

To: Planning & Regulatory Committee
By: Planning Development Manager

Date: 26 February 2025

District(s) Spelthorne

Electoral Division(s):

Laleham & Shepperton
Ms Attewell

Staines South & Ashford West
Ms Turner-Stewart

Case Officer:
David Maxwell

Purpose: For Decision

Grid Ref: 499088 135451

Title: Minerals and Waste Application SP23/00160/SCC

Land at Queen Mary Quarry, Ashford Road, Laleham, Surrey, TW18 1QF

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).

Summary Report

Planning permission for mineral extraction at Manor Farm was granted in October 2015 under planning permission ref: SP12/01132. This permission included a conveyor route enabling the transfer of mineral for processing at the adjoining site of Queen Mary Quarry (**QMQ**). Due to ecological constraints (habitat protection) an alternative route for part of the conveyor was permitted, also in October 2015, under planning application ref: SP/13/01003. This permission was never implemented and has now expired. A new permission is now being sought for a section of the conveyor, to the same design, routing and specification as that approved under application ref: SP/13/01003.

As previously, this section of the conveyor makes use of unvegetated land alongside an existing access track within the quarry site and has been sited such that it avoids some features of ecological habitat within the Site of Nature Conservation Importance (**SNCI**). The application is part-retrospective as a section of the conveyor belt has already been installed.

The application is supported by an overarching Environmental Statement (**ES**) consented under applications SP12/01132 and SP13/01003, together with an addendum addressing the partial realignment of the conveyor dated January 2023. The overarching 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 proposed partial realignment of the conveyor belt and use of the land associated with this development.

Two letters of representation have been received during the course of the application in respect of potential air pollution from heavy duty traffic impacting on local amenity and impact on the Green Belt. There are no objections from consultees subject to adequate mitigation and control in respect of flood risk and noise which can be achieved by appropriately worded conditions. The restoration of the QMQ site is enabled through approved schemes and by way of a S106 legal agreement. Separate planning application to the County Planning Authority will be required should there be any change or delay to the restoration scheme.

In conclusion, Officers consider that whilst the proposed section of conveyor would not preserve openness, due to its scale and form, sufficient very special circumstances exist to clearly outweigh that harm, noting also that it would be temporary in nature. The very special circumstances relate to the need for the conveyor as part of the overall mineral operations, and to enable the transfer of material from Manor Farm to the QMQ site. Furthermore, the proposal would not give rise to unacceptable environmental and amenity impacts. For these reasons, Officers consider that the proposal is acceptable and complies with national planning policy and local development plan policy requirements subject to the imposition of conditions to control the impact of the development on local amenity and the environment.

The recommendation is to Permit subject to conditions.

Application details

Applicant

Brett Aggregates Ltd

Date application valid

27 January 2023

Period for Determination

28 April 2023 (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
Flood Risk	Yes	81-84
Hydrology and Hydrogeology	Yes	85-86
Noise	Yes	87-90
Air Quality and Dust	Yes	91-92
Landscape and Visual Impact	Yes	93-95
Ecology and Biodiversity	Yes	96-104
Green Belt	Yes	105-117

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 application site lies within the Queen Mary Quarry (**QMQ**) and comprises land to the west of the Queen Mary Reservoir, which was formerly worked for sand and gravel. The application site is in two parts to the west and east of the waterbody/lake formed by mineral working. The western part is a square piece of land of approximately 0.2ha in the

southwest part of the QMQ adjacent to Ashford Road (opposite the field between numbers 133 and 151 Ashford Road), whilst the eastern (larger) part east of the lake runs broadly north- south along the eastern boundary of QMQ to the processing plant area (approximately 1.37ha).

2. The River Ash runs between the application site and the reservoir. To the south runs the Queen Mary Reservoir water intake channel and farmland, with the former Shepperton Aggregates Home Farm Quarry beyond. To the west is Ashford Road and residential housing with land at Manor Farm beyond. To the north lies the QMQ processing plant site with the Staines Reservoirs Aqueduct beyond over which the quarry haul road leading to the A308 passes over, and beyond that the A308 and residential housing and the Ashford Manor golf course. To the north-east is an electricity sub-station and electricity pylons traverse the site. Fordbridge Park lies to the northwest.
3. 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. The application site is within a major aquifer and mostly within a groundwater source protection zone 3 for public water supply (Chertsey). The lakes at QMQ and parts of the land adjacent to the River Ash are within Flood Zone 3. 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 site are within Flood Zone 2.
4. The majority of the land at Queen Mary Quarry is designated as the West of Queen Mary Reservoir Site of Nature Conservation Importance (**SNCI**) and there are a number of other SNCIs within 1 km of the site: the Queen Mary Reservoir SNCI, River Thames SNCI (Spelthorne and Runnymede) and Penton Hook SNCI and within 2km of the site the Laleham Burway Golf Course SNCI, Abbey Lake SNCI, Littleton Lake SNCI, Shepperton Quarry SNCI and Chertsey Waterworks SNCI.

Planning History

5. The QMQ operational mineral site is operated by Brett Aggregates Ltd (the site was formerly known as the land west of Queen Mary Reservoir quarry and operated by Reservoir Aggregates). Mineral extraction from the land to the west of the reservoir and within the reservoir, and the processing of minerals at the processing plant commenced in the late 1960s and has continued since under a number of planning permissions including those for buildings/structures associated with the mineral extraction and processing.
6. Mineral and waste activity currently taking place at the QMQ site is extraction of sand and gravel from within the reservoir involving removal of part of the breakwater baffle (permission ref. SP07/1269); a facility for recycling of construction and demolition waste and production of recycled aggregates (permission ref. SP07/1273); and the importation and processing of 'as raised' sand and gravel for processing (permission ref. SP07/1275). Under these permissions, the existing mineral processing plant was due to be replaced by 31 December 2013. The mineral processing and recycling operations permitted under refs: SP07/1273 and SP07/1275 using mobile processing plant is to be allowed till 31 December 2033, with the land restored by 31 December 2038.
7. The QMQ is to be restored to an afteruse of nature conservation with no public access under the revised working, restoration and landscaping schemes approved under permission ref: SP07/1276 dated 15 January 2009. The approved schemes cover the former mineral workings, existing silt lagoons and land areas, including the processing plant site on the land west of Queen Mary Reservoir and provide for phased restoration of the land. A S106 legal agreement was entered into in connection with this decision and the three planning permissions referred to in the previous paragraph. On 29 July 2011, a non-material amendment application (ref: SP11/0491) was approved to amend the phasing timetable of the development, but without altering the restoration end date of 2033 as secured by the legal agreement which remained unchanged.

8. In 2013, as the mineral extraction and processing works permitted under SP07/1269 were unable to be completed by 31 December 2013 as envisaged at the time the permissions were granted, Brett Aggregates made three planning applications (refs: SP13/01236/SCC, SP13/01238/SCC and SP13/01239/SCC) to extend the time periods of the mineral extraction and processing operations permitted under ref: SP07/1269, SP07/1273 and SP07/1275 respectively to 31 December 2016. Permission was granted for these three applications on 6 January 2015 subject to the prior completion of a variation to the Section 106 Legal Agreement to ensure that it applied to the current operator and the three new planning permissions.
9. Broadly concurrently, an application was submitted in March 2012 under ref: SP/12/01132 for the extraction of sand and gravel from Manor Farm, Laleham and the installation of a field conveyor for the transport of minerals from Manor Farm to the mineral processing plant at QMQ. Whilst this application was under consideration, issues arose in relation to the impact of the proposal on the SNCI due to the proposed route of the conveyor and a revised route was identified which avoided areas of vegetation and ecological habitat. However, as the alternative route was partially outside the application site a separate planning application was submitted in May 2013 under ref: SP/13/01003.
10. Permission was granted in October 2015 for both the main Manor Farm application (SP/12/01132) and the alternative conveyor route (SP/13/01003). The former was subject to a Section 106 agreement which secured the long term aftercare management (including bird management) of the land at Manor Farm and to limit the number of HGV movements. As the construction of the conveyor relied on both permissions the two developments were interdependent, to be implemented as one. An environmental assessment was undertaken, and an overarching ES Statement was submitted with the applications.
11. The permission (for the conveyor) granted in October 2015 under application ref: SP/13/01003 was never implemented and has now expired.
12. A separate application (ref: SP22/01006) for land at Manor Farm and part of the QMQ (including the processing plant site and access) is currently under consideration. This is a S73 application which seeks to vary planning permission ref: SP/2012/01132 to allow the site at Manor Farm to be restored in accordance with a revised restoration plan. This application is reported elsewhere on the agenda.

The Proposal

13. This application seeks a new permission for the section of the conveyor route granted permission under ref: SP13/01003/SCC (which has now expired).
14. The conveyor in its entirety would run for approximately 1.5km, south-west from Manor Farm, under Ashford Road, over a causeway crossing the lake at QMQ, around the edge of the restored area and north to the processing area at QMQ). This application seeks permission for the section running north-south within QMQ (approximately 0.6km in length). The conveyor runs primarily above ground comprising a rubber belt mounted approximately 1m above ground level. The square section of land adjacent to Ashford Road has been included to facilitate access for construction.
15. As previously, the conveyor route has been designed to avoid areas of habitat and features of ecological habitat within the SNCI making use instead of largely unvegetated land within the QMQ site adjacent to the existing access track. The small area of land adjacent to the Ashford Road (western part of the application site) has been included to accommodate the construction of the conveyor tunnel under the Ashford Road.
16. When considered in isolation the proposal under this application would not constitute Environmental Impact Assessment (EIA) development. Nevertheless, as the construction and use of a conveyor are fundamental to the deliverability of the Manor Farm

development, the two applications need to be considered in combination. Therefore, the overarching Environmental Statement submitted in connection with the originally permitted Manor Farm planning permission (ref: SP12/01132), and the permitted alternative conveyor route (ref: SP13/01003) which has now expired, has been updated by the submission of two ES Addendums in support of this application and application SP22/01006 which is reported elsewhere on the agenda.

17. This application is accompanied by the following documents:

- (a) An Environmental Statement (**ES**) and an Addendum to it dated 2013 previously submitted in respect of the Manor Farm Quarry application (permission ref: SP/2012/01132) and the expired permission ref: SP13/01003/SCC for the revised conveyor route (**2012/13 ES**).
- (b) An Addendum to the 2012/13 ES dated March 2023 in support of planning application ref: SP22/01006 at Manor Farm (reported elsewhere on the agenda).
- (c) An Addendum to the 2012/13 ES dated January 2023 in support of this planning application, which re-assesses the impact of the revised conveyor route in relation to each of the technical assessments that were undertaken in the 2012/13 ES on aspects including landscape and visual impact, ecology and nature conservation, archaeology and cultural heritage, flood risk, hydrology and hydrogeology, noise, air quality, soils and land use, and traffic and transport. It also includes Supplementary Ecological Information (**SEI**) dated September 2022 which re-assesses the ecological impacts of the proposal based upon updated survey work undertaken during 2022.

18. During an Officer site visit in October 2024, it was observed that the work to install the conveyor belt has been undertaken. This has been confirmed with the applicant, and as such this application is retrospective.

Consultations and publicity

District Council

19. Spelthorne Borough Council No objection.

Consultees (Statutory and Non-Statutory)

20. Borough Environmental Health Officer No further comments.

21. County Archaeological Officer No archaeological concerns.

22. County Highway Authority No objection on the basis of the confirmation provided that the proposed development will not result in any increase to mineral extraction quantities, or changes to timescales.

23. County Ecologist No objection.

24. County Enhancement Officer No objection.

25. Environment Agency No objection subject to conditions and informatives.

26. County Environmental Assessment Officer No view received.

27. County Great Crested Newt Consultant Requested updated survey on Great

(Nature Space)	Crested Newts to be conducted ¹
28. County Landscape Officer	No objection.
29. Essex Landscape Consultant	No view received.
30. Esso Petroleum Company Ltd / Fisher German LLP (SLP)	No objection so long as the proposals adhere to the “Special Requirements for Safe Working” and covenants in the Deed of Grant.
31. Esso Pipeline	No view received.
32. Fisher German LLP (Esso Pipeline)	No view received.
33. Health and Safety Executive - Quarries	Do not advise against proposal.
34. Heathrow Airport Safeguarding	No safeguarding objection.
35. Historic England	No comment.
36. Lead Local Flood Authority	No objection subject to informatives.
37. National Grid (Electricity Transmission) (NGET)	No objection provided the conditions and guidance agreed with NGET back in 2013 are adhered to.
38. National Grid (Gas)	No comment – no National Gas Transmission assets to be affected.
39. Natural England	No view received.
40. Planning Casework Unit/MHCLG	No view received.
41. Active Travel England	No comment.
42. Countryside Access (Rights of Way)	No comment.
43. RPS Planning & Dev Ltd - Air Quality	No objection.
44. RPS Planning & Dev Ltd – Noise	Recommend approval subject to the same noise conditions as those already in place for the existing Queen Mary Quarry and Manor Farm sites.
45. Scottish and Southern Electricity Networks	No objection subject to informative.
46. Stantec UK Limited (Geology)	No comment.
47. Surrey Wildlife Trust	No view received.
48. Affinity Water Ltd	No view received.

¹ It has been agreed by the County Ecologist that updated protected species surveys are not required for the S73 planning application at Manor Farm (ref: SP22/01006, reported elsewhere on the agenda), because the habitats on-site have not significantly changed since the original Preliminary Ecological Appraisal in the 2012/13 ES. As such officers consider an updated survey on Great Crested Newts is not required for this application given it is in conjunction with the Manor Farm application.

49. Thames Water No comment.

Parish/Town Council and Amenity Groups

50. Ashford Road Residents Association No view received.

51. Charlton Village Residents Association No view received.

52. Campaign Laleham Against Gravel 2 (Clag2) No view received.

53. Manor Farm Eastern Boundary Residents Association No view received.

54. Manor Farm Residents Association No view received.

55. Laleham Residents' Association No view received.

56. Open Spaces Society No view received.

57. Queen Mary Sailing Club No view received.

58. Ramblers Association - Runnymede Spelthorne (Staines) No view received.

59. Spelthorne Natural History Society Object on ecological and environmental grounds (to be discussed in the Planning Considerations section).

60. Surbiton & District Bird Watching Society No view received.

61. Shepperton Residents' Association No view received.

62. The Royal Society for the Protection of Birds (RSPB) No view received.

Summary of publicity undertaken and key issues raised by public

63. The application was first publicised in February 2023 by the posting of ten site notices and an advert was placed in the local newspaper. A total of 720 owner/occupiers of neighbouring properties were directly notified by letter. No letters of representations were received in response.

64. A second round of publicity was undertaken in August 2023 which included additional information in relation to the ES. Ten site notices were posted and an advert was placed in the local newspaper. A total of 1,001 owner/occupiers of neighbouring properties were directly notified by letter. Two letters of representations were received in response to the publicity providing concerns on the application. The main issues raised were:

- Increase in heavy duty traffic along Ashford Road and the associated air pollution.
- Destruction of the Green Belt.

65. The third and fourth rounds of publicity were undertaken in October 2024 and December 2024 respectively due to updates to the appendices of the ES. Five site notices were posted and an advert was placed in a local newspaper. A total of 996 (October 2024) and 993 (December 2024) owner/occupiers of neighbouring properties were directly notified by letter. One letter of representation was received in December 2024 querying what has been changed to the ES.

Planning considerations

Introduction

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66. 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. In this case the statutory development plan for consideration of the application consists of the Surrey Minerals Plan 2011 (Core Strategy Development Plan Document (**DPD**) and Primary Aggregates DPD, adopted in July 2011) (**SMP 2011**), Spelthorne Borough Local Plan 2001 'Saved' Policies and Proposals (**SBLP 2001**), and Spelthorne Borough Council Core Strategy and Policies Development Plan Document February 2009 (**SB Core Strategy and Policies DPD 2009**).
 67. On 25 November 2022, Spelthorne Borough Council submitted its draft Local Plan (Spelthorne Local Plan 2022-2037) to the then Secretary of State for Levelling Up, Homes and Communities for independent inspection. This emerging Local Plan will guide future development in the Borough over the next 15 years. Nevertheless, the local plan examination was paused in June 2023 for consideration to be given to the revised National Planning Policy Framework (**NPPF**). Followed by a Council meeting held on 24 October 2024, the Spelthorne Borough Council has formally requested the Planning Inspector to resume the Local Plan Examination and response from the Planning Inspector is pending. It is considered that some weight can be afforded to the Pre-submission Spelthorne Local Plan 2022-2037. As such, the relevant policies of this plan, for this proposal, are included in this report.
 68. 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 the environmental information contained in it will be taken into consideration and reference will be made to it.
 69. This proposal is related to the Manor Farm mineral planning permission ref: SP12/01132 (as updated by application SP22/01006). This application proposes a partial realignment of the route of the proposed conveyor belt within the QMQ site and an additional area of land adjacent to the Ashford Road for use in connection with the construction of the permitted tunnel under the Ashford Road for siting of the conveyor. It will be necessary to determine whether the proposed measures for mitigating any environmental and amenity impacts of the development are satisfactory, and for the County Council to be satisfied that there would be no significant adverse impacts arising from the proposed partial realignment of the conveyor belt and use of the land adjacent to the Ashford Road in association with the construction of the tunnel. The proposal will be assessed against Green Belt policy.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

70. The CPA has considered the need for the application to be supported by an EIA. The application was found not to fall within the scope of any of the types of development listed in Schedule 1 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). The CPA has considered the development in the context of Schedule 2 and is of the opinion that when considered in isolation, the proposed development would not constitute 'EIA development'. However, given that the conveyor is fundamental to the delivery of the Manor Farm mineral development under planning permission ref: SP/2012/01132 and the associated revised restoration proposal under application ref: SP22/01006/SCRVC (reported elsewhere on this agenda), it is necessary to consider the applications in combination. As the proposed working at Manor Farm is 'EIA' development, an ES is required to take account of the combined impacts of mineral working at Manor Farm and the construction of the conveyor.

ENVIRONMENT AND AMENITY

Surrey Minerals Plan 2011 Core Strategy DPD (SMP 2011)

Policy MC14 – Reducing the adverse impacts of mineral development

Policy MC17 – Restoring mineral workings

Policy MC18 – Restoration and enhancement

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

Strategic Policy SP6 – Maintaining and Improving the Environment

Policy EN3 – Air Quality

Policy EN8 – Protecting and Improving Landscape and Biodiversity

Policy EN11 – Development and Noise

Policy LO1 – Flooding

Spelthorne Borough Local Plan 2001 (Saved Policies) (SBLP 2001)

Policy RU11 & RU14 – Sites of Nature Conservation Importance

Pre-submission Spelthorne Local Plan 2022-2037

Policy E2 – Biodiversity

Policy E3 – Managing Flood Risk

Policy E4 – Environmental Protection

71. The NPPF and National Planning Practice Guidance (**NPPG**) expect mineral planning authorities to ensure that mineral proposals do not have an unacceptable adverse effect on the natural or historic environment or human health. Guidance in relation to implementation of policy in the NPPF on development in areas at risk of flooding and in relation to mineral extraction (including in relation to proximity of mineral workings to communities, dust emissions, noise and restoration and aftercare of mineral sites) is provided in the NPPG. Some of the development plan policies listed above relate to one or more of the issues.
72. The SMP2011 recognises the difficulties in balancing meeting the need for mineral development and ensuring that mineral working does not result in unacceptable impacts on local communities and the environment. Policy MC14 of the SMP 2011 states that proposals for mineral working will only be permitted where a need has been demonstrated and sufficient information has been submitted to enable the Mineral Planning Authority to be satisfied that there would be no significant adverse impacts arising from the development and sets out matters to be addressed in planning applications.
73. Policy MC17 of the SMP 2011 requires mineral working proposals to provide for restoration and post restoration management to a high standard. Sites should be progressively restored or restored at the earliest opportunity with the restoration sympathetic to the character and setting of the wider area and capable of sustaining an appropriate after-use.
74. Policy MC18 of the SMP 2011 provides that the Mineral Planning Authority will work with operators and landowners to deliver benefits including enhancement of biodiversity interests at the site and where appropriate as part of a wider area enhancement approach.
75. Objectives of the SB Core Strategy and Policies DPD 2009 include “*to protect and improve the quality of the environment, including improving the landscape, promoting biodiversity and safeguarding the Borough’s cultural heritage*” through policies including Strategic Policy SP6 and Policy EN8, which seek to protect and improve the landscape and biodiversity and cultural heritage of the borough through working with others to develop and secure the implementation of projects to enhance the landscape and create or improve habitats of nature conservation value; wherever possible ensure that new development contributes to an improvement in landscape and biodiversity and also avoids harm to features of conservation interest. Planning permission will be refused where development would have a significant harmful impact on the landscape or features of nature conservation value.

76. Policy EN3 of the SB Core Strategy and Policies DPD 2009 states that Spelthorne Borough Council aims to improve air quality and minimise harm from poor air quality by refusing development where adverse effects on air quality are of a significant scale, and are not outweighed by other important considerations or effects, and cannot be appropriately or effectively mitigated. Policy EN11 seeks to minimise the impacts of noise and sets out a series of criteria by which to achieve this including measures to reduce noise to acceptable levels and ensuring provision of appropriate noise attenuation measures.
77. Policy LO1 of the SB Core Strategy and Policies DPD 2009 seeks to reduce flood risk and its adverse effects on people and property in Spelthorne through a range of measures including maintaining flood storage capacity within Flood Zone 3; maintaining the effectiveness of the more frequently flooded area (Zone 3b) of the floodplain to both store water and allow the movement of fast flowing water.
78. Policies RU11 and RU14 of the SBLP 2001 (Saved Policies) give protection to SNCIs. Policy RU11 states that proposals will only be permitted within SNCIs where there will be no adverse effect, either directly or indirectly on the ecological interest of the site or where the requirements of Policy RU14 are met. Policy RU14 provides for mitigation and compensation to be provided where exceptional circumstances justify a development which will adversely impact on an SNCI, and requires a demonstration that the harm is kept to a minimum.
79. Policy E2 of the Pre-submission Local Plan 2022-2037 supports development proposals that restore, maintain and enhance habitat connectivity and will seek opportunities for habitat creation particularly. The Council will only permit development proposals within SNCIs where there will be no adverse effect, either directly or indirectly on their ecological interest.
80. Policy E3 of the Pre-submission Local Plan 2022-2037 aims to reduce overall and local flood risk by ensuring development is located, designed and laid out to ensure it is safe, minimising the risk from flooding, whilst not increasing flood risk elsewhere and residual risks are safely managed. New development will be guided to areas of lowest flood risks from all sources of flooding through application of the sequential test. 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, incorporating SuDs (Sustainable Drainage Systems), unless it can be demonstrated that they are not appropriate.
81. Policy E4 of the Pre-submission Local Plan 2022-2037 seeks 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. The Council will seek to protect and improve local noise conditions as far as reasonably practicable and minimise the adverse impact from light pollution on the environment.

Flood Risk

82. The alignment of alternative conveyor route falls within Flood Zones 2 and 3, as shown on the Environment Agency's flood maps, SB Core Strategy and Policies DPD 2009 Proposals Map and Spelthorne Borough Council's Strategic Flood Risk Assessment (**SFRA**). Apart from flooding from rivers, extensive areas around the reservoir lie within an area at risk from reservoir flooding. Thames Water has been consulted and stated they had no comment to make.
83. Chapter 9 of the 2012/13 ES contains the results of a Flood Risk Assessment (**FRA**). This concluded that there would be no significant increased offsite flooding risks as a result of the development (including the siting and operation of a conveyor within the QMQ site).
84. Appendix 4.1 of the ES Addendum for Manor Farm dated March 2023 provides an update to the FRA taking into account the revised restoration scheme at Manor Farm as proposed

under planning application ref: SP22/01006 (reported elsewhere in the agenda) and the revised conveyor route under this application. The updated FRA concludes that the proposed development would not impact off-site flood risk.

85. As set out in the planning statement, the ES assessment of flood risk noted that, with regard to the conveyor, the potential risk arose from where the conveyor was to cross the existing lakes within QMQ via a causeway. The revised proposed conveyor route does not propose any change to the tunnel beneath Ashford Road or the causeway. As such, there is no change in the potential impacts of the conveyor with regard to loss of flood plain storage, and therefore there is no change in the required flood plain storage compensation, which is to be provided in the main excavation void at Manor Farm.
86. The Environment Agency raised no objection to the proposed revised conveyor route subject to conditions requiring the development to be carried out in accordance with the updated FRA dated March 2023 and the approval of a remediation strategy by the Environment Agency in case of unexpected contamination. The Lead Local Flood Authority and the County Geotechnical Consultants raised no objection and no comment to the proposal respectively. In conclusion, Officers consider the proposal remains acceptable on flood risk grounds and the potential impact would be mitigated through the imposition of suitably worded conditions. The proposal therefore accords with the relevant national and development plan policies.

Hydrology and Hydrogeology

87. The applicant has stated in the ES Addendum dated January 2023 that the potential hydrological and hydrogeological impacts in relation to the proposed conveyor were as a result of the infilling of silt for the construction of the causeway across the long lake at QMQ. As the revision to the conveyor route does not impact upon the location or construction of the causeway, it is anticipated that the revised conveyor route would not have any additional impact in relation to hydrology or hydrogeology.
88. The County Geotechnical Consultants raised no comment to the proposal given it is the same with what has been previously granted under planning permission ref: SP13/01003. In conclusion Officers consider the proposal remains acceptable in respect of hydrology and hydrogeology grounds and accords with the relevant national and development plan policies.

Noise

89. The ES Addendum dated January 2023 identified that the potential impact from the revised conveyor route within the QMQ site would be from moving the operational conveyor closer to receptors on the Ashford Road and any additional conveyor change points (with conveyor drive and gearbox).
90. The original routing involved two conveyor change points, one within the Manor Farm site and the second within the QMQ site. Neither of these two original changeover points would change. Conveyor change point one within the Manor Farm site would be located approximately 90m from the nearest receptor point on Ashford Road, and the ES Addendum dated January 2023 concluded that, with localised acoustic screening (hay bales around the change point), the predicted noise level at the nearest noise sensitive property would comply with the noise criterion (LAeq = LA90+0). The second change over point in the QMQ site would be some 200 metres from properties.
91. The revised conveyor route would involve two additional change points, both of which would be some 300 metres away from the closest residential properties on the Ashford Road. Although both new changeover points (points three and four) would be located further away from residential properties than change point one, both points three and four would be screened with locally positioned hay bales as was proposed for point one. The ES Addendum dated January 2023 concluded that with the localised screening in place for

the two new conveyor changeover points, the revised conveyor route would not result in unacceptable noise impact to the surroundings.

92. Apart from a section of the conveyor in the vicinity of the processing plant site the revised routing of the conveyor would result in the operational conveyor being further away from residential properties on the Ashford Road. The County Noise Consultant (**CNC**) noted that planning permission was previously granted for the proposed conveyor route (ref: SP13/01003) and noise was not considered to be a key determining factor in granting consent. The CNC recommends approval of the application subject to the same noise conditions as those already in place for the existing QMQ and Manor Farm sites attached to the permission, to ensure all works at the sites would work under the same requirements. Officers consider the proposal remains acceptable in respect of noise and accords with the relevant national and development plan policies.

Air Quality and Dust

93. The proposed revision to the conveyor route is all within the QMQ site and runs from a point very near the southern boundary of the site, located to the south-west of the causeway which crosses the lake, to the QMQ plant site situated in the north-east of the site. The applicant has stated that the mineral transported along the conveyor will be damp and therefore will create very little dust. The revised conveyor route would not impact upon the point at which mineral is loaded onto the conveyor at the Manor Farm site, or the point within QMQ where material is collected/unloaded from the conveyor. The loading and off-loading of the conveyor which is outside the remit of this application would have the highest potential for generating dust, but mitigation measures would be in place as required under the planning permission (ref: SP/2012/01132) for the mineral operation at Manor Farm.
94. Residents have raised concerns in respect of increased heavy vehicle traffic and the resultant adverse impacts on air quality and health of residents in the locality. Since the proposed conveyor is to support the Manor Farm mineral operation under planning permission ref: SP/2012/01132 (as updated by SP22/01006), this application for siting the conveyor on a revised route in support of the Manor Farm mineral operation would not generate additional heavy vehicle traffic during the operation of the conveyor. The County Air Quality Consultant considers that the revised route would increase the distance between some sections of the conveyor and the sensitive human-health receptors on Ashford Road, as such be unlikely to worsen air quality at sensitive human-health receptors. Officers consider the proposal to be acceptable on dust and air quality grounds and accords with the relevant national and development plan policies.

Landscape and Visual Impact

95. The revised conveyor route would still be located within the same area of the QMQ site, as shown on Plan 1. The ES states that views into the existing quarry site are screened by vegetation and earth bunds along Ashford Road to the west of the QMQ site. Views of both the processing plant and the proposed conveyor are further restricted by established vegetation to either side of the quarry site access at the north and the reservoir embankment to the east. There is no public access to the open land to the south of the QMQ site. The revised conveyor route would not alter any of the vegetation screening or earth bunds that are in place for QMQ and would have no impact on the aftercare management of QMQ, which is covered by the Section106 Legal Agreement dated 12 January 2009 which covers the QMQ site.
96. On completion of mineral extraction at Manor Farm, the conveyor would be removed and the land within QMQ restored in accordance with the revised scheme of working, restoration and landscaping approved under planning permission ref: SP07/1276 dated 15 January 2009
97. The County Landscape Officer raised no objection from a landscape perspective and considered that the conveyor is a low-level structure and the proposed route alteration is

highly unlikely to increase its visibility in publicly available views, which is already limited in comparison to the permitted route. Officers therefore conclude that the proposal is acceptable in respect of landscape and visual impact grounds and accords with the relevant national and development policies.

Ecology and Biodiversity

98. The proposed change in the conveyor route is due to ecological concerns and the presence of a nature conservation interest on land along the original route in West of Queen Mary Quarry SNCI (Site of Nature Conservation Interest). The submitted ES addendum dated January 2023 includes a SEI dated September 2022 which is updated from the 2013 original version and re-assess the ecological impacts of both the original and revised conveyor routes, based upon updated survey on habitats and flora undertaken in 2022. Consideration has also been given to the future restoration of the QMQ site including post-decommissioning of the conveyor.
99. The SEI states that the revised conveyor route has been designed to minimise impacts on ecological resources and valued receptors whilst respecting operational constraints. The conveyor (in its entirety) would run for approximately 970m through the SNCI, with its width anticipated to average around 15m to allow for the conveyor and its housing as well as the adjoining access/maintenance track. Approximately 660m (70% of the total length) of the conveyor route would use existing tracks and bare or sparsely vegetated ground, with the remainder of the route expected to result in clearance or temporary damage to approximately 4,275m² of buddleia-dominated scrub. Approximately 1,100m² of young willow scrub would also be lost to the installation of the floating causeway across Long Lake. Nevertheless, these losses are minimal in terms of the overall resource of these same habitats that are available on the wider SNCI, and are therefore not anticipated to materially affect the integrity of the SNCI designation.
100. In addition, although the revised route is longer than the original one, it avoids most of the habitats of interest within the QMQ site (i.e. reedbed), which would consequently reduce its impact on the bird species breeding in this habitat and surrounds. The SEI concludes that the revised conveyor route would have limited scope for impacts on wintering birds and breeding birds as a result of the avoidance of open water elements, localisation of any noise effects and the amount of alternative suitable habitat within the site available. The County Ecologist is satisfied with the efforts taken to preserve the ecological interest of the site and raises no objection to the proposal.
101. The Spelthorne Natural History Society raised ecological concerns on the proposal and SEI dated September 2022. The key concerns include:
- i) Japanese Knotweed was identified at the site as stated in the SEI. Japanese Knotweed is an invasive non-native species and should be removed. The SEI does not show the exact location(s) of the knotweed found.
 - ii) The roots of oak trees cover an area the size of their canopies. How far would the conveyor be sited from the oak tree roots system?
 - iii) The ecological impact assessment contained in the SEI does not take into account the beetle species and other coleoptera found on site which are either nationally rare or nationally scarce.
 - iv) The justification for screening out consideration of the impacts on bats is unacceptable, the walkover survey in 2022 does not constitute a bat survey.
102. Officers and the County Ecologist have reviewed the Spelthorne Natural History Society's concerns. As for i) Japanese Knotweed, it is the responsibility of the landowner, i.e. Thames Water for this site, to ensure the Japanese Knotweed identified at the site does not spread. Considering it is not appropriate to impose a condition requiring the removal of the Japanese Knotweed by the site operator, an informative advising the site operator to

take all reasonable measures not to exacerbate the situation and not to obstruct or prejudice any measure to be undertaken by the landowner to address the issue shall be attached in the planning permission should it be granted.

103. As for ii) the potential impact to oak trees, as no excavation is needed for installing the conveyor, its construction and operation is therefore unlikely to cause significant compaction of soil that would adversely affect the trees and their root systems.
104. Regarding iii) the concerns on rare species, paragraph 4.3.4 of the SEI dated September 2022 states that the revised conveyor route has been designed to avoid the majority of habitats that support the rare invertebrates near the site. Of the habitats being removed, the site operator would disassemble and relocate any deadwood habitat by hand and the removal of any natural habitat is to be completed under ecological watching brief as per the protocol in Appendix 2 of the SEI. Whilst these measures are not specific to invertebrates, they still allow for the sensitive removal of habitat where required.
105. Finally, the County Ecologist agrees with the applicant's approach of scoping out the requirement for updated bat surveys considering no suitable roosting habitat being removed as part of the conveyor works, no lighting or night-time operation proposed as part of the conveyor's operation, and the low levels of sound generated by the equipment. The conveyor is therefore unlikely to result in significant effects to bats or undermine the conservation status of local populations. Nevertheless, should the proposal be amended to change any of these factors, then further survey information would be required to determine whether these likely significant impacts would have a measurable effect.
106. In conclusion, Officers consider the proposal is acceptable in respect of ecology and biodiversity and accords with the relevant national and development policies.

GREEN BELT

Policy

Surrey Minerals Plan 2011 Core Strategy DPD (SMP 2011)

Policy MC3 – Spatial Strategy – Mineral development in the Green Belt

Policy MC17 – Restoring mineral workings

Spelthorne Borough Local Plan 2001 (Saved Policies)

Policy GB1 Development proposals in the Green Belt

Pre-submission Spelthorne Local Plan 2022-2037

Policy SP4 – Green Belt

107. The QMQ site lies within the Metropolitan Green Belt where policies of restraint apply. National Green Belt Policy as set out in the NPPF establishes the importance of the Green Belt, with the fundamental aim being to prevent urban sprawl by keeping land permanently open, with the essential characteristics of Green Belt being its openness and permanence. Paragraph 143 of the NPPF 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.
108. In this instance, the application site falls entirely within the existing QMQ site. The Queen Mary Reservoir is located to the immediate east, whilst the land of Manor Farm and some residential houses are located to the west on the opposite side of Ashford Road. As the application site falls within a locality of mineral operations, (a) and (b) are not relevant. Similarly, the application site does not fall within the setting of a historic town with special character, nor is it derelict urban land, thus (d) and (e) are also not relevant. However, the installation of the conveyor under a revised route as proposed would introduce built form

into a currently undeveloped part of the site and could be considered to fall within the scope of (c). This will be assessed below.

109. Paragraph 153 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning applications, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. It goes on to say that '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.
110. Paragraph 154 of the NPPF set out that certain forms of development are not considered inappropriate in the Green Belt provided that they preserve its openness and do not conflict with the purpose of including land within it, which includes mineral extraction and engineering operations (Paragraph 154 h) i and ii). Paragraph 224 of the NPPF also states when considering proposals for mineral extraction, minerals planning authorities should provide for restoration and aftercare at the earliest opportunity, to be carried out to high environmental standards, through the application of appropriate conditions.
111. Policy MC3 of the SMP 2011 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'.
112. Policy MC17 of the SMP 2011 states that 'Mineral working will be permitted only where the mineral planning authority is satisfied that the site can be restored and managed to a high standard. Restored sites should be: i) sympathetic to the character and setting of the wider area and ii) 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. The applicant will be expected to agree a scheme with the mineral planning authority detailing how the land will be restored and managed before, during and after working'.
113. Policy GB1 of the SBLP 2001 (Saved Policies) advises that development located within the Green Belt will not be permitted which would conflict with the purposes of the Green Belt and maintaining its openness.
114. Policy SP4 of the Pre-submission Spelthorne Local Plan 2022-37 states that to uphold the fundamental aims of the Green Belt, prevent urban sprawl and 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.

The development

115. The need for mineral extraction in respect of the Manor Farm, including in relation to Green Belt policy, has been addressed under planning permission ref: SP12/01132 granted on 23 October 2015 (as updated by SP22/01006). The section of conveyor for which permission is being sought under this application would be temporary in nature, and ancillary to that development.
116. The conveyor would have some limited impact on openness due to its form and construction. As such, openness would not be preserved (NPPF Paragraph 154 h) i and ii), noting also some limited encroachment into the countryside. Very special circumstances (VSC) are therefore required to exist to clearly outweigh the harm by reason of inappropriateness and any other identified harm.
117. As set out above under the environment and amenity section of the report Officers consider the proposal complies with development plan policy relating to flood risk,

hydrology and hydrogeology, noise, dust, visual impact and biodiversity and would not cause harm to these interests. No other Green Belt harm is therefore identified.

118. The conveyor is essential to the operation of the development at Manor Farm, as it enables the transport of mineral to the processing plant at QMQ. Permission has previously been granted for the conveyor, both in relation to its original route and as amended to minimise impact on the SNCI.
119. Restoration of the mineral processing plant site and this application area is provided through the phased scheme of restoration and landscaping for the wider QMQ site approved under SP07/1276 with post-restoration aftercare and management secured through the S106 legal agreement entered into in connection with the approval. The approved scheme provides for restoration to a nature conservation afteruse, which is consistent with Green Belt objectives. Restoration of the land occupied by the existing mineral processing plant would be undertaken in the final phase of restoration (phase 6) and is due to take place between 2033 and 2038. A restoration condition was imposed on the SP07/1269 planning permission requiring the site to be restored no later than 31 December 2038.
120. In conclusion on Green Belt, Officers are satisfied that the proposed alternative conveyor route to enable the transport of minerals from Manor Farm is ancillary to the mineral development in Manor Farm which is temporary in nature. Both the Manor Farm site and land within QMQ would be restored in phases with the proposed conveyor removed upon completion of the development, and subject to post-restoration aftercare management as secured by the relevant planning conditions and Section 106 Legal Agreement. Although concluded to constitute inappropriate development, it is considered that the impact on openness is relatively limited and that sufficient very special circumstances exist in relation to the need for the conveyor to outweigh the identified harm.

Human Rights and Equalities Implications

121. 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.
122. 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 impacts of the development. The proposal is not considered to interfere with any Convention rights.
123. 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.
124. 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.

Conclusion

125. This application seeks retrospective planning permission for the siting of a section of conveyor to facilitate the transportation of mineral from the adjacent Manor Farm as allowed under planning application ref: SP/22/01006., whilst avoiding ecological constraints of the current naturally regenerated landscape at QMQ. The implications of the alternative route have been assessed against Green Belt policy and in terms of the impacts on the local environment and amenity. Issues assessed include flood risk, the water environment, noise, dust, visual and landscape impact and ecology.

126. This application needs to be read in conjunction with the planning permission for the mineral working at Manor Farm (ref: SP12/01132 dated 23 October 2015), as updated by application SP/22/01006 should planning permission be granted.
127. The application would not delay the overall restoration of the QMQ site as the mineral development at Manor Farm is proposed over a six-year period and the completion of restoration at QMQ is not due until the end of 2038. Progressive restoration to a nature conservation afteruse, landscaping and long-term management of the QMQ site is enabled through a scheme approved on 15 January 2009 under planning permission ref: SP07/1276 and the S106 Legal Agreement dated 12 January 2009.

Recommendation

128. The recommendation is to **PERMIT** planning application **SP23/00160/SCC** subject to the following conditions:

Conditions:

1. 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.

Approved Plans

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

ST13443-PA1 Rev A Site Location dated 24 April 2013

ST13443-PA2 Rev A Application Area dated 24 April 2013

001A Rev 2 Groundwater Contours - June 2023 dated November 2024

001B Rev 2 Groundwater Contours - January 2024 dated November 2024.

Duration of Development

3. All plant and equipment hereby permitted shall only be used in connection with the planning permission (ref. SP/22/01006) for the extraction of mineral from Manor Farm, and thereafter removed from the site on cessation of extraction from Manor Farm 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.

Lighting

4. 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 Mondays to Fridays.

There shall be no operations or activities authorised or required by this permission on Saturdays, Sundays, Bank Holiday or National Holidays. Neither shall any servicing, maintenance or testing be carried out between 1800 – 0730 Monday to Fridays.

This condition shall not prevent the following activities:

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

Drainage

5. The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment and Surface Water Drainage Strategy (Ref: 422.09885.00038) version 3, SLR, dated March 2023, as attached in Appendix 4.1 of the Manor Farm Quarry Environmental Statement Addendum, Wardell Armstrong LLP, version 3.0 dated March 2023.
6. 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.

Noise

7. Within three(3) months of the date of this permission, details of the height and alignment and material of the localised screening (hay bales) for the conveyor switch points as specified in paragraphs 11.6.16 and 11.7.3 of 2012/13 Environmental Statement, Brett Aggregates Limited, dated July 2012; paragraphs 2.13 to 2.18 of the Addendum to Environmental Statement, Brett Aggregates Ltd, dated January 2023; and Drawing no. ST13443-PA2 Application Area (proposed conveyor route) dated 9 April 2013, shall be submitted to and approved in writing by the County Planning Authority to demonstrate the operation of the conveyor can meet the L90 + 0 noise criterion as proposed. The localised screenings are to be constructed in accordance with the approved details and maintained in good condition until completion of extraction and use of the conveyor system to transport mineral to the Queen Mary Quarry processing plant, with the monitoring and maintenance of the barriers to be included within the site integrated management system.
8. 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 1.2m at least 3.6m from the façade of a residential property or other 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.
9. 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 1.2 metres above ground levels and 3.6 metres from the façade of a residential property or other noise sensitive building that faces the site shall not exceed 70 LAeq, during any 30 minute period. Such activities shall not take place for a total period greater than eight weeks in any twelve month period.

Reasons:

1. 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 all the relevant policies of the Development Plan.
2. For the avoidance of doubt and in the interests of proper planning.
3. To enable the County Planning Authority to exercise control over the development hereby permitted and comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and the Policy MC14 of the Surrey Minerals Plan 2011 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 Development Plan Document.

4. To enable the County Planning Authority to exercise control over the development hereby permitted and comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and the Policy MC14 of the Surrey Minerals Plan 2011 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 Development Plan Document.
5. To ensure the development complies with paragraph 173 of the National Planning Policy Framework and Policy LO1 of the Spelthorne Borough Core Strategy and Policies Development Plan Document February 2009.
6. 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.
7. 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. This is in line with paragraphs 180, 189, and 190 of the National Planning Policy Framework.
8. To ensure minimum disturbance and avoid noise nuisance to the locality in accordance with Policy MC14 of the Surrey Minerals Plan 2011 Core Strategy Development Planning Document and Policy EN11 of the Spelthorne Borough Core Strategy and Policies Development Plan Document February 2009.
9. To ensure minimum disturbance and avoid noise nuisance to the locality in accordance with Policy MC14 of the Surrey Minerals Plan 2011 Core Strategy Development Planning Document and Policy EN11 of the Spelthorne Borough Core Strategy and Policies Development Plan Document February 2009.
10. To ensure minimum disturbance and avoid noise nuisance to the locality in accordance with Policy MC14 of the Surrey Minerals Plan 2011 Core Strategy Development Planning Document and Policy EN11 of the Spelthorne Borough Core Strategy and Policies Development Plan Document February 2009.

Informatives:

1. If dewatering is indeed to take place during this redevelopment, the development will require an environmental permit relating to a **discharge consent** 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. The applicant should be aware that there is no guarantee that a permit will be granted.
2. The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:
 - on or within 8 metres of a main river (16 metres if tidal)
 - on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
 - on or within 16 metres of a sea defence
 - involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
 - in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environmentagency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

3. The applicant's attention is drawn to the comments and requirements of Esso Petroleum Co Ltd set out within the Fisher German letter dated 24 August 2023 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.
4. The applicant's attention is drawn to the comments and requirements of National Grid within their letters of 12 August 2013 and 13 January 2014 copies of which have been provided to the applicant or can be obtained from the County Planning Authority.
5. The applicant's attention is drawn to the comments and requirements of Scottish and Southern Electricity Networks dated 29 August 2023.
6. When works are taking place around the electricity transmission network of the Scottish and Southern Electricity Networks, the HSG47 guidelines for underground services and GS6 guidelines for overhead services must be adhered to.
7. If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on Surrey County Council's website.
8. The applicant is advised to take all reasonable measures not to exacerbate the spread of Japanese Knotweed within the site and not to obstruct or prejudice any related measures undertaken by the landowner.

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 SP23/00160/SCC.

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](#)

[Spelthorne Core Strategy and Policies Development Plan 2009](#)

[Spelthorne Local Plan 2001 Saved Policies](#)

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