

Notice of Meeting

Planning and Regulatory Committee

**Date & time**

Thursday, 3
September 2020 at
10.30 am

Place

Remote

Contact

Joss Butler

joss.butler@surreycc.gov.uk

Chief Executive

Joanna Killian

Elected Members

Mr Tim Hall (Chairman), Mr Edward Hawkins, Mr Saj Hussain, Mrs Mary Angell, Mrs Bernie Muir,
Dr Andrew Povey, Mr Keith Taylor, Mrs Rose Thorn, Mr Stephen Cooksey, Mr Ernest Mallett
MBE and Mrs Penny Rivers

AGENDA

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

To receive any apologies for absence and notices of substitutions under Standing Order 41.

2 MINUTES OF THE LAST MEETING

To confirm the minutes of the meeting held on 29 June 2020.

(Pages 1
- 14)

3 PETITIONS

To receive any petitions from members of the public in accordance with Standing Order 84 (please see note 7 below).

4 PUBLIC QUESTION TIME

To answer any questions received from local government electors within Surrey in accordance with Standing Order 85 (please see note 8 below).

5 MEMBERS' QUESTION TIME

To answer any questions received from Members of the Council in accordance with Standing Order 68.

6 DECLARATIONS OF INTERESTS

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter

- (i) Any disclosable pecuniary interests and / or
- (ii) Other interests arising under the Code of Conduct in respect of any item(s) of business being considered at this meeting

NOTES:

- Members are reminded that they must not participate in any item where they have a disclosable pecuniary interest
- As well as an interest of the Member, this includes any interest, of which the Member is aware, that relates to the Member's spouse or civil partner (or any person with whom the Member is living as a spouse or civil partner)
- Members with a significant personal interest may participate in the discussion and vote on that matter unless that interest could be reasonably regarded as prejudicial.

- 7 MINERALS/WASTE TA/2019/2147 - MERCERS SOUTH QUARRY, BLETCHINGLEY ROAD, NUTFIELD, SURREY RH1 4EU** (Pages 15 - 58)

The extraction and screening of sand from Mercers South with progressive restoration to agriculture using inert waste materials, together with associated infrastructure, on a site of 52.2ha and the temporary diversion of public footpath 173 for the duration of the operations without compliance with Condition 8 of planning permission ref: TA/2019/34 dated 6 June 2019 so as to allow revision to the numbers of HGV movements.

- 8 MINERALS/WASTE TA/2019/2149 - MERCERS SOUTH QUARRY, BLETCHINGLEY ROAD, NUTFIELD, SURREY RH1 4EU** (Pages 59 - 100)

The extraction and screening of approximately 250,000 tonnes of sand from an area of 1.67ha, as an extension to the phasing within the existing Mercers South Quarry, with progressive restoration to agriculture using inert waste materials without compliance with Condition 8 of planning permission ref: TA/2017/2346 dated 23 April 2018 so as to allow revision to the numbers of HGV movements.

- 9 SURREY COUNTY COUNCIL PROPOSAL RE20/01205/CON - LONGMEAD ADULT EDUCATION CENTRE, HOLLAND CLOSE, REDHILL, SURREY RH1 1HT** (Pages 101 - 126)

Temporary erection of a prefabricated Modular Unit, polytunnel and cabin (D1 use), and the provision of car parking.

- 10 BROOKLANDS BUSINESS PARK ACCESSIBILITY PROJECT - CYCLE TRACK ORDER** (Pages 127 - 134)

An opportunity has been identified to make a Cycle Track Order to create a section of cycle track along a formal pedestrian/cyclist route being established between Weybridge Railway Station (Heath South car park) and the Brooklands Community Park. The specific section of the route that this applies to is shown in Annex 1. This change in status would best guarantee that both cyclists and pedestrians have the right to use the full route being established into the future. This pedestrian/cyclist route forms part of the Brooklands Business Park Accessibility Project, a major transport scheme currently being delivered by Surrey County Council.

- 11 DATE OF NEXT MEETING**

The next meeting of the Planning & Regulatory Committee will be on 17 September 2020.

Joanna Killian
Chief Executive
Published: Monday, 24 August 2020

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MINUTES of the meeting of the **PLANNING AND REGULATORY COMMITTEE** held at 10.30 am on 29 June 2020 as a Remote meeting.

These minutes are subject to confirmation by the Committee at its next meeting.

Members:

*= in attendance

Mr Tim Hall (Chairman)
Mr Edward Hawkins (Vice-Chairman)
Mr Saj Hussain
Mrs Mary Angell
Mrs Bernie Muir
Dr Andrew Povey
Mr Keith Taylor
Mrs Rose Thorn
Mr Stephen Cooksey
Mr Ernest Mallett MBE
Mrs Penny Rivers*

1/20 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies for absence were received from Mary Angell. Yvonna Lay substituted for Mary Angell.

2/20 MINUTES OF THE LAST MEETING [Item 2]

The Minutes were approved as an accurate record of the previous meeting.

3/20 PETITIONS [Item 3]

There were none.

4/20 PUBLIC QUESTION TIME [Item 4]

There were none.

5/20 MEMBERS' QUESTION TIME [Item 5]

There were none.

6/20 DECLARATIONS OF INTERESTS [Item 6]

Andrew Povey declared a non-pecuniary interest as a trustee of the Surrey Hills Society.

Edward Hawkins declared that he had received a number of letters from residents relating to item 7 on the agenda and confirmed that no responses were sent. The Chairman noted that this was likely to be the case for the whole Committee.

7/20 MINERALS & WASTE APPLICATION WA/2019/0796 - LOXLEY WELL SITE - LAND SOUTH OF DUNSFOLD ROAD AND EAST OF HIGH LOXLEY ROAD, DUNSFOLD, SURREY [Item 7]

Officers:

David Maxwell, Senior Planning Officer
Caroline Smith, Interim Planning Group Manager
Stephen Jenkins, Interim Planning Development Manager
Richard Cooper, Transport Development Planning Officer
Nancy El-Shatoury, Principal Lawyer
Joss Butler, Committee Manager

Speakers:

Sarah Goodwin made representations in objection to the application. The speech presented to the Committee is attached to these minutes as Annex 1.

Tom Gordon made representations in objection to the application. The speech presented to the Committee is attached to these minutes as Annex 2.

The Chairman was informed that the live stream of the meeting had stopped and therefore adjourned the meeting from 10:47am to 10:47am when it was resumed. The Chairman asked Tom Gordon to repeat his representation in objection to the application.

Ashley Herman made representations in objection to the application. The speech presented to the Committee is attached to these minutes as Annex 3.

Chris Britton made representations in objection to the application. The speech presented to the Committee is attached to these minutes as Annex 4.

John Gray made representations in objection to the application. The speech presented to the Committee is attached to these minutes as Annex 5.

The Chairman was informed that the live stream of the meeting had intermittently stopped and therefore adjourned the meeting from 11:11am to 11:28am to allow officers to investigate the issue. Once the meeting was resumed, the Chairman asked John Gray to repeat his representation in objection to the application and Nigel Moore to restart his response.

The Planning Agent / Applicant, Nigel Moore, Matt Cartwright and Stephen Sanderson made the following comments in response:

- That the remoteness of the site was key to mitigating noise, sounds or air emissions and that the wellsite would be enclosed by new native tree planting and areas of rewilding.
- That there would be no more than 10 Heavy Goods Vehicles (HGVs) per day which would add up to one HGV movement per hour and Banksman would be used where possible. During construction and movement of a drilling rig, temporary traffic lights would be used with wait times of up to 90 seconds.

- No HGVs would be used on a Saturday afternoon, Sunday or bank holiday which meant that High Loxley road would be kept free for any events at High Billingham Farm.
- That County Planning Officers find the proposal acceptable as outlined in the report.
- That exploration at Loxley would help the United Kingdom to rein in overextended supply chains and return vital raw materials needed for the country's economy.
- That achieving net-zero emissions in 2050 required economic resilience in 2020 which would only come if British businesses were backed.
- That the same construction techniques and site operations used at the Horse Hill Well Site would be used at Loxley.
- Local residents had been briefed on the planned activities and environmental practices of UKOG and that the site would be fully restored at the end of the planning period.

The Chairman was informed that the live stream of the meeting had stopped and therefore adjourned the meeting from 11:39am to 11:40am. Once the meeting was resumed, the Chairman asked Matt Cartwright to begin from his last main point which was regarding local residents being briefed on UKOG's planned activities.

- As far as possible, local manufacturers and service providers would be used to ensure economic benefits were kept in the local community.
- That UKOG were in regular contact with the Environment Agency, the health and safety executive and the Oil and Gas Authority.
- That the Environment Agency had recently approved the permit for Loxley.
- That UKOG wanted to be a positive force in the community.
- That a review of recent small earthquakes by the Oil and Gas Authority, British geological survey and academic experts concluded that they were naturally caused.
- The wellsite would be installed to the highest standard.
- That the country controlling its own supply of gas would help control local prices and address fuel poverty and ensure manufacturing was globally competitive.
- That Loxley was a sensible and sustainable development in the public interest.
- That UKOG was a Surrey company employing mostly local people.
- That UKOG's practices met the high standards of the Environment Agency.
- That Loxley could help fund a post Covid-19 recovery
- That using indigenous gas had several benefits compared to using imported gas.
- That oil and gas had helped the country survive the pandemic via Personal Protective Equipment (PPE), incubators, ventilator pipes, drip tubes and more which were made from petroleum products.
- That future Loxley gas would be fully compliant with net zero and Surrey's climate emergency.

The Local Member, Victoria Young, spoke for three minutes and made the following comments:

- That she was speaking on behalf of all other local residents including those soon to move to Dunsfold Park Garden Village.
- That local residents most valued the beauty and tranquillity of the environment.
- That the local community would be deeply affected by the proposed development.
- That the local Gypsy and Traveller community had not been consulted and only became aware of the proposal in the previous week.
- That the loss of the local wedding venue would have a significant effect on local businesses that service it.
- That a Cancer Awareness Festival which works to support the NHS would no longer be feasible in Surrey if the development takes place.
- That the site was an Area of Great Landscape Value (AGLV) location.
- That the impact of large vehicles on rural roads cannot be underestimated.

Key points raised during the discussion:

1. David Maxwell, Senior Planning Officer, introduced the report and provided Members with a brief summary. A supplementary agenda was published on 29 June 2020 which included an update sheet for the item. Additional representations are attached to these minutes as Annex 6, 7, 8, 9, 10, 11, 12 & 13. Members noted that the proposal for the construction, operation and decommissioning of a well site for the exploration and appraisal of hydrocarbon minerals from one exploratory borehole (Loxley-1) and one side-track borehole (Loxley-1z) for a temporary period of three years involving the siting of plant and equipment, the construction of a new access track, a new highway junction with High Loxley Road, highway improvements at the junction of High Loxley Road and Dunsfold Road and the erection of a boundary fence and entrance gates with restoration to agriculture. Members noted that the County Highway Authority had raised no objections to the application subject to conditions. Over 600 representations had been received of which 84% were in objection to the development. The full report and annexes are located from pages 7 of the meeting's agenda.
2. Members felt that the local highway was incompatible for the vehicle movements required for both the local events business and the proposed development. Members went on to raise concerns related to the quantity and nature of the vehicles required for the local event company and when they would be used. Officers highlighted that the local events company had previously produced a transport assessment which had been recently updated and indicated that there would be 120 arrivals over the actual day of the event, with five to ten movements the day before and after the event. Officers further stated that the number of movements on the highway on days without any events was extremely low. Members noted further details on the vehicle movements included within the proposal and the localised widening to the lane as conditioned in the report.

3. Members asked for further detail on the process of enforcement and consequences to sites not following agreed travel plans. Officers confirmed that the breach of condition notice could be issued to the operator which could lead to prosecution.
4. Members stated that they felt the report underplayed the importance of the site being designated as part of the AGLV.
5. Members asked for clarification on the current situation following the council previously agreeing that AGLV designation would be treated the same as Area of Outstanding Natural Beauty (AONB) designation. Officers highlighted that this matter had been assessed in the officers report in paragraphs 335 – 340 and that the adverse impact would be moderate and not significant.
6. Officers confirmed that they had taken the view that informing the Surrey Gypsy and Traveller Forum was suitable for notifying the local Gypsy and Traveller community. A site notice was also placed 300m to the south of the entrance to the traveller site for one year. Officers further stated that the impact on the Gypsy and Traveller community had been assessed in the report and considered acceptable.
7. In regards to the visual aspects of the proposal, officers confirmed that they felt they were acceptable due to the significant mitigation measures which would be put in place which would ensure the impact would not be significant.
8. Members raised further concerns that HGVs would not follow the approved route agreed with officers. Officers reassured Members that there were a number of options available to monitor this which included the use of CCTV and vehicle trackers.
9. Members stated that they believed there should be some form of air quality management due to the emissions which would be produced from the site. Officers stated that the Air Quality consultant had raised no objections to the proposals and therefore no conditions were in place regarding air quality.
10. Members felt it was required to secure a substantial bond for the use of road repairs following the use of narrow lanes by HGVs from the site and the risk of damage. Officers stated that if damage is caused to the local highway by the proposals then the council can require the applicant to repair it.
11. Members highlighted that there was a large pool of water on the way to the site and asked whether, if not properly removed, a wheel wash facility would be required. Officers confirm that this was not usual practice for these types of proposals and given the length of the proposed access track, they did not consider a wheel wash facility to be necessary.
12. Regarding local traffic, Members highlighted that the site's hours of operation may interfere with the busy school drop off and pick up hours. Officers confirmed that the applicant had stated that HGV movements would avoid peak periods and would be spread out across the 12-hour day.
13. A Member of the Committee stated that before consent was granted the Committee needed a definitive traffic management plan to fully understand the impacts of the proposal.
14. Members asked how considerable the impact of the proposal would be on the local economy. Officers stated that the report did take into

account the local economic impact and that they were mindful of the noise impacts when taking the proposal into consideration. Officers also noted that Informative 20 stated that the applicant would liaise with local businesses to minimise any impact on business.

15. Officers stated that they did not consider bunching of HGVs to be a significant risk due to the low number of HGV movements per day, the Transport Management Scheme and the use of Banksman at all times.
16. Members noted details of HGV turning circles on highways and the mitigations to be put in place to reduce the risk of damage to highway verges.
17. Members raised concerns regarding potential changes to the AONB boundaries. Officers stated that no decisions had yet been made and were not aware of when further detail would be published.
18. In regard to references to European Union (EU) in the report, officers confirmed that although the United Kingdom had left the EU, it was still bound by its laws up to the end of the transition period.
19. A Member of the Committee recommended that the application be deferred until full information was provided on the transport elements including the section 278 agreement and detail on the vehicle tracking.
20. Cllr Rivers moved a motion for refusal due to the adverse impact on the local community and businesses, local road system and the upcoming housing within Dundsford Garden Village. It was also stated that the proposal would conflict with the council's commitment to the climate change emergency. The Member further stated that the recent pandemic meant that local businesses should be supported more than ever and that the potential harms outweighed the potential benefit. Cllr Povey seconded the motion for refusal.
21. Officers stated that they were concerned with the level of detail discussed around highways which was an issue for the County Highway Authority. Officers further stated that Planning Law required that Members should focus on whether the application was in accordance with the development plan unless there are material considerations which indicate otherwise. Further to this, Officers reminded Members that local opposition or support was not grounds for refusal or granting and that Cllr Rivers' reasons for refusal were not valid planning reasons. Officers also restated that the County Highway Authority had raised no objections to the proposal and that it was not unusual to accept a framework traffic management plan with details to be submitted later. Members noted that the Committee needed to be satisfied there were no significant adverse impacts arising from the development and that it was officers' view that there were not.

The Chairman adjourned the meeting at 13:37pm until 14:18pm.

22. The Chairman asked Cllr Rivers and Cllr Povey to clarify their reasons for refusal. Cllr Rivers stated that she proposed refusal for the following reasons:
 - a. Significant adverse impact on the locality, specifically on highways for reasons of safety and potential damage
 - b. Impact on the residential community and business
 - c. That there was no demonstrable benefit from the proposal

23. Officers restated that the County Highway Authority were satisfied with the proposal and that the HGV movements were 20 maximum per day. The noise was within acceptable limits and was addressed in the officer's report. Matters regarding air quality would be addressed within the Environment Agency permit and the need for the development was established in Government energy and planning policy.
24. Cllr Povey stated that the reasons for refusal should be the following:
- a. That the need for drilling had not been established and that the reference to the general Government policy was not being sufficient.
 - b. That Surrey Highway's Officers had declared the route unsuitable for HGVS and had placed signs displaying this in the area and anti-slip surfaces on various bends.
 - c. That the applicant site was within the AGLV
 - d. The impact on the local businesses and economy
25. A Member of the Committee felt that the discussion on this application was disturbing and highlighted to Members that if the application was refused on non-planning reasons then the cost of appeal, if successful, would be significant. Further to this in regards to the motion for refusal, the Member stated that there was a lack of highway reasons, that citing impact on businesses was not logical, that oil wells were regulated nationally, that nothing can stop clear felling of woodland if a licence was granted for that, and that the public had provided an emotional response.
26. A Member of the Committee stated that they believed it was the right choice to refuse the application and that Members should not be discouraged by the risk of the decision being overturned at appeal. The Member further highlighted that the number of objections to the application and the lack of consultation with the local Gypsy and Traveller community.
27. The Chairman called the motion for refusal which received 6 votes for, 5 votes against and no abstentions. Therefore the motion was carried.
28. The Principal Solicitor stated that there was a need to clearly set out and confirm the reasons for refusal. The Chairman agreed to adjourn the meeting to enable Planning Officers to collate a summary of planning reasons for refusal following discussions at the meeting.

Keith Taylor left the meeting 15:07pm

The Chairman adjourned the meeting from 15:07pm to 15:27pm

29. The Chairman asked Members to vote on the following reasons for refusal:
- a. It has not yet been demonstrated that there is a need for the development nor that the adverse impacts in respect of Highways, noise, lighting and air quality will not be significant contrary to policies MC12, MC14 and MC15 of the Surrey Minerals Plan 2011.
30. The Chairman moved the confirmation vote on the motion for refusal of the application for the reasons outlined in paragraph 29a of these minutes which received 9 votes for, 1 vote against and no abstentions. Therefore the motion was carried.

Actions / further information to be provided:

None.

Resolved:

That the Committee REFUSE application WA/2019/0796 due to the reason that It has not yet been demonstrated that there is a need for the development nor that the adverse impacts in respect of highways, noise, lighting and air quality will not be significant contrary to policies MC12, MC14 and MC15 of the Surrey Minerals Plan 2011.

**8/20 MINERALS/WASTE EL18/3802 WO2018/1358 - UNITS 11 AND 12
WINTERSELLS ROAD, BYFLEET, WEST BYFLEET, SURREY KT14 7LF
[Item 8]**

Officers:

Katie Rayner, Senior Planning Officer
Abigail Solway, Transport Development Planning Officer
Nancy El-Shatoury, Principal Lawyer
Joss Butler, Committee Manager

Speakers:

John Tadros made representations in objection to the application. The following key points were made:

- That Wintersells Management Limited was the management company which owned the road which provides access to the around 40 small businesses.
- That the objections from the small businesses were well founded and critical to the wellbeing of the business that required adequate access.
- That 200 HGV movements per day was excessive and that the roads were originally designed for ad hoc access.
- That in the event the roads of the estate were blocked then his business would not be visible to the traffic approaching the main road.
- That Elmbridge and Runnymede Council had rejected the size of this application stating clear the harm to the business park
- Surrey County Council's site assessment document identifies that the estate should only have 50,000 tonnes of waste per annum. This application is double the recommendations and does not take into account skip allocation.

Michael Stallard made representations in objection to the application. The speech which was presented to the Committee is attached to these minutes as annex 14.

On behalf of the applicant, David Young, Peter Todd and Billy Clark made the following comments in response:

- That a detailed assessment of vehicle emissions had been undertaken as part of the application in order to predict pollutant concentrations at relevant locations.
- That air quality assessments had not been undertaken in the Runnymede area due to the number of HGV movements being significantly under 25 per day.
- That if the application was approved then there would be significant reduction in traffic related pollution concentrations due to the reduction in HGV movements in the applicants current operation.
- That the applicant had committed to ensuring all HGVs in the company fleet meet the latest emission standards.
- That a detailed transport statement was submitted with the planning application which considered the access, highway safety and traffic impacts of the development which officers have raised no objections to.
- That the access roads were designed to typical industrial estate standards and were already used by HGVs. There was also no evidence of any existing highways safety issues.
- Vehicle access to the development would operate on a one-way system which would help to reduce conflict. A digital system would also be implemented to track and redirect vehicles, if necessary, during the day.
- That there were no highways related reasons to resist the application.
- That it had been proposed to build a structure on the site which would act to screen noise occurring within the structure and therefore reducing the level of noise.
- That the closest residential home was 125 metres away and that the level of noise received was significantly below the level of background noise in the area.
- It was highly unlikely to have any adverse impact on the local residential homes and businesses from noise.

The Local Member, Tim Oliver, was unable to attend at the beginning of this item however an audio recording of the Local Member's speech was played to the Committee which made the following comments:

- That he wished to object to the application and supported the many objections which had been recorded.
- That the conditions outlined in the report did not address the issues that the application raises.
- The proposed development was too large and too impactful on the other occupants and the nearby residential dwellings.
- That there would be unacceptable harm to the character and appearance of the area and a likely impact on the amenity of the local residential properties.
- That there would be an impact of traffic as the area was highly congested already and that a traffic study had been commissioned for the whole of the Brooklands area because of its significant negative impact on residents' travel and lengthy queues. This proposal would exacerbate this issue.
- That Surrey County Council were not currently in a position to adopt the draft Surrey Waste Local Plan and that it would not be considered in July 2020.
- That the Committee should refuse the application for change of use.

Key points raised during the discussion:

1. Katie Rayner, Senior Planning Officer, introduced the report and provided a brief summary. A supplementary agenda was published on 29 June 2020 which included an update sheet for the item. Additional representations are attached to these minutes as Annex 15, 16, 17 & 18 . Members noted that the application was for the Change of use to a waste transfer station and recycling facility (sui generis) for the receipt and treatment of mixed, dry, non-hazardous household, industrial and commercial and construction, demolition and excavation waste, including the demolition of the existing building at Unit 11 and the erection of a steel portal framed building, picking station, storage bays and boundary fencing. Members were provided with a presentation of photos and plans of the proposed development which were also included as part of the officer's report.
2. In regard to HGV access to the site, Members asked whether there was a turning circle within the site. Officers confirmed that there was a turning circle within the site.
3. Officers confirmed that junction modelling work had not taken place for this application due to the low impact of the proposal.
4. Members ask whether the proposal would be impacted by the emerging Local Waste Plan which had not yet been agreed. Officers confirmed the new Local Waste Plan was at an advanced stage of development and that the proposal did not conflict with either waste plan and that the emerging plan was still considered as a material consideration.
5. Members raised concern with the number of vehicle movements outlined in the report.
6. Officers confirmed that the hours of operation had been reduced by officers to 07:00 – 18:00, Monday to Friday and 07:00 – 13:00 on Saturdays and the additional hours of working were 18:00 – 20:30, Monday to Friday and 13:00 – 17:00 on Saturdays for the operation of the plant within the building with no HGV access.
7. The Leader of the Council and Local Member highlighted to Members that officers were in the process of commissioning a traffic study which would demonstrate the significant issues around congestion on the four main points into the area. Officers stated that, when divided across the day, the 200 HGV movements were very insignificant and not enough to conduct any transport modelling. Along with this the National Planning Policy Framework 2019 noted that these movements were not significant enough to refuse the application.
8. Cllr Muir proposed to move a motion for deferral of consideration of the application until the upcoming traffic study in the area was completed. The motion was seconded by Cllr Povey.
9. Officers highlighted to Members that the proposal would increase the traffic movement in the area by 0.98% and if approved 2% of the overall road traffic would be by HGVs movements.
10. A Member highlighted to the Committee that the application should be considered on the information available at the time and on its own merits.

11. The Leader of the Council confirmed to the Committee that the traffic study had been commissioned by the Elmbridge Local Committee to consider the impacts of the existing congested traffic moments and consider possible improvements. In terms of timescales the Leader of the Council stated that the traffic study was likely to take place by the end of the year however this could be impacted by the current pandemic. Officers stated that it would not be reasonable to defer an application on an unrestricted timescale and that the application should be considered on the merits of the proposal.
12. Officers highlighted to Members that the site was currently vacant and therefore another industrial use could be placed there and result in more unrestricted vehicle movements and without the need for planning permission.
13. Cllr Hawkins moved the recommendation for refusal, seconded by Saj Hussain, which received 2 votes for, 8 against and no abstentions. Therefore the motion was lost.
14. Cllr Muir confirmed that she would not move a motion to defer the application.

Resolved:

The Committee unanimously agreed to permit application EL/18/3802 subject to conditions from page 268 of the agenda papers.

9/20 SURREY COUNTY COUNCIL PROPOSAL RE20/00808/CON - WESTVALE PARK PRIMARY SCHOOL, OFF WEBBER STREET, WESTVALE PARK DEVELOPMENT, HORLEY, SURREY [Item 9]

Officers:

Dawn Horton-Baker, Principal Planning Officer
 Charlie Cruise, Senior Transport Development Planning Officer
 Nancy El-Shatoury, Principal Lawyer
 Joss Butler, Committee Manager

Speakers:

Nicholas Wooding, local Resident, made representations in objection to the application. The following key points were made:

- That they had multiple concerns due to the proximity of the proposed building units and their property
- That they were concerned with the use of the private lane with parents dropping of pupils as there would be an impact on privacy and increased noise
- That the cottage located parallel to the proposed site was a listed building and may be damaged by vibrations from heavy machinery five metres away.
- That the proposed pedestrian access gate at the top of the road would encourage parents to use Malthouse Lane.
- That there was no reference to COVID-19 in the report as the proposed building would cause residents to struggle to work from home. There was also a risk of parents gathering around the school gates which would restrict social distancing in the area.

- That it was not clear who would maintain the pedestrian path and road.

Key points raised during the discussion:

1. Dawn Horton-Baker, Principal Planning Officer, introduced the report and provided a brief summary. Members noted that the application was for the Installation of temporary buildings comprising two double classroom units and a staff administration unit, a temporary pedestrian access gate, a temporary vehicular access gate, temporary fencing and temporary reinforced gravel surface. Members noted further details on the application which were outlined in the report.
2. Members asked for clarification on the main disadvantages to residents for the proposal. Officers stated that the residents were concerned that parents would use the private road to drop off pupils at the pedestrian access. Officers further stated that Surrey County Council did not have the power to prevent access down the private road however the council is promoting that the school has active management of pupils and staff to ensure the private road is not used for dropping off.
3. Members asked whether residents could use a gate to prevent cars using the private road. Officers confirmed that the road was a private road however it had public footpath rights therefore could not prevent pedestrians. In regards to placing a gate, officers said this would likely that only the road owner could take action against trespassers.
4. Officers confirmed that the school contractor had stated that they would monitor the use of the lane for the duration of the temporary period. Officers further stated that there was a condition for the permanent application to have a full travel plan. For the current proposal, the school would be providing a management man to look at managing the problems which have been identified by the residents. A council officer would monitor this and encourage compliance.
5. The Chairman stated that from his experience as a school governor it was important for the school to be immediately clear on any travel management plans. Officers highlighted that this was a temporary application and that the school would not have the ability to produce a full travel plan in the current timescales. Officers had been proactive to encourage the school to create a management plan where travel to the school was taking into consideration which officers believed to be a proportional action for the temporary application.

Resolved:

The Committee unanimously agreed to PERMIT application RE20/00808/CON for a temporary period until August 2021 subject to conditions from page 331 of the agenda and update sheet.

10/20 APPLICATION TO RECTIFY THE REGISTER OF COMMON LAND - LAND AT THE HALLAMS, LITTLEFORD LANE, BLACKHEATH, GUILDFORD [Item 10]

Officers:

Helen Gilbert, Commons Registration Officer
Judith Shephard, Lawyer
Joss Butler, Committee Manager

Speakers:

None.

Key points raised during the discussion:

1. Helen Gilbert, Commons Registration Officer, introduced the report and provided Members with a brief summary. Members noted that the Committee was asked to consider whether or not to remove the land outlined in the report subject of the application from the commons register. Further details on the application were noted and outlined in the officer's report.

Resolved:

The Committee unanimously agreed that:

- a. the Applicants be permitted to amend the application; and
- b. the application to deregister the land shown hatched blue on the amended application plan be accepted.

11/20 DATE OF NEXT MEETING [Item 11]

The date of the next meeting was noted at 20 August 2020.

Meeting closed at 17:21pm

Chairman

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TO: PLANNING & REGULATORY COMMITTEE
BY: PLANNING DEVELOPMENT MANAGER
DISTRICT(S) TANDRIDGE DISTRICT COUNCIL

DATE: 20 August 2020

ELECTORAL DIVISION(S):
Godstone
CASE OFFICER:
Duncan Evans

PURPOSE: FOR DECISION

GRID REF: 530733 151586

TITLE: MINERALS/WASTE TA/2019/2147

SUMMARY REPORT

Mercers South Quarry, Bletchingley Road, Nutfield, Surrey RH1 4EU

The extraction and screening of sand from Mercers South with progressive restoration to agriculture using inert waste materials, together with associated infrastructure, on a site of 52.2ha and the temporary diversion of public footpath 173 for the duration of the operations without compliance with Condition 8 of planning permission ref: TA/2019/34 dated 6 June 2019 so as to allow revision to the numbers of HGV movements.

The application site, some 52 hectares (ha), is located in open countryside on land at Mercers Farm, west of the M23 motorway, south of the M25, north of the A25 and east of Nutfield Marsh Road. The Mercers South Quarry is located approximately 2.5km northeast of Redhill, with Merstham to the north, and the villages of Nutfield and Bletchingley on the A25 to the south and south east respectively.

The application site is an existing quarry that lies within the Metropolitan Green Belt and within the Holmethorpe Sandpits Complex Site of Nature Conservation Interest (SNCI). The northern boundary of the quarry, marked by Redhill Brook, borders the southern edge of the Surrey Hills Area of Outstanding Natural Beauty (AONB).

The extraction area of the quarry lies to the south and east of Mercers Farm buildings. Land to the south of the extraction area incorporates the mineral working's access to the A25 and Glebe Lake which is in the process of being enhanced for nature conservation purposes. Public Footpath No.173 crosses the southern end of the mineral working (East to West), with Public Footpath Nos.175 and 188 crossing the internal haul road. The closest residential properties lie approximately 50m to the west of the quarry boundary, with the closest residential properties to the access road being the properties along the A25 approximately 70m to the east of the quarry's access.

The application seeks to vary Condition 8 of the extant permission (TA/2019/43) for the quarry, to allow an increase in HGV vehicle movements. The Condition 8 of planning permission ref: TA/2019/34 currently restricts HGV movements at the Quarry to no more than an average of 150 HGV movements per day associated with the extraction and import of inert waste materials at the Mercers South site, with HGV movements on any single day not exceeding 240 movements.

The applicant now proposes an increase to the limit so that there shall be no more than an average of 300 HGV movements per day associated with the extraction of sand and the import

of inert waste materials at the Mercers South site, with HGV movements on any single day not exceeding 350 movements.

The applicant states that the reason for the increase in vehicle movements being sought is that they require necessary flexibility to be able to respond to seasonal and operational fluctuations and to react swiftly during peaks in the availability of restoration material, and to secure delivery of the progressive restoration of Mercers South Quarry in accordance with permitted timescales.

This application is submitted under section 73 of the Town and Country Planning Act 1990 (as amended). Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The principle of development has already been established at an earlier date. Section 73 requires the local planning authority to consider only the question of the conditions subject to which planning permission should be granted, though in doing so the authority should have regard to all material considerations and determine the application in accordance with the development plan unless material considerations indicate otherwise.

The County Highway Authority has advised that they were satisfied with the proposed revision to the numbers of daily HGV movements and therefore has no objection to the application.

No objections have been received on the application from the technical consultees, Tandridge District Council or Reigate and Banstead Borough Council. Objections have been received from 4 local residents. Godstone Parish Council, and local amenity groups Traffic Action Group (TAG) A25, Godstone Preservation Society, and the Quarry Observation Group have objected to the application. The objectors have raised concerns in respect of traffic, pollution, and that the need is not clear. The concerns raised have been reviewed. Officers consider that given the County Highway Authority is satisfied with the proposal, and taking into account the responses of technical consultees, the proposed increase in HGV numbers would not cause significant adverse impact on the local highway network, the environment or on amenity.

The application site is an existing quarry site in the Green Belt. As the proposal is associated with a mineral extraction, provided there is adequate provision for removal and a high quality restoration of the land, the development will therefore preserve the openness of the Green Belt. Officers consider there is no reason to believe that the site could not be well restored to the proposed after-uses, which are uses consistent with Green Belt objectives and acknowledge that given the development will be temporary it will therefore preserve the openness of the Green Belt. The need for the sand has already been established through the granting of planning permission Ref: TA/2013/1799 and Officers consider that high environmental standards would be achieved and that the site will be well restored. Officers do not consider that the proposal constitutes inappropriate development in the Green Belt. The proposal does not conflict with the Development Plan or national guidance with regard to Green Belt policy.

The recommendation is to PERMIT subject to conditions

APPLICATION DETAILS

Applicant

J & J Franks Ltd

Date application valid

26 November 2019

Period for Determination

17 March 2020

Amending Documents

Applicant agent Carter Jonas covering letter (received March 2020) submitting: Carter Jonas - Addendum Transport Assessment to the Environmental Statement – Technical Note dated February 2020; and WBM Acoustic Consultants Noise Addendum to the Environmental Statement dated 21 February 2020.

SUMMARY OF PLANNING ISSUES

This section identifies and summarises the main planning issues in the report. The full text should be considered before the meeting.

	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
Highways, Traffic and Access	Yes	81 – 111
Noise	Yes	124 – 134
Dust and Air Quality	Yes	135 – 141
Landscape and Visual Impact	Yes	142 – 157
Restoration and Aftercare	Yes	158 – 164
Green Belt	Yes	165 – 176

ILLUSTRATIVE MATERIAL

Site Plan

Plan – Site Location and Application Site

Aerial Photographs

Aerial 1 – Site location showing surrounding area to the application site

Aerial 2 – Site location showing the application site

Site Photographs

Figure 1 – Existing site access viewing east towards Bletchingley

Figure 2 – Existing site access viewing west towards Nutfield

Figure 3 – Internal haul road viewing site access with A25

BACKGROUND

Site Description

- 1 The application site, some 52ha, is located in open countryside on land at Mercers Farm, west of the M23 motorway, south of the M25, north of the A25 and east of Nutfield Marsh Road. The Mercers South Quarry is located approximately 2.5km northeast of Redhill, with Merstham to the north, and the villages of Nutfield and Bletchingley on the A25 to the south and south east respectively. To the west is Mercers Park, a former silica sand quarry and now a country park used mainly for watersports. To the north lies Spynes Mere, another former silica sand quarry, restored to a lake and nature reserve.
- 2 The application site and existing quarry lie within the Metropolitan Green Belt and within the Holmethorpe Sandpits Complex SNCI (County importance for birds). The northern

boundary of the quarry, marked by Redhill Brook, borders the southern edge of the Surrey Hills Area of Outstanding Natural Beauty (AONB). The site also lies within the 13 kilometres safeguarding area of Biggin Hill and Gatwick Airports.

- 3 The extraction area of the quarry lies to the south and east of Mercers Farm buildings. Land to the south of the extraction area incorporates the mineral working's access to the A25 and Glebe Lake which is in the process of being enhanced for nature conservation purposes.
- 4 Public Footpath No.173 crosses the southern end of the mineral working (East to West), with Public Footpath Nos.175 and 188 crossing the line of the quarry access route to the south.
- 5 The closest residential properties lie approximately 50m to the west of the quarry boundary, with the closest residential properties to the access road being the properties along the A25 approximately 70m to the east of the quarry's access.

Planning History

- 6 On 12 August 2014, planning permission ref: TA/2013/1799 was granted for the extraction and screening of sand from Mercers South with progressive restoration to agriculture using inert waste materials, together with: the construction of a new dedicated internal access from the A25; screening bunds; the provision of a welfare / office block and mobile home to accommodate staff and security personnel; a wheelwash, weighbridge and associated office; car parking area; reinstatement of rights of way network, woodland, historic hedgerows and ditch to include landscape and ecological enhancements, on a site of 52.2 ha and the temporary diversion of public footpath 173 for the duration of the operations.
- 7 On 23 April 2018 planning permission ref: TA/2017/2346 was granted for the extraction and screening of approximately 250,000 tonnes of sand from an area of 1.67ha, as an extension to the phasing within the existing Mercers South Quarry, with progressive restoration to agriculture using inert waste materials.
- 8 In October 2018 the applicant submitted a planning application (ref: TA/2018/2174) seeking planning permission for the erection of a vehicle maintenance workshop building in connection to the life of working and restoration of Mercers South (sand) Quarry. The application ref: TA/2018/2174 was granted planning permission on 6 June 2019.
- 9 In combination with the workshop application the applicant submitted application ref: TA/2019/34 seeking non-compliance with Condition 1 of planning permission ref: TA/2013/1799 dated 12 August 2014 (the Quarry parent planning permission) so as to allow minor amendments to the 'as built' design and layout of the development originally permitted in 2014. The application reference TA/2019/34 was granted planning permission by Surrey County Council on 6 June 2019 and subject to some 28 planning conditions.
- 10 Under the planning permission ref: TA/2019/34 restoration of the site is to be completed by 31 December 2036.

THE PROPOSAL

- 11 This is a planning application, made under Section 73 of the Town and County Planning Act 1990 (as amended), seeking non-compliance with Condition 8 of planning permission reference TA/2019/34 dated 6 June 2019 so as to allow for an increase in the numbers of permitted HGV movements for the site. The application is accompanied by an addendum to the original Environmental Statement.

- 12 Condition 8 of planning permission ref: TA/2019/34 currently restricts HGV movements at the Quarry to no more than an average of 150 HGV movements per day associated with the extraction and import of inert waste materials at the Mercers South site, with HGV movements on any single day not exceeding 240 movements (120 in and 120 out).
- 13 The applicant now proposes an increase to the limit so that there shall be no more than an average of 300 HGV movements per day associated with the extraction of sand and the import of inert waste materials at the Mercers South site, with HGV movements on any single day not exceeding 350 movements (175 in and 175 out).
- 14 The applicant states that the reason for the increase in vehicle movements being sought is that they require necessary flexibility to be able to respond to seasonal and operational fluctuations and to react swiftly during peaks in the availability of restoration material, and to secure delivery of the progressive restoration of Mercers South Quarry in accordance with permitted timescales.
- 15 The applicant explains that the site is to be restored to an agricultural afteruse, together with landscape and ecological enhancements, through the use of imported inert materials. The applicant has also stated that there has been a change in the nature and density of the restoration materials, which are predominantly soils and clays. This change coupled with compaction techniques will require more material and as a consequence a greater number of lorry loads, in order to achieve site restoration within the permitted timescales.
- 16 The applicant further states that there are a number of factors which have led to a reduction in achievable working days resulting in consolidation of movements in those days available. They suggest there have been changes within the construction industry leading to a reduced demand on Saturday mornings, a traditional operational day during the industry working week. Furthermore the applicant has noticed a trend around national and bank holidays where industry employees take a longer break leading to fewer site operational days.
- 17 The applicant also highlights that the Mercers South quarry has a dedicated access which is accessed directly from the A25 and removes the need for site HGVs to use the nearby Cormongers Lane and in large part, avoid routing the site HGV traffic through Nutfield village.
- 18 The applicant does not propose any other changes to the operations already permitted for the Quarry.
- 19 This application is accompanied by planning application ref. TA/2019/2149 which seeks to amend Condition 8 of planning permission ref: TA/2017/2346 (dated 23 April 2018) which imposes the similar restriction on numbers of HGV movements for the site in combination with planning permission ref. TA/2019/34 dated 6 June 2019.

CONSULTATIONS AND PUBLICITY

District Council

- 20 **Tandridge District Council:**
No objection.

Neighbouring Authority

- 21 **Reigate & Banstead Borough Council:**
No objection.

Consultees (Statutory and Non-Statutory)

- 22 **County Highway Authority – Transportation Development Planning:**
No objection, subject to conditions
- 23 **Natural England:**
No objection.
- 24 **Environment Agency:**
No views received.
- 25 **County Ecologist:**
No objection.
- 26 **Landscape Officer:**
No objection, subject to conditions.
- 27 **Surrey Hills AONB:**
No objection.
- 28 **County Noise Consultant:**
No objection, subject to conditions.
- 29 **County Air Quality Consultant:**
No objection.
- 30 **Lead local Flood Authority – SuDS & Consenting Team:**
No objection.
- 31 **Surrey Wildlife Trust:**
No views received.
- 32 **Rights of Way:**
No objection.
- 33 **English Heritage:**
No objection.
- 34 **Geologist:**
No objection.
- 35 **Historic/Listed Buildings:**
No objection.
- 36 **Gatwick Airport Safeguarding:**
No objection.
- 37 **Enhancement Officer:**
No views received.
- 38 **Environmental Assessment:**
Provided comments.
- 39 **Archaeological Officer:**
No objection.
- 40 **Sutton and East Surrey Water:**
No views received.

41 **Thames Water:**
No views received.

42 **Health and Safety Executive:**
No views received.

43 **National Grid:**
No views received.

Parish/Town Council and Amenity Groups

44 **Bletchingley Parish Council:**
No objection. Raise concerns of impacts on air quality and noise from proposed HGV increase.

45 **Nutfield Parish Council:**
No objection.

46 **Godstone Parish Council:**
Objection. On the grounds: the proposed increase will be detrimental to surrounding villages of Nutfield, Bletchingley and Godstone.

47 **Godstone Preservation Society:**
Objection. On the grounds: too many HGV's on A25; congestion; highway safety; impacts of emissions on air quality and human health.

48 **Traffic Action Group (TAG) A25:**
Objection. On the grounds: lack of justification for the proposed increase; no consideration of noise and vibration from proposed increase along the A25. Impact of increased movements in combination with M23 widening. Concerns the proposal will increase NO2 levels.

49 **Quarry Observation Group:**
Objection. On the grounds the need for the increase has not been demonstrated; concerns of impacts on local air quality; road safety concerns; excessive traffic on A25 already.

50 **Godstone Village Association:**
No views received.

51 **Nutfield Conservation Society:**
No views received.

52 **Nutfield Marsh Residents Group:**
No views received.

53 **CPRE:**
No views received.

54 **Surrey Botanical Society:**
No views received.

55 **Ramblers Association:**
No views received.

Summary of publicity undertaken and key issues raised by public

- 56 The application was publicised by the posting of 3 site notices and an advert was placed in the local newspaper. A total of 103 owner/occupiers of neighbouring properties were directly notified by letter.
- 57 At the time of writing this report 6 letters of written representation have been received by members of the public. Of the letters received one letter has been written in support of the proposal and 5 members of the public have objected to the application.

The key issues of objection raised:

- The A25 is already overly congested and more HGVs will impact this further,
- More HGVs will further damage the condition of the surface of A25,
- HGVs must head east and not through Nutfield Village,
- Concerns of safety to other road users from the HGVs,
- Concerns of air pollution and the impacts on human health.

PLANNING CONSIDERATIONS

- 58 The guidance on the determination of planning applications, found at the end of this report, is expressly incorporated into this report and must be read in conjunction with the following paragraphs.
- 59 In this case the statutory development plan for consideration of the application consists of the Surrey Minerals Local Plan 2011 – Core Strategy and Primary Aggregates Development Plan Documents (DPD) (SMP2011), the Surrey Waste Plan 2008 (SWP2008), along with the Tandridge Core Strategy Core Strategy 2008 and Local Plan Part 2: Detailed Policies 2014-2029 documents. Adopted alongside the SMP2011 was the Minerals Site Restoration Supplementary Planning Document (SPD).
- 60 The Surrey Waste Plan 2008 is currently in the process of being replaced by the “Surrey Waste Local Plan Part 1 – Policies” and the “Surrey Waste Local Plan Part 2 – Sites”. The Inspectors Report on the Surrey Waste Local Plan (SWLP) has now been received and marks the end of the independent examination. The Inspectors Report concluded that the SWLP provides an appropriate basis for the waste planning of the County, provided that a number of the Main Modifications are made to it in order to make it sound and legally compliant and capable of adoption. At this stage the SWLP is yet to be fully adopted by Surrey County Council. However, in accordance with Paragraph 48 of the NPPF (2019) given the advanced status of the SWLP, weight can be given to the policies of the emerging Surrey Waste Local Plan (2019-2033) in the determination of this application.
- 61 Tandridge District Council are in the process of preparing a new Local Plan (2033) which sets out a new development strategy for the district up to 2033. Once adopted the new Local Plan will replace the Council's planning policies currently set out in the Tandridge District Core Strategy (2008) and Local Plan Part 2: Detailed Policies (2014). The new Local Plan 2033 is some way off adoption and the proposed Plan carries no weight.
- 62 In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations. In assessing the application against development plan policies it will be necessary to determine whether the proposed measures for mitigating any environmental impact of the development are satisfactory. In this case the main planning considerations are: highways and traffic; noise; air quality; landscape and visual amenity; and restoration.

Section 73 and Environmental Impact Assessment (EIA)

- 63 This application is submitted under section 73 of the Town and Country Planning Act 1990 (as amended). Section 73 of the Town & County Planning Act 1990 allows planning

permission to be given for development of the same description as development already permitted but subject to different conditions.

- 64 Local planning authorities can grant permission to section 73 applications unconditionally or subject to different conditions, or they can refuse the application if they decide the original condition(s) should continue. Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The principle of development has already been established at an earlier date. Section 73 provides a different procedure for such applications from that applying to applications for planning permission, and requires the local planning authority to consider only the question of the conditions subject to which planning permission should be granted, though in doing so the authority should have regard to all material considerations and determine the application in accordance with the development plan unless material considerations indicate otherwise.
- 65 The development approved for Mercers South Quarry under planning permission ref. TA/2013/1799 was subject to EIA prior to the grant of consent. The current applications ref. TA/2019/2147 and ref. TA/2019/2149 relate to minerals development that falls within the scope of Schedule 1 and Schedule 2 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations 2017). The current applications seek changes to conditions attached to the extant planning permissions for minerals development at Mercers South Quarry.
- 66 This application ref. TA/2019/2147 relates to the established Mercers South Quarry, which extends to some 54 hectares and therefore falls within the scope of paragraph 19 of Schedule 1 of the EIA Regulations 2017. The current application (TA/2019/2147) seeks to vary condition 8 of the extant permission (TA/2019/43) for the quarry, to allow an increase in HGV vehicle movements. The proposed change is not, however, of a scale or type that falls within paragraph 24 of Schedule 1 of the EIA Regulations 2017, but would fall within the scope of paragraph 13(a) of Schedule 2 of the EIA Regulations 2017.
- 67 The additional application ref. TA/2019/2149 relates to an internal extension to the established Mercers South Quarry of some 1.7 hectares and therefore falls within the scope of paragraphs 2(a) and 13(b) of Schedule 2 of the EIA Regulations. The current application ref. TA/2019/2149 seeks to vary condition 8 of the extant permission ref. TA/2017/2346 for the quarry extension, to allow an increase in HGV vehicle movements.
- 68 Prior to the submission of the current applications a request for an EIA Screening Opinion was made to the CPA on behalf of the applicant. The CPA adopted its formal EIA Screening Opinion on 10 June 2019. The EIA Screening Opinion concluded that the proposed changes to the permitted quarry and extension did constitute 'EIA development'. The CPA and the agent subsequently agreed that the need for EIA could be addressed through the submission of an addendum to the Environmental Statement (ES) submitted in support of the original planning permission for the quarry.
- 69 The Addendum ES submitted in support of the current applications has been reviewed with reference to the provisions set out in Regulation 18 (Environmental Statements) and Schedule 4 (Information for Inclusion in Environmental Statements) of the EIA Regulations. The information provided in the submitted ES satisfies the minimum requirements defined in Regulation 18(3) and address those aspects of Schedule 4 relevant to the scheme and the receiving environment. The original ES submitted in support of the application for the quarry has not been re-reviewed in the context of the current applications, and the conclusions of the original review (that the ES was of a suitable standard to inform the determination of the application), undertaken in July 2014, have been relied upon.

- 70 Under Regulation 26¹ of the EIA Regulations the CPA is required to examine the ‘environmental information’ (as defined in Regulation 2 of the EIA Regulations²) relevant to the applications, and to use that information to reach a reasoned conclusion in respect of the significant environmental effects of the proposed changes to the permitted developments. In this case the Addendum ES and the original ES form one part of that ‘environmental information’ providing the applicants view of the likely significant environmental effects of the altered development. The views of other parties have been sought through the consultation undertaken on the submitted applications, and are summarised and reflected elsewhere in this report.
- 71 The submitted Addendum ES includes technical information on the following topics, with a full discussion of the likely impacts of the proposed development on each of those aspects of the environment set out elsewhere in this report.
- 72 Highways & Traffic – the question of the impact of the proposed development on the highways network and traffic levels is addressed in the ‘Transport Assessment Addendum to Environmental Statement’ section³ of the submitted Addendum ES. The question of the altered developments impact on the highway network and the local community as a consequence of the proposed change in HGV numbers is discussed in greater detail in paragraphs 81 to 111 of this report.
- 73 The current applications seek to amend condition 8 of planning permissions ref. TA/2019/34 and ref. TA/2017/2346, to enable an increase in the number of HGV movements that can occur on a daily basis from the vehicles servicing the operational quarry. The other traffic and access related conditions associated with the extant permissions would be carried forward and attached to any fresh planning permissions granted. Those conditions include the maintenance of the agreed site access visibility zones (currently condition 6 of TA/2019/34), the restriction of site access to the A25 Bletchingley Road (currently condition 7 of TA/2019/34 and condition 7 of TA/2017/2346), and the provision of facilities necessary to the cleaning of the public highway (currently condition 9 of TA/2019/34).
- 74 On balance, and having taken account of the information and evidence submitted by all parties with an interest in the determination of the current planning applications, including the views of the County Highway Authority, the CPA has concluded that the proposed changes, i.e. the increase in HGV vehicle movements, to the established minerals development would not give rise to significant additional traffic and highways impacts.
- 75 Noise – the question of the impact of the proposed development on noise levels and the incidence of noise disturbance is addressed in the ‘Heavy Goods Vehicles – Noise Addendum to Environmental Statement’ section⁴ of the submitted Addendum ES. The question of the altered developments impact on local amenity due to emissions of noise is discussed in greater detail in paragraphs 124 to 134 of this report.
- 76 Given that the current applications seek to amend condition 8 of Planning Permissions TA/2019/34 and TA/2017/2346, the noise management conditions associated with those permissions would be carried forward and attached to any fresh planning permissions granted. Those conditions include provision for the control of noise levels associated with,

¹ **Regulation 26. Consideration of whether planning permission or subsequent consent should be granted** (1) When determining an application ... in relation to which an ES has been submitted, the relevant planning authority, ... must— (a) examine the environmental information[as defined in Regulation 2];

² **Regulation 2. Interpretation** (1) In these Regulations- ... “environmental information” means the environmental statement, including any further information & any other information, any representations made by any body required by these Regulations to be invited to make representations, and any representation duly made by any other person about the environmental effects of the development;

³ Dated October 2019, prepared by the Richard Parker Consultancy Ltd.

⁴ Dated 11 October 2019, prepared by Walker Beak Mason Acoustic Consultants.

site operations (currently condition 17 of TA/2019/34 and condition 12 of TA/2017/2346), site preparation and bund construction (currently condition 18 of TA/2019/34 and condition 13 of TA/2017/2346), and reversing alarms on company plant and vehicles (currently condition 19 of TA/2019/34 and condition 14 of TA/2017/2346).

- 77 On balance, and having taken account of the information and evidence submitted by all parties with an interest in the determination of the current planning applications, the CPA has concluded that the proposed changes (i.e. increase in HGV vehicle movements) to the established minerals development would not give rise to significant additional noise impacts.
- 78 Air Quality & Dust – the question of the impact of the proposed development on dust and local air quality is addressed in the ‘Air Quality Assessment’ section⁵ of the submitted Addendum ES. The question of the altered developments impact on local amenity due to emissions of dust is discussed in greater detail in paragraphs 135 to 141 of this report.
- 79 Given that the current applications seek to amend condition 8 of planning permissions ref. TA/2019/34 and ref. TA/2017/2346, the dust management conditions associated with those permissions would be carried forward and attached to any fresh planning permissions granted. Those conditions include provision for the control of dust through the implementation of an approved dust action plan (DAP) and dust monitoring strategy (DMS) (currently condition 20 of TA/2019/34 and condition 15 of TA/2017/2346), and through the control of nuisance dust (currently condition 21 of TA/2019/34 and condition 16 of TA/2017/2346).
- 80 On balance, and having taken account of the information and evidence submitted by all parties with an interest in the determination of the current planning applications, the CPA has concluded that the proposed changes (i.e. increase in HGV vehicle movements) to the established minerals development would not give rise to significant additional dust impacts.

HIGHWAYS, TRAFFIC & ACCESS

Surrey Minerals Plan 2011 Core Strategy and Primary Aggregates Development Plan Documents (SMP2011)

Policy MC15 – Transport for minerals

Surrey Waste Plan 2008 (SWP2008)

Policy DC3 – General Considerations

Tandridge District Core Strategy 2008 (TDCS2008)

Policy CSP 12 – Managing Travel Demand

Tandridge Local Plan 2014 Part 2: Detailed Policies (TLP2014)

Policy DP5 – Highway Safety & Design

Policy DP7 – General Policy for New Development

- 81 The proposal seeks to amend Condition 8 of planning permission ref: TA/2019/34 dated 6 June 2019 so as to allow an increase to the limit on HGV movements permitted for this site.
- 82 This section considers the traffic generation and access arrangements, the impact on the highway network and relative accessibility of the site.
- 83 The SMP2011 recognises that one of the most significant impacts of mineral working in the county, and the one that usually causes the most public concern, is the lorry traffic generated from transporting the minerals. The plan goes on to say the nature of the market in Surrey means that lorries are used for transportation in the overwhelming

⁵ Dated October 2019, prepared by DustScan AQ.

majority of cases as this is the most cost effective means of transport. Though as a consequence lorries also contribute to overall traffic congestion. Para 7.9 states that it is important to ensure the effects of traffic generated by mineral development on local communities, the environment and the local road network, are carefully considered. Para 7.10 goes on to state that the movement of minerals by road should as far as possible be confined to the motorway and primary route network with attention being given to the routing of vehicles between the proposed development and the motorway and primary route network.

- 84 Policy MC15 (Transport of Minerals) of the SMPCSDPD 2011 states that applications for mineral development should include a transport assessment of potential impacts on highway safety, congestion and demand management and explore how movement of minerals within and outside the site will address issues of emissions control, energy efficiency and amenity. 'Mineral development involving transportation by road will be permitted only where:
- (i) there is no practicable alternative to the use of road-based transport that would have a lower impact on communities and the environment;
 - (ii) the highway network is of an appropriate standard for use by the traffic generated by the development or can be suitably improved; and
 - (iii) arrangements for site access and the traffic generated by the development would not have any significant adverse impacts on highway safety, air quality, residential amenity, the environment or the effective operation of the highway network.'
- 85 The Surrey Minerals Plan 2008 (SWP2008) Policy DC3 (General Considerations) advocates that appropriate information should be provided to support an application to demonstrate that the impacts of development can be controlled to achieve levels that will not significantly adversely affect people, land and resources and provide for mitigation where appropriate. Under point (ix) of Policy DC3 the information should include assessment of traffic generation, access and suitability of the local highway network including access to and from the motorway and primary route network.
- 86 Tandridge District Core Strategy 2008 (TDCS 2008) Policy CSP 12 (Managing Travel Demand) states that the Council will require new development to: i) make improvements, where appropriate, to the existing infrastructure network, including road and rail, facilities for bus users, pedestrians and cyclists and those with reduced mobility; and ii) have regard to adopted highway design standards and vehicle and other parking standards.
- 87 The Tandridge Local Plan 2014 Part 2: Detailed Policies (TLP2014) Policy DP5 (Highway Safety & Design) states that:
- A. Development will be permitted subject to meeting the requirements of all other appropriate Development Plan policies where the proposal:*
- 1) *complies with the relevant Highway Authority's and any other highways design guidance;*
 - 2) *does not unnecessarily impede the free flow of traffic on the existing network or create hazards to the that traffic and other road users;*
 - 3) *retains or enhances existing footpaths and cycleway links;*
 - 4) *provides safe and suitable access to the site which is achievable by all and promotes access by public transport, foot and bicycle to nearby residential, commercial, retail, educational, leisure and recreational areas where appropriate; and*
 - 5) *fully funds where appropriate, or contributes towards the costs of any measures required to cost effectively mitigate the significant impacts arising from the development.*
- B. In accordance with the Councils Local validation Requirements and national guidance, all development proposals that generate significant amounts of movement should be*

supported by a Travel Plan and either a Transport Statement or Transport Assessment (proportionate to the scale of the proposed scheme and extent of the transport implications), both which should be submitted alongside the planning application.

- 88 Government policy on promoting sustainable transport is set out in the National Planning Policy Framework (NPPF). At paragraph 111, the NPPF states that all developments that will generate significant amounts of movements should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed. It also explains that when considering development proposals, it should be ensured that: safe and suitable access can be achieved by all users; and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable level. The NPPF also explains that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts would be severe.

The Development

- 89 The applicant states they are seeking amendments to the current planning permissions for the site in order to give the operator greater flexibility in responding to market demands for sand and to fluctuations in the availability of restoration materials. They consider that in particular this would allow for an increase in the rate at which materials may be imported into the Mercers South Quarry to ensure timely restoration of the site by 31 December 2036.
- 90 The Condition 8 of planning permission ref: TA/2019/34 currently restricts HGV movements at the Quarry to no more than an average of 150 HGV movements per day associated with the extraction and import of inert waste materials at the Mercers South site, with HGV movements on any single day not exceeding 240 movements (120 in and 120 out). Access to the site is via an existing dedicated site access off the A25 (Nutfield Road/ Bletchingley Road) and internal haul road constructed under planning permission ref. TA/2013/1799.
- 91 The applicant now is now proposing an increase to the HGV limit so that there shall be no more than an average of 300 HGV movements per day with a cap of no more than 350 movements (175 in and 175 out) on any single day associated with the extraction of sand and the import of inert waste materials at the quarry.
- 92 The applicant states they are seeking amendments to the current planning permissions for the site in order to give the operator greater flexibility in responding to market demands for sand and to fluctuations in the availability of restoration materials. They consider that in particular this would allow for an increase in the rate at which materials may be imported into the Quarry to ensure timely restoration of the site by 31 December 2036
- 93 The applicant also states that when the quarry site was considered and allocated as a preferred area in the SMP2011, it was envisaged that HGV traffic from the A25 would use Cormongers Lane adjacent to Patteson Court landfill and then onto Nutfield Marsh Road south of Mercers Country Park. Hence, the key development requirements required a comprehensive package of measures to provide suitable access and local highways improvements, imposing limits on HGV movements. However, since that allocation the applicant acquired land that allowed the construction of a dedicated site access from A25, with approximately 130m of frontage with the A25 to the east of Nutfield village. This has removed the need for HGVs to use Cormongers Lane and in large part avoid routing through Nutfield village

- 94 The applicant explains that the conditions that currently apply to the HGV movements in and out of Mercers South had been derived from levels that were considered appropriate when access to the preferred site was to be via Cormongers Lane and through Nutfield. However, now that a purpose built, high standard access and haul road has been provided that avoids many of the environmental and amenity disadvantages of routing HGV traffic through Nutfield, they consider this an opportunity to review these thresholds.
- 95 The applicant has submitted an addendum to the Transport Statement (TSA) which was submitted as part of the Environmental Statement which accompanied the original Quarry application. The TSA has assessed the highway impacts resulting from the daily increase in site HGV movements proposed. To inform their assessment the applicant undertook traffic counts on the A25 close to Redhill and either side of Nutfield Village in June 2019. Also in June 2019 (17 to 21 June 2019) the applicant assessed existing HGV movements from quarry operations eastwards of the site (Godstone Junction 6) and westwards towards Redhill.
- 96 The applicant states that that the majority of additional HGV's would travel to and from the quarry to the east along the A25 because of the access to Junction 6 of the M25 at Godstone. The applicant suggests the effects of increasing the threshold to an average of 300 daily HGV movements from the quarry would add approximately 4% to the existing daily HGV flows on the A25 east of Nutfield. Then to the west the proposed would add approximately 0.5% to the existing HGV traffic in Nutfield, and around 1% west of Cormongers Lane.
- 97 With regard to the likely impact of raising the HGV threshold to a maximum of 350 movements per day the applicant states that the largest increase would occur east of Nutfield per day. The additional traffic increase would add approximately 1% to the existing HGV traffic flow immediately west of Nutfield, and less than 2% to the HGV traffic west of Cormongers Lane. The applicant also notes the designation of Bletchingley as a Conservation Area, however the change in HGV traffic in that area would be under 1%.
- 98 The applicant states that they have undertaken an analysis of road accident history which indicates that there are no road safety black spots in the vicinity of the site and that no one of the reported accidents in last 3 years have involved an HGV.
- 99 The applicant has advised that the levels of sand extraction and void take up are to remain in-line with the original proposals for the quarry and no other changes are proposed to operations at the quarry. As part of the original quarry application the applicant submitted details for predicted HGV movements over the life of the quarry/landfill (Table 6 of the July 2012 Transport Assessment). It was originally predicted that sand extraction would be at a rate of 250,000 tonnes per year which remains unchanged. In respect of inert infill it was predicted this would involve a fill rate of 180,000 tonnes per annum however the applicant states that due to the denser material it is predicted fill rate to fill the quarry between 2020 to completion in 2036 would require 302,000 tonnes of inert waste per year, requiring an additional 122,000 tonnes per annum over the original predicted annual fill rate. In addition the applicant states that there have been changes to the types of HGVs that access the site now have a smaller payload capacity and therefore the combination of these factors have given rise to the proposed increase in daily HGV movements being sought (February 2020 Addendum Transport Assessment).

Officer Assessment

- 100 Objections in respect of highway impacts of increasing the number of daily HGV's have been received from Godstone Parish Council, local amenity groups, and members of the public. The objectors have raised concerns to any increase in HGV movements on the A25 in terms of congestion, impacts on condition of the road surface, road safety, noise,

and air pollution. The impacts of emissions is considered within the environment and amenity section of this report below.

- 101 Bletchingley Parish Council has not raised objection to the application though raised concerns with regard to the effects on and road safety on the A25.
- 102 Both the Quarry Observation Group (QOG) and A25 Action Group (TAG A25) have objected to the proposal and raised concern that the need for increasing the daily HGV movements has not been demonstrated. QOG considers that the changes in density of material and availability of fill material would sufficiently be covered the existing daily HGV movement limit of a maximum of 240 HGV movements on a single day.
- 103 Of the technical consultees consulted on the application the County Noise Consultant raised several concerns with the applicants' noise assessment in relation to noise surveys, supporting calculations for assessment of noise from the operational quarry with revised HGV numbers and traffic data and supporting calculations for assessment of change in noise from road traffic on the A25. The SCC Landscape Architect (LA) has assessed the proposal in relation to likely impacts on landscape character and visual amenity. The LA queried the need for the proposal as they considered this was not fully clear from the information provided. The LA also commented that that with an increase in HGV movements the condition of the internal haul route should be monitored and re-surfaced as necessary as this has a strong bearing on noise emissions from HGVs with regard to a tranquillity perspective. The impacts on landscape and noise are also assessed within the environment and amenity section of the report below.
- 104 In March 2020 following concerns raised by Officers in respect of the need for the increase in HGV movements, and further to comments raised from technical consultees in respect of noise the applicant submitted additional clarifying information for the application comprising Addendum to the Transport Assessment dated February 2020, and Noise Addendum dated February 2020 to the overarching Environmental Statement.
- 105 The applicant has proposed updated HGV movements for the life of the quarry within the TA addendum submitted following concerns raised by Officers in respect of the need for the proposal. The revised HGV movements have been updated for both sand extraction and landfill operations in line with the permitted life of the quarry set out in the revised Table 6: HGV Movements over life quarry/ landfill (average daily activity) updated in the February 2020 Addendum Transport Assessment. With regard to sand extraction the applicant predicts extraction would equate to approximately 250,000 tonnes per year, equating to approximately 96 HGV movements per day from 2019 to the cessation of sand extraction in 2034. Then with regard to landfill operations the applicant predicts approximately 302,000 tonnes per year would be required to back fill the quarry which would equate to 160 movements until 2036. Therefore, years 2019 to 2024 would involve both extraction and filling HGV traffic, resulting in a combined 256 movements per full working day, reducing in the last two years of filling to 2036.
- 106 Tandridge District Council have not raised objection to the application though commented that the County Highway Authority must be satisfied with the proposal. Reigate and Banstead Borough Council have not objected to the application on the grounds of Highway concerns Bletchingley Parish Council did not raise objection.
- 107 The County Highway Authority (CHA) has assessed the proposal and advised that they have undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The CHA has advised that they are satisfied with the proposed rewording of Condition 8 of planning permission ref. TA/2019/34 to allow a revision to the numbers of HGV movements to no more than an average of 300 movements per day with HGV movements

on any single day not exceeding a maximum of 350 movements. The CHA therefore has no objection to the application.

- 108 None of the other statutory and technical consultees have raised object to the application on Highways grounds.

Conclusion

- 109 The applicant has demonstrated the need for the increased HGV movements for both sand extraction and landfill operations in line with the permitted life of the quarry. The levels of sand extraction and void infilling are not changing, however due a combination of factors, involving; less operational days, density of the infill material, HGVs with smaller payload capacity, there would be implications on the restoration timescales. In addition, there is a need for increased flexibility to be able to respond to seasonal and operational fluctuations and to react swiftly during peaks in the availability of restoration material. The proposal involves doubling of the average permitted HGV movements to the quarry from 150 to 300, which has been assessed in an addendum to the Transport Assessment (TA) that was submitted on the original consent. The TA addendum assessed the impacts of the increased HGV vehicle movements from the development on the local road network and safety of the access. The assessment concluded that the purpose built access to the quarry complies with current standards and that the proposed increase in HGV activity will not create a road safety problem, nor have a severe impact on the existing highway network.
- 110 The County Highways Authority (CHA) has assessed the application and advised that they have no objection to the increase in daily HGV movements and officers are therefore satisfied the applicant has satisfactorily assessed likely highways impacts of the proposal within the updated Transport Assessment to the Environmental Statement in respect of highways and traffic.
- 111 Following the advice received from the CHA officers are satisfied that proposed increase in daily HGV movements can safely be accommodated on the local highway network subject to conditions for access, traffic and protection of the public highway. Officers therefore conclude that the proposal is acceptable and is consistent with the aims and objectives of the National Planning Policy Framework and policies of the development plan in respect highways, traffic and access matters.

ENVIRONMENT AND AMENITY

Surrey Minerals Plan 2011 Core Strategy Development Plan Document (SMP2011)

Policy MC2 - Spatial Strategy – protection of key environmental interests in Surrey

Policy MC14 – Reducing the adverse impacts of mineral development

Policy MC17 – Restoring mineral workings

Policy MC18 – Restoration and enhancement

Emerging Surrey Waste Local Plan Part 1 – Policies

Policy 5 – Recovery of Inert Waste to Land

Tandridge District Core Strategy 2008 (TDCS2008)

Policy CSP20 – Areas of Outstanding Natural Beauty

Policy CSP21 – Landscape and Countryside

Tandridge Local Plan 2014 Part 2: Detailed Policies (TLP2014)

Policy DP1 Sustainable Development

Policy DP22 Minimising Contamination, Hazards & Pollution

Policy Context

- 112 The government sets out its planning policy for mineral development within the National Planning Policy Framework (NPPF). The NPPF is supported by guidance for implementing the government policy which is contained in the National Planning Practice

Guidance (nPPG). Paragraph 203 of the NPPF states that it is essential there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation.

- 113 At paragraph 205 of the NPPF the government sets out that when determining planning applications, great weight should be given to the economy. In considering proposals for mineral extraction, mineral planning authorities should; 1) ensure that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality; 2) ensure that any unavoidable noise, dust and particle emissions are controlled, mitigated or removed at source; and 3) provide for restoration and aftercare at the earliest opportunity, to be carried out to high environmental standards, through the application of appropriate conditions.
- 114 NPPF paragraph 170 states that planning policies and decisions should contribute and enhance the natural and local environment by preventing new and existing development from contributing to, being unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise or land instability.
- 115 There can be a wide range of potential environmental impacts associated with mineral development. Policy MC14 of the SMPCSDPD2011 states that mineral development will be permitted only where a need has been demonstrated and the applicant has provided information sufficient for the mineral planning authority to be satisfied that there would be no significant adverse impacts arising from the development. The policy sets out a number of criteria which, when determining a planning application for minerals development, should be considered in terms of any potential impacts. The criteria in the policy relevant to this planning application are: i) noise, dust and fumes, and x) any other matter relevant to the development.
- 116 Policy MC17 requires mineral working proposals to provide for restoration and post restoration management to a high standard. Sites should be progressively restored or restored at the earliest opportunity with the restoration sympathetic to the character and setting of the wider area and capable of sustaining an appropriate afteruse. For mineral working in the Green Belt afteruses should be appropriate to that designation, these include agriculture, forestry, recreation and nature conservation. For nature conservation afteruses longer term management beyond the standard five year aftercare advised in national policy would be necessary, which the authority would look to secure through legal agreements.
- 117 Tandridge District Council sets out its planning policy requirements for new development in the Tandridge District Core Strategy 2008 (TDCS2008) and Tandridge Local Plan Part 2 Detailed Policies 2014 (TLP2014). At the strategic level, TDSC2008 Policy CSP20 advocates the conservation and enhancement of the natural beauty of the landscape is of primary importance within the Surrey hills AONB and AGLV, reflecting their national and local status. The TDSC2008 adds at Policy CSP21 that the character and distinctiveness of the District's landscapes and countryside will be protected for their own sake and new development will be required to conserve and enhance landscape character.
- 118 The TLP2014 has several relevant policies for specific amenity environmental protection. Policy DP1 (Sustainable Development) of the TLP2014 advocates that planning applications that reflect the presumption in favour of sustainable development contained in the NPPF and accord with policies in the TLP2014 (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

- 119 Policy DP22 of the TLP2014 sets out the consideration requirements for new development for noise. The Policy DP22 will require noise generating forms of development or proposals that would affect noise-sensitive development to be accompanied by a statement detailing potential noise generation levels and any mitigation measures proposed (such as containment of the noise generated, screening barriers or restrictive activities/hours of operation) to ensure that all noise is reduced to an acceptable level. Where a development proposal is able to demonstrate that acceptable noise levels will be achieved, the application will be supported.
- 120 The TLP2014 DP22 sets out the consideration requirements for new development for noise, light and air quality pollution proposals.
- 121 For *Noise* the Policy DP22 will require noise generating forms of development or proposals that would affect noise-sensitive development to be accompanied by a statement detailing potential noise generation levels and any mitigation measures proposed (such as containment of the noise generated, screening barriers or restrictive activities/hours of operation) to ensure that all noise is reduced to an acceptable level. Where a development proposal is able to demonstrate that acceptable noise levels will be achieved, the application will be supported.
- 122 Then for *Air Pollution* Policy DP22 states development will be permitted provided it would not have an adverse impact on health, the natural or built environment or amenity of existing or proposed uses by virtue of odour, dust and/or other forms of air pollution; or be likely to suffer unacceptable nuisance as a result of proximity to existing sources of odour, dust and/or other forms of air pollution.
- 123 This section 73 application is seeking to amend Condition 8 of planning permission ref. TA/2019/34 dated 6 June 2019 so as to allow an increase to the numbers of HGV movements at Mercers South Quarry. The applicant states that the reason for the proposal is to give greater flexibility in responding to market demands for sand to fluctuations in the availability of restoration materials in particular, the proposal would allow for an increase on the rate which materials may be imported to Mercers South Quarry in order to ensure the timely restoration of the site in accordance with the timescales permitted under the extant planning permissions for the quarry.

Noise

- 124 The application involves revision to the numbers of daily HGV movements for the quarry site. It is therefore necessary to consider whether there are any likely noise impacts arising from the proposal.
- 125 Planning permission was granted for the extraction and screening of approximately 4.1 million tonnes of sand over a 16 year period under planning permission ref: TA/2013/1799 in August 2014. As part of the planning application, an Environmental Impact Assessment (EIA) was undertaken and an Environmental Statement submitted which included a technical report on the potential noise impacts of the mineral development. The report identified that the closest residential properties lie 50m to the west of the sand extraction area and 70m to the east of the quarry access.
- 126 For this application the applicant submitted a Noise addendum to the Environmental Statement and assessment of the impacts of noise and vibration from the proposal within the supporting Planning Statement.
- 127 The applicant states that they have undertaken additional noise monitoring in September 2019 at three locations, two at and adjacent to Glebe Cottage and a third approximately 10m to the northern edge of the A25, approximately 140 metres east of the dedicated quarry access off the A25. The applicant states that for the A25 west of the site access the calculated change in road traffic noise level increase would be less than 1 dB LA10,

18 hour. Then for the A25 east of the site access the calculated change in road traffic noise levels would be an increase of less than 0.5 dB LA10, 18 hour. The applicant advises that the Design Manual for Roads and Bridges Guidance describes a noise change of 0.1 to 0.9 dB LA10, 18 hour as negligible. The applicant concludes that the mitigation (noise bunds/barriers) set out in Chapter 9.0 of the original ES is sufficient to ensure the site will continue to operate in accordance with the noise level limits imposed under the extant planning permissions for the site.

Officer Assessment

- 128 The A25 Action Group have objected to the application stating that no consideration has been taken of the noise and vibration of increased movements on the route from Mercers South Quarry to the M25.
- 129 The County Noise Consultant (CNC) has assessed the applicant's noise assessment. The CNC raised several concerns with the assessment provided, particularly the absence of supporting calculations for the assessment of noise levels for the revised HGV numbers at nearest receptors to the access track, and changes in noise from road traffic on the A25.
- 130 In response to the concerns raised by the CNC the applicant submitted an updated Noise addendum to the Environmental Statement in February 2020.
- 131 The CNC has reviewed the revised version of the noise addendum and advised that most of the queries have been addressed. However, the CNC still has concerns that issues they previously raised in respect of allowing higher levels of movements on Saturday hadn't been fully assessed. The CNC has therefore recommended this to be addressed by imposing an amendment to the HGV planning condition to pro rata the numbers of HGV movements for reduced operating hours on Saturdays. The CNC therefore raises no objection to the application subject to conditions for noise being imposed on any likely consent.
- 132 Tandridge District Council has not raised objection provided the County Highway Authority is satisfied with the proposal. The neighbouring Reigate and Banstead Borough Council also raises no objection to the application on the grounds of noise. The Environment Agency has not provided comments on the application.

Conclusion

- 133 The applicant has assessed the noise implications of increasing the numbers of daily HGV movements for the site, taking into consideration the previous assessment work for noise. The County Noise Consultant has advised that they are satisfied with proposal and has recommended noise control conditions for any new planning consent.
- 134 Taking into consideration the advice received and having regard to the above paragraphs, Officers consider that the development would not have significant adverse impact on local environment amenity on the grounds of noise and any impacts can be satisfactorily controlled by condition. Officers conclude that the proposal is in accordance with relevant Development Plan policies above and Government policy and guidance contained in the NPPF and NPPG with regard to noise an hours of working.

Dust and Air Quality

- 135 Emissions of dust to air from minerals sites can occur during the preparation of the land, extraction, processing, handling and transportation of extracted minerals. The proposal seeks to increase the numbers of daily HGV movements the quarry site. It is therefore necessary to assess the likely impacts of the increase in HGV's.

Officer Assessment

- 136 Local action groups and members of the public have objected to the application due to concerns of vehicle emissions from the proposed increase in HGV movements.
- 137 The application has been accompanied by an Air Quality Assessment produced in October 2019. The application site is not located in or adjacent to an Air Quality Management Area.
- 138 The County Air Quality Consultant (CAQC) notes the applicant's assessment correctly refers to the 2008 Ambient Air Quality Directive (2008/50/EC) which aims to protect human health and the environment by avoiding, reducing or preventing harmful concentrations of air pollutants. This Directive is transposed into domestic law by the Air Quality Standards (England) Regulations 2010, which in addition incorporates the 4th Air Quality Daughter Directive (2004/107/EC) that sets targets for ambient air concentrations of certain toxic heavy metals (arsenic, cadmium and nickel) and polycyclic aromatic hydrocarbons (PAHs). The CAQC further notes the applicants modelling has been undertaken using Defra's 2019 emission factor toolkit (version 9.0) which draws on emissions generated by the European Environment Agency (EEA) COPERT 5 emission calculation tool. The CAQC advised this is the current source of emission factors for air quality modelling in the UK.
- 139 The CAQC notes that the applicant has concluded that the air quality effects associated with the proposed variation to the condition facilitating the increase in HGV movements are not significant. The modelling used to inform this conclusion are based on the maximum number of HGVs permitted by the variation, rather than the average. The CAQC commented that they have identified some small inconsistencies in the model verification study; however, they do not consider that this would materially affect the conclusions of the assessment. Therefore the CAQC agrees with the applicant's conclusion that the air quality effects are unlikely to be significant and therefore raises no objection.
- 140 Neither Tandridge District Council or Reigate and Banstead Borough Council have raised objection to the application.

Conclusion

- 141 In view of the above, and that consultees have raised no objection on air quality grounds, Officers are of the view the applicants air quality proposal can be considered satisfactory, subject to the existing conditions for controlling air quality are imposed on any new consent. Taking all these matters into account Officers consider that air quality proposals are acceptable. Accordingly, Officers consider the proposal is in accordance with the above policies of the Development Plan and key development requirements of the SMP2011.

Landscape and Visual Impact

- 142 Mercers South Quarry lies within the Green Belt, with the northern boundary marked by Redhill Brook adjoining the Surrey Hills Area of Outstanding Natural Beauty (AONB) and potentially visible from the North Downs within the AONB. The eastern most point of the internal access road adjoins the Surrey Hills Area of Great Landscape Value (AGLV) boundary. The quarry also lies within the Holmethorpe Sandpits Complex Site of Nature Conservation Interest (SNCI).
- 143 Mercers South is surrounded by previous workings and landfill. Beechfield Quarry lies to the south-west, Glebe Quarry lies to the south-east, Pendell Farm lies to the east on the other side of the M23, North Cockley lies to the south-west, and beyond that Patteson Court, an existing landfill. Mercers Park lies to the west, Spynes Mere to the north and

Mercers East to the north-east. The whole area is subject to a restoration and enhancement project called Nutfield Ridge and Marsh project.

- 144 Mercers Farm is Preferred area P identified within the SMP2011 and landscape is one of the key development requirements for the site which states that there needs to be an assessment of the important landscape characteristics and features and how they would be protected and integrated into restoration and how any adverse impacts on the AONB and AGLV would be mitigated.
- 145 The NPPF at paragraph 124 advocates that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live work and helps make development acceptable to communities. Paragraph 127 of the NPPF adds that planning policies and decisions should ensure developments are visually attractive as a result of good architecture, layout and appropriate landscaping and area sympathetic to the local character and landscape setting. At paragraph 170 the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; recognising the intrinsic character and beauty of the countryside.
- 146 The application seeks to vary Condition 8 of planning permission ref: TA/2019/34 dated 6 June 2019 so as to allow revision to the numbers of HGV movements. At the time of the original quarry application the applicant submitted a comprehensive Landscape and Visual Impact Assessment (LVIA) of the development within the local area in the context of the relevant local and national landscape designations and policy. The applicants LVIA concluded that owing to the combination of landform, vegetation cover, temporary bunding and landscape mitigation, the visual impact of operations throughout the life of the quarry would not be significant.

Officer Assessment

- 147 Mercers South Quarry lies with the northern boundary adjoining the Surrey Hills Area of Outstanding Natural Beauty (AONB) and potentially visible from the North Downs within the AONB. The eastern most point of the internal access road adjoins the Surrey Hills Area of Great Landscape Value (AGLV) boundary. The quarry also lies within the Holmethorpe Sandpits Complex Site of Nature Conservation Interest (SNCI).
- 148 The applicant states that the original quarry planning permission was supported by a Landscape and Visual Impact Assessment (LVIA) and an approved Landscape and Ecology Management Plan which incorporates landscape mitigation of the quarry providing screening and a landscape setting sensitive to the local landscape character. This included alignment of the internal haul road off the A25 of its entire length, contouring, screen bunds and landscape planting in order to reduce likely visual impact of the access road and HGVs on nearby residents and landscape. The likely landscape and visual impacts were considered acceptable when planning permission ref. TA/2013/1799 was granted in 2014.
- 149 The applicant has assessed the impacts of the proposal with regard to landscape, visual and AONB. The submitted landscape assessment concludes that the increase in HGV movements along the internal haul road and the A25 in the vicinity of the site would have a negligible impact on landscape character and quality, and not alter the conclusions of the original LCIA previously accepted.
- 150 The County Landscape Officer (CLO) has reviewed the submitted information on landscape in terms of visual amenity and landscape character and the potential for impact from the increase in HGV movements. The CLO raises no concerns with regard to the specific proposal in terms of the local and wider landscape or visual amenity; has

commented that internal haul road should be monitored and re-surfaced as necessary as any degradation of the road could lead to noise emission which in turn could impact on the tranquillity of the AONB.

- 151 The Surrey Hills AONB planning adviser (SHAONB) has assessed the application. The SHAONB has commented that the site lies near but outside the Surrey Hills AONB and adjacent to the AGLV. The AONB issue is whether the proposed development would spoil the setting of the AONB by harming public views into or from the AONB. They note the application is to vary a planning condition on planning permission ref. TA/2019/34 to give greater flexibility in vehicle movements in order to respond to market demands for sand and to fluctuations in the availability of restoration material. The SHAONB considers this may allow for an earlier restoration of the site to agriculture with landscape enhancements which would be an AONB benefit. In conclusion the SHAONB has advised that they agree with the applicant's conclusion and that the proposal would have a negligible impact upon landscape character and quality.
- 152 The County Ecologist has commented that they note the original ecological assessment is dated 2013 however does not consider the application convers activities that may have an ecological impact and therefore raises no objection. Natural England has advised that they have no comments to make on the proposal and therefore raises no objection to the application.
- 153 Tandridge District Council has not raised objection to the application. None of the other consultees have objected to the application in regard to landscape, visual impact.

Conclusion

- 154 The application site is not in the AONB, or AGLV although is located in close proximity to the designations. The application site does lie within the Holmthorpe Pits and Mercer's Park Distinct Area on the Edge of Urban Areas Landscape Character Area (UE9) (Surrey LCA, 2015). The County's Landscape Consultant has reviewed the application and does not consider that the proposals would not result in unacceptable adverse impacts on landscape character or visual amenity, subject to all previous landscape and visual amenity conditions which remain relevant from the parent permission should be re-applied to any new permission, including those relating to restoration, planting and management, screening and hours of operation.
- 155 The Historic Buildings Officer and Historic England have advised they are satisfied there would be no material impact on the special interest of the listed building or conservation areas.
- 156 Officers consider that, the proposed increase in HGV movements will not give rise to any significant additional adverse impact to the landscape or visual amenity of the nearby AONB or AGLV from those assessed an accepted at the time of planning application ref. TA/2013/1799. Officers acknowledge that the development will be temporary and that the application site is to be restored in accordance with the approved restoration scheme for Mercers South Quarry.
- 157 Taking into consideration the advice received, Officers are satisfied that the proposal is acceptable subject to similar relevant condition requirements of the TA/2013/1799 consent. Accordingly, Officers consider the proposal is in accordance with the above polices of the Development Plan and key development requirements of the SMP2011 subject to conditions.

Restoration and Aftercare

- 158 Government policy of the NPPF requires that when considering proposals for mineral extraction, mineral planning authorities should provide for restoration and aftercare at the

earliest opportunity, to be carried out to high environmental standards, through the application of appropriate conditions (NPPF paragraph 205). The policy of the SMP2011 requires mineral working proposals to provide for restoration and post restoration management to a high standard. Sites should be progressively restored or restored at the earliest opportunity with the restoration sympathetic to the character and setting of the wider area and capable of sustaining an appropriate afteruse. Restoration is one of the key development requirements, which requires the site to be restored to existing levels (which would involve infilling with inert waste) to meet a combination of local informal recreational, landscape and nature conservation objectives.

- 159 The section 73 application is seeking to amend Condition 8 of planning permission ref: TA/2019/34 dated 6 June 2019 to allow for an increase in the numbers of HGV movements permitted for Mercers South Quarry.

Officer Assessment

- 160 The principles for restoring the site have already been established under the original planning permission ref. TA/2013/1799 granted in August 2014 under which the quarry site is to be restored in stages progressively to agriculture. Furthermore, pursuant to the original permission, detailed schemes were required and approved comprising Construction and Environmental Management Plan and Landscape and Ecology Management Plan which Officers are satisfied can be brought forward to a new consent by condition.
- 161 Under the existing planning permission (ref: TA/2019/34) the site is to be restored by 31 December 2036. The applicant does not propose any other changes to the operations at the quarry. They state that the permission is sought to allow for an increase in the levels of permitted HGV movements which would seek to secure the delivery of progressive restoration of the quarry in accordance with the permitted timescales, which may otherwise slip under the current cap of HGV movements permitted for the quarry.
- 162 Natural England has not raised objection and neither has the County Ecologist objected to the proposals. None of the other consultees to the application have raised objection to the application. Tandridge District Council has advised they do not object to the proposal and none of the other consultees have raised objection on the grounds of site restoration.
- 163 Officers therefore consider that the proposed development will ensure the timely restoration of Mercers South Quarry to agriculture by 31 December 2036, in accordance with the site restoration originally approved under the planning permission ref. TA/2013/1799, as varied under planning permission ref. TA/2019/34.

Conclusion

- 164 Based on the advice and views of the consultees, Officers are satisfied that the extant landscape, restoration and aftercare detail can satisfactorily be applied to the application and considered acceptable. Therefore Officers consider the proposal would accord with SMP2011 key development requirements and relevant Development Plan policies in terms of restoration and aftercare, subject to conditions.

METROPOLITAN GREEN BELT

Surrey Minerals Plan Core Strategy Development Plan Document 2011 (SMP2011)

Policy MC3 Mineral Development in the Green Belt

Policy MC17 Restoring mineral workings

- 165 Mercers South Quarry is located within the Metropolitan Green Belt where policies of restraint apply. National planning policy with regard to Green Belt is set out within the NPPF which, at paragraph 133, states that the fundamental aim of Green Belt policy is to

prevent urban sprawl by keeping land permanently open: the essential characteristics of the Green Belts are their openness and their permanence. Paragraph 134 then sets out five purposes of the Green Belt. Of these five, the only one directly relevant to this application is the third, pertaining to assist in safeguarding the countryside from encroachment. Green Belt policy guards against inappropriate development. The NPPF states at paragraph 143 that "inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances".

- 166 The NPPF at paragraph 144 requires substantial weight to be given to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 167 Minerals can only be worked where they are found and a feature of such development is that it is reversible through restoration and a temporary activity. The NPPF at paragraph 146 recognises mineral extraction need not be inappropriate development provided a proposal preserves the openness of the Green Belt and does not conflict with the purposes of including land within Green Belt.
- 168 When determining planning applications paragraph 205 of the NPPF states that local planning authorities should give great weight to the benefits of mineral extraction, and in granting planning permission ensure that there are no unacceptable adverse impacts on the natural or historic environment, human health or aviation safety and provide for restoration and aftercare of mineral workings at the earliest opportunity to be carried out to high environmental standards, through the application of conditions, where necessary.
- 169 SMP2011 Policy MC3 states that 'Mineral extraction in the Green Belt will only be permitted where the highest environmental standards of operation are maintained and the land restored to beneficial after-uses consistent with Green Belt objectives within agreed time limits'. The supporting text at paragraphs 3.45 and 3.47 refer to almost all mineral working in Surrey being in the Green Belt, and the need for restoration and afteruse of mineral workings to be appropriate to the designation and objectives for the use of land in the Green Belt, which include securing nature conservation interest and retaining land in agricultural, forestry and related uses. Policy MC17 requires mineral working proposals to provide for restoration and post restoration management to a high standard. Sites should be progressively restored or restored at the earliest opportunity with the restoration sympathetic to the character and setting of the wider area and capable of sustaining an appropriate afteruse. For mineral working in the Green Belt afteruses should be appropriate to that designation, these include agriculture, forestry, recreation and nature conservation.
- 170 Given the site's Green Belt location it is necessary to consider whether the proposed development would maintain high environmental standards during operation and whether the restoration of the site can be achieved to a good standard and will provide an acceptable afteruse consistent with Green Belt objectives. Much of the consideration of whether high environmental standards could be maintained and whether an appropriate and acceptable restoration can be achieved has already been demonstrated in the sections above.
- 171 The applicant states that the application does not propose to alter the operations permitted at the quarry or the timescales for completing the development. They state that the permission is sought to allow for an increase in the levels of permitted HGV movements which would seek to secure the delivery of progressive working and restoration of the quarry in accordance with the permitted timescales.
- 172 Much of the consideration of whether high environmental standards could be maintained and whether an appropriate and acceptable restoration can be achieved has already been demonstrated in the sections above.

- 173 The application site falls within the Mercers Farm preferred area in the SMP2011 and allocated for sand extraction. The greatest potential adverse effect from the increase in HGV movements on openness of the Green Belt is moving vehicles on the internal haul road. The existing quarry includes landscape mitigation provided for screen bunds, contouring and landscape planting which would screen the impact of the increased HGV movements whilst the site was operational. Officers considered that the scale and temporary nature of the proposal associated to a mineral development would not give rise to significant adverse impact on openness as the development will be a temporary use of the land albeit longer term
- 174 The Landscape Architect considers that the proposals would not result in unacceptable adverse impacts on landscape character or visual amenity, subject to maintaining the existing planning conditions for landscape. Officers therefore consider there would be no greater impact on the visual amenity of the Green Belt from the proposal.
- 175 Officers consider there is no reason to believe that the site could not be well restored to the proposed after-uses, which are uses consistent with Green Belt objectives and acknowledge that given the development will be temporary it will therefore preserve the openness of the Green Belt. The need for the sand has already been established through the granting of planning permission ref: TA/2013/1799 and that high environmental standards would be achieved and that the site will be well restored.
- 176 Officers are therefore satisfied that the proposed development is not inappropriate development in the Green Belt, and does not conflict with the purposes of including land within it, as such the proposed development accords with the Development Plan and national policy in the NPPF with regard to Green Belt policy.

HUMAN RIGHTS IMPLICATIONS

- 177 The Human Rights Act Guidance for Interpretation, contained in the Preamble to the Agenda is expressly incorporated into this report and must be read in conjunction with the following paragraph.
- 178 It is recognised within the Officers report that there would be some impacts from the proposed development, however it is the Officers view that the potential impacts of increasing the daily HGV movements are not considered sufficient to engage Article 8 or Article 1 and that potential impact can be mitigated by the imposition of planning conditions. As such, this proposal is not considered to interfere with any Convention right.

CONCLUSION

- 179 The application is seeking a variation in Condition 8 of planning permission ref. TA/2019/34 dated 6 June 2019 so as to allow an increase in the numbers of HGV movements at Mercers South Quarry. The applicant states that the reason for seeking the increase in vehicle movements is that they require necessary flexibility to be able to respond to seasonal and operational fluctuations and to react swiftly during peaks in the availability of restoration material, and to secure delivery of the progressive restoration of Mercers South Quarry in accordance with permitted timescales. As part of the original quarry application the applicant predicted HGV movements over the life of the quarry/landfill. It was originally predicted that sand extraction would be at a rate of 250,000 tonnes per year which remains unchanged. In respect of inert infill it was predicted this would involve a fill rate of 180,000 tonnes per annum however the applicants states that due to the denser material it is predicted fill rate to fill the quarry between 2020 to completion in 2036 would require 302,000 tonnes of inert waste per year, requiring an additional 122, 000 tonnes per annum over the original predicted annual fill rate. In addition the applicant states that there have been changes to the types

of HGVs that access the site now have a smaller payload capacity and therefore the combination of these factors have given rise to the proposed increase in daily HGV movements being sought.

- 180 The application site is located in the Metropolitan Green Belt where mineral related development need not be inappropriate development provided that high environmental standards are maintained and the site is well restored and they preserve openness and do not conflict with the purposes of the Green Belt. Minerals can only be worked where they are found.
- 181 Objections on the application have been received from Bletchingley Parish Council, Godstone Parish Council, local amenity groups, and members of the public. The objectors have raised concern regarding any increase in HGV movements on the A25 in respect of congestion, potential impacts on the condition of the road surface, road safety issues, and air pollution. Objectors also consider that the need for increasing the daily HGV movements had not been demonstrated and that the availability of fill material would sufficiently be covered the existing daily HGV movement limit of a maximum of 240 HGV movements on a single day.
- 182 No objections have been received on the application from the technical consultees, Tandridge District Council or Reigate and Banstead Borough Council. Some objections have been received from local residents, amenity groups and a local parish council raising concerns in respect of traffic, pollution, and that the need is not clear.
- 183 The concerns raised are acknowledged, however Officers consider that as the County Highway Authority is satisfied with the application, and taking into account the responses of technical consultees, the proposed increase in HGV numbers would not cause significant adverse impact on the local highway network, the environment or on amenity.
- 184 There is no reason to believe that high environmental standards cannot be maintained during the operation, extraction and progressive restoration of the site. Consideration has been given to whether any adverse environmental impacts can be suitably mitigated and Officers consider that the existing planning conditions relating to the protection of the environment are suitable to be carried forward to a new consent.
- 185 Government advice recognises that minerals may only be worked where they occur and that provided that high environmental standards are maintained and the site well restored, planning permission can be granted. Officers recognise that the site at Mercers South is an identified site in the Surrey Minerals Plan 2011. Given the temporary and reversible nature of the development, the proposal will preserve the openness of the Green Belt. Officers are therefore satisfied that the proposed development is not inappropriate development in the Green Belt, and does not conflict with the purposes of including land within it, as such the proposed development accords with the Development Plan and national policy in the NPPF with regard to Green Belt policy. Officers also consider that proposal as the proposal will have a negligible impact upon landscape character and quality, this will not adversely impact on the adjacent AONB and AGLV.
- 186 On the basis of the responses received from technical consultees and in assessing national policy and development plan policy, Officers consider that with the imposition of appropriate conditions where necessary, the proposed increase in HGV movements at Mercers South Quarry would not give rise to significant or unacceptable environmental or amenity impacts and can be permitted subject to conditions.

RECOMMENDATION

The recommendation is to PERMIT subject to the following conditions.

Conditions:

Approved Documents

1. The development hereby approved shall be carried out in all respects in accordance with the following plans/drawings:
 - Figure 1 Site Location dated 8 March 2013
 - Figure 2 Site Plan dated 29 July 2013
 - Figure 3 Rights of Way and Utilities Plan dated 26 July 2013
 - Figure 4 Proposed Interim Screening and Material Storage dated 18 July 2013
 - Figure 5 Proposed Overall Phasing Plan dated 18 July 2013
 - Figure 6 Indicative Quarry Phasing Year 4 dated 18 July 2013
 - Figure 7 Indicative Quarry Phasing Year 8 dated 18 July 2013
 - Figure 8 Indicative Quarry Phasing Year 12 dated 18 July 2013
 - Figure 9 Indicative Quarry Phasing Year 16 dated 18 July 2013
 - Figure 10-1 As Permitted Site Layout dated September 2018
 - Figure 10-2 As Built Site Layout dated September 2018
 - Figure 10-3 As Permitted and As Built Site Layout dated September 2018
 - Figure 10-4 Proposed Site Layout dated September 2018
 - Figure 14 Proposed Restoration Plan - Quarry Area dated 13 August 2013
 - Figure 15 Proposed Restoration plan – Access dated 13 August 2013
 - LMSL/16/JJF/MC/6 Landscape Proposals Years 1-8 (Year 4) dated June 2014
 - LMSL/16/JJF/MC/7 rev B Landscape Proposals Years 8-16 (Year 12) dated June 2014
 - LMSL/16/JJF/MC/7B Indicative Sections Year 4 dated March 2014
 - LMSL/16/JJF/MC/7A Indicative Sections Year 8 dated March 2014
 - LMSL/16/JJF/MC/7C Indicative Sections Year 12 dated March 2014
 - LMSL/18/JJF/MC/3 Mitigation Drawing dated March 2014
 - LMSL/16/JJF/MC/8 rev B Access Road – Landscape Proposals dated June 2014
 - LMSL/16/JJF/MC/9 Final Site Restoration dated March 2014
 - LMSL/16/JJF/MC/10 rev A Access Road - Landscape Restoration dated June 2014
 - LMSL/17/JJF/MC/G C/1 rev A Landform Proposals for Access Road near Glebe Cottage dated June 2014
 - LMSL/18/JJF/MC/2 rev B Access Road Contour Plan dated June 2014
 - LMSL/18/JJF/GC/4 Glebe Cottage – Landscape Details dated June 2014
 - Figure T9 Proposed Access off the A25 dated 16 April 2013.

Time Limits

2. The extraction and transport of indigenous minerals shall cease by 31 December 2031 thereafter the site shall continue to be infilled with inert waste until 31 December 2035. The restoration of the site shall be completed by 31 December 2036 by which date all buildings, fixed plant or machinery, internal access roads and hardstandings, together with their foundations and bases, shall be removed from the land and the site shall be restored to a condition suitable for agriculture in accordance with the approved restoration plans.

Hours of Operation

3. Except in emergencies to maintain safe site operations which shall be notified to the County Planning Authority as soon as practicable, no lights shall be illuminated (other than PIR security lighting) nor shall any operations or activities authorised or required by this permission be carried out except between the following times:

0700 - 1800 hours Monday to Friday
 0700 - 1300 hours Saturdays

Notwithstanding this the formation of the screen bunds around the site and their subsequent removal when required for restoration, shall only be carried out between: - 0800 – 1600 hours Monday to Friday and 0900 – 1300 hours Saturdays there shall be no working on Sundays, Public Holidays, Bank Holidays or National Holidays.

Limitations

4. Notwithstanding any provision to the contrary under Part 17 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any subsequent Order,
 - (a) no plant, building or machinery whether fixed or moveable other than those permitted by this application, shall be erected on the application site;
 - (b) no lights other than those permitted by this application shall be installed or erected at the application site.
5. The fill material shall be limited to non-hazardous low biodegradable fill, the fill material shall have an organic content of no greater than 10%.

Access and Highway Protection

6. The site vehicular access to the A25 Bletchingley Road shall be permanently maintained with visibility zones in general accordance with the scheme shown on approved drawing Figure T9 - Proposed Access off the A25 dated 16 April 2013. The visibility zones shall be kept permanently clear of any obstruction to the satisfaction of the County Planning Authority.
7. The means of access to the development for HGVs associated with the extraction of sand and the import of inert waste materials at Mercers South shall be via the site vehicular access from the A25 Bletchingley Road only. There shall be no means of access to the site for HGVs via Cormongers Lane and Nutfield Marsh Road.
8. The number of HGV movements associated with the extraction of sand and the import of inert waste materials at the Mercers South site, shall be restricted as follows:
 - No more than an average of 300 HGV movements per day Monday to Friday, not exceeding 350 movements on any single day;
 - No more than an average of 150 HGV movements per day on Saturdays, not exceeding 240 movements on any single day;

The site operator shall maintain accurate records of the number of HGV vehicles accessing and egressing the site daily and shall make these available to the County Planning Authority on request.

9. Facilities shall be provided as shown on Figure 10-4 Proposed Site Layout dated September 2018 in order that the operator can make all reasonable efforts to keep the public highway clean and prevent the creation of a dangerous surface on the public highway.

Rights of Way

10. Safeguards shall be maintained to protect persons using the approved diverted Public Footpath 173, and Public Footpaths 175 and 188 so that the route is safe and unobstructed for the public to use at all time; such protection to include suitable surfacing in the event of drainage run-off from proposed bunding; and signage for the crossing points on Footpaths 175 and 188.

11. Within three months of the completion of the restoration of the site, Public Footpath 173 is to be re-instated to its original line as shown on the approved restoration plans and to an appropriate standard and specification.

Surface and Groundwater Protection

12. The development hereby permitted shall be carried out in accordance with the Operational Flood and Drainage Management Plan dated March 2015, as approved by the County Planning Authority by decision dated 18 June 2015 under permission ref: TA/2013/1799.
13. The development hereby permitted shall only be carried out in accordance with the findings of the Flood Risk Assessment (FRA) undertaken by URS dated July 2013 approved under permission ref: TA/2013/1799 dated 12 August 2014. The mitigation measures within the FRA shall be fully implemented in accordance with the timing / phasing arrangements for the duration of the development hereby permitted.
14. The development hereby permitted shall be carried out in accordance with the discharge arrangements from the site to Brewers Brook and Warners Brook submitted pursuant to Condition 15 of planning permission ref. TA/2013/1799 dated 12 August 2014 and approved by the County Planning Authority by decision dated 11 December 2015 under permission ref: TA/2013/1799.
15. The development hereby permitted shall be carried out in accordance with the Long Term Water Management and Monitoring Plan dated March 2015 as approved by the County Planning Authority by decision dated 18 June 2015 under permission ref: TA/2013/1799. The reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by County Planning Authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports.
16. Any facilities for the storage of chemicals and fuels shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall be submitted to the County Planning Authority for approval. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to 110% of the capacity of the largest tank, or 25% of the total combined capacity of the interconnected tanks whichever is the greatest. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Noise

17. When measured at, or recalculated as at, a height of 1.2 m at least 3.5 m from a noise sensitive building, the level of noise emitted as a result of any activity or operation at the site and associated with the development hereby permitted shall not exceed 55 LAeq for any 0.5 hour period.
18. During the period of essential site preparation and bund construction the level of noise arising from such construction, when measured or recalculated as at, a point at least 3.5 m from any noise sensitive property during any 0.5 hour period shall not exceed 70 LAeq between 0800 to 1600 hours Monday to Friday and 65 LAeq from 0900 to 1300 on Saturdays. No bund construction work shall be carried out outside these times.

19. All plant and company owned HGVs operating at the site shall be fitted with reversing alarms which do not emit a warning noise that could have an adverse impact on residential amenity.

Dust

20. The development hereby permitted shall be carried out in accordance with the Dust Action Plan (DAP) and Dust Monitoring Scheme (DMS) (v1RevSCC) dated July 2015, as approved by the County Planning Authority by decision dated 11 September 2015 under permission ref: TA/2013/1799.
21. No activity hereby permitted shall emit dust, which causes a nuisance beyond the boundaries of the site, due to either inappropriate working or adverse weather conditions. If such an emission should occur appropriate (good practice) measures shall be taken to abate the problem, but if unsuccessful the activity shall be suspended until it can be resumed without causing emission as a result of different methods of working, the addition of additional dust suppression measures or changed weather conditions.

Archaeology

22. The development hereby permitted shall be carried out in accordance with the Written Scheme of Investigation for Archaeological Monitoring and Excavation dated 10 July 2015 as approved as approved by the County Planning Authority by decision dated 19 November 2015 under permission ref: TA/2013/1799.

Soil Movement and Placement

23. All topsoil, subsoil, and soil forming material shall be retained on site. The handling of soils shall be in accordance with Sheets 1-4 of Defra's 'Good Practice Guide for Handling Soils' and the submitted 'Soils Handling Programme' (Appendix S3, Environmental Statement Chapter 10 – Soils and Agricultural Land Classification).

Restoration, Landscaping and Ecology

24. The restoration of the site shall be carried out in stages, progressively as the extraction proceeds in accordance with the approved Indicative Quarry Phasing Plans (Figure 6 Indicative Quarry Phasing Year 4, Figure 7 Indicative Quarry Phasing Year 8, Figure 8 Indicative Quarry Phasing Year 12, and Figure 9 Indicative Quarry Phasing Year 16, all dated 18 July 2013) and the approved Restoration Plans for the Quarry Area and Access (Figure 14 Proposed Restoration Plan - Quarry Area and Figure 15 Proposed Restoration plan – Access, both dated 13 August 2013).
25. The landscape works as shown in the approved drawings listed in Condition 1 above shall be undertaken in accordance with the Outline Landscape Management Plan dated June 2014 approved under planning permission ref: TA/2013/1799 dated 12 August 2014.
26. The development hereby permitted shall be carried out in accordance with the Construction Environmental Management Plan (CEMP) dated April 2015 as approved by the County Planning Authority on 30 June 2015.
27. No works to trees or adjacent to trees in Phases 3 and 4 (western half of site) as identified in the Arboricultural Implications Report dated March 2013 (Environmental Statement Chapter 5 – Appendix 1) approved under planning permission ref: TA/2013/1799 dated 12 August 2014 shall be undertaken before the submission and approval by the County Planning Authority of an arboricultural report and bat assessment.

28. The development hereby permitted shall be carried out in accordance with the Landscape and Ecology Management Plan submitted pursuant to Condition 29 of planning permission reference TA/2013/1799 dated 12 August 2014 and approved by the County Planning Authority by decision dated 24 June 2016 under permission ref: TA/2013/1799.

Reasons:

1. For the avoidance of doubt and in the interests of proper planning.
2. To enable the County Planning Authority to exercise planning control over the operation so as to minimise the impact on local amenity and to ensure the prompt and effective restoration to comply with Schedule 5 paragraph 1 of the Town and Country Planning Act 1990 and Surrey Minerals Plan 2011 Core Strategy Policy MC17.
3. To enable the County Planning Authority to exercise planning control over the development so as to minimise disturbance and avoid nuisance to the locality, to safeguard the environment and protect the amenities of local residents in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14; the Tandridge District Core Strategy 2008 Policy CSP15 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP7.
4. To safeguard the environment and protect the amenities of the locality in accordance with the terms of Surrey Minerals Plan 2011 Core Strategy Policies MC3 and MC14, and Surrey Waste Plan 2008 Policy DC3.
5. To accord with the Non-Material Amendment to planning permission ref: TA/2013/1799, enabling a change in the infill material, and to enable the County Planning Authority to exercise planning control and to safeguard the environment and local amenity in accordance with the Surrey Minerals Plan 2011 Core Strategy Policy MC14.
6. To enable the County Planning Authority to exercise planning control over the operation so as to minimise the impact on local amenity and to ensure the prompt and effective restoration to comply with Schedule 5 paragraph 1 of the Town and Country Planning Act 1990, Surrey Minerals Plan 2011 Core Strategy Policy MC17 and Surrey Waste Plan 2008 Policy DC3; and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP5.
7. In order that the development should not prejudice highway safety nor cause inconvenience to other road users in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC15; Surrey Waste Plan 2008 Policy DC3; the Tandridge District Core Strategy 2008 Policy CSP12 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP5.
8. In order that the development should not prejudice highway safety nor cause inconvenience to other road users in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC15; Surrey Waste Plan 2008 Policy DC3; the Tandridge District Core Strategy 2008 Policy CSP12 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP5.
9. In order that the development should not prejudice highway safety nor cause inconvenience to other road users in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC15; Surrey Waste Plan 2008 Policy DC3; the Tandridge District Core Strategy 2008 Policy CSP12 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP5.
10. To protect the route of the public footpaths and bridleways and the amenities of the users and comply with Surrey Minerals Plan 2011 Core Strategy Policy MC14, Surrey Waste Plan 2008 Policy DC3 and Tandridge District Core Strategy 2008 Policy CSP13.

11. To protect the route of the public footpaths and bridleways and the amenities of the users and comply with Surrey Minerals Plan 2011 Core Strategy Policy MC14, Surrey Waste Plan 2008 Policy DC3 and Tandridge District Core Strategy 2008 Policy CSP13.
12. In accordance with paragraph 163 of the National Planning Policy Framework (NPPF) 2019 to ensure that that flood risk is not increased onsite or elsewhere; Surrey Minerals Plan 2011 Core Strategy Policy MC14; Surrey Waste Plan 2008 Policy DC3 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP21.
13. In accordance with paragraph 163 of the National Planning Policy Framework (NPPF) 2019 to ensure that that flood risk is not increased onsite or elsewhere; Surrey Minerals Plan 2011 Core Strategy Policy MC14; Surrey Waste Plan 2008 Policy DC3 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP21.
14. To clarify the dewatering proposals and ensure the ecological opportunities on site are maximised and that there is no deterioration to water dependent wildlife habitats in accordance with paragraph 170 of the National Planning Policy Framework (NPPF) 2019 and in conjunction with the European Water Framework Directive (WFD); Surrey Minerals Plan 2011 Core Strategy Policy MC14 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP21.
15. To ensure that the proposed development will not have a significant adverse impact on water quality or water resources in accordance with paragraphs 163 and 170 of the National Planning Policy Framework (NPPF) 2019, Water Framework Directive (WFD); Surrey Minerals Plan 2011 Core Strategy Policy MC14 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP21.
16. To protect groundwater from contaminants and pollution in accordance with paragraph 170 of the National Planning Policy Framework (NPPF) 2019; Surrey Minerals Plan 2011 Core Strategy Policy MC14; Surrey Waste Plan 2008 Policy DC3 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP21.
17. To enable the County Planning Authority to exercise planning control over the development so as to minimise disturbance and avoid nuisance to the locality, to safeguard the environment and protect the amenities of local residents in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14; Surrey Waste Plan 2008 Policy DC3; the Tandridge District Core Strategy 2008 Policy CSP15 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP22.
18. To enable the County Planning Authority to exercise planning control over the development so as to minimise disturbance and avoid nuisance to the locality, to safeguard the environment and protect the amenities of local residents in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14; Surrey Waste Plan 2008 Policy DC3; the Tandridge District Core Strategy 2008 Policy CSP15 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP22.
19. To enable the County Planning Authority to exercise planning control over the development so as to minimise disturbance and avoid nuisance to the locality, to safeguard the environment and protect the amenities of local residents in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14; Surrey Waste Plan 2008 Policy DC3; the Tandridge District Core Strategy 2008 Policy CSP15 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP2.
20. To enable the County Planning Authority to exercise planning control over the development so as to minimise disturbance and avoid nuisance to the locality, to safeguard the environment and protect the amenities of local residents in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14; Surrey

Waste Plan 2008 Policy DC3; the Tandridge District Core Strategy 2008 Policy CSP15 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP22.

21. To enable the County Planning Authority to exercise planning control over the development so as to minimise disturbance and avoid nuisance to the locality, to safeguard the environment and protect the amenities of local residents in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14; Surrey Waste Plan 2008 Policy DC3; the Tandridge District Core Strategy 2008 Policy CSP15 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP22.
22. To afford the County Planning Authority a reasonable opportunity to examine any remains of archaeological interest which are unearthed and decide on any action required for the preservation or recording of such remains in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14; Surrey Waste Plan 2008 Policy DC3 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP20.
23. To prevent loss or damage of soil and to ensure that the land is restored to a condition capable of beneficial afteruse to comply with the Surrey Minerals Plan 2011 Core Strategy Policies MC14 and MC17.
24. To secure restoration to the required standard and enhance biodiversity in accordance with the Surrey Minerals Plan 2011 Core Strategy Policies MC17 and MC18; Surrey Waste Plan 2008 Policy WD7 and Tandridge District Core Strategy 2008 Policy CSP17.
25. To secure restoration to the required standard and enhance biodiversity in accordance with the Surrey Minerals Plan 2011 Core Strategy Policies MC17 and MC18; Surrey Waste Plan 2008 Policy WD7 and Tandridge District Core Strategy 2008 Policy CSP17.
26. To secure protect and enhance biodiversity in accordance with Surrey Minerals Plan 2011 Core Strategy Policies MC14 and MC18; and Tandridge District Core Strategy 2008 Policy CSP17.
27. To secure protect and enhance biodiversity in accordance with Surrey Minerals Plan 2011 Core Strategy Policies MC14 and MC18; and Tandridge District Core Strategy 2008 Policy CSP17.
28. To secure restoration and assist in absorbing the site back into the local landscape as soon as practical to accord with Surrey Minerals Plan 2011 Core Strategy Policies MC3, MC14 and MC17; and Tandridge District Core Strategy 2008 Policies CSP20 and CSP21.

Informatives:

1. The permission hereby granted shall not be construed as authority to carry out works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a Section 278 agreement must be entered into with the County Council before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway, in association with the construction of the proposed vehicular access to the A25. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see: www.surreycc.gov.uk/people-and-community/emergency-planning-and-communitysafety/flooding-advice
2. 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).

3. The development permitted under ref. TA/2013/1799 dated 12 August 2014 was the subject of a Non-Material Amendment (NMA) dated 14 September 2018 amending the type of infill waste material that would be used to infill the quarry areas from inert waste to non-hazardous waste. Condition 5 (above) has been added and brought forward to the development hereby permitted to reflect that amendment and condition.
4. An Environmental Permit from Environment Agency will be required when the quarry is to be infilled with imported waste materials to achieve the restoration identified in the planning application hereby permitted. Information on Environmental Permits can be obtained from the following website: <https://www.gov.uk/topic/environmental-management/environmental-permits>
5. The applicant will require written consent from the Environment Agency in order to discharge effluent resulting from dewatering activities.
6. Attention is drawn to the requirements of Sections 7 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the Code of Practice for Access of the Disabled to Buildings (British Standards Institution Code of Practice BS 8300:2009) or any prescribed document replacing that code.
7. In determining this application the County Planning Authority has worked positively and proactively with the applicant by: assessing the proposals against relevant Development Plan policies and the National Planning Policy Framework including its associated planning practice guidance and European Regulations, providing feedback to the applicant where appropriate. Further, the County Planning Authority has: identified all material considerations; forwarded consultation responses to the applicant; considered representations from interested parties; liaised with consultees and the applicant to resolve identified issues. Issues of concern have been raised with the applicant including impacts of and on noise and addressed through negotiation and acceptable amendments to the proposals. This approach has been in accordance with the requirements of paragraph 38 of the National Planning Policy Framework 2019.

CONTACT

Duncan Evans

TEL. NO.

0208 541 9094

BACKGROUND PAPERS

The deposited application documents and plans, including those amending or clarifying the proposal, responses to consultations and representations received as referred to in the report and included in the application file.

For this application the deposited application documents and plans, and responses to consultations, are available to view on [our online planning register](#). The representatives received area publically available to view on the district/borough planning register. The [Tandridge District Council planning register](#) entry for this application can be found under Mercers South Quarry.

OTHER DOCUMENTS

The following documents were also referred to in the preparation of this report:

Government Guidance

[National Planning Policy Framework](#)
[Planning Practice Guidance](#)

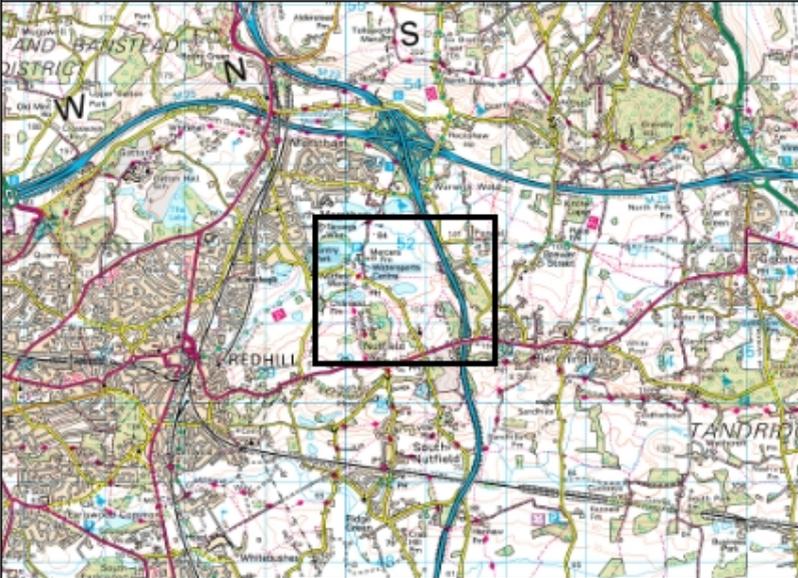
The Development Plan[Surrey Waste Plan 2008](#)[Surrey Minerals Plan Core Strategy Development Plan Document \(DPD\) 2011](#)[Tandridge District Core Strategy 2008](#)[Tandridge Local Plan Part 2: Detailed Policies 2014](#)**Documents**

Planning application reference TA/2013/1799, the deposited plans and documents, and the associated officer report (dated 30 July 2014) and decision notice (dated 12 August 2014) documents; non-material amendment application TA/2013/1799 the deposited plan and documents, and the associated officer report (14 September 2018) and decision notice (dated 14 September 2018); and planning application TA/2019/34, the deposited plans and documents, and the associated officer report (dated March 2019) and decision notice (dated 6 June 2019).

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Site Location:

Mercers South Quarry, Bletchingley Road, Nutfield, Surrey RH1 4EU



The extraction and screening of sand from Mercers South with progressive restoration to agriculture using inert waste materials, together with associated infrastructure, on a site of 52.2ha and the temporary diversion of public footpath 173 for the duration of the operations without compliance with Condition 8 of planning permission ref. TA/2019/34 dated 6 June 2019 so as to allow revision to the numbers of HGV

Application numbers:

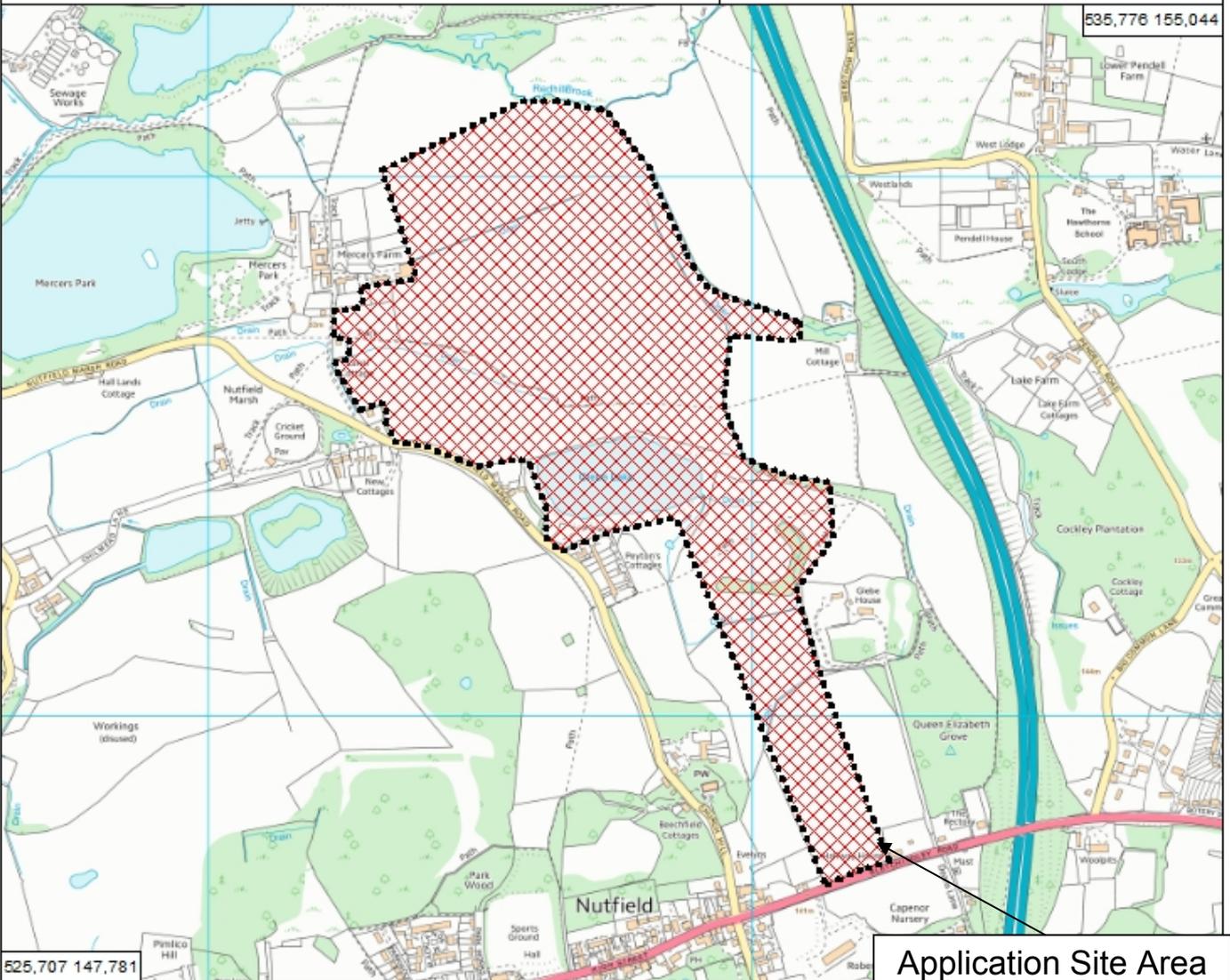
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Electoral divisions:

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Note: This plan is for indicative purposes only



Application Site Area



Ref No:

SCC REF 2019/0188

0 0.4 0.8 Km

Scale: **1:11700**

Printed on: 15/06/2020

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2018 Aerial Photos



Aerial 1 : Mercers South Quarry, Bletchingley Road, Nutfield



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2018 Aerial Photos

Aerial 2 : Mercers South Quarry, Bletchingley Road, Nutfield



Figure 1 – Existing site access viewing east towards Bletchingley



Figure 2 – Existing site access viewing west towards Nutfield



Figure 3 – Internal haul road viewing site access with A25



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TO: PLANNING & REGULATORY COMMITTEE
BY: PLANNING DEVELOPMENT MANAGER
DISTRICT(S) TANDRIDGE DISTRICT COUNCIL

DATE: 20 August 2020

ELECTORAL DIVISION(S):
Godstone
CASE OFFICER:
Duncan Evans

PURPOSE: FOR DECISION

GRID REF: 530797 151802

TITLE: MINERALS/WASTE TA/2019/2149

SUMMARY REPORT

Mercers South Quarry, Bletchingley Road, Nutfield, Surrey RH1 4EU

The extraction and screening of approximately 250,000 tonnes of sand from an area of 1.67ha, as an extension to the phasing within the existing Mercers South Quarry, with progressive restoration to agriculture using inert waste materials without compliance with Condition 8 of planning permission ref: TA/2017/2346 dated 23 April 2018 so as to allow revision to the numbers of HGV movements.

The application site, some 1.67 hectares (ha), is located in open countryside on land within Mercers South Quarry, west of the M23 motorway, south of the M25, north of the A25 and east of Nutfield Marsh Road (C67).

Mercers South Quarry, of a total area of approximately 52ha, is situated approximately 2.5 kilometres (km) northeast of Redhill, with Merstham to the north, and the villages of Nutfield and Bletchingley on the A25 to the south and south east respectively. To the west is Mercers Park, a former silica sand quarry and now a country park used mainly for water sports. To the north lies Spynes Mere, another former silica sand quarry, restored to a lake and nature reserve.

The application site is an existing quarry that lies within the Metropolitan Green Belt and within the Holmethorpe Sandpits Complex Site of Nature Conservation Interest (SNCI). The northern boundary of the quarry, marked by Redhill Brook, borders the southern edge of the Surrey Hills Area of Outstanding Natural Beauty (AONB).

The extraction area of the quarry lies to the south and east of Mercers Farm buildings. Land to the south of the extraction area incorporates the mineral working's access to the A25 and Glebe Lake which is in the process of being enhanced for nature conservation purposes. Public Footpath No.173 crosses the southern end of the mineral working (East to West), with Public Footpath Nos.175 and 188 crossing the internal haul road. The closest residential properties lie approximately 50 metres (m) to the west of the quarry boundary, with the closest residential properties to the access road being the properties along the A25 approximately 70m to the east of the quarry's access.

This is a planning application, made under section 73 of the Town and County Planning Act 1990 (as amended), seeking to develop land without compliance with Condition 8 of planning permission ref. TA/2017/2346 dated 23 April 2018 so as to allow for an increase in the numbers of permitted Heavy Goods Vehicles (HGV) movements for the site. Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The principle of development has

already been established at an earlier date. Section 73 requires the local planning authority to consider only the question of the conditions subject to which planning permission should be granted, though in doing so the authority should have regard to all material considerations and determine the application in accordance with the development plan unless material considerations indicate otherwise.

This application is accompanied by an associated planning application reference TA/2019/2147 which seeks to amend Condition 8 of the parent quarry planning permission ref: TA/2019/34 (dated 6 June 2019). The application is accompanied by an addendum to the original Environmental Statement.

The parent quarry permission ref: TA/2013/1799 was approved in August 2014 subject to conditions which imposed a restriction on the numbers of HGV movements for the site. This planning permission was then subject to a section 73 application involving revision to the built site layout, and was granted planning permission ref: TA/2019/34 in June 2019 subject to conditions. Therefore, planning permission ref: TA/2019/34 is the extant consent for the quarry site.

Planning permission reference TA/2017/2346 granted in April 2018 permitted an additional area of working as an extension to the phasing approved for the quarry. Although the additional phase is a discrete area within the existing quarry, to ensure planning control is maintained at the site the extension permission (TA/2017/2346) was subject to similar planning conditions as permission reference TA/2013/1799 and includes a similar restriction on HGV movements. This application related to the 2018 extension area only. The other application on the agenda relates to the main

Condition 8 of planning permission ref: TA/2017/2346 currently restricts HGV movements in combination with the as varied planning permission reference TA/2019/34 dated 6 June 2019.

The applicant is now seeking an increase to the HGV limit so that there shall be no more than an average of 300 HGV movements per day with a cap of no more than 350 movements (175 in and 175 out) on any single day associated with the extraction of sand and the import of inert waste materials at the quarry.

The applicant states that the reason for the increase in HGV movements being sought is that they require necessary flexibility to be able to respond to seasonal and operational fluctuations in the mineral market and to react swiftly during peaks in the availability of restoration material, and to secure delivery of the progressive restoration of Mercers South Quarry in accordance with permitted timescales.

The County Highway Authority has advised that they are satisfied with the proposed revision to the numbers of daily HGV movements and therefore has no objection to the application.

No objections have been received on the application from the technical consultees, Tandridge District Council or Reigate and Banstead Borough Council.

Objections have been received from 4 local residents. Godstone Parish Council, and local amenity groups Traffic Action Group (TAG) A25, Godstone Preservation Society, and the Quarry Observation Group have objected to the application. The objectors have raised concerns in respect of traffic, pollution, and that the need is not clear. The concerns have been reviewed. Officers consider that given the County Highway Authority is satisfied with the proposal, and taking into account the responses of technical consultees, the proposed increase in HGV numbers would not cause significant adverse impact on the local highway network, the environment or on amenity.

The application site is an existing quarry site in the Green Belt. As the proposal is associated with a mineral extraction, provided there is adequate provision for removal and a high quality restoration of the land, the development will therefore preserve the openness of the Green Belt.

Officers consider there is no reason to believe that the site could not be well restored to the proposed after-uses, which are uses consistent with Green Belt objectives and acknowledge that given the development will be temporary it will therefore preserve the openness of the Green Belt. The need for the sand has already been established through the granting of planning permission ref: TA/2013/1799 in 2014 and Officers consider that high environmental standards would be achieved and that the site will be well restored. Officers do not consider that the proposal constitutes inappropriate development in the Green Belt. The proposal does not conflict with the Development Plan or national guidance with regard to Green Belt policy.

The recommendation is to PERMIT subject to conditions

APPLICATION DETAILS

Applicant

J & J Franks Ltd

Date application valid

26 November 2019

Period for Determination

17 March 2020

Amending Documents

Applicant agent Carter Jonas covering letter (received March 2020) submitting: Carter Jonas - Addendum Transport Assessment to the Environmental Statement – Technical Note dated February 2020; and WBM Acoustic Consultants Noise Addendum to the Environmental Statement dated 21 February 2020.

SUMMARY OF PLANNING ISSUES

This section identifies and summarises the main planning issues in the report. The full text should be considered before the meeting.

	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
Highways, Traffic and Access	Yes	81 – 111
Environment and Amenity Issues	Yes	112 – 149
Green Belt	Yes	150 – 161

ILLUSTRATIVE MATERIAL

Site Plan

Plan – Site Location and Application Site

Aerial Photographs

Aerial 1 – Site location showing surrounding area to the application site
Aerial 2 – Site location showing the application site

Site Photographs

Figure 1 – Existing site access viewing east towards Bletchingley

Figure 2 – Existing site access viewing west towards Nutfield

Figure 3 – Internal haul road viewing site access with A25

BACKGROUND

Site Description

- 1 The application site, some 1.67ha is located in open countryside, west of the M23 motorway, south of the M25, north of the A25 and east of Nutfield Marsh Road.
- 2 Mercers South Quarry (hereafter the Quarry), of a total area of approximately 52ha, is situated approximately 2.5km northeast of Redhill, with Merstham to the north, and the villages of Nutfield and Bletchingley on the A25 to the south and south east respectively. To the west is Mercers Park, a former silica sand quarry and now a country park used mainly for water sports. To the north lies Spynes Mere, another former silica sand quarry, restored to a lake and nature reserve.
- 3 The extraction area of the quarry lies to the south and east of Mercers Farm buildings. Land to the south of the extraction area incorporates the mineral working's access to the A25 and Glebe Lake which is in the process of being enhanced for nature conservation purposes. Public Footpath No.173 crosses the southern end of the mineral working (East to West), with Public Footpath Nos.175 and 188 crossing the line of the quarry's access route to the south.
- 4 The application site and existing quarry lie within the Metropolitan Green Belt and within the Holmethorpe Sandpits Complex SNCI (County importance for birds).The northern boundary of the quarry, marked by Redhill Brook, borders the southern edge of the Surrey Hills Area of Outstanding Natural Beauty (AONB).
- 5 The mineral extraction area lies at 85-93 metres Above Ordnance Datum (AOD) and steadily rises to the south, with the site access off the A25 at 145 metres AOD. There are two listed buildings (Leather Bottle Cottage and Charman Cottage) adjoining the western boundary of the quarry site. The site is within a major aquifer and close to source protection zone 3 for public water supply (Warwick Wold). The site also lies within the 13 kilometres safeguarding area of Biggin Hill and Gatwick Airports.
- 6 The closest residential properties lie approximately 50m to the west of the quarry boundary, with the closest residential properties to the access road being the properties along the A25 approximately 70m to the east of the quarry's access. The application site overlaps the eastern edge of the Phase 1 area of the quarry. It forms part of a former agricultural field. On its eastern edge, soil storage mounds have been constructed to screen the quarry from views from the east.

Planning History

- 7 On 12 August 2014, planning permission ref: TA/2013/1799 was granted for the extraction and screening of sand from Mercers South with progressive restoration to agriculture using inert waste materials, together with: the construction of a new dedicated internal access from the A25; screening bunds; the provision of a welfare / office block and mobile home to accommodate staff and security personnel; a wheelwash, weighbridge and associated office; car parking area; reinstatement of rights of way network, woodland, historic hedgerows and ditch to include landscape and ecological enhancements, on a site of 52.2 ha and the temporary diversion of public footpath 173 for the duration of the operations. The quarry planning permission (ref: TA/2013/1799) was subject to a Section

73 application involving revision to the built site layout that was granted planning permission in June 2019 under reference TA/2019/34 and subject to conditions. Planning permission reference TA/2019/34 is the extant consent for the site.

- 8 On 23 April 2018 planning permission ref: TA/2017/2346 was granted for the extraction and screening of approximately 250,000 tonnes of sand from an area of 1.67ha, as an extension to the phasing within the existing quarry, with progressive restoration to agriculture using inert waste materials.

THE PROPOSAL

- 9 This is a planning application, made under section 73 of the Town and County Planning Act 1990 (as amended), seeking to develop land without compliance with Condition 8 of planning permission ref. TA/2017/2346 dated 23 April 2018 so as to allow for an increase in the numbers of permitted HGV movements for the Mercers South Quarry site. This application is accompanied by an associated planning application ref. TA/2019/2147 which seeks to amend Condition 8 of the parent quarry planning permission ref: TA/2019/34 (dated 6 June 2019). The application is accompanied by an addendum to the original Environmental Statement.
- 10 The parent quarry permission ref: TA/2013/1799 was approved in August 2014 subject to conditions which imposed a restriction on the numbers of HGV movements for the site. The planning permission ref. TA/2017/2346 permitted an additional area of working as an extension to the phasing approved for the quarry. Although the additional phase is a discrete area within the existing quarry, to ensure planning control is maintained at the site the extension permission (ref. TA/2017/2346) was subject to similar planning conditions as permission ref. TA/2013/1799 and includes the similar restriction on HGV movements.
- 11 Condition 8 of planning permission ref: TA/2017/2346 currently restricts HGV movements at the Quarry in combination with the as varied planning permission reference TA/2019/34 dated 6 June 2019.

Condition 8 reads:

In combination with planning permission reference TA/2013/1799 dated 12 August 2014 and the development hereby permitted, there shall be no more than an average of 150 HGV movements per day associated with the extraction of sand and the import of inert waste materials at the Mercers South site, with HGV movements on any single day not exceeding 240 movements. The site operator shall maintain accurate records of the number of HGV vehicles accessing and egressing the site daily and shall make these available to the County Planning Authority on request.

Reason

In order that the development should not prejudice highway safety nor cause inconvenience to other road users in accordance with Surrey Minerals Plan 2011 Policy MC15; Surrey Waste Plan 2008 Policy DC3; Tandridge Local Plan 2014 Part 2 Policy DP5; and Tandridge District Core Strategy 2008 Policy CSP12.

- 12 The applicant now proposes an increase to the limit so that there shall be no more than an average of 300 HGV (two-way) movements per day, with a daily cap of 350 (two-way, 175 in and 175 out) movements on any single day, associated with the extraction of sand and the import of inert waste materials at the quarry.
- 13 The applicant states that the reason for the increase in vehicle movements being sought is that they require necessary flexibility to be able to respond to seasonal and operational fluctuations and to react swiftly during peaks in the availability of restoration material, and

to secure delivery of the progressive restoration of Mercers South Quarry in accordance with permitted timescales.

- 14 The applicant explains that the site is to be restored to an agricultural afteruse, together with landscape and ecological enhancements, through the use of imported inert materials. The applicant has also stated that there has been a change in the nature and density of the restoration materials, which are predominantly soils and clays. This change coupled with compaction techniques will require more material and as a consequence a greater number of lorry loads, in order to achieve site restoration within the permitted timescales.
- 15 The applicant further states that there are a number of factors which have led to a reduction in achievable working days resulting in consolidation of movements in those days available. They state there have been changes within the construction industry which has reduced demand on Saturday mornings for the transportation of construction and restoration materials, a traditional operational day during the industry working week. Furthermore the applicant has noticed a trend around national and bank holidays where industry employees take a longer break leading to fewer site operational days.
- 16 The applicant also highlights that the Mercers South quarry has a dedicated access which is accessed directly from the A25 and directing access for HGVs to the wider highway network.
- 17 The applicant does not propose any other changes to the operations already permitted for the Quarry.

CONSULTATIONS AND PUBLICITY

District Council

- 18 **Tandridge District Council:**
No objection.

Neighbouring Authority

- 19 **Reigate & Banstead Borough Council:**
No objection.

Consultees (Statutory and Non-Statutory)

- 20 **County Highway Authority:**
No objection, subject to conditions.
- 21 **Natural England:**
No objection.
- 22 **Environment Agency:**
No objection.
- 23 **County Ecologist:**
No objection.
- 24 **County Landscape Officer:**
No objection.
- 25 **Surrey Hills AONB Office:**
No objection.

- 26 **County Noise Consultant:**
No objection, subject to conditions.
- 27 **County Air Quality Consultant:**
No objection.
- 28 **Lead Local Flood Authority – SuDS & Consenting Team:**
No objection.
- 29 **Surrey Wildlife Trust:**
Commented that in their view the Ecological Assessment accompanying the Environmental Statement as being out-of-date. Officers acknowledge this point however it is advised that the application is for a highways proposal and does not involve matters relating to ecology.
- 30 **Rights of Way:**
No views received though commented on associated application reference TA/2019/2147 and raised no objection.
- 31 **English Heritage:**
No objection.
- 32 **County Geological Consultant:**
No objection subject to conditions previously imposed.
- 33 **County Historic/Listed Buildings Officer:**
No objection.
- 34 **Gatwick Airport Safeguarding:**
No objection.
- 35 **County Enhancement Officer:**
No views received.
- 36 **County Environmental Assessment Officer:**
Provided comments.
- 37 **County Archaeological Officer:**
No objection.
- 38 **Sutton and East Surrey Water:**
No views received.
- 39 **Thames Water:**
No views received.
- 40 **Health and Safety Executive – Quarries:**
No views received.
- 41 **National Grid:**
No views received.

Parish/Town Council and Amenity Groups

- 42 **Bletchingley Parish Council:**

No objection. Raised concerns in respect of increased HGV traffic on A25, air quality and road safety issues and that mitigation measures are implemented in any permissions granted.

43 **Nutfield Parish Council:**

No objection.

44 **Godstone Parish Council:**

Objection. On the grounds the proposed HGV increase will be detrimental to surrounding villages of Nutfield, Bletchingley and Godstone.

45 **Godstone Preservation Society:**

Objection. On the grounds: too many HGV's on A25; congestion; highway safety; impacts of emissions on air quality and human health.

46 **Traffic Action Group (TAG) A25:**

Objection. On the grounds: lack of justification for the proposed increase; no consideration of noise and vibration from proposed increase along the A25. Impact of increased movements in combination with M23 widening. Concerns the proposal will increase air pollution levels.

47 **Quarry Observation Group:**

Objection. On the grounds the need for the increase has not been demonstrated; concerns of impacts on local air quality; road safety concerns; excessive traffic on A25 already.

48 **Godstone Village Association:**

Objection. On the grounds of unacceptable traffic levels, road safety concerns from HGVs and air pollution.

49 **Nutfield Conservation Society:**

No views received.

50 **Nutfield Marsh Residents Group:**

No views received.

51 **CPRE:**

No views received.

52 **Surrey Botanical Society:**

No views received.

53 **Ramblers Association:**

No views received.

Summary of publicity undertaken and key issues raised by public

54 The application was publicised by the posting of 3 site notices and an advert was placed in the local newspaper. A total of 103 owner/occupiers of neighbouring properties were directly notified by letter.

55 At the time of writing this report 5 letters of written representation have been received by members of the public. Of the letters received one letter has written in support of the proposal and 4 members of the public have objected to the application.

56 The key issues of objection raised:

- The A25 is already overly congested and more HGVs will impact this further.

- More HGVs will further damage the condition of the surface of A25.
- HGVs must head east and not through Nutfield Village.
- Concerns of safety to other road users from the HGVs.
- Concerns of air pollution and the impacts on human health.

PLANNING CONSIDERATIONS

Introduction

- 57 The guidance on the determination of planning applications, found at the end of this report, is expressly incorporated into this report and must be read in conjunction with the following paragraphs.
- 58 In this case the statutory development plan for consideration of the application consists of the Surrey Minerals Local Plan 2011 – Core Strategy and Primary Aggregates Development Plan Documents (DPD) (SMP2011), the Surrey Waste Plan 2008 (SWP2008), along with the Tandridge Core Strategy Core Strategy 2008 and Local Plan Part 2: Detailed Policies 2014-2029 documents. Adopted alongside the SMP2011 was the Minerals Site Restoration Supplementary Planning Document (SPD).
- 59 The Surrey Waste Plan 2008 is currently in the process of being replaced by the “Surrey Waste Local Plan Part 1 – Policies” and the “Surrey Waste Local Plan Part 2 – Sites”. The Inspectors Report on the Surrey Waste Local Plan (SWLP) has now been received and marks the end of the independent examination. The Inspectors Report concluded that the SWLP provides an appropriate basis for the waste planning of the County, provided that a number of the Main Modifications are made to it in order to make it sound and legally compliant and capable of adoption. At this stage the SWLP is yet to be fully adopted by Surrey County Council. However, in accordance with Paragraph 48 of the NPPF (2019) given the advanced status of the SWLP, weight can be given to the policies of the emerging Surrey Waste Local Plan (2019-2033) in the determination of this application.
- 60 Tandridge District Council are in the process of preparing a new Local Plan (2033) which sets out a new development strategy for the district up to 2033. Once adopted the new Local Plan will replace the Councils planning policies currently set out in the Tandridge District Core Strategy (2008) and Local Plan Part 2: Detailed Policies (2014). The new Local Plan 2033 is some way off adoption and the proposed Plan carries no weight.
- 61 In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations. In assessing the application against development plan policies it will be necessary to determine whether the proposed measures for mitigating any environmental impact of the development are satisfactory. In this case the main planning considerations are: highways and traffic; noise; air quality; landscape and visual amenity; and restoration.

Section 73 and Environmental Impact Assessment (EIA)

- 62 This application is submitted under Section 73 of the Town and Country Planning Act 1990 (as amended). Section 73 (s73) of the Town & County Planning Act 1990 allows planning permission to be given for development of the same description as development already permitted but subject to different conditions.
- 63 Local planning authorities can grant permission to s73 applications unconditionally or subject to different conditions, or they can refuse the application if they decide the original condition(s) should continue. Permission granted under section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions. The principle of development has already been established at an earlier date. Section 73 provides a different procedure for such

applications from that applying to applications for planning permission, and requires the local planning authority to consider only the question of the conditions subject to which planning permission should be granted, though in doing so the authority should have regard to all material considerations and determine the application in accordance with the development plan unless material considerations indicate otherwise.

- 64 The development approved for Mercers South Quarry under planning permission ref. TA/2013/1799 was subject to EIA prior to the grant of consent. The current application TA/2019/2149 and application ref. TA/2019/2147 elsewhere on this agenda relate to permitted minerals development that falls within the scope of Schedule 1 and Schedule 2 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations 2017). The current applications seek changes to conditions attached to the extant planning permissions for both minerals developments at mercers South Quarry.
- 65 This application ref. TA/2019/2149 relates to Mercers South Quarry, which extends to some 54 hectares and therefore falls within the scope of paragraph 19 of Schedule 1 of the EIA Regulations 2017. The current application ref. TA/2019/2149 seeks to vary condition 8 of the extant permission ref. TA/2017/2346 to allow an increase in HGV vehicle movements. The current application therefore seeks to change the permitted development. The proposed change is not, however, of a scale or type that falls within paragraph 24 of Schedule 1 of the EIA Regulations 2017, but would fall within the scope of paragraph 13(a) of Schedule 2 of the EIA Regulations 2017.
- 66 The application ref. TA/2019/2149 relates to a permitted internal extension to the established Mercers South Quarry of some 1.7 hectares and therefore falls within the scope of paragraphs 2(a) and 13(b) of Schedule 2 of the EIA Regulations. The current application ref. TA/2019/2149 seeks to vary condition 8 of the extant permission ref. TA/2017/2346 for the quarry extension, to allow an increase in HGV vehicle movements. The current application therefore seeks to change the permitted development.
- 67 Prior to the submission of the current applications a request for an EIA Screening Opinion was made to the CPA on behalf of the applicant. The CPA adopted its formal EIA Screening Opinion on 10 June 2019. The EIA Screening Opinion concluded that the proposed changes to the permitted quarry and extension did constitute 'EIA development'. The CPA and the agent subsequently agreed that the need for EIA could be addressed through the submission of an addendum to the Environmental Statement (ES) submitted in support of the original planning permission for the quarry.
- 68 The Addendum ES submitted in support of the current applications has been reviewed with reference to the provisions set out in Regulation 18 (Environmental Statements) and Schedule 4 (Information for Inclusion in Environmental Statements) of the EIA Regulations. The information provided in the submitted ES satisfies the minimum requirements defined in Regulation 18(3) and address those aspects of Schedule 4 relevant to the scheme and the receiving environment. The original ES submitted in support of the application for the quarry has not been re-reviewed in the context of the current applications, and the conclusions of the original review (that the ES was of a suitable standard to inform the determination of the application), undertaken in July 2014, have been relied upon.
- 69 Under Regulation 26¹ of the EIA Regulations the CPA is required to examine the 'environmental information' (as defined in Regulation 2 of the EIA Regulations²) relevant

¹ **Regulation 26. Consideration of whether planning permission or subsequent consent should be granted** (1) When determining an application ... in relation to which an ES has been submitted, the relevant planning authority, ... must— (a) examine the environmental information[as defined in Regulation 2];

² **Regulation 2. Interpretation** (1) In these Regulations- ... "environmental information" means the environmental statement, including any further information & any other information, any representations made by anybody required by these Regulations

to the applications, and to use that information to reach a reasoned conclusion in respect of the significant environmental effects of the proposed changes to the permitted developments. In this case the Addendum ES and the original ES form one part of that 'environmental information' providing the applicants view of the likely significant environmental effects of the altered development. The views of other parties have been sought through the consultation undertaken on the submitted applications, and are summarised and reflected elsewhere in this report.

- 70 The submitted Addendum ES includes technical information on the following topics, with a full discussion of the likely impacts of the proposed development on each of those aspects of the environment set out elsewhere in this report.
- 71 Highways & Traffic – the question of the impact of the proposed development on the highways network and traffic levels is addressed in the 'Transport Assessment Addendum to Environmental Statement' section³ of the submitted Addendum ES. The question of the altered developments impact on the highway network and the local community as a consequence of the proposed change in HGV numbers is discussed in greater detail in paragraphs 81 to 110 of this report.
- 72 The current applications seek to amend condition 8 of planning permissions ref. TA/2019/34 and ref. TA/2017/2346, to enable an increase in the number of HGV movements that can occur on a daily basis from the vehicles servicing the operational quarry. The other traffic and access related conditions associated with the extant permissions would be carried forward and attached to any fresh planning permissions granted. Those conditions include the maintenance of the agreed site access visibility zones (currently condition 6 of TA/2019/34), the restriction of site access to the A25 Bletchingley Road (currently condition 7 of TA/2019/34 and condition 7 of TA/2017/2346), and the provision of facilities necessary to the cleaning of the public highway (currently condition 9 of TA/2019/34).
- 73 On balance, and having taken account of the information and evidence submitted by all parties with an interest in the determination of the current planning applications, including the views of the County Highway Authority, the CPA has concluded that the proposed changes, i.e. the increase in HGV vehicle movements, to the established minerals development would not give rise to significant additional traffic and highways impacts.
- 74 Noise – the question of the impact of the proposed development on noise levels and the incidence of noise disturbance is addressed in the 'Heavy Goods Vehicles – Noise Addendum to Environmental Statement' section⁴ of the submitted Addendum ES. The question of the altered developments impact on local amenity due to emissions of noise is discussed in greater detail in paragraphs 124 to 130 of this report.
- 75 Given that the current applications seek to amend condition 8 of planning permissions ref. TA/2019/34 and ref. TA/2017/2346, the noise management conditions associated with those permissions would be carried forward and attached to any fresh planning permissions granted. Those conditions include provision for the control of noise levels associated with, site operations (currently condition 17 of TA/2019/34 and condition 12 of TA/2017/2346), site preparation and bund construction (currently condition 18 of TA/2019/34 and condition 13 of TA/2017/2346), and reversing alarms on company plant and vehicles (currently condition 19 of TA/2019/34 and condition 14 of TA/2017/2346).

to be invited to make representations, and any representation duly made by any other person about the environmental effects of the development;

³ Dated October 2019, prepared by the Richard Parker Consultancy Ltd.

⁴ Dated 11 October 2019, prepared by Walker Beak Mason Acoustic Consultants.

- 76 On balance, and having taken account of the information and evidence submitted by all parties with an interest in the determination of the current planning applications, the CPA has concluded that the proposed changes (i.e. increase in HGV vehicle movements) to the established minerals development would not give rise to significant additional noise impacts.
- 77 Air Quality & Dust – the question of the impact of the proposed development on dust and local air quality is addressed in the ‘Air Quality Assessment’ section⁵ of the submitted Addendum ES. The question of the altered developments impact on local amenity due to emissions of dust is discussed in greater detail in paragraphs 131 to 136 of this report.
- 78 Given that the current applications seek to amend condition 8 of planning permissions ref. TA/2019/34 and ref. TA/2017/2346, the dust management conditions associated with those permissions would be carried forward and attached to any fresh planning permissions granted. Those conditions include provision for the control of dust through the implementation of an approved dust action plan (DAP) and dust monitoring strategy (DMS) (currently condition 20 of TA/2019/34 and condition 15 of TA/2017/2346), and through the control of nuisance dust (currently condition 21 of TA/2019/34 and condition 16 of TA/2017/2346).
- 79 In respect of pollution from the additional HGV movements the applicant has undertaken dispersion modelling to assess the maximum traffic related pollution at existing sensitive receptors which trigger IAQM/EPUK criteria for NO², PM¹⁰ and PM^{2.5} concentrations. The results of the assessment indicate a ‘slight adverse’ impact at one receptor for NO². At all other receptors and for all pollutants, the predicted impact is otherwise described as ‘negligible’.
- 80 On balance, and having taken account of the information and evidence submitted by all parties with an interest in the determination of the current planning applications, the CPA has concluded that the proposed changes (i.e. increase in HGV vehicle movements) to the established minerals development would not give rise to significant additional dust and traffic related pollution impacts.

HIGHWAYS, TRAFFIC & ACCESS

Surrey Minerals Plan 2011 Core Strategy and Primary Aggregates Development Plan

Documents (SMP2011)

Policy MC15 – Transport for minerals

Surrey Waste Plan 2008 (SWP2008)

Policy DC3 – General Considerations

Tandridge District Core Strategy 2008 (TDCS2008)

Policy CSP 12 – Managing Travel Demand

Tandridge Local Plan 2014 Part 2: Detailed Policies (TLP2014)

Policy DP5 – Highway Safety & Design

Policy DP7 – General Policy for New Development

- 81 The proposal seeks to amend Condition 8 of planning permission ref: TA/2017/2346 dated 23 April 2018 so as to allow an increase to the limit on HGV movements permitted for this site.
- 82 This section considers the traffic generation and access arrangements, the impact on the highway network and accessibility of the site.
- 83 The SMP2011 recognises that one of the most significant impacts of mineral working in the county, and the one that usually causes the most public concern, is the lorry traffic generated from transporting the minerals. The plan goes on to say the nature of the

⁵ Dated October 2019, prepared by DustScan AQ.

market in Surrey means that lorries are used for transportation in the overwhelming majority of cases as this is the most cost effective means of transport. Though as a consequence lorries also contribute to overall traffic congestion. Para 7.9 states that it is important to ensure the effects of traffic generated by mineral development on local communities, the environment and the local road network, are carefully considered. Para 7.10 goes on to state that the movement of minerals by road should as far as possible be confined to the motorway and primary route network with attention being given to the routing of vehicles between the proposed development and the motorway and primary route network.

- 84 Policy MC15 (Transport of Minerals) of the SMPCSDPD 2011 states that applications for mineral development should include a transport assessment of potential impacts on highway safety, congestion and demand management and explore how movement of minerals within and outside the site will address issues of emissions control, energy efficiency and amenity. 'Mineral development involving transportation by road will be permitted only where:
- (i) there is no practicable alternative to the use of road-based transport that would have a lower impact on communities and the environment;
 - (ii) the highway network is of an appropriate standard for use by the traffic generated by the development or can be suitably improved; and
 - (iii) arrangements for site access and the traffic generated by the development would not have any significant adverse impacts on highway safety, air quality, residential amenity, the environment or the effective operation of the highway network.'
- 85 The Surrey Minerals Plan 2008 (SWP2008) Policy DC3 (General Considerations) advocates that appropriate information should be provided to support an application to demonstrate that the impacts of development can be controlled to achieve levels that will not significantly adversely affect people, land and resources and provide for mitigation where appropriate. Under point (ix) of Policy DC3 the information should include assessment of traffic generation, access and suitability of the local highway network including access to and from the motorway and primary route network.
- 86 Tandridge District Core Strategy 2008 (TDCS 2008) Policy CSP 12 (Managing Travel Demand) states that the Council will require new development to: i) make improvements, where appropriate, to the existing infrastructure network, including road and rail, facilities for bus users, pedestrians and cyclists and those with reduced mobility; and ii) have regard to adopted highway design standards and vehicle and other parking standards
- 87 The Tandridge Local Plan 2014 Part 2: Detailed Policies (TLP2014) Policy DP5 (Highway Safety & Design) states that:
- A. Development will be permitted subject to meeting the requirements of all other appropriate Development Plan policies where the proposal:*
- 1) *complies with the relevant Highway Authority's and any other highways design guidance;*
 - 2) *does not unnecessarily impede the free flow of traffic on the existing network or create hazards to the that traffic and other road users;*
 - 3) *retains or enhances existing footpaths and cycleway links;*
 - 4) *provides safe and suitable access to the site which is achievable by all and promotes access by public transport, foot and bicycle to nearby residential, commercial, retail, educational, leisure and recreational areas where appropriate; and*
 - 5) *fully funds where appropriate, or contributes towards the costs of any measures required to cost effectively mitigate the significant impacts arising from the development.*

B. In accordance with the Councils Local validation Requirements and national guidance, all development proposals that generate significant amounts of movement should be supported by a Travel Plan and either a Transport Statement or Transport Assessment (proportionate to the scale of the proposed scheme and extent of the transport implications), both which should be submitted alongside the planning application.

- 88 Government policy on promoting sustainable transport is set out in the National Planning Policy Framework (NPPF). At paragraph 111, the NPPF states that all developments that will generate significant amounts of movements should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed. It also explains that when considering development proposals, it should be ensured that: safe and suitable access can be achieved by all users; and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable level. The NPPF also explains that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts would be severe.

The Development

- 89 The original application (ref. TA/2013/1799) for the Quarry was accompanied by a Transport Assessment (TA) which addressed the environmental impact of the highways and transportation issues proposed for the Quarry site.
- 90 The likely highway impacts from the quarry in terms of road safety; highway capacity and traffic; and access were considered acceptable when planning permission ref. TA/2013/1799 was granted in 2014 subject to planning conditions which included a condition limiting daily HGV movements to the quarry.
- 91 The main issues to be considered from the proposal are whether the additional HGV movements proposed can be accommodated on the local highway network in respect of road safety and not impede the free flow of traffic; and whether the revised HGV numbers can safely accommodated through the existing site access already meets design guidance criteria.
- 92 The applicant is seeking changes to Condition 8 of permission ref. TA/2017/2346. The Condition 8 of planning permission ref: TA/2019/34 currently restricts HGV movements at the Quarry to no more than an average of 150 HGV movements per day associated with the extraction and import of inert waste materials at the Mercers South site, with HGV movements on any single day not exceeding 240 movements (120 in and 120 out). Access to the site is via an existing dedicated site access off the A25 (Nutfield Road/ Bletchingley Road) and internal haul road constructed under planning permission ref. TA/2013/1799.
- 93 The applicant now is now proposing an increase to the HGV limit so that there shall be no more than an average of 300 HGV movements per day with a cap of no more than 350 movements (175 in and 175 out) on any single day associated with the extraction of sand and the import of inert waste materials at the quarry.
- 94 The applicant states that there are number of reasons for the proposal, which includes the need for greater flexibility in responding to market demands for sand and to fluctuations in the availability of restoration materials. In addition, the applicant has stated that due to an increase in aggregates recycling, there has been some shift in the nature of the residual material available for restoration. The higher density of the predominantly soils and clays generated from within the area coupled with compaction techniques means that more material, and consequently a greater number of lorry loads, will be needed in order to achieve restoration of Mercers South within the permitted timescales. In addition they

advise that there are also a number of factors that have led to a reduction in achievable working days resulting in consolidation of movements in those days. These include changes in the construction industry and suggesting a reduced demand on Saturday business and that employees tend to take a longer break during traditional holiday periods such as Easter.

- 95 They consider that in particular this would allow for an increase in the rate at which materials may be imported into the Quarry to ensure timely restoration of the site by 31 December 2036.
- 96 The applicant also states that when the quarry site was considered and allocated as a preferred area in the SMP2011, it was envisaged that HGV traffic from the A25 would use Cormongers Lane adjacent to Patteson Court landfill and then onto Nutfield Marsh Road south of Mercers Country Park. Hence, the key development requirements required a comprehensive package of measures to provide suitable access and local highways improvements, imposing limits on HGV movements. However, since that allocation the applicant acquired land that allowed the construction of a dedicated site access from A25, with approximately 130m of frontage with the A25 to the east of Nutfield village. This has removed the need for HGVs to use Cormongers Lane and in large part avoid routing through Nutfield village.
- 97 They state that the conditions that currently apply to the HGV movements in and out of the Quarry had been derived from levels that were considered appropriate when access to the preferred site was to be via Cormongers Lane and through Nutfield. However, now that a purpose built, high standard access and haul road has been provided that avoids many of the environmental and amenity disadvantages of routing HGV traffic through Nutfield, they consider this an opportunity to review these thresholds.
- 98 The applicant has submitted an addendum to the Transport Assessment (TA) which was submitted as part of the Environmental Statement which accompanied the original Quarry application. The TA addendum has assessed the highway impacts resulting from the daily increase in site HGV movements proposed. To inform their assessment the applicant undertook traffic counts on the A25 close to Redhill and either side of Nutfield Village in June 2019. Also in June 2019 (17 to 21 June 2019) the applicant assessed existing HGV movements from quarry operations eastwards of the site (Godstone Junction 6) and westwards towards Redhill.
- 99 The applicant states that that the majority of additional HGV's would travel to and from the quarry to the east along the A25 because of the access to Junction 6 of the M25 at Godstone. The applicant suggests the effects of increasing the threshold to an average of 300 daily HGV movements from the quarry would add approximately 4% to the existing daily HGV flows on the A25 east of Nutfield. Then to the west the proposed would add approximately 0.5% to the existing HGV traffic in Nutfield, and around 1% west of Cormongers Lane.
- 100 With regard to the likely impact of raising the HGV threshold to a maximum of 350 movements per day the applicant states that the largest increase would occur east of Nutfield per day The additional traffic increase would add approximately 1% to the existing HGV traffic flow immediately west of Nutfield, and less than 2% to the HGV traffic west of Cormongers Lane. The applicant also notes the designation of Bletchingley as a Conservation Area, however the change in HGV traffic in that area would be under 1%.
- 101 The applicant states that they have undertaken an analysis of road accident history which indicates that there are no road safety black spots in the vicinity of the site and that no one of the reported accidents in last 3 years have involved an HGV.
- 102 The applicant has advised that the levels of sand extraction and void take up are to remain in-line with the original proposals for the quarry and no other changes are

proposed to operations at the quarry. As part of the original quarry application the applicant submitted details for predicted HGV movements over the life of the quarry/landfill (Table 6 of the July 2012 Transport Assessment). It was originally predicted that sand extraction would be at a rate of 250,000 tonnes per year which remains unchanged. In respect of inert infill it was predicted this would involve a fill rate of 180,000 tonnes per annum however the applicants states that due to the denser material it is predicted fill rate to fill the quarry between 2020 to completion in 2036 would require 302,000 tonnes of inert waste per year, requiring an additional 122,000 tonnes per annum over the original predicted annual fill rate. In addition the applicant states that there have been changes to the types of HGVs that access the site now have a smaller payload capacity and therefore the combination of these factors have given rise to the proposed increase in daily HGV movements being sought (February 2020 Technical Note - Addendum Transport Assessment).

Officer Assessment

- 103 Objections in respect of highway impacts of increasing the number of daily HGV's have been received from Godstone Parish Council, local amenity groups, and members of the public. The objectors have raised concerns regarding any increase in HGV movements on the A25 in terms of congestion, impacts on condition of the road surface, road safety issues, and air pollution. The Quarry Observation Group (QOG) and A25 Action Group (TAG A25) have commented that the need for increasing the daily HGV movements has not been demonstrated. In addition QOG considers that the changes in density of material and availability of fill material would sufficiently be covered the existing daily HGV movement limit of a maximum of 240 HGV movements on a single day.
- 104 In March 2020 following concerns raised by Officers in respect of further clarification on the need for the increase in HGV movements, and further to comments raised from technical consultees in respect of noise, the applicant submitted additional clarifying information for the application comprising a Technical Note dated February 2020 to the Transport Assessment Addendum, and Noise Addendum dated February 2020 to the overarching Environmental Statement.
- 105 The applicant has proposed updated HGV movements for the life of the quarry within the TA addendum to address concerns of the need for the proposal. The revised HGV movements have been updated for both sand extraction and landfill operations in line with the permitted life of the quarry set out in the revised Table 6: *HGV Movements over life quarry/ landfill (average daily activity)* updated in the February 2020 Technical Note - Addendum Transport Assessment. With regard to sand extraction the applicant predicts extraction would equate to approximately 250,000 tonnes per year, equating to approximately 96 HGV movements per day from 2019 to the cessation of sand extraction in 2034. Then with regard to landfill operations the applicant predicts approximately 302,000 tonnes per year would be required to back fill the quarry which would equate to 160 movements per day until 2036. Therefore, years 2019 to 2024 would involve both extraction and filling HGV traffic, resulting in a combined 256 movements per full working day as an average, reducing in the last two years of filling to 2036.
- 106 Tandridge District Council have not raised objection to the application and commented that the County Highway Authority must be satisfied with the proposal. Reigate and Banstead Borough Council have not raised an objection to the proposed development.
- 107 The County Highway Authority (CHA) has assessed the proposal and advised that they have undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The CHA has advised that they are satisfied with the proposed rewording of Condition 8 of planning permission ref. TA/2017/2346 to allow a revision to the numbers of HGV movements to no more than an average of 300 movements per day with HGV movements

on any single day not exceeding a maximum of 350 movements. The CHA therefore has no objection to the application.

- 108 None of the other statutory and technical consultees have raised object to the application on Highways grounds.

Conclusion

- 109 The applicant has demonstrated the need for the increased HGV movements for both sand extraction and landfill operations in line with the permitted life of the quarry. The levels of sand extraction and void infilling are not changing, however due a combination of factors, involving; less operational days, density of the infill material, HGVs with smaller payload capacity, there would be implications on the restoration timescales. In addition, there is a need for increased flexibility to be able to respond to seasonal and operational fluctuations and to react swiftly during peaks in the availability of restoration material. The proposal involves doubling of the average permitted HGV movements to the quarry from 150 to 300, which has been assessed in an addendum to the Transport Assessment (TA) that was submitted on the original consent. The TA addendum assessed the impacts of the increased HGV vehicle movements from the development on the local road network and safety of the access. The assessment concluded that the purpose built access to the quarry complies with current standards and that the proposed increase in HGV activity will not create a road safety problem, nor have a severe impact on the existing highway network.
- 110 The County Highways Authority (CHA) has assessed the application and concluded that the additional traffic generation, access arrangements and parking provision, would not have a material impact on the safety and operation of the adjoining public highway. The CHA advised that they have no objection to the increase in daily HGV movements. Officers are therefore satisfied the applicant has satisfactorily assessed the likely highways impacts of the proposal within the updated Transport Assessment to the Environmental Statement.
- 111 Officers are satisfied that proposed increase in daily HGV movements is necessary and can safely be accommodated on the local highway network subject to conditions for access, traffic and protection of the public highway. The applicant has demonstrated that the impacts of the development can be controlled to achieve levels that will not significantly adversely affect people, land and resources. Officers therefore conclude that the proposal is acceptable, subject to conditions, and is consistent with the aims and objectives of the National Planning Policy Framework and policies of the development plan in respect highways, traffic and access matters.

ENVIRONMENT AND AMENITY

Surrey Minerals Plan 2011 Core Strategy Development Plan Document (SMP2011)

Policy MC2 - Spatial Strategy – protection of key environmental interests in Surrey

Policy MC14 – Reducing the adverse impacts of mineral development

Policy MC17 – Restoring mineral workings

Policy MC18 – Restoration and enhancement

Emerging Surrey Waste Local Plan Part 1 – Policies

Policy 5 – Recovery of Inert Waste to Land

Tandridge District Core Strategy 2008 (TDCS2008)

Policy CSP20 – Areas of Outstanding Natural Beauty

Policy CSP21 – Landscape and Countryside

Tandridge Local Plan 2014 Part 2: Detailed Policies (TLP2014)

Policy DP1 Sustainable Development

Policy DP22 Minimising Contamination, Hazards & Pollution.

Policy Context

- 112 The government sets out its planning policy for mineral development within the National Planning Policy Framework (NPPF). The NPPF is supported by guidance for implementing the government policy which is contained in the National Planning Practice Guidance (nPPG). Paragraph 203 of the NPPF states that it is essential there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation.
- 113 At paragraph 205 of the NPPF the government sets out that when determining planning applications, great weight should be given to the economy. In considering proposals for mineral extraction, mineral planning authorities should; 1) ensure that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety, and take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality; 2) ensure that any unavoidable noise, dust and particle emissions are controlled, mitigated or removed at source; and 3) provide for restoration and aftercare at the earliest opportunity, to be carried out to high environmental standards, through the application of appropriate conditions.
- 114 NPPF paragraph 170 states that planning policies and decisions should contribute and enhance the natural and local environment by preventing new and existing development from contributing to, being unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise or land instability.
- 115 There can be a wide range of potential environmental impacts associated with mineral development. Policy MC14 of the SMPCSDPD2011 states that mineral development will be permitted only where a need has been demonstrated and the applicant has provided information sufficient for the mineral planning authority to be satisfied that there would be no significant adverse impacts arising from the development. The policy sets out a number of criteria which, when determining a planning application for minerals development, should be considered in terms of any potential impacts. The criteria in the policy relevant to this planning application are: i) noise, dust and fumes; and x) any other matter relevant to the development.
- 116 Policy MC17 requires mineral working proposals to provide for restoration and post restoration management to a high standard. Sites should be progressively restored or restored at the earliest opportunity with the restoration sympathetic to the character and setting of the wider area and capable of sustaining an appropriate afteruse. For mineral working in the Green Belt afteruses should be appropriate to that designation, these include agriculture, forestry, recreation and nature conservation. For nature conservation afteruses longer term management beyond the standard five year aftercare advised in national policy would be necessary, which the authority would look to secure through legal agreements.
- 117 Tandridge District Council sets out its planning policy requirements for new development in the Tandridge District Core Strategy 2008 (TDCS2008) and Tandridge Local Plan Part 2 Detailed Policies 2014 (TLP2014). At the strategic level, TDSC2008 Policy CSP20 advocates the conservation and enhancement of the natural beauty of the landscape is of primary importance within the Surrey hills AONB and AGLV, reflecting their national and local status. The TDSC2008 adds at Policy CSP21 that the character and distinctiveness of the District's landscapes and countryside will be protected for their own sake and new development will be required to conserve and enhance landscape character.
- 118 The TLP2014 has several relevant policies for specific amenity environmental protection. Policy DP1 (Sustainable Development) of the TLP2014 advocates that planning applications that reflect the presumption in favour of sustainable development contained in the NPPF and accord with policies in the TLP2014 (and, where relevant, with policies in

neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

- 119 Policy DP22 of the TLP2014 sets out the consideration requirements for new development for noise. The Policy DP22 requires that noise generating forms of development or proposals that would affect noise-sensitive development to be accompanied by a statement detailing potential noise generation levels and any mitigation measures proposed (such as restricting activities or hours of operation) to ensure that all noise is reduced to an acceptable level. Where a development proposal is able to demonstrate that acceptable noise levels will be achieved, the application will be supported.
- 120 The TLP2014 DP22 sets out the consideration requirements for new development for noise, light and air quality pollution proposals.
- 121 For Noise the Policy DP22 will require noise generating forms of development or proposals that would affect noise-sensitive development to be accompanied by a statement detailing potential noise generation levels and any mitigation measures proposed (such as containment of the noise generated, screening barriers or restrictive activities/hours of operation) to ensure that all noise is reduced to an acceptable level. Where a development proposal is able to demonstrate that acceptable noise levels will be achieved, the application will be supported.
- 122 For Air Pollution Policy DP22 states development will be permitted provided it would not have an adverse impact on health, the natural or built environment or amenity of existing or proposed uses by virtue of odour, dust and/or other forms of air pollution; or be likely to suffer unacceptable nuisance as a result of proximity to existing sources of odour, dust and/or other forms of air pollution.
- 123 This s73 application is seeking to vary condition 8 to allow an increase in the numbers of daily HGV movements at Mercers South Quarry. The applicant has stated that there are several factors which has led to this proposal, including the need to give greater flexibility in responding to market demands for sand and the availability of inert waste for restoration. In view of the limiting factors, as explained in the highways section above, the increased movements will ensure the timely restoration of the site in accordance with the timescales permitted under the extant planning permissions for the quarry.
- 124 An assessment of the highways implications from the proposal is set out in the Highway section above. This section will assess likely associated impacts of the proposal with regard to environment and amenity impacts.

Noise

- 125 The application has been accompanied by a Noise Addendum to the Environmental Statement and an assessment of the impacts of the proposal in terms of noise and vibration within the supporting Planning Statement.
- 126 The applicant has undertaken additional noise monitoring in September 2019 at three locations, two at and adjacent to Glebe Cottage and a third approximately 10m to the northern edge of the A25, approximately 140m east of the dedicated quarry access off the A25. The applicant states that for the A25 west of the site access the calculated change in road traffic noise level increase would be less than 1 dB LA10, 18 hour. Then for the A25 east of the site access the calculated change in road traffic noise levels would be an increase of less than 0.5 dB LA10, 18 hour. The applicant advises that the Design Manual for Roads and Bridges Guidance describes a noise change of 0.1 to 0.9 dB LA10, 18 hour as negligible. The noise assessment concludes that the mitigation (noise bunds/barriers) set out in Chapter 9.0 of the original ES is sufficient to ensure the site will continue to operate in accordance with the noise level limits imposed under the extant planning

permissions for the site.

- 127 The A25 Action Group have objected to the application stating that no consideration has been taken of the noise and vibration of increased movements on the route from Mercers South Quarry to the M25.
- 128 Neither Tandridge District Council or Reigate and Banstead Borough Council have raised objection to the application. None of the consultees have raised objection to the application on the grounds of noise.
- 129 The County Noise Consultant (CNC) has assessed the applicant's noise assessment. The CNC raised several concerns with the assessment provided, particularly the absence of supporting calculations for the assessment of noise levels for the revised HGV numbers at nearest receptors to the access track, and changes in noise from road traffic on the A25. In response to the concerns raised by the CNC the applicant submitted an updated Noise addendum to the Environmental Statement in February 2020.
- 130 The CNC has advised they still have concerns that issues they previously raised in respect of allowing higher levels of movements on Saturday hadn't been fully assessed. The CNC has therefore recommended this to be addressed by imposing an amendment to the HGV planning condition to pro rata the numbers of HGV movements for the reduced operating hours on Saturdays. The CNC therefore raises no objection to the application subject to conditions.
- 131 Officers therefore consider that the development would not have significant adverse impact on the local environment and amenity in respect of noise and that any impacts can be satisfactorily controlled by condition.

Air Quality

- 132 The application has been accompanied by an Air Quality Assessment produced in October 2019. The application site is not located in or adjacent to an Air Quality Management Area.
- 133 Local action groups and members of the public have objected to the application due to concerns of vehicle emissions from the proposed increase in HGV movements.
- 134 Neither Tandridge District Council or Reigate and Banstead Borough Council have raised objection to the application. None of the consultees have raised objection to the application on the grounds of air quality.
- 135 The County Air Quality Consultant (CAQC) notes the applicant's assessment correctly refers to the 2008 Ambient Air Quality Directive (2008/50/EC) which aims to protect human health and the environment by avoiding, reducing or preventing harmful concentrations of air pollutants. This Directive is transposed into domestic law by the Air Quality Standards (England) Regulations 2010, which in addition incorporates the 4th Air Quality Daughter Directive (2004/107/EC) that sets targets for ambient air concentrations of certain toxic heavy metals (arsenic, cadmium and nickel) and polycyclic aromatic hydrocarbons (PAHs). The CAQC further notes the applicants modelling has been undertaken using Defra's 2019 emission factor toolkit (version 9.0) which draws on emissions generated by the European Environment Agency (EEA) COPERT 5 emission calculation tool. The CAQC advised this is the current source of emission factors for air quality modelling in the UK.
- 136 The CAQC notes that the applicant has concluded that the air quality effects associated with the proposed variation to the condition are not significant. The CAQC commented that they have identified some small inconsistencies in the model verification study; however, they do not consider that this would materially affect the conclusions of the

assessment. Therefore the CAQC agrees with the applicant's conclusion that the air quality effects are unlikely to be significant and therefore raises no objection.

- 137 Officers therefore consider that the development would not have significant adverse impact on the local environment and amenity in respect of air quality and that any impacts can be satisfactorily controlled by condition.

Landscape and Ecology

- 138 Mercers South Quarry lies with the northern boundary adjoining the Surrey Hills Area of Outstanding Natural Beauty (AONB) and potentially visible from the North Downs within the AONB. The eastern most point of the internal access road adjoins the Surrey Hills Area of Great Landscape Value (AGLV) boundary. The quarry also lies within the Holmethorpe Sandpits Complex Site of Nature Conservation Interest (SNCI).
- 139 The applicant states that the original quarry planning permission was supported by a Landscape and Visual Impact Assessment (LVIA) and an approved Landscape and Ecology Management Plan which incorporates landscape mitigation of the quarry providing screening and a landscape setting sensitive to the local landscape character. This included alignment of the internal haul road off the A25 of its entire length, contouring, screen bunds and landscape planting in order to reduce likely visual impact of the access road and HGVs on nearby residents and landscape. The likely landscape and visual impacts were considered acceptable when planning permission TA/2013/1799 was granted in 2014.
- 140 The applicant has assessed the impacts of the proposal with regard to landscape, visual and AONB. The submitted landscape assessment concludes that the increase in HGV movements along the internal haul road and the A25 in the vicinity of the site would have a negligible impact on landscape character and quality, and not alter the conclusions of the original LCIA previously accepted.
- 141 Tandridge District Council has not raised objection to the application. None of the other consultees have objected to the application in regard to landscape and visual impact.
- 142 The County Landscape Officer (CLO) has reviewed the submitted information on landscape in terms of visual amenity and landscape character and the potential for impact from the increase in HGV movements. The CLO raises no concerns with regard to the specific proposal in terms of the local and wider landscape or visual amenity; has commented that internal haul road should be monitored and re-surfaced as necessary as any degradation of the road could lead to noise emission which in turn could impact on the tranquillity of the AONB.
- 143 The Surrey Hills AONB planning adviser (SHAONB) has assessed the application. The SHAONB has commented that the site lies near but outside the Surrey Hills AONB and adjacent to the AGLV. The AONB issue is whether the proposed development would spoil the setting of the AONB by harming public views into or from the AONB. They note the application is to vary a planning condition on planning permission TA/2019/34 to give greater flexibility in vehicle movements in order to respond to market demands for sand and to fluctuations in the availability of restoration material. The SHAONB considers this may allow for an earlier restoration of the site to agriculture with landscape enhancements which would be an AONB benefit. In conclusion the SHAONB has advised that they agree with the applicant's conclusion and that the proposal would have a negligible impact upon landscape character and quality.
- 144 The County Ecologist has commented that they note the original ecological assessment is dated 2013 however does not consider the application covers activities that may have an ecological impact and therefore raises no objection. Natural England has advised that

they have no comments to make on the proposal and therefore raises no objection to the application.

- 145 Officers therefore consider that the development would not have significant adverse impact on the local environment and amenity in respect of landscape and that any impacts can be satisfactorily controlled by condition.

Restoration requirements

- 146 The site is to be restored in stages progressively to agriculture by 31 December 2036, as approved under the existing planning permission (ref: TA/2019/34) granted in August 2014. Furthermore, detailed schemes were approved in respect of a Construction and Environmental Management Plan and Landscape and Ecology Management Plan, which can be carried forward to any new consent through condition. The applicant does not propose any other changes to the operations at the quarry. The proposal is to allow for an increase in the levels of HGV movements which would seek to secure the delivery of progressive restoration of the quarry in accordance with the permitted timescales, which may otherwise slip under the current cap of HGV movements permitted for the quarry.
- 147 Natural England has not raised objection and neither has the County Ecologist objected to the proposed development. None of the other consultees to the application have raised objection to the proposed development. Tandridge District Council has advised they do not object to the proposal and none of the other consultees have raised objection on the grounds of site restoration.
- 148 Officers therefore consider that proposed development will facilitate the timely restoration of the Mercers South Quarry to agriculture by 31 December 2036, as approved under the planning permission (ref. TA/2019/34), which accords with the above development plan policy enabling mineral sites to be progressively restored at the earliest opportunity.

Conclusion Environment and Amenity

- 149 Taking into consideration the advice received and having regard to the above paragraphs, Officers consider that the development would not have significant adverse impact on the local environment and amenity and that any impacts can be satisfactorily controlled by condition. Officers conclude that the proposal is in accordance with relevant Development Plan policies above and Government policy and guidance contained in the NPPF and NPPG with regard to grounds of noise, air quality, landscape, ecology and restoration.

METROPOLITAN GREEN BELT

Surrey Minerals Plan Core Strategy Development Plan Document 2011 (SMP2011)

Policy MC3 Mineral Development in the Green Belt

Policy MC17 Restoring mineral workings

- 150 Mercers South Quarry is located within the Metropolitan Green Belt where policies of restraint apply. National planning policy with regard to Green Belt is set out within the NPPF which, at paragraph 133, states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open: the essential characteristics of the Green Belts are their openness and their permanence. Paragraph 134 then sets out five purposes of the Green Belt. Of these five, the only one directly relevant to this application is the third, pertaining to assist in safeguarding the countryside from encroachment. Green Belt policy guards against inappropriate development. The NPPF states at paragraph 143 that "inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances".
- 151 The NPPF at paragraph 144 requires substantial weight to be given to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm to

the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

- 152 Minerals can only be worked where they are found and a feature of such development is that it is reversible through restoration and a temporary activity. The NPPF at paragraph 146 recognises mineral extraction need not be inappropriate development provided a proposal preserves the openness of the Green Belt and does not conflict with the purposes of including land within Green Belt.
- 153 When determining planning applications paragraph 205 of the NPPF states that local planning authorities should give great weight to the benefits of mineral extraction, and in granting planning permission ensure that there are no unacceptable adverse impacts on the natural or historic environment, human health or aviation safety and provide for restoration and aftercare of mineral workings at the earliest opportunity to be carried out to high environmental standards, through the application of conditions, where necessary.
- 154 SMP2011 Policy MC3 states that 'Mineral extraction in the Green Belt will only be permitted where the highest environmental standards of operation are maintained and the land restored to beneficial after-uses consistent with Green Belt objectives within agreed time limits'. The supporting text at paragraphs 3.45 and 3.47 refer to almost all mineral working in Surrey being in the Green Belt, and the need for restoration and afteruse of mineral workings to be appropriate to the designation and objectives for the use of land in the Green Belt, which include securing nature conservation interest and retaining land in agricultural, forestry and related uses. Policy MC17 requires mineral working proposals to provide for restoration and post restoration management to a high standard. Sites should be progressively restored or restored at the earliest opportunity with the restoration sympathetic to the character and setting of the wider area and capable of sustaining an appropriate afteruse. For mineral working in the Green Belt afteruses should be appropriate to that designation, these include agriculture, forestry, recreation and nature conservation.
- 155 Given the site's Green Belt location it is necessary to consider whether the proposed development would maintain high environmental standards during operation and whether the restoration of the site can be achieved to a good standard and will provide an acceptable afteruse consistent with Green Belt objectives. Additionally in accordance with paragraph 146 of the NPPF, it is relevant to consider whether the proposal would preserve the openness of the Green Belt and not conflict with any of the purposes of including land within it.
- 156 The applicant states that the application does not propose to alter the operations permitted at the quarry or the timescales for completing the development. The permission is sought to allow for an increase in the levels of permitted HGV movements which would seek to secure the delivery of progressive working and restoration of the quarry in accordance with the permitted timescales. The proposal does not increase the size of the operational area so there is no further encroachment in to the Green Belt.
- 157 Much of the consideration of whether high environmental standards could be maintained and whether an appropriate and acceptable restoration can be achieved has already been demonstrated in the sections above.
- 158 The application site falls within the Mercers Farm preferred area in the SMP2011 and allocated for sand extraction. The greatest potential adverse effect from the increase in HGV movements on openness of the Green Belt is moving vehicles on the internal haul road. The existing quarry includes landscape mitigation provided for screen bunds, contouring and landscape planting which would screen the impact of the increased HGV movements whilst the site was operational.

- 159 There is no increase in the size of the quarry or the time working nor would there be any new infrastructure on the site increasing the built development therefore the harm to the visual amenity of the Green Belt is no greater than that considered as part of the 2013 permission. As such, Officers consider that there would be no permanent spatial or visual impact on the Green Belt.
- 160 Officers consider there is no reason to believe that the site could not be well restored to the proposed after-uses, which are uses consistent with Green Belt objectives and acknowledge that given the development will be temporary it will therefore preserve the openness of the Green Belt. The need for the sand has already been established through the granting of planning permission ref: TA/2013/1799 and that high environmental standards would be achieved and that the site will be well restored.
- 161 Officers are therefore satisfied that the proposed development is not inappropriate development in the Green Belt, and does not conflict with the purposes of including land within it, as such the proposed development accords with the Development Plan and national policy in the NPPF with regard to Green Belt policy.

HUMAN RIGHTS IMPLICATIONS

- 162 The Human Rights Act Guidance for Interpretation, contained in the Preamble to the Agenda is expressly incorporated into this report and must be read in conjunction with the following paragraph.
- 163 It is recognised within the Officers report that there would be some impacts from the proposed development, however it is the Officers view that the potential impacts of increasing the daily HGV movements are not considered sufficient to engage Article 8 or Article 1 and that potential impact can be mitigated by the imposition of planning conditions. As such, this proposal is not considered to interfere with any Convention right.

CONCLUSION

- 164 The application is seeking a variation to Condition 8 of planning permission ref: TA/2017/2346 dated 23 April 2018 so as to allow an increase in the numbers of HGV movements at Mercers South Quarry. The applicant states that the reason for seeking the increase in vehicle movements is that they require necessary flexibility to be able to respond to seasonal and operational fluctuations and to react swiftly during peaks in the availability of restoration material, and to secure delivery of the progressive restoration of Mercers South Quarry in accordance with permitted timescales. As part of the original quarry application the applicant predicted HGV movements over the life of the quarry/landfill. It was originally predicted that sand extraction would be at a rate of 250,000 tonnes per year which remains unchanged. In respect of inert infill it was predicted this would involve a fill rate of 180,000 tonnes per annum however the applicants states that due to the denser material it is predicted fill rate to fill the quarry between 2020 to completion in 2036 would require 302,000 tonnes of inert waste per year, requiring an additional 122, 000 tonnes per annum over the original predicted annual fill rate. In addition the applicant states that there have been changes to the types of HGVs that access the site now have a smaller payload capacity and therefore the combination of these factors have given rise to the proposed increase in daily HGV movements being sought.
- 165 The application site is located in the Metropolitan Green Belt where mineral related development need not be inappropriate development provided that high environmental standards are maintained and the site is well restored and they preserve openness and do not conflict with the purposes of the Green Belt. Minerals can only be worked where they are found.

- 166 Objections on the application have been received from Bletchingley Parish Council, Godstone Parish Council, local amenity groups, and members of the public. The objectors have raised concern regarding any increase in HGV movements on the A25 in respect of congestion, potential impacts on the condition of the road surface, road safety issues, and air pollution. Objectors also consider that the need for increasing the daily HGV movements had not been demonstrated and that the availability of fill material would sufficiently be covered the existing daily HGV movement limit of a maximum of 240 HGV movements on a single day.
- 167 No objections have been received on the application from the technical consultees, Tandridge District Council or Reigate and Banstead Borough Council. Where considered necessary some technical consultees have recommended appropriate planning conditions.
- 168 The concerns raised are acknowledged, however Officers consider that as the County Highway Authority is satisfied with the application, and taking into account the responses of technical consultees, the proposed increase in HGV numbers would not cause significant adverse impact on the local highway network, the environment or on amenity.
- 169 Officers consider there is no reason to believe that high environmental standards cannot be maintained during the operation, extraction and progressive restoration of the site. Consideration has been given to whether any adverse environmental impacts can be suitably mitigated and Officers consider that the existing planning conditions relating to the protection of the environment are suitable to be carried forward to a new consent.
- 170 Government advice recognises that minerals may only be worked where they occur and that provided that high environmental standards are maintained and the site well restored, planning permission can be granted. Officers recognise that the site at Mercers South Quarry is an identified site in the Surrey Minerals Plan 2011. Given the temporary and reversible nature of the development, the proposal will preserve the openness of the Green Belt. Officers are therefore satisfied that the proposed development is not inappropriate development in the Green Belt, and does not conflict with the purposes of including land within it, as such the proposed development accords with the Development Plan and national policy in the NPPF with regard to Green Belt policy. Officers also consider that proposal as the proposal will have a negligible impact upon landscape character and quality, this will not adversely impact on the adjacent AONB and AGLV.
- 171 On the basis of the responses received from technical consultees and in assessing national policy and development plan policy, Officers consider that with the imposition of appropriate conditions where necessary, the proposed increase in HGV movements at Mercers South Quarry would not give rise to significant or unacceptable environmental or amenity impacts and can be permitted subject to conditions.

RECOMMENDATION

The recommendation is to PERMIT subject to the following conditions.

Conditions:

Approved Documents

1. The development hereby approved shall be carried out in all respects in accordance with the following plans/drawings:
 - Figure 1 Site Location dated 8 March 2013
 - Figure 2 Site Plan dated 29 July 2013
 - Figure 3 Rights of Way and Utilities Plan dated 26 July 2013
 - Figure 4 Proposed Interim Screening and Material Storage dated 18 July 2013

- Figure 5 Proposed Overall Phasing Plan dated 18 July 2013
- Figure 6 Indicative Quarry Phasing Year 4 dated 18 July 2013
- Figure 7 Indicative Quarry Phasing Year 8 dated 18 July 2013
- Figure 8 Indicative Quarry Phasing Year 12 dated 18 July 2013
- Figure 9 Indicative Quarry Phasing Year 16 dated 18 July 2013
- Figure 10-1 As Permitted Site Layout dated September 2018
- Figure 10-2 As Built Site Layout dated September 2018
- Figure 10-3 As Permitted and As Built Site Layout dated September 2018
- Figure 10-4 Proposed Site Layout dated September 2018
- Figure 14 Proposed Restoration Plan - Quarry Area dated 13 August 2013
- Figure 15 Proposed Restoration plan – Access dated 13 August 2013
- LMSL/16/JJF/MC/6 Landscape Proposals Years 1-8 (Year 4) dated June 2014
- LMSL/16/JJF/MC/7 rev B Landscape Proposals Years 8-16 (Year 12) dated June 2014
- LMSL/16/JJF/MC/7B Indicative Sections Year 4 dated March 2014
- LMSL/16/JJF/MC/7A Indicative Sections Year 8 dated March 2014
- LMSL/16/JJF/MC/7C Indicative Sections Year 12 dated March 2014
- LMSL/18/JJF/MC/3 Mitigation Drawing dated March 2014
- LMSL/16/JJF/MC/8 rev B Access Road – Landscape Proposals dated June 2014
- LMSL/16/JJF/MC/9 Final Site Restoration dated March 2014
- LMSL/16/JJF/MC/10 rev A Access Road - Landscape Restoration dated June 2014
- LMSL/17/JJF/MC/G C/1 rev A Landform Proposals for Access Road near Glebe Cottage dated June 2014
- LMSL/18/JJF/MC/2 rev B Access Road Contour Plan dated June 2014
- LMSL/18/JJF/GC/4 Glebe Cottage – Landscape Details dated June 2014
- Figure T9 Proposed Access off the A25 dated 16 April 2013.

Time Limits

2. The extraction and transport of indigenous minerals shall cease by 31 December 2031 thereafter the site shall continue to be infilled with inert waste until 31 December 2035. The restoration of the site shall be completed by 31 December 2036 by which date all buildings, fixed plant or machinery, internal access roads and hardstandings, together with their foundations and bases, shall be removed from the land and the site shall be restored to a condition suitable for agriculture in accordance with the approved restoration plans.

Hours of Operation

3. Except in emergencies to maintain safe site operations which shall be notified to the County Planning Authority as soon as practicable, no lights shall be illuminated (other than PIR security lighting) nor shall any operations or activities authorised or required by this permission be carried out except between the following times:

0700 - 1800 hours Monday to Friday
0700 - 1300 hours Saturdays

Notwithstanding this the formation of the screen bunds around the site and their subsequent removal when required for restoration, shall only be carried out between: - 0800 – 1600 hours Monday to Friday and 0900 – 1300 hours Saturdays there shall be no working on Sundays, Public Holidays, Bank Holidays or National Holidays.

Limitations

4. Notwithstanding any provision to the contrary under Part 17 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any subsequent Order,

- (a) no plant, building or machinery whether fixed or moveable other than those permitted by this application, shall be erected on the application site;
 - (b) no lights other than those permitted by this application shall be installed or erected at the application site.
5. The fill material shall be limited to non-hazardous low biodegradable fill, the fill material shall have an organic content of no greater than 10%.

Access and Highway Protection

6. The site vehicular access to the A25 Bletchingley Road shall be permanently maintained with visibility zones in general accordance with the scheme shown on approved drawing Figure T9 - Proposed Access off the A25 dated 16 April 2013. The visibility zones shall be kept permanently clear of any obstruction to the satisfaction of the County Planning Authority.
7. The means of access to the development for HGVs associated with the extraction of sand and the import of inert waste materials at Mercers South shall be via the site vehicular access from the A25 Bletchingley Road only. There shall be no means of access to the site for HGVs via Cormongers Lane and Nutfield Marsh Road.
8. The number of HGV movements associated with the extraction of sand and the import of inert waste materials at the Mercers South site, shall be restricted as follows:
- No more than an average of 300 HGV movements per day Monday to Friday, not exceeding 350 movements on any single day;
 - No more than an average of 150 HGV movements per day on Saturdays, not exceeding 240 movements on any single day;

The site operator shall maintain accurate records of the number of HGV vehicles accessing and egressing the site daily and shall make these available to the County Planning Authority on request.

9. Facilities shall be provided as shown on Figure 10-4 Proposed Site Layout dated September 2018 in order that the operator can make all reasonable efforts to keep the public highway clean and prevent the creation of a dangerous surface on the public highway.

Rights of Way

10. Safeguards shall be maintained to protect persons using the approved diverted Public Footpath 173, and Public Footpaths 175 and 188 so that the route is safe and unobstructed for the public to use at all time; such protection to include suitable surfacing in the event of drainage run-off from proposed bunding; and signage for the crossing points on Footpaths 175 and 188.
11. Within three months of the completion of the restoration of the site, Public Footpath 173 is to be re-instated to its original line as shown on the approved restoration plans and to an appropriate standard and specification.

Surface and Groundwater Protection

12. The development hereby permitted shall be carried out in accordance with the Operational Flood and Drainage Management Plan dated March 2015, as approved by the County Planning Authority by decision dated 18 June 2015 under permission ref: TA/2013/1799.

13. The development hereby permitted shall only be carried out in accordance with the findings of the Flood Risk Assessment (FRA) undertaken by URS dated July 2013 approved under permission ref: TA/2013/1799 dated 12 August 2014. The mitigation measures within the FRA shall be fully implemented in accordance with the timing / phasing arrangements for the duration of the development hereby permitted.
14. The development hereby permitted shall be carried out in accordance with the discharge arrangements from the site to Brewers Brook and Warners Brook submitted pursuant to Condition 15 of planning permission ref. TA/2013/1799 dated 12 August 2014 and approved by the County Planning Authority by decision dated 11 December 2015 under permission ref: TA/2013/1799.
15. The development hereby permitted shall be carried out in accordance with the Long Term Water Management and Monitoring Plan dated March 2015 as approved by the County Planning Authority by decision dated 18 June 2015 under permission ref: TA/2013/1799. The reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by County Planning Authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports.
16. Any facilities for the storage of chemicals and fuels shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall be submitted to the County Planning Authority for approval. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to 110% of the capacity of the largest tank, or 25% of the total combined capacity of the interconnected tanks whichever is the greatest. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Noise

17. When measured at, or recalculated as at, a height of 1.2 m at least 3.5 m from a noise sensitive building, the level of noise emitted as a result of any activity or operation at the site and associated with the development hereby permitted shall not exceed 55 LAeq for any 0.5 hour period.
18. During the period of essential site preparation and bund construction the level of noise arising from such construction, when measured or recalculated as at, a point at least 3.5 m from any noise sensitive property during any 0.5 hour period shall not exceed 70 LAeq between 0800 to 1600 hours Monday to Friday and 65 LAeq from 0900 to 1300 on Saturdays. No bund construction work shall be carried out outside these times.
19. All plant and company owned HGVs operating at the site shall be fitted with reversing alarms which do not emit a warning noise that could have an adverse impact on residential amenity.

Dust

20. The development hereby permitted shall be carried out in accordance with the Dust Action Plan (DAP) and Dust Monitoring Scheme (DMS) (v1RevSCC) dated July 2015, as approved by the County Planning Authority by decision dated 11 September 2015 under permission ref: TA/2013/1799.
21. No activity hereby permitted shall emit dust, which causes a nuisance beyond the boundaries of the site, due to either inappropriate working or adverse weather conditions.

If such an emission should occur appropriate (good practice) measures shall be taken to abate the problem, but if unsuccessful the activity shall be suspended until it can be resumed without causing emission as a result of different methods of working, the addition of additional dust suppression measures or changed weather conditions.

Archaeology

22. The development hereby permitted shall be carried out in accordance with the Written Scheme of Investigation for Archaeological Monitoring and Excavation dated 10 July 2015 as approved as approved by the County Planning Authority by decision dated 19 November 2015 under permission ref: TA/2013/1799.

Soil Movement and Placement

23. All topsoil, subsoil, and soil forming material shall be retained on site. The handling of soils shall be in accordance with Sheets 1-4 of Defra's 'Good Practice Guide for Handling Soils' and the submitted 'Soils Handling Programme' (Appendix S3, Environmental Statement Chapter 10 – Soils and Agricultural Land Classification).

Restoration, Landscaping and Ecology

24. The restoration of the site shall be carried out in stages, progressively as the extraction proceeds in accordance with the approved Indicative Quarry Phasing Plans (Figure 6 Indicative Quarry Phasing Year 4, Figure 7 Indicative Quarry Phasing Year 8, Figure 8 Indicative Quarry Phasing Year 12, and Figure 9 Indicative Quarry Phasing Year 16, all dated 18 July 2013) and the approved Restoration Plans for the Quarry Area and Access (Figure 14 Proposed Restoration Plan - Quarry Area and Figure 15 Proposed Restoration plan – Access, both dated 13 August 2013).
25. The landscape works as shown in the approved drawings listed in Condition 1 above shall be undertaken in accordance with the Outline Landscape Management Plan dated June 2014 approved under planning permission ref: TA/2013/1799 dated 12 August 2014.
26. The development hereby permitted shall be carried out in accordance with the Construction Environmental Management Plan (CEMP) dated April 2015 as approved by the County Planning Authority on 30 June 2015.
27. No works to trees or adjacent to trees in Phases 3 and 4 (western half of site) as identified in the Arboricultural Implications Report dated March 2013 (Environmental Statement Chapter 5 – Appendix 1) approved under planning permission ref: TA/2013/1799 dated 12 August 2014 shall be undertaken before the submission and approval by the County Planning Authority of an arboricultural report and bat assessment.
28. The development hereby permitted shall be carried out in accordance the Landscape and Ecology Management Plan submitted pursuant to Condition 29 of planning permission reference TA/2013/1799 dated 12 August 2014 and approved by the County Planning Authority by decision dated 24 June 2016 under permission ref: TA/2013/1799.

Reasons:

1. For the avoidance of doubt and in the interests of proper planning.
2. To enable the County Planning Authority to exercise planning control over the operation so as to minimise the impact on local amenity and to ensure the prompt and effective restoration to comply with Schedule 5 paragraph 1 of the Town and Country Planning Act 1990 and Surrey Minerals Plan 2011 Core Strategy Policy MC17.

3. To enable the County Planning Authority to exercise planning control over the development so as to minimise disturbance and avoid nuisance to the locality, to safeguard the environment and protect the amenities of local residents in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14; the Tandridge District Core Strategy 2008 Policy CSP15 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP7.
4. To safeguard the environment and protect the amenities of the locality in accordance with the terms of Surrey Minerals Plan 2011 Core Strategy Policies MC3 and MC14, and Surrey Waste Plan 2008 Policy DC3.
5. To accord with the Non-Material Amendment to planning permission ref: TA/2013/1799, enabling a change in the infill material, and to enable the County Planning Authority to exercise planning control and to safeguard the environment and local amenity in accordance with the Surrey Minerals Plan 2011 Core Strategy Policy MC14.
6. To enable the County Planning Authority to exercise planning control over the operation so as to minimise the impact on local amenity and to ensure the prompt and effective restoration to comply with Schedule 5 paragraph 1 of the Town and Country Planning Act 1990, Surrey Minerals Plan 2011 Core Strategy Policy MC17 and Surrey Waste Plan 2008 Policy DC3; and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP5.
7. In order that the development should not prejudice highway safety nor cause inconvenience to other road users in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC15; Surrey Waste Plan 2008 Policy DC3; the Tandridge District Core Strategy 2008 Policy CSP12 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP5.
8. In order that the development should not prejudice highway safety nor cause inconvenience to other road users in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC15; Surrey Waste Plan 2008 Policy DC3; the Tandridge District Core Strategy 2008 Policy CSP12 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP5.
9. In order that the development should not prejudice highway safety nor cause inconvenience to other road users in accordance with Surrey Minerals Plan 2011 Core Strategy Policy MC15; Surrey Waste Plan 2008 Policy DC3; the Tandridge District Core Strategy 2008 Policy CSP12 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP5.
10. To protect the route of the public footpaths and bridleways and the amenities of the users and comply with Surrey Minerals Plan 2011 Core Strategy Policy MC14, Surrey Waste Plan 2008 Policy DC3 and Tandridge District Core Strategy 2008 Policy CSP13.
11. To protect the route of the public footpaths and bridleways and the amenities of the users and comply with Surrey Minerals Plan 2011 Core Strategy Policy MC14, Surrey Waste Plan 2008 Policy DC3 and Tandridge District Core Strategy 2008 Policy CSP13.
12. In accordance with paragraph 163 of the National Planning Policy Framework (NPPF) 2019 to ensure that that flood risk is not increased onsite or elsewhere; Surrey Minerals Plan 2011 Core Strategy Policy MC14; Surrey Waste Plan 2008 Policy DC3 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP21.
13. In accordance with paragraph 163 of the National Planning Policy Framework (NPPF) 2019 to ensure that that flood risk is not increased onsite or elsewhere; Surrey Minerals Plan 2011 Core Strategy Policy MC14; Surrey Waste Plan 2008 Policy DC3 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP21.

14. To clarify the dewatering proposals and ensure the ecological opportunities on site are maximised and that there is no deterioration to water dependent wildlife habitats in accordance with paragraph 170 of the National Planning Policy Framework (NPPF) 2019 and in conjunction with the European Water Framework Directive (WFD); Surrey Minerals Plan 2011 Core Strategy Policy MC14 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP21.
15. To ensure that the proposed development will not have a significant adverse impact on water quality or water resources in accordance with paragraphs 163 and 170 of the National Planning Policy Framework (NPPF) 2019, Water Framework Directive (WFD); Surrey Minerals Plan 2011 Core Strategy Policy MC14 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP21.
16. To protect groundwater from contaminants and pollution in accordance with paragraph 170 of the National Planning Policy Framework (NPPF) 2019; Surrey Minerals Plan 2011 Core Strategy Policy MC14; Surrey Waste Plan 2008 Policy DC3 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP21.
17. To enable the County Planning Authority to exercise planning control over the development so as to minimise disturbance and avoid nuisance to the locality, to safeguard the environment and protect the amenities of local residents in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14; Surrey Waste Plan 2008 Policy DC3; the Tandridge District Core Strategy 2008 Policy CSP15 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP22.
18. To enable the County Planning Authority to exercise planning control over the development so as to minimise disturbance and avoid nuisance to the locality, to safeguard the environment and protect the amenities of local residents in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14; Surrey Waste Plan 2008 Policy DC3; the Tandridge District Core Strategy 2008 Policy CSP15 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP22.
19. To enable the County Planning Authority to exercise planning control over the development so as to minimise disturbance and avoid nuisance to the locality, to safeguard the environment and protect the amenities of local residents in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14; Surrey Waste Plan 2008 Policy DC3; the Tandridge District Core Strategy 2008 Policy CSP15 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP2.
20. To enable the County Planning Authority to exercise planning control over the development so as to minimise disturbance and avoid nuisance to the locality, to safeguard the environment and protect the amenities of local residents in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14; Surrey Waste Plan 2008 Policy DC3; the Tandridge District Core Strategy 2008 Policy CSP15 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP22.
21. To enable the County Planning Authority to exercise planning control over the development so as to minimise disturbance and avoid nuisance to the locality, to safeguard the environment and protect the amenities of local residents in accordance with the terms of the Surrey Minerals Plan 2011 Core Strategy Policy MC14; Surrey Waste Plan 2008 Policy DC3; the Tandridge District Core Strategy 2008 Policy CSP15 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP22.
22. To afford the County Planning Authority a reasonable opportunity to examine any remains of archaeological interest which are unearthed and decide on any action required for the preservation or recording of such remains in accordance with the terms

of the Surrey Minerals Plan 2011 Core Strategy Policy MC14; Surrey Waste Plan 2008 Policy DC3 and Tandridge Local Plan 2014 Part 2: Detailed Policies Policy DP20.

23. To prevent loss or damage of soil and to ensure that the land is restored to a condition capable of beneficial afteruse to comply with the Surrey Minerals Plan 2011 Core Strategy Policies MC14 and MC17.
24. To secure restoration to the required standard and enhance biodiversity in accordance with the Surrey Minerals Plan 2011 Core Strategy Policies MC17 and MC18; Surrey Waste Plan 2008 Policy WD7 and Tandridge District Core Strategy 2008 Policy CSP17.
25. To secure restoration to the required standard and enhance biodiversity in accordance with the Surrey Minerals Plan 2011 Core Strategy Policies MC17 and MC18; Surrey Waste Plan 2008 Policy WD7 and Tandridge District Core Strategy 2008 Policy CSP17.
26. To secure protect and enhance biodiversity in accordance with Surrey Minerals Plan 2011 Core Strategy Policies MC14 and MC18; and Tandridge District Core Strategy 2008 Policy CSP17.
27. To secure protect and enhance biodiversity in accordance with Surrey Minerals Plan 2011 Core Strategy Policies MC14 and MC18; and Tandridge District Core Strategy 2008 Policy CSP17.
28. To secure restoration and assist in absorbing the site back into the local landscape as soon as practical to accord with Surrey Minerals Plan 2011 Core Strategy Policies MC3, MC14 and MC17; and Tandridge District Core Strategy 2008 Policies CSP20 and CSP21.

Informatives:

1. The permission hereby granted shall not be construed as authority to carry out works on the highway or any works that may affect a drainage channel/culvert or water course. The applicant is advised that a Section 278 agreement must be entered into with the County Council before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway, in association with the construction of the proposed vehicular access to the A25. The applicant is also advised that Consent may be required under Section 23 of the Land Drainage Act 1991. Please see: www.surreycc.gov.uk/people-and-community/emergency-planning-and-communitysafety/flooding-advice
2. 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).
3. The development permitted under ref. TA/2013/1799 dated 12 August 2014 was the subject of a Non-Material Amendment (NMA) dated 14 September 2018 amending the type of infill waste material that would be used to infill the quarry areas from inert waste to non-hazardous waste. Condition 5 (above) has been added to the development hereby permitted to reflect that amendment and condition.
4. An Environmental Permit from Environment Agency will be required when the quarry is to be infilled with imported waste materials to achieve the restoration identified in the planning application hereby permitted. Information on Environmental Permits can be obtained from the following website: <https://www.gov.uk/topic/environmental-management/environmental-permits>

5. The applicant will require written consent from the Environment Agency in order to discharge effluent resulting from dewatering activities.
6. Attention is drawn to the requirements of Sections 7 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the Code of Practice for Access of the Disabled to Buildings (British Standards Institution Code of Practice BS 8300:2009) or any prescribed document replacing that code.
7. In determining this application the County Planning Authority has worked positively and proactively with the applicant by: assessing the proposals against relevant Development Plan policies and the National Planning Policy Framework including its associated planning practice guidance and European Regulations, providing feedback to the applicant where appropriate. Further, the County Planning Authority has: identified all material considerations; forwarded consultation responses to the applicant; considered representations from interested parties; liaised with consultees and the applicant to resolve identified issues. Issues of concern have been raised with the applicant including impacts of and on noise and addressed through negotiation and acceptable amendments to the proposals. This approach has been in accordance with the requirements of paragraph 38 of the National Planning Policy Framework 2019.

CONTACT

Duncan Evans

TEL. NO.

0208 541 9094

BACKGROUND PAPERS

The deposited application documents and plans, including those amending or clarifying the proposal, responses to consultations and representations received as referred to in the report and included in the application file

For this application the deposited application documents and plans, and responses to consultations, are available to view on [our online planning register](#). The representatives received area publically available to view on the district/borough planning register. The [Tandridge District Council planning register](#) entry for this application can be found under Mercers South Quarry.

OTHER DOCUMENTS

The following documents were also referred to in the preparation of this report:

Government Guidance

[National Planning Policy Framework](#)
[Planning Practice Guidance](#)

The Development Plan

[Surrey Waste Plan 2008](#)
[Surrey Minerals Plan Core Strategy Development Plan Document \(DPD\) 2011](#)
[Tandridge District Core Strategy 2008](#)
[Tandridge Local Plan Part 2: Detailed Policies 2014](#)

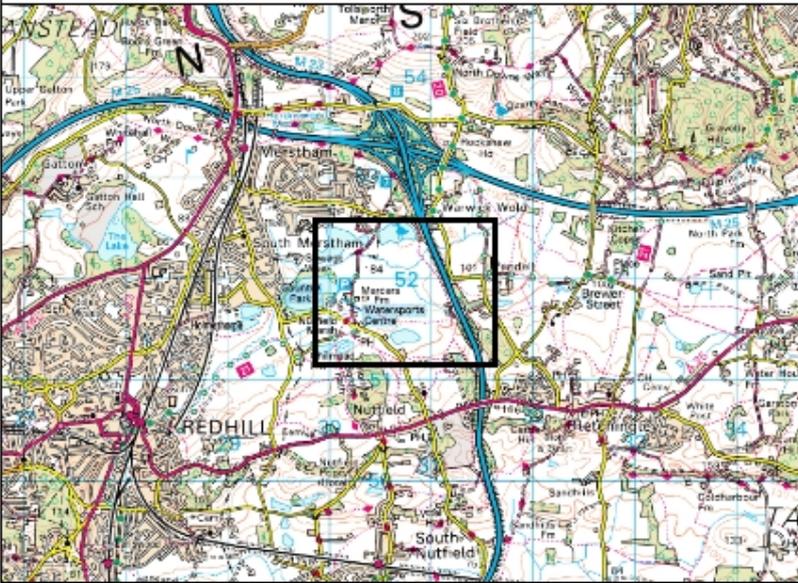
Documents

Planning application reference TA/2017/2346, the deposited plans and documents, and the associated officer report (dated 11 April 2018) and decision notice (dated 23 April 2018); planning application reference TA/2013/1799, the deposited plans and documents, and the associated officer report (dated 30 July 2014) and decision notice (dated 12 August 2014)

documents; non-material amendment application TA/2013/1799 the deposited plan and documents, and the associated officer report (14 September 2018) and decision notice (dated 14 September 2018); and planning application TA/2019/34, the deposited plans and documents, and the associated officer report (dated March 2019) and decision notice (dated 6 June 2019).

Site Location:

Mercers South Quarry, Bletchingley Road, Nutfield, Surrey RH1 4EU



The extraction and screening of approximately 250,000 tonnes of sand from an area of 1.57ha, as an extension to the phasing within the existing Mercers South Quarry, with progressive restoration to agriculture using inert waste materials without compliance with Condition 8 of planning permission ref: TA/2017/2346 dated 23 April 2018 so as to allow revision to the numbers of HGV movements.

Application numbers:

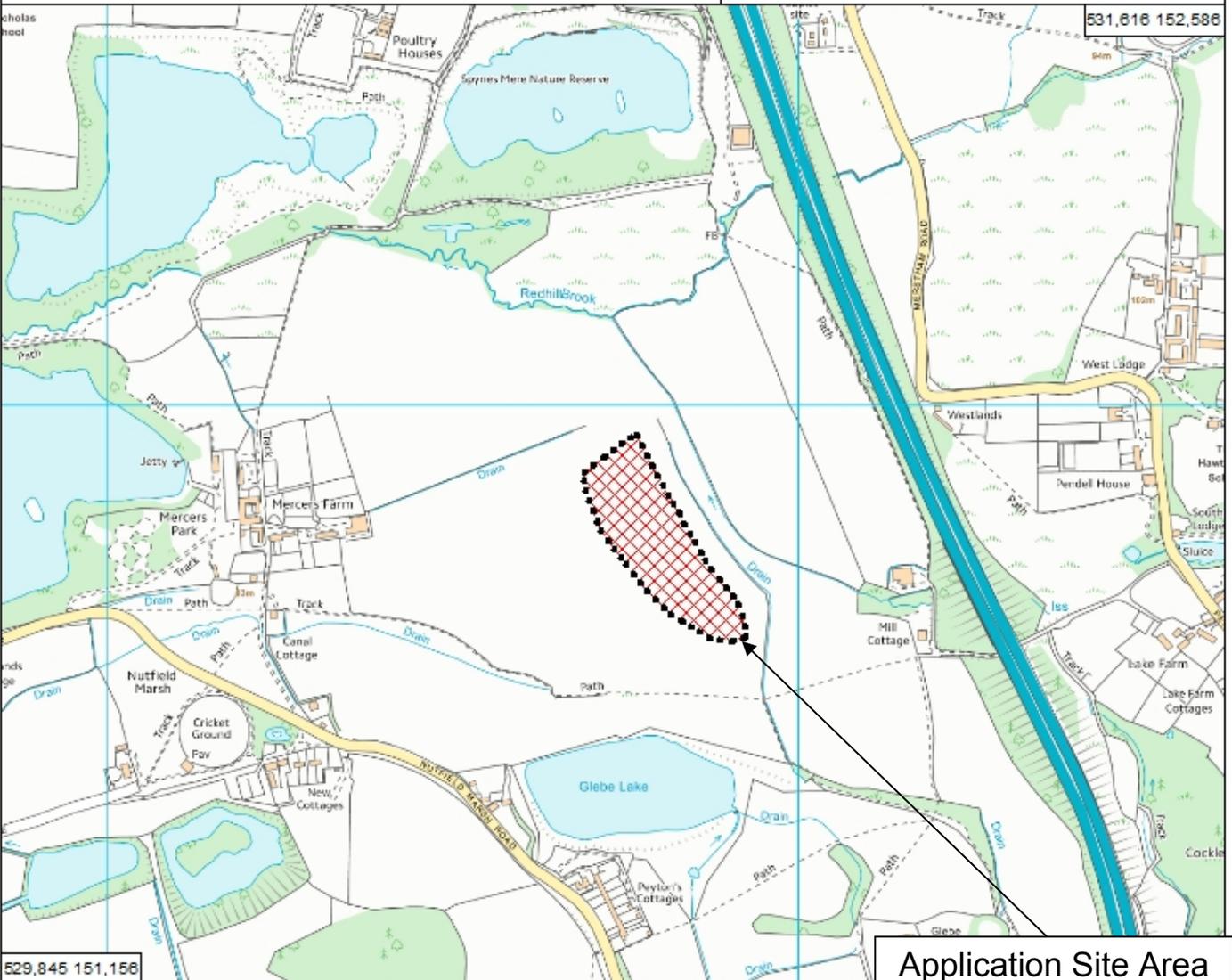
TA/2019/2149,

Electoral divisions:

13872,

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Note: This plan is for indicative purposes only



Application Site Area



Ref No:

SCC REF 2019/0189

0 0.3 0.6 Km



Scale: **1:9227**

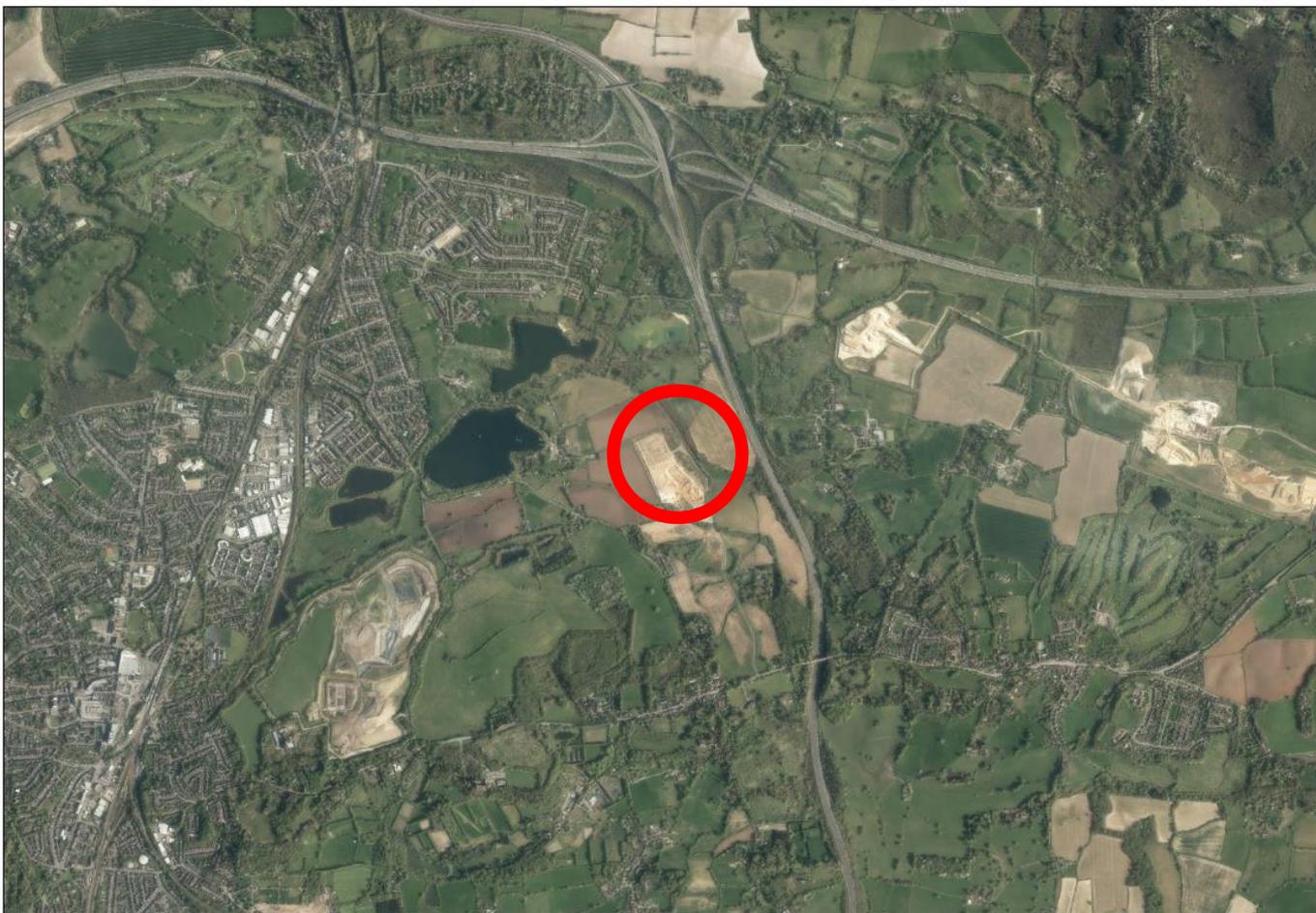
Printed on: 15/06/2020

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2018 Aerial Photos



Aerial 1 : Mercers South Quarry, Bletchingley Road, Nutfield



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2018 Aerial Photos

Aerial 2 : Mercers South Quarry, Bletchingley Road, Nutfield





Figure 1 – Existing site access viewing east towards Bletchingley



Figure 2 – Existing site access viewing west towards Nutfield



Figure 3 – Internal haul road viewing site access with A25



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TO: PLANNING & REGULATORY COMMITTEE **DATE:** 3 September 2020
BY: PLANNING DEVELOPMENT MANAGER
DISTRICT(S) REIGATE & BANSTEAD BOROUGH **ELECTORAL DIVISION(S):**
COUNCIL **Redhill West and Meadvale**
Mrs Bramhall
CASE OFFICER:
James Nolan

PURPOSE: FOR DECISION **GRID REF:** 527718 150488

TITLE: SURREY COUNTY COUNCIL PROPOSAL RE20/01205/CON

SUMMARY REPORT

Longmead Adult Education Centre, Holland Close, Redhill, Surrey RH1 1HT

Temporary erection of a prefabricated Modular Unit, polytunnel and cabin (D1 use), and the provision of car parking.

The site known as Longmead Adult Education Centre is directly to the west of Redhill town centre, with residential properties immediately east & south, an office building to the north and Fairfax Avenue Playground & Ball Games Area to the west. The site lies within the urban area and there are a small number of listed buildings within 400m.

Longmead Adult Education Centre is an early 20th Century Edwardian three-storey former school building, for which Prior Approval to demolish was granted in 2019. This demolition has commenced and is due to be completed by mid-September 2020. This application is therefore concerned solely with the use of the resultant cleared and levelled site.

The proposal the subject of this application would facilitate a temporary move of Surrey Choices adult social care services from Colebrook Day Centre in north-eastern Redhill for a maximum period of five years, while that site is redeveloped. This application includes a modular building, polytunnel for an activity garden, log cabin, bin storage area, fencing, signage, and replacement access gates. The application also includes retaining provision of vehicle parking spaces for users of the adjacent Consort House offices, which continued at the site until the beginning of the recent building demolition works.

Issues to be considered as part of this application include the principle of the development; design & visual amenity; impact on residential amenity; and, highway considerations. Officers consider that the proposal is acceptable, subject to planning conditions, having regard to the relevant development plan policies which are set out in detail in the report, and that the temporary nature of this proposal would not prejudice the ability of the application site to be redeveloped in the future.

The recommendation is to grant planning permission for a temporary period of five years, subject to conditions.

APPLICATION DETAILS

Applicant

SCC Property

Date application valid

12 June 2020

Period for Determination

7 August 2020 – extended to 25 September 2020 on agreement with agent.

Amending Documents

- 18/06/20 Email from Agent with Amending Info
- 18/06/20 CladEx-Brochure.pdf
- 23/07/20 Agent Clarification email_Redacted
- 28/07/20 Email from Agent
- 03/08/20 Q&A's.pdf

SUMMARY OF PLANNING ISSUES

This section identifies and summarises the main planning issues in the report. The full text should be considered before the meeting.

	Is this aspect of the proposal in accordance with the development plan?	Paragraphs in the report where this has been discussed
PRINCIPLE	Yes	31-42
DESIGN AND VISUAL AMENITY	Yes	43-49
IMPACT ON RESIDENTIAL AMENITY	Yes	50-64
HIGHWAY CONSIDERATIONS	Yes	65-79

ILLUSTRATIVE MATERIAL

Site Plan

Proposed New Site Layout

Aerial Photographs

Aerials 1 and 2

Site Photographs

- Photo 1 Southern façade of Longmead Adult Education Centre, taken looking north-eastwards along Holland Close towards the south-western corner of the Belfry Centre, dated 29 July 2020.
 - Photo 2 Southern façade of Longmead Adult Education Centre, dated 29 July 2020.
 - Photo 3 South-western access to the application site, dated 29 July 2020.
 - Photo 4 South-eastern access to the application site, dated 29 July 2020.
 - Photo 5 Perimeter wall along southern boundary of the application site, which is to be retained as part of this application, taken looking south-westwards, dated 29 July 2020.
 - Photo 6 South-eastern corner of perimeter wall, behind which the bin store is proposed to be located, dated 29 July 2020.
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BACKGROUND

Site Description

1. The site known as Longmead Adult Education Centre is located towards eastern Surrey, some 250m west of the A23 Brighton Road, just beyond which runs the Brighton Main Line railway, and approximately 3km south of the M25. The site is located within the urban area, directly to the west of the boundary of Redhill town centre, and access to the site is gained from Holland Close. There are a small number of residential properties immediately to the east & south of the application site, with an office building bordering to the north and Fairfax Avenue Playground & Ball Games Area to the west.
2. At the time of writing this report, the 0.22ha site consists of a largely demolished, early 20th Century Edwardian three-storey former school building surrounded by car parking, and some ancillary outbuildings. The main building was most recently occupied in 2007 as part of Longmead Adult Education Centre, but has remained unused since. The surrounding car parking areas have continued to be used by Surrey County Council staff working at the nearby Consort House.
3. There are no trees, shrubbery or foliage within the application site, and the site is not located within a Conservation Area or near any sites of special architectural importance. However, there are a number of listed buildings within close proximity, including:
 - Baptist Chapel (Grade 2), 200m to the north-east of the site
 - Ferngates House (Grade 2*), 310m to the west of the site
 - White Lion Public House (Grade 2), 342m to the south-west of the site
 - 10 White Post Hill (Grade 2), 382m to the south-west of the site
 - 73 and 73A Linkfield Street (Grade 2), 388m to the south-west of the site.

Planning History

4. Due to the age of the buildings within the application site, there is limited planning history available. However, Prior Approval was granted by Surrey County Council for the demolition of the main former school building in 2019, under ref: 19/01119/CON (SCC Ref 2019/0093), as it has been subject to vandalism and is in a state of disrepair and dereliction.

5. The process of demolishing the main former school building within the site was originally commenced in May 2020, but was paused while an application to 'list' the building was considered by Historic England. This application was refused on 2 July 2020, as it was considered that the building did not have the architectural and historic interest to merit listing it in a national context.
6. The demolition was thereafter recommenced on 13 July 2020 and has been substantially completed at the time of writing this report. It is due to be completed by mid-September 2020.

THE PROPOSAL

7. This application is seeking temporary planning permission for the erection of a prefabricated Modular Unit, polytunnel and cabin, and the provision of car parking.
8. This is in order to facilitate the relocation of services provided at Surrey Choices Adult Social Care Centre to the application site for a temporary period of five years, while its existing location at Colebrook Day Centre in Noke Drive, north-eastern Redhill, is redeveloped.
9. Following completion of the demolition of the existing building and clearance & levelling of the application site, it is proposed to construct a styled modular building, a polytunnel for an activity garden, and a log cabin, along with the provision of car parking spaces, a bin storage area, fencing, signage, replacement access gates, and external car park lighting.
10. The Modular Unit would be single-storey and measure approximately 30m in width by 10m in depth by 3.05m in height, while the polytunnel would be 14m by 5m, and the cabin would measure 3m in width by 5m in depth and 2.45m in height to the ridge.
11. The Modular Unit is to be used by Surrey Choices, an adult social care provider, as a day service for people with disabilities, particularly focussed on office-based skills such as printing, e-mailing, combining documents & filing. This would comprise an IT suite and learning space, as well as two meeting rooms, a sensory room and an activity space. The unit would be styled with external 'Juniper Green' steel & larch wood cladding.
12. Meanwhile, the polytunnel would be used as a sensory garden area to help develop gardening, business and people skills. This would not involve the breaking of ground as all vegetables, plants & flowers will be in raised beds. The polytunnel would be translucent in order to create a greenhouse feel.
13. Finally, the cabin would be used as an ancillary building, to supplement the horticultural activities within the polytunnel and as a break-out space. It would be purchased & assembled on site, and would be similar to that used for domestic use in order to reflect the wooden cladding of the modular unit.
14. Each of these buildings would be positioned towards the northern end of the application site, with the remaining area being retained for improved car parking, including provision for members of staff based at the nearby Consort House, as at present. This currently comprises 45 spaces, which are hap-hazard with no white lines or marked bays, and this application proposes 42 marked spaces, 31 of which would be for Consort House staff members, as well as 1 disabled bay, 1 minibus parking bay and 1 drop-off space. Additionally, bicycle parking racks would be provided for on-site staff.
15. This built development subject of this application would then be removed following the end of the temporary five year period in order to allow the application site to be redeveloped, subject to planning permission. The site has been allocated within the local plan for housing.

CONSULTATIONS AND PUBLICITY

Reigate & Banstead Borough Council

16. Planning Control – Objection, as no evidence of exploring opportunities to retain the building through either conversion, refurbishment or partial redevelopment was presented.

Officer comment: As stated previously, Prior Approval was granted for the demolition of the main former school building in 2019, and this has been substantially completed at the time of writing this report

Consultees (Statutory and Non-Statutory)

17. County Historic Buildings Officer – No objection, as there would be no material impact on the special interest of any listed building.
18. RPS Planning & Development Ltd (Lighting) – No objection.
19. SuDS & Consenting Team – No comments to make.
20. Transportation Development Control – No objection, subject to conditions.

Parish/Town Council and Amenity Groups

21. None

Summary of publicity undertaken and key issues raised by public

22. The application was publicised by the posting of 1 site notice, and a total of 143 owner/occupiers of neighbouring properties were directly notified by letter.
23. At the time of writing this report, seventy letters of representation have been received by the County Planning Authority in relation to planning application ref: RE20/01205/CON. The letters raised objections on matters including the following:
- The proposed positioning of the bin store in the south-eastern corner of the application site, and its potential to emit odour & attract vermin adjacent to residential properties (see paragraphs 58-61).
 - Lack of evidence of exploring opportunities to retain the former main school building, one of very few remaining attractive heritage buildings in Redhill, through either conversion, refurbishment or partial redevelopment.

Officer comment: As stated previously, Prior Approval was granted for the demolition of the main former school building in 2019, and this has been substantially completed at the time of writing this report.

- Surface water flood risk issues, including severe surface water flooding & significant ponding, which the proposed development would exacerbate & would impact surrounding residential roads.
- The number of parking spaces is extensive and would cause extreme traffic activity on an already over-crowded residential road which is not fit for this purpose (see paragraph 14 above).

- The proposal would directly contradict Surrey County Council’s declaration of a climate emergency & plans to reduce carbon emissions by 2030.
- The proposal would result in the loss of bat & swift habitat, with the swift colony at this location being one of the largest remaining in Surrey & vital for the survival of the species.

Officer comment: A bat survey was carried out prior to the commencement of demolition works. The presence of swifts was assessed by the County Council’s Natural Environment & Assessment Team Manager, who was unable to find any evidence about a possible colony using this location, and could see no evidence of any nest sites or swift activity within the site itself.

24. A petition signed by 1,351 signatories to “halt the demolition of Longmead Adult Education Centre in Redhill, Ratain [sic] the Edwardian character of the building, and develop it into a community hub” was also received, alongside a letter from Cromwell Community Group.

PLANNING CONSIDERATIONS

Introduction

25. The guidance on the determination of planning applications, found at the end of this report, is expressly incorporated into this report and must be read in conjunction with the following paragraphs.
26. In this case the statutory development plan for consideration of the application consists of the Reigate and Banstead Local Plan: Core Strategy July 2014 (RBCS2014) and the Reigate & Banstead Local Plan: Development Management Plan September 2019 (RBDM2019).
27. The RBCS2014 provides the spatial strategy for Reigate & Banstead, by outlining the issues that need to be addressed and presenting a series of strategic policies that will deliver the vision and objectives of the Borough Council. These policies are intended to inform and coordinate future development and investment in the borough, and guide decision-making on development proposals.
28. Meanwhile, the RBDM2019 sets out in more detail how the development principles and targets of the Borough Council’s adopted Core Strategy will be delivered until 2027, by setting out the policies that will guide the Borough Council’s decision-making on planning applications and identifying sites for development.
29. Together, the adopted Core Strategy 2014 and the Development Management Plan 2019 represent the Local Plan for the Borough of Reigate & Banstead.
30. In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations. In this case the main planning considerations are the principle of the development on this site, impact on neighbouring residential dwellings, design & appearance, external lighting, and access & parking.

Principle of Development

Reigate and Banstead Local Plan: Core Strategy 2014

Policy CS10 – Sustainable Development

Reigate & Banstead Local Plan: Development Management Plan 2019

31. RBCS2014 Policy CS10 (Sustainable Development) states that development will: make efficient use of land, giving priority to previously developed land & buildings within the built-up areas; be at an appropriate density, taking account of and respecting the character of the local area and levels of accessibility; and, minimise the need to travel.
32. RBDM2019 Policy INF2 (Community Facilities) states that proposals for the provision of new community facilities will be encouraged provided that there is an identified local need which cannot be met from the use of the existing stock of community premises, that the site would be easily and safely accessible to the local community, and the proposed development would have no adverse impact on residential amenity or character of the area.
33. RBDM2019 Policy RTC5 (Former Longmead Centre, Holland Close, Redhill, RH1 1HT) states that the application site is allocated within the Draft Redhill Town Centre Area Action Plan 2012 for the development for approximately 20 new residential properties.
34. As stated previously, this application is seeking planning permission for the erection of a prefabricated Modular Unit, polytunnel and cabin (D1 use), and the provision of car parking, for a temporary period of five years.
35. This proposed development would enable the existing capacity of adult social care provision within the Redhill area, currently provided by Surrey Choices, to be maintained through the redevelopment of Colebrook Day Centre. Services are currently provided to people with a range of disabilities, including autism, those with sensory needs, those with mental health problems, and older people, and it is therefore imperative that this indispensable provision is not lost.
36. The application site is easily accessible by multiple modes of sustainable transport methods and will not be overly reliant on the private car, so services within Redhill could therefore continue to be provided without unduly affecting their accessibility to current users.
37. After the temporary period of five years which has been applied for, the activities of Surrey Choices would move back to the redeveloped Colebrook Day Centre and the development at the Longmead Adult Education Centre site would be removed. Officers consider that the temporary period could be conditioned to ensure that the ability of the Longmead Adult Education Centre site to be redeveloped to provide housing in the long-term would not be compromised.
38. In response to a consultation request on this application, Reigate & Banstead Borough Council commented that they were concerned with the loss of the former main school building, and stated they did not see any evidence of a process of exploring opportunities to retain it through either conversion, refurbishment or partial redevelopment.
39. However, as stated previously and within the application documents, Prior Approval for the demolition of the main former school building previously located within the application site was granted in 2019 under ref: 19/01119/CON. Although this demolition has not been fully completed at the time of writing this report, the aforementioned Prior Approval is a material consideration which Officers must take into account when deciding this application, and the current application does not provide an opportunity to revisit this previous approval.
40. Taking all of the above into account, Officers consider that the proposal represents an acceptable short-term, temporary use of the application site which will not prejudice its long term redevelopment for residential purposes in line with development plan policy.

41. Further, Officers consider the applicant has demonstrated that the chosen application site would be easily and safely accessible to both current Surrey Choices users as well as the wider local community.
42. Officers therefore consider that the principle of the development is acceptable.

Design and Visual Amenity

Reigate & Banstead Local Plan: Development Management Plan 2019

Policy DES1 – Design of New Development

43. RBDM2019 Policy DES1 (Design of New Development) states that all new development will be expected to be of a high quality design that respects and makes a positive contribution to the character and appearance of its surroundings. New development should use high quality materials and building detailing; have due regard to the layout, density, building siting, scale, massing, height and roofscapes of the surrounding area, the relationship to neighbouring buildings, and important views into and out of the site; provide for accessible and sensitively designed and located waste & recycling bin storage; and, make adequate provision for access, servicing, circulation and turning space, and parking, taking account of the impact on local character and residential amenity, including the visual impact of parked vehicles.
44. As stated previously, this application is for the temporary use of what will be a cleared and vacant site. The site is situated within an area comprised of two-storey brick residential properties to the immediate south & east of the application site, while the four-storey Consort House offices are located to the north. There is also a two-storey car park to the north-west, and two four-storey housing blocks to the west, beyond Fairfax Playground. The site therefore lies within an area which is urban, with a range of uses & architectural styles.
45. This proposed temporary development will be single storey in height, compared to the former Longmead Adult Education Centre main building which measured three stories, and will therefore be much less prominent within the street scene.
46. The County Council's Historic Buildings Officer was consulted on this application in view of the listed buildings in the locality (see paragraph 3 above), and welcomed the proposed retention of the existing boundary wall & proposed reinstatement of the existing gates once the units have been installed.
47. Further, this consultee stated that in view of the distance between the site and the identified heritage assets, the setting of these listed buildings would not be affected by these proposals. Officers concur with these views.
48. Bearing all of the above in mind, Officers consider that the proposed development would respect the character of the neighbouring area in terms of its height, scale, density and materials, without affecting any of the nearby heritage assets.
49. Officers therefore consider that the proposal fully accords with development plan policy requirements in relation to character and design.

Impact on Residential Amenity

Reigate and Banstead Local Plan: Core Strategy 2014

Policy CS4 – Valued townscapes and the historic environment

Policy CS10 – Sustainable Development

Reigate & Banstead Local Plan: Development Management Plan 2019

Policy DES1 – Design of new development

50. RBCS2014 Policy CS4 (Valued townscapes and the historic environment) states that development will be laid out & designed to make the best use of the site and its physical characteristics, whilst minimising the impact on surrounding properties & the environment.
51. RBCS2014 Policy CS10 (Sustainable Development) states that development will be designed to minimise pollution, including light.
52. RBDM2019 Policy DES1 (Design of new development) states that all new development will be expected to be of a high quality design that respects and makes a positive contribution to the character and appearance of its surroundings. New development should use high quality materials and building detailing; have due regard to the layout, density, building siting, scale, massing, height and roofscapes of the surrounding area, the relationship to neighbouring buildings, and important views into & out of the site; provide for accessible and sensitively designed & located waste and recycling bin storage; and, make adequate provision for access, servicing, circulation & turning space, and parking, taking account of the impact on local character and residential amenity, including the visual impact of parked vehicles.
53. As stated previously, the modular unit, polytunnel & cabin the subject of this application would be positioned towards the northern end of the application site, with the remaining area being marked out for the parking of vehicles. This would mean that instead of the buildings being positioned on the site of the substantially demolished former main school building, they would be slightly further away from the closest residential properties to the application site, while also resulting in a continuation of the number of parking spaces being available.
54. Further as stated previously, the buildings the subject of this application would reach one-storey in height, substantially less than the former main school building which measured three-storeys. Although there are no trees, shrubbery or foliage within the application site which would aid in screening the new development, this application includes the retention of the brick wall which runs along the perimeter of the site & fully encloses it.
55. This retained perimeter wall would also support the positioning of seven external lights, which would be used for safety and security reasons to illuminate the car parking area during hours of darkness. The applicant has stated that these would be controlled via a dedicated circuit to turn them on at dusk and ensure they turn off at a pre-set time in the evening. The location of these lights are demonstrated on Drawing No. 1195667-014 rev B Proposed New Site Layout dated 03/02/20, submitted as part of this application.
56. The new buildings would also be used for a similar purpose to the former main school building, meaning that the application site would remain within the same 'use class'. The former main school building formed part of Longmead Adult Education Centre, while the modular unit, polytunnel & cabin would be used by Surrey Choices to provide adult social care services.
57. As stated previously, the closest residential properties are situated along Holland Close, to the east and south of the application site, while there is also a playground to the west of the site. There is also a bungalow bordering the west of the application site, but this is currently used by Surrey County Council as a family centre.
58. Letters of representation have been received by the County Planning Authority in relation to the proposed location of the bin store, in the south-eastern corner of the application site. These letters raised concerns regarding the possibility of odour being emitted from bins and vermin being attracted to an area adjacent to residential properties, and therefore negatively affecting the amenity of these residents.
59. Following receipt of these representations, Officers contacted the applicants' planning agent for confirmation on why the proposed location of the bin store had been chosen, whether an alternative location was possible, and what measures would be taken to ensure residential amenity was not affected by the proposals.

60. In response, the agent stated that the bin store position was due to the proposed parking layout within the site and would allow ease of collection by refuse vehicles.
61. The agent proposed in mitigation that the refuse would be collected weekly in order to limit the opportunity for vermin and odour, and that specialist vermin control contractors would be brought in where necessary. Further, double bagging would be used where appropriate to help deal with any odour issues.
62. Taking all of the above into account, Officers consider that the proposed development would not result in any overshadowing, overbearing and/or overlooking impacts on the surrounding residential properties due to the scale of the development or lighting, which would be a significant reduction from when the former main school building was positioned within the application site.
63. Further, Officers consider that the location of the bin store is appropriate given its ease of accessibility by refuse collection lorries from Holland Close without having to access the application site, and that the retention of the perimeter wall in addition to the proposed methods of odour and vermin containment will limit any potential negative effects on residential amenity.
64. Therefore, Officers consider the proposal fully accords with development plan policy requirements in relation to its impact on residential amenity.

Highway Considerations

Reigate & Banstead Local Plan: Development Management Plan 2019

Policy DES8 – Construction Management

Policy TAP1 – Access, Parking and Servicing

65. RBDM2019 Policy DES8 (Construction Management) states that all developments will be expected to be managed in a safe & considerate manner, including through the requirement for a Construction Management Statement which must address how any development impacts will be managed. Such a Statement should include proposed hours of work, and measures to manage traffic and parking impact, highway/pedestrian safety and congestion.
66. RBDM2019 Policy TAP1 (Access, Parking and Servicing) states that all types of development will be required to provide safe and convenient access for all road users, taking account of cumulative impacts, in a way which would not: unnecessarily impede the free flow of traffic on the public highway, or compromise pedestrians or any other transport mode; materially exacerbate traffic congestion on the existing highway network; or, increase the risk of accidents or endanger the safety of road users including pedestrians, cyclists, and other vulnerable road users. If the development would result in the loss of existing car parking spaces, the applicant should demonstrate that there is no need for these car parking spaces.
67. The applicant has stated that in order to deliver the new infrastructure to the application site, 5 HGV's would be used, with two trips undertaken per vehicle and only one HGV being within the application site at any one given time. The applicant has also stated that they would aim to have no lorries parked up outside the site waiting to deliver modules, but that such waiting would be carried out at M25 services if necessary.
68. Only main 'A' roads and the M25 would be used to reach the application site, with a short final journey through residential streets. The aim is for this final journey to take place at a time which would ensure no noise disturbance to any sleeping residents. Officers are not aware of any vehicular restrictions on any of the residential roads which would need to be used to approach the application site from any surrounding main 'A' roads.

69. In order to allow access for delivery vehicles to the application site, and the turning of delivery vehicles to take place within it, 1.5m of boundary wall will need to be removed. However, the applicant has stated that this would only be a temporary measure, and that the wall would be reinstated following the completion of infrastructure delivery.
70. As stated previously, the application site is currently used as an overflow car park for Surrey County Council staff working at the adjacent Consort House offices, and this provision is intended to remain throughout any temporary permission period.
71. Access to the site is currently gained off the residential Holland Close, through two separate gated access points, and this proposal does not involve any new accesses onto the highway or any changes the current system of access and egress.
72. Surrey Choices users are estimated to total between 10 and 20 people per working day, although many of these will be dropped-off by minibus, and operating hours are between 8am and 4pm. Meanwhile, Surrey County Council staff trips would coincide with the weekday office opening & closing times, and deliveries & refuse collection will continue operating as at present, with loading & offloading on Holland Close without accessing the site.
73. The site would be open between 6.30am and 8pm Monday to Friday to facilitate access & use by both Surrey County Council & Surrey Choices users, with the main site gates being locked outside of these hours.
74. In response to a consultation request on this application, the County Council's Transportation Development Planning department requested further information be provided by the applicant, including the following:
- Confirmation that a total of 10 deliveries would be adequate to deliver the proposed modular building.
 - Confirmation of the dimensions of each part of the modular building to be delivered, and a turning overlay of the size of vehicle required for each delivery which shows the vehicle entering & leaving the site in forward gear.
 - If entering & leaving in forward gear cannot be demonstrated, confirmation of the proposed alternative delivery arrangements.
 - Confirmation that banksmen would be available to guide vehicles onto & off the site.
 - Confirmation of which access is to be modified during the modular building delivery phase, and whether the two accesses would form an in & out system during normal operations.
 - Confirmation of what ground perpetration is proposed for the modular building to be safely accommodated within the site.
75. The applicants' agent was able to provide confirmation on the first two points raised by the consultant, but stated that they would not be able to provide confirmation on the remaining points until the demolition of the building has been completed & access to the cleared site could be obtained.
76. The County Council's Transportation Development Planning department therefore responded stating that the proposed development is unlikely to generate more traffic than has historically been the case because the historical & proposed use would remain the same. The consultee also recommended that two conditions and three informatives be attached to any planning permission which may be granted, which would require the submission of vehicular access details and a revised Construction Transport Management Plan.
77. Taking all of the above in account, Officers consider that the applicant has demonstrated the construction aspect of the development hereby proposed should be managed safely &

considerately, with the submitted Construction Traffic Management Plan containing the relevant information on hours of working and management of delivery vehicles.

78. Further, Officers consider that once operational, suitable & safe access and parking will be provided within the application site for all users, without affecting traffic congestion on the immediate Holland Close or the surrounding road network. Officers also consider that the applicant has demonstrated appropriate accessibility reasons for the replacement of three of the existing parking spaces with a disabled bay, minibus parking bay and drop-off space.
79. Officers therefore consider that the proposal fulfils development plan policy requirements in relation to highways, access & parking.

HUMAN RIGHTS IMPLICATIONS

80. The Human Rights Act Guidance for Interpretation, found at the end of this report, is expressly incorporated into this report and must be read in conjunction with the following paragraph.
81. In this case, it is the Officers view that the scale of any impacts is not considered sufficient to engage Article 6 or Article 1 of Protocol 1 and any impact can be mitigated by condition. As such, this proposal is not considered to interfere with any Convention right.

CONCLUSION

82. This application is submitted seeking temporary planning permission for the erection of a prefabricated Modular Unit, polytunnel and cabin, and the provision of car parking, at the former Longmead Adult Education Centre site in Redhill, Surrey.
83. This is in order to facilitate the temporary provision of adult social care services while their existing location at Colebrook Day Centre in Noke Drive, north-eastern Redhill, is redeveloped.
84. Following the end of the temporary five year period, the built development the subject of this application would be removed in order to allow the site to be redeveloped for housing.
85. Officers consider that the application is acceptable as its lies within the urban area, and it can be constructed and operated without giving rise to significantly adverse impacts on the highway network, the character and heritage of the local area, and surrounding residents.
86. Therefore, Officers conclude that the application fulfils the relevant development plan policy requirements, and that planning permission should be granted subject to conditions.

RECOMMENDATION

The recommendation is to GRANT planning permission subject to the following conditions:

Conditions:

IMPORTANT - CONDITION NOS. 5 & 6 MUST BE DISCHARGED PRIOR TO THE COMMENCEMENT OF THE DEVELOPMENT.

Approved Plans

1. The development hereby permitted shall be carried out in all respects in accordance with the following plans/drawings:

Drawing No. 1195667-001 rev A Site Location Plan dated 03/02/20
 Drawing No. 1195667-014 rev B Proposed New Site Layout dated 03/02/20
 Drawing No. 2002-422-A001 rev A3 Layout Plan for planning dated 18/02/20
 Drawing No. 2002-422-A011 rev A3 Layout Plan for planning dated 12/03/20
 Drawing No. 2002-422-A041 rev A3 Ceiling and Lighting Plan dated 12/03/20
 Drawing No. 2002-422-A100 rev D2 Architectural Elevations dated 18/02/20

Duration

2. The development hereby permitted shall be for a temporary period of five years beginning with the date of this permission, on or before which the use shall cease, all development authorised by this planning permission shall be removed from the site, and the land reinstated to its former levelled condition.

Limitations

3. The external materials used for the Modular Unit, polytunnel and cabin shall be as detailed within sections 3.27 & 3.28 of the Planning Statement dated 1 May 2020 submitted as part of this application and as detailed within the email dated 18 June 2020 submitted as part of this application.
4. The external lighting as shown on Drawing No. 1195667-014 rev B Proposed New Site Layout dated 03/02/20 shall be positioned & operated as detailed within sections 5.46 & 5.47 of the Planning Statement dated 1 May 2020 submitted as part of this application and as detailed within the email dated 7 July 2020 submitted as part of this application.

Highways, Traffic and Access

5. No part of the development shall commence unless and until the existing vehicular access from Holland Close has been modified in accordance with a scheme to be submitted and approved in writing by the County Planning Authority.
6. No development shall commence until a revised CTMP has been submitted to and approved in writing by the County Planning Authority, to include details of:
 - a) Parking for vehicles of site personnel, operatives and visitors
 - b) Loading and unloading of plant and materials
 - c) Storage of plant and materials
 - d) Programme of works (including measures for traffic management)
 - e) Measures to prevent the deposit of materials on the highway
 - f) Before and after construction condition surveys of the highway and a commitment to fund the repair of any damage caused
 - g) No HGV movements to or from the site shall take place between the hours of 0800 to 0900 and 1700 to 1800 nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in any of the roads surrounding the site.
 - h) On-site turning for construction vehicles

Only the approved details shall be implemented during the construction of the development.

Reasons:

1. For the avoidance of doubt and in the interests of proper planning.
2. To comply with the terms of the application and to enable the County Planning Authority to exercise control over the development so as to limit the length of the development to the maximum for which there is an identified need and so as not to prejudice the allocation of the application site for the development of residential properties, in accordance with Policies INF2 & RTC5 of the Reigate & Banstead Local Plan: Development Management Plan 2019.
3. To comply with the terms of the application and to enable the County Planning Authority to exercise control over the development so as to limit the impact on neighbouring residential amenity in accordance with Policy DES1 of the Reigate & Banstead Local Plan: Development Management Plan 2019.
4. To comply with the terms of the application and to enable the County Planning Authority to exercise control over the development so as to limit the impact on neighbouring residential amenity in accordance with Policy CS10 of the Reigate and Banstead Local Plan: Core Strategy 2014.
5. In order that the development should not prejudice highway safety, nor cause inconvenience to other highway users in accordance with the National Planning Policy Framework 2019 and Policy TAP1 of the Reigate & Banstead Local Plan: Development Management Plan 2019.
6. In order that the development should not prejudice highway safety, nor cause inconvenience to other highway users in accordance with the National Planning Policy Framework 2019 and Policies DES8 & TAP1 of the Reigate & Banstead Local Plan: Development Management Plan 2019.

Informatives:

1. The permission hereby granted shall not be construed as authority to carry out any works on the highway. The applicant is advised that prior approval must be obtained from the Highway Authority before any works are carried out on any footway, footpath, carriageway, or verge to form a vehicle crossover or to install dropped kerbs. Please see www.surreycc.gov.uk/roads-and-transport/road-permits-and-licences/vehicle-crossovers-or-dropped-kerbs.
2. 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).
3. Section 59 of the Highways Act permits the Highway Authority to charge developers for damage caused by excessive weight and movements of vehicles to and from a site. The Highway Authority will pass on the cost of any excess repairs compared to normal maintenance costs to the applicant/organisation responsible for the damage.

4. In determining this application the County Planning Authority has worked positively and proactively with the applicant by entering into pre-application discussions, assessing the proposals against relevant Development Plan policies and the National Planning Policy Framework including its associated planning practice guidance and European Regulations, providing feedback to the applicant where appropriate. Further, the County Planning Authority has identified all material considerations, forwarded consultation responses to the applicant, considered representations from interested parties, liaised with consultees and the applicant to resolve identified issues and determined the application within the timeframe agreed with the applicant. The applicant has also been given advance sight of the draft planning conditions. This approach has been in accordance with the requirements of paragraph 38 of the National Planning Policy Framework 2019.

CONTACT

James Nolan

TEL. NO.

0208 541 9442

BACKGROUND PAPERS

The deposited application documents and plans, including those amending or clarifying the proposal, and responses to consultations and representations received, as referred to in the report and included in the application file.

For this application, the deposited application documents and plans, and response to consultations, are available to view on [our online register](#). The representations received are publicly available to view on the district/borough planning register. The Reigate and Banstead Borough Council planning register entry for this application can be found under [20/01205/CON](#).

OTHER DOCUMENTS

The following documents were also referred to in the preparation of this report:

Government Guidance

[National Planning Policy Framework February 2019](#)

The Development Plan

[Reigate and Banstead Local Plan: Core Strategy July 2014](#)

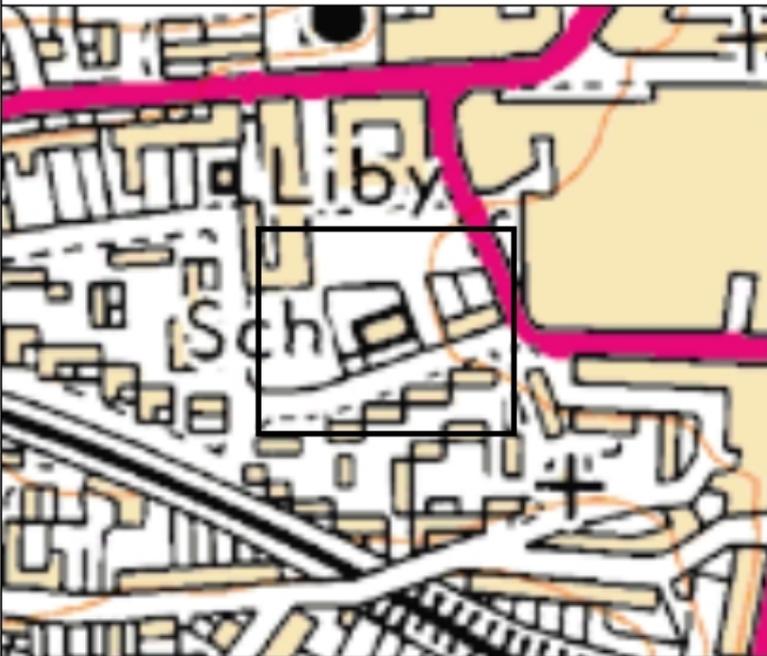
[Reigate & Banstead Local Plan: Development Management Plan September 2019](#)

Other Documents

Officer report on planning application RE19/01119/CON

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Site Location: **Longmead Adult Education Centre, Holland Close, Redhill, Surrey RH1 1HT**



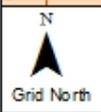
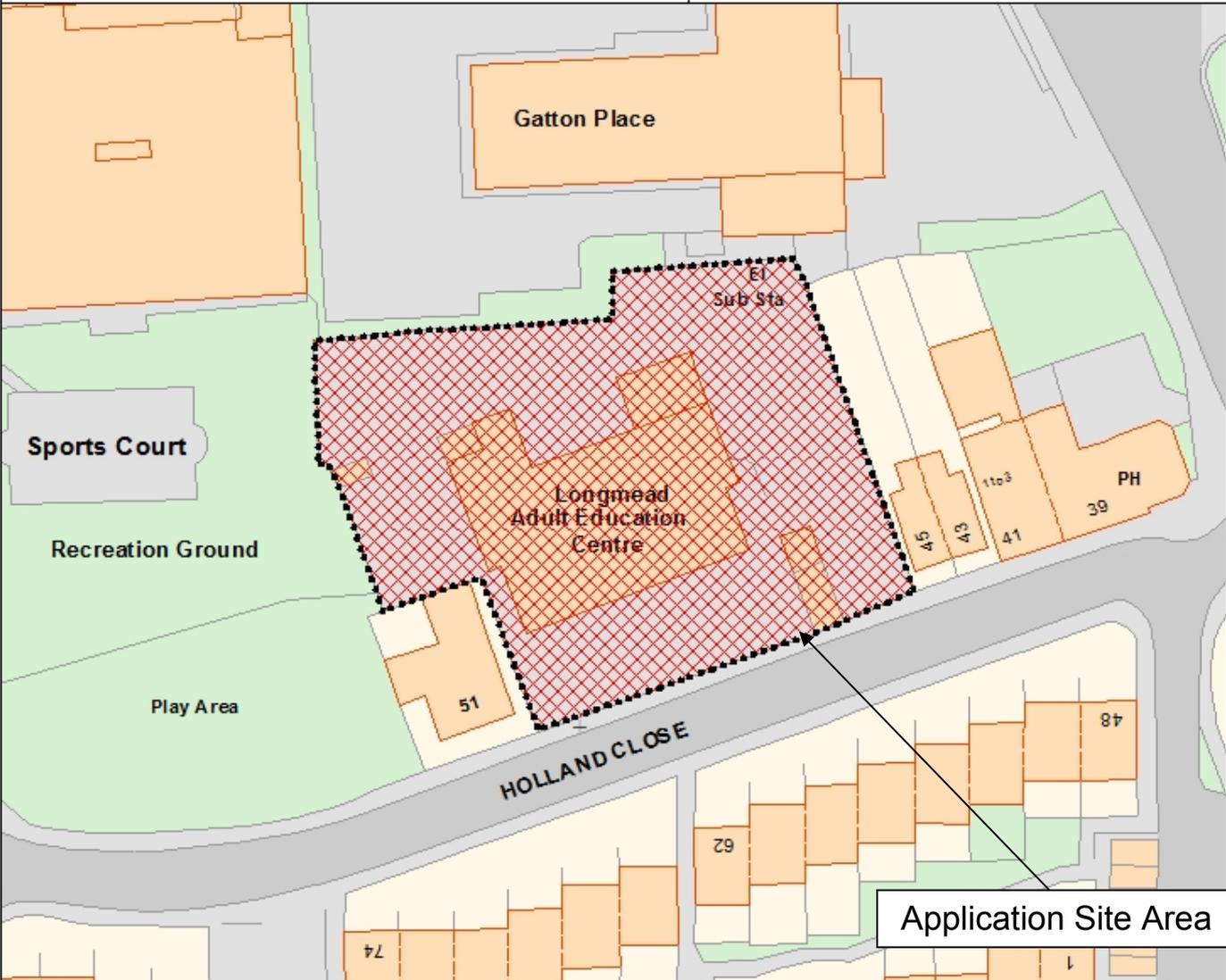
Temporary permission for the erection of a prefabricated Modular Unit, polytunnel and cabin (D1 use class), and the provision of car parking.

Application numbers:
RE

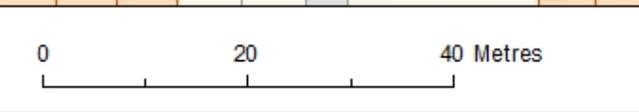
Electoral divisions:
Redhill West and Meadvale

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Note: This plan is for indicative purposes only



Ref No:
SCC Ref 2020/0073

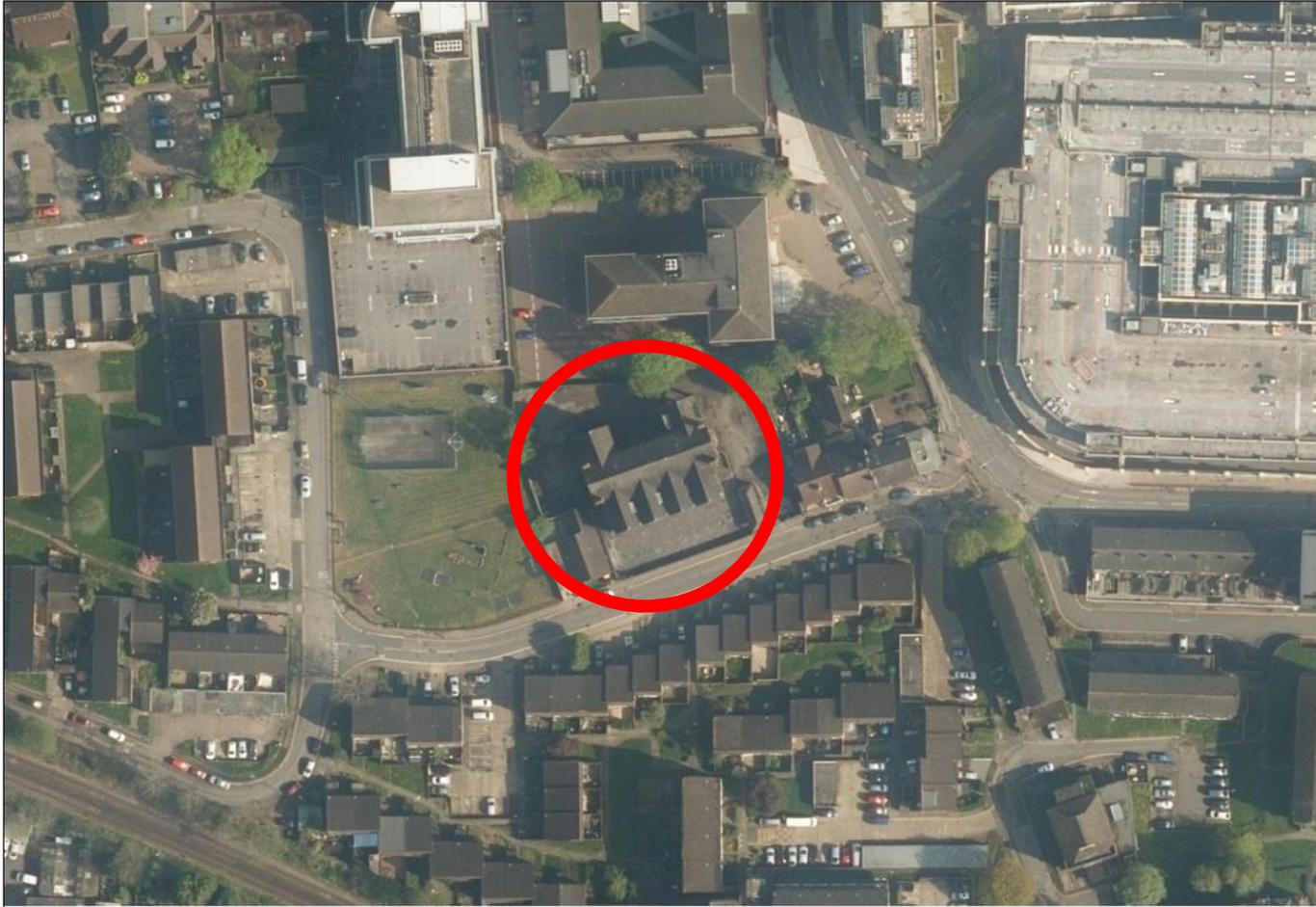


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2018 Aerial Photos

Aerial 1 : Longmead Adult Education Centre



2018 Aerial Photos

Aerial 2 : Longmead Adult Education Centre



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Photo 1 - Southern façade of Longmead Adult Education Centre, taken looking north-eastwards along Holland Close towards the south-western corner of the Belfry Centre, dated 29 July 2020.



Photo 2 - Southern façade of Longmead Adult Education Centre, dated 29 July 2020.



Photo 3 - South-western access to the application site, dated 29 July 2020.



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Photo 4 - South-eastern access to the application site, dated 29 July 2020.





Photo 5 - Perimeter wall along southern boundary of the application site, which is to be retained as part of this application, taken looking south-westwards, dated 29 July 2020.



Photo 6 - South-eastern corner of perimeter wall, behind which the bin store is proposed to be located, dated 29 July 2020.



TO: PLANNING AND REGULATORY COMMITTEE **DATE:** 03 / 09 / 2020

BY: TRANSPORT PLANNER

DISTRICT(S) ELMBRIDGE, RUNNYMEDE

ELECTORAL DIVISION(S):

Weybridge
Mr Oliver

Woodham and New Haw
Mrs Angell

PURPOSE: FOR DECISION

GRID REF: 506807 163079

TITLE: BROOKLANDS BUSINESS PARK ACCESSIBILITY PROJECT –
CYCLE TRACK ORDER

SUMMARY

An opportunity has been identified to make a Cycle Track Order to create a section of cycle track along a formal pedestrian/cyclist route being established between Weybridge Railway Station (Heath South car park) and the Brooklands Community Park. The specific section of the route that this applies to is shown in Annex 1. This change in status would best guarantee that both cyclists and pedestrians have the right to use the full route being established into the future. This pedestrian/cyclist route forms part of the Brooklands Business Park Accessibility Project, a major transport scheme currently being delivered by Surrey County Council.

OFFICER RECOMMENDATIONS

It is recommended to authorise the making of the Cycle Track Order. Also to authorise the Project Sponsor, in consultation with the Chairman, Vice Chairman and Divisional Members to resolve any objections to the Cycle Track Order if possible, and if necessary to authorise the Project Sponsor to submit any unresolved objections to the Secretary of State for determining whether the Order can be confirmed or a Local Inquiry is required.

Reasons for the above recommendation:

The recommendation has been provided in order for a Cycle Track Order to be made to extend a distance of cycle track along part of the formal pedestrian/cyclist route being created between Weybridge Railway Station (Heath South car park) and the Brooklands Community Park. This will best guarantee that both pedestrians and cyclists can use the full route in the future. Construction works are in delivery to provide a high quality facility in this location for pedestrians and cyclists.

1. INTRODUCTION AND BACKGROUND

- 1.1 The Brooklands Business Park Accessibility Project is a major transport scheme in its final year of delivery (to end of March 2021). It includes establishing a formal pedestrian/cyclist route between Weybridge Railway Station (Heath South car park) and the Brooklands

Community Park. Construction works to provide the route with a bound path along its full extent are currently in delivery.

- 1.2 The project team is working to ensure rights of ways are in place for both pedestrians and cyclists across the route. An opportunity has been identified to make a Cycle Track Order which would change the status of a section of this route to best guarantee cyclists have the right to use the full route into the future. Under the Cycle Tracks Act 1984, the County Council has the power to convert public footpaths into cycle tracks.
- 1.3 South-west of Seven Arches Approach starting from the footbridge over the River Wey, the Cycle Track Order would convert a short section of Footpath 23 in Elmbridge, a short section of Footpath 12 in Runnymede, and a section of permissive path underneath and either side of Seven Arches Bridge in both Runnymede and Elmbridge to cycle track. This is a distance of approximately 90 metres in total and is shown in Annex 1. Converting the section of permissive path is contingent on a new section of public footpath being dedicated here first, also indicated in Annex 1. This has been agreed in principle with the landowner Network Rail who has previously signed an agreement to give permissive rights for use by pedestrians, and it is currently being taken through the dedication process, however if this dedication cannot be completed, the associated distance will be omitted from the Cycle Track Order. Only part of the paths' widths would be converted to cycle track leaving the remainder as public footpaths on the Definitive Map. Once made, this Cycle Track Order would best guarantee that both pedestrians and cyclists can use the route into the future. The Order would come into effect after the construction works in the area have been completed, ensuring a high quality facility is provided for both pedestrians and cyclists to use first.
- 1.4 Once the Order is made, this section would extend on a length of cycle track between Seven Arches Approach and the footbridge over the River Wey previously made following an Order in 2018, which will also come into effect after construction works have been completed. When making the Order in 2018, no formal objections were raised during the consultation process.
- 1.5 The process for making Cycle Tracks Orders is summarised as follows (as summarised from the Cycle Track Regulations 1984):
 - Carry out initial consultation (with one or more organisations representing persons who use the footpath, local authority within whose area the footpath is situated, statutory undertakers, chief of police).
 - Highway Authority makes the Order. On making the Order further consultation is carried out. A public notice of the Order is advertised on site, on a public noticeboard, in a local newspaper, and notices are sent to consultees.
 - There is a period of time (not less than 28 days) for objections to be raised to the Order.
 - Unopposed Orders are confirmed by the Highway Authority. The Order would come into operation on the first publication of the notice confirming the date it takes effect.
 - Opposed Orders are submitted to the Secretary of State for Transport for determining whether the Order can be confirmed or a Local Inquiry is required.
- 1.6 This is a cross-boundary issue affecting both Elmbridge and Runnymede and consequently both the Elmbridge Local Committee and Runnymede Joint Committee have been consulted. However, these Committees have not made a final decision to authorise the making of the Order and therefore a decision to formally authorise the making of the Order is required by the Planning and Regulatory Committee. Once authorised, the process for making the Order set out in the Cycle Track Regulations 1984 would be followed.

2. ANALYSIS

- 2.1 The Cycle Track Order would best guarantee that cyclists have rights to use the full extent of the formal pedestrian/cyclist route being created between Weybridge Railway Station (Heath South car park) and the Brooklands Community Park.
- 2.2 This is important to support an objective of the Brooklands Business Park Accessibility Project to increase cycling in the area. The project supports The Community Vision for Surrey in 2030 through making journeys easier and safer, and by promoting healthier lifestyles through active travel.

3. CONSULTATIONS:

- 3.1 The Elmbridge Local Committee was consulted at the Committee meeting on 15 June 2020. The Elmbridge Local Committee supported the Cycle Track Order going ahead.
- 3.2 Members of the Runnymede Joint Committee have been consulted (outside of Committee meeting). Responses supported the Cycle Track Order going ahead.
- 3.3 Consultation has been carried out with the landowner, Network Rail, via their regional Liability Negotiations Adviser.
- 3.4 Further consultation will be carried out as part of the process to make a Cycle Track Order set out in the Cycle Track Regulations 1984. The consultation process is summarised in section 1.5 of this report.
- 3.5 In 2018 a Cycle Track Order was made across land immediately north-east of the location which would be subject to this Cycle Track Order. Consultation was carried out which evidenced support for the creation of cycle track; no formal objections were received.

4. OPTIONS

- 4.1 It would be beneficial to make a Cycle Track Order to best guarantee that cyclists have the rights to use the pedestrian/cyclist route being established between Weybridge Railway Station and the Brooklands Community Park in full into the future. Although the land owner (Network Rail) is not currently prohibiting cycling in this specific location subject to this proposed Cycle Track Order, and the risk of the landowner prohibiting cycling here in the future is considered very low, a Cycle Track Order would negate the risk of this happening which would compromise cyclists using the full route being established.
- 4.2 Without a Cycle Track Order, it would be left with the landowner (Network Rail) to actively permit or not prohibit cyclists to use this distance of route (shown in Annex 1). However, it has been agreed between Surrey County Council and Network Rail that conversion to Cycle Track is the preferred approach. This approach would also be more beneficial as timescales would not be limited to an agreed period as would likely be the case for a permissive agreement and it would be more challenging to revoke rights for cyclists.

5. FINANCIAL AND VALUE FOR MONEY IMPLICATIONS:

- 5.1 The work to achieve this will be undertaken by project staff currently working on the Brooklands Business Park Accessibility Project.

- 5.2 The project includes a project management budget for such work. This is a major transport scheme for which funding has already been awarded following approval of a Business Case that demonstrated high value for money. The project is being funded mainly by the Enterprise M3 Local Enterprise Partnership with Elmbridge Borough Council providing local contribution funding.

6. EQUALITIES AND DIVERSITY IMPLICATIONS:

- 6.1 An Equalities Impacts Assessment has previously been undertaken for the Brooklands Business Park Accessibility project, in which this section of planned walking and cycling route affected by the Cycle Track Order is one part of. Overall this assessment concluded that the creation of the pedestrian/cyclist route would be beneficial to people with protected characteristics. The establishment of the route was assessed to improve safety, accessibility, increase independence particularly for those who do not drive, and promote health benefits through active travel. Potential conflict between pedestrians and cyclists due to the shared nature of the route was identified however sufficient path widths mitigate this risk.

7. OTHER IMPLICATIONS:

- 7.1 The cycle track extension enabled through the Cycle Track Order would support an objective of the Brooklands Business Park Accessibility Project to increase cycling in the area. Incentivising people to cycle instead of travelling by motor vehicle would have carbon reduction benefits. It would also have public health benefits through promoting active travel.
- 7.2 The decision will impact people who travel through the location which the Cycle Track Order would affect. This includes employees of businesses at the Brooklands Business Park, and visitors to the Brooklands Museum who would benefit from a route they can cycle to and from Weybridge Station. The decision will also impact residents who live nearby.

8. CONCLUSION AND RECOMMENDATIONS:

- 8.1 It is recommended that the Planning and Regulatory Committee authorise the making of the Cycle Track Order and authorise the Project Sponsor, in consultation with the Chairman, Vice Chairman and Divisional Members to resolve any objections to the Cycle Track Order if possible, and if necessary to authorise the Project Sponsor to submit any unresolved objections to the Secretary of State for determining whether the Order can be confirmed or a Local Inquiry is required.
- 8.2 Converting the section of route to Cycle Track would best guarantee that both pedestrians and cyclists can use the full route being created between Weybridge Railway Station (Heath South car park) and the Brooklands Community Park into the future.

9. WHAT HAPPENS NEXT:

- 9.1 If the making of the Cycle Track Order is authorised by the Planning & Regulatory Committee, the process set out in the Cycle Track Regulations 1984 and summarised in 1.5 of this report will be followed. This process incorporates consultation with key stakeholders including residents who use the paths affected.
- 9.2 Updates will be provided at: www.surreycc.gov.uk/brooklandsaccessibility

Contact Officer:

Tim Vickers, Transport Planner, tim.vickers@surreycc.gov.uk, 03456 009 009 (Major Transport Schemes Team phone number).

Consulted:

Consultation has been carried out with the Elmbridge Local Committee and Runnymede Joint Committee.

Consultation has been carried out with Network Rail via their regional Liability Negotiations Adviser. Network Rail are landowners in this location.

Further consultation will be carried out as part of the process to make a Cycle Track Order set out in the Cycle Track Regulations 1984.

Annexes:

Annex 1: Map of pedestrian/cyclist route and location of Cycle Track Order

Sources/background papers: N/A.

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BROOKLANDS BUSINESS PARK ACCESSIBILITY PROJECT – CYCLE TRACK ORDER

Annex 1: Map of pedestrian/cyclist route and location of Cycle Track Order

a) Map of pedestrian/cyclist route



b) Location of Cycle Track Order

