TO: PLANNING & REGULATORY COMMITTEE

DATE: 21 FEBRUARY 2000

BY: HEAD OF PLANNING

DISTRICT(S): TANDRIDGE

ELECTORAL DIVISION (S): GODSTONE

PURPOSE: FOR DECISION

S/A REF: 111E2

TITLE: MINERAL AND WASTE APPLICATION: TA99/155

SUMMARY

South Godstone Brickworks, Tilburstow Hill Road, South Godstone.

Continuation of winning and working of brick clay from an area of 5.64 ha, retention of certain brickmaking facilities and associated junction improvements to private access road.

This planning application has arisen as a result of the Interim Development Order (IDO) granted in 1947 covering an area of 13.6 ha at South Godstone Brickworks, ceasing to have effect. Consequently, the current application has been submitted to regularise the on-going extraction of brick clay. The brickwork kilns are not included in this application as they are the subject of a separate extant planning permission.

South Godstone Brickworks is identified in the Surrey Minerals Local Plan 1993 as an existing brickworks. The site is located in the Green Belt where policies of restraint apply. Key issues are the maintenance of production and whether the site can be well restored. The slow rate of clay extraction would result in the majority of the site remaining unrestored for a lengthy period, however, it is intended to restore the area of former working as soon as possible. Accordingly, other issues considered in the report are the impact that working and restoration of the site would have on the environment and on local amenity. In particular, the highways and traffic impacts of the proposal, which have especially concerned local residents.

It is concluded in the report that the application accords with policy, including the provisions of the Development Plan and that the impacts of working including traffic generation, are acceptable. Additionally, whilst the full restoration of the site will be a lengthy process, even partial restoration would be a benefit and enhance the local landscape in this area of Local Landscape Significance. The wider restoration scheme provides a comprehensive control not available at present and is therefore a significant benefit.

That, subject to the completion of a legal agreement to secure the restoration of the site and adjoining area of former mineral working and a S278 Highway Works Agreement to secure access improvements, planning permission be granted subject to conditions.

The application was originally advertised alongside the recycling depot and rail aggregate depot planning applications as a departure from the development plan. The application has now been amended and would no longer be considered to be a departure.

THE PROPOSAL

Extraction

1 It is proposed to continue extracting clay and restore the site to woodland and waterbodies by partially filling with inert waste. Extraction would not take place over the entire 5.64 ha of the site. The site area includes the retention of the brick cutting shed; the metal workshop and store; the pan building and store; and brick-stacking areas, formerly permitted by the IDO. In addition, the western section of the site would be used for the stockpiling of clay and access to the working area.

2 South Godstone Brickworks currently produces between 60-80,000 machine and hand-made bricks per week. The site has clay reserves of 125,000 m$^3$. To continue production it is proposed to extract clay at an estimated annual output of 3,000 m$^3$ giving an annual average production of bricks of 3.4 million.

3 At the present rates of production a clay lift lasting approximately 14 days would take place at two or three year intervals. To maintain production it would be necessary for a clay lift to take place during spring 2001. This would involve the clay pit being dewatered and then clay excavated by box scraper and stockpiled to the west of the brickworks buildings. Approximately 10,000 m$^3$ of clay is placed in a single stockpile up to 4 metres high. This allows the material to weather in advance of its use in the brickmaking process. When required, the clay is transported from the stockpile to the brickwork building by loading shovel where it is mixed with water, sand and pulverised fuel ash (PFA). PFA is stockpiled to the south east of the clay working area.

4 Clay has been extracted from the northern portion of the site and this area is currently a steep sided water filled pit. The clay lift proposed for spring 2001 would remove the remaining 10,000 m$^3$ of clay to complete working in this area and enable this section of the claypit to be divided off from the current and future extraction area, by a clay bund. Once a barrier is in place, the northern section of the site can be filled and restored.

5 Extraction would continue in the remaining 1.4 ha over a 40 year period. Working would proceed in a southerly direction with the excavations going to a depth of 28 metres. No topsoil remains at the site and therefore no soil stripping is required.

Restoration

6 Past and future extraction of clay would create a total void of 343,000 m$^3$. It would be 48 years before the site is fully restored. However the restoration would take place in distinct stages. The filling of the northern section of the site would commence in 2002 and would continue until 2005. It would involve the deposit of around 201,000 m$^3$ of inert waste at an approximate rate of 65,000 m$^3$ per year. The planting in this area (shown on Plan 2 as Phase 2) would be completed by autumn/winter 2005/6. Restoration would not take place again until 2040 when the filling and creation of lakes would commence on the southern section of the site. This phase, shown as Phase 4 on Plan No.2, would involve the importation of approximately 138,000 m$^3$ of inert waste over the
period 2042 to 2046. The full restoration of the site would take until 2047 to complete. The clearance of brickmaking and ancillary facilities would take place over a two year period concurrent with the final filling, ie 2042 to 2044.

7 Phase 2, the northern section of the site, would be planted mainly with Corsican pine trees. However there would be a band of broad-leaved trees including ash, oak, willow, silver birch, field maple and hazel on the western boundary of the area. In phase 4, the southern section of the site, the pit on the western side of the phase would be graded to create a fishing lake. Some 16,000 m$^3$ of clay would be retained to line the sides and bottom of the lake. An area of meadowland planting containing wildflowers and grass would surround the lake. The middle section of the site would be planted with broad-leaved trees and shrubs to link up with the restoration of phase 1A (see variation of conditions proposal) and the existing woodland to the south of the site. The far eastern part of the phase would be planted with Corsican pine.

8 The proposed restoration for the clay extraction area forms part of a comprehensive scheme covering the entire site the subject of all four applications and previous mineral working activity.

Access and Traffic

9 Access to the site is gained from Tilburstow Hill Road via Terracotta Road and through the commercial area of Lambs Business Park. The brickmaking activity would generate approximately 10 heavy goods vehicle movements per day (5 in 5 out). During the two periods of filling, 15 loads per day would be imported onto the site, generating 30 vehicle movements. The proposal also involves improvements to the access with Tilburstow Hill Road. These would involve the realignment of the roadway across the site frontage to allow better sightlines and would require the existing brook to be culverted and the footpath realigned. Details of the works would be agreed with the Highway Authority under a Highway Works Agreement.

Hours of Working

10 The hours of operation would be 0730 hours to 1800 hours Monday to Friday and 0730 hours to 1300 hours on Saturdays.

ADDITIONAL INFORMATION

11 Since the application was originally submitted, further supporting information covering the traffic and noise impact, landscape, geology, hydrology, archaeology and ecology has been supplied, along with site restoration proposals. It is considered that sufficient supporting information has been now been supplied to enable the proposal to be fully assessed in accordance with SSP Policy EN2. There has been an amendment to the application boundary to include the existing water filled claypit to the north of the site which originally formed part of the variation of conditions proposal found elsewhere in this report. The recent amendments to the application have resulted from a need to ensure that a viable restoration of the whole site could take place as early as possible in a workable phased manner. The boundary changes to the applications do not result in a greater landtake, they are merely amendments to the sites’ configurations.

12 The proposed scale and period of working has also been reduced. It had been proposed to extract clay over a period of 145 years and fill the resulting void of 475,000 m$^3$ with inert waste. A smaller extraction area and a change in the restoration which now involves the creation of a lake, have reduced the amount of fill required by 132,000 m$^3$. This reduction in fill, along with a significant reduction in timescale, should provide for less overall impact than the initial proposal.

13 Given the changes, for the sake of clarity, the applicant has provided a single document containing information relevant to this application. This document includes plans and all the supporting
documentation and supersedes any previous amendments. All the revised documents have been placed on deposit at the Borough and County Council offices and consultees have been informed and asked if they wish to make further comments. An advertisement was placed in the local newspaper to inform that revised information had been submitted and all persons who made representations on the application previously, have been informed by letter and invited to comment.

DISTRICT COUNCIL

14 At its meeting on 30 January 2001, the Planning and Environmental Protection Committee considered this application and resolved to object unless the County Council is satisfied that there will be no increased environmental impact on the area or the amenities of local residents along Terracotta Road, in particular, and, unless lorry movements can be rigorously controlled and monitored by the County Council.

PLANNING CONSIDERATIONS

Introduction

15 The existing claypit at South Godstone Brickworks has been partially worked and contains proven reserves of clay. Nevertheless, there is no longer an extant planning permission for clay extraction and as such the applicant is applying for a new permission to regularise an on-going activity. The site is subject to the constraints of Metropolitan Green Belt policy, where the acceptability of mineral working is subject to the achievement of a high quality of restoration and the maintenance of high environmental standards. At the same time, it will be necessary to consider the effect of the development on the environment and amenity and whether the proposed measures for the mitigation of are satisfactory.

Policy Framework

The following Development Plan policies are relevant in assessing this proposal.

**Surrey Structure Plan 1994**
- Policy EN1 - Sustaining Surrey’s Environment
- Policy EN2 - Environmental Assessment
- Policy PE2 - Development within the Green Belt
- Policy MT2 - The Movement Implications of Development
- Policy DP24 - Demand for Mineral Working
- Policy DP29 - Restoration
- Policy DP32 - Environmental Control of Waste Disposal

**Surrey Structure Plan Deposit Draft 2001**
- Policy L06 - The Metropolitan Green Belt
- Policy SE1 - Natural Resources and Pollution Control
- Policy SE2 - Water Resources and land Drainage
- Policy DN18 - Mineral Workings and Restoration

**Surrey Minerals Local Plan 1993**
- Policy 1 - Environmental & Amenity Protection
- Policy 4 - Restoration
- Policy 5 - Framework for Restoration
- Policy 6 - Commitment to Restoration
- Policy 19 - Extensions to Clay Workings
The site is located within the Metropolitan Green Belt. ‘Policy Planning Guidance Note 2’ (PPG2) (Revised January 1995 sets out the latest Government advice on Green Belts. The guidance states that minerals can only be worked where they are found and “that mineral extraction need not be inappropriate development: it need not conflict with the purposes of including land in Green Belts, provided that high environmental standards are maintained and that the site is well restored”.

Policy PE2 of the Surrey Structure Plan 1994 (SSP) whilst pre-dating the revision of PPG2, sets out the Authority’s approach to the control of development within the Metropolitan Green Belt. In paragraph 3.8 it is recognised that some uses may need to be located in the Green Belt, including mineral working and waste disposal, and that these uses may be permitted though not as of right. Policy LO6 of the Deposit Draft Surrey Structure Plan 2001 (DDSSP) supports the maintenance of the Green Belt. In this case, the Authority would wish to be satisfied that the proposal involves high environmental standards to mitigate against any potential environmental impact and that the proposed restoration and afteruse of the site can be achieved to an acceptable standard.

To ensure that mineral working takes place in the least damaging way, the Authority would need to be satisfied that the need of the mineral and the nature and yield of the deposit, outweigh material landscape, highway, environmental or amenity considerations as set out in SSP Policy DP24. DDSSP Policy DN18, recognises that there is need to ensure a steady supply of materials and that mineral working should be restored to the highest practicable standards at the earliest practicable date.

Minerals Planning Guidance 7 (MPG7) offers guidance on the reclamation of mineral workings and advises that restoration and aftercare are an integral part of the working of a site. Both the Government’s ‘Sustainable Development: The UK Strategy’ and MPG7 suggest that mineral workings are to be reinstated to an appropriate afteruse at the earliest opportunity. In accordance with this view, Policy DP29 of the SSP seeks to ensure that mineral working does not result in permanent damage to the environment by emphasising the need to secure the restoration of mineral workings to a condition capable of sustaining an acceptable afteruse at the earliest practicable date.

It is recognised in the Surrey Minerals Local Plan 1993 (SMLP) that careful restoration is necessary to ensure that mineral working does not have a permanent adverse effect on a locality. Policy 4 seeks to ensure that land used for mineral working is reclaimed to a use compatible with the area. There is a presumption in favour of forestry or agricultural afteruses although conservation and amenity uses would be given favourable consideration where appropriate. Policy 5 requires that a broad framework of restoration is established. Policy 6 seeks to ensure that applicants are capable of carrying out the proposed restoration.

South Godstone Brickworks is identified in the SMLP as one of the active brickworks in the County (A9). Policy 19 of the SMLP supports the extension of clay extraction areas at existing brickworks
for the maintenance of production and provided that the environmental impacts of the operation are acceptable. The Plan goes on to recognise that brickworks entail the construction of substantial buildings and other structures.

**Environmental & Amenity Policy**

22 Mineral extraction can be source of public concern and has the potential to harm environmental and amenity interests. The consultation draft of Mineral Planning Guidance Note 11 (MPG11) ‘Controlling and Mitigating the Environmental Effects of Minerals Extraction’ recognises that as minerals can only be worked where they are found and as a result sites may be located in environmentally sensitive areas or close to communities. Consequently, the need to control and minimise the impacts of working is a priority.

23 Traffic is identified as one of the main impacts connected with mineral working and this is reflected by the public concern related to traffic within the locality of mineral sites and along the route to processing and final delivery. The Government’s advice on transport, Planning Policy Guidance Note 13 (PPG13) March 1994, is currently being revised and is out to public consultation. The revised PPG states that local authorities should “encourage development which is, or can realistically be, served by rail or water and development with good (though where possible indirect) access to trunk roads...”.

24 The SSP recognises that emphasis needs to be given to the broader environmental implications of development. Proposals are expected to demonstrate compliance with the wide range of criteria set out in Policy EN1 ‘Sustaining Surrey’s Environment’. The SSP also puts emphasis on the environmental implications of movement. Policy MT2 seeks to ensure that the movement implications of a development is compatible with the local transport infrastructure. Policy MT7 recognises the impact that lorry traffic can have on sensitive areas, town and village centres, residential streets and rural lanes.

25 The ‘Surrey Minerals Local Plan’ (SMLP), 1993, recognises that traffic associated with mineral workings gives rise to a high level of concern and that careful consideration is necessary to assess the impact on the locality and the highway network. It is also accepted that all mineral workings give rise to some degree of disturbance and therefore the Authority will normally favour an extension to an existing site rather than a new working. Policy 1 seeks to secure adequate safeguard for the protection of the environment and amenities of local residents by requiring applicants to satisfy the County Council that adequate steps have been taken to minimise the impact of any proposal and that the relevant issues set out in the policy have been taken into account. In this case, such issues include archaeology, ecology, and traffic.

**Summary Policy Issues**

26 The need to balance environmental impacts against the importance of mineral resources to society and the economy is recognised. Mineral working can be acceptable in the Green Belt in certain circumstances. The site is identified as an existing brickworks in the SMLP and there is policy support for extensions to clay extraction areas. The need for further clay extraction will be examined along with the environmental impact of working.

**Green Belt Considerations**

27 Objectors to the proposal have stated that the development would damage the Green Belt and would therefore be better located elsewhere. However, minerals can only be worked where they occur and in this case, the brickmaking facilities are present at this site. Mineral working is also a temporary activity, albeit in the case of clay extraction, that activity takes place over a long period of
time. Consequently, in terms of Green Belt policy as mentioned in paras 16 & 17 above, mineral working need not be inappropriate development.

PPG2 also advises that development proposals should not injure the visual amenities of the Green Belt and that when any large-scale development or redevelopment, including mineral extraction is to take place in the Green Belt, it should as far as possible contribute to the achievement of the objectives for the use of Green Belt land. The objectives set out in PPG2 include the enhancement and retention of attractive landscapes, retention of land in agricultural, forestry or related uses and to secure nature conservation interest.

The Authority needs to be satisfied that the applicant’s proposals for working the site, reinstatement and aftercare will achieve satisfactory standards of operation and restoration. Whilst clay extraction at South Godstone Brickworks has been taking place over a long period of time, no restoration has taken place. To accord with Policy 5 of the SMLP, the applicant needs to demonstrate the practicality of the proposed restoration and an ability to achieve such a restoration. Whilst there is no restored land at the site which could give a practical indication of the success of the restoration, the planning application includes plans and statements setting out the progressive working and reclamation of the site to a waterbody and forestry. The application has been the subject of wide consultation and there is no reason to believe that, with the imposition of conditions relating to restoration and aftercare, the proposals could not be achieved. Issues relating to the environmental impact of the development are discussed in detail under subject headings in the environment and amenity section of the report (paragraphs 44 to 85).

Restoration would involve new woodland planting. The broad-leaved planting would link with the lake and as the Surrey Wildlife Trust commented, form wildlife corridors to adjacent countryside. The County’s Landscape Architect’s opinion is that the proposals generally will lead to substantial enhancement locally of landscape and ecological aspects. He also comments that the use of fast growing species to provide quick screening in the initial stages are supported, as are the proposal to provide wildlife conservation measures involving mixed habitat.

A significant benefit of the proposal is that it provides an opportunity for a comprehensive restoration scheme for the former claypit and the current and future extraction areas which would benefit the visual amenities of the land, enhance the conservation value of the site by providing lakes, woodland and meadowland planting, and provide for the reinstatement of the land to a forestry use in the long term.

Restoration

Clay extraction has taken place at the brickworks for more than a century, yet no progress has been made in respect of restoring the land to a beneficial afteruse. Policy DP29 of the SSP seeks to ensure that mineral working does not result in permanent damage to the environment. Delay in restoration has environmental costs and the priority is to secure the restoration of this site to a
condition capable of sustaining an acceptable afteruse at the earliest practicable date. This view accords with the suggestion in the Government’s ‘Sustainable Development: The UK Strategy’ and ‘MPG7’ that mineral workings are to be reinstated to an appropriate afteruse at the earliest opportunity. The Government set out its commitment to reducing the reliance on landfill in the ‘Waste Strategy 2000’ and although in principle, landfill is the least desirable option, it is accepted in the Strategy that there will continue to be a need for landfill and that it will be the BPEO for certain wastes and in certain situations.

34 The Government’s desire to reduce the reliance on landfill derives from targets set by the European Landfill Directive. To encourage alternative ways of dealing with waste the Landfill Tax was introduced in 1996. However, this policy stance needs to be balanced against the necessity infilling with inert waste to facilitate the restoration of former mineral workings. The recently issued PPG10 ‘Planning and Waste Management’ September 1999, recognises this dilemma in para. A9 of Annex A. It advises that a balance needs to be struck between the beneficial use of inert materials for site restoration and their potential use in place of primary aggregates. Further recognition of the difficulties of ‘recycling’ land arising from the diversion of waste from landfill was given when two exemptions from Landfill Tax were introduced in October 1999. These exemptions were introduced specifically to address the fact that Landfill Tax had contributed to a shortfall in the availability of suitable inert material for the filling of working and old quarries and the restoration of landfill sites. Implicit in these exemptions, is the recognition that restoration of mineral workings should not be significantly delayed and that in such instances, inert waste is being put to a beneficial use.

35 The extended period over which the development would take place, would result in an environmental impact. Extraction would continue over a 40 year period and whilst filling would take place in the northern section of the site, the larger southern part of the site would remain unrestored and the brickmaking facilities in place until after 2040. Until such time that the site could be fully restored, it would not make a positive contribution to the visual quality of this part of the Green Belt.

36 The applicant is required to demonstrate that the site can be well restored. Minerals Planning Guidance (MPG7) offers guidance on the reclamation of mineral workings and advises that restoration and aftercare are an integral part of the working of a site. As such, it is important to have regard to these matters and the proposed afteruse at the time the planning applications for extraction is considered. For a proposed long term working such as this, the applicant need to demonstrate that the objectives of the scheme are practicable.

37 The land at South Godstone Brickworks has been disturbed for many years. Originally it was envisaged that once extraction ceased the site would be returned to agriculture. Historically there has been a preference for sites to be restored to agriculture. However a number of factors are challenging this approach. In future there is likely to be a diminishing level of landfilling due to the desire to reduce waste and seek higher levels of waste recycling and recovery. At the same time, agriculture is becoming less viable in some areas and farms are diversifying. Increasingly, sites are not being returned to agriculture but are being restored for wildlife or recreational activities such as sailing or angling. Whilst looking afresh at the clay extraction and restoration at this site, an alternative restoration scheme was considered appropriate.

38 The submitted restoration proposals are geared towards woodland and amenity lakes. This would have the effect of reducing the amount of filling required to return the site to agriculture. Within the overall restoration there would be two lakes, the larger of the two being surrounded by meadowland planting. The remainder of the site would be planted with three blocks of Corsican Pine (two falling within this application site and one within the site area of the variation of conditions application). These would be surrounded by linked blocks of broad-leaved planting, which would merge with the existing woodland to the south of the site. These blocks of woodland lend themselves to the fact that the site would need to be restored in stages, and would provide some enhancement to the landscape and an element of screening, whilst clay extraction in the south of the site continues. The restoration
ANNEXE A

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The comprehensive restoration scheme constitutes a significant benefit in respect of land which is not subject to adequate control at present.

39 The restoration would provide for the land to slope gently southwards and marry in the existing land levels in the woodland to the south of the site. Giving a final landform that would be compatible with the natural landform of the locality and suitable for the intended afteruse. In terms of MPG7’s requirements, it is considered that the applicant has demonstrated that the objectives of the scheme are practicable and that the proposal accords with SSP Policy 29.

40 The Residents’ Association has suggested that the land should not be filled but landscaped and planted water features created. It is their view that restoration of the land is impractical on the grounds of timescale and availability of suitable material. The final restoration would not be completed for many years to come (2047). Nevertheless, the restoration would take place in two stages and the first stage would be completed by 2006. The nearest inert waste landfills, Reigate Road Sandpit and Broombank Quarry, are likely to be operational during the first phase of filling but would have closed when the second phase is due for filling. The filling of the claypit would involve the importation of 205,000 m³ over the initial period 2001 to 2005 and 138,000 m³ over the final filling period 2042 to 2046. Taking into account the restoration proposed and the volumes of waste involved over the relatively short timescales for filling, it is considered that the restoration is both achievable and practicable. It is undesirable to leave a deep water void at the site, such a form of restoration has no recreational or nature conservation application.

Need

41 The site is located within the outcrop area of the Weald Clay which is estimated to be approximately 160 metres thick underlying the brickworks. The former excavations have taken place to a maximum depth of 28 metres and it is intended that this would be the case in any future workings. Clay extraction has taken place at the site since the early 1900s. Over the years, output has fluctuated and today is well below historic levels of production. In the late 1980s, approximately 240,000 bricks per week were produced. The fact that the level of output from the site is so low raises some question with regard to demand and the need for further clay extraction at this site. Additionally, other commercial activities have grown up around the brickworks which are not ancillary to the brickmaking activities and the brickworks is no longer the predominant activity at the site. Nevertheless it is recognised that the clay is a resource and that were the brickworks to close the resource would be effectively sterilised.

42 South Godstone Brickworks is the easternmost of five active brickworks in the County. Another brickworks has been dormant for some time and may close permanently. The difficulty in assessing need, is that production of bricks is tied to the amount of activity in the construction industry and therefore there is always uncertainty regarding the levels of future demand. However, there is only sufficient clay left in the current stockpile to meet production requirements until the summer of 2001. To maintain production, a further clay lift will need to take place in spring 2001. The applicant is not wishing to change the nature of scale of the current operation, nor are any additional facilities being requested. The proposal is merely to maintain production. Clearly there is commercial need for production at the site as brickmaking is on-going and has taken place, albeit in varied volumes, for more than 50 years.

Summary Green Belt and Need

43 Whilst in the short term the site would remain disturbed, in the longer term the proposal would enhance the local landscape and should not prejudice the visual amenities of the Green Belt. Moreover, the restoration would as far as possible contribute to the achievement of the objectives for use of land in the Green Belt by providing an opportunity for a comprehensive restoration scheme.
which would benefit the visual amenities of the land, enhance the conservation value of the site by providing mixed habitats. If the proposal were to be permitted, it is considered that the site could be well restored. It can therefore be concluded that provided high environmental standards can be maintained, the development would not be inappropriate in the Green Belt and meet the requirements of SSP Policy PE2. With regard to need, the proposal would maintain production at an existing site in accordance with SMLP Policy 19.

Environmental and Amenity Considerations

44 Tandridge District Council has proposed modifications to the Local Plan that reflects the Inspector’s view that Lambs Business Park, which adjoins the site, be identified as a Major Developed Site in the Green Belt. Within the commercial estate, there are a variety of other uses. The presence of other uses is not relevant to the suitability of this development, but there is a great deal of concern locally regarding the cumulative impact of the existing uses and the four minerals and waste proposals currently being determined.

45 Local residents’ concerns relate mainly to environmental matters, particularly the impact of HGV traffic using the site access and the local road network. Whilst this focuses on safety, it also includes the general disturbance caused by the vehicles in terms of noise, dust, vibration and spillages. The Residents’ Association and their consultants are of the opinion that the cumulative impact of the four proposals and the existing operations at the Business Park need to be considered. They also point out that the site rates poorly in terms of sustainability. The brickworks are not accessible to a train station or connected to the bus network and there are few facilities within walking distance of the site. Whilst this may be correct, with regard to the proposal, minerals can only be worked where they are found. It also has to be borne in mind, that although residents questioning the applicant’s claim to have a ‘long established mineral activity’, clay extraction is, and has been, taking place at the site over a very long period of time.

Emissions and Odour

46 There have been complaints from local residents and 17 of the representations to these planning applications refer to the smoke and odour from the brickworks. The brickworks produce speciality bricks in the traditional manner. Clay and coal dust bricks are set into clamps and heated resulting in the bricks catching alight. Over the week that they burn, there are two days when fumes are produced. There are approximately 30 firings per year and fumes should disperse. Nevertheless, in certain weather conditions the fumes tend to be held low to the ground and cause odour problems. This is not a matter over which this Authority has any control, however the issue has been discussed with the Environmental Health Officer (EHO) at Tandridge. The EHO has explained that owing to the brickworks operating a traditional clamp system, it is exempt from any requirements for its emissions to be authorised under the Environmental Protection Act 1990.

47 However, odour can be proved to be a statutory nuisance under S80 of the Environmental Protection Act. For this to happen, it must be frequent, intrusive and significantly effecting residents in their homes. Residents have been requested to complete log sheets detailing such incidences, however, only two have been returned so far. It is understood that the Environmental Health Officer has approached the company about the possibility of raising the flue height but this may not be practical or feasible.

48 Whilst this is clearly a problem for local residents which they feel constitutes a reason for refusal, the County Council has had contrary legal advice. The brickwork building has an extant planning permission unconnected with this application. Government advice is that the planning system should not be used to duplicate controls available elsewhere.
The proposal involves the use of inert waste only which is most likely to be sourced from construction and demolition sites and comprise, soils, bricks and concrete. However, residents are worried that other wastes could be introduced onto the site and give rise to potential pollution problems. Infilling with waste is controlled by the waste management licence and the site would be visited by Environment Agency officers on a regular basis. When transporting waste, the Duty of Care requirements also apply. Information regarding the quantity, nature and origin of waste needs to be kept on transfer notes which must be made available to the Environment Agency. The Duty of Care applies to the producer of waste, the haulier and end user, and it is a criminal offence not to comply.

Highways, Traffic and Access

Local road network
The impact of the traffic associated with the proposed developments at South Godstone Brickworks has given rise to a great deal of concern locally and has been the major objection to the proposals. The suitability of the access to the whole site and the rural nature of the local roads have been questioned in the past. The site was considered in the Surrey Waste Local Plan 1995 Consultation Draft having potential for limited scale waste recycling and transfer facilities. However, at that time the nature of the access was seen as a constraint to development of the site and it was felt that any appreciable increase in HGV traffic could result in an increased environmental impact.

Vehicles would use Tilburstow Hill Road (D395) which has junctions with the A22 at either end, south of Godstone to the north and at Anglefield Corner to the south. Tilburstow Hill Road is joined by Harts Lane north of the railway bridge. Harts Lane and the northern section of Tilburstow Hill Road, are part of the designated Surrey Cycle Way. In addition, there is a substantial rights-of-way network in the area with a number of footpaths/bridleways crossing Tilburstow Hill Road. Some do not cross Tilburstow Hill Road directly, instead, users have to travel along the road which itself forms a link in this network.

Residents have voiced concern about the County Council’s ability to monitor vehicle movements on a day to day basis and the effect that the HGVs would have on the condition of local roads. In fact vehicles can be monitored and a log of the arrival time, number plate and origin of load kept and be made available to the Authority, when required. With regard to the wear and tear caused by vehicles on the public highway, this is not a material consideration. Damage to the highway is an issue for the Highway Authority.

Traffic generation
The applicant estimates that brickmaking as a result of clay extraction, would generate approximately 5 loads per day (10 vehicle movements) and during the two periods of filling 30 vehicle movements would be generated by the importation of waste. Only during the first phase of filling i.e between 2001 and 2005 would filling and extraction overlap. This could be controlled by the imposition of a planning condition if permission were to be granted. Nevertheless, residents are of the view that Lambs Business Park already generates too much traffic and are opposed to this development, as it will involve an increase in HGVs using the local roads.

In order that the traffic implications of the four applications could be understood, the County Council requested a Traffic Impact Assessment (TIA) looking at both the technical aspects of safety and capacity and the environmental impact of the proposals, individually and cumulatively. TIAs should be impartial assessments of the transportation impact and when consideration TIA’s the Highway Authority needs to ensure that they are objective. There has been some criticism by the Residents’ Association and their advisors, Buchanan’s, that the TIA had inaccuracies and shortcomings. (see para 31 of the general section of the report under the heading Publicity). However, the Highway Authority has looked in detail at both traffic reports, has undertaken its own traffic surveys, and
looked at the surrounding road network together with on-site measurements of the access sight-lines and conclude that the TIA satisfactorily fulfils its proper function.

55 Several traffic surveys have now been carried out. Two traffic surveys were carried out for the TIA in 1999, local residents have undertaken their own survey and the County Council commissioned a traffic survey in May 2000. The County Council’s survey showed that the 14 hour total two way traffic flow on Terracotta Road was 1171 vehicles, (566 out and 605). There were 115 HGV’s (9.5%) and 121 buses and coaches (10.5%). Of the 566 vehicles leaving the site, 316 turned left onto Tilburstow Hill Road towards Godstone and the remaining 250 turned right towards Anglefield Corner. Vehicles entering the Lambs complex, predominantly came from the north (360 from the north and 245 from the south). The maximum two way 14 hour traffic flow on Tilburstow Hill Road in the vicinity of the access was counted as 3796 vehicles. The Highway Agency’s Technical Advice Note, ‘Traffic Flow Ranges for Use in the Assessment of New Rural Roads’ gives an acceptable flow range for a single two carriageway road as anything up to 13,000 vehicles per day. Even lowering this significantly to account for the varying carriageway width on Tilburstow Hill Road, a flow of 3796 vehicles would not be described as a heavily trafficked road. The proportion of HGV’s on Tilburstow Road in the vicinity of the site which are related to current activities on the site, is approximately 66%.

56 The Highway Authority’s view regarding the various surveys is that they will inevitably differ to some degree firstly because they were taken on different occasions, and secondly that some activities (e.g. bus activity) have apparently changed since the earlier and later traffic surveys. However the Highway Authority consider that the differences do not influence the overall conclusions that can be drawn.

57 The applicant asserts that the site has generated high levels of traffic over many years. Historically, the brickworks operated at a much higher level than they have over recent years. The applicant claims that in the late 1980’s when the brickworks were producing some 90,000 bricks per week, the brickworks alone generated approximately 130 lorry movement per week. Therefore it could be argued that a proportion of the vehicle movements proposed would replace traffic that was previously generated by the brickworks. Nevertheless, quantification of the total level of movements from the brickworks and commercial estate in the late 1980’s is difficult, as the vehicle generation and the other business on site is likely to have changed.

58 Environmental impact of traffic
The TIA includes two surveys carried out on 12 October 1999 and 16 October 1999 at the junction of Tilburstow Hill Road with Harts Lane and at the point where the Greensand Way meets Tilburstow Hill Road. These surveys included counts for pedestrians, cyclists and equestrians. The surveys unsurprisingly showed that the level of ‘affected group’ activity was far greater on Saturday than during weekdays. It is likely that if these counts had been taken during the summer, or during a school holiday period, the level of activity would have been greater. Concerns remain regarding the visibility for users of the Greensand Way and Tilburstow Hill Road where it is restricted by the alignment of the road and the banked verges. However, there is little in the way of mitigation that could be provided, other than the provision of advance warning signs for traffic on Tilburstow Hill Road.

59 The impact in respect of the residents of Terracotta Road must also be considered. All traffic accessing the commercial estate passes the residential properties in Terracotta Road, which are between 5 to 15 metres from the roadway. The gardens of some residents in Rushton Close also back onto Terracotta Road. The movement of vehicles on this roadway is a source of noise for these residents.

60 Having carefully considered the TIA and the vehicle counts, the Highway Authority is of the view that the small increase in vehicle movements on Tilburstow Hill Road per day generated by the clay
extraction and infilling, would not increase the overall daily traffic flow by a significant amount. Consequently, the Highway Authority has raised no objection in terms of the roads operational capacity. Nevertheless the accident record at the bridge and the nominal radius at the site entrance for left turns towards the north, gave rise to concern and therefore the Highway Authority seek improvements to the access.

61 Access
The Highways Authority accepts that the junction has a sub-standard visibility splay and that it will remain sub-standard if and when improvements are made. Significant volumes of traffic have used the junction for many years and there is not a poor accident record. A 9 metre ‘x’ distance by 160 metre ‘y’ distance for a junction of this type of junction with the volume of traffic being carried by a minor road ie Terracotta Road would be desirable and would be required if this were a new junction being constructed. However, the junction needs to function within the limits of its surroundings and the Highway Authority would seek an ‘x’ distance of 4.5 metres. DETR guidance allows a relaxation of the ‘y’ distance to 160 metres if the 85th percentile surveyed speed of through traffic is less than the speed limit applying to the major road. A speed survey of Tilburstow Hill Road carried out by the applicant’s consultant in the vicinity of the site has resulted in 85 th percentile speeds of 54 mph northbound and 52 mph southbound. More recently a Highway Authority speed survey in connection with the proposed introduction of a 50 mph speed limit produced similar results. The appropriate sight-lines would therefore be 160 metres not 215 metres as quoted in Buchanan’s report.

62 Buchanan’s discounted the benefits to be derived from the proposed junction improvements but the Highway Authority are of the view that improving the sight-lines would provide greater visibility for traffic looking left whilst exiting the access road, and southbound through-traffic on Tilburstow Hill Road would be able to see traffic waiting on Terracotta Road. Whilst the improvements would not provide a junction to full technical standards, an improvement would take it nearer to those standards.

63 Aware that the Highway Authority would require any planning permission to be conditional on such works being carried out, the applicant has included proposals for access improvements in the latest submissions. The access proposals have given rise to concern locally, and residents of the cul-de-sac known as Brookside, which is located just to the north of the junction of Terracotta Road and Tilburstow Hill Road, are particularly anxious. Local residents general concerns centre on what affect the access improvements would have on the footpath and brook which run alongside the roadway at this point. They are worried that the improvements would impact on the brook causing flooding and result in the loss of the footpath. The applicant has indicated that the brook would be culverted and the footpath reinstated. Residents of Brookside have also voiced concerns with regard to the footpath and brook; but they are particularly worried about the affect of enlarging the access to the Lambs complex, fearing it would merge with the access to the cul-de-sac. They are anxious that this would result in safety and amenity impacts for the residents of Brookside.

64 A detailed survey plan showing the access improvements has been requested from the applicant, but as yet, has not been received. If this planning application were to be permitted, it would therefore need to be subject to the prior completion of a Highway Works Agreement which secured the necessary improvements.

65 To improve road safety at the bridge, the Highway Authority propose that traffic lights would be installed which show red both sides of the bridge and be triggered by the approach of vehicles. This scheme is progressing through The Tandridge Partnership Area Transportation Sub-Committee. This would also have a knock-on effect of reducing through vehicle speeds on Tilburstow Hill Road. The Highway Authority is of the opinion that benefits in terms of safety would be derived for all users of Tilburstow Hill Road, from both the installation of traffic lights and access improvements. Whilst Godstone Parish Council welcome the signalization of the bridge, the Parish Council and local
residents, remain concerned about the safety of the junction with the A22 at Anglefield Corner where Tilburstow Hill Road joins the A22 at an difficult angle, particularly for large vehicles.

**Highways, Traffic and Access conclusions**

66 Local residents, the Residents’ Association and their advisors Buchanan’s, are of the opinion that the local highway network and Tilburstow Hill Road have a poor width and are generally sub-standard, and these concerns have not been fully taken into account. Whilst acknowledging that the local roads are rural in character and have restricted width in places, the Highway Authority does not accept that the highway concerns are sufficient to warrant refusal of the proposals. The Highway Authority has therefore raised no objection subject to the completion of a Highways Agreement to facilitate the improvement to the access. It is pertinent that subject to access improvements, the Inspector at the Tandridge District Local Plan Inquiry felt that he had no persuasive evidence that the local highway network could not adequately cope with additional traffic movements to and from the site, and as a result there were no significant highway and traffic related objection to MDS status. It is therefore concluded that the development complies with SSP Policy MT2.

**Noise**

67 This is quiet rural area where the background noise levels are low. All traffic accessing the commercial estate passes a row of houses in Terracotta Road, which are between 5 to 15 metres from the road. There are many activities on the commercial estate providing a considerable flow of vehicles throughout the working day. In their representations, residents have voiced concern that the introduction of additional HGV movements would compound the noise generated by the activities and vehicle movements already generated by the site as a whole. The residents of Rushton Close, whose gardens back onto Terracotta Road, particularly complain about buses and other vehicles using the site very early in the morning. Clearly, the access road is an unwelcome source of noise for the residents of Terracotta Road and Rushton Close.

68 Brickmaking as a result of clay extraction, currently generates approximately 20 vehicle movements, and during the first period of filling between 2001 and 2005, 30 additional vehicle movements would also be generated by the importation of waste. As a result of the increased vehicle movements, noise levels for the residential properties on Terracotta Road would increase, however an accurate prediction is difficult because the activities generate a relatively low flow. It is predicted that if all four of the current applications were to be permitted, noise levels at these properties would increase by approximately 2 to 4 L_{Aeq}. Taking into account the existing double glazing, the internal noise level would be acceptable. Nevertheless, the increase in traffic noise would be noticed if windows were left open.

69 The applicant’s consultants identified that the speed humps in Terracotta Road were contributing to the noise created by vehicle movements. To mitigate this impact the applicant has removed the speed humps towards the road’s eastern end near the houses which front the road leaving one on the straight section of roadway adjoining the railway line. The removal of the speed humps would contribute to a reduction of noise if the speed of the traffic were kept low. Another form of traffic calming is currently under construction for the section of road nearest to the housing, in the form of two projecting islands that restrict the width of the road.

70 The change in noise levels due to additional traffic movements on Tilburstow Hill Road are small and would probably not be noticed. However, any increase in HGVs would be noticed visually and could induce a sense of increased noise.

71 Concern remains with regard to the noise impact of any additional HGV movements on the properties in Terracotta Road and Rushton Avenue. The problem arises as a result of the access and roadway being located in close proximity to residential properties. Despite these concerns, it is
the Environmental Noise Officer’s view that the noise generated by this proposal would not breach the noise guidelines. The 20 vehicle movements per day associated with the clayworking are not new traffic and as was stated in para 57 it does appear that this activity once generated far higher lorry movements when the brickworks operated nearer capacity.

Dust

72 The prevailing wind direction is from the south west and residents living to the north of the site have voiced concerns regarding the impact of noise and dust emanating from the site. The Residents’ Association consultnts, have in their submissions, stated that there appears to have been no regard for BATNEEC (Best Available Techniques Not Entailing Excessive Costs) and recommend that an Environmental Management Systems is drawn up in accordance with BS7750 ‘Specification of Environmental Management Systems’, second edition, (January 1994). However, this is not a matter that could be imposed by a planning authority and is essentially for the company themselves to instigate. The planning authority could however, if minded to permit the application, impose a condition relating to the control of dust.

73 The potential for dust generation is limited in terms of the clay extraction. The clay is excavated damp and the applicant contends that when material is recovered from the stockpiles it is also damp and not prone to dust generation.

74 The main dust generators would be the waste vehicle movements on internal haul routes particularly during dry weather. Generally dust is controlled by environmental health controls but where it has the potential to affect the use of land, it is capable of being a material planning consideration and the control of dust on this site would be sought by planning condition. At the same time, dust control would be imposed by condition on any waste management licence granted by the Environment Agency.

Visual Impact

75 The land associated with minerals and waste activities is situated to the west of the Business Park and is well concealed from any of the residential properties or roads in the area. However, a resident of Rushton Avenue states that it is possible to see aggregate stockpiles and machinery from his property. The Brickworks complex has farmland to the south and west and a railway to the north. The southern boundary has sparse hawthorn scrub and a narrow belt of woodland at its western end. The hedgerow along the western boundary is somewhat overgrown. Public Bridleway 293 runs to the west of the site. The bridleway is well screened by hedgerows in the vicinity of the site, but it is possible to have some distant views into the site from the bridleway when it traverses higher ground to the south. The brick kilns are more open to view from the south and south east. The applicant has offered to augment existing planting in this area and this has been welcomed by the County’s Landscape Architect. Such planting could be the subject of a planning condition should permission be granted.

76 Clay extraction would take place on land that has already been stripped of soils. The applicant has identified an area along the southern part of the eastern boundary beside the brick stacking area, where there is limited scope for landscaping. This would of course, take some time to mature but could be the subject of a condition if planning permission were granted. A benefit to be gained from this proposal is that it would secure a comprehensive restoration scheme for the whole of the site, resulting in the land being restored to woodland and lakes. This would in the long term, enhance the visual appearance of this site which falls within an area of Local Landscape Significance. In the short term, restoration would be achieved in the northern part of the site, which has been excavated in the past but left unrestored. The County’s Landscape Architect has commented that the proposal would lead to a substantial enhancement locally of landscape aspects.
Ecology

77 Surrey Wildlife Trust and English Nature both requested a detailed ecological survey of the whole site, and this has been carried out. A separate great crested newt survey was also submitted to cover the areas of standing water as the site is close to a known great crested newt breeding pond. The survey found that whilst there are several known breeding ponds in the vicinity of the site, with the closest population only 500 metres away, the areas of open water at the site were an inhospitable environment for great crested newts.

78 An existing lake in the southern corner of site adjacent to woodland, would be retained in the final restoration and a second much larger lake created. A small group of oaks towards the centre of the site just south of the clay stockpile, would be retained and augmented with other broad-leaved planting when the site was restored. Surrey Wildlife Trust has commented that it supports the planting of broad-leaved species that would form a wildlife corridor to adjacent countryside.

79 The Residents’ Association’s consultants stated in their report that the proposal would result in the loss of an SNCI. A potential SNCI was identified in the Tandridge District Council Local Plan Consultation Draft, as being located to the east of the extraction area. This was found to be incorrect and removed from later versions of the Plan. There is an SNCI known as Maple Wood to the north west of the site, however, it is the view of the consultees that this would be unaffected by the clay extraction and refilling.

Archaeology

80 At some time in the past, the soils have been stripped from the site. As a result, it is unlikely that there would be any residual archaeological interest within the site area. Nevertheless, the County’s Archaeologist recommends that as the site is within an area of good general archaeological potential and some features may have survived, a site assessment should be carried out prior to extraction. This could be the subject of a condition if planning permission were to be granted.

81 There are two areas of Archaeological interest to the south of the site. It was shown in the geotechnical report accompanying this application, that there is no potential for damage to be caused to these sites by drawdown as a result of dewatering the workings.

Geology and Hydrogeology

82 The site is located within the outcrop of the Weald Clay at a point where the clay is estimated to be around 160m deep. It is proposed to excavate the clay to a maximum depth of 28 metres with a maximum slope angle of 35 degrees, as in the existing pit. As these slopes would be exposed for many years prior to infilling, it has been necessary to have a stability analysis carried out. This showed that minor, localised and shallow slope instability may occur involving the surface zone of weathered clay but this is unlikely to compromise the overall slope stability.

83 The clay has low permeability and there are little or no groundwater flows into the previously excavated areas which instead, collect water from surface runoff and direct precipitation. This water is removed by pumping, to enable clay excavation to take place. Water from the pit is pumped into a holding pond which provides water for use in the brickmaking process. Surplus water flows from the holding pond into the on-site surface water drainage system established across the business park. Ultimately, it is discharged off-site at the south eastern corner of the site into a stream which flows along the south eastern boundary of the site. As clay lifts take place infrequently, and for a limited time, dewatering can be planned to allow the discharge rates to not exceed the capacity of stream.

84 The low permeability of the clay reduces the possibility of any effects of ‘drawdown’ across the site or in the surrounding area. This is of particular significance with regard to the Sites of Nature.
Conservation Importance (SNCI) at Furze Wood and Maple Wood, the potential SNCI at Birchen Coppice and the nearby Sites of Archaeological Importance. The submitted geotechnical report addresses the potential impact of dewatering and concludes that it is not considered that dewatering would result in groundwater drawdown effects on the designated areas, local streams, licensed water abstractions within the vicinity of the site or nearby buildings. The County’s Consultant Geologist has considered all the submitted information and has no geological/geotechnical objections to the proposal.

Summary, Environment and Amenity

85 Extensive consultation has been carried out in relation to the issues raised by the proposal and consultees have raised no objection. There are however, local concerns with regard to the traffic impact of the development. The traffic flows involved in the brickmaking activity are already existing and lighter than they have been in the past and the Highway Authority has no road safety or capacity objections provided access improvements are carried out. In terms of any other impacts of the proposal, these can be adequately controlled by the imposition of conditions. The benefit to be gained from the proposal is the restoration of the site that would enhance the visual appearance of the locality. The proposal would not materially adversely impact on the environment and would accord with SSP Policies EN1, DP29 and SMLP Policy 1.

CONCLUSIONS

86 Green Belt policy accepts that minerals can only be worked were they are found. The principle of clay extraction has been well established at this site and is an on-going activity. The SMLP supports the extension of clay extraction areas for the maintenance of production. Whilst the level of production has fallen in recent years the site remains a manufacturer of both factory and handmade bricks. It is therefore considered that there is a need for the continued extraction of clay at this site albeit on a relatively small scale. The acceptability of this development centres on the standard of restoration likely to be achieved and the adequacy of proposals for the minimisation of environmental impact. The applicant has submitted a practical scheme detailing phases and timescales of restoration and proposals, which are particularly suited to the fact that the site would need to be restored in stages. Proposals for minimising the environmental impact of the development have been accepted by consultees. Whilst concerns have been raised by local residents, the District and Parish Council with regard to traffic, the level of traffic and the impacts of such flows is acceptable to the Highway Authority. It is therefore considered that the proposal meets the policy requirements of Policy PE2 and DP 29 of the SSP.

87 The achievement of some form of restoration at the site has long been a priority. This proposal provides a means by which this aim can be achieved. Currently, only the land subject to planning permission Ref. TA80/675 (shown on Plan No. 1 as an orange dotted line) has any restoration requirement, however this is not subject to a time constraint. The land has been disturbed over a long period of time and with no soils remaining at the site, an acceptable restoration through the natural regeneration process would be slow, if ever achievable. The existing claypit is extremely deep and steep-sided and therefore some element of filling is required to bring the land back into beneficial use. It is considered that the submitted restoration scheme would secure an acceptable and early restoration of part of the site in a manner which cannot be required currently and additionally gives control over the remainder of the site which has been used for minerals and waste activities. Therefore such a scheme would provide the significant benefit of a comprehensive restoration programme for the entire site which could be secured by a legal agreement.

RECOMMENDATION

That, subject to the completion of a legal agreement to secure the restoration of the site and adjoining area of former mineral working and a S278 Highway Works Agreement to secure access improvements, planning permission be granted subject to the following conditions:
CONCLUSIONS

Approved Documents

1. The development hereby permitted shall be carried out and completed in all respects strictly in accordance with the submitted documents and plans contained in the application and the amending letters of 20/11/00 and 16/01/01, plus Accompanying Documentation including Supporting Memorandum dated 20/11/00 and Plan Nos. EMS/10619/2/BC, 1061/2/RJ, 10619/2/LO, EMS/10619/BCF dated 10/2000, Proposed Working Arrangements EMS/10619/2/BC/WA dated 10/2000, Mineral Working Sections Drawing SG20-2B dated 05/06/00, Restoration Plan RP1 all dated 10/2000 and Landscape Plan LP1, Location Plan 100 dated 13/11/97, Drawing No 97/1590/2/A dated January 2000, and no variations or omissions shall take place without the prior approval in writing of the County Planning Authority.

Time Limits

2. The development hereby permitted shall be begun no later than the expiration of one year beginning with the date of this permission. The operator shall notify the County Planning Authority in writing seven working days of the commencement of the following:

   i) implementation of this planning permission;
   ii) work within each phase.

3. The extraction of minerals shall cease by 31 December 2040 and restoration of the site shall be completed by 31 May 2047 by which date the whole of the site shall have been restored strictly in accordance with the permitted restoration scheme and Plan Nos. RP1 and LP1 dated 10/2000 and all buildings, fixed plant or machinery, internal access roads and hardstandings, together with their foundations and bases, shall have been removed from the land.

Hours of Operation

4. Except in emergencies to maintain safe site operations which shall be notified to the County Planning Authority as soon as practicable, or unless the County Planning Authority has agreed otherwise in writing, no lights shall be illuminated nor shall any operations or activities authorised or required by this permission be carried out except between the following times:

   0730 to 1800 hours Monday to Friday
   0730 to 1300 hours Saturdays

   there shall be no operations undertaken on Sundays, Bank Holidays or National Holidays.

Limitations

5. Notwithstanding any provision to the contrary under Part 4,19 and 21 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order), no plant, buildings or machinery where fixed or movable, shall be erected on the site without the prior written approval of the County Planning Authority in respect of the siting, detailed design, specifications and appearance of the plant, buildings or machinery.

6. Fill material shall be limited to Class A inert waste only. Any non-conforming material should be separated and removed for disposal at a licensed landfill site.
7 Notwithstanding Condition 6 above, no soils or inert materials shall be removed from the site.

Working Programme Phasing

8 Unless otherwise agreed in writing by the County Planning Authority, the working and restoration of the site shall be carried out strictly in accordance with the working programme and phasing plans, Plan No EMS/10619/2/BC/WA dated 10/2000, SG20 - 2B dated 05/06/00 and LP1.

Noise

9 The noise from the permitted activity should not exceed $43\,\text{LA}_{eq}$ for any 30 minute period when measured at, or recalculated as at, a height of 1.2 metres above the ground and at least 3.5 metres from the facade of any noise sensitive location.

Dust

10 Before the development hereby permitted commences, the operator shall submit to the Head of Planning for approval, a dust management scheme. The scheme as approved shall be carried out in full, any variations are to be agreed in writing by the Head of Planning.

Archaeology

11 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant for approval in writing, by the County Planning Authority.

Soil Movement, Storage and Final Placement

12 Within six months of the date of this permission a scheme to for the provision and placement of soils shall be submitted to the Head of Planning. Such a scheme shall include details of:

a) the depths of subsoils and topsoils required for each phase of the site restoration; and

b) details of, and a plan showing the location of, soil stockpiles;

c) details of any plant, and its location, if required.

The scheme as approved shall be carried out in full, and any variations are to be agreed in writing by the Head of Planning.

13 Soils shall not at any time be stockpiled, handled or used for purposes of restoration unless they are in such a dry and friable condition as to prevent compaction.

14 No soils or any other materials shall be stockpiled on site to a height greater than 5 metres above the surrounding ground levels.

15 Within six months of the date of this permission a plan showing pre-settlement contours shall be submitted to the Head of Planning. With the exception of materials stockpiled under condition 14 above, no waste or restoration soil shall be placed to levels in excess of levels of those shown on the plan approved by the Head of Planning, or as subsequently amended.
16 For each phase, when infilling is within 3 metres of the approved pre-settlement levels referred to in condition 15 above, profile boards shall be placed at 40 metre centres indicating the top of that level below the sub and top soil layer.

17 Prior to the placement of top and sub soils in each phase, a levels survey shall be carried out for the relevant phase and submitted to the Head of Planning.

**Drainage**

18 Within nine months of the date of this permission a drainage scheme shall be submitted to the Head of Planning for approval. Such a scheme shall make provision for the natural or artificial drainage of the site both during and on completion of the restoration. The scheme as approved shall be carried out in full, any variations are to be agreed in writing by the Head of Planning.

**Vehicle Movements and Cleaning**

19 The number of movements of heavy goods vehicles generated in connection with brickmaking, shall not exceed 20 vehicle movements in any one day. During the period from 2001 to 2005, no more than 30 heavy goods vehicle movements shall take place in any one day in connection with the filling of the site hereby permitted.

20 All HGV’s generated by the development hereby permitted accessing and egressing the site shall be recorded and a record maintained on site and made available for inspection by representatives of the County Planning Authority during normal working hours. Records shall be submitted to the County Planning Authority every three months for the duration of the development hereby permitted.

21 No part of the development hereby permitted shall commence until wheel cleaning facilities to be agreed by the Head of Planning have been provided and thereafter those facilities shall be maintained and used for the duration of the development.

**Landscape and Restoration**

22 Within 6 months of the date of this permission a detailed scheme of landscaping shall be submitted to the Head of Planning for approval. The scheme shall include provision for additional planting on the southern boundary of brickworks in the vicinity of the brick cutting shed and brick kilns.

23 All landscape planting shall be carried out strictly in accordance with the restoration scheme included in this application and as detailed on Plan LP1.

24 All tree and shrub planting and other landscape works pursuant to this permission shall be maintained for five years from the completion of restoration in any part of the site. During that period any trees or shrubs which die, or are severely damaged or diseased shall be replaced by trees of similar size and species to those originally required to be planted, within 12 months of their death, damage or disease.

**Aftercare**

25 Within 6 months of the date of this permission, an aftercare scheme shall be submitted to the County Planning Authority for approval. Such a scheme shall specify the steps to be taken and the period during which they are to be taken to bring each phase of the land restored to the required standards for woodland and/or amenity. The scheme as approved shall be carried out in full, any variations are to be agreed in writing by the Head of Planning.

**REASONS**
1 To comply with the terms of the application and to enable the County Planning Authority to exercise control over the operation so as to ensure an orderly method of working, to minimise the impact on local amenity and that the site is restored to a satisfactory condition in accordance with the terms of Surrey Structure Plan Policy EN1 ‘Sustaining Surrey’s Environment’, Policy DP29 ‘Restoration’ and Minerals Local Plan Policy 1, 5 and 6.

2 To enable the County Planning Authority to exercise control over the site for the development hereby permitted and comply with Section 91 of the Town & Country Planning Act 1990.

3 To enable the County Planning Authority to exercise control over the site for the development hereby permitted and to comply with Schedule 5 paragraph 1 of the Town & Country Planning Act 1990.

4 To enable the County Planning Authority to adequately control the development and to minimise its impact on the amenities of the local area in accordance with Surrey Structure Plan Policy EN1 ‘Sustaining Surrey’s Environment’ and Minerals Local Plan Policy 1.

5 To enable the County Planning Authority to adequately control the development and to minimise its impact on the amenities of the local area in accordance with Surrey Structure Plan Policy PE2 ‘Development within the Green Belt’, South of the Downs Local Plan Policy 3, and Tandridge District Local Plan Deposit Draft Policy RE2 ‘Development in the Green Belt’.

6 To safeguard the environment in accordance with Surrey Structure Plan Policy EN1 ‘Sustaining Surrey’s Environment’ and Minerals Local Plan Policy 1.

7,12, To secure a woodland and amenity restoration to the required standard and assist in absorbing the site back into the local landscape in accordance with Surrey Structure Plan Policies PE2 ‘Development within the Green Belt’ DP29 ‘Restoration’ and Minerals Local Plan Policies 3 and 5, South of the Downs Local Plan Policy 3 and Tandridge District Local Plan Deposit Draft Policy RE2 ‘Development in the Green Belt’.

8 To enable the County Planning Authority to adequately control the development and to minimise its impact on the amenities of the local area and to comply with Surrey Structure Plan Policy EN1 ‘Sustaining Surrey’s Environment’, Policy PE2 ‘Development within the Green Belt’, South of the Downs Local Plan Policy 3, Tandridge District Local Plan Deposit Draft Policy RE2 ‘Development in the Green Belt’.

9 To ensure minimum disturbance and to avoid nuisance to the locality to comply with Surrey Structure Plan Policy EN1 ‘Sustaining Surrey’s Environment’ and Minerals Local Plan Policy 1 and Tandridge District Local Plan Deposit Draft Policy EV10 ‘Noise’.

10 In the interests of local amenity and to comply with Surrey Structure Plan Policy EN1 ‘Sustaining Surrey’s Environment’ and Minerals Local Plan Policy 1 and Tandridge District Local Plan Deposit Draft Policy EV14 ‘Environmental Pollution & New Development’.

11 To afford the County Planning Authority a reasonable opportunity to examine any remains of archaeological interest which are unearthed and to ensure that adequate steps are taken for the preservation or recording of such remains and to comply with Surrey Structure Plan Policy PE13 ‘Heritage Records & Archaeological Investigation’, Minerals Local plan Policy 1, South of the Downs Local Plan Policy 49 and Tandridge District Local Plan Deposit Draft Policy H8 ‘Archaeological Monitoring of Development Sites’.
To reduce the impact on the local landscape to comply with Surrey Structure Plan Policy PE2 ‘Development within the Green Belt’ and Minerals Local Plan Policy 1.

To comply with the terms of the application and to enable the County Planning Authority to exercise planning control over the operation so as to secure restoration to the required standard and assist in absorbing the site back into the local landscape in accordance with the terms of Surrey Structure Plan Policies PE2 ‘Development within the Green Belt’, DP29 ‘Restoration’, South of the Downs Local Plan Policy 3 and Tandridge District Local Plan Deposit Draft Policy RE2 ‘Development in the Green Belt’.

To comply with the terms of the application and to enable the County Planning Authority to exercise planning control over the operation so as to secure restoration to the required standard and assist in absorbing the site back into the local landscape in accordance with the terms of Surrey Structure Plan Policies PE2 ‘Development within the Green Belt’, DP29 ‘Restoration’, South of the Downs Local Plan Policy 3 and Tandridge District Local Plan Deposit Draft Policy RE2 ‘Development in the Green Belt’.

To secure restoration to the required standard in accordance with Surrey Structure Plan Policy DP29 ‘Restoration’ and Minerals Local Plan Policies 1 and 5.

To reduce to the minimum the impact of the vehicle traffic resulting from the proposed development in accordance with Surrey Structure Plan Policy EN1 ‘Sustaining Surrey’s Environment’, Policy M2 ‘The Movement Implications of Development’ and Minerals Local Plan Policy 1, South of the Downs Local Plan Policy 75 and Tandridge District Local Plan Deposit Draft Policy MO9 ‘Impact of Heavy Goods Vehicles’.

To enable the County Planning Authority to monitor vehicle movements to ensure compliance with Condition 19 to comply with Surrey Structure Plan EN1 ‘Sustaining Surrey’s Environment’, Policy M2 ‘The Movement Implications of Development’ and Minerals Local Plan Policy 1, South of the Downs Local Plan Policy 75 and Tandridge District Local Plan Deposit Draft Policy MO9 ‘Impact of Heavy Goods Vehicles’.

In order that the development should not prejudice the condition of safety on the highway, nor cause inconvenience to other highway users to comply with Minerals Local Plan Policy 1 and South of the Downs Local Plan Policy 75.

To improve the appearance of the site in the interests of visual amenity and to comply with Section 197 of the Town & Country Planning Act 1990.

To improve the appearance of the site in the interests of visual amenity, and to assist in absorbing the site back into the local landscape, to comply with Section 197 of the Town & Country Planning Act 1990 Structure Plan Policies PE2 ‘Development within the Green Belt’ DP29 ‘Restoration’.

To comply with the terms of the application and to enable the County Planning Authority to exercise planning control over the operation so as to secure restoration to the required standard and assist in absorbing the site back into the local landscape in accordance with the terms of Surrey Structure Plan Policies PE2 ‘Development within the Green Belt’, Policy PE9 ‘Trees, Hedgerows and Woodlands’ and DP29 ‘Restoration’, South of the Downs Local Plan Policy 3 and Tandridge District Local Plan Deposit Draft Policy RE2 ‘Development in the Green Belt’ and NE11 ‘Woodlands and Hedgerow Management’.

To secure restoration to the required standard and assist in absorbing the site back into the local landscape and to comply with Schedule 5 paragraph 2 of the Town & Country Planning Act 1990. Surrey Structure Plan Policy DP29 and Policy 5 of the Minerals Local Plan.

Informatives

The permission hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence 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.
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).

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BACKGROUND PAPERS:
The deposited planning application documents and plans, documents and plans subsequently received amending the proposals, responses to consultations, notifications and representations received as referred to in the report and included in the planning application files.

Government Guidance
Planning Policy Guidance PPG2 - Green Belts
Planning Policy Guidance PPG7 – The Countryside – Environmental Quality and Economic and Social Development
Draft Planning Policy Guidance Note 13 - Transport
Planning Policy Guidance Note 24 - Planning & Noise
Minerals Planning Guidance MPG1 - General Considerations and the Development Plan System
Minerals Planning Guidance MPG7 - The Reclamation of Mineral Workings
Consultation Paper Controlling and Mitigating the Environmental Effects of Minerals Extraction MPG11

Development Plan
Surrey Structure Plan 1994
Surrey Structure Plan Deposit Draft 2001
Surrey Minerals Local Plan 1993
South of the Downs Local Plan 1994
Tandridge District Local Plan Deposit Draft 1998

Other Documents
‘Sustainable Development - UK Strategy’ HMSO 1994
‘Our Countryside the Future’ HMSO 2000