

## Summary of inconsistencies, deficiencies and errors in the material submitted by Tormead School to discharge the Urnfield planning permission conditions

Merrow Downs Residents' Group, March 16<sup>th</sup> 2023

(residents from Elles Ave, Daryngton Drive, Holford Road, Down Road, Tangier Road and Downside Road)

Main points:

- **Inconsistency / conflicting proposals:** The plans are inconsistent across the whole application and in some cases they are directly in conflict with each other (with one plan suggesting something another cannot deliver). There is also internal inconsistency between older and newer drawings within a plan, and sometimes within a single plan or drawing (e.g. two purposes labelled on the same strip of land; text contradicted by drawing).
- **Poor practice and increased harm:** As this site is within an AONB with the inspector acknowledging the development's harm to the AONB and the purpose for which it was designated, it might be expected that the plans submitted for the discharge of planning conditions should be of a good quality; some might argue they should represent best practice in sustainable development. A range of new features, including a large plastic shelter and car park lighting, have appeared on the plans submitted with no assessment of impact.

The material submitted thus far is at best inadequate, and not of a quality consistent with the site's location in a nationally important landscape. This has the potential to result in much greater harm to the AONB than that assumed by the inspector.

### 1. Conflicts between the material provided to discharge each condition

**Condition 3 conflicts with condition 4:** Construction Plan v Landscape and Ecology Management Plan

- Start date of construction phase 1 listed as 17<sup>th</sup> April 2023
- Ecologist states in the Landscape and Ecology Management Plan that a badger sett onsite will need to be temporarily closed before **any construction onsite begins**; the LEMP further (correctly) states that this requires a licence from Natural England and sett closure can only happen between July and November to protect breeding females
- This means that **July** is the earliest possible start date for construction onsite, **not** 17<sup>th</sup> April
- The Construction Plan sets out hours of construction to include Saturdays until 17.30; however, the LEMP (Condition 4) states that construction on Saturdays will be limited to 08.30 – 13.00. Given the site's location within the AONB, and at the end of a quiet road,

construction should stop at 13.00, as specified in similar local developments such as Garlick's Arch, Send (19/P/02223).

**Condition 4 conflicts with condition 6: Landscape and Ecology Management Plan v Surface Water Drainage Strategy**

- The LEMP shows a retained tree / hedgeline at the edge of the car park whereas the Surface Water Drainage Strategy shows a filter drain in the same location

**Condition 6 conflicts with condition 7: Surface Water Drainage Strategy and Soft / Hard Landscaping Plan**

- The landscaping plan show kerbs surrounding the edge of the car park; this is not compatible with the drainage strategy

**2. New features appearing in various plans / plans not matching those approved by the Inspector**

- The original drawings approved by the Inspector in condition 2 show retention of the trees/shrubs on site right up to the edge of the new running track; subsequent drawings show this replaced by a "wildflower meadow", and in one drawing it is suggested that the existing trees are retained AND wildflowers planted in the same area. The plans contradict each other. This crucial tree / hedge area provides an important visual and noise barrier towards the woodland and Merrow Downs, and the original drawings showing it retained were approved by the Inspector as stated in condition 2.
- New low height lights are proposed for the main car parking area; these would be right next to the woodland and their **impact is unassessed** as they were not included in any of the material before the Inspector.
- There is a new built structure proposed along the length of the hockey pitch – **a plastic shelter measuring 18m X 1.5m** to house players at the side of the pitch; this was not included in any of the material before the inspector and could potentially conflict with greenbelt policies.

**3. Flaws / deficiencies in plans submitted for each Condition, meaning they do not meet the "adequate" test, let alone represent good practice and suitable for a nationally protected landscape:**

**Condition 4: Landscape and Ecology Management Plan**

- Importing a drawing from the approved lighting report, the plan written by the ecologist states that the drawing shows "the level of light spill is approximately 1 lux onto the woodland edge", **whereas the drawing to which it refers shows clearly lux levels of 4 lux** in the woodland / trees closest to the running track and up to 10 lux at the edge of the track itself. The only way the development could meet the Inspector's requirement of a 1 lux spill

level would be to remove all trees and vegetation right up to (and beyond) the northern fence boundary. Surely that isn't contemplated?! It certainly isn't part of any plans hitherto submitted or approved.

- We have advised the planning team that we have additional evidence commissioned from an independent lighting expert (and using the same information used by Tormead's consultants) to show that the light spill when correctly calculated (ie. not just at ground level) will result in somewhere **between 4 and 8 lux** or even up to 10 lux at the woodland edge (the woodland currently extending in places almost up to the proposed running track), **far in excess of the 1 lux target set by the inspector**. We have not yet sent the report to the planning team as we are awaiting the Sensitive Lighting Management Plan from Tormead as required in conditions 18 and 19, at which point we can comment more fully.

#### **Condition 6: Surface water drainage scheme (scrutinised by a chartered civil / water engineer)**

- Incorrect rainfall assumptions have been used in the calculations – these are from old professional guidance and do not represent current good practice as set out in Environment Agency guidance. The amount of water storage and drainage capacity required is **underestimated by approx. one fifth** throughout the plan.
- The plans for pollution control do not align with recommended practices outlined in the SUDS manual in relation to filter drains and permeable pavements
- The approved plans show permeable pavement and hockey track construction; this conflicts with the construction drawings which show a layer under the hockey pitch and car park of "type 1" material which is typically impermeable. This is likely to **increase flood risk on site and downhill towards Merrow Downs**.

#### **Condition 7: Soft and hard landscaping (scrutinised by a landscape architect)**

- Planting and tree removal plans do not give the **detail required by the inspector** in relation to numbers, size, species and specific locations of trees to be removed / planted, as required by condition 7.
- There is **no detailed survey** of existing trees along the northern and north western boundaries where new fencing will be built to replace the dilapidated chain link fence. Many trees have grown in and around the current fencing and are in **danger of being severely damaged**; this is impossible to assess without more detail.
- A new construction plan drawing (condition 3) shows **temporary construction fencing** in areas which are currently woodland and scrub. This may require further (unapproved) removal of trees and scrub and is not currently included in the soft and hard landscaping plans.