

**TO:** PLANNING & REGULATORY COMMITTEE **DATE:** 24 February 2016

**BY:** PLANNING DEVELOPMENT CONTROL TEAM  
MANAGER

**DISTRICT(S)** MOLE VALLEY DISTRICT COUNCIL **ELECTORAL DIVISION(S):**  
**Dorking Rural**  
*Mrs Clack*

**PURPOSE:** FOR DECISION **GRID REF:** 522726 150626

**TITLE:** MINERALS AND WASTE APPLICATION MO10/0847

## SUMMARY REPORT

### **Park Pit and Tapwood Quarry (Buckland Sandpits), Reigate Road, Buckland, Reigate**

**The continued extraction and processing of silica sand and transportation off site of sand, an amended interim restoration scheme for Park Pit, an amended programme of working for Tapwood Quarry, an amended dust action plan and dust management scheme, an amended groundwater monitoring scheme; and an amended restoration and aftercare scheme at Buckland Pits (Tapwood Quarry and Park Pit) until 31 August 2014 with restoration to water based recreation, woodland and grazing by 31 August 2016 without compliance with Conditions 3, 4, 16, 17, 23, 31, 32, 38, 39, 40, 41 and 42 of planning permission ref: MO98/1549 dated 27 May 1999; and the installation of a new slurry plant at Tapwood Quarry.**

The application was submitted in June 2010 for an extension in time for mineral operations and restoration at Park Pit and Tapwood Quarry, with mineral extraction extended from June 2010 until 31 August 2014, and restoration of both sites by 31 August 2015. However due to complex issues in respect of hydrology, which has impacts on the Reigate Heath SSSI and the proposed final restoration and water levels at both quarry pits, it has been necessary to engage in comprehensive discussions with a range of consultees, including Natural England and the Environment Agency. This has led to detailed groundwater modelling being undertaken and investigations of what measures could be implemented to assist with the re-wetting of the SSSI. Independent surveys of the SSSI have been carried out by Natural England and several revisions to the final restoration plans have been put forward, all of which has resulted in the lengthy delay in the determination of this planning application. As a consequence of the time taken to determine this application, the proposal is in part retrospective, with the extraction and processing of silica sand now ceased and the sandpits now undergoing the proposed final restoration works. Due to the above detailed work and submissions, it has also been necessary to extend the restoration end date by one year, from 31 August 2015 until 31 August 2016.

The 'application site' comprises Park Pit and Tapwood Quarry, two silica sand quarries collectively known as Buckland Sandpits, which lie within the Metropolitan Green Belt and approximately 260m south of the Surrey Hills Area of Outstanding Natural Beauty (AONB). Tapwood Quarry lies within an Area of Great Landscape Value (AGLV), but does not include Park Pit. Tapwood is identified in the Surrey Minerals Plan 2011 as an existing area for the extraction of silica, and is supported under policy in order to maintain an adequate landbank and to meet national need. The extraction of the silica sand was from Tapwood Quarry, where it was fed into a slurry plant and then pumped underground to the processing plant at the Park Pit site south of the A25. Sand extraction has now ceased and both Park Pit and Tapwood are being restored to open water and landscaped lake settings, for water-based recreation (fishing) use. The site is privately owned by the Buckland Estate and they currently use the Park Pit Lake for fly fishing.

The application includes an amended working programme, dust action and management plan, groundwater modelling, and restoration and aftercare scheme. A new slurry plant was part of the proposal, however the applicant did not work the reserves beneath the existing plant, as such a replacement plant was not required. All plant and equipment have now been removed from the site and work is now focussed on the restoration programme.

There have been prolonged discussions with initial objections from Natural England and the Environment Agency over the groundwater modelling and water levels, and concerns regarding the impacts of dewatering operations on the special interest features of the adjacent Reigate Heath Site of Special Scientific Interest (SSSI). A re-wetting scheme was proposed by the applicant however Natural England commissioned a survey of the SSSI in order to provide sufficient information from which to make an informed evidence-based decision on this case. Natural England concluded that a re-wetting scheme would not yield any positive results by way of restoration of the interest features of the SSSI. The Environment Agency concurred with Natural England that the proposed re-wetting scheme should no longer be considered.

The restoration of both Park Pit and Tapwood is to be completed by 31 August 2016. Due to the slow recovery of water levels at Tapwood, the final planting will not be able to be completed until final water levels are reached, which could be a further five years. Planning conditions would be put in place in respect of the final planting and aftercare of both sand pits.

Minerals can only be worked where they are found and despite the site being in the Green Belt and partially within the AGLV, the national need for this industrial mineral is an important consideration. Officers consider that the need for the mineral clearly outweighs any temporary impacts of this extension to the timetable for working and restoration 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 within an acceptable timescale.

**The recommendation is to PERMIT subject to conditions**

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## **APPLICATION DETAILS**

### ***Applicant***

Hanson Quarry Products Europe Ltd

### ***Date application valid***

18 June 2010

### ***Period for Determination***

8 October 2010 (various extensions agreed due to the complex hydrology issues)

### ***Amending Documents***

Great Crested Newt and Reptile Survey Report dated 22 July 2010

Further information in respect of: the development description, hydrogeology, hydrology, biodiversity and air quality, submitted under Regulation 22 of the EIA Regulations – dated 21 September 2011

Further information submitted under Regulation 22 of the EIA Regulations – dated March 2012 (including restoration water levels at Park Pit and re-wetting plan for Western Alder Woods)

Further information in respect of amending restoration plans for both Tapwood and Park Pit, with detailed outfall design for Park Pit – dated November 2015, comprising: Dwg No.R44r/270Rev.f – Tapwood Revised Restoration Scheme Based on Modelled Water level of 57m AOD Dated Nov 2015; Dwg No.R44r/178Rev.f – Park Pit Revised Restoration Scheme Dated Nov 2015; Dwg No.R44r/278 – Park Pit Proposed Planting plan for Area Beside Dungates Farm received November 2015; Park Pit – Design of Lake Outfall/Headwall Dated Nov 2015.

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## 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.

	<b>Is this aspect of the proposal in accordance with the development plan?</b>	<b>Paragraphs in the report where this has been discussed</b>
Mineral Issues and Need	Yes	67-71
Highways, Traffic and Access	Yes	72-76
Landscape and Visual Amenity	Yes	79-85
Noise	Yes	86-87
Air Quality – Dust	Yes	88-89
Hydrology, Hydrogeology and Surface Water	Yes	90-93
Ecology and Biodiversity	Yes	94-98
Restoration and Aftercare	Yes	99-104
Green Belt	Yes	106-109

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## ILLUSTRATIVE MATERIAL

### Site Plan

Plan

### Aerial Photographs

Aerials 1 & 2

### Site Photographs

Fig 1 Park Pit - view S previous plant and stockpiles at northern end of site

Fig 2 Park Pit - view W of northern lagoon area and beach with boathouse

Fig 3 Park Pit - view S across lagoon

Fig 4 Park Pit - view S from northern shore toward Dungates Farm

Fig 5 Tapwood - view toward restored eastern area

Fig 6 Tapwood - view NW across lake

Fig 7 Tapwood - view SE across lake

Fig 8 Tapwood - view W across lake

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## BACKGROUND

### *Site Description*

- 1 The application site comprises of Tapwood Quarry and Park Pit (the Buckland Sandpits), which are located within the Metropolitan Green Belt with the village of Buckland to the west and the town of Reigate located approximately 2.5km to the east. The village of Betchworth lays approximately 1.1km beyond Buckland to the west. The sandpits are situated in an area of largely undulating and open agricultural land below the North Downs escarpment and to the south (approx. 260m) of the Surrey Hills Area of Outstanding Natural Beauty (AONB). Tapwood Quarry lies within an Area of Great Landscape Value (AGLV), which extends southwards but does not include Park Pit. Reigate Heath Site of Special Scientific Importance (SSSI) and Local Nature Reserve

(LNR) lie to the south east of Park Pit extending eastwards to Reigate. Buckland Conservation Area covers the village of Buckland.

- 2 Park Pit lies to the south of the A25 and extends to Dungates Farm and is approximately 32ha in size. The majority of Park Pit has now been worked (1949-2002) and is now mainly comprised of a restored lake with only the north eastern corner remaining in operation where the processing plant is situated. To prevent flooding of the processing plant and operational area, the restored lake is currently held artificially at 50.5m AOD through pumping. Bridleway BW467 runs along the south western and southern boundary of Park Pit and footpath FP466 runs along the south eastern boundary before both joining bridleway BW11 south of Shag Brook, adjacent to the western boundary of the Reigate Heath SSSI.
- 3 Tapwood Quarry lies to the north of the A25 to the north east of Park Pit and is approximately 17ha in size. Mineral extraction is still taking place at Tapwood Quarry where sand is extracted using a hydraulic excavator. The material is stockpiled and then fed into the slurry plant via a hopper. The material is screened and washed within the slurry plant and is then pumped through a pipeline underneath the A25 to the processing plant at Park Pit. Tapwood Quarry has been progressively restored over a number of years with the creation of soiled and grassed benches and slopes. The restored slopes of the eastern extension area and around the northern part of the pit are currently managed by seasonal grazing. To the north of the site, old sand workings known as Jubilee Field, was worked until 1960's and has been filled and restored. To the north west lies former workings known as Colley Pit, which has been restored to a landscaped water area to provide a nature reserve and trout fishery. Footpath FP24 runs along the north eastern tip of Tapwood Quarry.
- 4 The closest residential properties to Tapwood Quarry are those located along the A25 to the south of Tapwood Quarry and a property, Harolyn, adjacent to Tapwood Quarry to the east. The closest residential properties to Park Pit are Park Cottage, Round Lodge and The Gatehouse between 10 – 30m to the north; Buckland Court approximately 60m to the northwest; Pilgrim Cottage, Buckland Lodge, Beechwood, Juniper Cottage and Fourpenny Cottage to the west; and The Granary and Dungates Farm to the south.

### ***Planning History***

- 5 Buckland Sand and Silica Company began the working of sand on the former Buckland Court Estate before the war. Planning permission was granted in 1949 for the working of sand from four areas, which included the northern part of Park Pit and Colley Pit to the north of the A25. In 1980 two planning permissions (refs: MO79/798 and 799) were granted for a southward extension to Park Pit alongside the deepening of the workings to a depth of 33.5m AOD and a scheme of restoration to restore the site to a lake for recreation purposes. The permissions were subject to the completion of a Section 52 legal agreement, which required the submission of a scheme of management and afteruse no later than 15 years from the date of the permissions (i.e.1995).
- 6 In 1984 planning permission (ref. MO84/0074) was granted for the extraction of silica sand for a 2.6ha area known as Park Cottage Field situated in the north east corner of Park Pit. This was worked as an extension to the mineral working at Park Pit. The majority of Park Cottage Field has been worked and restored, however there is a small area adjoining the plant area at Park Pit which will be restored at the same time that Park Pit's final restoration takes place.
- 7 In March 1989 planning permission (ref. MO88/157) was granted to extract sand from an area (approx. 6.07ha) known as Tapwood Field to the south of the former Colley Pit sand workings. This permission included the transportation of sand via a slurry pipeline to the existing processing plant located in Park Pit and restoration to a landscaped lake. A tree

and shrub-planting scheme was approved in 1989 and the working programme was varied in 1991 (ref. MO91/01283) to allow working in a single phase of extraction.

- 8 In 1994 a further 1.4 ha eastward extension to Park Pit towards Shag Brook was permitted (ref. MO92/1224), which also involved a reduction of the permitted working area allowed under planning permission ref. MO79/799 and revised details of working and restoration. Condition 5 of this permission required the submission of further restoration details and a scheme of management and aftercare. In January 1997 the restoration scheme was approved (ref. MO96/1160). However, the scheme of management and afteruse pursuant to the Section 52 Agreement associated with MO79/798 and 799 submitted under ref. MO96/1332 was refused in January 1997 as Officers considered that the applicant had provided insufficient information on both the afteruse and the necessary associated development, or the way in which they intended to effectively manage the site over the longer term.
- 9 In 1995 planning permission was refused (ref: MO95/0668) for the extraction of approximately 1.53 million tonnes of silica sand over an area of 8.8ha as eastward and westward extensions of Tapwood Quarry, with restoration of the enlarged site to a lake for low intensity leisure uses all over a period of 12 years. The application was refused on Green Belt, landscape and harm to residential amenity grounds. In March 1997 planning permission was granted on appeal (ref. T/APP/B3600/A/96/265844/P5) for the eastward and westward extensions to Tapwood. Planning permission to extract sand from an area to the west of Lawrence Lane (west of Tapwood) was revoked by way of a unilateral undertaking by the applicant at the time that permission was granted for eastward and westward extensions to Tapwood Quarry.
- 10 The Buckland Sandpits site was identified as Active Phase I in the Review of Minerals Planning Permissions (ROMP) for Surrey published in January 1996. In May 1999 modern conditions for working, restoration and aftercare of the Buckland Sandpits were approved under planning permission ref: MO98/1549, which was to provide an updated planning permission in respect of the mineral planning permissions granted between 1948 and 1982, however it also included the later Tapwood permission granted on appeal.
- 11 On 24 June 2015 planning permission (ref. MO/2015/0213) for the retention and use of four buildings at Park Pit, including power supply in connection with the proposed water-based recreation (fishing) after use of the site. The four buildings included the Old Generator Shed for general purpose storage, the Old Pump House for fisherman to shelter, the Electricity Supply Kiosk for the future single phase electricity supply for the site, and the former washing plant and office for use as a boathouse and office.

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## THE PROPOSAL

- 12 The applicant is seeking to vary Condition 3 of planning permission ref: MO98/1549 (ROMP) to allow for an extension of time for workings at both Park Pit and Tapwood Quarry, from June 2010 until 31 August 2014 for mineral operations and a further year for restoration, i.e. final completion and restoration by 31 August 2015. The restoration end date was later amended to 31 August 2016. The applicant stated that the production levels from Tapwood Quarry have been around 100,000 tonnes per annum (tpa), which is much lower than the permitted average of 180,000 tpa. This has resulted in approximately 400,000 tonnes of mineral remaining at Tapwood Quarry, which requires an extension of time for its extraction.
- 13 In addition to this the applicant is also seeking to vary and modify a number of other conditions set out in planning permission ref: MO98/1549 (ROMP). These are:

*Condition 3 – the final restoration of the site to a condition suitable for low intensity fishing and leisure uses shall be completed no later than 19 June 2010 strictly in accordance with the scheme and drawing no R44m/178a approximated under MO96/1160 dated 24 January 1997 and documents and drawing Nos R44m/149b and R44m/161a approved under appeal decision T/APP/B3600/A/96/265844/P5 dated March 1997 – in 2010 the applicant originally proposed to replace drawings R44m/178a, R44m/149b and R44m/161a with drawings R44r/178c (Park Pit revised restoration plan), R44r/270 (Tapwood – revised restoration scheme); and R44r/272 (Tapwood revised restoration scheme: cross sections). The differences between the currently approved plans and the proposed plans include the amount of planting and grazing areas to be provided. At Park Pit as the restoration scheme is to recreation, the applicant states this is to provide clear, grassy banks from which anglers can cast their rods. These details were provided under Regulation 22 of the EIA Regulations 2011, under further revised drawings – ‘Figure 2.1 Park Pit Revised Restoration Plan’ and ‘Figure 2.3 – Proposed Planting for Area Besides Dungates Farm’, both dated September 2011. At Tapwood it is proposed to reduce the amount of planting along the southern side of the pit. This is in addition to the proposed extension of time for working and restoring the quarries as outlined above. In view of further information received (Regulation 22) in respect of groundwater modelling, the anticipated final water levels for Tapwood are lower than on the above drawings, as such the proposed replacement drawings, R44r/270 (Tapwood – revised restoration scheme); and R44r/272 (Tapwood revised restoration scheme: cross sections) would need to be revised, as such a further revised restoration plan for Tapwood would be required. After many revisions, the drawings were subsequently superseded in 2015 by Dwg No. R44r/270Rev.f – Tapwood Revised Restoration Scheme Based on Modelled Water level of 57m AOD Dated Nov 2015; Dwg No.R44r/178Rev.f – Park Pit Revised Restoration Scheme; Dwg No.R44r/278 – Park Pit Proposed Planting plan for Area Beside Dungates Farm Dated Jan 2011.*

- 14 *Condition 4 – the interim restoration of Park Pit shall be completed strictly in accordance with the submitted documents and drawing R44m/222 dated March 1999 unless otherwise agreed in writing by the County Planning Authority – the applicant originally proposed to replace R44m/222 with drawing R442/222a to allow for a revised interim restoration plan for Park Pit. However due to the time taken to determine the application, with extraction finished, the applicant is therefore seeking to proceed directly to the final restoration scheme as shown Dwg No.R44r/178Rev.f – Park Pit Revised Restoration Scheme.*
- 15 *Condition 16 – the programme of working and phasing shall be strictly in accordance with the documents and drawing no R44m/159b approved under appeal decision T/APP/B3600/A/96/265844/P5 dated 19 March 1997 and the details submitted and approved under MO91/1283 dated 23 December 1991 and no variations or omissions shall take place without the prior written approval of the County Planning Authority – the applicant proposed to replace drawing R44m/159b with drawing R44r/271 showing a revised working scheme. The current approved plan shows a series of phases for working both the eastern extent of Tapwood Quarry (now restored) and a series of four phases for the western extent. The proposed plan shows no phases but working of the remaining area to 35m AOD (including the location of the existing slurry plant – see below) except for three standoff areas left in situ. In light of the further information submitted under Regulation 22 of the EIA Regs, with anticipated final water levels for Tapwood lower than expected, an updated drawing ‘Figure 2.5 – Final Worked Out Landform’ dated September 2011 was submitted. Working and phasing has now been completed in accordance with the plans.*
- 16 *Condition 17 – the treatment and enhancement of Shag Brook shall be carried out and completed in all respects strictly in accordance with the Plan R44m/177b dated July 1997 and the scheme submitted and approved under planning application MO97/1141 dated 20 March 1998 – this condition relates to the reinstatement of a channel of the Shag Brook between Colley Lake and the Brook. The approved scheme shows a culvert*

for approximately 85m after which a stream channel would be created with pools and riffles. The applicant proposes to amend this scheme by retaining the culvert for a longer length (140m) but with the southern half of the culverted section being restored to an open ditch upon completion of restoration. The culvert is shown on 'Figure 2.4 - Colley Lake to Shag Brook Culvert: Cross Section' dated September 2011, submitted as further information under Regulation 22 of the EIA Regs. The culvert is also shown on Dwg No.R44r/270Rev.f – Tapwood Revised Restoration Scheme Based on Modelled Water level of 57m AOD Dated Nov 2015.

- 17 Condition 23 – *the monitoring of the groundwater shall be carried out and completed in all respects strictly in accordance with plan R44r/202 and the scheme submitted and approved under planning application MO97/1141 dated 20 March 1998* – the applicant has stated that the assessment of hydrological effects will continue though ongoing monitoring in accordance with the above approved scheme.
- 18 Condition 31 – *the Dust Action Plan for Tapwood and the associated processing plant at Park Pit shall be carried out in all respects strictly in accordance with the scheme submitted and approved under planning application MO97/1141 dated 20 March 1998* – the Environmental Statement has included a dust assessment and the applicant proposes that Condition 31 be modified to reflect this assessment.
- 19 Condition 32 – *the applicant shall institute the approved dust-monitoring programme and provide at monthly intervals to the County Planning Authority details of the results of that programme so as to enable the County Planning Authority to specify appropriate trigger levels for the duration of the development* – the Environmental Statement has included a dust assessment and the applicant proposes that Condition 32 be modified to reflect this assessment.
- 20 Condition 38 – *all landscaping planting shall be carried out strictly in accordance with the schemes submitted and approved under planning applications MO89/0884 dated 20 October 1989, MO96/0164 dated 21 January 1996, MO96/1270 dated 24 January 1997, MO96/1160 dated 24 January 1997 and under MO97/1141 dated 20 March 1998* – the applicant is seeking to modify the landscaping schemes for both Park Pit and Tapwood Quarry to reduce the amount of woodland block planting. As already started above under Condition 3, revised restoration details were provided in 2015 by Dwg No. R44r/270Rev.f – Tapwood Revised Restoration Scheme Based on Modelled Water level of 57m AOD Dated Nov 2015; Dwg No.R44r/178Rev.f – Park Pit Revised Restoration Scheme; Dwg No.R44r/278 – Park Pit Proposed Planting plan for Area Beside Dungates Farm Dated Jan 2011, received November 2015.
- 21 Condition 39 – *All trees, marginal aquatic plants, shrub planting and other landscape works shall be maintained in good and healthy condition and be protected from damage in accordance with the schemes approved under MO89/0884, MO96/1160 and MO97/1141. Any hedges, trees or shrubs required to be retained as a screen during extraction and restoration operations, and which dies before the completion of such operation's shall be replaced by trees, shrubs or hedge plants or a similar species and of a similar size such as is practicable during the next available planting season* - the applicant is seeking to modify this condition for both Park Pit and Tapwood Quarry as a consequence of seeking to reduce the amount of woodland block planting. The revised drawings for Park Pit make provision for the maintenance of the restored grassland and tree/shrub planted areas.
- 22 Condition 40 – *all tree and shrub planting and other landscape works pursuant to this approval shall be maintained in accordance with the schemes approved under MO89/0884, MO96/1160 and MO97/1141 for the duration of the extraction and restoration works, and for five years from the completion of restoration of any part of the site. During those periods any trees or shrub which dies, or is severely damaged or diseased shall be replaced in the next available planting season with others of a similar*

*size and species* - the applicant is seeking to modify this condition for both Park Pit and Tapwood Quarry as a consequence of seeking to reduce the amount of woodland block planting. The applicant does not seek to revise the 5-year period of aftercare and the submitted drawings with the planning application set out what provisions would be provided for the maintenance of restored grassland and tree/ shrub planting.

- 23 Condition 41 – *the land at Tapwood Sandpit shall be brought to the required standard for use for amenity purposes in accordance with the provisions of the aftercare scheme forming part of planning application MO95/0668 allowed by the appeal decision T/APP/B3600/A/96/265844/P5 dated March 1997, and with such detailed annual schemes as may be approved after reinstatement of Tapwood East Phase I. Such schemes shall include details of the testing of the soil, planting; seeding, cultivation, fertilisation, watering, drainage or other treatment of the land which it is proposed should be carried out. The operator shall notify the County Planning Authority when the first of the cultivations has been undertaken and in no more than six weeks after that date there shall be a meeting at the site which shall be attended by representatives of the operators, the owners of their successors in title, and the County Planning Authority to monitor the success of the scheme. Thereafter, further schemes shall be submitted annually throughout the five-year period of aftercare applicable to each phase of the restoration* – the applicant is seeking to revise the aftercare scheme for Tapwood Quarry and has provided revised details of aftercare on grass and weed control, annual aftercare meetings, management of grassland through sheep grazing or annual mowing. This detail can be seen on drawings submitted in 2015 as mentioned under Condition 3 and further information was provided within the Regulation 22 response dated September 2011.
- 24 Condition 42 – *details of a scheme management and afteruse for Park Pit are to be submitted for approval by the County Planning Authority no later than 31 May 2000 in accordance with the provisions of the legal agreement accompanying planning application MO/79/798 and MO/79/799 dated 4 June 1980* – most of Park Pit has now been restored to a lake with planting along the edges of the lake. The restored profile includes much of the land being graded back to provide contoured grassed slopes with some steep sand bluffs around the western and northern margins. There are areas of shallows in the north western corner of the lake for marginal and emergent aquatic plants. The area where the processing plant is located is the only remaining area of Park Pit, which is un-restored, which now includes a lagoon and beach area with access to the proposed boathouse (retained former sand processing building).
- 25 The applicant was seeking to install a new slurry plant at Tapwood Quarry to replace the existing slurry plant. The replacement slurry plant would have been located within the southern part of Tapwood Quarry at 52.5m AOD, some 20m below the surrounding ground level approximately 100m to the south east of the existing slurry plant. The purpose of the replacement slurry plant was to enable extraction of mineral resources to take place beneath the existing slurry plant, however the applicant did not extract these reserves, as such the replacement slurry plant as submitted within the application documents was not required. All plant and equipment has now been removed to enable final restoration to be completed.

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## CONSULTATIONS AND PUBLICITY

- 26 The application was originally consulted on in July 2010, with further consultations in October 2011 and March 2012 in respect of 'further information' received under Regulation 22 of the EIA Regulations 2011. Amendments to the restoration drawings and the final restoration timescale (a further one year) was received in November 2015, which required a further round of consultation and publicity, giving consultees and members of the public the opportunity to comment on the amended application and amend any earlier comments in case of changed circumstances given the passage of

time since first consulted. The consultee views and representations received are set out below.

### **District Council**

#### **27 Mole Valley District Council – Planning**

No objection. *‘Mole Valley District Council does not object to the proposed extension of time and the other changes provided that the following issues are wholly taken into account in the final determination of the application.*

*1. That permission is granted for a more limited period, of no more than 12 months, during which time an investigation, preferably independent, is carried out to establish the correct level of water in Park Pit for the recovery of the local water table and the ecology of the SSSI. Further permission being dependant upon an agreed final level to be adopted.*

*2. The County Council is satisfied that the extraction rate of 100,000 tpa is maintained irrespective of any change in market conditions and that, if necessary, the silica sand is stockpiled within Park Pit so that there is no slippage in the final date of 31st August 2014 for the extraction of sand.*

*3. All plant and equipment is removed from both Park and Tapwood Pit within six months of the cessation of sand extraction.*

*4. The County Council is assured that the relocation of the slurry plant does not result in any additional noise for local residents. If necessary the equipment should be housed / clad to reduce the noise impact.*

*5. The County Council is assured that the Dust Management Plan is robust and meets current environmental standards.*

*6. The County Council ensure that the bunds, and any associated non indigenous vegetation is removed from both Tapwood and particularly Park Pit in order to return the area to the pre existing more open landscape.’*

#### **Mole Valley District Council – Environmental Health**

No comment.

### **Consultees (Statutory and Non-Statutory)**

#### **28 Reigate and Banstead Borough Council**

No objection, with the following requirements *‘to ensure that the valuable ecology of Reigate Heath is preserved:*

- The sand extraction should be progressed for the period of time indicated by the application for an extension and no further extensions in time should be given*
- The final groundwater level at restoration should be 54 metres AOD and no lower, consistent with the recommendation of the Environment Agency’s 2009 report on the subject. The fact that the current application proposes reinstatement to a lower water level than that recommended by the EA is a significant shortcoming of the application*
- Our support for the application is dependent on the interim remedial work to Reigate Heath, which is included in the current application, which would mitigate the delay to the ultimate restoration of the water level’*

#### **29 Reigate and Banstead Borough Council – Policy Team**

Objection. *'In the absence of any agreed scheme of mitigation. The Council remains of the view that the water level in Park Pit should be allowed to rise to 54mAOD (or as close to that level as can be achieved without damming the lake). Although we recognise that this would not return the local water table to pre-quarrying levels, it would at least be a permanent solution that would maximise rewetting of the heathland without having to resort to untested mechanical means, with all the maintenance and monitoring issues associated with that approach.'*

(Officer Comment: Re-wetting not a viable option, see Natural England's comments below)

**30 Natural England**

No objection, with the following comments: *'Natural England has objected to the continued extraction of silica sand from Buckland Sandpit due to our concerns regarding the deleterious impacts of dewatering operations on the special interest features of the adjacent Reigate Heath Site of Special Scientific Interest (SSSI). Due to the complex nature of this case and our concerns over the impact of continued quarry operations on the SSSI it was necessary for Natural England to commission a survey of the SSSI, the results of which are discussed below. This survey was required in order to provide sufficient information from which to make an informed evidence-based decision on this case. Based on the evidence contained within our survey report Natural England is now in a position to amend our position on this planning application. In summary the conclusion of Natural England's survey report was that regrettably the special interest features of units 1 and 3 of Reigate Heath SSSI have been damaged beyond recovery (unit 1) or destroyed (unit 3). This evidence leaves Natural England in the position of removing our objection to this application. The evidence shows that the interest features of the water-dependant units of the SSSI have been lost and that the impact is irreversible. Therefore in this instance due to the historical and permanent nature of an impact, which has occurred under planning consent, our objection cannot be maintained. We do however advise that this situation is given due consideration by the planning authority and that should planning permission be granted for this application, that appropriate enhancement measures are sought from the applicant'*.

**31 The Environment Agency**

No objection, subject to a condition in respect of the details of outfall from Park Pit and a condition in respect of groundwater monitoring in order to inform the assessment of risk to groundwater and surface water bodies from leachate emanating from the Jubilee Field landfill. The EA stated that they believe compensation for any loss of habitat should be proportionate to the loss of approximately 16ha of nationally important wetlands, and concurs with Natural England that the proposed temporary rewetting of unit 1 of Reigate Heath SSSI should no longer be considered as this would not guarantee restoration of any of the SSSI interest features. The EA suggested that alternative biodiversity enhancement measures need to be undertaken by the applicant, and as a minimum compensation should include ecological enhancements to Unit 2 of the SSSI. However, given the limited areas of such habitat it is suggested that wetland habitat enhancements and/or the creation are undertaken elsewhere in the catchment.

**32 Surrey Wildlife Trust**

No objection, with the following comments: supports the mitigation measures for the protected species; consult Natural England in respect of the impacts on the adjacent Reigate Heath SSSI; question over why Shag Brook is being kept ditched and culverted; final restoration scheme should seek to enhance on site biodiversity and enhance adjoining habitats and landscape schemes, with priority to the creation of UK and Surrey BAP Priority habitats; likely that a Bird Management plan will be required.

**33 BAA – Gatwick Airport Safeguarding Team**

No objection subject to a condition in respect of a bird management and aquatic planting to ensure that the proposals do not increase the bird strike hazard risk to Gatwick Airport.

34 **English Heritage**

No objection.

35 **Health & Safety Executive**

No objection.

36 **Health Protection Agency**

No objection.

37 **Sutton & East Surrey Water**

Objection, until the Environment Agency gives assurances that:

1. *The proposed works and remediation will not affect the quantity or quality of ground water being drawn from our Buckland and Clifton Lane boreholes, and*
2. *That remediation measures will be put in place by the applicant to correct the environmental damage being caused by current/proposed dewatering activities. The dewatering is known to have adversely affected the Marshy Meadow and Alder Wood SSSI's both of which are situated to the east side of the Buckland sandpits.*

(Officer Comment: 1. The Environment Agency (EA) is satisfied subject to the ongoing groundwater monitoring scheme, which will be imposed as a condition. 2. Natural England and the EA conclude that applicant is not solely responsible for any environmental damage to the SSSI and any proposal to re-wet the SSSI is not considered a viable option.)

38 **Department of Business Innovation & Skills (BIS)**

No comments received.

39 **County Dust Consultant**

No objection, subject to compliance with the submitted Dust Management Plan (DMP) and Dust Action Plan (DAP).

40 **County Noise Consultant**

No objection.

41 **County Geotechnical Consultant**

No objection, subject to conditions in respect of the outflow control design from Park Pit and groundwater monitoring.

42 **County Landscape Officer**

Concerns over the loss of woodland block planting at Park Pit.

43 **County Ecologist**

No objection.

44 **County Rights of Way**

No objection. Comments raised in respect of the level of sand discharged from Park Pit into the Shag Brook and impacts downstream at Wonham Mill.

45 **County AONB Officer**

No objection. Need to assess the views in and out of the AONB, when considering development in the AGLV. Supports raising level of water level in Tapwood to 54m AOD, if the proposed level of 52.5m causes the demise of the Western Alder Woods.

46 **County Highway Authority - Transportation Development Control**

No objection.

47 **Principal Environment Enhancement Officer**

No objection. Decline in wetland interest of SSSI (Western Alder Woods) is contributed to by, but not solely the result of sand extraction but also due to the prolonged drawing down of watertable by the local water company for public abstraction. Support alternative appropriate enhancement measures in view of Natural England's survey of the status of the SSSI.

***Parish/Town Council and Amenity Groups***

48 **Buckland Parish Council**

No objection on the strict understanding that Surrey County Council will use its best endeavours to ensure the required works are completed within the time frame that the planning authority sets out in conditions attached to any decision.

49 **Betchworth Parish Council**

No objection

50 **CAMEL**

The following points were raised:

- The applicant has been extracting sand without permission since June 2010
- Consider that a level of 54m AOD will provide significant level of relief to the current distress caused by the lack of water in the Western Alder Woods and cost should not be a limiting factor
- Interim re-wetting and offer of limited capital sum is not acceptable

51 **The Betchworth & Buckland Society**

The following points were raised:

- Public access in terms of amenity land and a circular walk around Park Pit is important, and that a water level of 53.5m AOD should be the minimum when combined with a permanent rewetting solution for the Western Alder Woods (in order to retain its SSSI status).
- A water level of 57m AOD at Tapwood is a concern; there is a planning commitment to restore to 61m AOD.
- The final date for extraction is 31 August 2014 with full restoration no later than 31 August 2015; the applicant must meet these deadlines.
- Ensure that all quarrying equipment is removed from both pits after cessation of quarrying.

52 **Buckland Residents Action Group/Committee**

No comments received

53 **Dorking & District Preservation Society**

The following points were raised:

- The water course at Shag Brook with implications of final lake water levels for management of operations and final restoration will depend on local hydrology and hydrogeology
- In assessing the harm to the area, account has to be taken of the original conditions placed on the existing planning permission.
- Natural England will give a detailed prescription for the water levels.

54 **Reigate Society**

The following points were raised:

- Continued pumping and discharge of water into Shag Brook has resulted in the lowering of the water table, which has resulted in the loss of many rare plants and trees on the nearby SSSI
- Request that the site restoration proposals identify alternative solutions to the problems at the Reigate Heath SSSI
- The proposal should be held until the water table has been restored and Reigate Heath SSSI has recovered

55 **CPRE**

Object to the proposal and raise the following comments:

- The water level at Park Pit should be 53.5m AOD or above, Hanson caused the damage to the Heath and must be prepared to fund a permanent solution
- Strongly support measures for rewetting of the Western Alder Woods
- The option of an overflow feed from Tapwood needs to be fully investigated
- Hanson and the Estate have benefited from the extraction so they should pay for the rewetting solution in order to retain the SSSI status of the Western Alder Woods
- Extension of the culvert is unsatisfactory
- Opposed to the reduction in woodland planting

***Summary of publicity undertaken and key issues raised by public***

56 The application was publicised by the posting of 6 site notices and an advert was placed in the local newspaper. A total of 123 of owner/occupiers of neighbouring properties were directly notified by letter. In October 2011 further information pursuant to Regulation 22 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 was advertised with notices erected and neighbours notified. This further information was in respect of: development operations, hydrology and hydrogeology, biodiversity and a great crested newt survey report.

57 In March 2012 further information in respect of restoration water levels at Park Pit and a Western Alder Woods re-wetting plan, pursuant to Regulation 22 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 was advertised as above. In November 2015 amending restoration plans and a change to the restoration end date from 2015 until 2016 were received and advertised accordingly.

58 12 letters of representation have been received, all of whom object to the proposed planning application. Comments relevant to the development are as follows:

- Extension unreasonable due to loss of silica sand market
- Land between the two sand pits is affected by the lowering of the watertable, causing damage to trees, pond and land quality - recommendation that operations cease as quickly as possible and the water level at Park Pit be considerably increased
- Sand and dust impact on health
- Retention of as many trees as possible along site boundary
- Impact on Reigate Heath SSSI from lowering the watertable
- Restoration to an amenity lake (fishing only and no noisy motor sports) will require appropriate access and parking to prevent use of neighbouring Cliftons Lane
- Measures to re-wet the Reigate Heath should be investigated
- Loss of light - trees between the property Harolyn and Tapwood Pit should be removed and replaced by a hedge once the site restored to fishing lake
- Water level in Park Pit to be restored to at least 54.5m AOD in order to protect Reigate Heath's SSSI status
- Want the hedge and bund removed on the western side of Tapwood Pit in order to provide views of lake

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## PLANNING CONSIDERATIONS

- 59 The County Council as Minerals Planning Authority (for clarity, Officers refer to the County Council as the County Planning Authority – ‘CPA’ elsewhere in this report) has a duty under Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 to determine this application in accordance with the Development Plan unless material considerations indicate otherwise. At present in relation to this application the Development Plan consists of the Surrey Minerals Plan 2011 - Core Strategy Development Plan Document (SMP2011), the Mole Valley Local Development Framework (LDF) Core Strategy 2009 (MVCS2009) and the saved policies from the Mole Valley Local Plan 2000 (MVL2000).
- 60 The National Planning Policy Framework 2012 (NPPF) provides guidance to local planning authorities in producing local plans and in making decisions on planning applications. The NPPF is intended to make the planning system less complex and more accessible by summarising national guidance. The development plan remains the cornerstone of the planning system, and planning applications, which comply with an up to date development plan should be approved. Refusal should only be on the basis of conflict with the development plan and other material considerations. The NPPF does not change the statutory principle referred to above. The NPPF states that policies in Local Plans should not be considered out of date simply because they were adopted prior to publication of the framework. However, the policies in the NPPF are material considerations which planning authorities should take into account. Due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF.
- 61 The NPPF sets out the Governments approach on the management and planning’s role with regard to minerals. Para 142 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”*. Para 144 sets out a number of bullet points that should be considered when determining planning applications. Those that are relevant to this proposal 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 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.*
- 62 On 6 March 2014 the Government launched an on-line version of National Planning Practice Guidance (NPPG), which is to support the effective implementation of the NPPF. This online document provides guidance on minerals, and re-iterates that minerals *“are, or may become, of potential economic interest due to their inherent properties”* and that *‘they make an essential contribution to the country’s prosperity and quality of life’*.

- 63 Key issues in determining this application will be compliance with the Development Plan and National policy, the need for the development and the potential impact on local residential, landscape, environmental and amenity interests, and the protection of the Metropolitan Green Belt. The Buckland Sandpits currently operate under the minerals review permission (ROMP - ref: MO98/1549, granted in May 1999), with conditions imposed in respect of working, restoration and aftercare, which are subject to a 15-yr periodic review. If planning permission was granted for this proposal, there would be no need for the periodic review of the mineral permission, as the new permission would provide for modern conditions.

### **Environmental Impact Assessment (EIA)**

- 64 The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (referred to here as the EIA Regulations) implement the European Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment which was adopted in 1985 and amended in 1997. Schedule 2 of the EIA Regulations, identifies the types of development for which EIA may be required. Consideration of whether a project triggers the need for EIA includes thresholds and criteria and other circumstances such as location within or very close to a “*sensitive area*” as defined in the Regulations. In each case the key question is whether or not the project would be likely to give rise to significant effects on the environment of the location concerned.
- 65 In November 2009 the CPA received a request from the applicant for a Screening Opinion under Regulation 5 of the Town & Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999 (now replaced by the 2011 EIA Regulations). In January 2010 the CPA issued a Scoping Opinion under Regulation 10 of the EIA Regulations. The scoping opinion offered advice on the issues to be covered in the Environmental Statement (ES) for the proposed development in respect of: landscape, noise, ecology, flood risk, hydrology and hydrogeology.
- 66 Following submission of the planning application and ES, the CPA made requests for further information under Regulation 19 (1999 EIA Regs) and its replacement Regulation 22 of the 2011 EIA Regs. These are outlined above under publicity and are referred to elsewhere in this report. The adequacy of the ES is addressed later under the section on Environment and Amenity. The ES addresses the following issues: biodiversity, hydrology and hydrogeology, transportation, air quality and dust, cumulative impacts and noise. The proposal is seeking to vary and modify a number of conditions that were imposed on planning permission ref: MO98/1549 however the proposal does not seek a physical extension to the operational quarrying area.

### **MINERAL ISSUES AND NEED**

#### ***National Guidance***

National Planning Policy Framework (NPPF) 2012

National Planning Practice Guidance (NPPG) 2014

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

Policy MC1 Location of Mineral Development in Surrey

Policy MC8 – Silica Sand Supply

- 67 The National Planning Policy Framework (NPPF) 2012 states under para.146, that mineral planning authorities should plan for a steady and adequate supply of industrial minerals by providing a stock (at least 10 years for individual silica sand sites) of permitted reserves to support the level of actual and proposed investment required for new or existing plant and the maintenance and improvement of existing plant and equipment. The National Planning Practice Guidance (NPPG) 2014 recognises that industrial minerals are essential raw materials for a wide range of downstream manufacturing industries and their economic importance therefore extends well beyond

the sites from which they are extracted. The NPPG (2014) states under para.90, that the required stock of permitted reserves for each silica sand site should be based on the average of the previous 10 years sales, and that the calculations should have regard to the quality of sand and the use to which the material is put.

- 68 The proposal is for the continued extraction of the industrial mineral - silica sand, which unlike construction sand contains a high proportion of silica in the form of quartz and more importantly a low level of impurities. The significance of the end use rather than the nature of the sand in the ground is recognised by the British Geological Society (BGS), which has defined silica sand as sand used for applications other than construction aggregates and “*are valued for physical and chemical properties*”. The chemical and physical requirements of end-uses vary widely, the most important properties being grain size and grain size distribution (grading), grain composition, grain shape, grain strength, colour and staining behaviour. Markets often have very specific requirements for one or more of these properties, and as such sands are generally marketed as ‘specialist sands’ that include industrial processes (for glass, foundry moulds, chemicals, aircrete, bricks and tiles), ‘non-construction aggregates’ (including equestrian sand, sports and leisure sand, horticultural sand) and specialist construction uses.
- 69 Minerals planning raises a number of issues, often related to the fact that minerals can only be worked where they occur, and maintaining an adequate supply of minerals without having a significant impact upon communities and the environment is a challenge. The Surrey Minerals Plan 2011 - Core Strategy Development Plan Document (SMP2011) states that “*exploitation of mineral resources and other mineral development in Surrey should be efficient, environmentally responsible, adequate, as far as possible, to meet the needs of the economy and should not impose significant adverse impacts on the community*”. The SMP2011 highlights that the silica sand resources within Surrey are some of the purest within the country, with low levels of iron and alumina. Silica sand resources, although being part of the Lower Greensand Formation, are much more restricted in extent than the soft sand resource, which limits the choice of alternative locations for future production (Policy MC1 – Location of Mineral Development). Given the scarcity of suppliers of silica sand, it is important to maintain workable reserves where appropriate in order to ensure a continuous and competitive source of supply of the raw materials, ensuring that important mineral resources and sites for mineral development are not sterilised in any way (Policy MC8 – Silica Sand Supply).
- 70 The applicant seeks to extract the remaining 400,000 tonnes of silica sand reserve at Tapwood Quarry and for the mineral to be processed at Park Pit. The applicant has stated that the proposals comprise a variation of an existing permission to facilitate the continued extraction of an already permitted reserve. The sand has now been worked out due to the time taken to determine this planning application due to issues over hydrology discussed below. Residents questioned the need for the sand, commenting on the loss of the silica sand market and subsequent decline in productivity and export. However, the applicant confirmed that the majority of the remaining sand reserves are of suitable high quality to meet the continued demand of the glass industry.
- 71 The adopted SMP2011 recognises the need for silica sand and the limited areas within the UK where this specialist sand is found, with only two locations in Surrey. The proposal seeks an extension of time to complete mineral extraction and the subsequent restoration of the Buckland Sandpits and does not seek a physical extension to the working area. There is a continued need for the reserves of this high quality industrial sand, and to sterilise this remaining reserve through not working it, would contradict national and development plan policy. Officers are therefore satisfied there is a need to extend the time by which extraction can cease to assist in maintaining the landbank for the county and to avoid sterilisation of the mineral.

## **HIGHWAYS, TRAFFIC and ACCESS**

### **National Guidance**

National Planning Policy Framework (NPPF) 2012

National Planning Practice Guidance (NPPG) 2014

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

Policy MC15 Transport of Minerals

**Mole Valley Local Plan 2000 (MVL2000)**

Policy MOV2 - The Movement Implications of Development

- 72 This section considers the traffic generation and access arrangements, the impact on the highway network and the relative accessibility of the site. The adopted screening opinion for the proposal concluded that the traffic impact would be of low significance, as the level of traffic is not anticipated to change from the current level permitted at the site. The application addresses the environmental impact of the proposals in terms of highways and transport. The applicant has stated that the HGV traffic associated with the proposal to remove the remaining 400,000 tonnes of reserves of silica sand over four years via Park Pit would be less than the number of HGVs associated with the currently permitted 180,000 tonnes per annum average.
- 73 Paras. 29 – 41 of the NPPF deal with transportation, stating that all developments that generate significant amounts of movements should be supported by a Transport Statement (TS) or Transport Assessment (TA). The NPPG states that TA's are thorough assessments of the transport implications of development, whereas TS's are a 'lighter-touch' evaluation, used where there are anticipated limited transport impacts. However, it may be that no TA or TS is required where transport impacts are not significant, but this would need to be agreed with the CPA in advance. Para 32 of the NPPF sets out three bullet points that require decision makers to take account of; opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, that safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. The third bullet point also states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 74 Policy MC15 of the SMP2011 Core Strategy states that mineral development involving transportation by road will be permitted only where there is no practicable alternative to the use of road based transport, the highway network is of an appropriate standard for use by the traffic generated by the development; and that 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.
- 75 Policy M02 of the MVL2000 states that development proposals "*will normally only be permitted where it can be demonstrated that it is or can be made compatible with the transport infrastructure and the environmental character in the area, having regard to all forms of traffic generated by that development*".
- 76 The proposal needs to accord with the above development plan policies and the guidance within the NPPF (supported by the NPPG) is a material consideration. The extraction of sand has now ceased, however it generated a maximum of 40 HGV movements per day, which Transportation Development Officers considered as negligible. Officers therefore considered that the proposal had no discernible transportation impact and as such accords with the above development plan policies and government guidance.

## **ENVIRONMENT AND AMENITY**

### **National Guidance**

National Planning Policy Framework (NPPF) 2012

National Planning Practice Guidance (NPPG) 2014

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

Policy MC2 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

**Mole Valley Local Plan 2000 (MVL2000)**

Policy ENV4 - Landscape Character

Policy ENV14 – Enhancement, Management and Creation of Nature Conservation Feature

**Mole Valley Local Development Framework Core Strategy DPD 2009 (MVCS2009) and Landscape SPD 2013**

Policy CS13 - Landscape Character

Policy CS15 – Biodiversity and Geological Conservation

- 77 The NPPF seeks to ensure that mineral development does not give rise to unacceptable adverse impacts on the natural and historic environment and human health (para.144) and that the cumulative effect of multiple impacts from individual sites and /or from a number of sites in the locality should be taken into account. The latest permission for the extraction of the silica sand from Tapwood Quarry (extension) was originally granted on appeal in 1997, which considered the impacts on the character and appearance of the area, and the effect on the amenities of local residents. The Inspector acknowledged that whilst there would be some harm to the character and appearance of the landscape locally, and that there would be some disturbance to the amenities of local residents, the overall need for this scarce national resource outweighed the environmental harm. The modern conditions imposed under the 1999 minerals review permission provided protection in respect of environment and amenity impact. The proposal is seeking a variation of those conditions, so as to allow the remaining reserves of silica sand to be worked over a further 4 years, with an additional year for restoration by 2015, which was later amended to 2016.
- 78 SMP2011 Policy MC14 (Reducing the Adverse Impacts of Mineral Development) 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*”. Ten issues are set out in this policy, including: landscape and biodiversity, noise and dust; flood risk and dewatering, which are relevant to this proposal and are discussed below.

### **Landscape and Visual Amenity (AGLV)**

- 79 The sandpits are situated in an area of largely undulating and open agricultural land below the North Downs escarpment, to the south of the Surrey Hills Area of Outstanding Natural Beauty (AONB). Tapwood Quarry lies within an Area of Great Landscape Value (AGLV), which extends southwards but does not include Park Pit. Both sandpits lie within the Greensand Valley Landscape Character Area (LCA 2015), which is characterised by a network of open parkland and farmland with hedgerows, mainly used for cattle grazing with some horse pasture, but includes areas of heath and woodland blocks. Protection of the local landscape and landscape character is set out within Policy ENV4 of the Mole Valley Local Plan 2000 which requires planning applications to take into account whether any existing landscape features such as trees and hedgerows should be retained. Policy ENV4 states that development proposals should conserve and not detract from the character of the local landscape.
- 80 Policy MC2 of the SMP2011 seeks to protect key environmental interests such as AONBs and that mineral development will only be permitted if it has been demonstrated to be in the public interest and that restoration can be carried out to the highest standard. MVCS Policy CS13 and adopted Landscape SPD 2013 seeks to ensure that all new development respects and, where appropriate, enhances the character and

distinctiveness of the landscape character area in which it is proposed, which includes protecting views to and from the AONB.

- 81 A landscape and visual assessment was not prepared as part of the EIA process due to this being an application for an extension in the period for extraction and restoration of an existing operation, which was acknowledged in the Scoping Opinion issued by SCC. However, the applicant did review the landscape character assessments and the contribution of the proposed restoration schemes for the sites to the local landscape character. This is discussed further under the restoration section, but the applicant states that the restored landscape would contribute to a mosaic of habitats that are already found within the local landscape. Park Pit ceased mineral extraction in 2002, with the majority of the site restored and planted by 2005. It is proposed to reduce the amount of approved tree planting around the margins of the lake due to the requirement to provide suitable clear areas for anglers. The applicant also proposes to remove the hedge at the western end of Tapwood, which was originally planted to screen the workings from Rose Cottage. Now that quarrying operations have ceased, the hedge is no longer required and the residents of Rose Cottage are also very keen for their views to be restored.
- 82 Mole Valley District Council raised no objection provided various issues were addressed, which included the removal of the bunds and any associated non indigenous vegetation from both Tapwood and particularly Park Pit in order to return the area to the pre existing more open landscape. The applicant has stated that the bund along the western boundary of Dungates was designed as a permanent screening feature and planted with trees in 1981-82 under planning permission MO79/798 (subsequently carried forward within the Minerals Review permission MO98/1549).
- 83 The County Environmental Enhancement Officer, County Landscape Officer and AONB Officer raised no objection to the application in respect of the landscape impacts. The CPA now has a different CLO due to the time taken to determine this planning application. The new CLO has not been involved throughout the long history in determining this application, and has a different view on the landscape impacts, raising concerns and objects to any loss in landscape enhancement without further justification. The applicant has provided further clarification, reiterating that the one of the main drivers for removing much of the previously permitted tree planting around the Park Pit Lake is the landowners' proposal for a fly-fishing end-use, which requires adequate clear area for casting. Currently, a significant proportion of the lake margin is already inhabited by stands of willow and alder regeneration, and the applicant has stated that as the water level rises to 52.5m AOD, establishment of further dense flushes of shoreline willow and alder vegetation will almost certainly establish as the shoreline moves higher up the banks. Much of this regeneration will be allowed to establish itself (balanced with the needs of the fishery) to benefit bankside cover and improve the internal landscape for site users. The applicant has stated that site is generally set in an already well-wooded local environment and already gives a well-wooded appearance from the AONB to the north. The applicant has stated that there would be no discernible benefit from increasing the density of tree planting over what is already there, or what is likely to regenerate over the coming years.
- 84 The CLO also raised concerns over the proposals to change the treatment and enhancement of Shag Brook to extend the amount of stream placed in to culvert from 85m to 140m. However, following site meetings and agreement with the Environment Agency (EA) the applicant provided reasons stating that the culvert between Colley Lake and Shag Brook was installed many years ago to drain excess water from Colley Lakes, which were surcharged by dewatering water from Tapwood Quarry. The dewatering has ceased, which mean the levels in Colley Lakes should now settle to natural levels. The route has never had a natural open watercourse and this was discussed with the EA during a site visit and a reason for the buried pipe rather than creating a ditch was due to the topography of the intervening land, with the depth of the pipe varying from 6m at the Colley Lakes end to 2m at the other end. A ditch would therefore be impractical as a

steep sided ditch would be difficult to maintain. The CLO has accepted the stance taken by the EA.

- 85 Officers consider that the need to extract the remaining mineral reserve so not to cause sterilisation and the reasons put forward by the applicant as to why a delay has occurred outweigh the temporary visual harm caused by the extraction in Tapwood and processing in Park Pit. Officers acknowledge the concern of the CLO however the applicant has provided reasons for the planting reduction in terms of the proposed afteruse and these views are considered acceptable by the County Environmental Enhancement Officer and other consultees. Officers therefore consider that in the broader context of the landscape and afteruse of the site, the reduction of planting is considered acceptable, and would be outweighed by the nature and the benefits of the overall restoration. Officers, also consider that the proposal is capable of conserving and enhancing this sensitive and distinctive area of landscape in which it is located. Officers therefore conclude that the proposal complies with national and development plan planning policy relating to landscape and visual impact matters.

### Noise

- 86 Existing noise conditions set under the Minerals Review planning permission (ref.MO98/1549) apply to both sites and the EIA Scoping opinion recommended that the Environmental Statement should demonstrate that current noise limits / conditions are still appropriate and that the work is being undertaken within the limits. Noise monitoring was undertaken by the applicant, which found that the dominant noise source was road traffic noise coming from the A25, which runs between the two sandpits. The monitoring showed that noise from the sand extraction and processing operations was virtually inaudible at the site boundary, recorded as low and not significant in EIA terms, indicating that the current noise conditions were being complied with and remained appropriate control over site operations.
- 87 The County Noise Consultant raised no objection to the proposed development. Now that the quarry operations have ceased with only restoration works taking place there would be limited noise generation. However, Officers do not consider that the proposed development would generate an unacceptable level of noise and therefore the site can operate within the existing appropriate noise limits.

### Air Quality – Dust

- 88 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.
- 89 A Dust Action Plan has been in place since Tapwood and Park Pit have been in operation, however the applicant carried out an assessment of any further dust nuisance, as the nearest receptors are within 500m of the extraction areas. The assessment concluded that the risk to the receptors is low and with appropriate mitigation measures the dust effects from the site are considered to be not significant. The County Air Quality Consultant assessed the proposal and its impacts on air quality and health, and raised no objection, subject to compliance with the submitted Dust Management Plan (DMP) and Dust Action Plan (DAP). Whilst the concerns of local residents are acknowledged, on the basis of the assessments and no objection from the County Air Quality

Consultant, Officers consider that the existing DMP and DAP provide appropriate control over operations, as such the development would not give rise to significant or unacceptable impacts in terms of air quality.

### Hydrology, Hydrogeology and Surface Water

- 90 Tapwood Quarry and Park Pit lie within the catchment of the River Mole, with Shag Brook being the nearest watercourse, which lies to the west of Tapwood and drains southwards under the A25 and to the east of Park Pit, running southwest towards the River Mole. To facilitate mineral extraction from Tapwood and to control water levels in Park Pit, water has been discharged from Tapwood into the Colley Lakes to the north and from Park Pit into Shag Brook. A culvert was installed many years ago between Colley Lakes and the western end of Tapwood (as mentioned above) which controls the water level in Colley Lakes to the north, allowing water to overflow into the upper reaches of the Shag Brook. The applicant is retaining this structure intact (as opposed to removing it and leaving an open ditch) following agreement with the Environment Agency.
- 91 Tapwood Pit is located adjacent to (south of) a former household waste landfill site (Jubilee Field). This landfill site has caused pollution of groundwater locally and has required Sutton & East Surrey Water Company to prevent the flow into the Buckland Green borehole by sleeving off the Folkestone Formation and drilling to the deeper Hythe Formation. The Folkestone Formation is classed as a Principal Aquifer by the Environment Agency and the applicant has carried out extensive groundwater monitoring since 1994, which has shown depressed local groundwater levels and enhanced flows in the Shag Brook. Now that extraction has ceased, the applicant has stated that groundwater levels are expected to recover within a period of 5 years. The lake levels will gradually readjust as a result of the groundwater changes, with lake levels at Park Pit allowed to recover to 52.5m AOD, with a controlled outfall into Shag Brook. The Tapwood levels are anticipated to rise to 57m AOD, which is projected to reach equilibrium within 5 years. The applicant's assessments concluded that the proposed development would have little or no additional impact on the local groundwater or surface water flow regimes.
- 92 Sutton & East Surrey Water raised an objection in respect of the environmental damage caused by the dewatering activities, until the Environment Agency gave assurances that the works would not affect the quantity or quality of ground water and that remediation measures are put in place to correct the environmental damage, in particular the impact on the Alder Wood SSSI to the east side of the Buckland sandpits. Natural England, the Environment Agency and the Principal Environmental Enhancement Officer agree that the decline in wetland interest of SSSI (Western Alder Woods) is contributed to by, but not solely the result of sand extraction but also due to the prolonged drawing down of the watertable by the local water company for public abstraction. The Environment Agency raise no objection subject to a condition in respect of the details of outfall from Park Pit (which have been provided) and a condition in respect of groundwater monitoring in order to inform the assessment of risk to groundwater and surface water bodies from leachate emanating from the Jubilee Field landfill.
- 93 The issue of hydrology and the impacts of dewatering have been the subject of lengthy discussions and meetings with the applicant, the Environment Agency and Natural England, which has been the cause of the delay in determining this planning application. 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 accords with the Development Plan.

## Ecology and Biodiversity

- 94 Protection of site biodiversity is set out within Policy CS15 (Biodiversity and Geological Conservation) of the MVCS 2009, which states that all water course, mature hedges and trees within development sites should be, as far as practicable, retained. Only where no realistic alternatives are available or replacement of such features elsewhere in the site would result in biodiversity enhancements above what already exists at the site, will removal of such features be permitted. The policy goes on to state that planting and other schemes that promote biodiversity will be expected to focus on native specific from the locality.
- 95 The applicant has provided an environmental assessment which included an extended Phase 1 survey, species surveys (including great crested newts, bats, reptiles and water voles) and a review of the potential indirect effects on nature conservation designations. The assessment concluded that significant adverse effects are unlikely and can be avoided by the incorporation of mitigation measures and good site management. In terms of planting, most of this has already been carried out at both pits, and comprises a mixture of tree and shrub planting and wildflower grassland, as shown on the revised restoration schemes. A number of sand faces have been left exposed to provide visual interest and ecological diversity to the restored site. In terms of Park Pit the shallow areas have already been planted with marginal and aquatic planting, which have already developed, however further aquatic planting may be required when the water levels reach equilibrium. A bird management plan was recommended by Gatwick Airport Ltd and the applicant has included this as further information, which will be adopted as part of any permission.
- 96 The Surrey Wildlife Trust have not raised an objection to the proposed seed mixes or plant species but have raised queries with regard to the possibility of providing areas of the sandy cliffs for invertebrates and birds as a permanent feature, whether some areas identified for wildflower seeding could be left un-seeded to provide bare patches thereby creating variation; and whether some areas of the lake could be excluded from angling and established as a refuge for birds. The Principal Environmental Enhancement Officer (PEEO) has commented with regard to the provision of refuges that this may be problematic unless areas are physically segregated from the rest of the waterbody. This is because areas designed to maximise wildlife benefits by definition can result in being the best areas for fish and consequently can attract angling attention. The PEEO has stated that as the angling proposed at Park Pit is to be relatively low level he considers that the potential for adverse impact is limited. Cliff faces and areas of bare ground are already present within parts of the application site which are currently restored and these are to remain as such, thus providing areas for wildlife refuge. The County Ecologist has raised no objection.
- 97 Concerns have been raised by many local groups with regard to the adverse impact of the quarry working on the Reigate Heath SSSI, which lies to the southeast of Park Pit. In particular the drying out of the Western Alder Woods (Unit 1) of the SSSI which is approximately 40m southeast of the site, adjacent to the eastern bank of Shag Brook. Reigate Heath itself (Unit 2) comprises open heath and acid grassland, and Unit 3 along the eastern boundary of the SSSI is cited as being wet meadows. The issue of water levels, groundwater modelling and impacts on the SSSI has been an ongoing discussion point between Natural England, the Environment Agency, the applicant and the CPA, and one of the main reasons for the delay in determining this planning application. It has been agreed that the drying out of the SSSI is likely due to a combination of factors, including the historic groundwater abstraction for water supply for the area and mineral extraction. The applicant submitted a re-wetting scheme to assist with the regeneration of the SSSI, however due to the complex nature of this situation it was necessary for Natural England to commission a survey of the SSSI.

- 98 Based on the evidence contained within Natural England's survey, it was concluded that the special interest features of Units 1 and 3 of Reigate Heath SSSI have been damaged beyond recovery (Unit 1) or destroyed (Unit 3). This evidence shows that the interest features of the water-dependant units of the SSSI have been lost and that the impact is irreversible. Therefore in this instance due to the historical and permanent nature of an impact which has already occurred, both Natural England (NE) and the Environment Agency (EA) agree that the proposed re-wetting scheme of Unit 1 should no longer be considered as this would not guarantee restoration of any of the SSSI interests. The Principal Environmental Enhancement Officer concurs with this conclusion. Officers therefore consider that the proposal would accord with the relevant Development Plan policies in terms ecology and biodiversity.

### Restoration and Aftercare

- 99 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'*
- 100 The SMP2011 requires mineral working proposals to provide for restoration and post restoration management to a high standard, and 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.
- 101 In 1999 modern conditions for working, restoration and aftercare of the Buckland Sandpits were approved under the Minerals Review planning permission (ref: MO98/1549), which was to provide restoration to two landscaped lakes. The restoration landform is remaining as two lake settings, however with a reduction in the planting blocks around the lakes to facilitate the recreational use (fly-fishing from both rowing boats on the lake and from the shoreline) at Park Pit and the seasonal grazing of the slopes around Tapwood. The applicant considers this planting is no longer necessary or integral to the restoration and aftercare of the sandpits.
- 102 There have been long and exhaustive discussions regarding the final water level that will be achieved at Tapwood once the pumps are turned off. The original (approved) restoration design was based on a final water level of 61.5m AOD, as a result, much of the restoration at Tapwood that took place prior to 2010 was based on that final water level. However, subsequent modelling undertaken post-2010 showed that the final water level was more likely to be 57m AOD. Therefore, the Tapwood 'Revised Restoration Scheme' has been based on the modelled level of 57m AOD but the applicant acknowledges that if a different water level is achieved, the design will have to change. The applicant expects the final predicted water level will be achieved within 5 years, and once it is agreed that final water level has been reached, the applicant proposes to submit a revised scheme to include details of how the landform will be altered to accommodate this new level. If the final water level does in fact turn out to be higher at 61.5m, then little, if any remedial works, will be required. For levels below 61.5m AOD, varying degrees of works may be required, which may require an amended scheme to be approved. Final planting (and restoration sign off) would have to wait until final lake levels are achieved at which point the 5 year aftercare could commence.

- 103 Park Pit was largely restored and planted in 2005 to a pre-determined water level of 52.5m AOD, as planning permission was granted for this level. A review of this level has been undertaken by the applicant, in consultation with the Environment Agency and Natural England with a view to increasing it to as much as 56m AOD. This was on the basis that this would benefit the nearby SSSI, through re-wetting, however following research by Natural England (as discussed above) the re-wetting would of no benefit to the SSSI. Therefore, the previously approved level of 52.5m was the basis of the revised restoration, with the removal of some blocks of tree planting around the lake margins. Park Pit water levels are to be maintained at 52.5m AOD, as currently approved, with a piped outfall in the south east corner, which will feed into Shag Brook. This level would also facilitate the use of the retained building in the northern end of the site as a boathouse, which was permitted in 2015. In addition, through a series of removable drop boards, not only will the proposed Park Pit structure enable the lake to be controlled at the permitted 52.5m level, but also at levels below that for essential maintenance purposes.
- 104 Several statutory consultees, including the Environment Agency; parish councils and amenity groups originally raised concerns with regard to the final water level of Park Pit and considered that this water level should be raised. However, as explained above it has been agreed with the Environment Agency and Natural England that the 52.5m AOD is considered acceptable. Now mineral working has ceased, the water levels within Park Pit are slowly rising from the suppressed 50m AOD to 52.5m AOD. Some final aquatic planting is also needed at Park Pit, as levels rise to 52.5m AOD. Officers therefore consider that the restoration and aftercare for the site is acceptable in underpinning the existing structural landscape, and accords with the policies of the development plan.

### **Conclusion - Environment and Amenity**

- 105 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 issues identified in respect of the proposal include: landscape and biodiversity, noise and dust; flood risk and dewatering 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**

### **The Development Plan**

#### ***Surrey Minerals Plan 2011 - Core Strategy Development Plan Document (SMP2011)***

Policy MC3 Mineral Development in the Green Belt

Policy MC17 – Restoring mineral workings

- 106 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*'.

- 107 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. Mole Valley Local Plan 2000 states at paragraph 4.20 that proposals involving mineral working within the Green Belt will be judged against policies within the Minerals Local Plan.
- 108 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.
- 109 Officers are satisfied that the restoration scheme as proposed meets the requirements with regard to Green Belt policy and the Local Development Plan due to the ecological and landscape benefits offered within the scheme. Officers consider that the proposed amendments to the restoration plans for Park Pit which involves the removal of tree planting along the periphery of the lake will not contradict the objectives of providing for high environmental standards in the restoration of mineral workings. Officers conclude that the temporary impacts of the mineral working on the Green Belt would be significantly mitigated by the progressive restoration of the site and as such, will not cause permanent harm to the Green Belt, and therefore the proposal accords with the policies of the development plan.

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## HUMAN RIGHTS IMPLICATIONS

- 110 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.
- 111 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.

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## CONCLUSION

- 112 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; landscape

impacts; air quality and dust; hydrology; impact on SSSI; and restoration. The applicant undertook an environmental assessment and has provided further information where necessary.

- 113 Technical consultees have carefully considered the application and information provided and not objected to the development. The views of technical consultees have been reported under individual issues earlier in the report. Mineral extraction has now ceased however there is no reason to believe that high environmental standards cannot be maintained during the restoration and aftercare of the site.
- 114 Officers consider there is no reason to believe that the site could not be well restored to the proposed after-uses, with planting already well established in parts of the site, and such uses and restoration are consistent with Green Belt objectives. Any adverse impact on the visual amenities of the AONB and AGLV have been limited and adequately controlled. The need for the sand has been demonstrated and is in the public interest and high environmental standards would be achieved and that the site well restored. Officers therefore consider that the proposed development accords with Surrey's Mineral Site Restoration Guidance and Surrey Minerals Plan Policies.

## RECOMMENDATION

The recommendation is to **PERMIT** subject to conditions

## CONDITIONS

### Approved Documents

- 1 The development hereby permitted shall be carried out and completed in accordance with the following approved plans:

Title	Drawing No.	Date
Site Location Plan	Figure 1.1	June 2010
Planning Application Boundary and Land under Applicants Control	Figure 1.2	June 2010
Park Pit - Revised Restoration Scheme	R44r/178Rev.f	November 2015
Tapwood Pit - Revised Restoration Scheme Based on Modelled Water Level of 57m AOD	R44r/270Rev.f	November 2015
Proposed planting for Area Besides Dungates Farm	R44r/278	November 2015 (received)
Colley Lake to Shag Brook Culvert: Cross Section (Reg22)	Figure 2.4	September 2011
Park Pit – Design of Lake Outfall/Headwall	(A4 sheet with plan, section and elevation)	November 2015

### Time Limits

- 2 The restoration of Park Pit to a condition suitable for low intensity fishing and leisure uses shall be completed no later than 31 August 2016 in accordance with the 'Revised Restoration Scheme' Drawing No. R44r/178Rev.f dated November 2015
- 3 The restoration of Tapwood Quarry to a landscaped lake shall be completed by 31 August 2016 in accordance with the 'Revised Restoration Scheme Based on Modelled Water Level of 57m AOD' Drawing No.R44r/270Rev.f dated November 2015.

### Bird Management Plan

- 4 The Bird Management Plan as contained in Appendix B of the AMEC Regulation 22 response Dated 21 September 2011, shall be implemented as approved from the date of this decision notice.

Protection of Groundwater

- 5 The monitoring of the groundwater shall be carried out and completed in all respects in accordance with plan R44r/202 and the scheme submitted and approved under planning application MO97/1141 dated 20 March 1998. The monitoring shall be carried out until the County Planning Authority is satisfied that the water level in Tapwood Pit has reached equilibrium, with reports provided to the County Planning Authority on an annual basis as specified in the approved plan.

Restoration

- 6 All trees, marginal aquatic plants, shrub planting and other landscape works at Park Pit shall be maintained in good and healthy condition and be protected from damage in accordance with the schemes as shown on 'Revised Restoration Scheme' Drawing No. R44r/178Rev.f dated November 2015, any tree or shrub which dies or is severely damaged or diseased shall be replaced in the next available planting season with others of a similar size and species.
- 7 All trees, shrub planting and other landscape works at Tapwood shall be maintained in good and healthy condition and be protected from damage in accordance with the schemes as shown on 'Revised Restoration Scheme Based on Modelled Water Level of 57m AOD' Drawing No.R44r/270Rev.f dated November 2015, any tree or shrub which dies or is severely damaged or diseased shall be replaced in the next available planting season with others of a similar size and species.
- 8 Within 5 years of the date of this permission, the County Planning Authority shall be notified of the final water levels and any necessary revised restoration requirements. If a revised restoration scheme is required, then within 6 months of the receipt of such notification, a revised restoration scheme shall be submitted for approval in writing by the County Planning Authority.

Aftercare

- 9 The land at Tapwood and Park Pit shall be brought to the required standard for use for amenity purposes in accordance with the provisions of the aftercare scheme forming part of planning application ref: MO10/0847 and approved restoration drawings, and with detailed annual schemes to be submitted as may be approved. Schemes shall be submitted annually throughout the five-year period of aftercare and shall provide details of the soil, planting, seeding, cultivation, fertilisation, watering, drainage or other treatment of the land which it is proposed should be carried out.

Reasons

- 1 For the avoidance of doubt and in the interests of proper planning.
- 2 To enable the County Planning Authority to exercise planning control over the operation so as to minimise the impact on local amenity and to ensure the prompt and effective restoration to comply with Schedule 5 paragraph 1 of the Town and Country Planning Act 1990 and Surrey Minerals Plan 2011 Policy MC17.
- 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 ensure the permission is implemented in accordance with the terms of the application and to enable the County Planning Authority to exercise planning control over the development pursuant to Policy MC14 of the Surrey Minerals Plan 2011.
- 5 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.
- 6 To secure restoration to the required standard and enhance biodiversity in accordance with the Surrey Minerals Plan 2011 Policies MC17 and MC18.
- 7 To secure restoration to the required standard and enhance biodiversity in accordance with the Surrey Minerals Plan 2011 Policies MC17 and MC18.
- 8 To secure restoration to the required standard and enhance biodiversity in accordance with the Surrey Minerals Plan 2011 Policies MC17 and MC18.
- 9 To secure restoration to the required standard and provide submission in order to enable the County Planning Authority and other parties attending aftercare site meetings to consider the report and proposals for the following year in accordance with the National Planning Policy Framework 2012.

Informatives:

1. The County Planning Authority confirms that in assessing this planning application it has worked with the applicant in a positive and proactive way, in line with the requirements of paragraph 186-187 of the National Planning Policy Framework 2012.
- 2 Attention is drawn to the requirements of Sections 7 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the Code of Practice for Access of the Disabled to Buildings (British Standards Institution Code of Practice BS 8300:2009) or any prescribed document replacing that code.

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**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) 2012

National Planning Practice Guidance (NPPG) 2014

**The Development Plan**

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

Mole Valley Local Plan 2000 (MVL2000)

Mole Valley Local Development Framework Core Strategy DPD 2009 (MVCS2009) and Landscape SPD 2013

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