

**TO:** PLANNING & REGULATORY COMMITTEE **DATE:** 15 November 2017

**BY:** PLANNING DEVELOPMENT 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:** 505409 169917

**TITLE:** MINERALS/WASTE SP12/01132/SCD9

## SUMMARY REPORT

**Land at Manor Farm, Ashford Road, and Worples Road and land west of Queen Mary Reservoir, Ashford Road, Laleham, Surrey**

**Detailed landform and planting design proposals for Phase 1 within Manor Farm submitted pursuant to Condition 46 (part discharge of condition) of planning permission ref: SP/2012/01132 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 Worples 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 48 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. The land at Manor Farm is to be worked and restored progressively in four phases. Phase 1 is the land to the east of public right of way Footpath 30 which crosses the land at Manor Farm and west of the Ashford Road, Phases 2 to 4 lie to the west of the footpath.

Some of the planning conditions require the submission and approval of more detail/schemes on a range of matters. Eight submissions relating to conditions were submitted and approved in 2016.

This report deals with the detailed landform and planting proposals for the restoration and landscaping of Phase 1 of the site following extraction submitted to comply with the requirements of condition 46 of the planning permission. Similar details are required for Phases 2 to 4 and will be the subject of future submissions.

The views of statutory and non statutory consultees have been sought and no objection has been raised. A resident has objected raising a number of concerns about the restoration proposals for Phase 1. Having assessed the submission and considered the views of consultees and residents Officers consider the details submitted for Phase 1 pursuant to Condition 46 make

appropriate provision for the successful creation of new habitats and enhancement of the existing vegetation within Phase 1. The proposals, together with the restoration and landscape proposals on subsequent phases at the site, offer the opportunity for increased and enhanced biodiversity on the land at Manor Farm and in the surrounding area and meet the objectives and requirements of relevant national and development plan policies.

Ms Turner-Stewart, local member for Staines South & Ashford West, has requested this details pursuant application is reported to committee instead of being determined by officers under delegated powers.

The recommendation is to **APPROVE** the submitted details as part discharge of Condition 46.

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## APPLICATION DETAILS

### ***Applicant***

Brett Aggregates Limited

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

22 February 2017

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

24 May 2017

### ***Amending Documents***

Email dated 12 August 2017 from Mike Davies, Davies Planning with revised drawings BRE-MAN-LS-002/1 Rev B Proposed Quarrying and Mineral Extraction Phase 1 Extraction Detailed Restoration Plan Sheet 1 of 2 Date 16 12 08 and BRE-MAN-LS-002/2 Rev B Proposed Quarrying and Mineral Extraction Phase 1 Extraction Detailed Restoration Plan Sheet 2 of 2 Date 16 12 08 and email dated 21 August 2017 from Trevor Furse, Furse Landscape Architects Ltd with revised drawing BRE-MAN-LS-002/3 Phase 1 Extraction Detailed Restoration Section A-A (Indicative Section) & Fencing Date 20 01 17.

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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>
Restoration	Yes	37 to 49

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## ILLUSTRATIVE MATERIAL

### **Site Plan**

### **Aerial Photographs**

Aerial 1  
Aerial 2

### **Site Photographs**

- Figure 1 View across land in Phase 1 extraction area (taken from a point on Footpath 29 (FP29)) at the boundary with the Greenfield Recreation Ground.
- Figure 2 View looking north across land in Phase 1 (taken from a point just off and to the east of FP30).
- Figure 3 View of advance screen planting in January 2014 between Phase 1 and properties on Ashford Road.
- Figure 4 Manor Farm Restoration Detail Plan

## 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<sup>1</sup> was granted subject to 48 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.
- 3 Some of the planning conditions require the submission and approval of more detail/schemes on a range of matters. Eight submissions relating to conditions were submitted and approved in 2016 (some applications deal with more than one planning condition), see table below.

Application reference & date of approval	Proposal
SP12/01132/SCD1 11 October 2016	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.
SP12/01132/SCD2 10 August 2016	Details of archaeology submitted pursuant to Condition 35.
SP12/01132/SCD3 15 November 2016	Details of Dust Action Plan and dust monitoring programme submitted pursuant to Condition 24(a).
SP12/01132/SCD4 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.
SP12/01132/SCD5 7 October 2016	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

<sup>1</sup>The planning permission decision notice is available to view online here: [Surrey County Council online planning register](#)- search using "Our reference" and 2012/0061 or "Application number:" and SP2012/01132 for the Manor Farm planning permission.

Application reference & date of approval	Proposal
	Construction Management Plan submitted pursuant to Condition 15 and an updated bat survey and biodiversity mitigation strategy submitted pursuant to Condition 38.
SP12/01132/SCD6 7 October 2016	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).
SP12/01132/SCD7 11 October 2016	Details of a Groundwater Monitoring Plan submitted pursuant to Condition 32.
SP12/01132/SCD8 7 October 2016	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.

- 4 The land at Manor Farm is to be worked and restored progressively in four phases. Phase 1 is the land to the east of the footpath (Footpath 30) which crosses the land at Manor Farm and west of the Ashford Road; see Site Plan and Figures 1 and 2. Phases 2 to 4 lie to the west of footpath 30. Footpath 29 (FP29) runs to the north of Phase 1 between FP30 and the Ashford Road to the east.
- 5 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). These accesses would be used by people working at the site and for delivery and removal of plant and machinery for use in connection with the mineral extraction and restoration at Manor Farm.
- 6 Restoration of the land at Manor Farm is to provide an area for nature conservation use, see Figure 4 Restoration Detail plan. The restored site will comprise open waterbodies with shallow wetland and marsh areas, with associated reed beds and marginal planting with willow scrub and tree and hedgerow planting within the remainder of the site. Two smaller waterbodies are to be created to the east of FP30 footpath on Phase 1 and one larger waterbody with two islands on the area to the west of the footpath. During extraction and restoration and post restoration public access across the land at Manor Farm will remain as exists at present along FP30 which runs through the centre of the site and along FP29 which runs along the northern part of Phase 1. The restored site would be subject to a 25 year Landscape and Ecological Management Plan (LEMP) which has been approved pursuant to the requirements of the Section 106 Legal Agreement entered into in connection with the SP2012/01132 planning permission.
- 7 In the interests of reducing the potential risk of birdstrike from wildfowl using the waterbodies the lakes, islands, and water margin areas are to be designed and planted with plant species to prevent colonisation and use of the lakes by bird species that are considered a birdstrike risk to aircraft. In the interests of public safety public access to the waterbodies will also be restricted by fencing and strategic planting. Restricting public access will also discourage feeding of birds (feeding of birds encourages birds that present a risk to aircraft to use the site).
- 8 The applicant proposes to create a conservation study area, secured by a 2.1m high green palisade fence, including a small pond with marginal species, and planting of a variety of native tree and shrub species, on land south of FP30 adjacent to Buckland Primary School. The creation of the study area would be subject to the agreement of the school Governors and is proposed to facilitate safe, outdoor study and encourage

improved biodiversity. In addition to the study area there would be the potential to create controlled supervised access for pupils to other areas of the restored site.

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## THE PROPOSAL

- 9 Condition 46 of the SP2012/01132 planning permission and the reason for the condition read:

*Prior to the extraction of each of the phases of working within Manor Farm, detailed landform and planting design proposals shall be submitted to and approved in writing by the County Planning Authority.*

*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.*

- 10 Following extraction of the sand and gravel the land in Phase 1 is to be restored to nature conservation use comprising two lakes with marginal water edge planting, reed beds and areas of scrub planting and tree planting. A conservation study area for use by Buckland School<sup>2</sup> would be formed in the north western part of Phase 1. The applicant has submitted details of the lake edge profiles and levels on the surrounding land and planting design details for the different habitats to be created on Phase 1. The planting details include plant species, plant sizes and numbers, and seed mixes to be used to create the different habitats within Phase 1.

### Landform design

- 11 The land in Phase 1 would comprise two waterbodies and surrounding land, with an additional small water body in the north western part. Subject to agreement being reached between the operator and Buckland School this small waterbody would form part of a conservation study area for use by the school.
- 12 The submission includes details of the landform at the edge of the two waterbodies and lake edges. The restoration after use is to nature conservation. Around the edges of the waterbodies planting would be carried out to create reed bed habitat and areas of marginal planting elsewhere to stabilise the embankments and provide lake edge habitat suitable for small birds. Where reed bed planting is proposed the lake edges would be formed to provide slopes suitable for the establishment of reed beds along the water edge. The maximum water level on completion of extraction and earthworks is expected to be some 12.00m Above Ordnance Datum (AOD). The water level in the waterbodies would fluctuate over time depending on the time of year and groundwater levels. Where reed beds are proposed the landform around the lake edge would be formed to provide a shallow slope and a water edge area planted to form reed beds where water levels would fluctuate ranging from around 300mm to a maximum of 1 metre depth of water. Within the lakes beyond the extent of the reed beds and elsewhere around the lake edges the land would fall/drop away more steeply to the excavated depth of 8mAOD.
- 13 On completion of the final earthworks to form the lake edge margins the surfaces would be prepared for planting.

### Planting

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<sup>2</sup> The final arrangements over provision and use of the conservation study area are to be subject to separate discussion and agreement between the mineral operator, Brett Aggregates Ltd, and the school.

- 14 The planting and landscape design for the restoration of Phase 1 proposes a mix of habitats. Around the lake edges the areas would be planted to create reed bed and marginal<sup>3</sup> planting areas. A 1.2 metre high chestnut pale fence would be erected at the land edge of the reed beds to prevent access during the establishment period.
- 15 Beyond the lake edge planted areas the remaining areas would be planted with low shrub mix, blocks of new tree planting between the two lakes and around the conservation study area. These, together with existing tree and shrub vegetation, would form a dense shrub and tree boundary zones to inhibit public access. Hedgerows would be planted with native species adjacent to FP29 and FP30. Once established the hedgerows would reinforce the low shrub mix and fencing and act as deterrents to public access to the waterbodies. The submission includes details of the proposed planting including species, density, plant stock, sizes and handling and planting methods for each area and type of planting<sup>4</sup>.
- 16 The existing stock proof boundary fencing would be reinforced with the addition of barbed wire on the field (site) side of the fence, hexagonal rabbit proof netting and 1.8m high Cleft Chestnut Fencing attached to the stock proof fencing.
- 17 As proposed in the restoration detail plan approved when planning permission was granted all Leylandii and Poplar trees in the block of advance screen planting between Phase 1 and the properties along Ashford Road would be removed during the first year and replaced with low shrub mix<sup>5</sup>. Leylandii and Poplar species would be removed on a phased basis from other areas of existing planting.
- 18 The submission relates to Phase 1 only. Further submissions of details of the landform and planting for phases 2, 3 and 4 are required to be submitted for approval pursuant to Condition 46 prior to commencement of extraction on each phase.

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## CONSULTATIONS AND PUBLICITY

### *District Council*

- 19 Spelthorne Borough Council: No objection.

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

- 20 Heathrow Airport Safeguarding: No objection.
- 21 Ecologist: No objection.
- 22 Landscape Architect: No objection.
- 23 Enhancement Officer: No objection.

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

- 24 Clag2: No views received.

<sup>3</sup> Marginal plants are those which grow or thrive in wetlands, bogs or shallow water such as the edges of ponds, lakes and streams.

<sup>4</sup> The detailed proposals are shown on drawing refs BRE-MAN-LS-002/1 Rev B Phase 1 Extraction Sheet 1 of 2, BRE-MAN-LS-002/2 Rev B Phase 1 Extraction Sheet 2 of 2, and BRE-MAN-LS-002/3 Rev B Phase 1 Extraction Detailed Restoration Section A-A (Indicative Section) & Fencing which will be on display at the meeting. The drawings are also available to view online via the following link <http://planning.surreycc.gov.uk/planappsearch.aspx> by entering SCC Ref 2017/0012 in the "our reference" search field.

<sup>5</sup> This had been proposed as part of the original planning application proposals in response to comments from residents to the applicant following pre application public consultation with the local community. Residents living in properties backing onto the land in Phase 1 at Manor Farm wanted to have the views across the land at Manor Farm unobstructed by taller vegetation.

- 25 Laleham Residents' Association: No views received.
- 26 Manor Farm Eastern Boundary Residents' Association: No Objection.
- 27 Manor Farm Residents Association: No views received.
- 28 Spelthorne Natural History Society: No views received.

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

- 29 The application was publicised by the posting of 9 site notices and notifying directly by letter a total of 51 owner/occupiers of neighbouring properties and those people who had made representations on previous applications for approval of details required by planning conditions.
- 30 To date eight representations have been received, including from Buckland School, all objecting or raising concern about the Manor Farm mineral extraction development permitted by SP2012/01132.
- 31 One representation raises issues relating to the details submitted for Phase 1 pursuant to Condition 46. They object to the submission as the sloped banks of the lake edges differ from what they understood which was that there would be no public access to the lakes as the sides would go straight down to prevent wildfowl from nesting. They question the need for the study area for the school as there is already a nature area at the school and they understood the new area already been agreed with the school which now seems not to be the case. And how long would the applicant, Brett, manage the area? These matters are considered in the report.
- 32 The seven other representations raise points including objection to the development permitted under SP2012/01132, need for the development and potential impact of the development on local residents and Buckland School in terms of noise, dust and impact on air quality from traffic emissions, access and traffic, impact on local wildlife, design of the Worple Road and Ashford Road accesses, flood risk, the restoration to nature conservation after use and increase in waterbodies in the local area, public safety and visual impact.

**Officer comment:** These matters were all assessed and considered in the officer report on the SP2012/01132 planning application see Item 7 of the [2 September 2015 Planning and Regulatory Committee Agenda](#) (officer report, Annexes A to F and update sheet). At that 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 this application for approval of details pursuant to Condition 46.

**Request by local member for application to be determined by the Planning and Regulatory Committee**

- 33 Due to the concerns raised by Buckland School and residents about the Manor Farm development, and to give residents the opportunity to address the committee, Ms Turner-Stewart, local member for Staines South & Ashford West, has requested this details pursuant application is reported to committee instead of being determined by officers under delegated powers<sup>6</sup>.

<sup>6</sup> Under the Council's Constitution (see [Constitution of the Council of 10 October 2017 \(Section 3, Part 3A Specific Delegation to Officers\)](#)) all details pursuant applications are delegated to officers irrespective of the number of objections unless a request has been made by a local member or a member of the Planning and Regulatory Committee for the application to be determined by committee.

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## PLANNING CONSIDERATIONS

### Introduction

- 34 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.
- 35 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 Core Strategy and Policies Development Plan Document February 2009 (SBCS&P DPD 2009).
- 36 This application has been submitted to comply with the requirements of Condition 46 of planning permission SP2012/01132 for Phase 1. In considering this application the acceptability of the submitted details will be assessed against relevant development plan policies and material considerations relevant to the subject of the application. The key issue is whether the detailed landform and planting proposals which build on the proposals outlined in development granted planning permission are acceptable.

### **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 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

Policy EN8 Protecting and Improving Landscape and Biodiversity

- 37 [Section 11 Conserving and enhancing the natural environment](#) of the NPPF states in paragraph 109 that the planning system should contribute to and enhance the natural and local environment by (amongst other matters) “*minimising the impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including establishing coherent, ecological networks that are more resilient to current and future pressures*”. Paragraph 118 states that in determining planning applications local planning authorities “*should aim to conserve and enhance biodiversity*” by following various principles including encouraging opportunities to incorporate biodiversity in and around developments.
- 38 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 issues to be addressed in planning applications. Issues relevant to the details required by condition 46 are: the appearance, quality and character of the landscape and any features that contribute to its distinctiveness; the natural environment, biodiversity and geological conservation interests; public open space, the rights of way network, and outdoor recreation facilities; and the need to manage the risk of birds striking aircraft.
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- 39 SMP 2011 Core Strategy DPD Policy MC17 requires mineral working proposals to provide for restoration and post restoration management to a high standard. Sites should be progressively restored or restored at the earliest opportunity with the restoration sympathetic to the character and setting of the wider area and capable of sustaining an appropriate after-use. A key objective is for enhancement as well as restoration and through Policy MC18 the county council will work with operators and landowners to deliver benefits including enhancement of biodiversity interests at the site and, where appropriate, as part of a wider area enhancement approach.
- 40 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 Maintaining and Improving the Environment and Policy EN8 Protecting and Improving the Landscape and Biodiversity. These policies seek to protect and improve the landscape and biodiversity and cultural heritage of the borough through amongst other matters:
- working with others to develop and secure the implementation of projects to enhance the landscape and create or improve habitats of nature conservation value;
  - wherever possible ensure that new development contributes to an improvement in landscape and biodiversity and also avoids harm to features of conservation interests.
- 41 No new planning issues are raised by the submitted details for condition 46. As set out in paragraph 31 a resident has questioned whether the restoration proposals have changed by proposing shallower slopes around the lakes. The principles behind the landform and planting design have not changed and the submitted details for Phase 1 provide for the creation of a landform around the lake edges and planting proposals for the creation of new habitats for the nature conservation afteruse. This includes a study area for use by the school. The arrangements for this are still to be made between the applicant and the school and are not a matter to be addressed through the details for Condition 46. Nor do they need to be in place before the details required by Condition 46 are determined. There is an existing nature area within the school grounds. Provision of a conservation study area as part of the restoration of the Manor Farm development would provide an additional facility for use by the school.
- 42 The submitted proposals are in accordance with the principles and objectives for the restoration of Manor Farm set out in the original planning application, see Figure 4. These include:
- the need to consider birdstrike potential
  - habitat creation within the restored site designed to increase the biodiversity of the area including habitats listed in the UK Biodiversity Action Plan (UKBAP) and the Surrey BAP
  - creation of areas of standing open water and habitat to attract smaller waterfowl
  - a planting scheme to encourage habitat development and secure the banks of the waterbodies
- In addition there are proposals for removal of Leylandii and Poplar trees from the existing more established hedgerows and tree belts at the site and the advance screen planting areas which were planted in 2008/09. On completion of extraction and restoration in Phase 1 the advanced screen planting areas around Phase 1 will have served their purpose and the trees can be removed. This would enable neighbouring properties which back onto the land in Phase 1 to have views over the land beyond their property boundaries again.
- 43 On completion of restoration and landscaping Phase 1 would be subject to a 25 year management programme (five year aftercare scheme followed by a further 20 years of management) in accordance with the approved Landscape and Ecological Management

Plan for the site. After this formal period of management responsibility for management would lie with the landowner and arrangements they put in place. The management of the site includes implementation of the approved bird hazard management plan<sup>7</sup> (BHMP) for the site which would continue to apply after the formal 25 year management period.

- 44 The submission includes details of fencing to supplement the planting and act as a deterrent to access onto the restored site. Concerns were raised by the Landscape Architect about use of barbed wire on fences adjacent to public footpaths. These were addressed and amendments made to the submitted details. Barbed wire on the fencing adjacent to the two public footpaths, and around the proposed study area, would be placed on the non public site/field side of the fence so people and animals using the footpath and study area would not injure themselves should they accidentally fall against or touch the fencing.
- 45 No objection has been raised by the County Ecologist and County Landscape Architect to the submitted details. The statutory consultee in relation to bird strike, Heathrow Airport Ltd has raised no objection to the submitted details.
- 46 The County Enhancement Officer made comments relating species mix for the shrub planting, planting densities and protective fencing for the reed bed planting and the landform design for the slope of the lake edges. For biodiversity reasons and to assist in the success of the restoration design he recommended a less flat slope around the lake edges where reed bed habitat is to be created. He advised that for successful habitat creation involving very shallow falls the levels have to be very precise and require water levels to return as shown on the submitted drawings. Experience with similar restoration proposals elsewhere in Surrey has shown this is often not the case and the Enhancement Officer recommended a slightly steeper fall for the proposed reed bed areas. The submission was revised to address the issues raised. No objection is raised by the Enhancement Officer who considers the amended profile and planting details should lead to the successful delivery of an effective restoration.
- 47 The applicant has confirmed the commitment given to residents whose properties back onto the land at Manor Farm that the tree in the advance planting area will be removed in the first year following extraction and restoration in Phase 1 and no objection is raised by the Manor Farm Eastern Boundary Residents Association (RA). The RA has raised a concern about the current height of the vegetation in the advance screen planting area between properties on the Ashford Road and Phase 1, see Figure 3. This area was planted in 2008/2009 and has established and will provide screening<sup>8</sup> and mitigate the visual impact of the extraction and restoration operations within Phase 1. The RA would like the height of the trees in the area to be managed as the trees are fast growing and have reached a height which the residents feel dominate the view from properties, as illustrated in the photographs below taken in 2009 and 2017 and provided by the RA. The advance screen planting is required to remain in place until completion of extraction and restoration within Phase 1.

Outlook from rear garden 2009:

<sup>7</sup> Required by Condition 36 and approved under reference SP12/01132/SCD1 in October 2016.

<sup>8</sup> There would be views from upper floors of buildings.



Outlook from rear garden 2017:



- 48 The management of the height of the screen planting falls outside the scope of the consideration of the submitted details subject of this report. Management of the height of vegetation to the rear of the properties is a matter for discussion between the applicant (and landowner of the land at Manor Farm), Brett Aggregates Limited, and adjoining property owners. A community liaison group (CLG) is being set up for the Manor Farm site which the Manor Farm Eastern Boundary RA will be involved in. Management of the height of the planting is an issue which could be discussed through the CLG.
- 49 The submission has been amended to address issues raised by consultees and no objection has been raised by consultees. Officers consider the detailed design and planting proposals for Phase 1 meet the requirements of the condition and make appropriate provision for the successful creation of new habitats and enhancement of the existing vegetation within Phase 1. The proposals, together with the restoration and landscape proposals on subsequent phases at the site, offer the opportunity for

increased and enhanced biodiversity on the land at Manor Farm and in the surrounding area and meet the objectives and requirements of relevant national and development plan policies.

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## HUMAN RIGHTS IMPLICATIONS

- 50 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.
- 51 The proposal in this application involves the approval of details for Phase 1 pursuant to condition 46 of planning permission ref SP2012/01132 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 1 of Protocol 1. As such the details are not considered to interfere with any Convention right.

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## CONCLUSION

- 52 Having considered the submitted details, comments received from consultees and raised by residents Officers consider that the details submitted pursuant to Condition 46 in respect of Phase 1 of the development are acceptable and comply with the relevant national planning policy and development plan policies listed above such that the details for Phase 1 can be approved.

## RECOMMENDATION

The recommendation is that the detailed landform and planting design proposals for Phase 1 within Manor Farm submitted pursuant to Condition 46 (part discharge of condition) of planning permission ref SP2012/01132 dated 23 October 2015 contained in application ref SP12/01132/SCD9 be **APPROVED**.

### Informatives:

1. The Manor Farm site is to be worked in four phases as shown on approved drawing PA5 Phasing Plan March 2012. The details approved under ref SP12/01132/SCD9 relate to Phase 1 of the mineral extraction development only. The operator is reminded that Condition 46 requires details of detailed landform and planting design details to be submitted and approved for Phases 2, 3 and 4 prior commencement of extraction in those phases.
2. In determining this application the County Planning Authority has worked positively and proactively with the applicant by: assessing the proposals against relevant Development Plan policies and the National Planning Policy Framework including its accompanying technical guidance and providing feedback to the applicant where appropriate. Further, the County Planning Authority has: identified all material considerations; forwarded consultation responses to the applicant; considered representations from interested parties; liaised with consultees and the applicant to resolve identified issues; and determined the application within the timeframe agreed with the applicant. Issues of concern have been raised with the applicant including impacts of and on landscape, ecology and visual impact and public rights of way and addressed through negotiation and acceptable amendments to the proposals. This approach has been in accordance with the requirements of paragraphs 186-187 of the National Planning Policy Framework 2012.

**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:

**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](#))

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