

TO: PLANNING & REGULATORY COMMITTEE **DATE:** 10 December 2014
BY: PLANNING DEVELOPMENT CONTROL TEAM
 MANAGER
DISTRICT(S) SPELTHORNE BOROUGH COUNCIL **ELECTORAL DIVISION(S):**
 Staines
 Mrs Saliagopoulos
 Staines South & Ashford West
 Mr Jenkins
PURPOSE: FOR DECISION **GRID REF:** 505347 171971

TITLE: MINERALS AND WASTE APPLICATION SP13/00958/SCC

SUMMARY REPORT

Land at Hengrove Farm, London Road, Staines, TW15 4AJ

Continued extraction of sand and gravel, refilling with inert waste and progressive restoration to agriculture without compliance with Condition 4 of planning permission ref SP12/01416 dated 18 December 2012 (as amended by planning permission ref SP/14/00570/SCC dated 2 July 2014) to allow extraction of mineral to cease by 30 September 2019 and restoration completed by 31 December 2020.

The applicant is seeking to vary Condition 4 of planning permission ref: SP12/01416 to extend the life of Hengrove Farm by a further five years i.e. the cessation of mineral extraction by 30 September 2019 and the completion of restoration by 31 December 2020. The hours of operation and the traffic levels would remain the same as at present. Condition 4 of planning permission ref: SP12/01416 and its reason currently reads as follows:

'Extraction of indigenous minerals shall cease by 31 December 2014 and restoration shall be completed by 31 December 2015 by which date all buildings, fixed plant or machinery, internal access roads and hardstandings, together with their foundations and bases, shall be removed from the land and the site shall be restored to a condition suitable for agriculture in accordance with restoration plan 518/12 B dated February 2002.'

Reason: To ensure the prompt and effective restoration of the site and to comply with Schedule 5 paragraph 1 of the Town and County Planning Act 1990.'

The application involves the continued use of this mineral working which is located within the Metropolitan Green Belt and close to areas designated for their ecological importance. During the additional period the site would continue to operate as existing with the current mitigation and monitoring measures in place. Whilst the extension in time would delay the final restoration of the Hengrove Farm site, it would allow a workable high quality mineral reserve to be extracted and processed as part of a single operation through an existing site. This would accord with the principle of sustainable development by making the most efficient use of resources and avoiding the sterilisation of minerals.

Officers consider that the scheme as submitted should ensure that high environmental standards would be maintained and that the site can be restored to a high standard and therefore meets the policy requirement for mineral extraction in the Green Belt. Taking account of the policy position, the mitigation measures proposed and the sustainability benefit of making the best and most efficient use of mineral resources, Officers consider that the development is acceptable and may be permitted subject to conditions.

The recommendation is to **PERMIT** subject to conditions.

APPLICATION DETAILS

Applicant

Henry Streeter (Sand and Ballast) Ltd.

Date application valid

17 June 2013

Period for Determination

7 October 2013 (extension agreed until 16 January 2014)

Amending Documents

- Proposed Revised Site Layout – Drawing No 518/32C dated 18 March 2013
- Additional Environmental Statement Addendum 2013

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
Need for the development	Yes	47-51
Restoration	Yes	52-55
Highways, Traffic and Access	Yes	56-63
Waste Issues	Yes	64-68
Hydrogeology & Flood Risk	Yes	71-78
Noise	Yes	79-84
Air Quality & Dust	Yes	85-88
Archaeology	Yes	89-92
Ecology	Yes	93-96
Landscape & Visual Impact	Yes	97-99
Birdstrike	Yes	100
Green Belt	Yes	101-104

ILLUSTRATIVE MATERIAL

Plans

Plan 1 - Site Plan

Plan 2 - Drawing no 518/32C – Proposed Revised Site Layout

Plan 3 – Plan showing separate application site areas for ref SP/13/00956/SCC;
SP/13/00958/SCC & SP/14/00570/SCC

Aerial Photographs

Aerial 1 – Land at Hengrove Farm

Aerial 2 – Application site area

Site Photographs

Photograph 1: looking north over restored area of Hengrove Farm with processing plant in the background

Photograph 2: processing plant

Photograph 3: processing plant and area

Photograph 4: site offices

Photograph 5: stockpiling area

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BACKGROUND

Site Description

- 1 The application site known as Hengrove Farm is located in the Metropolitan Green Belt some 1.5km east of Staines and 1km north west of Ashford. Hengrove Farm is bounded by and accessed from the London Road (A30) to the north, beyond that is the Staines South Reservoir. Staines South Reservoir is designated as a Site of Special Scientific Interest (SSSI) and part of the South West London Waterbodies Site a Special Protection Area (SPA) and RAMSAR site. The western boundary of the existing quarry abuts a cemetery and allotments and further to the west are the residential properties of Shortwood Avenue. The southern boundary of the application site is formed by footpath 26. To the south east of Hengrove Farm quarry beyond Footpath No 26 lie the three ponds and the grounds of the Ashford Fish Farm. The footpath divides the south-western section of the site. The small part of the site to the south of the footpath has been designated as a Site of Nature Conservation Importance (SNCI) and as an area liable to flood. Further to the west lies the Shortwood Common SSSI.
- 2 The north eastern boundary of Hengrove Farm quarry currently abuts Hengrove Park, a recreation ground, which is being worked for sand and gravel. The south eastern boundary of Hengrove Farm abuts a strip of land that has formerly been worked for sand and gravel and restored to agriculture but is currently being used as a temporary recreation ground whilst mineral extraction takes place at Hengrove Park. Immediately beyond the temporary recreation ground lies Ashford Park Primary School and its playing fields.

Planning History

- 3 Planning permission (ref: SP97/0399) for the extraction of sand and gravel at Hengrove Farm with the formation of a new access to the A30, the erection of processing plant, the refilling with inert wastes and progressive restoration to agriculture was granted planning permission on 24 June 1999. Subsequent schemes for mitigation for the proposed SNCI on the southern portion of the site (ref: SP00/0527), a scheme of archaeological investigation (ref: SP99/0563) and an aftercare scheme (ref: SP02/0350) were submitted and approved.
- 4 At the July 2005 Planning and Regulatory Committee, two inter-related planning applications involving Hengrove Farm were considered. The first (Ref: SP05/0517) sought planning permission for the extraction of sand and gravel from an area of some 1.8ha as an extension to the existing Hengrove Farm site to be carried out over an 18-month period. The application site was a strip of land that was then currently in agricultural use between the existing quarry site and the boundary of Hengrove County Primary School playing field. This land had been identified as part of the Hengrove Farm

potential working site (PWS5) in the Surrey Minerals Local Plan 1993 but was not included in the application to extract sand and gravel from the main area of Hengrove Farm, permitted in 1999 (Ref: SP97/0399). The second (Ref: SP05/0635) sought planning permission to continue activities at Hengrove Farm for a further 18 months to accommodate the utilisation of the existing site facilities, access roads, processing plant, stockpiling area and silt lagoons for the extension proposed as part of SP05/0517. Planning permission was subsequently granted for both planning applications in August and September 2005 respectively. A detailed scheme setting out surface water drainage pursuant to Condition 29 of planning permission Ref: SP05/0517 was approved in November 2005.

- 5 The most relevant planning history for Hengrove Park was for the extraction of sand and gravel from an area of some 3.7 hectares, relocation of existing bund, creation of further bunds, refilling with inert wastes and progressive restoration to agriculture and recreation; and a temporary change of use of some 0.9 hectares at Hengrove Farm from agriculture to recreation (ref: SP09/0102) which was granted planning permission in August 2009. The permission required commencement of development by August 2010, cessation of mineral extraction by December 2010, restoration of Hengrove Park to recreational use by 30 June 2011; and restoration of the temporary recreational ground to agriculture by 1 July 2012. The following schemes have been approved pursuant to conditions on this planning permission:
- Details of a Bird Hazard Management Plant (ref: SP10/0401) pursuant to Condition 35 approved in August 2010
 - Details of a scheme of archaeological investigation (SP10/0391) pursuant to Condition 36 approved in October 2010
 - Details of a dust monitoring scheme and dust action plan (ref: SP10/0477) pursuant to Condition 19 approved in December 2010
 - Details of the boundary treatment of the temporary recreation site and Ashford Park Primary School and details of the footpath link between the temporary recreation ground and footpath 26 (ref: SP10/0402) pursuant to Conditions 11 and 23 approved in March 2011
 - Details of restoration, details of the location of the stockpiles of subsoil and overburden, details of landscaping, planting and maintenance, details of restoration and landscaping, details of aftercare for recreation use; and details of aftercare for agricultural use (ref: SP10/0673) pursuant to Conditions 4, 12, 30, 32, 33, and 34 respectively approved in March 2011
- 6 Alongside this application, the applicant submitted planning application ref: SP09/0190 to run in tandem with it. Planning application SP09/0190 sought an extension of time for working sand and gravel at Hengrove Farm until December 2012 and the subsequent restoration of the site by 30 June 2013. This was to enable sand and gravel won at Hengrove Park to be processed at Hengrove Farm quarry utilising its processing plant and for mineral to be transported from the site via the A30. Planning application SP09/0190 was granted planning permission in June 2009.
- 7 In December 2011 planning permission was granted (ref: SP11/0223) for an extension of time for the completion of mineral extraction at Hengrove Park by 31 December 2012 and restoration of the land to recreation use by 30 September 2013 and restoration of the temporary recreational land to agriculture by 30 September 2014 without compliance with Conditions 3, 4 and 5 of planning permission ref: SP09/0102. The applicant sought this extension of time due to ongoing negotiations with the landowner (Spelthorne Borough Council) delaying commencement of extraction of the mineral from Hengrove Park and the subsequent knock on effect this had with regards to commencement of filling and restoration.

- 8 In December 2012, planning permission reference SP12/1421 was granted for the continued extraction of sand and gravel from a site of 3.7 hectares, relocation of existing bund, creation of further bunds, refilling with inert wastes and progressive restoration to agriculture and recreation and a temporary change of use of 0.9 hectares at Hengrove Farm from agriculture to recreation; without compliance with Conditions 3, 4 & 5 of planning permission ref: SP11/0223 dated 21 December 2011 so as to allow the working of indigenous material to continue until 31 December 2013, the completion of site restoration by 31 December 2014, and the return of the temporary recreation area to agriculture by 30 September 2015.
- 9 In December 2012, planning permission ref SP12/01416 was granted for the continued extraction of sand and gravel, refilling with inert waste and progressive restoration to agriculture without compliance with Condition 4 of planning permission ref: SP09/0190 dated 2 June 2009 to allow the extraction of mineral to cease by 31 December 2014 and restoration completed by 31 December 2015.
- 10 Planning permission was approved on 2 July 2014 (ref SP/14/00570/SCC) for the continued extraction of sand and gravel from a site of 3.7 hectares, relocation of existing bund, creation of further bunds, refilling with inert waste and progressive restoration to agriculture and recreation and a temporary change of use of 0.9 hectares at Hengrove Farm from agriculture to recreation; with the completion of site restoration by 30 September 2014, and the return of the temporary recreation area to agriculture by 30 September 2015; without compliance with Conditions 1, 7 and 32 of planning permission ref: SP12/1421 dated 18 December 2012, so as to allow the site to be restored in accordance with a revised restoration plan. Planning permission ref SP/14/00570/SCC covers the area of Hengrove Park (northeast of the application area) and a strip of land adjoining the boundary with the primary school to the southeast.
- 11 Unfortunately, despite being granted planning permission in August 2009, mineral extraction at Hengrove Park was delayed until October 2012 due to a number of unforeseen delays having been encountered during the preliminary stages. These included the signing of the lease to work the land, agreements having to be reached on the relocation of the bund and erection of the close boarded fence along the boundary with Ashford Park Primary School; the archaeological works having taken longer at the site than originally anticipated after evidence of materials of Saxon origin having been found; and needing to reach an agreed methodology with the Environment Agency for positioning of the clay seal around the site. However, mineral extraction at Hengrove Farm has now largely ceased although there is understood to be a relatively small quantity of sand and gravel reserves remaining beneath the processing plant which would be worked following the processing of the mineral to be extracted at Homers Farm. The application site was last monitored on 2 September 2014 and the Site Visit Report indicated that the minerals processing plant had recently been operational to process the remainder of the site derived materials, with the processed saleable minerals stored in large stockpiles surrounding the processing plant. Furthermore, the report notes that infilling had been completed in the extension area in the eastern part of the site (Hengrove Park) with the land having been brought up to final levels. Landscaping and planting would need to be completed before the area could be re-opened to the public.
- 12 Two concurrent planning applications at land at Hengrove Farm (ref SP/1300956/SCC) and Homers Farm (ref SP/13/00141/SCC) are due to be considered at today's Planning & Regulatory Committee. Plan 3 attached to this report shows the separate application site areas for references SP/13/00956/SCC; SP/13/00958/SCC and SP/14/00570/SCC.

THE PROPOSAL

- 13 The applicant has submitted planning application ref: SP13/00141 to the County Planning Authority seeking planning permission for the extraction of sand and gravel from some 10.5ha of land at Homers Farm with a new access to Short Lane and associated infrastructure. Homers Farm is some 2km north east of Hengrove Farm adjacent to the A30. The applicant does not intend to process the sand and gravel at Homers Farm as the applicant states there is not the space there for the processing plant and ancillary elements that would be required i.e. a silt lagoon. Instead the applicant is seeking to transport the sand and gravel by heavy goods vehicle (HGV) from Homers Farm to Hengrove Farm via the A30 for the sand and gravel to be processed using Hengrove Farm's processing plant and associated mineral infrastructure. The applicant states that mineral extraction at Homers Farm would cease December 2018.
- 14 If planning application ref: SP13/00141 referred to above were to be permitted, it would require the existing plant, stockpiling area, silt pond and access roads within Hengrove Farm quarry to be retained during the period of sand and gravel extraction at Homers Farm. Once the importation of material from Homers Farm ceases, the remaining sand and gravel situated underneath the existing processing plant at Hengrove Farm would then be extracted and processed followed by final restoration of the site.
- 15 Consequently the applicant is seeking to vary Condition 4 of planning permission ref: SP12/01416 to extend the life of Hengrove Farm by a further five years i.e. the cessation of mineral extraction by 30 September 2019 and the completion of restoration by 31 December 2020. The hours of operation and the traffic levels would remain the same as at present.

CONSULTATIONS AND PUBLICITY

District Council

- 16 Spelthorne Borough Council: Strongly object on the grounds that it would result in an unacceptable extension of time of the working of the site until 30 September 2019 and delay in restoration of the site to 31 December 2020.
- 17 Spelthorne Borough Council Pollution Control Officer (PCO): No comments to make.
- 18 Hounslow Borough Council (Neighbouring Authority): No objection in principle to the development due to the distance from the Borough boundary and the fact that the application is for the variation of an existing minerals permission.

Consultees (Statutory and Non-Statutory)

- 19 County Environmental Assessment Officer: On 23 April 2013, the County Environmental Assessment team issued a Screening Opinion stating this application is not considered, in isolation, to constitute 'EIA development'. However, given that this application and the other Hengrove application (ref SP13/0956/SCC) are fundamentally linked to the Homers application (ref SP/13/00141/SCC), and taking account of the likelihood of significant cumulative effects, it is the opinion of the County Planning Authority that in-combination of the three proposals constitute EIA development. As such, the CPA requested that the ES submitted in support of the separate Homers application was updated (via a Regulation 22 response) to reflect the combined impacts of the three applications and this was done (see planning application ref SP/13/00141/SCC considered at today's meeting).
- 20 County Air Quality Consultant (CAQC): No objection.

- 21 Highways Agency: No objection, subject to conditions
- 22 County Highway Authority (CHA): No objection.
- 23 Environment Agency: No objection.
- 24 County Noise Consultant: No objection.
- 25 Natural England: No objections or necessary conditions.
- 26 County Landscape Architect: No objection.
- 27 County Geological Consultant: No objection subject to a post decommissioning condition.
- 28 County Ecologist: No ecological grounds for refusal, scheme of mitigation already approved, no conditions or informatives required.
- 29 County Archaeologist: No objection.
- 30 Thames Water: No objection.
- 31 Affinity Water: *The site is located close to Staines Reservoirs. 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 sites then the appropriate monitoring and remediation methods will need to be undertaken. We refer you to CIRIA Publication C532 'Control of water pollution from construction – guidance for consultants and contractors'.*
- 32 BAA Aerodrome Safeguarding: No objection.
- 33 English Heritage: No objection.
- 34 Surrey Wildlife Trust: No objection.
- 35 Health and Safety Executive: No response.
- 36 National Grid: No objection subject to informatives.
- 37 Ministry of Defence (RAF Northholt): No objection.

Parish/Town Council and Amenity Groups

- 38 Ashford North Residents Association: Object for the following reasons:
 - On-going impact on homes from noise, dust and vehicles
 - After heavy rain surface water fails to drain away, which will exacerbate flooding
 - Site is close to Shortwood Common, impact on SSSI
 - Further extensions of time are unacceptable/not justified
 - A precedent might be created, the applicant might find other sites and Hengrove would remain open indefinitely
 - Impact on house prices
 - Lorries leaving the site are causing danger on the A30 and are speeding
 - The wheel wash is not working properly with sand and gravel deposited on the road
 - Constant beeping of lorries causes disturbance

- 39 Staines Town Society: No response.
- 40 The Neighbourhood Society (Ashford): No response.
- 41 Stanwell Village Residents Association: no response.
- 42 Shortwood Common Residents Association: No response.

Summary of publicity undertaken and key issues raised by public

43 The application was publicised by the posting of 3 site notices. Further, an advert was placed in a local newspaper (Herald and News). A total of 749 owner/occupiers of neighbouring properties were directly notified by letter. A total of 3 letters of representation were received on this application, raising the following relevant points (*rather than comments on the Homers application considered at today's meeting*):

- Gravel workings are here until 2020 and there is nothing we can do about it
- Getting more noise than ever, when restored in 2020 we will not be living here

PLANNING CONSIDERATIONS

- 44 The County Council as Minerals Planning Authority (for clarity, Officers refer to the County Council as the County Planning Authority – ‘CPA’ elsewhere in this report) has a duty under Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 to determine this application in accordance with the Development Plan unless material considerations indicate otherwise. At present in relation to this application the Development Plan consists of the Surrey Minerals Plan 2011 and the Spelthorne Borough Core Strategy and Policies DPD (2009), Allocations DPD (2009); and the Spelthorne Borough Local Plan 2001 Saved Policies.
- 45 On the 27 March 2012 Government published the National Planning Policy Framework (NPPF) and Technical Guidance to the National Planning Policy Framework (NPPF Technical Guidance), which took immediate effect. The NPPF replaces 30 Planning Policy Statements, Planning Policy Guidance Notes, Minerals Policy Statements and Minerals Policy Guidance Notes and related Practice Guides, some Circulars and letters to Chief Planning Officers and constitutes guidance for local planning authorities and decision-takers in relation to decision-taking (determining planning applications) and in preparing plans. The new National Planning Policy for Waste was published on 16 October 2014 and replaced Planning Policy Statement 10 (PPS10) Planning for Sustainable Waste Management.
- 46 At the heart of the NPPF is a presumption in favour of sustainable development, which the document states should be seen as a golden thread running through both plan-making and decision-taking. The NPPF makes clear the purpose of the planning system is to contribute to the achievement of sustainable development, which has three dimensions: economic, social and environmental. These give rise to the need for the planning system to perform a number of mutually dependent roles: an economic role, a social role and an environmental role. The NPPF sets out 12 core land-use planning principles that should underpin both decision-taking and plan making. The Government launched an on-line version of National Planning Practice Guidance (NPPG) on 6 March 2014 to support the NPPF.

MINERALS DEVELOPMENT AND NEED

Surrey Minerals Plan 2011 Core Strategy Development Plan Document

Policy MC1 – Spatial strategy – location of mineral development in Surrey

Policy MC7 – Aggregates Mineral Supply

Surrey Minerals Plan 2011 Primary Aggregates Development Plan Document

Policy MA1 – Aggregate Supply

Policy MA2 – Preferred areas for concreting aggregate

- 47 Surrey Minerals Plan Core Strategy DPD 2011 (SMP CS DPD) Policy MC7 states that preferred areas will be identified in the SMP Primary Aggregates DPD (SMP PA DPD) for soft sand and concreting aggregates which, with identified reserves, are sufficient to enable the production of around 24 million tonnes of aggregates between 2009 and 2026. Policy MA1 of the SMP PA DPD 2011 states that preferred areas will be identified, which together with permitted reserves will enable production of concreting aggregate at an average rate of 0.90 million tonnes per annum (mtpa) in the period 2009-2026. The County Council's recent Local Aggregate Assessment published in November 2014 (LAA) proposes no changes to the minerals provision rate contained in the SMP.
- 48 The results of the Aggregates Monitoring Survey 2013 indicate that reserves of concreting aggregates were 1.76 million tonnes at the end of 2013. This gives a landbank of just 1.9 years for concreting aggregates. There is therefore a pressing need to replenish permitted reserves of concreting aggregates in the County which are running very low. This proposal would enable 0.749 mt of concreting aggregates to be worked at Preferred Area G: Homers Farm, Bedfont by utilising the existing mineral processing plant at the application site. The applicant has stated that there is insufficient space to accommodate the processing plant and ancillary development such as a silt lagoon at Homers Farm. They are therefore seeking to transport the mineral approximately 2 km south west along the A30 to the application site for processing. The mineral working at Hengrove Farm is also operated by the applicant.
- 49 Mineral extraction and restoration at Hengrove Farm has been delayed following the granting of planning permission for a number of short term extensions of time including to allow for an easterly quarry extension onto land known as Hengrove Park. However, this quarry extension did allow a workable high quality mineral reserve to be extracted and processed as part of a single operation through an existing site. This was in accordance with the principle of sustainable development by making the most efficient use of resources and avoiding the sterilisation of minerals.
- 50 Delays in restoration have environmental costs and NPPF paragraph 144 and SMP CS DPD Policy MC17 requires the restoration of mineral workings to be completed at the earliest opportunity and to a high standard. It is acknowledged that the proposal would further delay the completion of restoration at Hengrove Farm and prolong the impact of mineral activity with restoration being delayed by a further 5 years until December 2020. This would result in short term harm to the Green Belt as operations would continue for longer than was initially anticipated. Furthermore, it would also result in approximately 50 two way HGV movements per day taking mineral from Homers Farm to Hengrove Farm and back to Homers Farm along the A30 Trunk Road.
- 51 Nevertheless, these additional impacts are considered to be outweighed by other factors. These comprise: (i) enabling Preferred Area G: Homers Farm, Bedfont identified in SMP PA DPD Policy MA2, to come forward for the extraction of 0.749 mt of concreting aggregates; (ii) the urgent and pressing need to replenish dwindling permitted reserves of concreting aggregates to maintain continuity of supply; (iii) the resulting increase in the landbank for concreting aggregates by 0.8 years; (iv) reducing the requirement for ancillary development at Homers Farm enabling mineral extraction at the Preferred Area to commence more quickly, the impact of the development to be reduced, and for restoration to be completed at an earlier date; and (v) making effective use of existing

mineral infrastructure in the locality. There are no reasons to indicate that the delay will prevent the application site from being restored to a high standard. Furthermore, the applicant is seeking as part of the proposal to minimise the impact of continuing mineral development at Hengrove Farm by reducing the operational area of the site to the minimum area required for processing the mineral. This will reduce the impact of continuing mineral activity on the openness of the Green Belt and also help to limit the landscape impacts of the development.

RESTORATION

Surrey Minerals Plan Core Strategy DPD 2011

Policy MC17 – Restoring Mineral Workings

Policy MC18 – Restoration and Enhancement

Surrey Minerals Plan Site Restoration SPD 2011

Spelthorne Borough Core Strategy and Policies DPD 2009

Policy EN8 – Protecting and Improving the Landscape and Biodiversity

- 52 Paragraph 143 of the NPPF states that land worked for mineral extraction should be reclaimed at the earliest opportunity, and that high quality restoration and aftercare of mineral sites takes place, taking account of biodiversity and recreation amongst other factors. Paragraph 144 states that restoration and aftercare should be carried out to high environmental standards. Policy MC18 of the Surrey Minerals Plan Core Strategy DPD 2011 states that the mineral planning authority will encourage and work with mineral operators and landowners to deliver benefits such as enhancement of biodiversity interests and improved public access. Policy MC17 states that restored sites should be sympathetic to the character and setting of the wider area. Surrey Minerals Plan Site Restoration Supplementary Planning Document 2011 states that there will be continuing demand for agricultural restoration and agricultural after-use remains an important element in restoration of mineral sites in Surrey.
- 53 Policy EN8 of the Spelthorne Borough Core Strategy and Policies DPD 2009 states that the Council will seek to protect and improve the landscape and biodiversity of the Borough by a number of measures including working with partners in the public, private and voluntary sectors to develop and secure the implementation of projects to enhance the landscape and create or improve habitats of nature conservation value, and to secure the more effective management of land in the Borough; and ensuring that new development, wherever possible, contributes to an improvement in the landscape and biodiversity and also avoids harm to features of significance in the landscape or of nature conservation interest; It also states that the Council will safeguard the Borough's Common Land and work with other interested parties to protect and where appropriate enhance its nature conservation and recreation value.
- 54 Whilst areas of the site have been worked, filled and restored, the processing plant and stockpiling areas have not been worked for minerals as yet. Prior to extraction, Hengrove Farm was in arable use and it is still proposed to restore the site to an agricultural afteruse in accordance with the restoration requirements of planning permission SP97/0399 dated June 1999 and the detailed scheme of aftercare approved in May 2002 (ref: SP02/0350). This proposal would delay the restoration but there is no reason to believe that this delay would have an unacceptable impact nor result in the standard of restoration not meeting the Green Belt policy requirement of providing a good quality restoration. This proposal accords with the principles of sustainable development by making the best and most efficient use of available resources and avoiding sterilisation of minerals.

55 The application site is therefore to be restored to an agricultural afteruse in accordance with the restoration requirements of planning permission SP97/0399 dated June 1999 and the detailed scheme of aftercare approved in May 2002 (ref: SP02/0350). There is a part overlap of the approved schemes from 1999 and 2002 and the more recent 2014 planning permission. As noted above, planning permission was approved on 2 July 2014 (ref SP/14/00570/SCC) to allow the area of Hengrove Park (northeast of the application area) and a strip of land adjoining the western boundary of Ashford Park Primary School (southeast of the application site) to be restored in accordance with a revised restoration plan. The conditions at the end of this report therefore refer to those previously (and not since superseded) approved drawings dated 1997 (restoration and contours) and 2002 (aftercare and planting). For example, Condition 41 below states: *'All restoration and landscape planting shall be carried out strictly in accordance with the Planting Plan Drawing No 518/12B dated February 2002 approved under consent Ref: SP02/0350 dated 20 May 2002 and the landscape restoration plan 518/11A Dated June 1997, as amended by planning permission ref SP/14/00570/SCC dated 2 July 2014.'* Officers consider that subject to the appropriate conditions, the application accords with relevant policy and guidance in terms of the site's restoration by 31 December 2020.

HIGHWAYS, TRAFFIC AND ACCESS

Surrey Minerals Plan Core Strategy 2011

Policy MC15 – Transport for minerals

Surrey Waste Plan 2008

Policy DC3 – General Considerations

Spelthorne Borough Councils Core Strategy 2009

Policy CC2 – Sustainable Travel

56 Paragraph 32 of the NPPF states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment with decisions taking account of whether a safe and suitable access to the site can be achieved. The paragraph goes on to state that *"development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe"*. Policy MC15 of the Surrey Minerals Plan Core Strategy recognises at paragraph 7.1 that one of the most significant impacts of mineral working in Surrey and the one that can cause much public concern, is lorry traffic generated from the transportation of minerals. Paragraph 7.3 recognises that for short distances, conveyors and pipelines can be an effective alternative to lorries and are commonly used to transport mineral within sites or from one site to another nearby for processing. Paragraph 7.4 and 7.5 recognise that whilst alternative forms of transport of minerals is preferable and sustainable, the use of rail or water are often impractical in Surrey given that the mineral is often used locally and that such methods of transport can only be used where the mineral is being transported between fixed points where there are sidings or wharves available. Paragraph 7.10 goes on to outline that where possible movement of minerals by road should be confined to the motorway or the primary road network.

57 Surrey Minerals Plan Core Strategy states that applications for minerals development should include a transport assessment of potential impacts on highway safety, congestion and demand management. The policy requires that proposals should address alternatives to road-based methods of transport and that mineral development involving transportation by road will be permitted only where: i) there is no practicable alternative to the use of road based transport that would have a lower impact on communities and the environment; ii) the highway network is of an appropriate standard for use by the traffic generated by the development or can be suitably improved; and iii) arrangements for site access and the traffic generated by the development would not have any significant adverse impacts on highway safety, air quality, residential amenity, the environment or the effective operation of the highway network.

Officer's assessment

58 The County Highway Authority (CHA) have reviewed this proposal and note that Hengrove Farm has an existing access, which was constructed following planning permission (ref SP97/0399) on 24 June 1999. The CHA concludes that neither application at Hengrove Farm would have an additional impact on the A30 trunk road (controlled and maintained by the Highways Agency) or on SCC maintained roads. The existing access at Hengrove Farm was permitted with anticipated traffic flows of 400 daily movements as proposed under application SP97/0399. That access has been constructed to a high standard and found to be acceptable to the Highways Agency. Additionally, the CHA note that as the proposal for extraction at Homers Farm has been submitted in combination with proposals for the importation of 'as raised' mineral into Hengrove Farm and the delayed but then the effective restoration of Hengrove Farm, all of which could generate HGV movements, the applicant has provided a cumulative impact assessment of the potential traffic impact of all HGVs. The predicted traffic associated with Hengrove Farm is shown in the tables below.

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Period	Hengrove Farm						Total
	Aggregates for processing		Processed export aggregates		Restoration fill		
	In full from Homers	Out empty	In empty	Out full	In full	Out empty	
March 2015 - June 2016	27	27	0	0	0	0	54
June 2016 – Nov 2018	27	27	38	38	0	0	128
Dec 2018 – August 2019	0	0	38	38	50*	50*	176

* these HGV movements are associated with the infilling of Hengrove Farm and are already permitted albeit for an earlier date as currently permitted

Period	Aggregate vehicles for Homers		Processed export aggregate		Restoration fill				Total
	In empty	Out full	In empty	Out full	In full to Homers	Out empty from Homers	In full to Hengrove	Out empty from Hengrove	
March 2015 - June 2016	27	27	0	0	0	0	0	0	54
June 2016 – Nov 2018	27	27	38	38	39	39	0	0	208
Dec 2018 – Aug 2019	0	0	38**	38**	64	64	50	50	304

** this mineral is extracted from beneath the existing processing plant and these HGV movements are permitted albeit for an earlier timeframe

- 59 On the basis of the above figures, the CHA note that the maximum number of HGV movements per day cumulatively from all three proposals would be 304 however it should be noted this is only for a nine month period. Additionally it should be noted that 100 of these HGV movements are associated with the infilling of Hengrove Park which is already permitted under planning permission references: SP/12/01416 and SP/12/01421 dated 12 December 2012. The longest period of time where there is a high number of HGV movements is between June 2016 to August 2019 however not all of these HGV movements will travel on the same part of the A30. During this period of time some 132 two way HGV movements per day would be generated from Homers Farm (extraction and infill); and some 128 two way HGV movements would be generated from Hengrove Farm (importation of aggregate and relating to processing mineral).
- 60 When taking into account the direction of travel of HGVs carrying aggregate material and assuming all the fill material at Homers Farm arrives from the west alongside 25% of the traffic relating to the export of processed materials from Hengrove Farm, the CHA note that a maximum of 152 HGV movements per day would be added to the section of the A30 between Homers Farm and Hengrove Farm split equality between the two carriageways. To the west of Hengrove Farm, the increase in traffic would be 138 HGV movements per day for both carriageways which would represent the fill traffic travelling to and from Homers Farm and 75% of the export traffic to and from Hengrove Farm. As noted above, the number of HGVs travelling north eastbound were 667 and 571 south westbound in December 2012. Adding 76 HGVs per day to the total traffic flows on either carriageway would represent an increase of around 1% giving the total proportion of HGVs per day of just under 8% on the north westbound carriageway and around 6.5% on the south westbound carriageway. The hourly link capacity assessment of the A30 allows for HGV content of up to 15%. Therefore the proposal would result in an increase of HGVs on both carriageway that would be less than half the capacity the A30 can carry.
- 61 The Highways Agency (HA) are responsible for the A30 and they have no objection to the proposal, subject to a condition as set out below. The HA commented that the A30 right turn lane on the north eastbound carriageway opposite the Short Lane junction is designed solely for traffic entering the residential area (London Road and Desford Way) on the south side. The A30 is a high speed dual 2 lane carriageway and consequently for traffic safety reasons U-turns are forbidden at this location. Accordingly, the turn has a no U-turn sign. There is a high quality alternative turning arrangement for traffic egressing the site to get to the A30 south westbound via the Clockhouse Roundabout located approximately 1km east of the junction with Short Lane. As such, the HA requested the following condition:
- 'The access and egress movements of all vehicles associated with the operation of the Homers Farm and Hengrove Farm sites must not involve the use of the right turn facility from the north eastbound A30 carriageway opposite Short Lane towards the London Road access to Desford Way, The applicant is required to produce a routing agreement covering all traffic to this effect covering all heavy vehicle movements to and from both Homers Farm and Hengrove Farm.'*
- 62 In respect of the concerns raised that lorries leaving the site are speeding and causing a danger to other drivers, Officers note that the Highway Agency (who control the A30) have raised no objection to this application subject to the imposition of an appropriate condition as set out above. If any vehicle on the A30 is breaking the speed limit, this would be a matter for the Police. In respect of concerns raised that the wheel wash is not working properly, at the time of writing this report, Officers are not aware of any complaints made that the wheel wash is not in operation, A condition is nevertheless recommended at the end of this report to ensure the wheel wash facility is retained and in good working order for the duration of the proposed operation. Lastly, with reference to residents' concerns that the proposal would devalue neighbouring properties, this is not a material planning consideration.

- 63 On the basis of the comments of the CHA, and the recommended condition from the HA, Officers therefore consider that the traffic generated by the development would not have any significant adverse effects on air quality, residential amenity or the local environment, and that the application complies with relevant guidance and policy in respects of traffic and transportation issues.

WASTE MANAGEMENT ISSUES

Surrey Waste Plan 2008

Policy WD7 – Disposal by Landfilling, Landraising, Engineering or Other Operations

Policy WD8 - Landfilling, Landraising and Engineering or Other Operations

- 64 This is proposal for mineral extraction. To secure the satisfactory restoration of the site back to recreation use, it also provides for the progressive restoration by the infilling with imported inert wastes. Due to the sites proximity to Heathrow and concerns about bird strike, the site cannot be restored to water. Furthermore the site is to be restored to its former use as a recreation ground which would require backfilling.
- 65 The Surrey Waste Plan 2008 sets out the current policies on waste related development. Policy WD7 (Disposal by Landfilling, Landraising, Engineering or Other Operations) states that planning permission will only be granted for waste disposal by landfilling, landraising or engineering provided the proposed development is both essential for and involves the minimum quantity of waste necessary for the purposes of restoring current or former mineral working sites. The policy also outlines that in granting planning permission for such development, conditions may be imposed limiting both the types and quantities of waste to be deposited in order to conserve capacity for waste that cannot be reused, recycled or processed. The role of inert waste in mineral site restoration is set to increase, as fewer sites are able to accept non-inert wastes. Policy WD8 states that proposals for landfilling should incorporate finished levels that are compatible with the surrounding area and include proposals for aftercare and securing long-term management of the restored site.
- 66 The new National Planning Policy for Waste was published on 16 October 2014 and replaces Planning Policy Statement 10 (PPS10) Planning for Sustainable Waste Management. Paragraph 7 states that in determining waste planning application, waste planning authorities should ensure that land raising or landfill sites are restored to beneficial after uses at the earliest opportunity and to high environmental standards through the application of appropriate conditions where necessary.
- 67 The proposal does not seek to amend the amount of waste to be brought into the site for landfilling from that permitted as part of planning permission ref: SP09/0102, or the method of infilling. The site would be filled to permitted and approved contour levels. The proposed infilling is to secure the satisfactory restoration of the site back to recreation use and thereby contribute to the achievement of the objectives for the use of land in Green Belts, namely, to provide opportunities for outdoor sport and outdoor recreation near urban areas. Officers recommend detailed conditions relating to movement of soils, inert infilling and contours/restoration details at the end of this report.
- 68 As outlined above, it is not feasible to consider restoring the site to a lower level or an alternative wet restoration as the site lies within a safeguarding area for Heathrow airport where restoration of mineral workings to water would be opposed by Heathrow Airport; and that the site should be returned to its existing use as a recreation ground. Officers therefore consider the proposal meets the requirements of the Development Plan and national policy with regard to planning policy for waste management.

ENVIRONMENT AND AMENITY

Surrey Minerals Plan Core Strategy 2011

Policy MC14 - Reducing the Adverse Impacts of Minerals Development

Surrey Waste Plan 2008

Policy DC3 – General Considerations

Spelthorne Borough Core strategy and Policies DPD 2009

Policy LO1 – Flooding

Policy EN3 – Air Quality

Policy EN8 – Protecting and Improving the Landscape and Biodiversity

Policy EN11 – Development and Noise

Spelthorne Borough Flooding SPD

Spelthorne Borough Local Plan 2001

Saved Policy BE25 – Archaeology, Ancient Monuments and Historic Landscapes

Environmental Impact Assessment

- 69 The Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 2011 (referred to here as the EIA Regulations) implement the European Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment which was adopted in 1985 and amended in 1997 by European Directive 97/11/EC. Schedule 2 of the EIA Regulations identifies the types of development for which EIA may be required. An Environmental Statement did not accompany this planning application nor did an Environmental Statement accompany planning permission SP09/0102, the planning permission which this application in all intents and purpose seeks to vary again. The applicant has not sought a Screening Opinion from the County Planning Authority prior to the submission of this planning application. However, the previous planning permissions SP09/102, SP11/0223 and SP12/01416 were screened.
- 70 On 23 April 2013, the County Environmental Assessment team issued a Screening Opinion stating this application is not considered, in isolation, to constitute EIA development. However, given that this application and the other Hengrove application (ref SP13/0956/SCC) are fundamentally linked to the Homers application (ref SP/13/00141/SCC), and taking account of the likelihood of significant cumulative effects, it is the opinion to the County Planning Authority that in-combination of the three proposals constitute EIA development. As such, the CPA requested that the ES submitted in support of the Homers application was updated (via a Regulation 22 response) to reflect the combined impacts of the three applications.

Hydrology and Hydrogeology

- 71 As the proposal makes the provision for restoring the application site back to recreation use through the landfilling of inert waste, it is relevant to consider policies within the Surrey Waste Plan 2008. Policy DC3 of the Surrey Waste Plan 2008 requires information to support a planning application to include an assessment, and where necessary appropriate mitigation, on the contamination of ground and surface water and groundwater conditions and the hydrogeology of the locality so to minimise or avoid any material adverse impact. The policy states that planning permissions for waste related development would be granted provided it can be demonstrated that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land, infrastructure and resources.

- 72 The County Geotechnical Consultant (CGC) advised that the processing plant area has been and will be subject to a potentially contaminated industrial use, and, once processing is complete, then it will be excavated to remove the remaining gravel below. The CGC therefore recommends a course of action to check that no legacy of soil or groundwater pollution remains. The key component of this would be a contamination inspection of the area once the processing plant and any hard surfacing, pavements, drainage infrastructure, haul roads etc, have been removed, but prior to any subsequent gravel extraction. The CGC therefore suggests the following condition, in order to demonstrate that there has been no contamination of soil or groundwater as a result of the processing plant operation:

'After decommissioning and removal of the processing plant and all hard surfacings, pavement, drainage infrastructure, foundations, haul roads and any associated infrastructure, but before any removal of the underlying overburden or gravel, the Operator shall employ a suitably experienced contaminated land specialist to undertake an inspection, sampling and testing survey of the site to identify whether any residual contamination remains as a result of the past industrial activity.'

The County Planning Authority shall be informed when this is due to take place and shall be afforded the opportunity to inspect the ground surface itself. The report of this post-decommissioning survey shall be submitted to the County Planning Authority.

If any contamination is discovered, a scheme for the design, implementation and validation of any remediation required shall be submitted to the County Planning Authority for approval within one month of the submission of the post decommissioning survey report.

Subsequent excavation, landfilling and restoration of the site shall not commence until any remediation is complete and the remediation verification report has been approved by the County Planning Authority.'

- 73 The Environment Agency have not objected to this planning application. Given the proposal does not seek to amend the method of extracting or infilling at the application site but is an extension of time due to the delay in commencing, Officers consider there are no significant changes from that considered as part of SP09/0102 with regard to hydrology or hydrogeology and that through the installation of the clay liner the site can be restored through the use of inert fill within this geographical area with no risk to groundwater. Officers therefore consider that subject to the CGC's suggested condition, and previous relevant conditions (carried over), the application is acceptable.

Flood Risk

- 74 The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change, by applying the Sequential Test; then if necessary, applying the Exception Test; safeguarding land from development that is required for current and future flood management; using opportunities offered by new development to reduce the causes and impacts of flooding; and where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to facilitate the relocation of development, including housing, to more sustainable locations.

- 75 Paragraph 103 of the NPPF states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that: 1) within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and 2) development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems. The technical guidance to the NPPF states that a site-specific flood risk assessment is required for all proposals greater than 1ha in Flood Zone 1. This should consider the vulnerability of the site to flooding from other sources as well as river and sea flooding, the potential to increase flood risk elsewhere through the addition of hard surfaces and the effect of the development on surface water run-off.
- 76 Policy LO1 of the Spelthorne Borough Core Strategy and Policies DPD seeks to reduce flood risk within the borough and sets out a number of ways the policy intends to do this including refusing applications made in Flood Zone 3 that reduce storage capacity, requiring all development proposals over 0.5ha within Flood Zones 2, 3a and 3b to be accompanied by a Flood Risk Assessment (FRA); and not permitting residential development or change of use or other 'more vulnerable' uses within Zone 3a or 'highly vulnerable uses' within Zone 2 where flood risks cannot be overcome. Spelthorne Borough Council's Flooding Supplementary Planning Document states that all land uses are acceptable within Zone 1.

Officer's assessment

- 77 The proposal and its potential to impact on flooding was assessed as part of planning application ref: SP09/0102 which was accompanied by a FRA, which covered an extended area including this application site (Land at Hengrove Farm) and the land known as Hengrove Park. The Environment Agency reviewed planning application SP09/0102 and commented that the proposal would only be acceptable if the measures detailed in the FRA are implemented and secured by way of condition. These measures include; there will be no surface water runoff from the operational area onto the adjoining areas of land to the east and south; that during the operation of the site, internal site drainage will be to the excavated areas within the gravel excavations; that the surface of the landfill is graded during operations so that surface water runs off into the adjacent gravel excavation; and that the restoration of the site will use sustainable drainage proposals.
- 78 The applicant has provided a separate FRA for planning application ref SP13/00956/SCC also considered at today's meeting, in which the applicant argues that there would be no significant impact on the site drainage or on run-off rates from the site as a result of those proposals (accepted by the CGC in that case). The Environment Agency has not raised any objection to this current proposal, nor has the County Geotechnical Consultant. Officers therefore consider that, subject to the imposition of relevant conditions (carried over from previous planning permissions), the proposal is consistent with the aims and objectives of planning policy and guidance relating to flooding.

Noise

- 79 The site is in an urban area where the background noise is dominated by the highway network. Noise from mineral working and development can have an environmental impact and create disturbance. In considering planning applications for minerals development, Mineral Planning Authorities should have regard to the effects on the surrounding environment and community.

- 80 Paragraph 123 of the NPPF outlines four bullet points that it states that decisions should aim to do. These include avoiding noise from giving rise to significant adverse impacts on health and quality of life as a result of new development; mitigating and reducing to a minimum other adverse impacts on health and quality of life arising from noise from new development including the use of conditions; recognise that development will often create some noise; and identify and protect areas of tranquillity. As stated above, the application site is not in an area of tranquillity. Paragraph 144 of the NPPF relates specifically to noise from mineral workings stating that in determining applications for mineral development that any unavoidable noise are controlled, mitigated or removed at source. The paragraph goes on to say that appropriate noise limits for extraction where such activities are in proximity to noise sensitive properties should be established.
- 81 Policy DC3 of the Surrey Waste Plan 2008 states that proposals for waste related development should be accompanied by supporting information including an assessment and mitigation measures with regards to noise. The policy also states that planning permission will be granted where it can be demonstrated that any impacts of the development can be controlled to achieve levels that will not significant adversely affect people, land, infrastructure and resources. Policy EN11 (Development and Noise) of Spelthorne Development Core Strategy and Policies DPD seeks to minimise the impacts of noise and sets out a series of criteria by which to achieve this. This includes requiring developments that generate unacceptable noise levels to include measures to reduce noise to an acceptable level; and ensuring that appropriate noise attenuation measures are provided.
- 82 In support of the original planning application SP09/0102 the applicant submitted a Noise assessment which stated that with no perimeter bunds in place or with no barrier for attenuation, the extraction operations and subsequent infill operations would need to be approximately 150 – 200 metres from residential dwellings to achieve a level of 55 dB LAeq. As using this distance would have taken up much of the application area, the applicant had proposed mitigation measures involving the construction of 5m high, 20m wide perimeter bunds around the northern, eastern and southern boundary of the application site. These bunds have now been constructed and are 35m from residential buildings and 20m from the play area. The applicant also proposed to use modern, quiet plant within the application area.
- 83 At the time of considering planning application SP09/0102 the County Noise Consultant had reviewed the proposal incorporating the mitigation measures and had commented that the application site would be well screened by the bunds in terms of noise and that the proposal would meet the appropriate noise limit of 55 LAeq (45 +10) at any noise sensitive location for operational activities. With regard to temporary works the County Noise Consultant considered that these would be achievable within the 70 LAeq limit. The County Noise Consultant on the original application had recommended a later start time of 0730 hours than 0700 hours as suggested by the applicant. The start time of 0730 hours was taken forward into conditions.
- 84 The County Noise Consultant has reviewed the proposed extension of time for operations and has raised no objection commenting that he notes the proposal is seeking a delay to overall activities on the site given the delay in commencement of extraction of mineral. The County Noise Consultant has commented that his comments on SP09/0102 still remain that the application site would be well screened by the bunds in terms of noise and that the work of extraction and infilling can be undertaken within the appropriate noise limit of 55 LAeq (45 + 10) at any noise sensitive location. Officers consider that as the applicant is seeking an extension of time due to the delay in commencement of activities at the site, residents would not experience any additional harm above that considered as part of the original planning application. As such, Officers are satisfied that the proposal meets the requirements set out in development plan policies and the NPPF and that the proposal would not cause any cumulative impact with

regard to noise, subject to suitable conditions on noise (carried over from previous planning permissions).

Air Quality and Dust

- 85 Policy SP6 of the Spelthorne Borough Core Strategy seeks to maintain and improve the quality of the environment of the borough. The policy sets out criteria to achieve this of which criteria b) seeking to improve air quality in the borough is the most relevant. Policy EN3 (Air Quality) sets out measures for improving the air quality and minimising harm from poor air quality including (relevant to this proposal) requiring an air quality assessment for development proposals that involve a large number of vehicle movements and refusing development where the adverse effects on air quality are of a significant scale either individually or in combination with other proposals and are not outweighed by other considerations.
- 86 As set out above, both Policy MC14 of the Surrey Minerals Plan and Policy DC3 of the Surrey Waste Plan seek to ensure that minerals and waste proposals do not cause significant adverse harm with regard to dust or air quality. Paragraph 124 of the NPPF states that consideration should be given to the presence of AQMAs and the cumulative impacts on air quality from individual sites in local area and that planning decisions should ensure that any new development in AQMA should be consistent with the local air quality action plan.
- 87 The County Air Quality Consultant (CAQC) has assessed this proposal and raises no objection and notes that activities will remain within the same as set out in the current permission. On that basis, there is unlikely to be any changes to the magnitude of the source of emissions. The risk of dust effects is not likely to be affected by the time extension. The control/mitigation measures proposed for the scheme, together with the approved Dust Action Plan and Dust Management Plan should ensure that there would be no significant adverse impacts and this is not dependent on the duration of the proposed working. Therefore, the proposal to delay the cessation of activities and restoration should have no significant additional impacts on dust.
- 88 In respect of cumulative air quality impacts of Homers/Hengrove, the CAQC highlights that the applicant has stated that the activities at Homers and Hengrove would overlap for four months. As the separation distance between the activities is 2km, the applicant has stated that there is unlikely to be a risk of cumulative dust effects. On that basis, the CAQC agrees with this conclusion. Overall, Officers consider that the proposal is acceptable in terms of air quality/dust/odour subject to suitable conditions.

Archaeology

- 89 Both policies DC3 of the Surrey Waste Plan 2008 and MC14 of the Surrey Minerals Plan 2011 state that planning permission for waste/ mineral development will be granted where it can be demonstrated by the provision of appropriate information to support a planning application that any impacts of the development on archaeological resources can be controlled to achieve levels that will not have a significant adverse effect on these resources. Both policies require sufficient information and assessment to be submitted on the loss or damage to archaeological resources such that appropriate mitigation measures can be identified so as to minimise or avoid any material adverse impact and compensate for loss. Spelthorne Borough Local Plan 2001 Policy BE25 states that in areas of high archaeological potential a field evaluation should be carried out where an indicative assessment has shown that important archaeological remains may exist, and that conditions should be imposed to ensure that damage to any remains is minimal or avoided.

- 90 Paragraph 128 of the NPPF specifically relates to decision making for planning applications requiring a description of the significance of any heritage assets affected and where a site on which development has the potential to affect archaeological interest a desk based assessment and field evaluation should be undertaken. Paragraph 129 goes on to state that in decision making for development proposals, local planning authorities should assess the significance of any heritage asset considering the impact of a proposal upon it so to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
- 91 Archaeological issues were raised as part of planning application SP09/0102 as archaeological work undertaken as part of activities at Hengrove Farm revealed significant and extensive evidence of past settlement and activity from the Neolithic period onwards. A condition was imposed on planning permission ref: SP09/0102 requiring the submission of a Written Scheme of Investigation which would be carried out to identify what archaeological features exist at the application site. The scheme was submitted to the County Planning Authority and subsequently approved in October 2010 and sets out how the archaeological investigation and recording of finds would be undertaken. Archaeological investigation work commenced in April 2012 and was completed in October 2012. The applicant has cited the need for this archaeological work to be carried out and completed in advance of mineral extraction taking place as a delay to commencement of the development. A satisfactory final report or post excavation assessment detailing the post fieldwork analysis now needs to be submitted to the County Archaeologists to enable them to discharge the condition. More recently in 2013, the County Archaeologist noted that the groundworks involved in both Hengrove applications are confined to the construction of the new bunds and has no objection to any necessary information being provided or work undertaken after any granting of planning permission.
- 92 The County Archaeologist recommends a condition remain on the planning permission regarding archaeology until this is the case. The proposed extension of time does not impact on the submission of this report or discharge of the archaeological condition and Officers are satisfied that the impact on archaeological resources has been and will continue to be addressed in line with development plan and national policy.

Ecology

- 93 As noted above, the site lies in proximity to the Staines South Reservoir SSSI which is part of the South West London Waterbodies Site a Special Protection Area (SPA) and RAMSAR site, the Shortwood Common SNCI and the Shortwood Common SSSI. Policy NRM5 of the SEP 2009 states that local planning authorities should avoid a net loss of biodiversity and they must give the highest level of protection to sites of international nature conservation importance and shall avoid damage to county wildlife sites and locally important wildlife sites including additional areas outside the boundaries of European sites where these support the species for which that site has been selected.
- 94 Surrey Minerals Plan Core Strategy 2011 Policy MC14 states that mineral development will be permitted only where a need has been demonstrated and the applicant has provided information sufficient for the mineral planning authority to be satisfied there would be no significant adverse impact arising from the development. The policy requires in determining planning applications for mineral development, impacts relating to the natural environment and biodiversity to be considered. Policy EN8 of the Spelthorne Borough Core Strategy 2009 seeks to protect and improve the biodiversity of the Borough by safeguarding sites of international and national importance and ensuring wherever possible new development contributes the improvement in biodiversity and avoids harm to features of nature conservation importance.

- 95 This proposal does not seek to amend the extraction or infilling methods that have been utilised at Hengrove Farm in the past. However the proposed extension of time would delay restoring the site back to its intended use of agriculture. With regard to the potential for the extension of time to impact on the SSSI and SPA/ RAMSAR site, the Environmental Assessment team previously undertook an Appropriate Assessment screening to assess this impact and the assessment concluded that the proposal would not present risks, in isolation or cumulatively, of significant adverse impact to the Staines Moor SSSI component of the South West London Waterbodies SPA or RAMSAR site. Natural England concurred with this finding because Staines Reservoirs are hydrologically isolated from the gravels.
- 96 With regard to local biodiversity issues, as the proposal site is not designated for ecological reasons and would be returned to a combination of recreation use and an agricultural use; and given that the activities proposed do not vary from those historically carried out, Offices consider that the proposal would not cause any significant harm to local biodiversity or ecological matters. The County Ecologist raises no objection to the proposal, requiring no further assessments or additional conditions (to those attached previously).

Landscape and Visual Impact

- 97 Surrey Minerals Plan Core Strategy 2011 Policy MC14 states that in determining planning applications for mineral development, potential impacts on the appearance, quality and character of the landscape should be considered. Spelthorne Borough Core Strategy and Policies DPD Policy EN8 (Protecting and Improving the Landscape and Biodiversity) states that new development, wherever possible, should contribute to the improvement in the landscape and should avoid harming features of significance in the landscape; and refuse planning permission where development would have a significant harmful impact on landscape. The policy supporting text recognises the impact mineral working can have on the local landscape and looks to ensure the timely restoration of quarries to a high standard.
- 98 During consideration of planning application SP09/0102 Officers were conscious that the initial works of soil stripping and bund construction would temporarily disrupt the local landscape with the bunds being greater in height than the open recreation ground and being an unnatural feature in the local landscape. However, these works are temporary in nature and the bunds assist in providing mitigation in terms of visual screening and noise attenuation and have been designed so that they have a gentler external sloping profile. The bunds have also been planted with a grass seed mix. The bunds would be in place for the duration of the proposed extraction and infilling operations to provide both visual and noise mitigation measures alongside a barrier to any potential dust emissions. Officers recognise that the proposal would result in these features being in the local landscape for a longer period of time than originally anticipated in 2009, 2011 or 2012. However, the bunds are not anticipated to be in situ for a longer period of time whilst activities take place than when originally proposed i.e. for the duration of the extraction and infilling.
- 99 The County Landscape Officer has no objection to this proposal and no recommendations for further work. Officers consider that the proposal is acceptable in terms of landscape and visual impact, and is in accordance with the relevant policies relating to landscape, subject to suitable conditions (carried over from previous planning permissions).

Birdstrike

- 100 Policy MC14 of the Surrey Minerals Plan 2014 outlines the need to assess the potential impact of proposals upon the danger of birds striking aircraft. As this site is in very close proximity to Heathrow Airport, this risk needs to be carefully considered. Birds are often attracted to certain types of sites, for example those with large water bodies, and certain types of plants, for example those producing berries. BAA's safeguarding team and RAF Northholt have not raised objections to the proposal. Officers therefore consider that the proposal is acceptable in terms of birdstrike, since the restoration and planting mix have been designed with safeguarding in mind.

GREEN BELT

Surrey Minerals Plan Core Strategy 2011

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

Policy MC17 – Restoring mineral workings

Surrey Waste Plan 2008

Policy CW6 – Development in the Green Belt

Spelthorne Borough Local Plan 2001

Saved Policy GB1 – Green Belt

- 101 The new National Planning Policy for Waste was published on 16 October 2014 and replaces Planning Policy Statement 10 (PPS10) Planning for Sustainable Waste Management. In respect of the Green Belt, paragraph 6 of the new National Planning Policy for Waste states that it states Green Belts have special protection in respect to development and that planning authorities should recognise the particular locational needs of some types of waste management facilities when preparing their Local Plans.
- 102 Policies MC3 and MC17 of the Surrey Minerals Plan Core Strategy and GB1 of Spelthorne Local Plan 2001 Saved Policies seek protection of the Green Belt. Policy MC3 states that mineral extraction in the Green Belt will only be permitted where the highest environmental standard of operation are maintained and the land restored to beneficial after-uses consistent with Green Belt objectives, such as nature conservation, agriculture or forestry, within agreed time limits. The policy states that development will not be permitted where it would conflict with the purposes of the Green Belt and maintaining openness. The supporting text acknowledges that almost all mineral working in Surrey is within the Green Belt. Policy MC17 requires proposals for mineral working to provide for restoration and management to a high standard, with a restoration sympathetic to the character and setting of the area and the land should be capable of sustaining the appropriate afteruse. Policy GB1 of the Spelthorne Local Plan 2001 saved policies states that development will not be permitted within the Green Belt, where it would conflict with the purposes of the Green Belt and maintaining its openness.
- 103 Paragraph 79 of the NPPF explains that the Government attaches great importance to Green Belts, and that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. Paragraph 80 goes on to explain that the Green Belt serves five purposes, which are checking the unrestricted sprawl of large built-up areas, prevent neighbouring towns merging, safeguarding the countryside from encroachment, to preserve the setting and special character of historic towns, and to assist in urban regeneration by encouraging the recycling of derelict and other urban land. Paragraph 87 states that inappropriate development within the Green Belt is harmful to the Green Belt, and should not be approved except in very special circumstances. Paragraph 90 of the NPPF explains that certain forms of development are not inappropriate within the Green Belt, as long as they preserve the openness of the Green Belt, and do not conflict with the purposes of including land in the Green Belt. It lists mineral extraction as a form of development that is not necessarily inappropriate.

104 Given the location of the site within the Green Belt, it is necessary to consider whether high environmental standards would be maintained during operation, and whether restoration of the site will be achieved to a good standard, with an appropriate afteruse consistent with Green Belt objectives. Mineral working is a temporary use of land, and minerals can only be worked where they are found. During mineral extraction, there would be some temporary impact on the visual amenities of the Green Belt, and upon openness, due to the perimeter bunds, soil stockpiles, machinery, site office and increased traffic. However, there is adequate provision in place for their removal on cessation of the extraction and restoration and the additional traffic would cease at that time also. Therefore they are a temporary use of the land and do not permanently impact on the openness nor the visual amenities of the Green Belt which would both be restored, nor conflict with the purposes of including land in the Green Belt. Officers therefore consider that the proposal is not inappropriate within the Green Belt, and therefore is in line with the development plan and the NPPF with regard to Green Belt policy.

HUMAN RIGHTS IMPLICATIONS

- 105 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.
- 106 It is recognised within the Officers report that the proposal would cause some loss of local amenity in relation to views across the recreation area and therefore there would be some harm to the visual amenities of the Green Belt. It is also recognised that the proposal has the potential to impact on residential amenity in terms of noise and dust and in terms of groundwater and nature conservation. The coverage in the report has shown that there is a need for the mineral. It is the Officer's view that the scale and duration of any potential impacts are not considered sufficient to engage Article 8 or Article 1 and that potential impacts can be mitigated by the imposition of planning conditions. As such, this proposal is not considered to interfere with any Convention right.

CONCLUSION

- 107 The main issues in the determination of this application are the impacts of the development; on the Green Belt; on residential and environmental amenities; on highways, traffic and access; and mineral extraction issues (need, location). The application site is located within the Metropolitan Green Belt where policies of restraint apply. However government guidance in the form of the NPPF recognises that mineral extraction can only take place where minerals are found.
- 108 Officers recognise the continued mineral extraction and delay to restoration of this site would have some limited short term impacts, but if fully implemented would not harm the openness of the Green Belt. The short term impacts are unavoidable if the mineral is to be worked and the land restored. Officers are satisfied that there is no indication that the completion of restoration in accordance with the overall restoration objective would not be achievable within the time now requested and this period is not considered to be excessive in the circumstances. Officers consider that given the mitigation measures in place, the proposal would not give rise to any significant adverse impacts on the environment, residential amenity, Green Belt or the public highway. Accordingly, it is recommended that planning permission be granted subject to appropriate conditions.

RECOMMENDATION

The recommendation is to PERMIT subject to the following conditions

Conditions

Approved Documents

1. The development hereby approved shall be carried out in all respects strictly in accordance with the following plans/drawings:

Site Location Plan 518/34A dated March 2013
Proposed Revised Site Layout 518/32C dated 18 March 2013
Site Context Plan 518/8A Dated June 1997
Impact Mitigation 518/9A Dated June 1997
Cross Sections 518/10 Dated June 1997
Landscape restoration plan 518/11A Dated June 1997 (as amended by planning permission ref SP/14/00570/SCC dated 2 July 2014)
Landscape restoration plan 518/11D Dated June 1997 (as amended by planning permission ref SP/14/00570/SCC dated 2 July 2014)
Planting Plan 518/12 B Dated February 2002 (as amended by planning permission ref SP/14/00570/SCC dated 2 July 2014)
Approximate locations of groundwater monitoring boreholes Figure A5.4
Record of Survey LAH/0321/1 Dated August 1989
Sample point map 4007/098/97 Dated 1997
Proposed Dust Monitoring Plan 401-0438-00003 Dated July 2005
Site Plan CPG/HSHEENV/2'A' Dated June 2008
Highway Works 93/13051/1 Dated November 1996

Commencement

2. At all times during the duration of the development to the cessation of operations hereby consented, a copy of this permission including all documents with this permission, shall be displayed on the site during working hours in a position which is readily accessible to any person undertaking the development.
3. The applicant shall notify the County Planning Authority in writing within seven days of the implementation of this planning permission.

Time Limits

4. Extraction of indigenous minerals shall cease by 30 September 2019 and restoration shall be completed by 31 December 2020 by which date all buildings, fixed plant or machinery, internal access roads and hardstandings, together with their foundations and bases, shall be removed from the land and the site shall be restored to a condition suitable for agriculture in accordance with restoration plan 518/12 B dated February 2002, as amended by planning permission ref SP/14/00570/SCC dated 2 July 2014.

Hours of Operation

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

0700 - 1800 hours Monday to Friday
0700 - 1300 hours Saturdays

Notwithstanding this, the formation of the screen bunds around the site and their subsequent removal when required for restoration, shall only be carried out between :-

0800 and 1700 hours Monday to Friday; and there shall be no working on Sundays, Bank Holidays, Public or National Holidays.

Limitations

6. Notwithstanding any provision to the contrary under Part 19 of Schedule 2 to the Town and County Planning (General Permitted Development) Order 1995 or any subsequent Order, no plant, buildings or machinery whether fixed or moveable, shall be erected on the application site without the prior written approval of the County Planning Authority in respect of the siting, detailed design, specifications and appearance of the installation, such details to include the predicted levels of noise emission and their tonal characteristics.
7. No excavation shall take place closer than 10 metres from the railway boundary as shown on drawing 518/9A dated June 1997. The exposed face of the working adjacent to the railway boundary must be maintained in a stable condition until backfilling takes place or is completed in this part of the site. The length of open sidewall adjacent to the railway shall be kept to the minimum necessary and backfilling against it must be undertaken as soon as practicable.
8. No overburden must be tipped, or soakaways or lagoons constructed within the 10 metre berm between the edge of the excavation and the railway boundary, nor shall this area be used as a haul route.
9. No dewatering shall take place without prior notification of the County Planning Authority.
10. The fill material shall be limited to Class A inert waste only and shall be deposited and graded over the site to follow the final contours shown on drawing no 518/11A dated June 1997. Any non-conforming material shall be removed from the site and disposed of at a suitably licensed landfill.
11. Notwithstanding Condition 10 above, all topsoil, subsoil and overburden shall be retained on the site and used in restoration.
12. All soils or any other materials stockpiled at the site shall be stored in separate mounds. The height of such stockpiles shall not exceed 5 metres in height above surrounding ground levels and 3 metres in height in the case of topsoil.

Access, Traffic & Protection of the Public Highway

13. The highway works shown on Drawing No 93/1305/1 dated November 1996 consisting of an access to the A30 trunk road constructed in accordance with details agreed with the Highways Agency shall be maintained for the duration of this consent.
14. The new access to the A30 trunk road shown on Drawing No 93/1305/1 dated November 1996 shall be stopped up at the highway boundary once the restoration of the development site to agriculture has been fully completed.
15. The surfacing of the site access shall be maintained in a good state of repair and kept clean and free of mud and other debris at all times until completion of site restoration and aftercare.
16. Prior to the commencement of landfilling operations, facilities shall be provided in order that the operator can make all reasonable efforts to keep the public highway clean and prevent the creation of a dangerous surface on the public highway. The measures shall thereafter be retained and used whenever the said operations are carried out.

17. Prior to commencement of development, a routing agreement covering all heavy goods vehicle movements to and from Homers Farm and Hengrove shall be submitted to and approved in writing by the County Planning Authority. The routing agreement shall include measures to ensure that the access and egress movements of all vehicles associated with the operation of the application site will not involve the use of the right turn facility from the north eastbound A30 carriageway opposite Short Lane towards the London Road access to Desford Way.

Nature Conservation

18. The scheme of impact mitigation on the area designated a Site of Nature Conservation Interest (SNCI), shown on Drawing No 518/9A dated June 1997 as A8, shall be carried out strictly in accordance with the details approved under planning consent Ref: SP00/0527 dated 30 October 2000.

Noise

19. 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 m above ground level and 3.6 m from the facade of any residential property or other occupied building which faces the site shall not exceed 55 dB(A) Leq. during any 1 hour period.
20. 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.
21. All plant and company owned HGVs operating at the site shall be fitted with reversing alarms which do not emit a warning noise that could have an adverse impact on residential amenity.

Dust

22. Dust monitoring shall be implemented and undertaken at all times strictly in accordance with the Proposed Dust Monitoring Plan approved under SP05/0635 dated 20 July 2005, as amended by the Dust Monitoring Scheme and Action Plan Issue No 06 dated 30 September 2010 approved under Ref SP10/0477 dated 20 December 2010.
23. No activity hereby permitted shall cause dust to be emitted so as to adversely affect adjacent residential properties and/or other sensitive uses and/or the local environment. Should such an emission occur, the activity shall be suspended until as a result of different methods of working, the addition of additional dust suppression measures or changed weather conditions it can be resumed without giving rise to that level of dust emissions.

Rights of Way

24. Adequate safeguards including suitable fencing, to protect persons using the existing Footpath No 26 shall be put in place and maintained for the duration of the development hereby permitted and the route of Footpath 26 shall not be obstructed or its surface damaged in any way. Any alteration to, or replacement of the existing boundary with the public right of way, or erection of new fencelines must be done in consultation with the County Planning Authority.
25. On completion of the development hereby permitted, Footpath 26 shall be reinstated to a standard and specification to be agreed in writing with the County Planning Authority.

Archaeology

26. The scheme of archaeological investigation shall be carried out strictly in accordance with the details approved under planning consent Ref: SP99/0563 dated 12 November 1999.

Surface and Groundwater Protection

27. The monitoring of the lakes at Ashford Fish Farm shall be carried out strictly in accordance with the Monitoring Scheme annexed at Schedule 2 of the Section 106 Agreement dated 18 June 1999, the additional groundwater monitoring borehole adjacent to the Fish Farm in the position shown marked HE08 on Plan A attached to the Section 106 Agreement dated 18 June 1999 shall be maintained until the completion of restoration and appropriate mitigation measures shall be taken as agreed with the Owner of the Fish Farm Land if established trigger levels are breached.
28. Throughout the period of working, restoration and aftercare, the applicant shall take all reasonable steps to ensure that drainage from areas adjoining the site is not impaired or rendered less efficient by the permitted operations. The operator shall take all reasonable steps, including the provision of any necessary works, to prevent damage by erosion, silting or flooding and to make proper provision for the disposal of all water entering, arising on or leaving the site during the permitted operations.
29. Upon restoration of the land, no development or raising of ground levels above the contours shown on Drawing 518/11A dated June 1997 shall take place on that part of the site lying within the area of land liable to flood as shown on the Environment Agency's flood maps.
30. After decommissioning and removal of the processing plant and all hard surfacings, pavement, drainage infrastructure, foundations, haul roads and any associated infrastructure, but before any removal of the underlying overburden or gravel, the Operator shall employ a suitably experienced contaminated land specialist to undertake an inspection, sampling and testing survey of the site to identify whether any residual contamination remains as a result of the past industrial activity.

The County Planning Authority shall be informed when this is due to take place and shall be afforded the opportunity to inspect the ground surface itself. The report of this post-decommissioning survey shall be submitted to the County Planning Authority.

If any contamination is discovered, a scheme for the design, implementation and validation of any remediation required shall be submitted to the County Planning Authority for approval within one month of the submission of the post decommissioning survey report.

Subsequent excavation, landfilling and restoration of the site shall not commence until any remediation is complete and the remediation verification report has been approved by the County Planning Authority.

Soil Movement & Placement

31. Plant or vehicle movements shall be confined to clearly defined haul routes or to the infill surface and shall not cross areas of topsoil and subsoil except for the express purpose of soil stripping or replacement operations.

32. Topsoil and subsoil should be stripped from any part of the site prior to it being excavated or traversed by heavy vehicles or machinery, built upon, used for the stacking of subsoil, soil making material or overburden, used as a machinery of plant stocking area, or for the construction of the haul road. Topsoil and subsoil shall only be removed by hydraulic excavator and dump truck.
33. All soils and soil making materials shall only be stripped, handled, stockpiled or used for purposes of restoration when they are in such a dry and friable condition so as to prevent compaction. For soils containing more than 18% clay the criteria for determining dry and friable may be based on a field assessment of the soils wetness in relation to its lower plastic limit according to the following test. 'An assessment shall be made by attempting to roll a ball of soil into a thread on the surface of a clean plain glazed tile (or plate glass square) using light pressure from the flat of the hand. If a long thread of less than 3 mm diameter can be formed, the soils is wetter than the lower plastic limit and soil moving should not take place until the soils have dried out. If the soil crumbles before a long thread of 3mm diameter can be formed, then the soil is dry enough to move. This assessment shall be carried out on representative samples on each major soil type'. For all soil types (including sandy loams, loamy sands and sands) no soil handling should proceed during and shortly after significant rainfall, and/or when there are any puddles on the soil surface. Soil handling and movement shall not be carried out between the months of October and March inclusive.
34. The topsoil should be stripped to 30 cm and shall, wherever possible, be immediately re-spread over an area of reinstated subsoil. If immediate re-spreading is not practicable, the topsoil shall be stored separately for subsequent replacement.
35. The subsoil should be stripped to at least 120 cm and shall, wherever possible, be immediately re-spread over the replaced overburden. If immediate re-spreading is not practicable, the subsoil shall be stored separately for subsequent replacement.
36. In the first available seeding season following their formation, all mounds of topsoil, subsoil and soil making materials shall be seeded to grass and the sward shall be managed throughout the period of storage until the soils are required for use in the restoration of the site.

Landscape and Restoration

37. The top 100cm of the fill shall consist of either overburden or clean fill and be free of any objects larger than 10cm in any dimension which are likely to be an obstruction to deep cultivation or underdrainage. All such objects shall be picked and removed from the site.
38. The subsoil and topsoil shall be spread over the restoration area at a minimum settled depth of 120 cm. The subsoils are to be spread to an even settled depth of 90 cm so as to follow the final pre-settlement contours. The topsoil is to be spread to a minimum settled depth of 30 cm over the reinstated subsoil, so as to form the final pre-settlement contours shown on Drawing No 518/11A dated June 1997. The restored area is to be ripped in suitably dry soil conditions in such a manner as to disturb the whole soil profile, to a depth of 60 cm. All stones and other material exceeding 10 cm in any dimension and other deleterious material to be removed from the topsoil.
39. Prior to the commencement of the placement of the restoration soils, profile boards shall be placed on the formation level at 50 metre centres indicating the finished levels of the restoration soil profile. In any part of the site where settlement occurs during the restoration and aftercare period, the applicant shall fill any depression to the final settled contours specified in the restoration plan with suitable soil to the satisfaction of the County Planning Authority.

40. The County Planning Authority shall be notified in writing at least five working days in advance of the commencement of the final subsoil placement on each phase, or part phase.
41. All restoration and landscape planting shall be carried out strictly in accordance with the Planting Plan Drawing No 518/12B dated February 2002 approved under consent Ref: SP02/0350 dated 20 May 2002 and the landscape restoration plan 518/11A Dated June 1997, as amended by planning permission ref SP/14/00570/SCC dated 2 July 2014.
42. All tree and shrub planting and other landscape works implemented pursuant to this permission shall be maintained in good healthy condition and be protected from damage for the duration of the extraction and restoration works and for five years from the completion of restoration in any part of the site. During that period any trees or shrubs which die, or are severely damaged or diseased shall be replaced in the next available planting season with others of a similar size and species.

Aftercare

43. The scheme of aftercare shall be carried out strictly in accordance with the details approved under planning consent Ref: SP02/0350 dated 20 May 2002.

REASONS FOR IMPOSING CONDITIONS:

1. For the avoidance of doubt and in the interests of proper planning.
2. To enable the County Planning Authority to exercise control over the site for the development hereby permitted in accordance with all the relevant policies of the Development Plan.
3. To enable the County Planning Authority to control the development hereby permitted and to monitor the site to ensure compliance with the planning permission to comply with Section 91 of the Town & County Planning Act 1990
4. To ensure the prompt and effective restoration of the site and to comply with Schedule 5 paragraph 1 of the Town & County Planning Act 1990.
5. To adequately control the development in order to ensure minimum disturbance and avoid nuisance to the locality to comply with Policy MC14 – Reducing the Adverse Impacts of Minerals Development of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document and Surrey Waste Plan 2008 Policy DC3 – General Considerations.
6. 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 Spelthorne Borough Local Plan 2001 Policy GB1 – Green Belt.
7. To ensure adequate safeguards for the protection of adjacent areas from the effects of working the site to accord with Policy MC14 – Reducing the Adverse Impacts of Minerals Development of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document.
8. To provide adequate safeguards for the protection of adjacent areas from the effects of working the site in accordance with Policy MC14 – Reducing the Adverse Impacts of Minerals Development of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document.

9. To ensure adequate safeguards for the protection of adjacent areas from the effects of working the site to accord with Policy MC14 – Reducing the Adverse Impacts of Minerals Development of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document and Surrey Waste Plan 2008 Policy DC3 – General Considerations.
10. To prevent pollution of the water environment to comply with Policy MC14 – Reducing the Adverse Impacts of Minerals Development of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document and Surrey Waste Plan 2008 Policy DC3 – General Considerations.
11. In the interests of local amenity, to prevent loss or damage to soils and to ensure the prompt restoration of the site in accordance with Policy MC14 – Reducing the Adverse Impacts of Minerals Development of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document and Spelthorne Borough Local Plan 2001 Policy GB1 – Green Belt.
12. To reduce the impact on the local landscape to comply with Policy MC14 – Reducing the Adverse Impacts of Minerals Development of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document and Surrey Waste Plan 2008 Policy DC3 – General Considerations.
13. To ensure that the A30 trunk road continues to be a safe and effective part of the national system of through routes in accordance with Section 10 (2) of the Highways Act 1980 and in accordance with the National Planning Policy Framework 2012 and Policy MC15 – Transport for Minerals of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document and Surrey Waste Plan 2008 Policy DC3 – General Considerations.
14. To ensure that the A30 trunk road continues to be a safe and effective part of the national system of through routes in accordance with Section 10 (2) of the Highways Act 1980 and in accordance with the National Planning Policy Framework 2012 and Policy MC15 – Transport for Minerals of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document and Surrey Waste Plan 2008 Policy DC3 – General Considerations.
15. To ensure that the development should not prejudice the condition of safety on the highway, nor cause inconvenience to other highway users and to safeguard the local environment, to comply with Policy MC15 – Transport for Minerals of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document and Surrey Waste Plan 2008 Policy DC3 – General Considerations.
16. To ensure that the development should not prejudice the condition of safety on the highway, nor cause inconvenience to other highway users and to safeguard the local environment, to comply with Policy MC15 – Transport for Minerals of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document and Surrey Waste Plan 2008 Policy DC3 – General Considerations.
17. To ensure that the development should not prejudice the condition of safety on the highway, nor cause inconvenience to other highway users and to safeguard the local environment, to comply with Policy MC15 – Transport for Minerals of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document and Surrey Waste Plan 2008 Policy DC3 – General Considerations.
18. To protect nature conservation interests in compliance with Policy MC14 – Reducing the Adverse Impacts of Minerals Development of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document, Surrey Waste Plan 2008 Policy DC2 – Planning Designations and Spelthorne Borough Core Strategy and Policy DPD 2009 Policy EN8 – Protecting and Improving the Landscape and Biodiversity.

19. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Policy MC14 – Reducing the Adverse Impacts of Minerals Development of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document and Surrey Waste Plan 2008 Policy DC3 – General Considerations.
20. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Policy MC14 – Reducing the Adverse Impacts of Minerals Development of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document and Surrey Waste Plan 2008 Policy DC3 – General Considerations.
21. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Policy MC14 – Reducing the Adverse Impacts of Minerals Development of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document and Surrey Waste Plan 2008 Policy DC3 – General Considerations.
22. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Policy MC14 – Reducing the Adverse Impacts of Minerals Development of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document and Surrey Waste Plan 2008 Policy DC3 – General Considerations.
23. To ensure the minimum disturbance and avoid nuisance to the locality to comply with Policy MC14 – Reducing the Adverse Impacts of Minerals Development of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document and Surrey Waste Plan 2008 Policy DC3 – General Considerations.
24. To protect the route of the public footpath and the amenities of the users and to comply with Policy MC14 – Reducing the Adverse Impacts of Minerals Development of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document.
25. To protect the route of the public footpath and the amenities of the users and to comply with Policy MC14 – Reducing the Adverse Impacts of Minerals Development of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document.
26. To afford the County Planning Authority a reasonable opportunity to examine any remains of archaeological interest which are unearthed and to ensure that adequate steps are taken for the preservation or recording of such remains and to comply with the National Planning Policy Framework 2012; Policy MC14 – Reducing the Adverse Impacts of Minerals Development of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document; Surrey Waste Plan 2008 Policy DC3 – General Considerations and Spelthorne Borough Local Plan 2001 Policy BE25 – Archaeology, Ancient Monuments and Historic Landscapes.
27. To monitor and prevent any impact on the local water environment so as to accord with Policy MC14 – Reducing the Adverse Impacts of Minerals Development of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document and Surrey Waste Plan 2008 Policy DC3 – General Considerations.
28. To prevent the increased risk of flooding so as to comply with Policy MC14 – Reducing the Adverse Impacts of Minerals Development of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document and Surrey Waste Plan 2008 Policy DC3 – General Considerations.
29. To prevent the increased risk of flooding due to impedance of flood flows and reduction of flood storage capacity in accordance with Policy MC14 – Reducing the Adverse Impacts of Minerals Development of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document and Surrey Waste Plan 2008 Policy DC3 – General Considerations.

30. To demonstrate that there has been no contamination of soil or groundwater as a result of the processing plant operation in accordance with Policy MC14 – Reducing the Adverse Impacts of Minerals Development of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document, and Policy DC3 – General Considerations of the Surrey Waste Plan 2008.
31. To prevent loss or damage to soils and to ensure the prompt restoration of the site to comply with Policy MC14 – Reducing the Adverse Impacts of Minerals Development of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document; Surrey Waste Plan 2008 Policy DC3 – General Considerations and Spelthorne Borough Local Plan 2001 Policy GB1 – Green Belt.
32. To prevent loss or damage to soils and to ensure the prompt restoration of the site to comply with Policy MC17 – Restoring mineral workings of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document, Surrey Waste Plan 2008 Policy DC3 – General Considerations and Spelthorne Borough Local Plan 2001 Policy GB1 – Green Belt.
33. To comply with the terms of the application and enable the County Planning Authority to exercise control of the operation so as to secure restoration to the required standard and assist in absorbing the site back into the local landscape in accordance with Policy MC17 – Restoring mineral workings of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document; Surrey Waste Plan 2008 Policy DC3 – General Considerations and Spelthorne Borough Local Plan 2001 Policy GB1 – Green Belt.
34. To prevent damage to soils and to ensure the prompt restoration of the site to accord with Policy MC17 – Restoring mineral workings of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document; Surrey Waste Plan 2008 Policy DC3 – General Considerations and Spelthorne Borough Local Plan 2001 Policy GB1 – Green Belt.
35. To prevent damage to soils and to ensure the prompt restoration of the site to accord with Policy MC17 – Restoring mineral workings of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document; Surrey Waste Plan 2008 Policy DC3 – General Considerations and Spelthorne Borough Local Plan 2001 Policy GB1 – Green Belt.
36. To prevent the loss of soil and to reduce the impact on the local landscape to comply with Policy MC14 – Reducing the Adverse Impacts of Minerals Development of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document; Surrey Waste Plan 2008 Policy DC3 – General Considerations and Spelthorne Borough Local Plan 2001 Policy GB1 – Green Belt.
37. To secure restoration to the required standard and assist in absorbing the site back into the local landscape to comply with Policy MC17 – Restoring mineral workings of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document; Surrey Waste Plan 2008 Policy DC3 – General Considerations and Spelthorne Borough Local Plan 2001 Policy GB1 – Green Belt.
38. To secure restoration to the required standard and assist in absorbing the site back into the local landscape to comply with Policy MC17 – Restoring mineral workings of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document; Surrey Waste Plan 2008 Policy DC3 – General Considerations and Spelthorne Borough Local Plan 2001 Policy GB1 – Green Belt.

39. To comply with the terms of the application and to enable the County Planning Authority to exercise planning control over the operation so as to secure restoration to the required standard and to prevent risk of flooding in accordance with the terms of Policy MC14 – Reducing the Adverse Impacts of Minerals Development of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document; Surrey Waste Plan 2008 Policy DC3 – General Considerations and Spelthorne Borough Local Plan 2001 Policy GB1 – Green Belt.
40. To comply with the terms of the application and to enable the County Planning Authority to exercise planning control over the operation so as to secure restoration to the required standard and assist in absorbing the site back into the local landscape in accordance with the terms of Spelthorne Borough Local Plan 2001 Policy GB1 – Green Belt and Section 197 of the Town and Country Planning Act 1990.
41. To comply with the terms of the application and to enable the County Planning Authority to exercise planning control over the operation so as to secure restoration to the required standard and assist in absorbing the site back into the local landscape in accordance with the terms of Spelthorne Borough Local Plan 2001 Policy GB1 – Green Belt and Section 197 of the Town and Country Planning Act 1990.
42. To comply with the terms of the application and to enable the County Planning Authority to exercise planning control over the operation so as to secure restoration to the required standard and assist in absorbing the site back into the local landscape in accordance with the terms of Spelthorne Borough Local Plan 2001 Policy GB1 – Green Belt and Section 197 of the Town and Country Planning Act 1990.
43. To secure restoration to the required standard and assist in absorbing the site back into the local landscape in compliance with Schedule 5 paragraph 2 of the Town and Country Planning Act 1990, Policy MC17 – Restoring mineral workings of the Surrey Minerals Plan 2011 Core Strategy Development Plan Document.

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. The County Planning Authority confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
3. The site is located close to Staines Reservoirs. 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 sites then the appropriate monitoring and remediation pollution from construction – guidance for consultants and contractors’.
4. National Grid apparatus has been identified as being in the vicinity of your proposed works as follows: 1) Low or Medium pressure (below 2 bar) gas pipes and associated equipment. (As a result it is highly likely that there are gas services and associated apparatus in the vicinity); and 2) Electricity Transmission overhead lines. These are distances defined by the Health and Safety Executive (HSE) to allow them to advise on the acceptability of new developments next to hazardous installations and are controlled through the HSE’s Planning Advice for Developments near Hazardous Installations

(PADHI) process. Further guidance on how these are applied can be found on the HSE's website: <http://www.hse.gov.uk/landuseplanning/padhi.pdf>. Before carrying out any work you must:

- Carefully read these requirements including the attached guidance documents and maps showing the location of National Grid apparatus.
 - Contact the landowner and ensure any proposed works in private land do not infringe National Grid's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted.
 - Ensure that all persons, including direct labour and contractors, working for you on or near National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 - 'Avoiding Danger from Underground Services' and GS6 - 'Avoidance of danger from overhead electric power lines'. This guidance can be downloaded free of charge at <http://www.hse.gov.uk>
 - In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken.
5. The applicant should be aware of the requirement within the British Standard Code of Practice for the Safe Use of Cranes, for crane operators to consult any nearby aerodromes before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4 'Cranes and other construction issues' (available at <http://www.aoa.org.uk/policy-safeguarding.htm>).

The proposal has been considered against the following development plan policies/ provisions:

Surrey Minerals Plan 2011:

Policy MC3 – Spatial strategy – Mineral development in the Green Belt
 Policy MC7 – Aggregates Mineral Supply
 Policy MC11 – Mineral Extraction Outside Preferred Areas
 Policy MC14 – Reducing the Adverse Impacts of Minerals Development
 Policy MC15 – Transport for Minerals
 Policy MC17 – Restoring mineral workings

Surrey Minerals Plan Site Restoration Supplementary Planning Document 2011

Surrey Waste Plan 2008:

Policy CW6 – Development in the Green Belt
 Policy DC2 – Planning Designations
 Policy DC3 – General Considerations

Spelthorne Borough Core Strategy 2009:

Policy LO1 – Flooding
 Policy EN3 – Air Quality
 Policy EN8 – Protecting and Improving the Landscape and Biodiversity
 Policy EN11 – Development and Noise
 Policy CC2 – Sustainable Travel

Spelthorne Borough Flooding DPD

Spelthorne Borough Local Plan 2001:

Policy GB1 – Green Belt
 Saved Policy BE25 – Archaeology, Ancient Monuments and Historic Landscapes

CONTACT

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BACKGROUND PAPERS

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

Government Guidance

National Planning Policy Framework 2012

National Planning Practice Guidance 2014

National Planning Policy for Waste 2014

The Development Plan

Surrey Waste Plan 2008

Surrey Minerals Plan Core Strategy Development Plan Document 2011

Surrey Minerals Plan Primary Aggregates Development plan Document 2011

Surrey Minerals Plan Site Restoration Supplementary Planning Document 2011

Spelthorne Borough Core Strategy 2009

Spelthorne Borough Flooding DPD

Spelthorne Borough Local Plan 2001 (Saved Policies)

Other Documents

Surrey Noise Guidelines, 1993

Planning permission ref SP/14/00570/SCC dated 2 July 2014

Surrey Local Aggregate Assessment November 2014

Surrey Aggregates Monitoring Survey 2013

Town & Country Planning (EIA) (England & Wales) Regulations 2011

Surrey Environmental Assessment team Screening Opinion dated 23 April 2013

Construction Industry Research and Information Association (CIRIA) publication C532: 'Control of water pollution from construction – guidance for consultants and contractors', January 2001

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