**Application No:** 2016/3371

**Application Type:** FULL

**Case Officer:** Paul Falconer

**Ward:** Walton North Ward

**Expiry Date:** 12/01/2017

**Location:** Elmbridge Sports Hub Waterside Drive Walton-On-Thames Surrey KT12 2JP

**Proposal:** Development comprising new football and athletics stadium with spectator seating and detached two storey building incorporating changing facilities, storage, function and club rooms; ancillary spectator shelter, floodlighting, car park lighting, football and sports pitches, new car park and access road, hard & soft landscaping, dog walking area, play equipment, gas vents and new electric substation following demolition of existing football club and facilities.

**Applicant:** Willmott Dixon Construction Ltd

**Agent:** Mr Mervyn McFarland Turley

6th Floor North
2 Charlotte Place
Southampton
Hampshire
SO14 0TB

**Decision Level:** If Permit – Planning Committee

If Refuse – Planning Committee

**Recommendation:** Delegate to Development Manager, recommendation to permit subject to referral to Secretary of State, receipt of satisfactory legal agreement and any further considerations following judgement of the Judicial Review and delegate to Development Manager to fulfil the requirements of Regulation 24 of the Environmental Impact Assessment Regulations 2011 (as amended) including preparing a statement of reasons.

**Representations:** 224 letters of objection from 193 households, CPRE and the British Astronomical Associations' Commission for Dark Skies, and 8 letters of observation on the following grounds:

- Concerns regarding Environmental Impact Assessment
- Impact on Green Belt
- Judicial Review process
- Concerns over need for development
- Alternative sites should be considered
- Impact on landscape
- Out of keeping
- Light pollution
- Noise pollution
- Impact on traffic/highways
- Contaminated site
- Flood risk
- Impact on wildlife
- Cost of development
- Inadequate consultation

92 letters of support from 76 households and British Athletics, Active Surrey, Surrey County FA, Ryman Football League and Walton Athletics Club.

(A more detailed summary of representations is provided in Appendix 1 and are considered under the appropriate headings within the report)

The consultation period for additional information received expires on 13 January 2017. Any additional representations received will be reported to the Committee.

***This application qualifies for public speaking***
Description

1. The site is 14.2 hectares and comprises the former Walton Casuals FC football ground and associated buildings, open land predominantly used for dog walking and scrubland. The site is generally level, raised approximately 2-3m above the road level on the north western side.

2. To the north-west of the site is an embankment leading down to the northern section of Waterside Drive which serves The Weir Hotel, Rose Cottage and the Sunbury Lock Gas Works which is classified as a COMAH site. Beyond a narrow strip of land, which includes Rose Cottage, is the River Thames and tow path. The tow path forms part of the Thames Path National Trail and part of the Sustrans National Cycle network. The area on the opposite side of the River is within Lower Sunbury and mainly falls within the Borough of Spelthorne.

3. To the west of the site is the existing Xcel Leisure centre and associated car park, and artificial football pitch, which comprises a changing block, fencing and flood lights. Adjacent to this is Waterside Drive and further to the south-west are residential properties and the Queen Elizabeth II (BP) Oil Storage Terminal which is classified as a COMAH site. Apps Court Farm is to the east and Hawks End Farm to the south.

4. The site is located within the Metropolitan Green Belt, Thames Policy Area, potential contaminated land, partly within Flood Zone 2 and has a number of existing pipelines within close proximity. The site was identified as an area for the provision of an improved, accessible open space in Policy CS14 of the Core Strategy as shown on the proposals map. The River Thames is designated as a Site of Nature Conservation Importance. The Lower Sunbury Conservation Area lies on the northern side of the river within which there are a number of Listed Buildings, including the Church of St Mary the Virgin, which is Grade II* listed.

5. It should also be noted that the site is within Council ownership and the application is made by Willmott Dixon on behalf of Elmbridge Borough Council.

Constraints

6. The relevant planning constraints are:
   - Green Belt
   - Flood Zone 2
   - Biodiversity Opportunity Area
   - Contaminated Land
   - Government Oil Pipeline
   - Public Footpath
   - Thames Policy Area
   - Thames Landscape Strategy
   - Thames Valley National Landscape Character Area
   - Proximity to SNCl
   - Proximity to SSSI
   - Proximity to SPA and Ramsar site
   - Proximity to Lower Sunbury Conservation Area and listed buildings including St Mary’s Church

Main Statutory Duties

7. The Council, in determining the planning application has the following main statutory duties to perform:
   - To have regard to the provisions of the development plan, so far as material to the application, any local finance considerations so far as material to the application, and any other material considerations. (Section 70(2) Town & Country Planning Act 1990);
   - To determine the application in accordance with the development plan unless other material considerations indicate otherwise. (Section 38(6) of the Planning and Compulsory Purchase Act 2004);

8. Where there are policies in the development plan which support the proposal and others which do not, it is necessary to assess all the policies and proposals in the plan and to come to a view as to whether in the light of the whole plan the proposal does or does not accord with it.

9. In considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any
features of special architectural or historic interest which it possesses. (S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990); in this case the duty is to have special regard to the desirability of preserving the setting of listed buildings. The effect of the duties imposed by section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is, respectively, to require decision-makers to give considerable weight and importance to the desirability of preserving the setting of listed buildings.

10. The Council must, in exercising its functions, including when considering whether to grant planning permission, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity (section 40(1) Natural Environment and Rural Communities Act 2006).

11. Before deciding to grant permission for a plan or project which is likely to have a significant effect on a European site (either alone or combination with other plans or projects) and is not directly connected with or necessary to the management of that site, the Council must make an appropriate assessment (regulation 61(1) of the Conservation of Habitats and Species Regulations 2010).

12. When considering whether to grant planning permission the Council must have regard to the requirements of the Habitats Directive and the Wild Birds Directive so far as they may be affected by the exercise of those functions.

13. The application is accompanied by an Environmental Statement (ES). The ES is a means of drawing together, in a systematic way, an assessment of a project’s likely significant environmental effects. This is to ensure that the importance of the predicted effects and the scope for reducing them are properly understood by the public and the competent authority before it makes its decision.

14. The Local Planning Authority must not grant planning permission unless they have first taken into account the environmental information, which includes the Environmental Statement, further information and any other information and comments made by the consultation bodies and any representations from member of the public about the environmental effects of the development.

15. The public sector equality duty applies (Section 149 Equality Act 2010).

Policy

16. The following development plan policies are relevant to the determination of this application:

Core Strategy 2011
CS1 – Spatial Strategy
CS3 – Walton on Thames
CS12 – The River Thames Corridor and its tributaries
CS14 – Green Infrastructure
CS15 - Biodiversity
CS16 – Social and Community Infrastructure
CS17 – Local Character, Density and Design
CS25 – Travel and Accessibility
CS26 – Flooding
CS27 – Sustainable Buildings

Development Management Plan 2015
DM1 – Presumption in favour of sustainable development
DM2 - Design and Amenity
DM4 – Comprehensive development
DM5 - Pollution
DM6 – Landscape and trees
DM7 – Access and parking
DM8 – Refuse, recycling and external plant
DM9 – Social and community facilities
DM12 - Heritage
DM13 – Riverside development and uses
DM17 – Green Belt (development of new buildings)
DM20 – Open space and views
DM21 – Nature conservation and biodiversity
DM22 – Recreational use of waterways
17. The following SPDs are material considerations to be taken into account:

- Flood Risk SPD 2016
- Design & Character SPD 2012
- Developer Contributions SPD 2012

18. The National Planning Policy Framework and the Planning Practice Guidance are important material considerations.

19. **Relevant Planning History**

<table>
<thead>
<tr>
<th>Reference</th>
<th>Description</th>
<th>Decision</th>
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<tbody>
<tr>
<td>2015/0949</td>
<td>Development comprising new football and athletics stadium with spectator seating and detached two storey building incorporating changing facilities, storage, function and club rooms; floodlighting, additional football and sports pitches, new car park and access road, hard &amp; soft landscaping, dog walking area, playground and new electric substation following demolition of existing football club and facilities.</td>
<td>Permitted – under construction</td>
</tr>
<tr>
<td>2015/0868</td>
<td>Screening opinion as to whether an Environmental Impact Assessment is required for the proposed redevelopment of the Land adjacent to Xcel Leisure Complex (Walton Casuals FC)</td>
<td>EIA not required (Screening Direction issued by Secretary of State stating that EIA required)</td>
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<tr>
<td>2012/1185</td>
<td>Construction of new football and athletics stadium incorporating spectator seating, changing facilities, storage/function/club rooms, floodlighting, additional football and sports pitches, new car park and new access road (Outline planning application for Access, Layout and Scale)</td>
<td>Outline permission (lapsed)</td>
</tr>
<tr>
<td>2008/1531</td>
<td>New sport pavilion (640sqm) following demolition of existing pavilion (336sqm)</td>
<td>Permitted – not implemented</td>
</tr>
<tr>
<td>2003/2386</td>
<td>Single storey rear pavilion extension, erection of covered seated stand and two covered terraced areas</td>
<td>Permitted – implemented</td>
</tr>
<tr>
<td>2000/2662</td>
<td>Relaxation of condition 1 of 97/0663 to allow replacement luminaires on existing floodlight columns</td>
<td>Permitted - implemented</td>
</tr>
<tr>
<td>1997/1493</td>
<td>Change of use of clubhouse to pre-school nursery for children</td>
<td>Permitted - implemented</td>
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<tr>
<td>Application Site</td>
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<td>20. Previously permission has been granted for two single storey covered areas in 1995 (1995/0206) and a small single storey extension to the existing clubhouse in 1996 (1996/0058). Floodlighting columns were granted under 1997/0663.</td>
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<tr>
<td>21. A further planning permission was granted in 2003 for a single storey pavilion extension a covered seating area and two covered terrace areas (2003/2386).</td>
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<tr>
<td>22. A planning application referenced 2008/1531 was granted permission for a new sport pavilion (640sqm) following demolition of existing pavilion (336sqm) and the formation of new grassed pitches on existing open grassland adjacent to the existing football ground. This was not implemented.</td>
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<td>23. Outline permission was granted for a development similar to the current proposal under 2012/1185 with a pavilion measuring 96m long, 25.5m wide and 13m high. This permission was not implemented and expired in 2015.</td>
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<td>24. Full planning permission was granted for a similar development under 2015/0949 and is under construction. The permission is subject to an application for judicial review which has yet to be determined.</td>
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<tr>
<td>Other Sites</td>
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<tr>
<td>25. The adjacent leisure centre was granted planning permission under application 2004/1561. A further application was granted for a synthetic football pitch (3G) with associated flood lights (2005/2191).</td>
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</table>
26. Planning permission was refused and dismissed on appeal for an Indoor Archery Centre on land adjoining the site, north of Rivernook Farm under 2012/1653. The reasons for refusal were:

"The proposed development is an inappropriate form of development of significant mass, bulk and scale to the detriment of the character and openness of the surrounding Green Belt, for which an insufficient case of very special circumstances has been provided. The proposed development would be contrary to the provisions of saved Policies GRB17 and CS14 of the Replacement Elmbridge Borough Local Plan 2000 and the national guidance contained in the National Planning Policy Framework 2012."

"Insufficient information has been submitted in relation to this proposal with respect to its potential impact on pollution to controlled waters. On this basis, the proposed development would be contrary to the provisions of the National Planning Policy Framework 2012."

27. The proposal was considered to represent inappropriate development in the Green Belt as it was for indoor sport. The outline application indicated a building measuring 60m by 60m and up to 8.6m in height. An appeal was lodged against the Council’s decision to refuse to grant planning permission. The inspector held that the proposal was for inappropriate development in the Green Belt. The inspector also considered whether the proposal would preserve the openness of the Green Belt and whether it would conflict with Green Belt purposes. He found that the development would not preserve openness and would conflict with Green Belt purposes. The appeal was also dismissed due to the lack of site investigation works to identify the potential risks given its previous use as a landfill. This is substantially different from the current application because it was for indoor sport which is not one of the identified development types which is capable of being considered to be appropriate development in the Green Belt, and because the building proposed had a considerably greater footprint and volume than the pavilion proposed in the current application. The proposed pavilion under the current application is a facility for outdoor sport.

28. Outline planning permission has also been granted at Rivernook Farm under 2015/4378, which is close to the east boundary of the site, for residential development and is also within the Green Belt.

Proposal

29. This is a full application to provide additional sports facilities adjacent to the Xcel Leisure Centre for football and athletics. This is intended to provide a shared ground for Walton Casuals FC, Walton Casuals Juniors, Walton and Hershams FC and Walton Athletics Club. The facilities will be available for use by the community when not required by the clubs.

30. The proposed development will utilise land that was occupied by one senior football pitch for Walton Casuals FC, an area of informal open space and scrubland. All structures on the site have been demolished. Walton Casuals FC are temporarily sharing a ground with Whyteleafe FC.

31. The proposal includes a shared pavilion with spectator seating, changing facilities, storage/function/club rooms. The proposed pavilion will be in the middle of the site and would be 56m in length and 29m in width with a height of 8.7m. It would be two storeys high with changing rooms on the ground floor and function rooms for the sports clubs on first floor. The pavilion will have raked seating on two sides and comprise 636 seats with half facing the athletics track and half facing the main football pitch. The external seating will be covered by a lightweight metal canopy.

32. An electricity sub-station is proposed close to Waterside Drive by the new access.

33. The Sports Hub will provide a FIFA/Football Association standard main pitch (which will be 3G), a further 3G synthetic turf pitch, four grass training pitches, an 8 lane athletics track to UK Athletics’ standards with facilities for field sports located within the in-field area.

34. The main football pitch would be to the south of the pavilion with a second full size pitch to the north west. The two main pitches would be floodlit and of synthetic turf construction. Four grass training pitches, which would be the equivalent of one full size pitch, would be located to the north of the site, closest to the river and The Weir Hotel, and would not be floodlit.

35. The athletics ground would be to the north of the pavilion and would include an 8 lane running track, hammer and discus field and areas for high jump, long jump and pole vault.

36. The athletics track and two main football pitches would be floodlit. The athletics track would have 6 x 20m high columns. The main football pitch would have 4 x 20m columns and the second 3G pitch
would have 8 x 15m columns to allow the pitch to be used in thirds. Lighting to the car park and access road would be by 6m high columns.

37. The development will be surrounded by an area of open space for dog walking and a children’s play area within a landscaped setting. The scheme indicates a number of landscaped bunds with tree planting and some acoustic fencing along the north west boundary. Gas vents are also proposed which form part of the remediation strategy for the site.

38. A variety of enclosures are proposed for this site reflecting the use and requirements of each use. There was solid fencing to the former Walton Casuals football ground. The existing 1.8m chain link fencing which currently runs along the top of the embankment to the north west would be retained and the existing embankment would remain open.

39. The training pitches closest to The Weir Hotel will be enclosed by a 3m tall galvanised super rebound wire mesh fence set back from the existing boundary fencing on top of the embankment. The fencing would be approximately 40-47m from the road and would have a landscaped buffer between the fence and the embankment. Some tree planting is proposed mainly to the north-west side to reduce the visual outline and impact. There would also be bunds and 3m acoustic fencing between some of the landforms covered by woven willow and climbing plants.

40. The athletics stadium will have a 3m high galvanised welded mesh fence which would be less intrusive than the solid fencing of the former Walton Casuals site and would be set approximately 48m from the road, with the landscaped area in between.

41. A 1.83m tall solid timber fence to prevent viewing, with 2.67m welded mesh fencing above is proposed around the main 3G football pitch to the south east. This is furthest from any public views outside the Xcel leisure centre site. The existing football training pitch, which is part of the Xcel leisure centre is enclosed by metal mesh fencing which is visually permeable and of a green colour which blends into the surroundings.

42. The second 3G pitch would have 4.5m rebound fencing.

43. The dog walking area would be fenced by a 1.2m high post and rail fence to the remaining scrub land.

44. A children’s play area is proposed to cater for a variety of ages and types of play.

45. Access to the site will be via a new access off Waterside Drive, south of the existing Xcel 3 artificial football pitch. The proposal includes 242 parking spaces including 12 disabled spaces, 4 coach parking spaces and a taxi and pick up and drop off point. 32 cycle hoops are proposed for cycle storage. The main access points to the sports facilities will be via this car park. The Design and Access Statement at Section 3.1 and 6.2 indicates 2 coach parking spaces in error.

46. The proposal is for a free standing planning permission. This permission, if implemented, would result in a revision of the scheme for which permission was granted under 2015/0949 which is currently under construction. The revisions include the following:

- The car park has been reconfigured to provide an improved layout of the car, coach and taxi parking spaces and bays. The number of parking spaces has been reduced from 265 to 242. Minor adjustments have been made to ensure that emergency vehicles can readily access all areas of the sports facilities. The footpaths and planting have also been revised. The car park lighting is based on 6m high columns, reduced from 8m, with luminaires controlled by time clock control and daylight sensors.
- External storage areas have been removed. This has been achieved by reviewing the use of the area beneath the pavilion building and to minimise the number of ancillary structures.
- The profiles of previously proposed bunds have been adjusted. A maximum bund height of 3 metres has been retained on the north-west and north-east site boundaries however the profiles have been altered to allow for better landscape establishment and maintenance. As greater certainty has been achieved regarding the amount of site-won material available for landform creation, a total of six mounded landforms are now proposed on the northwest boundary and northern corner of the site. These bunds will be planted with trees (see below for details of tree species) and acoustic fencing has been introduced in the gaps between the mounded landforms.
The number of proposed ancillary spectator stands has been reduced to two, leaving a single ancillary stand located opposite the main pavilion on the southeast side of the main pitch.

The dog walking area has been redesigned to run between the bunds to create a walking route around the sports pitches. A mown grass path is now proposed rather than the gravel path indicated in the earlier scheme.

The proposed planting has been amended and improved across the site. In particular the selection of species has been amended in response to public feedback. The intention is to use a mix of species including a greater proportion of Pine and Holm Oak than previously proposed to give a greater proportion of faster growing evergreen for improved screening value, particularly to the northwest.

The opportunity has also been taken to introduce some lower shrubby planting in smaller clumps into the scheme to the north east and south east on level areas as a native woodland / shrub mix; this takes on board ecological and arboricultural advice and species proposed include:

- Acer campestre (Field Maple)
- Corylus avellana (Hazel)
- Crataegus monogyna (Hawthorn)
- Rosa canina (Dog Rose)
- Sambucus nigra (Elder)
- Viburnum opulus (Guelder Rose)

Areas of wildflower meadow planting have been introduced on the north eastern and south eastern edges of the site.

Floodlighting for the track and the pitches will provide surface illumination of the playing areas whilst reducing illuminance around the light sources. To achieve this the height of the lighting columns is 20 metres for the athletics track and principal football pitch and 15 metres for the secondary 3G football pitch.

The play area has been relocated to the north of proposed Mound 11.

Coach parking and drop off bays are now shown formally marked out.

Minor amendments have been made to the proposed gates within the facility to improve access, circulation and security and also, as noted above, to ensure accessibility by emergency service vehicles.

47. An Environmental Statement (ES) has been submitted. The application has been subject to the relevant consultation with statutory consultees, third parties, press notice and site notices advertising the submission of the Statement.

48. The ES is divided into a number of topics including:

- Need
- Planning Policy
- Economy, Population and Society
- Water Resources
- Ground Conditions
- Landfill, Gas and Vapour
- Landscape, Townscape and Visual Effects
- Biodiversity and Ecology
- Transport
- Lighting
- Noise and Vibration
- Air Quality
- Heritage
- Residual and Cumulative Effects

49. An independent review of the Environmental Statement has been carried out by Arup on behalf of the Local Planning Authority to advise whether legal requirements have been met, whether it was consistent with good practice and contains sufficient information to allow an informed decision to be
made. Their initial review identified no major deficiencies in the Environmental Statement but identified four points as “amber” where the assessment was not considered best practice. As a result, the applicant submitted supplementary information to address these issues as well as providing clarifications to comments raised as part of the wide planning application consultation process. The supplementary information provided was considered to address all the outstanding issues. The information was advertised in accordance with the relevant requirements and the deadline for representations is 13 January 2017. A summary of the relevant consultation responses will be provided to the Committee if not already covered within this report and all responses must be taken into account.

Consultations

50. Environmental Services (Pollution - Light & Noise / Contaminated Land / Air Quality) – No objection subject to conditions.

51. Head of Leisure & Cultural Services – Support - The proposed new Sports Hub meets the need identified in local, county and national strategies. The application supports the ongoing needs of all 4 clubs (namely Walton Casuals FC, Walton Casuals Juniors, Walton and Hersham FC and Walton Athletics Club) but also the wider community needs including schools, and the local community who will have access to the facilities including play area and landscaping.

52. Planning (Landscape) – No objection subject to conditions.

53. Planning (Tree Officer) – No objection subject to conditions.

54. Surrey County Council Highways Authority – The proposed development has been considered by the Highway Authority who has assessed the application on safety, capacity and policy grounds subject to conditions and an appropriate agreement, £4600 towards auditing fees for the Travel Plan in accordance with Surrey County Council’s Travel Plan Good Practice Guide and £10,000 towards providing a Real Time Passenger Information (RTPI).

55. Surrey County Council Minerals and Waste – No comments.

56. Surrey County Council Lead Local Flood Authority – Recommend conditions and informatives.

57. Environment Agency – No objection subject to conditions and informatives. In response to the supplementary information relating to the Environmental Statement, the EA comment that they have been informed of the requirements for additional imports of material and have to date agreed with the applicant two suitable source sites for materials supply. The verification reporting should report on volumes required and show that all source sites meet relevant import criteria for general fill, subsoils, or topsoils as specified in the original LEAP remediation documents and any additional amendments.

58. Health and Safety Executive (HSE) – No objection.

59. British Pipeline Agency – No objection. The proposed works are in close proximity to a high pressure pipeline and therefore any works in the vicinity of the pipeline must be carried out in accordance with BPA safety requirements.

60. Sport England – No objection subject to conditions. No comments on the additional information.

61. Surrey Playing Fields Association – No comments received.

62. Spelthorne Borough Council – Object – Spelthorne drew attention to the fact that in relation to application 2015/0949 they requested that the prior use noise conditions recommended by the Elmbridge Borough Environmental Health Department in their response dated 26.5.2015 are attached to any approval. Furthermore, the Noise Management Plan should include appropriate control measures for Spelthorne residents. Spelthorne Borough Council also raised concerns as to the adequacy of the noise assessment contained within the EIA and request that Elmbridge consider that further assessment is required to include properties in Spelthorne as receptor locations in order to suitably assess impacts and ensure that mitigation measures in the management plan are appropriate. Having reviewed this current application, the Council is not satisfied that the above recommendations have been incorporated to any great extent. This development has the potential to significantly affect the amenity of Spelthorne residents both in terms of light and noise pollution, neither or which is adequately dealt with within the application. The noise assessment attached as
chapter 15 of the Environmental Statement (starting page 280) is considered inadequate from a Spelthorne perspective because:

a) The potential from noise created from the construction process, Table 15.3 and 15.4 purport to demonstrate that the noise from construction will be negligible. However, at this stage there is no construction management plan submitted, as such, the report author of the Environmental Statement cannot be sure of the details of plant to be used, the respective % on-times of the plant, or the predicted façade level for Spelthorne residents.

b) No noise measurements were carried out in Spelthorne to determine the L90 at the sensitive receptors within the Borough.

c) With regards to operational plant noise at paragraph 15.62, it is acknowledged in the Environmental Statement that the potential plant associated with the use is unknown, and therefore it is stated that noise limits will be set using guidance from BS4142:2014. However, Spelthorne is not satisfied that a limit can be imposed without first knowing the extent and location of the plant to be installed. In addition, at paragraph 15.133 it is suggested that a limit be set of 5dB below background, however, that does not take into account any tonal or intermittent noise, and the associated penalties that may be applied by this standard, as such, it could be that a level up to -15dB below background should be applied. Moreover, no regard is given to the dynamics of sound transmission over water. Finally, a limit of -5dB below background would not necessarily protect against background noise level creep.

d) With regards to noise from crowds, various sound power levels are given, however, the sound pressure level expressed as a LAeq(t) at the nearest sensitive residential receptors within Spelthorne is not given. Moreover, the report acknowledges that there are limitations as the noise report cannot take into account cumulative noise arising from the numerous combinations from various activities.

e) With regard to potential noise from the PA system, again, the dynamics of sound transmission over water is not considered, and the L90 for Spelthorne affected residents is not known.

f) It was considered with the previous application that the conditions in relation to the Control of Pollution and Noise recommended by Elmbridge Environmental Health during construction should continue to be included as conditions rather than an informative. However, it is reasonable to have expected that time has now allowed a construction management plan to be submitted with this latest application to adequately consider the potential impacts to Spelthorne residents, and no such plan has been included. For the reasons stated above, Spelthorne object to the development, and requires that the issues above be addressed with a new noise management plan. It is also considered that unless the following comments are satisfactorily addressed when assessing this proposal, particularly as Spelthorne residents are located closest to the proposed development and the site is visible from the Lower Sunbury Conservation Area, this Council raises further objections.

1) That the lighting and hours of use conditions recommended by the Elmbridge Borough Environmental Health Department in their response dated 26.5.2015 are attached to any approval.

2) That consideration is given to provide times when the floodlights are not used to provide possible periods of respite to adjoining residents.

3) A suitable landscaping condition requiring planting and screening along the towpath and norther boundary including largely evergreen trees and a maintenance schedule to ensure that the bund and any landscaping is maintained to the satisfaction of the Local Planning Authority is attached to any approval.

4) That the fencing used on the northern end of the practice pitches be made of noise absorbent materials and that the level of landscaping along the boundary behind the northern end of the practice pitches reflects the existence of a 3m fence with the potential for an increased height behind the goals in the event that the 3m high fence was not found to be suitable for sports events.


64. Surrey Bat Group – No comments received.

65. Surrey Wildlife Trust – No objection. Comments on 2015/0949 are applicable. We would add the following:

Biodiversity Value. Core Policy CS15 – We would further advise that if the Local Authority is considering an offsite biodiversity enhancement to address its biodiversity requirement under the NPPF and NERC Act 2006 that there is Defra draft guidance on the use of offsetting metrics to calculate biodiversity loss and the quantity of particular habitat creation required to achieve
biodiversity gain. We would advise that the Local Authority should be satisfied as part of the planning process, advisedly prior to determination, and their biodiversity duty, that biodiversity value will not be lost as a result of this development.

Floodlighting – We previously stressed the importance of ensuring that additional artificial lighting did not disrupt the likely bat activity and flight lines occurring along the adjacent River Thames. We note from paragraph 12.95 of Chapter 12 “Biodiversity and Nature Conservation” of the Environmental Statement that the applicant states that “The lighting scheme (as discussed in Chapter 12) calculates that light levels along the river’s edge – the River Thames SNCI – will not exceed 1 lux.”

We would advise the Local Authority to ensure that these light levels are not exceeded on the SNCI and around the new development and that the proposed restriction of floodlighting times is strictly enforced.

Planting Plan – We would advise against the use of “exotic” species of tree and shrub within the planting plan, as it is likely to benefit local biodiversity if native species are used when planting new trees and shrubs, preferably of local provenance from seed collected, raised and grown only in the UK, suitable for site conditions and complimentary to surrounding natural habitat. The priority should be to source planting stock from the seed zone of the planting site, but with the inclusion of a proportion from other nearby seed zones, particularly from the south east. This will introduce some genetic variation which may allow woodland to adapt more easily to future climate change. Boundary planting is particularly important as native species hedgerows and tree lines can facilitate the movement of animals through a developed area.

We would advise the use of a Construction and Environmental Management Plan (CEMP) to help ensure that adjacent habitats, particularly the River Thames SNCI is not adversely affected by development works and a Landscape and Ecological Management Plan (LEMP) to help ensure that the remaining biodiversity value of the site is enhanced and maintained by an appropriate conservation management regime. The Local Authority should have the opportunity to approve both plans.

Response to additional information - We note that in the document by Mr M McFarland, Director of Turley Associates Ltd dated 19th December 2016, that in section 4.7 ‘Direct Primary effects on fauna and flora and habitats re. Lighting impact on Bats’ that a level of light not exceeding 1 lux can not be achieved around the boundaries of the site particularly along the riverside.

They have assessed the effect on Myotis and Plecotus bat species as now likely to be “minor adverse” on these species should the development proceed as presently detailed.

We would advise that consequently there is a risk of legally protected bat species being adversely affected by the proposed external lighting of this development. The River Thames is a biodiverse sensitive habitat and the Local Authority is advised to ensure that developments do not adversely affect the biodiversity value of this important habitat or the species it supports such as legally protected bat species for which it is an important foraging and commuting area.

The National Planning Policy Framework (NPPF) (paragraph 109), requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

The Natural Environment and Rural Communities (NERC) Act (2006)(Section 40) states, “Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”. Section 40(3) also states that, “conserving biodiversity includes, in relation to a living organism, or type of habitat, restoring or enhancing a population or habitat”.

We would therefore advise the Local Authority to require the applicant to re-examine their external lighting proposals to ensure they do not pose an adverse effect to bat species.

66. Historic England - The current application proposes a number of amendments to an earlier scheme on which we were not consulted. Nor were we consulted on the Environmental Statement for this proposal. The application site is across the river south of the Lower Sunbury Conservation Area and there is the potential for it to affect the character or appearance of the Conservation Area. While we acknowledge that the current scheme differs in some regards to the consented proposals, we think
that the impacts to the character of the Conservation Area are broadly similar. We do not wish to provide detailed comments on this occasion, but remind you that your Authority must pay special attention to desirability of preserving or enhancing the character or appearance of the Conservation Area (s.72 1990 Act). We would particularly recommend that you assess the impact of flood lighting on the Lower Sunbury Conservation Area. We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Positive and Proactive Engagement

67. In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of 186-187 of the NPPF by making available pre-application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.

68. Pre-application advice was provided to discuss the changes to the scheme and the relevant changes required to supporting documents. It was also advised to address the planning conditions that were imposed on the previous permission (2015/0949).

Planning Considerations

69. The main planning considerations in the determination of this application are:

- Whether the proposed development would represent inappropriate development in the Green Belt
- Very special circumstances
- Impact on the character of the area
- Heritage
- Impact on residential amenity
- Lighting
- Noise
- Impact on Highways
- Contamination
- Ecology
- Flood risk/Drainage
- Pipeline
- Financial considerations/Planning Benefits
- Public Sector Equality Duty
- Other Matters

Whether the proposed development would represent inappropriate development in the Green Belt

70. The site lies within the Green Belt. Local policy is contained in Policy DM17 of the Development Management Plan which states:

(a) “The Green Belt boundary is defined on the Policies Map. In order to uphold the fundamental aims of the Green Belt to prevent urban sprawl and to keep land within its designation permanently open, inappropriate development will not be approved unless the applicant can demonstrate very special circumstances that will clearly outweigh the harm.”

71. Criterion (b) considers appropriate facilities for outdoor sport, recreation and cemeteries:

(b) “Built development for outdoor sport, recreation and cemeteries will need to demonstrate that the building’s function is ancillary and appropriate to the use and that it would not be practical to re-use or adapt any existing buildings on the site. Proposals should be sited and designed to minimise the impact on the openness of the Green Belt and should include a high quality landscape scheme.”

72. The proposal is for outdoor sport and recreation. Built development would include the pavilion, spectator seating, floodlights, electricity sub station, car parking, and fencing.

73. The pavilion has a variety of facilities and the spectator seating would be part of the structure. The pavilion would have 4 changing rooms for football, 2 changing rooms for athletics and 2 changing
rooms for officials. The number of changing rooms is considered to be appropriate for the number of activities that could take place at any one time. Other facilities include storage for sporting equipment and facilities for a groundsman and grounds maintenance equipment, fitness studio, toilets, medical room, office/reception area, plant room, kitchen, meeting room, clubroom, bar and spectator seating for both athletics and football. These facilities are considered clearly appropriate and ancillary to the use proposed namely the playing of outdoor sport.

74. Other structures such as the floodlights, freestanding spectator stand and fencing are considered appropriate for the facilities to function and the applicant states that the use could not function adequately without them. The car parking is also considered appropriate and ancillary. The electricity sub station is considered to be necessary infrastructure to support the development.

75. In conclusion, the built development including the pavilion, spectator seating, floodlights, car parking and fencing are considered to be ancillary and appropriate to the use of the site for football and athletics.

76. Para. 2.76 of the supporting text to Policy DM17 states that other types of development which may potentially not be inappropriate development in the Green Belt will be considered against the NPPF. Changes to levels including the mounded landforms and levelling the site for the playing pitches together with the remediation of the site and gas vents would be engineering operations rather than built development. The NPPF states that engineering operations are “not inappropriate development in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt”. The changes to levels for the playing pitches and athletics track and the landforms, remediation and gas vents are considered to preserve the openness of the Green Belt and does not conflict with the purposes of including land within it.

77. Part of the site was previously occupied by Walton Casuals Football Club. The buildings were demolished under the implementation of the previous scheme under 2015/0949. The buildings which provided changing, social and storage facilities for Walton Casuals FC were portacabin style structures of poor quality and were no longer considered to be fit for purpose. One of the spectator stands from the previous ground is proposed to be re-used. Other than this, it would not be practical to re-use or adapt the buildings or structures which were used by Walton Casuals FC.

78. Criterion (b) also requires proposals to be sited and designed to minimise the impact on the openness of the Green Belt. The previous Walton Casuals buildings were all close to the northern boundary, approximately 33-50m from the River Thames. The pavilion has been sited towards the middle of the site to minimise its impact on the openness of the Green Belt. While concerns have been raised that it should be moved further from the river, the pavilion is sited between the athletics and main football pitch to incorporate spectator seating for both sports within the main building rather than require separate structures.

79. While the building is larger and taller than the previous Walton Casuals buildings, by providing facilities for all the sports clubs within a single building, economies of scale have been achieved and the clubs will be able to share areas of the building as opposed to each club needing its own, independent facilities. It is stated that the building is limited in size to what is reasonably required to serve the proposed recreational uses. The footprint of the building is limited to 800sqm across a site area of approx. 14.2 hectares. The footprint of the secondary stand is 42sqm and re-uses an existing building from the site. The main spectator seating is accommodated within the pavilion therefore also minimising the impact of the design on the openness of the Green Belt and does not conflict with the purposes of including land within it.

80. The appeal decision for the archery centre on land adjacent to the site concluded that “I have no doubt that the erection of a large building in the GB on an almost flat grass field would harm its openness.” The plans indicated that the archery centre would be 60m by 60m with a domed roof up to 8.6m high. Part of the consideration of openness is the purpose of the building. The archery centre was for indoor sport and a larger building, whereas the proposed built development is ancillary to outdoor sport and a smaller building in terms of footprint and volume.

81. The height of the fencing varies across the pitches from 3m to 4.5m. Mesh fencing is proposed where possible to minimise the impact, but on the main football pitch, 1.83m of the fencing would be solid to prevent the public watching games without paying which is understood to be a ground grading requirement. However, the height of the fencing is considered appropriate for the proposed use and designed and sited to minimise its impact on openness.
There would be no floodlights on the training pitches. The proposed floodlights would consist of 6 x 20m floodlights for the athletics, 4 x 20m for the main football pitch and 8 x 15m for the second football pitch. Car park lighting would be from 6m columns. It is considered floodlights and car park lighting have been designed and sited to minimise its impact on openness.

The car park will adjoin the car park of the Xcel leisure centre and the existing 3G football pitch which would minimise its impact on openness.

A landscaped area including the formation of mounded landforms is proposed on the north east and north west boundaries of the site together with planting of deciduous and evergreen tree species to create an attractive setting for the proposal and provide improved quality of public open space. The proposed landscaping would provide a degree of screening to the built development and minimise the impact of the proposal on the openness of the Green Belt. The landscaping is considered to be high quality as required by Policy DM17 and details can be secured through a condition.

Therefore it is considered that the proposal would comply with Policy DM17.

The NPPF is a material consideration in relation to the Green Belt. Section 9 of the NPPF is concerned with protecting Green Belt land and states that the fundamental aim “is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence”. The five purposes of including land in the Green Belt are set out in para. 80:

To check the unrestricted sprawl of large built-up areas;
To prevent neighbouring towns merging into one another;
To assist in safeguarding the countryside from encroachment;
To preserve the setting and special character of historic towns; and
To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Under the appeal decision relating to the indoor archery centre on Land north of Rivernook Farm, the Inspector considered that the proposed site was “within the gap between East/West Molesey to the East and Walton to the south west. The erection of a substantial building in this gap would conflict with the Green Belt purpose of preventing neighbouring towns merging into one another.” The Inspector also stated “I have no doubt that the erection of a large building in the Green Belt on an almost flat grass field would harm its openness”.

The Council has since carried out a Green Belt Review which was published in October 2016 which assessed the degree to which defined parcels of land in the Green Belt were meeting the purposes of this designation as set out above. The site falls within a larger parcel of land which was considered to be strongly performing with regard to its role in preventing the outward sprawl of large built up areas. However, it was only considered to be performing moderately for preventing neighbouring towns from merging and was considered to be relatively weak in terms of safeguarding the countryside from encroachment.

The siting and nature of the proposal is not considered to lead to pressure for urban sprawl. The use is not intensely urban in character and is a unique development to meet a specific recreational need and as such there would be no pressure for further similar development leading to sprawl.

With regard to preventing towns from merging, the Green Belt Review concludes that there may be scope for development in the parcel without settlements coalescing, although the scale of the gap is important to restricting the merging of Walton on Thames and Molesey; Walton on Thames and Sunbury on Thames; and Molesey and Upper Halliford. The nearest part of East/West Molesey is over 1.5km from the proposed pavilion and the urban areas are divided by the reservoirs and nature reserve. Therefore the scale of the gap is still significant. Although the Inspector in the indoor archery centre appeal considered that the erection of a substantial building in the gap would conflict with the purpose of preventing neighbouring towns from merging into one another, the current proposal can be distinguished because the building proposed is a pavilion with a different footprint and volume where the structure is expressed in a different way with open spectator seating. While the appeal decision is a material consideration, it is not considered that the proposal would conflict with the purpose of preventing the merging of East/West Molesey to the East and Walton to the south west.

There would be some limited encroachment to countryside, however, the Green Belt Review identifies that the parcel scores relatively weakly against this purpose. 17% of the land parcel is covered by built form and the land parcel is semi-urban in character with a number of distinct land uses. It highlights that the west of the site comprises public utility works, allotments, a leisure centre complex,
football pitch, managed open space and un-managed scrubland. Policy DM17 and the NPPF accept that some form of built development can be appropriate in the Green Belt and therefore an assessment on whether the proposal preserves the openness of the Green Belt is required.

92. The Lower Sunbury Conservation Area does not fall within the definition of a historic town.

93. Overall, it is not considered that the proposal would conflict with the five purposes of including land in the Green Belt.

94. If Members were to consider that the proposal conflicts with the purposes of including land in the Green Belt, the proposal would be considered inappropriate development and very special circumstances would be required.

95. The NPPF advises at para. 81 that:

"Once Green Belts have been defined, local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land."

96. In terms of the objectives set out in para. 81 of the NPPF, the proposals will provide access around the site, provide opportunities for outdoor sport and recreation and will provide landscaping which would enhance the landscape. In addition, the remediation of the site would improve damaged land.

97. Para 87 of the NPPF states that "inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances."

98. When considering planning applications within the Green Belt, para. 88 of the NPPF reaffirms that substantial weight should be attached to any harm to the Green Belt and that "very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations."

99. Para. 89 of the NPPF makes clear that the construction of new buildings within the Green Belt should be considered as inappropriate. However, a number of exceptions to this are given including:

- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

100. Para. 90 states that other types of development are also not “inappropriate” in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. These include engineering operations such as the change in levels on site and mounded landforms, remediation and gas vents which are considered to preserve the openness and not conflict with the purposes of including land in the Green Belt.

101. The use of the site for athletics, football and the landscaped area would not conflict with the objective of providing opportunities for outdoor sport and outdoor recreation as set out in para. 89 of the NPPF. The appropriateness of the pavilion and other built development hinges on whether they are appropriate facilities for outdoor sport and recreation and preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

102. As set out in the assessment under Policy DM17, the built development is considered to be appropriate facilities for outdoor sport and recreation. The question of whether the provision of facilities for outdoor sport and outdoor recreation “preserves the openness of the Green Belt” is a matter of planning judgment.
103. When assessing the impact of a development on openness it is necessary to consider a wide range of issues, including its purpose, size, height, dispersal, bulk, mass, prominence, duration and reversibility.

104. In terms of use part of the site was previously occupied by a football ground with associated buildings, floodlights and fencing. The context of the site is also influenced by its position adjoining the Xcel leisure centre and full size floodlit synthetic turf football pitch and pavilion.

105. The physical size of the proposed pavilion compared to the previous buildings means that its size, height, bulk and mass is greater than the previous buildings. The buildings, including those removed, had a combined footprint of 785sqm, volume of 2100m$^3$ and average height of approximately 2.7m. The proposed pavilion has a gross external area, excluding seating, of 1674sqm and would be 56m in length and 29m in width with a height of 8.7m. The siting of the pavilion away from the river reduces the prominence of the main built development on the site. It would be located within the centre of the site whereas the previous buildings were near the north-western boundary visible from the road and the River Thames towpath. The purpose of the building is clearly ancillary to outdoor sport and therefore the building would be associated with the outdoor use. On balance, it is considered that the pavilion would preserve the openness of the Green Belt.

106. The proposed landscaping involves the creation of a series of landforms around the perimeter of the site to enhance the character of the informal open space and will assist in screening activity within the site from certain viewpoints. The proposal would result in the replacement of a slightly undulating landscape with a flatter landscape which would have landscaped bunds and additional planting along the north western boundary. Whilst there would be a larger area of formal enclosed sports facilities, and would limit views across the site, it is considered that the landscaping would preserve the openness of the Green Belt.

107. The proposal does include a large amount of fencing which would be a significant increase over the fencing enclosing the Walton Casuals site. However, the fencing is considered to be clearly ancillary to the outdoor sporting use and it is considered that the openness of the Green Belt would be preserved as the majority of fencing would be mesh construction.

108. The two main football pitches and the athletics track would be artificial surfaces and are considered to preserve the openness of the Green Belt.

109. In terms of other external facilities, there would be an increase in the number and height of floodlight columns compared to the previous football club. However, due to their slender nature, it is considered that the floodlights would preserve the openness of the Green Belt. It is noted that the Walton Casuals site had 8 floodlights which were closer to the north west boundary than the proposed athletics floodlights.

110. The proposed car park and associated car park and access road lighting would also preserve the openness of the Green Belt.

111. On the basis of its scale and development footprint, whilst taking account of the previous development on the site and the context of neighbouring buildings, the proposed development is considered to preserve the openness of the Green Belt.

112. If Members were to take the view that the built development as part of the proposal are not appropriate facilities for outdoor sport and outdoor recreation, that it conflicts with any of the 5 purposes of including land within the Green Belt, it does not minimise the impact on the Green Belt under Policy DM17, or it fails to preserve the openness of the Green Belt, then the proposal constitutes inappropriate development within the Green Belt.

113. If the proposals are considered inappropriate development, which is by definition harmful to the Green Belt, it is necessary to consider if there are very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Very special circumstances

114. Very special circumstances only fall for consideration in the event that it is concluded that the development proposed is inappropriate development in the Green Belt.

115. The very special circumstances put forward by the applicant are:
The need for the proposed outdoor sports facilities;
The absence of suitable alternative sites;
The need to address contamination and the environmental improvements resulting from the remediation of the site;

The need for the proposed outdoor sports facilities

116. Policy DM9 (Social and Community Facilities) of the Development Management Plan states that:

a) New development for social and community facilities will be encouraged provided that:
   a. It meets identified local need,
   b. The site is in a sustainable location that is safe and accessible to the local community
   c. It will accord with the character and amenity of the area, particularly in residential areas
   d. It achieves a high quality design that allows for flexible use and provides inclusive access for all, and
   e. The level of parking provision and the effects on traffic movement and highway safety are acceptable.

b) The Council will support mixed-use, shared, flexible and adaptable buildings and spaces that meet the needs of the community, subject to the above provisions, and will encourage collaboration between service providers, the community and key partners.

117. The proposal complies with Policy DM9 as it meets identified local need and the shared facility meets the policy requirement to encourage collaboration between service providers, the community and key partners. It also allows for flexible use and provides inclusive access for all as the facilities will be available for hire to the public. The site is only a short distance from Walton on Thames which is accessible along footpaths including the river towpath and benefits from being adjacent to the Xcel leisure centre. Given the nature of the use, it is considered to be a sustainable location. The level of parking and impact on traffic movement and highway safety are considered acceptable by Surrey Highways Authority.

118. In Policy CS14 Green Infrastructure in the Core Strategy, Waterside Drive is identified as an area for the delivery of improved and accessible open space.

119. Para. 17 of the NPPF, which deals with the core planning principles, states that “every effort should be made objectively to identify and then meet the housing, business and other development needs of an area”. Other development needs includes the community’s need for facilities for sports and recreation.

120. Para. 17 continues by advising that planning should “take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.”

121. Section 8 of the NPPF relates to the contribution that the planning system can make to promoting healthy communities, para. 70 stating that plan-making and decision-taking should “plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments”.

122. The need for the proposed sports hub addresses the following issues:

- Existing facilities are substandard
- Shortfall in provision of youth, mini and synthetic football pitches
- Shortfall in athletics provision
- Lack of amenity green space and children’s play provision
- Walton Casuasl FC needs additional pitches and training areas to accommodate a number of their junior and youth teams
- Walton & Hersham FC pitch is located in the centre of the existing athletics stadium at Stompond Lane which creates a number of conflicts.
- Walton Athletics Club needs a new club house in order to accommodate their current members, and to be able to allow more people to join.
123. The proposed sports hub is intended to be shared by 4 local clubs: Walton Casuals FC (which previously occupied part of the site); Walton Casuals Juniors; Walton & Hersham FC and Walton Athletics Club which are currently located at Stompond Lane. All 4 clubs’ existing facilities are sub-standard and do not meet modern standards.

124. Walton Casuals FC first team is in the Ryman Isthmian Football League: Ryman South. Walton Casuals Juniors run 12 mini teams (up to U10), 14 youth teams and 7 girls teams. Walton & Hersham FC are in the Cherry Red Records Combined Counties Football League Premier Division and have 2 other teams, 6 junior teams and a mini-academy. Walton Athletic Club has members from 9 years upwards and has a waiting list for junior age groups. The current track at Stompond Lane is also used by local schools.

125. The Council’s Infrastructure Delivery Plan identifies a need for junior pitches. The Elmbridge Playing Pitch Strategy (2013) indicates that there is a shortfall in the provision of youth, mini-soccer and synthetic turf pitches across both Walton on Thames and the Borough. It identifies a need for an additional 31 youth pitches and 21 mini soccer pitches in the Borough. In the Walton catchment a shortfall of 6.3 youth pitches and 4.9 mini soccer pitches is identified.

126. There are a limited number of pitches in the Borough which are classified as “excellent” and the quality of changing facilities is rated as “below average” at 11 sites in the Borough. The Assessment also highlights that due to demand for pitches, some youth teams from Claygate Royals, Oxshott Royals and Walton Casuals travel outside the Borough to play home games.

127. The action plan identifies the creation of a Sports Hub to improve playing pitch quality for both Walton Casuals and also Walton and Hersham FC but also to specifically create new junior pitches for community use. The newly created additional pitches will also free up other pitches around the Borough currently booked by Walton Casuals Juniors. The Club struggles to find pitches and are playing games at various sites across the borough using school and Local Authority pitches. The recent growth at the Club presents an issue due to a lack of pitches and a central base. The proposed development at Waterside Drive would see the clubs unite at one location and ensure the clubs can develop further by having improved facilities.

128. Walton Casuals Football Club aim to increase membership rates, increasing participation numbers in the disability section by at least 25% over the next 5 years, increasing the female participation numbers by 25% over the next 2 years and developing at least 4 new teams, including a reserves and youth team by 2021. Walton Casuals relocated to Whyteleafe for the start of the 2015/16 season prior to works starting on site in March 2016 under the previous permission.

129. The Open Space and Recreation Assessment (OSRA) 2014 includes an analysis of needs at sub-authority level, with Walton on Thames found to have a high deficiency in football facilities. It was recommended that new adult and youth football facilities should be developed at Waterside Drive Sports Ground and that there should be provision of a new 3G pitch.

130. The application supports the ongoing needs of all 4 clubs (namely Walton Casuals FC, Walton Casuals Juniors, Walton and Hersham FC and Walton Athletics Club) but also the wider community needs including schools, and the local community who will have access to the facilities including the play area and landscaping.

131. The OSRA utilises the Fields In Trust standards for assessment of athletics facilities. It is understood from the Council’s Leisure Service that Walton Athletics Club expects to increase over 50’s membership by 200%, junior membership by 100% and under 20 girls membership by 20% leading to an overall increase from 260 up to 780 members through to 2020. This is higher than the increase from 250 to 560 referred to in the Planning Statement and Environmental Statement. Walton Athletic’s existing facilities at Stompond Lane are compromised due to the six lane track which limits ability to hold or host higher level competitions and events including sports days for schools and the surrounding community. The existing track is in need of refurbishment and/or replacement. Therefore, an eight lane track is sought to improve the facilities for athletics.

132. The shared use arrangement with the football club means that the athletics facilities cannot be utilised to their optimum levels. The Athletics Club uses the football pitch for Hammer and Discus throwing, which leaves the football pitch in a poor condition and raises injury risk for footballers. The football players transmit dirt on to the athletics running lanes when they get on and off the pitch. The changing facilities at Stompond Lane are poor and there is also insufficient parking. The compromised facilities limit participation rates and limit the club’s ability to grow. It is indicated that Walton Athletics Club already has a significant waiting list for potential members.
133. The OSRA identifies that based on the potential child population in the Borough by 2026 there is a need for an additional 800sqm of formal children’s play provision in the Borough of which 200sqm is in Walton on Thames. Walton on Thames is currently below the quantitative standard of 0.76sqm of formal children’s play provision per child. The proposed play area helps to meet this need.

134. There is a recognised deficiency in the provision of open space in Walton on Thames with provision currently standing at 4 hectares per 1000 people compared with the Borough wide average of 14.1 hectares per 1000 people. There is also a recognised deficiency of amenity greenspace within Walton on Thames which is 0.26ha per 1000 people, whilst the borough average is 2.18ha per 1000 people.

135. Policy CS14 states that an improved accessible open space at Waterside Drive will be supported. However, the proposal would reduce the amount of amenity greenspace on the site from approximately 3.53ha to 2.87ha. The calculation of existing amenity greenspace has excluded the scrubland which is not easily accessible. The amenity space would bring some scrubland into use, would have more surveillance, and would be on remediated land. Therefore it is considered to represent an improved open space and complies with Policy CS14. While concerns are raised over lack of alternative dog walking and picnic areas, the proposal would provide this facility and there are a number of alternative open spaces nearby including the towpath, Thamesmead Open Space in Felix Road and Riverhouse Gardens, Sullivans Reach.

136. The Environmental Statement assesses that the proposal would result in substantial beneficial effects on sports provision and minor beneficial effect on children’s play space and local amenity space. Based on the Council’s own evidence and studies there is a clear need for additional playing pitch provision and formal play area provision.

137. While concerns have been raised that the 2013 Playing Pitch Strategy is out of date, it is the most up to date assessment and the Council’s Leisure Service consider that there is an identified need.

138. Also counting in favour of the scheme is the support of the FA, Surrey FA, UK Athletics and Sport England.

139. The FA confirms that the proposed development meets the ground grading requirement for both Walton Casuals FC and Walton & Hersham FC with scope for both teams to progress. The FA supports the proposal subject to construction and testing quality assurance requirements to ensure both stadia and community 3G pitches are fit for purpose and can be used for league matches. UK Athletics confirm their support for the proposal subject to construction, specification and design quality assurance requirements. These can be secured by planning condition.

140. Concerns have been raised that the proposal is for private sports clubs which will restrict access to the Green Belt by the public on previously undeveloped land. The FA comment that a community use agreement should be agreed with Sport England and Surrey County FA in line with the intended usage levels of the facilities. It is considered that these initiatives would not result in any adverse impacts on the proposed operation of the sports hub and would also carry some weight in favour of the proposal. A community use agreement would be secured by planning condition. It is understood that a Sports Hub User Forum, comprising all of the resident clubs would be established prior to the opening of the facility to work with the Council and Operator to develop community use of the sports facilities. It would seek to provide opportunities for the local community and sports organisations to participate in sport and physical activity and encourage links with school sports clubs.

141. The new sports hub, provides new football facilities which support the recommendations from the FA Chairman England Commission report (2014):

- Coaching and coach development, especially at grassroots level, have not yet reached a satisfactory level and impact
- England lags behind in the quantity and quality of affordable grassroots facilities, particularly in the provision of all-weather pitches

142. A number of objectors are concerned at the loss of Stompond Lane and claim that the clubs do not want to share the proposed site. Whilst redevelopment proposals have been approved for the Stompond Lane site, that project is independent of the Waterside Drive proposals. Implementation of the proposed development at Waterside Drive is not contingent on the redevelopment of Stompond Lane and the need for the additional sports pitches and facilities has been clearly demonstrated. Alternatives to the proposed development are discussed in more detail below.
143. The proposals would also address the NPPF requirements to promote healthy communities and would provide improved sports and recreational provision which would outweigh the loss of the existing football pitch and open space.

144. In addition, the enhanced sports facilities would address a number of local and national government initiatives which place a greater emphasis on sport and encouraging regular physical activity and its health benefits, particularly for young people as supported by para. 17 and 73 of the NPPF. This includes building links between schools and community sports clubs and investing in facilities. These reports include:

- Sport England - “Towards an Active Nation, 2016 – 2021”
- Public Health England – “Everybody Active Every Day”
- UK Athletics strategy 2014-2019
- Surrey Joint Health and Well Being Strategy
- Surrey Physical Activity Strategy 2015-2020
- Elmbridge Physical Activity Strategy (2015-2020)

145. In conclusion, significant weight is given to the benefit of meeting the need for new, improved sporting facilities under very special circumstances.

146. Alternatives have been considered in the Environmental Statement including alternative sites, alternative options for Waterside Drive and a do nothing scenario. Additional information was received relating to alternatives in response to the review of the Environmental Statement by Arup and to suggestions for alternative sites made by third parties.

147. The applicant states that the need for additional sports facilities to serve the community of Walton on Thames and the wider local area is best met at Waterside Drive. The proposal is intended to address deficiencies in playing pitch provision in Walton on Thames and the specific needs of the Walton sports clubs.

148. The main alternative site is Stompond Lane which is considered to be of insufficient size to deliver the scale of provision sought under the proposal for either football or athletics. Stompond Lane contains buildings and facilities used by Walton and Hersham FC and Walton Athletics Club including a pitch, running track, stands and clubhouse. The buildings are of poor quality and the running track and grandstands are in a dilapidated condition. The track is only six lanes which limits the range of events that can be staged there. The site is owned by the Council.

149. It is stated that Walton and Hersham FC submitted informal plans for the redevelopment of Stompond Lane to provide a new spectator stand, relocated pitch, a leisure/health facility, conference facilities, children’s nursery, car parking and residential development in 2009. These were independently assessed and found to be non-viable as there was no interest from the PCT for a health facility in that location, the residential development gave little value to the Council as site owner and there was no proposal for an alternative site for the Walton Athletics Club.

150. The submission indicates that if Stompond Lane was redeveloped for improved sports facilities, it would require the ground to be shared by the football and athletics club. This is likely to still include a six lane track around a football pitch due to the physical constraints of the site. This was not considered to be an optimal situation for either club and would not address the needs of Walton Casuals FC. It is argued that Stompond Lane would not secure the wider benefits of facilitating increased participation, providing additional junior pitches or additional informal amenity recreational space.

151. Outline planning permission was granted in 2014 for the redevelopment of the Stompond Lane site for housing, a residential care home, offices, doctor’s surgery and nursery. This permission has not been implemented. The applicant argues that alternative uses unrelated to the provision of athletics and football have been found to be acceptable on the site by the Local Planning Authority. However, this in itself, is not considered to discount the site as an alternative site.

152. It is agreed that Stompond Lane is not a suitable alternative site for the proposed development.
153. The applicant states when the viability of the proposal was considered, other locations were also reviewed, specifically Coronation Recreation Ground in Hersham for the athletics facility. The recreation ground currently provides facilities for bowls, 2 cricket squares, 3 senior football pitches, 1 junior football pitch, 1 mini football pitch, tennis courts and a netball court. However, the site was not considered to be of a sufficient size to accommodate the proposal and would not deliver the net increase in provision which can be achieved at Waterside Drive which is considered to be a reasonable argument.

154. The size of the proposed pitches, athletics track and car park, excluding the landscaped areas, access and scrubland, is approximately 6 hectares. Therefore alternative sites are likely to need to be at least this size.

155. A number of representations have suggested that alternative sites should have been considered. Rydens School, Brooklands, Esher, Molesey, West Molesey Industrial Estate and Churchfields have been put forward as suggested alternatives. The applicant has provided additional information in response to these suggestions.

156. Rydens School already provides rugby, football, cricket and rounders pitches and would not deliver the net increase in provision which can be achieved at Waterside Drive. The applicant argues that the deficiencies in playing pitch provision in Walton on Thames and the specific needs of the Walton sports clubs would not be met by provision in either Esher, West Molesey, Brooklands or Weybridge.

157. Molesey Industrial Estate is an existing commercial industrial estate and Churchfields is a relatively small area of open space which would not be large enough to accommodate the proposal. There is no evidence that vacant land is available for the proposed development or that either site would be a reasonable alternative that should have been considered.

158. Some objectors have said the football and athletics could be provided on separate sites. It is not considered reasonable to disaggregate the proposal.

159. In terms of alternative options on the site, the applicant argues that there would be a significant cost for alternative options other than the remediation of contamination and that no land use, community, sports use or economic benefits would accrue. It is also argued that the quantitative and qualitative need for additional sports pitch provision would not be met, nor the full needs of Walton Casuals FC, Walton and Hersham FC and Walton Athletics Club or the wider sports and recreation needs of the community.

160. There would also be operational benefits associated with the proposed location arising from its relationship to other sporting facilities.

161. None of the alternative scenarios would achieve the combined benefits of addressing the known site contamination issues and providing new and improved sports facilities for existing local sports clubs.

162. The number of alternative sites set out in the Environmental Statement is limited however the sites identified by third parties have been addressed by the applicant. The applicant states that need is best met at Waterside Drive. Waterside Drive was understandably the applicant’s preferred site due to the requirement to remediate the land, the presence of the Walton Casuals site, the location in Walton on Thames and the fact that it is owned by the Council. The lack of alternatives arise, at least in part, from the applicant’s preferences, rather than from absolute constraints. However, there are no other alternatives which are known to exist which would be outside the Green Belt or be a preferable site. Therefore it is considered that moderate weight can be given to the lack of alternatives under very special circumstances.

The need to address contamination and the environmental improvements resulting from the remediation of the site

163. The site is known to be contaminated due to the historic land fill activities on site. It was a former open cast quarry that was excavated for Kempton Park Gravel and filled with landfill waste material between approximately 1957 and 1973. The site closed before the introduction of licensing in 1974 and does not benefit from a liner, gas or leachate collection systems or an engineered cap. A desktop study and full site investigation have been undertaken to inform appropriate mitigation and remediation measures.

164. Policy DM5 – Pollution states that:
“Development affecting contaminated land will be permitted provided that the site is remediated to ensure it is suitable for the proposed use, taking into account the sensitivity of future occupants/users to pollutants, and that remedial decontamination measures are sufficient to prevent harm to living conditions, biodiversity or the buildings themselves. All works, including investigation of the nature of any contamination, should be undertaken without escape of contaminants that could cause risk to health or the environment.”

165. The site is partially fenced and public access was available to the dog walking area with access not readily available to the scrubland in the south of the site. Trial holes within the football pitch and dog walking area encountered a covering of topsoil over landfill materials. Trial holes within the scrub area did not encounter any capping layer above the made ground, with abundant refuse items at surface. Site investigation reports indicate that the landfill is potentially having an effect on the quality of surface water filtering into the River Thames.

166. The proposal affords an opportunity to stabilise and contain the contamination and bring the land back into beneficial use. The remediation includes the provision of a Permeable Reactive Barrier (PRB) along the site boundary with the River Thames to resolve issues of contaminated groundwater leaching. A Virtual Curtain is also proposed to control gas migration.

167. Para. 81 of the NPPF is of particular relevance to the Waterside Drive proposal which seeks to fulfil the NPPF policy objective by improving damaged land in a manner which will provide for outdoor sport and recreation and maintain and improve access for informal recreation (dog-walking, children's play).

168. Fulfilment of the policy objective to provide opportunities for sport and recreation will require engineering operations to remediate the land, to stabilise and re-profile it, to install appropriate drainage and to restore it to a condition which is suitable for the proposed recreational uses. The land was already partly in use for formal recreational purposes (Walton Casuals football ground) and for casual recreational uses (dog walking, informal open space).

169. The benefits of addressing contamination on the site and environmental improvements from the remediation are considered to carry significant weight under very special circumstances.

**The specific compliance of the proposal with Policy DM17 of the Elmbridge Development Management Plan**

170. As set out earlier, the proposal is considered to comply with Policy DM17 and in particular criterion (b) which supports built development for outdoor sport and recreation as the function is considered to be ancillary and appropriate to the use and that it would not be practical to re-use or adapt any existing buildings on the site. It is also concluded that the proposal is sited and designed to minimise the impact on the openness of the Green Belt and includes a high quality landscape scheme. Compliance with the Development Plan policy is not considered to represent very special circumstances and carries little weight in this regard.

171. In conclusion, it is considered that in the event that the Council conclude that there is harm to the Green Belt by reason of a failure to preserve openness and/or conflict with the purposes of the Green Belt there are very special circumstances. Para.88 of the NPPF states that “very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.” The assessment of other material considerations which may include “other harm” is set out below. The conclusion reached by officers is that the potential harm to the Green Belt and the other harm is clearly outweighed by other considerations.

**Impact on the character of the area**

172. The application site is adjacent to the River Thames and lies within the Thames Policy Area and Green Belt. It is within the Thames Valley National Landscape Character area and falls within the character reaches of the Thames Landscape Strategy (Weybridge-Hampton-Kew). The Thames Valley is identified as low lying, rising to low, river terraced hills where the Thames provides a unifying feature through a very diverse landscape. It is an area of high population and of relatively urban character, there has already been much development and pressure will continue. There is scope to create new landscapes and the closure and restoration of landfill sites and mineral workings provide additional opportunities.
173. The area is colonised with scrubland to the south, south-east and east which mainly comprises Hawthorn with some Ash, Elder, Cherry, Goat Willow, Willow, Buddleia and Bramble. Prior to commencement of development on site there was an area of open grassland and a mown grass area in the centre.

174. Policy CS14 requires the Council to protect, enhance and manage a diverse network of accessible multi-functional green infrastructure and the application could satisfy this in terms of biodiversity, landscaping, facilities and access provision.

175. Policy CS12 of the Core Strategy and Policy DM13 of the Development Management Plan require that the proposal maintains and enhances the landscape and waterscape of the River Thames.

176. Policy DM2 requires all development to achieve high quality design based on an understanding of local character including any specific local designations such as the Green Belt, Thames Policy Area, open space and heritage assets. Proposals should preserve or enhance the character of the area, with particular regard to appearance, scale, mass, height, levels and topography.

177. Policy DM6 states that development proposals should include an integral scheme of landscape, tree retention, protection and/or planting. Development should reflect, conserve or enhance the existing landscape and integrates the development into its surroundings, adding scale, visual interest and amenity. Under criteria f), development should not result in the loss or deterioration of irreplaceable habitats including ancient woodland and ancient or veteran trees, unless in exceptional circumstances the benefits would outweigh the loss.

178. Policy DM9 encourages new development for social and community facilities. DM9 proviso (a)(iii) requires new development for social and community facilities to accord with the character and amenity of the area, particularly in residential areas and it is considered that the application recognises and reflects this.

179. Policy DM13 sets out a number of criteria that development will be acceptable provided they:
   a) Sympathetically reflect their riverside location and respect the riverside outlook and orientation, protecting and enhancing the individuality and character of the river and its landscape in accordance with the Thames Landscape Strategy, including views and vistas. This is particularly relevant to development proposals that are within or conspicuous from the Thames Policy Area or fall within or adjacent to conservation areas. In all riverside locations, it will be appropriate for a strip of land to be retained free of development to maintain the open character of the riverside as well as providing important maintenance space and public access, where present, in the interests of biodiversity and alleviating flood risk;
   c) Protect, conserve and actively enhance the landscape and biodiversity of the river and do no adversely affect water or ecological quality in the area in accordance with the Water Framework Directive.
   e) Support opportunities to improve provision for public access to the riverside and/or protects and improves existing access points and links to the riverside.

180. The development has been designed to respect the character of the river and its landscape. The proposal maintains the open character of the river with a landscaped area to separate the pitches from the site boundary with landforms proposed to mitigate views from the river, towpath and across the river. No change to the towpath or the embankment between the road is proposed and the existing chainlink fence is retained with access points to the river maintained and improved by retaining an access which previously served the Walton Casuals site. Biodiversity is dealt with below under ecology, but the proposal is considered to enhance the landscape and biodiversity of the river and the Environment Agency have not objected regarding the Water Framework Directive.

181. The strip of land closest to the river is outside the site and is therefore maintained. The area free from built development is increased where the previous Walton Casuals site was located. Safeguarding conditions are proposed to control details of the proposed landscaping, to avoid harm to the water or biodiversity of the river and to mitigate potential harm to the enjoyment of the area due to lighting and noise. It is considered that the proposal would comply with Policy DM13 and the other policies set out above.

182. There has been a comprehensive Landscape and Visual Assessment study and the findings are not disputed by the Council’s Landscape and Heritage Manager. The application site is located within the LCA2A – River Thames Flood Plain: South character area, which has been identified as having a minor value. The assessment concludes that the character area could accommodate change and that
the visibility of the site is largely restricted to the immediate surroundings, due to the nature of the topography, mature boundary vegetation and surrounding built form. The landscape proposals along the northeast and northwest are considered to enhance the character of the area as required by the relevant policies.

183. Para 11.109 of the Environmental Statement notes that prediction on the impact of the development looks at the "worst case" position in terms of receptors and refers to the visualisations (AVRs) produced. These indicate what the development from 2 locations would look like in day and night time currently and in 15 years time. The visualisations show existing and proposed views from a point on the towpath and from Lower Sunbury near St Mary's Church. There has been representations that the visualisations are misleading and only show the summer view when the trees are in leaf. It would have been helpful to show these as an immediate, short and longer term timeframe in both the summer and winter to provide reassurance as this has already been considered in the appraisal and assessment. Officers have viewed the proposal from these viewpoints and other public viewpoints on both sides of the river over winter as part of the assessment of the proposal.

184. During the construction phase, the construction plant, clearance and site hoarding is assessed to create a moderate to minor adverse effect on the landscape, indirect minor adverse effect on the LCA1 – River Thames Corridor and TCA5A – Sunbury: 20th Century, and no effect on the remaining landscape receptors. The cranes would create a temporary, direct, adverse effect that would range between substantial to minor.

185. Following completion in the first year of operation, the effects on landscape character areas are considered to be minor adverse on the LCA1 – River Thames Corridor, LCA2A – River Thames Flood Plain: South and TCA5A – Sunbury: 20th Century. This is due to the identified indirect changes to landscape character relating to the awareness of the floodlighting.

The Landscape and Visual Impact Assessment carried out as part of the Environmental Statement concluded that the development, after 15 years, would have a minor adverse effect on the LCA2A – River Thames Flood Plain: South, minor adverse to no effect on LCA1 – River Thames Corridor character areas and no significance of effect on the remaining landscape receptors.

186. With regard to the Thames Landscape Strategy, views from the river would benefit from the enhanced landscape. The bunds would obscure views of the pitches and pavilion and would introduce additional tree planting.

187. The floodlight columns would be visible from some views along the river through existing gaps in the trees and bushes between the towpath and the access road. However, it is noted that the Walton Casuals site previously had floodlights, which included some closer to the river, although at a lower level.

188. The site would be seen from Waterside Drive to the north and west, limited views along the tow path and properties on the northern side of river. A landscaped buffer around the site including bunds is proposed which would enhance biodiversity and reduce views into the site, including from the river.

189. The Council’s Heritage, Landscape and Tree Manager has commented that with regard to the hard and soft landscape design, the boundary treatments are acceptable, with less visually intrusive 3m mesh fencing to the northern aspects, profiles to the earth bunds designed to aid vegetation establishment and maintenance using materials recovered from the site. The proposal also includes acoustic fencing using woven willow along the sensitive boundary to the River Thames.

190. Tree species in this area include a number of evergreens with Austrian Pine and Holm Oak plus Hornbeam, Liquid Amber and Hawthorn which are all considered appropriate for this area. Most of the 26 new trees will be planted as Selected Standards at 3-3.5m tall and although these are relatively small, planting trees at this size will enable quicker and more success establishment. 47 Field Maples are being planted as feathered trees 1.25-1.5m tall as part of the new woodland edge and clump planting located to the south and east of the site. These are within the mix of Hazel, Hawthorn, Dog Rose, Elder and Guelder Rose species which will contribute to amenity, visual interest and biodiversity. The Tree Officer considers that the species selection would contribute to a year round softening of the landscape and natural screening. The suggestion by objectors to plant a screen with fast growing conifers is noted. However, these are not species or a planting design which is appropriate for the character of the area. The potential for additional tree planting is limited due to the requirement for tree pits to avoid conflict with the remediation measures.
191. The Heritage, Landscape and Tree Manager advises that there is a reasonable balance of hard and soft surfacing with grass being proposed for the training Pitches and Athletics Stadium to the northern half of the site and artificial 3G surfaces for the Football Stadium and Football pitches and block paving and bitmac for access and car parking surfaces. The suggestion was made that tree planting could be provided along the western boundary to add interest along the new access road and integrate the site with the existing Xcel Leisure Centre. Also it would have been beneficial to integrate the site with its surroundings and increase permeability, particularly for cyclists and pedestrians in the wider area including the Thames Path and Sustrans cycle route. While this could be sought through the proposed reserve landscape conditions its omission from the proposed scheme is not considered to be grounds for refusal. A reserve landscape condition would also clarify the proposed grass and wildflower mix specification.

192. The play area is separated from the dog walking route, however there is quite minimal provision of play equipment. The indicative location is to the south of the second 3G pitch which is away from the Xcel Centre, the proposed car park and pavilion and therefore natural surveillance would be limited. The solid fencing of the main football pitch could also obscure views of the play area although the indicative area is next to the mesh fencing of the second 3G pitch. Additional equipment and the final position of the play area could be agreed through the proposed landscaping condition, however, the location and level of provision indicated is not considered to represent grounds for refusal.

193. The landscape proposals are considered to represent an enhancement of the area, the majority of the site will remain as soft landscaping with a large arc of existing vegetation being retained which will continue to develop as scrub woodland and this edges the grassed dog walking area. A strategic landscape approach is proposed which would be secured by landscaping condition.

194. A number of existing trees are being retained along the embankment on Waterside Drive and these together with the additional planting proposed will mitigate views of the new sporting facilities in this important area along the River Thames, cycleway and towpath.

195. The proposal includes raising of levels across the site, partly as the site has significant variations in levels, due to the need to cap the site as a result of its former use as a landfill site and to provide the base for the sports pitches.

196. The existing site levels are in the range of 11.2m – 12.8m AOD. The proposed site levels are shown to be approximately 12.15m - 12.3m AOD across a large part of the site. The scheme involves excavation, screening and backfilling to an engineered compaction specification, and anticipates finished levels close to existing site levels. The applicant has confirmed that additional clean top soil has been imported during the implementation of the extant planning permission. Conditions relating to Construction Management Plan and remediation including imported materials are proposed to be secured by condition.

197. The different types of enclosure proposed are considered appropriate for the development. Conditions are proposed to control the finished levels in line with the approved plans, landscape scheme, fencing and ongoing management.

198. It is considered that the landscape proposals provide a balanced solution to help provide new quality sporting facilities on a site which is in an important riverside and Green Belt location and it is not considered to suburbanise the site.

199. The proposed design promotes a high quality sustainable design and the proposed pavilion would have safe permeable access routes to minimise the opportunity for crime.

200. In conclusion, it is considered that the proposal protects and enhances the local landscape character and the local environment and complies with Policies CS3, CS12 and CS14 of the Core Strategy and Policies DM2, DM6, DM9 and DM13 of the Development Management Plan. The proposed development has been designed to take account of topography to ensure that when viewed from public views from the north, the proposed bunds would limit views of the pavilion. The proposed materials and landscaped setting would all ensure that the visual impact would be minimised. Located within the general context of the existing leisure centre and other structures in the vicinity the proposed development would not adversely impact upon the character of the area. Additionally, as demonstrated through the Landscape and Visual Impact Assessment it would have a negligible visual impact after mitigation and views of the building from public vantage points would also be very limited.

Heritage
201. Policy DM12 states that development should protect, conserve and enhance the Borough’s historic environment including Listed Buildings, Conservation Areas and their settings.

202. Concerns about the visual impact of the site from across the river including views from Lower Sunbury Conservation Area and St Mary’s Church which is Grade II* listed. A petition was received on the previous application relating to this issue. The Lower Sunbury Conservation Area is on the other side of the river to the north west and is approximately 200m from the site at the closest point. The formal boundary of the Conservation Area is shown as the middle of the river which is approximately 175m. The Conservation Area starts to the north of properties in Parke Road. St Mary’s Church is over 300m from the nearest part of the site, with the island by Sunbury Lock in between.

203. With regard to Conservation aspects the applicant has identified all the relevant designated and non-designated heritage assets and satisfactorily considered these within their Heritage Statement and the Landscape and Visual analysis. This includes a Locally Listed Old Sunbury Lock House building within Elmbridge BC and the Lower Sunbury Conservation Area and its Listed Buildings as identified in the Heritage Statement and the Grade II* St Mary’s Church within Spelthorne BC. The impact of floodlighting on the Lower Sunbury Conservation Area has been considered and assessed by the applicant and this is discussed elsewhere in the report.

204. On the basis of the analysis in the Environmental Statement, which is accepted by officers, the impact on the setting of heritage assets will be neutral. Therefore no harm will be caused to the significance of heritage assets, and as a result there is no conflict with Policy DM12, and the relevant policies in the NPPF are satisfied. Further, as the proposals will preserve the setting of the listed buildings the statutorily desirable objective found in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is achieved.

205. A significant number of objections have been received from surrounding properties and interested parties concerned that the proposal will result in a loss of amenity, with particular reference to noise and lighting which are dealt with individually below. Concerns are also raised that the proposal would impact on the health of local residents and their quality of life.

206. Given the location of the site there are relatively few immediate residential neighbours, Rose Cottage and The Weir Hotel to the north west along the river and Hawks End Farm to the south. There are a number of other properties on the other side of the river and properties beyond Waterside Drive to the south-west. Permission has been granted for residential development at Rivernook Farm to the east.

207. The previous use of the site by Walton Casuals FC is in the west corner of the site near the river which has an existing impact in terms of floodlighting, noise and traffic movements. The proposal would have a greater impact on residents and visitors to The Weir Hotel and riverside path compared to the existing use due to the intensification of use of the site, the increase in number of pitches and additional floodlighting. The Landscape Visual Impact Assessment identifies a number of moderate and minor adverse effects during the first year of operation to surrounding properties and public viewpoints. It concludes that no views are likely to be possible from Lower Sunbury properties but at night, views would be seen to a greater extent when the sports pitches, car park and access road are lit. After 15 years the landscaping would have matured but it is still considered that there would be a moderate to minor or minor adverse effect on a number of local residents. The Assessment concludes that only substantial or moderate effects are judged to be significant and therefore the only one significant visual amenity effect during operation is considered to relate to The Weir Hotel.

208. Concerns have also been raised that the site would operate all week compared to just one match a week or fortnight by Walton Casuals. It is recognised that there would be an intensification of use of the site.

209. While concerns are raised regarding the loss of open space for dog walking, a landscaped area for dog walking is proposed around the site.

210. The closest properties on the other side of the river are in Wheatley’s Eyot and Parke Road. It is accepted that there will be some views towards the site through existing trees across the river and weir but landscaping is proposed to mitigate some of the impact. This relates to the visual impact of the floodlights, the pavilion and pitches and noise impact through the provision of bunds, planting and acoustic fencing.

Impact on residential amenity

Lighting
211. Policy DM5 refers to noise and light pollution and states that:

“All development that may result in noise or odour emissions or light pollution will be expected to incorporate appropriate attenuation measures to mitigate the effect on existing and future residents. New development located near to existing noise, odour or light generating uses will be expected to demonstrate that the proposal is compatible and will not result in unacceptable living standards, for example through the mitigation measures, the design of the building and its orientation and layout.”

212. With specific reference to floodlighting, Policy DM5 also states:

“Floodlighting of sports grounds and historic/architectural features will be permitted provided there is no unacceptable harm to biodiversity, intrinsically dark landscapes, such as the Green Belt, or the local character and amenity of the area, taking into account the benefits to and/or impact on:

i. The use and viability of the facility
ii. Nature conservation and wildlife
iii. Residential amenities and the wider community, and
iv. Highway safety.

213. The previous Walton Casuals FC ground included floodlights. The submission states that there were eight steel lighting columns, four on each side of the pitch with floodlights mounted between 12-15m above ground level. Lighting also exists at the Xcel Leisure Centre and 3G pitch. Therefore the local area already includes a degree of sports lighting. The lighting assessment has used the Institution of Lighting Professionals (ILP) guidance for the reduction of obtrusive light to assess the impacts of artificial lighting. Using this guidance the area was considered to fall under Category E2 – Rural low district brightness, against a range of E0 - protected dark environment to E4 – Urban high district brightness. The lighting report indicates that given the presence of the Xcel centre, its car park, the existing floodlit 3G pitch, the floodlighting previously associated with Walton Casuals FC and street lighting it would have been possible to categorise the site as an E3 (suburban) environmental zone but it was considered that E2 represented a more robust approach.

214. The sports pitches would be flood lit to accord with the Football Association and UK Athletics requirements and to allow the site to be utilised to its full potential all year round. As stated above, it should be noted that the site was previously partially flood lit. A total of 18 floodlights are proposed. The main football pitch would have 4 columns at 20m high with an average lux level of 258lux initial (206lux maintained). The second 3G pitch would have 8 columns at 15m high with an average lux of 321lux initial (256lux maintained). This arrangement has been designed to allow the lights to be used in thirds which means potentially only 30% of the lights could be required at a given time. Both meet the target of 200lux in accordance with the requirements for a Class II level for football as detailed in the relevant British Standard. The athletics track would have 6 columns at 20m high with an average lux of 287 lux initial (229lux maintained). The four practice pitches closest to the river would not be lit. The car parking and access road would have 6m street lighting columns regularly spaced. It is noted that the lux levels provided in the Planning Statement do not match those provided in the Environmental Statement. The application has been considered against the figures in the Environmental Statement. The Environmental Statement makes reference to car park lighting at 8m at para.14.58 but the plans and other references are 6m.

215. This represents an increase in height of the athletics and football floodlights from 18m to 20m and a reduction in height of the car park lighting from 8m to 6m compared to the previous application under 2015/0949. The change in height has arisen due to a review of the lighting design. The increase in height has been argued as having the beneficial effect of reducing visual illuminance (glow) around the lights themselves as they can be angled more directly towards the sports surfaces. This would reduce the light source intensity value from 12,500 candelas to 5905 candelas. Therefore the benefits would be improved levels of horizontal luminance on the playing surfaces; greater uniformity of lighting would be achieved; obtrusive light (as perceived by surrounding receptors) will be reduced; and light spill beyond the site boundary is limited. However, the increased height will result in the floodlight columns and lights being potentially more visible above the proposed boundary landscaping and existing trees.

216. Details submitted state that the lighting fittings would use double asymmetric reflectors and mounted with the tilt at a maximum of 5° above the horizontal to limit light spill to the surrounding area and ensure that light is directed down to the playing surface and to minimise upward light. LED light fittings
were considered but rejected on the basis of light source intensity. A variety of metal halide light fittings were assessed and the Osram fittings chosen with regard to the direction of light to the required areas and ability to cut off light spill beyond these areas. Updated lighting calculations and light plots have been provided to include data for 2.5m vertical light spill in addition to horizontal and 1.5m vertical spill, slight rotation of light fittings on columns to reduce spill and illuminance over a wider area around the site including the River Thames corridor. The lighting has been designed to ensure the lighting is carefully directed using the minimum level of illumination for the proposed end uses. The lighting design seeks to control light spill beyond the immediate boundaries.

217. While floodlighting is proposed across a much larger area than the former Walton Casuals site, it is stated that the lux levels would be lower than the previous floodlights. The properties most affected would be The Weir Hotel and Rose Cottage to the north. The lighting assessment also considered other sensitive receptors across the river and at Hawks End Farm. Additional planting and bunds are proposed along the northern boundary and there would be a landscaped area between the existing embankment and the pitches. Trees along the towpath and river would help to screen most views of the site. However, there are some limited views through the trees and it would be more visible in winter when trees are not in leaf.

218. The light impact assessment in the Environmental Statement concluded that there would be insignificant light intrusion into residential windows resulting in a negligible impact. Further, because of the type of lights (double asymmetrical reflector) that are being used, the direct upward light from these lighting units is estimated to be 0.05% for pitch 1, therefore the impact on sky glow is considered to be negligible. The Environmental Statement concludes that there would be a negligible impact on the nearest properties at the Weir Hotel and Rose Cottage relating to light spill. However, the Landscape Visual Impact Assessment refers to a moderate adverse effect on visual amenity to The Weir and moderate to minor adverse effect on Rose Cottage which is partially due to the floodlights, particularly at night time.

219. From public views on the northern side of the river, there was a glimpse of the previous Walton Casuals floodlighting from Old Bathing Station Recreation Ground car park. Specific concerns were raised regarding the view from the Conservation Area and St Mary’s Church which is Grade II* listed. There would also be views from properties along the northern bank, Parke Road and Wheatley’s Eyot in particular. As set out above, the lighting assessment concludes that there would be no light intrusion into windows on the other side of the river and a negligible impact on the setting of heritage assets. There would be filtered night time views during the winter months, due to the lack of leaf coverage on the trees. While the floodlighting columns may be visible from limited views the lights would be downward facing with a maximum tilt of 5 degrees. The light spillage contour maps show that it would be limited beyond the site boundary and it is not considered that the level of light viewed from the side would have a significant effect on amenity and would have a negligible effect on the setting of the heritage assets.

220. Sensitive receptors, including properties across the river, were taken into account when the Landscape and Visual Impact Assessment was carried out as part of the Environmental Statement. This concluded that the impact would range from moderate to minor adverse effect and officers agree with this assessment. While concerns have been raised with regard to the floodlighting elements from neighbouring residents, given the above considerations and the potential for conditions it is considered that neighbouring amenity will not be unduly impacted by flood lights.

221. It is acknowledged that the floodlighting will be visible from a wider area compared to existing and there will be some view of the light between the luminaires and the surface. However, no floodlights are proposed on the training pitches, which are closest to the river and The Weir Hotel. It is also noted that the Walton Casuals site had floodlighting with four columns on each side of the pitch and floodlights mounted approx. 15m above ground level. There are lights in the Xcel car park and the Xcel 3 artificial pitch adjoining the application site. There are also lights at Weir Hotel and at Sunbury Lock gas works to the North East. These lights can be seen from across the river in a number of places, against the context of existing trees along the river. This is therefore an area where there is a level of sports and amenity lighting and not a “dark skies” environment.

222. Concerns have also been raised by residents that the floodlight columns would be visible above the tree line when seen across the river. The proposed lighting units would be downward facing to aim to minimise glare and also in the interest of impact on wildlife. The majority of the floodlighting columns are set back from the boundary closest to the river. The visualisations indicate that the columns would not be highly visible above the tree line.
223. The existing floodlit 3G pitch at Xcel are 15m high and manually controlled. The lights are switched off normally a few minutes after 10pm which is the limit for current hire. 10pm is also the closing time for the Xcel Leisure Centre Monday to Friday, although it closes at 9pm at weekends. While concerns have been raised that the floodlights are often left on later, the Council's Leisure Service and Environmental Services are not aware of any recent complaints regarding hours of use. It is noted that concerns have been received regarding light spillage from the existing 3G pitch to Franklyn Road. However, it is understood that the Council's Environmental Health team concluded that the light spillage was not a statutory nuisance.

224. The applicant has indicated that the floodlights would only be used between the hours of sunset and 22.00 hours when the pitches are in use. Therefore the usage is likely to vary depending on hours of daylight which are longer in summer than winter.

225. Some objectors have requested that there should be times when floodlights are not used to provide respite to local residents. The floodlights are likely to be used in the evenings for training, and weekday/weekend matches. The floodlit football pitches are unlikely to be used by the clubs on Saturday or Sunday evenings based on current use. The athletics track, also close to the river, is likely to be used on fewer evenings than the main 2 football pitches and may not require all lights on for some activities, or on reduced lighting levels. The applicant has stated that the management regime will consider methods of reducing the intensity of lighting dependant on the activity on the activity being undertaken on the pitches or track. Whilst full intensity will be required for competition events and league matches the management regime will consider how intensity might be reduced for training events. This could include reducing the number of lights used so that only parts of the athletics track are illuminated according the training needs and controllable switching for the main football pitch such that there is one light setting for competition matches and a second, reduced, setting for training events. However, it is not considered reasonable to restrict certain days or hours in order to maximise the community benefit from the proposal.

226. With regard to the impact of the lighting in relation to ecology, Surrey Wildlife Trust advise that it is important that the additional artificial lighting does not disrupt likely bat activity and flight lines along the adjacent River Thames. Para. 12.95 of the Environmental Statement states that the light levels along the river’s edge will not exceed 1 lux and Surrey Wildlife Trust recommended that the light levels along the river’s edge, the River Thames SNCI should not exceed 1 lux. Additional information including an ambient light survey has been submitted during the consideration of the application. The baseline readings indicate that 1 lux is already exceeded in some locations along the river’s edge and therefore this could not be achieved.

227. The ecology report indicates that bat activity surveys were not considered proportionate to be carried out as the desk study returned only one bat record, a brown long eared bat (plecotus) within 2km of the site. Ground based assessment on site showed built structures had negligible potential to support bats and only a few trees showed potential but the majority were not indicated for removal. It is argued that of the bats most likely to use the site, Pipistrellus and Nycatalus bats are generally more tolerant of artificial light than other species such as Myotis and Plecotus bats.

228. The assessment has been revised to conclude that at operation stage prior to mitigation there will be a minor adverse effect on any populations of bats of the Myotis and Plecotus genera that use the site and negligible effect on all other bat species. However, the residual effect is identified as significant having regard to the size of habitat loss and the importance of the species. It is highlighted that this is a precautionary judgement based on the absence of more robust activity data for the site and wider area. With regard to potential mitigation, it is not possible to reduce lux levels to 1 lux through design but the other mitigation through good design and lighting management set out at 12.103 of the Environmental Statement remains relevant and will reduce impact on bats. This refers to hooded, directional lighting, filters to eliminate blue-white and UV wavelengths, and the realistic timing of their operation.

229. With regard to the eastern boundary, lighting levels are currently less than 1 lux and will be increased as a result of the proposed lighting which is considered likely to impact on Myotis and Plecotus bats. The applicant has argued that the lights will not be on throughout the night, only from sunset to 22:00. This covers the main emergence time throughout most of the active bat season, in the middle of summer, when bats are breeding. However, the later-emerging species, including the more light-sensitive Myotis and Plecotus genera, are likely to emerge from their roost after the lights have been switched off. Even when the lights are switched on before the bats emerge, the lights will be off for the majority of the bats' active period during the night, which includes their second activity peak before dawn.
230. A condition is proposed requiring a lighting strategy to control light levels, light spillage and hours of use for floodlights. The condition would ensure hours of use and the design of the floodlights mitigates the impact on the amenity of residential properties and safeguards birds and foraging bats.

231. The proposed hours of floodlighting would prevent use of floodlighting between 2200hrs and 0700hrs and the car park lighting between 2230hrs and 0700hrs which is recommended by the Council's Environmental Services team.

232. Residents and Spelthorne Borough Council have suggested that further limits on days and hours of operation would help to reduce the disturbance from the proposal. Also, no details of the hub's hours of operation are provided. The hub is intended to be available for community use when not in use by the clubs and therefore it is not considered reasonable to restrict the days or hours of operation.

233. The proposal is considered to include appropriate mitigation to minimise light spillage and hours of use would be limited by condition. It is not considered that there would be unacceptable harm to biodiversity, the Green Belt, local character or amenity of local residents as a result of the proposed lighting and therefore the proposal complies with Policy DM5.

**Noise**

234. Concerns have been raised about the potential for noise as a result of the development, and in particular amplified noise. It is noted that there would be increased levels of usage of the site and the potential for a greater level of noise than existing. As set out in Policy DM5 above, new development would be expected to incorporate appropriate attenuation measures to mitigate the effect on residents.

235. A noise impact assessment by Sustainable Acoustics was submitted with the application which suggests a number of noise mitigation methods. The assessment concluded that the overall noise levels would include some substantial adverse impact during construction, but limited to moderate adverse once built. The two main football pitches would be furthest from the river with the nearest uses being the athletics track and training pitches.

236. The Environmental Statement identifies four principle sources of operation noise from the proposed development, namely traffic, plant, people and public announcement system (PA) noise. The report concludes that the noise impacts due to changes in traffic on Waterside Drive would be barely perceptible on local residents and any impact would be negligible.

237. With regards to operational plant noise concerns are raised by Spelthorne Borough Council that a limit can be imposed without first knowing the extent and location of the operational plant to be installed. While it would be preferable to have details in advance, it is not unusual for such details to be reserved by condition. In addition, Spelthorne raise concerns that a limit of 5dB below background does not take into account any tonal or intermittent noise and suggest that a level up to -15dB below background should be applied. The Council’s Environmental Health team have recommended a condition which require -10dB below background which also takes into account tonal or intermittent noise. A limit of -15dB below background is not considered reasonable.

238. With regards to noise from crowds, various sound power levels are given, however, the sound pressure level expressed as a LAeq(t) at the nearest sensitive residential receptors within Spelthorne is not given. Spelthorne also raised concerns as to the adequacy of the noise assessment contained within the EIA and request that Elmbridge consider that further assessment is required to include properties in Spelthorne as receptor locations in order to suitably assess impacts and ensure that mitigation measures in the management plan are appropriate. Spelthorne are concerned that no noise measurements were carried out in Spelthorne to determine the L90 at the sensitive receptors within the Borough. The EIA identified five noise sensitive receptors around the site. While none are within the administrative boundary of Spelthorne, The Weir Hotel and Rose Cottage are closer to the site than any property in Spelthorne and La Boheme is on the other side of the river but within the borough of Elmbridge. The noise assessment has been based on the nearest residential receptors and the properties in Spelthorne are further away than those considered. Arup have advised that the approach followed in the Environmental Statement is reasonable.

239. Table 15.21 summarises the impact during operation of the development. People noise, associated with participants and spectators raised voices from the proposed development has been predicted and compared to the existing use of the site and the subsequent potential impact on local residents assessed. The predictions suggest that people noise will be audible at the nearest residential properties and considers this would have a moderate adverse impact above a Lowest Observed
Adverse Effect Level (LOAEL) threshold. It is however recognised that this impact is likely to be a small period of the year when there could be combined events running i.e. at the start of the football season when athletics is still running.

240. The exact design and details of the public announcement (PA) system are not given however it has been assumed in the report that it will be made up of approximately 35 directional speakers across the site rather than a central cluster system. The possible impact this type of PA system has been assessed as having the potential to have a moderate adverse impact on local residents when in operation which will be for short periods associated with events.

241. In the absence of detailed proposals for any sound/PA system, the Council’s Environmental Health section have recommended a number of conditions to ensure an appropriate balance is achieved between users of the site and those living nearby to not be unduly disturbed by noise, including those on the other side of the river. These include a limit on hours of floodlighting of the pitches and athletics track to 10pm and car park lighting to 10.30pm which would limit use of the pitches and associated noise. The PA is likely to be mainly associated with activities on the pitches and track.

242. The Council’s Environmental Services team also recommend a condition covering details of the PA and sound system to be agreed. It is recommend that the system be designed to achieve the more stringent limit of not exceeding 50dB (A) Leq 5 minutes at nearby residential properties during evening periods (19:00-23:00) and 53 dB(A) during day time (07:00-19:00) and that it be designed so that it can be operated in zones to mitigate potential impacts on local residents.

243. With regard to playing music through the PA system it is recommended this be limited through the relevant condition for the details of the PA system to a maximum of 60mins per day for recognised first team football matches and athletic competitions.

244. The current Walton Casuals football ground has a PA system with ambient noise from the weir on the Thames and some aeroplane noise from planes overhead. Some concerns have been raised that the Environmental Statement gave too much weight to aircraft noise given that this only happens when Heathrow has an easterly approach, which is less than 40% of the time. Sensitive receptors are identified within the Environmental Statement including properties on the other side of the river in Lower Sunbury.

245. Spelthorne’s objection states that this development has the potential to significantly affect the amenity of Spelthorne residents both in terms of light and noise pollution, neither or which is adequately dealt with within the application. Officers disagree with this statement and consider that light and noise pollution has been adequately assessed which is supported by the assessment of the Environmental Statement by Arup and the response from Elmbridge’s Environmental Health team who have also considered Spelthorne’s representation.

246. Spelthorne consider that the noise assessment attached as chapter 15 of the Environmental Statement (starting page 280) is inadequate from a Spelthorne perspective because the potential from noise created from the construction process, Table 15.3 and 15.4 purport to demonstrate that the noise from construction will be negligible. Spelthorne argue that as there is no construction management plan submitted, as such, the report author of the Environmental Statement cannot be sure of the details of plant to be used, the respective % on-times of the plant, or the predicted façade level for Spelthorne residents.

247. Table 14.3 and 15.4 relate to “Construction noise threshold criteria” and “Significance criteria for off-site construction traffic noise” and not the predicted effects. The relevant table is 15.20 which assesses significance at each residential receptor after mitigation. Table 15.20 of the Noise Assessment concluded that during construction, following mitigation, only one substantial adverse effect will remain at Weir Hotel, with moderate adverse effects at Rose Cottage and La Boheme. However, these effects are considered to be temporary and short term during construction. Construction is underway on site and it is noted that the time period for the most substantial adverse effect during construction has passed. A construction management plan was agreed under the previous application and submitted under Appendix 3.2 of the Environmental Statement. The same plan would be conditioned based on the submitted information. Again, Arup have advised that the Environmental Statement is adequate.

248. Concerns have been raised by Spelthorne and a number of objectors over the potential amplification of sound travelling over water. In the clarification letter of 19 December, the applicant has confirmed that this would not be expected to have a significant effect, however all the ground in the model is assumed to be reflective thereby giving a worst case calculation.
249. Spelthorne have requested that the conditions in relation to the Control of Pollution and Noise recommended by Elmbridge Environmental Health during construction should continue to be included as conditions rather than an informative, which is proposed. Spelthorne have requested that conditions relating to noise proposed by Elmbridge’s Environmental Health department are attached to any approval, which is set out in the recommendation. They requested that the Noise Management Plan (NMP) should include appropriate control measures for Spelthorne residents. The NMP would be expected to cover all relevant noise sensitive receptors.

250. A noise management plan, lighting and hours of use are proposed to be secured by condition which is considered to address the concerns raised by Spelthorne Borough Council.

251. The noise management plan would seek to control the operational noise and conditions to limit noise levels from the PA system to mitigate and minimise the impact on surrounding residential amenity. It would also be required to include appropriate control measures for Spelthorne residents on the other side of the river. A worst case scenario of an athletics and football event occurring on a Saturday was considered as part of the assessment.

252. The Environmental Statement indicates that the noise impact would still be considered to have a potential moderate adverse impact as a worst case in respect of the PA noise and people noise due to the intensification of use but by managing the use of the site effectively, which can be secured by condition, it is considered that the likelihood and regularity of this worst case scenario occurring would be reduced.

253. Concerns are raised that the number of practice pitches near the north corner will be noisy and should be reduced. There are also concerns regarding other potential uses of the site such as outdoor concerts. It is argued that noise will detract visitors to the area. The noise assessment recognises that there will be noise effects, in particular to the closest properties near the north corner. However, the training pitches will not be floodlit and therefore the hours of use will be less than the other pitches. The noise management plan would also seek to control noise relating to any potential use of the site. Some representations have suggested mitigation such as a line of evergreen trees and acoustic fencing to the south west boundary. Spelthorne Borough Council requested a landscaping condition requiring planting and screening along the towpath and norther boundary including largely evergreen trees and a maintenance schedule to ensure that the bund and any landscaping is maintained. Spelthorne also requested that the fencing used on the northern end of the practice pitches be made of noise absorbent materials and that the level of landscaping along the boundary behind the northern end of the practice pitches reflects the existence of a 3m fence with the potential for an increased height behind the goals in the event that the 3m high fence was not found to be suitable for sports events.

254. There would be additional planting, bunds and acoustic fencing along the north west side of the site, and maintenance would form part of the condition. However, continuous acoustic fencing would present a hard northern boundary which would detract from the setting of the river. Acoustic fencing has been proposed around some of the bunds on the north western boundary. Therefore noise absorbent fencing on the northern end of the practice pitches is not considered necessary. The clarification to the Environmental Statement indicates that the bunds and acoustic fencing would reduce noise levels by 1.5 dBA at Rose Cottage and the Weir Hotel compared to the situation without the mounds and acoustic fence. Acoustic fencing to the south west was not considered necessary because noise levels are not anticipated to increase materially compared to the existing situation.

255. With regard to plant noise, it is recognised that the main pavilion is likely to include some plant for extraction, ventilation heating and cooling that will generate noise. No specific details of the plant are provided however an initial assessment assuming plant noise of 5dB below the minimum background level at each noise sensitive receptor predicts that it would meet the Lowest Observed Adverse Effect Level (LOAEL) and would therefore be considered to have a minor adverse impact as a worst case. No account has been taken of any possible tonal component of any plant. Therefore, a condition to control plant noise is proposed.

256. The Environmental Statement scoped out vibration as an issue but indicates that the Construction Management Plan would include measures to ensure that vibration in the vicinity of sensitive receptors will be carefully controlled. No objection was raised by the British Pipeline Authority. Vibration monitors on site indicate that the vibration levels are below national guidelines.

257. Based on the information provided, while there is identified to be a residual moderate adverse impact from people noise and PA noise, a Noise Management Plan would provide appropriate attenuation
measures and it is considered that there would be no unacceptable impact relating to noise or vibration and the proposal would comply with Policy DM2 and DM5 of the Development Management Plan.

Impact on Highways

258. The proposal complies with Policy DM7 in relation to the creation of a new access and providing appropriate parking spaces. Policy CS25 of the Core Strategy sets out the overarching policy for sustainable travel and accessibility for the Borough and deals with issues such as submitting transport assessments, improving transport infrastructure and the environmental impact of the transport.

259. The NPPF promotes sustainable transport, achieving safe and suitable access to the site and seeking cost effective improvements to the transport network to limit significant impacts of development. It also states that “development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe”.

260. A Transport Assessment was included with the application. The pavilion would provide covered seating for 636 spectators with 242 parking spaces. 4 coach parking bays and 32 cycle parking spaces are also proposed. The average attendance at the surveyed football matches was 120 spectators. The transport assessment modelled the potential traffic implications of a match attracting 300 spectators. This estimated 120 vehicle movements during the peak period of 1400-1500 on a Saturday, a net increase of 80 vehicle trips to the site on the surrounding highways network. For the Athletics Club, a traffic survey identified two way traffic of 38 vehicular trips. It was considered unlikely that there will be instances where both a football match and athletics league event take place at the same time but the combined traffic movements are not considered to have a material adverse impact.

261. The Environmental Statement also considers construction traffic. Two peak periods are identified in terms of construction; the September to October 2016 represented a key period in the construction phase with an average of 37 vehicle movements per day onto Waterside Drive. A second peak period occurs between the end of construction and the start of the internal fittings and ground preparation with 39 HGV vehicle movements during March 2017. A Construction Traffic Management Plan is proposed to mitigate effects during the construction phase.

262. Concerns have been raised that inadequate parking is proposed and that parking during match days spills onto Waterside Drive. The existing football club has very little allocated parking and the provision of dedicated car parking is expected to address this issue. The Environmental Assessment concludes that the long-term operational effects of the proposed development would be negligible. Concerns have been raised that the site is not within a sustainable location and that the Transport Plan is insufficient. Concerns are also expressed that the site would be less accessible than Stompond Lane for local schools. However, Surrey County Council, the Highways Authority, have raised no objection to the proposal and consider the development to be acceptable in highway and transportation terms subject to conditions and a contribution towards Travel Plan monitoring and Real Time Passenger Information to serve a new bus shelter.

263. A Draft Travel Plan has been provided although the football clubs and athletics club will develop their own specific travel plans under this umbrella. This would encourage users to adopt a sustainable approach to travel and is recommended as a condition by the Highways Authority.

264. Walton on Thames town centre is approximately 1.5km to the south west of the site. The submission states that the site is well served by footpaths and pedestrian routes. Isochromes have been produced showing the areas covered in 5, 15 and 25 minutes from the site. The 25 minute isochrome, is a distance of approximately 2km which would bring the town centre and residential areas to the south of the site within a reasonable maximum walking distance of the site. However, the site will be primarily accessible by car with limited public transport accessibility.

265. It is noted that bus service 564 no longer stops at the Xcel as of 31st December 2016.

266. The proposal would protect existing footpaths and increases permeability to the River Thames as the current site is fenced off from land to the north-west and the towpath, except for the gap between the XCeI and the former Walton Casuals site.

267. The residual cumulative impacts of the development are not considered to be severe, and refusal on transport grounds is not justified. The proposal complies with policies that seek to achieve suitable access and parking provision.
Contamination

268. As set out in the consideration of very special circumstances, Policy DM5 supports development affecting contaminated land provided the site is remediated to ensure it is suitable for the proposed use.

269. The site was formerly used for landfill and therefore a desktop study and full site investigation have been undertaken to inform appropriate mitigation and remediation measures. The Screening Direction from the Secretary of State in determining that an Environmental Statement was required for 2015/0949 stated:

“The crux of the case, however, rests on the site’s status as a former landfill and contaminated site and whether the proposed development on this site will have the potential to give rise to significant effects on the environment. The Secretary of State has had regard to the applicant’s proposed remediation strategy to provide the ground water regime and prevent migration of any contamination. He has also considered the Environment Agency’s recommendation for longer term monitoring of groundwater quality to assess possible impacts. He has given some weight to their concern about the potential effects of surface disturbance and piling in the landfill. The Secretary of State has had particular regard to the applicant’s commissioned report by EPG dated September 2014 on the Gas Risk Assessment for the site. In particular, it identified potential off-site migration of landfill gas towards existing residential properties which border the River Thames. He has also noted the relatively close proximity of the site to the Besborough reservoir which is designated as a RAMSAR site and the adjacent River Thames Site of Nature Conservation Importance. The Secretary of State has also had regard to the Health and Safety Executive’s advice on the proximity of the site to a major hazard pipeline and notes BPA’s further advice that the proposed surface water drain and footpath crosses their high pressure fuel pipeline. Whilst this is a finely balanced case, the proposal does raise concerns to suggest the potential for significant environmental impacts through surface disturbance of the former landfill site, uncertainty about the extent of the contamination of the site and the potential for gas migration to both the River Thames and nearby residential properties. On balance, the concerns and uncertainty for the proposal are sufficient to justify the need to constitute the proposal as EIA development.”

270. The Environmental Statement has considered potential effects on water resources, soil and groundwater contamination, landfill, gas and vapour and air quality.

271. The waste materials have been subject to extensive site investigation, with the results being used to inform a quantitative risk assessment. Soil samples have been collected from various depths across the site and monitoring wells installed. The sampling has been carried out in line with advice from the Environment Agency. Therefore, there is a reasonable level of certainty about the extent of the contamination of the site and the potential for gas migration to both the River Thames and nearby residential properties. No objection has been received from the Environment Agency. Therefore the proposal complies with Policy DM13 (c) in that the proposal would not affect water quality of the River Thames and would comply with the Water Framework Directive.

272. A number of mitigation measures have been proposed to ensure the site is fit for the proposed end uses. The use of hardstanding will cover a larger area. In areas of soft standing, the waste material containing the contaminants will be stabilised to reduce contaminants mobility. The strategy also comprises the creation of landscaped areas through earthworks, capping, remediation of ground gases and installation of a Permeable Reactive Barrier (PRB) along the northern boundary to prevent migration of contamination to residential properties and the River Thames.

273. Mitigation measures are also proposed to manage risks associated with movement of landfill gas including an in-ground gas venting barrier (virtual curtain) along part of the north-western boundary of the site, with a line of gas vents 3m high. A gas membrane within the pavilion and gas venting nodes across the stabilized mat area is also proposed. Air quality considerations relate to the potential dust emissions due to construction activities and vehicle movements. Also, increased traffic as a result of the development. Mitigation measures such as wheel washing, solid screens or barriers around dust generating activities and avoiding site run off of water or mud are proposed and would be controlled by condition.

274. As development has commenced under the previous permission, 2015/0949, it is understood that a large proportion of the remediation has already been undertaken.
A large number of objections are concerned about the contamination on site and the risk to future users and local residents. Concerns have also been raised about the safety of building close to the oil storage tanks, known as COMAH sites, and fuel pipelines. Reference is made to existing respiratory problems from discharge of gas during pumping activity on the adjoining sites. It is understood that the applicant has had continued dialogue with BP and BPA regarding the proposals. No objection has been raised through the HSE’s online consultation system or from BPA, and no comments received from BP although they were consulted.

The Head of Environmental Services has raised no objections subject to suitable conditions. The Environmental Statement details the investigation of the site and provides information to comply with the standard pre-commencement conditions relating to a desk study report, site investigation and remediation method statement. The contaminated land condition covers unsuspected contamination, use of imported material, compliance with the method statement, agreement of the piling methodology and remediation verification. The scheme as proposed should comply with the overall aim of making the site safe and suitable for its new use.

The Environment Agency has raised no objections subject to safeguarding conditions.

A rapid electric vehicle charger is encouraged on site in line with the Council’s draft Air Quality Action Plan and Policy DM7 of the Development Management Plan.

The remediation of the site may be required in any event in the future to reduce risks to human health. The proposal complies with Policy DM5 and para. 120 and 121 of the NPPF.

Ecology

National and local planning policy seeks to retain and enhance the landscape for amenity and biodiversity, promote native tree species, wildlife corridors and links with the wider Green Infrastructure.

Policy CS15 seeks to avoid loss and contribute to a net gain in biodiversity across the region, particularly:

“(6) – Maximising the contribution of other green spaces and features, where appropriate to the area’s biodiversity resources including identifying and developing wildlife corridors to provide ecological “stepping stones” and form a coherent local and regional biodiversity network in accordance with CS12 – The River Thames and its tributaries and CS14 – Green Infrastructure; and

(8) – Ensuring new development does not result in a net loss of biodiversity and where feasible contributes to a net gain through the incorporation of biodiversity features.”

Policy DM6 states that proposals should include landscaping that would not result in the loss or deterioration of irreplaceable habitats. There are not considered to be any irreplaceable habitats on site, such as ancient woodland.

Policy DM13(c) refers to protecting, conserving and actively enhancing the landscape and biodiversity of the river and not adversely affecting water or ecological quality in the area in accordance with the Water Framework Directive.

Policy DM21 sets out a criteria based policy and expects all new development to:

“preserve, manage and where possible enhance existing habitats, protected species and biodiversity features. The Council will work in partnership to explore new opportunities for habitat creation and restoration.”

Para 109 of the NPPF requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity. Para 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged. The Natural Environment and Rural Communities (NERC) Act (2006)(Section 40)(1) states, “Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”. Section 40(3) also states that, “conserving biodiversity includes, in relation to a living organism, or type of habitat, restoring or enhancing a population or habitat”.

286. The Environmental Statement highlights that there will be loss of a quantity of habitat as an effect of the development which will be partially mitigated through new landscaping. The proposal extends over the full extent of three habitat types (poor semi-improved grassland, ephemeral short grassland, and tall ruderal), and part of the dense scrub. The three habitat types to be lost in full have a combined area of 0.62ha, and it is estimated that the extent of scrub to be lost is 4.25ha, with the total area of habitat loss being 4.9ha. The total extent of soft landscaping within the completed development is estimated to be 1.9ha. Assuming the value of the landscaping is equivalent to the existing habitats on a per unit area basis, this equates to a net loss of habitat of 3.0ha. The total area of non amenity grassland and hardstanding habitat is 7.62ha with the result that the loss of 3.0ha equates to 40% of existing habitat area.

287. The net loss of habitat is considered to have a minor adverse effect on a number of species. However, the Environmental Statement states that there would be a small net gain and minor beneficial effect on important habitats by creation of woodland edge habitat and meadow grassland. This is because the landscaping will include species and sub habitats and micro habitats not currently present.

288. A number of ecological surveys and reports have been carried out and submitted with the application. A planning condition is proposed to require the recommendations set out in the ecology surveys are carried out.

289. As discussed above in the section on floodlighting, Surrey Wildlife Trust stress the importance of ensuring that additional lighting does not disrupt the likely bat activity and flight lines occurring along the adjacent River Thames. The section on lighting highlights that there will be a significant effect on some species of bats. A condition is proposed requiring a lighting strategy to control light levels around the development and hours of use for floodlights.

290. Concerns have been raised in representations over the impact of development on wildlife and the River Thames which is an SNCI. The Environmental Statement chapter on Ecology indicates that the mitigation for groundwater contamination may reduce existing levels of contamination and therefore have a minor beneficial impact on the River Thames SNCI. As discussed above the Environment Agency have raised no objection relating to water quality and the Water Framework Directive.

291. The site lies within the Molesey and Hersham Biodiversity Opportunity Area (BOA) which was designed due to the present of standing open water and floodplain grassland. Surrey Wildlife Trust advise that the Council could consider requiring the development to help deliver biodiversity enhancement off site but within part of the BOA in the form of Priority Habitat associated with this BOA to help the Local Authority address its biodiversity duty under NERC and the NPPF. The Council’s Countryside Team have liaised with Surrey Wildlife Trust to identify off site biodiversity enhancement. It is considered appropriate to secure ecological benefits for this site through an effective scheme of maintenance and management and secured by condition. This would help mitigate the loss of habitat on site.

292. In terms of international and national sites of biodiversity importance, the site is approximately 500m from the South West London Water Bodies SPA, RAMSAR and SSSI (i.e. Knight and Bessborough Reservoirs). Natural England have raised no objection and refer to their previous comments on 2015/0949 which recommended a condition to ensure floodlights minimise light spill in accordance with the Lighting Report. Surrey Wildlife Trust also recommended a condition requiring light spill to be controlled in relation to adjoining habitats.

293. Under the duty in regulation 9(3) of the Conservation of Habitats and Species Regulations 2010, regard should be had to the Habitats Directive. On the basis of the information provided, it is considered that the effect on bats is not such as to amount to disturbance falling within Article 12(1)(b) of the Habitats Directive. In forming this judgement, officers have taken account that the predicted lighting impact on commuting and foraging of all species of bats other than Myotis and Plecotus is negligible. In relation to Myotis and Plecotus bats, in the middle of summer, when bats are breeding, the later emerging species, including the more light sensitive Myotis and Plecotus bats, are likely to emerge from their roost after the lights have been switched off. Even when the lights are switched on before the bats emerge, the lights will be off for the majority of the bats’ active period during the night, which includes their second activity peak before dawn.

294. A Habitat Regulations Assessment Screening Report has been carried out which concludes that the plan or project is not likely to have a significant effect on a European site or a Ramsar site (either alone or in combination with other plans or projects). In the light of that conclusion, the Council, as competent authority, concluded that an appropriate assessment is not required for the application.
295. In conclusion although there will be considerable loss of habitat resulting in a minor adverse effect, there would be mitigation through on site measures, a lighting strategy and off site biodiversity enhancements to the BOA to be secured by condition, and therefore the proposal would not result in a net loss of biodiversity. In line with Section 40(1) of Natural Environment and Rural Communities Act 2006, it will conserve biodiversity. The impact on ecology is considered compliant with Policies CS15, DM6, DM13 and DM21 and the NPPF.

Flood Risk/Drainage

296. Policy CS26 of the Core Strategy requires development to ensure it is located designed and laid out to ensure it is safe and the risk from flooding is minimised whilst not increasing the risk of flooding elsewhere.

297. The bulk of the site falls with Flood Zones 1 & 2, with around 60% of the site associated with Flood Zone 2. The proposed outdoor sports and recreation and essential facilities such as changing rooms falls under the “water-compatible” flood risk vulnerability classification, rather than the “less vulnerable” assembly and leisure category referred to in the Flood Risk Assessment. While small parts of the site would fall within Flood Zone 1, the only suitable area would be close to the River Thames and an area of Flood Zone 3. The proposed use is considered to be water-compatible and therefore is considered to pass the sequential test.

298. The gradient of the site and height above sea level means that the site would be outside of the 1 in 100 year flood level and as such should not impact on flooding. The development will not reduce ground levels and therefore will not affect the security of the site from river flooding. There is no history of surface water flooding of the site. The Environment Agency have considered the issues of ground water contamination and also flooding and subject to conditions consider that the application would not impact on these elements. The Environment Agency confirm that surface water drainage is now dealt with by the County Council as Lead Local Flood Authority, who have also raised no objections.

299. Groundwater run-off will pass into the river via the existing outfall whilst foul water would be directed to the existing main in Waterside Drive. The Flood Risk Assessment recommends that appropriate SUDS techniques are incorporated into a surface water management scheme.

300. The details submitted have been considered acceptable in compliance with Policy CS26 and the NPPF. Safeguarding conditions are proposed to ensure the development is carried out in accordance with the approved details and that verification of the drainage scheme is submitted once installed.

Pipeline

301. An oil pipeline runs along the north of the site near the former Walton Casuals club house and associated buildings. The proposed development would include a narrow dog walking area between the northern boundary fence and the proposed athletics track which would move built development away from the pipeline.

302. The British Pipelines Agency has raised no objection subject to advice that the proposal will need to be appropriately constructed to ensure that their apparatus is not affected by the proposal. This would be subject to consent under separate legislation and conditions relating to approval of foundation details and there will not be an impact on the facility or its apparatus. The Health and Safety Executive, through their online planning consultation system, have raised no objection on safety grounds.

Financial Considerations/Planning Benefits

303. Concern has been raised over the cost of the scheme, with particular regard to the cost of remediation of the contamination, and that the Council should invest in Stompond Lane. While it is noted that the sale of Stompond Lane for redevelopment is intended to pay for the cost of this development, each application must be considered on its merits. There is no indication that the cost of the scheme will inhibit delivery. Issues relating to restrictive covenants on Stompond Lane are a private legal issue.

304. Community use of the facilities would be secured by planning condition. The community use agreement would seek to provide opportunities for the local community and sports organisations to participate in sport and physical activity and encourage links with school sports clubs.
305. The sports facilities will be equally accessible to persons who share a relevant protected characteristic and those who do not share it, and a community use agreement will be formulated in such a way to ensure that the duty is complied with. The proposal includes disabled parking and disabled access to the building is included.

**Matters Raised in Representations**

306. Concerns have been raised that inadequate consultation has been carried out. Consultation was carried out in accordance with the relevant requirements including letters to all those who previously made representations, site and press notices and consultation on the Environmental Statement.

307. It has been argued that the Council is building in the Green Belt when others would not be allowed. The same policies apply to the Council as developer and each case is assessed on its merits.

308. The Council as Local Planning Authority must determine planning applications impartially and must consider the proposal against the development plan and other material considerations. The fact that the Council is the developer does not prevent the Local Planning Authority from determining the application.

309. It is not considered that the proposal constitutes a material change of use of the land.

310. References have been made to the judicial review process on the previous application. This application is considered on its own merits.

311. Concerns have been raised regarding the adequacy of the Environmental Statement including objections from Spelthorne Borough Council. The Environmental Statement has been independently reviewed by Arup who have concluded that it is adequate when assessed against best practice and relevant guidance. Officers have considered the concerns and in line with the advice given by Arup, officers consider that the Environmental Statement is adequate.

**Conclusion**

311 The site is within the Green Belt where the construction of new buildings are considered inappropriate. However, the proposal would be for outdoor sport and recreation which is identified within Policy DM17 of the Development Management Plan and paragraph 89 of the NPPF as one of the exceptions subject to the criteria set out in the report, and in particular "as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it".

312 The key issue for Members to decide is whether the proposal is inappropriate development or not inappropriate development. The report concludes that the proposal does minimise the impact on the openness of the Green Belt and complies with Policy DM17 of the Development Management Plan. Further it is the view of officers that the proposal is for appropriate facilities for outdoor sport and outdoor recreation which preserve the openness of the Green Belt and do not conflict with the purposes of including land within it, and is therefore not inappropriate development when applying the policy in the NPPF.

313 With regard to other harm, the proposal would result in a loss of habitat which would conflict with Policy CS15, however, it is considered that the measures proposed, on and off site would provide appropriate mitigation.

314 The proposal could have a significant effect on certain bat species, although there is no record of these species in the area. However, no bat activity survey was carried out on site which can confirm this. Mitigation in the form of a lighting strategy is considered appropriate to address this harm.

315 There would be moderate adverse effect on surrounding properties from people noise and PA noise. However, there was a previous football ground on part of the site and it is acknowledged that the proposal could lead to an intensification of noise on the site. However, the Council’s Environmental Health section is satisfied that this can be mitigated through safeguarding conditions.

316 There would be a moderate adverse visual impact on The Weir Hotel and moderate to minor impact on a number of other surrounding properties, particularly in winter and at night when floodlights are more visible from a distance. Landscaping including bunds and planting is proposed to mitigate some of the impact and is not considered to represent a reason for refusal.
317 It is concluded that the proposed development accords with the development plan when considered as a whole.

318 Other material considerations include the NPPF. Officers consider that the proposed development is not inappropriate development in the Green Belt and that the proposal is compliant with NPPF policy in relation to Green Belt. If members took the view that the proposal was for inappropriate development in the Green Belt they would have to consider whether there are very special circumstances. If members concluded that there were very special circumstances NPPF Green Belt policy would be complied with.

319 On the basis of officers’ view that the proposal accords with the development plan, paragraph 14 of the NPPF indicates that it should be approved without delay.

320 If it is concluded that the proposal is not inappropriate development, Recommendation A should be followed. If it is concluded that the proposal is inappropriate development, Recommendation B is proposed.

Recommendation A

321 It is concluded that the proposal is not inappropriate development within the Green Belt. Accordingly, the recommendation is to delegate to the Development Manager to grant permission subject to receipt of a satisfactory legal agreement, referral to the Secretary of State and any further considerations following judgment in the judicial review proceedings relating to planning application 2015/0949 and delegate to Development Manager to fulfil the requirements of Regulation 24 of the Environmental Impact Assessment Regulations 2011 (as amended) including preparing a statement of reasons.

Recommendation B

322 It is concluded that the proposal is inappropriate development, however, other considerations are considered to clearly outweigh the potential harm to the Green Belt by reason of inappropriateness and any other harm, and represent very special circumstances to justify inappropriate development in the Green Belt. Accordingly, the recommendation is to delegate to the Development Manager to grant permission subject to receipt of a satisfactory legal agreement, referral to the Secretary of State and any further considerations following judgment in the judicial review proceedings relating to planning application 2015/0949 and delegate to Development Manager to fulfil the requirements of Regulation 24 of the Environmental Impact Assessment Regulations 2011 (as amended) including preparing a statement of reasons.

Conditions/Reasons

1 TIME LIMIT (FULL APPLICATION)
The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 51 of Part 4 of the Planning and Compulsory Purchase Act 2004.

2 LIST OF APPROVED PLANS
The development hereby permitted shall be carried out in strict accordance with the following list of approved plans:
- Landform 1 Detail: 1773-3003
- Landform 3 Detail: 1773-3005
- Landform 4 and 5 Detail: 1773-3006
- Landform 6 Detail: 1773-3007 Rev.1
- Tree Pit Details: 1773-3012
- Site Sections (Sheet 1 of 2): 1773-5001 Rev.1
- Site Sections (Sheet 2 of 2): 1773-5002 Rev.1
- Acoustic Fence Details
- Proposed Ground Floor Plan: W220 Rev.K
- Proposed First Floor Plan: W221 Rev.G
- Proposed Roof Plan: W222 Rev.E
Proposed Elevations: W320 Rev.G
Proposed Sections A-C: W332 Rev.F
Proposed Sections D-F: W330 Rev.G
Proposed Sections G-I: W331 Rev.F
Proposed Sections J-M: W333 Rev.G
Cladding Strategy: W390 Rev.E
Existing Covered Seating Elevations and Floorplan: P100
Surface Water Drainage to Access Rd Layout Details: EPG/8088/SD/03 Rev.P2
Surface Water Drainage GA Layout – Car Park: EPG/8088/SD/05 Rev.P2
Surface Water Drainage GA Zone 5 to 6: EPG/8088/SD/06 Rev.P2
Surface Water Drainage GA Layout Zone 7b & 14a Footpaths and Hardstanding: EPG/8088/SD/07 Rev.P2
Surface Water Drainage GA Zone 1 Pitch 1 – 3G Stadium: EPG/8088/SD/08 Rev.P2
Surface Water Drainage GA Zone 2 Pitch 2 – 3G: EPG/8088/SD/09 Rev.P3
Surface Water Drainage Zone 3 Training Pitch – Turf: EPG/8088/SD/10 Rev.P3
Zone 4 Gas Alleviation & Mitigation to Car Park: EPG/8088/GM/01 Rev.P2
Gas Alleviation and Mitigation to Athletics Track and Infield: EPG/8088/GM/02 Rev.P2
Gas Alleviation and Mitigation to Pitch 3: EPG/8088/GM/05 Rev.P2
Zone 16 Gas Protection to Pavilion GA Layout and Typical Details: EPG/8088/GM/06 Rev.P1
Gas Alleviation and Mitigation to Athletic Track and Infield: EPG/8088/GM/07 Rev.P1
Stack Outlet and Low Level Bollard sections and elevations: EPG/8088/GM/09 Rev.P1
Proposed Site Access Junction with Visibility Splays: 14/0211/SK03 Rev.B
Received on 14 October 2016

Red Line Plan: 1773-1008
Utilities and Topographical Details: SOR007039 Sheet 01 Rev.B
Utilities and Topographical Details: SOR007039 Sheet 02 Rev.B
Utilities and Topographical Details: SOR007039 Sheet 03 Rev.B
Utilities and Topographical Details: SOR007039 Sheet 04 Rev.C
Utilities and Topographical Details: SOR007039 Sheet 05 Rev.C
Utilities and Topographical Details: SOR007039 Sheet 06 Rev.B
Utilities and Topographical Details: SOR007039 Sheet 07 Rev.C
Utilities and Topographical Details: SOR007039 Sheet 08 Rev.C
Utilities and Topographical Details: SOR007039 Sheet 09 Rev.B
Utilities and Topographical Details: SOR007039 Sheet 10 Rev.B
Utilities and Topographical Details: SOR007039 Sheet 11 Rev.B
Utilities and Topographical Details: SOR007039 Sheet 12 Rev.B
Utilities and Topographical Details: SOR007039 Sheet 13 Rev.B
General Arrangement (Sheet 1 of 5): 1773-1002 Rev.3
General Arrangement (Sheet 2 of 5): 1773-1003 Rev.3
General Arrangement (Sheet 3 of 5): 1773-1004 Rev.3
General Arrangement (Sheet 4 of 5): 1773-1005 Rev.3
General Arrangement (Sheet 5 of 5): 1773-1006 Rev.3
Landscape Masterplan: 1773-1001 Rev.3
Planting Strategy: 1773-3001 Rev.3
Tree Planting Plan: 1773-3002 Rev.3
Boundary Treatments: 1773-1007 Rev.3
Proposed and Existing Levels (Sheet 1 of 5): 1773-2001 Rev.3
Proposed and Existing Levels (Sheet 2 of 5): 1773-2002 Rev.3
Proposed and Existing Levels (Sheet 3 of 5): 1773-2003 Rev.3
Proposed and Existing Levels (Sheet 4 of 5): 1773-2004 Rev.3
Proposed and Existing Levels (Sheet 5 of 5): 1773-2005 Rev.3
Construction Zones: 1773-2006 Rev.4
Landform 2 Detail: 1773-3004
Demolition Drawing: 1773-1011
Surface Water Makeup: EPG/8088/SD/02 Rev.P3
Surface Water Drainage GA Layout: EPG/8088/SD/11 Rev.P2
Stack Outlet Location Plan: EPG/8088/GM/08 Rev.P3
Pipeline, PRB and VC Composite Stack: 1773-1009
Virtual Curtain General Arrangement Plan and Sections: EPG/8088/VC/04 Rev.P3
Virtual Curtain General Arrangement: EPG/8088/VC/05 Rev.P3
Drainage Layout: L373-011 Rev.C3
General Arrangement Piling: L373-090 Rev.C2
General Arrangement Ground Floor Plan: L373-100 Rev.C3
3 MATERIALS - APPROVED
The building shall not be erected other than in the materials specified in the approved plans.

Reason: To ensure that a satisfactory external appearance is achieved of the development in accordance with Policy DM2 of the Elmbridge Development Management Plan 2015.

4 GROUNDWATER QUALITY MONITORING
The development shall be carried out in accordance with the submitted details for groundwater quality monitoring, including its parameters and frequency, as set out in Remediation Method Statement (Report Reference: LP00930/RMS, Appendix 9.1) by LEAP dated 13th October 2016. Any changes to the proposed groundwater quality monitoring shall be submitted to and agreed in writing by the Local Planning Authority prior to any further works, in consultation with the Environment Agency, and the development carried out in accordance with the approved details.


5 FOUNDATION DETAILS
The construction of the structural foundations shall be carried out in accordance with the approved plans and the Foundation Works Risk Assessment by LEAP (Report Reference: LP00930/FWRA, Appendix 9.7) dated 11th August 2015. Any changes to the proposed construction of the structural foundations shall be submitted to and agreed in writing by the Local Planning Authority prior to any
further works, in consultation with the Environment Agency and the development carried out in accordance with the approved details.

Reason: To prevent pollution of the water environment and potential risk to proposed users of the site in compliance with policy DM5 of the Elmbridge Development Management Plan 2015 and para 109 of the National Planning Policy Framework.

6 SURFACE WATER SOURCE CONTROL

Surface water source control measures shall be carried out in accordance with the submitted details as set out on in Remediation Method Statement (Report Reference: LP00930/RMS, Appendix 9.1) by LEAP dated 13th October 2016. Any changes to the proposed surface water source control measures shall be submitted to and agreed in writing by the Local Planning Authority prior to any further works, in consultation with the Environment Agency, and the development carried out in accordance with the approved details.

Reason: To ensure that any proposed drainage design does not impact the underlying landfill material and increase flow of any mobile contamination into groundwater or the River Thames in compliance with Policy DM5 of the Elmbridge Development Management Plan 2015 and para 109 of the National Planning Policy Framework.

7 DRAINAGE SYSTEM CONSTRUCTION

The car park and clean roof-water drainage system shall be carried out in accordance with the approved plans. Any changes shall be submitted to and approved in writing by the Local Planning Authority prior to any further works and the development carried out in accordance with the approved details.


8 CONSTRUCTION MANAGEMENT PLAN

The development shall be carried out in accordance with the Construction Management Plan set out in Appendix 3.2 of the Environmental Statement. Any changes shall be submitted to and approved in writing by the Local Planning Authority prior to any further works and the development carried out in accordance with the approved details.

Reason: In order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users and avoid adverse impacts on health in accordance with Policy DM5 and DM7 of the Elmbridge Development Management Plan 2015.

9 CONTAMINATED LAND

To ensure the potential for contamination has been investigated and the necessary action taken to make the development site suitable for its proposed use, the following steps must be completed to the satisfaction of the Council:

1. Development in accordance with the Method Statement

The development of the site shall be carried out in accordance with the approved Method Statement, and any addenda submitted by the developer, and agreed in writing by the Borough Council. Any post remediation monitoring identified in the Method Statement, shall be installed by the developer within the timescales identified in the Method Statement and maintained and operated for as long as identified by the Method Statement.

2. Unsuspected Contamination

If, during development, contamination not previously identified, is found to be present at the site then no further development shall be carried out until the developer has submitted, and had approved by the Council, a written addendum to the Method Statement detailing how the unsuspected contamination shall be dealt with.

3. Imported material

Clean, uncontaminated rock, soil, brick rubble, crushed concrete or ceramic only shall be permitted as infill material. The developer shall import any material in accordance with the submitted Remediation Method Statement. Written confirmation of the suitability of all imported materials shall be provided to
the Council as part of step (4). This shall include both the results of the sampling program and also
details of the origin, transport, final deposition and any temporary stockpiling of the imported materials.

4. Completion of Remediation and Verification Report

Verification by an independent, competent person must be carried out prior to occupation of any part of
the site by any end user. It is recognised that in some large scale developments, defined areas will be
phased to enable part site occupation prior to completion of the entire site. Where this approach has
been implemented separate verification reports for each phase must be prepared and submitted to the
Council for written approval prior to occupation of the defined area by any end user.

Upon completion of the remediation detailed in the Method Statement, and before occupation of any
part of the site by any end user (see above), a written Verification Report shall be submitted to, and
agreed in writing by, the Council providing verification that the required works regarding
decontamination and installation of post remediation monitoring, have been carried out in accordance
with the agreed Method Statement and any addenda thereto. The verification shall be carried out and
reported by an independent, competent person, stating that remediation was carried out in accordance
with the approved remediation scheme and that the site is suitable for the permitted end use.

Reason: To avoid adverse effects from pollution on health, the natural environment or general amenity,
in accordance with paragraph 120 of the National Planning Policy Framework.

10 MAINTENANCE OF SURFACE WATER DRAINAGE

No development approved by this permission shall be occupied or brought into use until a scheme for
the future maintenance of the surface water drainage system has been submitted to and approved by
the Local Planning Authority. The maintenance shall be carried out in accordance with the approved
scheme.

Reason: To prevent pollution of the water environment due to possible migration of contaminants within
the fill in compliance with Policy DM5 of the Elmbridge Development Management Plan 2015 and para
109 of the National Planning Policy Framework.

11 LANDSCAPING SCHEME

Prior to first use of the development, full details of both hard and soft landscaping works shall be
submitted to and approved in writing by the Local Planning Authority and these works shall be carried
out as approved. This scheme shall include indications of all hard surfaces, walls, fences, access
features, play equipment, the existing trees and hedges to be retained, specifications for the proposed
grass and wildflower mixes, together with the new planting to be carried out in the first planting season.

Reason: To preserve and enhance the visual amenities of the locality in accordance with Policy DM6 of

12 LANDSCAPING - TREE PLANTING AND AFTERCARE

Prior to first use of the development, full details of all proposed tree planting, the proposed times of
planting, and arrangements for aftercare over a period of 5 years shall be approved in writing by the
Borough Council. Details should include clarification on the depth and type of growing medium
proposed for the native woodland edge and woodland clump planting and inclusion of conical strimmer
guards on Tree Pit Details diagram for tree pits 1 & 2 (Evergreen & Deciduous tree planting in shelf on
mound) . All tree planting and aftercare shall be carried out in accordance with those details and at
those times. If within a period of five years from the date of the planting of any tree, that tree, or any
planted in replacement for it, is removed, uprooted or destroyed or dies, another tree of the same
species and size as that originally planted shall be planted in the same place, unless the Borough
Council gives its written consent to any variation.

Reason: To preserve and enhance the visual amenities of the locality in accordance with Policy DM6 of

13 LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN

Prior to first use of the development, a Landscape and Ecological Management Plan shall be submitted
to and approved in writing by the Local Planning Authority. The content of the LEMP shall include the
following:

a) description and evaluation of features to be managed;
b) ecological trends and constraints on site that might influence management;
c) aims and objectives of management;
d) appropriate management options for achieving aims and objectives;

e) prescriptions for management actions, together with a plan of management compartments;

f) preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period;

g) details of the body or organisation responsible for implementation of the plan;

h) ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The development shall be implemented in accordance with the approved details.


14  PA/SOUND SYSTEM

Details of the PA and sound system (if applicable) shall be submitted to, and approved by the planning authority prior to first use of the systems. This shall include a further acoustic report detailing how the sound/PA system shall be designed, installed and operated including any mitigation methods to ensure that residents living close to the site including those across the river are not unduly disturbed by noise. Details of noise sensitive receptors to be assessed shall be submitted to and approved by the Local Planning Authority. The report shall include predicted noise levels at the following residential premises:

- The Weir Hotel, Towpath, Waterside Drive
- Rose Cottage, Towpath, Waterside Drive
- Hawks End, Waterside Drive
- La Boheme, Wheatley's Eyot
- Garden House, Waterside Drive
- Parke Road, Sunbury on Thames

The PA / sound system shall be installed, maintained and used as approved.

Reason: To ensure that no nuisance or disturbance is caused to the detriment of the amenities of adjoining occupiers or of the area generally in accordance with the National Planning Policy Framework.

15  NOISE MANAGEMENT PLAN

A detailed noise management plan (NMP) shall be submitted to, and approved by the planning authority prior to the first use of the site. The NMP should be written in conjunction with a suitably qualified acoustic consultant and shall cover all potential sources of noise and set in place appropriate control measures. The development shall be carried out in accordance with the approved NMP which shall be adhered to by all users of the site at all times. Any departure should be agreed in writing by the Local Planning Authority.

Reason: To avoid adverse impacts on health and quality of life from noise in accordance with paragraph 123 of the National Planning Policy Framework and the Noise Policy Statement for England.

16  LIGHTING STRATEGY

Prior to first use of the development, a lighting strategy to strictly control (or avoid) light spill from the site shall be submitted to and approved by the Local Planning Authority, in consultation with Natural England, Surrey Wildlife Trust and Surrey Bat Group. The lighting strategy shall include the recommended limitation that there shall be no floodlighting between 22:00 and 07:00 except for the car park which should be limited between 22:30 and 07:00. The development shall be carried out in accordance with the approved lighting strategy.

Reason: To limit the impact of light pollution from artificial light on the character and amenity of the area and wildlife with particular reference to birds and foraging bats, in accordance with paragraph 125 of the National Planning Policy Framework and Policy DM5 of the Elmbridge Development Management Plan 2015.

17  NEW ACCESS
The development hereby approved shall not be first occupied until the proposed vehicular access to Waterside Drive has been constructed and provided with visibility zones in accordance with the approved details (Gateway TSP Drawing 14/0211/S03 Rev.B) and thereafter the visibility zones shall be kept permanently clear of any obstruction between 0.6 metres and 2 metres high above the ground.

Reason: In order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users in accordance with Policy DM7 of the Elmbridge Development Management Plan 2015.

18 PARKING AND TURNING/RETENTION OF PARKING AND TURNING
The development hereby approved shall not be first occupied unless and until space has been laid out within the site in accordance with the approved plans for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Thereafter the parking areas shall be retained and maintained for their designated purpose.

Reason: In order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users in accordance with Policy DM7 of the Elmbridge Development Management Plan 2015.

19 PROVISION FOR SUSTAINABLE MODES
The development hereby approved shall not be first occupied unless and until the following facilities have been provided in accordance with the approved plans for:
The secure parking of bicycles within the development for 32 cycles.


20 TRAVEL PLAN
Prior to occupation of the development a Travel Plan shall be submitted for the written approval of the Local Planning Authority in accordance with the sustainable development aims and objectives of the National Planning Policy Framework, Surrey County Council's "Travel Plans Good Practice Guide", and in general accordance with the Draft Travel Plan document. And then the approved Travel Plan shall be implemented upon first occupation and for each and every subsequent occupation of the development, thereafter maintain and develop the Travel Plan to the satisfaction of the Local Planning Authority.


21 BUS STOP
The development hereby approved shall not be first occupied unless and until a bus stop has been provided outside of the development, on Waterside Drive in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority (to include shelter, kerbing, Real Time Passenger Information, road markings and any other necessary accommodation works).

Reason: In order that the development should not prejudice highway safety nor cause inconvenience to other highway users in accordance with Policy DM7 of the Elmbridge Development Management Plan 2015 and Policy CS25 of the Elmbridge Core Strategy 2011.

22 PITCH MANAGEMENT AND MAINTENANCE
Before the Artificial Grass Pitches and grass pitches are brought into use, a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. For the Artificial Grass Pitch this should include measures to ensure the replacement of the Artificial Grass Pitch within a specified period and testing of the facility every 3 years. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the pitches.

Reason: To ensure that the new facilities are capable of being managed and maintained to deliver a facility which is fit for purpose, sustainable and to ensure sufficient benefit of the development to sport and to accord with Policy DM9 of the Development Management Plan 2015.

23 SUDS POST CONSTRUCTION CHECK
Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority to demonstrate that the Sustainable Drainage System has been constructed as per the agreed scheme.

Reason: To ensure an acceptable Sustainable Drainage System has been constructed in accordance with Policy CS26 of the Elmbridge Core Strategy and the National Planning Policy Framework.

24 STORAGE OF WASTE
Adequate provision must be made for the storage and collection of waste so that no odour is detectable at or beyond the boundary of the nearest premises.

Reason: To ensure that no nuisance or disturbance is caused to the detriment of the amenities of adjoining occupiers or of the area generally in accordance with Policy DM2 of the Elmbridge Development Management Plan 2015.

25 TREE PROTECTION
In this condition 'retained tree' means an existing tree, which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the first occupation of the development.

a) no retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Borough Council. Any pruning shall be carried out in accordance with British Standard 3998 (tree work) and in accordance with any supplied arboricultural method statement.

b) if any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Borough Council.

c) tree protection shall be maintained in-situ and not moved or removed until all construction has finished and equipment, materials, or machinery are removed from site.

d) any arboricultural protection information and plans submitted as part of the application, and listed in the approved plans condition, shall be implemented and adhered to at all times during the construction process unless otherwise agreed in writing with the Borough Council. This shall include any requirement for arboricultural supervision and site monitoring.

Reason: This permission is only granted on the basis that the trees would remain on site to mitigate the impact of the development and to preserve and enhance the visual amenities of the locality in accordance with Policy DM6 of the Elmbridge Development Management Plan 2015.

26 ECOLOGY
The development shall be carried out in accordance with the recommended actions set out in the Desk Study and Extended Phase I Habitat Survey Report by Thomson Ecology dated July 2014, Reptile Survey dated 29th September 2014 by The Ecology Consultancy, Preliminary Bat Roost Assessment Report dated 28th January 2015 by The Ecology Consultancy, Badger Survey dated 8th June 2015 by The Ecology Consultancy, Great Crested Newt Assessment dated 3rd June 2015 and 10th June 2015 by The Ecology Consultancy, Hedgerow Survey dated 8th June 2015 by The Ecology Consultancy and Ground level Bat Tree Assessment Report dated 10th June 2015 by The Ecology Consultancy.

Reason: To ensure that biodiversity and ecology are protected in accordance with the National Planning Policy Framework.

27 PITCH STANDARD
The playing fields and pitches shall be constructed and laid out in accordance with the standards and methodologies set out in the guidance note “Natural Turf for Sport” (Sport England, 2011).

Reason: To ensure the quality of pitches is satisfactory in compliance with Policy DM9 of the Elmbridge Development Management Plan 2015.

28 ARTIFICIAL PITCH STANDARD
The 3G artificial pitches hereby permitted shall not be constructed other than in accordance with Sport England’s technical guidance: Artificial surfaces for outdoor sports (December 2013) and the FA’s Technical Design Guidance Notes: the FA Guide to Football Turf Pitch Design Principles and Layouts.

Reason: To ensure the development is fit for purpose and sustainable and to accord with Policy DM9 of the Elmbridge Development Management Plan 2015.

29 COMMUNITY USE
Prior to first use of the development, a community use agreement shall be submitted to and approved by the Local Planning Authority prepared in consultation with Surrey CFA and Sport England, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the 3G pitches; grass pitches; and Athletics Track and include details of pricing policy, hours of use, access by users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Policy DM9 of the Elmbridge Development Management Plan 2015.

30 ATHLETICS TRACK SPECIFICATION
Prior to first use details of the construction and specification of the Athletics Track including track surface; infield area; fixed area; floodlighting shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The Athletics Track shall not be constructed other than substantially in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable and to accord with Policy DM9 of the Elmbridge Development Management Plan 2015.

31 BIODIVERSITY ENHANCEMENT
Prior to first use, a scheme for off-site biodiversity enhancement shall be submitted to and approved in writing by the Local Planning Authority. The enhancements shall be carried out in accordance with the approved details.

Reason: To ensure that there is no net loss of biodiversity in accordance with Policy CS15 of the Elmbridge Core Strategy 2011, Policy DM21 of the Elmbridge Development Management Plan 2015 and the NPPF.

32 PLANT NOISE (EH)
The LAeq of mechanical plant, measured 1 metre from the façade of the closest noise sensitive premises, over a 1-hour period during the day or 5 minutes at night (23.00 - 07.00 hrs), must be a minimum of 5 dB below background (L90), measured over a sufficient time interval to obtain a representative value, at the nearest noise sensitive premises, or a minimum of 10 dB below background if:

- the noise contains a distinguishable, discrete, continuous note (whine, hiss, screech, hum, etc)
- the noise contains distinct impulses (bangs, clicks, clatters or thumps)
- the noise is irregular enough to attract attention.

Reason: To avoid adverse impacts on health and quality of life from noise in accordance with paragraph 123 of the National Planning Policy Framework and the Noise Policy Statement for England.

33 CONTROL OF POLLUTION AND NOISE DURING CONSTRUCTION
During the construction phase where sensitive premises are nearby:

(a) Work which is audible beyond the site boundary should only be carried out between the following hours:
Monday to Friday 08:00 hrs to 18:00 hrs
Saturday 08:00 hrs to 13:00 hrs
and not at all on Sundays or Bank Holidays.

(b) The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels.

(c) Deliveries and collections should only be received within the hours detailed above.

(d) Adequate steps should be taken to prevent dust causing nuisance beyond the site boundary. These could include the use of hoses to damp down stockpiles of materials which are likely to
generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes.

(e) There should be no burning on site that causes nuisance to local residents.

(f) Only minimal security lighting shall be used outside the hours stated above.

Further advice is available on our website www.elmbridge.gov.uk/envhealth.

Informatives

1 WORKS WITHIN PROXIMITY OF BANK OF MAIN RIVER
An environmental permit or exemption may be required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of designated “main river”. Until recently this was called Flood Defence Consent. Some activities are also now excluded or exempt. Further details and guidance are available on the GOV.UK website: https://www.gov.uk/guidance/flood-risk-activities-environmental-permits.

2 WASTE ON SITE
Contaminated soil that is, or must be, disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 “Characterisation of Waste – Sampling of Waste Materials – Framework for the Preparation and Application of a Sampling Plan” and that the permitting status of any proposed off site operations is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer. Refer to the Hazardous Waste pages on GOV.UK for more information.

3 SCAFFOLDING LICENCES
The permission hereby granted shall not be construed as authority to obstruct the public highway by the erection of scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority Local Highways Service.

4 NEW VEHICLE CROSSOVERS AND DROPPED KERBS
The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs.

5 OTHER WORKS TO THE HIGHWAY
The permission hereby granted shall not be construed as authority to carry out any works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a permit and, potentially, a Section 278 agreement must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. All works on the highway will require a permit and an application will need to be submitted to the County Council’s Street Works Team up to 3 months in advance of the intended start date, depending on the scale of the works proposed and the classification of the road. Please see http://www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/the-traffic-management-permit-scheme. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see www.surreycc.gov.uk/people-and-community/emergency-planning-and-community-safety/flooding-advice.

6 MATERIALS DEPOSITED ON THE HIGHWAY
The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on or damage the highway from uncleaned wheels or badly loaded vehicles. The Highway Authority will seek, wherever possible, to recover any expenses incurred in clearing, cleaning or repairing highway surfaces and prosecutes persistent offenders. (Highways Act 1980 Sections 131, 148, 149).

7 MONITORING FEE
The developer is advised that a standard fee may be charged for input to, and future monitoring of, any Travel Plan.

8 DISCHARGE INTO RIVER THAMES
The applicant has proposed to attenuate 3474.8m3 (SuDS proforma) on site and then discharge runoff from the site into River Thames at control rate of 18 l/s (MHSW1.1 – Drawing EPG/8088/SD/11). As this is subject to Environment Agency consent, the applicant shall consult and gain approval of the EA with regard to construction of new outfall. The discharge rate and volume to the receiving River Thames should also be agreed with EA.

9 ADVICE TO DEVELOPERS REGARDING CONTAMINATION ASSESSMENTS
To ensure the necessary information is submitted to the Council to satisfy the conditions relating to contaminated land assessments, applicants are advised to carry out the following.

- Read the 'Contaminated Land Investigation Guide' which is available on the Council website in the Contaminated Land section www.elmbridge.gov.uk/pollution
- Appoint a professionally qualified Environmental Consultant who is able to carry out contamination assessments. A database of consultants is available in the Directory section of the ENDS website, www.endsdirectory.com
- Request that, once appointed, the consultant contacts the Council to discuss the exact requirements of the planning condition prior to them commencing their work.

10 ENVIRONMENTAL HEALTH CONSULTATION
Before carrying out any contamination investigation or remediation of a site the developer is strongly recommended to contact the Environmental Health & Licensing Team for guidance on the requirements for such investigations or remediation. Investigations, in particular, which do not adequately fulfil these recommendations, may result in additional work having to be carried out.

11 ENVIRONMENT AGENCY CONSULTATION
Where there are planning conditions requiring the submission of information (desk study, site investigation, remediation method statement and remediation verification report) in relation to either Special Sites or pollution of Controlled Waters then the Environment Agency would like to receive copies of any documents produced by the developer in connection with those conditions.

12 WASTE ON SITE
Most contaminated soils are regarded as controlled waste. If controlled waste is to be deposited on the site then either a Waste Management Licence will be required or the applicant will need to register an exemption to licensing with the Environment Agency. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the licensable status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

13 WASTE TO BE TAKEN OFF SITE
Most contaminated soils are regarded as controlled waste. Therefore, their handling, transport, treatment and disposal are subject to waste management legislation, which includes:

(i) Duty of Care Regulations 1991
(ii) Special Waste Regulations 1996
(iii) Waste Management Licensing Regulations 1994 (as amended)

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the licensable status of any proposed off site operations is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

14 ALCOHOL LICENSING - PREMISES LICENCE
If the applicant wishes to sell alcohol they will have to apply for a Premises Licence or if the premises (Take Away) wishes to remain open for business between 23.00hrs - 05.00hrs for the sale of hot food or drink a licence is required.

15 ASBESTOS
If materials containing asbestos are present on the site a specialist contractor must remove such material to a licensed facility before demolition works commence. This is to ensure that the material is not broken up and left on site and does not pose a health risk to site workers or neighbouring residents. The enforcing authority with regard to asbestos on a demolition or construction site is the Health and Safety Executive.

16 NEW AND REFURBISHED FOOD PREMISES

New food businesses must be registered at least 28 days before commencement of trading. This can be done on-line at www.elmbridge.gov.uk Alternatively an application form can be sent on request by telephoning Environmental Health & Licensing on 01372 474750.

Food preparation areas must be suitably designed for the type of food preparation carried out and be proof against the ingress of pests. Equipment should include:

- Wash-hand basins
- Equipment sinks
- Food preparation sinks
- Suitable and sufficient food storage including the use of refrigerators and freezers.
- Temporary accommodation for waste within the preparation area together with sufficient external storage for waste.

All equipment and structural surfaces must be washable and capable of disinfection where applicable. For advice on design and layout or mechanical ventilation systems for the elimination of external noise and odour nuisance, contact Environmental Health & Licensing on 01372 474750.

17 ELECTRIC VEHICLE CHARGING

The applicant is encouraged to install a rapid electric vehicle charger which would be capable of fully charging a vehicle within 20-40 minutes and to install the wiring and charger hardstanding during the construction phase.

18 PIPELINE

The proposed surface water drain and footpath cross the BPA high pressure fuel pipeline. The appropriate crossing agreements and method statements will need to be in place before work can commence. When planning works involved in crossing or working with the wayleave, plan of work, drawings, Method Statement and Risk Assessment for the written acceptance of BPA Engineering is required before works start.

19 COMMUNITY USE AGREEMENT

Guidance on preparing Community Use Agreements is available from Sport England www.sportengland.org.

20 ATHLETICS TRACK CONSTRUCTION AND SPECIFICATION

The applicant is advised that the construction and specification of the Athletics Track should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to: Sport England floodlighting standards for athletics facilities Artificial sport lighting: design guide.

21 PLANTING

The applicant is advised that evergreen trees and planting and acoustic screening should be considered when preparing a landscaping scheme in consultation with the Council’s Tree Officer and Ward Councillors.

22 LIGHTING STRATEGY

The applicant is advised that details relating to the proposed lighting strategy should be prepared in consultation with Ward Councillors.
APPENDIX 1

Representations:
224 letters of objection from 193 households, CPRE and the British Astronomical Associations’ Commission for Dark Skies, on the following grounds:

Environmental Impact Assessment
Environmental damage
ES fails to examine alternative locations in Elmbridge. Only considered Stompond Lane and Waterside Drive. There are lots of alternative sites such as Rydens, Churchfield, Brooklands, Esher, Molesey and West Molesey Industrial Estate
Stompond Lane is viable alternative
ES does not correctly measure impact on residents of six football pitches rather than one, in addition to Athletics Stadium.
ES wrongly concludes the floodlights will not be visible from houses on Parke Road particularly in winter.
ES does not correctly assess value of riverside
ES should have been conducted before permission was approved
ES says 15 years before impact on Sunbury is minor negative, therefore up till then would be major. Loss of dark skies and night time tranquillity is not taken into account when assessing environmental impact

Green Belt
Adverse impact
Contrary to Green Belt policy
Buildings and high fencing will permanently disfigure green belt area
All previous arguments re: inappropriate development still valid
CPRE objects to removal of Green Belt and 2500 local people signed a petition
Council building on Green Belt when others would not be allowed
Area fenced off by 2379m of fencing, 420m solid boarded, doesn’t preserve openness. 7.5 fold increase in amount of fencing in Green Belt, not counting existing chain link along towpath.
Has not demonstrated any very special circumstances
Would set precedent for building on Green Belt, such as Apps Court Farm
Neither necessary nor an appropriate development and benefits do not outweigh the harm
Commercial sports complex will impact on openness of a large area of previously undeveloped land in GB.
Harm to openness of Green Belt

Judicial Review
Cynical nature of application. Judicial review scheduled for 6th December.
Not materially different to previous application which is subject to judicial review
Attempt to delay the judicial process

Need/Principle
Council should listen to football club and local residents rather than property developers
Archery Centre was rejected due to unsuitable transport requirements
Long way from town centre
White elephant
Waste of taxpayers money
No need for another application, just changed the conditions
Area of pitches will be 3 fold larger, which should require change of land use
Foundations and structure for pavilion already erected, disrespectful and contemptuous of legal process.
Athletics and football uses do not need to be in the same place.
Stompond Lane should be improved instead
Walton and Hersham FC and associated teams should be included and future secured
Walton and Hersham FC want to maintain their Stompond Lane facility
Limited benefits to residents, mainly private clubs
A better placed facility would serve those likely to use them
Lack of alternative open space within walking distance for play, picnics and walking dogs
Concern that Chelsea FC are involved which is why scheme is so large, in medium term would mean further development, as London Irish have shown with recent application
Plenty of 5 a side pitches empty locally
Should be limitations that space will not be put to other purposes eg. outdoor concerts
No objection to replacement of rundown and modest facilities for Walton Casuals, nor remediation of landfill site. Remediated site could be offered as country park with larger facilities for Walton Casuals and athletics track. No objection to more playing fields. Already enough sports facilities in the area.

**Landscape / Heritage**
- Blot on rural landscape
- Loss of trees not compensated by tree planting
- Damage already caused
- Should be protecting conservation areas
- Impact of stadium and floodlighting not compatible with surrounding area and beautiful stretch of River Thames
- Will ruin views of residents of Parke Road and Sunbury Weir from Conservation Area and Grade II* listed St Mary’s Church. 2520 petition to save view from King’s Lawn and Thames Street.
- Visual impact on historical setting of Lower Sunbury
- Although site levels no longer raised by 1.5m, should be row of evergreen trees to provide screen from noise and floodlighting
- Evergreen trees are welcomed but doesn’t clarify number proposed
- Ignores the Thames Landscape Strategy
- Visualisations are incorrect as they were done when trees are in leaf
- Contrary to Policies DM5, harm to intrinsically dark landscapes such as Green Belt, local character and amenity of the area.
- Conflict with Policy DM13, riverside development, conspicuous and does not conserve or enhance the Thames landscape.
- Line of tall Leylandii trees, 8-9m should be planted, proposed trees 3-3.5m height will take about 20 years to grow to maximum height of 6m.
- Overbearing footprint and dimensions and out of character with riverside setting
- River Thames under threat of becoming narrow corridor or ditch
- No further creeping development should be allowed along riverside
- Detrimental impact on character of pleasant Thames side area
- Large bunds and high fencing encloses a large area to maintain privacy and exclude non-ticket paying members of the public
- Loss of open green space and long views of distant trees, that previously provided sense of open countryside
- Impact on character of Thames landscape and SNCI, Thames Path, Weir Hotel and setting of listed assets in Sunbury
- Suburbanisation of site in terms of built development and increase in activity during weekends and weekday evenings

**General Amenity/Design**
- Impact on surrounding area
- Building not in proportion to any other building in area
- Would overshadow everything around
- ES should have minimised impact on residents by reducing number of football clubs, sharing the same ground, cutting the floodlights, limiting the days and hours of operation.
- Sports Hub will operate six times longer each week compare to matches by Casuals once a week.
- Takes no account of impact on Sunbury
- Loss of privacy
- Impact on health of local residents and quality of life
- Health and safety factor during construction
- No indication of the hub’s intended hours of operation, in particular into the night
- Development should be moved as close as possible to south east boundary and further away from river.

**Lighting**
- Existing facility lighting destroys dark night, proposal would make it worse
- No floodlighting should be allowed and facility only used during daylight hours
- Lighting would shine across river
- Opposed to floodlighting and noise until 10pm, would destroy peaceful area of riverside
- Problems from existing floodlighting on local properties
- More than double the existing floodlights, 3m higher.
- Local houses are raised due to floodplain, therefore floodlights more visible
Floodlights would be mainly used in autumn and winter when there is minimal leaf cover. Additional 10 floodlights that will be 20m high, which won’t be masked by trees and would be more intrusive from a distance.

Additional height of floodlights should be refused. Recent Floodlights at London Irish ground are only 15m high. Lighting could be a legal nuisance. Light will destroy river views in evening and through the night.

Lower Sunbury already affected by light pollution from Hazelwood (London Irish) and Kempton Park. Measures shown to prevent light pollution on plans appear inadequate and should be improved. Elmbridge should impose requirements on sports hub owner to negate all impacts of light pollution and counter adverse visual impacts.

Noise and light pollution affecting residential amenity, wildlife, dark skies and tranquillity. Mitigation to point lighting downwards will fail to control the glow of the light which will be visible over a wide area, both sides of river. Development must be appropriately and sensitively lit rather than in place where it becomes intrusion into area of dark skies.

Noise
Noise from previous facilities already excessive and nuisance across river, proposal will make problem worse. Existing football club is just about acceptable but massive increase in usage would make it unacceptable.

Continuous use rather than occasional and intermittence at present. Sound travelling over water is magnified. Need for continuous sound level monitoring. Any public address system should have noise level limit to switch off automatically.

Current tannoy system from Leisure Centre carries as far as Walton Rowing Club. Noise from building works. Noise from evening functions. Change in noise activities documented as moderate adverse impact, above the LOEL threshold, eg, PA system and therefore not acceptable.

This stretch of Thames attracts peaceful pursuits of rowers, walkers, bikers and boaters. Extra noise will deter residents and visitors to the area. ES assessment of noise was measured for couple of days when Heathrow was using easterly runway which is rare and gives distorted view.

Residents will not have any period of quietness. Number of practice pitches near The Weir Hotel will be noisy and should be reduced. Noise could be a legal nuisance. Impact on quiet and dark village of Lower Sunbury. Measures to prevent noise pollution on plans appear inadequate and should be improved. Elmbridge should impose requirements on sports hub owner to negate all impacts of noise pollution and counter adverse visual impacts.


Traffic/Highways
Huge increase in traffic generation. Poor public transport links. Not suitable due to distance from railway stations and limited bus service, forcing people to drive.

Bus service 555 from Sunbury to Walton will close from 31st December 2016. Therefore no public transport to site from Sunbury, Ashford and Shepperton which will have impact on number of vehicles visiting Sports Hub and Leisure Centre.

Car park is inadequate. Steps needed to ensure cars from new junction onto Waterside Drive are not impeded by cars parked in Waterside Drive. Already bottleneck with traffic flow problems.

Increased traffic on Walton Bridge which is already congested. Reduction in proposed number of parking spaces is surprising.

Contamination
Increased traffic pollution. Gas vents not sufficient to deal with deposits under surface. Danger from contamination beneath soil, potential toxic gases. Risk of explosion from BP pipeline.

Long term effects of building on contaminated land not yet known or tested.
Risk of pollution from site seeping into Thames
Land not fit for purpose due to contaminated land
Breaches Water Framework Directive 24

Flooding
Tons of concrete will make flooding worse
Should be designated flood plain where no more development should be allowed
Flooding in area

Wildlife
Impact of floodlights on wildlife and river
Loss of 42% of natural habitat for birds, insects and animals.
River Thames is SNCI, vital wildlife corridor for migrating birds, animals and moths
Ecology report says turn floodlights off at 5pm
No clear evidence to support claims that wildlife are not affected
Conflict with Policy DM6 and DM21.

Financial
Commercial drivers for the application
Development driven by financial ambition of Council to sell off Stompond Lane for housing, therefore
needed alternative ground for Walton and Hersham FC and Athletics Club.
Would only cost £5 or £6 million to build a sports stadium on unpolluted land.

Procedure
Lack of consultation
Local Authority should protect themselves from claims of impartiality

Other
Lack of infrastructure to accommodate this huge build

8 letters of observation:

- Continuous noise interference from existing XCel generator. Hope that new substation will eliminate existing interference
- Strict limits on light pollution and traffic/parking, modern lighting and building landscape technologies should be used to minimise disturbance to neighbours
- Each club should equal access to the facilities
- A Thames footbridge would enable Sunbury residents to use facility without adding to traffic
- Acoustic barrier should be added to protect Elmbridge residents living parallel to Waterside Drive, not just residents of Sunbury
- Difficult to comprehend what has been revised in the drawings and technical documents
- Three weeks is insufficient time to comment
Electronically operated opening Velux Modular Long Light with integral internal blinds.

Electronically operated roof access hatch.

Freestanding Guardrail fall protection, RWP, complementary to flat roofing system.