

**To:** Planning & Regulatory Committee  
**By:** Planning Development Manager  
**District(s)** Elmbridge Borough Council  
**Weybridge**  
**Mr Oliver**

**Date:** 28 February 2024  
**Electoral Division(s):**

**Purpose:** For Decision

**Case Officer:**  
**Dawn Horton-Baker**  
**Grid Ref:** 508461 160858

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**Title: Minerals/Waste EL2023/0344**

**Silvermere Haven Pet Cemetery, Byfleet Road, Cobham, Surrey, KT11 1DZ**

**Demolition of existing crematorium buildings and removal of storage containers, temporary cabin and temporary cold store; and the construction of a new crematorium building incorporating chapels of rest, cremation hall and space for storage containers within storage yard, relocation of existing waste transfer facilities for hazardous and non-hazardous waste; and associated landscaping.**

### ***Summary Report***

The application site is part of an existing animal crematorium and burial ground known as Silvermere Haven Pet Cemetery and Crematorium which lies within the Metropolitan Green Belt. The proposal seeks permission for the demolition of all the existing buildings and structures on the application site and their replacement with a single modern state of the art Crematorium building on a different part of the site further to the south.

A total of 94 representations have been received which includes two petitions, one with 1425 individual signatures and another with 34 signatures. 1 of these representations make comments on the proposal whereas the others (including the petition) raise objections to the proposal on the grounds which are summarised in the report. Several consultations were undertaken most of these requesting further information or the attachment of conditions or informatives, all of which has been considered and actioned as appropriate by officers. The Borough Council raises an objection to the proposal on Green Belt grounds.

Although the proposal is for a replacement building which can be appropriate in the Green Belt, in this case the new building is materially larger than those buildings which would be replaced and as such the proposal represents *Inappropriate Development*. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 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.

The applicant has put forward a detailed case in support of the proposal and why they consider there are very special circumstances existing in this case. This is set out in detail in the report and revolves around the fact that this is an existing long-standing existing facility providing a valuable service to a demonstrated need in the area and the proposal is the minimum required to bring the use up to current standards to continue operating into the future.

The report summarises the assessment which has been made in respect of the key issues identified in this case such as residential amenity, highways, biodiversity etc. It is concluded that subject to appropriate planning conditions the proposal would not cause harm in any of the areas considered, except for the harm caused to the Green Belt.

Officers consider that the proposal would cause harm to the openness of the Green Belt as the proposed new building is larger than those that it replaces. However there are reasons why officers consider that the overall impact of the loss of openness is limited in this case. But as the proposal represents inappropriate development in the Green Belt, the harm caused by the proposal by virtue of its inappropriateness and the harm caused to openness must be given significant weight in the planning balance.

Officers however consider that there are considerations in this case which together represent *very special circumstances* that clearly outweigh the harm to the Green Belt caused by reason of inappropriateness and the harm to openness, and which justify the grant of planning permission, subject to planning conditions.

**The recommendation is to APPROVE the application subject to conditions.**

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### ***Application details***

#### ***Applicant***

CVS (UK) Ltd

#### ***Date application valid***

28 December 2022

#### ***Period for Determination***

08 March 2024 (extension of time agreed by the applicant)

#### ***Amending Documents***

Green Belt Justification Statement dated 6 February 2023

Biodiversity Metric received 6 February 2023

Response to Cobham Conservation and Heritage Trust Response dated June 2023

Applicant Response to Thames Water dated June 2023

Desk-Based Archaeological Assessment YA/2023/151 dated 12 July 2023

Noise Impact Assessment Project Reference No: NP-009753 - NOVA Acoustics Ltd  
28 July 2023

Letter on Air Quality dated 14 September 2023

Landscape and Ecology Management Plan RT-MME-160973-01-Rev A dated  
September 2023

Luminaire Schedule 0002297674 Rev 2 Option dated 21 August 2023 (not approved)  
 Bat Surveys RT-MME-160973-02 dated September 2023  
 E-mail From Agent dated 30 August 2023 providing Hours Of Incineration  
 Drawing ZG-DWG-0002297674-OP2-R02-210923 (Rev: R2) External Lighting - Opt2 dated 21 September 23 (not approved)  
 Odour Response from Alderley Consulting Group on behalf of applicant dated 26 October 2023  
 Noise Impact Assessment from Nova Project Reference No: NP-009753 Rev 003 dated 20 October 2023  
 Great Crested Newt Survey RT-MME-160600-01 dated August 2023

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**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.

<b>Issue</b>	<b>Is this aspect of the proposal in accordance with the Development Plan?</b>	<b>Paragraphs in the report where this has been discussed</b>
<b>GREEN BELT</b>	No but <i>very special circumstances</i> proposed which can be considered in the Planning Balance	57- 90 & 235 - 243
<b>WASTE MANAGEMENT</b>	Yes	91 - 110
<b>HIGHWAYS, TRAFFIC AND ACCESS</b>	Yes	111 - 127
<b>DESIGN AND VISUAL APPEARANCE</b>	Yes	128 - 136
<b>CONTAMINATION</b>	Yes	137 - 145
<b>IMPACT ON RESIDENTIAL AMENITY</b>	Yes	146 - 178
<b>TREE AND LANDSCAPE IMPACT (INCLUDING LIGHT POLLUTION)</b>	Yes	179 - 207
<b>ECOLOGY AND BIODIVERSITY</b>	Yes	208 - 217
<b>ARCHAEOLOGY</b>	Yes	218 - 222
<b>FLOOD RISK AND DRAINAGE</b>	Yes	223 - 233

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**Illustrative material**

**Site Plan**  
 Plan 1

## Aerial Photographs

Aerial 1

## Site Photographs

**Photo 1** Entrance to Silvermere Haven from Byfleet Road (looking south)

**Photo 2** Existing car park adjacent to site entrance

**Photo 3** Existing reception/office building (to be removed)

**Photo 4** Existing car park for crematorium use (unaffected by proposal)

**Photo 5** View to northeast over burial and memorial gardens (unaffected by proposal)

**Photos 6, 7, 8 and 9** Existing cremation hall – external and internal (to be removed)

**Photo 10** Internal driveway to site of proposed new building (looking south)

**Photos 10, 11, and 12** Site of the proposed new building

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## Background

### Description of existing use and background to the proposal

- 1 The Site is part of an existing animal crematorium and burial ground known as Silvermere Haven Pet Cemetery and Crematorium which has been in operation since the late 1970s. The wider site stretches to circa 4.1ha including the adjacent burial ground.
- 2 The existing facilities at the site have operated for over 40 years and include a number of buildings located on the northern part of the site including a single storey crematorium building housing a single-chamber cremator, a cremator with two existing single chambers (one communal, one individual), a double-chamber cremator and an eight-chamber cremator, as well as a temporary cold storage and office. The existing crematorium building is limited in size and immediate external spaces are used for storage of cadavers, including waste containers.
- 3 Since the date of submission of the previous application in August 2019, (reference EL/2019/2722) the business introduced a “Direct Pet Cremation” service in 2021, which directly resulted in an increase in employee headcount. The volume of direct pet cremations increased to 11.2% in 2021 from 3.2% in 2020. More staff were required to assist with this increased work. In 2019, the business employed 16 full time employees and by October 2021 this had increased to 23 full time employees. The number of full-time administrators, ancillary staff and directors also increased and has continued to increase from 2020 to 2022. There has been a resultant growth of pet cremation volumes of 7% year on year – the number of pets received for direct pet cremation increased from circa 24 per week in 2020 to over 90 per week in 2021. Pets received for such cremation cannot be cremated until contact has been made with their owner, the type of cremation and any ancillary services established, and the cremation paid for. This typically results in an on-hold duration of 2-3 days in which time it is necessary to store the circa 50 pets, that the business holds in this state at any given time, in an additional cold storage.

- 4 To accommodate this increase in staff, and the need for additional cold storage a temporary modular office and cold store were installed on the site and retrospective planning permission was granted for these for a temporary period of three years on 08 November 2022 (reference EL/2022/1648).
- 5 The current situation regarding the waste transfer element of the operation is that it processes 120 tonnes of hazardous and 200 tonnes of non-hazardous waste. The crematorium incinerates 360 tonnes of pet cadavers by individual cremations and 345 tonnes of cadavers by communal cremations, which creates circa 31.70 tonnes of ash.
- 6 The business currently serves over 280 vets throughout Greater London, the Home Counties and East Anglia as well as offering direct service to individual customers. At the wider site, 3,500 pets have been buried with well over 150,000 pets cremated, 47,000 in the year 2022, up from 42,510 in the year 2021 and up from 39,693 in 2020.
- 7 There has been a significant upward trend in the demand for the *individual* cremation of pets, up from 34% of pets cremated in June 2014 to 50% of pets cremated in February 2020. This increase in demand has continued and it is expected to continually increase, which is a marked change from the previous approach of a significant number of pets being cremated communally. The applicant considers that there is also an identified need for equine cremation services within the geographical area of the site. There is a concentration of horse owners within the area but a limited-service offer (4 facilities ranging from rudimentary knackers yards to pet crematorium). The alternative providers are circa 40 to 70 miles away from the Site.
- 8 The current facilities at the site are now at physical and operational capacity with aging, unsustainable cremators that do not cater for the needs of a modern pet and equine cremation service. It is not able to offer equine cremations and therefore assist in meeting a need for this service within the area and it is also unable to provide the necessary facilities for the visiting public. Service vehicle manoeuvring and the handling of cadavers is currently severely constrained. Further, recent regulatory changes prevent the storage and handling of waste on areas other than impermeable areas with engineered drainage and prevent the storage of hazardous waste externally. This cannot be accommodated at the Site currently.

### **Site Description**

- 10 The site lies in northern Surrey, between the settlements of Byfleet and Cobham and is approximately 1km west of the A3 Esher Bypass, some 1.5km north of junction 10 of the M25 and is immediately to the south of the A245 Byfleet Road, which forms its northern boundary and from which it is accessed by a single vehicular access.

- 11 It is surrounded on its eastern side by agricultural land and a small number of residential properties, on its southern side by Silvermere Golf and Leisure Centre, and on its western side by a further small number of residential properties.
- 12 A majority of the site consists of the existing pet burial ground along the northern boundary, and a large area of grass and woodland which covers the north-eastern corner as well as the eastern and central sections. The application site itself forms the western edge of the wider Silvermere Haven site, stretching from the boundary with Byfleet Road in the north, down to the boundary with Silvermere Golf and Leisure Centre to the south.
- 13 As shown on Fig 1 below the application site is currently split into two distinct zones the crematorium site to the north and the service yard to the south. The northern half of the application site (coloured yellow) currently consists of three main single storey buildings – used as offices & chapels of rest, a cremation hall, and a support building – as well as vehicle parking areas. In late 2020 additional *temporary* reception and storage buildings were installed on the car parking area on this part of the site. The southern half of the application site comprises a large, informal service yard & car park, which is accessed via a narrow sloping track from the north (coloured blue). Due to the topography of the sloping application site, the northern half of the site is approximately more than five metres higher than the southern half.



Figure 1 – description of site

- 14 The waste transfer use is currently accommodated within around 30 x 770 litre bins for hazardous and incineration waste and 2 no. large skips for non-hazardous waste. These are sited along the internal access road and within the rear part (coloured blue and where the proposed new building would be sited).
- 15 the current business was established on this site in 1977 and has continued to provide a service to the local community since that time. The existing

buildings on the site are now outmoded being undersized and unable to accommodate adequate facilities for staff or visitors up to modern standards.

- 16 The site lies within the Metropolitan Green Belt and is within 5km of the Thames Basin Heath Special Protection Area. It is also identified in the development plan as a Biodiversity Opportunity Area and is partly covered by Area Tree Preservation Order EL:88 which relates to two belts of trees one along the frontage of the site with Byfleet Road and the other along the rear southern boundary of the site near where the proposed new building would be sited. The site is also located within the Weybridge Settled and Wooded Sandy Farmland Landscape Character Area (SS9) (Surrey LCA, 2015) where key characteristics include relatively flat topography, falling south-west towards the River Wey, with views across the landscape highly constrained by woodland and vegetation along boundaries and roads. This results in an enclosed, intimate landscape, with the adjacent suburban influences of Weybridge generally obscured by the significant tree cover. Nos 1, 2 and 3 Silvermere, Silvermere House, Silvermere Lodge, Clock House and Greenglade, and Silvermere Pond to the west of the application site are all included within Elmbridge Borough Council's List of Local Heritage Assets (Local List).

### ***Planning History***

17. There have been a considerable number of planning applications on this site submitted to both Elmbridge Borough Council and Surrey County Council, the most notable are listed below:

**1972/0932** Erection of 9 houses – Refused and dismissed on appeal

**1973/1660** Erection of an agricultural dwelling for nursery holding Refused

**1975/1198** Erection of agricultural workers dwelling, and two glasshouses and access Refused

**1976/0446** Formation of vehicular access Refused

**1976/0775** Formation of agricultural access Permitted

**1976/1112** Formation of pet cemetery Permitted

**1977/0622** Outline application for erection of a dwelling Refused and dismissed on appeal

**1977/1303** Erection of a garage for vehicle equipment and storage Permitted

**1979/1475** Extend burial area by four acres Refused

**1979/1476** Parking of caravan for use as an office for a temporary period of two years Permitted

**1979/1477** Outline application for a detached two storey house implement store external toilet workshop and office Refused

**1981/0316** Use of part of the site as a pet cemetery Permitted

**1985/0443** Retention and continued use of storage shed Permitted

**1986/1516** Single storey building to house incineration equipment Permitted

**1987/1260** Erection of a detached house with ancillary office Refused

**1990/1142** Erection of single storey rear extension to existing incinerator Permitted

**1990/1143** Erection of ancillary building with storage areas, chapel of rest area and associated facilities Refused

**1992/1391** Retention of incinerator Permitted

**1993/0827** Single storey extension to incinerator Permitted

**1994/1165** Use of the site as a transfer station for clinical wastes Permitted

**1995/0360** Retention of car park Permitted

**1996/0097** Two single storey extensions to existing incinerator detached single storey office/chapel of rest and extension to flue Permitted

**1996/0361** Detached two storey house for use as a caretaker dwelling Refused

**1998/01685** Fell tree covered by TPO EL:88 Consent Granted

**2004/0441** Single storey staff building following demolition of existing shed and garage Permitted

**2005/0590** Works to trees under TPO EL:88 Refused in part/lesser work permitted

**2007/3168** Single storey building for storage (240 sq. m) Outline planning permission Granted

**2008/1519** Consultation from Environment Agency Application for modification of Waste Management Licence WML 1173 Raise no objection

**2009/1720** Single storey building for storage Permitted 2012/4159 Works to trees under TPO EL:88 Refused in part/refuse in part/lesser work permitted

**2015/1816** Works to trees under TPO EL:88 Consent granted

**EL/2019/2722** Demolition of all existing buildings and structures on the site and the construction of a new crematorium building incorporating within it a



reception area, chapel of rest and cremation hall with ancillary office accommodation, together with storage areas including secure storage for the existing waste transfer use, landscaping, and associated works. Withdrawn by the applicants on 25 May 2022.

**EL/2022/1648** Retrospective application to retain office building and cold store unit buildings for a temporary period. Permitted for 3 years from 26 October 2022

## **Environmental Impact Assessment Screening Opinion in relation to EL/2019/2722**

- 18 The previously proposed development (planning application Ref. EL/2019/2722) was evaluated by Surrey County Council as the County Planning Authority (CPA) in line with the Town & Country Planning (Environmental Impact Assessment) Regulations 2017) (as amended by Statutory Instrument 2018 No.695) (the EIA Regulations), and the advice set out in the national Planning Practice Guidance (NPPG) on EIA. It was recommended that the proposed development **does not constitute 'EIA Development'**. (This opinion has been resubmitted with this current application as the proposal is very similar)
- 19 The main reasons for recommending that the proposed development does not require EIA are that:
1. The proposed development would deliver improvements to the facilities and capacity of an established pet crematorium.
  2. The redevelopment would affect an area of land that measures some 0.57 hectares, which does not exceed the 10 hectare indicative threshold for EIA cited in the national Planning Practice Guidance on that topic.
  3. No new waste disposal capacity would be provided as a consequence of the proposed development.
  4. The improved facility would dispose of no more than 10 tonnes of waste per day by means of incineration, which if operated at maximum capacity for six days per week would result in the processing of 3,120 tonnes of waste per year.
  5. A waste transfer service is also provided from the site, handling 168 tonnes of waste per year. The operation of the improved facility would not exceed the 50,000 tonne per year indicative threshold for EIA cited in the national Planning Practice Guidance on that topic.
  6. The proposed development site is not situated within any of the categories of sensitive areas listed under Regulation 2 of the EIA Regulations as follows:
    - The closest Scheduled Monument is the 'Large multivallate hillfort on St George's Hill' (Historic England List ID 1008475) located some 0.61 kilometres to the north and separated from the application site by a combination of golf course and residential development interspersed with woodland. The

Scheduled Monument has been subject to residential development in the past, with a number of properties located on the site. The proposed development would not result in any direct impacts on the fabric of the Scheduled Monument, given the geographical separation of the application site from the designated heritage asset. The part of the application site on which the new chapel of rest and cremation hall would be built is bounded to the north, south and west by established woodland or tree belts, which would serve to screen the new building from immediate and more distant views, including from the Scheduled Monument. The risk of significant impacts to the context and setting of the Scheduled Monument is therefore considered to be negligible.

- The closest national nature conservation site is the Ockham & Wisley Commons Site of Special Scientific Interest (SSSI), which is located some 0.97 kilometres to the south of the application site. The SSSI is separated from the application site by a range of intervening land uses, including residential properties, an established golf course, equestrian uses, highways, and woodland. The proposed development would not result in any direct impacts on the fabric of the SSSI, given the geographical separation of the application site from the designated ecological asset. Emissions from the disposal of waste by means of incineration can contribute to nutrient nitrogen deposition on sensitive habitats, including the lowland heathland habitats of the SSSI. The proposed development would involve a small increase in the cremation capacity of the established pet cemetery and crematorium, which would have a negligible impact on local concentrations of oxides of nitrogen in the air or concentrations of nutrient nitrogen deposited on the ground, including within the SSSI.
- The closest European nature conservation site is the Thames Basin Heaths Special Protection Area (SPA) is located some 1.60 kilometres to the south of the application site, from which it is separated by a range of intervening land uses and the M25 motorway. The proposed development would not result in any direct impacts on the fabric of the SPA, given the geographical separation of the application site from the designated ecological asset. Emissions from the disposal of waste by means of incineration can contribute to nutrient nitrogen deposition on sensitive habitats, including those of the bird species for which the SPA is designated. The proposed development would involve a small increase in the cremation capacity of the established pet cemetery and crematorium, which would have a negligible impact on local concentrations of oxides of nitrogen in the air or concentrations of nutrient nitrogen deposited on the ground, including within the SPA.

- The closest national landscape designation is the Surrey Hills Area of Outstanding Natural Beauty (AONB) located some 8.2 kilometres to south of the application site. The proposed development is too distant from the AONB to be a cause of any discernible impacts.

**EL2022/1648** Retrospective application to retain office building and cold store unit building for a temporary period. Temporary permission granted for three years 8 November 2022

### **The proposal**

- 20 The proposal is for the demolition of all of the existing permanent and temporary buildings and structures on the application site and their replacement with a single modern state of the art Crematorium building on a different part of the site further to the south.
- 21 The proposed new building would be a maximum of 9.75m high to the ridge of a steeply pitched roof with three external flue stacks serving the cremators rising to 15m on the southern elevation. The proposed building would have two distinct halves. The front half housing the reception and administrative functions would have a lower ridge height and width and would have external elevations of brick under an interlocking tiled roof with a front entrance porch projection finished in timber effect cladding. The larger rear half housing the cremators would have a higher ridge height and would be wider than the front element and would have external elevations of walls finished in timber effect cladding with a profiled sheeting roof.
- 22 The new building would be located towards the northern boundary of the existing service yard to the south to enable a suitably sized open service yard enclosed by a timber vertical fence to be provided to the south which would also be used for staff parking. See Figure 2 below. Visitor and staff parking as well as being retained on the site frontage would also be provided in front of the new building. Detailed landscaping proposals for the site have been submitted which include significant tree, shrub and wildflower planting across the area of the site currently occupied by the existing buildings as well as planting around the proposed new building to the south.

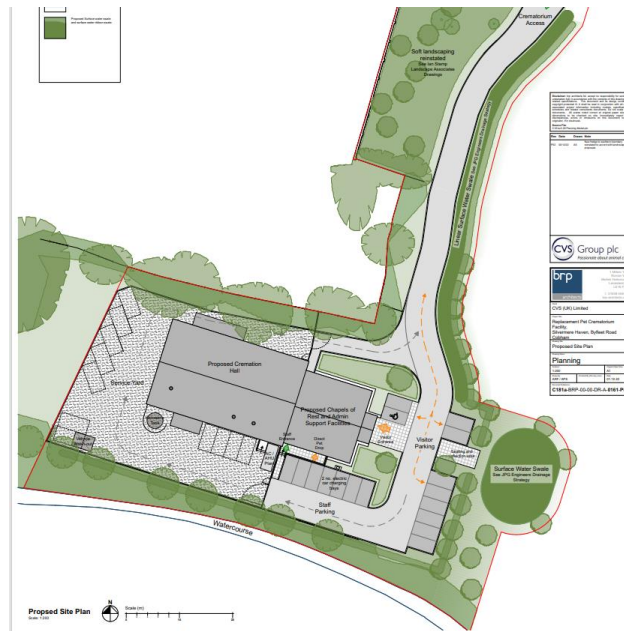
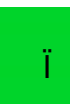


Fig 2 Proposed Site Plan (extract)

- 23 The applicant has provided a calculation of the existing and proposed building footprint, volume (including and excluding the temporary Cabin and Cold Store) and hardstanding areas by way of comparison as outlined below:

**Existing Cumulative Building Footprint Area:** 299 m<sup>2</sup> (Plus 49 m<sup>2</sup> of Temporary facilities granted under permission ref EL2022/1648\* = 348 m<sup>2</sup>)

**Existing Cumulative Building Volume:** 819 m<sup>3</sup> (Plus 137 m<sup>3</sup> of Temporary facilities granted under permission ref EL2022/1648\* = 956 m<sup>3</sup>)

**Existing Cumulative Hardstanding Area:** 3,402 m<sup>2</sup> Total Site Area 6,525 m<sup>2</sup> of Which Soft Landscaped 2,775 m<sup>2</sup> / 42.5% (Temporary permission ref EL2022/1648 granted 08th November 2022 and valid for 3 years from the date of approval)

**Proposed Building Footprint Area:** 649 m<sup>2</sup>

**Proposed Cumulative Building Volume:** 3,770 m<sup>3</sup>

**Proposed Cumulative Hardstanding Area:** 2,514 m<sup>2</sup> Total Site Area 6,525 m<sup>2</sup> of which Soft Landscaped 3,362 m<sup>2</sup> / 51.5%

- 24 The applicants have provided a number of documents in support of their proposal which will be referred to in the relevant sections of the report below. The applicant has submitted this application with supporting commentary that they consider that it *could be* considered as **appropriate development in the Green Belt**. Their arguments in this regard are outlined and assessed in the relevant Green Belt paragraphs of the report below. The applicant also puts forward arguments in their application documents that should the proposal be considered by officers to represent **inappropriate** development in the Green Belt then **very special circumstances** exist which outweigh any harm caused. Officers also set out the arguments/very special circumstances put forward and draw conclusions on them in the Green Belt sections of the report below.

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## ***Consultations and publicity***

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

25	Elmbridge Borough Council	Raise objection on grounds that the proposed development would be much larger in scale, mass and volume than the existing development and would result in intensification of the use of the site. It would result in materially larger building than the one it replaces, would have a greater impact on the openness of the Green Belt than the existing development and would conflict with the purposes of including land within the Green Belt. As such, the proposed development amounts to inappropriate development in the Green Belt that is, by definition, harmful to the Green Belt. The benefits advanced do not amount to very special circumstances that would clearly outweigh the identified harm to the Green Belt, which must be given substantial weight. Elmbridge Borough Council therefore maintains its objection to the proposal.
26	Borough EHO	No comments received.
27	Arboriculturalist	No comments received.
28	Archaeological Officer	No objection subject to conditions
29	Transport Development	No objections subject to conditions
30	County Ecologist	Requested additional information/species surveys which were submitted by the applicant. No objection subject to conditions
31	Environment Agency	No objection subject to conditions
32	Landscape	No objection subject to conditions relating to LEMP and to ensure maintenance of the landscaping scheme.
33	SuDS & Consenting Team	No objection subject to conditions
34	RPS - Air Quality	Requested further information which was provided. No objection

35	RPS - Lighting	Requested further information and amendments to lighting which was provided. No objection
36	RPS - Noise	Further information was requested which was provided. No objection subject to conditions
37	Thames Water	Provides advice and suggests informative
38	Guildford Borough Council	No comments received
39	Cobham Conservation & Heritage Trust	Raise objections on a number of grounds including that it represents inappropriate development in the Green Belt, no very special circumstances exist, harm to openness and traffic
40	Fairoaks Airport	No objections
41	Elmbridge Tree Officer	No comments received.
42	Cobham and Downside Res Association	No comments received.
43	St Georges Hill Residents' Association	No formal comments received (the petition with 34 signatures referred to in the next section is from residents of this estate)

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

- 44 The application was publicised by the posting of a site notice and an advert was placed in the local newspaper. A total of 238 owner/occupiers of neighbouring properties were directly notified by letter. This included all those who made representations on the previous application (Ref: EL/2019/0125).
- 45 A total of 96 responses have been received as a result of this publicity which includes two petitions, one started via change.org submitted with 1425 individual signatures and another with 34 signatures and a letter from the Byfleet Residents Neighbourhood Forum. All these raise objections to the proposal with the exception of one which makes comments. The main points raised in the objections can be summarised as follows:
1. Inappropriate in the Green Belt
  2. Will cause an increase in traffic on an already busy road
  3. Will have negative impact in respect of air quality and pollution

4. No exceptional circumstances
5. Noise and pollution from incinerators will be constant
6. The site should service the local area only the proposal is too industrial in scale
7. Ashes could pollute water
8. There have already been fatalities on the adjacent road
9. A number of previous applications for development have been refused on this site
10. Horse owners in this area are breeders and commercial users not those keeping horses as pets so there may be a significant increase in activity
11. The incinerators will be working 24 hours a day 7 days a week to keep up with demand.
12. The new building is significantly bigger than the existing
13. How are the existing levels of odour and pollution at Silvermere Haven Pet Cemetery being used to evaluate the impact of this application, especially given its proximity to the M25 and A3?
14. Should the application be successful, what confidence can residents have that monitoring and enforcement of the facility will be undertaken to ensure it is not worsening odour or pollution issues in the local area?
15. What modelling regarding has been done regarding increase in use, traffic especially on the A245,
16. What assessment of local need has been undertaken for such an increase in incinerations of deceased animals?
17. CVS plans to build a larger waste facility in what is a Residential area. Most of CVS's other facilities are located in industrial sites, not in the midst of a residential area.

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## **Planning considerations**

### **Introduction**

- 46 The guidance on the determination of planning applications, found at the end of this report, is expressly incorporated into this report and must be read in conjunction with the following paragraphs.
- 47 In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations. In this case the statutory development plan for consideration of the application consists of the Surrey Waste Local Plan 2019-2033, the Elmbridge Core Strategy 2011 and the Elmbridge Development Management Plan 2015.
- 48 The Surrey Waste Local Plan 2019-2033 sets out the spatial vision for Surrey together with key spatial objectives and strategic policies, contains site specific proposals for development of waste management facilities, and

contains a set of development control policies that apply across the whole County and apply to all waste management. The Plan sets out a framework for the development of waste management facilities in Surrey.

- 49 The Surrey Waste Local Plan is currently in the process of being replaced by a new Minerals and Waste Local Plan, which will be used to guide decisions about future minerals and waste management planning applications.
- 50 A public consultation, known as the 'Issues and Options' consultation, was undertaken by the CPA with regards to this new Local Plan between November 2021 and March 2022 to formally notify stakeholders of its intentions and to find out what is important to them about minerals and waste management development in the County. This included a 'call for sites' exercise, inviting landowners to nominate land in the County that may be suitable for future minerals and/or waste management development.
- 51 The policy options identified, all materials planning matters raised by stakeholders, and all site nominations made pursuant to the 'call for sites' exercise will now be considered by the CPA and used to inform the preparation of the new Plan, including its vision and strategic objectives, spatial strategy, policy framework, and any site allocations/areas of search.
- 52 The Elmbridge Core Strategy 2011 co-ordinates the delivery of development and accompanying infrastructure within the borough of Elmbridge, by identifying the major issues which affect the Borough now & in the future and considering how best to address these to deliver the right kind of development in the most suitable places, supported by good quality infrastructure & services.
- 53 Elmbridge Development Management Plan 2015 contains the day-to-day policies against which planning applications will be assessed, in order to ensure that development contributes to the wider strategic aims of the Core Strategy and delivers the long-term spatial vision for Elmbridge.
- 54 Elmbridge Borough Council are currently in the process of preparing a new Local Plan, which will set out the spatial strategy for the Borough for a 15-year plan period. A Regulation 19 consultation on the Draft Elmbridge Local Plan 2022-2037 took place between 17 June 2022 to 29 July 2022, this was the final stage of public engagement before the submission of the Draft Plan for public examination. On 10 August 2023, Elmbridge submitted the Local Plan to the Secretary of State for examination and an inspector has been appointed to handle this. Stage 1 Hearings are due to commence in late February 2024.
- 55 In accordance with Paragraph 48 of the National Planning Policy Framework (NPPF) 2023, weight can be given to relevant policies in *emerging* plans according to the stage of preparation (the more advanced its preparation, the greater the weight that can be given). Accordingly, given that the new Surrey Minerals and Waste Local Plan and the Draft Elmbridge Local Plan 2022-2037 have not reached any stage where their policies have been accepted as



'sound' they have not been taken into account in the consideration of this application.

- 56 In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations. In this case the main planning considerations are in terms of the implications on the Metropolitan Green Belt, together with waste considerations, visual/landscape impact, impact on neighbouring occupiers (odour, air quality, noise etc), ecology, lighting, ground & surface water, and highways.

## **GREEN BELT**

### **Surrey Waste Local Plan 2019-2033**

Policy 9 – Green Belt

### **Elmbridge Core Strategy 2011**

Policy CS1 – Spatial Strategy Policy

### **Elmbridge Local Plan Development Management Plan 2015**

Policy DM17 – Green Belt (Development of New Buildings)

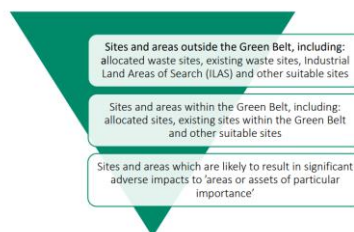
- 57 The application site is within the Metropolitan Green Belt where policies of restraint apply. Paragraphs 142 and 143 of the NPPF state the great importance of the Green Belt in preventing urban sprawl by keeping land permanently open in order to:
- Check the unrestricted sprawl of large built-up areas.
  - Prevent neighbouring towns merging into one another.
  - Assist in safeguarding the countryside from encroachment.
  - Preserve the setting and special character of historic towns, and
  - Assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 58 Paragraphs 152 and 153 state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to any harm to the Green Belt, and therefore such circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 59 Paragraph 154 states that a planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:
- (a) Buildings for agriculture and forestry
  - (b) The provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
  - (c) The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

- (d) The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.
- (e) Limited infilling in villages.
- (f) Limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- (g) Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
  - Not have a greater impact on the openness of the Green Belt than the existing development; or
  - Not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the planning authority.

60 Paragraph 155 details that certain other forms of development are not inappropriate in the Green Belt, provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- a) Mineral extraction.
- b) Engineering operations.
- c) Local transport infrastructure which can demonstrate a requirement for a Green Belt location.
- d) The re-use of buildings provided that the buildings are of a permanent and substantial construction.
- e) Material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f) Development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

61 The Spatial Strategy within the Surrey Waste Plan (as illustrated in Figure 5 of that document reproduced below) states that ‘redevelopment of suitable sites in existing waste management use is encouraged where improvement and diversification would lead to an increase in appropriate management capacity consistent with the waste hierarchy’.



62 Policy 8 of the Surrey Waste Plan states that improvement or extension of existing facilities may enable more waste to be recycled, recovered or processed for re-use within the established footprint of the site and with reduced impacts due to changes in technology or site layout. Waste development which seeks to improve the capacity and efficiency of existing

waste developments whilst reducing harmful impacts will be supported. Such proposals are considered against all the relevant policies of the Plan and in particular Policies 1 (concerning the need to manage waste in accordance with the waste hierarchy) and 14 (concerning impacts on communities and the environment). To ensure no loss in existing capacity, re-development of any existing waste management sites must ensure that the quantity of waste to be managed is equal to or greater than the quantity of waste for which the site currently has permission.

- 63 The accompanying commentary to Policy 8 of the Surrey Waste Plan states 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 (inter alia) 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;
- 64 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.
- 65 Policy CS1 of the Elmbridge Core Strategy states that green infrastructure, including the Green Belt, will continue to be a key determinant in shaping settlements and development patterns in the future. New development will be directed towards previously developed land within the existing built-up areas. Policy DM17 of the Elmbridge Development Management Plan states that the Green Belt boundary is defined on the Policies Map, to uphold the fundamental aims of the Green Belt to prevent urban sprawl and to keep land within its designation permanently open, inappropriate development will not be approved unless the applicant can demonstrate very special circumstances that clearly outweigh the harm.
- 66 A Green Belt Boundary Review and supplementary reviews were commissioned in 2016 by Elmbridge Borough Council, as part of the evidence-based works associated with the preparation of the new Local Plan. This assessed all Green Belt land, as defined in the Local Plan, in order to establish their roles in fulfilling the purposes for their designation. In

accordance with national policy, that is Green Belts the five purposes for which they are designated (referred to in paragraph 57 above).

- 67 The application site is situated within Strategic Area B, a central band of the Metropolitan Green Belt separating the settlements of Walton-on-Thames / Weybridge / Hersham, Esher and Claygate from the settlements of Cobham and Oxshott to the south. The review determined that the main functions of this Area in Green Belt terms, are to prevent sprawl from large built-up areas and establish important gaps between several towns. It therefore was determined to strongly meet Purposes 1 and 2 of Green Belt policy. It was also identified as preventing encroachment into some relatively unspoilt areas of countryside, the first areas moving outwards from London, thus meeting Purpose 3 moderately. However, it was noted that there is significant variation in character across the area.
- 68 The applicants in this case have suggested that the proposal *could* be considered appropriate development in the green belt in that it complies with either **exception (b)** in that comprises '*the provision of appropriate facilities (in connection with the existing use of land or a change of use) for.....cemeteries and burial grounds...as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.*' or it complies **exception (g)** in that it comprises '*the complete redevelopment of previously developed land which would not have a greater impact on the openness of the Green Belt than the existing development*' (both exceptions listed in the National Planning Policy Framework). However officers disagree with this view on two grounds:
- the proposal is for a large new animal crematorium building which is a waste use and though there is an animal cemetery and burial ground connected to it, this is ancillary to the main planning use of the site;
  - taken as a whole the application site could be described as previously developed land but the site of the new building is currently undeveloped land used for ancillary storage.
  - the proposal is considered to give rise to an impact on openness (albeit less than moderate) therefore it cannot be considered as appropriate in either of these categories.
- 69 The applicant qualifies that should the Local Planning Authority consider that the proposal is not appropriate development on the basis as set out above then **very special circumstances** do exist in this case (these are set out in the next section of the report). The supporting information submitted by the applicant includes reference to case law to demonstrate that very special circumstances are a matter for judgement and are not defined in law and can therefore cover a broad range of factors. Officers have considered the information put forward by the applicant in this regard and agrees with their conclusion that very special circumstances can cover a broad range of factors and that a judgement has to be made on the weight given to them in the planning balance.

### **Applicants Very Special Circumstances**

70 These circumstances relate to the following factors:

- 1 The need for pet and equine crematoria and associated facilities;
- 2 The requirement for this Site to be the location for those facilities;
3. The requirement for the extent of the facilities proposed;
- 4 The needs of the business.

71 A summary of the case made by the applicant in respect of each of these factors is set out below. **For clarification paragraphs 72 to 89 below are points made by the applicant in support of this proposal.**

### The Need for Pet and Equine Crematoria

72 The pet and equine cremation service has changed much over the recent past and is predicted to continue to evolve. There is a significant upward trend in the demand for the individual cremation of pets, up from 34% of pets cremated in June 2014 to 50% of pets cremated in February 2020. It is expected that this has and will continue to increase, representing a marked movement away from the traditional approach of pets being cremated communally.

73 Recent research has indicated that 60% of the population own a pet with 49% of UK pet owners believing their pet is a family member and 37% stating that they put their pet's needs above their own. This directly leads to an increased demand for individual cremation services and direct involvement in and personalisation of their pet's funeral is increasing.

74 Owners of bereaved pets expect to be able to say goodbye with privacy in comfortable, modern and hygienic facilities. These needs reflect their experiences and facilities provided by human crematoriums and with the ongoing trend of humanisation they expect their pet to be treated the same as a human in death. It is not unusual for the whole family, extended family and friends to attend a pet funeral service, to personalise the chapel with flowers and photographs. This level of quality service is not currently available at the Site and is not available elsewhere within the region which the Site serves.

75 The increase in pet cremations is also being driven, to some extent, by the environmental benefits compared to burial in terms of a substantial reduction in methane production and risk to human health from contamination from burial sites. With regard to equine facilities, the recent research by the British Equestrian Trade Association (BETA) in 2019 estimates that there is 700,000 privately owned horses and 141,000 professionally owned. As such, there is circa 80% of horses kept for leisure activities and/or pets with circa 1.4% of households in Great Britain owning a horse. While the population of horses has experienced a decline since 2006, the average age of a horse has increased, with 36% of horse aged 15+ (25% in 2006). This aging horse population indicates a growing trend for horses to be treated as pets and a need for cremation/disposal services. Equestrian expenditure has increased by 3% since 2015, with spend on healthcare being the fastest growing area of

horse care, along with horse insurance policies. Many insurance policies cover a proportion of disposal costs. All these factors influence the growing demand and affordability of horse cremations. The length or tenure of how long horse are owned has also increased, now being 7 years, up from 5.2 years in 2011, which is considered a reflection of horses been seen more as family pets/members (as experienced in the companion animals sector). Emotional attachment is a strong driver for people choosing an individual cremation with the return of their horse's ashes, rather than their horse going to the traditional hunt/knackerman for disposal.

76 In accordance with recent research, there is a strong preference for cremation services over other disposal options and CVS own data is consistent with this research. Pet owners are increasingly requesting an individual cremation service for their horse (as with companion animals). In fact, 70% of horse owners requested an individual cremation in 2018/19, a rise of 3% compared to the previous year. CVS anticipates that demand for equine service at Silvermere Haven Pet Cemetery & Crematorium will initially be 310 equine cremations per year, and as the services becomes established it expects it will exceed this given the stronger equestrian market and higher number of riders in the South, and a large number of businesses in the vicinity of Silvermere Haven which support the equestrian sector. However, there is a limited offer of equine crematoria within the region, as highlighted in Fig 3 below:

Equine vets & equine crematoria location map – South East of England



Legend:

- Equine veterinary practices
- Equine crematoria\*
- Silvermere Haven

Figure 3

77 In addition to the above, the application site currently receives some 10,300 companion animals / pets for cremation per annum via the 80 veterinary practices it services within circa 30-mile radius of the crematorium increasing

to 273 veterinary practices it services within a 150mile radius. In addition, circa 900 local people use the crematorium facilities directly each year, with 23% of pet owners choosing to use the Chapel of Rest to say goodbye to their pet. Comparing this with CVS's other pet crematoria this is double the number of people opting to attend the cremation service of their pet. This highlights the growing demand people to be directly involved in their pet's cremation and the need for local facilities to accommodate this level of personal service. The site currently also services 275 vets and performs over 40,000 pet cremations from that source per year.

78 It therefore is clearly the case that there is a regional need for the following services:

- Individual pet cremation services aimed at individual pet owners;
- Equestrian cremation services;
- Cremation services for animals from veterinary practices.

79 Whilst the Site currently fulfils some of these needs, it is not possible to offer the high quality individual service required for pet owners, the equestrian cremation services or to cater for the extent of need for cremations arising from veterinary services in the region.

#### The requirement for this Site to be the location for those facilities

80 The first point to note is that the Site is currently in the same use as is proposed pursuant to the Proposed Development. The adjacent Site is also within the same use and there is a functional requirement for the crematoria facilities to be located in close proximity to the burial land (on the adjacent site) to enable ash spreading and animal burial on that land. This avoids the need to create additional vehicles movements associated with bringing ash and cadavers ready for burial from external crematoria.

81 The location of the Site is optimal for its market, especially the locations of existing veterinary practices which the Site currently services and equine veterinary practices within the region.

82 A further important consideration of the location is the existing staff. The vast majority of the existing staff live within 10 miles of the Site with around 50% from the adjacent settlements.

83 With regard to potential alternative sites, other locations within the area are either Green Belt or within settlements. A further consideration is that it is not feasible for CVS to acquire an alternative site and develop facilities to meet the identified needs. It would be impossible to demonstrate a business case with an acceptable rate of return. As such, if the Site is not the location for the Proposed Development, the facilities required to meet the identified needs will not be delivered.

#### The requirement for the extent of the facilities proposed

- 84 Following the comments from the Council on the previous proposals, CVS has reviewed its operational requirements for the Proposed Development and has reduced the extent of development to that required to ensure its continued successful operation whilst meeting the need for certain facilities. The operational requirements for the redevelopment arise from the identified need and current operational restrictions.
- 85 The Proposed Development is designed to accommodate the anticipated demand at high percentage of its capacity; the Proposed Development is accordingly only seeking the minimum development necessary to meet those requirements. The requirements for the redevelopment have also been caused by the current facilities no longer matching the needs of customers and operational requirements including those arising from regulatory changes. As detailed above, the service required by customers, especially owners of individual pets, is very different to that in the past. Bereaved pet owners now expect to be able to say goodbye with privacy in comfortable, modern and hygienic facilities. Most of CVS's crematoria have expanded, been redeveloped or modernised to accommodate pet owner needs to provide warm and inviting environments and chapels allowing families privacy. The public facilities at CVS's other crematoriums include reception areas, rest areas, refreshments, book of remembrance and display of casket and pet memorials. The current Site falls far short of the high quality environment now required to ensure appropriate service to customers.
- 86 The operational requirements of CVS have also moved on. Of particular note is the increase in internal space required to enable storage of deceased pets & equine and healthcare wastes within the building and to provide manoeuvring room to move and load equine. Within the Proposed Development, 40m<sup>2</sup> is required for internal storage of healthcare wastes and further space incorporated to provide an adequate manoeuvring area and cremator loading/unloading. It is also important to note that a large walk-in chiller is required to provide temperature controlled short-term storage for both companion animals and equine.
- 87 The existing cremator facilities are also in need of replacement at the Site. There are environmental and operational benefits of replacing three end-of-life cremators) with new, better-designed, better-constructed and microprocessor-controlled cremators. According to the manufacturer, Matthew Environmental Solutions are "Modern combustion systems that are circa 22% environmentally more efficient by the way of the following design and build features:
- Very low external casing temperatures in accordance with UNI EN 10344 building energy performance.
  - Ultra-low noise. All noise producing equipment is acoustically treated.
  - Automatically controlled and regulated combustion air levels with all fan drives inverter controlled to reduce electrical demand
  - Automatic monitoring and regulation of the combustion air oxygen levels to ensure an exhaust gas oxygen condition of 6-9% ensuring minimal fuel usage



- Temperature control of the burners. High temperature (in excess of 850°C) high turbulence secondary chamber, designed using computer fluid modelling software, to retain [cremation] gases in excess of 2-seconds with an oxygen level greater than 6% ensuring thermal abatement of the exhaust gases exceeding 99.9%”

### The needs of the business

- 88 A further reason for requiring redevelopment is the recent regulatory changes prevent the storage and handling of waste on areas other than impermeable areas with engineered drainage and prevent the storage of hazardous waste externally. The latest Environment Agency requirements (within ‘Healthcare waste: appropriate measures for permitted facilities’) that relate to waste storage, segregation and handling at regulated facilities with an environmental permit includes the need to store pharmaceutical, chemical, anatomical and palletised wastes securely within designated areas of a secure building. A building is a covered structure enclosed on all vertical sides that provides sheltered cover and contains emissions of, for example, noise, particulate matter, odour and litter.
- 89 It is permissible to store these infectious wastes outside at facilities that were operating before the guidance was published – as at the existing site, but only if several conditions are met. A failure to accommodate internal areas for the storage and handling of waste would cause the loss of EA permits and licences and force the applicant to no longer operate this service at the Site. As such, the result of not redeveloping the Site will be to jeopardise the current business and the small scale, but important, local employment. It will also mean that the need for high quality individual animal cremation services and equine cremations will not be met to the detriment of the wider community.

### **OFFICERS CONCLUSION ON VERY SPECIAL CIRCUMSTANCES**

- 90 It is considered **by the applicant** that the factors set out in the preceding section represent *very special circumstances* which outweigh any harm to the Green Belt by reason of the proposed development being inappropriate development in the Green Belt and any other harms resulting from the proposal to enable planning permission to be granted. Officers agree that the factors which have been identified are considered as very special circumstances in this case and should be considered in the *Planning Balance*. Officers are mindful of the fact that the current use on this site is authorised and exists with the benefit of planning permission and has provided a waste management service for a considerable number of years. In the following sections of the report officers examine the relevant planning considerations of the proposed development in detail against development plan policy to identify any *other* areas of harm including harm to openness (in addition to harm to the Green Belt by virtue of the proposals inappropriateness) against which the very special circumstances can then be considered in the *Planning Balance*.

## **WASTE MANAGEMENT**

### **Surrey Waste Local Plan 2019 – 2033 Part 1 – Policies 2020**

Policy 8 – Improvement or Extension of existing facilities

Policy 13 – Sustainable Design

Policy 14 – Development Management

### **Elmbridge Core Strategy 2011**

Policy CS1 – Spatial Strategy

Policy CS17 – Local Character, Density and Design

### **Elmbridge Local Plan Development Management Plan 2015**

Policy DM2 – Design and Amenity

Policy DM5 – Pollution

Policy DM6 – Landscape and Trees

Policy DM12 – Heritage

- 91 The National Planning Policy Framework (2023) does not contain specific policies relating to waste management, these are contained within the Waste Management Plan for England 2021 and The National Planning Policy for Waste 2014. Together, these documents reiterate the Waste Hierarchy - a legal requirement, enshrined in law through the Waste (England and Wales) Regulations 2011 which focusses on waste recycling whilst recognising the need for disposal as a last resort.
- 92 The National Planning Policy for waste states that when determining planning applications, Waste Planning Authorities should, inter alia,
- only expect applicants to demonstrate the quantitative or market need for new or enhanced waste management facilities where proposals are not consistent with an up-to-date Local Plan and in such cases, waste planning authorities should consider the extent to which the capacity of existing operational facilities would satisfy any identified need;
  - consider the likely impact on the local environment and on amenity against specified criteria;
  - ensure that waste management facilities in themselves are well-designed, so that they contribute positively to the character and quality of the area in which they are located; and
  - concern themselves with implementing the planning strategy in the Local Plan and not the control of processes which are a matter for the pollution control authorities.
- 93 Policy 8 of the Surrey Waste Plan encourages improvement or extension of an existing waste development where it may enable more waste to be recycled, recovered or processed for re-use within the established footprint of the site and with reduced impacts due to changes in technology or site layout. The preamble to that policy states that waste development which seeks to improve the capacity and efficiency of existing waste developments whilst reducing harmful impacts will be supported. It is clarified that such proposals are considered against all the relevant policies, and particularly Policy 14 (see paragraph below) relating to impact on communities. It is further stated that to ensure no loss in existing capacity, re-development of any existing waste management sites must ensure that the quantity of waste to be managed is

equal to or greater than the quantity of waste for which the site currently has permission.

94. Whilst Policy 9 of the Surrey Waste Plan restates that inappropriate development in the Green Belt will not be permitted unless very special circumstances exist, the commentary to the policy acknowledges that it is unlikely that the anticipated waste management needs of the county will be met without developing waste management facilities on Green Belt land. 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.
95. Policy 14 supports development where it can be demonstrated that, it would be consistent with the relevant national policy with respect to environmental assets including that it would not result in unacceptable impacts on communities and the environment. This includes, inter alia, public amenity and safety, with respect to noise, dust, fumes, odour and vibration, air quality, the water environment, landscape including impacts on the appearance, quality and character of the landscape, the natural environment, the historic landscape, land and soil resources and the cumulative impacts arising from the interactions between waste development and other forms of development.
96. The purpose of the proposed development is to bring a long-standing waste management facility up to modern standards so that it can continue to operate into the future. In this regard the proposal amounts to operational development at an existing waste management facility where the existing land-use would continue to involve the temporary storage and transfer of clinical (surgical) waste and the disposal of animal carcasses by way of thermal treatment. Consequently, the proposal falls to be determined as waste management development against the relevant provisions of the National Planning Policy for Waste 2014 and the Surrey Waste Local Plan 2020.
97. As this proposal is not for a new waste facility but for the improvement of an existing facility the fundamental operations relating to the transfer and disposal of waste remain very similar irrespective of whether planning permission is granted therefore it is not relevant to consider the principle of the development in this regard. Policy 4 of the Surrey Waste Local Plan explains that planning permission for any development will be granted where it is has been demonstrated that waste generated as a result of the development is minimised, opportunities for reuse and recycling of that waste is maximised, appropriate integrated onsite facilities for storage and recycling of waste is provided. Policy 8 states that planning permission for the improvement or extension of existing waste management facilities will be granted where the quantity of waste to be managed is equal to or greater than the quantity of waste currently managed on site, and benefits to the environment & local amenity will result.

- 98 The existing facility cremates domestic pets, comprising mainly of dogs, cats and smaller mammals, occasionally cremating wildlife including foxes, badgers, and birds. The existing cremators, except for the eight-chamber cremator, are reaching the end of their life with reduced efficiencies and the existing buildings are not now able to provide appropriate working conditions and standard of service to the visiting public.
- 99 The purpose of this application is therefore to replace an existing facility with one meeting modern standards. The domestic pet and occasional wildlife cremations would continue as existing, along with the addition of cremation of equine animals which are kept as pets.
- 100 The site also currently acts as a transfer station for hazardous waste for infectious healthcare wastes such as soiled dressings with blood contamination, sharps etc from potentially infectious sources, and non-hazardous waste for non-infectious healthcare waste such as soiled dressings and medicines from non-infectious/non-hazardous sources. No treatment/processes are undertaken on the site in relation to these items; the waste is simply stored on site for regular collection from specialist hazardous waste disposal collection service. The throughput of hazardous and non-hazardous waste is as follows:
- 120 Tonnes Annual throughput of Hazardous Waste
  - 200 Tonnes Annual throughput of Non-hazardous Waste

On average there are 6 no. deliveries of controlled veterinary waste per day, with 3 no. waste collection from a specialist disposal company.

- 101 There is no proposed change in throughput for the Waste Transfer elements of the site. The Hazardous and Non-Hazardous veterinary clinical waste associated with the Transfer Station element of the facility is presently contained in 2 no. roll-on roll-off containers and approximately 30 No 770 litre bins that line the access and service area providing in all a total of 15 Tonnes of on-site storage, of this, 3.5 Tonnes is deemed Hazardous Clinical Waste. New Environment Agency guidance require this waste to be internal and protected so as not to allow any waste to escape or be washed away and become a contamination source. As such the proposed facility includes a Waste Storage Area within the Cremation Hall which would internalise this waste storage for improved regulatory guidance compliance. Specifically, it is not the intention of the applicant to incinerate veterinary healthcare waste (hazardous or otherwise) at the proposed facility, nor do they carry out this at any of their other sites. Under the permits held by them as Pet Crematorium operators, the cremators can only be legally used for whole animal body cremation.
- 102 The site currently has 4 existing cremators which provide domestic pet and occasional wildlife cremations. It is the intention to continue with the domestic pet and occasional wildlife cremations as existing, along with the addition of equine animals which are kept as pets. The proposed cremators which would be housed within the proposed new Cremation Hall are as listed below:

- New Equine with two smaller side chambers (3 chamber total) (Individual)
- New Four Chamber (Individual / Communal)
- New Eight Chamber (Individual)

Existing annual throughput is:

- 360 Tonnes of Individual Cremations (weight prior to incineration)
- 345 Tonnes of Communal Cremations (weight prior to incineration)

- 103 The cumulative existing throughput of the four existing cremators is 705 Tonnes. There are no proposed changes to the existing domestic pet and wildlife cremations, only the addition of equine animals which are kept as pets, with the following anticipated annual throughput:
- 310 Tonnes of Equine Cremations (weight prior to incineration)
- 104 The cumulative proposed throughput is 1015 Tonnes would be processed by the three new cremators. In accordance with existing permitting, the facility would be licensed for domestic pet and occasional exotic / wildlife cremations along with the addition of equine pets. Limits on types of animals that can be processed by the facility would be set out as part of the APHA animal by-products approval. A new approval for the amended facility would be required and sets out what animals the site would be permitted to cremate. There are no proposed changes to the existing domestic pet and wildlife cremations, only the addition of equine animals which are kept as pets. Horses would be collected by arrangement only (no direct Client delivery). There would be a single vehicle capable of making an equine collection so the rate at which horses are received would be limited and will be scheduled on a day-to-day basis. Typically, the equine cremator will be prepared so the horse could be immediately placed into the cremator. If the cremator is in use or if the horse is received out of hours the cold store would be sufficiently large to hold a horse on a loading cradle
- 105 The weight of ash after the incineration is approximately 4.5% of the throughput tonnage, therefore the existing ash output is currently 31.7 tonnes annually, which would increase to 45.7 tonnes following the inclusion of the equine cremations. As at present, 50% of the ash would be returned to the owners and remaining 50% would be spread on the adjacent grounds by strip rotation.
- 106 There is only one facility which provides a similar service to Silvermere Haven currently operating within the County, which is located in South Godstone some 40km to the south-east of the application site. This however does not have an equine facility. The nearest equine facility elsewhere is also 40km away but this does not have an associated burial ground.
- 107 The applicant has submitted detailed information with this application in order to demonstrate the unsuitability of the existing facility and officers have confirmed this situation on site. The applicant contends that there are no

turning areas for vehicles and an external washdown facility is not provide. Further, there is inadequate space to enable safe working practices for operatives and the existing hall is of structurally poor building fabric.

- 108 The applicant has stated that while there are no proposed changes to the existing domestic pet and wildlife cremations, the addition of the cremator to provide an equine service would result in the throughput of the application site increasing. Clearly, due to the nature of these wastes and to comply with animal by-product regulations, it would not be possible to deal with them in any other alternative manner, such as recycling or re-use.
- 109 This site has been in use as a crematorium and waste transfer site for a considerable number of years and the improvement of the existing facilities, together with a resultant increase in the amount of waste that can be processed accords with Policy 8 of the Surrey Waste Local Plan. The proposed redevelopment would be within the footprint of the existing site and enhancements to the visual appearance of the site would arise as a result. The existing cremators would be replaced with new machines which are modern efficient models aimed at reducing emissions by multiple-burn, stacked chambers that also benefit from continuous monitoring and automated oxygen control. The application site is well located, close to urban areas and the strategic road network for access from further afield. Due to the lack of alternative similar facilities within Surrey and around, the proposed development would contribute towards providing suitable ongoing capacity for this nature of waste disposal helping to manage the specific animal-related waste arisings in the County and wider area. In respect of construction, demolition and excavation waste arising from the proposed development officers recommend the imposition of a condition on any consent issued requiring the applicant to submit a Waste Management Plan to Surrey County Council for approval which demonstrates that this waste would be limited to the minimum quantity necessary; and opportunities for re-use and recycling of construction, demolition and excavation residues and waste on the application site would be maximised. This Waste Management Plan should also demonstrate appropriate provision of integrated storage facilities to encourage the reuse and recycling of waste over the operational life of the development.
- 110 The implications on environment and amenity will be considered in the following sections of the report and provided these conclude that no harm is caused officers conclude that the proposed development can be supported on grounds of the way it accords with development plan policy in relation to waste management, and there would be no resultant harm arising in this regard.

## **HIGHWAYS, TRAFFIC AND ACCESS**

### **Surrey Waste Local Plan Part 1 – Policies 2020 (SWLP 2020)**

Policy 14 – Protecting Communities and the Environment

Policy 15 – Transport and Connectivity

### **Elmbridge Core Strategy 2011**

Policy CS25 – Travel and Accessibility

### **Elmbridge Local Plan Development Management Plan 2015**

## Policy DM7 – Access and Parking

- 111 Paragraph 114 of the National Planning Policy Framework states that development should only be refused or prevented on transportation grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. This guidance also advocates at paragraph 115, that all development that would generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.
- 112 Appendix B of the National Policy for Waste states that in testing the suitability of sites for waste management the Waste Planning Authority should bear in mind the envisaged waste management facility in terms of its nature and scale and consider the suitability of the road network and the extent to which access would require reliance on local roads.
- 113 Policy 14 of the Surrey Waste Local Plan sets out that planning permission for waste related development will be granted where it can be demonstrated that it would not result in significant adverse impacts on communities and the environment, which includes cumulative impacts arising from the interactions between waste development, and between waste development and other forms of development.
- 114 Policy CS25 of the Elmbridge Core Strategy promotes the use of more sustainable transport and DM7 of the Elmbridge Development Management Plan requires the layout and siting of accesses to and from the highway to be: (a) acceptable in terms of amenity, capacity, safety, pollution, noise, and visual impact; and (b) safe and convenient for pedestrians, cyclists, and motorists. It also requires provisions for: (c) loading, unloading and the turning of service vehicles which ensure highway and pedestrian safety; and (d) minimising the impact of vehicle traffic nuisance, particularly in residential areas and other sensitive areas.
- 115 The application site is served by an existing private single vehicular access from the A245 Byfleet Road, which is used by all staff and visitors to the site, including services and delivery purposes. The existing vehicle movements to the site PER DAY are shown on the Table below (note: the numbers represent one arrival plus one departure *combined*). Those figures would remain the same following the redevelopment of the site except for an additional maximum 7 movements PER WEEK in connection with the proposed equine cremation service.

Existing Vehicle Movements			
Activity Type	Vehicle Type	Movements (Arrival & Departure = 1) Monday to Friday	Movements (Arrival & Departure = 1) Saturday
Staff	Car	23	3
Veterinary Collection Rounds	3.5t Panel Van	6	0
Adhoc Collection	3.5t Panel Van	2	1
Deliveries of Consumables	7t Lorry	2	0
Waste Collections	7t Lorry	1	0
Pet Owners	Car	3	4
Fuel delivery	7t Tanker	1 per week	0

- 116 The car parking is currently in an informal arrangement without delineated spaces, spread out across the site in groups of parking. The existing car parks to the top of the site (circa 15 no. car parking spaces) are used for the adjacent memorial garden and visitors of the existing Crematorium, with the staff and service vehicles parked in undefined areas within the oversized service yard at the south of the site.
- 117 On the submitted plans the retained burial ground parking, to the North end of the site, would accommodate up to 10 vehicles. There is no proposed change to this car parking area. The existing car parking associated with the offices, crematorium building and temporary cabins (all to be removed) would also be demolished and replaced with soft landscaped. This would result in the loss of 5 no. car parking spaces. With two chapels of rest being provided and limited direct customer pet delivery expected parking for visitors of the site would be low. Hence 1 no. disabled bay near the main entrance would be provided for good accessibility. A further 16 no. car parking spaces would be allowed for a combination of staff and visitor parking (visitors to the chapel and direct pet cadaver deliveries).
- 118 At present, direct pet delivery by owners averages approximately 18 no. per week, therefore minimal car parking is required for the anticipated maximum daily visitor occupancy. As such the proposal would result in a total of 27 no. car parking spaces across the overall site, which would be a net gain of 12 no.
- 119 Facility based staff movement times are between 08:00-09:00 and 16:00-18:00. As declared within the planning forms, there is an anticipated 23 equivalent full-time members of staff. Many of these would utilise the car parking spaces, however many of the delivery drivers would commute to work within the delivery vans (6 no. full time equivalent delivery van drivers), which mitigates the shortfall in standard car parking provision closest to the proposed building. Overflow car parking and service vehicle parking would be catered for informally within the service yard and capacity for a further 11 spaces has been indicated in the service yard. The applicant has proposed that electric vehicle car charging would be provided at a rate of 5% of available spaces. This would result in 2 no. electric vehicle charging points to be included within the scheme.



- 120 At present, deliveries to the Crematorium site are made by max. 3.5 tonne long wheelbase vans, which have on average 6 no. collections daily, and on Saturday's. These movements do not conflict with the general staff movement times previously noted and are also outside peak highway traffic times. Whilst the incorporation of the equine cremator would result in additional midweek and Saturday deliveries, it is anticipated that this would have minimal impact on the access to and around the site. Horses will be collected by arrangement only (no direct Client delivery). There would be a single vehicle capable of making an equine collection so the rate at which horses are received is limited and will be scheduled on a day-to-day basis.
- 121 As is currently allowed for on the site, larger vehicle access is possible for the Waste Collection Vehicles (three times weekly) together with fuel delivery once a week. Informal parking and turning for the Crematorium service vehicles would be accommodated within the service yard. Pedestrian and cycle access is not separately provided for in the current arrangement as the existing access road does not separate pedestrian and vehicular access. Due to the mature planting and protected trees on either side of the access onto Byfleet Road, this road is to remain as a shared space and unaltered.
- 122 The applicant has also submitted a Construction Method Statement which states that HGV movement periods would be kept to a minimum so as not to disrupt access to neighbouring properties, with all deliveries targeted to be either first thing in the morning or during the afternoon – therefore outside of peak periods of traffic.
- 123 Transportation Development Planning have been consulted on the proposal and raise no objection subject to conditions, which includes the submission of a more detailed Construction Traffic Management Plan. They conclude that the proposal is unlikely to have a material impact on highway safety or capacity given the existing use of the site, the lack of any changes to the existing access and the fact that the proposals would not result in any material intensification over the existing trip attraction of the site.
- 124 Notwithstanding this conclusion TDP note that it is nonetheless important that cycle parking and electric cycle charging are provided in order to ensure that the use of sustainable modes of transport is enabled and encouraged. The existing access junction has a good road safety record and, given the low overall intensification in vehicle movements that would be expected to result from the development and that the proposals broadly represent a continuation of the existing type of use, it is not considered that any material detriment to road safety would result. It is considered unlikely that visitors would cycle to the site, due to the specific use, however it is recommended that cycle parking should be provided in order to enable staff to cycle to work and to comply with the Surrey Local Transport Plan 4. This can be secured by a planning condition and officers recommend that a suitable condition is applied.
- 125 TDP also notes that the site is not in a particularly sustainable location in transportation terms however it is understood that the specific nature of the site means that the overall propensity towards sustainable travel modes is low

and it is recognised that a more remote location is preferable for this type of facility. The additional vehicle movements that would result from the proposed development would not be focused around peak periods for traffic on the public highway and would not represent a severe impact, with reference to the National Planning Policy Framework 2023 paragraph 115.

- 126 It is also suggested that the Applicant be advised to undertake a vehicle tracking assessments to ensure that the proposed layout would suitably accommodate all vehicle movements within the site and investigate the laying out of an internal pedestrian crossing within the site – these are not formal requirements so officers recommend they are added as an informative on any planning permission.
- 127 The proposal is therefore considered to be acceptable on highways grounds and to accord with Development Plan Policy and there would be no resulting harm arising in this regard.

## **DESIGN AND VISUAL APPEARANCE**

### **Surrey Waste Local Plan 2019-2033**

Policy 13 – Sustainable Design

Policy 14 – Development Management

### **Elmbridge Core Strategy 2011**

Policy CS17 – Local Character, Density and Design

### **Elmbridge Development Management Plan 2015**

Policy DM2 – Design and amenity

- 128 Surrey Waste Local Plan 2019-2033 Policy 13 states that planning permission for waste development will be granted where it can be demonstrated that the development follows relevant best practice. All proposals for waste development should demonstrate that, inter alia, the development is of a scale, form, and character appropriate to its location.
- 129 Elmbridge Core Strategy Policy CS17 states that new development will be required to deliver high quality & inclusive sustainable design, which maximises the efficient use of urban land whilst responding to the positive features of individual locations, integrating sensitively with the locally distinctive townscape, landscape & heritage assets, and protecting the amenities of those within the area.
- 130 Elmbridge Development Management Plan Policy DM2 states that all new development should achieve high quality design, and that development proposals will be permitted where they demonstrate: an understanding of local character including any specific local designations and take account of the natural, built and historic environment; preservation or enhancement of the character of the area, with particular regard to appearance, scale, mass, height, and levels and topography; and protection of the amenity of adjoining and potential occupiers and users.
- 131 The applicant states that the proposals seek to create a more efficient working area and space that has been designed to suit the business's operational

needs. As such, the extent of development and scale of the proposals have been kept to a minimum, whilst remaining appropriate to the use. The scale of the building has been carefully considered with proposed eaves levels kept to a minimum, whilst maximising the useable floor area by including usable space within the roof. The lower eaves and pitched roofs of the building intend to break up the building's massing. In addition, the orientation of the roof formation has been designed so that the ridge line and roof pitch would be flanked with the mature trees to both the North and South, with the more slender appearing gable facing towards the only non-screened [East] aspect of the building, to minimise its visual impact. This arrangement differs from the ridge lines of those existing buildings, which run North to South, with the pitch of each roof facing the exposed Eastern aspect, arguably resulting in a more prominent built form at a higher level from this more exposed aspect.

- 132 The site topography, with ground levels falling away from the Byfleet Road, combined with an appropriate vertical positioning of the proposed facility to minimise cut and fill results in a proposed ridge height of approximately 35,10m. When compared to the ridge level of the uppermost existing building of 36.14 OAD, the proposal would sit more than a metre lower than the existing building in comparison to the A245 Byfleet Road. The proposed new building would accommodate both the front of house, including those areas accessed by customers and office space, together with the back of house, which includes the crematorium hall and associated spaces including cold, dry and waste stores, and ash packing and engraving. Its design in two parts therefore reflects the differing requirements of those areas.
- 133 The proposed front of house would have a more domestic design and scale and would be the most visible part of the building to visitors as they travel down within the site. It would have a steeply pitched tiled roof and brick faced walls with simple windows giving the appearance of a converted farm building structure. It would have a lower ridge height than the crematorium element behind therefore providing a distinction between the two areas and reducing the overall bulk of the building in the landscape. The internal layout has been designed so that the chapels of rest and the waiting area would benefit from views out over the grassed and wooded areas beyond to the East reflecting the nature of the use of these areas.
- 134 The crematorium area behind would have a higher ridge height though the angle of the roof pitch has been designed to align with the front element. The external walls of this building would be clad in timber cladding fixed both vertically and horizontally with the roof clad in profiled metal sheeting. There would be three 15m high cremator chimneys along its southern slope. The proposed crematorium hall layout is defined by functionality, with a large open plan to accommodate the various crematorium machines, along with cold, dry and waste stores and ash packing and engraving required to support the facility.
- 135 As this building has a specific function there will be requirements for space which would need to be accommodated. However, as it would be located on its own well screened site in a semi-rural location amongst existing mature

trees the main requirement is that its external appearance takes cues from that semi-rural location as opposed to having to reflect any other vernacular. The building has been designed to both cater for the operational requirements whilst reflect its rural location with the use of materials which are commonly found on rural buildings such as wood cladding, brick, clay tiles. The proposed profiled steel-clad roofing on the rear portion of the building is commonly found on agricultural buildings. Officers consider the building would sit comfortably on this well screened site and externally would have a 'quiet' appearance in the landscape. The three proposed flues which would project beyond the roof ridge would be sited on the southern elevation which would render them less obtrusive as they are sited against the backdrop of existing mature trees. Officers consider that these characteristics together with their relatively slender appearance would mean that the flues would not be an unduly dominant feature of the site or the building. A condition is suggested requiring the colour of the flues to be submitted for further approval with a view to minimising their impact further. Officers are of the view that the proposed building by virtue of its design and appearance would not cause any harm to the appearance of the area and having regard to the appearance of the existing buildings (and their more prominent location on the site) would represent a visual improvement overall considering the areas of new landscaping which would result.

- 136 Officers consider that the proposal accords with the relevant development plan policies in this regard and is acceptable and there would be no resultant harm arising in this regard.

## **CONTAMINATION**

### **Surrey Waste Local Plan 2019-2033**

Policy 14 – Protecting Communities and the Environment

### **Elmbridge Development Management Plan 2015**

Policy DM2 – Design and Amenity

Policy DM5 – Pollution

- 137 Paragraph 189 of the National Planning Policy Framework 2023 states that planning decision 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 natural hazards or former activities such as mining, and any proposals for mitigation including land remediation after adequate site investigation information, prepared by a competent person, is available to inform these assessments. Paragraph 190 goes on to set out that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowners and paragraph 191 states that planning decisions should ensure that new development is appropriate for its location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area.

- 138 The National Planning Policy for Waste Appendix B Criteria A requires consideration of the proximity of vulnerable surface and groundwater or aquifers and the suitability of locations subject to flooding, with consequent issues relating to the management of potential risk posed to water quality from waste contamination.
- 139 Policy 14 of the Surrey Waste Local Plan states planning permission for waste development will be granted where it can be demonstrated that it would not result in significant adverse impact on communities and the environment which includes, inter alia, the quality of surface water and ground water resources. Policy DM5 of the Elmbridge Development Management Plan states that development affecting contaminated land will be permitted provided that the site is remediated to ensure it is suitable for the proposed use, considering the sensitivity of future occupants/users to pollutants, and that remedial decontamination measures are sufficient to prevent harm to living conditions, biodiversity, or the building themselves. All work, including investigation of the nature of any contamination, should be undertaken without escape of contaminants that could cause risk to health or the environment.
- 140 This site has a long history of handling and storage of waste and waste material at the site, which gives rise to a risk of on-site contamination based on the fact that it has been used as a crematorium for 36 years and sources of contamination include kerosene and x-ray fluid (clinical waste) stored externally without secondary containment. Surface water run off also poses a low to moderate risk due to shallow groundwater.
- 141 The Environment Agency was consulted on this application and confirms that the previous use of the proposed development site as a pet crematorium presents a medium risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is a secondary aquifer A. The Environment Agency are satisfied that it would be possible to manage the risks posed to controlled waters by this development, however further detailed information will be required to be submitted before built development is undertaken. They consider that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission. Officers consider that it is reasonable and necessary to attach pre-commencement conditions in this regard (the suggested wording for these has been provided by the Environment Agency).
- 142 The Environment Agency has also identified that groundwater at this site is shallow and the nature of the development in this location (secondary aquifer A) means infiltration of surface water within the sustainable drainage system should not be permitted. Storage facilities of any polluting substances should also be designed to ensure the risk of pollution to the water environment is minimised.
- 143 The Environment Agency accepts that the application's Phase 1 report demonstrates that it would be possible to manage the risks posed to

controlled waters by this development but requires further detailed information before built development is undertaken and requested that conditions are included in this regard on any planning permission granted.

144 Officers are of the view that given the nature of the operations the risk of contamination on the application site in this case is low. However, given the comments received from the Environment Agency, it is considered reasonable and necessary to attach conditions to ensure that any and all risks are identified and remediated as part of the development. Officers consider that the conditions suggested by the Environment Agency, with slight amendments, are appropriate to ensure the matter is dealt with satisfactorily and subject to these being complied with the proposal would not give rise to any adverse impact in respect of this issue. These conditions will cover the following areas:

- Submission of a risk assessment, remediation strategy and verification plan to deal with identified risk.
- Verification report demonstrating implementation of remediation strategy
- Control over the installation of surface water drainage.
- Submission of details of liquid/oil storage and specification of containers for such

145 Officers consider that subject to these conditions the proposal accords with development plan requirements and there would be no resulting harm arising in this regard.

## **IMPACT ON RESIDENTIAL AMENITY**

### **Surrey Waste Local Plan 2019-2033**

Policy 13 – Sustainable Design

Policy 14 – Protecting Communities and the Environment

### **Elmbridge Development Management Plan 2015**

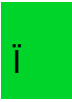
Policy DM2 – Design and Amenity

Policy DM5 – Pollution

Policy DM8 – Refuse, Recycling and External Plant

146 Paragraph 191 of the National Planning Policy Framework 2023 requires Planning policies and decisions to ensure that new development is appropriate for its location taking into account the likely effects (including cumulative 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:

- a. mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life<sup>69</sup>;



- b. identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
  - c. limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation
- 147 Paragraph 192 goes on to state that planning policies and 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 and Clean Air Zones, and the cumulative impacts from individual sites in local areas.
- 148 Paragraph 194 requires that the focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.
- 149 The National Planning Policy for Waste sets out at paragraph 7 that when determining planning applications, planning authorities should consider the likely impact on the local environment and upon amenity, against criteria which comprises, inter alia: air emissions including dust, odour, noise, light and potential land use conflicts.
- 150 Policy 13 of the Surrey Waste Plan Policy states inter alia that planning permission for waste development will be granted where it can be demonstrated that the development follows best practice, and the development is of a scale form and character appropriate to its location. Policy 14 states planning permission for waste development will be granted where it can be demonstrated that it would not result in significant adverse impact on communities and the environment which includes public amenity and safety in respect of impacts caused by noise, inter alia, dust, fumes, odour, and illumination.
- 151 Policy DM2 of the Elmbridge Development Plan requires that all new development should protect the amenity of adjoining land uses and potential occupiers and users. Policy DM5 states that all development that may result in noise, odour or light pollutions will be expected to incorporate appropriate attenuation measures to mitigate the effect on existing and future residents. Policy DM8, inter alia, requires that any external plant required for new developments is considered at the outset.

**Residential Amenity – location of nearest dwellings**

- 152 Whilst there are residential dwellings in the locality of the site these are some distance away from the site. The nearest dwellings are those which lie within a small enclave to the west around Silvermere House (more than 100m away

from the site of the new building though land in the ownership of the occupiers does extend up to the site boundary). To the north on the other side of Byfleet Road lies Birches which is some 160m from the site of the proposed building. To the east Silvermere Farm is over 200m away.

### **Residential Amenity - loss of outlook/overlooking.**

- 153 Given the distances set out in the above paragraph the proposal would not give rise to any impact in respect of loss of outlook or overlooking.

### **Residential Amenity – Air Quality - emissions from increase in vehicle numbers and cremators**

- 154 There are two sources of emissions from the proposed development, that arising from an increase in vehicle movements and emissions from the cremator stacks.
- 155 The proposal would give rise to a small increase in vehicle movements to and from the site largely as a result of the introduction of equine cremations as set out in the Highways section above. As an additional ten two-way vehicle movements falls well below the indicative threshold traffic flows for when an air quality assessment is required the applicant has not undertaken an assessment of vehicle-related emissions. Surrey County Council's Air Quality Consultant has agreed that there was no necessity to assess vehicle-related emissions as part of this application.
- 156 The proposal includes the provision of three stacks serving the cremators within the proposed building and an assessment of the human health and habitat impacts of emissions (2022) from these has been undertaken by the applicant. This was carried out using industry standard models and sets out maximum or *worst-case scenario* predicted concentrations of pollutants emissions at selected human-health receptors (neighbouring residential properties).
- 157 This document states that the emissions resulting from the proposed development "*are principally oxides of nitrogen, hydrogen chloride and sulphur dioxide, the latter originating principally from fuel oil that is consumed to support the cremation process*", and that the volume of these pollutants released "*is directly proportional to the volume of material cremated*". It is emphasised that whilst in the proposal the number of cremators is being increased from that currently existing on the site the new machines are modern efficient models aimed at reducing emissions by multiple burn, stacked chambers that also benefit from continuous monitoring.
- 158 The document summarises the emissions changes which would be expected from the *existing* throughput as a result of the proposed development incorporating more modern cremators and more appropriate external stacks, including increases in acid gas potential release rates, gas load, stack gas efflux velocity and energy output. It concludes that "*dispersal of pollutants*



*from the new facility...will be substantially better than from the existing situation” as “dispersion will be over a greater ground area; the point of maximum ground level concentration of pollutants will move further from the crematorium site”. Further, “the potential mass release rates are actually very low and well below the national guidance threshold that would warrant further assessment”.*

- 159 In summary the applicant has now set out the maximum predicted concentrations at the selected human health receptors arising from this proposed development in accordance with guidance in the following documents:
- Environmental Protection UK (EPUK) & IAQM (January 2017) ‘*Land-Use Planning & Development Control: Planning for Air Quality*’
  - Environment Agency’s screening criteria set out in its online guidance ‘*Air emissions risk assessment for your environmental permit*’

160 The information submitted clearly demonstrates that the effects of the proposal on air quality would *not be significant* and the County Council’s Air Quality Consultant has assessed all the information submitted and has advised that the applicants air quality assessment of stack emissions covers the relevant issues and has been undertaken in accordance with good practice and as a result the air quality impacts from stack emissions can be screened out as not having a significant effect. Officers therefore conclude that the proposal would not have an unacceptable impact on existing residential dwellings by virtue of emissions arising from the cremators.

161 Officers are satisfied that the proposal would not give rise to any adverse impact on residential amenity in this regard.

#### **Residential amenity – odour**

162 Given the distance of receptors (residential dwellings) from this site it is not considered that odour arising from the use would be a significant issue. Controls over odour in respect of the Waste Transfer element of the site are contained within the Environmental Permit required in that respect so controlled by other legislation.

163 The only other element of the use which could give rise to any odour is the storage of cadavers prior to incineration but this proposal offers enhancement over the current situation in this regard as the cold store would be located within a purpose-built building with roller shutter doors. The applicant follows strict on-site practices in respect of management of cadavers and has submitted an Odour Management Plan (supplemented by additional letter of clarification dated 14 September and 26 October 2023) which sets out those detailed practices which include the management of odour. The details submitted were assessed by the County Council’s Air Quality Consultant who has confirmed they have no objection to the application with regards to odour.

164 Officers are satisfied that subject to suitable conditions requiring adherence to the Odour Management Plan the proposal would not give rise to any adverse impact on residential amenity in this regard.

## Residential Amenity - Dust

- 165 The only dust generating activities arising from this proposal would be during demolition and construction. In respect of demolition, as the applicant has stated, the volume would be “well below” the Institute of Air Quality Management’s dust emission criteria for small-scale demolition works. However, a Construction Method Statement which includes a Dust Impact Risk Assessment has been submitted with the application using the Institute of Air Quality Management (IAQM) Guidance on the assessment of dust from demolition and construction.
- 166 The Construction Method Statement identifies the potential receptors for dust as being the residential properties to the west, north and east of the application site, together with users of the golf course. The development site itself is approximately 2500m<sup>2</sup> in size and relatively flat, therefore significant excavations will be limited. For the proposed building elements, the largest element is the Cremation Hall which would be constructed using an offsite fabricated steel frame clad with timber / timber effect planking and metal sheet roofing which have a low potential for dust release. The Chapel of rest portion would be constructed from brick and timber / timber effect planking and with a tile roof. The two elements combined provides a total building volume of 3770m<sup>3</sup>, which is well within the limit from Small Total building volume. Mass concrete would be mixed offsite and delivered and poured ‘wet’. There is the potential for some elements to be constructed from dusty materials such as localised onsite concrete/morta batching and cutting of masonry materials however these would be relatively low quantities and damped down wherever environmental conditions determined this was necessary. In respect of vehicles less than 10 HDV (>3.5t) would be expected to access the site in any construction day. Whilst the unpaved road length would be 70m (slightly over the 50m set within the guidance) the dust emission magnitude for Trackout would be considered to be Small to Medium as the current road construction is of a relatively well bound construction for the first 40m or so from Byfleet Road, with the remainder accessing the main construction area being of well compacted cinder.
- 167 In order to manage dust being emitted from the site during the proposed demolition, construction & subsequent ongoing use of the application site, the applicant has proposed a number of mitigation measures, which include the following:
- Erecting solid screens or barriers around dust causing activities or the site boundary that are at least as high as any stockpiles on site.
  - Using suitable dust suppression techniques such as water sprays or exhaust ventilation systems when using cutting, grinding and/or sawing equipment.
  - Using enclosed chutes, conveyors & covered skips.
  - Minimising drop heights from conveyors, loading shovels, hoppers & other loading/handling equipment and using fine water sprays wherever possible.

- Avoiding burning of waste materials.
- Manually cleaning the wheels of all vehicles entering and exiting the construction site.
- Carrying out regular site inspections to monitor compliance.
- In certain instances where dust generation is unavoidable, work will be limited in time and the contractor will provide sufficient notice to surrounding neighbours.

- 168 The applicant has also proposed to only carry out construction activities, including deliveries, between the hours of 8am to 5pm Mondays to Fridays and 8am to 1pm on Saturdays, with no construction work taking place at all on Sundays or Bank Holidays.
- 169 The assessment undertaken by the applicant determines that the risk from dust (given the nature of the activities and distances involved), even before the implementation of mitigation, is *low* at properties and human-health receptors. The Councils Air Quality Consultant has advised that the applicant has used the correct assessment method and agrees that the mitigation measures to control dust impacts are in accordance with the IAQM dust guidance. The Air Quality Consultant concludes that with the recommended mitigation measures in place the residual effects are not likely to be significant and no further action is required.
- 170 Officers therefore consider that the proposed development is acceptable in this regard and would not have any adverse impact on residential dwellings subject to a condition requiring adherence to the measures outlined in the Construction Method Statement.

### **Residential Amenity - Noise**

- 171 The applicant has submitted a detailed Noise Impact Assessment with the application which sets out the existing sound climate and the predicted noise emissions associated with the Proposed Development. Measures to mitigate noise impact are proposed in accordance with the relevant performance standards, legislation, policy and guidance.

In summary there are three potential areas for noise disturbance arising as a result of this proposal:

- Noise from increased traffic and on-site activity
- construction/demolition noise
- operational noise from fixed plant/machinery.

It should be noted that officers from Surrey County Council have been monitoring the existing site for a number of years (in view of its existing authorised use as a hazardous waste transfer site). During that time officers have not received any noise complaints from this site in respect of its existing use.









































































