

<b>LOCATION:</b>	Langshot Equestrian Centre, Gracious Pond Road, Chobham, Woking, Surrey, GU24 8HJ,
<b>PROPOSAL:</b>	Temporary use of land for five years for open air film-making and vehicle parking; associated temporary use of existing buildings for film storage, offices and workshops; and associated erection of four temporary detached buildings for film storage
<b>TYPE:</b>	Full Planning Application
<b>APPLICANT:</b>	Mr and Mr D and N Flower and Waldron
<b>OFFICER:</b>	Duncan Carty

This application is being referred to the Planning Applications Committee because it relates to major development because the combined size of the existing and proposed buildings exceeds 1,000 square metres.

## **RECOMMENDATION: REFUSE**

### **1.0 SUMMARY**

- 1.1 This planning application relates to the use of land for five years for open air film making and vehicle parking with an associated use of existing buildings for film storage, offices and workshops and associated erection of four temporary detached buildings for film storage. The application site lies to the north-east of Chobham falling within the Green Belt, accessed from a private road off Gracious Pond Road. The site borders Chobham Common which forms a part of the Thames Basin Heaths Special Protection Area (SPA).
- 1.2 The current proposal would have an adverse visual impact, and reduce openness, on the countryside character and Green Belt. It can also not be demonstrated that the use of the land would not have an adverse impact on trees, highway safety, nor drainage/flood risk. In addition and following the undertaking of an Appropriate Assessment, it has not been demonstrated that the use of the land could not take place without adversely impacting on the integrity of the SPA. It would also have an adverse impact on residential amenity. It is not considered that very special circumstances exist to outweigh the Green Belt, and all other identified, harm. The application is recommended for refusal.

### **2.0 SITE DESCRIPTION**

- 2.1 The application site lies to the north-east of Chobham falling within the Green Belt, the site borders Chobham Common, to the north and east, which forms a part of the Thames Basin Heaths Special Protection Area (SPA). The site is accessed from a private road off Gracious Pond Road. The private road is shared with other properties including de Graff Trailers and Longshot Stud Farm as well as Albury Farm, a residential property. Public footpaths 54, 55, 97 and 188 lie close to the site boundaries.

- 2.2 The application site includes the former Langshot Equestrian Centre, which has been closed within the last few years, and has been the subject to a replacement dwelling (with some buildings already removed and lawfully commenced), see planning history below. The remaining buildings include the former indoor school which has been used for vehicle storage (see planning history below). There is a large parking area to the front of the existing buildings on the site.

### 3.0 RELEVANT HISTORY

The application site was established as a riding school and has an extensive planning history of which the following are most relevant:

- 3.1 BGR3433 Erection of a building for indoor riding school and agricultural purposes.  
*Approved in June 1961 and implemented.*
- 3.2 15/1128 Erection of a part two storey, part single storey dwelling and ancillary garage building with 2 no staff flats with access and parking court following the demolition of all existing buildings.  
*Approved in July 2016 and lawfully started (see below).*
- 3.3 20/0278 Temporary change of use (for up to two years) from equestrian use to a flexible use with business (Class B1) and storage or distribution (Class B8) part retrospective.  
*Currently under consideration.*
- 3.4 21/0824 Certificate of Lawful Proposed development in relation to the commencement of development under planning permission 15/1128 including the construction of the new access and part foundation of new dwellinghouse, closure of previous site access and removal of 10 no buildings.  
*Considered to be lawful in December 2021.*
- 3.5 22/0126 Application under Class E, Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) to determine if prior approval is required for a proposed temporary use, for nine months, of land for the purpose of commercial film-making and provision of temporary structures in connection with that use.  
*Refused in April 2022 on the basis that it had not been demonstrated that the development and use would not adversely affect the integrity of the SPA, highway safety and flood risk and it was unacceptable on residential amenity grounds.*

### 4.0 THE PROPOSAL

- 4.1 This planning application relates to the use of land for five years for open air film making and vehicle parking with an associated use of existing buildings for film storage, offices and workshops and associated erection of a temporary detached building for use as a workshop. The proposal is to use existing buildings (comprising 1,980 square metres) to provide workshops, offices/welfare and storage and provide a temporary workshop building (of 900 square metres). Parking is provided to the front of the workshops with an overflow car park area on a paddock behind (and possible temporary unit base). There is an indication that this area may include the installation of further portable (temporary) buildings that may be required during film making but this would require separate planning permission. The use of a paddock to the front for open-air filming is also proposed.

- 4.2 The planning statement provided to support this application indicates that there are three stages of film making including preparation, film making and strike. The hours of operation for preparation and strike would be from Mondays to Fridays and between 07:30 and 18:00 hours only. The hours for filming would be 06:00 to 22:00 hours from Mondays to Sundays with a maximum of 60 night shoots per year.
- 4.3 The planning statement also advises on the likely traffic movements on and off the site which include 45 cars, 2 vans and 4 lorries per day during preparation and strike (although car movements reducing during strike to 25 cars) and 200 cars, 4 vans, 12 tech trucks and 4 trucks per day during filming.
- 4.4 The application has been supported by a planning (with design and access) statement, ecology report and flood risk assessment.

## **5.0 CONSULTATION RESPONSES**

- 5.1 County Highway Authority Insufficient details have been provided to fully assess impact on local highway and footpath network (See Annex A).
- 5.2 Environmental Health Raises an objection on disturbance to neighbouring properties. A noise impact assessment has not been provided.
- 5.3 Natural England No comments received to date.
- 5.4 Surrey Wildlife Trust No comments received to date.
- 5.5 Local Lead Flood Authority Insufficient details have been provided.
- 5.6 Arboricultural Officer An objection is raised on lack of information.
- 5.7 Chobham Parish Council An objection is raised on impact on residential properties, traffic/highway network, Green Belt, horses at the stud farm, public rights of way, sustainability, biodiversity and loss of equestrian use.

## **6.0 REPRESENTATION**

- 6.1 There were 2 neighbour notification letters sent on 2 March 2022 and at the time of preparation of this report, there were 3 representations in support and 103 representations, including one from the Chobham Society, raising an objection on the following grounds [up to 29/3]:
- 6.2 Impact on the Green Belt and countryside character [see sections 7.2 and 7.3]
- Inappropriate development/use in a fragile part of the Green Belt
  - Harmful to the Green Belt and decrease openness
  - Impact on rural character and area of natural beauty
  - Change character of narrow country lane (into busy road)/tree roads
  - Impact from fencing on trees
  - Overdevelopment
  - Out of keeping with character of area
  - Temporary building out of keeping
  - Unsuitable development in the area
  - Filming marked difference to authorised use
  - Sufficient “very special circumstances” have not been established

### 6.3 Impact on residential amenity [see section 7.4]

- Noise nuisance
- Impact from noise which travels far in this quiet location at night
- Close to adjoining properties
- Development too high
- Increase of pollution – noise, light, air, cesspit/septic tank
- Loss of privacy and light
- Overnight activity – comings and goings, lighting, generators running, light, noise
- Film sites are busy, noisy and disruptive places
- Noise levels above WHO European limit of 40 decibels
- Disruption to neighbours – open air filming and night shoots, metal work, power tools, floodlights, loudspeakers, generators, megaphones, shouting, guns, vehicle movements (including HGV's), catering vans

### 6.4 Impact on traffic and highway safety [see section 7.5]

- Impact on highway safety
- Increase in volume of traffic on local highway network and through village
- Insufficient parking
- Surrounding roads unfit to support extra cars and lorries – too narrow
- Insufficient evidence to assess highway impact
- Inadequate access
- Inadequate public transport provisions
- Loss of parking
- Disruption to local road network and other users (walkers/runners, dog walkers, cyclists, lorries, trucks, tractors, horse riders)
- Impact on footways, cycleways and bridleways and access to Common
- Impact on road used as a rat run
- Existing road is dangerous with no footways, poor lighting and visibility
- Increased risk of accidents (there has been a recent serious accident close the site access) and at nearby 90 degree turn in road, dangerous low branches
- Poor road surface made worse/more dangerous for users
- Under estimation of likely traffic generation (and an over estimation of existing users)

### 6.5 Impact on ecology and the SPA [see section 7.6]

- Impact on local ecology
- Impact on wildlife – bats, nightjars, Dartford Warblers, woodlarks, invertebrates, badgers, owls, mammals, moths, deer, amphibians
- Bats are found in the area (against the advice within the ecology report)
- Impact on bird nesting season
- Impact on the Chobham Common SSSI and SPA, Grade 1, NNCR and NNR
- Impact of noise and lighting on the SSSI
- Habitat disturbance from fencing
- Insufficient details provided to demonstrate that no harm to protected species would occur
- Impact from noise from footpath
- Impact on wildlife (using the track access) from traffic
- Economic benefits insufficient to outweigh harm
- No appropriate ecological assessment has been undertaken and no assessment of night activity on habitats
- 2km exclusion zone for nesting nightjars
- Negative effect on flora and fauna
- External lighting and noise should not be allowed, particularly in the nesting season
- Increased fire risk to Chobham Common

## 6.6 Other matters

- Conflict with local plan [*Officer comment: This is not further explained*]
- This is a purely business venture, limited benefits to local businesses and no benefit to local residents [*Officer comment: This is noted*]
- More open space needed on development [*Officer comment: This is not further explained*]
- Impact on local infrastructure [*Officer comment: This is not further explained*]
- Impact on stud farm and horses in surrounding fields – impact on competition/sensitive horses from noise [*Officer comment: It is not considered that this would be a reason for refusal*]
- Increased risk of flooding [*See section 7.7*]
- Impact on drainage – toxic chemicals, explosive debris, fake blood, diesel, paints, petrol, general waste into water (stream/ditch/drains/sewer) network
- Impact on streams [*See section 7.7*]
- Impact on pollution from vehicles [*See sections 7.4 and 7.6*]
- Affect local geology [*Officer comment: This is not further explained*]
- Previous/existing enforcement/noise issues at the site [*Officer comment: Any such matters would be dealt with outside of this application determination*]
- Littering [*Officer comment: It is not considered that this would be a reason for refusal*]
- Impact on animal welfare [*Officer comment: As a matter separate from the impact on protected species and their habitats, it is not considered that this would be a reason for refusal*]
- Support the objection of Chobham Parish Council [*Officer comment: This is noted*]
- Insufficient, conflicting, incorrect and missing details [*Officer comment: Sufficient details have been provided to determine this application*]
- General dislike of proposal [*Officer comment: This is not further explained*]
- Other facilities would be required – wardrobe, makeup, action vehicle workshop, kitchen, actor's caravans, workplace accommodation (e.g. toilets) [*Officer comment: This is noted but would require separate planning permission and would be considered at that time*]
- Potential contaminated land [*Officer comment: It is not a site with historic land contamination issues*]
- Strain on existing communal facilities [*Officer comment: It has not been made clear which facilities could be affected*]
- Not in line with recent COP26 regulations [*Officer comment: This relates to wider global need to accelerate Climate Change requirements and is not so relevant to more local proposals*]
- Further damage to road surface, footpaths and verges [*Officer comment: This would be a County matter*]
- Impact on lawful status of site [*Officer comment: If minded to approve a restriction on the time limit for this use would be imposed and the lawful status would not be affected*]
- Extends activity beyond hours of local businesses
- Impact on listed building (35 Mincing Lane) from traffic (lorries) [*Officer comment: Damage from traffic could occur from any traffic. It is not considered that the change to traffic would be so significant to warrant the refusal of this application*]
- Precedent for permanent filming and storage use [*Officer comment: Each application is assessed on its own merits*]
- More established site should be considered (instead) e.g. Longcross [*Officer comment: The availability of other filming sites would not be a reason to refuse this application*]
- Level of neighbour notification [*Officer comment: The level of neighbour notification exceeds statutory requirements*]
- No consultation by the applicant [*Officer comment: There is no statutory requirement for such consultations to be undertaken*]
- Will be unenforced at end of temporary period [*Officer comment: If minded to*

*approve, a condition to limit the time period for the use would be imposed and a requirement to cease the use at that date. This would not, in itself, be a reason to refuse this application]*

- Impact on property values [*Officer comment: This is not a material planning consideration]*
- No survey comparisons with other studios [*Officer comment: This is noted]*
- Impact on well-being of local residents and wider community [*Officer comment: This is noted but would not be a reason to refuse this application]*

6.7 The three representations in support raise the following points:

- Job creation, interest and excitement to community
- Could be a success like the Chobham Club
- Likely to be used sporadically unlikely to be used in heavy capacity for more than a few days per year
- Better use than heavy industrial or housing
- Substantial businesses nearby (De Graff trailers, Moores Motors)
- Letter campaign against proposal
- Work on Esso pipeline nearby to cease during bird nesting season

## **7.0 PLANNING CONSIDERATION**

7.1 This application site is located within the Green Belt and adjacent to the Thames Basin Heaths Special Protection Area (SPA). In considering this proposal regard has been had to the National Planning Policy Framework (NPPF); and Policies CP1, CP2, CP11, CP14, DM1, DM9, DM11 and DM13 of the Surrey Heath Core Strategy and Development Management Policies Document 2012 (CSDMP). The main issues are:

- Impact on the Green Belt;
- Impact on local character;
- Impact on residential amenity;
- Impact on highway safety;
- Impact on the Thames Basin Heaths Special Protection Area and ecology; and
- Impact on drainage and flood risk.

### **7.2 Impact on the Green Belt**

7.2.1 Paragraph 149 of the NPPF indicates that the construction of new buildings should be regarded as inappropriate in the Green Belt, except in certain circumstances. Paragraph 150 of the NPPF indicates that other forms of development, such as changes of use and reuse of buildings (provided that they are permanent and substantial construction), provided they preserve its openness and do not conflict with the purposes of including land within it. The purposes of the Green Belt, as confirmed in Paragraph 138 of the NPPF, include to assist in safeguarding the countryside from encroachment.

7.2.2 The current proposal includes the erection of a building for a commercial (film making) use which does not fall within the exceptions set out in Paragraph 149 of the NPPF and would therefore, as agreed by the applicant, be inappropriate development in the Green Belt. It is also considered that the proposed use of land and reuse of existing buildings, which it is considered would result in countryside encroachment and not preserve openness due to the increased activity would also be inappropriate in the Green Belt. The impact on openness relates to both the visual and spatial harm from the proposed building and use. The location, close to woodland, would not sufficiently reduce this impact because of the views across this relatively flat and open land. Whilst it is noted that the proposal is for a temporary period (of five years), the harm would still be substantial during this period.

7.2.3 Paragraphs 147 and 148 of the NPPF indicate that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to any harm to the Green Belt. "Very special circumstances" will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, resulting for the proposal, is clearly outweighed by other considerations.

7.2.4 The applicant has advised, in their planning statement, that the "very special circumstances" to support the proposal weighs substantially in favour of the proposal. These are:

- The economic benefits of the proposal to assist the film making business in the United Kingdom which is a major growth industry and is incentivised by tax relief.
- This would also stimulate local growth, for transport (e.g. taxis), cleaning, security and on-site support, waste, plant hire, and local services and local shops and businesses (e.g. restaurants), and would recognise and address the specific locational requirements of the creative industries. In addition, film production can have national or international benefits.
- The introduction of permitted development rights is also sighted as a reflection of national policy to support the film industry.

However, whilst it is accepted that the British film industry is a growth industry, there is concern that the specific benefits of this proposal have not been fully substantiated with evidence and detail. For example, there is insufficient detail on the precise economic contribution both regionally and nationally. For example, there is insufficient justification to justify the unique contribution that this site can make to filming needs and there has been no assessment of alternative sites which may have been available to use instead.

7.2.5 It is considered that the economic benefits, in any case, could only provide a moderate benefit. The provision of permitted development rights would not, in itself, indicate that the proposal should be acceptable, and in any event a temporary proposal has already refused under the permitted development prior approval process, highlighting that planning policy still needs to be complied with. No weight is therefore afforded to this argument. It is therefore considered that, either individually or cumulatively, these benefits would not outweigh the harm to the Green Belt outlined above, and other harm outlined below. As such, it is not considered that the proposal is acceptable in Green Belt terms with the proposal failing to comply with the NPPF.

### **7.3 Impact on local character and trees**

7.3.1 Policy DM9 of the CSDMP indicates that development will be acceptable where it respects and enhances the local or natural character of the environment be it in an urban or rural setting. Whilst it is noted that there is a lawful dwelling that can be built on this site (with the demolition of all other structures at the site), it is still used for commercial purposes and the remaining buildings on the site have a more utilitarian appearance. The proposed building would also have a similar utilitarian appearance. It is also noted that the proposed time period for the use and buildings is five years and would therefore not be permanent.

7.3.2 The application site is accessed from a private road and is set back from the public highway, behind a tree screen. However, clear views of the site would be obtained from the public footpaths at the east flank and rear of the site. The resulting activity along with parking which would be provided behind the main collection of existing/proposed buildings would be visible to the public from the footpath network. The proposal would include activity close to the woodland edge and a tree report to demonstrate that the use can take place without harm to the trees has been provided. The Arboricultural Officer has objected to the proposal on this ground.

7.3.3 It is considered that the proposed buildings would not have an adverse visual impact on local character, per se, but the level of activity (film making and parking) that would be provided on open fields would have an adverse visual impact on the local, rural character failing to comply with Policy DM9 of the CSDMP. In addition, it has not been demonstrated that there would not be harm to the health of trees from the proposal failing to comply with Policy DM9 of the CSDMP.

#### **7.4 Impact on residential amenity**

7.4.1 Policy DM9 of the CSDMP indicates that development will be acceptable where it respects the amenities of the occupiers of neighbouring properties and uses. Paragraphs 4.2 and 4.3 of the report above indicate the hours of operation and likely traffic, including lorry, movements. The use, at the filming stage, will include late evening activity and a number of open-air night shoots and a significant number of traffic movements. This will require external lighting in an area without significant external lighting (including no street lighting).

7.4.2 The nearest residential properties to the site would lie opposite the main area for film making and it is considered that this would result in a significant amount of disturbance from lighting and noise that could disrupt later in the evenings and, on occasion, overnight. The Environmental Health team has raised an objection to the likely impacts, particularly with the evening and night shoots, noting that the application was not supported by a noise impact assessment. This is considered to be unacceptable failing to comply with Policy DM9 of the CSDMP.

#### **7.5 Impact on highway safety**

7.5.1 Policy DM11 of the CSDMP indicates that development which would adversely impact the safe and efficient flow of traffic movement on the highway network will not be permitted unless it can be demonstrated that measures to reduce and mitigate such impacts to acceptable levels can be implemented. All development should ensure safe and well-designed access and egress and layouts which consider the needs of all highway users.

7.5.2 Policy CP11 requires all new development that will generate a high number of trips will be directed towards previously developed and in sustainable locations or will be required to demonstrate that it can be made sustainable to reduce the need to travel and promote travel by sustainable modes of transport. All new development should be appropriately located in relation to public transport and the highway network and comply with parking standards.

7.5.3 The County Highway Authority has raised concerns that insufficient details have been provided to justify the impacts of the proposal on highway safety. The proposal would provide a significant employment in a relatively unsustainable location with no public transport links. A transport assessment has not been provided to compare the traffic generation between the lawful (equestrian) use with the current proposal and whether the access and egress can be achieved (tracking details required). The impact on the local highway and footpath network has not been assessed and the impact on all road users is required. The proposal would result in an increase in vehicle movements, including HGV's, on narrow rural roads used by horse-riders, cyclists and pedestrians.

7.5.4 The temporary nature of the proposal is noted. However, it is considered that it has not been demonstrated that the proposal can be provided without detriment to highway safety and an objection is raised on this ground, with the proposal failing to comply with Policies CP11 and DM11 of the CSDMP and the NPPF.

#### **7.6 Impact on the Thames Basin Heaths Special Protection Area and ecology**

7.6.1 Policy CP14 of the CSDMP indicates that development will be permitted where it does not give rise to likely significant effect on the integrity of the SPA. And development which results in harm to or loss of features of interest for biodiversity will not be permitted. The site lies adjacent to the SPA to the north, east and part of the south boundaries of the site.



- 7.6.2 The ecological report provided with the application concludes that there are no ecological constraints concerning bats, badgers, barn owls, water voles and amphibians. Nevertheless, the site lies adjacent to the SPA and would include some overnight activity and use of external lighting which could disrupt wildlife including protected species (e.g. low nesting birds). The edge of woodland can often be used by bats and no assessment has been made of such impacts.
- 7.6.3 This application follows the prior approval for the use of land for film making a nine month period. This application was refused, in part, on the basis that it had not been demonstrated that the proposal could be provided without harm to the integrity of the SPA. An Appropriate Assessment had been undertaken to inform this decision. In a similar manner, an Appropriate Assessment has been undertaken for this proposal reaching similar conclusions. It had not been demonstrated that the disruption, from noise, light and general activity could not be mitigated for protected species, the low nesting birds, within the SPA.
- 7.6.4 Whilst the comments of Natural England and Surrey Wildlife Trust are awaited, concerns are raised that the proposal could lead to adverse impact on protected species and their habitats, particularly in relation to noise and light on evening and night time activity, and an objection is raised to the proposal on this ground with the proposal failing to comply with Policy CP14 of the CSDMP and the NPPF.

## **7.7 Impact on drainage and flood risk**

- 7.7.1 Policy DM10 of the CSDMP indicates that development of sites over 1 hectare in area (as in this proposal) will not be supported without a site flood risk assessment that demonstrates the proposal would, where practicable, reduce risk both to and from the development or at least be risk neutral and development would be expected to reduce the volume and rate of surface water run-off through the appropriately designed Sustainable Drainage Systems (SuDS) at a level appropriate to the scale of the development.
- 7.7.2 A flood risk assessment (FRA) has been provided to support this application. However, the LLFA has raised concerns that the proposed drainage scheme would not meet the requirements with ground investigations not undertaken to confirm the suitability (or lack) of soakaway drainage. Infiltration through permeable paving is proposed as a way of managing the additional surface water runoff created through the increase in impermeable area in the site. No evidence has been submitted to prove that infiltration is possible.
- 7.7.3 The FRA also indicates that if infiltration is found to not be possible, limited discharge into the watercourse which runs through the site would be required but no details of the discharge rate, the volume of attenuation and where the discharge point will be has been provided. Insufficient evidence has been provided to indicate that surface water flood risk will not be increased both on and off the development site.
- 7.7.4 As such, the proposal is considered to be unacceptable in terms of its impact on drainage and flood risk and as such an objection is raised on this ground, with the proposal failing to comply with Policy DM10 of the CSDMP and the NPPF.

## **8.0 POSITIVE/PROACTIVE WORKING AND PUBLIC SECTOR EQUALITY DUTY**

- 8.1 In assessing this application, officers have worked with the applicant in a positive, creative and proactive manner consistent with the requirements of paragraphs 38-41 of the NPPF. This included 1 or more of the following:-
- a) Provided or made available pre application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
  - b) Provided feedback through the validation process including information on the website, to correct identified problems to ensure that the application was correct and could be

registered.

c) Have proactively communicated with the applicant through the process to advise progress, timescale or recommendation.

- 8.2 Under the Equalities Act 2010 the Council must have due regard to the need to eliminate discrimination, harassment or victimisation of persons by reason of age, disability, pregnancy, race, religion, sex and sexual orientation. This planning application has been processed and assessed with due regard to the Public Sector Equality Duty. The proposal is not considered to conflict with this duty.

## **9.0 CONCLUSION**

- 9.1 It is noted that the proposal relates to temporary development but that this use would remain for up to five years under this application. It is considered that the proposal would have an adverse visual impact, and reduce openness, on the countryside character and Green Belt. It is inappropriate development in the Green Belt for which very special circumstances do not exist to outweigh this, and all other identified, harm. It would also have an adverse impact on residential amenity. It has not been demonstrated that the use of the land would not have an adverse impact on highway safety, trees, drainage/flood risk nor ecology. In addition, and following the undertaking of an Appropriate Assessment, it has not been demonstrated that the use of the land could not take place without adversely impacting on the integrity of the SPA. The application is recommended for refusal.

## **10.0 RECOMMENDATION**

REFUSE for the following reasons:

1. The proposed development and use, by reason of the provision of a temporary building and spread of commercial activity across the site, would be inappropriate development in the Green Belt encroaching commercial development and use into the countryside and having an adverse impact on the spatial and visual openness of the Green Belt for which very special circumstances do not exist to outweigh the harm to the Green Belt and all other harm, as set out in the reasons below, failing to comply with the National Planning Policy Framework.
2. It has not been demonstrated, following the undertaking of an Appropriate Assessment, that the development and use, by reason of noise, external lighting, hours of operation and general activity especially in the evenings and overnight, can be undertaken without harm to protected species nor the integrity of the Thames Basin Heaths Special Protection Area failing to comply with Policy CP14 of the Surrey Heath Core Strategy and Development Management Policies 2012, the National Planning Policy Framework and Regulations 75-78 of the Conservation of Habitats Regulations 2017, Article 6(3) of the Habitats Directive (Council Directive 92/43/EEC) and Regulation 63(5) of the Conservation of Habitats and Species Regulations 2017.
3. The proposed development and use would, by reason of noise, external lighting and general activity especially in the evening and overnight, lead to an adverse amenity to the occupiers of nearby residential properties failing to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012.
4. It has not been demonstrated that the development and use can be undertaken without harm to highway safety failing to comply with Policies CP11 and DM11 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.

5. In the absence of an acceptable drainage strategy design, it has not been demonstrated that the development and use can be undertaken without leading to an increased flood risk on and off the site and would fail to comply with Policy DM10 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.
6. In the absence of tree report, it has not been demonstrated that the development and use can be undertaken without leading to an adverse impact on the health of existing trees on and off the site and would fail to comply with Policy DM9 of the Surrey Heath Core Strategy and Development Management Policies 2012 and the National Planning Policy Framework.