Matter 3: Sustainable Waste Management

Policy 3 – Recycling of inert construction, demolition and excavation waste

49) The SWLP, para 5.2.3.7, recognises the tension that may exist between supporting the recycling of inert CD&E waste and encouraging the timely restoration of sites through recovery of this material to land. Is the potential impact of this approach on the restoration of former minerals sites justified, including those within the Green Belt?

The Borough Council acknowledges the role of the Waste Hierarchy with recycling being encouraged ahead of other methods of recovery. Therefore it welcomes and supports the co-location of recycling facilities at current mineral sites particularly where this contributes to the timely restoration of these sites. However, one of the main problems with this approach is where the recycling begins to take precedence over the restoration work and results in planning applications which extend the final date of the delivery of the restoration. The County Council’s recognition of a “tension” is something that, in practical terms for local residents, translates into many more years of loss of amenity and delay in the delivery of promised benefits and final restoration schemes.

The NPPF(2018) at para 146 confirms that mineral working is not inappropriate development in the Green Belt provided openness is preserved and it does not conflict with the purpose of the Green Belt. Mineral working, although a temporary use, can be, and often is, a long term activity which can affect the landscape and amenity of residents for many years. It is important therefore that residents can be assured that there is a clear end date to working and restoration of such mineral workings. This is reinforced by paras 204(h) and 205(e) of the NPPF(2018) which refer to worked land being reclaimed, restored to a high quality and subject to aftercare at the earliest opportunity. The extension of working to facilitate recycling proposals militates against the benefits of early restoration.

There are currently three recycling facilities in the northern part of the Borough at Hithermoor, Oak Leaf Farm and Stanwell Place.

The Council’s representations on Oak Leaf Farm are set out elsewhere but reference to its past history illustrates the general concerns of the Council and the application of policy. The site was originally part of a larger mineral site on which a subsequent soil screening activity set up. This was subject to enforcement action but on appeal temporary permission was granted for a 10 year period subject to the removal of all screening bunds and final restoration to an approved landscaping scheme. (SP/95/0174; Appeal Ref APP/B3600/A/95/256933). No landscape scheme was ever completed and the operations on the site continued past the ten year period. Despite objections from the Borough Council the site was subsequently identified and include in the SCC Waste Plan 2008 as a permanent site partly justified on the basis that “circumstances change”.

At Stanwell Place a five year permission for recycling was granted in 2008 (08/00337/SCC) on the basis that this was conditional that a strict time limited final restoration by December 2013 for the site was set. In this case the recycling activity appeared to take precedence over the restoration activity to the extent that in five years timely restoration had not been achieved and a new ten year permission for an enlarged recycling facility from 2.9ha to 5.3ha was sought with a new final restoration date of 2027. Previously, the Borough Council had not objected to the application for recycling operations on the site (ref: 08/00337/SCC) on the grounds that it would help
achieve timely restoration. However, despite Spelthorne’s objection Surrey CC subsequently granted permission for the new application (17/00113/SCC) for the enlarged facility and extended time period with the consequential delay in restoration and provision of community benefits.

The third site at Hithermoor has a complex planning history dating back to the 1950s. Mineral working has been extended on a number of occasions in the intervening years. In 2012 a significantly enhanced final restoration scheme was granted in association with a temporary permission for a recycling facility to ensure that the site would be fully restored by 2024. The current operator is now consulting on proposals which would see recycling operations at the site extended for a further 15 years. Once again the community benefits and final landscape enhancements would be further delayed.

The Borough Council acknowledges the role recycling plays in the hierarchy and the throughput at the sites where these operations take place, however the continual failure to effectively time limit and restrict these operations does has a significantly detrimental impact on the amenity of the local area. The need for the policy to be robust in ensuring that the co-location of facilities does not result in delay in restoration or contribute to the detriment of amenity of the environment is therefore paramount.

It is not enough for the “tension” to be recognised, as this situation will continue to arise in the future. Policy 3 does not fully address this issue and it would appear that there is limited ability to ensure that C, D & E recycling operations remain temporary and are properly tied to the restoration of the original mineral working. The policy should introduce a much higher level test of exceptional circumstance to justify the further extension of recycling operations which further delay the restoration of mineral sites.