

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

Laleham &amp; Shepperton

Mr Walsh

Staines South &amp; Ashford West

Ms Turner-Stewart

Ashford

Mrs Coleman

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

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

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

**SUMMARY REPORT**

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

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

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

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

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

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

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

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

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***Applicant***

Brett Aggregates Ltd

***Date application valid***

26 May 2016

***Period for Determination***

21 July 2016

***Amending Documents***

None

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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.

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

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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

None

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## BACKGROUND

### *Site Description*

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

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

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

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

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

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

## THE PROPOSAL

7 Condition 32 reads as follows:

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

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

*The groundwater monitoring plan shall be implemented as approved.*

*Reason:*

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

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

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

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

- 8 The applicant has submitted a Groundwater and Surface Water Monitoring Plan as required by condition 32. The submission draws upon assessments in the Environmental Statement for the development permitted under SP2012/01132. Based on the environmental setting of the site and potential risks to water levels and quality arising from the development the submitted monitoring plan sets out details of:
- monitoring boreholes to be used for groundwater monitoring (four existing groundwater monitoring boreholes (to the north and south of the proposed excavation) and two new boreholes (to the south and east of the proposed excavation)). Five existing boreholes further from the land at Manor Farm are identified for additional monitoring in the event of contamination being detected in boreholes closer to the site.
  - five surface water monitoring locations (two waterbodies created by the excavation, the existing lake at Queen Mary Quarry west of the reservoir, upstream and downstream of the ditch which drains north to south (running alongside the public footpath (Footpath 30) which crosses the land at Manor Farm).
  - what would be sampled for and the frequency of sampling to be undertaken at the groundwater monitoring boreholes and surface water monitoring locations. Included in the initial suite of monitoring would be water levels and pH, electrical conductivity, speciated TPH (Total Petroleum Hydrocarbons) major ions, speciated PAH (Polycyclic aromatic hydrocarbons), 14 metals<sub>1</sub> and visible oils and grease. Quarterly monitoring would then be undertaken of water level, pH, electrical conductivity, TPH (not speciated) and visible oils and grease.
  - In addition to the sampling and analysis there would be a twice daily visual check (with results recorded) of the waterbody in the excavation area to confirm there is no oily sheen or slick on the water surface.
  - assessment reporting and contingency measures – a control level would be set for speciated TPH as this is identified as the only likely contaminant to water quality from the development. Additional controls would be added if considered necessary following review of the initial suite of sampling.
  - the plan sets out actions which would be taken in the event of the monitoring results showing contamination. This includes further investigation to identify the likely causes and necessary remedial measures and changes to operational practice required to ensure the issue does not occur again.
  - Reporting - a baseline monitoring report, three yearly monitoring reports (reviewing all the data against the baseline and impacts predicted) and a final report 12 months after final restoration is complete would be submitted to Surrey County Council.

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## CONSULTATIONS AND PUBLICITY

### *District Council*

- 9 Spelthorne Borough Council: No objection.

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

10 County Geological and Geotechnical Consultant: No objection.

**Parish/Town Council and Amenity Groups**

11 Clag2: No views received.

12 Laleham Residents' Association: No views received.

13 Manor Farm Residents Association: No views received.

14 Spelthorne Natural History Society: No views received.

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

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

**PLANNING CONSIDERATIONS****Introduction**

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

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

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

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

Policy MC14 Reducing the adverse impacts of mineral development

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

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

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**HUMAN RIGHTS IMPLICATIONS**



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

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

## RECOMMENDATION

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

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## 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](#)

[Planning Practice Guidance](#)

### The Development Plan

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

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

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**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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