




16/00662/SCC
Brett Aggregates Ltd, Littleton Lane,
Shepperton, TW17 1NN

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Planning Committee

29 June 2016



Application No.	16/00662/SCC		
Site Address	Recycling Facility At Shepperton Quarry Littleton Lane Shepperton TW17 0NF		
Proposal	Surrey County Council application for Brett Aggregates Ltd - Continued use of land as a temporary recycling facility for construction and demolition of waste using crushing and screening plant to produce recycled soils and aggregates, stockpiling of waste and recycled products, retention of screen bunding and two storey site office, until 21 May 2017 without compliance with Conditions 2 and 8 of planning permission ref: SP14/0835 dated 24 September 2014.		
Applicant	Brett Aggregates Ltd		
Ward	Laleham and Shepperton Green		
Call in details			
Case Officer	Matthew Clapham		
Application Dates	Valid: 20.4.2016	Expiry: 15.06.2016	Target: N/A
	It is understood that this matter is due to be determined by Surrey County Council under delegated powers by 13.07.2016.		
Executive Summary	<p>The application seeks to continue the recycling use and retain the two-storey office for a further period of two years until 21 May 2017. No changes are proposed to the permitted operations on the site. The time extensions would allow for the continued recycling of materials coinciding with the working and restoration of the Home Farm extension on Laleham Nurseries and Shepperton Studios land.</p> <p>The site is already being used for recycling. In assessing previous applications the Council and a Planning Inspector have concluded that very special circumstances existed to overcome the harm to the green belt. The Councils Environmental Health Pollution Control team have not raised any objections in terms of dust and it is understood that no complaints regarding dust have been received since the 2011 permission was granted. The County Highways Authority has also not raised any objections. In view of the existing use of the site, previous decisions and the approval for extended works at the Home Farm Quarry, the Council do not raise any objections to this proposal.</p>		
Recommended Decision	No objections.		

MAIN REPORT

1. **Development Plan**

1.1 **Core Strategy and Policies DPD**

- LO1 (Flooding)

Saved Local Plan

- GB1 (Green Belt)

2. **Relevant Planning History**

- 2.1 A detailed description of the site and its history is set out in the "Neighbour Information Note", which is attached as Appendix 1. A brief summary is outlined below.
- 2.2 In May 1998, permission for a recycling operation was refused (ref. SP/98/0205) for Green Belt and flooding reasons. Temporary permission was granted on appeal (ref. T/APP/8360/A/98/1013164) for a period of five years expiring on 21 May 2004.
- 2.3 In January 2003, permission was granted (ref. SP/02/1149) to retain a two-storey portacabin on the site. This was used ancillary to the recycling use for office purposes and was limited by condition to the same end date as the recycling operation.
- 2.4 In January 2005, permission was refused (ref. 04/00750) to renew the temporary recycling facility permission for an additional five years. Temporary permission was granted on appeal (ref. APP/B3600/A/05/1175072) for a period of five years expiring on 21 May 2009.
- 2.5 In January 2011 permission was granted (ref. 09/00371) for the continued use of land as a temporary recycling facility for construction and demolition waste using crushing and screening plant to produce secondary aggregates and recycled soils, stockpiling of waste and recycled products until 21 May 2014.
- 2.6 In 2014, a further two year extension was granted (ref. 14/00835) for the continued use of the land as a temporary recycling facility.

3. **Description of Current Proposal**

- 3.1 Shepperton (Littleton Lane) Quarry is off the western side of Littleton Lane. The recycling site, which is 3.25ha in area, is situated in the north eastern corner of the quarry site, and is accessed off Littleton Lane.
- 3.2 The proposal is to continue the current recycling use for a further temporary period of one year, ending on 21 May 2017. The application states that the operation of the site would remain as permitted.
- 3.3 To the north of the site is Laleham Farm. To the south is an existing industrial area, with mineral extraction processing plant beyond, and a lake to the West.

The nearest residences are in Ashurst Drive off the eastern side of Littleton Lane.

- 3.4 The applicant has stated that the extension of the permission for a further period of one year to continue the recycling use and retain the two storey site office is required to recycle materials from the Home Farm extension on land at Laleham Nurseries and Shepperton Studios (09/00720/SCC) which is due to be worked and restored by 2017.

4. **Consultations**

- 4.1 The following table shows those bodies consulted and their response.

Consultee	Comment
County Highway Authority	Reported internally as a Surrey County Council application.
Environmental Health (Pollution)	No objections

5. **Public Consultation**

None to date.

6. **Planning Issues**

- Green Belt
- Flooding
- Visual impact
- Traffic impact

7. **Planning Considerations**

- 7.1 Previous applications have been assessed against the above issues and a copy of the Committee Report for the application made in 2009 (ref 09/00371) for this site is attached as Appendix 2. This covers the main planning issues outlined in 6 above. This application is for a further temporary extension for one additional year to an existing approval. It is not considered that there have been any significant changes in material considerations, including adopted policies or Government Guidance, that would justify resisting a further extension of this use.

- 7.2 In considering the most recent approval (14/00835/SCC) this Council raised no objections subject to the following matters:

- i) That the length of the temporary use on this site is restricted to any existing consents for gravel extraction and restoration on Home Farm.
- ii) That the use of the site as a recycling facility ceases on 21 May 2016.

The length of the temporary use on this site is restricted to any existing consents for gravel extraction and restoration on Home Farm.

- 7.3 The applicant has stated that the life of the operation of Shepperton Quarry is governed by the existing temporary planning permission (which this application is seeking to amend) which is tied to the temporary life of the

Home Farm Quarry mineral extraction and landfill operation to the north of the site.

That there are no alternative non-Green Belt sites in the local area

- 7.4 The applicant has previously stated that there are no alternative non green belt sites in the area for recycling materials and that this is supported by the Surrey Waste Plan 2008. It is also noted that the site is well located to Home Farm Quarry (600m to the north) and reduces travel distances between the recycling facility and disposal point. This Authority is not aware of any alternative sites located outside of the Green Belt. The retention of recycling facilities whilst nearby gravel is worked through the plant at this site, and concentrating compatible uses to one site, results overall in less disturbance.

The applicant can demonstrate that there remains a continuing need for recycling facilities within the current economic climate

- 7.5 The applicant has stated that the extended time period for this site would contribute to meeting the targets of the recycling capacity in Surrey where there is an identified need. There is also anecdotal evidence that construction projects that were held back during the economic downturn but as they are now being brought forward, the demand for construction and recycled materials has increased. The Home Farm Quarry applications are due to run until 2017 reflecting a need for mineral workings. As such, it is considered that the need for continued recycling facilities can be demonstrated.

Other outstanding third party matters

- 7.6 The Councils Environmental Health Officers (Pollution Control) have not raised any objections as the proposal is for a relatively short extension of time. Therefore, subject to the continuation of the dust mitigation measures required by condition, it is not considered reasonable to object on dust pollution terms. The flooding issues were considered in the original approval and it is not considered that there are any significant additional flood risks as a result of this extension of time. The highways issues are matters for internal consideration by Surrey County Council. Similarly, it is the County Councils responsibility to notify neighbouring properties and residents.

Conclusion

- 7.15 Based on the information submitted and in view of the previous approval for an extension to the Home Farm Quarry site, it is considered that the continued operation of the recycling plant for a further temporary period of one year is justified and acceptable.

8. Recommendation

- 8.1 That Surrey County Council be informed that this Council raises NO OBJECTIONS to the principle of a further temporary permission on the site, subject to the following matters:

i) That the length of the temporary use on this site is restricted to any existing consents for gravel extraction and restoration on Home Farm.

ii) That the use of the site as a recycling facility ceases on 21 May 2017.

List of Appendices

Appendix 1 – Neighbour Information Note

Appendix 2 – Committee Report 09/00371/SCC

NEIGHBOUR INFORMATION NOTE

TOWN AND COUNTRY PLANNING ACT 1990 - MINERALS/WASTE APPLICATION

Our reference: SCC Ref 2016/0056
District/Borough Council Reference: SP

(Note: If District/Borough Council Reference above is incomplete it means that they haven't advised us of the formal planning application register number when we compiled this note).

The application documents and plans are available to view or download from our website <http://planning.surreycc.gov.uk>.

SITE AND PROPOSAL

Recycling Facility at Shepperton Quarry, Littleton Lane, Shepperton, Surrey TW17 0NF

A plan indicating the approximate location of the application site has been provided, and although every effort has been made to reflect the boundary shown on the planning application, you are advised to check the application documents and plans on our website or the planning register held by the District/Borough Council.

Continued use of land as a temporary recycling facility for construction and demolition waste using crushing and screening plant to produce recycled soils and aggregates, stockpiling of waste and recycled products, retention of screen bunding and two storey site office until 21 May 2017 without compliance with Conditions 2 and 8 of planning permission ref: SP/14/00835 dated 24 September 2014.

APPLICANT

Brett Aggregates Ltd

SITE LOCATION AND BACKGROUND

The Shepperton Quarry recycling facility is situated within the north eastern part of Shepperton Quarry/Pit (also known as Littleton Lane West), which lies on the west side of Littleton Lane just north of the M3 Motorway, to the south-east of Laleham and to the south-west of Shepperton. The closest housing to the recycling facility is situated east of Littleton Lane, some 350m to the north-east.

The application site is situated within the Metropolitan Green Belt. The eastern and northern parts of the site lie within the Shepperton Quarry Site of Nature Conservation Interest (SNCI). The lake to the east of Littleton Lane is designated as the Littleton Lake SNCI. The site lies within an Environment Agency Flood Zone 2 area with land surrounding it within Flood Zone 3.

The Shepperton Quarry site forms a wider land complex of mineral workings within the area and has an extension planning history.

As well as the recycling facility, the Shepperton Quarry site itself comprises a lake (formed by gravel working) and used since the mid 1970s for the disposal of silt arising from the processing of minerals in the Shepperton Quarry processing plant; a gravel processing plant and associated mineral stockpiles; concrete batching plant; and Littleton Lane industrial area. Unworked reserves of mineral exist under the Shepperton Quarry processing plant area and adjacent industrial area as well as within the lake at Shepperton Quarry.

Land to the north of the recycling facility and Shepperton Quarry, known as Laleham Farm has been worked and restored back to agriculture. More recently, mineral extraction has been

undertaken at Home Farm and Laleham Nurseries (Home Farm) situated some 600 metres further to the north under a planning permission (ref. SP90/0241) granted in February 1991 allowing for mineral extraction and restoration involving backfilling with imported inert waste materials, transportation of excavated material by field conveyor and processing through the existing processing plant and concrete batching plant at Shepperton Quarry.

In January 2011 planning permission ref. SP06/0275 was granted to extend the time period for the life of operation permitted by the development for Home Farm (ref. SP90/0241) allowing for the continued extraction, retention of the conveyor and use of processing plant and concrete batching plant until 6 February 2012 and for the retention of the vehicle access from Home Farm to the B376 and for the continued restoration of Home Farm with inert fill until 7 February 2015. Mineral working has now ceased at Home Farm and the land partially restored back to agriculture as some features as currently retained in connection to an extant working of mineral as an eastern extension to Home Farm (see information below on application ref. SP09/0720) and the wider restoration of Shepperton Quarry.

Current mineral working is being undertaken on land at Laleham Nurseries and Shepperton Studios situated to the east of Home Farm Quarry which is being worked as an extension to the existing Home Farm Quarry and making use of the existing conveyor link, vehicular access and facilities at the site under planning permission ref. SP09/0720. This planning permission (ref. SP09/0720) involves the extraction of sand and gravel, the transportation of excavated material by field conveyor (Home Farm) for processing through the existing processing plant and concrete batching plant at Shepperton Quarry, and restoration of land back to nursery use and use of land permitted under planning permission ref PA/98/0078 dated 13 February 2001 (for Shepperton Studios) involving backfilling with imported inert waste materials. The working of mineral commenced in June 2013 and restoration of the extension area is due to be completed by June 2017.

Shepperton Quarry has been the subject of an application for the approval of a scheme of working for the remaining reserves (within area covered by planning permission STA/789/6) and restoration of Shepperton Quarry under the review of old mineral workings (ROMP) provisions of the Environment Act 1995. This application was approved by Surrey County Council in February 2012 under planning permission ref. SP98/0643 (ROMP) which is the overarching planning permission under which Shepperton Quarry/Pit now operates and required the whole of the site to be restored by 21 February 2020.

The recycling facility on land at Shepperton Quarry situated to the north of the Shepperton processing plant was originally granted planning permission on appeal in 1998, ref. T/APP/8360/A/98/1013164, for a five year period expiring on 21 May 2004. In January 2005 Surrey County Council refused a planning application to continue the recycling use for a further period of 5 years on Green Belt and traffic impact grounds. This decision was also appealed and planning permission granted by the Secretary of State, subject to six planning conditions, in February 2006 (ref. APP/B3600/A/05/1175072) for a further temporary period expiring on 21 May 2009. In January 2011 the County Council then granted an extension to the life of operations of the recycling facility for a further temporary period to 21 May 2014 under planning permission ref. SP09/0371, subject to 8 conditions. The continued use of land as a temporary recycling facility was extended further by planning permission ref: SP14/00835/SCC until 21 May 2016, subject to 8 conditions.

DESCRIPTION OF PROPOSAL

This application is seeking planning permission for the continued use of land as a temporary recycling facility for construction and demolition waste using crushing and screening plant to produce recycled soils and aggregates, stockpiling of waste and recycled products, retention of a screen bunding and two storey site office, until 21 May 2017 without compliance with Conditions 2 and 8 of planning permission ref: SP/14/00835 dated 24 September 2014.

The applicant seeks to continue the recycling use and retain the two-storey office for a further period of 1 year until 21 May 2017. No changes are proposed to the operation, which would continue to operate as permitted under permission ref: SP/14/00835 dated 24 September 2014.

The applicant states that the extended period has been applied for to allow for the continuation of recycling activities at Shepperton Quarry to coincide with the working and restoration of the Home Farm extension on land at Laleham Nurseries and Shepperton Studio (ref. SP09/0720).

This note gives only the broadest indication of what the application involves. For full details, or if you are uncertain about the location or possible effect of the proposals on you, you should inspect the complete application documents held on the planning register at your District/ Borough Council or on our website.

Case Officer: James Nolan
Telephone: 020 8541 9442

CONSULTATION ON MINERAL RELATED DEVELOPMENT

ITEM NUMBER 3

APPLN. NO.:	: 09/00371/SCC	Recycling Facility, Shepperton Quarry, Littleton Lane, Shepperton
VALID DATE	: 01/06/2009	
CTTEE DATE	: 24/06/2009 (MC)	
TARGET	: N/A	Continued use of land as a temporary recycling facility for construction and demolition waste using crushing and screening plant to produce secondary aggregates and recycled soils, stockpiling of waste and recycled products, without compliance with Condition 1 of appeal decision ref: APP/B3600/A/05/1175072 dated 16 February 2006.
		As shown on site location plan C60/262 , Drawing No C60/261 and accompanying letter received 1 June 2009 for Tarmac Limited

WARD : Laleham and Shepperton Green

This application is due to be reported to the County Council's Planning Committee on 22 July 2009.

1. Development Plan Document

- Green Belt
- Area liable to flood

2. Relevant Planning History

- 2.1 A detailed description of the site and its history is set out in the "Site Location and Background" section of the County Council's preliminary report, which is attached as Appendix 1. A brief summary is outlined below.
- 2.2 In May 1998, permission for a recycling operation was refused (ref. SP/98/0205) for Green Belt and flooding reasons. Temporary permission was granted on appeal (ref. T/APP/8360/A/98/1013164) for a period of five years expiring on 21 May 2004.
- 2.3 In January 2003, permission was granted (ref. SP/02/1149) to retain a two-storey portacabin on the site. This was used ancillary to the recycling use for office purposes and was limited by condition to the same end date as the recycling operation.
- 2.4 In January 2005, permission was refused (ref. 04/00750) to renew the temporary recycling facility permission for an additional five years. Temporary permission was granted on appeal (ref. APP/B3600/A/05/1175072) for a period of five years expiring on 21 May 2009.

3. Description of Current Proposal

- 3.1 Shepperton (Littleton Lane) Quarry is off the western side of Littleton Lane. The recycling site: which is 3.25ha in area: is situated in the north eastern corner of the quarry site, and is accessed off Littleton Lane.
- 3.2 The proposal is to continue the current recycling use for a further temporary period of five years, ending on 21 May 2014. The application letter states that the use would remain within the curtilage of the existing permission area and the perimeter screening bunds would remain in place at the current height.
- 3.3 To the north of the site is Laleham Farm. To the south is an existing industrial area, with mineral extraction processing plant beyond, and a lake to the west. The nearest residences are in Ashurst Drive off the eastern side of Littleton Lane.
- 3.4 The applicant has stated that the five year temporary permission is aligned to the life of the existing quarry development at another site at Home Farm, Shepperton, which is due to be worked and restored by February 2013. An application has been submitted to Surrey County Council to extend the working area at the Home Farm site onto land at Laleham Nurseries and Shepperton Studio's, which would be completed by 2014. It is therefore proposed that the life of the recycling operation at Littleton Lane be extended for this period. However it should be noted that this application is currently invalid.

4. Consultations

- 4.1 None

5. Third Party Representations

- 5.1 None to date.

6. Issues

- Green Belt
- Flooding
- Visual impact
- Traffic impact

7. Planning Considerations

- 7.1 This is the third successive temporary application and seeks to extend the overall use of the site as a recycling facility for a total period of 15 years. The site is within the Green Belt and consideration has to be given to the impact of the proposal upon the character, aims and objectives of the Green Belt. The proposal is, and has always been, considered to be inappropriate development with the Green Belt. However, the Inspectors in allowing the previous appeals have both concluded that very special circumstances do exist to justify this development within the Green Belt on a temporary basis. These conclusions have been reached after assessing the overall need for such recycling facilities, the environmental impacts of the use, the permanence of the use and the overall impact upon the Green Belt. In view of the applicants statement that the proposal is aligned to a nearby site, the possibility of alternative sites is also a matter for consideration.

- 7.2 With regard to the need, the Surrey Waste Plan and other national and regional recycling policies do encourage the provision of recycling sites, particularly in areas where there is a scarcity of such sites, as there is in North-West Surrey. The requirement for the production of recycled and secondary aggregates was identified by the Inspector in the 2006 appeal decision letter and at that time there was a projected shortfall in capacity, which would have been further increased by the closure of the Littleton Lane facility. However it should be noted that in the current economic climate and the reduction in current developments in the area, the supply of waste material and the demand for recycled materials is likely to have diminished and therefore the applicant should provide further justification that the need for a further temporary permission over the next five years, is as strong as it was in the previous ten years.
- 7.3 In considering the original appeal in 1999, the Inspector concluded that the temporary period of five years was acceptable. However, the appeal decision letter also stated that *'any proposal for a longer period would have to be judged on its own merits and different circumstances are likely to arise in the future as, for example, the expiry of the lease on the industrial area south of the appeal site becomes more imminent'*.
- 7.4 The Inspector considering the 2006 appeal also stated that *'the essential characteristic of Green Belts is their permanence... The Inspector who considered the previous appeal expressed concern that, if a 5-year permission were granted then on the basis that a temporary development would be less harmful than a permanent development, the same argument could be repeated in support of further temporary permissions. That concern has been borne out with just that argument being advanced in this case...while the possibility of a further application on this site cannot be precluded, I am confident that the likelihood of a succession of temporary permissions leading effectively to a long-term development is slight. Therefore, the permanence of the Green Belt here will be maintained.'*
- 7.5 The applicant has stated that it is the intention to align this further temporary application with the start up of a proposed facility on an extended site at Home Farm. An application for this extension has been submitted to the County Council in January, although it currently remains invalid. Even if the application is eventually validated and given due consideration, there is no guarantee that the proposal will be found acceptable, which may give rise to the prospect of an application for a further renewal of the temporary permission. This would raise strong concerns over whether this site and its use will become a long-term development. In view of the timescale already reached, the use of the site is starting to provide a degree of permanence, with the associated impacts upon the openness of the Green Belt, and further renewals would be of particular concern. Therefore, the County Council should be advised that the length of this temporary permission should be specifically restricted to existing consents on Home Farm.
- 7.6 No evidence is available at the time of writing this report as to whether the applicant has identified other possible sites in the vicinity that may be used for such a use. Although it is understood that the applicant has previously offered the cessation of the use on this site and to transfer it to another site elsewhere in the Borough in Stanwell Moor. In view of the concerns regarding the continued use on this particular site and the degree of permanence, it is also considered that the County Council should be advised that a further temporary permission should be based on an assessment as to whether there are any alternative sites available, particularly those outside of the Green Belt.

- 7.7 The matter of flooding would be fully assessed by the Environment Agency, and I consider that the Agency's views should be paramount, and no doubt will be accepted by the County Council.
- 7.8 The recycling site is a considerable distance from the nearest residences. Since the previous application, no new housing developments have been carried out in the immediate vicinity. The site has earth bunds to the north and east, with trees along the relevant section of Littleton Lane further to the east. This screens the recycling use from those directions, whilst to the south is the existing industrial area, and the gravel pit lake to the west. In both appeal decisions, the Inspectors, taking these factors into account, had no objection on visual grounds. I therefore consider that the visual impact of the proposal would not be objectionable.
- 7.9 In considering the previous application, the Council raised an objection to the County Council on the grounds that 'no Legal Agreement on lorry routing has been extended to cover this development, and the impact of lorry traffic from this development on the routes to the site, in particular on residences along such roads, would be detrimental to the amenities of such residences'.
- 7.10 However the Inspector in allowing the most recent permission, came to the conclusion that *'the traffic arising from the recycling operations on the site does not cause significant harm in terms to the living conditions of residents along the routes to and from the site or to the safety and convenience of road users'*. The Council has previously accepted that recycling traffic is not the major problem in this area and in view of the Inspectors comments and the lack of any substantial additional evidence to suggest that recycling traffic has grown to a level where it is causing serious harm, it is not considered that the Council can sustain an objection on these grounds.

7 Recommendation

- 8.1 That Surrey County Council be informed that this Council raises NO OBJECTIONS to the principle of a further temporary permission on the site, subject to the following matters:
- i) That the length of the temporary use on this site is restricted to any existing consents for gravel extraction and restoration on Home Farm.
 - ii) That confirmation is received that there are no alternative non-Green Belt sites in the local area
 - iii) That the applicant can demonstrate that there remains a continuing need for recycling facilities within the current economic climate

APPENDICES

Appendix 1. County Council's Preliminary Report