

TO: PLANNING & REGULATORY COMMITTEE DATE: 30 July 2014

BY: PLANNING DEVELOPMENT CONTROL TEAM
MANAGER

DISTRICT(S) TANDRIDGE DISTRICT COUNCIL ELECTORAL DIVISION(S):
Godstone
Mrs Windsor

PURPOSE: FOR DECISION GRID REF: 530737 151586

TITLE: MINERALS / WASTE TA/2013/1799

SUMMARY REPORT

Mercers South, Nutfield, Redhill, Surrey, RH1 4EU

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 site is located in open countryside, west of the M23 motorway, south of the M25, north of the A25 and east of Nutfield Marsh Road. The land is east of Redhill, with the village of Nutfield to the south on the A25 (Bletchingley Road) and the village of Bletchingley is to the south-east, on the other (east) side of the M23.

The application site lies within the Metropolitan Green Belt and within the Holmethorpe Sandpits Complex SNCI (County importance for birds). The proposed extraction area lies at 85-93m AOD and the internal access haul route steadily rises to the south toward the site access off the A25 at 145m AOD. The site is within a major aquifer and close to source protection zone 3 for public water supply (Warwick Wold). FP173 crosses the extraction site area and would need to be temporarily diverted, with FPs175 and 188 crossing the proposed internal access haul road. The closest residential properties lie approximately 50m to the west of the proposed sand extraction area and 70m to the east of the haul route.

The application is for the phased (4 phases) extraction of some 4.1 million tonnes of sand over a period of approximately sixteen years (250,000tpa) commencing in 2016, with progressive restoration of the site using inert waste, restoring the site back to agriculture by 2036. Access to the site would be via a dedicated new access directly off the A25 approximately 900m to the south of the extraction area, just east of Nutfield Village. The new access route is currently grassland that was previously worked for Fuller's Earth. The development would generate an average of 75HGV movements per day for the sand extraction and 75HGV movements per day in connection with the infilling.

An Environmental Impact Assessment (EIA) has been undertaken and submitted, which considered the impacts of the application in accordance with the requirements of a Scoping Opinion provided by Surrey County Council.

The application extraction area is identified as a preferred area (Preferred Area P: Mercers Farm) in the Surrey Minerals Plan 2011 (SMP2011) for future extraction of soft sand, where it is considered that mineral working is possible without posing significant adverse impacts on the environment or local community, subject to key development requirements which need to be addressed as part of any future proposals for mineral extraction. These cover the following matters: traffic and access; local amenity; biodiversity; heritage; hydrology; agriculture; landscape; aerodrome safeguarding; and restoration.

No objections have been received from the technical consultees who were asked to comment on the above key development requirements as set out in the SMP2011. Tandridge District Council, the local parish councils, local conservation groups and local residents object to the proposed development, raising concerns in respect of; need, traffic, local amenity, biodiversity, heritage, hydrology, pollution, agriculture, landscape and restoration.

The concerns of Tandridge District Council, local residents and other organisations are acknowledged, however Officers consider that taking into account the responses from technical consultees, the proposed development can be carried out without imposing significant adverse impacts on the environment or local community, and that any impact on the environment or on amenity will only be temporary or will be able to be controlled to acceptable levels by the imposition of planning conditions. Minerals can only be worked where they are found and whilst the site is within the Green Belt, mineral extraction need not be inappropriate development as it is a temporary operation that can be carried out without compromising openness. Officers consider that the need for the mineral clearly outweighs any temporary impacts of the development and that the scheme meets the policy requirement for mineral extraction in the Green Belt, in that high environmental standards can be maintained and the site can be well restored to a beneficial afteruse within an acceptable timescale.

The recommendation is to PERMIT subject to conditions.

APPLICATION DETAILS

Applicant

J & J Franks Ltd

Date application valid

25 November 2013

Period for Determination

17 March 2014 (extension until 31 July 2014)

Amending /Amplifying Documents

Letter dated 27 February 2014 and attached response from URS (dated 26 February 2014) to consultee comments.

Letter dated 21 May 2014 (entitled Landscape)

Letter dated 29 May 2014 (entitled Environment Agency) and attached response from URS on Flood Risk (dated 28 May 2014)

Outline Management Plan dated June 2014

Schedule of Landscape Drawings dated 25 June 2014

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
Mineral Issues and Need	Yes	49-68
Highways, Traffic and Access	Yes	69-83
Landscape and Visual Amenity	Yes	85-113
Rights of Way	Yes	114-115
Cultural Heritage	Yes	116-120
Noise	Yes	121-124
Air Quality – Dust	Yes	125-130
Hydrology/ Hydrogeology/Geotechnical Assessment	Yes	131-139
Ecology and Biodiversity	Yes	140-145
Restoration and Aftercare	Yes	146-151
Green Belt	Yes	157-162

ILLUSTRATIVE MATERIAL

Site Plan

Plan

Aerial Photographs

Aerial 1

Aerial 2

Site Photographs

- Fig 1 -View N along proposed haul route from access off A25
- Fig 2 - View S up toward A25 of proposed haul route
- Fig 3 - View E from FP175 toward Glebe Cottage
- Fig 4 - View W of Peytons Cottages from proposed haul route
- Fig 5 - View NNW from proposed haul route toward extraction area beyond Glebe Lake
- Fig 6 - View NW along FP173 and proposed extraction area
- Fig 7 - View N across proposed extraction area
- Fig 8 - View NE from FP173 across proposed extraction area toward M23
- Fig 9 - View E along FP173 of proposed extraction area

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 site is 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. The application site (referred to as Mercers South) comprises the extraction area (approx 22ha) to the south and east of Mercers Farm buildings and comprises managed arable agricultural land with some hedgerows, with land to the south of the proposed extraction area, which is to be used for the access to the A25 and planting. This southern access area is a former Fullers Earth/sand working area, and now restored (unmanaged grazing and hedgerows), incorporating Glebe Lake (used for fishing). Public Footpath No.173 crosses the southern end of the proposed extraction area (E - W), with Public Footpath Nos.175 and 188 crossing the line of the proposed internal access haul route to the south.

- 2 The application site lies within the Metropolitan Green Belt and within the Holmethorpe Sandpits Complex SNCI (County importance for birds). The northern boundary of the site marked by Redhill Brook borders the southern edge of the Surrey Hills Area of Outstanding Natural Beauty (AONB). The southern half of the application site borders land to the east designated as Surrey Hills Area of Great Landscape Value (AGLV). Access to the application site is proposed to be gained from a dedicated new access off the A25 to the south, between the villages of Nutfield and Bletchingley. The proposed extraction area lies at 85-93m AOD and steadily rises to the south, with the site access off the A25 at 145m AOD. There are listed buildings adjoining the western boundary of the site and in close proximity to the 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 13km safeguarding area of Biggin Hill and Gatwick Airports. Redhill Aerodrome lies approximately 3km to the south of the site.
- 3 The closest residential properties lie approximately 50m to the west of the proposed sand extraction area. The closest residential properties to the access road are the properties along the A25 approximately 70m to the east of the site access. An overhead electricity pylon (aligned N-S) is located along the far western edge of the site south of Mercers Farm buildings.

Planning History

- 4 The Nutfield area forms a complex of historical workings for Fullers' Earth (clay – important industrial uses) and overlying sands both north and south of the A25. The complex of workings is based on a Ministerial decision in 1954 to give planning consent to extraction from over 1,000 acres (405ha) of land north of the A25, subject to approval of the detail programmes of working and restoration. This 1954 consent comprises almost the whole of the area of open land north and west of Nutfield to Redhill and South Merstham, which includes the majority of the application site extraction area. An eastward extension of this 1954 consented area, comprising 68 acres (28 ha) of land around Glebe House, was granted consent by Surrey County Council in 1971. Two smaller areas remain within the original consented area: Mercers South (south and east of Mercers Farm buildings) and Chilmead (north of Chilmead Lane), which have reserves of building (soft) sand.
- 5 The application extraction site area at Mercers South is identified as a preferred area (Preferred Area P: Mercers Farm) in the Primary Aggregates Development Plan Document (DPD) for future extraction of soft sand for the period 2009-2026. The Primary Aggregates DPD, together with the Core Strategy DPD comprises the Surrey Minerals Plan 2011, adopted in July 2011. Key development requirements are set out for each preferred area, which need to be addressed as part of any future proposals for mineral extraction. For Mercers Farm these cover the following matters: access and traffic; local amenity; biodiversity; heritage; hydrology; agriculture; landscape; aerodrome safeguarding; and restoration.

THE PROPOSAL

- 6 The application is for the extraction and screening of approximately 4.1 million tonnes of sand over a 16 year period commencing around 2016, with progressive restoration back to agriculture using imported inert construction waste materials by 2036. The proposed extraction area forms the northern half of the application site area, to the north of Glebe Lake, south and east of Mercers Farm buildings. The southern half of the site is narrower and will facilitate the construction of the internal access haul road and dedicated new access on to the A25 to the south. The proposal includes ancillary development, comprising: HGV wheel spinner and washing facility; two weighbridges, office/staff welfare facilities, mobile home for security and car parking, to be located in the south eastern corner of the extraction area. The sand dry screening plant will be moved around the quarry floor as extraction progresses in accordance with the phasing.

Site Preparation

- 7 A dedicated new access off the A25 and internal access road to the extraction area is proposed to be constructed in 2015 over a period of 6 months, prior to the operational development of the quarry working area. No site development vehicles will access the site from Nutfield Marsh Road or Cormongers Lane. Before the western part of the extraction area is prepared, the overhead power line would need to be diverted. Prior to sand extraction, topsoils would be placed in temporary storage areas, and subsoils would be used to construct screening bunds around the extraction site periphery (progressive with working phases). Clay overburden will be stored in the northwest corner of the site (final phase) and used progressively in advance of the restoration phases as a geological barrier for groundwater protection.

Working, Phasing and Restoration

- 8 The site will be worked and progressively restored in four phases working from east to west (Figures 6, 7, 8 and 9), with each phase projected to last around 4 years. The quarry will be worked to a depth of 67m AOD, which would be up to a maximum of 21m below the current ground level. Approximately 2m of sand will be worked above the watertable and then the site will be dewatered down to 72m AOD, with the remaining sands worked wet.
- 9 The extraction of sand will create a quarry void space of approximately 2.5 million cubic metres that would be progressively filled over a period of approximately 16 years in four phases, using inert construction waste materials. Infilling of the quarry would not commence until the first phase of sand extraction is complete, which would be 5 years from the start of the extraction. The site would be brought up to level with the imported inert waste materials and then restored back to agricultural use utilising the site derived subsoils and topsoils. It is anticipated that approximately 181,000 tonnes per annum (tpa) of inert waste infill material would be needed to fill the void created from the proposed 250,000 tpa sand extraction.
- 10 The development would generate an average of 75 HGV movements per day in connection with the sand extraction, and 75 HGV movements per day in connection with the importation of inert infill materials for the backfilling of the site. The site would operate Mondays – Fridays: 0700 – 1800 hours, and Saturdays: 0700 – 1300 hours, however any quarrying of sand would not commence until 0730 hours. There would be no operations on Sundays or Bank Holidays, although maintenance may be undertaken.
- 11 Prior to extraction works, a temporary stopping up of Public Footpath No. 173 would be required, and temporary diversion along the southern boundary of the sand extraction area running from Nutfield Marsh Lane to the junction with Public Footpath Nos. 175 and 623. The temporarily diverted Public Footpath No 173 and also existing

Public Footpath Nos. 175 and 188 cross the internal access road, as such appropriate signage would be provided to protect pedestrians.

CONSULTATIONS AND PUBLICITY

District Council

12 **Tandridge District Council**

Object. The following comments were received:

A - Extraction

Tandridge District Council is opposed in principle to sand extraction at the site. This proposal would not result in short term impacts but the impacts would extend over a 16 year period commencing around 2016 for the extraction and screening of sand with progressive restoration back to agriculture using imported inert construction waste materials by 2036. Given the potential impacts on amenity, living conditions, ecology, landscape and the highway network over approximately 20 years, the proposal is unacceptable.

A1 Access - The Council has particular concerns about the proposed development in terms of access to the site via the A25 in view of the pinch point on the A25 in Nutfield where HGVs cannot pass each other. This was a significant issue raised at the Public Inquiry held in the period November 1995 to March 1996 concerning the proposed erection of buildings and plant for use as a recycling and bio-thermal waste to energy facility at the Copyhold Works site further along the A25 to the west towards Redhill. This was subsequently refused planning permission by the Secretary of State for the Environment on 29 July 1996. In the event that extraction is approved, it is considered that an alternative method of transporting the sand should be investigated.

The extraction proposals submitted for Mercers South can only be achieved with unacceptable repercussions which would result in the highway problems caused by HGVs on the A25 being exacerbated with continuing environmental impacts such as noise, vibration and fumes. The impacts on the highway network would stretch along the A25 affecting the historic villages of Nutfield, Bletchingley and Godstone. The impact of extraction is unacceptable enough and the continued further impact of restoration would be ultimately destructive.

A2 Amenity and Environmental Impact - It is considered that the extraction of sand from this site would lead to an environmental impact on nearby dwellings in terms of noise, dust and general disturbance and would be damaging to the rural character of the Nutfield Marsh area. In the event that extraction is approved, any mitigation measures carried out need to ensure that the potential environmental impacts of noise and dust are kept to a minimum.

A3 Visual Impact and Landscape - The Council has concerns about the proposed development in terms of the visual and environmental impact of the site on the Area of Outstanding Natural Beauty to the north and the Area of Great Landscape Value to the east and on the Green Belt itself. It should be noted that planning authorities in Surrey are seeking the assimilation of Areas of Great Landscape Value into the Surrey Hills Area of Outstanding Natural Beauty. The site is an important part of the open attractive landscape between Redhill/Merstham and Nutfield and within the Holmesdale Greensand Valley Landscape Character Area, which would be seriously affected by the extraction of sand from this site. The visual impact of workings and any restoration would have a long term impact on the surrounding landscape which in general terms is attractive and open countryside. The site is also very visible from public elevated areas and viewpoints on the North Downs, which are within the

Surrey Hills Area of Outstanding Natural Beauty. For the reasons outlined above, it is considered that these landscape objections are insurmountable.

A4 Ecology - In view of the presence of Great Crested Newts, Wintering Lapwing, Bullfinch and Reed Bunting, the Council has concerns about the potential ecological impact of sand extraction from the site on the Site of Nature Conservation Importance. In the event that extraction is approved, any mitigation measures carried out need to ensure that the potential environmental impacts on ecology and biodiversity are kept to a minimum.

A5 Drainage - The Council has drainage concerns about the impact of sand extraction from the site on the Nutfield Marsh area and accordingly, in the event that extraction is approved, Surrey County Council would need to be satisfied that with any necessary mitigation measures in place, the proposed development would not increase the risk of flooding during operations or restoration of the site.

B - Restoration

In the event that extraction is approved, restoration should be undertaken to include a landscaped lake with ecological benefit (and bird strike precaution) with limited opportunities for public access and low key informal recreation. Any restoration programme should include a legally binding method statement to control the nature and quantity of material; and the number and routing of vehicles. The restoration proposals submitted for Mercers South can only be achieved with unacceptable repercussions using HGVs to bring in materials to restore the land. This would result in similar highway effects to that described above in A1 Access.'

- 13 **Tandridge District Council – Environmental Health**
No comments received

Consultees (Statutory and Non-Statutory)

- 14 **Reigate & Banstead Borough Council**
No objection. Raise concern in terms of increased traffic, noise and air pollution.
- 15 **The Environment Agency**
No objection, subject to conditions in respect of: flood risk, groundwater monitoring and restoration.
- 16 **Natural England**
No objection, subject to conditions to safeguard soil resources and promote a satisfactory standard of reclamation appropriate to the approved afteruses.
- 17 **Surrey Wildlife Trust**
No objection, subject to further information on ecological issues and that a Landscaping and Ecological Management Plan (LEMP) is provided.
- 18 **English Heritage**
No objection. In view of the number of grade II listed buildings adjacent and in close proximity to the site, there was a recommendation that that the proposals are determined with the input of Surrey County Council conservation staff.
- 19 **County Highway Authority - Transportation Development Control**
No objection, subject to conditions in respect of: visibility zones, means of access, HGV movements and transport management.
- 20 **County Landscape Officer**
No objection, subject to conditions including the requirement for a landscape and ecological management plan.

- 21 **County AONB Adviser**
No comments received
- 22 **County Environmental Enhancement Officer**
No objection, subject to conditions
- 23 **County Biodiversity and Ecology Officer**
No objection, subject to conditions including the requirement for a landscape and ecological management plan.
- 24 **County Archaeological Officer**
No objection
- 25 **County Historic Buildings Officer**
No objection
- 26 **County Environmental Assessment Officer**
No objection, the ES submitted in support of the planning application is of an acceptable standard to inform the determination of the application. As submitted, the ES is considered to be fully compliant with the minimum information requirements set out in Part II of Schedule 4 of the EIA Regulations 2011 (as amended), and provides as much of the information listed under Part I of Schedule 4 of the EIA Regulations 2011 (as amended), as could be reasonably required.
- 27 **Countryside Access Officer - Rights of Way**
No objection.
- 28 **County Noise Consultant**
No objection, subject to conditions in respect of noise levels and site operations.
- 29 **County Air Quality Consultant**
No objection, subject to conditions in respect of dust management.
- 30 **County Geotechnical Consultant**
No objection provided the Environment Agency are satisfied and subject to conditions in respect of flood risk and groundwater monitoring.
- 31 **National Grid (National Transmission System)**
No comments received
- 32 **Gatwick Airport Safeguarding**
No objection, subject to a condition in respect of landscaping (incorporating bird hazard management)
- 33 **Health and Safety Executive**
No comments received.
- 34 **Traffic Action Group (TAG) A25**
No comments received
- 35 **Sutton and East Surrey Water Plc**
Continue to voice concern that no further mineral abstraction should be permitted in this area because of the potential disruption to, and/or pollution of, groundwater abstracted from the public water supply.
- 36 **Thames Water**
No comments received

37 **CPRE**
Object. Raise the following concerns: blott on the landscape and visible from AONB and AGLV; HGV traffic impacts; dust emissions; noise; flooding and pollution; contamination from infilling; biodiversity - impacts on plants, birds and newts.

38 **Surrey Botanical Society**
Concern over impact on biodiversity, in particular the loss of rare species of plant (three species on the Vascular Plant Red Data List for Great Britain 2005 – Corn Marigold, Common Cudweed, Corn Spurrey).

39 **The Ramblers Association**
No comments received

Parish/Town Council and Amenity Groups

40 **Bletchingley Parish Council**
Object. Raise the following concerns:

- increase in HGV movements per day and associated impacts, particularly on Nutfield and Bletchingley,
- impact on the aquifer in terms of potential disruption to supply and potential contamination,
- significant impact on heritage and listed building Mill Cottage,
- reduction in air quality, with need for a dust management plan.

41 **Godstone Parish Council**
Object. Raise the following concerns:

- damage to trees,
- no survey of traffic through Godstone and any increase in HGV traffic will have a material effect on locality and air quality,
- access road not justified in Green Belt,
- no proven need for building sand as sufficient landbank,
- inadequate protection of aquifer from contamination,
- possible contamination from landfilling with inert waste,
- Redhill airport is less than 3km away and needs consideration in terms of bird hazard,
- protection/consideration of great crested newts.

42 **Nutfield Parish Council**
Object. Raise the following concerns:

- Inspector at SMP2011 examination raised concerns regarding environmental impact and hydrological issues,
- flood risk and ground instability with adjacent Glebe Lake,
- water pollution and refer to Sutton & East Surrey Water Company objection at SMP2011 examination,
- air quality management inadequate due to sensitive receptors nearby and need for dust management plan,
- the Marsh has important ecological interests including Great Created Newts and wintering lapwings, no adequate survey of plants has been carried out, impacts on ecology not adequately assessed,
- higher percentage of HGVs than quoted with impacts in respect of noise and vibration from HGVs,
- no justification in respect of need for sand, presumption against working in AGLV/AONB .

43 **Nutfield Conservation Society**

Object. Raise similar concerns as the Parish Council above in respect of: groundwater pollution; flood risk; air quality; road access; AONB status; HGV traffic; need for sand; noise and vibration levels from HGVs; impact on ecology.

44 Nutfield Marsh Residents Group

No comments received.

45 Quarry Observation Group (QOG)

Object, as the potential harm to health and the ecosystem has neither been demonstrated to be insignificant nor controllable.

Summary of publicity undertaken and key issues raised by public

- 46 The application was publicised by the posting of 6 site notices and an advert was placed in the local newspaper. A total of 286 of owner/occupiers of neighbouring properties were directly notified by letter. 74 letters of representation were received from the above notifications of which 10 letters are in support of the planning application. A petition was also received from local residents, which had 128 signatures. Comments made within these letters of representation and petitions are as follows:

Green Belt

- no more industry in Green Belt

Amenity

- too close to residential properties
- devastating effect on area
- existing landfill already blights landscape and area
- visual impact - limited screening of access road
- impact from proximity of site buildings/infrastructure
- screening bunds will have limited effect due to position at bottom of wide valley
- cumulative impact on amenity with landfill and other pits in area
- impact of haul road close to boundary with Glebe Cottage
- hours of working anti-social - there should be no working on Saturday, and no maintenance on Sundays – suggest no activity before 0800, no working after sunset or 1700 whichever is the earlier
- want assurances that mitigation measures are carried out
- clay storage area too close to boundary and too high, higher than perimeter bunding – noise, vibration and dust impact
- phase 4 will get too close to residential properties
- haul road not in a cutting or hidden by means of bunding – little detail provided of road profile and raised areas
- contest the low visual impact in winter – simple solution tree planting and gap filling

Highways

- impact of 150 HGV movements per day on local area and villages
- existing traffic along A25 already dreadful, further impact on infrastructure
- further adverse impact on road conditions
- pedestrian and cyclists safety
- noise impact on neighbourhood
- pollution impact and air quality (health hazards), carcinogenic fumes
- new junction on A25 will create increased back-log of traffic
- vibration from HGVs
- increased accidents from number of HGVs
- close to primary school (safety and health issues)

- roadside footpath damage
- recommend CCTV be installed to monitor existing HGVs
- would want alternative to HGV route, e.g. direct onto M23
- A25 between Redhill and Godstone already at over capacity

Ecology

- destruction of historic hedgerows and woodland, loss of habitat and damage to ecosystems
- nature reserve SNCI of County importance for birds and borders SSSI
- rare flora and fauna in area, including great crested newts, bats and birdlife (incl. Lapwings, tawny and brown owls) that may have their habitats irrevocably affected
- jeopardise surrounding habitats of Spynes Mere, Homethorpe and Mercers Park
- 3 species of vascular plant red data list for GB 2005 – vulnerable and threatened, tragic loss if such rare species lost, loss of hedgerows
- surprised at lack of species recorded, questions raised over surveys
- not enough wildlife improvements

Landscape

- borders AONB and AGLV
- destruction of arable farmland and replacement with quarrying for 20 years
- screening bunds will have limited effect due to sit at bottom of wide valley and also only 2m
- viewed from Pilgrims Way to the east
- loss of historic hedgerows
- originally informed by applicant that sides of the access road would have planted bunds

Restoration

- monitoring needed to ensure site restored as promised
- request screening of M23 with hedgerows
- request advance planting
- backfilled land only good for grazing
- restoration and enhancement should start prior to any works in quarry – comply with Code of Good Agricultural Practice
- extend field margins to 6 m – providing and enhancing wildlife habitats
- opportunity to improve on a poor restoration (Glebe Lake) – water level 6m higher and sick grassland

Rights of Way

- loss of public access to countryside
- National Cycle Route 21 crosses Nutfield Marsh Road
- negative effect on leisure activities –walking, bird watching, rambling, jogging and horse-riding

Dust & Air Quality

- dust nuisance from operations as nearest property is less than 50 m from extraction area and access road
- silica dust and silicosis, classified by the International agency for Research on Cancer as Group 1 (highest) human lung carcinogen
- cumulative impact as other sand site in area (Pendell), and impacts on school situated between both (Hawthorns School)
- air quality monitors at Nutfield High St and at Bakers Mead in Godstone showed NO₂ readings higher than permitted levels in 2010
- poor air quality a result of diesel exhaust fumes

- air quality not adequately assessed in ES

Noise

- noise nuisance from operations as nearest property is less than 50 m from extraction area and access road
- noise from HGVs climbing steep access road from 95m at Glebe Lake to 146m at High St (A25), only 100m to Glebe Cottage, 250m to Peytons Cottages and 200m to Nutfield Court
- suggest recess access road into hillside with acoustic screening in form of bunds to mitigate noise
- no cross sections of road or profile of access road
- the application suggests that the quarry could be worked within acceptable noise limits, which is not definite

Hydrology and groundwater

- lead to contamination of groundwater, water pollution of wells has not been satisfactorily researched
- difficult to prevent release of water from Glebe Lake – pollution potential
- due to location proximate to unlicensed landfills the proposed works will provide a hydraulic connection between the landfills and the subsurface aquifer leading to potential contamination of the water supply wells
- extraction will affect groundwater levels – impacts - seeps, flooding and stability – question over the adequacy of the surveys carried out
- ground already contaminated from previous backfilling along access route – oil at surface
- de-watering will draw contaminants from nearby Beechfield Landfill (which took industrial wastes including spent metal plating wastes containing cyanide residues – elevated concentrations of contaminant in nearest borehole 2011-003
- storage of fuel oils
- errors and omissions in whole assessment...applicant states that '*no significant effect on ponds associated with mineral extraction but that the hydraulic continuity is not known*'

Surface Water

- area prone to flooding, with landslips on neighbouring former extraction sites
- increased surface water run-off will lead to contamination of water supply as sand acts as filter
- area suffering from increased surface flooding, with levels in Glebe lake overflowing onto farm land and gardens,
- in flood zone 1 and catchment of river Mole
- measures to prevent flooding of Nutfield Marsh and monitoring to ensure in place – sustainable drainage systems
- no detail of management plan, which is being relied on – not robust, weak structural design
- figures for flows along Warners Brook are not precise, no mention of increasing size of culvert
- discharge to Redhill Brook via Glebe Lake and Warners Brook – however RB does not comply with Water Framework Directive
- Glebe Lake has overflowed several times and Canal Cottage has flooded more than the once

Geotechnical

- question mitigation measures in respect of potential subsidence of neighbouring properties
- concerns over stability and integrity of stand-off between Glebe Lake and proposed workings

Need

- no social need or benefit to local residents
- not opposed to mineral extraction as recognise need and economic benefits, but would want alternative HGV route
- no need as adequate supplies elsewhere, not sustainable, sufficient landbank in Surrey to cover 7-13 years
- uncertainty over quality and quantity (in assessment of yield report)

Heritage

- damage to historic properties from HGV vibration
- impact on the setting of the designated heritage assets – namely Charman Cottage, Folly Tower in Grounds of Redwood, Church of St Peter and St Paul, Clement Chest Tomb

Climate Change

- Intergovernmental Panel on Climate Change (IPCC) urges that in order to mitigate the effects of both past and future anthropogenic carbon dioxide emissions, land use is one of the key factors – pristine land should be maintained
- construction of new road contrary to IPCC recommendations of shift to rail transport, thus contributing to climate change or use of conveyor system as with previous extraction at Mercers Park
- increase in greenhouse gas emissions

Waste and pollution

- uncertainty over type of inert waste for infilling
- uncertainty over waste supply, and hence delay in restoration
- pollution from nearby restored old industrial landfill sites (Beechfield and North Cockley) where the leachate is in continuity with surrounding groundwater, elevated level of nitrate (NO₃) in groundwater well between landfills and proposed site
- question dry working, wet working would avoid issue and impact of the potential of mobilising contaminants from the landfills

NPPF

- concerns over various issues in order to ensure 'mutually dependent economic, social and environmental roles of the planning system to achieve sustainable development' NPPF paras. 7-8
- MPAs are expected to ensure that proposals do not have an unacceptable impact on human health

Human Rights Act

- contravention of obligations and responsibilities under the HRA, particularly Protocol 1 Article 1 and the provisions of Article 8 – protection of the countryside

Letters of Support (x8)

- support from local brick industry that needs sand supply, meets sustainable policy of sourcing raw materials close to production site
- support from local builders and soft sand suppliers to building industry
- support from local residents providing necessary controls are put in place to protect the roads and local environment from noise, dust and odours from the landfill, and that the roads and pavements are cleaned more regularly than they are at the moment
- support from users (fishing club) of Glebe Lake – proposal to maintain levels at lake

- upturn in activity and need to provide quality aggregate, Betchworth has limited reserves and Runfold could be exhausted by the end of the year

PLANNING CONSIDERATIONS

Introduction

- 47 The County Council as Minerals Planning Authority (MPA) has a duty under section 70(2) of the Town and Country Planning Act 1990 and Section 38 (6) of the Planning and Compulsory Purchase Act 2004 to determine this application in accordance with the Development Plan unless material considerations indicate otherwise. In this case, the statutory Development Plan consists of the Surrey Minerals Plan 2011 - Core Strategy and Primary Aggregates Development Plan Documents (DPD) (SMP2011), the Surrey Waste Plan 2008 (SWP2008), the saved policies of the Tandridge District Local Plan 2001 (TDLP2001), along with the Tandridge District Core Strategy 2008 (TDCS2008). Adopted alongside the SMP2011 was the Minerals Site Restoration Supplementary Planning Document (SPD).
- 48 Material considerations can include relevant European policy, the March 2012 National Planning Policy Framework (NPPF), the March 2014 National Planning Practice Guidance (NPPG), Government Circulars and emerging local development documents. At the heart of the NPPF is a presumption in favour of sustainable development which the document states "*should be seen as a golden thread running through both plan making and decision-taking.*" The NPPF makes clear the purpose of the planning system is to contribute to the achievement of sustainable development which has three dimensions: economic, social and environmental. These give rise to the need for the planning system to perform a number of mutually dependent roles: an economic role, a social role and an environmental role. The NPPF sets out 12 core land-use planning principles that should underpin both decision-taking and plan making. The NPPF does not change the statutory principle referred to above that determination of planning applications must be made in accordance with the adopted development plan unless material considerations indicate otherwise. Where a proposal accords with an up-to-date development plan it should be approved without delay, as required by the presumption in favour of sustainable development at paragraph 14 of the NPPF. The weight to be given to policies in the adopted development plan documents should be determined according to their degree of consistency with the NPPF. Officers consider that the policies in the above development plan documents are, so far as is relevant, up to date and consistent with the NPPF.
- 49 In considering this application the acceptability of the proposed development will be assessed against relevant development plan policies and material considerations. Planning issues to consider are: minerals issues and need; highways and traffic; landscape and visual amenity; rights of way; noise; air quality and dust; hydrology and hydrogeology; geotechnical (land contamination and land stability); ecology and biodiversity; restoration and aftercare; cultural heritage; and Green Belt. The planning application is accompanied by an Environmental Statement.

MINERALS ISSUES

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

SMP 2011 Core Strategy DPD

Policy MC1 - Spatial Strategy – location of mineral development in Surrey

Policy MC7 - Aggregate minerals supply

SMP 2011 Primary Aggregates DPD

- 50 The NPPF and the NPPG guidance sets out the Government's approach on the management and planning's role with regard to minerals and facilitating their supply. Paragraph 142 of the NPPF states that *"minerals are essential to support sustainable economic growth and our quality of life. It is therefore important that there is a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs. However, since minerals are a finite natural resource and can only be worked where they are found, it is important to make best use of them to secure their long term conservation"*.
- 51 Paragraph 144 of the NPPF sets out a number of bullet points that should be considered when determining planning applications. Relevant to this proposal these include:
- *"giving great weight to the benefits of the mineral extraction including to the economy;*
 - *ensure in granting planning permission for mineral development 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;*
 - *ensure that any unavoidable noise, dust and particle emissions and any blasting vibrations are controlled, mitigated or removed at source, and establish appropriate noise limits for extraction in proximity to noise sensitive properties; and*
 - *provide for restoration and aftercare at the earliest opportunity to be carried out to high environmental standards through the application of appropriate conditions, where necessary. Bonds or other financial guarantees to underpin planning conditions should only be sought in exceptional circumstances."*
- 52 Paragraph 145 of the NPPF requires mineral planning authorities (MPAs) to plan for a steady and adequate supply of aggregate through what is known as the Managed Aggregate Supply System (MASS). Guidance on this is now provided through the NPPG (Minerals - Para.060). Paragraph 145 of the NPPF sets out a number of bullet points as to how this can be achieved including by preparing an annual Local Aggregate Assessment (LAA), taking account of published National and Sub National Guidelines on future provision, using landbanks of aggregates mineral reserves principally as an indicator of the security of aggregate minerals supply and to indicate the additional provision that needs to be made for new aggregate extraction. The paragraph requires MPAs to make provision for the maintenance of landbanks of at least 7 years for sand and gravel.
- 53 Guidance on aggregate landbanks in the NPPG (Minerals – Para.080) states that landbanks are principally a monitoring tool to provide a mineral planning authority with early warning of possible disruption to the provision of an adequate and steady supply of land won aggregates in their area. In taking decisions on planning applications the NPPG (Minerals - Para.082) states that *"low landbanks may indicate that suitable applications should be permitted as a matter of importance to ensure the steady and adequate supply of aggregates."* NPPG (Minerals – Para.084) states that each application should be considered on its own merits regardless of the length of the landbank and although there is no maximum landbank level, a landbank below the minimum level may be seen as a strong indicator of urgent need.
- 54 The SMP2011 Core Strategy DPD sets out the County Council's approach to the provision of mineral resources within the plan period up to 2026 alongside ensuring protection of the environment and residential amenities. Paragraph 1.7 recognises

that minerals make a significant contribution to our quality of life with an adequate supply of aggregate minerals being required for building and repairing houses, roads, schools and hospitals. Policy MC1 sets the spatial strategy for the location of mineral development in Surrey. The policy states that mineral extraction for soft sand will be concentrated on land within the Lower Greensand Formation in south west and eastern Surrey with preferred areas for future sand and gravel production being identified in the Primary Aggregates DPD.

- 55 In line with the NPPF and NPPG the Core Strategy DPD (CSDPD) seeks to ensure a supply of aggregate minerals over the plan period for the county. Paragraph 5.12 of the CSDPD states that proposals for mineral extraction within the preferred areas will be determined in the context of the apportionment to the county (regional apportionments have now been abolished, replaced by the reformed MASS and delivery through the LAA) and the landbank position at the time when applications are considered. The paragraph goes on to say that the landbank position will be monitored annually and if below seven years, the deficit situation will be a material consideration in determining applications on preferred areas.
- 56 Policy MC7 of the CSDPD states that preferred areas will be identified in the SMP 2011 Primary Aggregates DPD for soft sand and concreting aggregates which, with identified reserves, are sufficient to enable the production of around 24 million tonnes (mt) of aggregate between 2009 and 2026. The policy goes on to state that the mineral planning authority will seek to maintain a landbank of at least seven years for aggregates based on the apportionment set in the regional spatial strategy (South East Plan 2009). The Primary Aggregates DPD set Surrey a mineral provision rate of 1.4 million tonnes per annum (mtpa) between 2009 and 2026 and the retention of this mineral provision rate is supported by the first Surrey LAA October 2013.
- 57 The SMP 2011 Primary Aggregates DPD recognises that resources of primary aggregates are becoming increasingly scarce as remaining resources become more constrained whether because of their potential impact on local communities or the environment or because they are too small to be economically viable. Policy MA1 of the SMP2011 Primary Aggregates DPD requires provision to be made for the supply of around 24 million tonnes of primary aggregates and splits this into separate provision rates for concreting aggregate and soft sand, comprising 15 million tonnes of concreting aggregate and 9 million tonnes of soft sand between 2009 – 2026. The policy states that preferred areas will be identified which together with permitted reserves will enable production of concreting aggregate at an average rate of 0.90mtpa and 0.5mtpa for soft sand. The policy also states that in determining proposals for mineral working, regard will be paid to the level of permitted reserves, and the need to maintain continuity of supply in terms of an appropriate landbank.
- 58 The site at Mercers South is considered a suitable location for soft sand under the Core Strategy DPD Policy MC1 and is identified as a preferred area under the Primary Aggregates DPD Policy MA3 for the extraction of primary aggregates. The preferred areas provide the locations where it is considered that mineral working is possible without imposing significant adverse impacts on the environment or local community, subject to key development requirements (listed below) being met for each preferred area. The boundaries of the preferred areas do not necessarily indicate the extent of mineral extraction that may be permitted. It is possible that some land outside the preferred area boundaries may have to be included in proposals, for example in this proposal to provide access to the site from the public highway or allow room for additional landscaping. However, actual mineral extraction beyond the boundaries of the preferred areas will not normally be permitted without good justification. The DPD goes on to state that identification of a preferred area does not mean that permission will automatically be granted for aggregate extraction because proposals will also be tested under the relevant

development plan policies. In addition, conditions will be imposed on planning permissions to protect features of importance and restrict operations in order to address impacts on local communities and the environment.

59 The Primary Aggregates DPD key development requirements for the Mercers South site (identified as Preferred area P: Mercers Farm, Nutfield) are as follows:

- *Access* : a comprehensive package of measures is required to provide suitable access and local highways improvements
- *Local amenity* : assess and identify mitigation for potential environmental impacts of noise and dust, and visual impact, on nearby residents arising from mineral working and processing; phase working and restoration to limit adverse impacts on the surrounding communities and environment; select location of processing plant so as to limit visual impact; divert footpath (FP173) and leave suitable unworked margins to it and bridleway (BW182)
- *Biodiversity* : preferred area is designated as a site of nature conservation importance and notable for wintering lapwing, bullfinch and reed bunting, and great crested newts so assess baseline ecology including record of protected species and species of principal importance; identify and mitigate potential impacts; assess potential indirect impacts on ecology and biodiversity from any changes to the hydrological regime, particularly around Redhill Brook
- *Heritage* : assess the impact of working and restoration on conserving the character and setting of the listed buildings (Leather Bottle Cottage and Charmin Cottage) adjoining the western boundary; prior archaeological assessment and, if necessary, evaluation is required
- *Hydrology* : within a major aquifer and close to source protection zone 3 for public water supply (Warwick Wold); hydrogeological assessment is required
- *Agriculture* : assess impact of mineral working on the viability of the agricultural holding
- *Landscape* : the preferred area adjoins the AONB and AGLV and is within the Holmesdale Greensand Valley Landscape Character Area; assess 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
- *Aerodrome safeguarding* : preferred area lies within 13km of Biggin Hill and Gatwick Airports; assess potential hazard to aircraft from birds attracted by the development during operations, restoration and from proposed after-use
- *Restoration* : restore to existing levels to meet a combination of local informal recreational, landscape and nature conservation objectives

Landbank

60 The landbank is measured in years and is the sum in tonnes of all permitted reserves for which valid planning permissions are extant divided by the annual mineral provision rate or the current annual production rate. The sum of permitted reserves include current non-working sites but exclude those sites where mineral working cannot take place until there has been a review of the planning conditions attached to their planning permission. As outlined above, Government guidance is that minerals planning authorities should seek to maintain a landbank of at least seven years for land won sand and gravel.

61 Surrey County Council produces an Annual Monitoring Report (AMR) covering the period 1 April to 31 March, which includes details on production, permitted reserves and the landbank of primary aggregates. Following changes introduced under the Localism Act 2011 planning authorities are now required to publish monitoring information as soon as possible after it becomes available. An Aggregates Monitoring Update is published on the county council website in the Spring in

advance of publication of the annual monitoring report. From 2012/13 the AMR will also include Surrey's LAA which will include information on mineral production and reserves plus an assessment of all mineral supply options.

- 62 The latest information on sales, reserves and the landbank of primary aggregates is contained in the Aggregates Monitoring Update: May 2014 which reflects the results of the Aggregates Monitoring Survey 2013 (AM2013). This supersedes the data contained in the October 2013 LAA and the AMR 2012/13. The results of the AM2013 indicate that sales of land-won primary aggregates increased to 0.79mt in 2013 comprising 0.33mt of concreting aggregate (sharp sand and gravel) and 0.43mt of soft sand. The AM2013 also reveals that the landbank of permitted reserves fell significantly from 6.7 to 4.4 years between the end of 2012 and 2013. This was due to a significant fall in soft sand reserves resulting from a reserve reassessment / additional quality information at three quarries, and the expiry of planning permission at Alton Road Sandpit where soft sand extraction never commenced in earnest.
- 63 The fall in the landbank to well below 7 years is considered to indicate a pressing need for the granting of new planning permissions for sand and gravel workings in Surrey in order to bolster dwindling reserves. This view is supported by the NPPG (Minerals – Para.082) which states that “*low landbanks may indicate that suitable applications should be permitted as a matter of importance to ensure the steady and adequate supply of aggregates.*” In addition, Minerals - Para.084 adds that each application should be considered on its own merits regardless of the length of the landbank and although there is no maximum landbank level, a landbank below the minimum level may be seen as a strong indicator of urgent need. The granting of planning permission would increase the amount of permitted primary aggregate reserves in the county by 4,100,000 tonnes (4.1mt). This would increase the landbank by 2.9 years to 7.3 years based on the amount of permitted reserves remaining at the end of 2013.
- 64 However, the total landbank position masks a significant distortion between the landbanks for sharp sand & gravel and soft sand which fell to 1.9 years and 8.7 years respectively at the end of 2013. The granting of planning permission at Mercers South would increase the landbank for soft sand by 8.2 years (4.1mt/0.5mtpa) to 16.9 years based on the amount of permitted soft sand reserves remaining at the end of 2013. Therefore, it is acknowledged that there is a more pressing need to replenish permitted reserves of sharp sand and gravel in the county which fell to 1.75 mt at the end of 2013 and remain very low.
- 65 However, in terms of landbanks, government guidance contained in paragraph 145 of the NPPF advises that longer periods for landbanks than at least seven years for sand and gravel may be appropriate to take account of the need to supply a range of aggregates, locations of permitted reserves relative to markets, and productive capacity of permitted sites. This paragraph also highlights the need for MPAs to ensure that large landbanks bound up in very few sites do not stifle competition. Furthermore, the NPPG also refers to known constraints on the availability of consented reserves that might limit output over the plan period as a reason for bringing forward an application for mineral extraction in an area where there exists an adequate landbank.
- 66 Although the landbank for soft sand in the county is in excess of seven years, the applicant states that the significantly greater proportion of the future supply of soft sand will be tied up in a single quarry, which is confirmed in the AMR2012/13. In this respect, the applicant has stated that this would undermine national policy which states that permitted reserves bound up in very few sites should not stifle competition.

- 67 Once soft sand extraction commences at the application site in 2016, one soft sand quarry near Farnham is expected to have completed mineral extraction and it is anticipated that a further soft sand quarry near Betchworth ('Land South of Old Reigate Road' – which is under the applicant's control) will be nearing completion. As a consequence, only two existing soft sand quarries are considered likely to remain soon after 2018. These comprise Moorhouse Sandpits, Limpsfield and Homefield Sandpit, Runfold, the latter of which has been inactive over the past two years. The applicant has provided a letter from the operator of the Homefield Sandpit confirming that the site would not contribute in any meaningful way to the landbank or to the delivery of the annual apportionment for soft sand in the period to 2026. The proposal will therefore help to ensure continuity of supply to the local market in NW Surrey and SW London following the closure of some existing sites where soft sand extraction is nearing completion, as the Limpsfield site will only contribute approximately 30% (0.15mtpa) of Surrey's annual apportionment rate (0.5mtpa).
- 68 It should be acknowledged that there is currently one further planning application for the extraction of 770,000 tonnes (0.14mtpa) of soft sand awaiting determination at Alton Road. However, as it cannot be assumed at this time that planning permission will be granted, its existence cannot be used to influence the determination of this application which should be considered on its merits. Therefore, although the landbank for soft sand is currently above the minimum threshold of at least seven years, taking into account the likely exhaustion of existing soft sand sites over the next three year period Officers are satisfied that there is sufficient justification for the need for the sand in this proposal, in order for Surrey to maintain a steady and adequate supply of soft sand to meet the annual apportionment rate of 0.5mtpa and avoid stifling competition, in accordance with the Development Plan and government guidance contained within the NPPF and the NPPG. For these reasons the proposal is considered acceptable under SMP2011 Policy MA1.

HIGHWAYS, TRAFFIC and ACCESS

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

Policy MC14 – Reducing the adverse impacts of mineral development

Policy MC15 - Transport for minerals

Tandridge District Local Plan 2001 (saved policies)

Policy RT12 – Rights of Way

Tandridge District Core Strategy 2008 (TDCS2008)

Policy CSP 12 - Managing Travel Demand

Introduction

- 69 This section considers the traffic generation and access arrangements, the impact on the highway network and the relative accessibility of the site. The application is accompanied by a Transport Assessment (TA), which addresses the environmental impact of the proposals in terms of highways and transport. The SMP2011 Primary Aggregates DPD key development requirements, requires a comprehensive package of measures to provide suitable access and local highway improvements.

Policy context

- 70 Government policy on transport is set out in part 4 'Promoting sustainable transport' of the NPPF (paragraphs 29 to 41). The NPPF recognises the important role transport policies have in facilitating sustainable development and in contributing to wider sustainability and health objectives with the Government recognising that different communities will require different policies and measures, and the opportunities for maximising sustainable transport solutions will vary from urban to rural areas. Developments that generate a significant number of movements are

required to be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether: opportunities for sustainable transport modes to avoid the need for major transport infrastructure (which will depend on the nature and location of the development) have been taken up; suitable and safe access for all people can be achieved; and cost effective improvements can be undertaken within the transport network to limit the significant impacts of the development, with development only being refused on transport grounds where residual cumulative transport impacts are severe. In relation to mineral development, plans should set environmental criteria for assessing the traffic impacts of proposals.

- 71 The traffic generated by transporting minerals is one of the most significant impacts of mineral working and a concern to those living and travelling in the vicinity of a site. Policy MC15 of the SMP2011 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. The policy requires applicants to consider alternatives to road transport, though the supporting text at paragraph 7.9 acknowledges that as the majority of mineral produced in Surrey is transported over relatively short distances, transport by lorry is often the only practicable, cost effective option. The policy goes on to state that:

'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.'*

- 72 Tandridge District Core Strategy 2008 (TDCS 2008) Policy CSP 12 - Managing Travel Demand states

"That the Council will require new development to:

- 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.*
- Have regard to adopted highway design standards and vehicle and other parking standards".*

Development

- 73 When the site at Mercers South 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 into 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 has acquired land to the south of the proposed extraction area leading directly up to the A25, with approximately 130m of frontage with the A25 to the east of Nutfield village. The land rises from the extraction area at 85m

AOD up to the A25 at 145m AOD. The County Highway Authority has advised that the construction of the proposed vehicular access to the A25 will need to be secured by and carried out under a Section 278 agreement between the developer and Surrey County Council.

- 74 The application is accompanied by a Transport Assessment (TA), which was undertaken in consultation with SCC as Highway Authority, who confirmed that the dedicated new access off the A25 could meet their highway requirements. The proposed development anticipates that the quarry will be active over a period of some 16 years, with around 250,000 tonnes of sand extracted annually, which equates to 38HGVs per day (76 movements). From about year 5 the inert waste will be brought into the site (180,000tpa), which equates to 37HGVs per day (74 movements) and the land fill would extend over a similar 16 year period completing some five years after the sand extraction. Therefore, years 6 to 16 would involve both extraction and infilling HGV traffic, resulting in a combined 150 HGV movements per full working day. All vehicle access to the quarry site will be from a new access directly off the A25 just outside Nutfield village where the speed limit is 40mph. The quarry would operate from 7am – 5pm Mondays to Fridays and 7am-1pm on Saturdays. There would be no quarrying on Sundays, Bank Holidays or National Holidays although maintenance may be undertaken on these days.
- 75 The applicant has stated that there is a seasonal variation in supply and demand of soft sand, which is offset by a similar but opposite supply of inert waste. The busiest time for sand is likely to be between April and October. The SMP2011 anticipated a maximum of 240 HGV movements per day, whereas the proposal involves 150 HGV movements per day, which is more than one third less HGV movements. Based on market demand, the applicant anticipates that the majority of the sand (85%) will be transported eastwards along the A25 towards Junction 6 of the M25, with the remainder (15%) travelling westwards towards Redhill. Whereas, the inert waste will be more dependent on local sources and construction activity but still reliant on the Strategic Road Network. The applicant expects that the majority of the inert waste will come from the east (70%), along the A25 from Godstone and Junction 6 of the M25, with the remainder (30%) from Redhill.
- 76 Policy MC15 as outlined above requires an assessment of the opportunity for transporting minerals by non-road based means, especially the use of rail. The applicant has commented that whilst this may be appropriate for the movement of minerals long distances, this site primarily will supply the local processing plants for which here is no realistic alternative to the use of road transport. Officers agree with this assessment as road transport was the considered option within the SMP2011. The TA therefore assesses the likely impact of the additional HGVs on the adjoining road network.
- 77 The applicant has stated that at present there are some 11,000 vehicles per 12 hour day passing through Nutfield village of which around 800 are large vehicles, i.e. HGVs, buses and coaches. When both sand extraction and inert waste import will be in progress some 34 HGVs per day will travel through Nutfield, which represents some 0.3% of the total 12 hour traffic or 4.2% of the existing HGV traffic. Traffic flows east of Nutfield are much higher at 14,000 vehicles (800 large vehicles), which means the additional 116 HGVs per day from the site travelling eastwards represents an increase of 0.8% to the daily traffic and 14% increase in large vehicle traffic.
- 78 Objections in respect of highway impacts have been received from Tandridge District Council, the local parish councils and residents. The objectors raise concerns about the impact of existing traffic on the A25 and increased traffic from the development in terms of congestion, road safety, pollution and noise. Reigate and Banstead Borough Council do not object, however raise concern in respect of the increased

traffic and associated noise and air pollution. No objection has been raised by the County Highway Authority, subject to conditions in respect of HGV movements, access and safety.

- 79 When the Mercers South site was allocated in the SMP2011 as a Preferred Area for Soft Sand, it was envisaged that all HGV access would be onto Nutfield Marsh Road and then via Cormongers Lane to the A25. The Key Development Requirements for this site requires a comprehensive package of measures to provide suitable access, which includes a series of local highways improvements along Nutfield Marsh Road and Cormongers Lane. However, these highway improvements are no longer necessary as it is now proposed to avoid these routes avoiding the conflict with the Patteson Court Landfill traffic by constructing a new dedicated access to the site from the A25. The applicant has stated that the new purpose built access has been carefully located to minimise the impact on existing trees and with a route designed to minimise impacts on nearby residential properties.
- 80 The Transport Assessment considers the distribution of HGVs from the site onto the adjoining highway network, i.e. the A25. Taking into account the national guidance the above HGV flows, the applicant has concluded that the impact of the proposed quarry and subsequent landfill would be marginal. Following a request from the County Highway Authority, the applicant has also undertaken some sensitivity testing, assuming 100% of HGV traffic travelling to and from the east and 100% of HGV traffic travelling to and from the west, which would represent the absolute worst case scenario in each direction. If all HGV traffic were to travel to and from the east, there would be an additional 150 HGVs (i.e. 75 in each direction) along the A25 through Bletchingley and Godstone per day. However, it should be noted that the Biffa Landfill site at Patteson Court on Cormongers Lane is currently permitted to generate up to 600 HGV movements per day until December 2014, after which HGV traffic must reduce to no more than 400 movements per day. Traffic surveys undertaken at the A25/Cormongers Lane junction in February 2012 showed that around 75% of the HGV traffic from the Biffa site turned to and from the east, passing through Nutfield and then along the A25 through Bletchingley and Godstone. Therefore, by the time the operations at the Mercers South site commence, the HGV flows on the A25 in this direction are likely to have reduced by more than the site is likely to add.
- 81 If all HGV traffic were to travel to and from the west, there would be an additional 150 HGVs (i.e. 75 in each direction) through Nutfield Village and then along the A25 to Redhill per day. However, the future reduction in the Biffa site traffic would offset some of this increase. It should also be noted that when the Mercers site was first considered for allocation in the Surrey Minerals Plan, it was expected that up to 240 HGVs per day would use Cormongers Lane, and that the majority (approximately 180 HGVs) would then turn east and pass through Nutfield Village. The site was subsequently allocated in the Minerals Plan and the Key Development Requirements for this site imposes a maximum of 240 HGV movements per day. The development would in fact generate 90 HGVs fewer per day (150 HGVs), and if all of this HGV traffic were to travel to and from the west through Nutfield, this would still be less than what was originally thought. It is acknowledged that the carriageway of the A25 narrows in Nutfield, however there is no prohibition on HGVs on the A25 and it remains a primary route for all traffic. The impacts in respect of emissions from HGV traffic is considered within the environment and amenity section of the report below.

Conclusion

- 82 The applicant has assessed the environmental impacts of the HGV traffic associated with the proposed development, particularly on Nutfield Village and the conservation areas of Bletchingley and Godstone, which are considered to be sensitive areas or 'receptors'. The County Highway Authority (CHA) is satisfied that even under the

absolute worst case scenarios, where 100% of HGV traffic travels to and from the east through Bletchingley and Godstone, or 100% of HGV traffic travels to and from the west through Nutfield, the additional traffic flows on the A25 through these villages would not exceed the relevant significance thresholds, and the impacts would be regarded as either 'minor' in the case of Nutfield, or 'moderate' in the case of Bletchingley and Godstone. The CHA therefore considers that the TA provides a robust assessment of the highway and transportation impacts of the development. Subject to imposition of conditions relating to access, traffic and protection of the public highway, Officers conclude on highways and traffic matters that the proposal is acceptable and is consistent with the aims and objectives of the NPPF and development plan policies relating to such 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

Surrey Waste Plan 2008 (SWP2008)

Policy DC3 – General Considerations

Policy WD7 – Disposal by Landfilling, Landraising, Engineering or other Operations

Tandridge District Local Plan 2001 (saved policies) (TDLP2001)

Policy BE2 – Development on the Edge of Built-up Areas and Villages

Policy BE4 – Landscape Design of New Developments

Policy EV3 – Development in Flood Plains

Policy EV6 – Water Quality

Policy EV7 – Contaminated Land

Policy EV10 – Noise

Policy EV12 – Environmental Pollution and New Development

Policy RT12 – Rights of Way

Tandridge District Core Strategy 2008 (TDCS2008)

Policy CSP17 – Biodiversity

Policy CSP20 – Areas of Outstanding Natural Beauty

Policy CSP21 – Landscape and Countryside

Introduction

- 83 This part of the report deals with environmental and amenity matters, including: landscape and visual amenity; rights of way; noise; air quality and dust; hydrology/hydrogeology and flood risk; ecology and biodiversity; restoration and aftercare. The NPPF and NPPG expect mineral planning authorities to ensure that mineral proposals do not have an unacceptable adverse effect on the natural or historic environment or human health. The NPPF states authorities should also take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality. Guidance in relation to implementation of policy in the NPPF on development in areas at risk of flooding and in relation to mineral extraction (including in relation to proximity of mineral workings to communities, dust emissions, noise and restoration and aftercare of mineral sites) is provided in the NPPG. Some of the development plan policies listed above relate to one or more of the issues.
- 84 The Inspector's report into the examination of the SMP2011 stated in respect of the Mercers preferred site, that *'any potential impact in terms of dust, noise and similar unneighbourly effects are all capable of being controlled to within acceptable limits through good site design, supported by planning conditions, to incorporate appropriate standoff distances from the working area and locate haul routes, wheel washing and processing plant away from houses. For the same reasons, the setting of listed buildings around the site could be safeguarded and with progressive*

working and restoration, limiting the amount of disturbed land, any intrusion into views from the higher ground of the Surrey Hills Area of Outstanding Natural Beauty (AONB) to the north would be minimised.'

Policy Context

- 85 The Surrey Minerals Plan 2011 (SMP2011) recognises the difficulties in balancing meeting the need for mineral development and ensuring the impact from mineral working does not result in unacceptable impacts on local communities and the environment. Policy MC14 states that proposals for mineral working will only be permitted where a need has been demonstrated and sufficient information has been submitted to enable the authority to be satisfied that there would be no significant adverse impacts arising from the development and sets out matters to be addressed in planning applications. Matters relevant to this application include:
- i) noise, dust, fumes, vibration, illumination, including that related to traffic, generated by the development;*
 - ii) flood risk, including opportunities to enhance flood storage, dewatering and its potential impacts, water quality, and land drainage;*
 - iii) the appearance, quality and character of the landscape and any features that contribute to its distinctiveness;*
 - iv) the natural environment, biodiversity and geological conservation interests;*
 - v) the historic landscape, sites or structures of architectural and historic interest and their settings, and sites of existing or potential archaeological interest or their settings;*
 - vi) public open space, the rights of way network, and outdoor recreation facilities;*
 - vii) the use, quality and integrity of land and soil resources, land stability;*
 - viii) the need to manage the risk of birds striking aircraft;*
 - ix) cumulative impacts arising from the interactions between mineral developments, and between mineral and other forms of development;*
 - x) any other matter relevant to the planning application.*
- 86 Policy MC2 requires protection of key environmental interests, and that mineral development that may have direct or indirect significant adverse impacts on an AONB, a SSSI, or nationally important heritage assets, including scheduled ancient monuments, listed buildings and registered parks and gardens, will be permitted only if it has been demonstrated to be in the public interest, and the applicant can establish that development and restoration can be carried out to the highest standard and in a manner consistent with safeguarding the specific relevant interests. Proposals for new mineral sites for soft sand within the AGLV will, pending review of the boundary of the Surrey Hills AONB, be subject to the tests above.
- 87 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. A key objective is for enhancement as well as restoration and through Policy MC18 the county council will work with operators and landowners to deliver benefits including enhancement of biodiversity interests at the site and where appropriate as part of a wider area enhancement approach.
- 88 Policy WD7 of the SWP2008 states that planning permission will only be granted for waste disposal by landfilling provided that the proposed development is both

essential for and involves the minimum quantity of waste necessary for the purposes of restoring current or former mineral working sites.

- 89 Policy CSP17 of the TDCS2008 states that development proposals should protect biodiversity and provide for the maintenance, enhancement, restoration and, if possible, expansion of biodiversity, by aiming to restore or create suitable semi-natural habitats and ecological networks to sustain wildlife in accordance with the aims of the Surrey Biodiversity Action Plan. Saved policy BE4 of the TDLP2001 requires that proposals for development should demonstrate that particular care has been taken that the landscape design is suitable for the site and form of development. Policy CSP20 advocates that the conservation and enhancement of the natural beauty of the landscape is of primary importance within the AONB, reflecting their national status and therefore the principles to be followed in the area are to:
- (a) *conserve and enhance the special landscape character, heritage, distinctiveness and sense of place of the locality,*
 - (b) *conserve and enhance important viewpoints, protect the setting and safeguard views out of and into the AONB,*
 - (c) *protect prominent locations on skylines and slopes and for development to take advantage of existing landscape features and tree screening,*
 - (d) *support suitable located sustainable development necessary to facilitate the environmental, economic and social well being of the AONBs and their communities,*
 - (e) *promote access to, particularly by means other than the car, recreation within and enjoyment of the area, and*
 - (f) *apply the highest environmental design standards to development.*
- 90 This policy goes on to confirm that the same principles will be applied in the associated AGLV which will be retained for its own sake as a buffer to the AONB and to protect views from and into the AONB. Further, policy CSP21 of the same seeks protection of the character and distinctiveness of the District's landscapes and countryside for their own sake with new development being required to conserve and enhance landscape character.
- 91 Policy EV10 of the Tandridge District Local Plan 2001 (TDLP2001) states that development will not be permitted where it would generate an unacceptable level of noise and which would affect noise sensitive development. The policy requires adequate information to be provided in order to assess the proposal in terms of noise.
- 92 Saved policy EV3 of the TDLP2001 states that in areas liable to flood, development will not be permitted unless it can be demonstrated to the satisfaction of the CPA, in consultation with the Environment Agency, that by itself or cumulatively with other development, it will not (i) impede the flow of flood water, or (ii) reduce the capacity of the flood plain to store water, or (iii) increase the number of people or properties at risk from flooding. It goes on to state that any proposed flood protection measures should not harm the character, appearance or nature conservation value of the area. Saved policy EV6 states that, in consultation with the Environment Agency, the CPA will resist development that would adversely affect the quality of surface water or ground water or the environment of water courses or water bodies and goes on to confirm that the CPA will generally support initiative that lead to restoration, conservation or enhancement of the water environment and improvement in water quality. Whilst saved policy EV7 is clear that where the CPA is aware that land is or may be contaminated, it will consult with the Environment Agency and other pollution control authorities and that development will be permitted provided that there will be no risk to health or the environment and provided adequate remedial measures are proposed which would mitigate the effect of any contamination and render the site

suitable for use.

- 7
- 93 Saved policy EV12 of the TDLP2001 states that permission will not be granted for sensitive development where the occupiers would suffer significantly from fumes, smell or other forms of pollution unless practical measures can be taken and maintained to reduce the effects to an acceptable level where they would not be significant or intrusive to those occupiers.

Landscape and Visual Impact

- 94 The application site lies within the Green Belt, with the northern boundary marked by Redhill Brook adjoining the Surrey Hills Area of Outstanding Natural Beauty (AONB) and the site is potentially visible from the North Downs within the AONB. The eastern most point of the proposed internal access road adjoins the Surrey Hills Area of Great Landscape Value (AGLV) boundary. The site lies within the Holmethorpe Sandpits Complex Site of Nature Conservation Interest (SNCI).
- 95 The land is located in open countryside, east of the M23 motorway, south of the M25, north of the A25 and east of Nutfield Marsh Road. The land is east of Redhill, with the village of Nutfield south on the A25. To the south-east, on the other side of the M23 is the village of Betchingley and to the north-west lie the settlements of Merstham and South Merstham. To the south-west is Nutfield Marsh, a flat area of open land dissected by Nutfield Marsh Road. To the west is Mercers Farm and a cluster of dwellings, beyond that is Mercers Park, a former quarry and now a country park used mainly for watersports. To the north lies Spynes Mere, a former quarry, restored to a lake and nature reserve. Mercers East quarry lies to the north-west and is being restored. Glebe Lake and scattered residential properties lie to the south.
- 96 The application site extraction area consists of a number of open arable fields, slopes gently down from east to west, and is bounded by hedgerows and some mature trees. The eastern boundary is separated from the M23 by arable fields. The north-eastern boundary is delineated by Redhill Brook. The land to the north of the brook is designated as AONB and AGLV, important for their landscape value. The western boundary follows Nutfield Marsh Road and lies to the east of Mercers Farm complex. The southern boundary of the extraction area runs north of Glebe Lake and follows field and hedgerows boundaries. To the south-west are a number of cottages on Nutfield Marsh Road and on Nutfield Marsh, some of which adjoin the land and others that overlook it. The access route south to the A25 climbs steadily from the extraction area at 85-93m AOD up to the site access off the A25 at 145m AOD.
- 97 The site 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.
- 98 Landscape is one of the key development requirements for the site within the SMP2011 and it 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. The application site is within the Wealden Greensand Regional Character Area and is characterised by green pastureland and hedged fields, with a range of woodland types reflecting the diversity of soil types. At a local level the area is categorised as Holmesdale – Greensand Valley, which is a flat to gently undulating landscape with open views towards the North Downs.

- 99 The applicant submitted a comprehensive assessment of the landscape and visual effects of the development within the local area and in the context of the relevant local and national landscape designations and policy.

Agriculture

- 100 The application undertook an assessment of agricultural land quality of the site, which showed that the proposed extraction area of approximately 22.4ha comprises the following areas of soil classification: Grade 2 - 4.2ha (19%), Subgrade 3a – 13.7ha (61%) and Subgrade 3b – 4.5ha (20%). A further 4ha of Subgrade 3a and 3b soils would be beneath the periphery bunding. This classification would inform the way in which the soils would be separated and stored during sand extraction. The applicant has stated that the agricultural tenancy covers an extensive landholding beyond the extent of the application site as such the temporary phased removal of the land from agricultural use would not significantly affect the tenant's business.
- 101 Natural England (NE) confirms that it would appropriate to specify agriculture as an afteruse, and for the physical characteristics of the land be restored, so far as practicable, to what they were when last used for agriculture. NE are generally satisfied that that the best and most versatile (BMV) land (ALC Grades 1, 2 and 3a) should be capable of being reclaimed without loss of quality, subject to conditions in respect of soil handling, soil storage bunds and aftercare. The applicant submitted a soils handling programme as an annex to the soils and land classification report contained within the ES.

AONB/AGLV

- 102 The application site is not within either the AONB or AGLV, but abuts the AONB to the north and AGLV to the east. An assessment of the landscape and visual impacts associated with the proposed development, together with the cumulative impacts in relation to other developments in the area was submitted within the application documents and supporting ES. The applicant has stated that the review of the landscape character indicates that the existing landscape of the site is predominantly large fields under cultivation, with much of the historic field pattern lost, which does not closely reflect the key characteristics of the Holmesdale-Greensand Valley character area. The quarry would be set largely within the existing landscape pattern retaining all existing boundary features and requiring limited removal of remnant hedges. The applicant has commented that the impacts would be considered as slight in the context of the views of and background noise from the M23 and vehicle movements associated with the nearby Patteson Landfill Site on Cormongers Lane.
- 103 The applicant has acknowledged that the mineral extraction and infilling process will impact on the physical landscape, and this impact will vary from extraction through to restoration. The applicant has stated that the combination of temporary bunding and landscape mitigation will restrict near views into the quarry or operational area, apart from a limited number of viewpoints to the north and east. There will be more distant views from within the AONB along the North Downs Ridge, however due to the landform and vegetation cover there are only short sections of publicly accessible land and rights of way from which more open and expansive views can be gained. The applicant's assessment concluded that the visual impact of the operations will be neutral to slight adverse from the vast majority of viewpoint throughout the life of the quarry and restoration, and therefore not significant.
- 104 Tandridge District Council, Nutfield Parish Council, CPRE and local residents have objected due to the impact on the AONB/AGLV. The development plan seeks to protect views from and into the AONB. The Inspector in the SMP2001 examination commented that progressive working and restoration would limit the amount of disturbed land, thereby minimising any intrusion into views from the higher ground of

the Surrey Hills Area of Outstanding Natural Beauty (AONB) to the north.

- 105 The County Landscape Officer (CLO) generally agrees with the findings of the applicant's landscape and visual impact assessment on the visual impact of the site, and on the extent of impact that the proposals would have on the landscape character of the area. The site is located where fields are much larger and used for arable cropping, which limits the impact of the extraction on the landscape structure. The proposal seeks to maintain sufficient boundary hedgerows which alongside the screening bunds should help reduce the visual impact of the operations in the wider landscape. Mitigation includes bolstering the hedgerows with new planting and allowing them to grow out which will should also help assimilate the bunds into the landscape. This mitigation has taken account of the long views of the site from the Surrey Hills AONB. Retention of the boundary hedgerows also links to the ecological mitigation. Officers therefore consider that taking into account the limited viewpoints, and progressive working of the site and landscape enhancement, the impact on the setting of the AONB and viewpoints from the AONB are minimised.

Access Road

- 106 The CLO noted that one of the more sensitive receptors is Glebe Cottage to the north west of Glebe House. Whilst noise mitigation have not been recommended for this receptor, it has been made clear from a site visit that the route of the access road could have an adverse effect on visual amenity, especially at Glebe Cottage. Further landscape mitigation has been provided by the applicant in the form of land modelling, bunds and new planting, to assist in screening the access track from Glebe Cottage. Because the access road comes so close to the western boundary of Glebe Cottage, the space available for mitigation is very limited, and in the form of a very unsympathetic bund. The mitigation proposed on drawing number LMSL/17/JJF/MC/GC/1 is generally the best that could be achieved with the existing route, however separation from Glebe Cottage is limited, and the form of the bund is not the best fit. This bund was intended to be part of the restoration plan, however the CLO does not consider that the form of this bund is acceptable in the longer term, as it adversely affects the character of the footpath, and the wider landscape. As such the final restoration plan for this access road shows that the bund has been removed (Dwg.LMSL/16/JJF/MC/10RevA).
- 107 The route of the access road was questioned by officers, with the applicant providing an answer in that a balance had to be struck between various receptors. The northern end of the bund was re-designed at the request of the CLO (Drawing No. LMSL/18/JJF/GC/4) and provides the required extra planting detail around Glebe Cottage to achieve the optimum screening of the access road in views from Glebe Cottage during the operational life of the quarry. The access road would be re-instated to grazing land with the retention and expansion of the proposed tree belt and hedge planting to form a network of hedges and woodland/copses. A farm access would be retained from the A25.

Tree and boundary vegetation protection

- 108 A provisional protection zone of 10 metres between the bund and existing trees (mitigation Dwg. LMSL/18/JJF/MC/2) is proposed to be maintained along the entire southwestern boundary. A fully dimensioned tree protection plan (including hedgerows) for the area between Mercers Farm and Glebe Lake should be secured by condition, 1 year before commencement of operations in year 8. In addition, the CLO requested that the Arboricultural Assessment be reviewed for years 8-16 to cover any modifications to positions of bunds and presence of European Protected Species in trees that are destined to be removed to start the second phase of the works. This review can included within the landscape conditions.

- 109 The site is proposed to be quarried and progressively restored in four phases working from east to west, each projected to last around four years. Throughout the phases for years 4, 8, 12 and 16 there would be interim screening and material storage with the creation of bunds created from the overlying clay and soils. During the phases there would be progressive planting to re-establish elements of the local field pattern and provide new and enhanced areas of woodland. The agricultural land use would be re-instated following restoration. An Outline Landscape Management plan (OLMP - June 2014) details the principles, approach, responsibilities, timing and phasing and operations associated with the management of the proposed landscape. A full Management Plan - detailed Landscape and Ecological Management Plan (LEMP) will be submitted for approval and would provide for the management of the progressive planting and landscaping features in addition to the final restoration phase.
- 110 The CLO noted that the area to the west and south of Glebe Cottage is suffering from very poor drainage, or a perched water table. There are a number of stunted oak trees growing to the north and south of the existing woodland planting, and these are clearly suffering from poor growth. The planting mixes will need to be reviewed with these ground conditions in mind, to include more wet loving species to create a wet or Carr woodland (e.g. alder, willow, birch, guelder rose, and dogwood). The better management of this existing planting would be incorporated within the LEMP.
- 111 The planting around the access track needs to have clear implementation and management proposals, at this stage of the application, to ensure timely delivery of this area of mitigation. As such the CLO recommended that an Outline Landscape Management Plan (OLMP) be submitted with a clear indication of timing of planting and commencement and responsibility of management linked to timescale of development to be supplied up front. The OLMP was submitted (dated June 2014) and provides the detail and commitment for early implementation of all boundary and screening planting. This OMP also satisfies the landscaping requirements of the Environment Agency.

Conclusion

- 112 In conclusion, whilst the site is not within the AONB or AGLV, it will be visible from both however operations will be well screened with bunding, advanced planting and existing woodland. The County's Landscape Officer has reviewed the application and environmental statement and does not raise objection to the proposal on landscape and visual impact grounds. The development would have some detrimental effect on the landscape during its period of operation, nevertheless, given its temporary nature and degree of impact, Officers do not consider that the development would have a significant impact on the conservation of the natural beauty of the landscape or that the harm is so great as to justify refusing the proposal on the grounds of visual impact and impact on the AONB and AGLV. Officers are satisfied that the proposal is in accordance with the above policies of the Development Plan and the key development requirements of the SMP2011.

Rights of Way

- 113 Public footpath 173 crosses the southern edge of the proposed extraction area from Bridleway182 in the west linking up with FP175 to the east, just south of Mill Cottage (west of M23). The development will require the temporary diversion of approx 1 km of FP173, moving this W-E traverse slightly to the south. The temporary route along the southern boundary of the extraction area would run between the southern boundary bund and Glebe Lake, as shown on Drawing Nos LMSL/16/JJF/MC/6 to 8.

The proposed temporary diversion route will be shorter than the definitive route, running from Nutfield Marsh Road in the west to FP175 in the east. In addition, two rights of way (FPs 175 and 188) will cross the access road, to the west of Glebe House. These crossings will require safe crossing points with warning signs for both vehicle and footpath users. Sections of FPs 175, 187 and 188 will run parallel to the access road over a short distance, although they will be separated by a soil bunding/screening.

- 114 It should be recognised that the any planning permission given does not construe the right to divert, extinguish or obstruct any part of the public path. In the event that planning permission is granted for this development, it will be necessary to divert the rights of way by obtaining an Order under Section 257 of the Town and Country Planning Act 1990. Objections have been raised by residents stating that there would be a loss of public access to countryside and the quarrying would have a negative effect on leisure activities.
- 115 The County Countryside Access Officer (CCAO) raises no objection to the application since the applicants have made sufficient provision for the temporary diversion of public footpath 173 and for the safety of the other footpath crossings. The CCAO has suggested that the applicant consider upgrading FP173 to a bridleway when re-instated (some 20 years time), which is an issue that can be discussed with applicant with the progressive restoration and landscape management. The CCAO has recommended that where sections of the footpath are adjacent to the bunds and are affected by drainage run-off, the surface of the path is protected through surfacing with some compacted stone to provide a dry walking surface. This can be controlled by way of an appropriately worded condition.

Cultural Heritage

- 116 The following listed buildings and structures are within 500 metres of the site boundary: Leather Bottle Cottage, Charman Cottage (adjacent to SW boundary) Halfway House, Glebe House, Inn on the Pond (within 100m); Mill Cottage, Church of St Peter and St Paul, Clement Chest Tomb (within 200m). *The initial phase of the archaeological investigation comprised archaeological fieldwalking and geophysical survey, and this was followed by the production of a Cultural Heritage Baseline Assessment and assessment of Aerial Photographs covering the application site. The conclusion is that there is the potential for a broad spread of archaeological features across the site, and the impact on these can be adequately mitigated by means of an appropriate strategy. In terms of the closest listed buildings, the impact is considered to be 'not significant' during the operational phase and in the long-term after restoration, the effects are considered 'neutral'.*
- 117 Bletchingley PC and some local residents have raised concern over the impact on local listed buildings. English Heritage commented that they *'do not consider that the proposal would cause serious harm to the setting of the grade II* Church of St Peter and St Paul due to its distance from the site and intervening vegetation. However, there are a number of grade II listed buildings adjacent and in close proximity to the site and we would therefore recommend that the proposals are determined with the input of your own specialist conservation staff'.*
- 118 The County Heritage Officer (CHO) considers that the Cultural Heritage Assessment correctly identifies the listed buildings in the area, and that the proposed development does not affect the fabric or curtilage of any of the listed buildings, only their setting. Given that the land will eventually be returned to agriculture with the same topography the CHO considers that the setting of the listed buildings and their residential amenity can be considered as effectively the same for the determination of this application. If the impact on residential amenity is acceptable then the impact on the setting of the listed buildings is also acceptable.

- 119 The County Archeological Officer (CAO) commented that it does not appear that assets with sufficient archaeological significance to warrant preservation in situ are likely to be present across the areas of the site proposed for extraction, the screening bunds, and the settlement lagoon. As such, the CAO is in agreement with the recommendations contained within the Cultural Heritage Assessment that a Mitigation Strategy of preservation by record of the Assets present through a programme of archaeological work is acceptable within these areas.
- 120 The CAO raises no objection to the application from an archaeological perspective, and would be in a position to recommend that the programme of archaeological work within the areas proposed for extraction, the screening bunds, and the settlement lagoon, could be undertaken after a decision on planning permission and secured by attaching the standard archaeological condition to any planning permission that may be granted.

Noise

- 121 The applicant carried out a noise assessment for the proposed sand extraction with subsequent progressive restoration using the importation of waste materials, with site noise calculations undertaken for eleven representative dwellings in the vicinity of the site. The assessment showed that noise levels were controlled mainly by local and distant road traffic noise and, in particular the M23. Some of the measurements were made when the wind direction was away from the M23, during which road traffic noise from other roads such as the A25 was the dominant noise source. The noise assessment concluded that the calculated “with mitigation” site noise levels for routine operations at the proposed extraction and infill area would comply with the suggested site noise limits at all eleven assessment locations. As such, the applicant concludes that with respect to both overall site noise levels and duration of operations, it is considered that the site can be worked while keeping noise emissions to within environmentally acceptable limits.
- 122 Nutfield PC and Conservation Society and local residents have raised noise as a concern, due to site operations being close to neighbouring properties and an additional concern is in respect of noise generated by HGVs climbing the steep access road from the extraction area up to the site entrance off the A25.
- 123 The County Noise Consultant (CNC) agrees with the existing noise levels quoted in the noise assessment report. The existing noise levels are high on account of the proximity of the M23, even at 0700 in the morning. According to the advice in the NPPF and NPPG (the same as the Surrey Noise Guidelines) the upper limit for mineral extraction (and thus also for restoration) is 55 LAeq. The applicant’s noise assessment showed that the average ambient noise level is already at or above this figure. The CNC agrees that with the noise bunds in position the noise levels from the development will be within the 55 LAeq limit. Work on the site will only really be noticed when work is quite close to the western edge of the site and even then they will not be higher than the existing ambient noise. However when building the bunds close to Canal Cottage and Leather Bottle Cottage (closest properties on western boundary) for a short period noise will be close to the limit of 70 LAeq.
- 124 Residents have raised the issue of noise from HGVs climbing the internal access road, however the CNC has commented that noise from the access route will be of a similar nature to the motorway traffic noise and will not generally be noticed. However it is important that the road surface is kept in good condition and speed should not be controlled by speed bumps which are likely to cause additional noise. The closest property to the access road traffic is Glebe Cottage (approx. 90m to east of access road), where the current ambient noise is 57 LAeq due almost entirely to traffic noise from the M23 and thus an additional lorry noise contribution of 50 LAeq

will add less than 1 dBA to the overall noise levels. Whilst residents will notice the additional peaks from time to time the CNC does not consider that these can be considered significant in this location. The properties either side of the site entrance on the A25 whilst closer than Glebe Cottage, currently experience high background noise levels provided by the A25 traffic. Taking into account the existing high background noise levels, Officers consider that the development would not have an adverse impact in terms of noise, subject to appropriate conditions.

Air Quality – Dust

- 125 The existing air quality for the site area is impacted by the heavy traffic on the M25, M23 and A25, and other factors potentially affecting dust and air quality in the area include agricultural operations on the sandy soils and Patteson Court landfill about 1km to the southwest. Additionally, planning permission has been granted for the extraction of silica sand from the Pendell site, about 800m to the northeast.
- 126 There are two issues concerning airborne sand from quarries – the impact upon residential amenity by causing a nuisance; and the impact upon health. Small particles (PM₁₀) are associated with effects on human health and only make up a small proportion of the dust emitted from most mineral workings. These are deposited slowly and may travel 1000m or more from the source but their concentration will decrease rapidly on moving away from the source due to dispersion and dilution. Larger particles (greater than 30µm (µ = microgram)) make up the greatest proportion of dust emitted from mineral working and will largely deposit within 100m of sources with intermediate particles (10 - 30µm) being likely to travel up to 200-500m. Large and intermediate particles are often referred to as *nuisance dust*. The other concern is in connection with HGV exhaust emissions and levels of NO₂ (Nitrogen Dioxide) and NO_x (Nitrogen Oxides), however the number of HGVs is below the threshold (200HGVs) for determining the need for an air quality assessment [*Development Control: Planning for Air Quality (2010 Update)* - Environmental Protection UK (EPUK)].
- 127 The applicant carried out an Air Quality Assessment (AQA) in accordance with Government guidance (NPPG) and with the scoping opinion provided by Surrey County Council. The air quality assessment comprised of the following: site visit to view the existing workings and application site; walkover of the surrounding area; baseline dust monitoring; review baseline air quality and weather conditions; assessments of dust, fine particulate matter and traffic emissions, including cumulative impacts of other activities; recommendations for mitigation; and assessment of residual effects. The assessment concluded that with the implementation of best practice dust suppression measures including: slow site speed limits; the damping down of stockpiles; phased restoration; additional mitigation in the form of advance planting in the vicinity of Canal, Puckhaw and Charman Cottages; and the adoption of a dust management and monitoring programme, there should be no significant adverse impacts from dust emissions at any receptor in the vicinity of the site. The assessment showed that other effects associated with PM₁₀, PM_{2.5} and HGV exhaust emissions, are in compliance with the National Air Quality Strategy objectives.
- 128 Tandridge District Council, the local parish councils, Nutfield Conservation Society, CPRE and local residents have raised dust and air quality as a concern, particularly when the nearest property is less than 50 m from extraction area. Concerns have also been raised in respect of: silica dust and silicosis; the cumulative impact as other sand quarry in area (Pendell); impacts on school (Hawthorns School) situated between both sites; air quality and NO₂, NO_x and PM₁₀ levels.
- 129 The County Air Quality Consultant (CAQC) considered that the submitted AQA was reasonable and robust, and that in respect of NO₂ levels a wider view needs to be

taken, concluding that the average is below the AQS objective. In respect of PM₁₀ the long term average concentration is well below the long-term AQS objective, and the CAQC considers that the development contributions from all of the quarries could be accommodated within the annual mean objective (40 µg.m⁻³) therefore no significant cumulative effects would be expected for deposited dust. The CAQC has recommended conditions formalising the implementation of dust mitigation measures and that a Dust Action Plan (DAP) and Dust Monitoring Scheme (DMS) be submitted for approval. The DAP is a documented site-specific operational plan to prevent or minimise the release of dust from the site and a DMS is a programme of ongoing dust monitoring to validate the outcome of the assessment and to check on the continuing effectiveness of control/mitigation measures.

- 130 Whilst the concerns of local residents are acknowledged, on the basis of the responses received from technical consultees and in assessing national and local policy matters, Officers consider that with the imposition of appropriate conditions and the DMS / DAP, the proposed extraction of sand from Mercers South would not give rise to significant or unacceptable impacts in terms of air quality.

Hydrology, Hydrogeology and Geotechnical Assessment

- 131 The key development requirements for the site within the SMP2011 states that the site is within a major aquifer and close to source protection zone 3 for public water supply (Warwick Wold), therefore a hydrogeological assessment is required. This assessment would need to cover the following: a groundwater-monitoring programme to investigate the hydrological regime in the area and to establish baseline information on groundwater quality and any movement of contaminants from adjacent landfills; assess the relative advantages and disadvantages of working the area wet or of dewatering, both on groundwater flows and contamination; address potential impacts on the adjoining wetland nature reserve to the north, on Redhill Brook and on Mercers Park lake to the west, identify suitable margins to Glebe Lake; provide an unworked margin of at least 10m from Redhill Brook; project level flood risk assessment covering all sources of flood risk, including a surface water drainage strategy covering the operational and post restoration phases of development.
- 132 The applicant submitted a Hydrological Impact Assessment (HIA), which covers the surface water and groundwater aspects of the proposed development. A geotechnical assessment was also submitted in respect of land contamination and land stability. The proposed site is located in an area of agricultural land between historical Fullers Earth excavations to the south (Glebe Lake), and former silica sand operations in the upper part of the Folkestone Formation to the north (Spynes Mere). The proposed development would involve the extraction of sands up to a maximum depth of 67 m AOD (a maximum of 21 metres below current site ground level), with part excavated dry by dewatering to approximately 72m AOD. This would involve lowering the water table by a maximum of approximately 10m. To minimise the extent and duration of dewatering the quarry will be worked wet below 72m AOD to a maximum depth of 67m AOD. Water pumped from the dewatering operations will be discharged into a settling lagoon and thereafter transferred to Glebe Lake and / or the Brewer Street Brook. Seepage to ground will take place from Glebe Lake and Brewer Street Brook, returning water to ground and to the aquifer. An overflow will be constructed from Glebe Lake and excess flow will be channeled via Warners Brook into Redhill Brook downstream of the site. Stockpiled overburden from the site will be placed into the base of the quarry below the water table. This will create a platform on which a geological barrier (clays) can be placed and compacted, creating an appropriate lining for the containment of the inert imported materials.
- 133 The applicant's HIA was prepared in consultation with the County Planning Authority and the Environment Agency, taking into consideration the key

development requirements for the site in respect of hydrology, and identified that the main potential impacts of the proposed development on the water environment include:

- Dewatering and lowering of the water table during extraction
- Discharge of pumped water and ditch diversion
- Restoration with a low permeable clay liner and inert fill
- Change in groundwater levels and flows due to the presence of the clay liner

The receptors identified were as follows: Folkestone Formation aquifer; protected rights and abstraction; restored quarries – Glebe Lake; restored quarries – other lakes (Mercers Marina, Mercers East, Spynes Mere); active landfills – Patteson Court NEQ; and surface water and other water bodies such as ponds.

- 134 Tandridge District Council objected to the development raising drainage concerns and stated that in the event that extraction is approved, Surrey County Council would need to be satisfied that with any necessary mitigation measures in place, the proposed development would not increase the risk of flooding during operations or restoration of the site. The local parishes and residents have also raised concerns over drainage and groundwater impacts, including questions over the stability of quarry adjacent to Glebe Lake. Sutton & East Surrey Water have commented that no further mineral abstraction should be permitted in this area because of the potential disruption to, and/or pollution of, groundwater abstracted from the public water supply, which is supported by the local parish councils. These concerns were also raised at the examination of the SMP2011, with the Inspector responding as outlined below.
- 135 Nutfield PC commented that the Inspector (SMP2011 examination) raised concerns about environmental impact on rural area and hydrological situation. For clarity, the Inspector did state that there are concerns about hydrology and other matters and he concluded the following *'the preferred area P would make a significant contribution to meeting production levels for soft sand set out in the plan. There are concerns about hydrology, traffic and cumulative impacts and these are identified as key development requirements that need to be addressed before an application for development is made. Additional work will be necessary, at the planning application stage, to provide a more detailed analysis.and other relevant evaluation studies which would identify design constraints and appropriate mitigation. Overall the identification of Mercers Farm is properly justified and likely to be delivered in the expected timescale.'* The Inspector also commented (Core Strategy DPD2011) that *'The Environment Agency is the body responsible for protecting and enhancing the quality of surface waters and groundwater and for conserving and enhancing water resources. In these circumstances, it is reasonable for the County Council to rely on the views of the Environment Agency.'*
- 136 The HIA has addressed the potential impacts which might arise as a result of dewatering, discharge and associated diversions, and restoration plans, with further clarifying information following a request by the Environment Agency (EA) and the County Geotechnical Consultants (CGC). This HIA is the additional work necessary to provide a more detailed analysis, as recommended by the Inspector at the SMP2011 examination. The Folkestone Formation aquifer in the area Mercers South can be subdivided into two aquifers, the upper and lower aquifers, which are separated by the 'black silt' horizon which acts as a restriction to groundwater flows. Mercers Marina, Mercers East and Spynes Mere are all located in the upper aquifer blocks, whilst the Mercers South site, Patteson Court and Glebe Lake are all located within the lower aquifer block. Groundwater in the lower aquifer naturally flows from the area of recharge in the south to the north west in the direction of rock strata dip. However, locally, flows are also towards the dewatering at Patteson Court, which

causes a substantial groundwater depression. The site is not within the source protection zones (SPZ) of Warwick Wold and Brewer Street public supply boreholes (PWS), and without compensation flows, the potential drawdown at Warwick Wold and Brewer Street PWS, as a result of dewatering would be <1.0m and therefore with discharge to Glebe Lake the magnitude of impact is considered to be low.

- 137 Dewatering of the whole site would not be necessary as the site will be worked in phases, as such the radial extent of groundwater drawdown (cone of depression) would be reduced. Groundwater flow pattern beneath the site would change due to the clay lining, however to ensure ongoing flow from south to north, part of the runoff which currently flows from the Glebe Lake catchment into Glebe Lake and then to groundwater would be diverted around the lake and allowed to recharge the aquifer along the route of the Brewer Street Brook. These measures would improve water quality and benefit The Moors wetland habitat area. The HIA concluded that dewatering and discharges are temporary during the operational life of the quarry and with mitigation the impacts on the receptors (as listed above in para.133) are assessed as Moderate/Low during operation, and Low or Negligible during restoration. In addition monitoring would be needed to record the impact of the proposed development, including groundwater levels and groundwater quality; surface water flows and surface water quality. To ensure appropriate mitigation and implementation of these measures the EA and CGC require that detailed schemes in respect of water discharge and water management/monitoring be submitted for approval to ensure the adequate control over water levels and quality, in accordance with the SMP2011 key development requirements for the site.
- 138 In terms of flood risk, the Flood Risk Assessment (FRA) assesses and proposes mitigation measures to address the potential flood risks during operations and restoration of the site. The proposed quarry extraction limits are located within Flood Zone 1 of Redhill Brook. A proposed dewatering system would keep workings dry and water pumped to Glebe Lake would then be controlled into a new outfall ditch into Warners Brook. An overflow mechanism is proposed to prevent the lake from overflowing and an alarm system would alert the operator to take action in accordance with the site flood plan. Surface water from the access road would be directed into swales with or without infiltration trenches which would be constructed at regular intervals along the road extending away from the road along the contours. The swales would facilitate infiltration of the runoff into the ground. The EA and CGC require that an Operational Flood and Drainage Management Plan be submitted for approval.
- 139 The issue of stability as been raised by the local parish and residents, which has been addressed by the applicant's geotechnical assessment (Appendix 11) to the HIA, and covers the issue in respect of stand-off distance required between the proposed mineral workings and Glebe Lake and appropriate slope angles for the proposed excavation. The CGC has commented that the Quarry Regulations would address the issue of stability and also the Environment Agency's Permitting Regime will provide control over the design and engineering of this quarry to enable it to be safely backfilled with inert waste. The applicant's assessment has also confirmed that there would be no contamination and land stability impacts associated with the proposed new access road, as the historic data shows that between 1 - 5m of Fullers Earth was removed and then site derived overburden (no imported material) was used to restore this area of former working. The internal access road would be surfaced to asphalt (7.3m in width) with a slight fall to the west to enable surface water to drain into gullies alongside the western kerbs. The surface water management would be subject to the approval of a detailed scheme, as already mentioned above.
- 140 The Environment Agency and County Geotechnical Consultants raise no objection to the development following receipt of further clarifying information in respect of

flood risk and groundwater dated February and May 2014, subject to conditions in respect of surface water and flood risk; including the submission of an Operational Flood and Drainage Management Plan; a scheme finalising discharge quantities and arrangements from the site; and a long term water management and monitoring plan, which are required to ensure adequate flood risk and groundwater protection, in accordance with the SMP2011 key development requirements for the Mercers site. The concerns of local residents and organisations are acknowledged, but on the basis of the responses received from technical consultees, which includes the Environment Agency who are the body responsible for protecting and enhancing the quality of our water, Officers consider that any impact on the hydrology and hydrogeological environment or on amenity will be able to be controlled / mitigated to acceptable levels by the imposition of planning conditions. As such Officers consider that the proposal is consistent with the aims and objectives of Government guidance (NPPF & NPPG) and the Development Plan.

Ecology and Biodiversity

- 141 The proposed extraction site area consists of primarily arable land with sporadic hedges and trees. The proposed access road area crosses grassland, to east of Glebe Lake, which is an area that has been previously been restored following working for Fuller's Earth. The application site lies within the Holmethorpe Sandpits Complex SNCI (County importance for birds).
- 142 The applicant carried out an Ecological Assessment of the proposed site, which involved detailed surveys (details determined through scoping opinion and liaison with County Ecologist) of the extraction area and land to south covering the proposed access road to the A25. This included Redhill Brook, Warners Brook (on and off the site), and Brewer Street Brook and Glebe Lake. The assessment evaluated the effects of mineral extraction and moving the mineral off-site and also further assessed the impact of infilling the land as part of the progressive restoration of the site. The assessment has stated that there *'will a loss of 32.2 hectares agricultural land (pasture, rough scrub and arable), 0.02 hectares of woodland, 854 metres of hedges and Warner's Ditch on a sequential development of extraction and infilling before restoration, also on a phased basis to agricultural land,' ... and that 'the losses will be replaced by 30.8 hectares arable land, reinstatement of 0.6 hectares grassland, reinstatement of the Warner's Ditch, creation of 2,050 metres hedgeline and planting 6.9 hectares woodland in three areas. Thus although there will be a short-term low negative impact, overall there will be a long-term low positive impact. These habitat gains will contribute to the woodland and hedgerow Habitat Action Plans within the Surrey Biodiversity Action Plan.'*
- 143 The assessment concluded that, overall, the effect of the proposed development on ecology would be low negative, insignificant or none. The exception is the potential loss of bat roosts and, as mitigation, bat boxes would be provided. During operations there would be temporary benefit to bird species such as the sand martin and to the range of specialist invertebrates which are found on damp bare ground. Following restoration the site would be returned to a landscape in keeping with the surrounding landscape with a matrix of habitats providing opportunities for the long term maintenance and enhancement of biodiversity in the area.
- 144 Tandridge District Council have objected raising concern in respect of ecology, stating that *'In view of the presence of Great Crested Newts, Wintering Lapwing, Bullfinch and Reed Bunting, the Council has concerns about the potential ecological impact of sand extraction from the site on the Site of Nature Conservation Importance. In the event that extraction is approved, any mitigation measures carried out need to ensure that the potential environmental impacts on ecology and biodiversity are kept to a minimum.'* The local parishes, CPRE, Surrey Botanical Society and local residents have raised similar ecology concerns, including: the loss

of historic hedgerows and woodland; loss of habitat and damage to ecosystems; impact on rare flora and fauna in area, including great crested newts, bats and birdlife (incl. Lapwings, tawny and brown owls) that may have their habitats irrevocably affected; and not enough wildlife improvements.

- 145 Natural England and Surrey Wildlife Trust raise no objection, subject to conditions in respect of ecology mitigation measures, which includes the protection of the soils, rare flora and fauna, great crested newts and the submission of a detailed Landscape and Ecological Management Plan (LEMP) for approval. The County Biodiversity and Ecology Officer and Environmental Enhancement Officer agree with the need for additional mitigation measures, which can be required by condition, through the submission of a Construction Environmental Management Plan (CEMP) and a LEMP. The CEMP would include the more immediate ecological mitigation detail such as: fencing the area of common spotted orchids; reptile strategy including replacement ditch, habitat retention and creating reptile refugia using timber from hedgelines; great crested newt avoidance strategy; bat enhancements, i.e. bat boxes to compensate for loss of the noctule roost; and tree protection in accordance with submitted Arboricultural Implications Report dated March 2013 (ES Chapter 5 – Appendix 1). Whilst the LEMP would secure the longer term landscape management of the site including: mitigation; enhancement; vegetation removal and vegetation replacement; detailed work schedules for the progressive restoration. Officers therefore consider that the proposal would accord with the SMP2011 key development requirements and relevant Development Plan policies in terms ecology and biodiversity.

Restoration and Aftercare

- 146 The importance of securing a good quality restoration is central to the consideration of mineral working and associated proposals. Delay in restoration has environmental costs and guidance in the NPPG (Minerals - Paragraph: 044) states that: *‘For mineral extraction sites where expected extraction is likely to last for many years, early agreement on the details of at least the later stages of aftercare may not be appropriate. In such cases, it would still be appropriate:*
- *for the applicant to provide a general outline of the final landform and intended after-use;*
 - *for the mineral planning authority to agree at the outset outlines of requirements covering the main stages of reclamation of a site (e.g. filling, restoration and aftercare), together with detailed schemes for stripping and storage of soil materials’*
- 147 The NPPG goes on to state that *‘Planning conditions for proposals with a longer term duration should:*
- *normally require the submission of a detailed scheme or schemes for restoration and aftercare, for agreement, by some specific stage towards the end of the life of the permission;*
 - *where progressive reclamation is to be carried out, require submission of schemes for agreement from time to time as appropriate.’*
- 148 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.

- 149 The applicant has stated that the application proposes infilling as part of the restoration of the mineral working back to agricultural use, involving the minimum quantity of inert material necessary to achieve this, as required by the SWP2008. The site is proposed to be quarried and progressively restored in four phases working from east to west, each projected to last around four years. Throughout the phases would be progressive planting to re-establish elements of the local field pattern and provide new and enhanced areas of woodland, which is illustrated by Figures 12 and 13 of the approved drawings. The agricultural land use would be re-instated following restoration. An Outline Landscape Management plan (OLMP - June 2014) details the principles, approach, responsibilities, timing and phasing and operations associated with the management of the proposed landscape. Details have been provided for soil stripping, handling, storage and replacement, restoration and aftercare would ensure the long term agricultural potential of the land is preserved. The Final Site Restoration (Dwg. LMSL/16/JJF/MC/9, dated March 2014) closely resembles the indicative scheme associated with the 'fill option' as shown in the Surrey Minerals Plan 2011 Site Restoration Supplementary Planning Document (SPD). The restoration includes a number of the enhancements referred to in the SPD notably new woodland and the reinstatement of historic hedgerows and public rights of way network. In addition the ditch which crosses the central and western parts of the site would be re-instated and enhanced to deliver landscape and ecological benefits.
- 150 Tandridge District Council objected to the development raising issues regarding the restoration, stating that *'In the event that extraction is approved, restoration should be undertaken to include a landscaped lake with ecological benefit (and bird strike precaution) with limited opportunities for public access and low key informal recreation. Any restoration programme should include a legally binding method statement to control the nature and quantity of material; and the number and routing of vehicles. The restoration proposals submitted for Mercers South can only be achieved with unacceptable repercussions using HGVs to bring in materials to restore the land'*. The local parishes, local conservation society along with local residents objected, raising issues including: possible contamination of the inert waste for infilling; monitoring needed to ensure site restored as promised; request screening of M23 with hedgerows; request advance planting; backfilled land only good for grazing; restoration and enhancement should start prior to any works in quarry; extend field margins to provide and enhance wildlife habitats; opportunity to improve on a poor restoration (Glebe Lake).
- 151 Natural England and the Environment Agency raise no objection to the backfilling of the site with inert waste and restoring the site back to agriculture (arable land), with additional hedgerows, woodland and enhanced biodiversity, subject to conditions in respect of the soil handling and replacement, restoration plans, management and aftercare. The County Enhancement Officer, County Landscape Officer and County Biodiversity and Ecology Officer requested further minor amendments and enhancements as provided in the updated landscape drawings dated 25 June 2014, and raise no objection to the restoration proposals, subject to conditions in respect of landscape, restoration and aftercare.

Other issues

- 152 Residents have raised the issue of impact on human health from the development, in particular dust from the sand extraction and emissions from HGV traffic. For sand particles to be respirable they have to be small and fine enough to be inhaled. Particles small enough to be inhaled into the lungs are known as PM₁₀. This issue has been already been addressed above under air quality, and that the AQA showed that other effects associated with PM₁₀, PM_{2.5} and HGV exhaust emissions, are in

compliance with the National Air Quality Strategy objectives, as such there is no evidence that ambient levels pose an unacceptable risk to health. Public concern about the potential health impacts of a development, as opposed to actual risk to health, can in principle be a material consideration; but it is for the CPA to determine what, if any, weight should attach to it in the context of any particular application. People's perception of the level of risk for an activity can differ markedly from the real risk. Decision-makers need to be aware of the prospect that perceptions of risk may be misinformed, and they should in Officers' view not be lightly dissuaded from making a sound evidence-based judgment informed by evidence of the actual risks. Officers have, nonetheless, duly noted the concerns raised by residents throughout the consultation process regarding perceived risk to human health but taking into account the responses technical consultees do not consider that substantial weight should be attach to them.

- 153 Some residents have raised the issue of climate change and increased greenhouse gas emissions. The site is identified in the SMP2011 which states that the County Council is committed to helping communities and businesses in Surrey to act on climate change in their own work and lives. The minerals plan is specific to a single subject and consequently may only make a limited contribution to this critical objective. The SMP2011 goes on to state that part of the vision is '*adopting an holistic approach to ensure that mineral sites are worked and restored to the highest standards, that restoration and management proposals are considered at the outset and that climate change mitigation is incorporated where possible*'. Minerals can only be worked where they are found, and the proposal involves the minimum amount of inert waste to restore the site back to arable use, and the restored site will also contribute to the creation or maintenance of green corridors enabling wildlife migration and adaptation to pressures such as climate change.

Cumulative Impact

- 154 Paragraph 144 of the NPPF states that in granting planning permission for mineral development mineral planning authorities should '*take into account the cumulative effect of multiple impacts from individual sites and/or from a number of sites in a locality*'. Paragraph 6.35 of the SMP 2011 Core Strategy DPD identifies the cumulative effects of working quarries and the way they relate to existing developments as important issues, particularly so in areas which are already under significant development pressure, or have concentrations of several existing and potential mineral workings. The paragraph goes on to state that cumulative impacts may, for example, arise where mineral sites that are in close proximity to each other would be worked at the same time, or where working has taken place over a long period of time. Measures to avoid or mitigate cumulative impacts include phasing of working and restoration, imposing planning conditions and controlling the number and timing of permissions.
- 155 The applicant has considered the in-combination effects and interactions between the various areas of impact (as discussed above) associated with the proposed development at Mercers South, and the effects likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The applicant concluded that there would be no significant impact from cumulative or interactive uses as a result of the proposed development.

Environment and Amenity Conclusion

- 156 The Development Plan 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. Key development requirements for the Mercers South site include; access and traffic; local amenity; biodiversity;

heritage; hydrology; agriculture; landscape; aerodrome safeguarding; and restoration, which have been addressed above. Officers consider that any impact on the environment or on amenity will only be temporary and will be able to be controlled / mitigated to acceptable levels by the imposition of planning conditions. As such Officers consider that the proposal, subject to planning conditions, is consistent with the aims and objectives of development plan policies relating to the environment and amenity.

METROPOLITAN GREEN BELT

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

Policy MC3 – Mineral development in the Green Belt

Policy MC17 – Restoring mineral workings

Tandridge District Local Plan 2001 (saved policies)

Policy RE2 – Development in the Green Belt outside the settlements

- 157 The site lies within the Metropolitan Green Belt where policies of restraint apply. Government policy on Green Belts is set out in Part 9 'Protecting Green Belt land' (paragraphs 79 to 92) of the NPPF. Government policy and guidance in relation to minerals planning is set out in Part 13 'Facilitating the sustainable use of minerals' (paragraphs 142 to 149) and the 'Minerals' section of the NPPG. Mineral extraction is included in the forms of development listed in paragraph 90 that are not inappropriate in Green Belt *'provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt'*. When determining planning applications paragraph 144 of the NPPF states local planning authorities should *'provide for restoration and aftercare of mineral workings at the earliest opportunity to be carried out to high environmental standards, though the application of appropriate conditions, where necessary'*.
- 158 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.
- 159 Saved Policy RE2 of the TDLP2001 states that there is a presumption against inappropriate development within the Green Belt. The policy does not specifically mention mineral development but states that engineering and other operations and making a material change in the use of land are inappropriate unless they maintain openness and do not conflict with the purposes of including land in the Green Belt.
- 160 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. Mineral working is a temporary use of land and minerals can only be worked where they are found.

- 161 The applicant has stated that the proposed extraction of sand and filling at Mercers South would by virtue of the associated perimeter screen mounding, soil/clay stockpiles and sand screener result in some impact on openness. The mineral processing plant and associated site infrastructure including haul roads and accesses to the public highway have the potential to impact on the openness of the Green Belt. However, even if in place for prolonged periods such as with this proposal, when associated with mineral extraction provided there is adequate provision for removal on cessation of extraction and restoration, they are a temporary use of the land, and therefore preserve the openness of the Green Belt. The site would be progressively worked and restored to agricultural use and local landscape features reestablished and enhanced in keeping with local character, and consistent with Green Belt objectives.
- 162 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. Any adverse impact on the visual amenities of the Green Belt would be limited and adequately controlled. The need for the sand has been demonstrated as outlined above and that high environmental standards would be achieved and that the site well restored. Officers do not consider that the proposal constitutes inappropriate development in the Green Belt and does not conflict with the Development Plan or national guidance with regard to Green Belt policy.

HUMAN RIGHTS IMPLICATIONS

- 163 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.
- 164 It is recognised within the Officers report that there would be some impact in terms of visual amenity and noise during the site preparation works and bund formation and there would be some harm to the visual amenities of the Green Belt. It is the Officers view that the scale and duration of any potential impacts 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

- 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. Minerals can only be worked where they are found. The District Council, local parishes, residents and other objectors have expressed concerns about various issues including: need for the sand; highways and traffic; landscape impacts; rights of way; noise; air quality and dust; hydrology and hydrogeology; land contamination and land stability; ecology and biodiversity; restoration; cultural heritage; and Green Belt. The applicant undertook an environmental assessment and has provided further information where necessary. Some of the concerns raised by objectors relate to issues controlled under other regulatory regimes. Technical consultees have carefully considered the application and information provided and have not objected to the development.
- 166 The views of technical consultees have been reported under individual issues earlier in the report. There is no reason to believe that high environmental standards cannot be maintained during the 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 planning conditions recommended relating to the protection of the environment are suitable.

- 167 The applicant is proposing that the site is restored to agriculture, including landscape and ecological enhancement, which would link to the surrounding area. A detailed landscape and ecological management plan is being sought by way of planning condition, which requires specific management measures aimed at enhancing habitat quality or specific species and detailed prescriptions for management actions including mitigation, enhancement, vegetation removal and vegetation replacement. This aim is to ensure the restored site is absorbed back into the local landscape and where possible, provide some benefit in terms of enhanced nature conservation interest. Once restored the site would return to fulfilling the objectives for use of land within the Green Belt in terms of its use for agriculture, with enhanced biodiversity. There is no reason to believe that the site could not be well restored and therefore Officers consider that the proposal is acceptable in terms of Green Belt policy.
- 168 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. The site at Mercers South is an identified site in the Surrey Minerals Plan 2011 and the report concludes that the need for releasing further sand reserves into the Surrey landbank is justified. It is considered that the proposal is not inappropriate development in the Green Belt and that the proposed development will not adversely impact on the adjacent AONB and AGLV. The concerns of local residents and organisations are acknowledged, but 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 extraction of sand and progressive restoration at Mercers South 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.

Approved Documents

- 1 The development hereby permitted shall be carried out and completed in all respects strictly in accordance with the terms of this permission: the following approved plans are contained in the application:

Drawing Title	Drawing No.	Date
Site Location	Figure 1	08.03.2013
Site Plan	Figure 2	29.07.2013
Rights of Way and Utilities Plan	Figure 3	26.07.2013
Proposed Interim Screening and Material Storage	Figure 4	18.07.2013
Proposed Overall Phasing Plan	Figure 5	18.07.2013
Indicative Quarry Phasing Year 4	Figure 6	18.07.2013
Indicative Quarry Phasing Year 8	Figure 7	18.07.2013
Indicative Quarry Phasing Year 12	Figure 8	18.07.2013
Indicative Quarry Phasing Year 16	Figure 9	18.07.2013
Proposed Office, Welfare, Wheel Cleaning and Weighbridge Layout	Figure 10	19.09.2013
Proposed Restoration Plan - Quarry Area	Figure 14	13.08.2013
Proposed Restoration plan – Access	Figure 15	13.08.2013
Landscape Proposals Years 1-8 (Year 4)	LMSL/16/JJF/MC/6	June 2014

	RevB	
Landscape Proposals Years 8-16 (Year 12)	LMSL/16/JJF/MC/7 RevB	June 2014
Indicative Sections Year 4	LMSL/16/JJF/MC/7B	March 2014
Indicative Sections Year 8	LMSL/16/JJF/MC/7A	March 2014
Indicative Sections Year 12	LMSL/16/JJF/MC/7C	March 2014
Mitigation Drawing	LMSL/18/JJF/MC/3	March 2014
Access Road – Landscape Proposals	LMSL/16/JJF/MC/8 RevB	June 2014
Final Site Restoration	LMSL/16/JJF/MC/9	March 2014
Access Road - Landscape Restoration	LMSL/16/JJF/MC/10 RevA	June 2014
Landform Proposals for Access Road near Glebe Cottage	LMSL/17/JJF/MC/G C/1 RevA	June 2014
Access Road Contour Plan	LMSL/18/JJF/MC/2 RevB	June 2014
Glebe Cottage – Landscape Details	LMSL/18/JJF/GC/4	June 2014
Proposed Access off the A25	Figure T9	16.04.2013

Commencement

- 2 The development hereby permitted shall begin before the expiration of three years beginning with the date of this permission. The applicant shall notify the County Planning Authority in writing within seven working days of the commencement of development.

Time Limits

- 3 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

- 4 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, Bank Holidays or National Holidays.

Limitations

- 5 Notwithstanding any provision to the contrary under Parts 19 or 22 of the Town and Country Planning (General Permitted Development Order) 1995 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.

Access and Highways Protection

- 6 Before any operations are commenced, the proposed vehicular access to the A25 Bletchingley Road shall be constructed and provided with visibility zones in general accordance with the scheme shown on Figure T9 (Approved Documents) of the Transport Assessment, all to be permanently maintained to the satisfaction of the County Planning Authority and the visibility zones shall be kept permanently clear of any obstruction.
- 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 proposed 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 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.
- 9 No development shall start until a Construction Transport Management Plan for the construction of the proposed access and haul route, to include details of:
 - (a) parking and turning 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) HGV deliveries and hours of operation
 - (f) vehicle routing
 - (g) measures to prevent the deposit of materials on the highway
 has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction period.
- 10 Prior to the export of sand from the site, facilities shall be provided as shown on Figure 10 (Approved Documents), 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. The measures shall thereafter be retained and used whenever the said operations are carried out.

Rights of Way

- 11 Before any soil stripping or mineral extraction operations hereby permitted commence, safeguards shall be put in place 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 FPs 175 and 188.
- 12 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 Ground Water Protection

- 13 No development shall take place until an Operational Flood and Drainage Management Plan has been submitted to and approved in writing by the County Planning Authority. The management plan shall address all flooding and drainage elements by considering a suitable baseline and extreme storm events. It should be based on the information noted within the submitted Planning Statement (prepared by WGY Group), dated October 2013 including paragraph 4.9. The management plan shall be carried out in accordance with the approved details.
- 14 The development permitted by this planning permission shall only be carried out in accordance with the findings of the Flood Risk Assessment (FRA) undertaken by URS dated July 2013 and the following mitigation measures detailed within the FRA:
 1. The design and provision of a suitable compensatory flood storage area approved by the Environment Agency and Surrey County Council. As referenced in section 6.1 of the FRA.
 2. Limiting the surface water run-off generated by the 1% AEP critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site. As referenced in sections 5.1 and 6.2 of the FRA.
 3. Confirmation of the increase in size of the culvert upstream of Canal Cottage from 450mm to 600mm is undertaken prior to any mineral workings. As referenced in section 5.3 of the FRA.
 4. Demonstration that the improvement/protection and maintenance of new outlet control devices on Glebe Lake are constructed to the satisfaction of both the Environment Agency and Surrey County Council.
 5. Provision of a satisfactory Operational Flood Management Plan to deal with significant rainfall events, is approved by both the Environment Agency and Surrey County Council. As referenced in section 5.4 of the FRA.
 6. The de-silting of the culvert under Cormongers Lane is undertaken by the applicant in advance of any mineral workings. As referenced in section 5.3 of the FRA. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.
- 15 No development with the exception of the road access works and associated landscaping as shown on Dwg No.LMSL/16/JJF/MC/8 revB, shall take place until a scheme finalising discharge quantities and arrangements from the site to Brewers Brook and Warners Brook are determined, including design, quantities, timing, management responsibilities and maintenance schedules, shall be submitted to and approved in writing by the County Planning Authority. The scheme shall be carried out in accordance with the approved details.
- 16 No development with the exception of the road access works and associated landscaping as shown on Dwg No.LMSL/16/JJF/MC/8 revB approved by this planning permission shall take place until a long term water management and monitoring plan has been submitted to and approved in writing by the County Planning Authority. It shall include identification of suitable monitoring locations and a timetable for monitoring and publication of the reports to the County Planning Authority over the lifetime of the development. 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.

- 17 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 Local 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

- 18 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.
- 19 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.
- 20 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

- 21 No development with the exception of the road access works and associated landscaping as shown on Dwg No.LMSL/16/JJF/MC/8 revB shall take place until a Dust Action Plan (DAP) and Dust Monitoring Scheme (DMS) has been submitted and approved by the County Planning Authority. The DAP and DMS shall be implemented as approved and maintained for the duration of the development. Operations and activities shall be carried out in strict accordance with the DAP including the measures, controls and actions contained therein.
- 22 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

- 23 No development with the exception of the road access works and associated landscaping as shown on Dwg No.LMSL/16/JJF/MC/8 revB shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation submitted to and approved in writing by the County Planning Authority.

Soil Movement and Placement

- 24 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

Restoration, Landscaping and Ecology

- 25 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 (Figures 6, 7, 8, 9) and the approved Restoration Plans for the Quarry Area and Access (Figures 14 and 15).
- 26 The landscape works as shown in the approved drawings (Condition 1) shall be undertaken in accordance with the submitted Outline Landscape Management Plan dated June 2014.
- 27 No development shall take place until a Construction Environmental Management Plan (CEMP) is submitted and approved by the County Planning Authority. The CEMP shall include the following ecological details:
- Fencing along access road for the protection of existing woodland and to include details for the protection of the area of common spotted orchids
 - Reptile strategy including replacement ditch, habitat retention and creating reptile refugia
 - Great crested newt avoidance strategy
 - Bat enhancements, i.e. bat boxes to compensate for loss of the noctule roost
 - Tree protection in accordance with submitted Arboricultural Implications Report dated March 2013 (ES Chapter 5 – Appendix 1)

The CEMP shall be implemented on approval.

- 28 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 (ES Chapter 5 – Appendix 1) shall be undertaken before the submission and approval by the County Planning Authority of an arboricultural report and bat assessment.
- 29 Within 12 months of the date of this permission a detailed Landscape and Ecology Management Plan shall be submitted to the County Planning Authority for approval. The Landscape and Ecology Management Plan shall include the following details:
- Aims and objectives of the Management Plan for the completion of all phases of restoration and subsequent 5 year aftercare;
 - Plan showing management compartments for each habitat or landscape type;
 - Description and evaluation of features including any new planting;
 - Any constraints on site that may influence management;
 - Management options for achieving the aims and objectives;
 - Any specific management measures aimed at enhancing habitat quality or specific species;
 - Detailed prescriptions for management actions including mitigation, enhancement, vegetation removal and vegetation replacement;
 - Management and enhancement of area north of Redhill Brook
 - Resources to be used in and personnel responsible for implementation of the Management Plan;
 - Detailed work schedules for the progressive restoration of the site including a matrix indicating timing of annual operations;
 - Interim assessment on completion of each of the phases of restoration

The Landscape and Ecology Management Plan shall be implemented on approval.

REASONS

- 1 For the avoidance of doubt and in the interests of proper planning.
- 2 To comply with Section 91 of the Town and Country Planning Act 1990
- 3 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 Policy MC17.
- 4 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 Policy MC14; Tandridge District Local Plan 2001 Policy EV10; and Tandridge District Core Strategy 2008 Policy CSP15.
- 5 To safeguard the environment and protect the amenities of the locality in accordance with the terms of Surrey Minerals Plan 2011 Policies MC3 and MC14, and Surrey Waste Plan 2008 Policy DC3.
- 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 Policy MC17 and Surrey Waste Plan 2008 Policy DC3.
- 7-10 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 District Local plan 2001 Policies M09 and M013; and Tandridge District Core Strategy 2008 Policy CSP12.
- 11-12 To protect the route of the public footpaths and bridleways and the amenities of the users and comply with Surrey Minerals Plan 2011 Policy MC14, Surrey Waste Plan 2008 Policy DC3 and Tandridge District Local Plan 2001 Policy RT12.
- 13-14 In accordance with paragraph 103 of the National Planning Policy Framework 2012 (NPPF) to ensure that that flood risk is not increased onsite or elsewhere; Surrey Minerals Plan 2011 Policy MC14; Surrey Waste Plan 2008 Policy DC3 and Tandridge District Local Plan 2001 Policy EV6.
- 15 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 109 of the National Planning Policy Framework 2012 (NPPF) and in conjunction with the European Water Framework Directive (WFD); Surrey Minerals Plan 2011 Policy MC14 and Tandridge District Local Plan 2001 Policy EV6.
- 16 To ensure that the proposed development will not have a significant adverse impact on water quality or water resources in accordance with paragraphs 103 and 109 of the National Planning Policy Framework (NPPF), Water Framework Directive (WFD); Surrey Minerals Plan 2011 Policy MC14 and Tandridge District Local Plan 2001 Policy EV6.
- 17 To protect groundwater from contaminants and pollution in accordance with paragraph 109 of the National Planning Policy Framework 2012 (NPPF); Surrey Minerals Plan 2011 Policy MC14; Surrey Waste Plan 2008 Policy DC3 and Tandridge District Local Plan 2001 Policy EV6.

- 18-22 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 Policy MC14; Surrey Waste Plan 2008 Policy DC3; Tandridge District Local Plan 2001 Policy EV10 and Tandridge District Core Strategy 2008 Policy CSP15.
- 23 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 Policy MC14; Surrey Waste Plan 2008 Policy DC3 and Tandridge District Local Plan 2011 Policies HE6 and HE5.
- 24 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 Policies MC14 and MC17.
- 25-26 To secure restoration to the required standard and enhance biodiversity in accordance with the Surrey Minerals Plan 2011 Policies MC17 and MC18; Surrey Waste Plan 2008 Policy WD7 and Tandridge District Core Strategy 2008 Policy CSP17.
- 27-28 To secure protect and enhance biodiversity in accordance with Surrey Minerals Plan 2011 Policies MC14 and MC18; and Tandridge District Core Strategy 2008 Policy CSP17.
- 29 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 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-community-safety/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 applicant is advised that as part of the detailed design of the highway works required by the above conditions, the County Highway Authority may require necessary accommodation works to street lights, road signs, road markings, highway drainage, surface covers, street trees, highway verges, highway surfaces, surface edge restraints and any other street furniture/equipment.
4. An environmental permit will be required when the quarry is to be infilled with inert waste. Inert waste is defined by Landfill Directive, article 2(e): 'Inert waste' means waste that does not undergo any significant physical, chemical or biological transformations. Inert waste will not dissolve, burn or otherwise physically or chemically react, biodegrade or adversely affect other matter with which it comes into contact in away likely to give rise to

environmental pollution or harm human health.

5. Additionally the Landfill Directive requires the operator to submit construction proposals to cover the construction and quality assurance of the geological barrier across the base and sides of the landfill. The geological barrier will be provided by suitable selected in situ or imported materials. The operator's CQA plan must set out how he will ensure that suitable materials are used in construction of the geological barrier.
6. The applicant will require written consent from the Environment Agency in order to discharge effluent resulting from dewatering activities.

CONTACT

Stephen Jenkins

TEL. NO.

020 8541 9424

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 and the following:

Government Guidance

National Planning Policy Framework (NPPF) March 2012

Planning Practice Guidance (NPPG) March 2014

The Development Plan

Surrey Minerals Plan 2011 Core Strategy Development Plan Document (SMP Core Strategy DPD 2011)

Surrey Minerals Plan 2011 Primary Aggregates Development Plan Document (SMP 2011 Primary Aggregates DPD)

Surrey Minerals Plan 2011 Minerals Site Restoration Supplementary Planning Document
Surrey Waste Plan 2008 (SWP 2008)

Tandridge District Local Plan 2001 (saved policies) (TDLP2001)

Tandridge District Core Strategy 2008 (TDCS2008)

Other Documents

Surrey County Council Annual Monitoring Report (AMR) 2012/2013

Surrey County Council Aggregates Monitoring Update August 2013

Surrey County Council Local Aggregate Assessment (Surrey LAA) October 2013

Surrey County Council Aggregates Monitoring Update: May 2014

The Future of Surrey's Landscape and Woodlands – Surrey County Council 1997

Development Control: Planning for Air Quality (2010 Update) - Environmental Protection UK (EPUK)