

**TO:** PLANNING & REGULATORY COMMITTEE **DATE:** 3 August 2016  
**BY:** PLANNING DEVELOPMENT TEAM MANAGER  
**DISTRICT(S)** SPELTHORNE BOROUGH COUNCIL **ELECTORAL DIVISION(S):**  
**Laleham & Shepperton**  
**Mr Walsh**  
**Staines South & Ashford West**  
**Ms Turner-Stewart**  
**Ashford**  
**Mrs Coleman**  
**PURPOSE:** FOR DECISION **GRID REF:** 505414 169923

**TITLE:** MINERALS/WASTE SP12/01132/SCD4

## SUMMARY REPORT

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

Details of a scheme to ensure that the causeway does not form a barrier on the flood plain submitted pursuant to Condition 28 of planning permission reference SP2012/01132 dated 23 October 2015.

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

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

The land with planning permission at Manor Farm and QMQ is within Flood Zones 2 and 3. A specific flood risk assessment (FRA) was submitted as part of the Environmental Statement for the development. Where necessary mitigation measures were identified, which were incorporated into the planning application proposal and secured by planning conditions.

One of the potential impacts assessed in the FRA was impeding of flood water flow from the River Thames by the presence of the temporary soil bunds at Manor Farm within the floodplain and water flow in the lake from the conveyor causeway. For the bunds mitigation included phasing of the working and siting of the bunds and provision of gaps in the bunds to allow passage of floodwater, and for the causeway across the lake provision of pipes through the causeway. This report deals with a scheme required by Condition 28 detailing the pipes which would be installed through the causeway, maintenance and removal of the causeway at the end of the development to ensure the causeway does not form a barrier to water flow.

Objections have been raised by local residents concerned about increased risk from flooding in the local area and impact on residential properties from the development and need to ensure the

pipes through the causeway are adequate and maintained. Other issues raised concern monitoring and enforcement and drainage of the land at Manor Farm.

The County Geological and Geotechnical Consultant Spelthorne Borough Council both consider the submitted scheme acceptable and raise no objection to the details being approved. Officers consider the submission meets the requirements of the condition and complies with relevant development plan policies such that the details submitted pursuant to Condition 28 should be approved.

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

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## APPLICATION DETAILS

### ***Applicant***

Brett Aggregates Ltd

### ***Date application valid***

5 April 2016

### ***Period for Determination***

31 May 2016

### ***Amending Documents***

Email dated 10 May 2016 with letter dated 27 November 2013 from the Environment Agency to Wardell Armstrong (ref WA/2012/115498/02-L01).

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## 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.

	<b>Is this aspect of the proposal in accordance with the development plan?</b>	<b>Paragraphs in the report where this has been discussed</b>
Flood risk	Yes	28 to 34

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## ILLUSTRATIVE MATERIAL

### **Site Plan**

Plan 1- Location Plan

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

### **Aerial Photographs**

Aerial 1

Aerial 2

### **Site Photographs**

Figure 1: Land west of the B377 Ashford Road - location of new temporary access and conveyor tunnel.

Figure 2: View of lake at Queen Mary Quarry (route for proposed conveyor causeway).

## BACKGROUND

### Site Description

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

### Planning History

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

*“Extraction of sand and gravel and restoration to landscaped lakes for nature conservation after-use at Manor Farm, Laleham and provision of a dedicated area on land at Manor Farm adjacent to Buckland School for nature conservation study; processing of the sand and gravel in the existing Queen Mary Quarry (QMQ) processing plant and retention of the processing plant for the duration of operations; erection of a concrete batching plant and an aggregate bagging plant within the existing QMQ aggregate processing and stockpiling areas; installation of a field conveyor for the transportation of mineral and use for the transportation of mineral from Manor Farm to the QMQ processing plant; and construction of a tunnel beneath the Ashford Road to accommodate a conveyor link between Manor Farm and QMQ for the transportation of mineral.”*
- 3 The permission is subject to s106 legal agreement (dated 14 October 2015) relating to long term aftercare management, (including bird management) of the land at Manor Farm and to limit the number of HGV movements in combination with planning permission refs SP07/1273 and SP07/1275 at the QMQ site to no more than 300 HGV movements (150 two way HGV movements) on any working day.
- 4 The majority of the land with planning permission at Manor Farm and parts of the land at QMQ are within a Flood Zone 3, the remainder in flood Zone 2. A site specific flood risk assessment (FRA) which assessed the site and water catchment area and identified the potential flood risk impacts to, and as a result of, the proposed development (during operations and post restoration) was undertaken for the Manor Farm development proposed under application SP2012/01132 and reported in the Environmental Statement (ES) for the development. The potential impacts on groundwater (flows and quality) were also assessed.
- 5 The ES identified that groundwater flows across the QMQ site (within the lake and through adjoining ground) site are generally in a north east to south west direction. The potential impacts could arise from alterations to the hydrogeological regime in the vicinity of the site from the removal of vegetation, soil stripping, excavation of mineral, construction of the conveyor causeway across the QMQ lake, and landform and waterbodies formed on completion of extraction. The assessment identified that as the site would not be dewatered but mineral worked wet, and with restoration to landscape lakes, the potential to impact on groundwater levels and flows is low. The potential impact from the presence of the causeway across the lake on groundwater levels and flow which was assessed and identified there would be minimal impact on levels and no impact on flows and no mitigation was required.

- 6 The FRA assessed the potential for flood risks on and from the proposal which could lead to increased risk elsewhere (off site impacts) and where necessary identified mitigation measures, which were incorporated into the planning application proposal and secured by planning conditions.
- 7 One of the potential impacts assessed in the FRA was impeding of flood water flow from the River Thames and River Ash by the presence of soil bunds within the floodplain and the causeway across the QMQ lake. The general direction of flow of flood water from the River Thames across the application site was identified as being generally from south to north across the application site. For the River Ash the flood flow routes across the QMQ site would be generally from east to west.
- 8 No mitigation was identified as necessary associated with the River Ash flood water. Mitigation within the Manor Farm part of the application site would be provided by the soil storage bunds and overburden storage aligned (generally in a north to south direction) and where necessary the bunds formed with gaps so they would cause minimal disruption to flood flow routes across the land within the application site, or overland surface water flow routes. The bunds would be temporary and either removed or adjusted on completion of each phase of working.
- 9 The causeway across the lake in QMQ would be perpendicular to the River Thames flood flow routes and the presence of the causeway has the potential to impede water flow. As mitigation pipes would be placed through the bund below the existing water level to allow flows in a south to north direction, siting the pipes below the existing water level would allow flood water to return as the flood and water levels recede.
- 10 No objection was raised by the EA on flood risk grounds subject to imposition of planning conditions relating to flood risk (including the requirement to undertake the development in accordance with the FRA and mitigation measures proposed including submission of details for approval of the pipes through the causeway across the lake). The County Geotechnical Consultant was also satisfied on flood risk matters subject to imposition of a planning condition to secure submission and approval of details of the pipes through the causeway to ensure hydraulic connection between the two sections of the lake.
- 11 As well as this application seven other applications, listed below, have been made seeking approval of details pursuant to conditions on a range of matters (some applications deal with more than one planning condition).

Application reference	Proposal
SP12/01132/SCD1	Details of noise barriers for the conveyor switch points submitted pursuant to Conditions 22 and a Bird Hazard Management Plan submitted pursuant to Condition 36 of planning permission ref: SP2012/01132 dated 23 October 2015.
SP12/01132/SCD2	Details of archaeology submitted pursuant to Condition 35 of planning permission ref: SP/2012/01132 dated 23 October 2015.
SP12/01132/SCD3	Details of Dust Action Plan and dust monitoring programme submitted pursuant to Condition 24(a) of planning permission reference SP2012/01132 dated 23 October 2015.
SP12/01132/SCD5	Details of measures to be taken and facilities to be provided to keep the public highway clean and prevent creation of a dangerous surface submitted pursuant to Condition 12(a), a Construction Management Plan submitted pursuant to Condition 15 and an updated bat survey and biodiversity

Application reference	Proposal
	mitigation strategy submitted pursuant to Condition 38 of planning permission reference SP2012/01132 dated 23 October 2015.
SP12/01132/SCD6	Details of the current and proposed design of the Worple Road access; tree and hedgerow removal, protection measures and replanting submitted pursuant to Condition 8(b)(i) of planning permission reference SP/2012/01132 dated 23 October 2015.
SP12/01132/SCD7	Details of a Groundwater Monitoring Plan submitted pursuant to Condition 32 of planning permission ref: SP2012/01132 dated 23/10/2015.
SP12/01132/SCD8	Details of the design of the temporary Ashford Road access submitted pursuant to Condition 8 (a) and vegetation survey and tree and hedgerow protection plan submitted pursuant to Condition 47 of planning permission ref: SP2012/01132 dated 23 October 2015.

## THE PROPOSAL

- 12 Condition 28 and the reason for the condition read as follows:

*Prior to commencement of development a scheme to ensure that the causeway does not form a barrier across the floodplain shall be submitted to and approved in writing by the County Planning Authority. The scheme shall include:*

- a) detailed drawings of the proposed pipes within the causeway,*
- b) calculations demonstrating that the size, location and number of pipes are sufficient to allow flood waters to pass through the causeway unhindered for all flood events up to the 1 in 100 plus climate change flood event,*
- c) measures to ensure that the pipes will be maintained as open within the causeway for the lifetime of the causeway,*
- d) measures for removal of the causeway to at least normal water level at the end of the development.*

*The development shall be carried out in accordance with the approved details.*

*Reason: To reduce the impact of flooding both on and off site, ensuring the satisfactory storage of/disposal of surface water from the site, minimising the risk of pollution of watercourses and groundwater in accordance with: Strategic Policy SP6 of the 'Spelthorne Borough Core Strategy and Policies Development Plan Document' February 2009, and Policy MC14 of the Surrey Minerals Plan 2011.*

- 13 Condition 28 requires details of a scheme to ensure that the causeway to be constructed across the lake in Queen Mary Quarry on which the conveyor belt will run does not form a barrier on the flood plain. Seven 600mm diameter pipes through the causeway are proposed to allow water in the lake to flow through the causeway. The pipes would be located evenly spaced at 10 metre intervals.
- 14 The soffit level of the pipes would be 12.10 metres above ordnance datum (mAOD) (which relates to the normal water level of the lake). The top/crest of the causeway is to be set at an elevation of 13.10mAOD which is below the 1 in 100 year (plus climate change) flood level of 13.54mAOD based on EA flood level data. In extreme flood events water would flow in the pipes and over the crest of the causeway.

- 15 The capacity of the pipes would be 290 litres per second. To limit the accumulation of silt and blockage of the pipes, the pipes would be installed so they have a nominal fall of 1:556 which equates to a self cleaning velocity of 1 metre per second (m/sec). A central manhole chamber/access point would be provided at the mid-point of each pipe to allow for ongoing maintenance throughout the duration they are in place.
- 16 The causeway (down to the levels approved for the restoration scheme for QMQ) and pipes would be removed on completion of the extraction at Manor Farm and removal of the conveyor belt system.

## **CONSULTATIONS AND PUBLICITY**

### ***District Council***

- 17 Spelthorne Borough Council: No objection.

### ***Consultees (Statutory and Non-Statutory)***

- 18 County Geological and Geotechnical Consultant: No objection.
- 19 The Environment Agency: No views received.

### ***Parish/Town Council and Amenity Groups***

- 20 Clag2: No views received.
- 21 Laleham Residents' Association: No views received.
- 22 Manor Farm Residents Association: No views received.
- 23 Spelthorne Natural History Society: No views received.

### ***Summary of publicity undertaken and key issues raised by public***

- 24 The application was publicised by the posting of nine site notices and a total of 281 of people who had made comments on the SP2012/01132 planning application were directly notified by letter. To date written representations have been received from 15 members of the public objecting to the application.
- 25 Issues raised relevant to the submission are concerns about existing flood risk in the area and the impact of the floods of 2014, and the need to ensure flood risk to residential properties is not made worse, about the adequacy of the pipes and maintenance so they do not increase flood risk. As well as issues raised about the detail in the submission queries have been raised about soil storage bunds (noise/visual screen bunds), gaps in the soil bunding and drainage of the site and about monitoring and enforcement of the development permitted under SP2012/01132.
- 26 The other points raised object to the development permitted under ref SP2012/01132 and potential impact including in terms of traffic, noise, dust/air quality, flood risk, impact on wildlife and visual impact. These matters were all assessed and considered in the officer report to the 2 September 2015 Planning and Regulatory Committee (Item 7) at which the committee resolved to grant planning permission subject to conditions. None of the other points raised are considered to be relevant to and impact on the County Planning Authority's determination of this application.



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## PLANNING CONSIDERATIONS

### Introduction

- 27 The guidance on the determination of planning applications contained in the Preamble/Agenda front sheet is expressly incorporated into this report and must be read in conjunction with the following paragraphs.
- 28 In this case the statutory development plan for consideration of the application consists of the Surrey Minerals Local Plan 2011 (comprised of the Core Strategy and Primary Aggregates Development Plan Documents (DPD) and Spelthorne Borough council Spelthorne Borough Local Plan 2001 Saved Policies And Proposals as at 28 September 2007 (SBLP 2001); and Spelthorne Borough Core Strategy and Policies Development Plan Document February 2009 (SBCS&P DPD 2009).
- 29 The application has been submitted to comply with the requirements of Condition 28 which was imposed to ensure the causeway and pipes in the causeway enable water to pass so the causeway does not form a barrier to the flood plain. In considering the application the acceptability of the proposal will be assessed against relevant development plan policies and material considerations.

### **Surrey Minerals Plan 2011 Core Strategy and Primary Aggregates Development Plan Documents (DPD) (SMP 2011)**

*SMP 2011 Core Strategy DPD*

Policy MC14 Reducing the adverse impacts of mineral development

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

Strategic Policy SP6 Maintaining and Improving the Environment

Policy L01 Flooding

- 30 SMP 2011 Core Strategy DPD Policy MC14 states that proposals for mineral working will only be permitted where a need has been demonstrated and sufficient information has been submitted to enable the authority to be satisfied that there would be no significant adverse impacts arising from the development and sets out matters to be addressed in planning applications. Included in the matters is flood risk and effect on the flow and quality of groundwater, surface water and land drainage (of the site and adjoining land). SB Core Strategy and Policies DPD 2009 Strategic Policy SP6 Maintaining and Improving the Environment seeks to maintain and improve the quality of the environment of the borough. Policy LO1 Flooding seeks to reduce flood risk and its adverse effects on people and property in Spelthorne through a range of measures including maintaining flood storage capacity within Flood Zone 3; maintaining the effectiveness of the more frequently flooded area (Zone 3b) of the floodplain to both store water and allow the movement of fast flowing water.
- 31 As outlined in paragraphs 4 to 10 of the planning history section above, without mitigation the causeway across the existing lake at QMQ has the potential to impede the flow of floodwater. No views have been received from the EA. The comments made by the EA on the SP2012/01132 planning application included information on requirements for the pipes which have been incorporated into the submission.
- 32 The submission has been reviewed by the County Geological and Geotechnical Consultant who has advised that the details are acceptable and raises no objection to the details being approved. Although no views have been received from the EA the County Geological and Geotechnical Consultant has confirmed the submission meets

the requirements. Spelthorne Borough Council considers the submitted scheme to be acceptable and has no objection to the details being approved. Officers are therefore satisfied that flood risk is adequately managed and so addresses the concerns raised by residents.

- 33 The aspects of the FRA for the SP2012/01132 development relating to soil storage bunds and site drainage referred to by objectors are not part of this submission. The arrangements for soil storage and gaps between the bunds to allow passage of flood water in the event of flooding from the River Thames form part of the flood mitigation measures for the site incorporated into the development proposals. The land at Manor Farm is in the River Thames flood plain and the gaps in the soil storage bunds are required to allow flood water to flow across the land at Manor Farm in the event of a flood and flow back to the river as the flood water recedes. There is no need for drainage pipes through the soil storage bunds.
- 34 Other issues raised by objectors relating to the submission concern monitoring and enforcement. The site would be monitored as part of the regular monitoring of mineral and waste sites. Failure to comply with the condition and approved details would mean a breach of Condition 28. Should this arise it is a matter that could be investigated and pursued by the Surrey County Council Planning Enforcement Team.

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### HUMAN RIGHTS IMPLICATIONS

- 35 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.
- 36 The proposal involves the approval of details of a scheme to ensure that the causeway across the lake at QMQ does not form a barrier across the floodplain pursuant to Condition 28 of planning permission ref SP2012/0132 dated 23 October 2015. It is the Officer's view that the matter covered by the submission and implementation does not give rise to any potential impacts and therefore would not engage Article 8 of Article 1 of Protocol 1. As such these details are not considered to interfere with any Convention right.

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### CONCLUSION

- 37 The scheme submitted by the applicant is acceptable and complies with the relevant development policies as listed above such that the details submitted pursuant to Condition 28 can be approved.

### RECOMMENDATION

**The recommendation is that the details of a scheme to ensure that the causeway across the lake at QMQ does not form a barrier across the floodplain pursuant to Condition 28 of planning permission ref: SP/2012/01132 dated 23 October 2015 contained in application ref. SP12/01132/SCD4 be APPROVED.**

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### CONTACT

Susan Waters

**TEL. NO.**

020 8541 9227

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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:

### **The Development Plan**

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

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

### **Other documents**

- The deposited application documents and plans and Environmental Statement including those amending or clarifying the proposal, responses to consultations and representations received on the application included in the application file for application ref SP2012/01132.
  - The officer report and annexes to the 2 September 2015 Planning and Regulatory Committee (Item 7) for application ref SP2012/01132 ([2 September 2015 Planning and Regulatory Committee Agenda](#))
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