

**TO:** PLANNING & REGULATORY COMMITTEE

**DATE:** 28 SEPTEMBER  
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

**PURPOSE:** FOR DECISION

**GRID REF:** 505414 169922

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**TITLE:** MINERALS/WASTE SP12/01132/SCD5, SP12/01132/SCD8 AND  
SP12/01132/SCD6,

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### SUMMARY REPORT

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 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 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). Vehicle access to the land at Manor Farm will be via two accesses, one off Worple Road (existing agricultural access upgraded) and one off the Ashford Road (new temporary access).

This report deals with three applications for details of:

- measures to be taken and facilities to be provided to keep the public highway clean and prevent creation of a dangerous surface (Condition 12(a)), a Construction Management Plan (Condition 15) and an updated bat survey and biodiversity mitigation strategy (Condition 38) (application 1);
- the design of the temporary Ashford Road access (Condition 8 (a)) and vegetation survey and tree and hedgerow protection plan (Condition 47) (application 2); and
- the current and proposed design of the Worple Road access; tree and hedgerow removal, protection measures and replanting (Condition 8(b)(i)) (application 3)

Objections have been received and concerns raised by local residents relating to various matters relevant to the applications as set out in the report. The final views of Spelthorne Borough Council are awaited on application 1 (following revised submissions for condition 15)

and the County Landscape Officer on applications 2 and 3 (following receipt of recent amendments to the submissions). Spelthorne Borough Council (on applications 2 and 3), the County Highway Authority and the County Countryside Management and Biodiversity Manager (application 1) raise no objection to the details being approved.

Having assessed the submissions and considered views from residents and statutory and non statutory consultees Officers consider the details submitted pursuant to conditions 12a, 15, 38 (application (1)), conditions 8(a) and 47 (application (2)) and condition 8(b)(i) (application (3)) are acceptable and comply with the relevant development plan policies as listed under each application above. As such the details pursuant to each of the conditions can be approved.

The recommendation is to APPROVE the details submitted in each of the applications.

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## **1) APPLICATION DETAILS (SP12/01132/SCD5)**

### **Land at Manor Farm and Land west of Queen Mary Quarry, Ashford Road, Laleham, Surrey**

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.

#### ***Applicant***

Brett Aggregates Ltd

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

5 April 2016

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

5 July 2016

#### ***Amending Documents***

Email from Agent (Mike Davies, Davies Planning) dated 4 August 2016 with revised Condition 12a submission Rev1 and revised Construction Management Plan Rev 4 dated 1 August 2016 (Condition 15), email dated 30 August 2016 from Ben Carpenter, Bioscan with revised Biodiversity Mitigation Scheme report submitted in respect of Condition 38 of planning permission SP/2012/01132 August 2016.

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## **2) APPLICATION DETAILS (SP12/01132/SCD8)**

### **Land at Manor Farm and Land west of Queen Mary Quarry, Ashford Road, Laleham, Surrey**

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.

#### ***Applicant***

Brett Aggregates Ltd

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

26 May 2016

**Period for Determination**

21 July 2016

**Amending Documents**

Email from Agent (Mike Davies, Davies Planning) dated 15 June 2016 with revised drawing number 160614 BRE-MAN-TS-001:0 Rev B Tree Survey & Protection Measures - SHEET LOCATION PLAN dated 16 05 10, email from Agent dated 16 June 2016 with revised drawing number H691-500C Ashford Road Access - General Arrangement dated 22/04/16, email dated 5 September 2016 from Agent with revised drawing numbers 160513 BRE-MAN-TS-001-4 Rev A Tree Survey & Protection Measures - SHEET 4 dated 16 05 10 and 160904 BRE-MAN-TS-001-5-Rev A Tree Survey & Protection Measures - SHEET 5 dated 16 05 10.

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**3) APPLICATION DETAILS (SP12/01132/SCD6)**

**Land at Manor Farm and Land west of Queen Mary Quarry, Ashford Road, Laleham, Surrey**

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.

**Applicant**

Brett Aggregates Ltd

**Date application valid**

26 May 2016

**Period for Determination**

21 July 2016

**Amending Documents**

Email dated 5 September 16 from Agent (Mike Davies, Davies Planning) with revised drawing 160513 BRE-MAN-TS-001-4 Rev A Tree Survey & Protection Measures - SHEET 4 dated 16 05 10.

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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.

Application 1

	<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>
Highways, traffic and access	Yes	45-49, 55-56
Environment and amenity	Yes	45-47, 49-56

Application 2

	<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>
Highways, traffic and access	Yes	45-47, 58-67, 72

Environment and amenity Application 3	Yes	45-47, 68-72
	<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>
Highways, traffic and access	Yes	45 76,
Environment and amenity	Yes	45-76,

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## ILLUSTRATIVE MATERIAL

### Site Plan

Plan 1 Site Location Plan

### Aerial Photographs

Aerial 1

Aerial 2

### Site Photographs

Application (3): None

Application (2):

Figure 1 - Land west of the B377 Ashford Road (location of proposed new access and conveyor tunnel) Existing

Figure 2 - Location for new temporary Ashford Road Access

Application (3):

Figure 3 - Existing agricultural access off Worple Road (proposed access point)

Figure 4 - Existing agricultural access off Worple Road (proposed access point)

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## BACKGROUND

### Site Description

- 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.

### Planning History

- Planning permission ref SP2012/01132<sup>1</sup> 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.”*

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<sup>1</sup> <http://planning.surreycc.gov.uk/planapplist.aspxsearch> (link to online register - search using Our reference 2012/0061 or Application number: SP/2012/01132)

- 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 (existing agricultural access upgraded) and one off the Ashford Road (new temporary access). 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 the three applications subject of this report four 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.
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/SCD7	Details of a Groundwater Monitoring Plan submitted pursuant to Condition 32 of planning permission ref: SP2012/01132 dated 23/10/2015.
SP12/01132/SCD2 Approved 10 August 2015	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

### APPLICATION (1) SP12/01132/SCD5 (Details for Conditions 12a, 15 and 38)

- 7 Conditions 12 (a) reads as follows:

*a) Before any operations in respect of the development Manor Farm are commenced details shall be submitted to and approved by the County Planning Authority of measures to be taken and facilities 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 associated with the use of the Ashford Road and Worple Road accesses. The agreed measures shall thereafter be retained and used in connection with site preparation, extraction and restoration operations at Manor Farm.

*Reason:*

*In the interests of safeguarding the local environment and to ensure the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policies MC14 and MC15 of the Surrey Minerals Plan 2011.*

- 8 Condition 12(a) requires details to be submitted and approved of measures to be taken and facilities to be provided for the Ashford Road and Worple Road entrances to the Manor Farm site to ensure the public highway is kept clean and to prevent the creation of a dangerous surface as a result of the use of the entrances. The measures proposed during the establishment of the site and extraction and restoration of the different phases of the development are set out in the table below.

Activity (use of accesses)	Access	Proposed Measures
1 Construction of the tunnel under the Ashford Road, setting up of the conveyor system including conveyor culvert under footpath 30, soil stripping (works to be the responsibility of the site manager (or appointed representative) and the construction managers appointed for the different elements of the site establishment works).	Ashford Road	<p>1 a) wherever practicable road going HGV vehicles restricted to surfaced vehicle turning area.</p> <p>1 b) inspection of the highway surface twice a day, in the mid morning and mid afternoon, and additionally as deemed appropriate in the event of adverse ground and weather conditions.</p> <p>1 c) sweeping of the public highway within 1 (one) hour of cleaning being identified as potentially necessary to ensure it is kept clean in order to avoid creation of a dangerous surface.</p> <p>1 d) during the construction of the conveyor tunnel under the Ashford Road the Ashford Road would be continuously inspected by the construction manager or person appointed by them, and a road sweeper would be on stand-by for use at short notice as and when the construction manager considers there is a significant risk of mud and detritus being deposited on the public highway.</p> <p>1 e) Sheeting of all HGVs carrying loose material capable of spillage or with potential to give rise to dust emissions during transit.</p> <p>1 f) Cessation of the use of the access if in the opinion of the site manager/appointed representative the surface of the Ashford road could become dangerous if not cleaned. Use of the access would then cease until the necessary remedial action has been taken.</p>
2 Extraction and restoration	Ashford	2a) Inspection of the highway surface

Activity (use of accesses)	Access	Proposed Measures
of Phase 1 – use by personnel associated with the development and maintenance of the conveyor system and delivery of plant and machinery for use on Phase 1. (Once Phase 1 is restored it would be used only for maintenance of the conveyor system.)	Road	once a day at around midday and sweeping of the public highway within 1 (one) hour of cleaning being identified as potentially necessary to ensure it is kept clean in order to avoid creation of a dangerous surface;  and 1a), 1e and 1f) above.
<b>3</b> Establishment of phases 2 to 4 (installation of the extended conveyor system and soil stripping for each)	Worple Road	3a) wherever practicable road going HGV vehicles restricted to surfaced haul road and site compound/vehicle turning area.  3b) Inspection of the highway surface once a day at around midday and sweeping of the public highway within 1 (one) hour of cleaning being identified as potentially necessary to ensure it is kept clean in order to avoid creation of a dangerous surface;  and 1e) and 1f) above.
<b>4</b> Extraction and restoration of Phases 2 to 4 (use by personnel associated with the development)	Worple Road	3a), 3b), 1e), and 1f) above.

9 There are existing measures in place at the Queen Mary Quarry site in connection with vehicles exiting via the A308 entrance. HGVs are permitted to enter but not exit via the entrance off the B377 Ashford Road. Condition 12(b) of the planning permission requires the existing facilities to be retained and used.

10 Condition 15 reads as follows:

*Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the County Planning Authority. The Construction Management Plan shall set out procedures for managing the construction of the buildings, plant, equipment and conveyor and the preparation of land to ensure that movements and deliveries are adequately controlled during this phase of the development. The Construction Management Plan shall be implemented as approved.*

*Reason:*

*In the interests of safeguarding the local environment and to ensure the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policies MC14 and MC15 of the Surrey Minerals Plan 2011.*

11 The Construction Management Plan (CMP) submitted pursuant to Condition 15 covers the following works: construction of the Ashford and Worple Road accesses at Manor Farm, installation of the field conveyor for transportation of extracted mineral, construction of the conveyor tunnel under the Ashford Road and construction of the culvert under FP30 (for the conveyor to run in) at Manor Farm and the erection of the concrete batching plant and aggregate bagging plant at Queen Mary Quarry.

12 The CMP provides information on hours of operation for the works, site access arrangements, HGV movements and speed limits within the site, lighting, rights of way and the water environment. Site procedures are set out for various matters including noise control, air quality, re fuelling, soil stripping and storage, recycling, lighting, measures for keeping the public highway clean and the highway works on the Ashford Road (to be subject of a S278 Highway Works Agreement) so that the works comply with conditions imposed on the planning permission<sup>2</sup>. Each separate construction contract let for different work packages would implement the requirements of the approved CMP and develop the CMP to be operation specific for the respective work package.

13 Condition 38 reads as follows:

*Prior to the commencement of development an updated bat survey shall be undertaken to assess the use of the site by foraging and roosting bats, and the survey results together with a biodiversity mitigation scheme submitted to and approved in writing by the County Planning Authority. The biodiversity mitigation scheme shall include the checking of trees prior to removal to check for bat roosts, the type and number of bat and bird boxes proposed and measures for maintaining foraging lines along hedgerows to be retained within and adjoining the application site. The biodiversity mitigation scheme shall be implemented as approved.*

*Reason:*

*To comply with the terms of the application and in the interests of biodiversity and wildlife conservation to comply with Policy EN8 of the 'Spelthorne Borough Core Strategy and Policies Development Plan Document' February 2009, and Policy MC14 of the Surrey Minerals Plan 2011.*

14 Pursuant to Condition 38 an updated bat survey and biodiversity mitigation strategy have been submitted. The biodiversity mitigation strategy includes proposals for installation of bat and bird boxes for the site and measures to maintain bat foraging lines through the site.

15 Following the comments made by Spelthorne Natural History Society, including about the survey methodology and installation of bat boxes as mitigation, and a review of the submission by officers an updated bat foraging survey was undertaken and submitted along with amendments to the mitigation measures proposed in the mitigation strategy.

## **APPLICATION (2) SP12/01132/SCD8 (Details for Conditions 8a and 47)**

### Condition 8(a) details

16 Condition 8(a) reads as follows:

*8a) Before any other operations are commenced, the temporary access to Ashford Road as shown on Drawing PA17 Proposed Ashford Road Access – Rev D dated 04/11/13, revised 22/07/15 shall be designed, constructed and provided with visibility zones in accordance with a scheme to be submitted to and approved in writing by the County Planning Authority. The Ashford Road access shall be used in connection with extraction and restoration operations within Phase 1 as shown on Drawing PA5 Phasing Plan dated March 2012 for transport of plant and equipment and maintenance of the conveyor system only and thereafter during extraction operations on Phases 2 to 4 in connection with maintenance of the conveyor system only. On completion of extraction the access shall be permanently closed and any kerbs, verge, footway fully reinstated by the applicant, and hedgerow replanted in a manner to be agreed in writing with the County Planning Authority, upon the completion of Phase 1.*

<sup>2</sup> See footnote 1 for link to decision notice. Relevant conditions include 12(a) (measures for keeping highway clear) 16 and 17 (hours of operation), 18 to 20 (noise), 24 (dust), 34 (rights of way).



*Reason:*

*In the interests of safeguarding the local environment and to ensure the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policies MC14 and MC15 of the Surrey Minerals Plan 2011.*

- 17 The development permitted includes the construction and use of a new access off the Ashford Road for use during establishment of the site (including construction of the conveyor tunnel under the Ashford Road, conveyor culvert under footpath 30 and setting up of the conveyor system) and the extraction and restoration operations in Phase 1. During the construction works the HGVs using the access will be involved in the delivery and removal of plant, equipment and materials. After this it will be used in connection with delivery of plant and machinery to be used during Phase 1 extraction and restoration operations, access by site personnel to Phase 1 and maintenance of the conveyor system only. On completion of restoration in Phase 1 it would be used during operations on Phases 2 to 4 in connection with the maintenance of the conveyor system only.
- 18 This submission has provided technical drawings showing the design for the new Ashford Road access and visibility zones, and vehicle turning area on the land as required by Condition 8(a). The drawings show the general arrangement including visibility splays (sight lines) and typical construction details for the new access and vehicle turning area.<sup>3</sup> The drawings show the new access to be situated between the route for the conveyor tunnel and the boundary with the adjacent property Number 151 Ashford Road. Following discussions with the owners of Number 151 the access design has been modified so the kerb entry point for the new entrance is approximately 4 metres further away from the property.
- 19 The submitted details include use of no dig construction methods to protect the existing vegetation which runs along the boundary between the permission area and adjacent properties (151 and 155 Ashford Road).
- 20 The Ashford Road access would be temporary and in place for the duration of the development permitted at Manor Farm. The condition requires details of the planting to be undertaken during reinstatement to be agreed with the County Planning Authority upon completion of Phase 1. (Details for this are outlined in the submission but will be agreed at a later date.)

Condition 47 details

- 21 Condition 47 reads as follows:  
*Prior to commencement of development a vegetation survey of the Manor Farm site following the guidance and recommendations in BS 5837:2012 (Trees in relation to design, demolition and construction – recommendations) shall be undertaken and a tree and hedgerow protection plan submitted to and approved in writing by the County Planning Authority. The tree protection plan shall include details of:*
- a) identification and assessment of the trees and hedgerows that are required to be removed,*
  - b) measures for the protection of the trees and hedgerows that are to be retained during the construction and operation of the site.*

*The tree and hedgerow protection plan shall be implemented as approved and all existing hedges, trees, saplings, shrubs along the boundaries and such vegetation within the site shown as being retained in the tree protection plan submitted pursuant to this*

<sup>3</sup> The vehicle turning area has been located further away from the road than shown on approved *Drawing PA17 Proposed Ashford Road Access – Rev D* referred to in the planning condition in order to protect boundary vegetation and minimise the amount of trimming of the trees and hedgerow vegetation required.

*condition shall be retained and protected from damage during the process of extraction and subsequent restoration.*

*Reason:*

*In order to achieve a high standard of restoration, and protect the local environment and amenity, in accordance with Policies MC14, MC17 and MC18 of the Surrey Minerals Plan 2011.*

- 22 This submission has provided details of a tree and vegetation survey of the land in at Manor Farm undertaken in accordance with British Standard (BS) 5837:2012, an Arboricultural Impact Assessment and protection measures for the tree and hedgerow vegetation within and on the boundary of the land with planning permission at Manor Farm.
- 23 The submission includes fencing and planting details and tree survey and protection measure drawings which show trees and hedges to be removed and tree and hedge protection measures. The protection measures include:
- retention of existing stock proof fencing supplemented by installation of additional stock proof fencing and attaching high visibility orange plastic mesh fencing to the stock proof fencing where earthmoving or vehicle operations are being undertaken adjacent to the stock proof fencing to ensure the fencing is visible to machine operators and drivers;
  - installation of protective fencing (Heras type fencing plus high visibility orange plastic mesh fencing where required (see bullet point above)) to protect vulnerable individual trees where existing stock proof fencing does not provide sufficient protection to the tree Root Protection Area (RPA)
  - Root Protection Area (RPA) and canopy measurements for vegetation;
  - Restricted Activity Zones (RAZ) where certain works would be prohibited and within which proposed works would be subject to a work specific arboricultural method statement;
  - detailed arrangements for the works to construct the conveyor tunnel and construction of the Worple Road and Ashford Road site entrances and vehicle turning area (including use of no dig construction methods). For both site entrances the drawings show trees in the highway verge affected by the works and visibility splays (sight lines).
- 24 The submission provides details of reinstatement planting for the trees and hedgerows affected by the Worple Road and Ashford Road<sup>4</sup> site entrances, Ashford Road conveyor tunnel and conveyor tunnel under Footpath 30.

### **APPLICATION (3) SP12/01132/SCD6 (Details for Conditions 8(b)(i))**

- 25 Condition 8(b)(i) reads as follows:  
*8 b)(i) Before any other operations are commenced details of the current design of the Worple Road agricultural access (width, surface and gates) and proposed design of the Worple Road access as shown on Drawing PA16 Proposed Worple Road Access – Rev C dated 12/02/2013, including visibility splays and trees and hedgerow to be lopped/cut back or removed, protection measures for trees affected, and details of tree and hedgerow replanting shall be submitted to and approved in writing by the County Planning Authority.*

*Reason:*

*In the interests of safeguarding the local environment and to ensure the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policies MC14 and MC15 of the Surrey Minerals Plan 2011.*

<sup>4</sup> See paragraph 20 above.

- 26 The development permitted includes the upgrading and use of the existing agricultural access off Worple Road for use by site staff and visitors and deliveries, including delivery and removal of plant and machinery to be used at the site during extraction and restoration on Phases 2 to 4.
- 27 This submission has provided details of the existing agricultural access (as a record for use in reinstatement on completion of the development); technical drawings for the amendments to the Worple Road access and access route to the site compound. The drawings show the general arrangement including visibility splays (sight lines) and typical construction details for the access and access road to the site compound.
- 28 The submission provides details (which are also part of the submission under Condition 47) of:
- hedgerow and trees affected by the construction of the access and visibility splays which would need removal or cutting back;
  - protection measures for adjacent trees and hedgerows; and
  - tree and hedgerow replanting following completion of the development and reinstatement of the agricultural access to the land off Worple Road.
- 29 Minor amendments have been made to the planting and protection measures following comments from the County Landscape Officer (about the extent of stock fencing to protect existing hedgerow at the entrance, replacement planting (species and plant sizes) and maintenance and aftercare).

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## CONSULTATIONS AND PUBLICITY<sup>5</sup>

### *District Council*

- 30 Spelthorne Borough Council: (1) No objection to approval of details for Condition 12(a) and 38. Has raised queries on details for Condition 15 (including relating to scope of the activities/works covered by the CMP).  
(2) No objection.  
(3) No objection.

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

- 31 County Highway Authority: (1) No objection.  
(2) No objection.  
(3) No objection.
- 32 County Countryside Management and Biodiversity Manager: (1) No objection. Has advised that the information provided is adequate for the details to be approved.
- 33 County Landscape Officer: (2) Final views awaited. Had raised no objection but has been consulted on consequential amendments made to the details for condition 8(a) and condition (47) following amendments to the submission for condition 8(b)(i).  
(3) Final views awaited. Has advised that the details for the Worple Road access were comprehensive and were mainly acceptable. But requested some amendments relating to extent of protection fencing for the hedgerow to remain at the entrance, replacement planting (species and plant sizes) and maintenance and aftercare.
- 34 County Arboriculturalist: No views received.

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<sup>5</sup> (1) refers to application 1, (2) application 2 and (3) to application 3.

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

- 35 Clag2: No views received.
- 36 Laleham Residents' Association: No views received.
- 37 Manor Farm Residents Association: No views received.
- 38 Spelthorne Natural History Society: Has made comments on the bat surveys undertaken (adequacy in terms of methodology, timing and equipment) and proposed mitigation measures. Considers the updated submission is an improvement but still has concerns about the survey work and would like hibernation boxes added to the mitigation measures.

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

- 39 The applications were publicised by the posting of nine site notices. A total of 281 of people were directly notified by letter about application 1 and 538 people directly notified by letter about applications 2 and 3.

#### Application (1) SP12/01132/SCD5 (Details for Conditions 12a, 15 and 38)

- 40 16 representations have been received. Issues raised relevant to the details submitted for conditions 12(a), 15 and 38 are objections about the proximity of the Ashford Road access and vehicle turning area to the adjacent residential property (151 Ashford Road) and impact on the occupants (noise, dust and visual impact) and impact on the at the property (house, swimming pool and hot tub) and vegetation from the construction works and use of the access; queries about hours of operation, the adequacy of the measures to keep the public highway clean, impact on wildlife, fire risk from flammable liquids, erection of overhead power lines/cables, monitoring of the development and enforcement and whether the bat surveys should be undertaken by independent specialists, impact from noise and traffic from the works covered by the construction management plan.
- 41 Although the submission for condition 15 includes a copy of the detailed access design drawing this is for information and reference purposes not approval. The detailed design and siting of the new temporary Ashford Road access and potential impact on trees and vegetation form part of the details submitted under conditions 8(a) and 47 contained in application SP12/01132/SCD5. The issues raised by the occupants of 151 Ashford Road relevant to the details for which approval is now being sought are considered below.

[Officer note: The Manor Farm development does not involve erecting overhead power lines. The route of the conveyor belt route through QMQ runs in some places under the existing National Grid overhead electricity power cables crossing the land at QMQ. National Grid were consulted on the planning application to ensure the power company equipment (pylons and overhead lines) was safeguarded and safe working practices employed in the vicinity of the equipment if planning permission was granted.]

#### Application (2) SP12/01132/SCD5 (Details for Conditions 8(a) and 47)

- 42 11 representations have been received. Issues raised relevant to the details submitted for condition 8(a) and 47 are queries about what is meant by temporary and how long the access would be used for, which direction vehicles will travel after leaving the site, has Spelthorne Borough Council tree officer been consulted, the types of fencing proposed for protection of vegetation, loss of trees, and impact on vegetation and objections on grounds of proximity of the access and vehicle turning area to the adjacent residential property (151 Ashford Road) and the impact on the

adjacent house and swimming pool, the occupants (from noise, dust and visual impact) from the construction works and use of the access and loss of/damage to vegetation on their property.

#### Application (3) SP12/01132/SCD6 Details for Condition 8(b)(i)

- 43 Ten representation have been received, issues raised relevant to the details submitted for condition 8 (b)(i) are impact on nearby properties from roosting birds displaced by removal of trees currently used as roosts and queries about the types of fencing proposed for protection of vegetation.
- 44 Other points raised in the representations on all three applications include objections to the development permitted under ref SP2012/01132 and potential impact including in terms of traffic (number and type of traffic, in particular HGVs and speed of vehicles travel along the Ashford Road), noise, dust/air quality, flood risk, impact on wildlife, visual impact and public safety concerns around presence of waterbodies and risk of drowning.

[Officer comment: The above matters were all assessed and considered in the officer report on the planning application see Item 7 of the [2 September 2015 Planning and Regulatory Committee Agenda](#) (officer report, Annexes A to F and update sheet). This includes the objections from the occupants of 151 Ashford Road about amendment to the SP2012/01132 application which moved the proposed Ashford Road entrance from the existing agricultural access adjacent to number 131 Ashford Road to the opposite side of the field to be adjacent to their property, see [paragraphs 19 to 26](#) of the officer report. At the meeting the committee resolved to grant planning permission subject to the prior completion of a s106 legal agreement and planning conditions. None of these other points raised are considered to be relevant to and impact on the County Planning Authority's determination of these applications.]

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## PLANNING CONSIDERATIONS

### Introduction

- 45 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.
- 46 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).
- 47 These applications have been submitted to comply with the requirements of Conditions 8a and 8b(i), 12a, 15, 32 and 38 of planning permission SP2012/01132. In considering the applications the acceptability of the proposals will be assessed against relevant development plan policies and material considerations.

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

Policy MC14 Reducing the adverse impacts of mineral development

Policy MC15 Transport for minerals

Policy MC17 Restoring mineral workings

Policy MC18 Restoration and enhancement

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

Policy SP6 Maintaining and Improving the Environment

**APPLICATION (1) SP12/01132/SCD5 (Details for Conditions 12a, 15 and 38)**

- 48 Issues raised in representations relevant to this application are set out in paragraph 38 above. Officer's consider the measures proposed for Condition 12(a) are appropriate for the type of vehicles and numbers that would use the Ashford Road and Worple Road accesses in connection with the extraction of mineral and restoration of the land at Manor Farm. 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 the condition. Should this arise it is a matter that could be investigated and pursued by the Surrey County Council Planning Enforcement Team.
- 49 The CMP (Condition 15) sets out a range of matters designed to minimise the impact of the works covered by the CMP on the local environment and amenity of residents and the highway impacts. Condition 16 of the SP2012/01132 planning permission limits hours of operation on the Manor Farm part of the site and operation of the conveyor belt to transport the extracted sand and gravel to Queen Mary Quarry (QMQ) to 07:30 to 18:00 hours Monday to Friday. The CMP proposes the same hours of operation for undertaking the construction works covered by the CMP and the works would adopt and comply with other controls such as noise limits and dust controls covered by other planning conditions.
- 50 In addition to these controls through the planning permission, the activities would also be controlled through other regulatory regimes. The applicant Brett Aggregates Limited, part of the Brett Group, would manage and operate the site in accordance with the company Integrated Management System (IMS) known as QHEST (Quality, Health, Environment, Safety Together). The company IMS covers matters such as health and safety, fuel and oil storage, fire safety and management. Having reviewed the CMP and considered the views of statutory and non statutory consultees Officer's consider the submitted CMP meets the requirements of the condition and the concerns raised by residents.
- 51 Spelthorne Natural History Society made a number of comments about the submission including the methodology, timing and equipment used in the bat activity/foraging surveys undertaken pre consent, the bat roosting surveys (pre consent and updated in 2016 for this application) and the mitigation strategy for bats (number and height of bat boxes). The society refers to the how the bat detector survey equipment used was not appropriate for use in commercial surveys according to the latest Bat Conservation Trust guidelines. The tree roost surveys were undertaken before the 2012 edition of the guidelines were replaced by the third edition in 2016<sup>6</sup>. The submitted scheme provides for future roosting surveys and inspections prior to removal of trees to follow these latest guidelines.
- 52 The submission was amended to incorporate an updated bat activity/foraging survey in August 2016 and amendments made to the mitigation measures. The August survey was undertaken following the updated Bat Conservation Trust guidelines. Spelthorne Natural History Society consider the amended submission an improvement but still have concerns about the surveys (including number of survey occasions and timing) and assessment of the impact on bats. In addition they would like to see two hibernation bat boxes installed in addition to the nine bat boxes proposed in the submission.
- 53 The County Countryside Management & Biodiversity Manager has advised that the amended details for Condition 38 (updated bat survey and mitigation strategy) contain adequate information to assess the impact on bats. The survey results are consistent with previous surveys in terms of species and numbers. The surveys identify that of the trees which will be removed, five have high potential for use as

<sup>6</sup> *Bat Conservation Trust Bat Surveys for Professional Ecologists Good Practice Guidelines, 3rd Edition*  
(<http://www.bats.org.uk/pages/batsurveyguide.html>)

bat roosts. These would be subject to further assessment/survey prior to any works to the trees. He recommends the Spelthorne Natural History Society views on the amended submission are forwarded to the applicant for information, with a recommendation that the trees identified as having high bat roost potential are surveyed later in the year after the bat maternity season and before the winter. In addition in terms of mitigation at least two bat hibernation boxes should be provided.

- 54 Residents have questioned whether bat surveys should be undertaken by independent consultants. The responsibility for undertaking the surveys to comply with the planning condition lies with the applicant; therefore they will be undertaken by consultants paid for by the applicant. There are procedures and guidelines for undertaking ecological surveys, and the surveys undertaken in connection with the Manor Farm development were undertaken by specialist consultants. Once submitted they are assessed by statutory and non statutory consultees and the county council as mineral planning authority.
- 55 Spelthorne Borough Council Planning, the County Countryside Management and Biodiversity Manager and the County Highway Authority have raised no objection to the details for conditions 12(a), 15 and 38. There is no technical objection to the details being approved for all three conditions.

#### *Conclusion*

- 56 Having assessed the application, issues raised by residents and views of consultees planning officers consider the schemes submitted by the applicant pursuant to conditions 12(a), 15 and 38 are acceptable and comply with the relevant development policies.

#### **APPLICATION (2) SP12/01132/SCD5 (Details for Conditions 8(a) and 47)**

- 57 Issues raised in representations on this application are set out in paragraph 40 above and discussed below.

#### *Condition 8 (a)*

- 58 The principle of having an access off the Ashford Road from the part of the field adjacent to No 151 Ashford Road for use in connection with the mineral extraction and transporting the mineral by conveyor to the Queen Mary Quarry was established when the planning permission was granted. The access was shown on Drawing No PA17Revision D Temporary Proposed Ashford Road Access (Drawing No PA17 Rev D). The route of the conveyor belt system and location of the tunnel under the Ashford Road were also approved when the planning permission was granted. Although the outline details were shown on this approved drawing, the final detailed design of the access, sight lines (visibility splays) and vehicle turning area are required to be submitted and approved under Condition 8 (a). As the CMP would apply to the access construction works Drawing No PA17 was included in the CMP submitted under Condition 15.
- 59 Drawing No PA17Rev D shows an access layout/bellmouth requiring vehicles to turn right in to and left out of the access. This means that vehicles using the access would arrive and leave from the north to avoid travelling through Laleham village.
- 60 The impact of the access and vehicle turning area and their proposed use on the property was taken into consideration when the SP2012/01132 planning application was determined. This included impact from noise, dust, visual impact and impact on boundary vegetation. The County Highway Authority assessed the suitability of the access onto the Ashford Road, and what it would be used for when they considered the planning application. The assessment will have taken account of the type of vehicles that would use the access and speed limits (currently 40mph) on the Ashford Road. Subject to a

planning condition requiring the details of the final design and visibility splays to be submitted and approved, the County Highway Authority were satisfied that the access and Ashford Road was suitable for the use proposed and vehicles/traffic that would use it. This application deals with the detailed final design and visibility splays for the new Ashford Road access and vehicle turning area.

- 61 In response to representations from, and discussions at a meeting on site with the owners of No 151 Ashford Road and the member for Staines South & Ashford West, the applicant modified the access so the kerb entrance to the bell mouth was moved approximately four metres further away No 151 Ashford Road. The applicant informed the residents that it was not possible to move it any further away from their property due to the presence of a manhole and the space required to construct the conveyor tunnel.
- 62 To protect existing vegetation on the boundary with No 151 and No 155 Ashford Road the vehicle turning area is sited further away from the Ashford Road (see footnote 3). None of the trees or hedgerow vegetation along the boundary with these two properties would need to be removed. However, some cutting back of the branches of the trees on the boundary would be required. Root protection zones (RPZ) of the trees within the boundary vegetation between the site and Nos 151 and 155 were used to identify a Restricted Activity Zone (RAZ) and the surface of the access road and turning area would be constructed using NO-DIG techniques to protect the rooting zone of the trees in the vegetation on the boundary.
- 63 The County Landscape Officer (CLO) has confirmed it is not necessary for the trees within the gardens of the properties to be surveyed as they are beyond (further away from the development) and would be protected by the RPZ for the boundary vegetation. The CLO has advised that the vegetation protection measures combined with the no dig methods of construction to be used comply with the requirements of Condition 47 and the survey details accord with guidance in BS5837:2012.
- 64 To provide the visibility splays/sightlines and construct the new access a section of the hedge would need to be removed. One London Plane tree in the highway verge would have to be removed and up to three others (also London Plane) in the visibility splay (also in the highway verge) were identified for removal unless the County Highway Authority confirmed they could remain in place.
- 65 The CHA has confirmed these three trees could remain provided the trunks are kept free of shoots and (epicormic growth) and the lower parts of the branches/canopy maintained above 1.5 metres. This has been incorporated into the submission. Subject to the timing of the works the tree which is removed would be relocated to elsewhere in the highway verge or replaced at a later date.
- 66 The reference to temporary access is referring to the access to be constructed off the Ashford Road. It is temporary as it would only be there for the duration of the development permitted at Manor Farm. The permitted use of the temporary access in connection with the development would be as set out in the planning condition (see paragraph 16 above). Traffic using the access would include HGV lorries making deliveries of materials and removing waste arising out of the establishment works, vans and cars and low loader vehicles delivering plant and machinery.
- 67 The duration of the establishment phase is not specified, nor is there a time limit set by planning condition. Given the works involved the establishment phase (see details for condition 15 above) could last for up to 12 months. The extraction of sand and gravel in Phase 1 is expected to last for 10 months. Condition 8 (a) (see paragraph 16 above) requires the access to be *“permanently closed and any kerbs, verge, footway fully reinstated by the applicant, and hedgerow replanted”*. The existing agricultural field access off the Ashford Road would remain as the future access to the land.



### Condition 47

- 68 The details submitted under Condition 47 have been prepared following the guidance and recommendations in British Standard (BS) 5837:2012 (Trees in relation to design, demolition and construction – recommendations). The submission includes measures to protect existing hedgerows and trees on the boundary of the site, and any within the site which would remain. This includes the vegetation adjacent to the footpath which runs through the centre of the site (footpath 30).
- 69 Various types of fencing are proposed as part of the vegetation protection measures. The fencing shown on the drawings as part of the details pursuant applications relating to conditions 47, 8(a) and 8(b)(i) are part of the measures to protect the existing vegetation from works carried out during the development. The temporary orange mesh fencing is additional to other fencing and designed to draw attention of quarry operatives and others undertaking the work as an additional protection measure. The Heras type fencing is also temporary and would be removed when no longer required to protect vegetation during the development.
- 70 The Spelthorne Borough Council Tree Officer was not consulted by the county council, but by Spelthorne Borough Council.
- 71 Spelthorne Borough Council and the County Highway Authority raise no objection. The final views from the County Landscape Officer are awaited on the amended details. Subject to the CLO being happy with the amendments there are no technical objections to the details for conditions 8(a) and 47 being approved.

### Conclusion

- 72 Having assessed the application, views of consultees and issues raised by residents, subject to the CLO agreeing the amendments, planning officers consider the schemes submitted by the applicant pursuant to condition 8(a) and 47 are acceptable and comply with the relevant development policies.

### **APPLICATION (3) SP12/01132/SCD6 Details for Condition 8(b)(i)**

- 73 Issues raised in representations on this application are set out in paragraph 43 above. The queries about the types of fencing is addressed in paragraph 69 above. To provide the visibility splays/sightlines and upgrade the existing access a section of the hedge would need to be removed. One Lombardy Poplar tree in the hedgerow would have to be removed. Four other trees (Lombardy Poplar, Purple Plum, Alder and a Horse Chestnut) in the visibility splay (also in the hedgerow) were identified for removal unless the County Highway Authority (CHA) confirmed they could remain in place.
- 74 The CHA has confirmed these four trees are in the hedgerow not the highway verge and can remain. Therefore, only the one Lombardy Poplar tree will be removed. The concern of residents about displacement of birds is noted. There are other trees in the immediate vicinity for birds to use as roosts if displaced by removal of this one tree, or other trees which would be removed in connection with the development permitted at Manor Farm. The number of trees planted as part of the restoration will provide additional habitat for birds in the future.
- 75 Spelthorne Borough Council Planning and the County Highway Authority have raised no objection. The final views from the County Landscape Officer are awaited on the amended details. Subject to the CLA being happy with the amendments there is no technical objection to the details being approved.

## Conclusion

- 76 Having assessed the application, views of consultees and issues raised by residents, subject to the CLO agreeing the amendments, planning officers consider the schemes submitted by the applicant pursuant to condition 8(b)(i) are acceptable and comply with the relevant development policies.

## HUMAN RIGHTS IMPLICATIONS

- 77 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.
- 78 The proposals in these three applications involve the approval of details pursuant to conditions (8(a), 8(b)(i), 12a, 15, 38 and 47) imposed on planning permission ref SP2012/01132 dated 23 October 2015. It is the Officer's view that the matters 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 none of the details are considered to interfere with any Convention right.

## CONCLUSION

- 79 The details submitted pursuant to conditions 12a, 15, 38 (Application (1)), conditions 8(a) and 47 (Application (2) and condition 8(b)(i) (Application (3)) are acceptable and comply with the relevant development plan policies as listed under each application above, such that the details pursuant to each of the conditions can be approved.

## RECOMMENDATION

### 1) APPLICATION SP12/01132/SCD5 (Details for Conditions 12a, 15 and 38)

The recommendation is that the details submitted pursuant to Conditions 12a, 15 and 38 of planning permission ref: SP/2012/01132 dated 23 October 2015 contained in application ref SP12/01132/SCD5 be **APPROVED**.

### 2) APPLICATION SP12/01132/SCD8 (Details for Conditions 8a and 47)

The recommendation is that subject to the final views of the County Landscape Officer the details submitted pursuant to Conditions 8 a and 47 of planning permission ref: SP/2012/01132 dated 23 October 2015 contained in application ref SP12/01132/SCD8 be **APPROVED**.

### 3) APPLICATION SP12/01132/SCD6 Details for Condition 8(b)(i)

The recommendation is that subject to the final views of the County Landscape Officer the details submitted pursuant to Condition 8(b)(i) of planning permission ref: SP/2012/01132 dated 23 October 2015 contained in application ref SP12/01132/SCD6 be **APPROVED**.

## 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](#)

**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](#))
  - *Bat Conservation Trust Bat Surveys for Professional Ecologists Good Practice Guidelines, 3rd Edition* <http://www.bats.org.uk/pages/batsurveyguide.html>
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