020 and Policy EE1 of the Runnymede 2030 Local Plan Part 2020.

20. To ensure that there will be no negative impacts on ecological interests identified on the application site or in the surrounding area in accordance with paragraph 180 of the National Planning Policy Framework 2021, Policy 14 of the Surrey Waste Local Plan 2020 and Policy EE9 of the Runnymede 2030 Local Plan 2020. The imposition of a pre-commencement condition to secure the submission of an Ecological Construction Method Statement is recommended by the Preliminary Ecological Appraisal, to ensure that there will be no negative impacts upon ecological features identified on the site or within the surrounding area, and is supported by the County Planning Authority to ensure the construction of the development will not result in significant harm to biodiversity or unacceptable impacts on the natural environment in accordance with the NPPF and development plan policies.

21. To limit the impact of light pollution from artificial light on protected species in accordance with paragraph 185 of the National Planning Policy Framework 2021, Policy 14 of the Surrey Waste Local Plan 2020 and Policy EE2 of the Runnymede 2030 Local Plan 2020.

22. To ensure the delivery of suitable biodiversity improvements in accordance with paragraph 180 of the National Planning Policy Framework 2021, policies 13 and 14 of the Surrey Waste Local Plan 2020 and policies SD7 and EE9 of the Runnymede 2030 Local Plan 2020.

23. To ensure the detailed design of the surface water drainage scheme is consistent with the national Non-Statutory Technical Standards for Sustainable Drainage System and that the final drainage design does not increase flood risk on or off site in accordance with paragraph 167 of the National Planning Policy Framework 2021, Policy 14 of the Surrey Waste Local Plan 2020 and Policy EE13 of the Runnymede 2030 Local Plan 2020. The imposition of a pre-commencement condition for the design of a surface water drainage scheme is recommended by the Lead Local Flood Authority to ensure the development is compliant with the SuDS Hierarchy, national technical standards, the NPPF and government ministerial statement in relation to sustainable drainage systems.

24. To enable the County Planning Authority to exercise planning control over the development and to minimise the impact of the development on the local community and local environment in terms of preventing the risk of flooding in accordance with Policy 14 of the Surrey Waste Local Plan 2020 and Policy EE13 of the Runnymede 2030 Local Plan 2020.

25. To ensure that the nature and risk of land contamination is fully investigated and remediated to prevent the development from having an unacceptable impact on the development proposal, communities and the wider environment in accordance with paragraph 183 of the National Planning Policy Framework 2021, Policy 14 of the Surrey Waste Local Pan 2020 and Policy EE2 of the Runnymede 2030 Local Plan 2020. The imposition of a pre-commencement condition for a Phase 2 Contamination Risk Assessment is recommended by the County Geotechnical Consultant to ensure there would be no risk to communities and the wider environment including users of the development from contamination in accordance with the NPPF and development plan policies.

26. To enable the County Planning Authority to exercise planning control over the development so as to minimise the impact on public amenity and the local environment in accordance with Policy 14 of the Surrey Waste Local Plan 2020 and Policy EE2 of the Runnymede 2030 Local Plan 2020.

27. To enable the County Planning Authority to exercise planning control over the development and to comply with the terms of the application so as to minimise the impact on public amenity and the local environment in accordance with paragraph 185 of the National Planning Policy Framework 2021, Policy 14 of the Surrey Waste Local Plan 2020 and Policy EE2 of the Runnymede 2030 Local Plan 2020.

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Informatives

1. An Environmental Permit will be required for this site under the Environmental Permitting (England and Wales) Regulations 2016 (as amended).

2. Cadent Gas Ltd own and operate the gas infrastructure within the area of the development. Prior to carrying out works, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

3. The applicant's attention is drawn to the advice, guidance and safety information provided by Scottish and Southern Electricity Networks (SSEN) and UK Power Networks (UKPN) in relation to gas and electricity infrastructure, copies of which have been provided to the applicant or can be obtained from the County Planning Authority on request.

4. It is the responsibility of the developer to ensure that the electricity supply is sufficient to meet future demands and that any power balancing technology is in place if required. Electric Vehicle Charging Points shall be provided in accordance with the Surrey County Council Vehicular, Cycle and Electric Vehicle Parking Guidance for New Development. Where undercover parking areas (multi-storey car parks, basement or undercroft parking) are proposed, the developer and LPA should liaise with Building Control Teams and the Local Fire Service to understand any additional requirements. If an active connection costs on average more than £3,600 to install, the developer must provide cabling (defined as a 'cabled route' within the 2022 Building Regulations) and two formal quotes from the distribution network operator showing this.

5. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

6. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.

7. The site operator should instruct all HGV drivers associated with the development not to lay up or wait within the highway network within the vicinity of the site at any time.

8. The applicant's attention is drawn to potential duplication between Condition 9 and the regulatory responsibilities of the Environment Agency. To ensure compliance with the requirements of this condition, liaison with the Environment Agency would be necessary as they would be collecting the data on levels of sulphur dioxide (SO_2) emitted from the exhaust flue.

9. The procurement, planting, establishment and aftercare of all new trees with a distinct crown shall be in general accordance with British Standard BS 8545:2014 Trees: From nursery to independence in the landscape - Recommendations.

10. Growing media used for the soft landscaping should not contain peat.

11. Procurement of planting stock is recommended from a supplier who is a member of the Plant Healthy Certification Scheme (or equivalent).

12. Biosecurity is very important to minimise the risks of pests and diseases being imported into the UK and introduced into the environment. It is recommended that all trees grown abroad, but purchased for transplanting, shall spend at least one full growing season on a UK nursery and be subjected to a pest and disease control programme. Evidence of this control programme, together with an audit trail of when imported trees entered the UK, their origin and the length of time they have been in the nursery should be requested before the commencement of any tree planting. If this information is not available, alternative tree sources should be used. The applicant is advised to consult the relevant UK Government agencies such as the Animal and Plant Health Agency (APHA) and the Forestry Commission for current guidance, Plant Passport requirements and plant movement restrictions. Quality Assurance Schemes followed by nurseries (such as the Plant Healthy Certification Scheme) should also be investigated when researching suppliers. For larger planting schemes, the applicant may wish to consider engaging a suitably qualified professional to oversee tree / plant specification and planting.

13. The applicant is advised to contact the Lead Local Flood Authority via SUDS@surreycc.gov.uk and obtain prior written consent if proposed works affect an Ordinary Watercourse.

14. The applicant is advised that the Kitsmead Recycling Centre is covered by a Tree Preservation Order No. 200.

15. The applicant is reminded that the granting of planning permission does not authorise obstructing or interfering in any way with a public right of way. This can only be done with the prior permission of the Highway Authority (Surrey County Council, Countryside Access Group).

16. The applicant is requested to note the following requirements provided by the Countryside Access Officer:

    - Safe public access must be maintained at all times and no access should be made via the public footpath at any time;
    - Should the applicant feel they are unable to ensure public safety while work is underway, a temporary closure may be necessary. A minimum of 3 weeks' notice must be given and there is a charge. Please contact the Countryside Access Officer if this is required (John.baker@surreycc.gov.uk);
    - Any down pipes or soakaways associated with the development should either discharge into a drainage system or away from the surface of the right of way;
    - There are to be no obstructions on the public right of way at any time, this is to include vehicles, plant, scaffolding or the temporary storage of materials and/or chemicals;
    - Any alteration to, or replacement of, the existing boundary with the public right of way, or erection of new fence lines, must be done in consultation with the Countryside Access Officer. Please give at least 3 weeks notice;

- Contractor's vehicles, plant or deliveries may only access along a right of way if the applicant can prove that they have a vehicular right. SCC's Rights of Way Group will expect the applicant to make good any damage caused to the surface of the right of way connected to the development;
- The applicant is reminded that the granting of planning permission does not authorise obstructing or interfering in any way with a public right of way. This can only be done with the prior permission of the Highway Authority (Surrey County Council, Countryside Access Group).

17. 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.

18. In determining this application, the County Planning Authority has worked positively and proactively with the applicant by: entering into pre-application discussions; 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; forwarded consultation responses to the applicant; considered representations from interested parties; liaised with consultees and the applicant to resolve identified issues and determined the application within the timeframe agreed with the applicant. Issues have been raised with the applicant including impacts of traffic, air quality including odour, surface water drainage and geotechnical considerations and addressed through negotiation and acceptable amendments to the proposal. 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 2021.

Contact David Maxwell

Tel. no. 07814 284982

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.

For this application, the deposited application documents and plans, are available to view on our online register. The representations received are publicly available to view on the district/borough planning register.

The Runnymede Borough Council planning register for this application can be found under application reference RU.20/1047.

Other documents

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

Government Guidance

National Planning Policy Framework

National Planning Policy for Waste
Planning Practice Guidance

The Development Plan

Surrey Waste Local Plan 2020
Runnymede 2030 Local Plan 2020

Other Documents

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017
European Waste Framework Directive (2008/98/EC)
Environmental Impact Assessment Scoping Opinion Report, Land at Trumps Farm, Kitsmead Lane, Longcross, Chertsey, Surrey, SCC, July 2019
The Waste (Circular Economy) (Amendment) Regulations 2020
The Conservation of Habitats and Species Regulations 2017
Surrey County Council Habitats Regulations Assessment Report, Planning Application Ref. RU.20/1047. Land at Trumps Farm, Kitsmead Lane, Longcross, Surrey KT16 0EF, 17 October 2022
The Waste (England and Wales) Regulations 2011 (as amended)
Hazardous Waste National Policy Statement, Defra, June 2013
A Strategy for Hazardous Waste Management in England, Defra, March 2010
Planning Service Annual Monitoring Report 2020/21, SCC
Management of Healthcare Waste, HSE, June 2021
Planning Application ref: RU.21/0382, Land at Kitsmead Recycling Centre, Kitsmead Lane, Transport Statement v5, Origin, February 2021
Planning Permission ref: RU.21/0382 dated August 2021, Land at Kitsmead Recycling Centre, Kitsmead Lane, Officer Report, Runnymede Borough Council, 28 July 2021.
Planning Permission ref: RU.13/0856 dated 12 August 2014 (Longcross North, forming part of Longcross Garden Village) Surrey.
Planning Application ref: RU.22/0393, Longcross South (forming part of Longcross Garden Village) Surrey
Planning Application ref: RU.22/0393, Longcross South, Planning Statement, Crest Nicholson Operations Limited and Aviva Life & Pensions UK (Limited), February 2022
Directive 2008/50/EC, Air Quality, 21 May 2008
Air Quality Strategy for England, Scotland, Wales and Northern Ireland, Volume 2, July 2007
The Air Quality (England) Regulations 2000
The Air Quality (England) (Amendment) Regulations 2002
The Air Quality Standards Regulations 2010
Land-Use Planning & Development Control: Planning for Air Quality, EPUK and IAQM, January 2017
The Industrial Emissions Directive, 2010/75/EU, 24 November 2010
Guidance on the Assessment of Odour for Planning, Version 1.1, IAQM, July 2018
BS4142: 2014: Methods for Rating and Assessing Industrial and Commercial Sound, BSI (now withdrawn)
National Character Areas Profiles, Natural England, 30 September 2014
Surrey Landscape Character Assessment, Hankinson Duckett Associates, 2015
Planning Application ref: RU.22/1348 (Chertsey Common SANG, Phase 2)
CIRIA C681, Unexploded Ordnance (UXO), A Guide for the Construction Industry, July 2009
Lighting at Work, Second Edition, HSE, 1997
The Town and Country Planning (Consultation) (England) Direction 2009, Department for Communities and Local Government, 30 March 2009

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