

To: Planning & Regulatory Committee

Date: 26 February 2025

By: Planning Development Manager

District(s) Spelthorne

Electoral Division(s):

Laleham & Shepperton
Ms Attewell

Staines South & Ashford West
Ms Turner-Stewart

Ashford
Ms Sexton

Case Officer:
David Maxwell

Purpose: For Decision

Grid Ref: 505396 169914

Title: Minerals and Waste Application SP22/01006/SCRVC

Land at Manor Farm, Ashford Road and Worple Road, Laleham and land at Queen Mary Quarry, west of Queen Mary Reservoir, Ashford Road, Laleham, Staines, Surrey

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 without compliance with Conditions 2, 11, 13, 25, 26, 27, 29, 33, 44 and 48 of planning permission ref: SP/2012/01132 dated 23 October 2015 so as to allow the site to be restored in accordance with a revised restoration plan.

Summary Report

The proposal is dependent on planning application ref: **SP23/00160/SCC** for the siting and use of a conveyor to transport mineral extracted from Manor Farm (Laleham) to the mineral processing plant at Queen Mary Quarry (QMQ) as an alternative to the conveyor proposed in planning permission ref: SP12/01132 dated 23 October 2015. This application is reported elsewhere on this committee agenda.

Planning permission ref: **SP12/01132** was granted in October 2015 for the extraction of 1.5 million tonnes of sand and gravel from land at Manor Farm, the restoration of the land to landscaped lakes for nature conservation after-use, the provision of a dedicated area on land at Manor Farm adjacent to Buckland School for nature conservation study, the installation of a field conveyor between land at Manor Farm and the existing mineral processing plant at Queen Mary Quarry (QMQ) for the transport of the extracted sand and gravel, the processing of the sand and gravel at the processing plant at QMQ, the retention of the processing plant at QMQ for the duration of operations, the erection of a concrete batching plant and aggregate bagging plant within the existing aggregate processing and stockpiling areas at QMQ and the construction of a

tunnel beneath Ashford Road to accommodate the conveyor link between land at Manor Farm and QMQ.

A Section 106 Legal Agreement dated 14 October 2015 was entered into in connection with planning permission ref: SP12/01132. The Section 106 Legal Agreement secured the long-term aftercare management (including bird management) of the land at Manor Farm and limited the number of heavy goods vehicle (HGV) movements in combination with operations taking place at Queen Mary Quarry to no more than 300 HGV movements (150 two-way HGV movements) on any working day.

This is a Section 73 planning application which seeks to vary Conditions 2, 11, 13, 25, 26, 27, 29, 33, 44 and 48 of planning permission ref: SP/2012/01132 so as to allow the site to be restored in accordance with a revised restoration plan. A number of amendments are proposed to the application which can be summarised as follows:

- The approved development allows for the extraction of mineral from land at Manor Farm, known as Manor Farm Quarry (MFQ), in 4 phases and its transportation by conveyor to the processing plant within the adjacent QMQ, including the deposition of the silt arising from the processing of the mineral within the southern portion of the existing QMQ silt settlement lagoons. The silt lagoons within QMQ are currently used for silt deposition as part of the QMQ quarrying operations to ensure that the silt is utilised within the site and not exported. This would continue for the duration of the mineral extraction. However, it is anticipated that the silt lagoons will reach capacity within the next 2-3 years. Whilst the approved planning permission at MFQ allows for the deposition of silt within the southern portion of the existing QMQ silt lagoons, once mineral extraction of Phase 1 at MFQ commences, concurrently with the ongoing operations at QMQ, the processing of the mineral would create surplus silt which the existing silt lagoons would not have the capacity to accept. Rather than export the surplus silt off-site, the most viable option is to deposit the silt back into the Phase 1 and 2 mineral extraction voids at MFQ, where it would be incorporated into the progressive restoration of the site. This application is seeking agreement to that change.
- The approved planning permission previously stated that due to the access constraints at MFQ, transporting backfill/infill material to Manor Farm for restoration was not possible, hence the wetland restoration. However, as silt can be transported in fluid form, it can easily be pumped through pipelines, requiring no vehicles for its transportation and limited infrastructure. The deposition of silt in the void would therefore enable the creation of shallower waterbodies within a proportion of the site at MFQ.
- All mineral extracted at Manor Farm would therefore continue to be transported to QMQ by conveyor which is routed under Ashford Road by a 3.4 metre (m) wide by 2.7m high tunnel. The mineral would continue to be processed at the QMQ processing plant, however it is intended that all silt arising from the processing of the mineral would be transported back to Phases 1 and 2 via a moveable pipeline along the same route, rather than to the QMQ silt lagoons as currently approved. The ancillary infrastructure required to deposit the silt is already well established at the site, forming part of the ongoing approved operations and comprising a series of portable, temporary pipes and pumps which are moved around the site depending upon the silt deposition location. The infrastructure is not fixed and is mobilised as and when the operations require.
- No changes are proposed to the mineral extraction quantities, methods or timescales detailed within the current permission. However, the application also includes the provision of an additional topsoil bund in the north-eastern corner of Phase 1, a temporary mineral stockpile within the vicinity of Phases 1A and 1B, maintaining some overburden and topsoil bunds within the south of Phase 1 during the extraction of future phases and alterations to the positioning of temporary overburden/topsoil bunds in Phase 1 to facilitate the silt deposition. The complete restoration of Phase 1 would be delayed, until the completion of Phase 4 extraction, at the end of the 5 year extraction period.

- The proposals do not deviate from the overarching objectives within the existing permission and are supported by appropriate technical assessments which demonstrate that the variations are unlikely to result in any detrimental impacts.
- The proposed changes would require several of the conditions attached to the original permission to be varied, in particular in relation to the plans related to the phasing of the mineral extraction and the progressive restoration of the site. This would create a new permission with different conditions. In most cases, the changes would be limited to alterations to the approved plans, and the provision and wording of the conditions themselves would remain. Details of the conditions which require variation, are set out in the report.
- Splitting where the silt would be deposited between the two phases would allow for the waterbodies to remain unchanged and the restoration principles of the consented MFQ planning permission ref: SP/2012/01132 to continue to apply in terms of the design and habitat creation. The only difference would be the location of the causeways within the waterbody in Phase 1 and the depth of the waterbodies, which would now be shallower. The final restoration would therefore be akin to the approved restoration (which largely comprised waterbodies) introducing shallow wetland, reedbed/wet woodland increasing the habitat diversity of the site and contributing to biodiversity targets in Surrey. The alterations are not considered to result in additional significant effects.
- The approved development includes the progressive restoration of Manor Farm Quarry with Phase 1 being restored during Phase 2 extraction, Phase 2 restored during Phase 3 extraction and Phase 3 restored during Phase 4 extraction, over a period of 5 years. Extraction is expected to take around 10 months for Phase 1, 19 months for Phase 2, 15 months for Phase 3 and 17 months for Phase 4. The proposal would not impact the extraction timings for Phases 1-4 which would remain as per the extant permission, taking place progressively across the site. However, whilst the timescale for the completion of restoration within 6 years of the commencement of minerals extraction would not change, the proposal would result in some delays to the progressive restoration of the site. Whilst the restoration of Phase 1 would be partially completed during the course of mineral extraction operations at the site, the southern part of Phase 1 could only be restored at the end of the 5-year extraction period due to the need to retain the route of the conveyor belt until the end of the process. In Phases 2 to 4, the banks and lake profiles within these phases would be created as mineral working progresses through these areas although the restoration of these phases would not be completed until the cessation of mineral extraction operations at the site.

The application is supported by an overarching Environmental Statement (ES) consented under applications SP12/01132 (MFQ) and SP13/01003/SCC (original alternative conveyor application), together with an ES addendum dated January 2023 submitted in support of application SP23/00160/SCC (current alternative conveyor application) and an ES addendum dated March 2023 submitted in support of this application which addresses the proposed changes. The ES addresses the proposed measures for mitigating any environmental and amenity impacts of the development. The County Planning Authority need to be satisfied that there would be no significant adverse impacts arising from the proposal.

The application was publicised in July 2022 by the posting of 10 site notices and an advert was placed in the local newspaper. A total of 334 owner/occupiers of neighbouring properties were directly notified by letter. Following the receipt of further information, the application was re-publicised in August 2023, October 2024 and December 2024 by the placement of site notices and the placing of an advert in the local newspaper. The number of owner/occupiers of neighbouring properties notified of the amending information was broadened and also included all those who had been previously notified and who had made representations.

A total of 27 letters of representation have been received as a result of this publicity and the points raised are summarised in the report. A number of consultations have been carried out

and the comments made by consultees, as set out in the report have been addressed by officers as appropriate.

The application comprises inappropriate development in the Green Belt. The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Given the temporary nature and reversibility of the mineral working and restoration activity, the maintenance of high environmental standards, and that the site would be restored to a high standard in accordance with an approved restoration scheme, Officers are satisfied that very special circumstances exist as the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal is clearly outweighed by other considerations.

Having regard to the environmental information contained in the overarching Environmental Statement (2012/13) and the Environmental Statement Addendum (2023), national and development plan policy, consultee views and concerns raised by local residents, Officers consider, subject to the imposition of conditions and a variation to the legal agreement together with control through other regulatory regimes, the development would not give rise to unacceptable adverse environmental or amenity impacts and the development is consistent with the NPPF and the development plan in this regard.

The recommendation is that subject to the prior completion of a variation to the 14 October 2015 Section 106 Legal Agreement between the county council, the applicant and Thames Water Utilities Ltd, to secure the long term aftercare management (including bird management) of the land at Manor Farm and limit the number of HGV movements in combination with planning permission refs SP07/1273, SP07/1275 and SP07/1269 to no more than 300 HGV movements (150 two-way HGV movements) on any working day so that it applies to the new planning permission and ensures that the HGV movement limit incorporates HGV movements associated with planning permission ref: SP07/1269, to PERMIT subject to conditions and informatives as set out below.

Application details

Applicant

Brett Group

Date application valid

11 July 2022

Period for Determination

31 October 2022 (Extension of time agreed until 12 March 2025)

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
Green Belt	Yes	114-123 & 248-250
Highways, Traffic and Access	Yes	124-136
Restoration and Landscaping	Yes	137-159
Flooding	Yes	160-182

Ecology	Yes	183-203
Air Quality	Yes	204-216
Noise	Yes	217-232
Archaeology	Yes	233-239

Illustrative material

Site Plan

Plan 1 - Site Location and Application Site Area

Aerial Photographs

Aerial 1 - Surrounding Area

Aerial 2 - Application Site

Background

Site Description

1. The Manor Farm/Queen Mary Quarry (QMQ) application site is situated around 2.5 kilometres (km) to the south-west of Staines upon Thames. It extends to some 43.9 hectares (ha) in total, and is in two parts as illustrated on the Aerial Photographs and Plans 1 and 2. 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 Queen Mary Quarry (QMQ) (including part of the lake and the existing processing plant site) to the east of Ashford Road and west of Queen Mary Reservoir (QMR), Laleham.
2. Land at Manor Farm is located between Staines upon Thames to the north-west 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 enclosed children's play area), residential housing on Ashford Road, QMQ and QMR. To the south lies the QMR 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. QMQ comprises the land west of QMR gravel pits and silt lagoons and the current processing plant site and mineral stockpiling area associated with the extraction of minerals from QMR. The Manor Farm/QMQ application site includes land in the southern part of the QMQ site and the processing plant site and accesses off Ashford Road (and the A308 dual carriageway (Kingston Road/Staines Road West)).
4. The River Ash runs north to south through QMQ between the land west of QMR to the west and QMR itself to the east. To the north, the Staines Reservoirs Aqueduct runs in an east to westerly direction. The quarry haul road leading to the A308 passes over both the River Ash and the aqueduct. The A308, residential housing and Ashford Manor Golf Club are all located to the north of the aqueduct. An electricity substation lies between QMQ and the aqueduct and electricity pylons traverse the site. Fordbridge Park lies to the north-west. To the south runs the QMR water intake channel and farmland, with the former Home Farm Quarry beyond which has been restored to agriculture. To the west of QMQ is Ashford Road and residential housing with the Manor Farm part of the application site beyond.
5. The closest residential properties to the Manor Farm part of the site are on Pavilion Gardens, Brightside Avenue and Berryscroft Road to the north; Bingham Drive, Abbott Close and Honnor Road to the north-east; Ashford Road, Greenway Drive and New Farm Close to the east; and Staines Road, Worple Road, Northfield Road, Willowmead,

Northfield Court, Laleham Close and Hernes Close to the west. The closest residential properties to the QMQ part of the application site are on the western side of Ashford Road.

6. Public Right of Way footpath 30 crosses the mineral application site at Manor Farm from Ashford Road in the south-east to the junction of footpath 28 and footpath 29 in the north. Footpath 28 leads up to Berryscroft Road to the north. Footpath 29 runs along the northern boundary of the site (and Phase 1) and across Greenfield Recreation Ground to Ashford Road. There are no public Rights of Way crossing the QMQ part of the application site.
7. The application site is situated in the Metropolitan Green Belt, the Spelthorne Borough Council Air Quality Management Area and the Heathrow Airport bird strike safeguarding zone. Part of the site lies within an Area of High Archaeological Potential. It is also located within a major aquifer and mostly within groundwater source protection zone 3 (SPZ3) for public water supply (Chertsey). Approximately 40% of the Manor Farm part of the site, the lakes at QMQ and a small area of land adjacent to the River Ash are located within Flood Zone 3 and have a high probability of fluvial flooding from rivers (i.e. a 1 in 100 or greater annual probability). The majority of the processing plant site at QMQ, and land between the River Ash and the lake, and the northern parts of the Manor Farm part of the site are within Flood Zone 2 which have a medium probability of fluvial flooding from rivers (i.e. between a 1 in 100 and 1 in 1,000 annual probability). Some areas within the southern part of the processing plant site at QMQ and other small areas in QMQ outside the application site boundary are situated within Flood Zone 1 which has a low probability of fluvial flooding from rivers (i.e. a less than 1 in 1,000 annual probability).
8. The application site lies within 2 kilometres (km) of: Thorpe Park Number 1 Gravel Pit Site of Special Scientific Interest (SSSI) and Staines Moor SSSI (both of which also form part of the South West London Waterbodies Special Protection Area (SPA) and Ramsar Site), and Thorpe Hay Meadows and Dumsey Meadow SSSIs. The majority of the land at QMQ is designated as the West of Queen Mary Reservoir Site of Nature Conservation Importance (SNCI). There are a number of other SNCIs within 1 km of the site: the Queen Mary Reservoir SNCI, River Thames SNCI (Spelthorne and Runnymede), Penton Hook SNCI, and Laleham Burway Golf Course SNCI, and within 2km of the site Abbey Lake SNCI, Littleton Lake SNCI, Shepperton Quarry SNCI and Chertsey Waterworks SNCI.

Planning History

9. Land at Manor Farm is identified as a Preferred Area (Preferred Area J) in the Surrey Minerals Plan Primary Aggregates Development Plan Document 2011 (SMP PA DPD) for future extraction of concreting aggregate for the period 2009-2026. Key development criteria requirements are set out for each preferred area. For land at Manor Farm these include access, local amenity, biodiversity, heritage, hydrology, air quality, aerodrome safeguarding and restoration.
10. Planning permission ref: SP12/01132 was granted in October 2015 for the extraction of 1.5 million tonnes of sand and gravel from land at Manor Farm, the restoration of the land to landscaped lakes for nature conservation after-use, the provision of a dedicated area on land at Manor Farm adjacent to Buckland School for nature conservation study, the installation of a field conveyor between land at Manor Farm and the existing mineral processing plant at QMQ for the transport of the extracted sand and gravel, the processing of the sand and gravel at the processing plant at QMQ, the retention of the processing plant at QMQ for the duration of operations, the erection of a concrete batching plant and aggregate bagging plant within the existing aggregate processing and stockpiling areas at QMQ and the construction of a tunnel beneath Ashford Road to accommodate the conveyor link between land at Manor Farm and QMQ.
11. In October 2015, planning permission ref: SP13/01003/SCC was granted for the siting and use of a conveyor to transport mineral extracted from Manor Farm to the mineral

processing plant at Queen Mary Quarry as an alternative to the conveyor proposed in planning application ref: SP12/01132. This planning permission was not implemented and has now expired.

12. In January 2023, application SP23/00160/SCC was submitted for the siting and use of a conveyor to transport mineral extracted from Manor Farm (Laleham) to the mineral processing plant at Queen Mary Quarry as an alternative to the conveyor proposed in planning permission ref: SP12/01132 dated 23 October 2015 (retrospective). This application remains to be determined and is reported elsewhere on this committee agenda.
13. Mineral extracted at Manor Farm would be processed in the existing QMQ mineral processing plant. Silt arising from the processing of the mineral would be deposited in the existing silt settlement lagoons/lake to the west of the processing plant. The mineral on land at Manor Farm is to be extracted at an annual rate of 330,000 tonnes per annum (tpa). The applicant anticipates that it would take five years to extract the sand and gravel and a further 12 months for restoration work to be completed. The land at Manor Farm site would be worked wet and progressively restored in four phases. Phase 1 is located to the east of public footpath 30 and Phases 2-4 are situated to the west of public footpath 30 which would remain open. The estimated duration of extraction in each phase is shown below:
 - Phase 1 - 10 months
 - Phase 2 - 19 months
 - Phase 3 - 15 months
 - Phase 4 - 17 months
 - Total - 60 months (5 years)
14. Work on the construction of the tunnel beneath Ashford Road has been completed, together with a temporary culvert under footpath 30 through which the conveyor would run to transport mineral extracted from Phases 2, 3 and 4 to the processing plant at QMQ. The concrete batching plant at QMQ has also been constructed and is operational. Mineral extraction on land at Manor Farm has yet to commence although some activities have taken place in Phase 1. These activities involve soil stripping, the stockpiling of the soil in bunds around the perimeter of Phase 1 and archaeological digs in accordance with a Written Scheme of Archaeological Investigation. In addition, the field conveyor and flexible pipeline have been installed between land at Manor Farm and QMQ via the culvert beneath Ashford Road.
15. A Section 106 Legal Agreement dated 14 October 2015 was entered into in connection with planning permission ref: SP12/01132. The Section 106 Legal Agreement secured the long-term aftercare management (including bird management) of the land at Manor Farm and limited the number of heavy goods vehicle (HGV) movements in combination with planning permission refs SP07/1273 and SP07/1275 (see below) to no more than 300 HGV movements (150 two way HGV movements) on any working day. Condition 4 of planning permission ref: SP12/01132 prevented the commencement of mineral extraction on land at Manor Farm until the completion of mineral extraction at QMQ in association with planning permissions ref: SP07/1269 and SP13/01236, details of which are provided below.
16. Following the grant of planning permission ref: SP/2012/01132, details were submitted pursuant to conditions 8(a), 8(b)(i), 12(a), 15, 22, 24(a), 28, 32, 35, 36, 38, 46 and 47¹ and were subsequently approved.

¹ Planning permission refs: SP/2012/01132/SCD5, SP/2012/01132/SCD3, SP/2012/01132/SCD4, SP/2012/01132/SCD7, SP/2012/01132/SCD1, SP/2012/01132/SCD2, SP/2012/01132/SCD8, SP/2012/01132/SCD6, SP/2012/01132/SCD9.

17. The existing operational mineral site at QMQ, formerly known as land west of QMR, lies to the east of Manor Farm and Ashford Road. The QMQ site comprises former areas of land worked for sand and gravel, silt lagoons, an area for aggregates recycling, the mineral processing plant site and stockpiling area (associated with the extraction of minerals from QMR) and an area around two-thirds of the breakwater baffle within QMR which has since been removed under planning permission ref: SP07/1269 and SP13/01236. Mineral extraction from the land to the west of QMR and from within QMR itself and processing of that mineral in the processing plant on site commenced in the late 1960s and has continued since under a number of planning permissions including for various buildings associated with mineral extraction and processing.
18. Minerals and waste activity currently permitted at the QMQ site comprise the removal of part of the breakwater baffle at QMR, the dredging of the underlying sand and gravel, landing of mineral and processing (planning permissions ref: SP07/1269 and SP13/01236); a facility for the recycling of imported construction and demolition waste and production of recycled aggregates (planning permissions ref: SP07/1273 and SP13/01238); and the importation and processing of 'as raised' sand and gravel for processing (planning permissions ref: SP07/1275 and SP13/01239). These activities were all granted planning permission in January 2009 with further planning permissions granted in January 2015 to extend all three of these activities, without impacting on the dates for the completion of minerals and waste related operations by 31 December 2033 or the completion of restoration of the entire site by 2038.
19. A revised working, restoration and landscaping schemes for QMQ was approved under planning permission ref: SP07/1276 dated 15 January 2009. The approved scheme provides for the restoration and landscaping of the site in 6 phases, progressing from the south to the north, to a nature conservation after-use with no public access. The scheme applies to the wider QMQ site comprising the land between the reservoir and Ashford Road, including the existing mineral processing plant site. Restoration of the land occupied by the mineral processing plant would be undertaken in the final phase of restoration (Phase 6) and is due to take place on cessation of operations permitted under SP07/1273 & SP13/01238 and SP07/1275 & SP13/01239 between 2033 and 2038. A restoration condition was imposed on the SP07/1269 and SP13/01236 planning permissions requiring the site to be restored no later than 31 December 2038.
20. A Section 106 Legal Agreement dated 12 January 2009 was entered into in connection with this decision and the SP07/1269, SP07/1273 and SP07/1275 planning permissions. The Section 106 Legal Agreement secured the long-term aftercare management of the land to the west of QMR following restoration and landscaping, and a bird management plan. A Deed of Variation to the 12 January 2009 Section 106 Legal Agreement was subsequently entered into on 18 December 2014 to change the operator from Reservoir Aggregates to the current operator Brett Aggregates Ltd and to ensure that the Section 106 Legal Agreement applied to the more recent SP13/01236, SP13/01238 and SP13/01239 planning permissions.
21. In August 2023, planning permission was granted retrospectively for the installation of a concrete screed plant at QMQ for use in connection with the existing concrete batching plant.
22. Condition 4 of SP/2012/01132 had stated that the extraction of mineral from Manor Farm shall not commence until the mineral extraction from QMQ 'baffle' permission (refs. SP07/1269 dated 15 January 2009 and SP13/01236 dated 6 January 2015) has finished. However, due to the variable quality of the material that was being extracted from the baffle and the passage of time, the applicant sought a non-material amendment (NMA) ref: SP/2012/01132/SCA4 to planning permission ref: SP/2012/01132 to allow the removal of Condition 4 so that land at Manor Farm could be worked for mineral at the same time as the dredging of the mineral underlying part of the breakwater baffle. This was to enable the mineral from the baffle to be blended with the higher quality mineral from Manor Farm in order to create a marketable product. Currently, mineral from the baffle is blended with

imported 'as raised' sand and gravel although this material can be difficult to source. This NMA was approved in September 2020.

The proposal

23. Planning permission exists for the extraction of mineral at land at Manor Farm (known as Manor Farm Quarry or MFQ) and restoration to a series of water features, 12.2 metres in depth, and nature conservation under planning permission ref: SP/2012/01132 granted planning permission in October 2015. Transportation of the sand and gravel to the existing processing plant at QMQ is proposed to remain by conveyor which is the subject of a separate planning application (ref: SP23/00160/SCC) contained elsewhere on this agenda. The conveyor would pass beneath Ashford Road in a 3.4m wide by 2.7m high tunnel in order to connect MFQ to the west of Ashford Road with QMQ to the east of Ashford Road.
24. Silt arising from the processing of the sand and gravel to be extracted from MFQ was to be deposited within the southern part of the existing QMQ silt settlement lagoons in the western part of the wider QMQ site. However, these silt lagoons, which are used for the deposit of all silt generated from the processing plant at QMQ preventing the need for silt to be removed off site, do not have sufficient capacity to accommodate the silt which would be produced from the processing of sand and gravel extracted from MFQ.
25. Rather than export the surplus silt off-site, which would generate additional heavy goods vehicle movements, the applicant considers that the most viable option is to deposit the silt within the Phases 1 and 2 extraction voids of MFQ. The application is therefore proposing to amend Conditions 2, 11, 13, 25, 26, 27, 29, 33, 44 and 48 of planning permission ref: SP/2012/01132 in order to allow the silt arising from the processing of the mineral at MFQ to be brought back to MFQ and placed into void space to be created from the extraction of mineral from Phase 1 and, to a lesser extent, Phase 2.
26. The applicant states that mineral would continue to be exported from MFQ to QMQ via a conveyor and processed at the existing processing plant at QMQ. It was stated as part of planning application ref: SP/2012/01132 that the transportation of backfill/ infill materials to MFQ was not possible due to access constraints and difficulties with transporting restoration materials on the conveyor. However, silt can be transported from QMQ to MFQ in fluid form. This means that it can be pumped through a flexible overground pipeline between the processing plant at QMQ and the Phase 1 and 2 voids to be created at MFQ.
27. The pipeline would be located along the same route as the proposed conveyor and pass through the tunnel underneath Ashford Road. The silt arising from the operation of the processing plant at QMQ is currently pumped from the processing plant into the southern portion of the QMQ silt lagoons via a moveable pipeline and pump, located near to the silt lagoon. The ancillary infrastructure required to deposit the silt is therefore already well established at the site, forming part of the ongoing approved operations and comprising a series of portable, temporary pipes and pumps which are moved around the site depending upon the silt deposition location. The infrastructure is not fixed and is mobilised as and when the operations require.
28. MFQ would continue to be worked in four phases as shown on Drawing Ref: ST18890-PA5 Rev C Phasing Plan dated 21 February 2023. Phase 1 to the east of footpath 30 would be worked in two sub-phases, Phases 1A to the north and 1B to the south, starting towards the centre of Phase 1. Extraction would commence in the southern part of Phase 1A and work northwards towards footpath 29, Buckland School and Greenfield Recreation Ground. Phase 1B would be worked southwards from the centre of Phase 1. Phases 2 to 4 (each of which are also to be worked as sub-phases A and B) lie to the west of footpath No. 30 and would be worked from north to south. No minerals extraction would be undertaken within 100 metres of a residential building. Soils and overburden would be used to construct noise/visual screen mounds up to 3 metres high between the workings and adjacent development. In some parts of the site, these mounds would be within 100

metres of residential buildings as the mounds would be erected between the excavation area and residential properties.

29. Footpath 30 would remain open during the life of the proposed mineral working and restoration. Crossing points for plant and machinery would be provided. Noise/visual screening bunds would be erected to the west of footpath 30. A temporary culvert/tunnel would be constructed under the footpath through which the conveyor belt would run to transport mineral extracted from Phases 2, 3 and 4 to the QMQ processing plant. The conveyor belt and tunnel would be removed as part of the restoration work. Soils and overburden from each extraction phase would be stripped prior to mineral extraction commencing. This material would be used to construct noise/visual screen mounds up to 3 metres high along the site boundaries between the workings and adjacent development or used in the restoration of an earlier phase of working. Following the completion of extraction on each phase, the phase would be progressively restored. This application does not propose to change any of these aspects of the permitted scheme.
30. The site would be worked wet with mineral extracted using a hydraulic excavator and placed alongside the excavation to allow water to drain back into the extraction area. Material would then be loaded by wheeled loading shovel into a field hopper for controlled release onto the conveyor belt for transport to the QMQ processing plant. The conveyor would run from the MFQ part of the application site across the land between house numbers 133 and 151 Ashford Road and then in a tunnel under Ashford Road. From there, the conveyor would enter QMQ and cross the southern part of the lake at QMQ on a causeway constructed with materials already at the site. The conveyor would then run northwards to the processing plant site along a corridor of land between the existing lakes to the west and the River Ash and reservoir embankment to the east.
31. There are two existing access points to the MFQ part of the application site, one to the west off Worple Road north of the SALSAL facility, and one to the east off Ashford Road, between numbers 133 and 151. The Worple Road access would be retained and improved for use in connection with the proposed extraction from Manor Farm. Modifications to this access would take place during Phase 1 with access gates being installed and a single track stone surface access road laid from the entrance to a stone surfaced site compound in the north-western part of MFQ. The access off Worple Road would be used for cars and light goods vehicles. The only HGV use would be for deliveries of fuel and earthmoving equipment.
32. Planning permission SP12/01132 included a site compound to be provided towards the north-west corner of MFQ close to the access off Worple Road. This would accommodate parking areas for plant and machinery when not in use, private and light goods vehicle parking and site facilities, two secure portacabins (dismountable buildings) to house staff facilities and storage of site consumables, engineering parts etc. Downward directed, sensor activated, lighting for security purposes would be installed at the site compound. There is no proposed change to the compound area.
33. A new access from Ashford Road formed part of planning permission ref: SP/2012/01132 and this has been constructed. The purpose of this access road is for the installation of the conveyor, and during Phase 1 for the delivery and removal of plant and machinery in connection with extraction in Phase 1 and site operatives. The remainder of the time it would be used for periodic maintenance of the conveyor. All mineral extracted from MFQ would be transported by the conveyor to QMQ where following processing, it would be transported from QMQ by HGV via the existing dedicated haul road. The application would not change this situation.
34. The proposed hours of working for mineral extraction and restoration at the MFQ part of the application site are 0730 to 1800 hours Monday to Friday. Apart from emergency access, the MFQ site would be closed on Saturdays, Sundays and public holidays. The QMQ processing plant and permitted aggregate bagging plant and concrete batching plant would operate between 0730 and 1730 hours Monday to Friday and 0730 to 1300 hours

on Saturdays. Except for emergency access the QMQ plant site would be closed on Saturday afternoons, Sundays and public holidays.

Restoration and After-use

35. The MFQ site would be progressively restored with Phase 1 restored during extraction from Phase 2, Phase 2 restored during extraction from Phase 3 and Phase 3 restored during extraction from Phase 4. The restoration of Phase 4 would be carried out on completion of extraction from Phase 4. The mineral would be extracted in 5 years and the completion of restoration of the site would be 12 months from the completion of extraction in Phase 4. The intended restoration for MFQ is to provide an area for nature conservation use. This would comprise open waterbodies with shallow wetland and marsh areas, associated reed beds and marginal planting with willow scrub, and tree and hedgerow planting within the remainder of the site.
36. Planning application ref: SP/12/01132 proposed the creation of two waterbodies to the east of footpath 30 in Phase 1; and one larger waterbody with two islands on the area to the west of footpath 30. To allow views of the lakes from the rear of properties on Ashford Road, advance screen planting to the rear of the properties would be removed as part of the restoration and replaced with thorny scrub. The restoration of the land to the rear of properties in Brightside Avenue would be to open grassland and all conifers and poplars planted as part of advance screen planting removed to allow residents views across the restored site. Post restoration public access across the land at Manor Farm would remain as currently exists along footpath 30.
37. In the interests of reducing the potential risk of bird-strike from wildfowl using the waterbodies, the lakes, islands, and water margin areas would be designed and planted with plant species to prevent colonisation and use of the lakes by bird species that are considered a bird-strike risk to aircraft. To maintain public safety, public access to the waterbodies would be restricted by post and wire stock proof security fencing with sheep netting and wire on top and the provision of strategic planting. Restricting public access would also discourage feeding of birds (which would encourage birds which would present a risk to aircraft to use the site). A small conservation study area was proposed adjacent to Buckland Primary School. The restoration of the conveyor link is covered by planning application ref: SP23/00160/SCC.

This proposal

38. This application was submitted in 2022. At that time, the applicant's original design submission proposed that all of the silt arisings would be pumped into Phase 1, which would have resulted in that phase being restored to original ground levels and the implementation of a dry restoration comprising heathland. Following an initial round of consultation and comments from consultees raising concerns over the restoration scheme being proposed, the applicant amended the restoration design to propose a shallow wet restoration. This would align more with both the existing approved MFQ restoration to waterbodies, and with the approved restoration scheme for QMQ.
39. The proposal seeks to return the silt back to MFQ by depositing below ground levels and the water table (i.e. beneath the water) to enable a shallow wetland restoration to be achieved in Phases 1 and 2. The applicant states that by splitting where the silt would be deposited between the two phases, this would allow for the waterbodies to remain unchanged and the restoration principles of planning permission ref: SP/2012/01132 to continue to apply in terms of the design and habitat creation. The only difference would be the location of the causeways within the waterbody in Phase 1 and the depth of the waterbodies, which would now be shallower.
40. The volumes of silt and overburden arising from mineral operations requiring deposition within MFQ equate to approximately 118,000 m³. The applicant anticipates that approximately 68,500 cubic metres (cu m) (58%) of the silt could be accommodated within

the Phase 1 void to achieve the shallow restoration recommended by consultees and approximately 49,100 cu m (42%) of the silt could be deposited within the Phase 2 void. The final restoration profile of Phase 1 would therefore be approximately 1m below the existing water table, and the final restoration profile of phase 2 would be approximately 4m below the existing water table, enabling waterbody restoration to be achieved. This compares to the waterbodies contained in the approved scheme which would be 12.2m in depth.

41. The volumes stated are approximate as the volume of silt and the density of silt arisings can vary while the mineral deposit is being worked. However, the applicant states that any minor variations in these volumes can easily be accommodated within the proposed waterbody forming part of the revised restoration proposals, to ensure that final restoration levels do not exceed existing ground levels.
42. The available void space within Phases 1 and 2 therefore provides sufficient capacity to accommodate the silt arisings and overburden/subsoil from the mineral operations and enables the approved restoration design to be retained as far as practicable at the site, albeit the silt deposition results in a shallower waterbody being introduced in Phases 1 and 2 compared to that which was previously permitted.
43. As the silt deposition alters the hydrology of the site, a smaller deeper waterbody is proposed to maintain a hydrological connection to the underlying aquifer within Phase 1. As such, where the approved scheme introduced one central causeway within the Phase 1 waterbody, it is now proposed to incorporate two causeways within the Phase 1 void. This would create one large waterbody in the middle and two smaller waterbodies to the north and south. This is opposed to the two larger water bodies permitted in Phase 1 as part of the permitted restoration scheme. Following completion of Phase 1 extraction, the overburden and topsoil bunds surrounding the void would be utilised in increasing the height of the overburden berm within Phase 1A to the existing ground level. This would create an additional causeway within the southern portion of the void to provide a clean water lagoon to facilitate the silt deposition, and to profile the sides of the void to enable the creation of the waterbody. Upon completion of Phase 1:
 - Working faces to be retained would be regraded to as close to a 1-in-3 slope as possible with the materials available;
 - Screening bunds would be removed and material incorporated within the restoration;
 - Reed beds would be planted in water depths of 0.3m, which is to the margins of the water bodies and would stabilise the regraded slopes;
 - Extraction void would be divided to form three waterbodies, mixed native shrub and trees planting would be established on the dividing headland's;
 - Native scrub planting to be planted to east side of central footpath (footpath 30);
 - Secure area to be developed for Conservation Study Area;
 - Establish planting to remaining areas around the phase one waterbodies;
 - On-going management and maintenance to advanced planting to replace inappropriate species.
44. In relation to Phases 2, 3 and 4, the layout of the waterbody and islands would remain unchanged. Therefore, above ground level, the proposed restoration scheme for MFQ would be almost identical to that which is already approved and previously accepted by the County Council and consultees. The waterbody in Phase 2 would be 4m in depth as opposed to the depth of 12.2m planned as part of the approved scheme. Upon completion of Phase 2:
 - Working faces to be retained would be regraded to a 1-in-2 slope;
 - Bunds along the northern boundary would be retained to screen future phases;
 - Establish land spit and subsequently the island along northern edge of Phase three workings.
45. Upon completion of Phase 3:

- Working faces to be retained would be regraded to a 1-in-2 slope;
 - Screening bunds to north of phase two would be removed and material incorporated within the restoration;
 - Establish inlets and irregular landform to bank edges within the phase two waterbody;
 - In areas of proposed reedbeds (north of phase two working areas) ground levels would be reduced by 0.3m below mean water levels;
 - Establish land spit and subsequently the island along northern edge of Phase four workings;
 - Establish mixed native shrubs to land spits adjacent to the islands.
46. Upon completion of Phase 4:
- Working faces to be retained would be regraded to a 1-in-2 slope;
 - Establish marginal planting to void embankments and reedbed areas;
 - Remaining screening bunds would be removed and material incorporated within the restoration;
 - Removal of site compound, infrastructure and conveyor;
 - Reinstatement and replanting to bund between Queen Mary Quarry and Ashford Road;
 - Seeding, planting and establishment of Grassland and Willow Scrub throughout perimeter of western site (i.e. the single large waterbody to be provided in Phase 2, 3 and 4);
 - Native scrub planting to be planted to west side of central footpath;
 - Ensure all boundaries to site are securely fenced with 1,200mm high 'stock fencing';
 - Re-establishment of agricultural grassland along access and conveyor routes;
 - Removal of conifer/poplar tree belt to south of Brightside Avenue.
47. The wider restoration elements comprise: the provision of reedbed shallows; marginal aquatic planting to be planted to cover bare ground to the lake embankments and encouraged to colonise all lakeside embankments; the reinforcement of all hedgerow boundaries with additional planting either through the gapping up of existing hedgerow, phased replacement of inappropriate planting or the establishment of wide thickets of low native shrubs; the provision of willow scrub along the banks of the western lake; tree whip planting to establish tree belts along the land spits and islands; low scrub planting to ensure cover to land adjacent to the proposed islands, either side of the central footpath and south and east of the eastern lake (i.e. the waterbodies to be provided in Phase 3); and grassland to be provided across agricultural land, with the routes of the principal access off Worple Road and secondary access/conveyor route adjacent to Ashford Road to be returned to agricultural/grazing use, and a mosaic of species rich grassland to be developed to increase habitat diversity. In addition, 2m wide edge strips to scrub, hedgerow and tree planting (where appropriate) along with the remaining open areas not identified within the restoration for specific planting would be seeded with species rich grassland in order to develop a grassland mosaic and transitional edge to planted areas.
48. An additional topsoil bund would be provided in the north-eastern corner of Phase 1 and a temporary mineral stockpile within the vicinity of Phases 1A and 1B. These would only be present during Phase 1 of the development. Further, some overburden and topsoil bunds within the south of Phase 1 would be maintained during the extraction of future phases. Whilst there would be no material changes to the 3m high bunds, there would be a very slight alteration in their positioning within the site. The slight re-positioning of the bunds is proposed following the provision of more specific details regarding the working sequence for Phase 1. This particularly relates to information detailing how Phase 1A would be worked in 2 sections to enable silt deposition to take place as soon as possible during mineral extraction from Phase 1. This would require the creation of a temporary material stockpile which would in turn necessitate the positioning of the bunds to be tweaked slightly compared to those included in the permitted restoration scheme.
49. The permitted bunds were designed to comprise a series of discontinuous, overlapping bunds to enable flow of flood water and surface water drainage, as required by the

Environment Agency at the time. The revised bunds follow the same principles in order to satisfy this requirement.

- 7
50. The permitted restoration scheme indicates how Phase 1 would be separated into two working areas; Phase 1A and 1B. However, the proposed changes to the restoration scheme introduce a smaller Phase 1A working area through the creation of an overburden berm within the void. This is proposed in order to enable silt deposition to take place early in the working phase, concurrently with the remainder of the mineral extraction from Phase 1. The creation of this void at an early stage of the working scheme would require the excavated material to be stored temporarily within the Phase 1 area during the construction of the conveyor tunnel, following which this material would then be transported via the proposed hopper and conveyor. Following completion of mineral extraction from Phase 1, the overburden and topsoil bunds surrounding the void would be utilised in increasing the height of the overburden berm within Phase 1A to the existing ground level for the creation of an additional causeway within the southern portion of the void.
 51. The proposal would not impact the extraction timings for Phases 1-4 which would remain as per the extant permission, taking place progressively across the site. However, whilst the end date for the completion of restoration would not change, the proposal would result in some delays to the progressive restoration of the site. Whilst the restoration of Phase 1 would be partially completed during the course of mineral extraction operations at the site, the southern part of Phase 1 could only be restored at the end of the 5 year extraction period due to the need to retain the route of the conveyor belt until the end of the process. In Phases 2 to 4, the banks and lake profiles within these phases would be created as mineral working progresses through these areas although the restoration of these phases would not be completed until the cessation of mineral extraction operations at the site.
 52. The proposal would not impact or change quarrying operations or activities at QMQ nor would it change the extraction processing techniques at MFQ. This application relates to the import of silt and an amendment to the restoration design at MFQ. The application is therefore limited to establishing the principle of silt deposition within the quarry voids to be provided at MFQ and the minor changes to the approved restoration design of Phase 1 at MFQ.
 53. In relation to security, the site comprises private land and is not intended for public use. Two footpaths run alongside the northern and western boundaries of Phase 1 and the security of the site has been raised as a concern by residents.
 54. The operational areas of Manor Farm would be enclosed with a post and wire stock proof security fence which would feature sheep netting and wire on top to prevent public access into the site and ensure the site is secure throughout operations. The security fencing would be retained throughout silt deposition and restoration activities and a palisade fence would also be constructed around the conservation study area within the northern boundary of Phase 1 during restoration. The restoration has been designed for nature conservation. To preserve the restoration of the site, open accessible land would not be provided in order to discourage anti-social behaviour.
 55. To facilitate this proposal, the applicant has submitted a planning application under Section 73 of the Town and Country Planning Act 1990 to carry out the development without compliance with Conditions 2, 11, 13, 25, 26, 27, 29, 33, 44 and 48 of planning permission ref: SP/2012/01132 dated 23 October 2015 so as to allow the site to be restored in accordance with a revised restoration plan. These conditions currently read as follows:

Condition 2: The development hereby approved shall be carried out in accordance with the following approved plans and drawings:

Drawing No.	Drawing Title	Date
PA1	Location Plan	March 2012
PA2	1000m Location Plan	March 2012
PA3	Existing Use Plan	March 2012
PA4	Borehole Location Plan	March 2012
PA5	Phasing Plan	March 2012
PA6	Phase 1 with Cross Sections - Rev F	24 April 2014
PA7	Phase 2 with Cross Sections - Rev D	24 April 2014
PA8	Phase 3 with Cross Sections - Rev C	24 April 2014
PA9	Phase 4 with Cross Sections - Rev C	24 April 2014
PA10	Conveyor Tunnel General Arrangement - Rev B	12 February 2013
PA11	Queen Mary Quarry Batching Plant	March 2012
PA12	Queen Mary Quarry Aggregate Bagging Plant	March 2012
PA13	Restoration Detail Plan	March 2012
PA14	Restoration Elevations	March 2012
PA15	Approved Restoration Plan for QMQ Site	March 2012
PA16	Proposed Worples Road Access - Rev C	12 February 2013
PA17	Proposed Ashford Road Access - Rev D	March 2012 revised 22 July 2015
PA18	Queen Mary Quarry Proposed Site Layout - Rev B	20 July 2012
PA19	Topsoils classification and distribution	31 October 2012
EIA 6.2	Public Rights of Way Plan	20 July 2012
EIA 7.1	Phase 1 Habitat Map	March 2012
EIA 8.1	Heritage Assets and Potential Disturbance	March 2012
EIA 8.2	Historic Maps	March 2012
ST12377-SK1	Floodplain compensation and Causeway Drainage Proposal	04 November 2013 revised 22 July 2015
QMQ/016	Overhead Power Cables above Proposed Conveyor	19 November 2013
ST13443-PA2	Application Area (proposed conveyor route)	09 April 2013
EIA 9.3	Summary of proposed level for level flood compensation - Phase 1 Rev E	13 January 2014
EIA 9.4	Summary of proposed level for level flood compensation Phase 2 Rev C	23 April 2014

EIA 9.5	Summary of proposed level for level flood compensation Phase 3 Rev B	23 April 2014
EIA 9.6	Summary of proposed level for level flood compensation Phase 4 Rev B	23/04/2014
EIA 9.8	Conveyor Route Details Rev B	March 2012
EIA 9.8	Conveyor Route Details (Annotated copy with pipe details and spacings)	March 2012 (received with letter dated 1 November 2013)
EIA 9.9	Existing Surface Water Features Prior to Sand & Gravel Extraction at Manor Farm	March 2012

Reason: For the avoidance of doubt and in the interests of proper planning.

- Condition 11** a) Prior to commencement of extraction in Phase 1 east of Footpath 30 the conveyor route shall be provided to Phase 1, and between Manor Farm and the Queen Mary Quarry processing plant along the route shown on Drawing numbers EIA9.8 Conveyor Route Details Rev B dated March 2012 and PA6 Phase 1 with Cross Sections Rev F dated 24/04/14, as modified by the conveyor route permitted under planning permission ref SP13/01003 dated 23 October 2015 and shown on Drawing ST13443-PA2 Application Area (proposed conveyor route) dated 9/4/13.
- b) Prior to commencement of extraction in Phase 2 the conveyor route shall be extended to provide access to the land west of Footpath 30 as shown on Drawing numbers EIA9.8 Conveyor Route Details Rev B dated March 2012 and PA7 Phase 2 with Cross Sections Rev D dated 24/04/14. The conveyor route shall be modified in accordance with the details shown on Drawing numbers PA8 Phase 3 with Cross Sections Rev C dated 24/04/14 and PA9 Phase 4 with Cross Sections Rev C dated 24/04/14 prior to commencement of extraction in Phases 3 and 4. The conveyor route shall be maintained for the duration of extraction in each phase along the route shown on the approved drawings and used for transport of extracted mineral to the processing plant site at Queen Mary Quarry. All sand and gravel extracted at Manor Farm shall be exported to the Queen Mary Quarry processing plant site via conveyor. There shall be no export of material from Manor Farm by HGV. All sand and gravel extracted at Manor Farm shall be exported from the Queen Mary Quarry site via the existing access onto the A308.

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.

Condition 13: Neither extraction of minerals from Phase 2, nor use of the site compound shown on Drawing numbers PA6 Phase 1 with Cross Sections – Rev F dated 24/04/14 and PA16 Proposed Worple Road Access – Rev C dated 12/02/13, shall commence until space has been laid out within the site compound in accordance with a scheme to be submitted to and approved in writing by the County Planning Authority for the parking and loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. The parking/turning area shall be used and retained exclusively for its designated purpose.

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.

Condition 25: The development hereby permitted shall only be carried out in accordance with the planning application (including paragraph 7.149 and Table 7.12 of the Planning Supporting Statement) and approved Flood Risk Assessment (FRA) (July 2012) (Chapter 9 and Appendix 9.1 of the Environmental Statement), as modified by the June 2013 Addendum to the Environmental Statement and subsequent letters and emails), and the following mitigation measures detailed within the FRA:

There is no increase in impermeable area on the site and no increase in surface water runoff volume.

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.

Condition 26: Full level for level compensation for all elements being built within each phase shall be provided at the start of each phase prior to any bunding or overburden storage in the floodplain in accordance with the following plans and documents:

- Drawing EIA 9.3 Summary of proposed level for level flood compensation - Phase 1 Rev E dated 13/01/14 and point 1 of letter dated 3 December 2013 from Wardell Armstrong, reference JG/ST12377/016,
- Drawing EIA 9.4 Summary of proposed level for level flood compensation Phase 2 Rev C dated 23/04/2014,
- Drawing EIA 9.5 Summary of proposed level for level flood compensation Phase 3 Rev B dated 23/04/2014,
- Drawing EIA 9.6 Summary of proposed level for level flood compensation Phase 4 Rev B dated 23/04/2014.

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.

Condition 27: All bunds shall be constructed in accordance with the following:

- Drawing PA6 Phase 1 with Cross Sections – Rev F dated 24/04/14,
- Drawing PA7 Phase 2 with Cross Sections – Rev D dated 24/04/2014,
- Drawing PA8 Phase 3 with Cross Sections – Rev C dated 24/04/2014,
- Drawing PA9 Phase 4 with Cross Sections – Rev C dated 24/04/2014.

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.

Condition 29: The bunds and causeway shall be removed in accordance with the restoration plans; Drawing PA13 Restoration Detail Plan dated March 2012 and Drawing PA14 Restoration Elevations dated March 2012.

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.

Condition 33: The working of minerals from Manor Farm shall be carried out in accordance with the approved phasing drawing PA5, with the bund construction in accordance with drawing nos. PA6, PA7, PA8 and PA9 as listed above under Condition 2.

Reason: To comply with the terms of the application and to enable the County Planning Authority to adequately control the development and to minimise its impact on the amenities of the local area 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.

Condition 44: The restoration of the Manor Farm site shall be carried out in stages, progressively as the extraction proceeds in accordance with the approved Quarry Phasing Plans (Drawings PA5 – PA9, as detailed in Condition 2 above) and the approved Drawing PA13 Restoration Detail Plan for Manor Farm dated March 2012.

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.

Condition 48: The aftercare, management and maintenance of the restoration plan for Manor Farm shall be for a period of 25 years in accordance with the 'Restoration Management and Maintenance Plan' dated March 2012 (Appendix 7.1 Rev A Planning Statement).

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.

56. The application is seeking to vary the above-named conditions as follows:

Planning Condition	Details	Variation Required
2	Approved drawings.	Wording to remain the same but drawings PA1, PA5, PA6, PA7, PA8, PA9, PA13, PA14, EIA 9.3, EIA 9.4, EIA 9.5 and EIA 9.6 to be replaced with drawings ST18890-001 Rev A, ST18890-PA5 Rev C, ST18890-PA6 Rev C, ST18890-PA7 Rev C, ST18890 PA8 Rev C, ST18890 PA9 Rev C, ST18890 PA13 Rev B, ST18890 PA14 (Rev B), ST18890 EIA 9.3 Rev C, ST18890 EIA 9.4 Rev C, ST18890 EIA 9.5 Rev C and ST18890 EIA 9.6 Rev C.

11	Phase 1 and Phase 2 conveyor route as shown on Drawings EIA 9.8 Rev B, PA7 Rev D, PA8 Rev C and PA9 Rev C.	Wording to remain the same but drawings PA7 Rev D, PA8 Rev C and PA9 Rev C to be replaced with drawings ST18890-PA7 Rev C, ST18890 PA8 Rev C and ST18890 PA9 Rev C.
13	Neither extraction of minerals from Phase 2, nor the use of the site compound shown on Drawings PA6 Rev F and PA16 Rev C shall commence until space has been laid out within the site compound in accordance with a scheme submitted and approved in writing for parking and unloading of vehicles.	Wording to remain the same but drawing PA6 Rev F to be replaced with drawing ST18890-PA6 Rev C.
25	Development carried out in accordance with planning application and approved Flood Risk Assessment (FRA).	To be reworded to refer to additional FRA submitted with the application.
26	Flood compensation in accordance with plans.	Wording to remain the same but drawings EIA 9.3, EIA 9.4, EIA 9.5 and EIA 9.6 to be replaced with drawings ST18890 EIA 9.3 Rev C, ST18890 EIA 9.4 Rev C, ST18890 EIA 9.5 Rev C and ST18890 EIA 9.6 Rev C.
27	Bund construction.	Wording to remain the same but drawings PA6, PA7, PA8 and PA9 to be replaced with drawings ST18890-PA6 Rev C, ST18890-PA7 Rev C, ST18890 PA8 Rev C and ST18890 PA9 Rev C.
29	Bunds and causeway removed in accordance with restoration plans PA13 and PA14.	Wording to remain the same but drawings PA13 and PA14 to be replaced with drawings ST18890 PA13 Rev B and ST18890 PA14 (Rev B).
33	Working of mineral and bund construction.	Wording to remain the same but drawings PA5, PA6, PA7, PA8 and PA9 to be replaced with drawings ST18890-PA5 Rev C, ST18890-PA6 Rev C, ST18890-PA7 Rev C, ST18890 PA8 Rev C and ST18890 PA9 Rev C.
44	Restoration and phasing pans PA5-PA9 and PA13.	Wording to remain the same but drawings PA5, PA6, PA7, PA8, PA9 and PA13 to be replaced with drawings ST18890-PA5 Rev C, ST18890-PA6 Rev C, ST18890-PA7 Rev C, ST18890 PA8 Rev C, ST18890 PA9 Rev C and ST18890 PA13 Rev B.
48	Restoration and management plan.	Wording to remain the same but reference to the Restoration, Management and Maintenance Plan to be updated to refer to the latest version.

Environmental Statement

57. The application is accompanied by an overarching Environmental Statement (ES) consented under applications SP12/01132 (MFQ) and SP13/01003/SCC (original alternative conveyor application), together with an ES addendum dated January 2023

submitted in support of application SP23/00160/SCC (current alternative conveyor application), reported elsewhere on this agenda, and an ES addendum dated March 2023 submitted in support of this application which addresses the proposed changes. The ES Addendum submitted in support of this application includes additional information on the potential environmental effects of the deposition of silt within Phases 1 and 2 of MFQ and alterations to the approved restoration of Phase 1. This is necessary to assess whether the proposed alterations give rise to materially new or materially different environmental effects to those previously assessed and reported.

58. Planning permission ref: SP/2012/01132 included the provision of an underground tunnel beneath Ashford Road to accommodate a conveyor link between the Manor Farm extraction area and the QMQ processing area for the transport of minerals to the processing plant. The planning application was subject to an Environmental Impact Assessment (EIA) and supported by an ES.
59. During the determination of the application, consultations with Natural England and Surrey Wildlife Trust raised concerns with regards to the route of the proposed conveyor and its impact on the non-statutory 'West of Queen Mary Reservoir' Site of Nature Conservation Importance (SNCI) designation. As a result of further discussions, the proposed conveyor route was amended to reduce its impact on the habitats of interest within the site and the West of Queen Mary Reservoir SNCI.
60. However, the revised route took the conveyor outside of the previously defined red line boundary of the site. As a consequence, the section of the re-aligned route which fell outside of the original redline boundary was the subject of a separate stand-alone planning application (ref: SP13/01003/SCC) for the siting and use of a conveyor to transport mineral extracted from Manor Farm to the mineral processing plant at QMQ as an alternative to the conveyor proposed in planning application ref: SP12/01132.
61. Given that the delivery of the conveyor was fundamental to the deliverability of the mineral extraction at MFQ, the separate planning application was deemed to also comprise EIA development. The original planning application for MFQ (ref: SP12/01132) and the application for the partial re-alignment of the conveyor route (ref: SP13/01003/SCC) were therefore considered under one EIA, with planning permission granted for both applications on 23 October 2015, and given the interdependency between the two permissions, they should be read as one. In the current situation, this application SP22/01006/SCRVC remains dependent on application SP23/00160/SCC for the siting and use of a conveyor to transport mineral extracted from Manor Farm reported elsewhere on this agenda.

Consultations and publicity

District Council

Spelthorne Borough Council

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| 62. | Planning | No objection. |
| 63. | Environmental Health Officer | The measures in the approved Dust Action Plan and Dust Monitoring Plan should be adhered to throughout the duration of the development. There would be no additional risks from the proposals. No objection regarding the Noise Assessment. |

Consultees (Statutory and Non-Statutory)

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| 64. | County Highway Authority | The application would not have a material |
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		impact on the safety and operation of the adjoining public highway.
65.	County Noise Consultant	No objection and points out that none of the conditions the applicant is seeking to amend relate to noise. Recommends that the existing noise conditions are brought forward.
66.	County Air Quality Consultant	No objection. With the continued use of the existing Dust Action Plan, there is unlikely to be any impacts on surrounding land users.
67.	County Geotechnical Consultant	Proposals are considered acceptable subject To conditions.
68.	Senior Ecology Officer	No objection. Proposal would not result in any additional potential impacts to species that have not already been assessed and consented as part of the previous application.
69.	County Landscape Officer	No objection subject to the previously recommended conditions.
70.	County Archaeological Officer	A scheme of archaeological mitigation has already been agreed at this site and is currently being implemented. Has no archaeological concerns with the proposal.
71.	Environmental Enhancement Officer	No objection and supports the principle of depositing the silt more widely across the site to enable the waterbodies to be retained albeit made shallower in order to increase their ecological value.
72.	Rights of Way	No objection provided safe public access is maintained at all times.
73.	Environmental Assessment Officer	The application comprises EIA development. The topic of ecology could be excluded from the scope of the ES Addendum as there would not be a fundamental change in the habitats created from those envisaged in the approved restoration scheme. Ecology can be addressed in the Planning Statement with supporting information set out in the Preliminary Ecological Appraisal.
74.	Lead Local Flood Authority	Content with the information provided as there is no increase in the impermeable area on site and no increase in surface run-off volume.
75.	Environment Agency	No objection subject to conditions.
76.	Natural England	No comments to make.
77.	Historic England	No comments to make.
78.	Surrey Wildlife Trust	Request the Restoration Management

and Maintenance Plan be for a period of 30 years in accordance with the Environment Act 2021. Advocate a more sustainable method of management than herbicide. Support restoration of the site to a varied/ diverse mosaic of habitats.

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| 79. | Thames Water | No comments. |
| 80. | Affinity Water | Proposal is located within a Source Protection Zone comprising a number of abstraction boreholes. The proposed development should be done in accordance with the relevant British Standards and Best Management Practices to reduce groundwater pollution risk. Appropriate monitoring and remediation methods would need to be undertaken if pollution is found. |
| 81. | Heathrow Airport Safeguarding | No objection. |
| 82. | Health & Safety Executive | Proposal does not currently lie within the consultation distance of a major hazard site or major accident hazard pipeline. |
| 83. | Esso Petroleum Company Ltd | No objection subject to the 'Special Requirements for Safe Working' booklet and The covenants contained in the Deed of Grant being adhered to. |
| 84. | National Grid - Asset Protection | No objection as the proposal is located away from our overhead lines and there are no gas assets affected in this location. |
| 85. | Planning Casework Unit/DCLG | No comment to make. |

Parish/Town Council and Amenity Groups

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| 86. | Queen Mary Sailing Club | No comments received |
| 87. | RSPB | No comments received |
| 88. | Manor Farm Residents Association | No comments received |
| 89. | Shepperton Residents' Association | No comments received |
| 90. | Laleham Residents' Association | No comments received |
| 91. | Ashford Road Residents Association | No comments received |
| 92. | Manor Farm Eastern Boundary Residents Association | No comments received |
| 93. | Spelthorne Natural History Society | Welcome amendment to Phase 1 to create a lake rather than heathland; depth of lake in Phase 1 should be increased to 2 metres to ensure it does not dry out; queries water level in the lake in Phase 2; queries how pipeline |

would be moveable if partly underground; opposes use of herbicide in proximity to water; queries why the applicant has taken so long to work out that silt capacity was insufficient; disagrees that the effect of silt deposition on hydrology would be minor; queries the number and type of pump(s) proposed; requests wet woodland is shown on the restoration plan; queries how the berms would be stabilised; lack of public access is contrary to policy promoting use of Green Belt land for community benefits; queries the evidence supporting the creation of 5 log/brush piles, 5 insect hotels, 6 bat boxes and 5 bird boxes; queries whether the EA agree that the impact on groundwater levels would be minor; questions which flood zone the application site is located within; queries if the applicant is aware of the revise draft Spelthorne Local Plan; queries whether the Surrey Minerals Plan review is a relevant consideration; do not consider that the walkover survey on 10 September 2021 constitutes an adequate ecological survey given the lapse of time and challenges the completeness of the bird survey list for QMQ; point out that Staines Moor and Shortwood Common are not one contiguous area; Consider insufficient attention has been paid to the possible effects of climate change; request that an updated bat survey and tree and hedgerow survey is undertaken; request that a water balancing exercise be undertaken given need for water to pump the silt and the impact of evaporation; and request that in order to protect nearby nature reserves, the water level and flow in the River Ash is not adversely affected should further abstraction be required.

- 94. Ramblers Association - Runnymede Spelthorne (Staines) No comments received
- 95. Open Spaces Society No comments received
- 96. Surbiton & District Bird Watching Society No comments received
- 97. Clag2 No comments received

Summary of publicity undertaken and key issues raised by public

- 98. The application was publicised in July 2022 by the posting of 10 site notices and an advert was placed in the local newspaper. A total of 334 owner/occupiers of neighbouring properties were directly notified by letter. Following the receipt of further information, the application was re-publicised in August 2023, October 2024 and December 2024 by the placement of site notices and the placing of an advert in the local newspaper. The number of owner/occupiers of neighbouring properties notified of the amending information was broadened and also included all those who had been previously notified and who had made representations.

99. A total of 27 letters of representation have been received raising the following points:

Traffic

- Vehicle access via Worple Road is of concern. It is relatively narrow. The road is busy and used by many school children (primary and secondary) in the morning.
- There is a chicane very close to the site entrance on Worple Road. This was put in to regulate the traffic so how is it acceptable to add further particularly heavy traffic to the road? It would cause problems for the access and egress of large vehicles to and from the site and for other users of the road with the extra-large vehicles.
- I hope that the site entrance on Worple Road would not be used by heavy vehicles entering and leaving the site causing further damage to our road and houses.
- The proposal would increase HGV traffic, cause wear and tear and lead to additional drain cleaning due to gravel dropped from HGVs.
- It is difficult already trying to get out onto Worple Road and this would make it worse.
- The road is likely to be damaged by heavy use and would be very dirty coming out of the site.
- As the underground access tunnel is built it would disrupt a main access road (Ashford Road), causing traffic to be diverted through Staines, an already heavily traffic congested area.
- Would the temporary access be used by trucks? How long would it remain in place?

Residential Amenity

- This is a very large industrial development in the middle of a quiet residential area. Family housing is very close to the site and especially the entrance and access. It would destroy the amenity of the area for residents.
- There is a limited amount of greenspace in the area. The planned works would take over two large farmland fields which are widely used by the community for exercising, walking dogs, a safe space for children to play. This would have an impact on the community.
- Works come far too close to properties in Brightside Avenue.
- Concerned about disruption when the quarry takes place.

Noise

- The proposal would generate an unacceptable level of noise no matter what barriers are in place.
- Noise from the aggregate lorries would be unacceptable.
- I do not want to hear the level of noise to increase from the site.
- Strongly object on grounds of noise.

Air Quality, Dust and Odour

- There would be particulate matter particularly to Buckland School, adjacent housing and Sports Facility, which would last for years.
- The proposal would result in dust.
- The proposal includes for a concrete batching plant and aggregate bagging plant. How would air quality be measured and monitored due to dust from these machines? How would additional health impacts be managed? There is no mention of Charles Road and Shaftesbury Avenue in the neighbour information note in relation to this matter.
- Strongly object on grounds of air pollution.
- Concerned about stagnant water smells.

Flooding

- After completion the lakes may increase the risk of flooding due to increased volume of water in close proximity to the Thames and the high level of the water table.
- What would happen if more silt needs to be disposed of than planned? The site is within Flood Zone 2. I assume the flooding calculations have accounted for differences in the permeability of the existing meadows and the silt?
- Main concern is risk of flooding when the water has nowhere to go when gravel is extracted and back filled with different types of material.

- The mention of flooding once in a 1000 years is totally wrong, we have had flooding with 10 years of each other.
- In the light of climate change, these open pits should be looked into in terms of what will happen with rain fall in the future.
- A quarry would reduce the water table making the area and surrounding area susceptible to flooding.

Environment

- The environment is already poor with the Shepperton Studios development ongoing. This would just add more misery.
- Concerns that the planting would become tinder in the extreme heat and create a fire risk.

Restoration

- It would be far more attractive for the land at Phase 1 to be built on over that of a lake which was originally proposed.
- It is unfair that an oversight by Brett Aggregates of not having enough silt disposal space at QMQ should require amending the design. This silt should be accommodated for at QMQ.
- The proposed scrubland would be less pleasing than a lake or the views prior to this of farm animals.
- Is there still a plan in place to provide a nature reserve adjacent to Buckland School?
- What are the changes to the bunds?
- There is no adequate explanation of what volume in tonnes this would be, nor an adequate explanation of how the additional silt would further displace the material being removed.
- We do not want large bodies of water, they should be returned to green fields. We are already surrounded by water, which is included in the green belt do we really want more water. Leaving the working as lakes is the easy option for Brett and saves them money so more profit.
- Consider having Phase 1 as a water body, albeit it to a lesser depth is a good solution that should help Brett, the neighbourhood and fits with the biodiversity. For this to be successful the depth of the water body within Phase 1 needs to be reasonable and not a marsh which dries out in summer. The Phase 1 land is somewhat tucked away and open to anti-social behaviour and the use of unauthorised motorised vehicles racing across the land. The presence of the cows on the land has somewhat kept this behaviour in check. This would be avoided by having Phase 1 as a water body.
- The planned rewilding of the site and transformation into public amenity is simply window dressing and completely impractical. Any site of the kind outlined in the proposal would require constant and costly maintenance and management. The proposal is not suitable habitat for birds given the close proximity to Heathrow Airport.
- The proposal should be restored to lakes and a nature conservation area. I do want to see the land restored as naturally as possible and maintained thereafter.
- This should be a permanent cost for Brett.
- Would there be fencing?
- Concerned that the depth of the lake in Phase 1 is too shallow and would dry up. This should be increased in depth and the silt should then go into the other phases.
- Currently the area is maintained, crops harvested, cows on the field. This would become a more overgrown and unsightly area.

Ecology/ Wildlife

- There is a huge amount of wildlife that would be lost/ affected.
- Would there be species rich grassland and how would it be maintained? What would happen after 25 years?

Lowland Heath

- The area of the proposed lowland heath is very small and would be difficult to maintain.

Trees

- The proposal would have a serious impact on trees.

Landscape

- The area is of natural beauty.
- Concerned that the surroundings would become unpleasant.

Rights of Way

- The area is currently accessible and this would be lost with this proposal.
- I do not see how the rights of way between Berrycroft Road and Ashford Road would be maintained for the duration of the works.
- The fields are currently used by the public for exercise and dog walking and these would be inaccessible during the period of the gravel extraction. After completion the available land for this purpose would be considerably reduced due to the area taken up by the lakes.

Archaeology

- The area has high potential to find archaeological remains which would be lost through this proposal.

Agricultural Land

- Concern over loss of agricultural land.

Green Belt

- This is opening the floodgate to gradual erosion of Green Belt land. Just look at what has happened with Shepperton Studies. Would this remain Green Belt land?

Timing

- The works in Phase 1 were to take a year, they would now take 5 years causing more disruption. There is no timescale for the drying out of the silt. Given the drying out period would extend well beyond the full 5-year extraction period, the restoration phase would need to be extended until the slurry pit has been assessed to be safe.

Health and Safety

- Having a lot of machinery around raises the question of safety for children and animals from the schools, households and wider community.
- A slurry pit would present a far greater threat to life than standing water. It would have similar characteristics to quicksand for years. Would additional safety features be incorporated around the perimeter of the pit until the surface has been demonstrated safe enough to support human presence?
- I do not object to public access in principle but would want to ensure it is safe and the rear of my property is secure.
- There should be a condition for a park ranger to patrol the lakes.

Finance

- It is clear that making changes to Manor Farm is a cheap option to correct Brett Aggregates mistakes.
- Residents wished for this site to be backfilled previously. It appears that the sole basis for this application is financial rather than exporting the silt elsewhere.
- Creation of lakes is not really for environmental purposes but to remove costs of infilling.
- Would present a drowning hazard to children in view of the nearby schools and housing.

Procedural Matters

- One month is not enough time to allow opposition to this major application.
- The application drawings are confusing.
- Has tried to find the letters and emails from the planning agent without any luck as there are so many forms.

Other matters

- The value of my property would be affected by the proposal.
- The proposal would increase the risk of illegal use no matter what security is in place. In the past people having parties, motorbikes and other groups of people accessing the land behind or the strip between the rear of the houses and the planted trees. It is quite worrying to have unwanted visitors having the ability to access the area and also be able to gain access to the gardens of homes bordering the Phase 1 land.
- We did not know about this proposal when we brought our property.
- I am potentially affected by the 'grassland' area to the west of the Phase 4 restoration. This area was originally intended as community allotments and various drawings and other documents on file still make reference to this. Can all such references be removed or at least a specific condition imposed that ensures the area is not used as allotments. I would be concerned for sheds and other structures being erected, vehicle access and bonfires.
- Strongly object due to possible structural damage to property due to earth movement.

Officer comments

100. A number of representations, particularly those relating to traffic, express concerns over the impacts of mineral working at Manor Farm including the construction of the tunnel beneath Ashford Road and the development of the concrete batching plant and aggregate bagging plant at QMQ. However, the mineral working, tunnel, concrete batching plant and aggregate bagging plant have already been granted planning permission under planning permission ref: SP2012/01132 dated 25 October 2015. This application is proposing to amend some of the conditions imposed on application SP2012/01132 to allow the importation of silt from QMQ to land at Manor Farm by flexible pipeline and to make some relatively small amendments to the approved restoration scheme for land at Manor Farm.
101. It should be noted that representations relating to the restoration of Phase 1 to Lowland Heath can be discounted. These comments were made in 2022 when the planning application was first made proposing a restoration design to lowland heath. The application has subsequently been amended to remove this element and instead, whilst silt deposition is proposed, the waterbodies to be provided would remain very similar to those shown on the permitted restoration plan for planning permission ref: SP12/01132, albeit the waterbodies in Phases 1 and 2 would be shallower.

Planning considerations

Introduction

102. 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.
103. In this case the statutory development plan for the consideration of the application consists of the Surrey Minerals Plan 2011 (SMP); Spelthorne Borough Local Plan 2001 Saved Policies and Proposals (SBLP); and Spelthorne Borough Core Strategy and Policies Development Plan Document 2009 (SBCS&P DPD). Adopted alongside the SMP 2011 was the SMP Minerals Site Restoration Supplementary Planning Document (SPD).
104. The County Planning Authority (CPA) is in the process of preparing a new Minerals and Waste Local Plan (MWLP) for Surrey which would replace the existing Surrey Minerals Plan 2011 and SWLP 2020. The MWLP remains at an early stage of preparation with the Issues and Options document being published for consultation between 15 November 2021 and 7 March 2022.

105. The Borough Council is in the process of preparing a new local plan and submitted the Pre-submission Spelthorne Local Plan 2022 ('PSLP') to the Secretary of State in Autumn 2022. The Local Plan Examination recently resumed in January 2025 after a pause in 2023 with Hearing sessions scheduled to be completed in February 2025. As the PSLP has been subject to a number of rounds of public consultation, Officers consider that some weight can be attributed to the draft policies contained within the document.
106. In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations. For planning applications accompanied by an Environmental Statement (ES), the environmental information contained in it will be taken into consideration and reference will be made to it.
107. 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 the proposed changes to the restoration design of MFQ through the importation and deposition of silt and any consequential impacts from this including highways, traffic and access, restoration and landscaping, flooding, ecology, air quality, archaeology, noise and impact on the Green Belt.

SECTION 73A APPLICATIONS (s73)

108. This application is submitted under Section 73 of the Town and Country Planning Act 1990 (as amended). Section 73 provides for the determination of applications to develop land without compliance with conditions previously attached. Section 73A of the Act, provides, for retrospective planning applications to be made in respect of development which has been carried out before the date of the application, and applies (inter alia) to development carried out without complying with some conditions subject to which planning permission was granted. As the pipeline has already been developed between the processing plant at QMQ and Phase 1 at MFQ, Officers consider that this application has become a Section 73A application by default.
109. Local planning authorities can grant permission to applications under Section 73 unconditionally or subject to different conditions from those subject to which the previous permission was granted, or they can refuse the application if they decide the original condition(s) should continue. If granted, a Section 73 planning application creates a fresh planning permission and leaves the existing planning permission intact. The development, which the application under Section 73 seeks to amend, will by definition have been judged to be acceptable in principle at an earlier date.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

110. Planning application SP/2012/01132, by virtue of its size, fell within the parameters of Schedule 1 development as set out in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (EIA Regs 2011)². This required the submission of an Environmental Statement (ES) which included chapters on ecology, landscape and visual impact, air quality and dust, archaeology, traffic, noise, hydrology and hydrogeology, and flood risk assessment and drainage. This ES also included an ES Addendum submitted in support of application SP13/01003/SCC (original alternative conveyor application) which together formed an overarching ES. This overarching ES now also includes an ES Addendum dated January 2023 submitted in support of application SP23/00160/SCC (current alternative conveyor application), reported elsewhere on this agenda. Given the changes now being proposed to application SP/2012/01132, the applicant has submitted an ES Addendum 2023 in support of this Section 73 application that accompanies the overarching ES.

² Now superseded by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017

111. The EIA Screening Opinion issued by Surrey County Council (SCC) required this Section 73 application to be accompanied by copies of the original ES and ES Addendum submitted in support of the extant permissions SP/2012/01132 (main permission) and SP13/01003/SCC (revised conveyer route). The planning application and ES Addendum should therefore be read in conjunction with these original documents, as well as the ES Addendum submitted in support of application SP23/00160/SCC.
112. When this Section 73 planning application was originally submitted, silt deposition was only proposed in Phase 1 which would have resulted in that phase being restored to original ground levels and the implementation of a dry restoration comprising heathland. However, it was agreed during consultation with the Environmental Enhancement Officer that the proposed deposition of silt should be split between the Phase 1 and Phase 2 voids (approximately 60% of the silt in Phase 1 and 40% of the silt in Phase 2). By distributing the silt more evenly between the two phases, it would mean that the permitted restoration scheme would largely remain as existing in terms of the restoration principles and habitat creation. The only difference would be the location of the causeways within the waterbody and the depth of the waterbodies, which would now be shallower. Above ground, the restoration would be almost identical to that which is already approved and accepted by SCC and its consultees.
113. As this application does not propose to vary the quarrying operations, mineral extraction quantities, methods or timescales which formed the basis of the original planning permission and EIA, and as it is now the intention to keep the restoration largely the same as the permitted restoration scheme, with regard to the ES Addendum, this is now focussed on hydrology and noise only. Cumulative effects were not considered as part of the ES Addendum either as there was not likely to be any new or different significant cumulative effects to those considered within the previous ES, due to the proposals comprising relatively minor changes to the operation and restoration of an existing approved quarry. All of the other topics which were previously included in the original planning application have been scoped out as it is not considered that there would be any significant environmental effects resulting from the proposed alterations in respect of those topics.

GREEN BELT

Surrey Minerals Plan Core Strategy DPD 2011

Policy MC3: Spatial Strategy - Mineral development in the Green Belt

Spelthorne Borough Local Plan 2001 'Saved Policies'

Policy GB1: Development Proposals within the Green Belt

Pre-submission Spelthorne Local Plan 2022

Policy SP4: Green Belt

114. The application site is situated within the Metropolitan Green Belt where policies of restraint apply. Paragraph 142 of the National Planning Policy Framework (February 2025) (NPPF) explains that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, with the essential characteristics of Green Belt being its openness and its permanence. NPPF paragraph 143 states that Green Belt serves five purposes: (a) to check the unrestricted sprawl of large built-up areas, (b) to prevent neighbouring towns merging into one another, (c) to assist in safeguarding the countryside from encroachment, (d) to preserve the setting and special character of historic towns, and (e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. Of these purposes, purpose c) is the most relevant to this proposal. Paragraph 153 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

115. Minerals can only be worked where they are found, and a feature of such development is that it is reversible through restoration and a temporary activity. The NPPF at paragraph 154 recognises mineral extraction need not be inappropriate development provided it preserves the openness of the Green Belt and does not conflict with the purposes of including land within the Green Belt. When determining planning applications, paragraph 224 of the NPPF states that great weight should be given to the benefits of mineral extraction, including to the economy and in considering proposals for minerals extraction, mineral planning authorities should ensure that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety and provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards, through the application of appropriate conditions.
116. Policy MC3 of the SMP CS DPD states that mineral extraction in the Green Belt will only be permitted where the highest environmental standards of operation are maintained and the land restored to beneficial after-uses consistent with Green Belt objectives within agreed time limits. The supporting text at paragraphs 3.45 and 3.47 of the SMP CS DPD, refers to almost all mineral working in Surrey being in the Green Belt, and the need for restoration of mineral workings to have regard to the objectives set out in paragraph 3.47 of the SMP CS DPD which includes securing nature conservation interest.
117. SMP CS DPD Policy MC17 requires mineral working proposals to provide for restoration and post restoration management to a high standard. Restoration of mineral workings should be completed at the earliest opportunity and progressive restoration will be required where appropriate with restored sites being sympathetic to the character and setting of the wider area and capable of sustaining an appropriate after-use. For mineral working in the Green Belt, after-uses should be appropriate to that designation, these include agriculture, forestry, recreation and nature conservation.
118. 'Saved' Policy GB1 of the SBLP outlines that development within the Green Belt will not be permitted which would conflict with the purposes of the Green Belt and maintaining its openness. Subject to the above, development will not be permitted except for uses appropriate to the Green Belt comprising, amongst other named uses, (b) uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it.
119. PSLP draft Policy SP4 sets out that to uphold the fundamental aims of the Green Belt to prevent urban sprawl and to keep land within its designation permanently open, inappropriate development will not be approved unless very special circumstances can be demonstrated. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm is clearly outweighed by other considerations.
120. The original planning application for mineral extraction at MFQ (ref: SP12/01132) involved development which if assessed separately comprised elements of development which would not amount to inappropriate development in the Green Belt (proposed extraction at Manor Farm, and use of the processing plant and site infrastructure at QMQ), and elements (concrete batching plant and aggregate bagging plant) which would have amounted to inappropriate development in the Green Belt. Case law has held that when assessing such applications against Green Belt policy the whole development should be treated as a single development proposal when assessing impact on Green Belt.
121. As a consequence, the original application for MFQ was assessed as being inappropriate development in the Green Belt which would cause harm by reason of inappropriateness. To grant planning permission for inappropriate development in the Green Belt, SCC had to be satisfied that there were factors which amounted to the very special circumstances necessary to justify the development, which clearly outweighed the harm to Green Belt by reason of inappropriateness and any other harm. As very special circumstances were considered to exist, the application was in accordance with Green Belt policy.

122. In considering this Section 73 proposal the application remains one that is, by definition, inappropriate development in the Green Belt and an assessment needs to be made on whether there is any additional impact arising from the proposals on the openness of the Green Belt, whether any 'other harm' arises and whether the very special circumstances which were considered on the original proposal still apply.
123. In the following sections of the report the proposed development is assessed to identify any areas of additional 'other harm' together with impact on the openness of the Green Belt. Conclusions on the impact of the proposals on the Green Belt are then set out in paragraphs 248-250.

HIGHWAYS, TRAFFIC AND ACCESS

Surrey Minerals Plan 2011 Core Strategy DPD

Policy MC14: Reducing the adverse impacts of mineral development

Policy MC15: Transport for minerals

Spelthorne Borough Core Strategy and Policies DPD 2009

Policy SP7: Climate Change and Transport

Policy CC2: Sustainable Travel

Pre-submission Spelthorne Local Plan 2022

Policy ID2: Sustainable Transport for New Developments

124. The traffic generated by transporting minerals is one of the most significant impacts of mineral working and a concern to those living and travelling in the vicinity of mineral sites. Surrey Minerals Plan Core Strategy DPD (SMP CS DPD) Policy MC14 seeks to ensure that there would be no significant adverse impacts arising from the development including in relation to the impact of traffic. Policy MC15 of the SMP CS DPD states that applications for mineral development should include a transport assessment of potential impacts on highway safety, congestion and demand management and explore how movement of minerals within and outside the site will address issues of emissions control, energy efficiency and amenity. Paragraph 7.3 of the SMP CS DPD recognises that for short distances, conveyors and pipelines can be very effective alternatives to transport of mineral by lorry. They are most commonly used to transport mineral within sites or between sites from where mineral is extracted to the site where it will be processed.
125. Spelthorne Borough Core Strategy and Policies DPD (SBCS&P DPD) Policy SP7 seeks to ensure development is located in a way which reduces the need to travel and encourages alternatives to car use. Through Policy CC2 the borough council seeks to secure more sustainable travel patterns through means such as only permitting traffic generating development where it is or can be made compatible with the transport infrastructure in the area taking into account: (i) number and nature of additional traffic movements, including servicing needs; (ii) capacity of the local transport network; (iii) cumulative impact including other proposed development; (iv) access and egress to the public highway; and (v) highway safety. Policy ID2 of the Pre-submission Spelthorne Local Plan 2022 ('PSLP') states that the Council will require development proposals to incorporate opportunities to facilitate sustainable and active modes of travel.
126. The proposal to transport silt from QMQ to MFQ by pipeline would prevent the need for this material to be transported by HGV. No changes are proposed to the way in which mineral would be transported off site from Manor Farm, this being by conveyor to the processing plant at QMQ. From there, processed mineral (as loose bulk loads or as bagged sand or gravel; or as concrete) would be exported by road via the existing QMQ access onto the A308 Kingston Road. A new access off Ashford Road and modifications to the existing agricultural access off Worple Road were permitted as part of planning permission ref: SP/2012/01132, to provide vehicular access to the MFQ part of the site so as to enable deliveries of fuel, equipment and machinery for each phase and for the periodic maintenance of the conveyor.

127. Therefore, these access points would not be used for regular HGV movements. This proposal is seeking to allow a silt pipeline to run back from the processing plant at QMQ to MFQ to enable silt to be deposited into the waterbodies. This pipeline would run alongside the conveyor route and would require no further development.
128. HGV traffic associated with the import and export of all minerals and mineral products to and from QMQ are limited to a maximum of 300 two-way HGV movements per working day (150 inbound / 150 outbound). This limit applies in relation to all permitted activities at QMQ including the use of HGVs in association with the transport of processed minerals extracted from MFQ.
129. HGV movements to and from QMQ and their associated impacts from the proposed development (both individually and cumulatively for QMQ as a whole) were considered as part of the determination of planning application ref: SP/2012/1132. Condition 11 stipulates that there shall be no export of mineral from MFQ by HGV and this requirement would continue to apply. This proposal does not seek to change the volume of sand and gravel extracted from Manor Farm nor the method of exporting mineral and mineral products. As the only change is the piping of silt back to Manor Farm by a pipeline which has no effect on the amount of sand and gravel, bagged aggregates or concrete to be exported, and therefore the number of HGV movements, Officers are satisfied the proposal would have no significant adverse impact on HGV movements to and from QMQ.
130. Planning permission ref: SP/2012/01132 imposed a number of highway related conditions for the detailed design of the accesses off Worple Road and Ashford Road, and the use of these accesses alongside their removal on cessation of the development. A Section 278 Legal Agreement was also entered into for the construction of a tunnel beneath Ashford Road and public footpath 30 for the conveyor that would travel between MFQ and QMQ. The legal agreement also provides for a second Section 278 Legal Agreement to be entered into dealing with the decommissioning and removal of these tunnels and the reinstatement of Ashford Road and public footpath 30 to their condition prior to the construction of the tunnels following the completion of the development. The requirements of these conditions would remain.
131. The Section 106 Legal Agreement dated 14 October 2015 reinforces the requirement for the total number of HGV movements generated by planning permission ref: SP/2012/01132, when measured in combination with the HGV movements associated with the developments permitted under the QMQ permissions, not to exceed 300 movements on any working day. However, the definition of the QMQ permissions contained in the legal agreement excludes planning permissions ref: SP07/1269 and SP13/01236/SCC which relate to the removal of part of the breakwater baffle within QMR, the dredging of the underlying sand and gravel, the landing of the mineral and processing. This is because Condition 4 of planning permission ref: SP/2012/01132 prevented the commencement of mineral extraction at MFQ until mineral extraction from the QMQ 'baffle' permission (refs SP07/1269 and SP13/01236/SCC) had finished. Therefore, mineral extraction from MFQ and mineral dredging from QMR could only take place consecutively. As a consequence, it was not necessary for the legal agreement to refer to the 'baffle' permissions at QMQ.
132. However, in September 2020, SCC approved an NMA to planning permission ref: SP/2012/01132 (ref: SP/2012/01132/SCA4) to allow the removal of Condition 4 so that land at Manor Farm could be worked for mineral at the same time as the dredging of the mineral underlying part of the breakwater baffle. As a consequence, in the event that planning permission is granted, a Deed of Variation to the Section 106 Legal Agreement would be required to add planning permission references SP07/1269 and SP13/01236/SCC to the definition of the 'Queen Mary Quarry Permissions' contained in the legal agreement.
133. The County Highway Authority (CHA) has assessed the application in terms of the likely net additional traffic generation, access arrangements and parking provision and are

satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The County Highway Authority therefore has no highway requirements.

134. The Borough Council has raised no objection to the application. A number of representations have expressed concerns relating to traffic related matters associated with mineral operations at MFQ. However, mineral extraction from MFQ and transport by conveyor to QMQ for processing has already been granted planning permission subject to a number of conditions to control the impacts of the development including those relating to traffic. As the application would not increase the number of aggregate lorries generated by the proposal above the existing limit, and the use of the two access points to MFQ would be very limited, Officers are satisfied that traffic generated by the proposed development would not have a significant impact on the transport network.

Conclusion on highways, traffic and access

135. Mineral would continue to be transported from MFQ to the mineral processing plant at QMQ by conveyor preventing the need for the mineral to be transported between the two sites by HGV. The transport of silt by pipeline between QMQ and MFQ would also prevent the need for large numbers of HGV movements between the two sites. In view of the above findings, Officers are satisfied that traffic generated by the proposed development would not have a significant impact on the transport network.
136. Subject to securing a Deed of Variation to the Section 106 Legal Agreement dated 14 October 2015 to limit the number of HGV movements in combination with other planning permissions at QMQ, including planning permissions ref: SP07/1269 and SP13/01236/SCC, to no more than 300 HGV movements (150 two-way movements) on any working day, Officers are satisfied that the proposal is acceptable and complies with the relevant development policies and that there is no additional harm arising from this application.

ENVIRONMENT AND AMENITY

Surrey Minerals Plan 2011 Core Strategy DPD

Policy MC14: Reducing the adverse impacts of mineral development

Policy MC17: Restoring mineral workings

Policy MC18: Restoration and enhancement

Spelthorne Core Strategy and Policies Development Plan 2009

Policy LO1: Flooding

Policy SP6: Maintaining and Improving the Environment

Policy EN3: Air Quality

Policy EN8: Protecting and Improving the Landscape and Biodiversity

Policy EN11: Development and Noise

Spelthorne Borough Local Plan 2001 'Saved Policies'

Policy RU11: Sites of Nature Conservation Importance

Policy RU14: Sites of Nature Conservation Importance

Policy BE25: Archaeology and Ancient Monuments

Pre-submission Spelthorne Local Plan 2022

Policy PS3: Heritage, Conservation and Landscape

Policy E2: Biodiversity

Policy E3: Managing Flood Risk

Policy E4: Environmental Protection

Restoration and Landscaping

137. NPPF paragraph 224 states that in considering proposals for minerals extraction, mineral planning authorities should provide, inter alia, for restoration and aftercare at the earliest opportunity and to high environmental standards.

138. SMP CS DPD Policy MC14 seeks to ensure that there would be no significant adverse impacts arising from the development including in relation to the need to manage the risk of birds striking aircraft and the appearance, quality and character of the landscape and any features that contribute to its distinctiveness. Policy MC17 of the SMP CS DPD states that mineral working will be permitted only where the MPA is satisfied that the site can be restored and managed to a high standard. Restored sites should be sympathetic to the character and setting of the wider area and capable of sustaining an appropriate after-use. Restoration of mineral workings should be completed at the earliest opportunity and progressive restoration will be required where appropriate.
139. SMP CS DPD Policy MC18 encourages mineral operators and landowners to deliver benefits such as enhancement of biodiversity interests, improved public access and provision of climate change mitigation such as greater flood storage capacity. Where appropriate, a wider area enhancement approach should be developed, linking restoration proposals for mineral sites or linking site restoration to other green infrastructure initiatives.
140. The SMP Minerals Site Restoration SPD identifies MFQ as Preferred Area J and states that given the limitations in accessing the site by conventional means (i.e. no direct easy access to a highway, the mineral has to be transported via conveyor link), the restoration would likely comprise no importation of fill material necessitating wet restoration. However, the SPD states that if a feasible and acceptable method of importation could be found, then an alternative restoration option could be considered. Further, paragraph 2.5 of the SPD sets out that with schemes often taking many years to complete, it is important to have regard to changing circumstances which may arise. There must be a flexibility to amend restorations where this would improve the quality of the end scheme. This need for a flexible approach is built on further at paragraph 3.17 which sets out that all of the indicative restoration schemes will need to be flexible to adjust to whatever the situation is with regard to the availability of inert waste material at the time of undertaking restoration.
141. The proposal involves the deposition of silt into Phases 1 and 2 which would result in the creation of shallower waterbodies alongside the provision of an additional causeway in Phase 1. The applicant is also proposing additional peripheral planting around the edges of the waterbodies within Phase 1 to reduce grazing potential for geese and swans with the new causeways being planted with trees and shrubs to break up potential flight lines for water birds. This is intended to ensure that the amendments to the permitted restoration scheme would not increase the risk of bird strike.
142. Given the location of the application site within the consultation area for Heathrow Airport in respect of bird strike, as shown on the aerodrome safeguarding map lodged with the MPA, the restoration design that formed part of planning permission ref: SP/2012/01132 was influenced by airport safeguarding. This was because it comprised waterbodies. The permitted restoration scheme therefore included robust aquatic margins to ensure that waterfowl species would be unable to access the banks.
143. The restriction on public access ensured that the public would not be able to feed the birds. The site is also subject to an approved Bird Hazard Management Plan (BHMP) by virtue of Condition 36 of planning permission ref: SP/2012/01132 which would remain in force for the operational life of the site including restoration and perpetuity. This application does not seek to amend the requirements of the BHMP which would remain applicable for the site. Heathrow Airport has assessed the application against safeguarding criteria and has no safeguarding objection to the proposed development.
144. The changes to the amendments to the restoration scheme proposed in the submitted application were prepared in response to advice provided by the Restoration and Enhancement Officer. This followed concerns raised by the Restoration and Enhancement Officer over the appropriateness and viability of the initial proposal to provide a terrestrial / dry habitat in Phase 1 with heathland planting. This was due to the difficulty of delivering heathland on wet silt, the unsuitability of the location for heathland and the large amount of management and resource that would be required in order to maintain the heathland post

restoration. The Spelthorne Natural History Society (SNHS) also commented that the creation of lowland heath was unacceptable.

145. The supporting ES Addendum 2023 reports on the potential environmental effects of the deposition of silt and focuses on the topics which are likely to be most affected by the proposed changes: hydrology and noise. All other environmental topics are screened out of the ES Addendum due to the limited nature of the alterations being sought. The supporting ES Addendum reports that no significant adverse impacts are expected as a result of the silt deposition and concludes that the proposed alterations will not materially affect the conclusion of the original ES.
146. The provision of an additional topsoil bund in the north-eastern corner of Phase 1 and a temporary mineral stockpile within the vicinity of Phases 1A and 1B are not considered to have a significant adverse impact on the appearance, quality and character of the landscape given that the bund and stockpile would be temporary in nature, being present during Phase 1 of the development only, and seen in the context of the other material storage bunds to be located around Phase 1. Whilst some overburden and topsoil bunds would be maintained within the south of Phase 1 during the extraction of future phases, they would remain temporary in nature and be removed prior to the completion of the restoration of the site. The slight alteration to the positioning of the permitted temporary overburden/topsoil bunds to facilitate the silt deposition is considered to have a neutral impact on the landscape. A section of the silt pipeline would be visible from Ashford Road outside the access to MFQ. However, when seen in the context of the conveyor which would run alongside it, any landscape impact is considered to be negligible.
147. Whilst there would be some delay to the progressive restoration of the site, there would be no delay to the completion date for restoration as a result of this proposal. Therefore, restoration would continue to take place at the earliest opportunity in accordance with restoration policy requirements. Further, there is no reason to believe that the delay to the progressive restoration of the site would have an unacceptable impact nor result in the standard of restoration not meeting the Green Belt policy requirement of providing restoration to a high quality standard.
148. In relation to the delay to the removal of some of the bunds, the County Landscape Officer has acknowledged that there would be some additional adverse operational effects on visual receptors (e.g. from Footpath 29), together with perception of the increased operational activity from the silt deposition. However, given the existing perimeter screening from hedgerows (which would reduce in the winter months), the County Landscape Officer agrees that there is unlikely to be significant new adverse effects on visual receptors from the revised restoration scheme.
149. As a consequence, Officers consider that the proposal accords with the principles of sustainable development by making the best and most efficient use of available resources and avoiding sterilisation of minerals. MFQ would continue to be restored to a nature conservation after-use in accordance with the permitted restoration requirements for the site.
150. The Restoration and Enhancement Officer has assessed the amended restoration proposal and has no objection to the revised restoration scheme. The SNHS has also welcomed the amendments to Phase 1 to retain the permitted lake rather than to completely infill the mineral extraction void and provide heathland. The County Landscape Officer has advised that the switch from heathland restoration in Phase 1 to the approved wetland restoration, albeit with shallower waterbodies in part due to the silt deposition is acceptable from a landscape perspective, albeit they consider that the shallower water levels may result in development of wet woodland rather than open water / reedbeds. Further, the Surrey Wildlife Trust supports the restoration of the site to a varied/ diverse mosaic of habitats.

151. The SNHS have expressed a number of concerns with the proposals and consider the depth of the lake in Phase 1 should be increased to prevent it from drying out. Some representations have also been received raising similar concerns. In response, the applicant has advised that the 1m depth proposed in the Phase 1 waterbody is the average depth. Whilst this would fluctuate during the year, the applicant states that they have extensive groundwater monitoring information at the site over a 14 year period which shows that the seasonal variation is relatively small, typically 0.5m to 1m per year, and the base of the eastern lake (Phase 1) is below the minimum recorded groundwater level across this period. The applicant adds that the proposed base of the eastern lakes is at 11.2m above ordnance datum (AOD) and groundwater monitoring boreholes around this area indicate that average groundwater levels are between 11.9m and 12.2m AOD with a minimum of 11.61m AOD (i.e. 0.41m deep).
152. The applicant therefore expects that the Phase 1 waterbody would fluctuate between around 0.4m deep in very dry periods to up to 1.7m deep in very wet periods. The applicant adds that advice from their ecologists confirm that an average depth of between 15cm to 50cm is sufficient to enable reedbeds to establish and grow. Further, the sloping banks of the waterbodies would provide a suitable environment / water depth to enable the creation/ retention of these habitats. The supporting Restoration Technical Note and Restoration Management and Maintenance Plan include details as to how the habitat would be implemented and managed during the restoration period.
153. The SNHS has queried the number of pumps that would be used on site. The applicant has clarified that the existing pump at QMQ would be utilised to move silt and a further pump would be installed at MFQ to pump clean water back to QMQ in order to maintain an equal displacement of water in both QMQ and MFQ.
154. The SNHS has asked how the pipeline would be moveable if it would be situated partly underground and, together with the Surrey Wildlife Trust, has expressed concern with the proposed use of herbicide on site. The applicant has clarified that the pipeline would sit above ground apart from where it goes through the two culverts beneath Ashford Road and footpath 30. Officers consider that an Informative should be added advising the applicant to use a more sustainable method of management where possible in order to reflect the advice of the Surrey Wildlife Trust.
155. The SNHS has requested that the proposed wet woodland be shown on the Landscape Restoration Map, advised that the bunds should be seeded sooner rather than later if they are not to be eroded in bad weather and has queried the nature of the proposed berms and how they would be stabilised. The applicant has confirmed that wet woodland is shown on the restoration plan, grass seeding would be undertaken upon construction of the bunds, the berm would comprise a barrier of overburden material within the void space to separate silt deposition and mineral extraction and stabilisation works would not be required.
156. The SNHS has commented that providing no public access goes against the spirit of NPPF policy which promotes the use of the Green Belt for the benefit of the community. The applicant explains that public access is provided by public footpaths across the site. Aside from this, the site comprises private land which is required to be fenced to prevent public access beyond the public footpaths. A conservation study area is approved as part of the original MFQ permission towards the north-western corner of the site which would be available as an outdoor study area for Buckland Primary School. Further, the applicant is committed to continuing to engage with the local community to deliver this.
157. The SNHS has commented that a water balancing exercise needs to be undertaken as the applicant's current licence to extract water from QMQ for the purpose of mineral washing does not cover concrete production, dust suppression, vehicle washing or the potential need for landscape irrigation. In addition, water would be needed to facilitate the pumping of the silt back to the Phase 1 void. The applicant has advised that this would be an environmental permitting matter and not a planning consideration. The abstraction licence

covers mineral washing, concrete production and dust suppression and as the site is to be worked wet, only a relatively small volume of water would be required for dust suppression purposes which could potentially be obtained via a variation to the existing licence.

158. Officers have reviewed the applicant's responses to the comments made by the SNHS and consider these to be reasonable and robust. A number of representations have been received expressing concerns over the restoration of the site to a series of lakes. A wet restoration has previously been accepted and permitted and the application is only seeking relatively small amendments to the restoration of Phases 1 and 2, which are proposed to remain as waterbodies.

Conclusion on restoration and landscaping

159. Having assessed the proposed amendments to the permitted restoration scheme for MFQ, Officers are satisfied that the restoration to a nature conservation after-use would enable the progressive restoration of the site, comprise an appropriate after-use and would not affect the timescale for the completion of the restoration of MFQ in accordance with the requirements of SMP CS DPD Policy MC17. Officers accept that the proposed changes to the restoration scheme would be more sympathetic to the character and setting of the landscape of the wider area given that the shallower waterbodies in Phases 1 and 2 would better reflect the approved restoration scheme for QMQ located a short distance to the east. The changes to introduce shallow wetland, reedbed and wet woodland would increase the habitat diversity of the site and contribute to biodiversity targets in Surrey. In these respects, the proposal would meet the requirements of SMP CS DPD Policy MC18. Further, Officers are also satisfied that the proposal would not result in any adverse impact on the appearance, quality and character of the landscape or the need to manage birdstrike in accordance with SMP CS DPD Policy MC14 and that there is no additional harm arising from this application.

Flooding

160. Paragraph 181 of the NPPF, states that local planning authorities should ensure that flood risk is not increased elsewhere and where appropriate, applications should be supported by a site-specific flood-risk assessment.
161. The Surrey Minerals Plan 2011 (SMP) recognises the difficulties in balancing meeting the need for mineral development and ensuring the impact from mineral working does not result in unacceptable impacts on local communities and the environment. SMP CS DPD Policy MC14 seeks to ensure that there would be no significant adverse impacts arising from the development including in relation to the impact of flood risk, water quality and land drainage.
162. Policy LO1 of the SBCS&P DPD sets out that the Council will seek to reduce flood risk and its adverse effects on people and property by, amongst other matters, maintaining flood storage capacity within Flood Zone 3 by refusing any form of development on undeveloped sites which reduces flood storage capacity or impedes the flow of flood water; not permitting 'more vulnerable' uses within Zone 3a or 'highly vulnerable uses' within Zone 2 where flood risks cannot be overcome; requiring any development in Zones 2, 3a and 3b to be designed to be flood resilient/resistant; and requiring all development proposals within Zones 2, 3a and 3b to be supported by an appropriate Flood Risk Assessment.
163. PSLP Draft Policy E3 states that to reduce the overall and local flood risk and manage water resources, development must be located, designed and laid out to ensure that it is safe, the risk from flooding is minimised (whilst not increasing flooding risk elsewhere) and that residual risks are safely managed. All development proposals are required to demonstrate that land drainage will be adequate and that they will not result in an increase in surface water run-off.

164. The River Ash runs between the QMQ part of the application site and QMR to the east. The River Thames runs to the south-west of MFQ. The QMR intake channel runs from the Thames along a route to the south of MFQ and the southern boundary of the QMQ site. The application site is situated in Flood Zones 1, 2 and 3 and within a major aquifer and mostly within a groundwater source protection zone 3 for public water supply (Chertsey).
165. The application is supported by an updated Flood Risk Assessment and Surface Water Drainage Strategy (FRA) and hydrological / water resource assessment which were submitted as part of the ES Addendum 2023. These indicate that MFQ is located within Flood Zones 2 and 3A and assess the impact of the silt deposition and revised restoration proposals on the local water environment. The site was assessed for a range of potential sources of flooding including fluvial, tidal, surface water, groundwater, sewers, and water mains and infrastructure failure and the assessment.
166. An assessment of the potential flood storage loss from locating topsoil and overburden bunds within the floodplain against the floodplain gain from the excavations has been undertaken and demonstrates that the proposed development will provide a net-gain in storage volume on both a level for level and cumulative basis.
167. The assessment highlights that the potential flood risk and surface water drainage can be managed within the confines of the site for the proposed development lifetime and concludes that following restoration of the site, the hydrological and hydrogeological regime will return to a comparable or improved standard than the baseline setting and there will therefore be no residual effects on the water environment beyond the project timescales / longer term. The proposed amendments to the permitted restoration scheme will not materially alter the conclusions contained in the original ES which found that the site was not expected to have any adverse impact on the water environment.
168. In relation to the water environment, the ES Addendum states that the water resources assessment concludes that following the implementation of suitable best practice and the surface water management plan, the potential effects upon groundwater levels, flow, recharge and quality and surface water flow, flood risk and quality would not be significant. The ES Addendum adds that the restoration scheme for Phases 3 and 4 would remain unchanged from the currently permitted design, introducing a large waterbody in the western part of the MFQ site which would provide significant additional flood storage when compared to current ground levels. It also refers to the conclusion of the Flood Risk Assessment (FRA) which finds that the potential flood risk and surface water drainage can be adequately managed on site for the proposed development lifetime; the proposed development would not result in a detrimental alteration to the risk of flooding off-site; and that following the restoration of the site, the hydrological and hydrogeological regime is considered to return to a comparable or improved standard compared to that which currently exists.
169. The Lead Local Flood Authority (LLFA) has commented that they are content with the information provided as there would be no increase in the impermeable area on site and no increase in surface run-off volume. Thames Water has advised that they have no comments.
170. The SNHS has questioned which flood zone the application site is located within and whether the major flood event in 2014 has been taken into account. The site is partially within Flood Zone 2 and 3A and the FRA and hydrological / water resource assessment submitted as part of the ES Addendum have been updated to ensure consistency and avoid any confusion. Further, the FRA includes an assessment of previous flooding which has been reviewed and updated to ensure that the 2014 flooding event is included.
171. The SNHS consider that insufficient attention has been paid to the possible effects of climate change with a large proportion of precipitation now falling as heavy rainfall suggesting that flood events could become more frequent and the area affected by flood water could be greater. The FRA has included allowance for climate change using the

EA's most up to date estimates of climate change and includes a specific section on climate change.

172. In respect of groundwater, at the time of the original application, the proposal was considered to be 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. However, based on the recommendation of the County Geotechnical Consultant, a condition (Condition 32) was imposed on planning permission ref: SP2012/01132 requiring the applicant to submit a Groundwater Monitoring Plan for approval in writing requiring additional monitoring boreholes, the undertaking of water level monitoring and groundwater chemistry with annual reviews and contingency mitigation measures. Details of a Groundwater and Surface Water Monitoring Plan were subsequently submitted and approved under planning permission ref: SP12/01132/SCD7 dated 11 October 2016.
173. The application was supported by a Hydrogeological Assessment in order to address a number of issues raised by the County Geotechnical Consultant. This included additional information on the applicability of the previous hydrogeological modelling completed at land at Manor Farm and additional assessment of the potential impact of the proposals on groundwater levels and flows. The assessment points out that the Groundwater and Surface Water Monitoring Plan only outlines a contingency action plan in the event of an impact on groundwater quality being observed. The applicant therefore proposes that the Groundwater and Surface Water Monitoring Plan should be updated to include measures to monitor and assess impacts on groundwater levels.
174. The applicant suggests that these measures could include: (i) a requirement for a regular review of groundwater levels and flow to assess any potential adverse impact on groundwater levels and assess potential risk on receptors up-gradient of the site; and (ii) a requirement to outline potential mitigation measures in the unlikely event that groundwater levels are being adversely impacted (i.e. a rise in water levels above the long-term maximum). Potential measures include the installation of a groundwater drain to route water around the perimeter of the filled area to down-gradient groundwater. The updated monitoring plan would need to be subject to agreement with the Environment Agency.
175. The County Geotechnical Consultant has confirmed that the proposals are considered acceptable, subject to appropriate monitoring and mitigation. This should include the implementation of a Groundwater and Surface Water Monitoring Plan, which includes monitoring the review of upgradient boreholes and a commitment to installing mitigation measures such as groundwater drains around the perimeter of the infilled areas, if required. Implementation of such mitigation should be governed by trigger levels to be included in the monitoring plan, and these measures should be specified as planning conditions. Officers are satisfied that these measures can be secured by condition.
176. The Environment Agency (EA) has reviewed the current application and commented that much of the excavation site is underlain by a principal superficial aquifer and within a Source Protection Zone (both SPZ2 and SPZ3), which would typically be of concern. However, the information within section 4 of the submitted ES Addendum regarding impacts on groundwater quality and levels demonstrate that the detrimental impacts would be minor and manageable. In view of this, and the assurances made in addressing the comments made by SCC's Restoration and Enhancement Officer that the infilling of the excavation voids will be below the respective water table levels, the EA has raised no objection to the proposed development given the retention of the existing groundwater monitoring condition attached to the original approval decision (Condition 32). The EA appreciate the commitment to groundwater monitoring to date and expect this to continue throughout the excavation and restoration of the site.
177. The EA's response is subject to the imposition of two planning conditions, firstly to ensure the development is carried out in accordance with the FRA dated March 2023 including

the commitment to provide compensatory storage capacity and secondly, to carry forward Condition 32 of planning permission ref: SP12/01132 on Groundwater Monitoring. As Condition 32 has already been discharged, and the approved Groundwater and Surface Water Monitoring Plan would require updating, Officers consider that Condition 32 would need to be amended to require the applicant to submit an amended Groundwater and Surface Monitoring Plan to the satisfaction of the EA and the County Geotechnical Consultant for written approval and for the approved plan to be fully implemented thereafter.

178. Affinity Water has commented that as the proposal is located within a SPZ comprising a number of abstraction boreholes, the proposed development should be done in accordance with the relevant British Standards and Best Management Practices to reduce groundwater pollution risk. Appropriate monitoring and remediation methods would need to be undertaken if pollution is found. Officers are satisfied that the proposed condition requiring the submission of an updated Groundwater and Surface Water Monitoring Plan would be sufficient to ensure the protection of groundwater quality.
179. The SNHS has expressed concerns over the impact on hydrology suggesting that as the silt would be pumped back to MFQ in a fluid state, it is highly likely that a potentially dangerous slurry pit would be left behind after the site has been restored, given that silt has a lower permeability than sand and gravel as well as a lower porosity. The applicant has explained that the application is supported by a Hydrological Assessment and a Flood Risk Assessment undertaken by an expert hydrogeologist, which both conclude that the proposed silt deposition can be accommodated within the existing hydrological baseline of the site, resulting in only a minor effect. The assessments conclude that the impact of backfilling of parts of the site on groundwater levels and flow would be minor given the relatively small area of fill in relation to the wider waterbody restoration of MFQ.
180. The SNHS has queried whether the EA agree that the impact on ground water levels would be minor after the sand and gravels, with their higher permeability, have been removed. As set out above, the EA has raised no objection to the application subject to the imposition of conditions in order to protect groundwater. These are intended to ensure the development is undertaken in accordance with the submitted FRA and to secure the provision of a Groundwater Monitoring Plan.
181. A number of representations have been received objecting to the proposal on the grounds of flooding. The application is supported by thorough and detailed technical work. This has been reviewed by the EA, LLFA, and County Geotechnical Consultant who have raised no objection to the proposal. In the case of the EA and the County Geotechnical Consultant, this is subject to the imposition of conditions which include requirements for ongoing groundwater monitoring and the implementation of mitigation measures in the event that they are found to be necessary.

Conclusion of flooding

182. Having considered the impact of the proposed development on the water environment, taking into account the advice provided by consultees, Officers are satisfied that subject to the imposition of conditions to ensure that the development is carried out in accordance with the FRA, and to secure the submission of an updated Groundwater Monitoring Plan for approval in writing, the proposed development would not have any adverse impact on flood risk, water quality and land drainage, Officers consider that the proposal is in accordance with national planning policy and the relevant development plan policies in relation to the water environment and no additional harm arises in that regard.

Ecology

183. NPPF paragraph 187 states that planning decisions should contribute to and enhance the natural and local environment by: protecting and enhancing sites of biodiversity value and soils; recognising the wider benefits from natural capital and ecosystem services including

trees and woodland; and minimising impacts on and providing net-gains for biodiversity. Paragraph 193 states that planning permission should be refused if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated or, as a last resort, compensated for; be refused for development resulting in the loss or deterioration of irreplaceable habitats unless there are wholly exceptional reasons and a suitable compensation strategy exists; and, be supported for development whose primary objective is to conserve or enhance biodiversity whilst opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net-gains for biodiversity or enhance public access to nature where this is appropriate.

184. SMP CS DPD Policy MC14 seeks to ensure that there would be no significant adverse impacts arising from the development including in relation to the impact on biodiversity and the natural environment. Policy EN8 of the SBCS&P DPD seeks to protect and improve the biodiversity of the Borough through safeguarding sites of international and national importance; working with others to develop and secure the implementation of projects to create or improve habitats of nature conservation value; wherever possible ensure that new development contributes to an improvement in biodiversity and also avoids harm to features of conservation interests; and refusing planning permission where development would have a significant harmful impact on the landscape or features of nature conservation value.
185. SBLP 'saved' Policy RU11 sets out that the Borough Council will safeguard Sites of Nature Conservation Importance as shown on the Proposals Map and will only permit development proposals within these sites, where there will be no adverse effect, either directly or indirectly on their ecological interest, or where the requirements of Policy RU14 are met. 'Saved' Policy RU14 of the SLP outlines that where a development proposal would destroy or damage the nature conservation interest of a site, the applicant will be required to demonstrate that the benefits of the proposed development outweigh the decrease in the nature conservation value of the site, that any such decrease has been kept to a minimum, that mitigation or compensation to provide for species protection and/or habitat creation or enhancement has been made within the area, and that appropriate measures to monitor the effectiveness of the mitigation have been established.
186. PSLP Policy E2 states that development proposals which restore, maintain and enhance habitat connectivity and seek opportunities for habitat creation will be supported. Development proposals will be expected to contribute to biodiversity through clearly demonstrating improvements when submitting a planning application as part of securing biodiversity net-gain. The Council will maintain Sites of Nature Conservation Importance and will only permit development proposals within these sites, where there will be no adverse effect on their ecological interest and this has been clearly demonstrated through use of appropriate assessment. All development will be expected to provide at least 10% biodiversity net-gain.
187. The application is supported by a Preliminary Ecological Appraisal (PEA) dated April 2022. This explains that an updated Extended Phase 1 Habitat Survey was undertaken in September 2021 along with an updated desk study. Both conclude that the ecological baseline of the site is similar to that previously surveyed between 2007 and 2011 with the only notable change relating to an area of improved grassland within MFQ now being classified as semi-improved grassland. Species-specific surveys have not been updated (in relation to birds, bats and reptiles). However, as the updated walkover survey has concluded that the habitats present within Phase 1 at MFQ remain unchanged from the previous ecological baseline (established between 2007 and 2011), the PEA explains that it can be assumed that the species assemblages as previously identified also remain unchanged. The PEA adds that all ecological receptors have been previously assessed and mitigated for in association with the original planning permission for MFQ. Officers are satisfied that apart from the fact that the PEA describes restoration proposals that are now not being proposed (at paragraph 1.3.2), its content and conclusions remain valid.

188. The applicant explains that no likely significant effects are considered to arise from the impacts associated with the proposed silt deposition, and restoration of the site, which remains largely the same as the permitted restoration of MFQ. The minor amendments proposed to the restoration (i.e. shallow waterbody depth, additional peripheral planting and relocation of causeways) is considered to lead to an overall increase in the ecological value and diversity of habitats within the site.
189. The habitats and non-statutory sites outside of Phase 1 and those within the wider site / local area would be protected from potential egress of silt from the void at Phase 1 both during the operational phase and post restoration. The bunds would be created prior to the deposition of silt into the void at Phase 1 using excavated topsoil and subsoil during the operational phase. The bunds would remain in place until all silt has been deposited into the void at Phase 1 (5 years) and would ensure that silt egress from Phase 1 would not occur during a flood event. Upon completion of silt deposition into the void at Phase 1 of the site, the silt would be capped with subsoils and topsoil. This would effectively retain the silt inside the void at Phase 1 and act as a permanent barrier to any silt egress, post-restoration.
190. As it is now proposed to keep the restoration largely the same as the permitted restoration scheme, the ES Addendum 2023 is now focussed on hydrology and noise only. All of the other topics, including ecology, which were previously included in the original planning application have been scoped out as it is not considered that there would be any significant environmental effects resulting from the proposed alterations in respect of those topics. This was confirmed by SCC's EIA Screening Opinion, albeit due to the dry restoration proposed at the time of submission, also required ecology to be included within the ES.
191. Given that the restoration now proposed remains largely the same as that already permitted, correspondence from the Principal Environmental Assessment Officer at SCC confirmed that the topic of ecology "could now be excluded from the scope of the ES addendum, as there would not be a fundamental change in the habitats created from those envisaged in the approved restoration scheme and that the ecological implications of the proposed changes can be appropriately addressed through discussion in the planning statement with supporting information set out in the standalone PEA".
192. Officers accept that the current proposals would result in no ecological impacts / effects / mitigation requirements that have not already been assessed and permitted as part of the original Ecological Impact Assessment (EclA) and the original planning permission. The purpose of an EclA in an EIA setting is to assess the likely significant effects of the development proposal. As no new impacts/effects are expected to arise, there can be no significant effects. This negates the need for an addendum to the EclA and an updated PEA to inform the EclA.
193. The Planning Statement outlines that the diversification of habitats post-restoration as a result of the proposed amendments is considered to significantly benefit biodiversity at the site. Additional enhancements would benefit biodiversity over and above embedded mitigation and would benefit various ecological receptors. The following enhancements would be implemented at the site:
- Creation of five log/brush piles within created grassland/woodland edge areas, some located in sunny positions and some in shaded positions (using material on-site);
 - Creation of five invertebrate hotels within created grassland/woodland edge areas, some located in sunny positions and some in shaded positions (using material on-site);
 - Implementation of six bat boxes on retained trees, sited in two groups of three boxes on various elevations, suitable for Pipistrelle species, with openings at the bottom to allow droppings to fall out, situated on south/south-westerly aspects; and
 - Implementation of five bird boxes on retained trees, with various sized openings, situated on northern/easterly aspects.

194. The application was submitted prior to 12 February 2024 when biodiversity net-gain (BNG) requirements for major developments became statutory. As a consequence, the requirement to demonstrate the achievement of at least a 10% increase in BNG does not apply.
195. The County Ecology Officer (CEO) has raised no objection to the application and advised that whilst an additional protected species survey has not been undertaken in support of this application, this was agreed previously. The CEO is satisfied that this was the correct and proportional approach commenting that the proposed amendments will not result in any additional potential impacts to species that have not already been assessed and consented as part of the previous application.
196. Whilst supporting the restoration scheme, the Surrey Wildlife Trust has requested that the Restoration Management and Maintenance Plan should be extended to cover a period of at least 30 years after the completion of the development. This is to ensure that it is in accordance with the Environment Act 2021.
197. The Section 106 Legal Agreement dated 14 October 2015 for land at Manor Farm required the submission of a Landscape and Ecological Management Plan (LEMP) for approval and for land at Manor Farm to be managed in accordance with the approved LEMP (as amended by a 5 yearly review as appropriate) for a period of 20 years following the completion of the five year aftercare as prescribed by Condition 48 planning permission ref: SP/2012/01132. Condition 48 requires the aftercare, management and maintenance of the restoration plan for Manor Farm to be for a period of 25 years in accordance with the Restoration Management and Maintenance Plan dated March 2012. However, the current application is not seeking any changes to the wording of Condition 48.
198. Further, the requirement in the Environment Act 2021 for enhancements to be maintained for at least 30 years relates to the provision for statutory biodiversity net-gain (BNG). As the application was submitted before BNG requirements for major development became statutory on 12 February 2024, the provision in the Environment Act 2021 to which the Surrey Wildlife Trust refer is not applicable.
199. The SNHS has queried the evidence supporting the creation of 5 log/brush piles, 5 insect hotels, 6 bat boxes and 5 bird boxes at the site. These are enhancement measures as required by national planning policy in order to demonstrate that a net-gain in biodiversity will be achieved. The applicant considers that these improvements are proportionate to the scale of the proposal.
200. The SNHS has commented that they do not consider that the walkover survey on 10 September 2021 constitutes an adequate ecological survey given the lapse of time and challenges the completeness of the bird survey list for QMQ. The CEO previously advised that an updated PEA and an ES Addendum were both suitable to inform the application. In particular, they noted that the applicant had scoped out the requirement for updated protected species surveys because the habitats on-site have not significantly changed since the original PEA. The CEO has also advised that this approach is based upon suitable conclusions. Therefore, the previous ES and its supporting studies (which included a bird survey) were approved by the County Planning Authority (CPA) and the CPA has approved the use of this existing survey data to inform the application. Further, following changes made to the proposed restoration scheme, Ecology has been scoped out of the ES Addendum as it is considered that the proposal would not result in any significant environmental effects on ecology.
201. The SNHS has requested that an updated bat survey is undertaken before any development takes place and also request the carrying out of a tree and hedgerow survey. Pre-commencement bat surveys (foraging/commuting and roost) are required pursuant to Condition 38 and a 'vegetation survey' (trees and hedgerows) pursuant to Condition 47 of

the extant planning permission. These surveys have subsequently been submitted and approved by the CPA.

202. The SNHS has commented that if further abstraction is required, they would wish that the water level and flow in the River Ash are not adversely affected as downstream of QMQ are the Studio Walk Reserve and the Ash Link Local Nature Reserve. Should further abstraction be required, an environmental permit application would need to include a Hydrogeological Impact Assessment to assess the potential impact of any additional pumping required and to ensure there was no impact on groundwater and surface water receptors.

Conclusion on ecology

203. Having assessed the impacts of the proposal on ecology and biodiversity and considered the responses received from consultees, Officers are satisfied that the proposed development is acceptable, would not result in any adverse impact on ecological interests and would deliver a net-gain in biodiversity in accordance with national planning policy and the relevant development plan policies relating to this matter. No other harm is identified in this regard.

Air Quality and Dust

204. NPPF paragraph 187 states that planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of air pollution and the development should, where possible, help to improve local environmental conditions such as air quality. Paragraph 199 sets out that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, considering the presence of Air Quality Management Areas (AQMAs) and Clean Air Zones, and the cumulative impacts from individual sites in local areas.
205. Paragraph 224 of the NPPF states that when considering proposals for mineral extraction, mineral planning authorities should ensure that there are no unacceptable adverse impact on the natural and historic environment and human health, taking into account the cumulative effect of multiple impacts from individual sites and/ or from a number of sites in the locality; and ensure that any unavoidable dust and particle emissions are controlled, mitigated or removed at source.
206. The national Planning Practice Guidance (nPPG) also provides guidance on air quality and dust. The minerals chapter of the nPPG³ explains that considerations that may be relevant to determining a planning application include whether the development would: lead to changes in vehicle related emissions in the immediate vicinity of the proposed development; introduce a new point source of air pollution; expose people to harmful concentrations of air pollutants including dust; give rise to potentially unacceptable impacts (such as dust) during construction for nearby sensitive locations; and have a potential adverse effect on biodiversity.
207. SMP CS DPD Policy MC14 seeks to ensure that there would be no significant adverse impacts arising from the development including in relation to the impact of fumes and dust. Policy EN3 of the SBCS&P DPD seeks to improve the air quality of the Borough and minimise harm from poor air quality by: (a) encouraging non-car based means of travel; (b) reducing congestion where it contributes to poor air quality; (c) requiring an air quality assessment where development is in an air quality management area (AQMA) and generates significant levels of pollution, or increases traffic volumes or congestion, or is for non-residential uses of 1000 cu m or greater, or is for 10 or more dwellings, or involves development sensitive to poor air quality; (d) refusing development where the adverse

³ Paragraph: 006 Reference ID: 32-006-20191101

effects on air quality are of a significant scale, and which are not outweighed by other important considerations or effects and cannot be appropriately and effectively mitigated; and (e) refusing development where the adverse effects of existing air quality on future occupiers are of a significant scale which cannot be appropriately or effectively mitigated and which are not outweighed by other material considerations.

208. Draft Policy E4 of the PSLP states that development proposals will seek to protect and improve the Borough's air quality and work towards meeting the World Health Organisation Air Quality Guidelines by ensuring all development proposals prevent further deterioration of existing poor air quality and are "air quality neutral" as far as reasonably practicable. Planning permission will not be granted for proposals where adverse effects on air quality for existing receptors and/or future occupiers are of a significant scale, either individually or in combination with other proposals and/or the effects cannot be appropriately and effectively mitigated.
209. The whole of the borough of Spelthorne is declared as an Air Quality Management Area (AQMA) in relation to high levels of nitrogen dioxide (NO₂). There are no AQMA designations in relation to particulate matter (PM₁₀) indicating that there are no specific issues in the borough in relation to suspended particulate matter. The closest monitor to the site measured an annual mean PM₁₀ concentration of 24.6 micrograms per cubic metre (µg.m³) which is below the relevant health based objectives and limit values.
210. As this proposal would not result in any change or increase in vehicle movements on the local road network, there would be no air quality impact on the surrounding area. It should be noted that HGVs associated with exporting mineral and mineral products from QMQ would remain within the limit set by planning permission ref; SP12/01132 and the existing planning permissions associated with QMQ.
211. Dust is a generic term used to describe particulate matter of different sizes, shapes and compositions in the size range 1-75 micrometres (µm) in diameter. Small particles that are less than or equal to (≤) 10 µm in diameter are commonly referred as PM₁₀. There are two issues concerning airborne dust from surface mineral workings: the impact upon residential amenity by causing a nuisance; and the impact upon health. Small particles (PM₁₀) are associated with effects on human health and only make up a small proportion of the dust emitted from most mineral workings. These are deposited slowly and may travel 1000m or more from the source but their concentration will decrease rapidly on moving away from the source due to dispersion and dilution. Larger particles (greater than 30µm make up the greatest proportion of dust emitted from mineral workings, including sand and gravel sites, and will largely deposit within 100m of sources, with intermediate particles (10 - 30µm) being likely to travel up to 200-500m. Large and intermediate particles are often referred to as *nuisance dust*.
212. Dust impacts from mineral workings can be of a source of concern to surrounding communities. Included in the key development requirements for the Manor Farm preferred area, as set out within the SMP Primary Aggregates DPD, is the need to assess the impact on air quality and objectives of the Spelthorne Borough Council Air Quality Management Plan and this was done as part of planning application ref: SP/2012/01132. The assessment identified sensitive receptors alongside the key activities that could be a main source of dust including soil stripping, overburden excavation, sand and gravel extraction, site haulage, mineral processing; and bund removal and soil replacement. The stand-off distances between mineral extraction and sensitive receptors would remain as permitted under SP/2012/01132.
213. The proposal is not seeking to amend the methods of working at the site in terms of soil and overburden handling, or mineral processing. The ES Addendum 2023 outlines that the proposed alterations will not alter the approved mineral extraction activities or prolong or extend the mineral operations at the site. Chapter 12 of the original ES focuses on dust generated by the proposed operations and a Dust Action Plan and Monitoring Programme was submitted and approved by the CPA in November 2016 (ref: SP12/01132/SCD3).

This requires the submission of quarterly monitoring reports for the duration of mineral extraction and restoration at MFQ, which the applicant would continue to adhere to.

214. Although no additional effects are anticipated as a result of the proposed alterations, Appendix 2.1 of the ES Addendum 2023 includes a Qualitative Dust Technical Note which considers the impact of the proposed alterations on dust emissions. The technical note concludes that the re-positioning of the approved bunds, the additional bunds/stockpile and the silt deposition will not represent a risk in terms of dust emissions and that the mitigation measures outlined in the approved Dust Action Plan (discharged under Condition 24 of planning permission ref: SP12/01132) will remain relevant to the site and continue to apply to the current proposals.
215. As the proposed changes pertain to the deposition of silt within a waterbody, the County Air Quality Consultant has commented that there would be no additional dust emissions associated with this development and the risk of dust impacts are unlikely to change from the original application. The County Air Quality Consultant advocates the continued deployment of the approved Dust Management Plan and raises no objection or concerns with regards to this application in respect of dust and air quality matters. The Borough Council Environmental Health Officer (EHO) has advised that they would expect the mitigation measures, management and monitoring outlined within the DAP to be implemented.

Conclusion on air quality and dust

216. Given the above considerations, Officers are satisfied that the proposed amendments to the development would not increase the risk of dust and with the implementation of mitigation measures set out within the approved Dust Management Plan alongside the deposition of silt within the waterbody, there would be no adverse impact from nuisance dust on nearby sensitive receptors or health from suspended dust. As a consequence, Officers consider the proposal is consistent with the aims and objective of national policy and guidance and the relevant development plan policies relating to air quality and dust. No other harm is identified in this regard.

Noise

217. NPPF paragraph 187 states that planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of noise pollution. Paragraph 198 adds that planning decisions should ensure new development is appropriate for its location, mitigate, and reduce to a minimum, potential adverse noise impacts resulting from new development, and avoid noise giving rise to significant adverse impacts on health and quality of life. NPPF paragraph 224 outlines that in considering proposals for mineral extraction, mineral planning authorities should ensure that any unavoidable noise is controlled, mitigated or removed at source, and appropriate noise limits established for extraction in proximity to noise sensitive properties.
218. The minerals chapter of the nPPG provides guidance and advice on how to assess and manage the noise impact of new development with specific guidance for assessing noise emissions from minerals extraction. The nPPG states that applicants should carry out a noise impact assessment which identifies all sources of noise, and for each noise source, take account of the noise emission, its characteristics, the proposed operating locations, procedures, schedules and duration of work for the life of the operation, and its likely impact on the surrounding neighbourhood. The guidance sets out matters to be considered for proposals for the control or mitigation of noise emissions. These include considering the characteristics of the local neighbourhood, assessing the existing noise environment around the application site including background noise levels at nearby noise sensitive properties and estimating the likely noise to be generated and its impact on the

neighbourhood⁴. In terms of noise standards, the nPPG outlines that the total noise from the normal mineral operations should not exceed 55dB(A) LAeq, 1h (free field) at noise sensitive properties⁵.

219. SMP CS DPD Policy MC14 seeks to ensure that there would be no significant adverse impacts arising from the development including in relation to the impact of noise and vibration. Policy EN11 of the SBCS&P DPD seeks to minimise the adverse impact 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 where this can overcome unacceptable impacts.
220. Draft Policy E4 of the PSLP states that the Council will seek to protect and improve local noise conditions as far as reasonably practicable. The Council will ensure that development proposals that may generate unacceptable noise or be unreasonably impacted by noise sources incorporate appropriate attenuation measures to minimise the effects on new and existing residents. The Council will require an acoustic report to accompany an application for development proposals that may be sensitive to noise sources, or might cause unacceptable noise for residents, businesses or the environment. Planning permission will be refused where the impact of noise cannot be mitigated to an acceptable level.
221. Surrey County Council has produced its own guidelines⁶ on noise which sets out noise limit recommendations based upon those set out in the minerals chapter of the nPPG (detailed above) for sand and gravel extraction. These guidelines recognise that for mineral development this can include associated plant including conveyors, excavators, wheeled loaders and dumper trucks; alongside potential for cumulative effects depending on how the phasing operates. The guidelines also acknowledge that during the restoration phase, as perimeter bunds come down any noise mitigation they would have provided would be lost.
222. Noise was considered as part of the original planning permission (ref: SP12/01132) for mineral extraction at MFQ. Under Condition 20, except for temporary operations, the level of noise arising from any operation, plant or machinery on site cannot exceed 55 LAeq for any 0.5 hour period during 0730 to 1800 hours Monday to Friday and 0730 to 1300 hours Saturdays. Condition 21 states that for temporary operations, such as site preparation, soil and overburden stripping or bund formation and restoration, the level of noise shall not exceed 70 LAeq during any one hour period. Such activities shall not take place for a total period greater than eight weeks in any twelve month period.
223. The proposal does not seek to vary the permitted mineral extraction activities and the mitigation measures that formed part of the original planning permission which would continue to apply. These being the placement of bunds around the perimeter of the working area, the maintenance of all vehicles, plant and machinery operating within the site in accordance with the manufacturer's specification at all times, and where necessary the fitting and use of effective silencers and/or noise insulation, and the fitting of white noise alarms on all vehicles and plant, under the control of the operator, operating within the quarry area.
224. Whilst there would be no material change to the height or length of the permitted material storage bunds, there would be a very slight alteration in their positioning within the site. An additional topsoil bund would be provided in the north-eastern corner of Phase 1 and a temporary mineral stockpile within the vicinity of Phases 1A and 1B. These would only be present during phase 1 of the development. Further, some overburden and topsoil bunds within the south of Phase 1 would be maintained during the extraction of future phases.

⁴ Paragraph 019 Reference ID: 27-019-20140306

⁵ Paragraph 021 Reference ID: 27-021-20140306

⁶ Surrey County Council Guidelines for Noise and Vibration Assessment and Control, RPS Group PLC, January 2020

Otherwise, the only changes brought about by the application are the pumping of silt into Phases 1 and 2 at MFQ rather than into the existing silt lagoon at QMQ, and the creation of an additional causeway within the southern portion of the void in Phase 1 to provide a clean water lagoon to facilitate the silt deposition and additional planting.

225. In respect of noise and vibration, the ES addendum sets out that although the proposal includes a pipeline, the vibration effect during the operational phase is not considered significant. As the proposed development seeks to pump silt back into Phases 1 and 2, rather than into the existing QMQ silt lagoons, the ES Addendum includes an additional noise assessment which has been carried out to understand whether the pumps, which are required for the silt deposition and to pump returning water from MFQ to QMQ, will generate unacceptable levels of noise on nearby sensitive receptors during the daytime, as this is when the site is operational. The noise assessment also assessed whether there would be a noise impact from soil stripping and creating bunds over a larger area than originally proposed alongside if soil stripping is carried out at the same time as the silt refilling activities.
226. Some bunds would be present throughout the development whereas the sub-soil bund would be removed while silt deposition is taking place. The Noise Assessment was therefore based on no noise bunds being present while silt deposition works are being undertaken in order to provide the worst-case scenario at nearby noise sensitive receptors.
227. On site measurements were carried out to establish the daytime sound levels on the proposed development site, as well as noise levels generated by equipment that is to be used during the proposed operations. Noise modelling was also undertaken comprising a consideration of noise from the proposed and existing pumps, and noise from the proposed pipeline during pumping operations.
228. The Noise Assessment concludes that the proposed operations will be significantly below the noise limits outlined in the minerals chapter of the nPPG and the 55dB LAeq, 30mins daytime limit set by Condition 20 of the original planning permission (ref: SP/2012/01132). The assessment therefore concludes that no adverse impact is expected from noise associated with the pumping operations. Whilst no significant effects have been identified, the ES Addendum explains that there is potential for best practice control measures such as regular liaison with local residents to inform them of operations on site, and the use of new plant where practical, to be implemented.
229. As a consequence, the proposed operations, including the pumping of silt into Phases 1 and 2, would comply with the requirements of the conditions as imposed previously and would not give rise to significant adverse impact with regards to noise. No further or specific noise mitigation measures would be required for this proposal above that previously imposed.
230. Officers recognise that noise has the potential to adversely affect the amenity of users of footpaths 29 and 30, particularly during mineral extraction and restoration within Phase 1. However, any impacts would be limited due to the transient nature of users of the footpath. Further, the mitigation measures that were proposed as part of planning application ref: SP12/01132 would continue to apply and would provide the mitigation required. This application would not materially change the conclusions previously made with regards to impact from noise on the users of the rights of way.
231. The County Noise Consultant has raised no objection to the application and has recommended that the existing noise conditions be brought forward. The Borough Council Environmental Health Officer (EHO) has raised no objection to the noise assessment. A relatively small number of objections have been received from local residents in relation to noise impacts including a suggestion that the bunds will be ineffective in mitigating noise and noise from HGVs will be unacceptable. The Noise Assessment demonstrates that the noise impact would fall within the required limits and the conditions limiting noise would be

carried forward and imposed on the new permission. No aggregate lorries will access or egress MFQ with all such lorries continuing to operate to and from QMQ where the existing limits on the number of HGV movements would continue to apply.

Conclusion on noise

232. In view of the above assessment, Officers are satisfied that the proposed amendments to the application would not have any adverse impact on noise and vibration and subject to the carrying forward of the existing planning conditions in relation to noise, the proposal would safeguard the environment and local amenity in relation to noise and comply with the relevant national and local development plan policies. No other harm is identified in this regard.

Archaeology

233. Paragraph 207 of the NPPF states that where a site on which a development is proposed includes, or has the potential to include, heritage assets with archaeological interests, LPAs should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
234. SMP CS DPD Policy MC14 seeks to ensure that there would be no significant adverse impacts arising from the development including in relation to the historic landscape, sites or structures of architectural and historic interest and their settings, and sites of existing or potential archaeological interest or their settings.
235. Policy SP6 of the SBCS&P DPD seeks to maintain and improve the quality of the environment by, amongst other matters, protecting and enhancing a range of interests including the Borough's historic and cultural heritage. 'Saved' SBLP Policy BE25 sets out that in considering proposals for development within areas of high archaeological potential, the Borough Council will: (a) require an initial assessment to be submitted as part of any planning application; (b) where important archaeological remains are considered to exist, expect the applicant to arrange an archaeological field evaluation to be carried out prior to the determination of the application; (c) have a preference for preservation in situ; and, (d) where important archaeological remains are likely to exist but their preservation in situ is not justified, secure a full archaeological investigation and recording of the site and subsequent publication of results in accordance with a scheme of work to be agreed in writing prior to the commencement of the proposed development,.
236. PSLP draft Policy PS3 requires development proposals on site which affect or have the potential to affect Areas of High Archaeological Potential to submit an archaeological assessment, and where appropriate the results of a site evaluation and a mitigation strategy where necessary. Where archaeological finds are identified, in situ preservation should be considered in the first instance. Where this is not feasible, adequate excavation should be undertaken and an accurate record of any remains which will be destroyed should be made publicly accessible.
237. Archaeology was dealt with as part of planning application ref: SP/2012/01132 to ensure a Watching Brief was implemented and any finds recorded appropriately in accordance with the NPPF requirements that heritage assets are "conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations"⁷. Condition 35 was imposed to this effect and a Written Scheme of Investigation (WSI) was approved in August 2016⁸. The County Archaeological Officer was satisfied that the WSI, as submitted, was adequate to allow works to proceed.
238. The County Archaeological Officer has been consulted on the application and confirmed that the proposal will not result in unsatisfactory archaeological mitigation, a scheme of

⁷ NPPF paragraph 202

⁸ Approved under planning permission ref: SP/2012/01132/SCD2 in August 2016

archaeological mitigation has been agreed and secured under condition 35 and that this scheme is currently being implemented.

Conclusion on archaeology

239. As this proposal does not affect or alter the WSI, Officers are satisfied that the application is in compliance with the requirements of national planning policy and the relevant development plan policies in relation to archaeology. No harm arises in this regard.

OVERALL CONCLUSION ON IMPACT ON GREEN BELT

Impact on openness

240. In this instance, the application site comprises MFQ, the processing plant at QMQ including the access points and haul road, and the route of the proposed conveyor between the QMQ processing plant site and the entrance to MFQ on Ashford Road including the culvert constructed beneath the road.
241. The application involves the laying of a moveable pipeline along the surface of the ground, between the processing plant site at QMQ and the Phase 1 and 2 voids at MFQ, the provision of both a new 3m topsoil bund in the north-eastern corner of Phase 1 and a temporary mineral stockpile within the vicinity of Phases 1A and 1B which would only be present during Phase 1 of the development, maintaining some overburden and topsoil bunds within the south of Phase 1 during the extraction of future phases, the slight re-positioning of the permitted soil and overburden bunds in Phase 1, the deposition of silt in the permitted lakes in Phases 1 and 2, the creation of an additional causeway across the permitted lake in Phase 1 resulting in the creations of three waterbodies rather than two and the provision of additional planting. There would also be some delay to the progressive restoration of the site although the completion date for restoration would remain the same.
242. The pipeline is necessary to enable the Phase 1 and 2 voids to be created at MFQ to be partially filled with silt derived from the processing, at QMQ, of the sand and gravel extracted from MFQ. This would enable a higher standard of restoration at MFQ to a nature conservation end-use resulting in improvements to the ecological value of the site and contributing to biodiversity targets. The additional topsoil bund and material stockpile are necessary in order to enable a void to be developed in Phase 1A to enable the silt to be deposited as soon as mineral processing operations commence.
243. Officers recognise that the proposal would result in the laying of a pipeline along the ground, the provision of an additional topsoil bund in the north-eastern corner of Phase 1, a temporary mineral stockpile within the vicinity of Phases 1A and 1B, a delay to the removal of some overburden and topsoil bunds within the south of Phase 1 and some delay to the progressive restoration of the site. However, on cessation of infilling and completion of restoration, all plant, equipment and machinery would be removed, and the land would be restored to a nature conservation after-use within 6 years of the commencement of minerals extraction in accordance with the existing timescale. Therefore, the proposal remains a temporary use of the land.
244. Officers consider there is no reason to believe that the site would not be well restored to the proposed after-use, which are uses consistent with Green Belt objectives and acknowledge that given the development will be temporary it will therefore preserve the openness of the Green Belt in the long-term. The need for the sand and gravel has already been established through the granting of the planning permission and high environmental standards would be achieved and the site well restored at the earliest opportunity.

245. Officers consider that the minor amendments proposed under this application would have no impact on the openness of the Green Belt and the proposed development would maintain high environmental standards during operation and the restoration of the site and would provide an acceptable after-use consistent with Green Belt objectives.

Assessment of other harm

246. As is evident from the previous sections of this report, no areas of other harm have been identified. It is considered that the proposal would not result in unacceptable impacts, subject to maintaining the existing planning conditions (as revised by way of updating). Officers therefore consider there would be no greater harm arising nor adverse impact on the visual amenity of the Green Belt from the proposal.

Very Special Circumstances

247. As this is a Section 73 planning application the principle of the development is not being re-examined only the proposed minor changes to it. The very special circumstances considered on the original application are therefore still applicable. Officers are satisfied that the site-specific aims of the Surrey Minerals Plan Site Restoration SPD would still be met and indeed this amended scheme provides further enhancements than that previously approved. The Manor Farm mineral extraction area would be restored to provide an area of nature conservation value in a way which would preserve the countryside and not encroach on the countryside. The proposed plant, equipment and machinery, including the conveyor belt running between the two, is acceptable development ancillary to mineral extraction.

Conclusion on Green Belt

248. As explained in paragraphs 120-122 above, as this proposal includes elements which do amount to inappropriate development in the Green Belt (concrete batching plant and aggregate bagging plant) the whole proposal is inappropriate development and therefore very special circumstances must exist to outweigh the harm by virtue of its inappropriateness and any other harm. Officers recognise the proposal would cause some delay to the progressive restoration of the site and involve the laying of a pipeline along the ground, the creation of an additional topsoil bund on the north-eastern corner of Phase 1, a temporary mineral stockpile within the vicinity of Phases 1A and 1B and a delay to the removal of some overburden and topsoil bunds within the south of Phase 1. However, these features would be temporary, the site would continue to be restored at the earliest opportunity and the timeframe for the completion of site restoration would remain unchanged.
249. As a consequence, given the temporary nature and reversibility of the mineral working and restoration activity, the maintenance of high environmental standards, and that the site would be restored to a high standard in accordance with an approved restoration scheme, Officers are satisfied that very special circumstances exist as the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal is clearly outweighed by other considerations. The proposal is therefore consistent national policy and local development plan policy requirements.
250. Furthermore, as set out in the previous sections of the report there would be no additional harm arising from the proposal that would have to be put in the planning balance with the very special circumstances which exist.

Human Rights and Equalities Implications

251. 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.

252. In this case, it is the Officer's view that the scale of such impact is not considered sufficient to engage Article 6 or Article A of Protocol 1 and any impacts can be mitigated by conditions, taking into account the environmental impact of the development. The proposal is not considered to interfere with any Convention rights.
253. The Council is required by section 149 of the Equality Act 2010 to have due regard to the need to eliminate conduct prohibited by the act, advance equality of opportunity and foster good relations between people with protected characteristics and people who do not. The level of "due regard" considered sufficient in any particular context depends on the facts.
254. In this instance, the Council has considered its duty under the Equality Act 2010 and has concluded that this application does not give rise to any equalities considerations.
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Conclusion

255. The proposal is dependent on planning application ref: SP23/00160/SCC for the siting and use of a conveyor to transport mineral extracted from Manor Farm (Laleham) to the mineral processing plant at Queen Mary Quarry (QMQ) as an alternative to the conveyor proposed in planning permission ref: SP12/01132 dated 23 October 2015, which is reported elsewhere on this committee agenda.
256. This application has been submitted under Section 73 of the Town and Country Planning Act 1990 (as amended). The application is seeking planning permission for the development of land, without complying with conditions subject to which planning permission SP12/01132 was granted, to allow silt to be pumped via a flexible pipeline from the mineral processing plant at QMQ into the Phases 1 and 2 mineral extraction voids to be created at MFQ. This would result in some small changes to the permitted restoration scheme for MFQ which is to be restored to a nature conservation after-use. The proposed changes to the restoration scheme would result in the creation of shallower waterbodies within Phases 1 and 2 resulting in benefits for biodiversity and increasing the ecological value of the restored site.
257. The application is accompanied by an addendum to the overarching Environmental Statement (ES) which relates to planning permissions ref: SP12/01132 (MFQ) and SP13/01003/SCC (original alternative conveyor application), together with an ES addendum dated January 2023 submitted in support of application SP23/00160/SCC (current alternative conveyor application) which is included elsewhere on this agenda. The ES Addendum provides an assessment of the environmental effects of the proposed deposition of silt within Phases 1 and 2 of the quarry, and alterations to the approved restoration of the site. It should be read in conjunction with the original ES and ES Addendum submitted in support of the existing permissions SP/2012/01132 (main permission) and SP13/01003/SCC (amended conveyor route). The ES Addendum only considers potential water and noise and vibrational impacts. It does not consider the other topics included in the original ES as it is not considered likely that there would be any significant environmental effects resulting from the proposal in respect of those topics.
258. This ES Addendum concludes that there would be no significant vibration effect and no operational effects in relation to noise. The water resources assessment concludes that following the implementation of suitable best practice and a surface water management plan, the potential effects upon groundwater levels, flow, recharge and quality and surface water flow, flood risk and quality will not be significant. Further, the potential flood risk and surface water drainage can be adequately managed on site for the proposed development lifetime and the proposal would not result in a detrimental alteration to the risk of flooding off-site. Following restoration of the site, the ES Addendum concludes that the hydrological and hydrogeological regime would return to a comparable or improved standard compared to that which currently exists.

259. Having had regard to the environmental information contained in the Environmental Statement, national and development plan policy, consultee views and concerns raised by local residents objecting to the proposal, Officers consider that the development would not give rise to unacceptable environmental or amenity impacts or harm to the Green Belt. This is subject to both the prior completion of a variation to the 14 October 2015 Section 106 Legal Agreement so as to ensure it applies to the new planning permission and ensures that the HGV movement limit incorporates HGV movements associated with planning permission ref: SP07/1269, and the amended and additional planning conditions.
260. Overall, Officers are satisfied that the information submitted in support of the application is sufficient to allow for Conditions 2, 11, 13, 25, 26, 27, 29, 33, 44 and 48 of planning permission ref: SP/2012/01132 to be amended. The applicant has demonstrated that the amendments are necessary in order to support the proposed changes to the restoration scheme and as such, planning permission can be granted, subject to the completion of a variation to the Section 106 Legal Agreement and the revised planning conditions.

Recommendation

261. The recommendation is that subject to the prior completion of a variation to the 14 October 2015 Section 106 Legal Agreement between the county council, the applicant and Thames Water Utilities Ltd, to secure the long term aftercare management (including bird management) of the land at Manor Farm and limit the number of HGV movements in combination with planning permission refs SP07/1273, SP07/1275 and SP07/1269 to no more than 300 HGV movements (150 two-way HGV movements) on any working day so that it applies to the new planning permission and ensures that the HGV movement limit incorporates HGV movements associated with planning permission ref: SP07/1269, to **PERMIT** subject to conditions and informatives as set out below.

Conditions

- From the date of this decision until the cessation of the development to which it refers, a copy of this decision including all documents hereby approved and any documents subsequently approved in accordance with this decision, shall be displayed at the offices on the site, and shall be made known to any person(s) given the responsibility for the management or control of operations.

Reason

To ensure that the management and staff responsible for the day-to-day operation of the site are fully acquainted with the approved schemes and conditions in the interests of proper planning and to assist the County Planning Authority exercise control over the development hereby permitted and minimise the impact of the development in accordance with Surrey Minerals Plan 2011 Core Strategy Policies MC14, MC15, MC17 and MC18.

- The development hereby approved shall be carried out in accordance with the following approved plans and drawings:

Drawing No.	Drawing Title	Date
ST18890-001 Rev A	Site Location Plan	19 August 2021
PA2 Rev A	1000m Location Plan	16 March 2012
PA3	Existing Use Plan	March 2012
PA4	Borehole Location Plan	March 2012
ST18890-PA5 Rev C	Phasing Plan	21 February 2023
ST18890-PA6 Rev C	Phase 1 with Cross Sections	21 February 2023
ST18890-PA7 Rev C	Phase 2 with Cross Sections	21 February 2023

ST18890-PA8 Rev C	Phase 3 with Cross Sections	21 February 2023
ST18890-PA9 Rev C	Phase 4 with Cross Sections	21 March 2023
PA10 Rev B	Conveyor Tunnel General Arrangement	March 2012 revised 12 February 2013
PA11	Queen Mary Quarry Batching Plant	March 2012
PA12	Queen Mary Quarry Aggregate Bagging Plant	March 2012
ST18890- PA13 Rev C	Restoration Detail Plan	24 July 2023
ST18890- PA14 Rev A	Restoration Elevations	16 March 2023
PA15	Approved Restoration Plan for QMQ Site	March 2012
PA16 Rev C	Proposed Worple Road Access	March 2012 revised 12 February 2013
PA17 Rev D	Proposed Ashford Road Access	March 2012 revised 22 July 2015
PA18 Rev B	Queen Mary Quarry Proposed Site Layout	20 July 2012
PA19	Topsoils classification and distribution	31 October
EIA 6.2	Public Rights of Way Plan	20 July 2012
EIA 7.1	Phase 1 Habitat Map	March 2012
EIA 8.1	Heritage Assets and Potential Disturbance	March 2012
EIA 8.2	Historic Maps	March 2012
ST12377- SK1	Floodplain Compensation and Causeway Drainage Proposal	04 November 2013 revised 22 July 2015
QMQ/016	Overhead Power Cables above Proposed Conveyor	19 November 2013
ST13443- PA2 Rev A	Application Area (proposed conveyor route)	09 April 2013 revised 24 April 2013
ST18890-EIA 9.3 Rev C	Phase 1 Summary of Proposed Level for Level Compensation	15 March 2023
ST18890-EIA 9.4 Rev C	Phase 2 Summary of Proposed Level for Level Compensation	15 March 2023
ST18890-EIA 9.5 Rev C	Phase 3 Summary of Proposed Level for Level Compensation	15 March 2023

ST18890-EIA 9.6 Rev C.	Phase 4 Summary of Proposed Level for Level Compensation	15 March 2023
EIA 9.8 Rev B	Conveyor Route Details	March 2012 revised 22 June 2012
EIA 9.8	Conveyor Route Details (Annotated copy with pipe details and spacings)	March 2012 (received with letter dated 1 November 2013)
EIA 9.9	Existing Surface Water Features Prior to Sand & Gravel Extraction at Manor Farm	March 2012
001A Rev 2	Groundwater Contours - June 2023	November 2024
001B Rev 2	Groundwater Contours - January 2024	November 2024

Reason

For the avoidance of doubt and in the interests of proper planning.

Time Limits

- Extraction of mineral from Manor Farm, transportation by conveyor to Queen Mary Quarry and processing of extracted mineral shall be for a period of 5 years from the date of commencement of extraction. On completion of extraction the conveyor belt shall be removed from land at Manor Farm and Queen Mary Quarry, and the land at Manor Farm shall be restored within 6 years of the commencement of extraction, by which date all buildings, fixed plant or machinery, internal access roads and hardstandings, together with their foundations and bases and conveyor tunnels shall be removed from the land and the site shall be restored in accordance with the approved restoration plans.

Reason

To comply with the terms of the application and to enable the County Planning Authority to exercise planning control over the development hereby permitted at a mineral working site in an area of Metropolitan Green Belt and enable restoration of the land in accordance with the approved restoration scheme to comply with Schedule 5 paragraph 1 of the Town and Country Planning Act 1990 and to minimise the impact on local amenity in accordance with the Surrey Minerals Plan 2011 Core Strategy Policies MC3 and MC17.

- The use of the concrete batching plant and aggregate bagging plant hereby permitted on land at Queen Mary Quarry shall cease either upon cessation of the developments permitted under planning permission refs SP07/1273 and SP07/1275 dated 16 January 2009 and SP13/01238 and SP13/01239 dated 6 January 2015 or otherwise no later than 31 December 2033 following which all buildings, fixed plant or machinery, internal access roads and hardstandings, together with their foundations and bases shall be removed and the land restored in accordance with the details and timescales approved under SP07/1276 dated 15 January 2009, and any approved variations to the detail and timing.

Reason

To comply with the terms of the application and to enable the County Planning Authority to exercise planning control over the development hereby permitted at a mineral working site in an area of Metropolitan Green Belt and enable restoration of the land in accordance with the approved restoration scheme to comply with Schedule 5 paragraph 1 of the Town and Country Planning Act 1990 and to minimise the impact on local amenity in accordance with Policies MC3 and MC17 of the Surrey Minerals Plan 2011 Core Strategy.

Restriction of Permitted Development Rights

5. Notwithstanding the provisions of parts 4 and 17 of Schedule 2 of the Town and County Planning (General Permitted Development) (England) Order 2015, (or any Order amending, replacing or re-enacting that Order): no plant, buildings or machinery whether fixed or moveable, shall be erected on the site.

Reason

To safeguard the Metropolitan Green Belt and protect the amenities of the locality in accordance with the terms of Policies MC3 and MC14 of the Surrey Minerals Plan 2011.

Access, Traffic and Protection of the Public Highway

6. The design of the temporary access to Ashford Road as shown on Drawing PA17 Rev D Proposed Ashford Road Access dated March 2012, revised 22 July 2015 shall be maintained in accordance with details approved under planning permission ref: SP12/01132/SCD8 dated 7 October 2016. The Ashford Road access shall be used in connection with extraction and restoration operations within Phase 1 as shown on Drawing ST18890-PA5 Rev C Phasing Plan dated 21 February 2023 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.

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

7. The design of the Worples Road agricultural access and the Worples Road Access as shown on Drawing PA16 Rev C Proposed Worples Road Access Dated March 2012, revised 12 February 2013 shall be maintained in accordance with the details approved under planning permission ref: SP12/01132/SCD6 dated 7 October 2016.

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. Prior to commencement of extraction in Phase 2 the construction of the modified Worples Road access shall be completed and provided with visibility splays in accordance with the approved details.

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.

9. The Worples Road access shall be used in connection with extraction and restoration operations within Phases 2 to 4 as shown on Drawing ST18890-PA5 Rev C Phasing Plan dated 21 February 2023 for transport of plant and equipment and maintenance of the conveyor system, and access to the site compound only.

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

10. Within six years of commencement of extraction any kerbs, verge, footway shall be removed and the Worple Road access shall be reinstated to its previous design (width, surface and gates) and hedgerow and trees replanted in accordance with the details approved under planning permission ref: SP12/01132/SCD6 dated 7 October 2016.

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 tunnels, conveyor and pipeline under Footpath 30 and Ashford Road shall be removed on completion of extraction and processing and the highway and public footpath shall be reinstated.
- a) The temporary conveyor tunnel under Ashford Road shall be retained and maintained for the duration of mineral extraction and processing generally in accordance with the approved plans Drawing numbers EIA 9.8 Rev B Conveyor Route Details dated March 2012, revised 22 June 2012, PA10 Rev B Conveyor Tunnel General Arrangement dated March 2012, revised 12 February 2013, and ST12377-SK1 Flood Plain Compensation and Causeway Drainage Proposal dated 4 November 2013, revised 22 July 2015, as modified through details provided and agreed in connection with the Section 278 Agreement dated 4 May 2018.
- b) The temporary conveyor tunnel under Footpath 30 shall be retained and maintained for the duration of mineral extraction and processing generally in accordance with the approved plans Drawing numbers EIA 9.8 Rev B Conveyor Route Details dated March 2012, revised 22 June 2012, and PA10 Rev B Conveyor Tunnel General Arrangement dated March 2012, revised 12 February 2013, as modified through details provided and agreed in connection with the Section 278 Agreement dated 4 May 2018.
- c) The conveyor tunnels shall be permanently removed once sand and gravel extraction at Manor Farm has ceased, and the highway/footway and public footpath shall be fully and permanently reinstated in accordance with a further Section 278 Agreement generally in the form annexed at Schedule D of the Section 278 Agreement dated 4 May 2018, to be entered into dealing with the decommissioning and removal of the tunnels and the reinstatement of the highway/footway and public footpath.

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.

12. The means of access for vehicles to the development shall be via the Ashford Road and Worple Road accesses only as set out in Conditions 7 and 8 above. There shall be no other vehicular means of access to the site.

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.

13. a) Prior to commencement of extraction in Phase 1 east of Footpath 30 the conveyor route shall be provided to Phase 1, and between Manor Farm and the Queen Mary Quarry processing plant along the route shown on Drawing numbers EIA9.8 Rev B Conveyor Route Details dated March 2012, revised 22 June 2012, and ST18890-PA6 Rev C Phase 1 with Cross Sections dated 21 February 2023, as modified by the conveyor route

permitted under planning permission ref SP23/00160/SCC and shown on Drawing ST13443-PA2 Rev A Application Area (proposed conveyor route) dated 9 April 2013, revised 24 April 2013.

b) Prior to commencement of extraction in Phase 2 the conveyor route shall be extended to provide access to the land west of Footpath 30 as shown on Drawing numbers EIA9.8 Conveyor Route Details Rev B dated March 2012, revised 22 June 2012, and ST18890-PA7 Rev C Phase 1 with Cross Sections dated 21 February 2023. The conveyor route shall be modified in accordance with the details shown on Drawing numbers ST18890-PA8 Rev C Phase 3 with Cross Sections dated 21 February 2023 and ST18890-PA9 Rev C Phase 4 with Cross Sections dated 21 March 2023 prior to commencement of extraction in Phases 3 and 4. The conveyor route shall be maintained for the duration of extraction in each phase along the route shown on the approved drawings and used for transport of extracted mineral to the processing plant site at Queen Mary Quarry. All sand and gravel extracted at Manor Farm shall be exported to the Queen Mary Quarry processing plant site via conveyor. There shall be no export of material from Manor Farm by HGV. All sand and gravel extracted at Manor Farm shall be exported from the Queen Mary Quarry site via the existing access onto the A308.

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.

14. a) During the carrying out of any operations in respect of the development at Manor Farm in connection with site preparation, extraction and restoration works, measures shall be taken and facilities provided and retained 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 in accordance with the details approved under planning permission ref: SP12/01332/SCD5 dated 7 October 2016.

b) The existing approved wheel cleaning facilities and method for keeping the public highway clean in operation at Queen Mary Quarry shall be maintained and used in connection with the export of mineral extracted at Manor Farm, and thereafter following completion of extraction at Manor Farm in connection with the operation of the concrete batching plant and aggregate bagging plant hereby permitted.

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.

15. Neither extraction of minerals from Phase 2, nor use of the site compound shown on Drawing numbers ST18890-PA6 Rev C Phase 1 with Cross Sections dated 21 February 2023 and PA16 Rev C Proposed Worple Road Access dated March 2012, revised 12 February 2013, shall commence until space has been laid out within the site compound in accordance with a scheme to be submitted to and approved in writing by the County Planning Authority for the parking and loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. The parking/turning area shall be used and retained exclusively for its designated purpose.

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.

16. When measured in combination with all planning permissions for Queen Mary Quarry, the development hereby permitted shall give rise to no more than 300 HGV movements (150

two way HGV movements) on any working day. The site operator shall maintain accurate records of the number of HGV vehicles accessing and egressing the site daily and shall make these available to the County Planning Authority on request.

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.

Construction Management Plan

- 17. 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 the construction phase of the development shall be implemented in accordance with the details approved under planning permission ref: SP12/01132/SCD5 dated 7 October 2016.

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.

Hours of Operation

- 18. In connection with Manor Farm operations and operation of the conveyor between Manor Farm and the processing plant in Queen Mary Quarry:

No lights shall be illuminated nor shall any operations or activities authorised or required by this permission be carried out except between the following times:

0730 - 1800 hours Mondays to Fridays

There shall be no working on Saturdays, Sundays, Bank Holidays, Public or National Holidays. Neither shall any servicing, maintenance or testing of plant be carried out between

1800 - 0730 hours Monday to Fridays.

This condition shall not prevent the following activities:

- a) emergency repairs to plant and machinery
- b) lighting for security purposes.

Reason

To comply with the terms of the application and ensure minimum disturbance and avoid 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.

- 19. In connection with Queen Mary Quarry operations:

No lights shall be illuminated nor shall any operations or activities authorised or required by this permission be carried out except between the following times:

0730 - 1800 hours Mondays to Fridays
0730 - 1300 hours Saturdays

There shall be no working on Sundays, Bank Holidays, Public or National Holidays. Neither shall any servicing, maintenance or testing of plant be carried out between:

1800 - 0730 hours Monday to Fridays, 1300 hours Saturdays - 0730 hours Mondays.

This condition shall not prevent the following activities:

- a) emergency repairs to plant and
- b) lighting for security purposes.

Reason

To comply with the terms of the application and ensure minimum disturbance and avoid 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.

Noise Control

- 20. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturers specification at all times and where necessary shall be fitted and used with effective silencers and/or noise insulation.

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.

- 21. Other than vehicles involved in exporting aggregate product from the Queen Mary Quarry or delivery of consumables to the site compound at Manor Farm, all other vehicles and mobile plant operating at the Manor Farm and Queen Mary Quarry site under the control of the operator (which shall include plant and equipment hired by the operator or used by contractors), must be fitted with, and use, a white noise type vehicle alarm or switchable 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.

- 22. Except for temporary operations, the level of noise arising from any operation, plant or machinery on the site, when measured at, or recalculated as at, a height of 1.2 metres (m) at least 3.6m from the façade of a residential property or other a noise sensitive building that faces the site shall not exceed 55 LAeq for any 0.5 hour period during 0730 to 1800 hours Monday to Friday and 0730 to 1300 hours Saturdays.

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.

- 23. For temporary operations such as site preparation, soil and overburden stripping, bund formation and final restoration, the level of noise arising when measured at, or recalculated as at, a height of 1.2m above ground level and 3.6m from the facade of a residential property or other noise sensitive building that faces the site shall not exceed 70LAeq, during any 1 hour period. Such activities shall not take place for a total period greater than eight weeks in any twelve month period.

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.

- 24. The construction of the noise barriers for the conveyor switch points shall be undertaken prior to the extraction of minerals and use of the conveyor in accordance with the details approved under planning permission ref: SP12/01132/SCD1 dated 11 October 2016. The noise barriers shall be 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.

- 25. The 4m high bund erected on the site boundary of the recycling facility within the Queen Mary Quarry as described in the W A Hines & Partners Report dated 2 November 2012 and shown on the Aerial in that report shall be retained and maintained at 4m high at all times until cessation of the use of the concrete batching plant and aggregate bagging plant in accordance with **Condition 4**.

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.

Dust

- 26. a) The Dust Action Plan (documented site specific operational plan to prevent or minimise the release of dust from the site) (DAP) and programme of ongoing dust monitoring, to validate the outcome of the assessment and to check on the continuing effectiveness of control/mitigation measures, shall be implemented throughout the duration of the development in accordance with the details approved under planning permission ref: SP12/01132/SCD3 dated 15 November 2016.
- b) The dust control and mitigation measures set out in the planning application (including paragraphs 7.23, 7.149 and Table 7.12 of the Planning Supporting Statement, Wardell Armstrong LLP, dated July 2012 and Chapter 12 ((Air Quality)) of the Environmental Statement, Wardell Armstrong LLP dated July 2012) shall be implemented throughout the duration of the development.

Reason

To enable the County Planning Authority to adequately control the development and to minimise its impact on the amenities of the local area in accordance with Strategic Policy SP6 and Policy EN3 of the 'Spelthorne Borough Core Strategy and Policies Development Plan Document' February 2009 and Policy MC14 of the Surrey Minerals Plan 2011.

Water Environment and Pollution Controls

- 27. The development hereby permitted shall only be carried out in accordance with the planning application (including paragraph 7.149 and Table 7.12 of the Planning Supporting Statement, Wardell Armstrong LLP, dated July 2012) and approved Flood Risk Assessment (FRA) (July 2012) (Chapter 9 and Appendix 9.1 of the Environmental Statement, Wardell Armstrong LLP, dated July 2012), as modified by the June 2013 Addendum to the Environmental Statement, subsequent letters and emails and the Flood

Risk Assessment and Surface Water Drainage Strategy, Version No. 3, SLR, dated March 2023), and the following mitigation measures detailed within the FRA (July 2012):

There is no increase in impermeable area on the site and no increase in surface water runoff volume.

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.

28. Full level for level compensation for all elements being built within each phase shall be provided at the start of each phase prior to any bunding or overburden storage in the floodplain and subsequently implemented in accordance with the scheme's timing/phasing arrangements in accordance with the following tables and drawings contained within the Flood Risk Assessment and Surface Water Drainage Strategy, Version No. 3, SLR, dated March 2023 (Appendix 4.1 Environment Statement Addendum V3.0, March 2023).
- a) Table 5-1: Phase 1 Floodplain Compensation and Drawing No. ST18890-EIA 9.3 Rev C Phase 1 Summary of Proposed Level for Level Compensation dated 15 March 2023;
 - b) Table 5-2: Phase 2 Floodplain Compensation and Drawing No. ST18890-EIA 9.4 Rev C Phase 2 Summary of Proposed Level for Level Compensation dated 15 March 2023;
 - c) Table 5-3: Phase 3 Floodplain Compensation and Drawing No. ST18890-EIA 9.5 Rev C Phase 3 Summary of Proposed Level for Level Compensation dated 15 March 2023; and
 - d) Table 5-4: Phase 4 Floodplain Compensation and Drawing No. ST18890-EIA 9.6 Rev C Phase 4 Summary of Proposed Level for Level Compensation dated 15 March 2023.

The floodplain compensation measures shall be retained and maintained thereafter throughout the lifetime of the development.

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.

29. All bunds shall be constructed in accordance with the following drawings:

Drawing No. ST18890-PA6 Rev C Phase 1 with Cross Sections dated 21 February 2023;
Drawing No. ST18890-PA7 Rev C Phase 2 with Cross Sections dated 21 February 2023;
Drawing No. ST18890-PA8 Rev C Phase 3 with Cross Sections dated 21 February 2023;
Drawing No. ST18890-PA9 Rev C Phase 4 with Cross Sections dated 21 March 2023.

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.

30. The scheme to ensure that the causeway does not form a barrier across the floodplain shall be implemented and maintained for the lifetime of the causeway and measures for removal of the causeway to at least normal water level at the end of the development shall be carried out in accordance with the details approved under planning permission ref: SP12/01132/SCD4 dated 10 August 2016.

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.

31. The bunds and causeway shall be removed in accordance with the restoration drawings:

Drawing No. ST18890-PA13 Rev C Restoration Detail Plan dated 24 July 2023;
Drawing No. ST18890-PA14 Rev A Restoration Elevations dated 16 March 2023.

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.

32. The development hereby permitted shall be carried out in accordance with approved Drawing No. ST12377-SK1 Floodplain Compensation and Causeway Drainage Proposal dated 4 November 2013, revised 22 July 2015 and the following measures as detailed:

- a) provision of level for level floodplain compensation for the causeway up to the 1 in 100 plus climate change flood level;
- b) compensation to be provided before the causeway is put in place and maintained as open for the life of the causeway.

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.

33. Any facilities for the storage of oil, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The size of the bunded compound shall be at least equivalent to the capacity of the largest tank plus 10%. All filling points, vents and sight glasses must be located within the bund. There must be no drain through the bund floor or walls.

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.

34. a) The Groundwater and Surface Water Monitoring Plan Rev 5, SLR, dated May 2016 shall be implemented in accordance with the details approved under planning permission ref: SP12/01132/SCD7 dated 11 October 2016.

b) Within 3 months of the date of this decision, the Groundwater and Surface Water Monitoring Plan shall be updated to include measures to monitor and assess impacts on groundwater levels and submitted to the County Planning Authority for approval in writing. The updated plan shall include:

- i. a requirement for a regular review of groundwater levels and flow to assess any potential adverse impact on groundwater levels and assess potential risk on receptors up-gradient of the site;
- ii. potential mitigation measures in the event that groundwater levels are being adversely impacted (i.e. a rise in water levels above the long-term maximum);
- iii. a commitment to install mitigation measures such as groundwater drains to route water around the perimeter of the infilled areas to down-gradient groundwater if required; and
- iv. Trigger levels to govern the implementation of the mitigation measures specified.

The updated Plan shall be implemented in accordance with the approved details.

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.

35. If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the County Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the County Planning Authority. The remediation strategy shall be implemented as approved.

Reason

To ensure that the development does not contribute to and is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in accordance with Policy MC14 of the Surrey Minerals Plan 2011 and paragraphs 180, 189, and 190 of the National Planning Policy Framework 2024.

Programme of Working

36. The working of minerals from Manor Farm shall be carried out in accordance with approved Drawing No. ST18890-PA5 Rev C Phasing Plan dated 21 February 2023, with the bund construction in accordance with Drawing Nos. ST18890-PA6 Rev C Phase 1 with Cross Sections dated 21 February 2023, ST18890-PA7 Rev C Phase 2 with Cross Sections dated 21 February 2023, ST18890-PA8 Rev C Phase 3 with Cross Sections dated 21 February 2023 and ST18890-PA9 Rev C Phase 4 with Cross Sections dated 21 March 2023.

Reason

To comply with the terms of the application and to enable the County Planning Authority to adequately control the development and to minimise its impact on the amenities of the local area 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.

Rights of Way

37. Public access must be maintained throughout the period of mineral extraction and restoration. If this is not possible whilst work is in progress then an official temporary

closure order will be necessary, the cost of which is to be borne by the applicant. The operator must ensure that:

- a) There are no obstructions to the public rights of way (Footpath 28, Footpath 29 and Footpath 30) at any time, including on a temporary basis by the placing of plant or vehicles;
- b) Any damage to the rights of way surfaces must be reinstated to the satisfaction of the County Council's Countryside Access Officer;
- c) Warning signs must be erected where contractors' vehicles are using or crossing the right of way, the wording of such signs not to discourage public use.

Reason

To protect the route of the public footpaths and the amenities of the users and comply with Policy MC14 of the Surrey Minerals Plan 2011.

Archaeology

38. The Written Scheme of Investigation shall be implemented in accordance with the details approved under planning permission ref: SP12/01132/SCD2 dated 10 August 2016.

Reason

To afford the County Planning Authority a reasonable opportunity to examine any remains of archaeological interest which are unearthed and decide upon a course of action required for the preservation or recording of such remains in accordance with the Policy MC14 of the Surrey Minerals Plan 2011.

Bird Hazard Management Plan

39. The development hereby permitted shall be carried out in accordance with the details of the Bird Hazard Management Plan (BHMP) approved under planning permission ref: SP12/01132/SCD1 dated 11 October 2016. The BHMP shall be implemented on commencement of 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.

Ecology

40. Prior to the construction of any buildings and erection of plant and equipment, or removal of vegetation at the site (Manor Farm and Queen Mary Quarry) in advance of operations or during restoration, the land shall be inspected by a suitably qualified ecologist to check for breeding birds. No trees shall be felled or vegetation removed during the bird nesting season (1 March – 31 August) unless they have been inspected by a suitably qualified ecologist who has certified that there are no active nests which might be disturbed or destroyed by those activities. If an active nest is identified as being so affected by the development, no further works shall take place in that area until all nesting activity has concluded.

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.

41. The development hereby permitted shall be carried out in accordance with the details of the Biodiversity Mitigation Scheme Rev 2, Bioscan (UK) Ltd, dated August 2016 approved under planning permission ref: SP12/01132/SCD5 dated 7 October 2016.

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.

Lighting

42. Prior to installation of any external lighting at the site compound, details of the design and appearance of the lighting, its brightness, direction and methods of shielding shall be submitted to and approved in writing by the County Planning Authority.

Reason

To enable the County Planning Authority to adequately control the development and minimise its impact on the amenities of the local area in accordance with Strategic Policy SP6 and Policy EN8 of the 'Spelthorne Borough Core Strategy and Policies Development Plan Document' February 2009 and Policy MC14 of the Surrey Minerals Plan 2011.

Concrete Batching Plant and Aggregate Bagging Plant

43. Only mineral extracted at Manor Farm and processed at Queen Mary Quarry and as raised sand and gravel imported to and processed at the Queen Mary Quarry, and recycled aggregate material produced at Queen Mary Quarry, under planning permissions ref: SP07/1273 and SP07/1275 dated 16 January 2009 and SP13/01238 and SP13/01239 dated 6 January 2015 shall be used in the concrete batching plant and aggregate bagging plant hereby permitted.

Reason

To comply with the terms of the application and to enable the County Planning Authority to exercise planning control over the development hereby permitted at the site which is situated in an area of Metropolitan Green Belt and to minimise the impact on local amenity in accordance with Policies MC3 and MC17 of the Surrey Minerals Plan 2011 Core Strategy.

Soil Movement and Placement

44. Soils shall only be moved when in a dry and friable condition; and handling, movement and replacement of soils shall not be carried out between the months of November to March inclusive, or during the bird breeding season unless the area concerned has been shown to be free of nesting birds, following an inspection by a suitably qualified ecologist, immediately prior to such works commencing. Soils should be handled in accordance with the Defra 'Good Practice Guide for Handling Soils'.

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.

45. Bunds for the storage of soils shall be in accordance with the following criteria:
- a) Topsoils, subsoils and subsoil substitutes should be stored separately.
 - b) Where continuous bunds are used dissimilar soils should be separated by a third material, previously agreed with the County Planning Authority.

- c) Topsoil and subsoil (or subsoil substitute) bunds should not exceed 3 metres in height.
- e) Materials shall be stored like upon like, so that topsoil shall be stripped from beneath subsoil bunds and subsoil from beneath overburden bunds.

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.

Landscaping and Restoration

- 46. The height of stockpiles within the Queen Mary Quarry processing plant shall not exceed 16 metres.

Reason

To enable the County Planning Authority to adequately control the development and minimise its impact on the amenities of the local area in accordance with Strategic Policy SP6 and Policy EN8 of the 'Spelthorne Borough Core Strategy and Policies Development Plan Document' February 2009 and Policy MC14 of the Surrey Minerals Plan and 2011.

- 47. The restoration of the Manor Farm site shall be carried out in stages, progressively as the extraction proceeds in accordance with the approved Quarry Phasing Drawing Nos. ST18890-PA5 Rev C Phasing Plan dated 21 February 2023, ST18890-PA6 Rev C Phase 1 with Cross Sections dated 21 February 2023, ST18890-PA7 Rev C Phase 2 with Cross Sections dated 21 February 2023, ST18890-PA8 Rev C Phase 3 with Cross Sections dated 21 February 2023 and ST18890-PA9 Rev C Phase 4 with Cross Sections dated 21 March 2023 and approved Drawing No. ST18890-PA13 Rev C Restoration Detail Plan dated 24 July 2023.

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.

- 48. The restoration of the Queen Mary Quarry site shall be undertaken in accordance with the restoration and landscaping scheme for the site approved under reference SP07/1276 dated 15 January 2009, as reproduced on Drawing No. PA15 Approved Restoration Plan for QMQ Site dated March 2012.

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.

- 49. Prior to the extraction of each of the phases of working within Manor Farm, detailed landform and planting design proposals shall be submitted to and approved in writing by the County Planning Authority.

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.

- 50. Protection measures for the tree and hedgerow vegetation within and on the boundary of the land with planning permission at Manor Farm shall be implemented in accordance with

the details of the Tree and Hedgerow Protection Plan approved under planning permission ref: SP12/01132/SCD8 dated 7 October 2016.

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.

Aftercare and Management

51. The aftercare, management and maintenance of the restoration plan for Manor Farm shall be for a period of 25 years in accordance with the 'Restoration Management and Maintenance Plan V2.0, Wardell Armstrong LLP, dated March 2023 (Appendix E Planning Statement).

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.

Informatives:

1. The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders (Highways Act 1980 Sections 131, 148, 149).
2. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.
3. The applicant is expected to ensure the safe operation of all construction traffic to prevent unnecessary disturbance, obstruction and inconvenience to other highway users. Care should be taken to ensure that the waiting, parking, loading and unloading of construction vehicles does not hinder the free flow of any carriageway, footway, bridleway, footpath, cycle route, right of way or private driveway or entrance. The developer is also expected to require their contractors to sign up to the "Considerate Constructors Scheme" Code of Practice, (www.ccscheme.org.uk) and to follow this throughout the period of construction within the site, and within adjacent areas such as on the adjoining public highway and other areas of public realm.
4. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the Transport Development Planning Team of Surrey County Council.
5. When a temporary access is approved or an access is to be closed as a condition of planning permission an agreement with, or licence issued by, the Highway Authority Local Highway Service Group will require that the redundant dropped kerb be raised and any verge or footway crossing be reinstated to conform with the existing adjoining surfaces at the developer's expense.
6. A pedestrian inter-visibility splay of 2m by 2m shall be provided on each side of the access, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence, wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall be erected within the area of such splays.

7. The applicant 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 streetlights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
8. A S278 Agreement is required in respect of the works (conveyor tunnel, site entrances onto Ashford Road and Worple Road, public footpath) under this decision. A bond will be required from the commencement of the development for the duration of the works and will only be released on the satisfactory reinstatement of the highway.
9. The procurement, planting, establishment and aftercare of all new trees with a distinct crown shall be in general accordance with British Standard BS 8545:2014 Trees: From nursery to independence in the landscape - Recommendations.
10. Growing media used for the soft landscaping should not contain peat.
11. Procurement of planting stock is recommended from a supplier who is a member of the Plant Healthy Certification Scheme (or equivalent).
12. Biosecurity is very important to minimise the risks of pests and diseases being imported into the UK and introduced into the environment. It is recommended that all trees grown abroad, but purchased for transplanting, shall spend at least one full growing season on a UK nursery and be subjected to a pest and disease control programme. Evidence of this control programme, together with an audit trail of when imported trees entered the UK, their origin and the length of time they have been in the nursery should be requested before the commencement of any tree planting. If this information is not available, alternative tree sources should be used. The applicant is advised to consult the relevant UK Government agencies such as the Animal and Plant Health Agency (APHA) and the Forestry Commission for current guidance, Plant Passport requirements and plant movement restrictions. Quality Assurance Schemes followed by nurseries (such as the Plant Healthy Certification Scheme) should also be investigated when researching suppliers. For larger planting schemes, the applicant may wish to consider engaging a suitably qualified professional to oversee tree / plant specification and planting.
13. 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.

Birds are known to nest on the ground within the site, on buildings and items of the mineral processing plant and these and trees and scrub present on the application site are likely to contain nesting birds between 1st March and 31st August inclusive. 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, the site is assumed to contain nesting birds between the above dates.
14. The applicant's attention is drawn to the advice from National Grid contained within their letters dated 20 July 2022 and 4 July 2023, and email dated 7 September 2022, in respect of your responsibilities and obligations, and guidance for working within the High Risk zone for National Grid Electricity Transmission plc's apparatus, copies of which have been provided to the applicant or can be obtained from the County Planning Authority on request.

15. The applicant's attention is drawn to the comments and requirements of Esso Petroleum Co Ltd set out within the Fisher German letters dated 10 July 2013, 23 December 2013 and 10 August 2022 and enclosed Special Requirements for Safe Working booklet and the covenants referred to in the Deed of Grant, copies of which have been provided to the applicant or can be obtained from the County Planning Authority.
16. The applicant's attention is drawn to the response from Affinity Water who advise that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (SPZ) corresponding to our Pumping Station (CHER). This is a public water supply, comprising a number of abstraction boreholes, operated by Affinity Water Ltd. There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the applicant/developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (<https://affinitywater.custhelp.com/>) or emailing aw_developerservices@custhelp.com

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken. Any works involving excavations below the chalk groundwater table (for example, piling or the implementation of a geothermal open/closed loop system) should be avoided. If these are necessary, a ground investigation should first be carried out to identify appropriate techniques and to avoid displacing any shallow contamination to a greater depth, which could impact the chalk aquifer. For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

17. The applicant's attention is drawn to the following requirement of Thames Water in relation to public sewers and sewerage infrastructure in the B377 Ashford Road:

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

There is a foul water sewer and manhole in Ashford Road (B377) in the location where the conveyance tunnel is proposed. The manhole is at a depth of approximately 11.6m AOD. The developer needs to contact Thames Water Developer Services on 0845 850 2777 regarding asset protection of this sewer during and after the construction.

18. The applicant's attention is drawn to the following advice provided by the Environment Agency:

This development will require an environmental permit under the Environmental Permitting (England & Wales) Regulations 2016, from the Environment Agency, unless an exemption applies. The applicant is advised to contact the Environment Agency on 03708 506 506 for further advice and to discuss the issues likely to be raised. You should be aware that there is no guarantee that a permit will be granted. Additional 'Environmental Permitting Guidance' can be found here.

Other Consents - advice to applicant: As you are aware we also have a regulatory role in issuing legally required consents, permits or licences for various activities. We have not assessed whether consent will be required under our regulatory role and therefore this

advice does not indicate that permission will be given by the Environment Agency as a regulatory body.

The applicant should contact 03708 506 506 or consult our website to establish if consent will be required for the works they are proposing. Please see <http://www.environment-agency.gov.uk/business/topics/permitting/default.aspx>

There is currently an abstraction licence issued to Brett Aggregates at the adjacent site. The licence number is TH/039/0031/008. This licence allows water to be abstracted for the purpose of mineral washing. The maximum abstraction volumes associated with this licence are:

- 573m³/hour
- 5,730m³/day
- 1,760,000m³/year

It is mentioned in the planning application that water would be needed for concrete production dust suppression (including vehicle washing) and potentially for landscape irrigation. If you intend to use your existing abstraction licence for any purpose other than mineral washing, you will need to contact us to discuss the possibility of varying your licence. You would also need to contact us if you intend to drill a new borehole or seek to take water from a surface water source (e.g. lake/river).

If you have any questions regarding the above points then please email Alastair Wilson at thames.northeast@environment-agency.gov.uk or call on 03708 506 506.”

19. If the proposed works result in infiltration of surface water to ground within a Source Protection Zone, the Environment Agency will require proof of surface water treatment to achieve water quality standards.
20. The applicant's attention is drawn to the advice of the Lead Local Flood Authority who advise that Phase 4 includes changes to existing Ordinary Watercourses within the site. The applicant should be aware that any works which affect an Ordinary Watercourse will require consent under Section 23 of the Land Drainage Act 1991.
Ordinary watercourse consents - Surrey County Council (surreycc.gov.uk)
21. The applicant's attention is drawn to the response of the Countryside Access Team who has advised that: (i) There are to be no obstructions on the public right of way at any time, this is to include vehicles, plant, scaffolding or the temporary storage of materials and/or chemicals; (ii) If a temporary closure of public footpath 30 is necessary in order to ensure public safety while work is underway, a minimum of 3 weeks' notice must be given and there is a charge - please contact the Countryside Access Officer rightsofway@surreycc.gov.uk ; and (iii) Any alteration to, or replacement of, the existing boundary with the public right of way, or erection of new fence lines, must be done in consultation with the Countryside Access Officer. Please give at least 3 weeks' notice.
22. The applicant's attention is drawn to the response of the Surrey Wildlife Trust (SWT) who has commented that from the information submitted in the Restoration Management and Maintenance Plan, glyphosate herbicide is proposed to be used. Where possible, the SWT would advocate using more sustainable methods of management, rather than the use of herbicides, as such use can have a negative impact on non-target species and pollinators.
23. Attention is drawn to the requirements of Sections 7 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the Code of Practice for Access of the Disabled to Buildings (British Standards Institution Code of Practice BS 8300:2009) or any prescribed document replacing that code.
24. In determining this application, the County Planning Authority has worked positively and proactively with the applicant by: assessing the proposal against relevant Development

Plan policies and the National Planning Policy Framework including its associated planning practice guidance and European Regulations and providing feedback to the applicant where appropriate. Further, the County Planning Authority has: identified all material considerations; forwarded consultation responses to the applicant; considered representations from interested parties; liaised with consultees and the applicant to resolve identified issues and determined the application within the timeframe agreed with the applicant. Issues of concern have been raised with the applicant including impacts of and on, restoration, soils, landscaping, flooding and ecology and addressed through negotiation and acceptable amendments to the proposals. The applicant has also been given advance sight of the draft planning conditions and the County Planning Authority has also engaged positively in the preparation of the draft Deed of Variation to the Section 106 Legal Agreement. This approach has been in accordance with the requirements of paragraph 39 of the National Planning Policy Framework 2024.

Contact David Maxwell

Tel. no. 07814 284982

Background papers

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

For this application, the deposited application documents and plans, are available to view on our [online register](#). The representations received are publicly available to view on the district/borough planning register.

The Spelthorne Borough Council planning register entry for this application can be found under application reference SP22/01006/SCRVC.

Other documents

The following were also referred to in the preparation of this report:

Government Guidance

[National Planning Policy Framework](#)
[Planning Practice Guidance](#)

The Development Plan

[Surrey Minerals Plan Core Strategy Development Plan Document \(DPD\) 2011](#)
[Surrey Minerals Plan Primary Aggregates Development Plan Document \(DPD\) 2011](#)
[Surrey Minerals Plan Site Restoration Supplementary Planning Document \(SPD\) 2011](#)
[Spelthorne Borough Local Plan 2001 Saved Policies and Proposals](#)
[Spelthorne Borough Core Strategy and Policies Development Plan Document 2009](#)
[Pre-submission Spelthorne Local Plan 2022](#)

Other Documents

Section 106 Legal Agreement dated 14 October 2015
 Section 106 Legal Agreement dated 12 January 2009
 Town and Country Planning Act 1990 (as amended)
 Town and Country Planning (Environmental Impact Assessment) Regulations 2011
 Town and Country Planning (Environmental Impact Assessment) Regulations 2017
 Section 278 Agreement dated 4 May 2018
 Environment Act 2021
 Spelthorne Borough Council Air Quality Management Plan
 Surrey County Council Guidelines for Noise and Vibration Assessment and Control, RPS Group PLC, January 2020

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