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19 May 2021

Dear Mr Nolan,

**TOWN AND COUNTRY PLANNING ACT 1990
CONSULTATION ON CURRENT APPLICATION**
EEBC Reference: 21/00223/CMA
SCC Reference: 2020/0159

APPLICATION SITE:

Land at The Chalk Pit, College Road, Epsom, Surrey KT17 4JA

PROPOSAL:

Change of use from Waste Transfer Station to Materials Recycling Facility and extension of this facility, including: demolition of existing building; reinforcement of retaining wall; provision of new site surfacing and drainage; construction of buildings for sorting and bulking of mixed skip waste and skip storage; crushing and screening of mineral waste materials; use of an office; retention of existing workshop; installation of weighbridge; retention of entrance gates and fencing; and, provision of car parking [part retrospective].

Thank you for consulting Epsom & Ewell Borough Council (EEBC) and for agreeing to an Extension of Time for Epsom and Ewell Borough Council (the Borough Council) to provide a formal consultation response, until 20 May 2021.

The Borough Council has received a substantial number of representations from nearby residents, including a petition, raising concerns about this proposal. The concerns include (inter alia):

- Inappropriate Green Belt development
- Potential noise and disturbance
- Potential dust generation and air pollution
- Potential adverse impact on neighbour amenities
- Potential adverse impact on ecology/wildlife
- Potential adverse traffic/parking implications
- Potential adverse impact on character of surrounding area
- Potential contaminated land issues

- Potential flood risk
- Contrary to planning policies.

The Borough Council has received concerns from its Members. The concerns include (inter alia);

- Resident objections and petition (captured above)
- Extended working hours at the Site
- Excessive traffic issues
- Dust generation
- Contamination issues
- Adverse impact on neighbouring amenity
- General nuisance caused from operations.

The Borough Council considered the proposal and submits the following representations in response to your consultation.

Application Site ('Site')

The application Site measures approximately 1.8 hectares in size and is located to the north of College Road, within the local authority boundary of Epsom & Ewell Borough Council. The Site in question measures 0.44ha and forms the southern part of the former "chalk pit".

Whilst a thorough planning history search has not been carried out, it is understood that the site has a history of various industrial and storage uses.

The site is designated within the Green Belt and lies adjacent to a Medium Gas Main.

Proposal

In accordance with the Applicant's Planning Statement, dated December 2020, which supports the application, NJB Recycling acquired the lease of a plot within the Site and proposes to develop it, in order to improve the scope and organisation of the existing waste management activities. This includes the regularisation of a number of aspects of the development that have already taken place.

The Applicant sets out that there are various aspects to the proposed development, including:

- Regularisation of use of the Site as a materials recovery facility
- Demolition of the existing building in the north-eastern corner
- Construction of two new buildings, to enable all waste processing operations to take place under cover
- Construction of a new site office building
- Continued use of the existing workshop building for maintenance of vehicles, plant, machinery, and equipment, including skips
- Installation of a weighbridge (retrospective)
- New site surfacing and drainage (retrospective)
- Reinforcement of existing retaining wall (retrospective).

In considering this proposal, the following material planning considerations have been identified:

- Green Belt
- Transport
- Neighbouring amenity (noise generation)
- Neighbouring amenity (dust generation)
- Ecology/biodiversity
- Contaminated land
- Flood risk.

Green Belt

Chapter 13 of the NPPF (2019) relates to the protection of the Green Belt. Paragraph 133 sets out that the Government attaches great importance to Green Belts, with the Green Belt policy's fundamental aim of

preventing urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence.

Paragraph 134 sets out the following five purposes of the Green Belt:

- to check the unrestricted sprawl of large built-up areas
- to prevent neighbouring towns merging into one another
- to assist in safeguarding the countryside from encroachment
- to preserve the setting and special character of historic towns
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 143 sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 145 sets out that a Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- buildings for agriculture and forestry
- 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
- 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
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces
- limited infilling in villages
- limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites)
- 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 local planning authority.

The Surrey Waste Local Plan (2020) Policy 9 sets out 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.

Policy DM3 of the Development Management Policies Document (2015) sets out that the replacement of buildings in the Green Belt will be supported where:

- The replacement building is not materially larger than the existing building (excluding temporary buildings) it replaces, taking into account floorspace, bulk and height; and
- (The replacement building remains in the same use.

The extension of buildings in the Green Belt will only be supported where:

- The proposal would not constitute inappropriate development in the Green Belt (e.g. the increase would be no greater than 30% above the volume of the original building. Increasing the extent of an existing building to maximum footprint will not be appropriate in every circumstance); and
- The proposal would not have a detrimental impact on rural character through its siting and design.

Applicant's case

The Planning Statement, dated December 2020, which supports this application, sets out that the proposal seeks the redevelopment of previously developed land and meets the proviso that it would not have a

greater impact on the openness of the Green Belt, than the existing development. It states that the proposal meets the exception, as identified at paragraph 145(g) of the NPPF.

The Planning Statement sets out that the proposal relates to part of a former chalk pit that has been developed for commercial purposes over a long time and which has the nature and characteristics of a general industrial estate. Furthermore, in light of its former use for mineral extraction, the ground levels of the Site (and wider industrial area) are well below those of the surrounding land. The difference in land levels, together with the trees and vegetation lining the boundaries of the pit and the form of the new development would mean that there would not be any harm to the openness of the Green Belt. The proposed new buildings would provide a neater, more streamlined aspect than the current various uses on the open land. Even if the roofs could be glimpsed from surrounding areas, their green colouring would blend with the existing vegetation, and would be similar in nature to the appearance of agricultural barns.

The Planning Statement further sets out that although not a requirement of paragraph 145(g) of the NPPF, there would also be no greater impact on the purposes of including land within the Green Belt, as the development would be within the bounds of an already developed area and so would have no effect in terms of the first four of its purposes, relating in short to preventing unrestricted sprawl and encroachment of the countryside. As for the fifth purpose, it would recycle previously developed (derelict) land.

In summary, the Planning Statement sets out that the proposal would be a form of development that according to the exceptions set out at paragraph 145 of the NPPF, is not inappropriate development in the Green Belt and there would therefore be no conflict with relevant planning policy, which seeks to safeguard the Green Belt against inappropriate development.

In the event that the above is not accepted, the Planning Statement sets out that, paragraphs 143 and 144 of the NPPF (and local plan policies) make clear that approval of the development would need to be justified by other considerations, which amount to Very Special Circumstances (VSC) for outweighing the potential harm to the Green Belt and any other harm resulting from the proposal. The Planning Statement then sets out its VSC case, which are summarised below. Please refer to the Planning Statement itself for a more comprehensive version.

Planning Strategy for Waste Management Facilities

The Planning Statement sets out that in accordance with policy CW5 of the Surrey Waste Local Plan 2019 – 2033 (SWLP), there is a hierarchy for the location of waste facilities, giving preference to urban areas, then sites close to urban areas, followed by sites easily accessible by the strategic road network. The Site falls within the second tier of being close to urban areas.

The Planning Statement sets out that the SWLP reiterates at paragraph B48 that it is likely to be necessary to locate some waste management facilities in the Green Belt in order to ensure that the necessary waste management infrastructure can be delivered. Against this background SWLP Policy CW6 identifies a number of considerations, which may contribute to very special circumstances to justify inappropriate development of waste management facilities.

Policy CW6 (i) the lack of suitable non-Green Belt sites

The Planning Statement sets out that as the application relates to an existing site already in waste management use within the Green Belt (not a new site), the first consideration identified under SWLP CW6 is arguably not applicable. Nevertheless, there is a lack of suitable non-Green Belt sites within the Epsom area.

The Planning Statement sets out that the Council's report on application ref: 14/00958/CMA, relating to the Abal Waste facility immediately to the north of the Site, explains that a detailed alternative site assessment was carried out of sites across the county in support of that application, and that it did not reveal any other sites more suitable than the chalk pit.

The Planning Statement sets out that furthermore, the Council's Waste Needs Assessment (April 2019), produced in support of the emerging SWLP, shows that in terms of meeting the needs of Epsom and areas

local to the Site, there are only six waste management facilities in Epsom and Ewell, two of which are Council run recycling/transfer centres and one a very small composting facility. The other three are the existing sites within the chalk pit, one of which is this Site. In addition, another of the Council's documents supporting the emerging SWLP, entitled "Delivery of Waste Management Capacity in Surrey 2008 – 2017" (October 2017), shows that with the exception of the other sites at the chalk pit, no new waste management sites were permitted in Epsom and Ewell in the period 2008-2017.

Policy CW6 (ii) the need to find locations well related to the source of waste arisings

The Planning Statement sets out that the Site is located on the outskirts of Epsom and within close proximity of the neighbouring built up area of Banstead and source of waste arisings. It is also located directly on a main road, and so is very well related to provide waste management services to this market. NPPW paragraph 1 promotes a waste management framework in which communities and businesses take more responsibility for their own waste, and a principal intention of this NPPW policy is to minimise the distances that are travelled in managing our waste products, and thereby reduce harmful environmental effects associated with the transportation of waste including congestion, pollution and carbon emissions.

The Planning Statement sets out that the benefits of the location of the application site close to waste sources and markets for recycled products including Epsom and other local urban areas are important factors in support of the proposal.

Policy CW6 (iii) the characteristics of the site

The Planning Statement sets out that SWLP paragraph B47 states that where development would occur at a lower level it may not significantly impact on openness and the long term purposes of including land within the Green Belt can be better maintained. The Applicant considers that these are precisely the circumstances that apply to the Site.

The Planning Statement also sets out that there are other characteristics of the Site, in that it is previously developed land, already in waste management use and co-located with other similar industrial and commercial uses, which mean that this is a case where Green Belt openness is furthermore already impaired.

The Planning Statement sets out that the development of brownfield land where the attributes of the Green Belt can be preserved and which could continue to be used for commercial uses in the absence of the application proposal, are important considerations that weigh heavily in favour of the proposal.

Policy CW6 (i) the wider environmental and economic benefits of sustainable waste management, including the need for a range of sites

The Planning Statement sets out that currently the only permission that the Site benefits from is for the storage and transfer of waste. The application proposal seeks to deliver a more sustainable development by providing the appropriate infrastructure to facilitate the re-use and recycling of waste materials and in so doing move the management of waste up the waste hierarchy, to support the circular economy.

The Planning Statement sets out that the proposed skip waste recycling building enables all processing and storage of materials to take place fully under cover and is given support in Government policy. The process involves segregating individual items for onward re-use or recycling. The aggregate and soil recycling facility would enable recovery of re-usable materials from construction, demolition and excavation waste, which would have positive environmental and economic outcomes. There are moreover positive synergies in having different waste recycling activities at the Site.

The Planning Statement sets out that the proposal would address the shortfall in capacity and achieve ambitious targets for recycling and other forms of recovery. It also sees an improvement/extension of existing facilities and improve the efficiency of waste development, whilst reducing harmful impacts.

EEBC's comments

The Borough Council has considered the Planning Statement and other supporting documentation, but finds that this sets out relatively limited information regarding the elements of the proposed materials

recycling/recovery facility or the functions of this. Whilst paragraphs 4.3 and 4.4 of the Planning Statement provide an overview of how the proposed two buildings would be used, specific details of the equipment, plant or skips, for example, remain unclear. A thorough breakdown of all elements proposed would enable the Borough Council to better understand the proposal.

In accordance with drawing ref: 19309/PL/D/004 Rev A – Existing Cross Sections and Elevations – dated Jan'21, the existing building measures up to 8.6 metres in height. In accordance with drawing ref: 193091/PL/D/008 Rev A – Proposed Cross Sections and Elevations – dated Jan'21, the two buildings proposed measure between 9 and 10 metres in height. It has not been able to take exact measurements, however it is clear that the width and depth of the proposed buildings are significantly larger than the existing building.

It is considered that the proposed built form is excessive and beyond the previously developed elements on the site. Furthermore, the proposed operations are also significantly above that already operating at the site. It is considered that the proposal would have a greater and harmful impact on the openness of the Green Belt, in both spatial and visual terms, in comparison to the existing development. Undeniably, the increase in built form would alter the character and appearance of the Site and be harmful to its setting.

The Applicant has sought to provide a 'Very Special Circumstances' case. The Borough Council considers this to be lacking in clarity, inadequate and consequently remains unconvinced that any such 'Very Special Circumstances' are demonstrated to exist to justify the proposed development. The Borough Council considers that the Applicant's 'Very Special Circumstances' case:

- lacks an assessment of alternative suitable non-Green Belt sites
- includes the need for locations that are related to the source of waste arisings
- includes the characteristics of the proposed development, including scale and type of facility
- wider benefits of sustainable waste management
- wider benefits associated within increase production of energy from renewable sources
- does not identify that the application site is not an allocation in an adopted development plan for waste management use (**The Borough Council requests Surrey County Council to review and confirm whether the Site is allocated in a development plan for waste management**)

The Applicant does provide an overview and needs summary of the proposal, why this Site is preferred and suited for a materials recycling/recovery facility and the sustainability and efficiency benefits of the scheme, but the Borough Council requests the County Council not to give these great weight, as they cannot be seen to outweigh the harm caused to the openness of the Green Belt.

Conclusion: The Borough Council considers that the proposed development is contrary to paragraph 143 of the NPPF and policy DM3 of the Development Management Policies Document (2015) and therefore raises strong objections in principle to the proposal on the grounds that it is contrary to Green Belt policy.

Transport

Applicant's case

The Planning Statement sets out that as there is no proposal to increase the currently permitted volume of 26,000 TPA and that there would be no increase in the number of lorry movements associated with the development. Instead, there would be a notional decrease, by virtue of some of the mineral waste element being transported to the Site in bulk.

The Planning Statement sets out that staff numbers are around 35, but a small proportion of these require parking at the Site. 12 members of the staff are drivers, taking their lorries home, coming to the Site during the course of the working day. A further 10 employees use public transport. The remainder drive to the Site, mostly in shared vehicles, parking on Site and in the communal area at chalk pit.

EEBC's comments

A number of concerns have been received by the Borough Council from nearby residents regarding existing and potential transport implications as a result of the proposal. Concerns have been raised regarding the disruption likely to be caused to residents from potential traffic generation at this Site. On this basis the Borough Council raises objection.

The application lacks a robust assessment of transport impacts. The Borough Council expects a Transport Statement and Travel Plan to accompany the application, to determine whether the proposal would have an impact on the local transport network and to understand the package of actions proposed to encourage safe and sustainable travel options.

The Borough Council raises objection to the proposal on the grounds that it is not possible to make a robust planning assessment in the absence of technical transport documentation. Surrey County Council's Transport Officer (or Statutory Consultee equivalent) should address this matter and resist this application on the grounds that an inadequate transport and traffic assessment has been submitted as part of the planning application.

Conclusion: A number of concerns have been received by the Borough Council from nearby residents regarding existing and potential transport implications as a result of the proposal. Concerns have been raised regarding the disruption likely to be caused to residents from potential traffic generation at this Site. On this basis the Borough Council raises objection.

In line with the above, in the absence of a Transport Statement and Travel Plan, raises objections on the grounds that it cannot make an informed comment as to whether the proposal would likely adversely impact the local highways network.

Neighbouring amenity (noise generation)

Applicant's case

The Planning Statement sets out that the Site is well-distanced from local sensitive receptors, with the nearest residential property located approximately 150 metres from the Site. The Planning Statement sets out that the Site redesign has incorporated new enclosures to attenuate noise emissions from the processing plant. The development would bring no change in throughput or intensity of waste processing and it proposes standard working hours.

A Noise Assessment accompanies this application, dated November 2020. It sets out that noise surveys to establish the background and operational noise levels at noise sensitive premises during the routine hours of daytime working have been undertaken. The results are detailed within the Assessment.

EEBC's comments

A number of objections that been received by the Council in respect of potential noise generation as a result of the proposal, the proposed intensification of use at the Site and that this may result in additional disruption to residents. Concerns have also been raised by nearby residents with regards to whether the Noise Assessment adequately assesses the likely impacts of the proposed development. Specifically, concerns are raised that the assessment considers a single recycling machine only and fails to take into consideration all potential noise sources. Furthermore, nearby residents have raised concerns regarding current and proposed working hours.

The Planning Statement and other supporting documentation has been carefully considered, but concludes that this sets out relatively limited information regarding the elements of the proposed materials recycling/recovery facility or the functions of this. Surrey County Council is urged to fully consider whether the Noise Assessment adequately assesses in detail the noise implications of the proposal. This should not amount to any significant adverse impact on neighbouring amenity, in terms of noise or disturbance. Surrey County Council's Environmental Health Officer should address this matter in detail in their consultation response.

Conclusion: The Borough Council has received objections from nearby residents in respect of potential noise generation as a result of the proposal, the proposed intensification of use at the Site and that this may result in additional disruption to residents. The Borough Council raises objection to this.

The Borough Council expects to see a more thorough breakdown of the elements of the proposed materials recycling/recovery facility. In the absence of such a detailed assessment which demonstrates that the proposed development will avoid adversely impacting the neighbouring amenity enjoyed at nearby

residential properties, in terms of noise or disturbance, objections are raised on the grounds of noise disturbance. The Borough Council would also ask for an investigation into potential current unlawful working hours.

Neighbouring amenity (dust generation)

Applicant's case

A Particulates Emissions Management Plan accompanies this application, dated November 2020. This sets out that how the risk of poor air quality emissions would be managed.

Section 4 of the Particulates Emissions Management Plan considers the sources of particulars and proposed control measures. It states that the two buildings are to be fitted with automated roller shutter doors for commercial and industrial waste storage and any crushing or screening would have an integrated misting system. There will be an integrated misting system within the enclosure, and/or on fixed plant to minimise potential particulate emissions. This design minimises the risk of wind entrainment during operations. The main source of potential emissions include re-suspension from surfacing via HGV's egressing the enclosures.

A table (assessment of fugitive emissions) of the Particulates Emissions Management Plan sets out that there is a "medium" chance of harm to human health, respiratory irritation and illness as a result of dust from various dust processing activities.

The Planning Statement sets out that the Site is well-distanced from local sensitive receptors and that adverse effects from fugitive dust emissions are unlikely to arise. The nearest residential property is 150 metres from the waste management operations. A deposition rate of 200mg/m² a day is commonly accepted as the guideline figure for when complaints are likely (the "nuisance rate"). With the enclosure and the control measures in place, dust emissions will be kept well below this rate. In addition, whilst the zone of influence will vary depending on factors such as source emission strength, wind direction and terrain, even in the event of uncontrolled dust escaping from a site, it is likely to drop out within about 100 metres.

EEBC's comments

A number of objections have been raised by the Borough Council from nearby residents regarding existing and potential dust generation arising from the proposal, which may result in additional disruption to residents. On this basis, the Borough Council raise objection. Officers do not have the expertise to determine the robustness of the Particulates Emissions Management Plan, but, Officers note that concerns have been raised by nearby residents in relation to whether the proposal could operate without unacceptably impacting on human health. Queries have been raised as to whether dust could escape from the Site and also whether the proposed opening times are reasonable.

Officers raise concern regarding the reliability of the Particulates Emissions Management Plan and whether the proposal could unacceptable impact on the health of local residents. Officers request that Surrey County Council's Environmental Health Officer will address this matter within their consultation response.

Conclusion: A number of objections have been raised by the Borough Council from nearby residents regarding existing and potential dust generation arising from the proposal, which may result in additional disruption to residents. On this basis, the Borough Council raise objection.

The proposed development should not cause unacceptable impacts on human health. Clarification is required with regards to dust escaping from the Site and reasonable opening times should operate, which respect neighbouring amenity, subject to planning permission being granted. The comments of the County Council's Environmental Health Officer must be sought and taken into account when considering the impact of the proposed development.

Ecology/biodiversity

Applicant's case

The Planning Statement assesses whether the proposed dust emissions, arising from the proposal, would impact sensitive ecological receptors. It sets out that in the event of uncontrolled dust escaping from the Site, it is likely to drop within about 100 metres of the Site. With regard to the fields and woodland adjoining the Site, research has shown that most vegetation species will not be affected by deposition rates below the “nuisance rate”. It sets out that the Highways Agency in its “Design Manual for Roads and Bridges” suggests that only dust deposition rates above 1000 mg/m² a day are likely to affect sensitive ecological receptors and that most species appear to be unaffected until dust deposition rates are much higher than this.

EEBC’s comments

The application is not accompanied by an Ecological Impact Assessment, which would identify, quantify and evaluate the potential effects of the proposed development, regarding impacts on species and habitats.

In the absence of this information, Officers are unable to determine the impact of the proposed on species and habitats, or confirm whether the proposal will clearly provide biodiversity net gain of a minimum of 20% net gain.

Conclusion: In the absence of an Ecological Impact Assessment, strong objections are raised to the proposed development as it is not possible to determine the potential effects of the proposed development on species and habitats. The proposal should provide a minimum of 20% biodiversity net gain.

Contaminated Land

Applicant’s case

An Environmental Risk Assessment, dated October 2019, accompanies this application. It sets out that the Site has been subject to a desktop study and ground investigation to review the site history and uses, inspect the underlying strata, check for evidence of residual contamination and collect soil samples for laboratory chemical analysis. The investigation was completed on 24th and 25th July 2019 and comprised the excavation of trial pits and infiltration testing.

The Assessment sets out that it has not identified any significant residual contamination, which is assessed to pose a risk to future site users or surrounding environmental receptors, based on the continued use of the site as a waste facility. Whilst no further investigation, assessment or specific remediation is considered necessary, it is recommended that the controls specified within this report are adopted to mitigate potential risks to construction workers and structures/services.

EEBC’s comments

The Borough Council’s Contaminated Land Officer formally commented on this application. The response sets out that the property is part of an area identified on our database of potentially contaminated sites (reference 03/00024/CLHIST “The Chalk Pit”). The site situation is environmental sensitive and also extremely vulnerable, being excavated into the Lewes Nodular Chalk that constitutes a Principal Aquifer with no protection afforded by lower permeability deposits. Part of the property also lies within a Source Protection Zone 2 and within the East Street Epsom Safeguard Zone for drinking water. Due to the hydrogeological sensitivity of the setting, Officers would expect Surrey County Council to consult the Environment Agency (EA) Groundwater Team on this application.

A site visit was undertaken on 15 May 2016 in relation to application ref: 17/00092/CMA. Pertinent observations from the visit were:

- Waste arriving in skips at the time included that from domestic refurbishments and may have included asbestos containing materials (ACM) either due to inadvertent inclusion (lack of recognition at source) or deliberate concealment. A site representative (Brian Place) confirmed that this happened. The mechanical trammel that has been used to sort waste on the site may have generated asbestos containing dust. At that time, Officers reported to Surrey County Council that they would like to see a management programme put in place to identify, mitigate and monitor the risk to workers and others from asbestos containing dust including, for example, personal and

boundary monitoring. It is unknown whether Surrey County Council or the EA (in relation to Environment Agency Environmental Permit EPR/QP3398VB) effected this

- In 2016 there was a proposal to collect runoff water from treatment and storage areas and use this for dust suppression. To ensure that risks to the principal aquifer beneath the site are minimised, Officers suggested to Surrey County Council that, as a minimum, contaminant acceptability criteria would need to be agreed and for the collected water to be tested and used only if contaminant concentrations were below the agreed criteria. Information supporting the previous SCC investigation also stated that “the site benefits from a natural slope to the south” whereas a steep slope eastwards was evident during the site visit. Officers explained to Surrey County Council at that time that a drainage survey would be needed to allow for the design of a system for collecting water from treatment areas for possible re-use where quality is deemed acceptable.

The previous SCC Application Boundary was narrowly drawn. Issues of concern noted during the site visit in 2016 just outside the red application boundary but relevant to that application are described below. The EA may have since provided comments on these points to Surrey County Council.

- Site vehicle fuelling: during the 2016 site visit Officers noted there was a gas oil tank (red diesel) adjacent to the original planning application boundary. The asphalt ground appeared saturated with diesel (see Plate 1). Diesel degrades asphalt and Officers commented to Surrey County Council that it was likely that there would have been a direct pathway from this pollutant source into the chalk aquifer. During the site visit, Officers also observed an excavator being fuelled without anyone attending to the hose.
- Vehicle washing: during the site visit, Officers observed a lorry parked on a slope adjacent to the planning application boundary having its undercarriage and wheels washed with a pressure washer. Officers commented that a proper wheel washing station should be established for this potentially polluting activity.

Surrey County Council should have regard to the response from the Borough Council’s Contaminated Land Officer when assessing this application.

Conclusion: In line with the above, EEBC’S Contaminated Land Officer has provided a comprehensive response to this representation Surrey County Council is requested to give careful consideration to this when assessing this application.

Flood risk

Applicant’s case

The Planning Statement sets out that the Site falls within Flood Zone 1 (low probability of flooding).

The Planning Statement sets out that the proposal offers significant improvements in relation to site drainage.

A robust new drainage solution has been constructed, to ensure that the Site drainage is now fully controlled with discharge to soakaway. Prior to the discharge there are attenuation tanks with penstocks, sediment traps and oil interceptors and the drainage design incorporates rainwater harvesting to minimise any reliance on potable water sources. The design has been completed to ensure the soakaway functions appropriately in all storm conditions, designed to accommodate water up to a 1:100 year storm event, including a 40% allowance for climate change. The planning proposal also internalises waste storage and processing and consequently removes the pollution risk to the aquifer.

EEBC’s comments

The Borough Council requests the County Council to review the submitted documentation, to assess the development against the risk of flooding and determine whether the proposed drainage system is acceptable.

Conclusion: In line with the above, the County Council is requested to review the submitted documentation, to assess the development against the risk of flooding and determine whether the proposed drainage system is acceptable.

Summary and General Conclusions

Epsom & Ewell Borough Council strongly objects to this proposal on the following grounds:

- The Borough Council considers that the proposed development is contrary to paragraph 143 of the NPPF and policy DM3 of the Development Management Policies Document (2015) and therefore raises strong objections in principle to the proposal on the grounds that it is contrary to Green Belt policy. The Borough Council requests Surrey County Council to review and confirm whether the Site is allocated in a development plan for waste management
- In the absence of a Transport Statement and Travel Plan, the Borough Council raises objections on the grounds that it cannot make an informed comment as to whether the proposal would likely adversely impact the local highways network.
- The Borough Council expects to see a more thorough breakdown of the elements of the proposed materials recycling/recovery facility. In the absence of such a detailed assessment which demonstrates that the proposed development will avoid adversely impacting the neighbouring amenity enjoyed at nearby residential properties, in terms of noise or disturbance objections are raised on the grounds of noise disturbance.
- The proposed development should not cause unacceptable impacts on human health. Clarification is required with regards to dust escaping from the Site and reasonable opening times should operate, which respect neighbouring amenity, subject to planning permission being granted. The comments of the County Council's Environmental Health Officer must be sought and taken into account when considering the impact of the proposed development.
- The Borough Council's Contaminated Land Officer has provided a comprehensive response to this representation. The County Council is requested to give careful consideration to this when assessing this application.
- The County Council is requested to review the submitted documentation, to assess the development against the risk of flooding and determine whether the proposed drainage system is acceptable.
- The Borough Council has received a number of objections from nearby residents regarding this proposal and request that Surrey County Council pays attention to these objections. The Borough Council raises objection to the intensification based on residential amenity.

The Borough Council trusts that the above representations will be given careful consideration in the determination of this County Matter planning application.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Viv Evans', with a long horizontal line extending to the right.

Viv Evans Dip TP, MRTPI, FRGS, FRSA
Head of Planning