

**PLANNING AND REGULATORY COMMITTEE
NOTICE OF MEETING**

Date: Wednesday, 28 September 2016
Time 10.30 am
Place: Ashcombe Suite, County Hall, Kingston upon Thames, Surrey KT1 2DN

Contact: Joss Butler tel: 020 8541 9702, Room 122, County Hall
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[For queries on the content of the agenda and requests for copies of related documents]

APPOINTED MEMBERS [12]

Tim Hall (Chairman)	Leatherhead and Fetcham East;
Keith Taylor (Vice-Chairman)	Shere;
Mr S Cosser	Godalming North;
Carol Coleman	Ashford;
Jonathan Essex	Redhill East;
Margaret Hicks	Hersham;
Ernest Mallett MBE	West Molesey;
Michael Sydney	Lingfield;
Richard Wilson	The Byfleets;
Marisa Heath	Englefield Green;
Mary Angell	Woodham and New Haw;

EX OFFICIO MEMBERS (NON-VOTING) [4]

Sally Marks	Chairman of the County Council	Caterham Valley;
Nick Skellett CB E	Vice-Chairman of the County Council	Oxted;
David Hodge	Leader of the Council	Warlingham;
Mr P J Martin	Deputy Leader and Cabinet Member for Economic Prosperity	Godalming South, Milford & Witley;

APPOINTED SUBSTITUTES [19]

Stephen Cooksey	Dorking South and the Holmwoods;
Will Forster	Woking South;
Denis Fuller	Camberley West;
Ramon Gray	Weybridge;
Nick Harrison	Nork & Tattenhams;
Peter Hickman	The Dittons;
John Orrick	Caterham Hill;
Adrian Page	Lightwater, West End and Bisley;
Chris Pitt	Frimley Green and Mytchett;
Fiona White	Guildford West;
Chris Townsend	Ashtead;

Register of planning applications: <http://planning.surreycc.gov.uk/>

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AGENDA

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

To receive any apologies for absence and notices of substitutions under Standing Order 40.

2 MINUTES OF THE LAST MEETING

(Pages 1 - 6)

To confirm the minutes of the meeting held on 3 August 2016.

3 PETITIONS

To receive any petitions from members of the public in accordance with Standing Order 65 (please see note 7 below).

4 PUBLIC QUESTION TIME

To answer any questions received from local government electors within Surrey in accordance with Standing Order 66 (please see note 8 below).

5 MEMBERS' QUESTION TIME

To answer any questions received from Members of the Council in accordance with Standing Order 47.

6 DECLARATIONS OF INTERESTS

To receive any declarations of disclosable pecuniary interests from Members in respect of any item to be considered at the meeting.

Notes:

- In line with the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, declarations may relate to the interest of the member, or the member's spouse or civil partner, or a person with whom the member is living as husband or wife, or a person with whom the member is living as if they were civil partners and the member is aware they have the interest.
- Members need only disclose interests not currently listed on the Register of Disclosable Pecuniary Interests.
- Members must notify the Monitoring Officer of any interests disclosed at the meeting so they may be added to the Register.
- Members are reminded that they must not participate in any item where they have a disclosable pecuniary interest.

- 7 APPLICATION NOS WA/2015/1612, WA/2015/1613 AND WA/2015/1614 - WEYDON COUNTY SECONDARY SCHOOL, WEYDON LANE, FARNHAM, SURREY GU9 8UG** (Pages 7 - 38)
- These three applications at Weydon School are seeking to use the existing external sports facilities, including floodlights, at the school for community use for longer hours extending into the evenings. The hours that the school can currently use the facilities and floodlights are controlled by conditions attached to the various planning permissions for those facilities. The details of each of the three applications and what this application is seeking in terms of these current applications is set out in Table 1 appended to the report.
- 8 SCC REF 2016/0019 - RE16/00337/CON LAND AT AND ADJOINING REIGATE PARISH SCHOOL, BLACKBOROUGH ROAD, REIGATE, SURREY** (Pages 39 - 78)
- Erection of 2 storey building comprising 8 classrooms, hall, staff and group rooms, preparations area, WCs and library, associated circulation, play areas and landscaping; alterations to footpath access and car parking layout to facilitate expansion of school from a 2FE infant to a 2FE primary.
- 9 MINERALS/WASTE SP12/01132/SCD1 - MANOR FARM, ASHFORD ROAD AND LAND WEST OF QUEEN MARY RESERVOIR, LALEHAM, SURREY** (Pages 79 - 96)
- Details of noise barriers for the conveyor switch points submitted pursuant to Conditions 22 and a Bird Hazard Management Plan submitted pursuant to Condition 36 of planning permission ref: SP2012/01132 dated 23 October 2015.
- 10 MINERALS/WASTE SP12/01132/SDC7 - MANOR FARM, ASHFORD ROAD, AND LAND WEST OF QUEEN MARY RESERVOIR, LALEHAM, SURREY** (Pages 97 - 112)
- Details of a Groundwater Monitoring Plan submitted pursuant to Condition 32 of planning permission ref: SP/2012/01132 dated 23 October 2015.
- 11 MINERALS/WASTE SP12/01132/SCD5, SP12/01132/SCD8 AND SP12/01132/SCD6 - MANOR FARM, ASHFORD ROAD AND LAND WEST OF QUEEN MARY RESERVOIR, LALEHAM, SURREY** (Pages 113 - 140)
- Details of measures to be taken and facilities to be provided to keep the public highway clean and prevent creation of a dangerous surface submitted pursuant to Condition 12(a), a Construction Management Plan submitted pursuant to Condition 15 and an updated bat survey and biodiversity mitigation strategy submitted pursuant to Condition 38.

Details of the design of the temporary Ashford Road access submitted pursuant to Condition 8 (a) and vegetation survey and tree and hedgerow protection plan submitted pursuant to Condition 47.

Details of the current and proposed design of the Worple Road access; tree and hedgerow removal, protection measures and replanting submitted pursuant to Condition 8(b)(i) of planning permission reference SP/2012/01132 dated 23 October 2015.

12 DATE OF NEXT MEETING

The next meeting of the Planning & Regulatory Committee will be on 12 October 2016.

David McNulty
Chief Executive
16 September 2016

MOBILE TECHNOLOGY AND FILMING – ACCEPTABLE USE

Those attending for the purpose of reporting on the meeting may use social media or mobile devices in silent mode to send electronic messages about the progress of the public parts of the meeting. To support this, County Hall has wifi available for visitors – please ask at reception for details.

Anyone is permitted to film, record or take photographs at council meetings. Please liaise with the council officer listed in the agenda prior to the start of the meeting so that those attending the meeting can be made aware of any filming taking place.

Use of mobile devices, including for the purpose of recording or filming a meeting, is subject to no interruptions, distractions or interference being caused to the PA or Induction Loop systems, or any general disturbance to proceedings. The Chairman may ask for mobile devices to be switched off in these circumstances.

It is requested that if you are not using your mobile device for any of the activities outlined above, it be switched off or placed in silent mode during the meeting to prevent interruptions and interference with PA and Induction Loop systems.

Thank you for your co-operation

Note: *This meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed. The images and sound recording may be used for training purposes within the Council.*

Generally the public seating areas are not filmed. However by entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.

If you have any queries regarding this, please contact the representative of Legal and Democratic Services at the meeting

NOTES:

1. The Chairman will adjourn the meeting for lunch from 12.45pm unless satisfied that the Committee's business can be completed by 1.15pm.
2. Members are requested to let the Regulatory Committee Manager have the wording of any motions and amendments not later than one hour before the start of the meeting.
3. Substitutions must be notified to the Regulatory Committee Manager by the absent Member or group representative at least half an hour in advance of the meeting.
4. Planning officers will introduce their report and be able to provide information or advice to Members during the meeting. They can also be contacted before the meeting if you require information or advice on any matter.
5. A record of any items handled under delegated powers since the last meeting of the Committee will be available for inspection at the meeting.
6. Members of the public can speak at the Committee meeting on any planning application that is being reported to the Committee for decision, provided they have made written representations on the application at least 14 days in advance of the meeting, and provided they have registered their wish to do so with the Regulatory Committee Manager in advance of the meeting. The number of public speakers is restricted to five objectors and five supporters in respect of each application.

7. Petitions from members of the public may be presented to the Committee provided that they contain 100 or more signatures and relate to a matter within the Committee's terms of reference. The presentation of petitions on the following matters is not allowed: (a) matters which are "confidential" or "exempt" under the Local Government Access to Information Act 1985; and (b) planning applications. Notice must be given in writing at least 14 days before the meeting. Please contact the Regulatory Committee Manager for further advice.
8. Notice of public questions must be given in writing at least 7 days before the meeting. Members of the public may ask one question relating to a matter within the Committee's terms of reference. Questions on "confidential" or "exempt" matters and planning applications are not allowed. Questions should relate to general policy and not detail. Please contact the Regulatory Committee Manager for further advice.
9. On 10 December 2013, the Council agreed amendments to the Scheme of Delegation so that:
 - All details pursuant (applications relating to a previously granted permission) and non-material amendments (minor issues that do not change the principles of an existing permission) will be delegated to officers (irrespective of the number of objections).
 - Any full application with fewer than 5 objections, which is in accordance with the development plan and national policies will be delegated to officers.
 - Any full application with fewer than 5 objections that is not in accordance with the development plan (i.e. waste development in Green Belt) and national policies will be delegated to officers in liaison with either the Chairman or Vice Chairman of the Planning & Regulatory Committee.
 - Any application can come before committee if requested by the local member or a member of the Planning & Regulatory Committee.

The revised Scheme of Delegation came into effect as of the date of the Council decision.

TOWN AND COUNTRY PLANNING ACT 1990 – GUIDANCE ON THE DETERMINATION OF PLANNING APPLICATIONS

This guidance forms part of and should be read in conjunction with the Planning Considerations section in the following committee reports.

Surrey County Council as County Planning Authority (also known as Mineral or Waste Planning Authority in relation to matters relating to mineral or waste development) is required under Section 70(2) of the Town and Country Planning Act 1990 (as amended) (1990 Act) when determining planning applications to “*have regard to (a) the provisions of the development plan, so far as material to the application, (b) any local finance considerations, so far as material to the application, and (c) any other material considerations*”. This section of the 1990 Act must be read together with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (2004 Act), which provides that: “*If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.*”

Development plan

In Surrey the adopted development plan consists of the:

- Surrey Minerals Local Plan 2011 (comprised of the Core Strategy and Primary Aggregates Development Plan Documents (DPD))
- Surrey Waste Plan 2008 (comprised of the Core Strategy, Waste Development and Waste Development Control Policies DPDs)
- Aggregates Recycling Joint DPD for the Minerals and Waste Plans 2013 (Aggregates Recycling DPD 2013)
- Any saved local plan policies and the adopted Local Development Documents (development plan documents and supplementary planning documents) prepared by the eleven Surrey district/borough councils in Surrey
- South East Plan 2009 Policy NRM6 Thames Basin Heaths Special Protection Area (apart from a policy relating to the former Upper Heyford Air Base in Oxfordshire the rest of the plan was revoked on 25 March 2013)

Set out in each report are the development plan documents and policies which provide the development plan framework relevant to the application under consideration.

Material considerations

Material considerations will vary from planning application to planning application and can include: relevant European policy; the March 2012 National Planning Policy Framework (NPPF) and updates; the March 2014 national Planning Practice Guidance (PPG) and updates; National Planning Policy for Waste (NPPW) October 2014; Waste Management Plan for England 2013; extant planning policy statements; Government Circulars and letters to Chief Planning Officers; emerging local development documents (being produced by Surrey County Council or the district/borough council in whose area the application site lies).

National Planning Policy Framework and Planning Practice Guidance

The March 2012 [National Planning Policy Framework](#) (NPPF) and subsequent updates replaced 30 Planning Policy Statements, Planning Policy Guidance Notes, Minerals Policy Statements and Minerals Policy Guidance Notes and related Practice Guides, some Government Circulars and letters to Chief Planning Officers and provides consolidated guidance for local planning authorities and decision takers in relation to decision-taking (determining planning applications) and in preparing plans (plan making).

The NPPF sets out the Government's planning policies for England and how these are expected to be applied and the associated March 2014 [Planning Practice Guidance](#) (PPG) provides related guidance. The NPPF should be read alongside other national planning policies on [Waste](#), [Travellers](#), [Planning for Schools Development](#), [Sustainable Drainage Systems](#), [Parking](#), and [Starter Homes](#).

At the heart of the NPPF is a presumption in favour of sustainable development which the document states "*should be seen as a golden thread running through both plan-making and decision-taking*" (paragraph 14). The NPPF makes clear the purpose of the planning system is to contribute to the achievement of sustainable development which has three dimensions: economic, social and environmental. These give rise to the need for the planning system to perform a number of mutually dependent roles: an economic role, a social role and an environmental role. The NPPF sets out 12 core land-use planning principles that should underpin both decision-taking and plan making.

The NPPF does not change the statutory principle that determination of planning applications must be made in accordance with the adopted development plan unless material considerations indicate otherwise. The NPPF is one of those material considerations. In determining planning applications the NPPF (paragraph 14) states that development proposals that accord with the development plan should be approved without delay; and where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole; or specific policies in the NPPF indicate development should be restricted.

The NPPF aims to strengthen local decision making and reinforce the importance of up to date plans. Annex 1 paragraph 215 states that in determining planning applications local planning authorities should give due weight to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies are to the policies in the Framework, the greater the weight they may be given). For emerging plans the NPPF (paragraph 216) states that, unless material considerations indicate otherwise, weight may also be given to relevant policies in emerging plans according to:

- *"The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
- *The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given), and;*
- *The degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."*

HUMAN RIGHTS ACT 1998 – GUIDANCE FOR INTERPRETATION

This Guidance should be read in conjunction with the Human Rights section in the following Committee reports.

The Human Rights Act 1998 does not incorporate the European Convention on Human Rights in English law. It does, however, impose an obligation on public authorities not to act incompatibly with those Convention rights specified in Schedule 1 of that Act. As such, those persons directly affected by the adverse effects of decisions of public authorities may be able to claim a breach of their human rights. Decision makers are required to weigh the adverse impact of the development against the benefits to the public at large.

The most commonly relied upon articles of the European Convention are Articles 6, 8 and Article 1 of Protocol 1. These are specified in Schedule 1 of the Act.

Article 6 provides the right to a fair and public hearing. Officers must be satisfied that the application has been subject to proper public consultation and that the public have had an opportunity to make representations in the normal way and that any representations received have been properly covered in the report. Members of the public wishing to make oral representations may do so at Committee, having given the requisite advance notice, and this satisfies the requirements of Article 6.

Article 8 covers the right to respect for a private and family life. This has been interpreted as the right to live one's personal life without unjustified interference. Officers must judge whether the development proposed would constitute such an interference and thus engage Article 8.

Article 1 of Protocol 1 provides that a person is entitled to the peaceful enjoyment of his possessions and that no-one shall be deprived of his possessions except in the public interest. Possessions will include material possessions, such as property, and also planning permissions and possibly other rights. Officers will wish to consider whether the impact of the proposed development will affect the peaceful enjoyment of such possessions.

These are qualified rights, which means that interference with them may be justified if deemed necessary in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Any interference with a Convention right must be proportionate to the intended objective. This means that such an interference should be carefully designed to meet the objective in question and not be arbitrary, unfair or overly severe.

European case law suggests that interference with the human rights described above will only be considered to engage those Articles and thereby cause a breach of human rights where that interference is significant. Officers will therefore consider the impacts of all applications for planning permission and will express a view as to whether an Article of the Convention may be engaged.

MINUTES of the meeting of the **PLANNING AND REGULATORY COMMITTEE** held at 10.30 am on 3 August 2016 at Ashcombe Suite, County Hall, Kingston upon Thames, Surrey KT1 2DN.

These minutes are subject to confirmation by the Committee at its meeting.

Members Present:

Mr Tim Hall (Chairman)
Mr Keith Taylor (Vice-Chairman)
Mrs Carol Coleman
Mr Jonathan Essex
Mrs Margaret Hicks
Mr Ernest Mallett MBE
Mr Richard Wilson

Apologies:

Mr Steve Cosser
Mr Michael Sydney

117/16 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies for absence were received from Steve Cosser and Michael Sydney.

118/16 MINUTES OF THE LAST MEETING [Item 2]

The Minutes were approved as an accurate record of the previous meeting and signed by the Chairman.

119/16 PETITIONS [Item 3]

There were none.

120/16 PUBLIC QUESTION TIME [Item 4]

There were none.

121/16 MEMBERS' QUESTION TIME [Item 5]

There were none.

122/16 DECLARATIONS OF INTERESTS [Item 6]

There were none.

**123/16 O/2015/0605 - LAND AT ELM NURSERY, SUTTON GREEN ROAD,
SUTTON GREEN, WOKING GU4 7QD [Item 7]**

Officers:

Alan Stones, Planning Development Control Team Manager
Nancy El-Shatoury, Principal Solicitor
Caroline Smith, Transport Development Planning Team Manager
Dustin Lees, Senior Planning Officer
Susan Hirst, Noise Consultant

Speakers:

Mr Batchelor, proxy for Mr Cropper, a local resident, made representation in objection to the application. He made the following points:

1. That there was inconsistency and lack of information in the Officer's report and that the development was inappropriate for Surrey's green belt.
2. That the increase of vehicles would raise noise levels in the area and harm the local environment.
3. Mr Batchelor disputed the applicant's claim to have fully sought alternative site as he himself had found a few sites quite quickly when searching.
4. That the disbenefits outweighed any benefits and therefore the very special circumstances argument should fail.

Mr Vanstone, a local resident, made representation in objection to the application. He made the following points:

1. That alternative locations were not properly searched for and that the 74 objections raised over this development had been ignored.
2. Green waste was not the same as waste.
3. This was an inappropriate use of green belt.
4. Very special circumstances had not been proved.
5. The officers report was misleading and inaccurate.
6. He requested that if the Committee were minded to approve the application to include a few extra conditions which prevented the barn from being built within 12 meters from the boundary of the development, and another to prevent a wood burner from being built.

Mrs Aristidou, a local resident, made representations in objection to the application. She made the following points:

1. The significant adverse impact that would be caused by the development.
2. References were made to the noise report that was said to not give consideration to chainsaws or tree splitters which would startle the nearby animals. She claimed that the noise impact on animals had not been correctly assessed and that the sound mitigation proposed was not enough. Mrs Aristido asked for 48 hours notice by email for the use of such machinery.
3. It was asked that a further noise evaluation was undertaken for the development.

Mrs Whitaker, a local resident, made representations in objection to the application. She made the following points:

1. Concerns were raised of the effects of the wood chipper in the area and how the noise would aggravate the local horses and livestock.
2. That woodchip waste would contaminate the pasture land and affect the soil.
3. It was mentioned that the development had changed to the current location but was still encountering the same issues.

Mr Cobbald, the applicant's agent, made the following points in response:

1. Mr Cobbald informed the Members that their decision was for storage and the processing of waste arising from the applicant's business, a small local business. This also involved breaking down wood into bio-fuel. It was stated that this would only be in effect for no more than 12 hours every month. It was noted that no wood burner was proposed.
2. References were made to the alternative site assessments and the factors that were considered in this process.
3. Members were informed that Elm Nursery does currently have animals onsite and that these animals have been considered by the owner who understands how they will be effected by the proposal.

Mr Rose, the applicant, made the following points in response:

1. The reason for relocation from the previous site was because of Slough Power Station closing which had a negative effect in the local economy.
2. Mr Rose spoke of his previous experience of using a wood chipper around animals and how they had not been harmed by the noise caused. An extensive noise evaluation had been carried out and information was given about how to mitigate against the noise issues that might be caused.
3. He had completed all that was required to set up a responsible and environmentally friendly company and to not affect the local community.
He had held meetings with Mr Vanstone and others, including residents to discuss proposals and issues.
4. Rural industries were being squashed and needed to diversify.

Mr Forster, the local Member, made the following points:

1. That this was not an appropriate development as planning policy states that it should not be in the green belt unless under special circumstances which he felt had not been proved it also ran contrary to the Waste Plan.
2. The report failed to give any alternative sites and the assessment of alternative sites was not robust enough and asked the Committee to consider this when making a decision.
3. The evidence did not show that this business could not relocate outside of green belt.
4. The proposed application could happen on an industrial site which was what was making residents unhappy as other sites were available.
5. The application should be rejected and that if it was to be accepted, asked that the conditions be reviewed.

Key points raised during the discussion:

1. The Planning Development Control Team Manager introduced the report and update sheet and reminded Members of their role and responsibilities in making a decision on the application. Members were asked to note the significant number of letters of rejection to the application and were informed of the key issues involved.
2. Members asked the Senior Planning Officer for confirmation of the reordering of conditions in the report and how new conditions would be included. The Senior Planning Officer noted the query and informed Members that the ordering of the conditions would be corrected and made easier to understand.
3. The Committee spoke of the site visit they had attended and noted that the hours of operation would be between 8am and 5pm and that there would only be an extra two or three articulated lorries per month.
4. The Planning Development Control Team Manager explained that:
 - There had been much disagreement between officers and residents and that officers had much experience of dealing with other similar sites that could not find a site outside of the green belt. It was not surprising that a non green belt site could be found due to the amount of green belt in Surrey.
 - Officers believed that there was no other site within a 15 kilometre radius
 - Sequential tests were not required by the County Council, especially for such a small site as this.
 - Officers believed that the special circumstances outweighed any potential harm.
5. Members questioned the tenancy of the land and asked if the application was under the category of green waste. The Planning Development Control Team Manager informed Members that they were not aware of the current land tenancy but informed Members that the application will run with the land. Members were informed that it was not green waste but is instead wood waste as wood waste is more valuable than green waste as it burns more efficiently.
6. Members asked for confirmation from the Noise Consultant over the likelihood of the local animals being affected by the development. The Noise Consultant informed Members that they were generally not expecting the noise to be very high as calculations made showed that the noise level would be significantly low. The noise consultant went on to clarify the reasons to the changes in the noise consultation and assured Members that everything had been taken into consideration.
7. A discussion was had over the notice period given to surrounding residents for when work was to be carried out. The Planning Development Control Team Manager agreed that the conditions regarding the notice period would be reviewed at a later date.

Resolved:

That condition 8, regarding noise, be revised to include not only time limits but the spread of those times in order that time period were short and spread out in order to reduce any nuisance.

That application O/2015/0605 Land at Elm Nursery, Sutton Green Road, Sutton Green, Woking GU4 7QD was permitted subject to conditions and reasons set out in the report and in the update sheet attached to these minutes and with the revision set out above.

Actions/further information to be provided:

None.

124/16 SP12/01132/SCD4 - LAND AT MANOR FARM AND QUEEN MARY QUARRY, LALEHAM [Item 8]

Officers:

Alan Stones, Planning Development Control Team Manager
 Nancy El-Shatoury, Principal Solicitor
 Caroline Smith, Transport Development Planning Team Manager
 Susan Waters, Principal Planning Officer

Speakers:

Denise Turner-Stewart, the local Member, made the following points:

1. That the development would increase the chance of flooding in the area and thought that the conditions regarding flooding was not robust enough. The site had a 1 in 30 risk of flooding but the report dealt with a 1 in 100 risk.
2. Asked that both items on the agenda for this site be deferred and that both items be heard together at a later date with another three expected applications for this site.

Key points raised during the Discussion:

1. The Principal Planning Officer introduced the report and gave Members a summary of the applications details. Members were informed that the Environment Agency were satisfied with the size of the pipe and that it would not interfere with the flow of the Thames and that a flood risk assessment had been carried out. Spelthorne Borough Council had raised no objection to the proposal.
2. The Planning Development Control Team Manager reported that it would be unreasonable to defer the items as the current report details allow the items to be determined in isolation.
3. A Member raised concerns that the Council would be liable for damages if decision was deferred. The Planning Development Control Team Manager confirmed that they would if the decision was seen as unreasonable.

The resolution of the Committee was unanimous.

Resolved:

1. That application SP12/01132/SCD4 Land at Manor Farm and Queen Mary Quarry, Laleham was permitted subject to conditions and reasons set out in the report.

Actions/further information to be provided:

None.

125/16 SP12/01132/SCD2 - LAND AT MANOR FARM AND QUEEN MARY QUARRY, LALEHAM [Item 9]**Officers:**

Alan Stones, Planning Development Control Team Manager
 Nancy El-Shatoury, Principal Solicitor
 Caroline Smith, Transport Development Planning Team Manager
 Susan Waters, Principal Planning Officer

Speakers:

Denise Turner-Stewart, the local Member, made the following points:

1. That there was a moderate to high chance that the land proposed would contain archaeological findings and asked when and who would receive these in the event of them arising.

Key points raised during the Discussion:

1. Members raised concern that archaeological findings would not be protected in the event of them being found. The Principal Planning Officer confirmed that artefacts would be retained and archived and may go to a museum in the event of them being found but that will be part of a future discussion.
2. Members asked for confirmation of what would happen to the artefacts once found in which the Principal Planning Officer confirmed that information would be logged nationally, that artefacts would belong to the landowner and that there was currently no receiving museum.

Resolved:

1. That application SP12/01132/SCD2 Land at Manor Farm and Queen Mary Quarry, Laleham was permitted subject to conditions and reasons set out in the report and in the update sheet attached to the minutes.

Actions/further information to be provided:

None.

126/16 DATE OF NEXT MEETING [Item 10]

The next meeting on 7 September 2016 is cancelled.

Meeting closed at Time Not Specified

Chairman

TO: PLANNING & REGULATORY COMMITTEE **DATE:** 28 September 2016
BY: PLANNING DEVELOPMENT TEAM MANAGER
DISTRICT(S) WAVERLEY BOROUGH COUNCIL **ELECTORAL DIVISION(S):**
Farnham South
Mr Ramsdale

PURPOSE: FOR DECISION **GRID REF:** 482962 145325

TITLE: SURREY COUNTY COUNCIL PROPOSALS WA/2015/1612, WA/2015/1613 AND WA/2015/1614

SUMMARY REPORT

Land at Weydon County Secondary School, Weydon Lane, Farnham, Surrey GU9 8UG

This is a joint report which relates to three separate applications at the above site where the issues are interlinked as follows:

WA/2015/1612

1) demolition of single storey structure and construction of single and two storey extensions; elevational changes to existing buildings; reorganisation of playing field and construction of 2 synthetic turf pitches, 6 tennis courts and associated ground works, retaining walls and perimeter fencing; construction of new access from Greenfield Road with associated parking and landscaping; (full permission). 2) removal of other structures and erection of 5266 m2 floor space of new education buildings and laying out of 25 parking spaces with layout, scale, appearance and landscaping reserved (outline), permitted under reference WA/2013/0829 dated 25/09/2013 without compliance with Conditions 1 and 6 to permit an alteration to the hours of use of the outdoor sports facilities to the following:

Cricket green/grass pitches – between the hours of 09:00 and 22:00 on weekdays and 09:00 and 20:30 on weekends and bank and public/national holidays.

Football/rugby pitches (3g) - between 09:00 and 21:30 on weekdays and 09:00 and 18:00 on weekends and bank/public and national holidays during the months between and inclusive of September and April; and between 09:00 and 20:30 on Mondays, between 09:00 and 18:30 on Tuesdays to Fridays and between 09:00 and 18:00 on weekends, bank, public and national holidays during the months between, and inclusive of, May to August.

Tennis/netball courts – between the hours of 09:00 and 22:00 on weekdays and 09:00 and 18:00 on weekends and bank and public/national holidays.

Together with additional restrictions on parking of vehicles in connection with these uses and the erection of a 2.5m acoustic fence.

WA/2015/1613

Installation of floodlighting on two artificial surface sports pitches, together with a 2.5m high acoustic fence along part of the western boundary of the site permitted under ref: WA/2014/0471 dated , without compliance with Condition 3 to allow the alteration of the hours of use of the floodlighting to 21:30 midweek and between 16:00 and 18:00 on weekends and Bank and Public

Holidays during the months between and inclusive of September and April and between 16: 00 and 20:30 on Mondays only during the months between and inclusive of May to August.

WA/2015/1614

Installation of 6no, 10m high floodlight columns to provide lighting of new dual use tennis courts/netball courts permitted under ref: WA/2014/1478 dated 24 October 2014 without compliance with Condition 3 to allow the extension of the hours of use of the lighting to 22:00 hours Mondays to Thursdays, 20:30 hours on Fridays and 18:00 hours on weekends and Bank and Public Holidays.

Weydon School is a secondary school for pupils aged 11-16 situated within the urban area in Farnham. The school site extends to approximately 7.3 ha (18.0 acres) and is surrounded on three sides by residential development (excepting a small industrial estate adjoining the north west corner of the site). The fourth (north) side is the frontage to Weydon Lane, with the Farnham – Alton railway line beyond. The main complex of school buildings is located on the northern part of the site, fronting Weydon Lane, with the school's extensive playing fields to the south extending to Greenfield Road.

These three applications are seeking to extend the hours of use of the outdoor sports pitches on the site, including the use of floodlights, beyond the hours which have already been approved and which are controlled by various planning conditions.

There have been objections to the proposal from nearby residents on grounds of noise, the impact of lighting and the consequent loss of residential amenity. Officers have considered the proposals and have sought advice from an independent noise and lighting consultant and have reached the view that the proposals represent unacceptable development which would cause significant harm to the residential amenity of the neighbouring dwellings.

Officers consider that the applications should be refused. The recommendation is that all three applications be REFERRED BACK TO THE APPLICANT SETTING OUT THE GROUNDS FOR REFUSAL WHICH WOULD APPLY WERE THE APPLICATION TO BE DETERMINED.

APPLICATION DETAILS

Applicant

Weydon Academy Trust & Surrey County Council

Date applications valid

All three applications were valid on the 17 August 2015

Period for Determination

The applicant has agreed to an extension of time on all three applications to the date of this Committee as there has been a period of negotiation with amendments being submitted in an attempt to overcome officer concerns.

Amending Documents

WA/2015/1612

Drawing Number 1782 05/B Proposed Site Plan B received 22/04/2016
Letter from Bell Cornwell dated 24/03/2016

WA/2015/1613

Drawing Number 1782 05/B Proposed Site Plan B received 22/04/2016
 Letter from Bell Cornwall dated 24/03/2016

WA/2015/1614

Letter from MRL Acoustics and fencing details received 18/04/16
 Letter from Bell Cornwall received 18/04/16

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.

	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
ASSESSMENT OF THE RELEVANCE OF THE CONDITIONS	N/A	32 - 43
IMPACT ON RESIDENTIAL AMENITY	NO	44 - 64

ILLUSTRATIVE MATERIAL**Site Plan**

Plans showing location of floodlights

Aerial Photographs

Aerial

BACKGROUND**Site Description**

- 1 Weydon School is a secondary level Academy for pupils aged 11-16. The school site extends to approximately 7.3 ha (18.0 acres) and is surrounded on three sides by residential development (excepting a small industrial estate adjoining the north west corner of the site). The fourth (north) side is the frontage to Weydon Lane, with the Farnham – Alton railway line beyond.
- 2 The main complex of school buildings is located on the northern part of the site, fronting Weydon Lane, with the school's extensive playing facilities to the south extending to Greenfield Road. The main access to the school is from Weydon Lane, though there is an additional entrance used by staff onto Greenfield Road. The original school building, dating from 1957, is on the Weydon Lane frontage and is part single/part two storey of

traditional brick and tile construction, with a mix of flat and pitched roofs. Successive additional buildings have been added to the rear of the original building and are a mix of one and two storeys, attached and detached and in a variety of architectural styles. The southernmost existing buildings are the school's community use sports hall and alongside that a new Performing Arts Block and classroom building have recently been constructed.

- 3 The outdoor sports facilities on the site was laid out following the granting of planning permission under reference WA/2013/0829 and now, in summary, comprises the following:
 - A dual use and floodlit netball pitch/tennis courts
 - Two floodlit synthetic turf pitches (STP) for rugby/football/hockey
 - A dual use grassed cricket square/athletics/informal space
- 4 The sports facilities are available for Community Use outside of school hours, though restricted by various planning conditions (see Table 1 Appended).

Planning History

- 5 There have been a number of previous planning applications at this site, the most recent of which are set out below:
- 6 **WA/2013/0829** for 1) Demolition of single storey structure and construction of single and two storey extensions; elevational changes to existing buildings; reorganisation of playing field and construction of 2 synthetic turf pitches, 6 tennis courts and associated ground works, retaining walls and perimeter fencing; construction of new access from Greenfield Road with associated parking and landscaping; (full permission). 2) Removal of other structures and erection of 5266 m2 floor space of new education buildings and laying out of 25 parking spaces with layout, scale, appearance and landscaping reserved (outline application). This application was approved in September 2013 and was subject to a number of conditions.
- 7 **WA/2013/2004** Details of low level bollard lighting along the proposed access road pursuant to condition 7 on planning approval WA/2013/0829 Approved February 2014
- 8 **WA/2014/0045** Details submitted pursuant to Condition 4 (fencing adjacent to MUGA), 5 (fence and hedge screening adjacent to boundary Unit 37 Greenfield Road), 11 (landscaping scheme) and 15 (surface water drainage) of planning approval WA/2013/0829 Approved March 2014
- 9 **WA/2014/0471** Installation of floodlighting on two artificial surface sports pitches, together with a 2.5m acoustic fence along part of the western boundary of the site. Approved May 2014
- 10 **WA/2014/0407** Reserved matters application pursuant to outline planning permission ref: WA/2013/0829 dated 10/10/2013 for Performing Arts Centre building to be located on the existing tennis courts at Weydon School for use by the school. Approved July 2014
- 11 **WA/2014/0408** Details pursuant to Conditions 35 (Surface water drainage), 39 (Method of construction statement) and 40 (Washing facilities) of planning permission WA2013/0829 for development of a performing Arts Centre at Weydon School. Approved July 2014
- 12 **WA/204/0468** Land at Weydon School, Weydon Lane, Farnham, Surrey GU9 8UG Non-material Amendment to planning permission ref: WA/2013/0829 for new school buildings,

sports pitches and access road, comprising changes to access road, parking layout, orientation and marking of synthetic surface and grass pitches. Approved June 2014

- 13 **WA/2014/1409** Details of community use scheme for outdoor sports facilities submitted pursuant to Condition 3 of planning permission ref: WA/2013/0829 for construction of new sports pitches, reorganisation of playing field and new school buildings. Approved January 2015
- 14 **WA/2014/1478** Installation of 6no 10m high floodlight columns to provide lighting of new dual use tennis courts/netball court. Approved October 2014
- 15 **WA/2014/1888** Details of surface water drainage and construction management plan for phase 3 of school expansion for the erection of a classroom block submitted pursuant to Conditions 35, 39 and 40 of planning permission ref: WA/2013/0829 dated 10/10/2013. Approved January 2015
- 16 **WA/2016/0881** Erection of sports pavilion. Approved August 2016

THE PROPOSAL

- 17 These three applications at Weydon School are seeking to use the existing external sports facilities, including floodlights, at the school for community use for longer hours extending into the evenings. The hours that the school can currently use the facilities and floodlights are controlled by conditions attached to the various planning permissions for those facilities. The details of each of the three applications and what this application is seeking in terms of these current applications is set out in Table 1 appended to this report. The table also sets out mitigation measures proposed by the applicant in an attempt to reduce the impact of the proposals.

CONSULTATIONS AND PUBLICITY

Consultees (Statutory and Non-Statutory)

- | | | |
|----|--------------------------|---|
| 18 | Waverley Borough Council | No objection |
| 19 | Farnham Town Council | No comments received |
| 20 | Transportation DC | No objection |
| 21 | Noise consultant | <p>We acknowledge that following on from our comments Made on the application as originally submitted the applicant has introduced three positive measures into the scheme:</p> <ol style="list-style-type: none"> 1. Reducing the proposed hours of use of the two all-weather sports pitches from 20:30 hours on weekdays to 18:30 hours on Tuesdays to Fridays and at weekends, during the summer months between and inclusive of May to August 2. Restricting parking to the front of the school and in the recently permitted spaces to the west of the school is a positive measure and will move noise associated with vehicle movements away from residential properties to the east of the site (e.g. Greenfield Road and Lyndon Close). |

3. Proposing the construction of a 2.5 m high acoustic barrier along the eastern perimeter of the all-weather sports pitch located in the south-east corner of the site adjacent to Greenfield Road which will provide additional screening to ground floor and garden areas for residential properties to the east of the site (e.g. Greenfield Road and Lyndon Close) but will provide minimal screening to upper floors and residential properties to the west of the site (e.g. Beldham Road).

However from our site visit, we understand that there have been numerous complaints associated with the current use of the all-weather sports pitches within the permitted hours of use from residents living in properties to the east of the site. Some of the complaints relate to noise and mainly relate to having to keep windows closed to prevent disturbance, not being able to enjoy their gardens during the summer and sleep disturbance. This indicates that noise is already a significant issue and, if complaints have already been received, then it is likely that if planning permission was granted to extend the hours of use of the various sports pitches, then noise disturbance is highly likely and further noise complaints would be likely.

- | | | |
|----|---------------------|--|
| 22 | Lighting consultant | It would appear that this application is to extend the hours of operation of the lighting installation. We have researched for a clarification or definition of curfew hours for lighting installations over a number of planning authorities and have come to the conclusion that operating hours are flexible and are not stipulated in any British Standard, lighting guides or other technical document. We have not been able to establish whether any relevant national published advice or case law exists. It would appear that the curfew hours for a particular installation are determined on a case by case, basis, by the local authority planning department balancing the opinions and wishes of the local residents, against the aspirations of the applicant. The lighting advice we gave in April 2014 did identify that there would be non-compliance of Institute of Lighting guidance if the lighting installation was operated post curfew, however we are unable to advise what these hours should be in this case. |
| 23 | Sport England | No objection |

Summary of publicity undertaken and key issues raised by public

- 24 The applications were publicised by the posting of three individual site notices and over 300 nearby residential dwellings were sent individual letters for each of the three applications. The following comments were received as a result of this publicity:

WA/2015/1612

- 25 33 letters were received raising objections to the proposal on grounds which can be summarised as follows

1. Since the floodlights have been installed and used we struggle to accept the huge amount of noise and light pollution which occurs
2. The volume of noise, frequency and aggressive language which can be heard within rear gardens is already abhorrent and unacceptable
3. The proposal to extend the existing use is completely unacceptable
4. The existing 8.30 deadline is a good compromise
5. The desire to extend the hours is purely financial and not related to the school use
6. I am unconvinced that the sound proofing offered will stop the adult swearing being audible from 40m away
7. The general light levels when the floodlights are in use is a nuisance already to residents and should not be extended further
8. Players do not leave promptly when games finish so already there are often a significant number of cars still parked and players still talking on the site at 9pm and after
9. Players are inconsiderate and slam car doors and toot horns at the end of their session

WA/2015/1613

- 26 20 letters were received raising objections to the proposal on grounds which are similar in nature to those listed above.

WA/2015/1614

- 27 23 letters were received raising objections to the proposal on grounds which are similar in nature to those listed above.

PLANNING CONSIDERATIONS

Introduction

- 28 The guidance on the determination of planning applications contained in the Preamble/Agenda front sheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs.
- 29 In this case the statutory development plan for consideration of the application consists of the saved policies of the Waverley Borough Local Plan 2002. The Council is in the process of replacing the adopted 2002 Local Plan with a new two part document. Part 1 (Strategic Policies and Sites) will replace the Core Strategy that was withdrawn in October 2013. Part 2 (Development Management and Site Allocations) will follow the adoption of Part 1. The new Local Plan will build upon the foundations of the Core Strategy, particularly in those areas where the policy/approach is not likely to change significantly. Waverley plans to submit the Local Plan Part 1 to the Secretary of State later this year for examination. The documents are presently out for formal consultation until 3rd October 2016.
- 30 In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations.
- 31 In this case the main planning considerations are:
- (a) whether the existing conditions meet the relevant tests, and have been reasonably applied and remain valid, and
 - (b) the impact of the current proposals to amend and relax those conditions on the residential amenity of neighbouring dwellings, specifically in relation to noise disturbance and light spillage.

ASSESSMENT OF THE RELEVANCE OF THE CONDITIONS

National Planning Policy Framework

- 32 Paragraphs 203 to 206 of the NPPF state that Local planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions. Paragraph 206 states that planning conditions *'should only be imposed where they are necessary, relevant to planning and to the development permitted, enforceable and precise and reasonable in all other aspects'*.
- 33 The three conditions which are being considered in this case are as follows:

Condition 6 on planning permission WA/2013/0829

The use of the outdoor sports facilities hereby permitted shall only take place between the hours of 09.00 and 20.30 on weekdays and 09.00 to 18.00 on weekends and bank and public/national holidays.

Reason:

In the interests of residential amenity in accordance with Policies D1, D4, CF2 and CF3 of the Waverley Borough Local Plan 2002.

Condition 3 of planning permission WA/2014/0471

The use of the floodlights hereby approved shall be limited to between the hours of 16.00 and 20.30 on weekdays and 16.00 and 18.00 on weekends and bank/public/national holidays. The floodlights shall be switched off outside of those hours, and at times when the pitches are not in use during the permitted hours.

Reason:

In the interest of the residential amenity of neighbouring dwellings and the visual amenity of the area in general in accordance with Policies D1, D4, CF2, CF3 and LT6 of the Waverley Borough Local Plan 2002

Condition 3 of planning permission WA/2014/1478

The floodlights hereby permitted shall not be illuminated except between the hours of 16.00 and 20.30 on weekdays and 16.00 and 18.00 on weekends and bank, public and National holidays. The floodlights shall be switched off outside of those hours, and at times when the tennis court/netball pitch are not in use, and otherwise, during the permitted hours.

Reason:

In the interest of the residential amenity of neighbouring dwellings and the visual amenity of the area in general in accordance with Policies D1, D4, CF2, CF3 and LT6 of the Waverley Borough Local Plan 2002.

- 34 Having regard to each of those conditions they are all reasonable and relevant to the development which has been permitted and are precise and enforceable as they set definite time limits for activities which can be effectively monitored. Having regard to the officer report for each of the applications clear justification has been given as to why the conditions were considered to be necessary and without them the applications would not have been considered to be acceptable. The details of the officers comments on the previous reports in each of the cases is summarised below:

WA/2013/0829

- 35 This application was for the expansion of Weydon School with a number of additional buildings together with the provision of new outdoor sports facilities on the school playing fields. On this application it was acknowledged that the areas where new all weather

pitches were proposed were areas where children already congregate, play sport and some of these areas are also open to community use. It was considered that the proposed macadam courts and Synthetic Turf Pitches (STP) would introduce enclosures into an otherwise open area but their height was not excessive, and due to the light-weight construction of the perimeter fencing it was considered that it would not materially affect neighbouring properties.

- 36 It was acknowledged that the courts and STPs would increase the *usage* of the pitches. Officers acknowledged that notwithstanding this the hours in which the pitches could be used would be governed naturally by the time of year and day light hours as per the existing arrangements (as at that time floodlighting was not proposed), but considered it would be reasonable to attach a condition which set out a maximum time given the proximity of adjacent dwellings, particularly as it was noted that floodlighting of the pitches was a future aspiration of the school. Additional planting and changes to ground levels were proposed which officers considered would soften the view of the pitches from neighbouring dwellings.

WA/2014/0471

- 37 This application was for floodlighting on the two new all weather sports pitches provided under application WA/2013/0829 as described above. The officer's report on the application considered in detail the impact on the residential amenity of neighbouring dwellings in respect of the impact from noise and the impact from light spillage/glare.
- 38 In respect of noise the officers report acknowledges that when this application was originally submitted the applicants were proposing that these floodlights would be used up to 22.00pm on weekdays and 19.00pm on weekends. Officers considered that this would give rise to an unacceptable impact on neighbouring dwellings by virtue of noise disturbance late into the evening. Officers therefore negotiated with the applicant in order to reduce the proposed hours of use of the floodlights to accord with the hours previously considered to be acceptable (set out on the original application WA/2013/0829 above). It was therefore concluded that given that the floodlights would then only facilitate the use of the all weather pitches during the winter months for the hours of use already agreed on this site there could be no objection to the proposal as noise levels in winter months under the floodlights will not be any greater than those generated in the summer without them.
- 39 The officer's report acknowledges that disturbance will not be any greater and as gardens are less likely to be in use in the winter, and windows of neighbouring properties less likely to be open the proposed installation of the floodlights will not give rise to any unacceptable loss of residential amenity, subject to the condition.
- 40 In respect of light spillage the officer's report addressed this in detail and concluded that the lighting effects would have an impact on certain neighbouring residential dwellings but that this would be acceptable subject to being constrained to acceptable curfew hours. It was considered that outside of these hours some of the neighbouring dwellings would experience light spillage which would be likely to be unacceptable to them. It was concluded that the hours set out on the original application WA/2013/0829 were appropriate and a condition was attached restricting the use of the floodlights to those hours.

WA/2014/1478

- 41 This application was for the floodlighting of the tennis/netball courts. Again officers considered the impact of the proposal on the residential amenity of neighbouring dwellings under the headings of noise and light spillage and similar considerations applied as to application WA/2014/0471 as set out above.

Conclusion on assessment of planning conditions

- 42 Officers are of the view that all of the conditions which have been attached to the previous planning permissions on this site and which are now the subject of this application were properly imposed and meet the tests of the advice in the NPPF. In addition circumstances have not changed since those previous permissions in respect of legislative framework and the conditions therefore remain valid.
- 43 A further assessment now has to be made on whether the applicants proposed amendments to the conditions are acceptable, having regard to the impact of these changes on the residential amenity of neighbouring dwellings.

IMPACT ON RESIDENTIAL AMENITY

National Planning Policy Framework 2012

National Planning Practice Guidance – Light Pollution March 2014

National Planning Practice Guidance – Noise Pollution March 2014

Waverley Borough Local Plan 2002

Policy D1 – Environmental Implications of Development

Policy D4 – Design and Layout

Policy CF2 - Provision of New Community Facilities

Policy CF3 –Educational Establishments

- 44 The criteria applicable to all development in Local Plan Policies D1 and D4 include a presumption against loss of general residential amenity including loss of natural light, privacy and disturbance through noise light or vibration. The specific criteria in Policies CF2 for development of Community Facilities and CF3 for development of Educational Facilities both require that there are no adverse effects on residential amenity resulting from noise, overlooking or traffic congestion.
- 45 In this case for all three applications there are two issues which need to be considered in respect of residential amenity – and which are interlinked. Those issues are the noise impact arising from the activities which would be taking place and the impact arising from the proposed extension of the use of the existing floodlighting at certain times.

IMPACT FROM NOISE

- 46 The National Planning Practice Guidance (NPPG) on Noise Pollution advises in para 003 that '*Local planning authorities' plan-making and decision taking should take account of the acoustic environment and in doing so consider:*
- *whether or not a significant adverse effect is occurring or likely to occur;*
 - *whether or not an adverse effect is occurring or likely to occur; and*
 - *whether or not a good standard of amenity can be achieved.*
- 47 In line with the Explanatory Note of the Noise Policy Statement for England, this would include identifying whether the overall effect of the noise exposure (including the impact during the construction phase wherever applicable) is, or would be, above or below the significant observed adverse effect level and the lowest observed adverse effect level for the given situation. As noise is a complex technical issue, it may be appropriate to seek experienced specialist assistance when applying this policy.
- 48 As summarised in Table 1 attached to this report each of the applications which are currently submitted are seeking to extend the hours of use of the all weather and grass pitches and floodlights at the school site with associated mitigation measures also proposed.

- 49 In the assessment of these proposals the Case Officer together with the County Noise Advisor made an unannounced evening site visit to assess the impact which currently occurs, within the time limits set, on the neighbouring residential dwellings. At the time of the visit at around 7.00pm on a winters evening the all-weather football pitch only was in use (not the adjacent rugby pitch nor the tennis/netball courts), with the floodlights lit, and the case officer and noise consultant observed this use and looked generally around the school site and also viewed the use specifically within the gardens of certain neighbouring dwellings and within ground and first floor rooms of certain the neighbouring dwellings. In making the assessment officers also took into account the comments made in the letters of objection which have been received on these proposals.
- 50 Officers witnessed that even from inside of the houses of the residents nearby the noise already generated from the all weather sports pitches at the site, particularly after dark when the floodlights are lit, can be described as noticeable and intrusive. This use is therefore already having an observed effect on the residents and, it would appear, has already caused a material change in behaviour of those residents such as having to keep windows closed for most of the time when the activity is taking place, or if the windows are open, having to turn up the volume on the TV. The use also impacts of the enjoyment of their residential gardens in summer months, by virtue of light spillage and noise. Notwithstanding this, officers are satisfied that in view of the various conditions attached to the existing permissions – which limit the use of the pitches and the floodlights to 20.30 hrs weekdays and 18.30 hrs at weekends the impact of these uses is contained to within an appropriate curfew.
- 51 In respect of the noise nuisance which occurs – which amounts to shouting, balls hitting the fence, engines revving, whistles etc - the impact is difficult to mitigate, with the exception of limiting the amount of time it is able to occur. The existing conditions which were attached to the original planning permissions achieve this by ensuring that the noise ceases at a reasonable evening hour, this providing residents with a reasonable respite. In order to try to seek to mitigate against the impact even further the applicant has proposed three measures across these three applications as follows:
- 1 Reducing the proposed hours of use of the two all-weather sports pitches from 20:30 hours on weekdays to 18:30 hours on Tuesdays to Fridays and at weekends, **during the summer months** between and inclusive of May to August
 - 2 Restricting parking associated with the evening uses to the front of the school (adjacent to Weydon Lane) and in the recently permitted spaces to the west of the school
 - 3 Proposing the construction of a 2.5 m high acoustic barrier along the eastern perimeter of the all-weather sports pitch located in the south-east corner of the site adjacent to Greenfield Road which will provide additional screening to ground floor and garden areas for residential properties to the east of the site (e.g. Greenfield Road and Lyndon Close)
- 52 The County's Noise Consultant has commented that based on the number and type of complaints received from neighbouring dwellings, noise from the facility could be described as being above the Significant Observed Adverse Effect Level (SOAEL). The Planning Policy Guidance Note (PPG-N) suggests that noise exposures above the SOAEL cause material changes in behaviour. Examples of noise exposures above the SOAEL provided in the PPG-N are, where there is no alternative ventilation, keeping windows closed for most of the time or avoiding certain activities during periods when the noise is present; and/or there is a potential for sleep disturbance resulting in difficulty in getting to sleep, premature awakening and difficulty in getting back to sleep. In line with the National Planning Policy Framework (NPPF) [4] and Noise Policy Statement for England (NPSE) [5], the PPG-N states that effects above the SOAEL should be avoided

and that whilst the economic and social benefits being derived from the activity causing the noise must be taken into account, such exposures are undesirable.

- 53 The noise consultant goes on to advise that although the applicant is proposing to: reduce the hours of use of the two all-weather sports pitches during the summer months; restrict parking; and construct an acoustic barrier, in their opinion, the existing complaints should be addressed before an extension in hours of use is considered. If the existing complaints haven't been addressed then they cannot endorse extending the hours of use of the facility. They comment that once the existing complaints have been addressed, a compromise may be to trial the extended hours for a limited period to before full consent is given.
- 54 Having regard to this advice officers are of the view that the measures proposed by the applicant would not mitigate against the SOAEL for the following reasons:
1. The proposed restriction on parking to the car park on the Weydon Lane frontage again may have a positive impact on some residents but again may have an adverse impact on others. It would lead to the sports users having to walk the whole of the length of the site to reach the pitches which may disturb more residents for instance the residents in The Old Orchard which have very small rear gardens. It would also require significant on-site management by the School and it would be difficult if not impossible for the Council to monitor this and take any action if it was not adhered to.
 2. The proposed erection of the acoustic fence could give rise to a reduction in the noise transference from the use of the pitches within the gardens and ground floor rooms of the nearest neighbouring dwellings but the County Noise Advisor has advised that it will not have any benefit on the impact on the first floor windows, and this would be a consideration if the use was to be permitted to continue until 22.30 hours which is well beyond the bedtime hours of children for example.
- 55 Officers are therefore firmly of the view that the only way to balance against the impact of the development is to maintain reasonable curfews on the use and that the existing curfews are reasonable and indeed necessary and should be retained.
- 56 Furthermore in respect of these current proposals the applicants suggested reduction in the hours of use of the two all weather pitches during the summer months may have a positive impact on some residents but this has to be weighed up against the negative impact which would occur on some residents if the activities were extended to 22.30 hrs during the winter months. Officers are of the view that the benefit which would occur is significantly outweighed by the dis-benefit. In addition officers are of the view that although some residents have expressed a view that the uses during the summer months do give rise to an adverse impact on their residential amenity, the existing curfew of 20.30hrs weekdays and 18.30hrs at weekends limits this impact to within an acceptable curfew which renders it, on balance, acceptable.
- 57 In the officer's view, and this is supported by the County Noise Advisor, notwithstanding the positive measures put forward by the applicant, to extend the existing hours of use beyond those already approved, would have a significant observed adverse effect on residential amenity and is therefore unacceptable. Whilst the other synthetic sports pitch and tennis/netball court were not in use at the time of the officers evening visit these pitches are in just as close a proximity to neighbouring dwellings as the pitch which was in use and officers are of the view that similar considerations apply to those pitches and the hours of use proposed. It is acknowledged that the hours proposed for the tennis/netball court and indeed the cricket pitch (which is not floodlit) is less – to 22.00hrs

but it is considered that this extension of hours is still unacceptable and that the time limit set by the original conditions remains appropriate.

- 58 When considering the original application for the sports provision on this site, together with its floodlighting at a later date, some compromise was required between providing for the needs of the school, and the wider community and ensuring that the residential amenity of residents was maintained at an acceptable level. It was acknowledged that residents located around a well established school site must expect a certain amount of noise during the school day and to some extent outside school hours, but that those residents should have some respite from noise even if the noise is from people enjoying themselves. It was for these reasons that the original conditions were imposed. These reasons remain valid. The level of complaint which exists from the activities taking place in compliance with those conditions demonstrates continuing public concern. The proposed changes would give rise to significant adverse noise effects.

IMPACT FROM LIGHT SPILLAGE/GLARE

- 59 The National Planning Practice Guidance (NPPG) on Light Pollution states in paragraph 001 that *'Artificial light provides valuable benefits to society, including through extending opportunities for sport and recreation, and can be essential to a new development... (and)...Lighting schemes can be costly and difficult to change, so getting the design right and setting appropriate conditions at the planning stage is important....For maximum benefit, the best use of artificial light is about getting the right light, in the right place and providing the light at the right time..'* In para 003 the NPPG advises *'Light pollution occurs when light spills beyond the boundary of the area being lit. For example, light spill can impair sleeping, cause annoyance to people, compromise an existing dark landscape and/or affect natural systems, e.g., animals. It can usually be completely avoided with careful land design, selection and positioning'*.
- 60 As summarised in Table 1 attached to this report two of the applications which are currently submitted (reference WA/2014/0471 and WA/2014/1478) are seeking to extend the hours of use of existing floodlights at the school site.
- 61 As stated previously in the assessment of these proposals the Case Officer together with the County Noise Advisor made an unannounced evening site visit to assess the impact which currently occurs, within the time limits set, on the neighbouring residential dwellings. At the time of the visit at around 7.00pm on a winters evening the all-weather football pitch only was in use (not the adjacent rugby pitch), with the floodlights lit, and the case officer and noise consultant observed this use generally around the site and also specifically within the gardens of certain neighbouring dwellings and within ground and first floor rooms of certain the neighbouring dwellings. In making the assessment officers also took into account the comments made in the letters of objection which have been received on these proposals.
- 62 Officers witnessed that even from inside of some of the houses of the residents nearby the general light spillage arising from the all weather sports pitches at the site, particularly after dark when the floodlights are lit, can be described as noticeable. This use is therefore already having an observed effect on some residents and, it would appear, has already caused a material change in behaviour of those residents such as having to install blackout curtains within children's bedrooms. Notwithstanding this, officers are satisfied that in view of the various conditions attached to the existing permissions – which limit the use of the luminance and direction of the floodlights, and restricts their use to 20.30 hrs weekdays and 18.30 hrs at weekends the impact of these uses is acceptable.
- 63 In the officer's view, and this is supported by the County Lighting Advisor to extend the existing hours of use of the floodlights beyond those already approved, would

have a significant observed adverse effect on residential amenity and is therefore unacceptable.

- 64 When considering the original application for the floodlighting of the sports provision on this site a general attitude of compromise was required between providing for the needs of the school, and the wider community and ensuring that the residential amenity of residents was maintained at an acceptable level. It was acknowledged that residents located around a well established school site must expect a certain amount of impact during the school day and to some extent outside school hours, but that those residents should have some respite from those activities which may have an impact on them such as floodlighting. It was for these reasons that the original conditions were imposed. These reasons remain valid and given the level of complaint which exists from the activities taking place in compliance with those conditions officers have no option but to recommend refusal of these applications as they all propose extending the use of the floodlights and the sports activities beyond the current curfew.

HUMAN RIGHTS IMPLICATIONS

- 65 The Human Rights Act Guidance for Interpretation, contained in the Preamble to the Agenda is expressly incorporated into this report and must be read in conjunction with the following paragraph.
- 66 In this case the Officer's view is that the proposal engages Article 1 of the First Protocol of the Human Rights Act in that it will interfere with the neighbouring occupier's peaceful enjoyment of their properties.

CONCLUSION

- 67 Officers have carefully considered the three applications submitted at Weydon School which all seek to extend the use of the outdoor sports pitches at the site beyond hours already controlled by planning conditions on existing planning permissions. The positive measures that have been proposed by the applicant have been taken into account in the assessments made, as have the comments made by local residents and consultees on the applications.
- 68 Taking everything into account Officers have concluded that the existing conditions are reasonable and necessary and remain valid and that the amendments of the conditions to allow the uses to continue at later hours are unacceptable and will give rise to a significant adverse impact on the residential amenity of neighbouring dwellings and therefore cannot be supported. Officers are satisfied that these impacts cannot be controlled effectively and that otherwise there is no element of need which merits an exception to policy being made.

RECOMMENDATION

- 69 That;
- A Pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, application no. WA/2015/1612 should be referred back to the applicant with the following ground for refusal which would apply were the application to be determined;

Condition 6 of planning permission WA/2013/0829 which limits the hours of use of the external sports facilities on this site remains reasonable and necessary and meets the criteria set out in the National Planning Policy Framework 2012. The proposed amendment to this condition and the extension to the hours of use of

the facilities as proposed in this application would be noticeable and intrusive to neighbouring residential dwellings and would have an adverse impact (in respect of disturbance arising from activities and light spillage) on the residential amenity of the occupiers of those dwellings contrary to policies D1, D4. CF2 and DF 3 of the Waverley Borough Local Plan 2002 and the advice contained in the National Planning Practice Guidance documents on noise and light pollution dated March 2014.

- B Pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, application no. WA/2015/1613 should be referred back to the applicant with the following ground for refusal which would apply were the application to be determined;

Condition 3 of planning permission WA/2014/0471 which limits the hours of use of the floodlights on this site remains reasonable and necessary and meets the criteria set out in the National Planning Policy Framework 2012. Notwithstanding the proposed mitigation measures, the proposed amendment to this condition and the resulting extension to the hours of use of the floodlighting on the all weather pitches as proposed in this application (and the consequent use of those pitches beyond the existing hours curfew) would be noticeable and intrusive to neighbouring residential dwellings and would have an adverse impact (in respect of noise disturbance should the extended use occur and light spillage) on the residential amenity of the occupiers of those dwellings contrary to policies D1, D4. CF2 and CF3 of the Waverley Borough Local Plan 2002 and the advice contained in the National Planning Practice Guidance documents on noise and light pollution dated March 2014.

- C Pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, application no. WA/2015/1614 should be referred back to the applicant with the following ground for refusal which would apply were the application to be determined;

Condition 3 of planning permission WA/2014/1478 which limits the hours of use of the floodlights on this site remains reasonable and necessary and meets the criteria set out in the National Planning Policy Framework 2012. The proposed amendment to this condition and the extension to the hours of use of the floodlighting on the all weather court as proposed in this application (and the consequent use of those courts beyond the existing hours curfew) would be noticeable and intrusive to neighbouring residential dwellings and would have an adverse impact (in respect of noise disturbance should the extended use occur and light spillage) on the residential amenity of the occupiers of those dwellings contrary to Policies D1, D4. CF2 and CF3 of the Waverley Borough Local Plan 2002 and the advice contained in the National Planning Practice Guidance documents on Noise and Light Pollution dated March 2014.

CONTACT
Dawn Horton-Baker
TEL. NO.
020 8541 9435

BACKGROUND PAPERS

The deposited application documents and plans, including those amending or clarifying the proposal, responses to consultations and representations received as referred to in the report and included in the application file and the following:

National Planning Policy Framework 2012

Planning Practice Guidance

Light Pollution March 2014

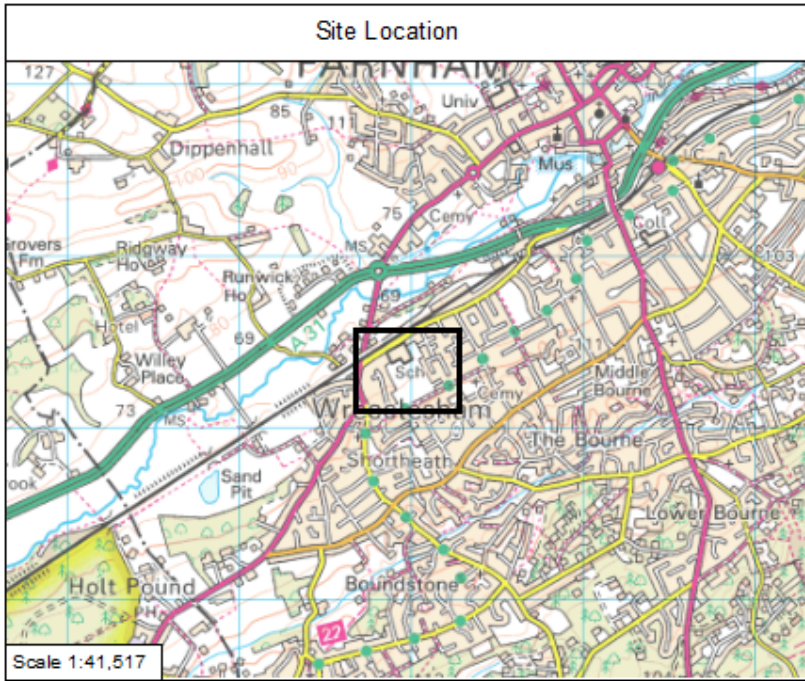
Noise Pollution March 2014

The Development Plan

Waverley Borough Local Plan 2002

Outdoor Sports Facility	Existing limits on use	Limits now proposed in applications to vary conditions	Main implications of application proposals	Additional mitigation proposed in application
Cricket square/grassed pitches	<p>Use restricted to 09.00 and 20.30 on weekdays and 09.00 to 18.00 on weekends and bank and public/national holidays</p> <p>(Condition 6 on planning permission WA/2013/0829).</p>	<p>09.00 and 22.00 on weekdays and 09.00 to 20.30 on weekends and bank and public/national holidays (current application reference WA/2015/1612)</p>	<p>Additional 1.5 hrs use on weekday evenings and additional 2.5 hrs use on weekend evenings (current application reference WA/2015/1612)</p>	<p>The current application proposes restrictions on the on-site parking of vehicles in connection with these uses (restricted to the front of the site near Weydon Lane after 18.30 in the evenings)</p>
Artificial surface football and rugby pitches	<p>Use restricted to 09.00 and 20.30 on weekdays and 09.00 to 18.00 on weekends and bank and public/national holidays</p> <p>(Condition 6 on planning permission WA/2013/0829).</p> <p>Use of the floodlights on these pitches restricted to between 16.00 and 20.30 on weekdays and 16.00 and 18.00 on weekends and bank/public/national holidays (Condition 3 on planning permission WA/2014/0471)</p>	<p>Use between 09.00 hrs and 21.30 hrs on weekdays and 09.00 hrs and 18.00 hrs at weekends and on bank/public and national holidays during the months between, and inclusive of, September and April; and between 09.00 hrs and 20:30 on Mondays, between 09.00 hrs and 18.30 Tuesdays to Fridays and between 09.00 hrs and 18.00 hrs at weekend, bank/public and national holidays, during the months between and inclusive of, May to August (current application reference WA/2015/1612)</p> <p>Use of the floodlights on these pitches between 16.00 hrs and 21.30 hrs on</p>	<p>Additional 1 hr use on weekdays between September and April (inclusive), with 2 hr <i>reduced</i> use from 20.30 to 18.30 on Tuesdays to Fridays between May and August (inclusive)</p>	<p>The current application proposes restrictions on the on-site parking of vehicles in connection with these uses (restricted to the front of the site near Weydon Lane after 18.30 in the evenings) plus the erection of an acoustic fence along the eastern boundary of the football pitch. In addition the proposal will reduce the hours of use of the pitches during the summer months when adjacent residents are more likely to be using their gardens or have their windows open</p>

		weekdays and 09.00 hrs and 18.00 hrs at weekends and on bank/public and national holidays during the months between, and inclusive of, September and April; and between 16.00 hrs and 20:30 on Mondays, during the months between and inclusive of, May and August (current application reference WA/2015/1613)		
Tennis/netball courts	<p>Use restricted to 09.00 and 20.30 on weekdays and 09.00 to 18.00 on weekends and bank and public/national holidays</p> <p>(Condition 6 on planning permission WA/2013/0829).</p> <p>Use of the floodlights on these courts restricted to between 16.00 and 20.30 on weekdays and 16.00 and 18.00 on weekends and bank, public and National holidays (condition 3 on planning permission WA/2014/1478)</p>	<p>Use between 0900 and 2200 on weekdays and 0900 and 1800 on weekends and bank and public/national holidays.</p> <p>Use of the floodlights on these courts between 16.00 hrs and 22.00 hrs on Mondays to Thursdays, 16.00 and 20.30 on Fridays and 16.00 and 18.00 at weekends and on bank/public and national holidays</p>	<p>Additional 1.5 hrs use on weekdays but use with floodlights proposed to be extended only on Monday to Thursdays by 1.5 hrs to 22.00, Fridays and weekends staying as at present.</p>	<p>The current application proposes restrictions on the on-site parking of vehicles in connection with these uses (restricted to the front of the site near Weydon Lane after 18.30 in the evenings)</p>



Land at Weydon County Secondary School, Weydon Lane, Farnham, Surrey GU9 8UG

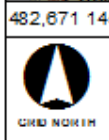
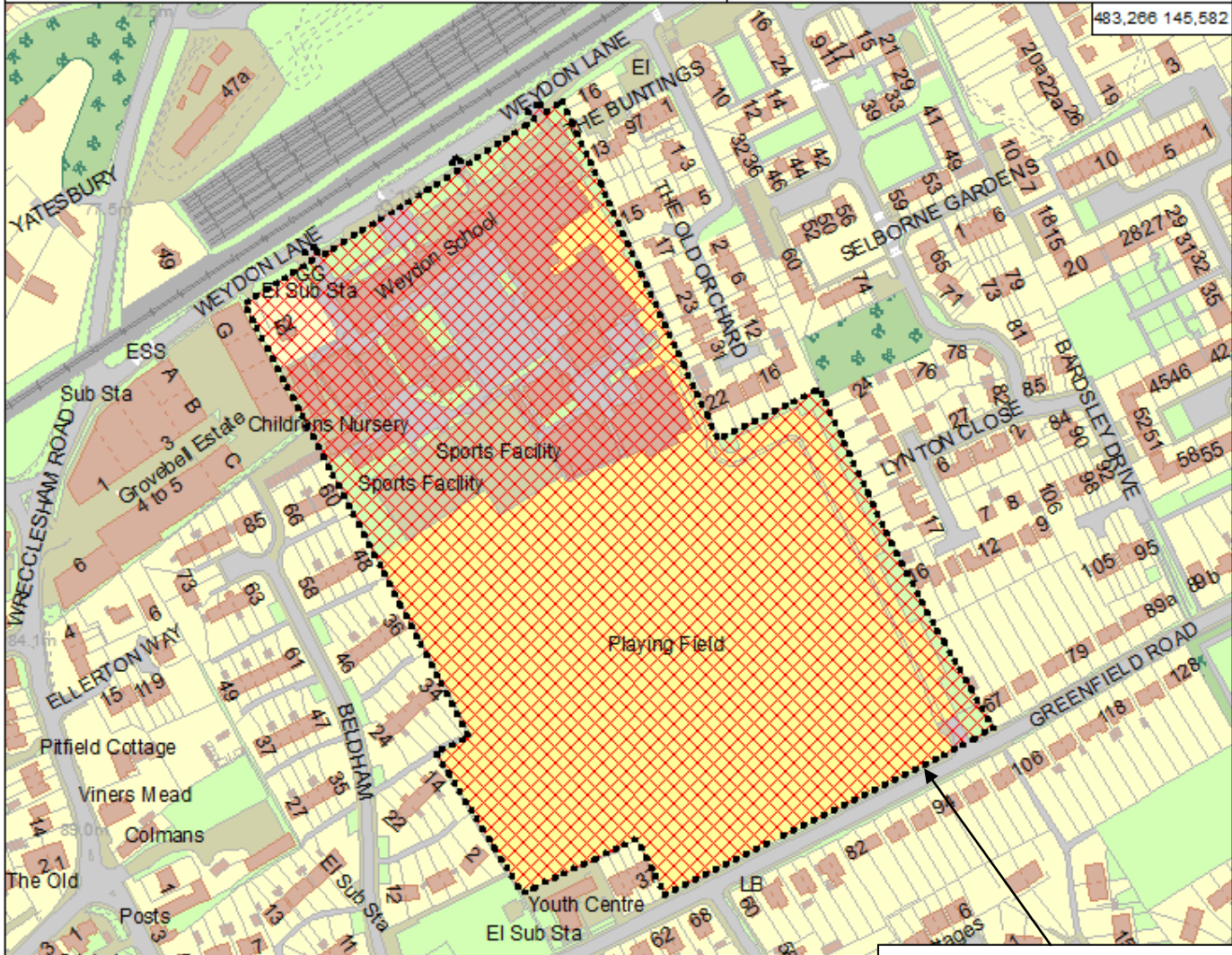
1) demolition of single storey structure and construction of single and two storey extensions; elevational changes to existing buildings; reorganisation of playing field and construction of 2 synthetic turf pitches, 6 tennis courts and associated ground works, retaining walls and perimeter fencing; construction of new access from Greenfield Road with associated parking and landscaping; (full permission). 2) removal of other structures and erection of 5266 m2 floor space of new education buildings and laying out of 25 parking spaces with layout, scale,

Application No(s): WA/2015/1612

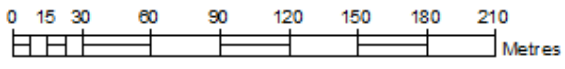
Electoral Division(s): Farnham South

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This plan is for indicative purposes only



Ref No: SCC REF 2015/0172
Date printed: 08/09/2016



Scale
1:3,100

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<p style="text-align: center;">Site Location</p> <p>Scale 1:20,758</p>	<p>Land at Weydon County Secondary School, Weydon Lane, Farnham, Surrey GU9 8UG</p> <p>Installation of floodlighting on two artificial surface sports pitches, together with a 2.5m high acoustic fence along part of the western boundary of the site permitted under ref: WA/2014/0471 dated , without compliance with Condition 3 to allow the alteration of the hours of use of the floodlighting to 21:30 midweek and between 16:00 and 18:00 on weekends and Bank and Public Holidays during the months between and inclusive of September and April and between 16: 00 and 20:30 on Mondays only during the months between and inclusive of May</p> <p>Application No(s): WA/2015/1613</p> <p>Electoral Division(s): Farnham South</p>
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This plan is for indicative purposes only

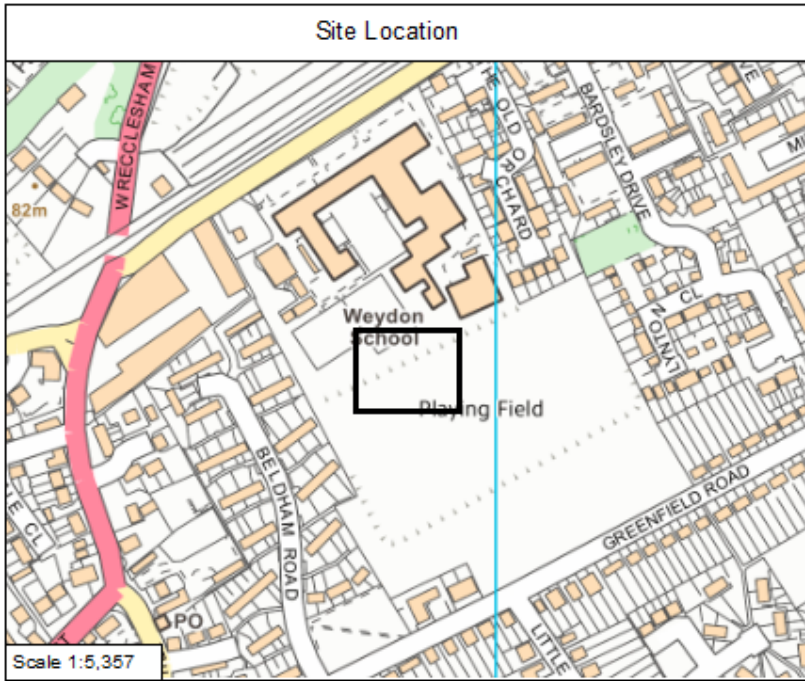
483,148 145,360

482,850 145,119

Application Site Area

<p>GRID NORTH</p>	<p>Ref No: SCC REF 2015/0171</p> <p>Date printed: 08/09/2016</p>	<p>0 5 10 20 30 40 50 60 70 Metres</p>	<p>Scale 1:1,550</p>
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Land at Weydon County Secondary School, Weydon Lane, Farnham, Surrey GU9 8UG

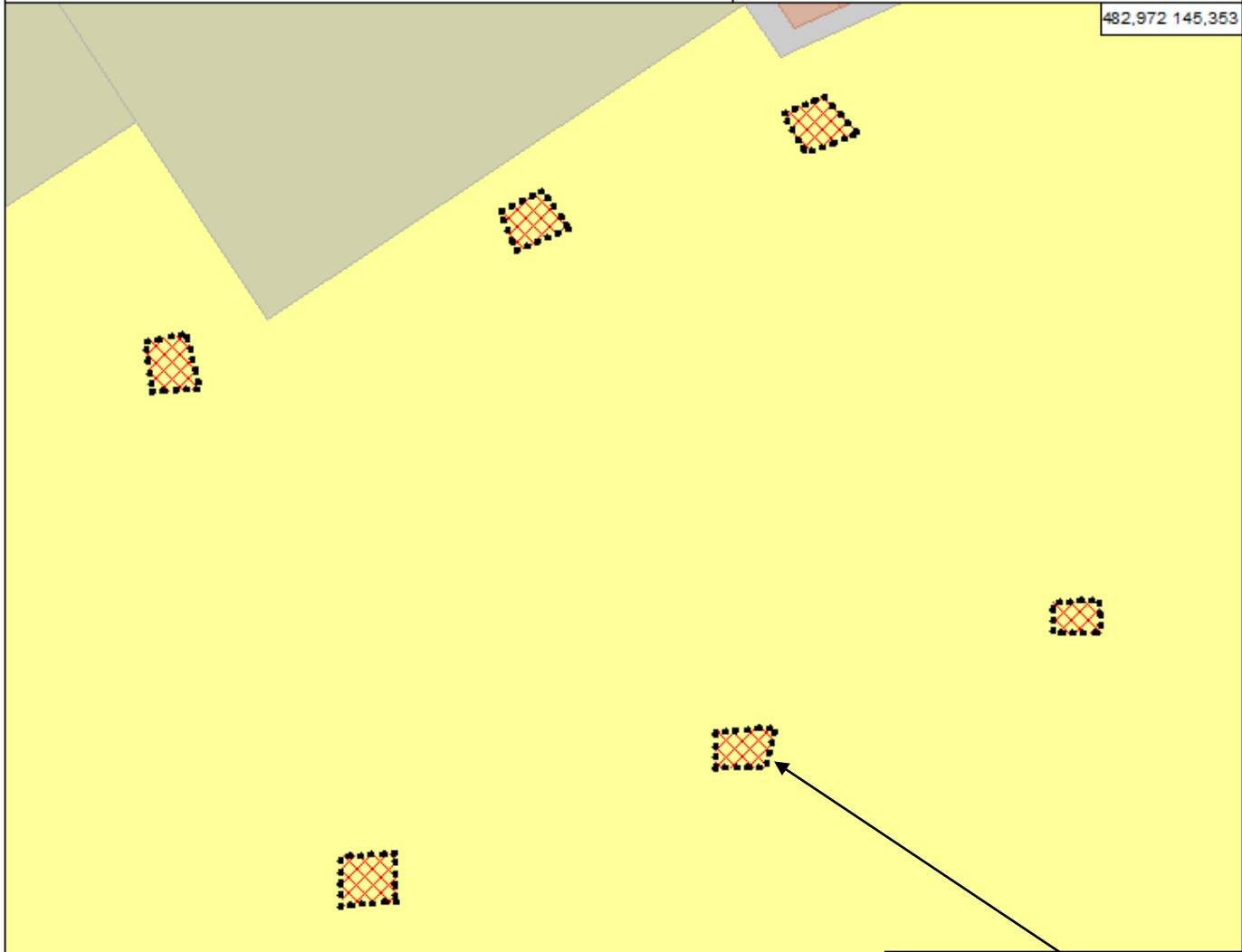
Installation of 6no, 10m high floodlight columns to provide lighting of new dual use tennis courts/netball courts permitted under ref: WA/2014/1478 dated 24 October 2014 without compliance with Condition 3 to allow the extension of the hours of use of the lighting to 22:00 hours Mondays to Thursdays, 20:30 hours on Fridays and 18:00 hours on weekends and Bank and Public Holidays.

Application No(s): WA/2015/1614

Electoral Division(s): Farnham South

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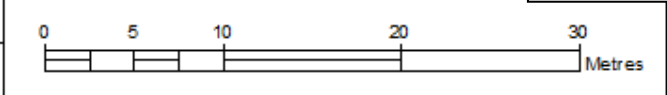
This plan is for indicative purposes only



Application Site Area



Ref No: SCC REF 2015/0173
Date printed: 08/09/2016



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2012-13 Aerial Photos

Aerial 1 : Weydon School

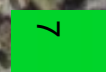


Page 31

Wrecclesham



All boundaries are approximate



Aerial 2 : Weydon School



Application Site Area

Page 32

Playing Field



All boundaries are approximate

Aerial 3 : Weydon School



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Weydonham

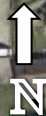
All boundaries are approximate

Aerial 2 : Weydon School



Page 34

Application Site Area



All boundaries are approximate

Aerial 3 : Weydon School



Page 35



All boundaries are approximate

Aerial 2 : Weydon School



Application Site Area

Page 36



All boundaries are approximate

Aerial 3 : Weydon School



Page 37



All boundaries are approximate



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TO: PLANNING & REGULATORY COMMITTEE**DATE:** 28 September 2016**BY:** PLANNING DEVELOPMENT TEAM MANAGER**DISTRICT(S)** REIGATE & BANSTEAD BOROUGH
COUNCIL**ELECTORAL DIVISION(S):**
Reigate
Dr Grant-Duff**PURPOSE:** FOR DECISION**GRID REF:** 526247 150017

TITLE: SURREY COUNTY COUNCIL PROPOSAL RE16/00337/CON

SUMMARY REPORT

Land at and adjoining Reigate Parish School, Blackborough Road, Reigate, Surrey

Erection of 2 storey building comprising 8 classrooms, hall, staff and group rooms, preparations area, WCs and library, associated circulation, play areas and landscaping; alterations to footpath access and car parking layout to facilitate expansion of school from a 2FE infant to a 2FE primary.

This application involves the expansion of the existing Reigate Parish Church School on to an adjoining vacant site which was omitted from the school site when it was built in the 1990s. Expansion from an infant to a primary school would mean an increase in the number of pupils from 180 to 420. The site is in the urban area, south east of Reigate town centre and is adjoined by residential development to the south, west and east and by Reigate Grammar School to the north. It lies within an area of Urban Open Land which includes the two schools and a churchyard. A two storey classroom building is proposed to be located on the currently vacant land. Sustainable urban drainage has been included in the proposed development in the form of a living, green roof. The development achieves a BREEAM 'very good' rating. On site parking for staff and visitors would increase from 28 to 42 spaces. Minor improvements to the footway outside the site are proposed. The potential increase in car traffic associated with the increased number of pupils is proposed to be mitigated by changes to parking restrictions preventing all day parking on roads immediately outside the school and on nearby roads. The Transport Statement submitted with the application suggests that there is sufficient capacity on other roads in the vicinity to accommodate increased demand for on street parking.

The location and orientation of the classroom building has been changed as a result of the impact of the building in its originally proposed position on daylight to one of the adjoining grammar school buildings. However, the revised proposal involves a greater loss of trees.

Representations have been received mainly on grounds of traffic and parking impacts on safety and residential amenity and capacity of the site to accommodate all the facilities required by an enlarged school. Objection was also made by the Grammar School on the ground of the original proposal's impact on daylight. The grammar school's objection is considered to have been overcome by the revised scheme.

Officers consider that the development is in principle consistent with spatial policies in addressing an identified need for additional school places on an existing school site within the urban area. Significant weight should be given to need under the NPPF. The disposition of new development on the site is compatible with urban open land policies, is an appropriate design paying due regard to its context in terms of the built environment and does not physically

constitute over development of the site. The proposed buildings do not result in any adverse impact on the amenities of surrounding properties.

In one respect the development would have a significant adverse impact on the character and amenity of the site and area. Two important trees would be lost. The original design of the building enabled retention of these trees but had an unacceptable impact on the amenity of the adjoining school through loss of daylight. Officers are satisfied that these two considerations are irreconcilable given the scale of the proposal and of the site. The weight to be attached to neighbours amenity combined with that to be attached to need for school places outweighs the desirability of retaining these trees. There are no practical alternative ways of achieving the proposed expansion. The proposed site layout is therefore considered to be acceptable.

The measures proposed to address the impact of additional car traffic are considered to be proportionate to the scale of additional traffic likely to be generated. Parking restrictions are expected to make conditions on Blackborough Road safer and limit inconvenience to residents. Some short term parking related to the school will continue to be experienced, although longer term parking will be reduced. Long term parking will be displaced to other locations where capacity has been shown to exist, with some impact on residential amenity. Development plan policies requiring that the traffic and parking impacts of development be addressed are considered to have been satisfied.

Overall, with the exception of those relating to retention of trees, the development satisfies relevant development plan policies and other considerations. An exception to tree retention policies is considered to be justified and can be mitigated by an enhanced landscaping scheme secured through conditions. Mitigation of the loss of the trees as a potential roosting site for bats is also likely to be required. Subject to further information of the impact on bats, planning permission can therefore be granted.

The recommendation is to PERMIT subject to conditions.

APPLICATION DETAILS

Applicant

Surrey County Council and Southwark Diocesan Board Of Education

Date application valid

8 February 2016

Period for Determination

9 May 2016

Amending Documents

Construction Traffic Management Plan dated April 2016, received 25/04/16

Amending plans, received 27/07/16:

150069 (PA) L103, rev.P1 – Proposed Site Plan , dated 22/07/16
 (PA) L001, rev. P1 – Lower Ground and Ground Floor Plans dated 22/07/16
 (PA) L002, rev.P1 - First Floor and Roof Plans, dated 22/07/16
 (PA) E 001 rev.P1 – Site Elevations dated 22/07/16
 (PA) S 001 rev. P1 – GA Sections dated 22/07/16
 TM224 – L01, rev. F – Illustrative Landscape Master Plan, dated 25/07/16
 2016/58 01 rev. A – Site Survey dated March 2016

Amending Documents, received 27/07/16:

- Planning Statement addendum P1 dated 25/07/16
- Design and Access Statement addendum P1 dated 25/07/16
- Foul and Surface Water Drainage Scheme addendum report dated 21/07/16
- Addendum Daylight and Sunlight Statement rev 02 dated July 2016
- Landscape Five year Maintenance and Management Plan rev B dated 21/07/15 (sic)
- Addendum to Arboricultural Impact Assessment dated 22/07/16
- AMS02 rev D Addendum to Arboricultural Method Statement dated 22/07/16
- BS 1485 rev P3 Natural Ventilation Proposals dated July 2016
- Proposed External Lighting - Addendum dated 19/07/16
- Letter from Ecological Consultant dated 15/07/16
- Green Roof drainage assessment dated Aug 2016, received 05/08/16

Other Plans and documents

- 150069 (PA) E 002 rev.P2 – GA Elevations dated 25/08/16, received 02/09/16
 - RP(21) 200 rev.T3 – Proposed elevations East and North, dated 02/09/16, received 05/09/16.
 - RP(21) 201 rev.T3 – Proposed elevations South and West, dated 02/09/16, received 05/09/16.
 - RP(22) 200 rev.T1 – Proposed section 01 , , dated 02/09/16, received 05/09/16.
 - RP(22) 201 rev.T1 – Proposed section 02 , , dated 02/09/16, received 05/09/16.
 - RP(22) 202 rev.T1 – Proposed section 03 , , dated 02/09/16, received 05/09/16.
- 215195 – GA101, Rev. P4 – Foul and Surface Water Drainage, dated 23/08/16, received 02/09/16.

- Grufe Tile Specification Sheet, received 02/09/16
- GrufeKit Example Green Roof Image, received 02/09/16.
- Green roof image IMG0759, received 02/09/16.

Construction Traffic Management Plan Addendum, dated 05/09/16, received 06/09/16
 5274 003 SK001 rev. P5 Proposed Car Park Swept Path Analysis Refuse Vehicle dated 10/08/16, received 08/09/16.

BREEAM Pre-assessment Update September 2016, received 12/09/16.

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.

	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
Principle of Development	yes	26 - 29
Urban Open Land	yes	30 - 31
Design and Visual Amenity	yes	32 - 39
Amenity of adjoining properties	yes	40 -47
Impact on Trees	no	48 - 53
Ecological Impacts	yes	54 - 56
Traffic and Parking	yes	57 - 71
Sustainable Construction	yes	72 - 74
Surface Water Drainage	yes	75 - 77

ILLUSTRATIVE MATERIAL

Site Plan

Plan

Aerial Photographs

Aerial

Site Photographs

- Figure 1 Entrance to school from Blackborough Road
- Figure 2 Blackborough Road, looking east along school frontage
- Figure 3 Crakell Road, looking south from junction with Blackborough Road
- Figure 4 Blackborough Road, looking west from school entrance
- Figure 5 Site of new classroom building, looking north towards Grammar School music block
- Figure 6 Site of new classroom building, looking south towards Blackborough Road
-

BACKGROUND

Site Description

- 1 Reigate Parish School is an existing infant school located on the north side of Blackborough Road, to the south east of Reigate town centre. The school is surrounded to the east, south and part of the west side by long established residential development. Immediately to the north is Reigate Grammar School. To the west of the school site is a small mainly overgrown, partly wooded area which does not currently form part of the school and is owned by the County Council. Alongside the overgrown area is a public footpath leading to the Grammar School.
- 2 The vehicular access into the site is at the west end of the existing school buildings. Immediately to the west of that, there is signal controlled pedestrian crossing of Blackborough Road, and beyond that, junction of Blackborough Road with Crakell Road. To the west of that junction the character of Blackborough Road changes; it becomes narrower, with higher density housing having less off street parking.
- 3 To the east of the school, Blackborough Close is a residential cul de sac. This road, together with Blackborough Road itself as far as its cross roads junction with Ringley Park Avenue about 250m east of the school, is characterised by mainly detached houses with of street parking. Crakell Road, and Blanford Road, which runs parallel to Blackborough between Crakell Road and Ringley Park Avenues, are similar in character. Existing parking restrictions in the immediate vicinity of the school comprise;
 - Double yellow lines to protect visibility at the Blackborough Road / Crakell Road and Blackborough Road / Ringley Park Avenue junctions.
 - A section of "School – Keep clear" yellow zigzags along the school frontage
 - Single yellow lines preventing all day parking in Ringley Park Avenue and Blackborough Road east of Ringley Park Avenue

- 4 The school was built in the 1990s as a replacement for the former Reigate Parish School in London Road. The buildings are centrally located in the site with car parking at the front behind a belt of mature trees on the Blackborough Road frontage. To the rear of the buildings are a hard play area and, in the north east corner, a play area of approximately 0.12 ha which extends up to the school's boundaries with the Grammar School and the rear boundaries of dwellings in Blackborough Close. This area was formerly grassed, but has recently been converted to an artificial surface, under planning permission reference RE15/01766 (see below). The nearest building on the Grammar school site is a music room, which lies just beyond the application site boundary at its north west corner. There is a level change upwards between Blackborough Road and the school's boundary within the Grammar school. The existing building sits on a platform within the natural landform, with a retaining wall at the rear between it and the play area. There is also a bank down to road level from the school's car park and front boundary.

Planning History

- 5 RE2016/00484 Erection of single storey building comprising two classrooms and ancillary accommodation for a temporary period and creation of 14 replacement parking spaces. Permitted subject to conditions 15/06/16.
- RE15/02471 Details of surface water drainage submitted pursuant to Condition 8 of planning permission reference RE15/01766/CON dated 16 October 2015 for construction of new artificial grass surfaced multi use games area and ancillary works. Approved 22/12/15.
- RE15/01766 Construction of a new artificial grass surfaced Multi-Use Games Area (MUGA), macadam-paved access route, provision of new perimeter gates and fencing and associated works. Permitted subject to conditions 16/10/15.
- RE96/1300 Extension to the front of the existing school to create one Additional classroom. Permitted subject to conditions*
- RE93/08124/RM Submission of landscaping details for new school. Approved*
- RE93/08122/RM Submission of details of finishing materials. Approved*
- RE93/08121/RM The erection of new 150 place grant aided first school as replacement of existing Reigate Parish First School (reserved matters from outline permission. Approved with conditions*
- RE93/08120/OUT Erection of 150 place first school together with caretaker's flat and playgroup. Outline permission granted subject to conditions*
- *applications determined by the Borough Council.
- RE90/01920 Erection of 150 place first school comprising single storey school building with nursery/ Playgroup unit and ancillary hard and soft play areas detached two storey caretakers house; Off street car parking and drop off area and new vehicular access. Application withdrawn
- RE90/01910 Erection of five detached 3 bed roomed houses with garages & construction of access road from Blackborough Road. Application withdrawn.

THE PROPOSAL

- 6 The site of this application comprises both the existing school and the overgrown area. The school is to be expanded from an infant to a primary school. This is one of a number of new schools and expansion of existing schools in the Reigate and Redhill area to address a significant increase in demand for school places. There is a particular need to address an imbalance between the numbers of infant places and junior places. The proposed development would enable Reigate Parish to meet the shortfall in junior places by expanding from a 2 form of entry infant school (180 places) to a 2 form of entry primary school (420 places).
- 7 The main component of the development would be a new two storey block, located in the rear part of the overgrown area, This would contain 8 classrooms, hall, staff and group rooms, preparations area, WCs and library. It would be located on the west edge of the existing hard play area, extending southwards from a point approximately 6m from the northern boundary. It would have maximum dimensions of 40m x 21m. Its height would vary because of the site's topography from 7.7m in the north east corner to 9.5m on the front (south) and west sides. The building would be finished in a mix of brick and render, with a flat roof. The roof would be a living green roof made up of sedum planted in cells. Several large trees towards the rear of the site would have to be removed, although all the principal trees on the Blackborough Road frontage would be retained. A blue cedar located within an 'island' in the car park has already been removed to allow for the extension of the car park under the separate permission for temporary classrooms to be installed at the site.

In the form originally submitted, the application proposed locating the new classroom block longitudinally along the rear boundary of the site shared with the Grammar school. This would have enabled the retention of more trees. However, the building has been moved and reoriented following consideration of its impact on daylight and sunlight into the nearest Grammar School building, its music block.

- 8 At the front of the overgrown area, alterations to the footway and the path leading to the Grammar school are proposed, to provide more space at the pedestrian access to the school where it is currently congested because of the railings protecting the signal controlled pedestrian crossing across Blackborough Road. The transport assessment submitted with the application proposes the introduction of additional parking restrictions on Blackborough Road and Crakell Road. There are also alterations to the school's existing car park proposed, which would increase the car park's capacity from 28 to 42 spaces. The new spaces have already been laid out to compensate for temporary loss of existing spaces to the temporary classroom unit separately permitted.

CONSULTATIONS AND PUBLICITY

District Council

- 9 Reigate and Banstead Borough Council: No objection subject to the provision of suitable landscaping to offset stark appearance of proposed building and loss of trees.

Consultees (Statutory and Non-Statutory)

- 10 Thames Water: No objection with regard to sewerage Infrastructure.

- 11 Sutton and East Surrey Water: No comments received.
- 12 County Highway Authority
(Transportation Development Planning): Based on officers' observations, assumptions, findings and conclusions of submitted Transport Statement (TS) are considered to be reasonable. No objection subject to conditions to secure new parking restrictions, on site car parking and cycle and scooter storage and footway improvement identified in the TS and other additional parking restrictions
- 13 Local Lead Flood Authority
(SCC Flood and Water Services Manager): Further information required in relation to revised scheme before it can be considered acceptable in principle
- 14 Rights of Way: Support proposed improvements to public Footpath
- 15 County Arboriculturalist: Considers loss of two large oaks to be significant in terms of contribution of tree cover to amenity of site. Mitigation contained in new planting proposals not sufficient. No objection subject to conditions to secure full compliance with submitted arboricultural method statement and submission of revised landscape and ecological planting and management proposals
- 16 County Ecologist: No objection to original scheme. Suggests condition and informative recommending ecological mitigation and enhancement measures identified in Preliminary Ecological assessment submitted with the application.
Further comment to be provided on mitigation of impacts of revised scheme.
- 17 County Archaeologist: Heritage Statement demonstrates site is of low archaeological potential. No requirement for any further work.
- 18 Environmental Consultant
(Daylighting and Sunlighting): Assessment of impact of original scheme does not fully reflect BRE methodology. Proper application of methodology would result in target values for daylight not being met.
Methodology as applied to revised scheme is broadly sound.

Parish/Town Council and Amenity Groups

- 19 Reigate Society: No views received.

Summary of publicity undertaken and key issues raised by public

- 20 The application in its original form was publicised by the posting of 2 site notices and an advert in a local newspaper. 105 surrounding properties were directly notified by letter.

33 individual responses were received, of which 32 raise objection and 1 expresses support for the application.

21 The representations raise the following issues:

Submitted traffic information

- Inaccuracies in submitted traffic information; travel plan states that only 13 children currently come to school by car – this is serious underestimate; the transport statement itself identified 24 additional vehicles in Blackborough and Crakell Roads at end of school day; if, as TS states, there are currently 228 spaces and these are 62% occupied at peak time, increasing pupil numbers from 180 to 420 will increase peak demand to 260, in excess of available supply
- Local knowledge suggests that the claimed unused parking capacity of 87 spaces does not exist; Traffic report is erroneous in identifying existence of unused parking capacity in Crakell Road; observations suggest that Crakell Road is parked up by grammar school students and/or people working in Reigate throughout the day
- Traffic survey carried out on a single day which was not representative of typical situation; survey was carried out on a day when Blackborough Road was closed and several year groups were absent from the Grammar school, so conclusions not valid further surveys should be carried out on more than one term time day when both the Grammar school and Parish School are open as normal and there are no roadworks
- Survey based on afternoon visits only. Morning drop off is worse because it coincides with rush hour. TS does not therefore represent a true picture; survey was carried out on a Wednesday afternoon, which is not typical, as many grammar school students are off site taking part in sports activities; survey date in May not representative of winter patterns of travel in poor weather; on date of survey part of the road outside the school was closed
- Modal split overestimates pupils walking to school
- Increasing size of school will extend catchment area, so extrapolation of existing travel patterns will underestimate additional traffic movements likely to be generated
- Information on siblings used in traffic forecasting should be based on actual figures, not assumptions
- Assumed spare parking capacity is neutralised by proposals to introduce yellow lines which will reduce available capacity; TS is flawed in not making assessment against this reduced capacity

Existing traffic conditions

- Existing traffic levels on Blackborough Road; Blackborough Road is already at capacity; congestion and poor parking behaviour; area outside Parish school is also used as drop off for grammar school; there is also a preparatory school nearby (St Mary's, Chart Lane); vehicles drive on pavements to get round congestion, to detriment of pedestrian safety; driver frustration at delays caused by parents parking on both sides of Blackborough Road; lack of off street parking for houses in parts of Blackborough Road
- Box junctions for bus stops impede traffic flow to no benefit – the bus stops are not used by school pupils, as most are brought by car
- Use of Crakell Road and Blackborough Close by parents picking up and dropping off children; existing parking on Blackborough Road and Crakell Road by grammar school sixth formers, Reigate Police station staff and local businesses in Blackborough Road; will be exacerbated by insufficient provision in expansion plans for extra staff parking; impacts of parking will extend into Blanford Road
- Parking on pavements, especially on narrower section of Blackborough Road between Crakell Road and Chart Lane; parents with pushchairs are often forced onto the road

- Poor parking behaviour; parking across drives and on footways, at angles and in places where children have to get out onto road rather than a footway; school recognise there is a problem by telling residents they try to ask parents to park more considerately
- Promises made when school was first built in 1990s that parents would drive into the site to pick up and drop off children were never delivered
- Footways are already congested; pedestrian phase on existing crossing is not long enough at busy times

Future Traffic Conditions

- Existing uses of surrounding roads by school related traffic and parking will be increased to detriment of amenity and safety; school's proposals to make facilities available in evenings and at weekends which extend these impacts into current 'respite' periods
- Rather than spreading the impact of parking onto other roads, such as Blanford Road, the TS itself suggests that increased inappropriate parking behaviour closer to the school is a more likely outcome; places where spaces exist are too far away to be of use
- Additional demand for parking from parents likely to be exacerbated by failure to increase on site staff parking in line with predicted increase in staff numbers
- There will be increased congestion further afield too, e.g. at Bell Street / Blackborough road junction, Waterloo Road and Chart Lane
- Congestion may aid safety by reducing vehicle speeds; creating a clear road through parking restriction may have opposite effect
- Reliance on travel plans and aspirational targets is naive
- Will compound the effects of other new residential developments on traffic in Blackborough Road
- Proposed mitigation strategy will fail in practice
- Local plan requirement to 'minimise the adverse effects of parking in residential areas' has not been addressed in any meaningful way

Parking restrictions

- Introduction of yellow lines to part of Blackborough Road and the lower part of Crakell Road will only displace problem; bend at top of Crakell Road makes parking on both sides at this point dangerous; residents will be penalised if they are unable to park family cars on the road outside their homes
- The development requires additional yellow lines on Blackborough Road between Chart Lane and Crakell Road; there should be double yellows on the north side of Blackborough Road between Chart Lane and Ringley Park Road, with no all day parking on the south side; proposed single yellow on south side of Blackborough Road should be extended further; single yellow required on one side of Blackborough Close; double yellows required on junction of Blackborough Close with Blackborough Road; double yellows are needed in the bottom part of Crakell Road, supplemented by white lines across driveways
- Parking by parents is of only short duration, so parking restrictions are not necessary. They will only serve to displace problems elsewhere
- Restrictions may deter long term parking, but unlikely to deter parents from parking where they only intend to be there for a short time
- Parking restrictions will devalue property values

Other traffic mitigation measures

- 20mph limit, flashing warning signs and traffic calming should be considered
- Footway needs to be widened between Crakell Road and Chart Lane
- Cycle path should be considered
- Path into grammar school must be retained to encourage students to walk
- Other schools which have been expanded locally (Sandcross, St Joseph's) have been able to identify other sources of off road parking to offset increased traffic generation

- Nature of Blackborough Road encourages speeding; speed cameras are required

Construction impacts

- Proposal that all deliveries be outside school hours or at weekends will have additional impacts on amenity in terms of noise and disturbance
- Application does not address construction impacts; applicants should be required to submit details of how deliveries and contractors parking is managed in such a busy area
- Temporary impacts of dust and noise and traffic during construction

Daylight and sunlight to existing buildings

- No objection in principle to school's expansion, but object to height and location of proposed building because of impact on daylight and sunlight to adjoining Grammar School music building

Play space

- Site is too small to accommodate a primary school; Insufficient play space available on site for increased number of children; shortage of outdoor space runs counter to anti – obesity agenda; compares unfavourably with space available at Reigate Priory; need for staggered playtimes demonstrates lack of play space and will cause noise disturbance to other pupils in classrooms and prolong noise disturbance to neighbours; Will have to rely on facilities of other schools; MUGA now under construction may not be sufficient
- School have misrepresented the extent to which facilities at Reigate Grammar will be available to pupils; facilities at Grammar school will not be available as stated
- Proposal represents overdevelopment of a site; 240 pupils are to be accommodated on a site originally proposed for two detached houses; school created would be claustrophobic
- Area guidelines for mainstream schools (Building Bulletin 103) are not mandatory. However, applicants should be required to demonstrate that the proposal meets these guidelines in the interests of avoiding childhood obesity; BB103 requires schools that fall below guidelines to secure suitable off site provision
- Concentrated noise in existing play spaces gives rise to stress to pupils and staff and likely to cause accidents
- Proposal effectively is for a new building on an existing playground

Other Issues

- Demand for school places is the result of excessive housebuilding on infill sites
- Other sites with more space available in Reigate and Redhill to meet extra demand for places
- Insufficient drainage and sewerage capacity in Blackborough Road
- Building design is cheap and unattractive
- Impact of extended hours of use of school on residential amenity

Support

- Provision of extra school places is necessary to support local community; traffic and parking issues are however common to all schools in the area; opportunities exist to mitigate traffic and parking impacts by staggering start and finish times and providing after school clubs.

22 All the above points were made when the application was first publicised. As a result of the changes made to the location of the new classroom building, a further 4 representations have been received, making the following points;

- One representation considers the new design to be a significant improvement and seeks replacement tree planting to compensate for trees lost.
- The other three consider that the scheme does not address any of the concerns previously raised in relation to space available and traffic issues.

No formal response has been received from the grammar school, the principal beneficiary of the redesign. However, the school's bursar has indicated informally that the school is happy with the amended design and that their previous objection will be withdrawn.

PLANNING CONSIDERATIONS

- 23 The guidance on the determination of planning applications contained in the Preamble/Agenda front sheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs.
- 24 In this case the statutory development plan for consideration of the application consists of the Reigate and Banstead Borough Local Plan: Core Strategy 2014 and saved policies from the Reigate and Banstead Local Plan 2005. In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations.
- 25 In assessing the application against development plan policy it will be necessary to determine whether the proposed measures for mitigating any environmental impact of the development are satisfactory. In this case the main planning considerations are:

Principle of Development

Reigate and Banstead Core Strategy

Policy CS8 Area 2b (Reigate and the remainder of Area 2, excluding Redhill)

- 26 Core Strategy Policy CS8 identifies development needs in area 2b, including infrastructure priorities, which include expansion of existing primary schools by at least one form of entry. Para 72 of the NPPF highlights that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. It continues by stating that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. It states that Local Planning authorities should *inter alia* give great weight to the need to create, expand or alter schools.
- 27 Core Strategy policy CS8 reflects the assessments of need for places made by the County Council, which has a statutory duty to ensure the availability of a suitable number of school places. Currently there are 330 places available at reception level in the four Infant and Primary Schools in the Reigate school places planning area (Reigate Parish Holmesdale and Dovers Green Infant schools, and Sandcross Primary) while there are only 270 junior level places at Reigate Priory Junior and Sandcross. There is a mismatch between infant and junior places which cannot be met from September 2016. The demand for reception places is expected to remain at current levels until at least 2024/25, and the need for an equivalent number of junior places will also continue.
- 28 There is therefore a need for 60 additional junior places in the area from September 2016. The development provides sufficient permanent classroom and ancillary accommodation to deliver that number of additional places (2 forms of entry x 4 year groups = 8 classbases).
- 29 The proposed classroom building is therefore considered to be consistent in principle with Core Strategy CS8 and NPPF para 72.

URBAN OPEN LAND

Reigate and Banstead Borough Local Plan 2005

Policy Pc6 – Urban Open Land

Policy Cf2 – Design and Layout of Community Facilities

- 30 Policy Pc6 states that the loss of Urban Open Land as shown on the proposals map will normally be resisted. It states that proposals for ancillary buildings or replacements or extension of existing buildings within Urban Open Land will be considered against the appropriate design and layout policy, the contribution that the area of Urban Open Land makes to the character and visual amenity of the locality and to the functioning of any essential social, community or educational use. Policy Cf2 contains design and layout criteria for community facilities including schools. Criterion i.) requires that the best use is made of the physical characteristics of the site, views in and out and that trees and other interesting features should be retained; criterion ii.) requires that development is of a scale and form which respects the general pattern of development in the area
- 31 The whole of the Parish Church School site is designated as Urban Open Land, as part of a wider designated area which also includes Reigate Grammar School and its grounds to the north and St Mary's Church and churchyard to the north west. Within this wider area, the buildings and associated hard surfaced areas of the two schools form relatively compact groups of built development interspersed with the more open areas of the churchyard, the external areas of the grammar school and the smaller external areas of the parish school, and the currently unused overgrown area adjoining the parish school. The proposed development would enlarge one of the compact groups of development (the parish school) by encroaching into the overgrown area. A part of that area on the Blackborough Road frontage would nevertheless maintain a green, undeveloped appearance. The existing green frontage to the school site would be unaffected. Officers consider therefore that the overall character of the wider area of Urban Open Land would not be affected, while enhancing the functioning of an educational use through its responding to a need for additional school places. The proposal is therefore compatible with Local plan Policy Pc6.

DESIGN AND VISUAL AMENITY

Reigate and Banstead Local Plan: Core Strategy 2014

Policy CS4 – Valued townscapes and the historic environment

Reigate and Banstead Borough Local Plan 2005

Policy Cf2 – Design and Layout of Community Facilities

- 32 Policy CS4 of the Core Strategy states that development should respect, maintain and protect the character of valued townscapes and be of a high quality design which takes direction from the existing character of the area and reflects local distinctiveness. Local Plan Policy Cf2 requires proposals for community facilities to be of a scale and form which respect the local pattern of development and to be designed to a high standard complementing local character.
- 33 The NPPF states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Chapter 7, paragraph 56 states that good design is a key aspect of sustainable development. Paragraph 64 goes on to say that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 34 The application proposes a single large classroom building, with additional hall space. It is a two storey building with a relatively compact footprint compared to, expansive footprint of the existing single storey building. There is a difference in character between the two buildings. However, the two storey building is not considered to be incongruous in scale compared to the much larger Grammar school buildings to the north. While the

existing parish school is lower rise and provides a transition in terms of urban character to the lower density residential areas to the south, officers do not consider that the new building seriously undermines that transition.

- 35 In designing the overall layout of the site, a two storey building is considered to be necessary to limit the impact on trees in the previously undeveloped part of the site and to maximise the external spaces available to children at ground level.
- 36 The use of the unused, overgrown area increases the site area of the existing school by approximately 40 %, while the footprint of principal buildings would increase by about 53%. Significant green areas would remain within what is, and would continue to be, an intensively used site. While the proportion of the site covered by buildings would increase slightly, officers do not consider the change to be so great as to result in over development of the site or to have a significant impact on the overall character of development in the area.
- 37 Whether the disposition of buildings and outdoor spaces is sufficient to deliver an appropriate learning environment is principally a matter for the applicants. Information has however been provided with the application in terms of the application of guidance on appropriate internal and external areas.
- 38 The proposals have been prepared against the background of Department for Education /Education Funding Agency Area Guidelines for Mainstream Schools (Building Bulletin 103). These are non statutory guidelines, and are not mandatory. New internal spaces are sufficient to meet the guidelines. The applicants acknowledge that for external spaces, the guideline figures are not met in terms of simple area based calculations, but argue that BB103 is not mandatory, and flexibility in the guidelines is intentional to reflect particular circumstances of individual sites. BB103 recommends that on restricted sites, consideration is given to providing the following in priority order;
- “firstly, space for hard informal and social area including outdoor play area immediately accessible from nursery and reception classrooms;
 - then some hard outdoor PE space to allow some PE or team games to be played without going off site, ideally in the form of a multi-use games area that can also be used as hard informal and social are;
 - then soft informal and social area for wider range of outdoor educational opportunities and social space ;
 - finally some soft outdoor PE can be provided. If this is in the form of an all-weather pitch, it can count twice towards the recommended minimum “
- 39 The applicants state that the proposal exceeds the minimum areas for the first two, highest, priorities. The scheme retains wooded parts of the site extension area and subject to detailed proposals, these have the potential to contribute towards the third category. The capacity of the site for soft outdoor PE has been significantly enhanced by the recent installation of an artificial surface on the school’s formerly grassed soft play area. Officers therefore consider that the proposal takes due account of the relevant guidance on outdoor space.

AMENITY OF ADJOINING PROPERTIES

Reigate and Banstead Local Plan: Core Strategy 2014

Policy CS4 - Valued townscapes and the historic environment

Reigate and Banstead Borough Local Plan 2005

Policy Cf2 – Design and Layout of Community Facilities

- 40 Policy CS4 of the Core Strategy states that development should be laid out and designed to make the best use of the site and its physical characteristics, whilst minimising the impact on surrounding properties and the environment. Saved Local Plan Policy Cf2 requires that to maintain and enhance the natural and built environment,

development of community facilities meets a number of design and layout criteria. Criterion iv.) is that it does not adversely affect the amenities of adjoining properties and where necessary includes noise attenuation measures.

- 41 As amended, the new building would be part single, part two storeys. The nearest residential properties to the proposed development are those on the opposite (south) side of Blackborough Road, and to the west of the application site. The latter presents only a flank elevation to the south west corner of the site and is separated from it by the path to the Grammar school and large retained trees within the application site. The proposed two storey classroom building would at its nearest point be approximately 15m from the flank boundary of this house. It would be approximately 38m from the front boundary of the nearest houses on the south side of Blackborough Road. Officers do not therefore consider there to be any adverse effect on residential amenity through overlooking or loss of privacy.

Noise

- 42 The application anticipates community access to the expanded site outside school hours and term times similar to the current use of the existing site. This comprises letting the existing hall and outside spaces for children's birthday parties, family celebrations for pupils and their families, e.g. christenings, and early evening clubs; PTA activities, including an annual firework party and school fairs; and use of the hall by teenagers attending St Mary's Church on Sunday mornings.
- 43 The potential of the hall proposed as part of the new building, and the ancillary play spaces around it, to give rise to significant adverse impacts on neighbours through community use, is considered to be limited because of their size and location. Officers do not therefore consider that conditions limiting the ways and times these elements can be used are necessary. The greatest potential for noise impacts arises from the new artificial surface to the soft outdoor PE area, and this has been addressed by the conditions attached to the separate permission which has already been granted for this element.

Daylight and Sunlight

- 44 The adjoining property most likely to be affected is the Grammar School. The changes to the location and orientation of the new building have been made principally to overcome objections to the scheme on grounds of loss of daylight to the nearest adjoining grammar school building, a music block.
- 45 The application is accompanied by daylight and sunlight assessments both for the scheme in its original form and as revised. The methodology adopted is that recommended in the BRE publication 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice'. The guide sets target values for two measures of the amount of light received by a receptor; vertical sky component (VSC) and average daylight factor (ADF). VSC is the more normal measure but is more typically applied to impacts on dwellings. ADF takes into account factors such as the nature and use of the rooms affected and the dimensions of windows. The grammar school music room is taller than a typical room in a dwelling, and its principal windows in its south facing façade extend from floor to ceiling. For this reason, the applicants and planning authority's daylighting consultants agree that ADF is a more relevant measure in this case.
- 46 The scheme in its original form did not meet the target values for VSC and could only meet the ADF value if an existing brise soleil were removed from the music room. The impact could only be made acceptable if a third party modified their own existing building. The applicants were therefore advised by officers that on grounds of impact on daylight the scheme could not be supported in that form. The revised scheme reorients the proposed classroom building so that its long axis runs north – south rather than east-

west. It is also slightly further from the site's boundary with the grammar school. The addendum to the daylight assessment submitted with the revised scheme demonstrates that the target value for ADF would be met. The planning authority's daylight consultant confirms that this is a reasonable application of the guidance.

- 47 In non-technical terms, the height and proximity of the new classroom building in its original position, and the fact that maximum height and minimum proximity existed over the full length of the long axis of the building running parallel to the site's northern boundary amounted to an impact on daylight to the music room which officers considered was not acceptable. Correct application of the BRE guidance supported that conclusion. The redesigned building has a similar height (7.7m) but is further from the northern boundary (6m compared to 3m). The length of the north facing façade has been reduced from 57m to 15.5m and as a result only partially overlaps with the south facing façade of the grammar school music room. This has a much reduced impact on daylight to the music room which achieves the target value contained in the BRE guidance and officers therefore consider the revised scheme to be acceptable.

IMPACT ON TREES

Reigate and Banstead Core Strategy 2014

Policy CS2 - Valued landscapes and the natural environment

Reigate and Banstead Borough Local Plan 2005

Policy Pc4 – Tree Protection

Policy Cf2 – Design and Layout of Community Facilities

- 48 Core Strategy policy CS2 requires that, as far practicable, specific features which make a positive contribution to the green fabric will be retained and enhanced. Local Plan Policy Pc4 seeks to protect, conserve and enhance tree cover through the use of development control powers. Policy Cf2 sets design and layout criteria for new community facilities, including schools, including that existing trees and other interesting features should normally be retained.
- 49 The most significant elements of existing tree cover on the site, identified and assessed through the arboricultural assessments submitted with the application are;
- the belt of trees at the front of the existing school site between the school car park and Blackborough Road. These are a mix of beech, common oak, holm oak, holly and pine species, graded category B and C;
 - a cedar graded category B located in the 'island' in the car park. This has recently been removed under the permission granted for two temporary classroom units on the site
 - the various mature trees within the overgrown area. The latter are concentrated in the south west corner and along the western boundary. This includes the most valuable tree on the site, a sweet chestnut graded Category A, and other smaller chestnuts, oaks and sycamores. Some smaller trees within the overgrown area have previously been removed in implementing the 2015 planning permission for the artificial turf pitch on the school site.
 - two significant oaks (T36 and T37) in the north east part, close to the school's existing hard play area.
- 50 The main groups of higher value trees were a significant factor in the design process which resulted in the location originally proposed for the new classroom building. That enabled all the individually significant trees identified above, with the exception of the cedar in the island, to be retained and their root protection areas (RPAs) adequately protected. While a number of individual trees of mainly lesser value would be lost under that version, the impact of the substantial new classroom building on trees was considered to be limited, in part due to its location towards the rear of the site. The oaks T36 and T37 were retained and incorporated into the landscape design. They would have formed a feature comprising a decked area around their bases, surrounded by an extended hard play area. Special measures were required during construction and in the

long term (the use of a decked surface) to protect their root systems. Their retention and protection did however result in a long, narrow classroom building located close to and running along the northern boundary, which created other impacts - see discussion on daylighting impacts in paras 44 - 47 above.

- 51 The revised design does involve removing two of the more important existing trees on the site, T36 and T37 and does therefore have a materially greater impact on the contribution made by trees to the character of the site and area. The residual impact is less significant and considered to be acceptable in terms of visual amenity given the continued retention of a number of equally large, more prominent trees on the southern boundary of the site. Their value as individual specimens has been further investigated, especially whether T36 can be considered to be a veteran tree. It is concluded that while they have potential to become veterans they are not old enough to be and do not currently have the qualities to be afforded veteran status.
- 52 The revised scheme includes retention of a significant green space in the south west corner and along the western boundary. The landscape master plan proposes enhancement of this area to boost its ecological interest. Without providing full details, it also proposes new statement trees planted as extra heavy standards between the new building and the existing hard play area; standard trees of native species in the north west corner; and a new beech /hornbeam hedge along the northern boundary. Potential exists to mitigate the loss of individual high value trees, and suitable details can be secured through conditions. The arboriculturist does not consider the scheme which has been submitted to be the most appropriate in terms of species and size of tree planted so the conditions proposed should be used to secure a completely new scheme. Officers consider that the potential of the areas to be landscaped can be better realised by designing the area available to be used and managed by the school as a learning and recreational resource rather than isolating it as a 'no go area'.
- 53 The arboricultural method statement makes provision for extensive tree protection fencing, supervised excavation of works where there is limited encroachment into RPAs, and above ground level surfacing of the proposed car park extension. The proposal pays due regard to the impact on trees during construction and implementation of these measures can be secured by conditions.

ECOLOGICAL IMPACTS

Reigate and Banstead Core Strategy 2014

Policy CS2 - Valued landscapes and the natural environment

Reigate and Banstead Borough Local Plan 2005

Policy Pc2G – Local Nature Conservation Interest

- 54 Core Strategy policy CS2 requires that, as far practicable, urban green spaces which make a positive contribution to the green fabric will be retained and enhanced. Local plan Policy Pc2G requires that retention and enhancement of sites and features which contribute to local biodiversity and nature conservation interest be considered and that damage to or loss of these features will be resisted. Proposals affecting valuable sites should contain sufficient information to demonstrate their impact on valuable feature.
- 55 The application is accompanied by an ecological assessment of the overgrown part of the site, paying particular attention to the larger trees on the site. This concluded that the development would have some impact on the semi natural woodland habitat and had the potential to affect protected species, namely breeding birds and bats through loss of trees. It proposed retention and protection of as many trees as possible; the carrying out of an assessment on the suitability of the area for, and the presence of otherwise of bats; and recommended a number of mitigation measures to enhance the remaining woodland habitat.

- 56 A survey was conducted of the potential of the trees on the site to provide roosting sites for bats. This concluded that none of the trees then affected had any potential, but noted that the two oak trees T36 and T37 did have high potential. Since the revised scheme involves removing those two trees, a new survey, including an emergence survey to establish the actual presence of bats on the site, is being carried out. The results of these further surveys will be reported to the meeting by way of an update. The County Ecologist had no objection on biodiversity grounds to the original scheme, subject to an informative recommending implementation of the mitigation measures identified in the initial assessment. Additional mitigation to address the potential harm of the revised scheme to bats if the trees are removed is likely to be necessary.

TRAFFIC AND PARKING

Reigate and Banstead Local Plan: Core Strategy 2014

Policy CS17 – Travel options and accessibility

Reigate and Banstead Borough Local Plan 2005

Policy Cf2 – Design and Layout of Community Facilities

Policy Mo4 – Development related Funding for Highway schemes

Policy Mo5 – Design of Roads within New Development

Policy Mo6 – Servicing Provision Within New Development

Policy Mo7 – Car Parking Strategy and Standards

- 57 Policy CS17 states that sustainable transport choices should be facilitated by promoting walking and cycling as the preferred travel option for short journeys; promoting non-car travel; and requiring the provision of travel plans and transport assessments for proposal which are likely to generate significant amounts of movement.
- 58 Local Plan Policy Cf2 states that the development of community facilities will normally be required to comply with the current standards for highway design, parking and service provision. Policy Mo4 states that adequate improvements, funded by the developer will be required for development which would exacerbate transport problems or make conditions hazardous for road users. Policy Mo5 requires that arrangements for access and circulation are appropriate to the type of development proposed and the area in which it is located and do not aggravate traffic congestion, accident potential or create environmental disturbance in the vicinity. Policy Mo6 requires provision for loading, unloading and turning of service vehicles within the curtilage of a proposed development. Policy Mo7 states that the submission and approval of a Travel Plan may be secured through a planning condition.
- 59 Paragraph 32 of the NPPF states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment; safe and suitable access to the site can be achieved for all people. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe. Paragraph 35 states that development should be located and designed where practical to create safe and secure layouts which minimise conflicts between traffic and pedestrians. Paragraph 36 states that a key tool to facilitate sustainable transport modes will be a Travel Plan and all development which generate significant amounts of movement should be required to provide a Travel Plan.
- 60 The application is accompanied by a Transport Statement (TS) and the school's current School Travel Plan. The school would be expanded from a 2 form entry infant school (180 pupils) to a 2 form entry primary school (420 pupils) which would result in an additional 240 pupils. The need for additional places arises from forecast demand for junior places in Reigate. The majority of children within the school live within a half mile radius although, being a faith school, some do live further afield - 77.1% of pupils live in the same postcode sector as the school, 91.6% live within Reigate postcode sectors (RH2) with the remainder travelling from Redhill, Bletchingley, Nutfield, Merstham and

South Nutfield. The TS records that currently 55% of children walk to the school, 9% cycle and 16% come by micro scooter with 19% coming by car (including 12% park and stride). The 80% of children travelling to the school by sustainable modes reflects the relatively small area of the catchment. On this basis, assuming the same modal split for the expanded school, an additional 240 pupils would result in an additional 45 of them arriving by car.

- 61 As part of the TS, a street inventory and parking beat survey was carried out around the school. This determined that there is a theoretical capacity for 228 vehicles to park on street on Blackborough Road, Crakell Road, Blanford Road, Ringley Park Avenue, Ringley Park Road and Blackborough Close in the vicinity of the school. The parking beat survey only considered the school afternoon peak of 14.45 to 15.30 as the duration of parking at pick up is longer than at drop off in the morning. The afternoon peak is 141 parked cars, so there is a nominal spare capacity of 87 spaces. Observations by officers indicate that the majority of parking occurs on Blackborough Road, Crackell Road and Blackborough Close. Blackborough Road and Crakell Road have a total of 91 available theoretical spaces, with 64 of these occupied in the afternoon peak. There is therefore capacity within the wider area for the additional 45 parents cars associated with the expansion to park, although the spare capacity is limited in the roads closest to the school.
- 62 The TS identifies that some of the parking in the area is occupied by Reigate Grammar School pupils as there is a footpath to the school immediately adjacent to Reigate Parish School. It has been suggested that the survey was undertaken at a time when the Reigate Grammar School pupils were not at school. County Council officers undertook a site visit on the morning of 19th April in order to observe parent behaviour and to 'sense check' the parking beat survey. It is clear from officer observations that the TS is correct in identifying that large numbers of parked vehicles originate from Reigate Grammar School pupils. On the morning in question there were 13 cars parked on Blackborough Road opposite Reigate Parish School, all parked half on and off the pavement - 12 of these were observed to be Reigate Grammar School pupils, 1 was already parked when officers arrived. Officers undertook a survey of parked vehicles in the area once school drop off had finished and parent cars had departed. There were a total of 116 cars remaining - Blackborough Road and Crakell Road accounted for 44. The parking beat survey in the TS indicated that the pre and post school pick up demand was 102 and 105 parked cars which is comparable with the 116 counted by officers. For Blackborough Road and Crakell Road, the pre and post demand from the TS is 39 and 42, while SCC officers counted 44. This supports the conclusion that much of the parking is there for the day, some of which is associated with Reigate Grammar.
- 63 Officers also observed the mode of travel and direction of travel to school. This was considered in conjunction with a review of the postcode and modal split data. As a result of the on site observations about numbers and directions of pedestrians, officers are satisfied that these broadly tally with the TS. Officers are therefore satisfied that as a result of this 'sense check', the TS conclusions are reasonable.
- 64 In comparison to many schools, this school currently serves a predominantly local area with a high proportion of children accessing the site by sustainable modes. As the school is to be converted from an infant school to a primary school, the same children will remain in the school for an additional 4 years and there is no reason to believe that new children entering the school will not be drawn from a similar area. It is therefore reasonable to assume that the modal split will remain similar to current. On this basis, the impact will be limited to an additional 45 parents cars and an additional 20 teachers cars. The teachers cars will be largely accommodated on site, parents cars will be accommodated on street where there is adequate available capacity.

- 65 A number of issues have been highlighted by local residents including parking on the footway, cars driving on the footway, narrow footways, all day parking by Reigate Grammar School pupils, pelican crossing not stopping traffic for long enough, perception of speeding traffic, extensive parking during pick up/drop off (by parents of Reigate Parish/Reigate Grammar/Reigate St Mary's), difficulty exiting driveways and children travelling too fast on scooters. Many have these have been confirmed by officers' observations, although the pedestrian green phase for the pedestrian crossing did not seem unusually short and traffic speeds were not excessive, constrained as they were by the volume of traffic and congestion caused by parked/parking cars. Observations indicate that the drop off by Reigate Grammar School and Reigate St Mary's parents commences around 08.15 and for the most part does not coincide with the Reigate Parish parents. The main issues seem to be caused by the all day parking (particularly Reigate Grammar School pupils) and the impact this has on Reigate Parish parents. It is not for this proposal to address all of the existing issues, but it does need to ensure that any impact from the expansion is adequately mitigated.
- 66 The introduction of additional parking controls in the area is proposed to remove all-day on-street parking from the immediate vicinity of the school which will remove parked vehicles from the pavement and thus increasing safety and capacity for pedestrians. Single yellow lines are proposed on Blackborough Road opposite the school which will prevent parking on this stretch from 08.00 to 18.00 Monday to Friday with additional restrictions to the east of the school on the northern side which will permit parents to park for short periods but will prevent all day parking. If the restrictions prevent parking on both sides simultaneously, there is no need for cars parking on both sides to park partly on the footway. This will improve safety in the immediate vicinity of the school and increase the capacity of footways for pedestrians.
- 67 The current situation on Crakell Road is poor and the removal of parking from Blackborough Road would potentially displace it to Crakell Road, exacerbating the current unsatisfactory situation. The applicant is proposing a single yellow line along the western side of Crakell Road from the junction with Blackborough Road to the junction with Blanford Road preventing parking from 08.00 to 18.00 Monday to Friday. Officers are concerned that all of the spaces on the eastern side of Crakell Road will then be fully occupied by Reigate Grammar School pupils as they were observed to arrive prior to Reigate Parish pupils, resulting in parents parking further away and the younger children having to walk further. Officers consider that a single yellow line should also be introduced on the eastern side of Crakell Road with time restrictions to permit parent parking but preventing all day parking. There is adequate remaining parking on Blanford Road and Waterlow Roads which are sufficiently wide and lightly trafficked for displaced Grammar School pupils.
- 68 Officers consider these proposals strike the right balance between controlling parking in the least suitable locations close to the school and displacing it elsewhere. To the west of Crakell Road, Blackborough Road narrows and the houses there have limited off street parking. To the east, it is more suitable for parking but some residents not currently affected by parking on the highway outside their homes will experience increased parking. In reaching that conclusion, officers have taken account of the reduced capacity as a result of new restrictions but do not consider that alters the overall conclusion that there is sufficient capacity to absorb additional demand within a reasonable distance of the school.
- 69 The width of the footway to the west of the school, north of the pedestrian crossing on Blackborough Road is identified as a potential constraint on pedestrian access. There are a number of trees, and vegetation where there are also barriers on either side of the crossing itself, which limit pedestrians. It is proposed to widen the area for pedestrians at this point which is important given the additional 132 children that are expected to walk to the school. A Travel Plan has been submitted with the application which can be used to reinforce expected behaviour for parents and children and to further encourage modal

shift to sustainable modes. It will need to be updated prior to the occupation of the development, and this can be secured by conditions.

On site car and cycle parking

- 70 The existing staff car park has capacity for 28 cars. Observations suggest that this car park is rarely full and usually has spare capacity. An additional 14 spaces are to be provided as part of the development, which will result in a total of 42 spaces, 2 of which will be disabled spaces. There are currently 40 members of staff at the school but no more than 27 are on site at any one time with a maximum parking demand of 23. Applying the same methodology to the proposed additional 29 staff associated with the expanded school, there will be no more than 20 on site at any one time. There may be a shortfall of 1 space at certain times but despite this, it is considered that the parking provision is adequate.
- 71 The school currently has 18 covered cycle parking spaces which are currently well used. It is proposed in the TS that an additional 18 covered cycle parking spaces plus 72 scooter parking spaces will be required in order to meet the projected demand once the expansion has been completed.

SUSTAINABLE CONSTRUCTION

Reigate and Banstead Local Plan: Core Strategy 2014

Policy CS11 – Sustainable Construction

- 72 Core Strategy Policy CS11 requires that relevant non-residential development of new or replacement buildings, or extensions to existing structures be to a minimum standard of BREEAM 'very good'. The development constitutes 'major development' under the definition contained in the General Development Management Procedure Order, and in those circumstances officers consider the proposal should be considered 'relevant non residential development' for the purposes of policy CS11.
- 73 A BREEAM pre-assessment was submitted with the application which showed that the development was capable of easily achieving a 'very good' rating ('very good' requires a rating of 55 -70%, and the assessment showed the proposal scoring 66.0%) .
- 74 The applicant has submitted a supplementary assessment demonstrating that credits gained under the assessment are applicable to both schemes. The applicant has demonstrated that the scheme can achieve a 'very good' rating, and a condition requiring submission of a post completion report can be imposed to secure this.

SURFACE WATER DRAINAGE

Reigate and Banstead Local Plan: Core Strategy 2014

Policy CS10 – Sustainable Development

- 75 Core Strategy policy CS10 requires that flood risk be managed, inter alia, through the use of sustainable urban drainage (SUDS) and flood resistant/ resilient design features. Para 103 of the NPPF requires that to minimise flood risk from surface water, priority should be given to the use of Sustainable Urban Drainage systems (SUDs). The Ministerial Statement of 18 December 2014 on SUDs requires that for major development, planning decisions ensure that SUDs are put in place for the management of runoff, unless demonstrated to be inappropriate.
- 76 As amended the proposed development proposes to include SUDs in the form of the green roof to the new building. Previously, attenuating storage within the new hard surfaced areas was proposed. Surface water drainage for the site is required to achieve

a discharge rate to the existing surface water sewer in Blackborough Road for a green field site in a 100 year event, with an allowance for climate change. Green roofs as a Suds technique are well placed in terms of the hierarchy of potential SUDs techniques and therefore in principle meet the requirements of the Ministerial Statement. The applicants calculations suggest that, given the retention qualities of the green roof, no additional attenuation is required to meet the relevant standard.

- 77 Additional information has been provided in response to queries raised by the Local Lead Flood Authority. The LLFA are considering that further information, and require that Thames Water's agreement to discharge to the surface water sewer should be obtained before planning permission is granted. Additional information on the detailed design and performance of the proposed SUDs has been provided, and application has been made for the appropriate Thames Water consent. A further report will be provided by way of an update, but it is anticipated that by the date of the meeting, LLFA will be in a position to recommend that as far as drainage issues are concerned, permission can be granted subject to conditions.

HUMAN RIGHTS IMPLICATIONS

- 78 The Human Rights Act Guidance for Interpretation, contained in the Preamble to the Agenda is expressly incorporated into this report and must be read in conjunction with the following paragraph.
- 79 In this case, the Officer's view is that while the potential for impacts on amenity caused by traffic are acknowledged, the scale of such impacts is not considered sufficient to engage Article 8 or Article 1 of Protocol 1. Their impact can be mitigated by conditions. As such, this proposal is not considered to interfere with any Convention right.

CONCLUSION

- 80 Officers consider that the development is in principle consistent with spatial policies in addressing an identified need for additional school places on an existing school site within the urban area. Significant weight should be given to need under the NPPF. The disposition of new development on the site is compatible with urban open land policies, is an appropriate design paying due regard to its context in terms of the built environment and does not physically constitute over development of the site. The proposed buildings do not result in any adverse impact on the amenities of surrounding properties. Officers are satisfied that the application proposals in their original form and as subsequently amended represent the only practical options for the expansion of the school
- 81 In one respect the development would have a significant adverse impact on the character and amenity of the site and area. Two important trees would be lost. The original design of the building enabled retention of these trees but had an unacceptable impact on the amenity of the adjoining school through loss of daylight. Officers are satisfied that these two considerations are irreconcilable. The weight to be attached to neighbours amenity combined with that to be attached to need for school places outweighs the desirability of retaining these trees. The proposed site layout is therefore considered to be acceptable.
- 82 The measures proposed to address the impact of additional car traffic are considered to be proportionate to the scale of additional traffic likely to be generated. Parking restrictions are expected to make conditions on Blackborough Road safer and limit inconvenience to residents. Some short term parking related to the school will continue

to be experienced, although longer term parking will be reduced. Long term parking will be displaced to other locations where capacity has been shown to exist, with some impact on residential amenity. Development plan policies requiring that the traffic and parking impacts of development be addressed are considered to have been satisfied.

- 83 Overall, with the exception of those relating to the amenity and ecological value of trees, the development satisfies relevant development plan policies and other considerations. An exception to tree retention policies is considered to be justified and can be mitigated by an enhanced landscaping scheme secured through conditions. Subject to satisfactory mitigation of the loss of a potential bat roost, planning permission can therefore be granted.

RECOMMENDATION

That, pursuant to Regulation 3 of the Town Country Planning General Regulations 1992, application no. RE16/00337 be PERMITTED subject to the following conditions:

Conditions:

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in all respects in accordance with the following plans/drawings:
 - 150069 (PA) L100 rev. P Location Plan dated 19/10/15.
 - L101 rev. P Proposed Location Plan dated 19/10/15.
 - L102 rev. P Existing Site Plan dated 19/10/15.
 - L103 rev. P1 Proposed Site Plan dated 22/07/16.
 - L001 rev. P1 Lower Ground and Ground Floor Plans, dated 22/07/16
 - L002 rev. P1 First and Roof Plans dated 22/07/16.
 - EX001 rev. P Existing Elevations 1 dated 30/10/15.
 - EX002 rev. P Existing Elevations 2 dated 30/10/15.
 - E001 rev. P1 Site elevations dated 22/07/16.
 - E002 rev. P2 GA Elevations, dated 25/08/16.
 - S001 rev.P1 GA Sections dated 22/07/16.
 - L104 rev. P Reconfiguration of Footpath dated 02/30/15 (sic)
 - RP(21) 200 rev.T3 Proposed Elevations East and North dated 02/09/16
 - RP(21) 201 rev.T3 Proposed Elevations East and North dated 02/09/16
 - RP(22) 200 rev. T1 Proposed section 01 dated 02/09/16.
 - RP(22) 201 rev. T1 Proposed section 01 dated 02/09/16.
 - RP(22) 202 rev. T1 Proposed section 01 dated 02/09/16.
 - 215195 GA101 rev. P4 Foul and Surface Water Drainage Layout dated 23/08/16.
 - 224L01 rev.F Illustrative Landscape Master Plan dated 25/07/16.
 - 2016/058 01-A Site Survey dated March 2016.
 - 5274 003 SK001 rev. P5 Proposed Car Park Swept Path Analysis Refuse Vehicle dated 10/08/16.
3. The new building hereby permitted shall not be occupied unless parking restrictions on Blackborough Road and Crakell Road as generally shown on drawing number SK-004 rev A forming Appendix I to the Transport Statement submitted with the application, along with additional single yellow line restrictions necessary to prevent all day parking on the eastern side of Crakell Road, have been subject to detailed design and implemented in full.

4. The new building hereby permitted shall not be occupied unless and until the proposed footway widening to the west of the school access shown on drawing number 150069 (PA) L 104, rev P has been subject to detailed design and implemented in full.
5. The development shall not be occupied unless and until additional car parking spaces have been provided in accordance with the approved plans. The spaces provided shall thereafter be retained for their designated use.
6. The development shall not be occupied unless and until an additional 18 covered cycle spaces and 72 scooter parking spaces have been provided in the locations shown on drawing no. 224L01, rev F. and shall thereafter be retained for their designated use. The spaces provided shall thereafter be retained for their designated use.
7. Subject to the provisions of condition 15 below, the development hereby permitted shall be carried out in all respects in accordance with the Construction Transport Management Plan submitted with the application, as amended by the addendum Construction Transport Management Plan dated 05/09/16.
8. During school term time, there shall be no HGV movements to or from the site between the hours of 08.00 and 09.15 and 14.30 and 15.30 nor shall the applicant or their contractors allow any HGVs associated with the development at the site to be laid up, waiting, in Blackborough Road, Blackborough Close, Crakell Road or Blanford Road during these times.
9. The development hereby permitted shall not be occupied unless an updated School Travel Plan has been submitted to and approved in writing by the County Planning Authority. The plan shall thereafter be implemented, maintained monitored and updated in accordance with the details as approved.
10. The development hereby permitted shall not be constructed above ground level unless details and samples of external materials to be used on the new building permitted have been submitted to and approved in writing by the County Planning Authority. The development shall then be carried out in accordance with the approved details
11. The development hereby permitted shall not be commenced unless details of how the Sustainable Drainage System will cater for system failure or exceedance events, both on and offsite, have been submitted to and approved by the County Planning Authority.
12. The developmen hereby permitted shall not be occupied unless details of the proposed maintenance regimes for each of the SuDS elements have been submitted to and approved by the County Planning Authority. The drainage system shall thereafter be amintained in accordance with the approved details.
13. The development hereby permitted shall not be occupied unless a verification report carried out by a qualified drainage engineer has been submitted to and approved by the County Planning Authority. to demonstrate that the Sustainable Drainage System has been constructed as per the agreed scheme.
14. No site clearance shall be carried out between the months of April and September inclusive unless it is carried out in accordance with the methods set out in sections 5.2.2 and 5.2.3 of the Preliminary Ecological Appraisal submitted with the application.
15. Before any equipment, machinery or materials are brought onto the site for the purposes of carrying out the development hereby permitted, protective fencing in accordance with

the details contained in Section 8 and Drawing TPP-04 contained in section 7 of the addendum to the Arboricultural Method Statement dated 22/07/16 submitted with the application shall be installed and shall thereafter be maintained until all equipment, machinery and surplus materials have been removed from the site. For the duration of works on the site no materials, plant or equipment shall be placed or stored within the protected area.

16. The development hereby permitted shall be carried out in all respects in accordance with sections 5,6 and 10 of the Arboricultural Method Statement dated 02/02/16 and sections 3 and 4 of the addendum to the Arboricultural Method Statement dated 22/07/16.
17. No later than six months after the commencement of the development hereby permitted, a detailed landscaping scheme shall be submitted to and approved in writing by the County Planning Authority. Such details shall include;
 - i.) planting plans; written specifications for cultivation and other operations associated with tree, shrub, plant and grass establishment; schedules of trees, shrubs and plants noting size, species, positions and proposed numbers / densities;
 - ii.) Surface materials for paths other hard surfaced areas and minor structures,
 - iii.) Programmes for implementation and maintenance of planting and habitat creation proposals
18. The landscaping scheme approved pursuant to Condition 17 above shall be carried out no later than in the first planting season after the first occupation of any part of the development or in accordance with a programme approved under condition 18 above . Thereafter the landscaping shall be maintained for a period of five years. Such maintenance shall include the replacement of any tree or shrub which is removed, uprooted or destroyed or dies or becomes in the opinion of the County Planning Authority seriously damaged or defective. The replacement shall be of the same species and size and in the same location as that originally planted.
19. No later than 6 months after the first occupation of the building hereby permitted, an assessment shall be carried out by an accredited person confirming that the development has achieved a standard of sustainable construction that would have achieved a BREEAM rating of 'very good', and the assessment shall be deposited with the County Planning Authority.

Reasons:

1. To comply with Section 91 (1)(a) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and in the interests of proper planning.
3. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, pursuant to Policy Mo4 of the Reigate and Banstead Borough Local Plan 2005
4. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, pursuant to Policy Mo4 of the Reigate and Banstead Borough Local Plan 2005
5. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, pursuant to Policy Mo4 of the Reigate and Banstead Borough Local Plan 2005

6. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, pursuant to Policy CS17 of the Reigate and Banstead Borough Core Strategy 2014.
7. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, pursuant to Policy Mo4 of the Reigate and Banstead Borough Local Plan 2005
8. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, pursuant to Policy Mo4 of the Reigate and Banstead Borough Local Plan 2005
9. In order that the development should not prejudice highway safety nor cause inconvenience to other highway users, pursuant to Policy CS17 of the Reigate and Banstead Borough Core Strategy 2014.
10. To ensure that the development respects the character and appearance of the site and area pursuant to Policy CS4 of the Reigate and Banstead Core Strategy 2014 and Policy Cf2 of the Reigate and Banstead Borough Local Plan 2005.
11. To ensure adequate provision is made for dealing with surface water pursuant to Policy CS10 of the Reigate and Banstead Core Strategy 2014.
12. To ensure adequate provision is made for dealing with surface water pursuant to Policy CS10 of the Reigate and Banstead Core Strategy 2014.
13. To demonstrate that the Sustainable Drainage System has been constructed as per the agreed scheme pursuant to Policy CS10 of the Reigate and Banstead Core Strategy 2014.
14. To maintain the biodiversity of the site pursuant to Policy Pc2G of the Reigate and Banstead Borough Local Plan 2005.
15. To minimise potential damage to trees on the site which are to be retained, in the interests of the character and amenity of the site and area, pursuant to Policy CS2 of the Reigate and Banstead Core Strategy 2014 and Policy Pc4 of the Reigate and Banstead Borough Local Plan 2005.
16. To minimise potential damage to trees on the site which are to be retained, in the interests of the character and amenity of the site and area, pursuant to Policy CS2 of the Reigate and Banstead Core Strategy 2014 and Policy Pc4 of the Reigate and Banstead Borough Local Plan 2005.
17. to ensure a standard of environment which preserves the character and appearance of the site and area pursuant to Policy Cf2 of the Reigate and Banstead Borough Local Plan 2005.
18. to ensure a standard of environment which preserves the character and appearance of the site and area pursuant to Policy Cf2 of the Reigate and Banstead Borough Local Plan 2005.
19. To ensure the development achieves an appropriate standard of sustainable construction, pursuant to Policy CS11 of the Reigate and Banstead Core Strategy 2014.

Informatives:

1. The County Planning Authority confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
2. The attention of the applicant is drawn to the requirements of Sections 7 and 8 of the Chronically Sick and Disabled Persons Act 1970 and to Building Bulletin 102 'Designing for disabled children and children with Special Educational Needs' published in 2008 on behalf of the Secretary of State for Children, Schools and Families, or any prescribed document replacing that note.
3. This approval relates only to the provisions of the Town and Country Planning Act 1990 and must not be taken to imply or be construed as an approval under the Building Regulations 2000 or for the purposes of any other statutory provision whatsoever.
4. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transportation Development Planning Division of Surrey County Council.
5. The developer is advised that as part of the detailed design of the highway works required by the above condition(s), the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
6. The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council's Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see: <http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme>. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.
7. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or is being built. Planning consent for a development does not provide a defence against prosecution under this Act.

Trees and scrub are likely to contain nesting birds between 1 March and 31 August inclusive. Trees and scrub are present on the application site and are assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity during this period and shown it is absolutely certain that nesting birds are not present
8. The applicant is advised that the detailed landscape design required by condition above should incorporate the ecological enhancement measures set out in section 5.5.3 of the Preliminary Ecological Appraisal submitted with the application.

CONTACT

Mr C Northwood

TEL. NO.

020 8541 9438

BACKGROUND PAPERS

The deposited application documents and plans, including those amending or clarifying the proposal, responses to consultations and representations received as referred to in the report and included in the application file and the following:

Government Guidance

[National Planning Policy Framework 2012](#)

[Planning Practice Guidance](#)

The Development Plan

Reigate and Banstead Local Plan: Core Strategy 2014

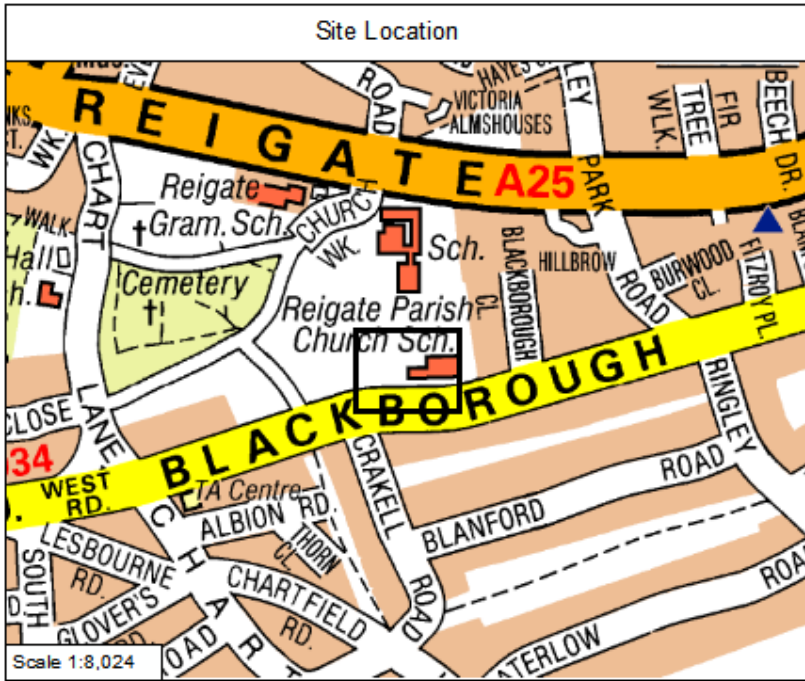
Saved policies of the Reigate and Banstead Borough Local Plan 2005

Other Documents

BRE : Site Layout Planning for Daylight and Sunlight – A guide to good practice, 2011.

DfE /EFA: Building Bulletin 103, "Area Guidelines for Mainstream Schools", June 2014.

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Land at and adjoining Reigate Parish School, Blackborough Road, Reigate, Surrey

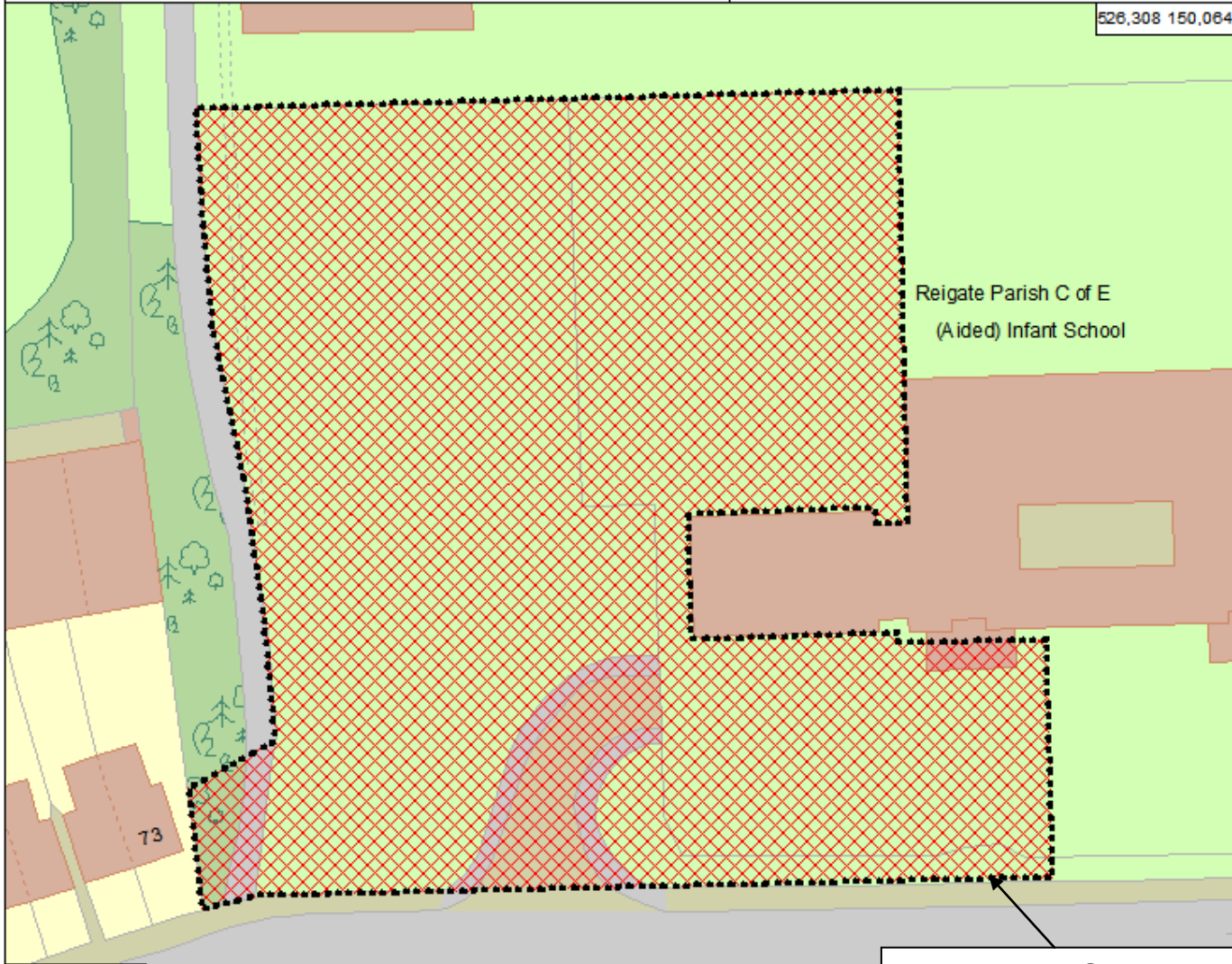
Erection of 2 storey building comprising 8 classrooms, hall, staff and group rooms, preparations area, WCs and library, associated circulation, play areas and landscaping; alterations to footpath access and car parking layout to facilitate expansion of school from a 2FE infant to a 2FE primary.

Application No(s): RE16/00337/CON

Electoral Division(s): Reigate

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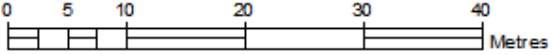
This plan is for indicative purposes only



Application Site Area



Ref No: SCC REF 2016/0019
Date printed: 19/05/2016



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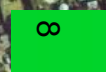
Aerial 1 :



Page 69



All boundaries are approximate



Aerial 2 :



Application Site Area

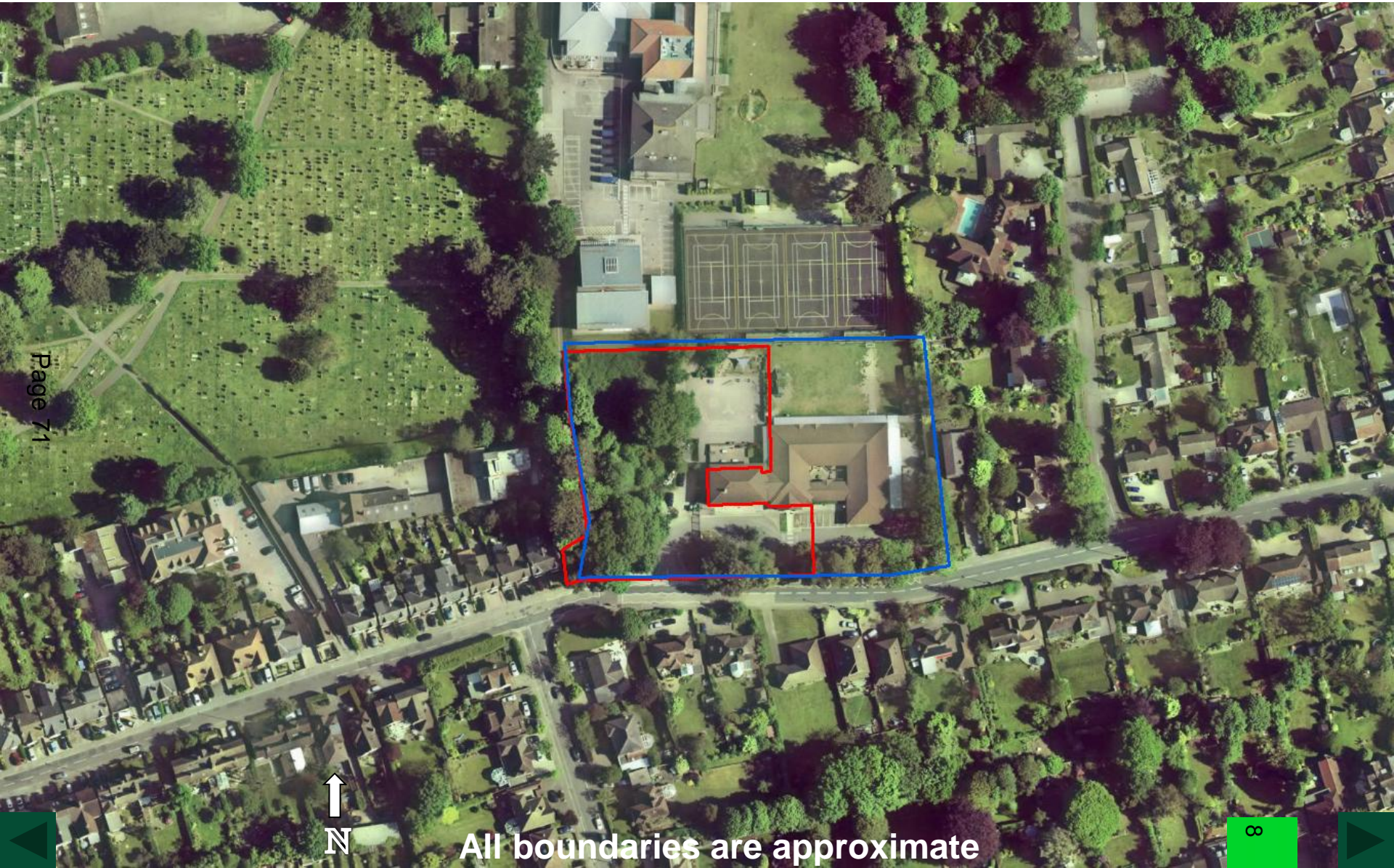
Page 70



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All boundaries are approximate

Aerial 3 :



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All boundaries are approximate

Figure 1 : Entrance to school from Blackborough Road



Figure 2 : Blackborough Road, looking east along school frontage



Figure 3 : Crakell Road, looking south from junction with Blackborough Road





Figure 4 : Blackborough Road, looking west from school entrance



Figure 5 : Site of new classroom building, looking north towards Grammar School music block



Figure 6 : Site of new classroom building, looking south towards Blackborough Road



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TO: PLANNING & REGULATORY COMMITTEE

DATE: 28 September 2016

BY: PLANNING DEVELOPMENT TEAM MANAGER

DISTRICT(S) SPELTHORNE BOROUGH COUNCIL

ELECTORAL DIVISION(S):

Laleham & Shepperton

Mr Walsh

Staines South & Ashford West

Ms Turner-Stewart

PURPOSE: FOR DECISION

GRID REF: 505413 169922

TITLE: MINERALS/WASTE SP12/01132/SCD1

APPLICATION DETAILS

Manor Farm, Ashford Road and land west of Queen Mary Reservoir, Laleham, Surrey

Details of noise barriers for the conveyor switch points submitted pursuant to Conditions 22 and a Bird Hazard Management Plan submitted pursuant to Condition 36 of planning permission ref: SP2012/01132 dated 23 October 2015.

SUMMARY REPORT

Manor Farm, Ashford Road and land west of Queen Mary Reservoir, Laleham, Surrey

The Manor Farm and Queen Mary Quarry (QMQ) (land west of Queen Mary Reservoir) site, some 43.9 hectares (ha) in total, is in two parts. It comprises land at Manor Farm (some 33.4 ha), situated to the east of Staines Road (B376) and Worple Road and west of Ashford Road (B377), Laleham; and land at Queen Mary Quarry (QMQ) (including part of the lake and existing processing plant site) to the east of Ashford Road and west of Queen Mary Reservoir, Laleham, Staines upon Thames.

The Manor Farm part of the land with planning permission is situated between Staines upon Thames to the north and Laleham to the south. The land uses immediately around the site include residential to the north, east and west, Buckland School to the north, sport and recreation (north, east and west) and public footpaths running to the north and through the centre of the site. The site lies within the 13km identified birdstrike safeguarding zone for Heathrow Airport.

Planning permission ref SP2012/01132 was granted subject to planning conditions in October 2015 for the extraction of sand and gravel from land at Manor Farm, construction of a tunnel under the Ashford Road and a causeway across the lake at QMQ for the conveyor belt system, transport of the extracted mineral by conveyor to QMQ for processing in the existing processing plant, erection of a concrete batching plant and an aggregate bagging plant within the QMQ aggregate processing and stockpiling areas, restoration of the land at Manor Farm to landscaped lakes and a nature conservation afteruse. Some conditions require the submission and approval of more details on a range of matters; to date eight submissions have been made.

All mineral extracted from the site will be transported by conveyor belt to the Queen Mary Quarry (QMQ) processing plant. Processed mineral will leave QMQ via the quarry access onto the A308 (Kingston Road). The route of the conveyor belt system runs across the land at Manor Farm to the Ashford Road and in a tunnel under the Ashford Road. Within the QMQ site the

conveyor route will cross the existing lake on a causeway and then run northwards towards the processing plant site. The conveyor system will have a number of change points where the direction of conveyor changes.

This report deals with details of the noise barriers for the conveyor switch points and a bird hazard management plan (BHMP) submitted to comply with the requirements of conditions 22 and 36 of the permission.

On the details for condition 22 residents have raised concerns about noise from the conveyor and whether the proposed measures will be adequate, visual impact of the barriers and monitoring. Spelthorne Borough Council Environmental Health has been consulted for noise advice on the submission and following provision of information on the noise assessment methodology used has confirmed they have no objection to the submitted details. Spelthorne Borough Council Planning raise no objection.

On the details for condition 36 residents have raised concerns about the use of audible bird scarers and queries about monitoring and reporting arrangements and how the condition will apply in perpetuity. Spelthorne Borough Council and Heathrow Airport Safeguarding Ltd both consider the BHMP to be acceptable and raise no objection.

Having assessed the submissions and considered views from residents and statutory consultees Officers consider that the details submitted pursuant to Conditions 22 and 36 meet the requirements of the conditions and satisfy the requirements of relevant development plan policy.

The recommendation is to APPROVE the submitted details.

APPLICATION DETAILS

Applicant

Brett Aggregates Ltd

Date application valid

4 April 2016

Period for Determination

30 May 2016

Amending Documents

Condition 22 - Email from Agent (Mike Davies, Davies Planning) dated 14 July 2016.

Condition 36 - Bird Hazard Management Plan submitted in respect of Condition 36 of Planning Permission SP/2012/01132 June 2016.

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.

	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
Noise	Yes	37 to 44
Birdstrike safeguarding	Yes	36 to 41 and 45 to 47

ILLUSTRATIVE MATERIAL

Site Plan

Plan 1 Location Plan

Plan 2 Extraction phases, site compound, conveyor tunnel and causeway (annotated applicant SP2012/01132 drawing no. EIA9.8 Rev B March 2012)

Plan 3 Conveyor switchpoint locations (annotated applicant drawing no ST12377-025 dated 10/03/16) (Condition 22)

Aerial Photographs

Aerial 1

Aerial 2

Site Photographs

None

BACKGROUND

Site Description

- 1 The Manor Farm and Queen Mary Quarry (QMQ) (land west of Queen Mary Reservoir) site, some 43.9 hectares (ha) in total, is in two parts. It comprises land at Manor Farm (some 33.4 ha), situated to the east of Staines Road (B376) and Worple Road and west of Ashford Road (B377), Laleham; and land at Queen Mary Quarry (QMQ) (including part of the lake and existing processing plant site) to the east of Ashford Road and west of Queen Mary Reservoir, Laleham, Staines upon Thames.
- 2 The Manor Farm part of the land with planning permission is situated between Staines upon Thames to the north and Laleham to the south. To the north lies residential housing, Buckland Primary School and Greenfield Recreation Ground. To the east lies a further part of Greenfield Recreation Ground (with fenced children's play area), residential housing on the Ashford Road, the QMQ and Queen Mary Reservoir. To the south lies the Queen Mary Reservoir water intake channel and Greenscene Nursery and further south lies open farmland and Laleham Village. To the west lies residential housing, a garden centre, and the Staines and Laleham Sports Association Ltd (SALSAL) sports facility, and further to the west and south west the River Thames and Penton Hook Lock/Marina.
- 3 The site lies within the 13km identified birdstrike safeguarding zone for Heathrow Airport.

Planning History

- 4 Planning permission ref SP2012/01132 was granted subject to 48 planning conditions on 23 October 2015 for:

“Extraction of sand and gravel and restoration to landscaped lakes for nature conservation after-use at Manor Farm, Laleham and provision of a dedicated area on land at Manor Farm adjacent to Buckland School for nature conservation study; processing of the sand and gravel in the existing Queen Mary Quarry (QMQ) processing plant and retention of the processing plant for the duration of operations; erection of a concrete batching plant and an aggregate bagging plant within the existing QMQ aggregate processing and stockpiling areas; installation of a field conveyor for the transportation of mineral and use for the transportation of mineral from Manor Farm to

the QMQ processing plant; and construction of a tunnel beneath the Ashford Road to accommodate a conveyor link between Manor Farm and QMQ for the transportation of mineral.”

- 5 The permission is subject to s106 legal agreement (dated 14 October 2015) relating to long term aftercare management, (including bird management) of the land at Manor Farm and to limit the number of HGV movements in combination with planning permission refs SP07/1273 and SP07/1275 at the QMQ site to no more than 300 HGV movements (150 two way HGV movements) on any working day.
- 6 The land at Manor Farm is to be worked and restored in four phases. Phase 1 lies to the east of footpath 30 which runs approximately north to south through the site. Phases 2 to 4 lie to the west of footpath 30. All mineral extracted from the site will be transported by conveyor belt to the Queen Mary Quarry (QMQ) processing plant. Processed mineral will leave QMQ via the quarry access onto the A308 (Kingston Road).
- 7 The route of the conveyor to be used to transport sand and gravel extracted at Manor Farm to the existing Queen Mary Quarry (QMQ) processing plant runs across the land at Manor Farm to the Ashford Road and in a tunnel under the Ashford Road. Within the QMQ site the conveyor route would cross the existing lake on a causeway and then run northwards towards the processing plant site following the existing access track. In the southern part of the QMQ site this follows the route permitted under SP13/01003 (which granted planning permission for a partial realignment of the conveyor route from that originally applied for in the SP2012/01132 application). Vehicle access to the land at Manor Farm will be via two accesses, one off Worple Road and one off the Ashford Road. There will be no HGV traffic transporting mineral extracted at Manor Farm using the Worple Road or Ashford Road access.
- 8 The noise implications of the development proposed at Manor Farm and Queen Mary Quarry in application SP2012/01132 were assessed in the planning application and accompanying Environmental Statement. The noise impact assessment was undertaken in line with Government policy and guidance in the National Planning Policy Framework (NPPF) and national Planning Practice Guidance (nPPG) and Surrey Noise Guidelines.
- 9 Incorporated into the proposed extraction and restoration at Manor Farm and mineral processing operations at QMQ were a number of best practice measures which would remove or reduce noise emissions at source. In addition mitigation measures were proposed, including erection of noise bunds around working areas and localised enclosure using straw/hay bales around the conveyor change point sited to the west of Numbers 131, 151 and 155 Ashford Road (with the final details relating to height and location to be agreed), to ensure the proposals would be undertaken within national and Surrey Noise Guideline limits for mineral development on noise sensitive receptors (residential properties and Buckland School), and to reduce the noise impacts on other receptors using the public rights of way at Manor Farm and sport and recreation facilities near the site.
- 10 The planning permission was subject to a number of planning conditions, some relating to noise, including Condition 22, to secure the proposed best practice and mitigation measures. Other conditions limit the extraction of mineral, transport by conveyor to the QMQ processing plant and restoration works at Manor Farm to between 7.30am and 1800 Monday to Friday only (condition 16) and set noise limits for different activities (conditions 20 and 21).
- 11 As the site lies within the 13km identified birdstrike safeguarding zone for Heathrow Airport it was necessary when granting planning permission to assess potential hazard to aircraft from birds attracted to the different phases of the development (extraction, restoration and from the proposed afteruse). The proposed restoration to a nature conservation end use comprising a mix of waterbodies, reedbed and woodland took

account of the need to minimise the attractiveness of the site and its subsequent use by birds through:

- the physical design of the waterbodies (lake edge formation, size and dimensions of open water areas),
- proposed marginal planting and tree planting, and
- no provision for public access to the waterbodies.

- 12 The statutory consultee, Heathrow Airport Safeguarding, raised no objection to the proposed development subject to a Bird Hazard Management Plan (BHMP), to apply in perpetuity and secured by planning condition (condition 36), to minimise the attractiveness of the restored site and its subsequent use to birds.
- 13 As well as this application seven other applications, listed below, have been made seeking approval of details pursuant to conditions on a range of matters (some applications deal with more than one planning condition).

Application reference	Proposal
SP12/01132/SCD3	Details of Dust Action Plan and dust monitoring programme submitted pursuant to Condition 24(a) of planning permission reference SP2012/01132 dated 23 October 2015.
SP12/01132/SCD5	Details of measures to be taken and facilities to be provided to keep the public highway clean and prevent creation of a dangerous surface submitted pursuant to Condition 12(a), a Construction Management Plan submitted pursuant to Condition 15 and an updated bat survey and biodiversity mitigation strategy submitted pursuant to Condition 38 of planning permission reference SP2012/01132 dated 23 October 2015.
SP12/01132/SCD6	Details of the current and proposed design of the Worple Road access; tree and hedgerow removal, protection measures and replanting submitted pursuant to Condition 8(b)(i) of planning permission reference SP/2012/01132 dated 23 October 2015.
SP12/01132/SCD7	Details of a Groundwater Monitoring Plan submitted pursuant to Condition 32 of planning permission ref: SP2012/01132 dated 23/10/2015.
SP12/01132/SCD8	Details of the design of the temporary Ashford Road access submitted pursuant to Condition 8 (a) and vegetation survey and tree and hedgerow protection plan submitted pursuant to Condition 47 of planning permission ref: SP2012/01132 dated 23 October 2015.
SP12/01132/SCD2 - Approved 10 August 2016	Details of archaeology submitted pursuant to Condition 35 of planning permission ref: SP/2012/01132 dated 23 October 2015.
SP12/01132/SCD4 (2016/0057) Approved 10 August 2016	Details of a scheme to ensure that the causeway does not form a barrier on the flood plain submitted pursuant to Condition 28 of planning permission reference SP2012/01132 dated 23 October 2015.

THE PROPOSAL

Condition 22

- 14 Condition 22 and the reason for imposition read as follows:

Prior to the extraction of minerals and use of the conveyor, details of the location and height of the noise barriers for the conveyor switch points as specified in Planning Supporting Statement paragraph 7.149 and Table 7.12, letter from Wardell Armstrong dated 13/11/2012 (not 2013 as on letter), Environmental Statement paragraphs 11.6.16 and 11.7.3, paragraphs 2.13 to 2.18 of the June 2013 Addendum to the Environmental Statement and plan ST13443-PA2 Application Area (proposed conveyor route) dated 09/04/13, shall be submitted to and approved in writing by the County Planning Authority. The noise barriers are to be constructed in accordance with the approved details and maintained in good condition until completion of extraction and use of the conveyor system to transport mineral to the Queen Mary Quarry processing plant, with the monitoring and maintenance of the barriers to be included within the site integrated management system.

Reason:

To ensure minimum disturbance and avoid noise nuisance to the locality in accordance with Policy EN11 of the 'Spelthorne Borough Core Strategy and Policies Development Plan Document' February 2009 and Policy MC14 of the Surrey Minerals Plan 2011.

- 15 Mineral extracted at Manor Farm is to be transported by field conveyor to the Queen Mary Quarry processing plant for processing. The conveyor system will have a number of change points where the direction of the conveyor changes.
- 16 The submission provides details of the noise barriers for the conveyor change points on the land at Manor Farm and within the Queen Mary Quarry site required to ensure the noise from the conveyor switch points meets the noise limits set for the development. The submission includes details of the assessment used to determine the height and location of the noise barriers.
- 17 For conveyor change points on the Manor Farm part of the site a 2 metre (m) high barrier is proposed. For the change points on the Queen Mary Quarry part of the site a 1.5m high barrier is proposed. The barriers would be constructed out of hay or straw bales. The barriers would be located no more than 2m from the conveyor drive machinery and be installed taking account of changes in ground height between the barrier location and change point.
- 18 The barriers would be constructed so they wrap around the machinery as much as possible so they completely obscure the view between the change point and nearest residential dwellings on the land at Manor Farm (Change point 1 and subsequent locations). For the change points within the Queen Mary Quarry site the barriers would be installed so they at least partially obscure the view between the machinery and nearest residential properties.

Condition 36

- 19 Condition 36 and the reason for imposition read as follows:

Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the County Planning Authority. The submitted plan shall include details of:

a) monitoring of any standing water or wetland within the site temporary or permanent

The Bird Hazard Management Plan shall be implemented as approved, on commencement of the extraction and shall remain in force for the operational life of the site, including the restoration and thereafter in perpetuity.

Reason:

It is necessary to manage the site in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport in accordance with Policy MC14 of the Surrey Minerals Plan 2011.

- 20 The site lies within the 13 kilometre (km) identified birdstrike safeguarding zone for Heathrow Airport. A Bird Hazard Management Plan (BHMP) is required to minimise the attractiveness of the restored site and its subsequent use to key bird species/groups (species considered by the Civil Aviation Authority (CAA) to be of particular concern in relation to birdstrike hazard). The BHMP would form part of the Ecological Management Plan (LEMP) for the site which includes measures within the design of the restoration scheme to reduce the attractiveness of the site to the key bird species/groups considered to be a hazard to aircraft.
- 21 The BHMP sets out proposals for bird monitoring (areas, key bird species/groups and frequency) during the operational phase of the development by a competent bird surveyor. This monitoring would continue post restoration.
- 22 In addition to the surveys during the operational phase site workers would be informed during induction of the need to be vigilant to bird numbers and where necessary report significant aggregations of the key bird species/groups (species considered by the Civil Aviation Authority (CAA) to be of particular concern in relation to birdstrike hazard).
- 23 Bird trigger numbers are identified for the key bird species/groups listed in the table below which if exceeded would immediately trigger implementation of active control measures to deter the birds from using the site.

Bird species/group	Trigger numbers
Swans, ducks (e.g. mallard, pochard, tufted duck)	>100 present on the site (cumulative total, all species)
Geese (e.g. Canada and greylag goose)	>20 moulting in late June
Cormorant	>100 present on the site
Starlings and corvids	>c.1000 present on the site
Gulls	>200 present on the site (cumulative total, all species)

The active control measures include arm scares, lures, plastic tape and flags and the submission sets out the duration for use and additional monitoring arrangements following use of the control measures. Due to the proximity of residential areas in the vicinity of the site bird distress calls and pyrotechnic bird scaring cartridges would only be used as a last resort if, despite the other active control measures being taken, aggregations of key bird species continues to be a problem.

- 24 The bird survey results would be incorporated into an annual report which would be made available for submission to the County Planning Authority and Heathrow Airport Ltd. The annual report would make recommendations for modifications to the frequency and timing of visits, threshold numbers and control measures necessary to further reduce the suitability of the site for waterfowl and other birds.

CONSULTATIONS AND PUBLICITY

District Council

- 25 Spelthorne Borough Council - Planning: Condition 22 - No objection.
Condition 36 – No objection.
- 26 Spelthorne Borough Council – Environmental Health (Condition 22 only): No objection.

Consultees (Statutory and Non-Statutory)

- 27 Heathrow Airport Safeguarding Ltd (Condition 36 only): No objection.

Parish/Town Council and Amenity Groups

- 28 Clag2: No views received.
- 29 Laleham Residents' Association: No views received.
- 30 Manor Farm Residents Association: No views received.
- 31 Spelthorne Natural History Society: No views received.

Summary of publicity undertaken and key issues raised by public

- 32 The application was publicised by the posting of nine site notices and a total of 281 of people who had made comments on the SP2012/01132 planning application were directly notified by letter. To date written representations have been received from 15 members of the public, with the many of the respondents stating their continued objection to the development permitted by SP2012/01132.
- 33 Issues raised on to the details for condition 22 relate to concerns about noise from the development impacting on residents including from the conveyor system and querying the adequacy of the proposed mitigation, who will monitor and whether there are noise limits and controls over the hours the conveyor belt would operate. Other issues raised concern the visual impact of the straw bales.
- 34 Issues raised on the details for condition 36 relate to concerns about whether the proposed measures will scare off or kill wildlife that migrates on to the land at Manor Farm; the noise and disturbance that would arise if audible bird scarers are used; query who will monitor and how can the monitoring reports be viewed; and how the measures will be maintained in perpetuity.
- 35 Residents refer to operations at Queen Mary Quarry (QMQ) already being audible and how the development and additional activity at QMQ will make this worse for residents not protected by noise bunding such as those on Worple Road and potential impact on shift workers from the development at Manor Farm. Residents also query the long term (25 year management period for the restored site) and period beyond and the tree planting to be undertaken during restoration and potential impact of the trees on residential properties.
- 36 Officer comment: The other points raised include objection to the development permitted under ref SP2012/01132 and potential impact including in terms of traffic, noise, dust/air quality, flood risk, impact on wildlife and visual impact. These matters were all assessed and considered in the officer report on the planning application see Item 7 of the [2 September 2015 Planning and Regulatory Committee Agenda](#). At the meeting the committee resolved to grant planning permission subject to the prior completion of a

s106 legal agreement and planning conditions. None of the other points raised are considered to be relevant to and impact on the County Planning Authority's determination of this application.

PLANNING CONSIDERATIONS

Introduction

- 37 The guidance on the determination of planning applications contained in the Preamble/Agenda frontsheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs.
- 38 In this case the statutory development plan for consideration of the application consists of the Surrey Minerals Local Plan 2011 (comprised of the Core Strategy and Primary Aggregates Development Plan Documents (DPD) and Spelthorne Borough council Spelthorne Borough Local Plan 2001 Saved Policies And Proposals as at 28 September 2007 (SBLP 2001); and Spelthorne Borough Core Strategy and Policies Development Plan Document February 2009 (SBCS&P DPD 2009).
- 39 The application has been submitted to comply with the requirements of conditions 22 and 36 (see paragraphs 14 and 19 above). In considering the application the acceptability of the details submitted for each will be assessed against relevant development plan policies and material considerations.

Surrey Minerals Plan 2011 Core Strategy Development Plan Document (SMP 2011 Core Strategy DPD)

Policy MC14 Reducing the adverse impacts of mineral development

Spelthorne Borough Core Strategy and Policies Development Plan Document February 2009 (SB Core Strategy and Policies DPD 2009)

Policy EN11 Development and Noise

- 40 SMP 2011 Core Strategy DPD Policy MC14 states that proposals for mineral working will only be permitted where a need has been demonstrated and sufficient information has been submitted to enable the authority to be satisfied that there would be no significant adverse impacts arising from the development and sets out matters to be addressed in planning applications, including:
- adverse effects on neighbouring amenity including noise, dust and transport impacts; and
 - potential danger to aircraft and safe operation of airports from birdstrike and structures.
- 41 SB Core Strategy and Policies DPD 2009 Policy EN11 seeks to minimise the impacts of noise and sets out a series of criteria by which to achieve this including measures to reduce noise to acceptable levels and ensuring provision of appropriate noise attenuation measures.

Condition 22

- 42 As outlined in the planning history section above the need for noise barriers at the conveyor switch points were identified as part of the noise mitigation measures for the development. This submission deals with the details of those noise barriers. The noise submission includes measures to maintain the barriers. The localised barriers are part of a package of mitigation measures to ensure noise from operations undertaken at Manor Farm is within the noise limits set by other planning conditions relating to noise.
- 43 The days and hours the conveyor belt is able to operate are limited to 0730 to 1800 hours Mondays to Fridays. It would not operate on Saturday mornings. The noise

barriers would be maintained by the operator. The site would be monitored by the County Council as part of the regular monitoring of mineral and waste sites.

- 44 Residents have raised concerns about noise from the conveyor and whether the proposed measures will be adequate, visual impact of the barriers and monitoring. Spelthorne Borough Council Environmental Health has been consulted for noise advice on the submission and following provision of information on the noise assessment methodology used has confirmed they have no objection to the submitted details. As noted in paragraph 25 the views of Spelthorne Borough Council Planning are awaited. As there is no technical objection from Environmental Health, Officers are satisfied that the details submitted pursuant to Condition 22 satisfy the requirements of development plan policy.

Condition 36

- 45 Residents have raised concerns about potential disturbance from use of audible bird scarers. As outlined in paragraph 23 above the use of bird distress calls and pyrotechnic bird scaring cartridges would be as a last resort if other methods fail. Condition 22 requires the BHMP to be implemented in perpetuity. Planning permissions run with the land so this requirement would be binding on future landowners if the landownership changes. Annual reports which include results of the monitoring and modifications required to the BHMP will be made available to Surrey County Council and Heathrow Airport Ltd. Monitoring reports would be available to view at the county council and on the application record (ref SP12/01132/SCD1) on the online planning register (<http://planning.surreycc.gov.uk/planappsearch.aspx>) if made available to view online.
- 46 The BHMP was amended following comments received from Heathrow Airport Ltd Safeguarding Team about the need for there to be zero tolerance of breeding geese on site as the restoration scheme includes habitat which has the potential to encourage breeding geese. The BHMP now states "*that 'no breeding geese' should be allowed on site and the monitoring regime should consist of a visit in March to look for geese, if present, another in mid April to remove nests under the correct licences from Natural England. Then another to confirm no more than 20 geese moulting in late June.*" Following this amendment Heathrow Airport Safeguarding Ltd has confirmed that, having assessed the submission against safeguarding criteria, they have no objection to the details being approved. Spelthorne Borough Council have raised no objection.
- 47 Officers are satisfied that the details submitted pursuant to Condition 36 satisfy the requirements of development plan policy.

HUMAN RIGHTS IMPLICATIONS

- 48 The Human Rights Act Guidance for Interpretation, contained in the Preamble to the Agenda is expressly incorporated into this report and must be read in conjunction with the following paragraph.
- 49 The proposal involves the approval of details of pursuant to Conditions 22 and 36 of planning permission ref SP2012/0132 dated 23 October 2015. It is the Officer's view that the matter covered by the submissions and implementation does not give rise to any potential impacts and therefore would not engage Article 8 of Article 1 of Protocol 1. As such these details are not considered to interfere with any Convention right.

CONCLUSION

- 50 The schemes submitted by the applicant pursuant to conditions 22 and 36 are acceptable and comply with the relevant development policies as listed above such that the details submitted pursuant these conditions can be approved.

RECOMMENDATION

The recommendation is that the details of noise barriers for the conveyor switch points submitted pursuant to Conditions 22 and a Bird Hazard Management Plan submitted pursuant to Condition 36 contained in application ref SP12/01132/SCD1 be **APPROVED** subject to the following condition.

Condition:

Bird Hazard Management Plan Condition 36 details - submission of annual monitoring reports

- 1 Annual monitoring reports prepared in accordance with Section 2.4 of the Bird Hazard Management Plan submitted in respect of Condition 36 of Planning Permission SP/2012/01132 June 2016 shall be submitted to the County Planning Authority no later than 1 November each year.

Reason:

- 1 To comply with the terms of the submission and to enable the effectiveness of the bird hazard management plan to be monitored and any recommended modifications agreed by the County Planning Authority in consultation with Heathrow Airport Safeguarding to enable ongoing management of the site as required by Condition 36 in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport in accordance with Policy MC14 of the Surrey Minerals Plan 2011.

CONTACT

Susan Waters

TEL. NO.

020 8541 9227

BACKGROUND PAPERS

The deposited application documents and plans, including those amending or clarifying the proposal, responses to consultations and representations received as referred to in the report and included in the application file and the following:

Government Guidance

[National Planning Policy Framework 2012](#)

[Planning Practice Guidance](#)

The Development Plan

[Surrey Minerals Plan Core Strategy Development Plan Document \(DPD\) 2011](#)

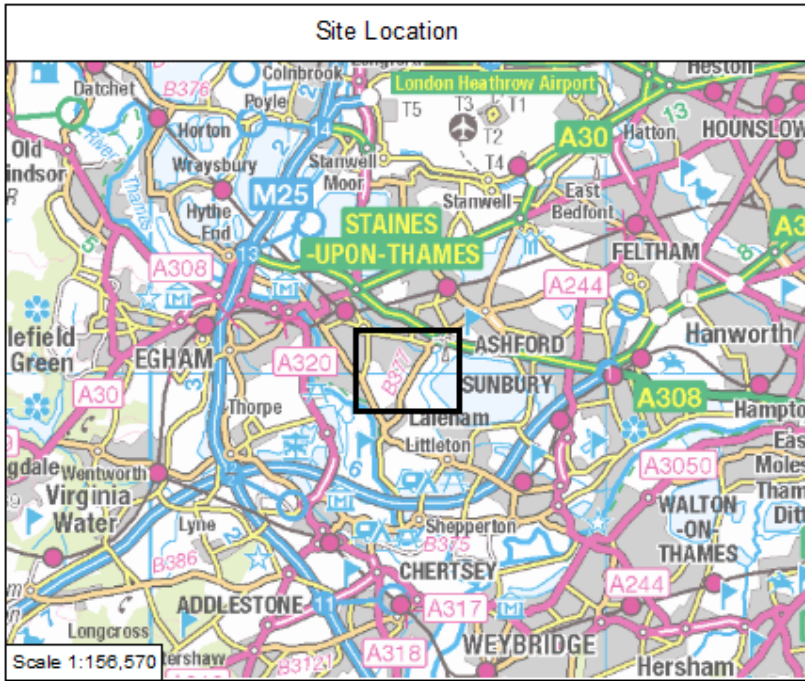
[Spelthorne Borough Council Core Strategy and Policies DPD February 2009](#)

Other documents

- The deposited application documents and plans and Environmental Statement including those amending or clarifying the proposal, responses to consultations and representations received on the application included in the application file for application ref SP2012/01132.

-The officer report and annexes to the 2 September 2015 Planning and Regulatory Committee (Item 7) for application ref SP2012/01132 ([2 September 2015 Planning and Regulatory Committee Agenda](#))

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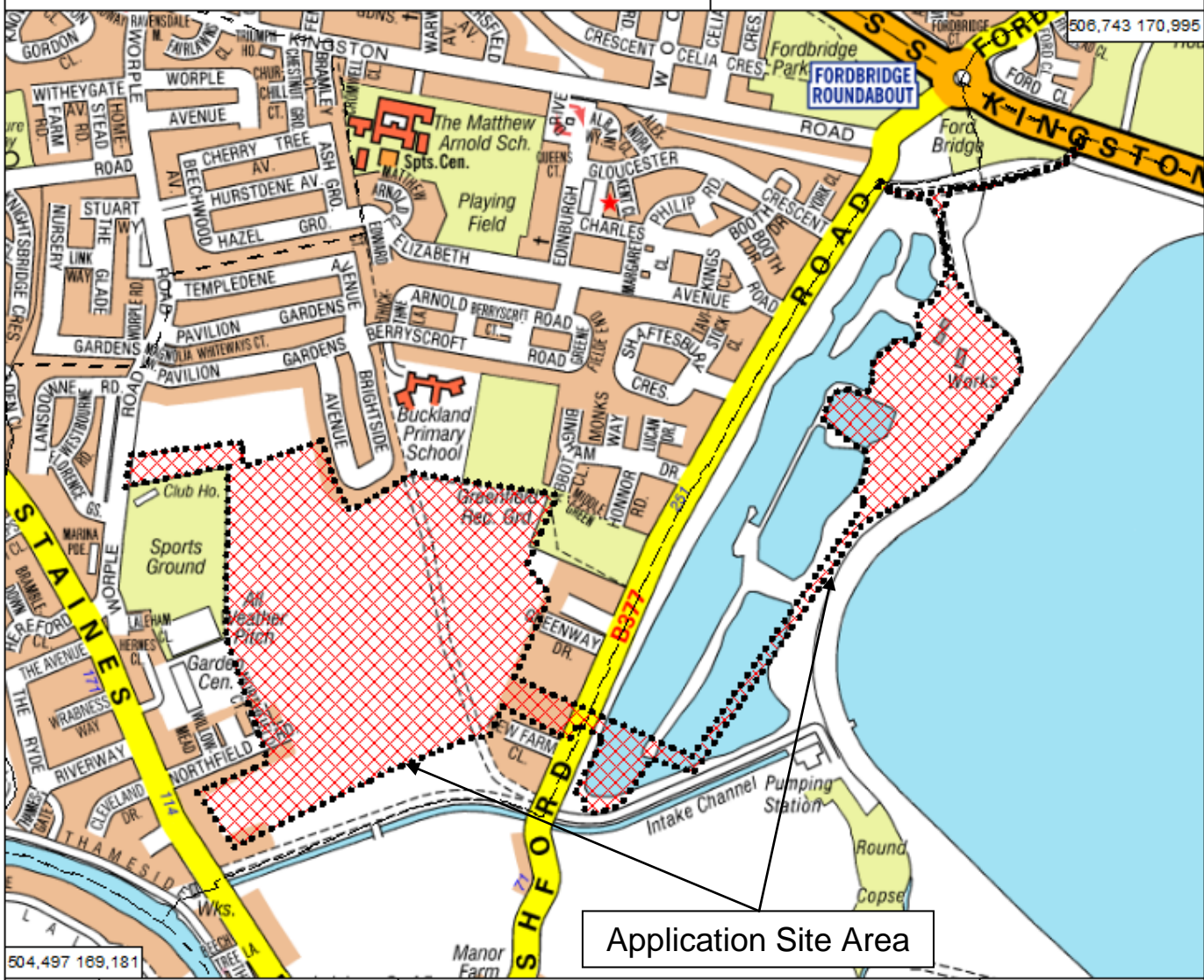
Manor Farm, Ashford Road and land west of Queen Mary Reservoir, Laleham, Surrey

Details of noise barriers for the conveyor switch points submitted pursuant to Conditions 22 and a Bird Hazard Management Plan submitted pursuant to Condition 36 of planning permission ref: SP2012/01132 dated 23 October 2015.

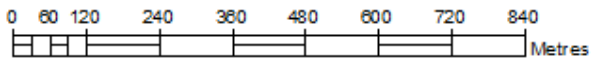
Application No(s): SP12/01132/SCD1

Electoral Division(s): Laleham & Shepperton , 42785

This plan is for indicative purposes only



Ref No: SCC REF 2016/0059
Date printed: 15/09/2016



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2012-13 Aerial Photos

Aerial 1 : Manor Farm and Queen Mary Quarry (QMQ)



SURREY



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2012-13 Aerial Photos

Aerial 2 : Manor Farm and Queen Mary Quarry (QMQ)



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Worple Road access

QMQ Ashford Road Access

A308 QMQ Access

QMQ Processing Plant Site

Application Site Area

Manor Farm

Conveyor tunnel under Ashford Road

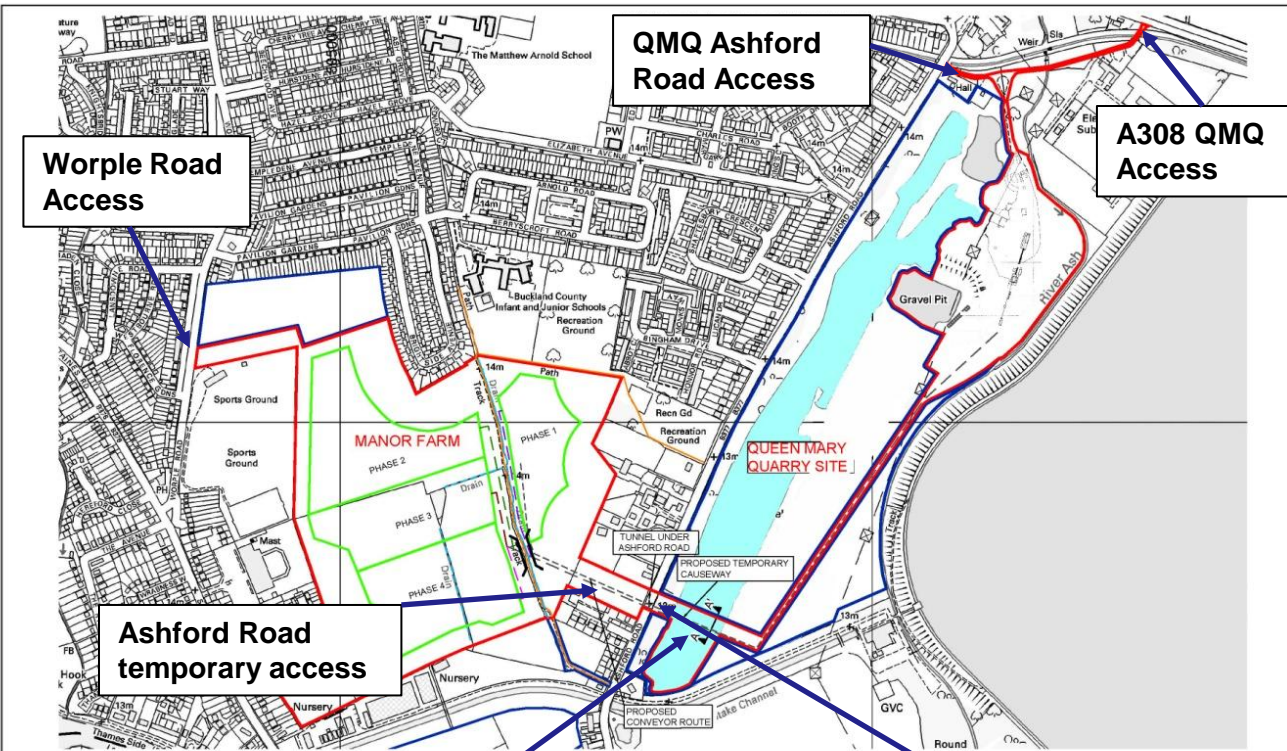
Conveyor cause way

Ashford Road temporary access



Plan 2 : Extraction phases, site compound, conveyor tunnel and causeway
 (annotated applicant SP2012/01132 drawing no. EIA9.8 Rev B March 2012)

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DO NOT SCALE FROM THIS DRAWING

KEY

- APPLICATION SITE
- OTHER LAND UNDER APPLICANT'S CONTROL
- PUBLIC FOOTPATH
- DRAIN
- PROPOSED CONVEYOR ROUTE
- PHASE 1 CONVEYOR ROUTE
- PHASE 2 CONVEYOR ROUTE
- PHASE 3 CONVEYOR ROUTE
- PHASE 4 CONVEYOR ROUTE
- CONVEYOR TUNNEL BENEATH FP30
- PHASE BOUNDARY

REVISION	DETAILS	DATE	DRAWN	CHECKED	APPROVED
B	Conveyor Routes Added.	23/06/12	JR	RK	SK
A	Issued as Approved	16/03/12	CS	CS	SK

CLIENT
Brett Aggregates Limited

PROJECT
Proposed Mineral Extraction from Manor Farm, Laleham

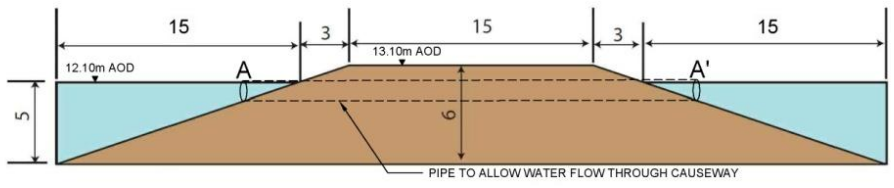
DRAWING TITLE
Conveyor Route Details

DRG No.	EIA9.8	SCALE	NTS	DATE	MARCH 2012
DRAWN BY	JD	CHECKED BY	CS	APPROVED BY	RK

STONE-ON-TRENT (HEAD OFFICE) TEL 0945 111 7777 CARDIFF TEL 029 2073 8191
 NEWCASTLE UPON TYNE TEL 0191 232 0943 LEIGH TEL 01942 280101
 WEST BROMBACH TEL 0121 580 0809 SHEFFIELD TEL 0114 245 6244
 LONDON TEL 020 7287 2872 EDINBURGH TEL 0131 555 3311
 LIVERPOOL TEL 0151 484 8431

Conveyor cause way

Conveyor tunnel under Ashford Road



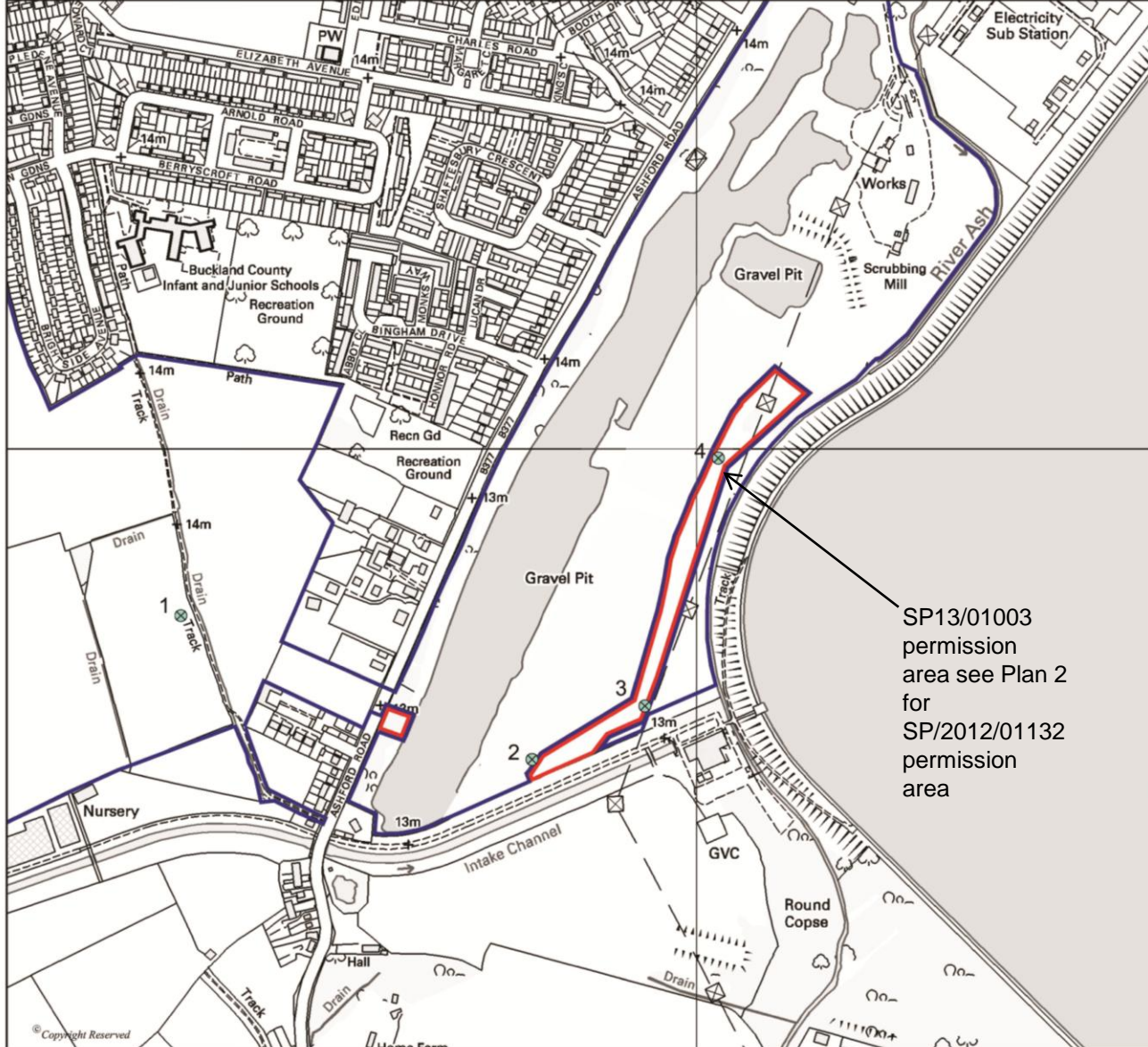
CAUSEWAY CROSS SECTION





Plan 3 : Conveyor Switch Point Locations (annotated applicant drawing) (ST12377-025)

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SP13/01003 permission area see Plan 2 for SP/2012/01132 permission area

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REFERENCE

- APPLICATION SITE (SP13/01003)
- OTHER LAND UNDER THE APPLICANT'S CONTROL
- SWITCH POINTS LOCATIONS

REVISION	DETAILS	DATE	DRAWN	CHECKED	APPROVED
A	First Issue	11/03/16	PG	GAH	RK

CLIENT: Brett Aggregates Limited

PROJECT: Proposed Mineral Extraction from Manor Farm, Laleham

DRAWING TITLE: Switch Point Locations

DRG No:	SCALE:	DATE:
ST12377-025	1:5000	10/03/16

DRAWN BY:	CHECKED BY:	APPROVED BY:
PG	GAH	RK

STIKES-ON-TRENT TEL 0945 111 7777 CARDIFF TEL 029 2072 9191
 HEAD OFFICE LISHAM TEL 01602 260191
 NEWCASTLE-UPON-TYNE TEL 0191 232 0943 SHEFFIELD TEL 0114 245 0244
 WEST BROMWICH TEL 0121 580 0909 EDINBURGH TEL 0131 655 3311
 LONDON TEL 020 7287 2872 TALANTON TEL 01823 703106

wardell armstrong your earth our world

TO: PLANNING & REGULATORY COMMITTEE**DATE:** 28 September 2016**BY:** PLANNING DEVELOPMENT TEAM MANAGER**DISTRICT(S)** SPELTHORNE BOROUGH COUNCIL**ELECTORAL DIVISION(S):**

Laleham & Shepperton

Mr Walsh

Staines South & Ashford West

Ms Turner-Stewart

Ashford

Mrs Coleman

PURPOSE: FOR DECISION**GRID REF:** 505415 169922**TITLE:** MINERALS/WASTE SP12/01132/SDC7**APPLICATION DETAILS**

Manor Farm, Ashford Road, and land west of Queen Mary Reservoir, Laleham, Surrey

Details of a Groundwater Monitoring Plan submitted pursuant to Condition 32 of planning permission ref: SP/2012/01132 dated 23 October 2015.

SUMMARY REPORT

Manor Farm, Ashford Road and land west of Queen Mary Reservoir, Laleham, Surrey

The Manor Farm and Queen Mary Quarry (QMQ) (land west of Queen Mary Reservoir) site, some 43.9 hectares (ha) in total, is in two parts. It comprises land at Manor Farm (some 33.4 ha), situated to the east of Staines Road (B376) and Worple Road and west of Ashford Road (B377), Laleham; and land at Queen Mary Quarry (QMQ) (including part of the lake and existing processing plant site) to the east of Ashford Road and west of Queen Mary Reservoir, Laleham, Staines upon Thames. The application site is within a major aquifer and mostly within a groundwater source protection zone 3 (SPZ3) for public water supply (Chertsey).

Planning permission ref SP2012/01132 was granted subject to planning conditions in October 2015 for the extraction of sand and gravel from land at Manor Farm, construction of a tunnel under the Ashford Road and a causeway across the lake at QMQ for the conveyor belt system, transport of the extracted mineral by conveyor to QMQ for processing in the existing processing plant, erection of a concrete batching plant and an aggregate bagging plant within the QMQ aggregate processing and stockpiling areas, restoration of the land at Manor Farm to landscaped lakes and a nature conservation afteruse.

Some conditions require the submission and approval of more details on a range of matters; to date eight submissions have been made.

This report deals with details submitted pursuant to condition 32. The development at Manor Farm permitted by SP2012/01132 is a relatively low risk operation to groundwater quality and levels and the assessments in the planning application and accompanying Environmental Statement (ES) showed the development was not predicted to lead to an increase in groundwater levels or adversely impact on groundwater quality. Condition 32 was imposed on the recommendation of the County Geotechnical and Geological Consultant and requires the submission of a groundwater monitoring plan, with annual data reviews, so that the any adverse impacts from the development (if they occur) can be picked up, and to assess whether the groundwater regime at the site is behaving as predicted in the modeling and assessments in the ES. This would enable mitigation measures to be put in place if not behaving as predicted.

Residents have raised issues relating to the details of the monitoring programme and access to monitoring data and information and reports. The submission has been reviewed by the County Geological and Geotechnical Consultant who has advised that the details, with annual reports, are acceptable and raises no objection to the details being approved. Spelthorne Borough Council has raised no objection.

Having assessed the application, views of consultees and issues raised by residents planning officers consider the scheme submitted by the applicant pursuant to condition 32 meets the requirements of the condition and complies with the relevant development policies.

The recommendation is to **APPROVE** the submitted details.

Applicant

Brett Aggregates Ltd

Date application valid

26 May 2016

Period for Determination

21 July 2016

Amending Documents

None

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.

	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
Groundwater impacts (quality and levels)	Yes	16 to 25

ILLUSTRATIVE MATERIAL

Site Plan

Plan 1 Location Plan

Plan 2 Extraction phases, site compound, conveyor tunnel and causeway (annotated applicant SP2012/01132 drawing no. EIA9.8 Rev B March 2012)

Aerial Photographs

Aerial 1

Aerial 2

Site Photographs

None

BACKGROUND

Site Description

1. The Manor Farm/Queen Mary Quarry (QMQ) site, some 43.9 hectares (ha) in total, is in two parts. It includes land at Manor Farm (some 33.4 ha), situated to the east of Staines Road (B376) and Worple Road and west of Ashford Road (B377), Laleham; and at Queen Mary Quarry (QMQ) (including part of the lake and existing processing plant site) to the east of Ashford Road and west of Queen Mary Reservoir, Laleham, Staines upon Thames. The application site is within a major aquifer and mostly within a groundwater source protection zone 3 (SPZ3) for public water supply (Chertsey).

2. Planning permission ref SP2012/01132 was granted subject to 48 planning conditions on 23 October 2015 for the:

“Extraction of sand and gravel and restoration to landscaped lakes for nature conservation after-use at Manor Farm, Laleham and provision of a dedicated area on land at Manor Farm adjacent to Buckland School for nature conservation study; processing of the sand and gravel in the existing Queen Mary Quarry (QMQ) processing plant and retention of the processing plant for the duration of operations; erection of a concrete batching plant and an aggregate bagging plant within the existing QMQ aggregate processing and stockpiling areas; installation of a field conveyor for the transportation of mineral and use for the transportation of mineral from Manor Farm to the QMQ processing plant; and construction of a tunnel beneath the Ashford Road to accommodate a conveyor link between Manor Farm and QMQ for the transportation of mineral.”

- 3 The land at Manor Farm is to be worked and restored in four phases. Phase 1 lies to the east of footpath 30 which runs approximately north to south through the site. Phases 2 to 4 lie to the west of footpath 30. All mineral extracted from the site will be transported by conveyor belt to the Queen Mary Quarry (QMQ) processing plant. Processed mineral will leave QMQ via the quarry access onto the A308 (Kingston Road).
- 4 The route of the conveyor to be used to transport sand and gravel extracted at Manor Farm to the existing Queen Mary Quarry (QMQ) processing plant runs across the land at Manor Farm to the Ashford Road and in a tunnel under the Ashford Road. Within the QMQ site the conveyor route would follow existing access track in the southern part of the site permitted under SP13/01003. Vehicle access to the land at Manor Farm will be via two accesses, one off Worple Road and one off the Ashford Road. There will be no HGV traffic transporting mineral extracted at Manor Farm using the Worple Road or Ashford Road access.
- 5 Some of the planning conditions require details to be submitted to and approved in writing by Surrey County Council as the County Planning Authority prior to the development commencing. The applicant, Brett Aggregates Limited, is now in the process of seeking approval of the details required by planning conditions imposed on the SP2012/01132 planning permission.
- 6 As well as this application seven other applications, listed below, seeking approval of details pursuant to conditions on a range of matters (some applications deal with more than one planning condition) have been submitted.

Application reference	Proposal
SP12/01132/SCD1	Details of noise barriers for the conveyor switch points submitted pursuant to Conditions 22 and a Bird Hazard Management Plan submitted pursuant to Condition 36 of planning permission ref: SP2012/01132 dated 23 October 2015.

Application reference	Proposal
SP12/01132/SCD3	Details of Dust Action Plan and dust monitoring programme submitted pursuant to Condition 24(a) of planning permission reference SP2012/01132 dated 23 October 2015.
SP12/01132/SCD5	Details of measures to be taken and facilities to be provided to keep the public highway clean and prevent creation of a dangerous surface submitted pursuant to Condition 12(a), a Construction Management Plan submitted pursuant to Condition 15 and an updated bat survey and biodiversity mitigation strategy submitted pursuant to Condition 38 of planning permission reference SP2012/01132 dated 23 October 2015.
SP12/01132/SCD6	Details of the current and proposed design of the Worple Road access; tree and hedgerow removal, protection measures and replanting submitted pursuant to Condition 8(b)(i) of planning permission reference SP/2012/01132 dated 23 October 2015.
SP12/01132/SCD8	Details of the design of the temporary Ashford Road access submitted pursuant to Condition 8 (a) and vegetation survey and tree and hedgerow protection plan submitted pursuant to Condition 47 of planning permission ref: SP2012/01132 dated 23 October 2015.
SP12/01132/SCD2 Approved 10 August 2016	Details of archaeology submitted pursuant to Condition 35 of planning permission ref: SP/2012/01132 dated 23 October 2015.
SP12/01132/SCD4 Approved 10 August 2016	Details of a scheme to ensure that the causeway does not form a barrier on the flood plain submitted pursuant to Condition 28 of planning permission reference SP2012/01132 dated 23 October 2015.

THE PROPOSAL

7 Condition 32 reads as follows:

32 Prior to the commencement of development a groundwater monitoring plan shall be submitted to and approved in writing by the County Planning Authority. The groundwater monitoring plan shall include:

- a) additional monitoring boreholes to the north, east and west of the extraction area, and existing off-site wells to the east and south should be included,*
- b) water level monitoring and groundwater chemistry should be undertaken, with annual data reviews,*
- c) contingency mitigation measures,*

The groundwater monitoring plan shall be implemented as approved.

Reason:

To reduce the impact of flooding both on and off site, ensuring the satisfactory storage

of/disposal of surface water from the site, minimising the risk of pollution of watercourses

and groundwater in accordance with: Strategic Policy SP6 of the 'Spelthorne Borough

Core Strategy and Policies Development Plan Document' February 2009, and Policy MC14 of the Surrey Minerals Plan 2011.

- 8 The applicant has submitted a Groundwater and Surface Water Monitoring Plan as required by condition 32. The submission draws upon assessments in the Environmental Statement for the development permitted under SP2012/01132. Based on the environmental setting of the site and potential risks to water levels and quality arising from the development the submitted monitoring plan sets out details of:
- monitoring boreholes to be used for groundwater monitoring (four existing groundwater monitoring boreholes (to the north and south of the proposed excavation) and two new boreholes (to the south and east of the proposed excavation)). Five existing boreholes further from the land at Manor Farm are identified for additional monitoring in the event of contamination being detected in boreholes closer to the site.
 - five surface water monitoring locations (two waterbodies created by the excavation, the existing lake at Queen Mary Quarry west of the reservoir, upstream and downstream of the ditch which drains north to south (running alongside the public footpath (Footpath 30) which crosses the land at Manor Farm).
 - what would be sampled for and the frequency of sampling to be undertaken at the groundwater monitoring boreholes and surface water monitoring locations. Included in the initial suite of monitoring would be water levels and pH, electrical conductivity, speciated TPH (Total Petroleum Hydrocarbons) major ions, speciated PAH (Polycyclic aromatic hydrocarbons), 14 metals₁ and visible oils and grease. Quarterly monitoring would then be undertaken of water level, pH, electrical conductivity, TPH (not speciated) and visible oils and grease.
 - In addition to the sampling and analysis there would be a twice daily visual check (with results recorded) of the waterbody in the excavation area to confirm there is no oily sheen or slick on the water surface.
 - assessment reporting and contingency measures – a control level would be set for speciated TPH as this is identified as the only likely contaminant to water quality from the development. Additional controls would be added if considered necessary following review of the initial suite of sampling.
 - the plan sets out actions which would be taken in the event of the monitoring results showing contamination. This includes further investigation to identify the likely causes and necessary remedial measures and changes to operational practice required to ensure the issue does not occur again.
 - Reporting - a baseline monitoring report, three yearly monitoring reports (reviewing all the data against the baseline and impacts predicted) and a final report 12 months after final restoration is complete would be submitted to Surrey County Council.

CONSULTATIONS AND PUBLICITY

District Council

- 9 Spelthorne Borough Council: No objection.

Consultees (Statutory and Non-Statutory)

10 County Geological and Geotechnical Consultant: No objection.

Parish/Town Council and Amenity Groups

11 Clag2: No views received.

12 Laleham Residents' Association: No views received.

13 Manor Farm Residents Association: No views received.

14 Spelthorne Natural History Society: No views received.

Summary of publicity undertaken and key issues raised by public

15 The application was publicised by the posting of nine site notices and a total of 281 of people who had made comments on the SP2012/01132 planning application were directly notified by letter. Letters of representation from nine people have been received. Two of whom raise issues relevant to the details submitted for condition 32. The issues raised relate to the details of the monitoring programme and access to monitoring information and query whether the Environment Agency (EA) was consulted [Officer note: the EA was not consulted as condition 32 was not planning condition required by them.]

PLANNING CONSIDERATIONS**Introduction**

16 The guidance on the determination of planning applications contained in the Preamble/Agenda frontsheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs.

17 In this case the statutory development plan for consideration of the application consists of the Surrey Minerals Local Plan 2011 (comprised of the Core Strategy and Primary Aggregates Development Plan Documents (DPD) and Spelthorne Borough Council Spelthorne Borough Local Plan 2001 Saved Policies And Proposals as at 28 September 2007 (SBLP 2001); and Spelthorne Borough Core Strategy and Policies Development Plan Document February 2009 (SBCS&P DPD 2009).

18 The application has been submitted to comply with the requirements of Condition 32. In considering the application the acceptability of the proposal will be assessed against relevant development plan policies and material considerations.

Surrey Minerals Plan 2011 Core Strategy Development Plan Document (SMP 2011 Core Strategy DPD)

Policy MC14 Reducing the adverse impacts of mineral development

Spelthorne Borough Core Strategy and Policies Development Plan Document February 2009 (SB Core Strategy and Policies DPD 2009)

- 19 SMP 2011 Core Strategy DPD Policy MC14 states that proposals for mineral working will only be permitted where a need has been demonstrated and sufficient information has been submitted to enable the authority to be satisfied that there would be no significant adverse impacts arising from the development and sets out matters to be addressed in planning applications, including: flood risk and effect on the flow and quality of groundwater, surface water, land drainage (of the site and adjoining land).
- 20 Objectives of the SB Core Strategy and Policies DPD 2009 include “*to protect and improve the quality of the environment, including improving the landscape, promoting biodiversity and safeguarding the Borough’s cultural heritage*” through policies including Strategic Policy SP6.
- 21 Residents have raised issues relating to the details of the monitoring programme and access to monitoring data and information and reports.
- 22 Monitoring data and reporting - Brett Aggregates Limited (BAL) will arrange for the monitoring to be undertaken. The monitoring data would be held by BAL or the company they engage to undertake the monitoring (if not BAL). The data will be used to produce the monitoring reports which, along with any monitoring data contained in them will be provided to Surrey County Council. These reports would be available to view at Surrey County Council (and on the SP12/01132/SDC7 application record on the online planning register if made available to view online).
- 23 What is to be monitored, and the frequency of the monitoring and reporting, is related to the local water environment at the site and risk from the mineral extraction and restoration proposals. The potential impact of the development on groundwater quality and levels was assessed in the environmental impact assessment undertaken and reported in reported in Chapter 10 of the Environmental Statement (ES) for the SP2012/01132 planning application. The development at Manor Farm is a relatively low risk operation to groundwater quality and levels and is not predicted to lead to an increase in groundwater levels.
- 24 The assessments in the ES were reviewed by the Environment Agency and the County Council’s Geological/Geotechnical Consultant. The consultant recommended a planning condition to require the submission of a groundwater monitoring plan, with annual data reviews, so that the any adverse impacts from the development (if they occur) can be picked up, and to assess whether the groundwater regime at the site is behaving as predicted in the modelling and assessments in the ES. This would enable mitigation measures to be put in place if not behaving as predicted. The details submitted to meet the requirements of Condition 32 do not need to include mitigation measures to deal with increased groundwater levels.
- 25 The submission has been reviewed by the County Geological and Geotechnical Consultant who has advised that the details, with annual reports, are acceptable and raises no objection to the details being approved. Spelthorne Borough Council raise no objection.

- 26 The Human Rights Act Guidance for Interpretation, contained in the Preamble to the Agenda is expressly incorporated into this report and must be read in conjunction with the following paragraph.
- 27 The proposal involves details submitted for approval of a groundwater monitoring regime required by Condition 32 of planning permission ref SP2012/01132. It is the Officer's view that the matter covered by the submissions and implementation does not give rise to any potential impacts and therefore would not engage Article 8 of Article 1 of Protocol 1. As such these details are not considered to interfere with any Convention right.
-

CONCLUSION

- 28 Having assessed the application, views of consultees and issues raised by residents planning officers consider the scheme submitted by the applicant pursuant to condition 32 meets the requirements of the condition and complies with the relevant development policies.

RECOMMENDATION

The recommendation is that the details of a Groundwater Monitoring Plan submitted pursuant to Condition 32 of planning permission ref: SP/2012/01132 dated 23 October 2015 contained in application ref SP12/01132/SCD1 **BE APPROVED.**

CONTACT

Susan Waters

TEL. NO.

020 8541 9227

BACKGROUND PAPERS

The deposited application documents and plans, including those amending or clarifying the proposal, responses to consultations and representations received as referred to in the report and included in the application file and the following:

Government Guidance

[National Planning Policy Framework 2012](#)

[Planning Practice Guidance](#)

The Development Plan

[Surrey Minerals Plan Core Strategy Development Plan Document \(DPD\) 2011](#)

[Spelthorne Borough Council Core Strategy and Policies DPD February 2009](#)

Other documents

- The deposited application documents and plans and Environmental Statement including those amending or clarifying the proposal, responses to consultations and representations received on the application included in the application file for application ref SP2012/01132.

- The officer report and annexes to the 2 September 2015 Planning and Regulatory Committee (Item 7) for application ref SP2012/01132 ([2 September 2015 Planning and Regulatory Committee Agenda](#))

<p style="text-align: center;">Site Location</p> <p>Scale 1:157,202</p>	<p>Manor Farm, Ashford Road, and land west of Queen Mary Reservoir, Laleham, Surrey</p> <p>Details of a Groundwater Monitoring Plan submitted pursuant to Condition 32 of planning permission ref: SP/2012/01132 dated 23 October 2015.</p> <p>Application No(s): SP12/01132/SCD7</p> <p>Electoral Division(s): Laleham & Shepperton , 42785</p>
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Application Site Area

<p>GRID NORTH</p>	<p>Ref No: SCC REF 2016/0058</p> <p>Date printed: 15/09/2016</p>	<p>0 60 120 240 360 480 600 720 840 Metres</p>	<p>Scale 1:11,750</p>
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2012-13 Aerial Photos

Aerial 1 : Manor Farm and Queen Mary Quarry (QMQ)



SURREY



Page 109



2012-13 Aerial Photos

Aerial 2 : Manor Farm and Queen Mary Quarry (QMQ)

SURREY



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QMQ Ashford Road Access

A308 QMQ Access

Worple Road access

QMQ Processing Plant Site

Manor Farm

Application Site Area

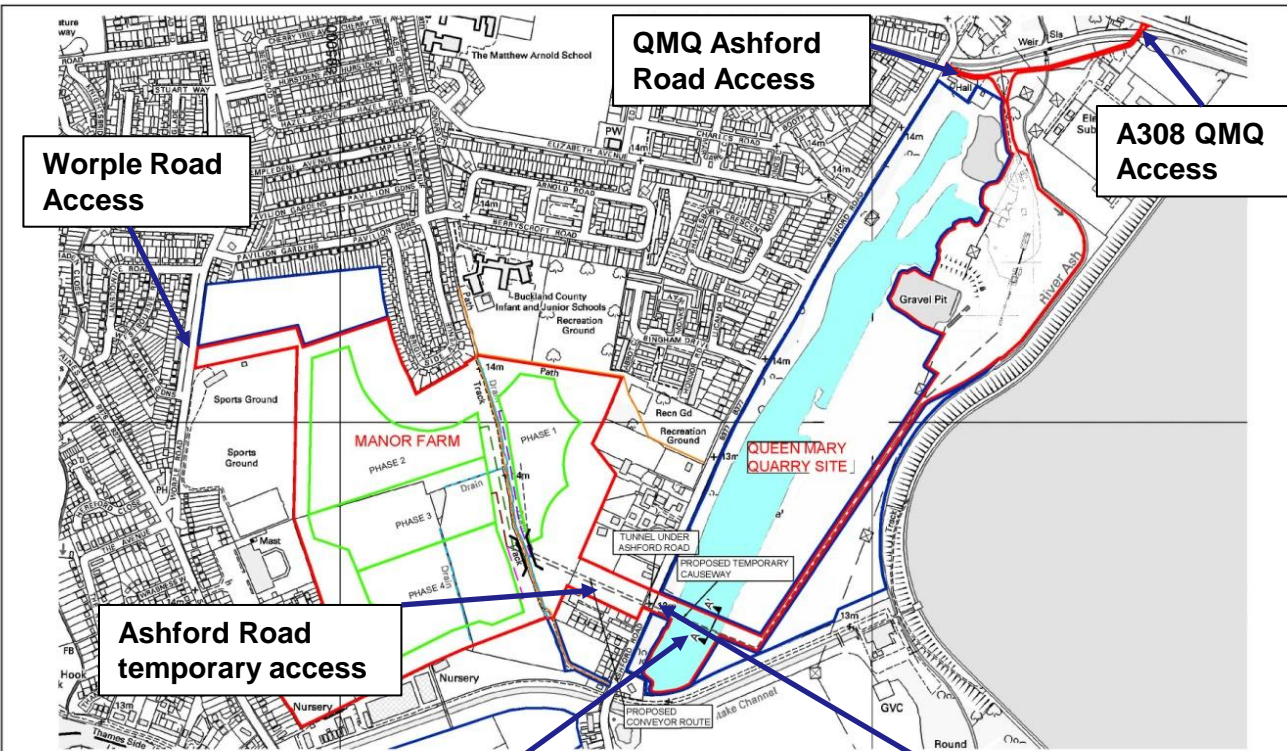
Conveyor tunnel under Ashford Road

Ashford Road temporary access

Conveyor cause way



Plan 2 : Extraction phases, site compound, conveyor tunnel and causeway (annotated applicant SP2012/01132 drawing no. EIA9.8 Rev B March 2012)



DO NOT SCALE FROM THIS DRAWING

KEY

- APPLICATION SITE
- OTHER LAND UNDER APPLICANT'S CONTROL
- PUBLIC FOOTPATH
- DRAIN
- PROPOSED CONVEYOR ROUTE
- PHASE 1 CONVEYOR ROUTE
- PHASE 2 CONVEYOR ROUTE
- PHASE 3 CONVEYOR ROUTE
- PHASE 4 CONVEYOR ROUTE
- CONVEYOR TUNNEL BENEATH FP30
- PHASE BOUNDARY

REVISION	DETAILS	DATE	DRAWN	CHECKED	APPROVED
B	Conveyor Routes Added.	23/06/12	JR	RK	SK
A	Issued as Approved	16/03/12	CS	CS	SK

CLIENT
Brett Aggregates Limited

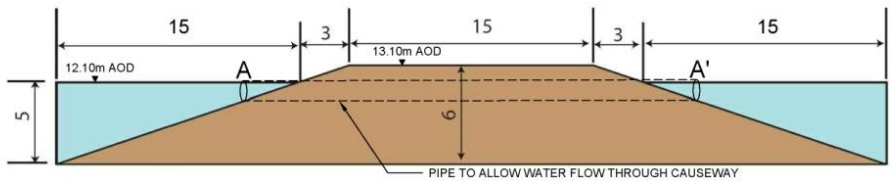
PROJECT
Proposed Mineral Extraction from Manor Farm, Laleham

DRAWING TITLE
Conveyor Route Details

DRG No. EIA9.8	SCALE NTS	DATE MARCH 2012
DRAWN BY JD	CHECKED BY CS	APPROVED BY RK
<input type="checkbox"/> STONE-ON-TRENT (HEAD OFFICE)	TEL 0945 111 7777	<input type="checkbox"/> CARDIFF TEL 029 2073 8191
<input type="checkbox"/> NEWCASTLE UPON TYNE	TEL 0191 232 0943	<input type="checkbox"/> SHEFFIELD TEL 01942 280101
<input type="checkbox"/> WEST BROMBACH	TEL 0121 580 0809	<input type="checkbox"/> EDINBURGH TEL 0131 555 5311
<input type="checkbox"/> LONDON	TEL 020 7287 2872	<input type="checkbox"/> LIVERPOOL TEL 0151 484 8431

Conveyor cause way

Conveyor tunnel under Ashford Road



CAUSEWAY CROSS SECTION

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TO: PLANNING & REGULATORY COMMITTEE

DATE: 28 SEPTEMBER
2016

BY: PLANNING DEVELOPMENT TEAM MANAGER

DISTRICT(S) SPELTHORNE BOROUGH COUNCIL

ELECTORAL DIVISION(S):

Laleham & Shepperton

Mr Walsh

Staines South & Ashford West

Ms Turner-Stewart

PURPOSE: FOR DECISION

GRID REF: 505414 169922

TITLE: MINERALS/WASTE SP12/01132/SCD5, SP12/01132/SCD8 AND
SP12/01132/SCD6,

SUMMARY REPORT

The Manor Farm and Queen Mary Quarry (QMQ) (land west of Queen Mary Reservoir) site, some 43.9 hectares (ha) in total, is in two parts. It comprises land at Manor Farm (some 33.4 ha), situated to the east of Staines Road (B376) and Worple Road and west of Ashford Road (B377), Laleham; and land at Queen Mary Quarry (QMQ) (including part of the lake and existing processing plant site) to the east of Ashford Road and west of Queen Mary Reservoir, Laleham, Staines upon Thames.

Planning permission ref SP2012/01132 was granted subject to planning conditions in October 2015 for the extraction of sand and gravel from land at Manor Farm, construction of a tunnel under the Ashford Road and a causeway across the lake at QMQ for the conveyor belt system, transport of the extracted mineral by conveyor to QMQ for processing in the existing processing plant, erection of a concrete batching plant and an aggregate bagging plant within the QMQ aggregate processing and stockpiling areas, restoration of the land at Manor Farm to landscaped lakes and a nature conservation afteruse. Some conditions require the submission and approval of more details on a range of matters; to date eight submissions have been made.

The land at Manor Farm is to be worked and restored in four phases. Phase 1 lies to the east of footpath 30 which runs approximately north to south through the site. Phases 2 to 4 lie to the west of footpath 30. All mineral extracted from the site will be transported by conveyor belt to the Queen Mary Quarry (QMQ) processing plant. Processed mineral will leave QMQ via the quarry access onto the A308 (Kingston Road). Vehicle access to the land at Manor Farm will be via two accesses, one off Worple Road (existing agricultural access upgraded) and one off the Ashford Road (new temporary access).

This report deals with three applications for details of:

- measures to be taken and facilities to be provided to keep the public highway clean and prevent creation of a dangerous surface (Condition 12(a)), a Construction Management Plan (Condition 15) and an updated bat survey and biodiversity mitigation strategy (Condition 38) (application 1);
- the design of the temporary Ashford Road access (Condition 8 (a)) and vegetation survey and tree and hedgerow protection plan (Condition 47) (application 2); and
- the current and proposed design of the Worple Road access; tree and hedgerow removal, protection measures and replanting (Condition 8(b)(i)) (application 3)

Objections have been received and concerns raised by local residents relating to various matters relevant to the applications as set out in the report. The final views of Spelthorne Borough Council are awaited on application 1 (following revised submissions for condition 15)

and the County Landscape Officer on applications 2 and 3 (following receipt of recent amendments to the submissions). Spelthorne Borough Council (on applications 2 and 3), the County Highway Authority and the County Countryside Management and Biodiversity Manager (application 1) raise no objection to the details being approved.

Having assessed the submissions and considered views from residents and statutory and non statutory consultees Officers consider the details submitted pursuant to conditions 12a, 15, 38 (application (1)), conditions 8(a) and 47 (application (2)) and condition 8(b)(i) (application (3)) are acceptable and comply with the relevant development plan policies as listed under each application above. As such the details pursuant to each of the conditions can be approved.

The recommendation is to APPROVE the details submitted in each of the applications.

1) APPLICATION DETAILS (SP12/01132/SCD5)

Land at Manor Farm and Land west of Queen Mary Quarry, Ashford Road, Laleham, Surrey

Details of measures to be taken and facilities to be provided to keep the public highway clean and prevent creation of a dangerous surface submitted pursuant to Condition 12(a), a Construction Management Plan submitted pursuant to Condition 15 and an updated bat survey and biodiversity mitigation strategy submitted pursuant to Condition 38.

Applicant

Brett Aggregates Ltd

Date application valid

5 April 2016

Period for Determination

5 July 2016

Amending Documents

Email from Agent (Mike Davies, Davies Planning) dated 4 August 2016 with revised Condition 12a submission Rev1 and revised Construction Management Plan Rev 4 dated 1 August 2016 (Condition 15), email dated 30 August 2016 from Ben Carpenter, Bioscan with revised Biodiversity Mitigation Scheme report submitted in respect of Condition 38 of planning permission SP/2012/01132 August 2016.

2) APPLICATION DETAILS (SP12/01132/SCD8)

Land at Manor Farm and Land west of Queen Mary Quarry, Ashford Road, Laleham, Surrey

Details of the design of the temporary Ashford Road access submitted pursuant to Condition 8 (a) and vegetation survey and tree and hedgerow protection plan submitted pursuant to Condition 47.

Applicant

Brett Aggregates Ltd

Date application valid

26 May 2016

Period for Determination

21 July 2016

Amending Documents

Email from Agent (Mike Davies, Davies Planning) dated 15 June 2016 with revised drawing number 160614 BRE-MAN-TS-001:0 Rev B Tree Survey & Protection Measures - SHEET LOCATION PLAN dated 16 05 10, email from Agent dated 16 June 2016 with revised drawing number H691-500C Ashford Road Access - General Arrangement dated 22/04/16, email dated 5 September 2016 from Agent with revised drawing numbers 160513 BRE-MAN-TS-001-4 Rev A Tree Survey & Protection Measures - SHEET 4 dated 16 05 10 and 160904 BRE-MAN-TS-001-5-Rev A Tree Survey & Protection Measures - SHEET 5 dated 16 05 10.

3) APPLICATION DETAILS (SP12/01132/SCD6)

Land at Manor Farm and Land west of Queen Mary Quarry, Ashford Road, Laleham, Surrey

Details of the current and proposed design of the Worple Road access; tree and hedgerow removal, protection measures and replanting submitted pursuant to Condition 8(b)(i) of planning permission reference SP/2012/01132 dated 23 October 2015.

Applicant

Brett Aggregates Ltd

Date application valid

26 May 2016

Period for Determination

21 July 2016

Amending Documents

Email dated 5 September 16 from Agent (Mike Davies, Davies Planning) with revised drawing 160513 BRE-MAN-TS-001-4 Rev A Tree Survey & Protection Measures - SHEET 4 dated 16 05 10.

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.

Application 1

	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
Highways, traffic and access	Yes	45-49, 55-56
Environment and amenity	Yes	45-47, 49-56

Application 2

	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
Highways, traffic and access	Yes	45-47, 58-67, 72

Environment and amenity Application 3	Yes	45-47, 68-72
	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
Highways, traffic and access	Yes	45-76,
Environment and amenity	Yes	45-76,

ILLUSTRATIVE MATERIAL

Site Plan

Plan 1 Site Location Plan

Aerial Photographs

Aerial 1

Aerial 2

Site Photographs

Application (3): None

Application (2):

Figure 1 - Land west of the B377 Ashford Road (location of proposed new access and conveyor tunnel) Existing

Figure 2 - Location for new temporary Ashford Road Access

Application (3):

Figure 3 - Existing agricultural access off Worple Road (proposed access point)

Figure 4 - Existing agricultural access off Worple Road (proposed access point)

BACKGROUND

Site Description

- The Manor Farm/Queen Mary Quarry (QMQ) site, some 43.9 hectares (ha) in total, is in two parts. It includes land at Manor Farm (some 33.4 ha), situated to the east of Staines Road (B376) and Worple Road and west of Ashford Road (B377), Laleham; and at Queen Mary Quarry (QMQ) (including part of the lake and existing processing plant site) to the east of Ashford Road and west of Queen Mary Reservoir, Laleham, Staines upon Thames.

Planning History

- Planning permission ref SP2012/01132¹ was granted subject to 48 planning conditions on 23 October 2015 for the:
“Extraction of sand and gravel and restoration to landscaped lakes for nature conservation after-use at Manor Farm, Laleham and provision of a dedicated area on land at Manor Farm adjacent to Buckland School for nature conservation study; processing of the sand and gravel in the existing Queen Mary Quarry (QMQ) processing plant and retention of the processing plant for the duration of operations; erection of a concrete batching plant and an aggregate bagging plant within the existing QMQ aggregate processing and stockpiling areas; installation of a field conveyor for the transportation of mineral and use for the transportation of mineral from Manor Farm to the QMQ processing plant; and construction of a tunnel beneath the Ashford Road to accommodate a conveyor link between Manor Farm and QMQ for the transportation of mineral.”

¹ <http://planning.surreycc.gov.uk/planapplist.aspxsearch> (link to online register - search using Our reference 2012/0061 or Application number: SP/2012/01132)

- 3 The land at Manor Farm is to be worked and restored in four phases. Phase 1 lies to the east of footpath 30 which runs approximately north to south through the site. Phases 2 to 4 lie to the west of footpath 30. All mineral extracted from the site will be transported by conveyor belt to the Queen Mary Quarry (QMQ) processing plant. Processed mineral will leave QMQ via the quarry access onto the A308 (Kingston Road).
- 4 The route of the conveyor to be used to transport sand and gravel extracted at Manor Farm to the existing Queen Mary Quarry (QMQ) processing plant runs across the land at Manor Farm to the Ashford Road and in a tunnel under the Ashford Road. Within the QMQ site the conveyor route would follow existing access track in the southern part of the site permitted under SP13/01003. Vehicle access to the land at Manor Farm will be via two accesses, one off Worple Road (existing agricultural access upgraded) and one off the Ashford Road (new temporary access). There will be no HGV traffic transporting mineral extracted at Manor Farm using the Worple Road or Ashford Road access.
- 5 Some of the planning conditions require details to be submitted to and approved in writing by Surrey County Council as the County Planning Authority prior to the development commencing. The applicant, Brett Aggregates Limited, is now in the process of seeking approval of the details required by planning conditions imposed on the SP2012/01132 planning permission.
- 6 As well as the three applications subject of this report four other applications, listed below, seeking approval of details pursuant to conditions on a range of matters (some applications deal with more than one planning condition) have been submitted.

Application reference	Proposal
SP12/01132/SCD1	Details of noise barriers for the conveyor switch points submitted pursuant to Conditions 22 and a Bird Hazard Management Plan submitted pursuant to Condition 36 of planning permission ref: SP2012/01132 dated 23 October 2015.
SP12/01132/SCD3	Details of Dust Action Plan and dust monitoring programme submitted pursuant to Condition 24(a) of planning permission reference SP2012/01132 dated 23 October 2015.
SP12/01132/SCD7	Details of a Groundwater Monitoring Plan submitted pursuant to Condition 32 of planning permission ref: SP2012/01132 dated 23/10/2015.
SP12/01132/SCD2 Approved 10 August 2015	Details of archaeology submitted pursuant to Condition 35 of planning permission ref: SP/2012/01132 dated 23 October 2015.
SP12/01132/SCD4 Approved 10 August 2016	Details of a scheme to ensure that the causeway does not form a barrier on the flood plain submitted pursuant to Condition 28 of planning permission reference SP2012/01132 dated 23 October 2015.

THE PROPOSAL

APPLICATION (1) SP12/01132/SCD5 (Details for Conditions 12a, 15 and 38)

- 7 Conditions 12 (a) reads as follows:

a) Before any operations in respect of the development Manor Farm are commenced details shall be submitted to and approved by the County Planning Authority of measures to be taken and facilities provided in order that the operator can make all reasonable efforts to keep the public highway clean and prevent the creation of a dangerous surface

on the public highway associated with the use of the Ashford Road and Worple Road accesses. The agreed measures shall thereafter be retained and used in connection with site preparation, extraction and restoration operations at Manor Farm.

Reason:

In the interests of safeguarding the local environment and to ensure the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policies MC14 and MC15 of the Surrey Minerals Plan 2011.

- 8 Condition 12(a) requires details to be submitted and approved of measures to be taken and facilities to be provided for the Ashford Road and Worple Road entrances to the Manor Farm site to ensure the public highway is kept clean and to prevent the creation of a dangerous surface as a result of the use of the entrances. The measures proposed during the establishment of the site and extraction and restoration of the different phases of the development are set out in the table below.

Activity (use of accesses)	Access	Proposed Measures
1 Construction of the tunnel under the Ashford Road, setting up of the conveyor system including conveyor culvert under footpath 30, soil stripping (works to be the responsibility of the site manager (or appointed representative) and the construction managers appointed for the different elements of the site establishment works).	Ashford Road	<p>1 a) wherever practicable road going HGV vehicles restricted to surfaced vehicle turning area.</p> <p>1 b) inspection of the highway surface twice a day, in the mid morning and mid afternoon, and additionally as deemed appropriate in the event of adverse ground and weather conditions.</p> <p>1 c) sweeping of the public highway within 1 (one) hour of cleaning being identified as potentially necessary to ensure it is kept clean in order to avoid creation of a dangerous surface.</p> <p>1 d) during the construction of the conveyor tunnel under the Ashford Road the Ashford Road would be continuously inspected by the construction manager or person appointed by them, and a road sweeper would be on stand-by for use at short notice as and when the construction manager considers there is a significant risk of mud and detritus being deposited on the public highway.</p> <p>1 e) Sheeting of all HGVs carrying loose material capable of spillage or with potential to give rise to dust emissions during transit.</p> <p>1 f) Cessation of the use of the access if in the opinion of the site manager/appointed representative the surface of the Ashford road could become dangerous if not cleaned. Use of the access would then cease until the necessary remedial action has been taken.</p>
2 Extraction and restoration	Ashford	2a) Inspection of the highway surface

Activity (use of accesses)	Access	Proposed Measures
of Phase 1 – use by personnel associated with the development and maintenance of the conveyor system and delivery of plant and machinery for use on Phase 1. (Once Phase 1 is restored it would be used only for maintenance of the conveyor system.)	Road	once a day at around midday and sweeping of the public highway within 1 (one) hour of cleaning being identified as potentially necessary to ensure it is kept clean in order to avoid creation of a dangerous surface; and 1a), 1e and 1f) above.
3 Establishment of phases 2 to 4 (installation of the extended conveyor system and soil stripping for each)	Worple Road	3a) wherever practicable road going HGV vehicles restricted to surfaced haul road and site compound/vehicle turning area. 3b) Inspection of the highway surface once a day at around midday and sweeping of the public highway within 1 (one) hour of cleaning being identified as potentially necessary to ensure it is kept clean in order to avoid creation of a dangerous surface; and 1e) and 1f) above.
4 Extraction and restoration of Phases 2 to 4 (use by personnel associated with the development)	Worple Road	3a), 3b), 1e), and 1f) above.

9 There are existing measures in place at the Queen Mary Quarry site in connection with vehicles exiting via the A308 entrance. HGVs are permitted to enter but not exit via the entrance off the B377 Ashford Road. Condition 12(b) of the planning permission requires the existing facilities to be retained and used.

10 Condition 15 reads as follows:

Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the County Planning Authority. The Construction Management Plan shall set out procedures for managing the construction of the buildings, plant, equipment and conveyor and the preparation of land to ensure that movements and deliveries are adequately controlled during this phase of the development. The Construction Management Plan shall be implemented as approved.

Reason:

In the interests of safeguarding the local environment and to ensure the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policies MC14 and MC15 of the Surrey Minerals Plan 2011.

11 The Construction Management Plan (CMP) submitted pursuant to Condition 15 covers the following works: construction of the Ashford and Worple Road accesses at Manor Farm, installation of the field conveyor for transportation of extracted mineral, construction of the conveyor tunnel under the Ashford Road and construction of the culvert under FP30 (for the conveyor to run in) at Manor Farm and the erection of the concrete batching plant and aggregate bagging plant at Queen Mary Quarry.

12 The CMP provides information on hours of operation for the works, site access arrangements, HGV movements and speed limits within the site, lighting, rights of way and the water environment. Site procedures are set out for various matters including noise control, air quality, re fuelling, soil stripping and storage, recycling, lighting, measures for keeping the public highway clean and the highway works on the Ashford Road (to be subject of a S278 Highway Works Agreement) so that the works comply with conditions imposed on the planning permission². Each separate construction contract let for different work packages would implement the requirements of the approved CMP and develop the CMP to be operation specific for the respective work package.

13 Condition 38 reads as follows:

Prior to the commencement of development an updated bat survey shall be undertaken to assess the use of the site by foraging and roosting bats, and the survey results together with a biodiversity mitigation scheme submitted to and approved in writing by the County Planning Authority. The biodiversity mitigation scheme shall include the checking of trees prior to removal to check for bat roosts, the type and number of bat and bird boxes proposed and measures for maintaining foraging lines along hedgerows to be retained within and adjoining the application site. The biodiversity mitigation scheme shall be implemented as approved.

Reason:

To comply with the terms of the application and in the interests of biodiversity and wildlife conservation to comply with Policy EN8 of the 'Spelthorne Borough Core Strategy and Policies Development Plan Document' February 2009, and Policy MC14 of the Surrey Minerals Plan 2011.

14 Pursuant to Condition 38 an updated bat survey and biodiversity mitigation strategy have been submitted. The biodiversity mitigation strategy includes proposals for installation of bat and bird boxes for the site and measures to maintain bat foraging lines through the site.

15 Following the comments made by Spelthorne Natural History Society, including about the survey methodology and installation of bat boxes as mitigation, and a review of the submission by officers an updated bat foraging survey was undertaken and submitted along with amendments to the mitigation measures proposed in the mitigation strategy.

APPLICATION (2) SP12/01132/SCD8 (Details for Conditions 8a and 47)

Condition 8(a) details

16 Condition 8(a) reads as follows:

8a) Before any other operations are commenced, the temporary access to Ashford Road as shown on Drawing PA17 Proposed Ashford Road Access – Rev D dated 04/11/13, revised 22/07/15 shall be designed, constructed and provided with visibility zones in accordance with a scheme to be submitted to and approved in writing by the County Planning Authority. The Ashford Road access shall be used in connection with extraction and restoration operations within Phase 1 as shown on Drawing PA5 Phasing Plan dated March 2012 for transport of plant and equipment and maintenance of the conveyor system only and thereafter during extraction operations on Phases 2 to 4 in connection with maintenance of the conveyor system only. On completion of extraction the access shall be permanently closed and any kerbs, verge, footway fully reinstated by the applicant, and hedgerow replanted in a manner to be agreed in writing with the County Planning Authority, upon the completion of Phase 1.

² See footnote 1 for link to decision notice. Relevant conditions include 12(a) (measures for keeping highway clear) 16 and 17 (hours of operation), 18 to 20 (noise), 24 (dust), 34 (rights of way).

Reason:

In the interests of safeguarding the local environment and to ensure the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policies MC14 and MC15 of the Surrey Minerals Plan 2011.

- 17 The development permitted includes the construction and use of a new access off the Ashford Road for use during establishment of the site (including construction of the conveyor tunnel under the Ashford Road, conveyor culvert under footpath 30 and setting up of the conveyor system) and the extraction and restoration operations in Phase 1. During the construction works the HGVs using the access will be involved in the delivery and removal of plant, equipment and materials. After this it will be used in connection with delivery of plant and machinery to be used during Phase 1 extraction and restoration operations, access by site personnel to Phase 1 and maintenance of the conveyor system only. On completion of restoration in Phase 1 it would be used during operations on Phases 2 to 4 in connection with the maintenance of the conveyor system only.
- 18 This submission has provided technical drawings showing the design for the new Ashford Road access and visibility zones, and vehicle turning area on the land as required by Condition 8(a). The drawings show the general arrangement including visibility splays (sight lines) and typical construction details for the new access and vehicle turning area.³ The drawings show the new access to be situated between the route for the conveyor tunnel and the boundary with the adjacent property Number 151 Ashford Road. Following discussions with the owners of Number 151 the access design has been modified so the kerb entry point for the new entrance is approximately 4 metres further away from the property.
- 19 The submitted details include use of no dig construction methods to protect the existing vegetation which runs along the boundary between the permission area and adjacent properties (151 and 155 Ashford Road).
- 20 The Ashford Road access would be temporary and in place for the duration of the development permitted at Manor Farm. The condition requires details of the planting to be undertaken during reinstatement to be agreed with the County Planning Authority upon completion of Phase 1. (Details for this are outlined in the submission but will be agreed at a later date.)

Condition 47 details

- 21 Condition 47 reads as follows:
Prior to commencement of development a vegetation survey of the Manor Farm site following the guidance and recommendations in BS 5837:2012 (Trees in relation to design, demolition and construction – recommendations) shall be undertaken and a tree and hedgerow protection plan submitted to and approved in writing by the County Planning Authority. The tree protection plan shall include details of:
- a) *identification and assessment of the trees and hedgerows that are required to be removed,*
 - b) *measures for the protection of the trees and hedgerows that are to be retained during the construction and operation of the site.*

The tree and hedgerow protection plan shall be implemented as approved and all existing hedges, trees, saplings, shrubs along the boundaries and such vegetation within the site shown as being retained in the tree protection plan submitted pursuant to this

³ The vehicle turning area has been located further away from the road than shown on approved *Drawing PA17 Proposed Ashford Road Access – Rev D* referred to in the planning condition in order to protect boundary vegetation and minimise the amount of trimming of the trees and hedgerow vegetation required.

condition shall be retained and protected from damage during the process of extraction and subsequent restoration.

Reason:

In order to achieve a high standard of restoration, and protect the local environment and amenity, in accordance with Policies MC14, MC17 and MC18 of the Surrey Minerals Plan 2011.

- 22 This submission has provided details of a tree and vegetation survey of the land in at Manor Farm undertaken in accordance with British Standard (BS) 5837:2012, an Arboricultural Impact Assessment and protection measures for the tree and hedgerow vegetation within and on the boundary of the land with planning permission at Manor Farm.
- 23 The submission includes fencing and planting details and tree survey and protection measure drawings which show trees and hedges to be removed and tree and hedge protection measures. The protection measures include:
- retention of existing stock proof fencing supplemented by installation of additional stock proof fencing and attaching high visibility orange plastic mesh fencing to the stock proof fencing where earthmoving or vehicle operations are being undertaken adjacent to the stock proof fencing to ensure the fencing is visible to machine operators and drivers;
 - installation of protective fencing (Heras type fencing plus high visibility orange plastic mesh fencing where required (see bullet point above)) to protect vulnerable individual trees where existing stock proof fencing does not provide sufficient protection to the tree Root Protection Area (RPA)
 - Root Protection Area (RPA) and canopy measurements for vegetation;
 - Restricted Activity Zones (RAZ) where certain works would be prohibited and within which proposed works would be subject to a work specific arboricultural method statement;
 - detailed arrangements for the works to construct the conveyor tunnel and construction of the Worple Road and Ashford Road site entrances and vehicle turning area (including use of no dig construction methods). For both site entrances the drawings show trees in the highway verge affected by the works and visibility splays (sight lines).
- 24 The submission provides details of reinstatement planting for the trees and hedgerows affected by the Worple Road and Ashford Road⁴ site entrances, Ashford Road conveyor tunnel and conveyor tunnel under Footpath 30.

APPLICATION (3) SP12/01132/SCD6 (Details for Conditions 8(b)(i))

- 25 Condition 8(b)(i) reads as follows:
8 b)(i) Before any other operations are commenced details of the current design of the Worple Road agricultural access (width, surface and gates) and proposed design of the Worple Road access as shown on Drawing PA16 Proposed Worple Road Access – Rev C dated 12/02/2013, including visibility splays and trees and hedgerow to be lopped/cut back or removed, protection measures for trees affected, and details of tree and hedgerow replanting shall be submitted to and approved in writing by the County Planning Authority.

Reason:

In the interests of safeguarding the local environment and to ensure the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policies MC14 and MC15 of the Surrey Minerals Plan 2011.

⁴ See paragraph 20 above.

- 26 The development permitted includes the upgrading and use of the existing agricultural access off Worple Road for use by site staff and visitors and deliveries, including delivery and removal of plant and machinery to be used at the site during extraction and restoration on Phases 2 to 4.
- 27 This submission has provided details of the existing agricultural access (as a record for use in reinstatement on completion of the development); technical drawings for the amendments to the Worple Road access and access route to the site compound. The drawings show the general arrangement including visibility splays (sight lines) and typical construction details for the access and access road to the site compound.
- 28 The submission provides details (which are also part of the submission under Condition 47) of:
- hedgerow and trees affected by the construction of the access and visibility splays which would need removal or cutting back;
 - protection measures for adjacent trees and hedgerows; and
 - tree and hedgerow replanting following completion of the development and reinstatement of the agricultural access to the land off Worple Road.
- 29 Minor amendments have been made to the planting and protection measures following comments from the County Landscape Officer (about the extent of stock fencing to protect existing hedgerow at the entrance, replacement planting (species and plant sizes) and maintenance and aftercare).

CONSULTATIONS AND PUBLICITY⁵

District Council

- 30 Spelthorne Borough Council: (1) No objection to approval of details for Condition 12(a) and 38. Has raised queries on details for Condition 15 (including relating to scope of the activities/works covered by the CMP).
(2) No objection.
(3) No objection.

Consultees (Statutory and Non-Statutory)

- 31 County Highway Authority: (1) No objection.
(2) No objection.
(3) No objection.
- 32 County Countryside Management and Biodiversity Manager: (1) No objection. Has advised that the information provided is adequate for the details to be approved.
- 33 County Landscape Officer: (2) Final views awaited. Had raised no objection but has been consulted on consequential amendments made to the details for condition 8(a) and condition (47) following amendments to the submission for condition 8(b)(i).
(3) Final views awaited. Has advised that the details for the Worple Road access were comprehensive and were mainly acceptable. But requested some amendments relating to extent of protection fencing for the hedgerow to remain at the entrance, replacement planting (species and plant sizes) and maintenance and aftercare.
- 34 County Arboriculturalist: No views received.

⁵ (1) refers to application 1, (2) application 2 and (3) to application 3.

Parish/Town Council and Amenity Groups

- 35 Clag2: No views received.
- 36 Laleham Residents' Association: No views received.
- 37 Manor Farm Residents Association: No views received.
- 38 Spelthorne Natural History Society: Has made comments on the bat surveys undertaken (adequacy in terms of methodology, timing and equipment) and proposed mitigation measures. Considers the updated submission is an improvement but still has concerns about the survey work and would like hibernation boxes added to the mitigation measures.

Summary of publicity undertaken and key issues raised by public

- 39 The applications were publicised by the posting of nine site notices. A total of 281 of people were directly notified by letter about application 1 and 538 people directly notified by letter about applications 2 and 3.

Application (1) SP12/01132/SCD5 (Details for Conditions 12a, 15 and 38)

- 40 16 representations have been received. Issues raised relevant to the details submitted for conditions 12(a), 15 and 38 are objections about the proximity of the Ashford Road access and vehicle turning area to the adjacent residential property (151 Ashford Road) and impact on the occupants (noise, dust and visual impact) and impact on the at the property (house, swimming pool and hot tub) and vegetation from the construction works and use of the access; queries about hours of operation, the adequacy of the measures to keep the public highway clean, impact on wildlife, fire risk from flammable liquids, erection of overhead power lines/cables, monitoring of the development and enforcement and whether the bat surveys should be undertaken by independent specialists, impact from noise and traffic from the works covered by the construction management plan.
- 41 Although the submission for condition 15 includes a copy of the detailed access design drawing this is for information and reference purposes not approval. The detailed design and siting of the new temporary Ashford Road access and potential impact on trees and vegetation form part of the details submitted under conditions 8(a) and 47 contained in application SP12/01132/SCD5. The issues raised by the occupants of 151 Ashford Road relevant to the details for which approval is now being sought are considered below.

[Officer note: The Manor Farm development does not involve erecting overhead power lines. The route of the conveyor belt route through QMQ runs in some places under the existing National Grid overhead electricity power cables crossing the land at QMQ. National Grid were consulted on the planning application to ensure the power company equipment (pylons and overhead lines) was safeguarded and safe working practices employed in the vicinity of the equipment if planning permission was granted.]

Application (2) SP12/01132/SCD5 (Details for Conditions 8(a) and 47)

- 42 11 representations have been received. Issues raised relevant to the details submitted for condition 8(a) and 47 are queries about what is meant by temporary and how long the access would be used for, which direction vehicles will travel after leaving the site, has Spelthorne Borough Council tree officer been consulted, the types of fencing proposed for protection of vegetation, loss of trees, and impact on vegetation and objections on grounds of proximity of the access and vehicle turning area to the adjacent residential property (151 Ashford Road) and the impact on the

adjacent house and swimming pool, the occupants (from noise, dust and visual impact) from the construction works and use of the access and loss of/damage to vegetation on their property.

Application (3) SP12/01132/SCD6 Details for Condition 8(b)(i)

- 43 Ten representation have been received, issues raised relevant to the details submitted for condition 8 (b)(i) are impact on nearby properties from roosting birds displaced by removal of trees currently used as roosts and queries about the types of fencing proposed for protection of vegetation.
- 44 Other points raised in the representations on all three applications include objections to the development permitted under ref SP2012/01132 and potential impact including in terms of traffic (number and type of traffic, in particular HGVs and speed of vehicles travel along the Ashford Road), noise, dust/air quality, flood risk, impact on wildlife, visual impact and public safety concerns around presence of waterbodies and risk of drowning.

[Officer comment: The above matters were all assessed and considered in the officer report on the planning application see Item 7 of the [2 September 2015 Planning and Regulatory Committee Agenda](#) (officer report, Annexes A to F and update sheet). This includes the objections from the occupants of 151 Ashford Road about amendment to the SP2012/01132 application which moved the proposed Ashford Road entrance from the existing agricultural access adjacent to number 131 Ashford Road to the opposite side of the field to be adjacent to their property, see [paragraphs 19 to 26](#) of the officer report. At the meeting the committee resolved to grant planning permission subject to the prior completion of a s106 legal agreement and planning conditions. None of these other points raised are considered to be relevant to and impact on the County Planning Authority's determination of these applications.]

PLANNING CONSIDERATIONS

Introduction

- 45 The guidance on the determination of planning applications contained in the Preamble/Agenda frontsheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs.
- 46 In this case the statutory development plan for consideration of the application consists of the Surrey Minerals Local Plan 2011 (comprised of the Core Strategy and Primary Aggregates Development Plan Documents (DPD) and Spelthorne Borough Council Spelthorne Borough Local Plan 2001 Saved Policies And Proposals as at 28 September 2007 (SBLP 2001); and Spelthorne Borough Core Strategy and Policies Development Plan Document February 2009 (SBCS&P DPD 2009).
- 47 These applications have been submitted to comply with the requirements of Conditions 8a and 8b(i), 12a, 15, 32 and 38 of planning permission SP2012/01132. In considering the applications the acceptability of the proposals will be assessed against relevant development plan policies and material considerations.

Surrey Minerals Plan 2011 Core Strategy Development Plan Documents (DPD) (SMP 2011 Core Strategy DPD)

Policy MC14 Reducing the adverse impacts of mineral development

Policy MC15 Transport for minerals

Policy MC17 Restoring mineral workings

Policy MC18 Restoration and enhancement

Spelthorne Borough Core Strategy and Policies Development Plan Document February 2009 (SB Core Strategy and Policies DPD 2009)

Policy SP6 Maintaining and Improving the Environment

APPLICATION (1) SP12/01132/SCD5 (Details for Conditions 12a, 15 and 38)

- 48 Issues raised in representations relevant to this application are set out in paragraph 38 above. Officer's consider the measures proposed for Condition 12(a) are appropriate for the type of vehicles and numbers that would use the Ashford Road and Worple Road accesses in connection with the extraction of mineral and restoration of the land at Manor Farm. The site would be monitored as part of the regular monitoring of mineral and waste sites. Failure to comply with the condition and approved details would mean a breach of the condition. Should this arise it is a matter that could be investigated and pursued by the Surrey County Council Planning Enforcement Team.
- 49 The CMP (Condition 15) sets out a range of matters designed to minimise the impact of the works covered by the CMP on the local environment and amenity of residents and the highway impacts. Condition 16 of the SP2012/01132 planning permission limits hours of operation on the Manor Farm part of the site and operation of the conveyor belt to transport the extracted sand and gravel to Queen Mary Quarry (QMQ) to 07:30 to 18:00 hours Monday to Friday. The CMP proposes the same hours of operation for undertaking the construction works covered by the CMP and the works would adopt and comply with other controls such as noise limits and dust controls covered by other planning conditions.
- 50 In addition to these controls through the planning permission, the activities would also be controlled through other regulatory regimes. The applicant Brett Aggregates Limited, part of the Brett Group, would manage and operate the site in accordance with the company Integrated Management System (IMS) known as QHEST (Quality, Health, Environment, Safety Together). The company IMS covers matters such as health and safety, fuel and oil storage, fire safety and management. Having reviewed the CMP and considered the views of statutory and non statutory consultees Officer's consider the submitted CMP meets the requirements of the condition and the concerns raised by residents.
- 51 Spelthorne Natural History Society made a number of comments about the submission including the methodology, timing and equipment used in the bat activity/foraging surveys undertaken pre consent, the bat roosting surveys (pre consent and updated in 2016 for this application) and the mitigation strategy for bats (number and height of bat boxes). The society refers to the how the bat detector survey equipment used was not appropriate for use in commercial surveys according to the latest Bat Conservation Trust guidelines. The tree roost surveys were undertaken before the 2012 edition of the guidelines were replaced by the third edition in 2016⁶. The submitted scheme provides for future roosting surveys and inspections prior to removal of trees to follow these latest guidelines.
- 52 The submission was amended to incorporate an updated bat activity/foraging survey in August 2016 and amendments made to the mitigation measures. The August survey was undertaken following the updated Bat Conservation Trust guidelines. Spelthorne Natural History Society consider the amended submission an improvement but still have concerns about the surveys (including number of survey occasions and timing) and assessment of the impact on bats. In addition they would like to see two hibernation bat boxes installed in addition to the nine bat boxes proposed in the submission.
- 53 The County Countryside Management & Biodiversity Manager has advised that the amended details for Condition 38 (updated bat survey and mitigation strategy) contain adequate information to assess the impact on bats. The survey results are consistent with previous surveys in terms of species and numbers. The surveys identify that of the trees which will be removed, five have high potential for use as

⁶ *Bat Conservation Trust Bat Surveys for Professional Ecologists Good Practice Guidelines, 3rd Edition* (<http://www.bats.org.uk/pages/batsurveyguide.html>)

bat roosts. These would be subject to further assessment/survey prior to any works to the trees. He recommends the Spelthorne Natural History Society views on the amended submission are forwarded to the applicant for information, with a recommendation that the trees identified as having high bat roost potential are surveyed later in the year after the bat maternity season and before the winter. In addition in terms of mitigation at least two bat hibernation boxes should be provided.

- 54 Residents have questioned whether bat surveys should be undertaken by independent consultants. The responsibility for undertaking the surveys to comply with the planning condition lies with the applicant; therefore they will be undertaken by consultants paid for by the applicant. There are procedures and guidelines for undertaking ecological surveys, and the surveys undertaken in connection with the Manor Farm development were undertaken by specialist consultants. Once submitted they are assessed by statutory and non statutory consultees and the county council as mineral planning authority.
- 55 Spelthorne Borough Council Planning, the County Countryside Management and Biodiversity Manager and the County Highway Authority have raised no objection to the details for conditions 12(a), 15 and 38. There is no technical objection to the details being approved for all three conditions.

Conclusion

- 56 Having assessed the application, issues raised by residents and views of consultees planning officers consider the schemes submitted by the applicant pursuant to conditions 12(a), 15 and 38 are acceptable and comply with the relevant development policies.

APPLICATION (2) SP12/01132/SCD5 (Details for Conditions 8(a) and 47)

- 57 Issues raised in representations on this application are set out in paragraph 40 above and discussed below.

Condition 8 (a)

- 58 The principle of having an access off the Ashford Road from the part of the field adjacent to No 151 Ashford Road for use in connection with the mineral extraction and transporting the mineral by conveyor to the Queen Mary Quarry was established when the planning permission was granted. The access was shown on Drawing No PA17Revision D Temporary Proposed Ashford Road Access (Drawing No PA17 Rev D). The route of the conveyor belt system and location of the tunnel under the Ashford Road were also approved when the planning permission was granted. Although the outline details were shown on this approved drawing, the final detailed design of the access, sight lines (visibility splays) and vehicle turning area are required to be submitted and approved under Condition 8 (a). As the CMP would apply to the access construction works Drawing No PA17 was included in the CMP submitted under Condition 15.
- 59 Drawing No PA17Rev D shows an access layout/bellmouth requiring vehicles to turn right in to and left out of the access. This means that vehicles using the access would arrive and leave from the north to avoid travelling through Laleham village.
- 60 The impact of the access and vehicle turning area and their proposed use on the property was taken into consideration when the SP2012/01132 planning application was determined. This included impact from noise, dust, visual impact and impact on boundary vegetation. The County Highway Authority assessed the suitability of the access onto the Ashford Road, and what it would be used for when they considered the planning application. The assessment will have taken account of the type of vehicles that would use the access and speed limits (currently 40mph) on the Ashford Road. Subject to a

planning condition requiring the details of the final design and visibility splays to be submitted and approved, the County Highway Authority were satisfied that the access and Ashford Road was suitable for the use proposed and vehicles/traffic that would use it. This application deals with the detailed final design and visibility splays for the new Ashford Road access and vehicle turning area.

- 61 In response to representations from, and discussions at a meeting on site with the owners of No 151 Ashford Road and the member for Staines South & Ashford West, the applicant modified the access so the kerb entrance to the bell mouth was moved approximately four metres further away No 151 Ashford Road. The applicant informed the residents that it was not possible to move it any further away from their property due to the presence of a manhole and the space required to construct the conveyor tunnel.
- 62 To protect existing vegetation on the boundary with No 151 and No 155 Ashford Road the vehicle turning area is sited further away from the Ashford Road (see footnote 3). None of the trees or hedgerow vegetation along the boundary with these two properties would need to be removed. However, some cutting back of the branches of the trees on the boundary would be required. Root protection zones (RPZ) of the trees within the boundary vegetation between the site and Nos 151 and 155 were used to identify a Restricted Activity Zone (RAZ) and the surface of the access road and turning area would be constructed using NO-DIG techniques to protect the rooting zone of the trees in the vegetation on the boundary.
- 63 The County Landscape Officer (CLO) has confirmed it is not necessary for the trees within the gardens of the properties to be surveyed as they are beyond (further away from the development) and would be protected by the RPZ for the boundary vegetation. The CLO has advised that the vegetation protection measures combined with the no dig methods of construction to be used comply with the requirements of Condition 47 and the survey details accord with guidance in BS5837:2012.
- 64 To provide the visibility splays/sightlines and construct the new access a section of the hedge would need to be removed. One London Plane tree in the highway verge would have to be removed and up to three others (also London Plane) in the visibility splay (also in the highway verge) were identified for removal unless the County Highway Authority confirmed they could remain in place.
- 65 The CHA has confirmed these three trees could remain provided the trunks are kept free of shoots and (epicormic growth) and the lower parts of the branches/canopy maintained above 1.5 metres. This has been incorporated into the submission. Subject to the timing of the works the tree which is removed would be relocated to elsewhere in the highway verge or replaced at a later date.
- 66 The reference to temporary access is referring to the access to be constructed off the Ashford Road. It is temporary as it would only be there for the duration of the development permitted at Manor Farm. The permitted use of the temporary access in connection with the development would be as set out in the planning condition (see paragraph 16 above). Traffic using the access would include HGV lorries making deliveries of materials and removing waste arising out of the establishment works, vans and cars and low loader vehicles delivering plant and machinery.
- 67 The duration of the establishment phase is not specified, nor is there a time limit set by planning condition. Given the works involved the establishment phase (see details for condition 15 above) could last for up to 12 months. The extraction of sand and gravel in Phase 1 is expected to last for 10 months. Condition 8 (a) (see paragraph 16 above) requires the access to be *“permanently closed and any kerbs, verge, footway fully reinstated by the applicant, and hedgerow replanted”*. The existing agricultural field access off the Ashford Road would remain as the future access to the land.

Condition 47

- 68 The details submitted under Condition 47 have been prepared following the guidance and recommendations in British Standard (BS) 5837:2012 (Trees in relation to design, demolition and construction – recommendations). The submission includes measures to protect existing hedgerows and trees on the boundary of the site, and any within the site which would remain. This includes the vegetation adjacent to the footpath which runs through the centre of the site (footpath 30).
- 69 Various types of fencing are proposed as part of the vegetation protection measures. The fencing shown on the drawings as part of the details pursuant applications relating to conditions 47, 8(a) and 8(b)(i) are part of the measures to protect the existing vegetation from works carried out during the development. The temporary orange mesh fencing is additional to other fencing and designed to draw attention of quarry operatives and others undertaking the work as an additional protection measure. The Heras type fencing is also temporary and would be removed when no longer required to protect vegetation during the development.
- 70 The Spelthorne Borough Council Tree Officer was not consulted by the county council, but by Spelthorne Borough Council.
- 71 Spelthorne Borough Council and the County Highway Authority raise no objection. The final views from the County Landscape Officer are awaited on the amended details. Subject to the CLO being happy with the amendments there are no technical objections to the details for conditions 8(a) and 47 being approved.

Conclusion

- 72 Having assessed the application, views of consultees and issues raised by residents, subject to the CLO agreeing the amendments, planning officers consider the schemes submitted by the applicant pursuant to condition 8(a) and 47 are acceptable and comply with the relevant development policies.

APPLICATION (3) SP12/01132/SCD6 Details for Condition 8(b)(i)

- 73 Issues raised in representations on this application are set out in paragraph 43 above. The queries about the types of fencing is addressed in paragraph 69 above. To provide the visibility splays/sightlines and upgrade the existing access a section of the hedge would need to be removed. One Lombardy Poplar tree in the hedgerow would have to be removed. Four other trees (Lombardy Poplar, Purple Plum, Alder and a Horse Chestnut) in the visibility splay (also in the hedgerow) were identified for removal unless the County Highway Authority (CHA) confirmed they could remain in place.
- 74 The CHA has confirmed these four trees are in the hedgerow not the highway verge and can remain. Therefore, only the one Lombardy Poplar tree will be removed. The concern of residents about displacement of birds is noted. There are other trees in the immediate vicinity for birds to use as roosts if displaced by removal of this one tree, or other trees which would be removed in connection with the development permitted at Manor Farm. The number of trees planted as part of the restoration will provide additional habitat for birds in the future.
- 75 Spelthorne Borough Council Planning and the County Highway Authority have raised no objection. The final views from the County Landscape Officer are awaited on the amended details. Subject to the CLA being happy with the amendments there is no technical objection to the details being approved.

Conclusion

- 76 Having assessed the application, views of consultees and issues raised by residents, subject to the CLO agreeing the amendments, planning officers consider the schemes submitted by the applicant pursuant to condition 8(b)(i) are acceptable and comply with the relevant development policies.

HUMAN RIGHTS IMPLICATIONS

- 77 The Human Rights Act Guidance for Interpretation, contained in the Preamble to the Agenda is expressly incorporated into this report and must be read in conjunction with the following paragraph.
- 78 The proposals in these three applications involve the approval of details pursuant to conditions (8(a), 8(b)(i), 12a, 15, 38 and 47) imposed on planning permission ref SP2012/01132 dated 23 October 2015. It is the Officer's view that the matters covered by the submissions and implementation does not give rise to any potential impacts and therefore would not engage Article 8 of Article 1 of Protocol 1. As such none of the details are considered to interfere with any Convention right.

CONCLUSION

- 79 The details submitted pursuant to conditions 12a, 15, 38 (Application (1)), conditions 8(a) and 47 (Application (2) and condition 8(b)(i) (Application (3)) are acceptable and comply with the relevant development plan policies as listed under each application above, such that the details pursuant to each of the conditions can be approved.

RECOMMENDATION

1) APPLICATION SP12/01132/SCD5 (Details for Conditions 12a, 15 and 38)

The recommendation is that the details submitted pursuant to Conditions 12a, 15 and 38 of planning permission ref: SP/2012/01132 dated 23 October 2015 contained in application ref SP12/01132/SCD5 be **APPROVED**.

2) APPLICATION SP12/01132/SCD8 (Details for Conditions 8a and 47)

The recommendation is that subject to the final views of the County Landscape Officer the details submitted pursuant to Conditions 8 a and 47 of planning permission ref: SP/2012/01132 dated 23 October 2015 contained in application ref SP12/01132/SCD8 be **APPROVED**.

3) APPLICATION SP12/01132/SCD6 Details for Condition 8(b)(i)

The recommendation is that subject to the final views of the County Landscape Officer the details submitted pursuant to Condition 8(b)(i) of planning permission ref: SP/2012/01132 dated 23 October 2015 contained in application ref SP12/01132/SCD6 be **APPROVED**.

CONTACT

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TEL. NO.

020 8541 9227

BACKGROUND PAPERS

The deposited application documents and plans, including those amending or clarifying the proposal, responses to consultations and representations received as referred to in the report and included in the application file and the following:

Government Guidance

[National Planning Policy Framework 2012](#)

[Planning Practice Guidance](#)

The Development Plan

[Surrey Minerals Plan Core Strategy Development Plan Document \(DPD\) 2011](#)

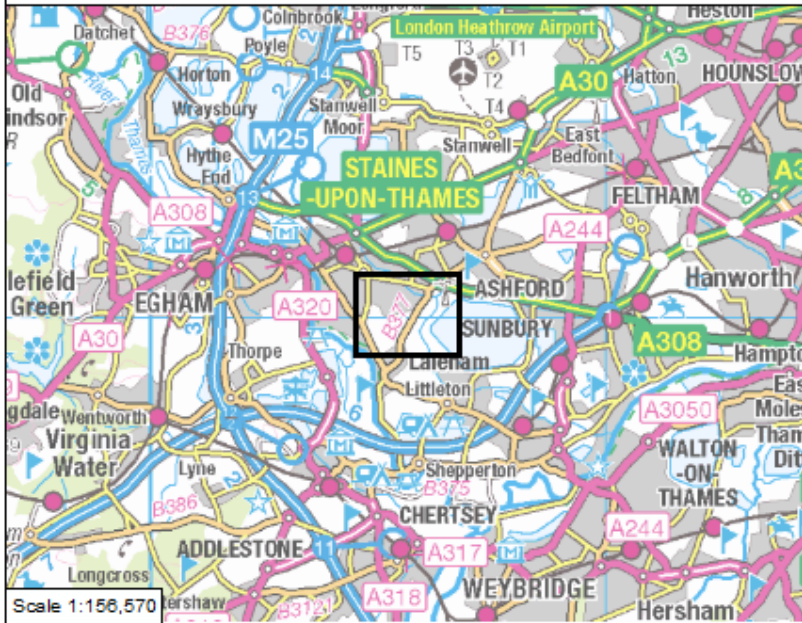
[Spelthorne Borough Council Core Strategy and Policies DPD February 2009](#)

Other documents

- The deposited application documents and plans and Environmental Statement including those amending or clarifying the proposal, responses to consultations and representations received on the application included in the application file for application ref SP2012/01132.
 - The officer report and annexes to the 2 September 2015 Planning and Regulatory Committee (Item 7) for application ref SP2012/01132 ([2 September 2015 Planning and Regulatory Committee Agenda](#))
 - *Bat Conservation Trust Bat Surveys for Professional Ecologists Good Practice Guidelines, 3rd Edition* <http://www.bats.org.uk/pages/batsurveyguide.html>
-

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Site Location



Manor Farm, Ashford Road and land west of Queen Mary Reservoir, Laleham, Surrey

- (i) measures to be taken and facilities to be provided to keep the public highway clean and prevent creation of a dangerous surface submitted pursuant to Condition 12(a), a Construction Management Plan submitted pursuant to Condition 15 and an updated bat survey and biodiversity mitigation strategy submitted pursuant to Condition 38;
- (ii) the current and proposed design of the Worple Road access; tree and hedgerow removal, protection measures and replanting submitted pursuant to Condition 8(b)(i);
- (iii) the design of the temporary Ashford Road access submitted pursuant to Condition 8 (a) and vegetation survey and tree and hedgerow protection plan submitted pursuant to Condition 47

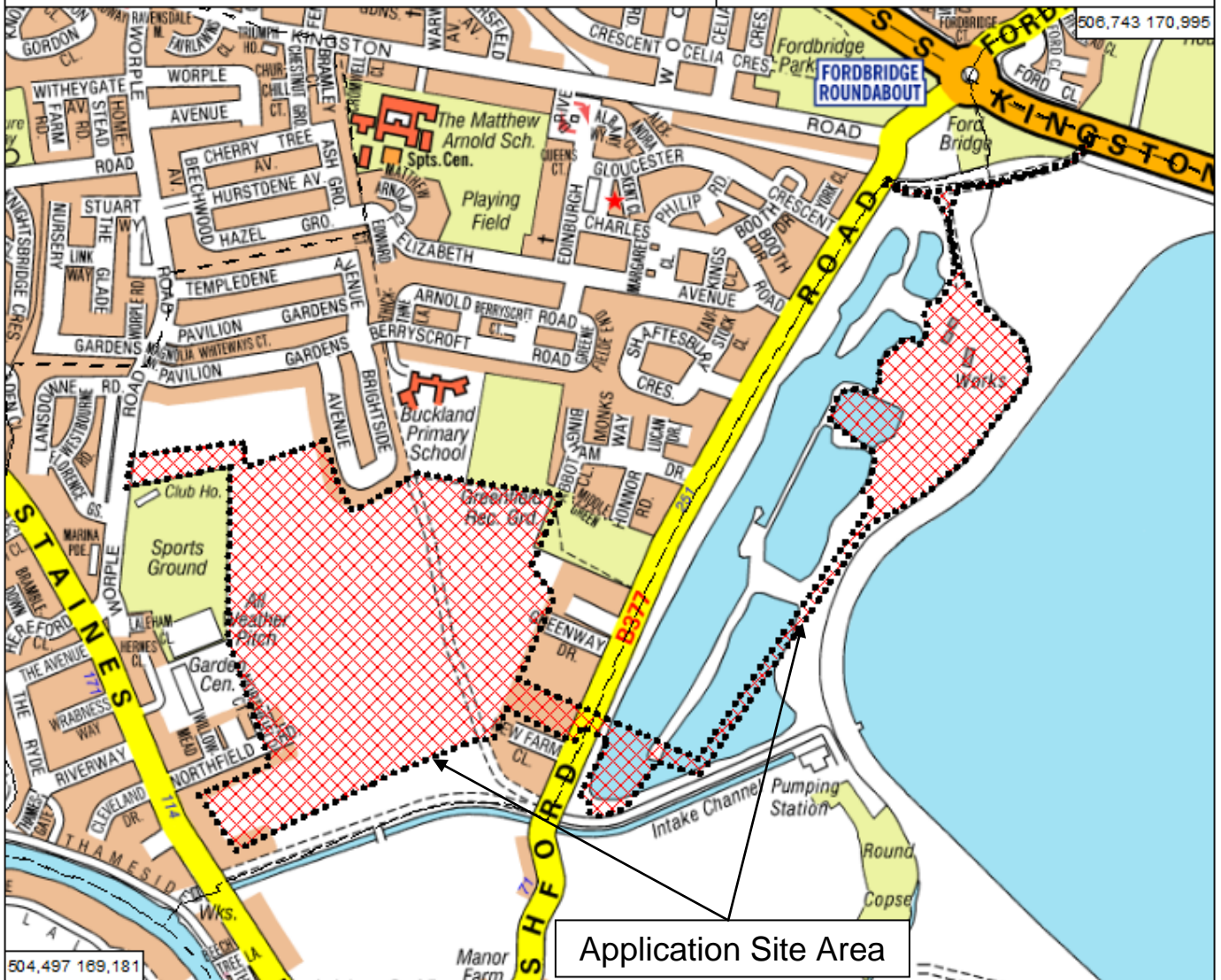
Application Nos: (i) SP12/01132/SCD5, (ii) SP12/01132/SCD6, (iii) SP12/01132/SCD8

Electoral Division(s): Laleham & Shepperton , 42785

Scale 1:156,570

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This plan is for indicative purposes only

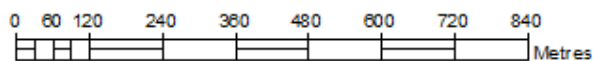


Application Site Area

504,497 189,181



Ref No: SCC REF 2016/0059
Date printed: 15/09/2016



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1:11,700

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2012-13 Aerial Photos

Aerial 1 : Manor Farm and Queen Mary Quarry (QMQ)





2012-13 Aerial Photos

Aerial 2 : Manor Farm and Queen Mary Quarry (QMQ)

SURREY



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QMQ Ashford Road Access

A308 QMQ Access

QMQ Processing Plant Site

Application Site Area

Worple Road access

Manor Farm

Conveyor tunnel under Ashford Road

Ashford Road temporary access

Conveyor cause way



Figure 1 : Land west of the B377 Ashford Road
(location of proposed new access and conveyor tunnel)



Figure 2 : Location for new temporary Ashford Road Access



Figure 3 : Existing agricultural access off
Worple Road (proposed access point)



Site Access

Figure 4: Existing agricultural access off
Worple Road (proposed access point)

