

**TOWN AND COUNTRY PLANNING ACT 1990
(as amended)**

Objections on the County Matter for Consultation
(ref no 21/00223/CMA) to: -

Rosemary Cottrell
Land At The Chalk Pit
College Road
Epsom
KT17 4JA

TAKE NOTICE that EPSOM & EWELL BOROUGH COUNCIL,
the local planning authority under the Town and Country Planning Act 1990,
hereby OBJECTION to the County Matter for Consultation to:

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

as referred to in your application (21/00223/CMA) and shown on submitted plans relating to:

Land At The Chalk Pit , College Road , Epsom

FOR THE REASONS SPECIFIED hereunder:

There are concerns that the applicants are not adhering to the conditions of their Environmental permit.

Conditions should be imposed , if the application is permitted, restricting both times of operation and delivery.

Our Contaminated Land Officer commented as follows:

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, we advise that the Environment Agency (EA) Groundwater Team be consulted on this application.

A management programme should 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.

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, The EEBC contaminated Land Officer suggested to 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. 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 SCC.

1 Site vehicle fuelling: during the 2016 site visit I 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 I commented to SCC that it was likely that there would have been a direct pathway from this pollutant source into the chalk aquifer. During my site visit I also observed an excavator being fuelled without anyone attending to the hose (see Plate 2).

2 Vehicle washing: during my visit I observed a lorry parked on a slope adjacent to the planning application boundary having its undercarriage and wheels washed with a pressure washer (Plate 3). I commented that a proper wheel washing station should be established for this potentially polluting activity.

Dated:

Signed:

A handwritten signature in black ink, consisting of a stylized, cursive 'B' followed by a long horizontal line extending to the right.

Head of Planning

EPSOM & EWELL BOROUGH COUNCIL, TOWN HALL, THE PARADE, EPSOM,
SURREY KT18 5BY Tel: 01372 732000

**YOUR ATTENTION IS DRAWN TO THE NOTES OVERLEAF/ATTACHED AND ANY
ACCOMPANYING LETTER(S).**

NOTES FOR THE APPLICANT

Any planning permission or approval granted is confined to permission under the Town and Country Planning Acts, and the Town and Country Planning General Development Orders 1995, and does not obviate the necessity for compliance with any other enactment, bye-Law, or other provision whatsoever or of obtaining from the appropriate authority or authorities any permission, consent, approval or authorisation which may be requisite. This includes the necessity to apply for Building Regulations Approval, or for Listed Building Consent should the proposal involve the demolition or alteration (internal or external) of, or extension to a building listed as being of Architectural or Historic Interest, or of any structure within the curtilage of a listed building or (in most cases) of any unlisted building if it is situated within a designated conservation area.

APPLICANTS ARE PARTICULARLY ADVISED TO CONTACT THE BUILDING CONTROL DIVISION AT THE TOWN HALL, EPSOM, (TELEPHONE 01372 732000) TO ASCERTAIN WHETHER IT IS NECESSARY FOR PERMISSION TO BE GIVEN UNDER THE BUILDING REGULATIONS.

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RIGHTS OF APPEAL

If you are aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development, or to grant permission subject to conditions, you may appeal to the Secretary of State for the Environment, in accordance with section 78 of the Town and Country Planning Act 1990 within six months from the date of the decision. Appeals must be made on a form which is obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (tel: 0117 372 8000). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (*), to the provisions of the Development Order, and to any directions given under the Order. He does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him.

If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the Land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the Land in accordance with the provisions of Part IX of the Town and Country Planning Act 1990.

In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 120 of the Town and Country Planning Act 1990.

(*) The statutory requirements are those set out in section 78(7) of the Town and Country Planning Act 1990.

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